



State of New Jersey
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 OFFICE OF THE COMMISSIONER
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(IN THE MATTER OF CERTAIN AMENDMENTS)
 (TO THE ADOPTED AND APPROVED SOLID)
 (WASTE MANAGEMENT PLAN OF THE)
 (SOMERSET COUNTY SOLID WASTE)
 (MANAGEMENT DISTRICT)

CERTIFICATION OF APPROVAL
 OF THE JANUARY 17, 1986
 AMENDMENT TO THE SOMERSET 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 develop comprehensive plans for waste management in their respective districts. On July 31, 1980, the Department approved, with modifications, the Somerset County District Solid Waste Management Plan.

The Act requires that all district plans 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 provides that a district may review its plan at any time and, if found inadequate, a new plan must be adopted. Under the New Jersey Solid Waste Management Act, counties are given the primary role in solid waste management planning. Counties are required to develop comprehensive plans which, among other things, describe a strategy for handling waste generated in the county, which designate the sites for sufficient facilities to implement the strategy, and which describe the financial and institutional arrangements for implementation of the required facilities and activities.

It is the policy of the Department of Environmental Protection to affirm the primacy of the counties in this process. The Department has provided advice and support for the required decisions, but until now, hasn't found it necessary to directly intervene in the basic decisions regarding strategy and siting, except as required to ensure that county activities conform to the requirements of the Act. However, the Act does provide that the Commissioner may propose and adopt amendments to solid waste management plans to remedy any deficiencies.

On January 17, 1986, the Department proposed an amendment to the Somerset County District Solid Waste Management Plan. Primarily, the amendment proposed the incorporation of a short-term disposal strategy to provide for the development of a transfer station(s) to prepare the county's waste for transport to out-of-district disposal facilities. In addition, the amendment addressed landfill project implementation in Somerset County and the need for an expedited mandatory recycling program. In order to receive public comment, the Department followed the public notice procedures outlined in the Solid Waste Management Act, specifically N.J.S.A. 13:1E-23.d. In doing so, each mayor in Somerset County was sent a copy of the proposed plan amendment on January 17, 1986. In addition, each mayor was later sent a copy of the public hearing notice on January 22, 1986 prior to publication. The same notice was given to the Somerset County Board of Chosen Freeholders and to the county's solid waste coordinator. Publication of the hearing notice appeared in The Courier News and the Newark Star Ledger on January 24 and 31, 1986. The proposed amendment was also available for public inspection during this period at the municipal offices of each municipality in Somerset County, at the county offices and at the Division of Waste Management Offices, 32 East Hanover Street, Trenton, New Jersey. The public hearing to receive testimony on the proposed amendment was held at the Somerset County College in North Branch on February 14, 1986. Copies of the proposed amendment were also distributed to various state level agencies for review and comment as required by law. The Department has reviewed all testimony received at the public hearing and during the comment period, as well as those comments generated by the state level review process, and has determined that the amendment proposed by the Department of Environmental Protection on January 17, 1986, as modified below, is approved as outlined in Section C. of this document.

B. Findings and Conclusions with Respect to the Department's Proposed Amendment to the Somerset County Solid Waste Management Plan

1. The Division of Waste Management circulated the proposed Somerset County plan amendment to sixteen review agencies and solicited their review and recommendations. Pursuant to N.J.S.A. 13:1E-24a(2) and (3), these agencies included various agencies, bureaus, and divisions within the Department of Environmental Protection as well as the Board of Public Utilities. Also among these agencies were the Department of Community Affairs, the Department of the Public Advocate, the Department of Health, the Office of Recycling, the Department of Agriculture, the Department of Transportation, and the New Jersey Turnpike Authority. Of these agencies, the following did not object to the proposed plan amendment: the N.J.D.E.P. Divisions of Environmental Quality and Fish, Game and Wildlife; the State Departments of Agriculture and Transportation; the Green Acres Program and the New Jersey Turnpike Authority. The following agencies failed to respond to our requests for comments: the N.J.D.E.P. Divisions of Water Resources, Parks and Forestry, and Coastal Resources; the State Departments

of Health, Community Affairs and the Public Advocate; the New Jersey Advisory Council on Solid Waste Management and the U.S. Environmental Protection Agency. The Board of Public Utilities and Office of Recycling submitted substantive comments which are further addressed below.

The Board of Public Utilities expressed concern that the proposed amendment appeared to exclude the Board from its jurisdiction of evaluating the economic consequences of the transfer station strategy. Briefly, the role of the Board with respect to solid waste management includes its authority under the law to provide economic regulation over the solid waste industry. This is accomplished through uniform licensing procedures and rate regulation as well as the power to grant franchises. Additionally, the Board of Public Utilities in conjunction with the Department designates waste flows to specific solid waste facilities which serve specific geographic areas. With respect to the Board's expressed concern, it must be noted that the Department circulated the proposed amendment to sixteen state level review agencies, including the Board of Public Utilities, as part of its standard review process required by law. This process afforded the Board its appropriate opportunity to comment as with any other proposed plan amendment. The proposal of the amendment did not exclude the Board and, to the contrary, provided the proper means for the receipt of comments related to the Board's concerns. The proposed amendment is intended to provide a new short-term solid waste strategy as part of the approved Somerset County Plan. Following issuance of the approval contained herein, a private consultant to the Department will complete a Request For Proposals to be released to the private sector for the siting, design, construction and operation of a transfer station(s) within Somerset County. For each step in the process where additional site specific plan amendments will be required, the Board of Public Utilities will once again have the opportunity to evaluate economic consequences of the project as part of the state level review process.

The Office of Recycling recommended that the Department expand the provisions of the recycling component of the proposed amendment to require that each municipality separate, collect and market at least three recyclable materials. It was further recommended that, if a county has already adopted a more stringent recycling plan than that required in the proposed plan amendment, the more comprehensive plan should supersede the DEP's requirement. In response, the Department agrees in concept with the above recommendations and has specifically addressed Somerset County's proposed mandatory recycling program, which is more comprehensive than the Department's requirement, in Section C. 3. of this certification. Further, the requirements of the plan amendment should not be construed in any case as prohibiting or discouraging the development or continued operation of more aggressive programs covering more than one recyclable component.

2. As noted above, in accordance with the requirements of N.J.S.A. 13:1E-23, a public hearing on the proposed amendment was conducted by the Department on February 14, 1986 at the Somerset County College. At the hearing, five individuals gave testimony. In addition, one individual submitted written comments. The questions raised during these proceedings have been specifically addressed in the Response to Public Hearing Document included within this certification as Appendix A.

While Appendix A addresses specific comments, the comments are briefly summarized herein. In general, the majority of the individuals commenting were opposed to the Department's proposed transfer station strategy. Objections centered on three issues: the apparent exclusion from the DEP amendment of reference to the Somerset County proposed mandatory recycling program; the alleged lack of recognition by the Department of Somerset County's independent efforts toward the development of an in-county transfer station, and questions pertaining to the Department's authority to amend the Somerset County Solid Waste Management Plan.

Concerning exclusion of the county's recycling initiative, the Department proposed the amendment in question prior to the receipt and review of the county's proposal which was incomplete upon initial submission due to the absence of a public hearing transcript. Since the Department's public hearing, the county's proposed mandatory recycling amendment has been accepted and subjected to the formal state level review process. At this time, it appears that the county's recycling strategy, which is more comprehensive than the Department's planning requirement, will be approved by the DEP. Therefore, the recycling requirements embodied within Section C. 2. of the amendment proposed by the Department on January 17, 1986 have been removed pending the Department's review of the Somerset County mandatory recycling amendment which was submitted in complete form on February 19, 1986.

With respect to Somerset County's independent efforts toward the development of an in-county transfer station, the Department has not been informed of any specific formal activity in this regard. However, Section C. 1. of the proposed amendment indicated that the Department would consider a request from Somerset County to undertake portions of the transfer station planning and implementation process. This opportunity still exists and is once again referred to in Section C. 1. of this document.

The final major comment expressed at the hearing concerned the Department's authority to amend the Somerset County Solid Waste Management plan. The New Jersey Solid Waste Management Act provides alternative remedies, at the discretion of DEP, for the situation in which a freeholder board fails to adopt an adequate solid waste management plan or portion thereof. In one provision, the Legislature has indicated that "the Department shall have the power to develop and formulate a solid waste management plan in its entirety for any such solid waste management district." N.J.S.A. 13:1E-23i. Similarly, should any board fail to adopt modifications or replacements to its plan as required by the Commissioner, "the Commissioner shall have the power to adopt and promulgate any modification or replacement he deems necessary." N.J.S.A. 13:1E-24f. Alternatively, the Act also provides the Commissioner with the authority to issue orders requiring the correction of any violation of the Act and, if he so chooses, to enforce the statute directly through suits in the Superior Court. Therefore, the Department clearly has the authority to propose and adopt this amendment if the county's plan has been determined to be deficient in whole or in part.

C. Certification of the Department's Proposed Amendment to the Somerset County District Solid Waste Management Plan

I, Richard T. Dewling, 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-23(d), which established specific requirements regarding the contents of district solid waste management plans and the Department's powers regarding approval, rejection or modification of district plans, hereby declare that the portion of the Somerset County Solid Waste Management Plan which pertains to interim disposal arrangements (hereinafter referred to as "interim plan") is deficient. The county's current "interim plan" relies upon continued utilization of the Edgeboro Landfill in Middlesex County in the absence of an interdistrict agreement. As noted in the Department's proposed amendment, this strategy is not feasible and is amended herein to provide for contingency measures that may be necessary should landfilling privileges at the Edgeboro Landfill terminate.

Therefore, I hereby adopt as a replacement the following plan amendments based upon the January 17, 1986 proposed amendment to the Somerset County District Solid Waste Management Plan and certify that the January 17, 1986 amendment is approved as further specified below:

1. The inclusion in the plan of the short-term disposal strategy outlined below, which provides for the development of an in-county transfer station(s) to be used in conjunction with out-of-district disposal is approved.

Short-Term Disposal Strategy

The Department of Environmental Protection (Department) will seek proposals from private entities for siting, design, construction and operation of an in-county transfer station(s) for the county for purposes of out-of-district disposal. The Department will select a proposal after evaluating the proposals according to site suitability, environmental impact, cost and other appropriate considerations. The Department will then propose to amend the county's plan to designate the facility and its operational plan and to direct all waste generated in the county to the transfer station(s) until such time as an alternative facility is available for the county's wastes and is incorporated into the county plan. To carry out this strategy, the Department will undertake the activities listed below utilizing, as appropriate, the services of an environmental consulting firm.

The following steps will be undertaken in order to further amend the Somerset County District Solid Waste Management Plan and issue a permit to the planned facility:

1. The nature and quantity of the disposal needs of the county prior to implementation of in-county long-term facilities will be determined.
2. The availability of out-of-district facilities to receive wastes generated in the short-term will be studied.

3. The types of transfer facilities required to handle the waste flows will be specified along with performance criteria for operation.
4. The criteria for siting of transfer stations to provide for interim needs will be developed.
5. Alternative cost proposal systems and alternative uses for which the transfer station facility could be adapted in the future will be investigated.
6. A Request for Proposal of transfer stations and out-of-district disposal arrangements by private enterprise will be developed.
7. The Request for Proposal will be publicly advertised and applications received.
8. The Department of Environmental Protection will select a Proposal to meet the short-term disposal needs of the county by evaluating the proposals according to site suitability, appropriateness of the proposed technology, the nature and reliability of the proposed out-of-district disposal options, the qualifications of the proposer, the total cost of waste disposal and any other appropriate criteria.
9. The Department will propose an amendment to the county plan to include in the plan the selected facility site, its operational plan and redirection of all of the waste stream of Somerset County to the transfer station(s) for the purpose of out-of-district disposal according to the schedule furnished in the Request for Proposal.
10. The Department will review the transfer station facility design and, in accordance with applicable state law, issue a draft permit, receive comments at a public hearing on the draft permit, respond to comments and, if appropriate, issue a final permit which will authorize construction and operation of the facility in accordance with applicable permit conditions. Additionally, the applicant must apply to the Board of Public Utilities for a tariff rate, setting forth prices to be charged at the facility to assure a fair rate of return to the facility owner and to protect the public interest.
11. The Department will undertake the implementation of one (1) through ten (10) above and propose relevant plan amendments to supplement the results of these activities. However, the Department will consider a request by the county to undertake portions of these activities at the county level.

In order to implement this strategy, the Department has selected a vendor to develop a Request For Proposal to solicit proposals from private entities for siting, design, construction and operation of an in-county transfer station(s). However, as noted above, the Department will consider a request from Somerset County to undertake portions of the transfer station planning and implementation process at the county level. Further, the Department would advocate and support the highest feasible level of county participation in this process.

2. The requirements set forth in Section C. 2. of the January 17, 1986 Proposed Amendment to the Somerset County Plan related to resource recovery siting and development of the baler/balefill are approved. Therefore, Somerset County shall, within 120 days of the date of this certification, prepare and submit an environmental impact statement for the balefill facility pursuant to N.J.S.A. 13:1E-26. Further, within 45 days of the date of adoption of this certification, Somerset County shall commission a study to select a resource recovery site(s) and shall further adopt and submit an amendment identifying the resource recovery site within 120 days of the date of this certification.
3. On February 19, 1986, the Department received and accepted for review a complete proposed Somerset County Plan Amendment addressing mandatory recycling. This amendment proposes a comprehensive county-wide mandatory recycling program which generally exceeds the requirements set forth in the Department's January 17, 1986 proposed amendment. The submission of the county's plan amendment was received concurrent with the Department's own initiative toward amending the Somerset Plan with respect to mandatory recycling and was subsequently not available for consideration at that time. Following the initiation of the formal state level review process pertaining to the county's amendment and after in-house review within the Division of Waste Management, it appears likely that the Department will approve the pending recycling amendment. Therefore, the requirements set forth in the Department's proposed plan amendment dated January 17, 1986 which addressed the provision of mandatory recycling in Somerset County have been deleted pending the Department's review of the county's mandatory recycling plan amendment.

D. Other Provisions Affecting the Plan Amendment

1. Contracts

Any contract renewal or new contract for solid waste collection or disposal which is inconsistent with the within amendment to the Somerset County District Solid Waste Management Plan and which was executed prior to the approval of this amendment 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 this amendment and of the Somerset County District Solid Waste Management Plan if such renegotiation is not completed within ninety (90) days of the effective date of this amendment; 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 county and affected by the amendment contained herein shall operate in compliance with this amendment and all other approved provisions of the Somerset County District Solid Waste Management Plan. Any facility operator or collector/hauler 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 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.

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

The provisions of the Somerset County 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. 7:26-2.13 and shall not apply to liquid wastes, sewage sludge, septage, and hazardous wastes. 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).

4. Certification to Proceed with the Implementation of Plan Amendment

This document shall serve as the certification of the Commissioner of the Department of Environmental Protection and pursuant to N.J.S.A. 13:1E-24C. and F., implementation of the approved amendment contained herein shall proceed in accordance with all specified timeframes.

5. 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 N.J.A.C. 7:26-1.4 and -2.13.

6. Effective Date of Amendment

The amendment to the Somerset County District Solid Waste Management Plan contained herein shall take effect immediately.

7. Reservation of Authority

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 Somerset County District Solid Waste Management Plan, including any amendment made thereto, shall conform with the Statewide Solid Waste Management Plan. The Department has published a

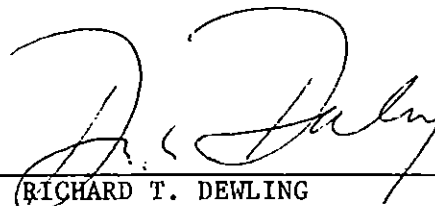
Statewide Solid Waste Management Plan with appendices which includes the Department's planning guidelines and rules, regulations, and orders of the Department, including the interdistrict and intradistrict waste flow rules, and also includes the compilation of individual district plans and amendments as they are approved.

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 Somerset County District Solid Waste Management Plan which was proposed by the Department on January 17, 1986.

13 MAY 1986

DATE



RICHARD T. DEWLING
COMMISSIONER

DEPARTMENT OF ENVIRONMENTAL PROTECTION

APPENDIX A
SOMERSET COUNTY
RESPONSE TO PUBLIC HEARING DOCUMENT

1. Somerset Intermediate Recycling Corporation (SIRC)

Comment: The proposed amendment did not recognize that the Somerset Intermediate Recycling Corporation (SIRC) facility site was included in the approved Somerset County Solid Waste Management Plan. Also, the Department's amendment could be read to exclude the SIRC facility from the plan which provides for the transfer and disposal of Somerset County waste.

Response: The proposed amendment to the Somerset County plan does not at this time, include or exclude any existing or proposed transfer station facilities or sites from consideration as an element of the proposed transfer station plan amendment strategy. According to the proposed amendment, the Department will evaluate all transfer station proposals received according to site suitability, environmental impact, technology cost, vendor qualification and other appropriate criteria as well as their impact on existing transfer station operations.

2. Authority for Plan Amendment

Comment: Title 13, Chapter 1E, Sections 23 and 24 make it clear that the DEP does not have the authority to amend the Somerset County Plan. Only Somerset County, with DEP's cooperation, can be caused to examine the need for changes, and propose changes to the DEP for approval, modification or rejection.

Response: The New Jersey Solid Waste Management Act provides alternative remedies, at the discretion of DEP, for the situation in which a freeholder board fails to adopt an adequate solid waste management plan. In one provision, the Legislature has indicated that "the department shall have the power to develop and formulate a solid waste management plan in its entirety for any such solid waste management district." N.J.S.A.13:1E-23i. Similarly, should any board fail to adopt modifications or replacements to its plan as required by the Commissioner, "the Commissioner shall have the power to adopt and promulgate any modification or replacement he deems necessary." N.J.S.A.13:1E-24f. Alternatively, the Act also provides the Commissioner with authority to issue orders requiring the correction of any violation of the Act and, if he so chooses, to enforce the statute directly through suits in the Superior Court.

3. EIS for Balefill

Comment: That portion of the proposed plan amendment that requires Somerset County to prepare an environmental impact statement for the baler/balefill facility in Bridgewater Township should be deleted, based on the fact that the cost of condemning a portion of an active quarry valued between \$2 to \$4 million, was prohibitive and therefore a "dead issue" according to the county.

Response: On January 23, 1986 subsequent to the state's proposed plan amendment, the Department of Environmental Protection issued a certification of the October 15, 1985 Amendment to the Somerset County District Solid Waste Management Plan which rejected the district's amendment to delete the baler/balefill facility from the approved Somerset County Solid Waste Management Plan. Given the absence of an alternate disposal site or interdistrict waste flow agreement, Somerset County's rationale for deleting the baler/balefill facility was not sufficiently compelling. The balefill, thus, remains an approved part of the Somerset County District Solid Waste Management Plan. Therefore, the proposed plan amendment incorporated provisions to effectuate the development of the baler/balefill project. In addition, it must be noted that cost considerations are only relevant when suitable alternatives exist to enable comparative analysis.

4. County Proposal for Transfer Station

Comment: Somerset County has recently considered implementation of a central recycling/transfer station facility site which may be consistent with the DEP's proposal and the county wants to be able to develop such a facility in cooperation with the DEP and municipalities.

Response: According to Section C.1 of the proposed amendment, the Department will consider any specific request by the county to undertake siting, development and implementation of an in-county transfer station(s) to provide interim disposal of the district's waste at an out-of-county facility. However, while the Department's proposal makes provision for county involvement in development of the transfer station facility, the county is cautioned that it will be required to make assurances that the project will be developed and operational within a prescribed period of time.

5. Somerset County Recycling Plan

Comment: Somerset County recently submitted an adopted plan amendment to the DEP to provide for a county-wide mandatory recycling program which is more comprehensive than the

DEP's plan amendment proposal. The county program would utilize the Association of Retarded Citizens (ARC) to implement portions of the program which would not be possible under the DEP's proposed amendment.

Response: Somerset County's formal submission of its proposed mandatory recycling amendment to the DEP occurred concurrently with the Department's promulgation of its proposed amendment. For this reason, there was not sufficient time to address Somerset County's program within the context of the recycling element of the Department's amendment. From the review conducted thus far of the county's recycling program, it appears that certain elements of the county program provide a more comprehensive waste reduction program in Somerset County than that proposed by the state. Following the completion of the Department's state level review process with respect to the county's proposed recycling amendment, it is quite possible that the county will be found to be in full compliance with the recycling element of the Department's amendment. Therefore, the Department will not act to adopt its proposed amendment until the completion of its review of the county's proposal.

6. Somerset County's Use of Edgeboro

Comment: Somerset County is opposed to disposal of the district's solid waste out-of-state as proposed in the amendment, based on the fact that the Edgeboro Landfill could be expanded to provide an additional 7 or 8 years past its current capacity.

Response: The Department is not currently in receipt of any proposals, plan amendments or permit applications relative to the expansion of the Edgeboro Landfill. This alternative disposal option cannot be considered as an available site for disposal of Somerset County's solid waste in the short-term in the absence of expanded permitted capacity. In addition, the use of such an option would also be contingent upon the entering of an interdistrict agreement between Somerset and Middlesex Counties.

7. Specific Sites for Transfer Station

Comment: Does the DEP have a list of candidate transfer station sites, and if not, will the municipalities and others have an opportunity to comment to the DEP when specific site proposals are being considered?

Response: The Department does not currently have a list of candidate transfer station sites. According to the proposed amendment, the Department will utilize the services of an environmental consulting firm to develop criteria for the siting of

transfer stations. Upon the Department's selection of a transfer station proposal, a public hearing will be held to receive public comment on a proposed amendment which designates a specific site(s). Additionally, a public hearing is again required as part of the facility permitting process.

8. Impact on Middlesex County

Comment: Middlesex County supports the DEP's proposed amendment to develop a transfer station facility in Somerset County to allow out-of-state disposal alternatives for the district's waste. Environmental and traffic problems continue to plague the Edgeboro Landfill as a result of the facilities acceptance of out-of-county waste, and the remaining life of the landfill has decreased significantly in recent months.

Response: The Department recognizes that the recent closure of two regional landfills in Middlesex County and the redirection of wastes previously disposed of at those facilities to the Edgeboro Landfill has placed an additional and significant burden on Middlesex County. Based on Somerset County's total dependence on a Middlesex County facility, without benefit of an interdistrict waste flow agreement, the lack of long term permitted capacity at the Edgeboro Landfill, and the failure of Somerset County to implement its approval plan, it is the intent of the proposed plan amendment to provide a short-term alternative to this situation.

9. Transfer Station Schedule, Cost and Financing

Comment: What are the schedule, cost, and financing arrangements associated with development of the transfer station facility in Somerset County?

Response: It has been the Department's experience, that, depending on the type of transfer station technology utilized and environmental siting constraints to be mitigated, final permitting and facility development could take an average of between 6 to 18 months. Similarly, transfer station development costs are also primarily dependent on the sophistication of the technology selected and environmental mitigation needs of the site. Given the fact that the private sector is expected to develop the transfer station facility, financing arrangements will be the vendor's responsibility. Since the solid waste transfer station facility will be regulated by the BPU, tariff rates will be controlled to assure the lowest reasonable rates to residents.