



STATE OF NEW JERSEY
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 OFFICE OF THE COMMISSIONER
 P. O. BOX 1390
 TRENTON, N. J. 08625
 609-292-2885

(IN THE MATTER OF THE ADOPTED AND)
 (MODIFIED SOLID WASTE MANAGEMENT)
 (PLAN OF THE GLOUCESTER COUNTY)
 (SOLID WASTE MANAGEMENT DISTRICT)

CERTIFICATION OF APPROVAL
 WITH MODIFICATION OF 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. as amended by C. 326, Laws of 1975) determines, among other things, "...that the management of solid waste in New Jersey consists largely of piecemeal, uncoordinated activities developed to meet the immediate needs of local government with little, if any, regard for regional planning and coordination..." and that "...the solid waste planning and management process is adversely affected by the absence of area-wide structures...." The Act addressed these and other findings by establishing "...a statutory framework within which all solid waste collection, disposal and utilization activity..." in New Jersey would be coordinated. This framework includes the designation of each of New Jersey's twenty-one counties and the Hackensack Meadowlands District as a Solid Waste Management District. Each District is authorized, either singly or jointly with one or more other Districts, to formulate and develop a comprehensive Solid Waste Management Plan. Following development, the resulting Plan is submitted by the District to the public for comment at an informational hearing. Thereafter, the District must adopt or reject, in whole or in part, the Solid Waste Management Plan.

After adoption of a Plan in whole or in part by a District, the Plan is then submitted to the Commissioner of the Department of Environmental Protection for review and final approval. The Commissioner has authority to modify, reject or approve such Plans and, in the final analysis, the Commissioner is authorized to adopt and promulgate any modification or replacement she deems necessary with respect to the Solid Waste Management Plan.

In order to establish a meaningful and responsible role for the State in the solution of solid waste problems, the Act grants broad powers to the Department of Environmental Protection: This includes the power "...to regulate and supervise all solid waste collection and disposal facilities and operations...", "...to register all persons engaged in the collection or disposal of solid waste...", "...to develop through a Statewide solid waste management plan objectives, criteria and procedures to assure the orderly preparation and evaluation of the [district] solid waste management plans...", "...to approve, modify or reject such solid waste management

plans on the basis of their conformity with such objectives, criteria and procedures...", and "...to develop and implement such a plan where none is approved or forthcoming from any solid waste management district...."

Specifically, the solid waste planning process includes five stages. These include the promulgation of guidelines by the Department of Environmental Protection, Plan formulation by the Districts, public hearings on the Plans developed by the Districts, adoption of the Plan by the District, and approval, rejection or modification of the Plan by the Department of Environmental Protection.

At the beginning of the planning process, the Department of Environmental Protection set forth guidelines for the formulation and development of District Solid Waste Management Plans.* The guidelines contain planning objectives, planning schedules and specific tasks to be addressed in the planning process. The objectives identified in the guidelines include the protection and enhancement of environmental quality and the conservation of natural resources. Through these objectives, the Department encouraged District Plans which would provide for the termination of existing solid waste disposal operations which cannot be upgraded to meet environmental standards, the provision of alternative services and facilities capable of meeting environmental standards and conservation of natural resources by the implementation of waste reduction techniques and resource recovery systems.

In order to achieve these objectives, the Department of Environmental Protection has and continues to encourage the development of a comprehensive regional scheme to ensure recovery systems and environmentally sound disposal facilities. To this end, the Commissioner of the Department of Environmental Protection, after study and review, issued a Certification of Modification to the Adopted Solid Waste Management Plan of the Gloucester County Solid Waste Management District on November 13, 1979. The Certification required the Gloucester County Solid Waste Management District to, among other things, develop a schedule for resource recovery implementation and negotiate interdistrict agreements with other Solid Waste Management Districts to provide those Districts with additional disposal capacity.

On August 4, 1980, the Gloucester County Board of Chosen Freeholders formally adopted modifications to the District's Plan. The modifications were received by the Department of Environmental Protection on August 28, 1980. The Department of Environmental Protection has studied and reviewed the Plan and its modifications in accordance with the Solid Waste Management Act. Based on the results of this review and evaluation, I have determined that the Gloucester County District Solid Waste Management Plan be granted approval as amended by the modifications adopted herein and promulgated by me (see N.J.S.A. 13:1E-24).

*"Guidelines for the Development and Formulation of District Solid Waste Management Plans," New Jersey Department of Environmental Protection, Solid Waste Administration (Trenton, August 1977).

B. Solid Waste Management Plan Accomplishments

The Gloucester County District Solid Waste Management Plan has been reviewed by the Department of Environmental Protection and other State-level agencies and, with the District's adopted modifications along with the replacement modifications herein set forth, provides for environmentally sound solid waste management in Gloucester County. I am confident that with the implementation of this Plan, a comprehensive solid waste management program will be established in Gloucester County.

The Plan contains a resource recovery implementation schedule that projects a resource recovery facility to be on line by 1985 with a capacity to handle all of Gloucester County's solid waste.

The Plan contains provisions for the development and expansion of source separation/recycling programs throughout the County. The County will take the lead role in promoting source separation by providing technical and, if possible, financial assistance to the municipalities. The County plans to designate a full-time source separation specialist, conduct a Countywide public awareness campaign and establish a Countywide recycling committee under the Gloucester County Solid Waste Advisory Council.

In addition, the Plan recognizes the need to uniformly distribute disposal cost throughout the District so as to reflect the environmental costs of improving solid waste facilities, encourage the development of resource recovery alternatives and provide for the orderly flow of waste.

The Plan recommends that an Office of Solid Waste Management be established to act as the County's responsible implementation agency.

C. Approved Gloucester County District Solid Waste Management Plan

I, Jerry Fitzgerald English, Commissioner of the Department of Environmental Protection, in accordance with N.J.S.A. 13:1E-1 et seq., do hereby approve the following key elements of the adopted Gloucester County District Solid Waste Management Plan and Modifications adopted by the Gloucester County Board of Chosen Freeholders on August 4, 1980.

1) Data Base

The basic data utilized in the Plan is approved. However, as further data, particularly in the area of solid waste generation and composition becomes available as part of the District's resource recovery feasibility studies, such data will supercede existing data, and be made part of any Plan revision or update.

2) Schedule for Resource Recovery Implementation

The Plan's schedule for the implementation of resource recovery is approved. The Department of Environmental Protection will monitor the progress of the District in meeting the milestones of this implementation schedule. The District shall make quarterly status reports to the Department of Environmental Protection concerning the District's

progress in meeting these milestones. The first status report shall be submitted to the Department's Solid Waste Administration by January 1, 1981.

3) Recycling/Source Separation Program

The recycling/source separation program outlined in the Plan is approved.

4) Public Participation Program

The Plan's public education and participation program is approved.

5) Sludge and Septage

The Plan shall conform with any Rules and Regulations of the Department concerning sludge and septage.

D. Modifications Adopted and Promulgated By The Commissioner Pursuant To N.J.S.A. 13:1E-1 et seq. and Made An Approved Part of the Gloucester County District Solid Waste Management Plan

I, Jerry Fitzgerald English, Commissioner of the Department of Environmental Protection, in accordance with N.J.S.A. 13:1E-1 et seq., do hereby adopt and promulgate the following modifications to the Gloucester County District Solid Waste Management Plan and certify to the Gloucester County Board of Chosen Freeholders that the modifications contained herein, are hereby made a final approved part of the Gloucester County District Solid Waste Management Plan.

1) In-County Wastes

The following modifications are adopted and promulgated by me and shall take effect on November 1, 1980.

- a) All solid wastes, with the exception of those noted in Section 4.c. herein, generated from within the Gloucester County municipalities of Clayton Borough, Deptford Township, East Greenwich Township, Franklin Township, Glassboro Township, Harrison Township, Logan Township, Mantua Township, Monroe Township, National Park Borough, Paulsboro Borough, Pitman Borough, South Harrison Township, Swedesboro Borough, Washington Township, Wenonah Borough, West Deptford Township, Westville Borough, Woodbury City, Woodbury Heights Borough and Woolwich Township, shall be disposed of at the Kinsley's Landfill, Inc., facility number 0802B, located in Deptford Township, Gloucester County, New Jersey.
- b) All solid wastes, with the exception of those noted in Section 4.c. herein, generated from within the Gloucester County municipality of Elk Township, shall be disposed of at the Elk Township Landfill, facility number 0804A, located in Elk Township, Gloucester County, New Jersey.

- c) All solid wastes, with the exception of those noted in Section 4.c. herein, generated from within the Gloucester County municipality of Greenwich Township, shall be disposed of at the Greenwich Township Sanitary Landfill, facility number 0807B, located in Greenwich Township, Gloucester County, New Jersey.
- d) All solid wastes, with the exception of those noted in Section 4.c. herein, generated from within the Gloucester County municipality of Newfield Borough, shall be disposed of at the Vineland City Sanitary Landfill, facility number 0614B, located in Vineland City, Cumberland County, New Jersey.
- e) Upon closure of the Elk Township Landfill, facility number 0804A, and Greenwich Township Sanitary Landfill; facility number 0807B, (the two facilities identified in this section shall, according to the modifications adopted and promulgated herein, close by November 1, 1981) wastes going to these facilities shall be disposed of at the Kinsley's Landfill, Inc., facility number 0802B, located in Deptford Township, Gloucester County, New Jersey.
- f) When the Gloucester County resource recovery facility scheduled to be on line in, or prior to, 1985 becomes operational, processable* solid wastes generated in all of Gloucester County's municipalities, with the exception of Newfield Borough, shall be directed to the energy recovery facility. Residue and non-processable** solid wastes shall be disposed of at a landfill(s) designated in the first two-year update of the District Plan. All solid wastes, with the exception of those noted in Section 4.c. herein, generated from within Newfield, shall continue to be disposed of at the Vineland City Sanitary Landfill, facility number 0614B, located in Vineland City, Cumberland County, New Jersey.
- g) The Department recognizes the long term potential problems such as gas buildup, the re-surfacing of previously buried materials, and the instability of the landfill mass that may result in unpredictable settling that may impact the use of terminated landfill sites. Therefore, the Department recommends that terminated landfills be designated as "open space" and that any proposed use of terminated landfill sites be carefully investigated and the results incorporated into any application for a construction permit or site plan approval.

2) Out of County Wastes

- a) All solid wastes, with the exception of those noted in Section

*Processable solid waste is that part of the solid waste stream which can be processed through a resource recovery facility.

**Non-processable solid waste includes that part of the waste stream which cannot be processed through a given resource recovery facility and solid wastes resulting from emergency back-up procedures.

4.c. herein, generated from within the Camden County municipalities of Audubon, Audubon Park, Barrington, Bellmawr, Berlin Borough and Township, Brooklawn, Clementon, Collingswood, Gibbsboro, Gloucester City, Gloucester Township, Haddonfield, Haddon Heights, Hi-Neila, Laurel Springs, Lawnside, Magnolia, Mt. Ephraim, Oaklyn, Pine Hill, Pine Valley, Runnemede, Somerdale, Stratford, Tavistock, Voorhees Township and Woodlynne shall be disposed of at the Kinsley's Landfill, Inc. landfill, facility number 0802B, located in Deptford Township, Gloucester County, New Jersey.

- b) By prior directive of the Department of Environmental Protection, dated May 28 and 29, 1980, registered collector/haulers and state and local governments which import solid wastes into New Jersey for disposal were required to enter into disposal agreements with the appropriate New Jersey Solid Waste Management District as a condition for the continued utilization of the Districts' solid waste disposal facilities. The requirements for such agreements are substantially similar to the planning requirements placed by the Department on sister Solid Waste Management Districts which import solid wastes into Gloucester County for disposal.

Pursuant to the directive of the Department on May 28 and 29, 1980, all such agreements with out-of-state generators and/or collector/haulers shall be finalized by the effective date of the Plan Modifications (November 1, 1980). After this date, any out-of-state generators and/or collector/haulers who have failed to enter into an agreement with Gloucester County for disposal under the directives of May 28 and 29, 1980, shall be precluded from utilizing disposal facilities within the Gloucester County Solid Waste Management District at least until the Department of Environmental Protection is furnished with the following information and makes an assignment for the use of remaining and uncommitted disposal capacity, if any, within the Gloucester County Solid Waste Management District.

- type(s) of solid waste to be imported,
- quantity of solid waste to be imported, and
- period of time that the solid waste is to be imported.

3) Other Modifications

- a) On April 23, 1979, the Solid Waste Administration of the Department of Environmental Protection ordered the Henry Harris sanitary landfill, facility number 0808A, located in Harrison Township, Gloucester County, New Jersey to cease operations within six months of the aforementioned date. The order was based upon violations of the Department's rules and regulations and non-compliance with engineering designs. An administrative hearing was held in August, 1980 at the Office of Administrative Law and on September 3, 1980 the Administrative Law Judge issued his initial decision upholding the Department's order. This initial

decision has been forwarded to the Commissioner for final action. It is the intention of the Department that facility number 0808A shall not be considered in the solid waste disposal plans for the region, subject to that final action.

- b) On April 25, 1977, the New Jersey Solid Waste Administration of the Department of Environmental Protection ordered the Kramer sanitary landfill, facility number 0810A, located in Mantua Township, Gloucester County, New Jersey to cease operations within ninety days of the aforementioned date. Kramer contested the basis of the order and requested an administrative hearing. Said hearing is still continuing. Additionally, in August, 1979, the Department filed suit in the Gloucester County Chancery Division seeking to close the Kramer sanitary landfill as a result of violations of the Department's rules and regulations subsequent to the issuance of aforementioned administrative order. The proceeding was again contested by Kramer and has yet to be concluded. It is the intention of the Department that facility number 0810A shall not be considered in the solid waste disposal plans for the region.
- c) As previously stated in the Certification of Modification issued by the Department to the Gloucester County District Solid Waste Management Plan on November 13, 1979, the section of the Plan concerning hazardous waste is rejected. The Department will treat those portions of the Plan devoted to hazardous waste as recommendations in the development of the State's Hazardous Waste Management Plan.

4) Other Provisions Effecting the Plan Modifications

a) Contracts

Nothing contained in these Modifications shall be construed as to interfere with, or in any way modify, the provisions of any contract for solid waste collection or solid waste disposal in force in any solid waste management district upon the effective date of this Act (July 29, 1977); provided, however, as set forth at N.J.S.A. 13:1E-29 no renewal of any such contract upon the expiration or termination of the original term thereof, and no new contract for solid waste collection or solid waste disposal, shall be entered into after the effective date of this act, unless such renewal or such new contract shall conform with the applicable provisions of the approved solid waste management plan, as set forth herein, of the relevant solid waste management district or unless such contract is approved by the Commissioner.

Any contract renewal or new contract for solid waste collection or solid waste disposal which was executed prior to the approval of the within modifications to the Gloucester County District Solid Waste Management Plan 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 of Environmental Protection and operating pursuant to a contract as herein described, shall be deemed to be in violation of these Modifications and of the Gloucester County District Solid Waste Management Plan if such renegotiation is not completed by the effective date of these Modifications (November 1, 1980); provided, however, that any such registrant may, upon application to the Department of Environmental Protection and for good cause shown, obtain an extension of time to complete such renegotiation.

b) Compliance

All solid waste facility operators registered with the Department of Environmental Protection and operating within Gloucester County and effected by the Modifications contained herein shall operate in compliance with these Modifications and all other approved provisions of the Gloucester County District Solid Waste Management Plan. Any facility 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. 7:26-1 et seq., and in violation of their registration to operate a solid waste facility issued thereunder by the Department of Environmental Protection and shall be subject to the provisions and penalties of N.J.S.A. 13:1E-9, 10 and 12 and all other applicable laws.

c) Types of Solid Wastes Covered by the Gloucester County District Solid Waste Management Plan Modifications

The Modifications contained herein shall apply to all "solid wastes" generated within the identified County municipalities, as defined in N.J.S.A. 13:1E-3 and N.J.A.C. 7:26-2.5.27 and with the exceptions of liquid wastes, sewage sludge, septage, hazardous wastes, oil spill clean-up waste, infectious waste and those wastes separated and recovered at the point of generation.

d) Certification to Proceed with the Implementation of Plan Modifications

This Document shall serve as the Certification of the Commissioner of the Department of Environmental Protection to the Gloucester County Board of Chosen Freeholders, as provided for by N.J.S.A. 13:1E-24f., to proceed with the implementation of the Modifications contained herein.

e) Definitions

For the purpose of these Modifications 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 N.J.A.C. 7:26-1.4 and -2.5.27.

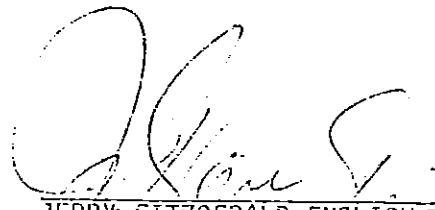
f) Effective Date of Modifications

The adopted and promulgated Modifications to the Gloucester County District Solid Waste Management Plan contained herein shall take effect on November 1, 1980.

- g) Nothing contained herein shall be construed as a limitation on any other action taken by the Department of Environmental Protection pursuant to its authority under the law. The Gloucester County District Solid Waste Management Plan shall conform with the Statewide Solid Waste Management Plan. The Statewide Solid Waste Management Plan includes the Department's Planning Guidelines and rules, regulations, and orders of the Department, and will include the compilation of individual District Plans and modifications as they are approved. The Statewide Solid Waste Management Plan for Group I and II Districts is scheduled for completion in late September.*

E. Certification of Approval and Adoption and Promulgation of Modifications 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 Gloucester County District Solid Waste Management Plan and its adopted modifications, subject to the modifications and replacements contained and adopted herein.



JERRY FITZGERALD ENGLISH
COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL PROTECTION

SEP 26 1980

Date

*The Commissioner may adopt modifications to the approved District Plans in the Statewide Solid Waste Management Plan when it is promulgated.

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NEW JERSEY BOARD OF PUBLIC UTILITIES
NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
EMERGENCY REDIRECTION OF SOLID WASTE FLOW

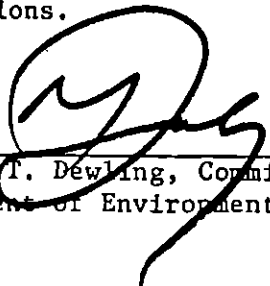
An emergency exists as a result of the planned closing of Kinsley's Landfill, Inc., BPU facility #8063, DEP facility # 0802B, located in Deptford Township, Gloucester County. In accordance with the Order of Preliminary Injunction issued by the Superior Court of New Jersey on November 13, 1984, all solid wastes generated within Gloucester and Salem Counties are redirected to the landfills implemented by each respective county upon closure of Kinsley's Landfill, Inc.

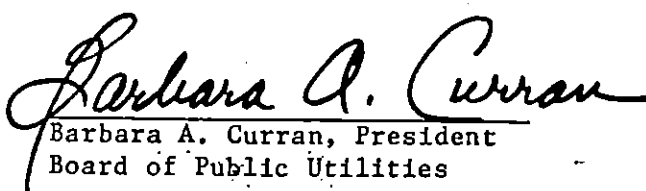
This emergency redirection will address all solid waste generated within Gloucester County which is disposed of at Kinsley's Landfill, Inc. In order to maintain compliance with the Order of Preliminary Injunction, and to avert a disposal crisis within Gloucester County due to the closure of Kinsley's Landfill, Inc., the Department of Environmental Protection and the Board of Public Utilities, pursuant to N.J.A.C. 7:26-6.7, are redirecting waste from Kinsley's Landfill, Inc. to the Gloucester County Sanitary Landfill, BPU facility #8073, DEP facility #0813A, located in South Harrison Township, Gloucester County. The redirection of the specified waste types from those communities identified below is effective upon notification of commencement of operations at the Gloucester County Sanitary Landfill.

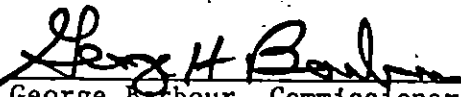
1. All waste types 10, 13, 23, 25, and 27 generated from within the Gloucester County municipalities of Clayton, Deptford, East Greenwich, Franklin, Glassboro, Harrison, National Park, Paulsboro, Pitman, South Harrison, Swedesboro, Washington, Wenonah, Woodbury, West Deptford, Westville, Woodbury Heights, and Woolrich shall be disposed of at the Gloucester County Sanitary Landfill, BPU facility # 8073, DEP facility #0813A located in South Harrison Township, Gloucester County, New Jersey.
2. All waste types 25 and 27 generated from within the Gloucester County municipality of Elk Township shall be disposed of at the Gloucester County Sanitary Landfill, BPU facility #8073, DEP facility #0813A, located in South Harrison Township, Gloucester County, New Jersey.
3. All waste types 10, 13, and 23 generated from within the Gloucester County municipality of Elk Township shall continue to be disposed of at the Elk Township Landfill, DEP facility #0804A located in Elk Township, Gloucester County, New Jersey until that facility reaches its approved elevations as specified in the Certificate of Approved Registration and Engineering Design Approval (CAREDA) issued for the above noted facility. Upon achievement of these approved elevations, the above referenced waste types shall be disposed of at the Gloucester County Sanitary Landfill, BPU facility #8073, DEP facility #0813A located in South Harrison Township, Gloucester County, New Jersey.
4. All waste types 25 and 27 generated from within the Gloucester County municipality of Greenwich Township shall be disposed of at the Gloucester County Sanitary Landfill, BPU facility #8073, DEP facility #0813A, located in South Harrison Township, Gloucester County, New Jersey.

5. All waste types 10, 13, and 23 generated from within the Gloucester County municipality of Greenwich Township shall continue to be disposed of at the Greenwich Township Sanitary Landfill, DEP facility #0807B, located in Greenwich Township, Gloucester County, New Jersey until that facility achieves its final elevation as specified in the Certificate of Approval Registration and Engineering Design Approval issued for the facility. Upon achievement of these approved elevations, the above referenced waste types shall be disposed of at the Gloucester County Sanitary Landfill, BPU facility #8073, DEP facility #0813A, located in South Harrison Township, Gloucester County, New Jersey.
6. All waste types 10, 13, 23, 25 and 27 generated from within the Gloucester County municipality of Newfield Borough which are currently disposed of at the Vineland City Sanitary Landfill, BPU facility #8073, DEP facility #0614B, located in Vineland City, Cumberland County, New Jersey are hereby redirected to the Gloucester County Sanitary Landfill, BPU Facility #8073, DEP facility #0813A, located in South Harrison Township, Gloucester County, New Jersey.

Notice: All solid waste collector/haulers and facility operators licensed by the Board of Public Utilities and/or registered with the Department of Environmental Protection and operating within the county of Gloucester shall operate in compliance with this Emergency Waste Flow Directive and all other approved provisions of the Statewide and District Solid Waste Management Plans. Any collector/hauler who fails to comply with the provisions contained herein shall be deemed to be in violation of N.J.S.A. 48:13A-1 et. seq. and shall be subject to the provisions and penalties of these and all other applicable laws and regulations.

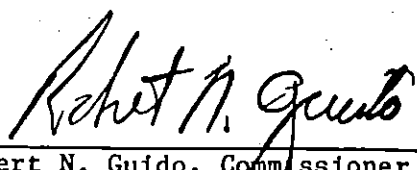

Richard T. Dewling, Commissioner
Department of Environmental Protection


Barbara A. Curran, President
Board of Public Utilities


George Barbour, Commissioner
Board of Public Utilities

27 JAN 1987

Date


Robert N. Guido, Commissioner
Board of Public Utilities