



State of New Jersey

Department of Environmental Protection
P.O. Box 420
Trenton, New Jersey 08625

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CATHERINE R. McCABE
Commissioner

CERTIFICATION OF THE DECEMBER 21, 2017 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 (previously known as the New Jersey Meadowlands Commission, and now known as New Jersey Sports & Exposition Authority or NJSEA) 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 district plan at any time and, if found inadequate, a new district plan must be adopted. The Camden County Board of Chosen Freeholders (County Freeholders) completed such a review and on December 21, 2017 adopted an amendment to its approved County Plan.

The December 21, 2017 Amendment (Amendment) proposes County Plan inclusion of the Buckeye Terminals, LLC Used Oil Recycling Facility to be located at 1 Derousse Avenue, Block 1003, Lots 7-10, 13-20, and 24, in the Township of Pennsauken.

The Amendment was received on January 19, 2018 and considered administratively complete for review by the Department on January 24, 2018 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 December 21, 2017 is approved as provided in N.J.S.A. 13:1E-24.

B. Findings and Conclusions with Respect to the December 21, 2017 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 21, 2017 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 December 21, 2017 Amendment, which are included below.

Elements of the December 21, 2017 Amendment

Element: Facility Operations

The Amendment to the County plan proposes County Plan inclusion of the Buckeye Terminals, LLC Used Oil Recycling Facility to be located at 1 Derousse Avenue, Block 1003, Lots 7-10, 13-20, and 24, in the Township of Pennsauken to accept up to 6,000 barrels (7,935 tons) per day of used motor oil (UMO) from New Jersey and the Philadelphia metropolitan areas. The proposed facility will receive liquid UMO based on prearranged schedules with suppliers that have been vetted and are contractually bound to meet plant specifications. All inbound loads will be sampled for quality conformance, off-loaded into above ground storage tanks, decanted to remove water, and retested. Accepted UMO is to be processed through a closed loop vacuum distillation system and separated into three products: vacuum tower asphalt extender; vacuum gas oil; and marine distillate oil. After additional filtering, the products will be cooled in exchangers and stored in tanks. Up to 30 inbound trucks and 23 outgoing trucks would visit the site each day. Commercially viable end products will leave the facility via barge or truck. Up to 4 outbound barges will visit the site each day. Facility operating hours would be 24 hours/day, 7 days a week.

Element: Regulatory Requirements

The owner or operator of a used oil recycling facility must obtain a Class D 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, the owner or operator of a recycling center may require an air quality preconstruction permit and operating certificate in accordance with N.J.A.C. 7:27-8.2(c) dependent upon the equipment and type of operations conducted at the Facility. Facilities operating diesel

and gas vehicles are subject to the provisions of N.J.A.C. 7:27-14 and N.J.A.C. 7:27-15 requiring that vehicles comply with idling regulations.

Finally, if any operation of a recycling center will discharge pollutants as defined in N.J.A.C. 7:14A-1.2, the owner or operator of that recycling center must secure a New Jersey Pollutant Discharge Elimination System Permit and /or Treatment Works Approval for pollutant discharges prior to operation.

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 21, 2017 amendment to the approved County Plan and certify to the County Freeholders that the December 21, 2017 amendment is approved as further specified below.

The County Plan inclusion of the Buckeye Terminals, LLC Used Oil Recycling Facility to be located at 1 Derousse Avenue, Block 1003, Lots 7-10, 13-20, and 24, in the Township of Pennsauken to accept up to 6,000 barrels (7,935 tons) per day of used motor oil from New Jersey and the Philadelphia metropolitan areas, is approved.

This Certification shall not be construed as an expression of the Department's intent to issue a recycling center approval to the owner or operator of any recycling center for used oil. 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 owners and/or operators of recycling centers approved by 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 recycling center owner and/or operator 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. 7:26A1 et seq., and in violation of their approval to operate a recycling center issued thereunder by the Department and shall be subject to the provisions and penalties of N.J.S.A. 13:1E-9 and 12, N.J.A.C. 7:26A-9.1 et seq., 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 to 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 December 21, 2017.

6/21/18
Date


Catherine R. McCabe, Commissioner
Department of Environmental Protection