



State of New Jersey
Department of Environmental Protection and Energy
Office of the Commissioner
CN 402
Trenton, NJ 08625-0402
Tel. # 609-292-2885
Fax. # 609-984-3962

Scott A. Weiner
Commissioner

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
DECEMBER 5, 1991
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 of Environmental Protection approved, with modifications, the Camden County District Solid Waste Management Plan (County 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 a 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 a 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 (County Freeholders) completed such a review and adopted an amendment to its approved County Plan on December 5, 1991.

The December 5, 1991 amendment is commonly known as the Comprehensive, Long-term, Environmental, Action, Recycling (CLEAR) Plan for Camden County. The CLEAR Plan deletes the proposed Pennsauken Incinerator from the County Plan; authorizes the Pollution Control Financing Authority of Camden County to execute the County Plan; redirects the waste stream to maximize the use of the South Camden Incinerator; proposes a unified disposal rate for solid waste facilities; designates the Pennsauken Landfill as the County landfill; identifies additional recyclables; and establishes a framework for short-term and long-term disposal strategies.

The December 5, 1991 amendment was received by the Department of Environmental Protection and Energy (DEPE or the Department) on December 26, 1991. Copies of the amendment were distributed to various administrative review agencies for review and comment as required by law. The Department has reviewed this amendment, as well as the entire County Plan, and has determined that the amendment adopted by the County Freeholders on December 5, 1991 is approved in part, modified in part, and rejected in part in accordance with the requirements of N.J.S.A. 13:1E-24. Also, deficiencies in the County Plan have been identified within Section C. of this certification.

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 December 5, 1991 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 this plan amendment is consistent in part and inconsistent in part with the Statewide Solid Waste Management Plan.

In conjunction with the review of the amendment, the Department circulated copies of the amendment to seventeen administrative review agencies and solicited their review and comment. Pursuant to N.J.S.A. 13:1E-24a(2) and (3), these agencies included various bureaus, divisions, and agencies within the Department. These agencies are the following:

- Division of Environmental Quality, DEPE
- Division of Coastal Resources, DEPE
- Division of Parks and Forestry, DEPE
- Division of Fish, Game and Wildlife, DEPE
- Division of Solid Waste Management, DEPE
- Green Acres Program, DEPE
- Groundwater Quality Management Element, DEPE
- Wastewater Facilities Regulation Element, DEPE
- New Jersey Turnpike Authority
- New Jersey Advisory Council on Solid Waste Management
- Pinelands Commission
- Department of Agriculture
- Department of Health
- Department of Transportation
- Department of Community Affairs
- Department of the Public Advocate
- U.S. Environmental Protection Agency

1. Agency Participation in the Review of the December 5, 1991 Amendment

The following agencies did not object to the proposed plan amendment:

Division of Parks and Forestry, DEPE
Division of Fish, Game and Wildlife, DEPE
Green Acres Program, DEPE
Department of Agriculture
Department of Transportation
U.S. Environmental Protection Agency
New Jersey Turnpike Authority

The following agencies did not respond to the Department's requests for comments:

Division of Coastal Resources, DEPE
Groundwater Quality Management Element, DEPE
Wastewater Facilities Regulation Element, DEPE
New Jersey Advisory Council on Solid Waste Management
Department of Health
Department of Community Affairs
Department of the Public Advocate

The following agencies submitted substantive comments which are further addressed below:

Division of Environmental Quality, DEPE
Division of Solid Waste Management, DEPE
Pinelands Commission

2. Issues of Concern Regarding the December 5, 1991 Amendment

Issue: Air Pollution Prohibitions for Various Components of the Solid Waste System

The amendment establishes a 50% municipal waste and a 60% total waste stream recycling goal to be achieved by January 1, 1996 and identifies the potential development of a materials recovery facility (MRF) at the Pennsauken Landfill to assist the County in achieving these goals. MRF's, composting facilities and recycling centers are prohibited from releasing odors and emissions of other air contaminants which interfere with the enjoyment of life or property pursuant to N.J.A.C. 7:27-5, and equipment contained in these facilities that vent to the ambient atmosphere require air pollution control permits. These permits also are required for stationary conveying equipment that cause fugitive emissions of air contaminants. The County must keep these requirements in mind as it continues to develop solid waste facilities to achieve its recycling goals.

In addition, the Pennsauken Landfill and the South Camden Incinerator also are subject to N.J.A.C. 7:27-5, "Prohibition of Air Pollution." Both of these facilities also must comply with all conditions of their respective air pollution control permits.

Issue: Disposal of Type 27 Solid Waste at the South Camden Incinerator

The amendment provides for the disposal of processible type 27 solid waste (industrial) generated from the eleven towns that previously were included in the Pennsauken franchise area to be disposed of at the South Camden Incinerator. In accordance with the conditions of the solid waste permit issued for the South Camden Incinerator, such type 27 waste cannot be disposed of at the South Camden Incinerator until the industrial waste survey of the industries located within that service area has been completed by the County and approved by the Department.

Issue: Disposal of Ash Residue at the Pennsauken Landfill

The amendment provides for the disposal of ash residue from the South Camden Incinerator at the Pennsauken Landfill after the County's other disposal options are exhausted (see comment regarding out-of-state disposal below). Currently, a monofill for ash disposal at the Pennsauken Landfill is not planned. The County should analyze the feasibility of developing a monofill at the landfill within 180 days. The results of such an analysis may be reported to the DEPE by letter and not in a subsequent plan amendment.

Issue: Out-of-State Disposal for Ash Residue, Bypass and Nonprocessible Waste

The amendment provides for the continued out-of-state disposal of ash residue, bypass and nonprocessible waste from the South Camden Incinerator. With respect to ash disposal, the amendment provides that the County will continue to dispose of the ash residue out-of-state so long as the receiving state permits such disposal or the cost is not prohibitively expensive, or no other disposal options exist. Unrestricted out-of-state disposal runs counter to the State's critical public policy goal of in-state self-sufficiency in solid waste disposal as expressed in the Statewide Solid Waste Management Plan. Accordingly, out-of-state disposal for the ash residue should only be permitted until the expiration of the current term of the County's out-of-state contract or until the feasibility of developing an ash monofill can be evaluated and, if appropriate, constructed.

With respect to bypass and nonprocessible waste from the South Camden Incinerator, the amendment provides for the disposal of this waste at either the Pennsauken Landfill or out-of-state. In the Department's January 3, 1992 Emergency Redirection Order which reallocated the Camden County solid waste stream pursuant to the CLEAR Plan, the option of directing bypass and nonprocessible waste from the South Camden Incinerator to out-of-state disposal was deleted. The rationale for this action was the in-county availability of the Pennsauken Landfill to accept bypass and nonprocessible waste and the need to reduce the reliance on out-of-state disposal. Therefore, that portion of the amendment which provides for the out-of-state disposal of bypass and nonprocessible waste from the South Camden Incinerator should be rejected.

Issue: Implementing Agency

The amendment authorizes the Pollution Control Financing Authority of Camden County to take the necessary steps to finance the County Plan, develop a unified rate, and to otherwise execute the County Plan as developed by the County Freeholders or the implementing agency, which is the Solid Waste Division within the Camden County Department of Environmental Affairs. Since the amendment does not change the designation of the implementing agency, there is no need for the Department to certify its approval of this provision of the amendment. However, it has come to the Department's attention that the County Freeholders abolished its Division of Solid Waste (or in effect abolished the Division of Solid Waste by abolishing the entire budget for that division) at a meeting held in January 1992. The Act specifically requires a county to designate an implementing agency in its county plan, which plan is subject to the Department's approval. Any change in the implementing agency must be accomplished through the formal amendment process set forth in the Act. Accordingly, the County must submit within 180 days a subsequent plan amendment specifically providing for a change in the implementing agency. It should be noted that a new implementing agency designated by the County must have all of the requisite statutory powers to perform the functions of an implementing agency as set forth in the Act.

Issue: Solid Waste Task Force Final Report

The amendment refers to a smooth transition to a 60% recycling rate and provides that additional programs for recycling its identified materials will be instituted under its long-term strategy. The amendment generally articulates a plan to develop additional composting facilities, recycling centers and MRF's to achieve an increased recycling rate. The amendment also states that if excess capacity becomes available at these facilities in the future, it will negotiate potential regionalization proposals to increase the recycling rate. Finally, the amendment does not address the County's plans for source reduction at all. Specific issues relative to the Task Force recommendations are identified below:

a. **Designated Recovery Target:** The amendment indicates the goal to recycle 60% of the district's total waste stream by December 31, 1995. However, attainment of recycling 50% of the municipal waste stream by December 31, 1995 and documentation to support achievement of either goal is not included within the amendment. The County should provide such documentation in a subsequent plan amendment submission. Further, the County should not consider the 50% and 60% rates as maximum planning targets and should continue to refine and develop plans and programs toward achievement of even higher levels of recycling.

b. **Enforcement:** The amendment does not specify any strategy to expand the County's existing solid waste enforcement program to include recycling. The County should describe the enforcement

program in detail in a subsequent plan amendment, including methods and frequency of enforcement and resources needed to implement and maintain a proper enforcement program.

c. **Additional Recyclable Materials:** The amendment identified materials to be recycled in addition to the County's previously designated materials (leaves, glass containers, aluminum cans, newspaper, scrap metal, tin and bimetal containers, and used motor oil). Those additional materials include, for the residential sector, plastic, yard waste, batteries, mixed paper, cardboard, white goods, and paint and, for the commercial sector, batteries, tires, mixed paper, cardboard, food waste, asphalt, concrete, white goods, and paint. However, these additional recyclables are recommended, not mandated. The County should consider mandating these additional recyclables. The County should also consider designating additional recyclables for all sectors. Specifically, the County should include the recycling of wood and roofing materials in the commercial sector. Also, the County in a subsequent plan amendment submission should describe its overall recycling program, its methods or timeframes for encouraging such additional recycling efforts, and specify its commercial and institutional target groups for such efforts.

d. **Education:** The amendment does not indicate the County's strategy to increase recycling. The amendment should indicate the County's intentions to continue to expand its public education efforts in schools and throughout the public and private sectors and its outreach to the commercial and the multifamily dwelling sectors. Also, the amendment should describe in detail the educational and outreach program, current and anticipated target groups, associated timeframes for developing expanded recycling programs and the anticipated frequency of its efforts. Such information should be submitted to the Department in a subsequent plan amendment.

e. **Vegetative Waste:** The amendment sets forth the County's policy to continue to encourage the recycling of all vegetative waste that is collected by the municipalities and the development of vegetative waste composting facilities. However, the amendment does not identify the specific programmatic efforts made to encourage the development of vegetative waste composting facilities. In addition, the amendment does not: update the inventory of existing composting facilities operating in the County; identify proposed facilities and facilities under development; nor estimate the annual tonnage diverted from the waste stream as a result of the County's composting efforts. It should be noted that the County's program for diverting vegetative waste is an important component of its source reduction program. Accordingly, this additional information should be provided to the Department in a subsequent plan amendment.

f. **Procurement Policies:** The amendment does not identify the County's procurement policy such as specific procurement guidelines, procurement goals, a method of recordkeeping and enforcement, or a timetable for implementation. The County should develop its program

to include an educational and outreach program to municipalities; a requirement for County and local governments to adhere to current and future State procurement goals; sample bid specifications for use by governments and private businesses; and the purchase of photocopiers with duplexing capabilities, recycled products instead of virgin products, and recycled materials for road and other construction activities. All of this information should be included in a subsequent plan amendment submission.

g. **Source Reduction Policies:** The amendment does not establish source reduction goals to cap total waste generation by December 31, 1995 and to reduce total waste generation by December 31, 2000. Also, the amendment lacks a strategy of achieving source reduction through the use of waste audits, a household hazardous waste collection program, yard waste management, educational strategies, and expanding the use of per container collection systems. Therefore, the County should submit a subsequent plan amendment that identifies: the specific education program developed to implement source reduction in the County, the target groups, the specific methods of waste survey/audits to be employed, the waste survey/audit policy (who and when), the proposed enforcement measures, the associated timetables for implementing the source reduction program, and a description of the household hazardous waste program, including siting considerations.

h. **Regionalization:** The County has not adequately addressed the issue of regionalization of its solid waste system as recommended by the Emergency Solid Waste Assessment Task Force Final Report. The County must consider the extent to which it can undertake long-term regionalization of its solid waste facilities and programs with other districts to provide regional solutions to solid waste management. Consideration should also be given to regional plans for materials processing, recycling, transfer and disposal facilities, as well as group purchasing through the use of bid specifications targeted to enhance source reduction and recycling programs. Such a strategy should be identified in a subsequent plan amendment submission.

i. **Additional Processing Facilities:** Other than the possible development of MRF's at the Winslow Township Transfer Station or the Pennsauken Landfill, the County should consider the development of additional processing facilities such as a mixed waste and/or a bulky waste processing facility to increase the rate of recycling of various materials. Also, the County is not limited to developing just one facility for each but should evaluate opportunities for regionalizing, and should consider developing facilities within and outside the County.

j. **Cost for Implementing 60% Recycling Strategy:** The amendment does not indicate a projected cost for implementing the many programs necessary to implement the County's 60% recycling strategy. The County should prepare such an estimate and include it in a subsequent plan amendment submission.

Issue: Winslow Township Transfer Station

The amendment provides for the development of a unified rate structure for all solid waste facilities located in the County, including the Winslow Township Transfer Station. The Department has issued an approval of a Petition for Unified Rates for the Pennsauken Landfill and the South Camden Incinerator. However, a unified rate for the Winslow Township Transfer Station was not determined because it was not included for consideration in the petition. The County should file within 180 days an amended Petition for a Unified Rate with the Department which includes the transfer station in a unified rate structure.

The amendment also provides for the County to purchase the Winslow Township Transfer Station in the future. Since the Winslow Township Transfer Station already is included in the approved County Plan, it is not necessary for the Department to approve a change in ownership of that facility via the plan amendment process. However, the County should be aware that if it does purchase the transfer station, it will be necessary to modify the existing transfer station permit and the Certificate of Public Convenience and Necessity through the DEPE.

Finally, after purchase of the transfer station by the County, the amendment requires the redirection of waste from Berlin Borough and Berlin Township to the Winslow Township Transfer Station when that facility is incorporated into the unified solid waste system rate structure. However, the solid waste permit for the Winslow Township Transfer Station limits the daily capacity of the facility to 100 tons. Accordingly, in the absence of a permit modification to increase the approved capacity, any redirection of waste to the Winslow Township Transfer Station in excess of the capacity limitation is prohibited by the terms of the existing permit.

Issue: Pinelands Considerations

The Pinelands Comprehensive Management Plan requires that transfer stations or compost facilities located within the Pinelands area can accept waste only from counties with at least 50% of their land area within the Pinelands and from Pinelands communities. The amendment currently meets this requirement since only Berlin Township, Berlin Borough, Winslow, Chesilhurst and Waterford are directed to the Winslow Township Transfer Station, which is located in the Pinelands. However, any future regionalization of the Winslow Township Transfer Station or development of future facilities must conform to this requirement.

Issue: Long-Term Strategy

The long-term strategy set forth in the amendment is highly conceptual and does not describe the County's method for implementation in sufficient detail to permit an appropriate analysis of its probability of success. For example, the development of a MRF at the Pennsauken Landfill has not proceeded to the point where the Department can assess its viability for

inclusion within the County Plan. In addition, and perhaps more significantly, the County does not describe its program for achieving at least 50% municipal and 60% total waste stream recycling rates by December 31, 1995. The County's long-term strategy and its recycling program must be described in greater detail in a subsequent plan amendment, including a schedule for development and implementation thereof (see Lack of Timeframes for Implementation below).

Issue: No Timeframes for Implementation of Long-Term and Short-Term Strategies

Although the amendment purports to establish long-term and short-term strategies for the disposal of solid waste in the County, it does not establish schedules and timeframes for the implementation of those strategies. Given the complexity and magnitude of these strategies, the County should include detailed schedules and timeframes for implementation of the short-term and long-term strategies in a subsequent plan amendment to ensure the efficient delivery of reliable and environmentally sound solid waste services in accordance with the provisions of the Act.

The County Freeholders are hereby notified of these comments.

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 district solid waste management plans, I have reviewed the December 5, 1991 amendment to the approved County Plan and certify to the County Freeholders that the December 5, 1991 amendment is approved in part, modified in part, and rejected in part as further specified below.

1. The December 5, 1991 Amendment

a. Deletion of the Pennsauken Incinerator

The deletion of the Pennsauken Incinerator site located on Block S-250, Lots 2a and 4b in Pennsauken Township, Camden County from the County Plan is approved.

b. The Pennsauken Landfill

The designation of the Pennsauken Landfill as the Camden County Landfill for the disposal of nonhazardous ash, bypass and nonprocessable solid waste generated within the County is approved. The County is directed to analyze the feasibility of developing an ash monofill at the landfill within 180 days. The results of such an analysis shall be reported to the DEPE by letter.

c. Implementing Agency

Because the amendment does not purport to change the designation of an implementing agency, there is no need for the Department to act on this

section of the amendment. However, since the County has abolished its designated implementing agency, the Division of Solid Waste, by abolishing the Division's budget, the County is directed to submit a subsequent plan amendment to the Department within 180 days of the date of this certification formally designating a new implementing agency. This new implementing agency must have all the requisite statutory powers to perform the functions of an implementing agency as set forth in the Act.

d. Out-of-State Disposal

The portion of the amendment providing for the continued out-of-state disposal of ash is approved as modified below. The County may continue to dispose of ash residue from the South Camden Incinerator only until the expiration of the current term of the out-of-state contract or until the feasibility of developing an ash monofill at the Pennsauken Landfill can be evaluated and, if appropriate, constructed; provided, however, that the County or the Pollution Control Financing Authority of Camden County may not authorize any renewal or extension of the out-of-state contract past the current term, nor amend or modify the out-of-state contract to permit a renewal or extension of the current term without the expressed written consent of the Department. Any alternative out-of-state disposal options for ash residue shall be limited to emergency backup arrangements only. The continued out-of-state disposal of bypass and nonprocessable waste is rejected. In the DEPE's January 3, 1992 Emergency Redirection Order which reallocated the County solid waste stream pursuant to the CLEAR Plan, the option of directing bypass and nonprocessable waste from the South Camden Incinerator to out-of-state disposal was deleted. The rationale for this action was the in-county availability of the Pennsauken Landfill and the need to reduce the reliance on out-of-state disposal. Therefore, all bypass and nonprocessable waste from the South Camden Incinerator shall be disposed of at the Pennsauken Landfill.

e. Waste Flows

The redirection of waste from the eleven municipalities that would have been directed to the Pennsauken Incinerator to the South Camden Incinerator is approved as modified below:

All type 10 (municipal) and processible type 13 (bulky) solid waste that is generated within Audubon, Cherry Hill, Collingswood, Haddonfield, Haddon Township, Lindenwold, Merchantville, Oaklyn, Pennsauken, Tavistock and Voorhees shall be directed to the South Camden Incinerator. All remaining waste from these municipalities will continue to be disposed of pursuant to the existing waste flow rules (N.J.A.C. 7:26-6.5(d)).

The disposal of bypass, nonprocessable waste and ash residue at out-of-state facilities or the Pennsauken Landfill is modified in part and rejected in part as set forth in Section C.1.d. above.

f. Unified Rate

The development of a unified rate for the South Camden Incinerator, the Pennsauken Landfill and the Winslow Township Transfer Station is approved. The County is directed to file within 180 days an amended Petition for a Unified Rate with the Bureau of Rate Regulation, Division of Solid Waste Management, to include the Winslow Township Transfer Station in the unified rate structure.

g. Designated Truck Routes

The following truck routes to the South Camden Incinerator and the Pennsauken Landfill are approved.

(1) South Camden Incinerator

All solid waste transporters delivering waste from municipalities other than Camden City and Gloucester City are limited to I-676, I-76, I-295, Route 168, Route 130, Route 41, and Route 30.

Solid waste transporters delivering waste from Camden City may follow existing patterns and Gloucester City may utilize Broadway and Morgan Boulevard.

All solid waste transporters utilizing interstate routes must comply with the weight limit standards established by the federal and state governments for such highways.

(2) Pennsauken Landfill

All solid waste transporters delivering waste from municipalities other than Pennsauken Township, Merchantville Borough and Camden City are limited to Route 73, Route 130, and Haddonfield Road.

Vehicles entering Pennsauken Township via Haddonfield Road (northerly) will proceed to Route 73 North, exiting Route 73 at River Road and, together with those entering Pennsauken Township via Route 73, proceed to the Pennsauken Landfill entrance. Vehicles entering Pennsauken Township via Route 130 North will exit Route 130 at John Tipton Boulevard proceeding to River Road and then to the Pennsauken Landfill entrance.

Solid waste transporters delivering waste from Pennsauken Township may follow existing patterns, from Merchantville Borough may utilize Haddonfield Road via Park Avenue, and from Camden City may utilize River Road.

h. Recyclable Materials

The following asterisked recyclable materials have been previously designated by the County as mandatory recyclables within the residential sector. The nonasterisked recyclables are recommended by the County as additional materials to be recycled within the residential sector and are approved as part of the County recycling plan.

Residential Sector

Leaves*
Newspaper*
Aluminum cans*
Scrap metal*
Tin cans*
Bimetal cans*
Glass containers*
Used motor oil*
Plastic
Yard waste
Batteries
Mixed paper
Cardboard
White goods
Paint

The following asterisked recyclable materials have been previously designated by the County as business specific mandatory recyclables within the commercial sector. The nonasterisked recyclables are recommended by the County as additional materials to be recycled within the commercial sector and are approved as part of the County recycling plan.

Commercial Sector

Leaves*
Newspaper*
Aluminum cans*
Scrap metal*
Tin cans*
Bimetal cans*
Glass containers*
Used motor oil*
Batteries
Tires
Mixed paper
Cardboard
Food waste
Asphalt
Concrete
White goods
Paint

Camden County should consider mandating all the above noted nonasterisked recyclables as well as the recycling of additional materials such as roofing materials and wood to ensure attainment of 60% recycling of the total waste stream.

i. Short-Term Strategy

Paragraphs C.1.a through C.1.h. noted above constitute the County's short-term strategy. Except as otherwise noted above, the County's short-term strategy is approved.

j. Long-Term Strategy

The County's long-term strategy to develop a MRF at the Pennsauken Landfill and to designate further materials recovery activities at the Winslow Township Transfer Station; to direct all Camden County waste to a MRF prior to disposal at the South Camden Incinerator or the Pennsauken Landfill; to direct all clean, nonhazardous, nonrecyclable waste to the South Camden Incinerator, and to develop additional recycling centers and compost facilities in the County is approved. However, the County's long-term strategy to continue out-of-state disposal except in the limited circumstances as described in C.1.d. above is rejected. In addition, the County's long-term strategy to provide only for disposal of the County's waste and not to actively develop regional disposal solutions is contrary to the Task Force recommendations.

2. Camden County Response to Solid Waste Task Force Final Report

On October 25, 1991 and November 21, 1991, recent amendments to the County Plan were certified. Within those certifications the County Freeholders were directed to address the recommendations of the Emergency Solid Waste Assessment Task Force Final Report pertaining to source reduction, recycling, and regionalization by February 22, 1992. The Department considers the CLEAR Plan as an attempt to address the Task Force recommendations and congratulates the County on its adoption. However, although the CLEAR Plan addresses increased recycling activities within the County, it is too general and conceptual to fully address the Task Force recommendations. Further, the CLEAR Plan does not address regionalization adequately, nor does it address source reduction at all. Therefore, the County is hereby directed to submit within 180 days a subsequent plan amendment which addresses specifics identified within Section B. of the certification pertaining to the County's recycling program; the identification of sites for development of additional recycling activities; the development of new recycling programs and initiatives; increased enforcement efforts; a comprehensive program of source reduction, including government and private procurement guidelines and strategies and the implementation of waste audits/ surveys in the County; consideration of developing a permanent household hazardous waste collection facility on a county wide or regional basis; a plan for expanding the use of per container collection systems; a comprehensive

education strategy; and associated schedules, timeframes, and costs associated with its increased efforts. This subsequent plan amendment also must establish target recycling rates of at least 50% of the municipal waste stream and at least 60% of the total waste stream, and a more aggressive commitment to developing a regional plan in order to fulfill the Task Force recommendations.

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 this amendment to the County 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 and operating pursuant to a contract as herein described, shall be deemed to be in violation of this amendment and of the County 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, and for good cause shown, obtain an extension of time to complete such renegotiation.

2. Compliance

All solid waste facility operators and transporters registered with the Department and operating within the County 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.

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

The provisions of the County 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. All nonhazardous 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 set forth at N.J.A.C. 7:26-6, but are subject to regulation in accordance with N.J.A.C. 7:26A-1 et seq.

4. Certification to Proceed with the Implementation of the Plan 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 shall proceed with the implementation of the approved portions of the amendment certified 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 -99.12 and N.J.A.C. 7:26-1.4, -2.13, and 7:26A-1.3.

6. Effective Date of the Amendment

The approved portions of the amendment to the County 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 pursuant to its authority under the law. The County 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, rules, regulations, orders of the Department, interdistrict and intradistrict waste flow rules, and also includes the compilation of individual district plans and amendments as they are approved.

E. Certification of Approval in Part, Modification in Part, and Rejection in Part of the Amendment and Notification of Deficiencies by the Commissioner of the Department of Environmental Protection and Energy

In accordance with the requirements of N.J.S.A. 13:1E-1 et seq., I hereby approve in part, modify in part, and reject in part 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 December 5, 1991. I hereby also require the Camden County Board of Chosen Freeholders to address the noted deficiencies set forth in Section C. within the timeframe specified.

5-19-92

DATE



SCOTT A. WEINER

COMMISSIONER

DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND ENERGY