



State of New Jersey

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CERTIFICATION OF THE NOVEMBER 18, 2013 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 (now known as the New Jersey Meadowlands Commission or NJMC) develop comprehensive plans for waste management in their respective districts. On July 17, 1980 the Department of Environmental Protection (Department or DEP) approved the Camden County District Solid Waste Management Plan (County Plan).

The Act further provides that a district may review its County Plan at any time and, if found inadequate, a new County Plan must be adopted. The Camden County Board of Chosen Freeholders (County Freeholders) completed such a review and on November 18, 2013 adopted an amendment to its approved County Plan.

The November 18, 2013 amendment proposes County Plan inclusion of the Jack Robinson Waste Disposal, Inc. Class A and Class B Recycling Facility (Jack Robinson) to be located at 9625 River Road, Block 1804, Lot 1 in the Township of Pennsauken.

The amendment was considered administratively complete for review by the Department on January 23, 2014 and copies were distributed to various administrative review agencies for review and comment, as required by law. The Department has reviewed this amendment, and has determined that the amendment adopted by the County Freeholders on November 18, 2013 is approved as provided in N.J.S.A. 13:1E-24.

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 have studied and reviewed the November 18, 2013 amendment to the County Plan according to the objectives, criteria, and standards developed in the Statewide Solid Waste Management Plan and I find and conclude that the amendment is consistent with the Statewide Solid Waste Management Plan. In this regard, the County Freeholders are notified of the elements of the November 18, 2013 amendment which are included below.

Elements of the November 18, 2013 Amendment

Element: Facility Operation

Jack Robinson Class A and Class B Recycling Facility will accept up to 300 tons per day or 1,800 tons per week of Class A and Class B commingled source separated recyclables, including paper, cardboard, plastic, glass, metal, concrete, brick, block, asphalt, asphalt roofing shingles, wood and tires. The hours of operation are Monday through Friday, 7am - 7pm and Saturday, 7am - noon.

Element: Regulatory Requirements

A Class B recycling center must obtain a recycling center general approval prior to commencement of regulated recycling activities and shall also follow all pertinent regulations found at N.J.A.C. 7:26A-3.1 et seq. and the design and operational standards at N.J.A.C. 7:26A-4.1.

Recycling centers are subject to the provisions of N.J.A.C. 7:27-5, "Prohibition of Air Pollution". This regulation prohibits the release of odors and other air contaminants which interfere with the enjoyment of life and property. In addition, recycling centers may require an air quality preconstruction permit and operating certificate pursuant to N.J.A.C. 7:27-8.2(c), dependent upon the equipment and type of operations conducted at the facility.

Finally, if the proposed operation has a "storm water discharge (or storm water DSW)", a "process wastewater" discharge and/or discharges a "pollutant" as defined in N.J.A.C. 7:14A-1.2, or includes activities that require a New Jersey Pollutant Discharge Elimination System (NJPDES) Permit as identified in N.J.A.C. 7:14A-2.4, the applicant shall contact the Department's Division of Water Quality to obtain NJPDES Permit and/or Treatment Works Approval for discharges prior to operation, if required.

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

In accordance with N.J.S.A. 13:1E-1 et seq., specifically N.J.S.A. 13:1E-21, which establishes specific requirements regarding the contents of the county solid waste management plans, I have reviewed the November 18, 2013 amendment to the approved County Plan and certify to the County Freeholders that the November 18, 2013 amendment is approved as further specified below.

The November 18, 2013 amendment proposing County Plan inclusion of the Jack Robinson Waste Disposal, Inc. Class A and Class B Recycling Facility located at 9625 River Road, Block 1804, Lot 1 in the Township of Pennsauken is approved.

Although the November 18, 2013 plan amendment is approved, the Department is concerned about the extent of commingling of Class A and Class B recyclable materials proposed in this amendment. Accordingly, during the recycling center General Approval review process, the applicant will need to demonstrate to the Department's satisfaction that the manual and/or mechanical means exist to separate these disparate materials to produce marketable commodities.

This certification shall not be construed as an expression of the Department's intent to issue a recycling center approval to any recycling center for Class B materials. A recycling center approval shall only be issued where the applicant has submitted an administratively complete application, as per N.J.A.C. 7:26A-3.5, where all the substantive criteria for approval set forth in N.J.A.C. 7:26A-3.2, 3.3, and 3.4 are satisfied, where a fee has been paid in accordance with N.J.A.C. 7:26A-2, and where none of the criteria for denial of a recycling center approval are met, as per N.J.A.C. 7:26A-3.12.

D. Other Provisions Affecting the Plan Amendment

1. Compliance

All solid waste facility operators and transporters registered with the Department and operating within the District and affected by the amendment contained herein shall operate in compliance with this amendment and all other approved provisions of the County Plan. Any facility operator or transporter 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 and shall be subject to the provisions and penalties of N.J.S.A. 13:1E-9 and 12 and all other applicable laws.

2. Certification to Proceed with Implementation of Amendment

This document shall serve as the certification of the Commissioner of the Department to the County Freeholders and pursuant to N.J.S.A. 13:1E-24c. and f., the County Freeholders shall proceed with the implementation of the approved components of the amendment certified herein.

3. 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 -99.12, N.J.A.C. 7:26-1.4, -2.13, and N.J.A.C. 7:26A-1.3.

4. Effective Date of Amendment

The approved components of the amendment to the County Plan contained herein shall take effect immediately.

5. Reservation of Authority

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

E. Certification of Approval of the Amendment 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 C. of this certification, to the Camden County District Solid Waste Management Plan which was adopted by the Camden County Board of Chosen Freeholders on November 18, 2013.

6/17/14
Date

M. Martin Michele R. Sienkera
Bob Martin, Commissioner
Department of Environmental Protection