



## State of New Jersey

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### **CERTIFICATION OF THE OCTOBER 17, 2013 AMENDMENT TO THE MIDDLESEX 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 July 29, 1980, the Department of Environmental Protection (Department or DEP) approved the Middlesex County District Solid Waste Management Plan (County Plan).

The Act further provides that a district may review its district plan at any time and, if found inadequate, a new district plan must be adopted. The Middlesex County Board of Chosen Freeholders (County Freeholders) completed such a review and on October 17, 2013 adopted an amendment to its approved County Plan.

The October 17, 2013 amendment proposes County Plan deletion of the New Journey Recycling, LLC Class A Recycling Center, which was operated on Block 341, Lot 1 (portion) at 172-176 Baekeland Avenue in the Borough of Middlesex.

The amendment was considered administratively complete for review by the Department on October 29, 2013 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 October 17, 2013 is approved as provided in N.J.S.A. 13:1E-24.

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

Pursuant to N.J.S.A. 13:1E-24a(1), I have studied and reviewed the October 17, 2013 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 October 17, 2013 amendment which are included below.

**Elements of the October 17, 2013 Amendment**

**Element: Facility History & Operations**

On October 18, 2007, the Middlesex County Board of Chosen Freeholders adopted an amendment to their County Plan to include within it the New Journey Recycling, LLC Class A Recycling Center, to be located on Block 341, Lot 1 (portion) at 172-176 Baekeland Avenue in the Borough of Middlesex. The October 18, 2007 amendment to the County Plan proposed County Plan inclusion of this facility for the receipt of up to 200 tons per day of Class A recyclables (glass, metal, paper, plastic, and cardboard) with the specification that only paper and cardboard were to be processed at the facility. The subject amendment to the County Plan also identified the operating schedule for the proposed facility as 6:00 am – 4:00 pm, Monday through Friday and was approved by the Department as an administrative action on November 7, 2007.

As of April 1, 2013, the subject facility was no longer in operation.

The October 17, 2013 amendment to the County Plan proposes County Plan deletion of the New Journey Recycling, LLC Class A Recycling Center, which was operated on Block 341, Lot 1 (portion) at 172-176 Baekeland Avenue in the Borough of Middlesex.

**C. Certification of the Middlesex 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 October 17, 2013 amendment to the approved County Plan and certify to the County Freeholders that the October 17, 2013 amendment is approved as further specified below.

The County Plan deletion of the New Journey Recycling, LLC Class A Recycling Center, which was operated on Block 341, Lot 1 at 172-176 Baekeland Avenue in the Borough of Middlesex is approved.

**D. Other Provisions Affecting the Plan Amendment**

**1. Compliance**

All owners and/or operators of recycling centers approved by the Department and operating within the County and affected by the amendment contained herein shall operate in compliance with this amendment and all other approved provisions of the County Plan. Any recycling center owner and/or 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. 7:26A-1 et seq., and in violation of their approval to operate a recycling center issued thereunder by the Department and shall be subject to the provisions and penalties of N.J.S.A. 13:1E-9 and -12, N.J.A.C. 7:26A-9.1 et seq., 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 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 to 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 County Plan which was adopted by the Middlesex County Board of Chosen Freeholders on October 17, 2013.

March 20, 2014

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Date

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Bob Martin, Commissioner  
Department of Environmental Protection