



STATE OF NEW JERSEY  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 ROBERT E. HUGHEY, COMMISSIONER  
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(IN THE MATTER OF CERTAIN AMENDMENTS )  
 (TO THE ADOPTED AND APPROVED SOLID )  
 (WASTE MANAGEMENT PLAN OF THE )  
 (HACKENSACK MEADOWLANDS SOLID WASTE )  
 (MANAGEMENT DISTRICT )

CERTIFICATION OF APPROVAL  
 OF THE NOVEMBER 23, 1982 AMENDMENTS  
 TO THE HACKENSACK MEADOWLANDS 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 develop comprehensive plans for waste management in their respective Districts. On July 31, 1980, the Commissioner approved, with modifications, the Hackensack Meadowlands District Solid Waste Management Plan.

The Act requires that all district plans must be based on and accompanied by a report detailing the existing waste disposal situation in the district, and a plan which includes the strategy to be followed by the district in meeting the solid waste management needs of the district for the ten-year planning period. The report must detail the current and projected waste generation for the district, inventory and appraise all facilities in the district, and analyze the waste collection and transportation systems which serve the district. The disposal strategy must include the maximum practicable use of resource recovery techniques. In addition to this strategy, the plan must designate sufficient available suitable sites for the disposal of the district's waste for the ten-year period; which sites may be in the district, or if none are available, in another district. (The Act provides procedures for reaching any necessary interdistrict agreements.)

The Act further requires that all district plans must be reviewed by the district at least once every two years, and if found inadequate, a new plan must be adopted. The Hackensack Meadowlands Development Commission completed this mandatory review and submitted Amendments in response to their findings of need. On November 23, 1982, the Hackensack Meadowlands Development Commission adopted Amendments to its approved District Solid Waste Management Plan. The Amendments were received by the Department of Environmental Protection on December 6, 1982 and copies were distributed to various state level agencies for review and comment.

Because the facility accepting all of Essex County's waste was rapidly reaching its approved elevation, and these Amendments included, among other things, a provision for the opening of a disposal facility within the Hackensack Meadowlands District that would be capable of accepting the waste stream from Essex County, a Certification of Approval of that specific provision of the November 23, 1982 Amendments was issued on March 4, 1983. The Department has reviewed the remaining data contained in these Amendments and has determined that the Amendments adopted by the Hackensack Meadowlands Development Commission are approved in accordance with N.J.S.A. 13:1E-24. While the requirements of the Act regarding the report have been met, the District's Plan remains deficient in certain areas. The Department's review of the report and plan are addressed in Section B of this document.

B. Certification of the Hackensack Meadowlands District Solid Waste Management Plan Amendments

I, Robert E. Hughey, Commissioner of the Department of Environmental Protection, in accordance with N.J.S.A. 13:1E-1 et seq. and N.J.S.A. 13:1E-21, which established specific requirements regarding the contents of the District Solid Waste Management Plans, have reviewed the November 23, 1982 Amendments to the approved Hackensack Meadowlands District Solid Waste Management Plan and certify to the Hackensack Meadowlands Development Commission that the November 23, 1982 Amendments are judged in compliance with the requirements of N.J.S.A. 13:1E-21 and are hereby made a final approved part of the Hackensack Meadowlands District Solid Waste Management Plan.

The Department has reviewed the entire Hackensack Meadowlands District Solid Waste Management Plan, including these Amendments, to determine whether the Plan fulfills the requirements set forth in N.J.S.A. 13:1E-21. The result of that review is as follows.

Report

- 1) N.J.S.A. 13:1E-21a.(1) requires an inventory of the sources, composition, and quantity of solid waste generated within the Hackensack Meadowlands District.

The Hackensack Meadowlands District has complied with this requirement and this section of the November 23, 1982 Amendments is approved.

- 2) N.J.S.A. 13:1E-21a.(2) requires projections on the amounts and composition of solid waste for a ten year period.

The Hackensack Meadowlands District has complied with these requirements and this section of the November 23, 1982 Amendments is approved.

- 3) N.J.S.A. 13:1E-21a.(3) requires an inventory and appraisal of all solid waste disposal facilities . . . and the identity of every person engaged in solid waste collection or disposal within the District.

- a) The Hackensack Meadowlands District has complied with the requirements of N.J.S.A. 13:1E-21a.(3) and the inclusion of the following solid waste facilities is approved.

These facilities include the Kingsland Park Sanitary Landfill Extension (0232C), North Arlington and Lyndhurst; the P & M Sanitation Corporation Landfill (0239A), North Arlington; the HMDC Baler/Balefill (0239C/0232D), North Arlington; and the Municipal Sanitary Landfill Authority Site 1-A Landfill (0907A), Kearny, which was recently opened after being made a part of the Hackensack Meadowlands District Solid Waste Management Plan by virtue of the March 4, 1983 Certification of Approval.

- b) The inclusion of the following solid waste transfer station and transfer-recycling facilities is approved. While these facilities were not assigned specific solid waste flows under the Interdistrict and Intradistrict Solid Waste Flow Rules (N.J.A.C. 7:26-6 et seq.), wastes processed by these facilities shall be disposed of in conformance with these rules based on the municipality in which the wastes are generated.

These facilities include the S & L Zeppetello Transfer Station (0237A), Moonachie; the P. Pyskaty & Sons Transfer Station (0909C), Secaucus; and the Allegro Sanitation Transfer Station (0909D), Secaucus.

- 4) N.J.S.A. 13:1E-21a.(4) requires an analysis of existing solid waste collection systems and transportation routes within the Solid Waste Management District.

The Hackensack Meadowlands District has complied with this requirement and this section of the November 23, 1982 Amendments is approved.

#### Plan

- 5) N.J.S.A. 13:1E-21b.(1) requires the Hackensack Meadowlands Development Commission to designate a department, unit, or committee to supervise the implementation of the District's Solid Waste Management Plan.

The Hackensack Meadowlands District has complied with the requirements of N.J.S.A. 13:1E-21b.(1) and the Hackensack Meadowlands Development Commission, One DeKorte Park Plaza, Lyndhurst, New Jersey 07071 is the approved solid waste implementation agency in the Hackensack Meadowlands District to carry out implementation of the approved Hackensack Meadowlands District Solid Waste Management Plan.

- 6) N.J.S.A. 13:1E-21b.(2) requires a statement of the solid waste disposal strategy to be applied . . . which strategy shall include the maximum practicable use of resource recovery procedures and a plan for using terminated landfill disposal sites . . . in the Solid Waste Management District.

The Hackensack Meadowlands District has developed a solid waste disposal strategy which will utilize landfilling, balefilling, and to a limited extent, composting. The strategy is intended to provide the designated surrounding municipalities with interim disposal capacities while their county governments pursue the implementation of their proposed high and low technology resource recovery and/or landfill projects in accordance with their approved plans. This section of the November 23, 1982 Amend-

ments is approved and made part of the Hackensack Meadowlands District Solid Waste Management Plan.

The Hackensack Meadowlands District's public participation program and plan for utilizing terminated landfill disposal sites are approved and made a part of the Hackensack Meadowlands District Solid Waste Management Plan.

The Department realizes that the principal responsibility for reducing the waste stream via recycling and source separation programs lies with the sending districts. However, the Office of Recycling reviewed the November 23, 1982 Amendments and prepared recommendations concerning recycling which, if implemented by the Hackensack Meadowlands District, could enhance recycling efforts throughout the region. In light of the acknowledged, critical shortage of disposal capacity in the District, the Commission and the Department should utilize their respective authorities to ensure that the maximum amount of recyclable material is recovered prior to disposal. Therefore, the Hackensack Meadowlands District shall review the Office of Recycling's recommendation and reconsider its position regarding recycling.

- 7) N.J.S.A. 13:1E-21b.(3) requires a site plan which shall include all existing solid waste disposal facilities located within the Solid Waste Management District . . . and sufficient additional available suitable sites to provide solid waste facilities to treat and dispose of the actual and projected amounts of solid waste contained in the report accompanying the Plan.

The Hackensack Meadowlands Development Commission, in the November 23, 1982 Amendments, included a site plan of all existing solid waste facilities and designated four additional facilities for inclusion in the District's Plan. The following facilities are hereby made an approved part of the Hackensack Meadowlands District Solid Waste Management Plan. (Note: These facilities must also comply with the requirements of N.J.S.A. 13:1E-5 and -26.)

- a) Upon closure of the MSLA 1-A landfill (0907A), located in Kearny, the Hackensack Meadowlands District proposes to redirect that designated wastestream to a new baler/balefill facility capable of handling 1,140,000 tons of waste per year. The November 23, 1982 Amendments refer to this facility as the Essex County Baler. At this time, the specific location of the facility has yet to be included in the Plan. The Department is aware that the Consent Agreement which requires this facility has been amended. The revised Consent Agreement requires the Hackensack Meadowlands District to make available one or more disposal facilities for Essex County waste for a shorter period of time, thus obviating the need for a baler/balefill. The Department anticipates a plan amendment in the near future which will incorporate the provisions of the revised Consent Agreement.
- b) Upon closure of the HMDC Sawmill Park Balefill (0232D), located in North Arlington and Kearny, the Hackensack Meadowlands District proposes to dispose of the bales from the HMDC Baler at portions of the active and inactive landfill sites within the limits of the proposed Richard DeKorte State Park. This area includes portions

of the currently operating P & M Sanitation Corporation Landfill, and portions of the MSLA 1-C Landfill in Kearny, and C. Egan and Sons, Inc. Landfill in North Arlington, both of which are currently inactive.

- c) The location of a compost facility known as the Meadowlands Energy and Resource Recovery Corporation Compost is designated at an unspecified site in North Arlington.

The sites listed above are approved for inclusion in the Hackensack Meadowlands District Plan. However, the sites were not specifically designated as required by the Solid Waste Management Act. Therefore, I find this part of the amended Plan to be deficient since the sites were not designated by block and lot.

- 8) N.J.S.A. 13:1E-21b.(4) requires a survey of proposed collection districts and transportation routes with projected transportation costs from collection districts to existing or available suitable sites for solid waste disposal facilities.

The Hackensack Meadowlands District has complied with this requirement and this section of the November 23, 1982 Amendments is approved and made a part of the Hackensack Meadowlands District Solid Waste Management Plan.

- 9) N.J.S.A. 13:1E-21b.(5) requires procedures for coordinating all activities related to the collection and disposal . . . within the Solid Waste Management District, which procedures shall include the agreements entered into as provided herein between the Hackensack Meadowlands Development Commission . . . and every such person, and the procedures for furnishing the solid waste facilities contained in the Solid Waste Management Plan.

The Department of Environmental Protection has reviewed the policy which the Hackensack Meadowlands District had recommended regarding the construction of additional transfer stations and includes this policy in the Hackensack Meadowlands District Solid Waste Management Plan.

The Hackensack Meadowlands District proposed that the Department of Environmental Protection adopt a policy which would prohibit the mixing of waste or residues from different solid waste districts at transfer stations and recycling plants; and require that the waste from each district be maintained separate for disposal at the appropriate disposal facilities designated for each county. The Department has considered this proposal and has met with staff from the Hackensack Meadowlands District to discuss this issue in detail. After careful consideration, the Department has determined that it need not change its existing policy in order to satisfy the Commission's concerns. Currently, while transfer stations are not included in the Waste Flow Rules, they may accept solid wastes from various origins as long as the solid wastes, or a similar amount and type, are ultimately transported for disposal to the facility designated in the Rules to service the geographic area. Under no circumstances is a transfer station considered as the origin of the solid wastes leaving it. For purposes of determining where solid wastes shall be disposed of, the origin of the waste always remains the

location where the waste was originally picked up before delivery to the transfer station.

The Department of Environmental Protection has reviewed the policy which the Hackensack Meadowlands District had recommended regarding the review of applications for new composting and vegetative waste facilities and includes this policy in the Hackensack Meadowlands District Solid Waste Management Plan.

The Solid Waste Management Act requires all districts which import or export waste to reach formal interdistrict agreements. The Department recognizes that an interdistrict waste flow agreement between the Hackensack Meadowlands District and Essex County is contained in their March 2, 1982 Consent Judgment. However, agreements have not been formally entered between the Hackensack Meadowlands District and Bergen, Hudson, Passaic, and Union Counties. These Amendments propose the discontinuation of disposal rights for Springfield and Union Townships after Essex County ceases disposing of waste in the Hackensack Meadowlands District, although no formal agreement exists between Union County and the Hackensack Meadowlands District.

Therefore, I find the Hackensack Meadowlands District Plan deficient in that the Plan does not contain formal interdistrict waste flow agreements between the Hackensack Meadowlands District and Bergen, Hudson, Passaic, and Union Counties, in accordance with the requirements of N.J.S.A. 13:1E-21b.(5).

- 10) N.J.S.A. 13:1E-21b.(6) requires a method or methods of financing solid waste management in the Solid Waste Management District pursuant to the Solid Waste Management Plan.

The Hackensack Meadowlands District has developed a number of strategies which are in the preliminary stages of implementation. These strategies are approved and made a part of the Hackensack Meadowlands District Solid Waste Management Plan, recognizing that they must be refined and expanded as the Plan is implemented.

### C. Other Provisions Affecting the Plan Amendments

#### 1) Contracts

Any contract renewal or new contract for solid waste collection or solid waste disposal which was executed prior to the approval of the within Amendments to the Hackensack Meadowlands 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 Amendments and of the Hackensack Meadowlands District Solid Waste Management Plan if such renegotiation is not completed within ninety (90) days of the effective date of these Amendments; 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.

2) Compliance

All solid waste facility operators and collector/haulers registered with the Department of Environmental Protection and operating within the Hackensack Meadowlands District and affected by the Amendments contained herein shall operate in compliance with these Amendments and all other approved provisions of the Hackensack Meadowlands District Solid Waste Management Plan. Any 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 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 applicable laws.

3) Types of Solid Wastes Covered by the District Solid Waste Management Plans

The provisions of the Hackensack Meadowlands District Solid Waste Management Plan shall apply to all solid wastes defined in N.J.S.A. 13:1E-3 and N.J.A.C. 7:26-2.5.27 and shall not apply to liquid wastes, sewage sludge, septage, hazardous wastes, oil spill cleanup wastes, and infectious waste.

Also, all non-hazardous materials separated at the point of generation for sale or reuse are excluded from the waste flows designated in the Interdistrict and Intradistrict Solid Waste Flow Rules (N.J.A.C. 7:26-6) and the Hackensack Meadowlands District Solid Waste Management Plan.

4) Certification to Proceed with the Implementation of Plan Amendments

This document shall serve as the Certification of the Commissioner of the Department of Environmental Protection to the Hackensack Meadowlands Development Commission, as provided for by N.J.S.A. 13:1E-24f., to proceed with the implementation of the Amendments contained herein.

5) Definitions

For the purpose of these Amendments 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.\*

6) Effective Date of Amendments

The approved Amendments to the Hackensack Meadowlands District Solid Waste Management Plan contained herein shall take effect immediately.

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\*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.

- 7) 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 Hackensack Meadowlands District Solid Waste Management Plan, including any Amendments made thereto, shall conform with the Statewide Solid Waste Management Plan. The Department has published a Statewide Solid Waste Management Plan with appendices which includes the Department's Planning Guidelines and rules, regulations, and orders of the Department, including the interdistrict and intradistrict waste flow rules, and also includes the compilation of individual District Plans and Amendments as they are approved.

D. Certification of Approval 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 Amendments, as outlined in Section B of this Certification, to the Hackensack Meadowlands District Solid Waste Management Plan which were adopted by the Hackensack Meadowlands Development Commissioners on November 23, 1982.

5/4/83  
DATE



ROBERT E. HUGHEY  
COMMISSIONER  
DEPARTMENT OF ENVIRONMENTAL PROTECTION