



**State of New Jersey
Department of Environmental Protection and Energy**

Office of the Commissioner

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Scott A. Weiner
Commissioner

**IN THE MATTER OF CERTAIN AMENDMENTS
TO THE ADOPTED AND APPROVED SOLID
WASTE MANAGEMENT PLAN OF THE
UNION COUNTY SOLID WASTE
MANAGEMENT DISTRICT**

**CERTIFICATION
OF THE AUGUST 1, 1991
AMENDMENT TO THE UNION 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 August 13, 1980, the Department of Environmental Protection approved, with modifications, the Union County District Solid Waste Management Plan (County 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 a 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 a 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. The Union County Board of Chosen Freeholders (County Freeholders) completed such a review and on August 1, 1991, adopted an amendment to its approved County Plan. The August 1, 1991 amendment proposed the County strategy for recycling 60% of the total solid waste stream by 1995. The amendment also addresses the County's current recycling activities, designates additional recyclables, identifies a source reduction strategy and enforcement activities, proposes mixed waste, bulky waste, and household special waste facilities and a public information and education program.

The amendment was received by the Department of Environmental Protection and Energy (DEPE or Department) on September 13, 1991 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 August 1, 1991 is approved, with one minor exception, as provided in N.J.S.A. 13:1E-24.

B. Findings and Conclusions with Respect to the Union County District Solid Waste Management Plan Amendment

Pursuant to N.J.S.A. 13:1E-24a(1), I have studied and reviewed the August 1, 1991 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 this plan amendment is consistent with the Statewide Solid Waste Management Plan.

In conjunction with the review of the amendment, the Department circulated copies to sixteen administrative review agencies and solicited their review and comment. Pursuant to N.J.S.A. 13:1E-24a(2) and (3), these agencies included various bureaus, divisions, and agencies within the Department. These agencies were the following:

Division of Environmental Quality, DEPE
Division of Coastal Resources, DEPE
Division of Parks and Forestry, DEPE
Division of Fish, Game and Wildlife, DEPE
Division of Solid Waste Management, DEPE
Green Acres Program, DEPE
Groundwater Quality Management Element, DEPE
Wastewater Facilities Regulation Element, DEPE
New Jersey Turnpike Authority
New Jersey Advisory Council on Solid Waste Management
Department of Agriculture
Department of Health
Department of Transportation
Department of Community Affairs
Department of the Public Advocate
U.S. Environmental Protection Agency

1. Agency Participation in the Review of the August 1, 1991 Amendment

The following agencies did not object to the proposed plan amendment:

Division of Environmental Quality, DEPE
Division of Parks and Forestry, DEPE
Division of Fish, Game and Wildlife, DEPE
Green Acres Program, DEPE
Wastewater Facilities Regulation Element, DEPE
New Jersey Turnpike Authority
Department of Agriculture
Department of Transportation
Department of Community Affairs
U.S. Environmental Protection Agency

The following agencies did not respond to the Department's requests for comments:

Division of Coastal Resources, DEPE
Groundwater Quality Management Element, DEPE
New Jersey Advisory Council on Solid Waste Management
Department of Health
Department of the Public Advocate

The following agency submitted substantive comments which are further addressed below:

Division of Solid Waste Management, DEPE

2. Issues of Concern Regarding the August 1, 1991 Amendment

Issue: 60% Recycling Strategy

Numerous issues have been identified relative to the County's 60% recycling strategy. These issues are as follows:

a. Designated Recovery Target

The amendment indicates recycling recovery totals and rates for 25 components of the solid waste stream but a composite total is not indicated. However, in the Department's December 16, 1991 approval of the Proposed Construction and Proposed Service Agreement between the Union County Utilities Authority (UCUA) and Ogden Martin Systems of Union, Inc. (Service Agreement), the UCUA has indicated achievement of a 62% total recycling rate and a 51% municipal recycling rate by December 31, 1995. This documentation should be provided in a subsequent plan amendment submission. Further, the County should not consider the 50% and 60% rates as maximum planning targets and should continue to refine plans and programs toward achievement of even higher levels of recycling.

b. Designated Recyclable Materials

The County has added a number of additional designated recyclables to both the residential and the commercial, institutional, and industrial sectors. However, consideration should be given to adding still more designated recyclables. For example, the County should consider the recycling of wood within the residential sector and the recycling of asphalt, concrete, and masonry within both the residential and the commercial, institutional, and industrial sectors. The County should also consider curbside collection for additional recyclable materials. In this regard, curbside collection could be provided for consumer batteries in line with the County's plans to require battery recycling by July 1, 1993 and the County should give consideration to implementing a pilot program in this area prior to that date.

c. Material Handling Requirements

The amendment limits the transport of Class B recyclable materials, referred to as "non-mandated", to single materials only. This limitation would exist from point of generation through to final end-use, whether the transport was limited to New Jersey, or involved out-of-state processing or end-use facilities. This limitation would eliminate any options for commingling of Class B recyclable materials irrespective of DEPE authorization of such practices. The Department, by virtue of the statutory authority granted it at N.J.S.A. 13:1E-99.34.b., has adopted regulations at N.J.A.C. 7:26A which govern, among other things, the operation of recycling centers accepting Class B recyclable materials. In as much as the Department has been granted sole legal authority over these facilities and since the regulations address commingling at N.J.A.C. 7:26A-3.5(e)iii and 7:26A-4.1(a)iii, this language of the plan represents an intrusion into regulatory areas preempted by the Department and should be rejected.

d. Mixed Waste Processing Facility

The County has proposed a mixed waste processing facility to recover additional recyclables to achieve the 60% recycling rate. This facility will require plan inclusion, once a specific site has been identified, as well as a solid waste facility permit from the Department. The County is not limited to developing one facility, should evaluate opportunities for regionalizing, and should consider developing facilities within and outside the County.

e. Bulky Waste Processing Facility

The County has proposed a bulky waste processing facility to recover additional recyclables to achieve the 60% recycling rate. This facility will require plan inclusion, once a specific site has been identified, as well as a solid waste facility permit from the Department. The County is not limited to developing one facility, should evaluate opportunities for regionalizing, and should consider developing facilities within and outside the County.

f. Household Special Waste Facility

The County has proposed a household special waste facility to accept and segregate household hazardous waste products to recycle and properly dispose of these materials and to investigate a mobile collection program and a waste exchange program. This facility will require plan inclusion, once a specific site has been identified, as well as any necessary permits from the Department. The County should evaluate opportunities for regionalizing the household special waste facility to accept material from outside the County pursuant to an interdistrict agreement. Also, the County should submit in a subsequent plan amendment submission within one year the results of investigating the mobile collection and waste exchange programs. Further, as required in the Service Agreement approval, the County must have in place prior to operation of the County incinerator a comprehensive recycling and waste diversion program to remove lead, cadmium, mercury and other heavy metals from the waste stream. Pursuant to the Service Agreement approval, this program shall prohibit from the incinerator all types of batteries, drywall, paints, tires, electronics, and vehicular materials from the residential and the commercial, institutional and industrial sectors. The County should provide a readily accessible means of disposal for all these materials. Finally, the original start-up of this program was Spring 1994. Therefore, the program must be operational before commencement of operation of the incinerator.

g. Strategies to Stimulate Source Reduction and Recycling

The County has proposed to stimulate source reduction and recycling through the retention of the services of a public information consulting firm and the hiring of a full-time employee for public information dissemination. However, specifics for encouraging source reduction were not indicated. The County should include additional details and schedules regarding the expansion of existing education programs, associated timeframes, and a strategy for reaching different sectors of the County including individuals, multifamily dwellings, commercial businesses, industry, and community groups. Particular attention should be given to targeting recycling efforts in the multifamily sector.

h. Procurement Strategy

The County addresses the issue of procurement strategies in general terms such as developing sample bid specifications for use by government or private businesses. The County needs to further develop this strategy in greater specificity such as requiring governmental agencies to purchase photocopiers with duplexing capabilities, to purchase recycled products instead of virgin products, and to purchase recycled materials for road construction and other construction activities.

i. Waste Study

As required in the Department's approval of the Service Agreement, a waste composition and weighing study shall be performed to reflect achievement of at least a 60% recycling rate with respect to Union and Bergen Counties. The scope of work of this study shall be submitted to the DEPE for approval and the results of this study shall be submitted to the DEPE for modification of the incinerator permit if appropriate.

j. Food Waste Composting

The County recommends the development of food recycling operations on a regional basis and requires, by July 1, 1992, all food waste from facilities which serve 500 or more meals per day to be recycled. However, specifics as to the recycling of food are lacking and this program, once developed, should be made available to facilities which serve less than 500 meals per day. The County needs to further develop this strategy by identifying markets and investigating food composting operations.

k. Cost for Implementing 60% Recycling Strategy

The amendment does not indicate a projected cost for implementing the many programs necessary to implement the County's 60% recycling strategy. The County should prepare such an estimate and include it in a subsequent plan amendment submission.

l. Enforcement Procedures

The amendment identifies a schedule for requiring the recycling of additional materials in both the residential and the commercial, institutional, and industrial sectors. The County and the respective municipalities should have in place the necessary enforcement procedures to ensure the recycling of these additional materials by the specified dates, particularly where curbside programs are available.

m. Development of Union County Utilities Authority Recycling Center

The amendment specifies that the recycling of additional materials shall become effective January 1, 1992. This schedule assumed operation of the UCUA recycling center in Linden by that date. This facility is not operational and an anticipated date for commencement of operations is not available. The operation of this facility is critical to the County's expanded recycling program and the County should proceed with development of the Linden facility as soon as possible.

As noted in Section C. of this certification, the proposed August 1, 1991 amendment is approved with one minor exception. However, the above noted areas of source reduction and recycling should be considered by the County

in further refinement of its program in subsequent plan amendments. Further, staff at the DEPE will be available to discuss the preceding comments and to work with the County to structure the plan amendment submissions.

C. Certification of the Union County District Solid Waste Management Plan Amendment

I, Scott A. Weiner, Commissioner of the Department, 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 district solid waste management plans, have reviewed the August 1, 1991 amendment to the approved County Plan and certify to the County Freeholders that the August 1, 1991 amendment is approved, with one minor exception, as further specified below.

1. August 1, 1991 Amendment

a. Designated Recovery Target

The inclusion in the County Plan of the County's goal to recycle 60% of the district's total waste stream by December 31, 1995 is approved. However, as noted within Section B.2.a. of this certification, the County must provide in a subsequent plan amendment submission documentation to indicate the 62% total and 51% municipal waste stream recycling rates by December 31, 1995 as specified by the County in the Service Agreement review process.

b. Designated Recyclable Materials

The following comprehensive listing of designated recyclable materials to be source separated in the residential and commercial, institutional, and industrial sectors of each municipality is approved.

Residential Sector:

Glass containers* **
Newspapers* **
Aluminum cans* **
Leaves*
Vehicle batteries - immediately
Used motor oil - immediately
Corrugated cardboard by January 1, 1992**
Ferrous cans by January 1, 1992**
Plastic containers (HDPE and PET) by January 1, 1992**
Mixed paper by January 1, 1992**
Roofing materials by January 1, 1992
Grass and brush by January 1, 1993
Consumer batteries by July 1, 1993
White goods by July 1, 1994

Commercial, Institutional and Industrial Sectors

Corrugated cardboard*
Glass containers*
Newspapers*
Aluminum cans*
Office paper*
Leaves*
Vehicle batteries - immediately
Used motor oil - immediately
Ferrous cans by January 1, 1992
Plastic containers (HDPE and PET) by January 1, 1992
Mixed paper by January 1, 1992
Roofing materials by January 1, 1992
Grass and brush by January 1, 1993
Wood by January 1, 1993
Consumer batteries by July 1, 1993
White goods by July 1, 1994

*Previously approved recyclables

**Curbside collection or otherwise provided for

While the above listing of designated materials is approved, Union County should consider future designations for the recycling of wood within the residential sector and the recycling of asphalt, concrete, and masonry within both the residential and the commercial, institutional, and industrial sectors. In addition, the County could consider a curbside collection program for consumer batteries for operation in line with the July 1, 1993 start-up date and the County should implement a pilot program in this area prior to that date. Further, the success of the County's expanded recycling program is contingent upon development of the planned UCUA recycling center in Linden, which was to have been operational by January 1, 1992. This facility was the subject of the County's June 20, 1991 amendment which was certified by the Department on August 1, 1991. To ensure that the County achieves the 60% total waste stream recycling rate as called for in the Emergency Solid Waste Assessment Task Force Final Report and the Service Agreement approval, the County is hereby directed to proceed with development of this facility as soon as possible.

c. Source Reduction

The goal of stabilizing waste generation by January 1997 and reducing waste generation by January 2000 is approved. Further, the County goal of having waste audits conducted at most places of employment over the next five years is approved. Specifically, the County plans to conduct or arrange for waste audits of industries with more than 500 employees by January 1, 1993, of industries with more than 250 employees by January 1, 1994, and of industries with more than 100 employees by January 1, 1995. Further guidance relative to increasing source reduction is noted in Section C.1.o. below.

d. Yard Waste Management

The endorsement of a landscape management strategy comprising backyard composting and leaving grass cuttings on the lawn for natural decomposition is approved. Also, the ban on the disposal of grass and brush at transfer stations, landfills, or resource recovery facilities after January 1, 1993 is approved. Leaves have been banned from such disposal since 1987. Municipalities may provide roll-offs or curbside collection for the removal of yard waste to approved composting facilities. The County and the municipalities will enforce this disposal ban through facility inspections.

e. Waste Collection Frequency and Volume Limitation

The concept of limiting the frequency of solid waste collection for single family residences to once per week commencing January 1, 1995 is approved subject to continuing review of the health and odor impact of such a policy. This policy to encourage waste reduction will be offset by an increase in the frequency of recycling collection, and may also include a limitation in the number of containers per collection and an investigation into per container charges. New municipal contracts for residential waste collection may include this concept if appropriate.

f. Material Handling Requirements

The commingling of the following recyclable materials in both the residential and the commercial, institutional and industrial sectors is approved: glass containers, aluminum cans, ferrous cans, and plastic containers (HDPE and PET); also paper grades and corrugated cardboard. However, the County requirement of single nonmandated Class B recyclable material being transported separately to a processing facility or to an end user market eliminates any options for commingling of Class B recyclable materials and is rejected. The Department, by virtue of the statutory authority granted it at N.J.S.A. 13:1E-99.34b., has adopted regulations at N.J.A.C. 7:26-A which govern, among other things, the operation of recycling centers accepting Class B recyclable materials. The Department has been granted sole legal authority over these facilities and has adopted regulations which establish that any Class B recycling center approval will address commingling of Class B recyclable materials. See N.J.A.C. 7:26A-3.5(e)iii and 7:26A-4.1(a)iii.

g. Designation of Enforcement Agency

The requirement that municipal ordinances be revised within 90 days of the date of this certification to include, in addition to the municipal employees currently designated, the Union County Regional Environmental Health Commission (or designees) and the Union County Utilities Authority as entities to enforce municipal recycling ordinances is approved.

h. Commercial Source Separation Exemption Approval

The requirement that municipalities obtain Union County Utilities Authority (UCUA) approval prior to granting exemptions to the source separation requirements to commercial, institutional, and industrial waste generators is approved. The UCUA has a five part approval process that must be satisfied prior to granting an exemption.

i. Modification to Municipal Recycling Ordinances

The County policy of requiring municipalities to modify their municipal recycling ordinances within 90 days of the date of this certification to include the mandated revisions to the Union County Recycling Plan is approved.

j. Mixed Waste Processing Facility

The proposal to establish a mixed waste processing facility to recover materials from part or all of the commercial, institutional, and industrial waste stream is approved. However, as noted in Section B.2.d. this facility will require plan inclusion once a specific site has been identified as well as a solid waste facility permit from the Department. The County estimates the capacity of this facility to be between 150 to 500 tons per day subject to further study with anticipated start-up by Spring 1994. The County is not limited to developing one facility, should evaluate opportunities for regionalizing, and should consider developing facilities within and outside the County.

k. Bulky Waste Processing Facility

The proposal to establish a bulky waste processing facility to recover materials generated from residential bulky waste and activities associated with construction, demolition, land clearing, and manufacturing is approved. However, as noted in Section B.2.e., this facility will require plan inclusion once a specific site has been identified as well as a solid waste facility permit from the Department. The County estimates the capacity of this facility to be between 250 to 500 tons per day subject to further study with anticipated start-up by Spring 1994. The County is not limited to developing one facility, should evaluate opportunities for regionalizing, and should consider developing facilities within and outside the County.

l. Household Special Waste Program and Facility

The development of an education and public information program to inform consumers of substitutes available for household hazardous waste products and to urge consumers to fully utilize these products is approved. Also, the proposal of establishing a household special waste facility to accept and segregate household hazardous waste products to recycle and properly dispose of these materials, and to investigate a mobile collection program and a waste exchange program

are approved. The original start-up date of this program was Spring 1994. Therefore, the program must be operational before commencement of operation of the incinerator. Further, as noted in Section B.2.f., the County shall submit in a subsequent plan amendment submission within one year the results of investigating the mobile collection and waste exchange programs. Also, as previously noted, this facility will require plan inclusion once a specific site has been identified as well as any necessary permits from the Department. Further, the County should evaluate opportunities for regionalizing this facility. Finally, in compliance with the requirement specified in the Service Agreement approval, Union County shall have in place prior to the operation of the incinerator a comprehensive recycling and waste diversion program to remove household and other hazardous waste from the waste stream in a manner to assure maximum compliance. Pursuant to the Service Agreement approval, this program will remove lead, cadmium, mercury, and other heavy metals from the waste stream by prohibiting from the incinerator all types of batteries, drywall, paints, tires, electronics, and vehicular materials from the residential and the commercial, institutional and industrial sectors.

m. Recycling Documentation

The requirement of submitting recycling documentation to the UCUA and the municipality of origin from all government, commercial, institutional, and industrial facilities according to a specified schedule is approved. This documentation shall be on forms provided by the UCUA and shall entail the recording of the material recycled, the location of the market, the weight of the material, and the transporter. Any forms used by the UCUA must first be submitted to and approved by the Department to ensure consistency in data reporting. Also, the County policy of requiring all facilities engaged in recycling and solid waste activities to be properly included in the County Plan and licensed, when needed, is approved.

n. Other Recycling Activities

The County policy of requiring the recycling of food waste from facilities which serve 500 or more meals per day or are major food processors by July 1, 1992, and the establishing of used motor oil drop-off locations by each municipality is approved. However, as noted in Section B.2.j., the County must further refine its strategy for recycling food, including the development of food composting facilities, and should consider making the program available to facilities which serve less than 500 meals per day.

o. Strategies to Stimulate Source Reduction and Recycling

The County policy to stimulate source reduction and recycling through the retention of the services of a public information consulting firm and the hiring of a full-time employee for public information dissemination is approved. However, as noted in Section B.2.g., the County Plan should be modified to include specific

details and timeframes for this program and to target, and provide financial incentives to, different sectors of the County including individuals, multifamily dwellings, commercial businesses, industry, and community groups within a subsequent plan amendment to be filed by July 1, 1992.

p. Procurement Strategies

The County policy of developing sample bid specifications for use by government or private business in the procurement of materials and equipment is approved. However, as noted in Section B.2.h., the County needs to further develop in a subsequent plan amendment this important component of source reduction such as requiring all governmental agencies to purchase photocopiers with duplexing capabilities and purchases of recycled products instead of virgin products.

q. Marketing Strategies

The County policy of investigating the use of compost, mulch, and chipping facilities and food recycling operations on a regional basis is approved. This is an aspect of regionalization that the County should continue to pursue in order to increase the marketability of these products.

2. Recycling Plan Update in Response to the Task Force Final Report

The County Plan has been reviewed to determine whether this plan amendment fulfills the recommendations of the Emergency Solid Waste Assessment Task Force Final Report accepted by the Governor on November 16, 1990. As adopted, the County Plan has adequately addressed the source reduction and recycling components of the Task Force Final Report subject to the noted areas needing further consideration. In this regard, the County is encouraged to continue to submit subsequent plan amendments to address the above noted areas and to achieve even higher recycling rates by expanding upon existing programs and strategies as new technologies, facilities and markets become available. However, any programs which are implemented should be undertaken in a manner which encourages competition in the private sector.

Regarding regionalization, the Department is aware of the recent efforts of the County Freeholders in adopting amendments on December 5, 1991. These amendments designated the Union County incinerator as a regional solid waste facility to process acceptable waste from Bergen and Union Counties and the Empire Landfill in Taylor, Pennsylvania as the disposal facility for ash residue from the incinerator and nonprocessable waste generated from within Union County. These amendments will require submission to and approval by the Department as specified in the Service Agreement approval of December 16, 1991.

Also, as required in the Service Agreement approval, a waste composition and weighing study shall be performed to reflect achievement of at least a 60% recycling rate with respect to Union and Bergen Counties. The scope

of work of this study shall be submitted to the DEPE for approval and the results of this study shall be submitted to the DEPE for modification of the incinerator permit if appropriate.

Finally, despite the entering of the Empire Landfill contract, the County must continue to actively pursue the development of in-state landfill capacity, either through development of the previously designated Elizabeth and Linden sites or the adoption of interdistrict agreements with other New Jersey counties. As required by the Service Agreement approval, a plan amendment identifying finalization of an in-state disposal site must be submitted within 180 days of December 16, 1991.

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 this amendment to the County 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 and operating pursuant to a contract as herein described, shall be deemed to be in violation of this amendment and of the County 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, and for good cause shown, obtain an extension of time to complete such renegotiation.

2. 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.

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

The provisions of the County 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. All nonhazardous 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 set forth at N.J.A.C. 7:26-6.

4. Certification to Proceed with the Implementation of the Plan 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 shall proceed with the implementation of the approved amendment certified herein.

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 -99.12 and N.J.A.C. 7:26-1.4, -2.13, and 7:26A-1.3.

6. Effective Date of the Amendment

The amendment to the County 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 pursuant to its authority under the law. The County 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, rules, regulations, orders of the Department, 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 and Energy

In accordance with the requirements of N.J.S.A. 13:1E-1 et seq., I hereby approve the amendment, with one minor exception, as outlined in Section C. of this certification, to the Union County District Solid Waste Management Plan which was adopted by the Union County Board of Chosen Freeholders on August 1, 1991. I hereby also require, as noted in Section C., the Union County Board of Chosen Freeholders to address the noted areas. This certification memorializes the determinations made by me on or before January 30, 1992.

Feb 18 1992
DATE


SCOTT A. WEINER
COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND ENERGY