

*Solid and Hazardous Waste Program
P.O. Box 414
Trenton, New Jersey 08625-0414
Tel. # 609-984-3438
Fax. # 609-633-1112*

Allan C. Collins, Deputy Executive Director
Mercer County Improvement Authority
P.O. Box 8068
640 South Broad Street
Trenton, New Jersey 08650-8068

Dear Mr. Collins:

On February 3, 2009, the Department of Environmental Protection's (Department) Solid and Hazardous Waste Program received a request for an administrative action dated January 30, 2009 for Mercer County Solid Waste Management Plan (County Plan) inclusion of proposed plan inclusion process for solid waste and recycling facilities. This request for administrative action is in response to the June 17, 2007 certification of an amendment to the County Plan adopted by the Mercer County Board of Chosen Freeholders on December 21, 2006, which identified the need to address deficiencies in the County Plan inclusion process for proposed solid waste and/or recycling facilities.

The proposed County Plan inclusion process as contained in the January 30, 2009 request for an administrative action does not include a deadline for a decision by the county of an applicant's submission for County Plan inclusion of a solid waste and/or recycling facility. Please be advised that, given the regulatory requirement for specific time frames for plan inclusion as per N.J.A.C. 7:26A-12.1 et seq., the Department rejects the January 30, 2009 request for administrative action. This issue must be addressed in a subsequent plan amendment, to be submitted to the Department within 90 days of the date of this approval. The County may submit the required amendment as an administrative action pursuant to N.J.A.C. 7:26-6.11 et seq.

If you have any questions relative to this action, please contact Najwa N. Ali of my staff at (609) 984-9773 or email at Najwa.Ali@dep.state.nj.us.

Sincerely,

Guy Watson, Chief
Bureau of Recycling and Planning

