



# State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
SITE REMEDIATION AND WASTE MANAGEMENT PROGRAM

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*Lt. Governor*

**CATHERINE R. McCABI**

*Commissioner*

## **CERTIFICATION OF THE NOVEMBER 14, 2019 AMENDMENT TO THE HUDSON COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN**

### **BY ORDER OF THE DEPARTMENT:**

#### **A. Introduction**

The New Jersey Solid Waste Management Act (“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 January 27, 1982, the Department of Environmental Protection (“Department” or “DEP”) approved the Hudson 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 Hudson County Board of Chosen Freeholders (“County Freeholders”) completed such a review and on November 14, 2019 adopted an amendment to its approved County Plan. Said Amendment was approved by the Hudson County Executive (“County Executive”) on November 14, 2019.

The November 14, 2019 Amendment (“Amendment”) proposes County Plan inclusion of a capacity increase at the Cardella Trucking Company, Inc. (“Cardella”) Transfer Station/Materials Recovery Facility (“TS/MRF”) located at Block 27.01, Lot 45 and Block 55, Lots 1 & 2 with a street address of 2400 Tonnelle Avenue in the Township of North Bergen. The capacity increase of 400 tons per day (“tpd”) would allow for the acceptance of a maximum of 800 tpd of solid waste types 13 and 13C.

The Amendment was considered complete for review by the Department on January 21, 2020 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 14, 2019

and approved by the County Executive on November 14, 2019 is approved as provided in N.J.S.A. 13:1E-24.

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

Pursuant to N.J.S.A. 13:1E-24a(1), I have studied and reviewed the 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 capacity increase at the Cardella Trucking Company, Inc. TS/MRF is consistent with the Statewide Solid Waste Management Plan. In this regard, the County Freeholders are notified of the elements of the Amendment which are included below.

**Elements of the November 14, 2019 Amendment**

**Element: Facility History**

On August 10, 1989, the Hudson County Board of Chosen Freeholders adopted an amendment to the County Plan which included the inclusion of the Cardella TS/MRF to be located at Block 27, Lot 45 in the Township of North Bergen. The County Plan was certified by the Department on January 26, 1990.

On August 7, 1997, the Department approved a July 9, 1997 request for administrative action to the County Plan, which proposed County Plan inclusion of additional properties as a part of the Cardella TS/MRF. Specifically, the July 9, 1997 request for administrative action to the County Plan proposed County Plan inclusion of Block 55, Lots A.1 and A.2 in the Township of North Bergen to the footprint of the Cardella TS/MRF, previously limited to Block 27, Lot 45 in the Township of North Bergen.

On March 21, 2011, the Department approved a February 18, 2011 request for administrative action to the County Plan, which proposed County Plan inclusion of, amongst other things, the Cardella TS/MRF, located on Block 55, Lots A.1 and A.2 and Block 27, Lot 45 in the Township of North Bergen, for the acceptance and processing of up to 400 tpd of solid waste types 13 and 13C. The February 18, 2011 request for administrative action to the County Plan identified the operating schedule as 24 hours per day, Monday through Saturday.

On March 10, 2017, the Department approved a February 14, 2017 request for administrative action to the County Plan, which proposed County Plan inclusion of revised block and lot designations (Block 27.01, Lot 45 and Block 55, Lots 1 & 2) and designated traffic routes for solid waste vehicles accessing the Cardella TS/MRF.

Lastly, the November 14, 2019 Plan Amendment proposes County Plan inclusion of a capacity increase at the Cardella TS/MRF of 400 tpd, which would allow for the acceptance of a maximum of 800 tpd of solid waste types 13 and 13C.

### **Element: Regulatory Requirements**

The owner or operator of a solid waste TS/MRF must obtain a Solid Waste Facility (SWF) Permit from the Department prior to the commencement of regulated activities and shall also follow all pertinent regulations found at N.J.A.C. 7:26-2 et seq. and the design and operational requirements at N.J.A.C. 7:26-2B.5 and N.J.A.C. 7:26-2B.9, respectively.

Transfer stations/material recovery facilities are subject to the provisions of N.J.A.C. 7:27-8.2(c)17 which requires air pollution control permits for any equipment which vents a solid waste facility directly or indirectly into the outdoor atmosphere.

Finally, if the proposed operation has a "stormwater discharge (or stormwater 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 a NJPDES Permit and/or a Treatment Works Approval for discharges prior to operation, if required.

### **C. Certification of the Hudson 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 Amendment to the approved County Plan and certify to the County Freeholders that the Amendment is approved as further specified below.

The County Plan inclusion of a 400 tpd capacity increase allowing for the maximum of 800 tpd of solid waste types 13 & 13C at the Cardella Trucking Company, Inc. TS/MRF located at 2400 Tonnelle Avenue, Block 27.01, Lot 45 and Block 55, Lots 1 & 2 in the Township of North Bergen is approved.

This Certification shall not be construed as an expression of the Department's issuance of or intent to issue a solid waste facility permit or permit modification. The issuance of or modification to a SWF Permit may only occur after an applicant has submitted an application for and received approval of an engineering design, paid all applicable fees, and, if appropriate, been found by the DEP and the Attorney General of the State of New Jersey to be deserving of A-901 licensure under the provisions of N.J.S.A. 13:1E-126.

### **D. Implementation of the Plan Amendment**

#### **1. Certification to Proceed with Implementation of Amendment**

This document shall serve as the Certification by 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.

**2. 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 and -2.13, and N.J.A.C. 7:26A-1.3.

**3. Effective Date of Amendment**

The approved components of this Amendment shall take effect immediately.

**4. 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 includes the compilation of individual county plans and amendments as they are approved.

**E. Certification of Approval of the Amendment by 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 Hudson County District Solid Waste Management Plan which was adopted by the Hudson County Board of Chosen Freeholders on November 14, 2019 and approved by the Hudson County Executive on November 14, 2019.

5-12-20

Date



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Mark J. Pedersen  
Assistant Commissioner