



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ROBERT E. HUGHEY, COMMISSIONER
CN 402
TRENTON, N.J. 08625
609 - 292 - 2885

(IN THE MATTER OF CERTAIN AMENDMENTS)
(TO THE ADOPTED AND APPROVED SOLID)
(WASTE MANAGEMENT PLAN OF THE CAMDEN)
(COUNTY SOLID WASTE MANAGEMENT DISTRICT)

CERTIFICATION OF THE
JULY 25, 1985 AMENDMENT
TO THE CAMDEN COUNTY DISTRICT
SOLID WASTE MANAGEMENT PLAN

BY ORDER OF THE COMMISSIONER:

A. Introduction

The New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.) established a comprehensive system for the management of solid waste in New Jersey. The Act designated all twenty-one (21) of the state's counties and the Hackensack Meadowlands District as Solid Waste Management Districts, and mandated that the Boards of Chosen Freeholders and the Hackensack Meadowlands Development Commission develop comprehensive plans for waste management in their respective districts. On September 26, 1980, the Department approved, with modification, the Camden County District Solid Waste Management Plan.

The Act requires that all district plans be based on and accompanied by a report detailing the existing waste disposal situation in the district, and a plan which includes the strategy to be followed by the district in meeting the solid waste management needs of the district for the ten-year planning period. The report must detail the current and projected waste generation for the district, inventory and appraise all facilities in the district, and analyze the waste collection and transportation systems which serve the district. The disposal strategy must include the maximum practicable use of resource recovery techniques. In addition to this strategy, the plan must designate sufficient available suitable sites for the disposal of the district's waste for the ten-year period; which sites may be in the district, or if none are available, in another district. (The Act provides procedures for reaching any necessary interdistrict agreements.)

The Act further provides that a district may review its plan at any time, and, if found inadequate, a new plan must be adopted. The Camden County Board of Chosen Freeholders completed such a review and on July 17, 1984, adopted an amendment to its approved district plan. On December 27, 1984, Commissioner Robert E. Hughey issued a Certification of Approval of the July 17, 1984 Amendment to the Camden plan. This certification approved for inclusion into the plan, the Haddonfield/Eweson Organic Inc. Bio-Conversion Facility which is located on Block 631, lot 4 in the borough of Haddonfield. The July 25, 1985, amendment under consideration here proposes to delete the Haddonfield/Eweson Organic Inc. Bio-Conversion

Facility from the plan. Also, the plan has been amended to include six municipal compost facilities and a demolition landfill at the site of a closed section of the existing Pennsauken Township Sanitary Landfill located in the township of Pennsauken.

However, the Camden County District Solid Waste Management Plan still remains deficient with respect to its lack of sufficient additional available suitable solid waste disposal sites. Until the uncertainty that exists concerning the implementation of alternatives to the Kinsley Landfill is resolved, the district plan will remain deficient with respect to the provisions of N.J.S.A. 13:1E-21b(3).

B. Findings and Conclusions with Respect to the Camden County District Solid Waste Management Plan Amendment

Pursuant to N.J.S.A. 13:1E-24a(1), I, Robert E. Hughey, Commissioner of the Department of Environmental Protection, have studied and reviewed the July 25, 1985 amendment to the Camden County District Solid Waste Management Plan according to the objectives, criteria and standards developed in the Statewide Solid Waste Management Plan and I find and conclude that this plan amendment is approved as further specified in Section C.

In addition, the Division of Waste Management circulated the plan amendment to sixteen review agencies and solicited their review and recommendation. Pursuant to N.J.S.A. 13:1E-24a(2) and (3), these agencies included various agencies, bureaus and divisions within the Department of Environmental Protection as well as the Board of Public Utilities. Also among these agencies were the Department of Community Affairs, the Office of Recycling, the Department of the Public Advocate, the Department of Health, the Department of Agriculture, the Department of Transportation and the New Jersey Turnpike Authority.

Four agencies submitted substantive comments: the Division of Coastal Resources indicated their concerns with the proposed demolition landfill at the site of a closed section of the existing Pennsauken Township Sanitary Landfill due to the site's close proximity to adjacent wetlands and possible environmental impacts to these wetland areas from this proposed land use. The Division of Green Acres commented that the proposed site for the Haddon Heights compost facility was acquired with Green Acres funds and, therefore, any use other than for parkland will require State House Commission approval. The Department of Health (DOH) indicated their objection to the proposed demolition landfill at the Pennsauken site due to the complaints from residents who reside near the existing facility. DOH recommended that any increased use of the facility should proceed cautiously until all investigations concerning complaints about this landfill are completed by representatives of the Department of Environmental Protection and the Department of Health. Also, this agency indicated their opposition to the proposed compost facilities located in Barrington, Haddon Heights and Laurel Springs based upon a site inspection of these facilities. The New Jersey Turnpike Authority stated their objection to the proposed compost facility located in the borough of Barrington due to its close proximity to the New Jersey Turnpike and requested that additional information concerning this proposal be submitted to the Authority so a final determination can be made by this agency.

With respect to the comments received from the two agencies (Division of Coastal Resources and the Department of Health) concerning the proposed demolition landfill at the site of a closed section of the existing Pennsauken Township Landfill, these concerns must be addressed when the environmental impact statement is prepared for the proposed facility. This document will be distributed to the respective state level review agencies in accordance with the engineering design/permit application review process. In addition to the issues raised by these two agencies, the Division of Waste Management has examined the potential relationship of the proposed demolition landfill to groundwater contamination in the area. Groundwater contamination is the subject of a number of ongoing investigations related to a series of identified sources. This issue is of particular concern inasmuch as the proposed demolition landfill activities will occur in an area already subject to groundwater contamination. With the understanding that the proposed project would involve grading and improvements to drainage and closure measures such as capping, which would minimize leachate generation, the project would result in long term mitigation of potentials for groundwater impact from the landfill. The project, therefore, should be consistent with the needs for protecting aquifer resources of the area. Since I have determined that these concerns are best addressed during the technical review process noted above, I conclude that it is appropriate, at this time, to approve the plan inclusion of the proposed demolition landfill as provided in Section C.3.

Three agencies commented on the development of compost facilities in Barrington, Haddon Heights and Laurel Springs. Two of these comments (N.J. Turnpike Authority and the Department of Health) will be addressed during the review of the technical permit applications submitted to the Division of Waste Management's Engineering Element. Concerning the third comment from the Green Acres Program pertaining to the use of land acquired through Green Acres funding, I note that my approval of plan inclusion of the Haddon Heights compost facility will be subject to future State House Commission review and approval. I thus conclude that it is appropriate to approve the plan inclusion of the proposed compost facilities as provided in Section C.2.

C. Certification of the Camden County District Solid Waste Management Plan Amendment

I, Robert E. Hughey, Commissioner of the Department of Environmental Protection, in accordance with N.J.S.A. 13:1E-1 et seq. and N.J.S.A. 13:1E-21, which established specific requirements regarding the contents of the district solid waste management plan, have reviewed the July 25, 1985 amendment to the approved Camden County District Solid Waste Management Plan and certify to the Camden County Board of Chosen Freeholders that the following provisions of the July 25, 1985 amendment are approved as further specified below.

1. The deletion from the plan of the Haddonfield/Eweson Organic Inc. Bio-Conversion Facility, located on Block 631, Lot 4 in the borough of Haddonfield is approved.
2. The inclusion within the plan of the following compost facilities, located in the borough of Barrington, township of Gloucester, borough of Haddon Heights, borough of Laurel Springs,

borough of Somerdale, and the borough of Stratford are approved: the borough of Barrington Compost Facility located on Block 1, Lot 1, the Gloucester Township Municipal Utilities Authority Compost Facility located on Block 55, Lot 2A and 2AA, the borough of Haddon Heights Compost Facility located on Block 121, Lots 1 and 2, the borough of Laurel Springs Compost Facility located on Block 61, Lot 1, Block 62, Lot 5 and Block 66, Lot 10, the Somerdale Treatment Plant Compost Facility located on Block 58, Lot 1 and the Stratford Sewer Authority Compost Facility located on Block 58, Lot 37. The construction or operation of any facilities at these sites shall be preceded by the obtainment of all necessary permits and approvals under N.J.S.A. 13:1E-1 et seq. and all other applicable laws. Issuance of construction and/or operating permits pursuant to the Solid Waste Management Act is limited to those applicants found by the Department to be fit and competent to manage such facilities.

3. The inclusion within the plan of a demolition landfill which shall accept only waste Type 13, located at the closed section of the Pennsauken Township Sanitary Landfill located on Block S-250, Lot 4 within the township of Pennsauken is approved. The construction or operation of this facility shall be preceded by the obtainment of all necessary permits and approvals under N.J.S.A. 13:1E-1 et seq. and all other applicable laws. Issuance of construction and/or operating permits pursuant to the Solid Waste Management Act is limited to those applicants found by the Department to be fit and competent to manage such facilities.
4. The December 18, 1984 Certification of Approval to the Camden County District Solid Waste Management Plan which approved the site of a resource recovery facility known as the South Camden Industrial Park Resource Recovery Facility inadvertently identified the location of this facility as Block 860, Lot 15 in the city of Camden. The location correction for the South Camden Industrial Park Resource Recovery Facility at Block 860, Lots 3 and 15 within the city of Camden is approved.

As stated in the April 11, 1985 certification of the Camden plan, the Department approved an amendment to the plan which proposed a vertical expansion of the Winslow Township Sanitary Landfill. It should be noted that implementation of such expansion is subject to jurisdiction and approval by the Pinelands Commission. At present, there has been no final resolution of Camden's efforts to secure an alternative to the Kinsley Landfill. Therefore, I find that the Camden County District Solid Waste Management Plan remains deficient with respect to its lack of sufficient available suitable solid waste disposal sites.

D. Other Provisions Affecting the Plan Amendment

1. Contracts

Any contract renewal or new contract for solid waste collection or disposal which is inconsistent with the within amendment to the Camden

County District Solid Waste Management Plan and which was executed prior to the approval of this amendment and subsequent to the effective date of the Solid Waste Management Act (July 29, 1977), and which shall further be for a term in excess of one year, shall immediately be renegotiated in order to bring same into conformance with the terms and provisions herein set forth. Any solid waste collection operation or disposal facility registered by the Department of Environmental Protection and operating pursuant to a contract as herein described, shall be deemed to be in violation of this amendment and of the Camden County District Solid Waste Management Plan if such renegotiation is not completed within ninety (90) days of the effective date of this amendment; provided, however, that any such registrant may, upon application to the Department of Environmental Protection and for good cause shown, obtain an extension of time to complete such renegotiation.

2. Compliance

All solid waste facility operators and collector/haulers registered with the Department of Environmental Protection and operating within Camden County and affected by the amendment contained herein shall operate in compliance with this amendment and all other approved provisions of the Camden County District Solid Waste Management Plan. Any facility operator or collector/hauler who fails to comply with the provisions contained herein shall be deemed to be in violation of N.J.S.A. 13:1E-1 et seq., in violation of N.J.A.C. 7:26-1 et seq., and in violation of their registration to operate a solid waste facility or a collection system issued thereunder by the Department of Environmental Protection and shall be subject to the provisions and penalties of N.J.S.A. 13:1E-9, 10, and 12 and all other applicable laws.

3. Types of Solid Wastes Covered by the District Solid Waste Management Plans

The provisions of the Camden County District Solid Waste Management Plan shall apply to all solid wastes defined in N.J.S.A. 13:1E-3 and N.J.A.C. 7:26-2.13 and shall not apply to liquid wastes, sewage sludge, septage, and hazardous wastes.

Also, all non-hazardous materials separated at the point of generation for sale or reuse are excluded from the waste flows designated in the Interdistrict and Intradistrict Solid Waste Flow Rules (N.J.A.C. 7:26-6) which are part of the Camden County District Solid Waste Management Plan.

4. Certification to Proceed with the Implementation of the Plan Amendment

This document shall serve as the Certification of the Commissioner of the Department of Environmental Protection to the Camden County Board of Chosen Freeholders, as provided for by N.J.S.A. 13:1E-24f., to proceed with the implementation of the amendment contained herein.

5. Definitions

For the purpose of this amendment and unless the context clearly requires a different meaning, the definitions of terms shall be the same as those found at N.J.S.A. 13:1E-3 and N.J.A.C. 7:26-1.4 and -2.13.

6. Effective Date of Amendment

The approved amendments to the Camden County District Solid Waste Management Plan contained herein shall take effect immediately.

7. Reservation of Authority


Nothing contained herein shall be construed as a limitation on any other action taken by the Department of Environmental Protection pursuant to its authority under the law. The Camden County District Solid Waste Management Plan, including any amendment made thereto, shall conform with the Statewide Solid Waste Management Plan. The Department has published a Statewide Solid Waste Management Plan with appendices which includes the Department's planning guidelines and rules, regulations, and orders of the Department, including the interdistrict and intradistrict waste flow rules, and also includes the compilation of individual district plans and amendments as they are approved.

E. Certification of the Amendment and Notification of Deficiencies by the Commissioner of the Department of Environmental Protection

In accordance with the requirements of N.J.S.A. 13:1E-1 et seq., I hereby approve the amendment, as outlined in Section B. of this certification, to the Camden County District Solid Waste Management Plan, which was adopted by the Camden County Board of Chosen Freeholders on July 25, 1985.

In accordance with N.J.S.A. 13:1E-24, I am directing the Camden County Board of Chosen Freeholders to proceed to expeditiously resolve the deficiencies in its plan identified above.

11/13/85
DATE


ROBERT E. HUGHEY
COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL PROTECTION