



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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### CERTIFICATION OF THE MARCH 12, 2009 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 (now known as the New Jersey Meadowlands Commission) develop comprehensive plans for waste management in their respective districts. On August 31, 1981, the Department of Environmental Protection (Department or DEP) approved, with modifications, the Monmouth 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 Monmouth County Board of Chosen Freeholders (County Freeholders) completed such a review and on March 12, 2009 adopted an amendment to its approved County Plan. The March 12, 2009 amendment proposes County Plan inclusion of the County Plan Update in response to the updated Statewide Solid Waste Management Plan.

The amendment was considered administratively complete for review by the Department on March 25, 2009 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 March 12, 2009 is approved in part and remanded in part as provided in N.J.S.A. 13:1E-24.

On April 13, 2002, New Jersey Department of Environmental Protection Commissioner Bradley M. Campbell signed Administrative Order No. 2002-10, which requires, among other things, that the Department revise, update and readopt the Statewide Solid Waste Management Plan. On January 3, 2006, New Jersey Department of Environmental Protection Commissioner Lisa P. Jackson formally adopted the updated Statewide Solid Waste Management Plan.

The updated Statewide Solid Waste Management Plan reaffirms the state's goal of recycling 50% of the municipal solid waste (MSW) stream. The overall strategy for achieving this ambitious goal starts with a quantification, on a statewide basis, of the increased tonnage of recycled materials needed. This is further calculated on a per county basis, with an analysis of current MSW recycling tonnages by county, and the necessary increases required by each county. The statewide increase needed is also expressed in terms of increased recycling tonnage by material, such as newspaper, corrugated, food waste, etc. Additionally, the plan targets specific classes of generators (schools, multi-family housing complexes, small and medium-sized businesses) that need to be focused on in terms of expanded recycling opportunities for the materials identified.

The state, through this Solid Waste Management Plan update, establishes the overall policy objectives and goals for solid waste management in New Jersey. The counties and the NJMC shall have the responsibility for developing their respective district solid waste management plans consistent with the state's goals and objectives. Therefore, as noted in the State Plan, each district shall, within one year of the adoption of the updated Statewide Solid Waste Management Plan or January 3, 2007, adopt and submit to the Department, an updated district solid waste plan. This district plan update shall demonstrate consistency with the State Plan. Further, the district plans shall reiterate the district plan requirements contained in N.J.S.A. 13:1E-21. Specifically, revised district plan updates shall include, but not be limited to the following components:

- 1) Designation of the department, unit or committee of the county government (or district in the case of the NJMC) to supervise the implementation of the district plan;
- 2) An inventory of the quantity of solid waste generated within the district for the ten-year period commencing with the adoption of updated district solid waste management plan;
- 3) An inventory of all solid waste and recycling facilities (lot and block and street address) including approved waste types and amounts, hours of operation and approved truck routes;
- 4) An outline of the solid waste disposal strategy to be utilized by the district for a ten-year planning period;
- 5) A procedure for the processing of applications for inclusion of solid waste and recycling facilities within the district solid waste management plans. The procedure shall state the applicant requirements for inclusion into the district plan and the specific county review process/procedures, including time frames for county approvals or rejections and subsequent submittals to the Department. **Note-** the criteria for inclusion shall **not** include a requirement that local zoning or planning board approval(s) be obtained as a condition for inclusion within the district solid waste management plan, nor shall such a requirement be made a condition for subsequent construction or operation of any facility; and

- 6) Identify the additional tonnage of recycled materials in the MSW stream (by material commodity types) required by each county to meet the mandated MSW recycling goal, a strategy for the attainment of the recycling goals as outlined above. The strategy shall include, as necessary:
  - a) the designation of the currently mandated recyclable materials and additional materials, if any, to be source separated in the residential, commercial and institutional sectors;
  - b) a listing of those entities providing recycling collection, processing and marketing services for each of the designated recyclable materials;
  - c) the communication program to be utilized to inform generators of their source separation and recycling responsibilities;
  - d) a comprehensive enforcement program that identifies the county and/or municipal entity(ies) responsible for enforcement of the recycling mandates, specifies the minimum number of recycling inspections that will be undertaken by these entities on an annual basis and details the penalties to be imposed for non-compliance with the municipal source-separation ordinance and county solid waste management plan. Additionally, the updated district plan shall include copies of each municipal source separation ordinance.

B. Findings and Conclusions with Respect to the 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 12, 2009 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 in part and inconsistent in part with the Statewide Solid Waste Management Plan. In this regard, the County Freeholders are notified of the elements relative to the March 12, 2009 amendment which are included below.

Elements of the March 12, 2009 Amendment

**Element: Designation of County Plan Implementation Agency**

The March 12, 2009 County Plan amendment reaffirms the designation of the Monmouth County Planning Board as the County Plan implementation agency and is approved.

**Element: Inventory of the Quantity of Solid Waste Generated Within the County for the Next Ten Years**

Using Monmouth County's actual and projected total municipal solid waste tonnages, the total tonnages of solid waste type 10 to be generated within the County in the years 2009 through 2019 are estimated at 836,011; 839,271; 842,545; 845,830, 849,120; 852,440; 855,765; 859,103; 862,453; 865,817; 869,193 respectively.

## Element: Inventory of Solid Waste and Recycling Facilities

### Solid Waste Facilities

- Monmouth County Reclamation Center (MCRC) consists of: a solid waste landfill and a transfer station/material 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 134, Lots 1, 2, 4, 4.02, 5, 8.01, 9, 10, 11.01, 13, and 13.01, 6000 Asbury Avenue in Tinton Falls Township. The landfill is included in the County Plan to accept waste types 10, 13, 13C, 23, 25, 27, 27A, and 27I; the TS/MRF is included in the County Plan to accept up to 3,500 tons per day (TPD) of waste types 10, 13, and 13C. 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.

### Transfer Stations/ Material Recovery Facility (TS/MRF)

- Freehold Cartage, Inc. TS/MRF is located on Block 43, Lot 18, 825 Highway 33 in Freehold Township, and is included in the County Plan to accept 800 TPD of waste types 10, 13, 13C, 23 and 27. The hours of operation are Monday through Sunday, 6:00 a.m. to 8:00 p.m.
- Mazza & Sons, Inc. TS/MRF is located on Block 145, Lot 26.01, 3230 Shafto Road in Tinton Falls, and is included in the County Plan to accept 900 TPD of waste types 13 and 13C. The hours of operation are Monday through Friday, 6:30 a.m. to 5:00 p.m. and Saturday, 6:30 a.m. to 2:00 p.m.
- Republic Services (Marpal) TS/MRF is located on Block 113, Lots 1.01 and 2, 1861 Wayside Road in Tinton Falls, and is included in the County Plan to accept up to 450 TPD of waste types 13 and 13C. The hours of operation are Monday through Friday, 6:30 a.m. to 6:00 p.m. and Saturday, 6:30 a.m. to 2:00 p.m.

### Class A Recycling Facilities

- Global Recycling Solutions Class A Recycling Facility is located at 6000 Asbury Avenue in Tinton Falls.
- JFD Recycling Class A Recycling Facility is located at 15 Railroad Avenue in Farmingdale Borough.
- Freehold Cartage Inc. Class A Recycling Facility is located at 825 Highway 33 in Freehold Township.
- Recycle America Inc. Class A Recycling Facility is located at 3418 Sunset Avenue in Ocean Township.
- Allied Iron & Metal Class A Recycling Facility is located at 101 Memorial Drive in Neptune Township.
- John Blewett Inc. Class A Recycling Facility is located at 246 Herbetsville Road in Howell Township.

The Department notes that the March 12, 2009 plan amendment states that the listing of Class A recycling centers operating in Monmouth County does not specify location by block(s) and lots(s) or reference daily capacity limitations or materials handled. This deficiency needs to be addressed in a subsequent plan amendment as noted in Section C. of this certification document.

#### Class B Recycling Facilities

- Ace Manzo Class B Recycling Facility is located on Block 147, Lot 1, 2, and 3, 436 Charles Street in Aberdeen Township, and is included in the County Plan to accept 120 TPD of concrete and asphalt. The hours of operation are Monday through Friday, 7:00 a.m. to 6:00 p.m. and Saturday, 7:00 a.m. to 4:30 p.m.
- Benoit Recycling Center Class B Recycling Facility is located on Block 123, Lot 38, 615 Green Grove Road in Wall Township, and is included in the County Plan to accept up to 250 TPD of trees, stumps, and roots. The hours of operation are Monday through Friday, 8:00 a.m. to 4:30 p.m. and Saturday, 8:00 a.m. to 1:00 p.m.
- Clayton Block Company Class B Recycling Facility is located on Parts of Block 270, Lot 24, 1817 Old Mill Road in Wall Township, and is included in the County Plan to accept up to 1,400 TPD of concrete, asphalt, and block. The hours of operation are Monday through Friday, 8:00 a.m. to 4:30 p.m. and Saturday, 8:00 a.m. to 1:00 p.m.
- Deponte Construction Class B Recycling Facility is located on Block 5, Lot 4 in Howell Township. This site does not have an operating permit; however, unprocessed wood remains on site.
- Freehold Cartage, Inc. Class B Recycling Facility is located on Block 43, Lot 18, 825 Highway 33, in Freehold Township, and is included in the County Plan to accept up to 800 TPD of concrete, asphalt, trees, clean wood, painted/treated wood, plywood, sheetrock, tires, and processing "fines". The hours of receiving are Monday through Friday, 6:00 a.m. to 8:00 p.m., and the hours of processing are Monday through Sunday, 24 hours a day.
- Goldstar Recycling Class B Recycling Facility is located on Block 178, Lots 297 & 298, 133 Amboy Road in Marlboro Township, and is included in the County Plan to accept up to 300 TPD of concrete, asphalt, and brick. The hours of operation are Monday through Friday, 7:00 a.m. to 5:00 p.m., and Saturday, 7:00 a.m. to 12:00 noon.
- J. Manzo Recycling Class B Recycling Facility is located on Block 144, Lots 3 & 5, 55 Highway 34 in Marlboro Township, Block 114, Lot 9 in Aberdeen Township, and is included in the County Plan to accept up to 1,100 TPD of concrete, asphalt, trees, clean wood and tested street sweepings. The hours of operation are Monday through Saturday, 7:00 a.m. to 5:00 p.m.
- John Blewett Inc. Class B Recycling Facility is located on Block 46, Lots 9 & 10.01, 246 Herbetsville Road in Howell Township, and is included in the County Plan to accept concrete, block, masonry and tires. John Blewett Class B Facility is permitted to accept up to 600 TPD of concrete, block and masonry and, up to 0.5 tons per day of tires. The hours of operation are Monday through Friday, 7:00 a.m. to 4:00 p.m., and Saturday, 8:00 a.m. to 2:00 p.m.

- Kerr Concrete Pipe Class B Recycling Facility is located on Block 177, Lots 62 & 64, 89 Yellowbrook Road in Howell Township. The Department withdrew the permit for this facility but the facility has not yet been deleted from the County Plan.
- Lertch Recycling Inc. Class B Recycling Facility is located on Block 917, Lots 51, 55, 56, 57, and 60, 5115 Belmar Boulevard in Wall Township, and is included in the County Plan to accept up to 1,000 TPD of concrete and, up to 500 TPD of trees and clean wood. The hours of operation are Monday through Friday, 7:30 a.m. to 4:30 p.m., and Saturday, 7:30 a.m. to 2:00 p.m.
- Lucas Brothers Class B Recycling Facility is located on Block 172, Lot 40.11, 80 Amboy Road in Marlboro Township, and is included in the County Plan to accept up to 200 TPD of concrete, asphalt and brick. The hours of operation are Monday through Friday, 8:30 a.m. to 4:30 p.m., and Saturday, 8:00 a.m. to 12:00 noon.
- Mazzo & Sons, Inc. Class B Recycling Facility is located on Block 145, Lot 26.02, 3230 Shafto Road in Tinton Falls Borough, and is included in the County Plan to accept 2,575 TPD of concrete, asphalt, trees, clean wood, painted wood, tires, vinyl siding, asphalt shingles, topsoil, mulches, manure, drilling muds, water treatment residues and tested street sweepings and, up to 75 TPD of leaves during the period from September 1 to January 31. The hours of operation are Monday through Friday, 7:00 a.m. to 4:30 p.m., and Saturday, 7:00 a.m. to 3:30 p.m.
- Rosano Asphalt, LLC. Class B Recycling Facility is located on Block 230, Lot 5, 306 Asbury Avenue in Howell Township, and is included in the County Plan to accept up to 100 TPD of concrete and asphalt and, up to 500 TPD of petroleum-contaminated soil (tested soil blended with asphalt). The hours of operation are Monday through Saturday, 7:00 a.m. to 5:00 p.m.
- SJAP Naturlink Class B Recycling Facility is located on Parts of Block 805, Lot 25, R.D. 3, Box 118 in Wall Township, and is included in the County Plan to accept up to 100 TPD of trees, roots and stumps. The hours of operation are Monday through Friday, 7:00 a.m. to 4:00 p.m.
- Stavola Trucking Class B Recycling Facility is located on Block 111, Lots 2.01 & 3, R.D. 3, 175 Drift Road in Tinton Falls, and is included in the County Plan to accept up to 2,000 TPD of concrete and asphalt. The hours of operation are Monday through Friday, 7:00 a.m. to 8:00 p.m., and Saturday, 7:00 a.m. to 3:30 p.m.

#### Class C Recycling Facilities

- Middletown Township Compost Site is located on Block 1408, Lot 1, 1 King's Highway in Middletown Township, and is included in the County Plan to accept vegetative waste.
- Ocean Township Compost Site is located on Block 33, Lot 1, 399 Monmouth Road in Ocean Township, and is included in the County Plan to accept vegetative waste.

### Class D Recycling Facilities

- Monmouth Wire & Computer Recycling is located on Block 145, Lot 14.01, 3250 Shafto Road in Tinton Falls Borough, and is included in the County Plan to accept 72 TPD of consumer electronics.
- Forth Monmouth Class D Recycling Facility is located on Block 101, Lot 1 at Camp Charles Wood; Block 103, Lots 1 & 2 on Main Post, and is included in the County Plan to accept up to 20 TPD of waste oil, fuels, anti-freeze, paints, batteries, ballasts and HHW generated by personnel/families on base.
- Recycle America-Asset Recovery Group is located on 492 Rear Joline Avenue in the City of Long Branch. Recycle America is a registered Universal Waste Handler for consumer electronics.

The Department notes that truck routes are not listed for all solid waste facilities. The Department also notes that any facility which has been included in the County Plan for more than two years but has not been in operation for more than two years can be deleted via administrative action pursuant to N.J.A.C. 7:26-6.11 et seq.

### Element: Solid Waste Disposal Strategy to be Utilized by the County for the Next Ten Years

The solid waste disposal strategy as contained in the March 12, 2009 amendment is an Intra-state Flow Control system. All type 10 municipal solid waste that is not disposed out-of-state is directed to the MCRC in Tinton Falls for disposal, and is approved.

### Element: County Plan Inclusion Process

The March 12, 2009 County Plan amendment summarizes the County's process to review and act on all requests for inclusion of solid waste facilities and recycling centers into the County Plan. However, the proposed County Plan inclusion process for Class B and D recycling centers lacks a formal public hearing required pursuant to N.J.A.C. 7:26-6.10b (7). Therefore, this deficiency needs to be addressed in a subsequent plan amendment as noted in Section C. of this certification document.

### Element: Recycling

In 2003, Monmouth County recycled 37.2% of its municipal solid waste (MSW) and 52.2% of its total solid waste (TSW). Using 2003 Department data, Monmouth County will have to recycle an additional 89,855 tons of MSW to reach a MSW recycling rate of 50%. Since the release of the updated Statewide Solid Waste Management Plan in early 2006, the Department has determined MSW recycling rates of 39.6%, 38.9%, and 36.8% and TSW recycling rates of 55.6%, 52.1%, and 52.3% for Monmouth County in 2004, 2005, and 2006, respectively.

The March 12, 2009 County Plan amendment intends to increase the types and quantities of materials being recycled by:

- Mandating the separation and recovery of additional materials;
- Increasing the visibility and convenience of appropriate recycling containers, with specific requirements for labeled containers and recycling provisions at all businesses, institutions, and at special events;
- Providing more convenient recycling outlets for residents and small business;
- More effective enforcement of recycling requirements by municipal and county inspectors; and,
- More visible educational and promotional programs.

The Department approves the County Plan recycling strategy and requests periodic updates to ensure the required recycling goals will be met.

Designated Recyclable Materials – The March 12, 2009 amendment to the County Plan proposes County Plan inclusion of the following listing of the designated recyclable materials for Monmouth County, for all generators:

Aluminum cans

Tin & Bi-metal Cans

Glass Bottles & Jars

Plastic "Pourable Containers" (types 1 and 2)

Newspapers

Corrugated cardboard

Non-Ferrous Scrap Metal (any amount over 5 pounds or bigger than one cubic foot)

Mixed Paper

Leaves & Grass Clippings

Batteries & Motor Oil

Tree Parts

Concrete

Asphalt

Bulk Ferrous

Comprehensive enforcement program that identifies the county and/or municipal entity(ies) responsible for enforcement of recycling mandates

The Monmouth County Health Department established its Solid Waste Enforcement Team (SWET) more than 20 years ago. Through an interagency agreement with the NJDEP and as allowed by the County Environmental Health Act (CEHA), the Health Department's SWET has the authority to enforce State solid waste and recycling regulations. As part of its responsibilities, the SWET also conducts inspection and compliance monitoring at solid waste and recycling facilities, monitors haulers for compliance with registration and transporter requirements, and investigates recycling compliance at businesses, institutions and other waste generators.



The March 12, 2009 plan amendment contains the required enforcement strategy that is consistent with the goals and objectives of the Statewide Solid Waste Management Plan.

**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 12, 2009 amendment to the approved County Plan and certify to the County Freeholders that the March 12, 2009 amendment is approved in part and remanded in part as further specified below.

The County must submit a County Plan amendment to address the deficiencies noted in Section B. of this certification within 180 days. These deficiencies are: the inclusion process for Class B and D recycling centers into the County Plan require a formal public hearing pursuant to N.J.A.C. 7:26-6.11(b) 7; and, the incomplete site designations of Class A recycling centers. The County may submit the required amendment to address these deficiencies as an administrative action, pursuant to N.J.A.C. 7:26-6.11 et seq.

**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. 7:26-1 et seq., and in violation of their registration 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 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 with 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 district 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 in part and remand in part 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 12, 2009.

8/10/09  
Date

Mark N. Mauriello  
Mark N. Mauriello, Acting Commissioner  
Department of Environmental Protection