



## State of New Jersey

CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Mail Code 401-07F  
P.O. Box 402  
Trenton, NJ 08625-0402  
Tel. # (609) 292-2885  
Fax # (609) 292-7695

BOB MARTIN  
*Commissioner*

### **CERTIFICATION OF THE MARCH 9, 2017 AMENDMENT TO THE MONMOUTH 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 known as the New Jersey Meadowlands Commission, and now known as New Jersey Sports and Exposition Authority (NJSEA) develop comprehensive plans for waste management in their respective districts. On August 31, 1981, the Department of Environmental Protection (Department or DEP) approved the Monmouth 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 Monmouth County Board of Chosen Freeholders (County Freeholders) completed such a review and on March 9, 2017 adopted an amendment to its approved County Plan.

The March 9, 2017 Amendment (Amendment) proposes County Plan inclusion of the Phase IV expansion at the Monmouth County Reclamation Center (MCRC) Landfill, which will fill approximately 30 acres of footprint between Phases II and III, with an elevation increase to 300 feet above Mean Sea Level (MSL) across the top, and include provisions that allow, at the county's discretion, operational flexibility to operate the MCRC as a conventional landfill and/or balefill operation.

The Amendment was received on March 31, 2017 and considered administratively complete for review by the Department on April 7, 2017 and copies were distributed to various administrative review agencies for review and comment as required by law. The Department has reviewed the Amendment and has determined that the Amendment adopted by the County Freeholders on March 9, 2017 is approved as provided in N.J.S.A. 13:1E-24 and detailed below.

**B. Findings and Conclusions with Respect to the March 9, 2017 Monmouth County District Solid Waste Management Plan Amendment**

Pursuant to N.J.S.A. 13:1E-24a (1), I have studied and reviewed the March 9, 2017 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 March 9, 2017 Amendment, which are included below.

**Elements of the March 9, 2017 Amendment**

**Element: Background of the Monmouth County Reclamation Center Landfill**

The MCRC was initially included in the original County Plan dated June 7, 1979. The County was directed to accelerate the opening of the Phase II landfill at the MCRC to provide additional disposal capacity for that portion of the County's waste stream precluded from utilizing disposal capacity in Middlesex County. The Department required major modifications in the certification dated December 14, 1979.

On July 23, 1981, the County Freeholders adopted an Amendment to their County Plan to expand the MCRC and/or to construct a new regional landfill to assure that the county is capable of handling Monmouth County's solid waste and is operational by January 1, 1983. The amendment was certified as approved by the Department on August 31, 1981.

On August 9, 1984, the County Freeholders adopted an Amendment to their County Plan to include within it, the specific site of the MCRC Phase II landfill expansion on Block 133, Lots 1 and 2.01; Block 132, Lots 15 and 16, located in Tinton Falls. The amendment was certified as approved by the Department on January 17, 1985.

On April 11, 1985, the County Freeholders adopted an Amendment to their County Plan to include the revised lot and block specifications for the MCRC, which includes Block 131, Lot 19.01. The amendment was certified as approved by the Department on September 16, 1985.

On April 22, 1986, the County Freeholders adopted an Amendment to their County Plan to propose to reopen the inactive Phase I landfill expansion at the MCRC in the Borough of Tinton Falls for the interim disposal of waste generated in Monmouth County until Phase II of the landfill, Cell 4, is operational. The amendment was certified as approved by the Department on September 19, 1986.

On May 23, 1996, the County Freeholders adopted an Amendment to their County Plan to include a Landfill Gas Recovery System at the MCRC in Tinton Falls, Monmouth County. The amendment was certified as approved by the Department on September 23, 1996.

On July 31, 2008, the Department approved a June 17, 2008 request for administrative action to the County Plan from the MCRC which proposed County Plan inclusion within the Monmouth County Solid Waste Management Plan the corrected listing of the blocks and lots of MCRC landfill and TS/MRF located on Block 131, Lots 2.01, 17, 19.01; Block 132, Lots 1, 6, 12; Block 133, Lot 1; Block 134, Lots 1, 2, 4, 4.02, 5, 8.01, 9, 10 11.01, 13, and 13.01, all in the Borough of Tinton Falls.

On March 12, 2009, the County Freeholders adopted an Amendment to their County Plan to include the MCRC landfill/transfer station/materials recovery facility(TS/MRF). The MCRC is located on Block 131, Lots 2.01, 17, and 19.01; Block 132, Lots 1, 6, and 12; Block 133, Lot 1; Block 134, Lots 1, 2, 4, 4.02, 5, 8.01, 9, 10, 11.01, 13, and 13.01 at 6000 Asbury Avenue in the Borough of Tinton Falls. The landfill is approved to accept waste types 10, 13, 13C, 23, 25, 27, 27A, and 27I. The hours of acceptance are Monday through Friday 7:00 a.m. to 3:30 p.m. and Saturday 7:00 a.m. to 2:00 p.m. and the hours of processing are Monday through Saturday, 24 hours a day. The amendment was certified as approved by the Department on August 10, 2009.

The March 9, 2017 Amendment proposes County Plan inclusion of the Phase IV expansion at the MCRC Landfill, which will fill approximately 30 acres of footprint between Phases II and III, with an elevation increase to 300 feet above MSL across the top and include provisions to allow, at the county's discretion, operational flexibility to operate the MCRC as a conventional landfill and/or balefill operation. Although the facility is currently operating as a balefill, the county will continue to retain this as an available option for future landfill operations. The expansion will provide an additional 13,500,000 cubic yards of capacity, extending the life of the landfill through year 2040. The block and lot numbers for the MCRC were revised and are identified as Block 131, Lots 3, 5, 2.01, 17 & 19.01; Block 132, Lot 12; Block 133, Lot 1; and Block 134, Lot 8.01, in the Borough of Tinton Falls, with a street address of 6000 Asbury Avenue, Tinton Falls, New Jersey.

### **Element: Regulatory Requirements**

The Amendment calls for the existing utilities and infrastructure, with appropriate modifications will be utilized to support the operation and maintenance of the existing and the expanded landfill, and there will be no change to the access roads and operations in terms of traffic volume, operating hours, waste types (10, 13, 13C, 23, 25, 27, 27A, and 27I) and tonnage of wastes accepted. The landfill will continue to accept only Monmouth County generated waste. Prior to the commencement of landfill operations within the Phase IV expansion area and provisions made to allow MCRC to operate as a conventional landfill and/or balefill operation, a modification to the Monmouth County Landfill's SWF Permit is required 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. Facilities operating diesel and gas vehicles are subject to the provisions of N.J.A.C. 7:27-14 and N.J.A.C. 7:27-15 requiring that vehicles comply with idling regulations.

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 Monmouth 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 County Solid Waste Management Plans, I have reviewed the March 9, 2017 Amendment to the approved County Plan and certify to the County Freeholders that the March 9, 2017 Amendment is approved as specified below.

The County Plan inclusion of the Phase IV expansion at the MCRC Landfill, between Phases II and III, with an elevation increase to 300 feet above MSL across the top and proposed provisions to allow, at the county's discretion, operational flexibility to operate the MCRC as a conventional landfill and/or balefill operation, is hereby approved.

This Certification shall not be construed as an expression of the Department's intent to issue a solid waste facility permit modification for any proposed facility or operation. 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. The issuance of operating permits pursuant to the Solid Waste Management Act is limited to those applicants found by the DEP and the Attorney General of the State of New Jersey to be deserving of licensing under the provisions of N.J.S.A. 13:1E-126.

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

**1. Compliance**

All solid waste facility operators and transporters registered with 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 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. 7:26A-1 et seq., and in violation of their approval to operate a solid waste facility or a collection system 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 elements of the Amendment to the County Plan contained herein shall take effect immediately.

**5. Reservation of Authority**

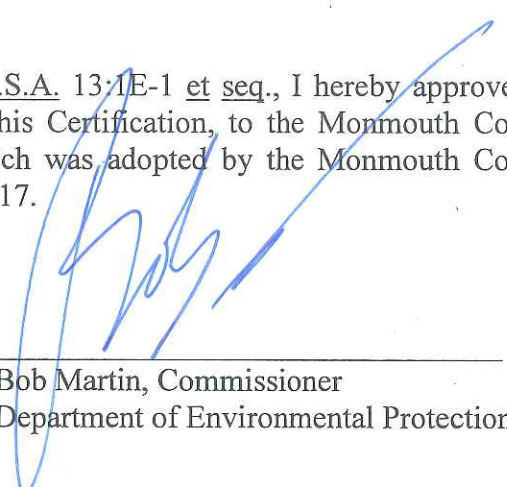
Nothing contained herein shall be construed as a limitation on any other action taken by the Department pursuant to its authority under the law. The County Plan, including any amendment made thereto, shall conform to the Statewide Solid Waste Management Plan, with appendices which include the Department's 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 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 Monmouth County District Solid Waste Management Plan which was adopted by the Monmouth County Board of Chosen Freeholders on March 9, 2017.

7/19/2017  
Date

  
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Bob Martin, Commissioner  
Department of Environmental Protection