

Division of Solid and Hazardous Waste
401 East State Street
P.O. Box 414
Trenton, New Jersey 08625-0414
Tel. # (609) 292-9880
Fax # (609) 633-9839

Solid Waste Facility Permit

Under the provisions of N.J.S.A. 13:1E-1 et seq. known as the Solid Waste Management Act, this permit is hereby issued to:

Gaeta Recycling Co., Inc.

Facility Type:	Transfer Station/Materials Recovery Facility/Class A Recycling Center	
Lot No.:	1 and 2	Part of Lot 6
Block No.:	K1305	7117
Municipality:	Paterson	
County:	Passaic	
Facility Registration No.:	1608000711	

This permit is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection.

This permit shall not prejudice any claim the State may have to riparian land, nor does it allow the permittee to fill or alter or allow to be filled or altered in any way, lands that are deemed to be riparian, wetlands, stream encroachment areas or flood plains, or that are within the Coastal Area Facility Review Act (CAFRA) zone or are subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this State without prior acquisition of the necessary grants, permits, or approvals from the Department of Environmental Protection.

<u>November 9, 1995</u>	<u>Signed by Thomas Sherman, Assistant Director</u>
Original Issuance Date	Thomas Sherman
	Assistant Director
<u>September 30, 1998</u>	Office of Permitting &
Modified Date	Technical Programs

Modified Date

November 9, 2000
Expiration Date

Table of Contents

<u>Item</u>	<u>Page(s)</u>
Scope of Permit	3
Section I - General Conditions Applicable to All Facilities	
1. Duty to Comply	4
2. Duty to Reapply	4
3. Need to Mitigate	5
4. Permit Actions	6
5. Signatory Requirements	6
6. Transfers	7
7. Registration Statement	8
8. Duty to Update Disclosure Statement	8
9. Operating Record and Reporting Requirements	9
10. Conformance to the District Solid Waste Management Plan	9
11. Compliance with Other State Regulations and Statutes	10
12. No Change in Waste Identification	10
13. Computerized Scales Requirement	10
Section II - General Operating Requirements	
1. General Operating Requirements for All Solid Waste Facilities	11
2. General Operating Requirements for Transfer Stations and Materials Recovery Facilities	14
Section III - Specific Conditions Applicable to the Facility	
1. Permitted Waste Types	15
2. Approved Designs, Plans and Reports	15
3. Approved Operations	17

Scope of Permit

The permitted facility is a public solid waste transfer station/materials recovery facility and Class A Recycling Center owned and operated by Gaeta Recycling Co., Inc. The facility is located in a light industrial area at 278-281 West Railway Avenue (Block K1305, Lot 1) and 196-198 Genesse Avenue (Block K1305, Lot 2) in the City of Paterson, Passaic County, New Jersey. An area located adjacent to the facility building, along West Railway Avenue is leased by the permittee from Norfolk Southern Railway Company (Block 7117, Part of Lot 6) and is utilized for the queuing and staging of solid waste vehicles.

The facility is authorized to accept and process solid waste types 10, 13, 13C and 27 for processing, recovery and transfer, Monday through Saturday with a daily maximum of 117 tons (which also includes incoming source separated Class A recyclable materials). The facility is not authorized to accept more than 570 tons of such materials in a given week (six days operation).

The facility is authorized to offload incoming solid waste shipments on the tipping floor inside the building where the wastes are processed and recyclable materials are recovered. The remaining waste is baled and loaded into transfer trailers for shipment to authorized offsite disposal facilities. All vehicles enter/exit the facility via West Railway Avenue. All incoming and outgoing vehicles are weighed at the scale located at the facility.

The facility is authorized to recover Class A and Class B recyclable materials (such as cardboard, newspaper, mixed office paper, plastic, ferrous and non-ferrous metal, wood, concrete, brick and block and tires) from the solid waste received. Containers with recyclable materials may be stored on-site pending shipment to a recycling center or final market destination.

All storm water (generated in the loading ramp area), process waste water (generated from the operation) and sanitary wastewater is collected in drains and then filtered through sand traps into the combined storm and sanitary sewer system for final disposal at the Passaic Valley Sewerage Commission (PVSC) treatment works facility.

This permit does not convey any property rights of any sort, or any exclusive privilege. Failure to comply with all of the conditions specified herein may result in revocation of this permit and/or may result in such other regulatory or legal actions which the Department is authorized by law to institute.

Section I

General Conditions Applicable to All Permits

1. Duty to Comply

- (a) Pursuant to N.J.A.C. 7:26-2.8(i), the permittee shall operate the facility in compliance with the requirements of N.J.A.C. 7:26-2.11.
- (b) Pursuant to N.J.A.C. 7:26-2.8(j), the permittee shall operate the facility in conformance with all of the conditions, restrictions, requirements and any other provisions set forth in this permit.
- (c) Pursuant to N.J.A.C. 7:26-2.8(k), except for minor modifications as set forth at N.J.A.C. 7:26-2.6(d), the permittee shall not modify, revise or otherwise change any condition of this permit without prior written approval of the Department.

2. Duty to Reapply

- (a) Pursuant to N.J.A.C. 7:26-2.7(b)1, if the permittee wishes to continue the operation of this facility after the expiration date of this permit, the permittee shall apply for permit renewal at least 90 days prior to the expiration date of this permit, and the facility must be included in the District Solid Waste Management Plan at the time of such application.
- (b) Pursuant to N.J.A.C. 7:26-2.7(c), the conditions of this permit shall continue in force beyond the expiration date of this permit pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-11, until the effective date of a new permit if:
 - 1. The permittee has submitted a timely and complete application for a renewal permit pursuant to (a) above; and
 - 2. The Department, through no fault of the permittee, does not issue a new permit with an effective date on or before the expiration date of this permit, due to time or resource constraints.
- (c) Pursuant to N.J.A.C. 7:26-2.7(d), permits continued under said section remain fully effective and enforceable, and if the permittee is not in compliance with any one of the conditions of the expiring or

expired permit the Department may choose to do any or all of the following:

1. Initiate enforcement action based on the permit which has been continued;
2. Issue a notice of intent to deny the new permit under N.J.A.C. 7:26-2.4. If the permit is denied, the permittee would then be required to cease activities and operations authorized by the continued permit or be subject to an enforcement action for operating without a permit;
3. Issue a new permit under N.J.A.C. 7:26-2.4 with appropriate conditions; or
4. Take such other actions as are authorized by N.J.A.C. 7:26-1 et seq. or the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq.

3. Need to Mitigate

- (a) Pursuant to N.J.A.C. 7:26-2.8(p), should the Department determine that the facility is operating in an environmentally unsound manner, the permittee shall:
 1. Within 90 days of notification by the Department, submit a plan to close or environmentally upgrade the facility in conformance with the applicable standards, as determined by the Department and set forth in N.J.A.C. 7:26-1 et seq.;
 2. Within 90 days of receipt of written approval by the Department of the submitted plan, begin to close or construct the environmental upgrading at the facility; and
 3. Within one year of receipt of written approval by the Department of the submitted plan, complete closure or construction of the environmental upgrading at the facility.
- (b) Pursuant to N.J.A.C. 7:26-2.8(q), a one time extension of the compliance schedule established by N.J.A.C. 7:26-2.8(p) shall be granted by the Department provided the permittee demonstrates that it has made good faith effort to meet the schedule.
- (c) Pursuant to N.J.A.C. 7:26-2.8(r), should the environmental upgrading required pursuant to N.J.A.C. 7:26-2.8(p) not be completed or should continued

operations be determined by the Department to be environmentally unsound despite the implementation of the plan approved pursuant to N.J.A.C. 7:26-2.8(p), the facility shall temporarily or permanently cease operations and close or enter into receivership, as provided for in N.J.S.A. 13:1E-9, for that period of time necessary to rectify the environmentally unsound conditions.

4. Permit Actions

- (a) Pursuant to N.J.A.C. 7:26-2.6(a)1, if cause exists, the Department may modify, or revoke and reissue this permit, subject to the limitations of that section, and may require the permittee to submit an updated or new application in accordance with N.J.A.C. 7:26-2.6(e), if appropriate.
- (b) Pursuant to N.J.A.C. 7:26-2.6(b), the Department may modify or, alternatively, revoke and reissue this permit if cause exists for termination under N.J.A.C. 7:26-2.6(c) and the Department determines that modification or revocation and reissuance is appropriate.
- (c) Pursuant to N.J.A.C. 7:26-2.6(d), upon the request of the permittee, an interested party or for good cause, the Department may make certain minor modifications to a permit without issuing a tentative approval, providing public notice thereof or holding a public hearing thereon.
- (d) Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, the permittee shall promptly submit such facts or information.

5. Signatory Requirements

- (a) All completed registration statements submitted by the permittee shall be signed as specified at N.J.A.C. 7:26-2.4(e)1.
- (b) All engineering designs and reports, the environmental and health impact statement, other information requested as "Addendums" by the Department pursuant to N.J.A.C. 7:26-2.4(f) and (g)4 and documents required to be submitted pursuant to N.J.A.C. 7:26-2.9 and 2.10, submitted on behalf of the permittee, shall be signed by a person described in N.J.A.C. 7:26-2.4(e)1 or by a

duly authorized representative of that person, as specified at N.J.A.C. 7:26-2.4(e)2.

- (c) Any person signing a registration statement, engineering design or report, environmental and health impact statement or addendum mentioned in N.J.A.C. 7:26-2.4(e)1 or (e)2, submitted on behalf of the permittee, shall make the certification specified at N.J.A.C. 7:26-2.4(e)3.

6. Transfers

- (a) Pursuant to N.J.A.C. 7:26-2.8(1), the permittee shall not transfer ownership of the permit without receiving prior written approval of the Department, in accordance with N.J.A.C. 7:26-2.7(e).
- (b) Pursuant to N.J.A.C. 7:26-2.7(e)1, a written request for permission to allow any transfer of ownership or operational control of the facility must be received by the Department at least 180 days in advance of the proposed transfer. The request for approval shall include the following:
 - 1. A registration statement, completed by the prospective new permittee on forms provided by the Department;
 - 2. A disclosure statement as required by N.J.A.C. 7:26-16.4 completed by the proposed transferee;
 - 3. A written agreement between the permittee and the proposed new permittee containing a specific future date for transfer of ownership or operations.
- (c) Pursuant to N.J.A.C. 7:26-2.7(e)2, a new owner or operator may commence operations at the facility only after the existing permit has been revoked and a permit is issued pursuant to N.J.A.C. 7:26-2.4.
- (d) Pursuant to N.J.A.C. 7:26-2.7(e)3, the permittee of record remains liable for ensuring compliance with all conditions of the permit unless and until the existing permit is revoked and a new permit is issued in the name of the new owner or operator.
- (e) Pursuant to N.J.A.C. 7:26-2.7(e)4, compliance with the transfer requirements set forth in that subsection shall not relieve the permittee from the separate responsibility of providing notice of such transfer pursuant to the requirements of any other statutory or

regulatory provision.

7. Registration Statement

- (a) Pursuant to N.J.A.C. 7:26-2.8(b), prior to May 1 of each calendar year the permittee shall submit to the Department a statement updating the information contained in the permittee's initial registration statement. This update shall be on forms furnished by the Department. In no case shall submission of an updated statement alter conditions of this permit.
- (b) Pursuant to N.J.A.C. 7:26-2.8(c), the permittee shall notify the Department in writing within 30 days of any change in the information set forth in the permittee's current registration statement.
- (c) Pursuant to N.J.A.C. 7:26-2.8(d), failure of the permittee to submit an updated registration statement and to submit all applicable fees, required by N.J.A.C. 7:26-4, on or before July 1 of each calendar year shall be sufficient cause for the Department to revoke this permit or take such other enforcement action as is appropriate.

8. Duty to Update Disclosure Statement

- (a) Pursuant to N.J.A.C. 7:26-16.6(b), the permittee and/or facility operator shall report to the Department and the Attorney General within 30 days any changes or additions in the information required to be included in the disclosure statement, as specified at N.J.A.C. 7:26-16.6.
- (b) Pursuant to N.J.A.C. 7:26-16.6(c), the permittee and/or facility operator shall report any other changes in the information contained in the permittee's disclosure statement currently on file with the Department and the Attorney General in an annual update to be filed with the Department at the time of the permittee's annual renewal of its registration with the Department, as specified at N.J.A.C. 7:26-16.6.

9. Operating Record and Reporting Requirements

- (a) The permittee shall maintain a daily record of wastes received. The record shall include the information specified at N.J.A.C. 7:26-2.13(a).
- (b) The daily record shall be maintained, shall be kept, and shall be available for inspection in accordance with N.J.A.C. 7:26-2.13(b).
- (c) The permittee shall verify, retain and make available for inspection a waste origin/disposal (O and D) form for each load of solid waste received in accordance with N.J.A.C. 7:26-2.13(c).
- (d) The permittee shall submit monthly summaries of wastes received to the Division of Solid and Hazardous Waste, Bureau of Recycling and Planning and the Solid Waste Coordinator for the Passaic County District, on forms provided by the Department (or duplicates of same), no later than 20 days after the last day of each month. The monthly summaries shall include the information specified at N.J.A.C. 7:26-2.13(e).
- (e) Pursuant to N.J.A.C. 7:26-6.4, upon request by the Department, the permittee shall submit, in such form as the Department may deem appropriate, information concerning the sources of wastes received and the transportation or disposal patterns associated with such wastes.

10. Conformance to the District Solid Waste Management Plan

Pursuant to N.J.A.C. 7:26-6.12(b), the permittee shall operate the facility in compliance with any applicable district solid waste management plan(s) as well as any amendments to and/or approved administrative actions concerning such plan(s). Should the permittee fail to comply with any applicable district solid waste management plan(s) as well as any amendment to or approved administrative actions concerning such plan(s), the permittee shall be deemed in violation of N.J.S.A. 13:1E-1 et seq. and N.J.A.C. 7:26-1 et seq. and shall be subject to applicable penalties provided thereunder, and any other applicable laws or regulations.

11. Compliance with Other State Regulations and Statutes

Pursuant to N.J.A.C. 7:26-2.8(h), the issuance of this permit shall not exempt the permittee from obtaining all other permits or approvals required by law or regulations.

12. No Change to Waste Identification

(a) Pursuant to N.J.A.C. 7:26-2.13(j), solid waste shall be identified at the point of generation. The facility permitted herein is not the point of generation of waste received. Solid waste received by the facility shall retain the ID type identified in the O and D form received by the facility. The type of solid waste shall not change due to the removal of recyclable materials or the processing of the solid waste.

(b) Pursuant to N.J.A.C. 7:26-2.13(c):

1. The permittee shall designate waste remaining after processing, within the O and D form and the daily record of the facility, as the same waste type as originally received at the facility; and
2. The permittee shall not subject ID 27 solid waste to mechanized processing, such as grinding, shredding or baling, such that the physical appearance of the material is altered prior to disposal at a designated district facility.

13. Computerized Scales Requirement

Pursuant to N.J.A.C. 7:26-2.13(a)8, the permittee shall install and operate computerized scales for the reporting requirements in N.J.A.C. 7:26-2.13.

End of Section I

Section II

General Operating Requirements

1. General Operating Requirements For All Solid Waste Facilities

Pursuant to N.J.A.C. 7:26-2.11, the facility must be operated in compliance with the following general operating requirements:

- (a) Within each 24 hour period the operator shall clean each area where waste has been deposited or stored.
- (b) No waste shall be stored overnight at the facility without effective treatment to prevent odors associated with putrefaction.
- (c) Facility property surrounding the actual disposal area shall be maintained free of litter, debris, and accumulations of unprocessed waste, process residues and effluents. Methods of effectively controlling wind-blown papers and other lightweight materials such as fencing shall be implemented at the facility.
- (d) Methods of effectively controlling dust shall be implemented at the facility in order to prevent offsite migration.
- (e) The operation of the facility shall not result in odors associated with solid waste being detected off site in any area of human occupancy.
- (f) The operator shall maintain all facility systems and related appurtenances in a manner that facilitates proper operation and minimizes system downtime. When requested, the operator of the facility shall furnish proof that provisions have been made for the repair and replacement of equipment which becomes inoperative.
- (g) An adequate water supply and adequate fire-fighting equipment shall be maintained at the facility or be readily available to extinguish any and all types of fires. Fire-fighting procedures as delineated in the approved O and M manual, including the telephone numbers of local fire, police, ambulance and hospital facilities, shall be posted in and around the facility at all times.
- (h) The operator shall effectively control insects, other

arthropods and rodents at the facility by means of a program in compliance with the requirements of the New Jersey Pesticide Control Code, N.J.A.C. 7:30, and implemented by an applicator of pesticides, certified in accordance with the New Jersey Pesticide Control Code, N.J.A.C. 7:30.

- (i) Only solid waste vehicles properly registered, pursuant to N.J.A.C. 7:26-3, with the Division of Solid and Hazardous Waste, unless exempt from the registration requirement pursuant to N.J.A.C. 7:26-3.3, and displaying the appropriate registration number and solid waste decal shall be admitted for loading and unloading of any solid waste at the facility. Solid waste vehicles exempt from registration shall not be admitted to the tipping area when registered, commercial type solid waste vehicles including, but not limited to, compactor trucks, trailers or any solid waste vehicle that tilts or uses other mechanical means to discharge its solid waste are being unloaded, or when other heavy equipment is being operated in the tipping area. The facility shall be sufficiently staffed to ensure that this requirement is not violated.
- (j) The operator shall designate a secure area under the facility's control, located a safe distance from the tipping area, where solid wastes may be unloaded from those solid waste vehicles which are exempt from the registration requirements of N.J.A.C. 7:26-3.3. Bulky items and recyclable materials may be provided for in this manner. It shall be the operator's responsibility to remove the bulky items, recyclable materials or other waste from the designated area at a frequency so as not to exceed the storage capacity of the areas.
- (k) The operator shall at all times comply with the conditions of the SWF permit, as well as all other permits or certificates required and issued by the Department or any other governmental agency. The operator shall not receive, store, handle, process or dispose of waste types not specifically identified in the SWF permit or other permit or certificate issued by the Department.
- (l) The operator shall designate a secure area under the facility's control, located a safe distance from the active disposal area, where solid waste, including suspected hazardous waste, which the facility is not permitted to receive shall be deposited until the operator receives instruction from the Department as to

the proper disposal of the unpermitted waste.

- (m) The operator shall maintain a record of the quantity of each authorized waste type accepted for disposal, in accordance with N.J.A.C. 7:26-2.13 and 3.2.
- (n) Departmental inspectors shall have the right to enter and inspect any building or other portion of the facility, at any time. This right to inspect includes, but is not limited to:
 - 1. Sampling any materials on site;
 - 2. Photographing any portion of the facility;
 - 3. Investigating an actual or suspected source of pollution of the environment;
 - 4. Ascertaining compliance or non-compliance with any statutes, rules, or regulations of the Department, including conditions of the SWF permit or other permit or certificate issued by the Department; or
 - 5. Reviewing and copying all applicable records, which shall be furnished upon request and made available at all reasonable times for inspection.
- (o) The quantity of waste received by the facility operator shall not exceed the system's designed handling, storage, processing or disposal capacity as identified in the SWF permit or other permit certificate. The designed processing and disposal capacity approved within the solid waste facility permit, or any other permit certificate or approval conditions as a ton per day operational maximum shall be inclusive of all solid waste received at the facility as well as all tonnages of source separated recyclables received.
- (p) The facility shall be operated in a manner that employs the use of the equipment and those techniques for the receipt, storage, handling, processing or disposal of incoming waste and process residues that are specifically authorized by the SWF permit.
- (q) The operator shall provide a means of removing mud, solid waste or other debris from the tires of all vehicles. Vehicle tires shall be cleaned prior to the vehicle's departure from the facility's boundaries.
- (r) The approved final O and M manual shall be maintained at the facility. A written description of any proposed

changes to the approved, final O and M manual shall be submitted to the Department for review. These proposed changes shall not be implemented at the facility until the Department approves the changes.

2. General Operating Requirements for Transfer Stations and Materials Recovery Facilities

- (a) Pursuant to N.J.A.C. 7:26-2B.5(b)2, facility processing, tipping, sorting, storage and compaction areas shall be located within the confines of an enclosed building.
- (b) Pursuant to N.J.A.C. 7:26-2B.5(b)12, the installation, maintenance, operation, and repair of all systems identified within the interior layout of the facility shall comply with the requirements established by the Federal Occupational Health and Safety Administration and the New Jersey Worker and Community Right to Know Act.

End of Section II

Section III

Specific Conditions Applicable to the Facility

1. Permitted Waste Types

The permittee is authorized to accept the following waste types:

I.D.	DESCRIPTION
10	Municipal Waste (Nonputrescible Commercial and Nonputrescible Institutional)
13	Bulky Waste
13C	Construction and Demolition Waste
27	Dry Industrial Waste

The permittee is not authorized to accept any other type or description of solid waste as defined at N.J.A.C. 7:26-2.13(g) and (h), regulated medical waste as defined at N.J.A.C. 7:26-3A.6(a), or hazardous waste as defined at 40 CFR 261.3.

2. Approved Designs, Plans and Reports

(a) The permittee shall operate the facility, and construct or install associated appurtenances thereto, in accordance with the provisions of N.J.A.C. 7:26-1 et seq., the conditions of this permit, and the following permit application documents which are incorporated herein by reference:

1. A copy of the Lease Agreement dated September 1, 1983 between Consolidated Rail Corporation and Gaeta Recycling Co., Inc. for the property located along the West Railway Avenue.
2. Subsurface investigation report dated December 5, 1989, prepared by Testwell Craig Laboratories of NJ, Inc. of Fairfield, New Jersey for the addition of the loading dock and loading ramp at the facility.
3. Engineering Narrative and Environmental Impact Statement dated August 18, 1995 for Gaeta Recycling Co., Inc., prepared by J.R. Frank, A.I.A.
4. Solid Waste Facility Permit Application Form dated

September 18, 1995 which constituted the registration statement.

5. A copy of the Deed of Record for 189 Genessee Avenue property (Block K1304, Lot 11) submitted on September 19, 1996. This property is used by the permittee for the storage of empty containers.
6. Correspondence dated September 11, 1997 from Gaeta Recycling Co. Inc., which requested an approval for relocation of the scale house.
7. Correspondence dated February 6, 1998 from Gaeta Recycling Co. Inc., which requested an equipment (conveyor and baler) and roll-up steel door (maintenance door) relocation from their previously approved locations and deletion of the picking stations and a sorting conveyor within the proposed addition to the existing building.
8. Correspondence dated July 3, 1998 for Gaeta Recycling Co., Inc., prepared by J.R. Frank, A.I.A., requesting a modification to the existing Solid Waste Facility (SWF) Permit to incorporate changes in facility operations as a result of Gaeta Recycling Co. Inc.'s conversion from a sole source facility to a public facility.
9. A copy of the Deed of Record for Block K1305, Lot 1 and Block K1305, Lot 2 dated June 28, 1999 between Anthony Gaeta, Sr. and Anthony Gaeta Jr. (Grantors) and Gaeta Associates, LLC. Block K1305, Lot 1 is known as 278, 279, 280 and 281 West Railway Avenue and Block K1305, Lot 2 is known as 196 and 198 Genessee Avenue.
10. Final Operations and Maintenance (O and M) Manual for the facility prepared by Alman Group, LLC. The final O and M manual consists of a revised O and M Manual dated June 1999, and an Incoming Waste Inspection Plan dated June 25, 1999 and an addendum dated April 4, 2000 to the O and M Manual (dated June 1999).
11. The following as-built engineering drawings, were submitted on April 17, 2000 by Alman Group, LLC of Westfield, New Jersey with latest revisions as follows:
 - (i) Drawing No. Ex 1, "Floor Plan", dated March 9, 2000, Rev. 4., signed and sealed by Peter D. Matera, P.E., N.J. License

#18978, Engineering Consultants of
Morristown, New Jersey.

(ii) Drawing No. Ex 2, "Elevations", dated
March 9, 2000, Rev. 1., signed and sealed
by Peter D. Matera, P.E., N.J. License
#18978, Engineering Consultants of
Morristown, New Jersey.

(iii) Drawing for "Air Pollution Control
System" dated March 30, 2000, signed and
sealed by Denis R. Nicolaysen, P.E., N.J.
License #21726, Consulting Structural
Engineer of Franklin Lakes, New Jersey.

In case of conflict, the provisions of N.J.A.C. 7:26-1
et seq. shall have precedence over the conditions of
this permit, the conditions of this permit shall have
precedence over the SWF permit application documents
listed above, and the most recent revisions and
supplemental information approved by the Department
shall prevail over prior submittals and designs.

(b) One complete set of the permit application documents
listed in Condition 2(a) above, this Solid Waste
Facility Permit, and all records, reports and plans as
may be required pursuant to this permit shall be kept
on-site and shall be available for inspection by
authorized representatives of the Department upon
presentation of credentials.

3. Approved Operations

(a) The permittee may accept a daily maximum of 117 tons
(but shall not exceed 570 tons per week) of material,
which material shall include solid waste and/or source
separated recyclable materials on any operating day. The
material shall be deposited only on those areas within
the building which have been specifically identified in
the approved engineering drawings and/or approved final
Operations and Maintenance (O and M) Manual for such
purposes. The permittee shall process the amount of
material received by the end of each operating day. No
material shall remain on the tipping floor overnight.
Baled residue shall not be kept or stored outside the
building except that the baled residue may be stored in
a closed trailer for shipment to the disposal
facilities. All processing activities shall be conducted
indoors.

(b) Class A recycling center operation (inclusive within the
117 tons per day maximum solid waste and/or recyclable

materials operation) at the facility shall be physically separated from the solid waste activities. The incoming Class A recyclable materials shall consist of mixed office paper, corrugated cardboard, newspaper, plastic containers, aluminum containers and steel.

(c) The permittee shall accept, process and transfer solid waste materials and/or recyclable materials at the facility in accordance with the following schedules:

1. For solid waste vehicles (properly registered, pursuant to N.J.A.C. 7:26-3) Waste and Class A recyclable materials acceptance hours:

Monday through Friday: 7:00 a.m. to 7:00 p.m.

Saturday: 7:00 a.m. to 2:00 p.m.

2. Exempt vehicles (exempt from the registration requirement pursuant to N.J.A.C. 7:26-3.3) Waste and Class A recyclable materials acceptance hours:

In Tipping Area 6

Monday through Friday: 7:00 a.m. to 9:00 a.m.

Saturday: 7:00 a.m. to 11:00 a.m.

In Tipping Area 2

Monday through Friday: 2:00 p.m. to 5:00 p.m.

3. The registered vehicles shall not use tipping Area 5 during the time when exempt vehicles are tipping in the Area 6.

4. Waste and Class A recyclable materials processing hours:

Monday through Friday: 7:00 a.m. to 10:00 p.m.

Saturday: 7:00 a.m. to 5:00 p.m.

(d) The permittee shall schedule the waste deliveries to the facility in such a manner as to minimize truck queuing on the facility property. The permittee shall queue and stage vehicles only on the land along West Railway Avenue which is leased from Norfolk Southern Railway Company (formerly Consolidated Rail Corporation). The leased area is depicted on the Exhibit "A" of the lease agreement referenced at Condition 2(a)1 of this Section. Under no circumstances shall delivery trucks and/or

transfer trailers accessing or exiting the facility be allowed to park or queue on any public road. Solid waste vehicles shall not be backed on to either West Railway Avenue or Genesee Avenue in order to enter or exit the facility.

- (e) The permittee shall inspect each incoming waste load to identify the incidence of designated recyclable materials mandated to be source separated by the District Recycling Plan applicable to the point of origin of the waste load. The permittee shall consult with each county recycling coordinator for the facility's service area on a quarterly basis to review those recyclable materials that are designated by each county to be source separated pursuant to N.J.S.A. 13:1E-99.13(b)2. Should any designated recyclable materials be detected in a delivered waste load, the appropriate county recycling coordinator shall be notified in writing. The permittee shall maintain a copy of each such notification at the facility. Whenever possible, the generator who failed to source separate the recyclable materials shall also be identified and reported to the county recycling coordinator.
- (f) In the event of a facility outage or other significant malfunction which would result in the facility's inability to process waste at a rate equal to or exceeding the rate of incoming waste, the operator shall immediately report such situation or event to the Department at 1-877-WARNDEP (1-877-927-6337).
- (g) The permittee shall post at the facility, and provide to the users of the facility, a copy of the traffic routes (access/egress routes) described in the Engineering narrative and Environmental Impact Statement referenced in Condition 2(a)3 of this Section.
- (h) The permittee may conduct materials recovery operations as follows:
 - 1. The permittee shall only extract from daily solid waste receipts and store in containers at the facility, pending transportation to a recycling center or final market destination, as appropriate, the following recyclable materials:
 - Cardboard, newspaper, mixed office paper
 - Plastic
 - Ferrous and non-ferrous metal
 - Wood
 - Concrete, brick and block
 - Tires

2. A movable concrete barrier or equal shall be in place when both the material recovery facility (MRF) and Class A recycling center are in operation, to physically separate the solid waste tipping, processing and storage areas. The MRF tipping floor can be expanded into the "flexible zone" using the movable barrier to accommodate increased solid waste loadings, only after the removal of Class A recyclable materials from this flexible zone.
3. The Harris balers (HRB-6 and HRB-918W) and conveyor lines shall be utilized for the baling of residue and appropriate recyclable materials.
 - (i) The permittee shall not accept any waste load from a commercial or institutional generator for recovery of designated recyclable materials mandated to be source separated at the point of origin unless the facility has received documentation from the generator that the generator's municipality has granted the generator an exemption from the requirement to source separate the designated recyclable materials from the solid waste stream. The permittee shall maintain a copy of each such documentation of exemption at the facility. Additionally, for each commercial or institutional generator from which the permittee accepts a waste load for recovery of designated recyclable materials, the permittee shall provide reports to the generator's municipality, annually or as otherwise requested by the municipality, identifying the generator, the quantity (in tons) of the waste loads received from the generator and the quantity (in tons) of each of the designated recyclable materials actually recovered from those waste loads.
 - (j) The permittee shall maintain contracts or letters of agreement with end markets, manufacturers and approved recycling centers for the disposition of all recovered materials. The permittee shall notify the Department within one week of changes in the status of existing contracts or the addition of any new contracts or letters for the disposition of recovered materials. Such notice shall include documentation of the changed status or a copy of the new contract or letter of agreement.
 - (k) Road Crossing Permit

The permittee shall obtain a special Road Crossing Permit from the Division of Motor Vehicles, New Jersey Department of Law and Public Safety for their self propelled unregistered vehicles which may cross Genesee

Avenue or West Railway Avenue. A copy of such permit shall be submitted to the Department within thirty (30) days of issuance. The permittee shall install and maintain the warning signs or other safety devices or precautions as required.

(l) Queuing and Staging Area

Within thirty (30) days from date of issuance of this permit, the permittee shall submit a copy of the updated lease agreement between the permittee and Norfolk Southern Company for the land along the West Railway Avenue which is used for the queuing and staging of the facility solid waste vehicles. The lease agreement must clearly state the use of this land by the permittee.

- (m) In the event that the Department determines that traffic utilizing the facility has caused a degradation of the safety and/or operation of the surrounding roadway network, the permittee shall implement such measures as are deemed necessary by the Department to mitigate such degradation.

End of Section III