

Solid Waste Stakeholder Meeting

April 18, 2012

Issues: Legacy Landfills; Ending Post-Closure Care

Goal: Apply common sense principles and creative ideas for transformation

Attendees: see attached sheet(s)

A. Legacy Landfills

1. Definition of Legacy Landfill based on
 - a. Dates of operation & closure?
 - b. Engineering design?
 - c. Registration?
 - d. Linked to closure funding?
 - e. Ownership?
2. No consistent regulatory approach to redevelopment of landfills – it all depends on who you are dealing with at DEP;
3. Need clear guidance on DEP responsible program – SW or SRP;
4. Stop regulating landfills under two (2) sets of regulations: SW and SRP;
5. “Affirmative Obligation to Remediate” basis for SRP rule. SHW regulations do not have the same basis;
6. Pushing landfills into SRP and use of LSRP adds to the cost of development;
7. Concerns related to unapproved redevelopment that has already taken place;
8. How to encourage redevelopment of landfills; and,
9. Need to make redevelopment of landfills more advantageous to developers (incentives?).

Regulatory Issues

10. Regulations should be performance based;
11. SW needs a separate section in the regulations to deal with “legacy landfills”;
12. Regulations need to specifically address redevelopment of/on landfills;
13. Concept of SW equivalent of “NFA”;
14. Monitoring requirements should be updated for all new testing methods and parameters; and,
15. Revise regulations to accommodate different “classes” of sites.

B. Post-Closure Care Period

1. Need to do better revisiting closure and post-closure requirements during the post-closure period;
2. Extending the 30 year post-closure period, especially open ended, would make it difficult for redevelopment;
3. How to put monies together to fund landfill expenses for sites that have to extend post-closure care;
4. Pinelands - Uses modeling to determine impact on receptors to determine closure requirements;
5. Reference Document: ITRC Publication, "Evaluating, Optimizing, or Ending Post-Closure Care at Municipal Solid Waste Landfills Based on Site-Specific Data Evaluations," dated September 2006; and
6. ET (Evapotranspiration) caps – must be equivalent to 1 foot of 1×10^{-7} cm/s of clay. In New Jersey, this would actually be at least 4 to 5 feet of compacted soil or more – up to 10 feet.

Send notes/comments to Bob Confer via email (Robert.Confer@dep.state.nj.us)

Next meeting: Thursday, May 17, 2012 at 1:30 pm

Topic: "Coordination between Enforcement and Permitting"

June 11, 2012 – Meeting to present all ideas from the solid waste subgroups