



STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF THE COMMISSIONER  
P. O. BOX 1390  
TRENTON, N. J. 08625  
609-292-2885

(IN THE MATTER OF THE ADOPTED AND)  
(MODIFIED SOLID WASTE MANAGEMENT )  
(PLAN OF THE MONMOUTH COUNTY )  
(SOLID WASTE MANAGEMENT DISTRICT )

CERTIFICATION OF APPROVAL  
WITH MODIFICATION OF 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. as amended by C. 326, Laws of 1975) determines, among other things, "...that the management of solid waste in New Jersey consists largely of piecemeal, uncoordinated activities developed to meet the immediate needs of local government with little, if any, regard for regional planning and coordination..." and that "...the solid waste planning and management process is adversely affected by the absence of area-wide structures...." The Act addressed these and other findings by establishing "...a statutory framework within which all solid waste collection, disposal and utilization activity..." in New Jersey would be coordinated. This framework includes the designation of each of New Jersey's twenty-one counties and the Hackensack Meadowlands District as a Solid Waste Management District. Each District is authorized, either singly or jointly with one or more other Districts, to formulate and develop a comprehensive Solid Waste Management Plan. Following development, the resulting Plan is submitted by the District to the public for comment at an informational hearing. Thereafter, the District must adopt or reject, in whole or in part, the Solid Waste Management Plan.

After adoption of a Plan in whole or in part by a District, the Plan is then submitted to the Commissioner of the Department of Environmental Protection for review and final approval. The Commissioner has authority to modify, reject or approve such Plans and, in the final analysis, the Commissioner is authorized to adopt and promulgate any modification or replacement she deems necessary with respect to the Solid Waste Management Plan.

In order to establish a meaningful and responsible role for the State in the solution of solid waste problems, the Act grants broad powers to the Department of Environmental Protection. This includes the power "...to regulate and supervise all solid waste collection and disposal facilities and operations...", "...to register all persons engaged in the collection or disposal of solid waste...", "...to develop through a Statewide solid waste management plan objectives, criteria and procedures to assure the orderly preparation and evaluation of the [district] solid waste management plans...", "...to approve, modify or reject such solid waste management plans on the basis of their conformity with such objectives, criteria and procedures...", and "...to develop and implement such a plan where none is approved or forthcoming from any solid waste management district...."

Specifically, the solid waste planning process includes five stages. These include the promulgation of guidelines by the Department of Environmental Protection, Plan formulation by the Districts, public hearings on the Plans developed by the Districts, adoption of the Plan by the District, and approval, rejection or modification of the Plan by the Department of Environmental Protection.

At the beginning of the planning process, the Department of Environmental Protection set forth guidelines for the formulation and development of District Solid Waste Management Plans.\* The guidelines contain planning objectives, planning schedules and specific tasks to be addressed in the planning process. The objectives identified in the guidelines include the protection and enhancement of environmental quality and the conservation of natural resources. Through these objectives, the Department encouraged District Plans which would provide for the termination of existing solid waste disposal operations which cannot be upgraded to meet environmental standards, the provision of alternative services and facilities capable of meeting environmental standards and conservation of natural resources by the implementation of waste reduction techniques and resource recovery systems.

In order to achieve these objectives, the Department of Environmental Protection has and continues to encourage the development of a comprehensive regional scheme to ensure recovery systems and environmentally sound disposal facilities. To this end, the Commissioner of the Department of Environmental Protection, after study and review, issued a Certification of Modification to the Adopted Solid Waste Management Plan of the Monmouth County Solid Waste Management District on December 14, 1979. The Certification required the Monmouth County Solid Waste Management District to, among other things, develop a schedule for resource recovery implementation and negotiate interdistrict agreements with other Solid Waste Management Districts to provide their District with additional disposal capacity.

On July 23, 1981, the Monmouth County Board of Chosen Freeholders formally adopted modifications to the District's Plan, dated June 1980, with the exception that the Waste Disposal, Inc. landfill, facility number 1319B, in Howell Township "be withheld from consideration as a regional landfill." The modifications were received by the Department on July 31, 1981. The Department of Environmental Protection has studied and reviewed the Plan and its modifications in accordance with the Solid Waste Management Act. Because SCA Services, Inc., owner of the Waste Disposal, Inc. landfill and the Department are in litigation regarding the landfill at this time, it is the Department's position that the Waste Disposal, Inc. landfill be allocated a similar amount of solid waste to the amount they are presently receiving pending the outcome of that litigation. Based on the results of this review and evaluation, I have determined that the Monmouth County District Solid Waste Management Plan be granted approval as amended by the modifications adopted herein and promulgated by me (see N.J.S.A. 13:1E-24).

---

\*"Guidelines for the Development and Formulation of District Solid Waste Management Plans," New Jersey Department of Environmental Protection, Solid Waste Administration (Trenton, August 1977).

B. Solid Waste Management Plan Accomplishments

The Monmouth County District Solid Waste Management Plan has been reviewed by the Department of Environmental Protection and other State-level agencies and, with the District's adopted modifications along with the replacement modifications herein set forth, provides for environmentally sound solid waste management in Monmouth County. I am confident that with the implementation of this Plan, a comprehensive solid waste management program will be established in Monmouth County.

The Plan provides for a transfer station in the Bayshore area of Monmouth County. This facility will transfer solid waste presently being disposed of in Middlesex County to facilities designated in Monmouth County. Site selection and a preliminary engineering design have already been accomplished towards meeting this goal.

The Plan also contains provisions for the development and expansion of source separation/recycling programs throughout the County. The Interlocal Services Act allows for interlocal agreements among smaller municipalities to form source separation districts. One such district is the Regional Recycling Coalition comprising sixteen contiguous municipalities in the northeast section of Monmouth County. The Plan recommends additional source separation districts and will complete a regional market analysis for recycled materials as a task in plan development.

In addition, the Plan contains a procedure for the uniform distribution of resource recovery and disposal costs throughout the District, a comprehensive public education and participation program, and a schedule for the collection of more accurate solid waste generation and composition data.

Further, the Plan provides for the County to designate an implementation agency with financial, jurisdictional, legal, and operational responsibilities. A new County Department, the County Municipal Utilities Authority, or the County Improvement Authority will be designated as the implementing agency for a County-wide solid waste system.

C. Approved Monmouth County District Solid Waste Management Plan

I, Jerry Fitzgerald English, Commissioner of the Department of Environmental Protection, in accordance with N.J.S.A. 13:1E-1 et seq., do hereby approve the following key elements of the adopted Monmouth County District Solid Waste Management Plan and the Modifications adopted by the Monmouth County Board of Chosen Freeholders on July 23, 1981.

1) Data Base

The basic data utilized in the Plan is approved. However as further data, particularly in the area of solid waste generation and composition becomes available as part of the District's resource recovery feasibility studies, such data will supercede existing data, and be made part of any Plan revision or update.

2) Recycling/Source Separation Program

The recycling/source separation program outlined in the Plan is approved.

3) Public Participation Program

The Plan's public education and participation program is approved.

4) Transfer Station Evaluation

The Plan's Bayshore transfer station evaluation is approved. The transfer station should begin operation concurrent with the ending of the inter-district agreement with Middlesex County, June 30, 1982.

D. Modifications Adopted and Promulgated by the Commissioner Pursuant to N.J.S.A. 13:1E-1 et seq. and Made an Approved Part of the Monmouth County District Solid Waste Management Plan

I, Jerry Fitzgerald English, Commissioner of the Department of Environmental Protection, in accordance with N.J.S.A. 13:1E-1 et seq., do hereby adopt and promulgate the following modifications to the Monmouth County District Solid Waste Management Plan and certify to the Monmouth County Board of Chosen Freeholders that the modifications contained herein are hereby made a final approved part of the Monmouth County District Solid Waste Management Plan.

1) In-County Wastes

- a) The Shrewsbury Disposal Company landfill, facility number 1309B, located in Colts Neck Township has ceased its operations at the landfill as of August 20, 1981. Therefore, no solid waste is designated for disposal at the Shrewsbury Disposal Company landfill, facility number 1309B.
- b) Pursuant to the November 6, 1980 Solid Waste Agreement between Middlesex County and Monmouth County, all solid wastes, with the exception of those noted in Section 4.c. herein and animal and food processing (type 25) wastes, generated from within the Monmouth County municipalities of Aberdeen, Hazlet, Keansburg, Keyport, Union Beach and that portion of Middletown north and northeast of Route 35 shall be disposed of at the Global Landfill Reclaiming Corp. landfill, facility number 1209A, located in Old Bridge Township, Middlesex County, New Jersey until June 30, 1982 when said solid wastes will be re-directed to the Monmouth County Reclamation Center landfill and shredder, facility numbers 1336B and 1336D, located in Tinton Falls Boro, Monmouth County, New Jersey. All animal and food processing (type 25) wastes generated from within the Monmouth County municipalities of Aberdeen, Hazlet, Keansburg, Keyport, Union Beach and that portion of Middletown north and northeast of Route 35 shall be disposed of at the Monmouth County Reclamation Center landfill and shredder, facility numbers 1336B and 1336D, located in Tinton Falls Boro, Monmouth County, New Jersey.

- c) All solid wastes, with the exception of those noted in Section 4.c. herein and bulky (type 13) wastes, generated from within the Monmouth County municipality of Englishtown shall be disposed of at the Monmouth County Reclamation Center landfill and shredder, facility numbers 1336B and 1336D, located in Tinton Falls Boro, Monmouth County, New Jersey. All bulky (type 13) wastes generated from within the Monmouth County municipality of Englishtown shall be disposed of at the Englishtown Disposal Area, facility number 1312A, located in Englishtown Boro, Monmouth County, New Jersey.
- d) All solid wastes, with the exception of those noted in Section 4.c. herein and food processing (type 25) wastes, generated from within the Monmouth County municipalities of Allentown, Asbury Park, Brielle, Farmingdale, Howell, Manasquan, Millstone, Roosevelt, Upper Freehold, Wall and that portion of Freehold Township south of Route 524 shall be disposed of at the Waste Disposal, Inc. landfill, facility number 1319B, located in Howell Township, Monmouth County, New Jersey. All food processing (type 25) wastes, generated from within the Monmouth County municipalities of Allentown, Asbury Park, Brielle, Farmingdale, Howell, Manasquan, Millstone, Roosevelt, Upper Freehold, Wall and that portion of Freehold Township south of Route 524 shall be disposed of at the Monmouth County Reclamation Center landfill and shredder, facility numbers 1336B and 1336D, located in Tinton Falls Boro, Monmouth County, New Jersey. The Department is currently in litigation with SCA Services, Inc., owners of the Waste Disposal, Inc. landfill, and the Department projects the landfill will be limited to general areas where solid wastes have already been deposited. Upon closure of the Waste Disposal, Inc. landfill, facility number 1319B, solid wastes going to this facility shall be disposed of at the additional landfill capacity to be named under D.1.m. of the Certification.
- e) All solid wastes, with the exception of those noted in Section 4.c. herein and vegetative (type 23) wastes, food processing (type 25) wastes and non-chemical industrial (type 27) wastes, generated from within the Monmouth County municipality of Neptune Township shall be disposed of at the Neptune Township Sanitary Landfill, facility number 1334A, located in Neptune Township, Monmouth County, New Jersey. All vegetative (type 23) wastes, food processing (type 25) wastes and non-chemical industrial (type 27) wastes generated from within the Monmouth County municipality of Neptune Township shall be disposed of at the Monmouth County Reclamation Center landfill and shredder, facility numbers 1336B and 1336D, located in Tinton Falls Boro, Monmouth County, New Jersey.
- f) All solid wastes, with the exception of those noted in Section 4.c. herein, generated from within the Monmouth County municipalities of Allenhurst, Atlantic Highlands, Avon, Belmar, Bradley Beach, Colts Neck, Deal, Eatontown, Fair Haven, Freehold Boro, that portion of Freehold Township north of Route 524, Highlands, Holmdel, Interlaken, Little Silver, Loch Arbour, Long Branch, Manalapan, Marlboro, that portion of Middletown south and southwest of Route 35, Monmouth Beach, Neptune City, Ocean, Oceanport, Rumson, Sea Bright, Sea Girt, Shrewsbury Boro, Shrewsbury Township, South Belmar, Spring Lake, Spring Lake Heights, Tinton Falls and West Long Branch shall be disposed of at the Monmouth County Reclamation Center landfill

and shredder, facility numbers 1336B and 1336D, located in Tinton Falls Boro, Monmouth County, New Jersey.

- g) All bulky (type 13) wastes and vegetative (type 23) wastes collected by R. Benoit shall be disposed of at the Benoit Landfill, facility number 1336C, located in Tinton Falls Boro, Monmouth County, New Jersey.
- h) All bulky (type 13) wastes and vegetative (type 23) wastes generated from within the Fort Monmouth Military Reservation shall be disposed of at the Fort Monmouth Sanitary Landfill, facility number 1338B, located in Oceanport Boro, Monmouth County, New Jersey.
- i) All solid wastes, with the exception of those noted in Section 4.c. herein and food processing (type 25) wastes, generated from within the municipality of Red Bank shall be disposed of at the Red Bank Sanitary Landfill and Incinerator, facility numbers 1304A and 1304B, located in Red Bank Boro, Monmouth County, New Jersey. All food processing (type 25) wastes generated from within the Monmouth County municipality of Red Bank shall be disposed of at the Monmouth County Reclamation Center landfill and shredder, facility numbers 1336B and 1336D, located in Tinton Falls Boro, Monmouth County, New Jersey.
- j) All bulky (type 13) wastes collected by the C.A. Lertch Wrecking Company shall be disposed of at the Lertch Sanitary Landfill, facility number 1352A, located in Wall Township, Monmouth County, New Jersey.
- k) Compost facilities currently operating in Monmouth County, New Jersey and accepting vegetative (type 23) wastes are: the Monmouth Battlefield State Park, facility number 1326B, located in Manalapan Township; Ocean Township Compost Area, facility number 1337C, located in Ocean Township; Foggia Florist Incorporated, facility number 1338A, located in Oceanport Boro; Shrewsbury Boro Compost Area, facility number 1345A, located in Shrewsbury Boro; Spring Lake Compost Area, facility number 1348A, located in Spring Lake Boro; Allaire State Park Compost, facility number 1352B, located in Wall Township; West Long Branch Boro Compost, facility number 1353A, located in West Long Branch Boro.
- l) Upon closure of the Englishtown Disposal Area, facility number 1312A; the Neptune Township Sanitary Landfill, facility number 1334A; the Benoit Landfill, facility number 1336C; the Red Bank Sanitary Landfill, facility number 1340A; the C.A. Lertch Wrecking Company, facility number 1352A, (the five facilities identified in this section shall, according to the modifications adopted and promulgated herein close by January 1, 1983) all solid wastes going to these facilities shall be disposed of at the additional landfill capacity to be named under D.1.m. of the Certification.
- m) Monmouth County shall comply with the schedule outlined below in order to expand the Monmouth County Reclamation Center and/or to construct a new regional landfill to assure that a site capable of handling Monmouth County's solid waste is available for use by

January 1, 1983. The County shall submit quarterly status reports to the Department outlining progress made in meeting these milestones. The first report will be due on January 1, 1982. The facility should be of sufficient capacity to handle much of Monmouth County's waste as an interim measure prior to the implementation of resource recovery.

- January 1, 1982 - Site selection for expanded or new regional County landfill
- March 1, 1982 - Site acquisition (if necessary)
- June 1, 1982 - Submittal of all necessary applications and engineering plans
- January 1, 1983 - Facility to be operational

2) Out-of-County Wastes

Due to decreasing landfill capacity in Monmouth County, out-of-County wastes will be prohibited from entering the County on the effective date of the Modifications adopted and promulgated herein.

3) Other Modifications

- a) Monmouth County shall develop a resource recovery facility on, or prior to, December 31, 1986. Processable\* solid wastes generated in all or part of Monmouth County shall be directed to the resource recovery facility. Residue and non-processable\*\* solid wastes shall be disposed of at a landfill(s) designated in the first two year update of the District Plan. The County shall submit quarterly progress reports to the Department outlining progress made in meeting these milestones. The first report will be due on January 1, 1982. A more detailed schedule, including milestones leading to resource recovery, is required to be submitted to the Department in the first two year Plan update.
- b) The Monmouth County Board of Chosen Freeholders shall designate a Plan implementation agency on or before January 1, 1982.
- c) The Plan shall conform with any Rules and Regulations of the Department concerning sludge and septage.

---

\*Processable solid waste is that part of the solid waste stream which can be processed through a resource recovery facility.

\*\*Non-processable solid waste includes that part of the waste stream which cannot be processed through a given resource recovery facility and solid wastes resulting from emergency back-up procedures.

#### 4) Other Provisions Effecting the Plan Modifications

##### a) Contracts

Nothing contained in these Modifications shall be construed as to interfere with, or in any way modify, the provisions of any contract for solid waste collection or solid waste disposal in force in any solid waste management district upon the effective date of this Act (July 29, 1977); provided, however, as set forth at N.J.S.A. 13:1E-29 no renewal of any such contract upon the expiration or termination of the original term thereof, and no new contract for solid waste collection or solid waste disposal, shall be entered into after the effective date of this act, unless such renewal or such new contract shall conform with the applicable provisions of the approved solid waste management plan, as set forth herein, of the relevant solid waste management district or unless such contract is approved by the Commissioner.

Any contract renewal or new contract for solid waste collection or solid waste disposal which was executed prior to the approval of the within modifications to the Monmouth County District Solid Waste Management Plan and subsequent to the effective date of the Solid Waste Management Act (July 29, 1977), and which shall further be for a term in excess of one year, shall immediately be renegotiated in order to bring same into conformance with the terms and provisions herein set forth. Any solid waste collection operation or disposal facility registered by the Department of Environmental Protection and operating pursuant to a contract as herein described, shall be deemed to be in violation of these Modifications and of the Monmouth County District Solid Waste Management Plan if such renegotiation is not completed by the effective date of these Modifications (January 1, 1982); provided, however, that any such registrant may, upon application to the Department of Environmental Protection and for good cause shown, obtain an extension of time to complete such renegotiation.

##### b) Compliance

All solid waste facility operators registered with the Department of Environmental Protection and operating within Monmouth County and effected by the Modifications contained herein shall operate in compliance with these Modifications and all other approved provisions of the Monmouth County District Solid Waste Management Plan. Any facility 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. 7:26-1 et seq., and in violation of their registration to operate a solid waste facility issued thereunder by the Department of Environmental Protection and shall be subject to the provisions and penalties of N.J.S.A. 13:1E-9, 10 and 12 and all other applicable laws.

##### c) Types of Solid Wastes Covered by the Monmouth County District Solid Waste Management Plan Modifications

The Modifications contained herein shall apply to all "solid wastes" generated within the identified County municipalities, as defined in N.J.S.A. 13:1E-3 and N.J.A.C. 7:26-2.5.27 and with th



exceptions of liquid wastes, sewage sludge, septage, hazardous wastes, oil spill clean-up waste, infectious waste and those wastes separated and recovered at the point of generation.

d) Certification to Proceed with the Implementation of Plan Modifications

This Document shall serve as the Certification of the Commissioner of the Department of Environmental Protection to the Monmouth County Board of Chosen Freeholders, as provided for by N.J.S.A. 13:1E-24f., to proceed with the implementation of the Modifications contained herein.

e) Definitions

For the purpose of these Modifications 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 N.J.A.C. 7:26-1.4 and -2.5.27.\*

f) Effective Date of Modifications

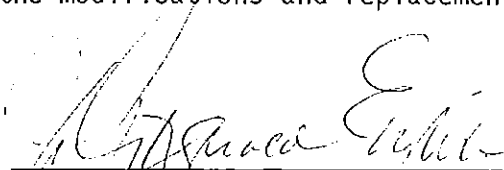
The adopted and promulgated Modifications to the Monmouth County District Solid Waste Management Plan contained herein shall take effect on January 1, 1982.

g) Nothing contained herein shall be construed as a limitation on any other action taken by the Department of Environmental Protection pursuant to its authority under the law. The Monmouth County District Solid Waste Management Plan shall conform with the Statewide Solid Waste Management Plan. The Statewide Solid Waste Management Plan includes the Department's Planning Guidelines and rules, regulations, and orders of the Department, and will include the compilation of individual District Plans and modifications as they are approved.\*\*

E. Certification of Approval and Adoption and Promulgation of Modifications 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 Monmouth County District Solid Waste Management Plan and its adopted modifications, subject to the modifications and replacements contained and adopted herein.

August 31, 1981  
DATE

  
JERRY FITZGERALD ENGLISH  
COMMISSIONER  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

\*Note: In a municipal collection system where commercial and residential solid wastes are collected together, the wastes shall be considered, for the purposes of District solid waste planning, as residential solid waste.

\*\*The Commissioner may adopt modifications to the approved District Plans in the Statewide Solid Waste Management Plan when it is promulgated.