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CERTIFICATION OF THE NOVEMBER 7, 2018 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 (previously formally known as the New Jersey Meadowlands Commission, and now known as New Jersey Sports and Exposition Authority or NJSEA) 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 (Plan).

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 Gloucester County Board of Chosen Freeholders (Freeholders) completed such a review and on November 7, 2018 adopted an amendment to its approved Plan.

The November 7, 2018 amendment (Amendment) proposes Plan inclusion of the Phase IX Development Lateral Expansion (Phase IX Expansion) of the present Gloucester County Solid Waste Complex (GCSWC) located at 493 Monroeville Road, Block 9, Lot 1, in South Harrison Township. The Amendment amends the Plan to allow for a permit application to expand the southern portion of the landfill and relocate the previously approved Phase VIII cells in the northern portion of the landfill.

The Amendment was considered complete for review by the Department on December 19, 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 November 7, 2018 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 November 7, 2018 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 inclusion of the Phase IX Expansion of the present 164.2 acre permitted solid waste landfill on a 574.75 acre site GCSWC located at 493 Monroeville Road, Block 9, Lot 1, in South Harrison Township is consistent with the Statewide Solid Waste Management Plan. In this regard, the County Freeholders are notified of the elements of the November 7, 2018 Amendment which are included below.

Elements of the November 7, 2018 Amendment

Element: Historical Background of the Gloucester County Sanitary Landfill (GCSLF)

The GCSLF was initially included in the County Plan via a Plan amendment dated December 27, 1984 and noted the facility location to be Block 9; Lots 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 17, 18, and 19, in the Township of South Harrison. This Plan amendment was certified by the Department on February 1, 1985.

A March 19, 1986 Plan amendment proposed to re-implement the Department's decision regarding the state level review process concerning the designation of the South Harrison site for the development of a county landfill facility. Therefore, the GCSLF to be located on Block 9, Lots 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 17, 18, 19, and 20, in the Township of South Harrison is included in the Plan. This Plan amendment was certified as approved on April 23, 1986.

A November 4, 1987 Plan amendment proposed to include mandatory designated traffic (truck) routes to the GCSWC in South Harrison Township. This Plan amendment was certified as approved on May 6, 1988.

A March 17, 1999 Plan amendment proposed to include Gloucester County Improvement Authority's (GCIA) non-discriminatory process to secure disposal services for certain waste types. Since the County secured a disposal contract with Wheelabrator Gloucester Company, L.P., the GCIA proposed to commence the delivery of all acceptable waste to the Wheelabrator Resource Recovery Facility (WRRF) located in West Deptford Township, and all bypass waste to the GCIA landfill located in South Harrison Township. This Plan amendment was certified as approved on June 4, 1999.

An April 11, 2000 Plan amendment proposed to include the vertical expansion of the GCIA landfill located on Block 9, Lots 1-5, 9-13, and 17-20 in South Harrison Township. The facility will continue to receive by-pass waste from the WRRF in West Deptford, as well as residual ash waste, non-processible waste and C&D waste. This Plan amendment was certified as approved on July 17, 2000.

A December 17, 2003 Plan amendment proposed to include the horizontal expansion of the GCIA landfill of an additional 50 acres. The GCIA landfill would be expanding to include the following parcels of land located in South Harrison Township, Block 9, portions of Lots 2,3, 10-12, 21 and 29. This Plan amendment was certified as approved on May 19, 2004.

On December 2, 2009, the Department approved a September 2, 2009 request for administrative action to the Plan, which proposed Plan inclusion of a lateral expansion (77.7 acres) of the Gloucester County Solid Waste Landfill, located on Block 9; Lots 1-5, 9-12, 13, 17-20, in South Harrison Township.

Lastly, the November 7, 2018 Amendment proposes Plan inclusion of the Phase IX Expansion of the present 164.2 acre permitted solid waste landfill on a 574.75 acre site GCSWC located at 493 Monroeville Road, Block 9, Lot 1, in South Harrison Township. The Amendment amends the Plan to allow for a permit application to expand the southern portion of the landfill and relocate the previously approved Phase VIII cells in the northern portion of the landfill. The proposed Phase IX Expansion includes cells 16, 17, and 18 in the southern portion (32.1 acres), and cells 19, 20 and 21 in the northern portion (39 acres). The proposed total Phase IX Expansion is 71.1 acres of which 25.7 acres was already approved in Phase VIII. The net proposed increase in the Phase IX Expansion is 45.4 acres and the landfill footprint will be increased to approximately 209.6 acres. The remaining 365.15 acres will provide buffers and ancillary structures required for proper landfill operation. The Phase IX Expansion will result in a volumetric increase of 6,051,356 cubic yards of solid waste for a total landfill disposal capacity of 27,096,731 cubic yards. The proposed additional landfill capacity through Phase IX of 6,051,356 cubic yards will extend the duration of the landfill operation from 2028 to 2034, based on the current waste acceptance rate of approximately 930,000 tons per year. The following waste types are permitted to be accepted at the GCSWC (ID 10, 13, 13C, 23, 25, 27, 27A, and 27I). There is no limitation to the maximum daily tons accepted of each waste type.

The GCSWC is permitted to operate 7:00 a.m. to 4:00 p.m. Monday through Friday.

Vehicles enter the facility at the main entrance off CR 694, vehicles that exit the GCSWC along CR 694, access is provided to several roadways to allow for trucks to make deliveries to/from the north and south. The intersections along CR 694 closest to the GCSWC that provide this access are NJ 45, CR 617 (Mullica Hill Road), CR 614 (Russell Mill Road), and CR 538 (Glen Echo Avenue/Franklinville Road). Since CR 538 (Glen Echo Avenue) provides access to CR 551 (Kings Highway) via a T-Intersection, this intersection was also studied.

Element: Regulatory Requirements

The Amendment modifies the Plan to include a lateral expansion at the GCSWC. Prior to the commencement of said expansion, a modification to GCIA's Solid Waste Facility Permit must be obtained pursuant to N.J.A.C. 7:26-2.6 et seq.

Solid waste facilities are subject to the provisions of N.J.A.C. 7:27-5, "Prohibition of Air Pollution." This subchapter of regulations 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 solid waste facility requires an air quality preconstruction permit and operating certificate in accordance with N.J.A.C. 7:27-8.2.

Finally, if any operation of a solid waste facility will discharge pollutants as defined in N.J.A.C. 7:14A-1.2, the owner or operator of that solid waste facility must secure a New Jersey Pollutant Discharge Elimination System Permit pursuant to N.J.A.C. 7:14A-2.4(b)4. Additionally, as per N.J.A.C. 7:14A-22.3(a)2, if the owner or operator of a solid waste facility will, as part of its operation, build, install, modify, or operate any sewer line, pumping station, or force main which serves more than two buildings or is for the conveyance of 8,000 gallons per day or more of wastewater, a Treatment Works Approval would have to be obtained from the Department prior to construction.

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 Plan, I have reviewed the Amendment and certify to the County Freeholders that the November 7, 2018 Amendment is approved as further specified below.

The Plan inclusion of the Phase IX Development Lateral Expansion of the present 164.2 acre permitted solid waste landfill on a 574.75 acre site located at 493 Monroeville Road, Block 9, Lot 1, in South Harrison Township is approved.

The construction or operation of any solid waste facility shall be preceded by the acquisition of all necessary permits and approvals pursuant to N.J.S.A. 13:1E-1 et seq., and all other applicable laws.

This Certification shall not be construed as an expression of the Department's intent to issue a solid waste facility permit or permit modification for any proposed facility or operation.

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 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 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 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 includes the compilation of individual 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 November 7, 2018.

3/21/19

Date

Catherine R. McCabe

Catherine R. McCabe