



## State of New Jersey

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### **CERTIFICATION OF THE DECEMBER 22, 2015 AMENDMENT TO THE CUMBERLAND 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 and Exposition Authority (NJSEA) develop comprehensive plans for waste management in their respective districts. On March 4, 1981, the Department of Environmental Protection (Department or DEP) approved the Cumberland 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 Cumberland County Board of Chosen Freeholders (Freeholders) completed such a review and on December 22, 2015 adopted an amendment to its approved County Plan.

The December 22, 2015 Amendment #23 (Amendment) proposes County Plan inclusion of a Class B Recycling Facility (Facility) at the Cumberland County Improvement Authority (CCIA), Cumberland County Solid Waste Complex (CCSWC) to be located at Lebanon Road, Block 76, Lot 3, in Deerfield Township and operate as a Class B Recycling Facility for receipt and processing of a maximum of 120 tons per day of up to 50 tons of brush and tree parts (including tree stumps, whole trees and tree trunks) and up to 70 tons of unpainted and non-chemically treated wooden pallets and wood scraps from municipalities and private haulers throughout Cumberland County.

The Amendment was received on May 18, 2016 and considered administratively complete for review by the Department on June 3, 2016, and copies were distributed to various administrative review agencies for review and comment as required by law. The Department has reviewed the Amendment and has determined that the Amendment adopted by the Freeholders on December 22, 2015 is approved as provided in N.J.S.A. 13:1E-24.

**B. Findings and Conclusions with Respect to the December 22, 2015 Cumberland County District Solid Waste Management Plan Amendment #23**

Pursuant to N.J.S.A. 13:1E-24a (1), I have studied and reviewed the December 22, 2015 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 proposing the inclusion of a Class B Recycling Facility at the CCSWC is consistent with the Statewide Solid Waste Management Plan. In this regard, the Freeholders are notified of the elements of the December 22, 2015 Amendment, which are included below.

**Elements of the December 22, 2015 Amendment #23**

**Element: Facility Operations**

The Amendment to the County Plan proposes County Plan inclusion of the Facility at the CCSWC to be located at Lebanon Road, Block 76, Lot 3 in Deerfield Township to operate as a Class B Recycling Facility for receipt and processing of a maximum of 120 tons per day of up to 50 tons of brush and tree parts (including tree stumps, whole trees and tree trunks) and up to 70 tons of unpainted and non-chemically treated wooden pallets and wood scraps from municipalities and private haulers throughout Cumberland County. The Class B storage limits shall not exceed 13,344 cubic yards (cy) or 1,668 tons (assuming a density of 1 ton = 8 cy) of unprocessed Class B material and 60,791 cy or 15,198 tons (assuming a density of 1 ton = 4 cy) of processed Class B material on site at any given time.

Once the recyclable material is accepted at the site, the collected products would be segregated between unprocessed wood scraps and wooden pallets and unprocessed brush and tree parts (including tree stumps, whole trees, and tree trunks). Once processed through the electrical horizontal grinder, the material would be deposited within the processed wood scraps and the processed brush and tree parts storage areas. Bi-products include nails that are present in the unprocessed pallets. The horizontal grinder discharge system will be outfitted with a magnetic drive roller that will collect and segregate any metal objects from the processed wood material. The chipped material will either be used onsite or sent to an end market. Ultimately the chipped material provided to end markets would be used as a landscaping product. The hours of operation for the Facility to receive and process wood material with a Vermeer HG6000E Horizontal Grinder is not to exceed the hours of 7:30 a.m. to 3:30 p.m. Monday through Friday.

### **Element: Regulatory Requirements**

The owner or operator of a Class B recycling center must obtain a Class B 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 and 4.8.

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. 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 (NJPDES) Permit pursuant to N.J.A.C. 7:14A-2.4 (b)4.

### **C. Certification of the Cumberland 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 December 22, 2015 Amendment to the approved County Plan and certify to the County Freeholders that the December 22, 2015 Amendment is hereby approved as specified below.

The County Plan inclusion of a Class B Recycling Facility at the CCSWC, to be located at Lebanon Road, Block 76, Lot 3, in Deerfield Township, to receive and process a maximum of 120 tons per day of up to 50 tons of brush and tree parts (including tree stumps, whole trees and tree trunks) and up to 70 tons of unpainted and non-chemically treated wood pallets and wood scraps from municipalities and private haulers throughout Cumberland County is hereby approved.

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 owners and/or operators of recycling centers approved by 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 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. 7:26A-1 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. 7:26-5.1 et seq., 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 elements of the Amendment to the County Plan contained herein shall take effect immediately.

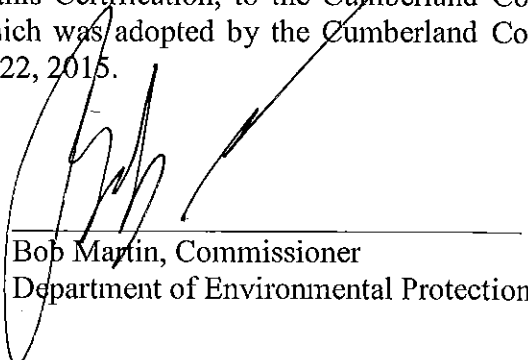
**5. Reservation of Authority**

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 include 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 Cumberland County District Solid Waste Management Plan which was adopted by the Cumberland County Board of Chosen Freeholders on December 22, 2015.

10/24/2016  
Date

  
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Bob Martin, Commissioner  
Department of Environmental Protection