



State of New Jersey

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CERTIFICATION OF THE MARCH 21, 2012 AMENDMENT TO THE GLOUCESTER 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 September 26, 1980 the Department of Environmental Protection (Department or DEP) approved the Gloucester 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 Gloucester County Board of Chosen Freeholders (County Freeholders) completed such a review and on March 21, 2012 adopted an amendment to its approved County Plan.

The March 21, 2012 amendment proposes County Plan inclusion of the DocuVault Valley, LLC (DocuVault) Class A and D Recycling Facility to be located at 1240 Forest Parkway, Suite 100, Block 346.11, Lot 6 in the Township of West Deptford.

The March 21, 2012 amendment also proposes County Plan inclusion of the Strategic Materials Class A Recycling Facility to be located on One Osprey Court, Block 2903, Lot 11 in the Township of Logan.

The amendment was considered administratively complete for review by the Department on May 3, 2012 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 March 21, 2012 is approved as provided in N.J.S.A. 13:1E-24.

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

Pursuant to N.J.S.A. 13:1E-24a(1), I have studied and reviewed the March 21, 2012 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 March 21, 2012 amendment which are included below.

Elements of the March 21, 2012 Amendment

Element: Facility Operation-DocuVault

DocuVault will receive, store, process or transfer paper, cardboard, electronic media, medical files, and x-ray film. The projected daily capacity for the facility is as follows:

- Paper-100 tons
- Cardboard- 20 tons
- Electronic media-10 tons

Element: Facility Operation-Strategic Materials

Strategic Materials will receive up to 400 tons per day (tpd) of single stream recyclable material mostly mixed cullet from single stream municipal recycling facilities.

Element: Regulatory Requirements

All Class D recycling centers 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.

Element: Mandatory Recycling

The most recent recycling data compiled by the State shows that, in 2010, Gloucester County had a municipal solid waste stream (MSW) recycling rate of 53.8%, thus exceeding the current statewide mandate of achieving a minimum 50% MSW recycling rate. Additionally, the County achieved a 64.3% total solid waste stream recycling rate, which also exceeds the statewide mandate of 60%. The County is congratulated on these achievements; however, it also must be noted that not all Gloucester County municipalities have achieved the statutory recycling mandates. Therefore, the County is to coordinate with those municipalities that had an MSW recycling rate of 25% or less and develop strategies to increase their respective recycling rates to at least 25% by the end of calendar year 2013, and plans to implement those strategies.

C. Certification of the Gloucester 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 March 21, 2012 amendment to the approved County Plan and certify to the County Freeholders that the March 21, 2012 amendment is approved as further specified below.

The March 21, 2012 amendment proposing County Plan inclusion of the DocuVault Valley, LLC (DocuVault) Class A and D Recycling Facility to be located at Block 346.11, Lot 6 in the Township of West Deptford and the Strategic Materials Class A Recycling Facility to be located on Block 2903, Lot 11 in the Township of Logan is 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 D materials. A recycling center approval shall only be issued where the applicant has submitted as 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

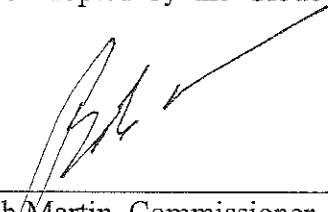
Nothing contained herein shall be construed as a limitation on any other action taken by the Department pursuant to its authority under the law. The County Plan, including any amendment made thereto, shall conform with the Statewide Solid Waste Management Plan, with appendices, which includes the Department's 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 Gloucester County District Solid Waste Management Plan which was adopted by the Gloucester County Board of Chosen Freeholders on March 21, 2012.

Date

9/20/2012



Bob Martin, Commissioner
Department of Environmental Protection

