

4. All persons who possess a general approval to operate a recycling center for Class B recyclable material shall be billed the following amounts for Research, Development and Demonstration (RD & D) approvals, renewal of general approval, transfers of ownership, and modifications.

	Class	
	B	
i.	RD & D approvals	\$ 2,400
ii.	Renewals	\$ 960.00
iii.	Modifications	\$ 2,400
iv.	Transfer of ownership	\$ 1,440

(c) The fee schedule for recycling center annual compliance monitoring services is as follows:

1. For State fiscal year 2006:

i. Each recycling center shall pay the applicable annual fee of \$9,130 for compliance monitoring services. The fees are billable in equal quarterly installments, during July, October, January and April. Each invoice shall be payable within 30 days following issuance of the invoice. For newly approved recycling centers, the first annual fee is due on the first July immediately following the issuance of the general approval.

7:26A-2.3 Payment of fees

(a) Payment of all fees for activities related to recycling shall be paid in U.S. dollars by certified check, government purchase order or check, or money order, payable to "Treasurer, State of New Jersey" and mailed or hand delivered to the following address, unless the Department authorizes some other means of payment:

New Jersey Department of Environmental Protection
Solid and Hazardous Waste Management Program
P.O. Box 414
401 East State Street
Trenton, NJ 08625-0414

TITLE 7. ENVIRONMENTAL PROTECTION
CHAPTER 26A. RECYCLING RULES
N.J.A.C. 7:26A-3.1 (2009)

7:26A-3.1 General requirements applicable to all recycling centers which receive, store, process or transfer Class B recyclable material

(a) No recycling center shall receive, store, process or transfer any Class B recyclable material without the prior written approval of the Department. The procedures for obtaining approval are set forth at N.J.A.C. 7:26A-3.2, 3.4, 3.5, and 3.8. All persons issued a general or limited approval to operate a recycling center for Class B recyclable material pursuant to this subchapter shall comply with all conditions of the approval.

(c) Prior to filing an application with the Department for recycling center general approval, and concurrent with or subsequent to filing for inclusion in the applicable district Solid Waste Management Plan, the applicant shall publish a notice in a newspaper of general circulation within the host municipality which indicates that the applicant will apply to the solid waste management district for inclusion of a recycling center in the solid waste management plan of the district in which the recycling center is located and will apply to the Department for recycling center approval. The notice shall include the following:

1. The name of the proposed recycling center, the name of the owner or operator of the proposed recycling center and the nature of the project;

2. The generally recognized address of the proposed recycling center, as well as the block and lot of the proposed recycling center;

3. An indication that a copy of the application for district solid waste management plan inclusion may be examined at the office of the solid waste or recycling coordinator of the solid waste management district in which the recycling center is located or at the applicable municipal clerk's office; and

4. An indication that comments regarding the application for district solid waste management plan inclusion can be made at the public hearing which shall be held by the board of chosen freeholders or the New Jersey Meadowlands Commission, submitted to the county clerk's office or submitted to the office of the solid waste or recycling coordinator of the solid waste management district in which the recycling center is located.

(d) The notice shall be published two times by the applicant with the second publication being no less than 15 days prior to the public hearing held by the applicable board of chosen freeholders. The applicant shall forward a copy of the notice to the New Jersey Department of Environmental Protection, Solid and Hazardous Waste Management Program, and to the municipality in which the recycling center will be operating, upon its publication.

2. A description of the geographical location of the recycling center identified by the name of the municipality in which the recycling center is located, by a tax map showing the lot and block numbers of the recycling center site and of all adjoining properties, and by a zoning map showing the current land use of the recycling center site and of all adjoining properties;

3. A listing, by name, address and telephone number, of all persons owning five percent or more of corporation stock in the recycling center, or a listing of the general and limited partners where applicable. In the case where no persons own five percent or more of corporation stock in the recycling center, the names of the corporation principals shall be listed. The owner or operator of the recycling center shall list any intra-corporate relationships between the recycling center and any solid waste hauler or disposal operation registered with the Department;

6. A listing of all products and residue resulting from the proposed recycling activities, and the amount of such products and residue expressed in tons, cubic yards, cubic feet or gallons per day. Those persons specifying this information in cubic yards per day shall also indicate the conversion ratio of the material from cubic yards to tons;

7. The name, address and telephone number of planned end-markets for the materials received, stored, processed or transferred by the recycling center.

i. End-market contracts or agreements shall be submitted as evidence of the applicant's ability to sell the products resulting from the proposed activities of the recycling center;

9. A site plan map, prepared, signed and sealed by a licensed professional engineer or other professional qualified in accordance with the State Board of Professional Engineers and Land Surveyors rules, N.J.A.C. 13:40, which identifies (plots) the placement of all equipment, buildings, activities and areas related to the receipt, storage, processing and transferring of all unprocessed and processed recyclable materials. This site plan shall also:

i. Be drawn to scale no smaller than one inch equals 100 feet;

ii. Indicate the routing of vehicles between the recycling center and all nearby roadways serving the site, as well as the traffic flow within the site, and indicate the provisions incorporated into the site plan to ensure safe and efficient vehicular and pedestrian circulation, parking, loading and unloading;

iii. Delineate the floodplain as defined at *N.J.A.C. 7:13-1.2*;

iv. Delineate the incidence of wetlands, Pinelands Area, prime agricultural lands, historic sites (where applicable) and other environmentally sensitive areas;

v. Identify the direction of water runoff both on and off-site and the screening and landscaping provisions which may be incorporated at the site;

vi. Indicate topographic contours drawn at two-foot intervals;

vii. Indicate the location and dimensions, in feet, of the unprocessed and processed materials stockpile areas.

Also, based on this information, the total cubic yard storage capacity of the unprocessed and processed materials stockpile areas shall be indicated. The applicant shall also indicate whether the applicant wishes to reserve the right to use unprocessed material stockpile space as processed material stockpile space in certain instances;

viii. Indicate the site access controls to be employed at the recycling center; and

ix. Delineate the location of all utilities including, but not limited to, water sanitary sewer, and storm water systems.

10. An original 7.5 minute USGS Quadrangle map which includes the boundary of the recycling center plotted on the map. The map shall delineate any public access roads to the site and any streams or ponds and sensitive receptors (for example, hospitals, schools, playgrounds, homes, etc.) within a one-half mile radius of the site;

11. A copy of the deed of record establishing ownership of the recycling center property or, if the applicant is other than the landowner, a legal agreement (for example, a legal lease agreement) to use the real property in question for the intended purpose;

12. A description of the design capacity of the recycling center setting forth the number and types of vehicles bringing material to the recycling center for receipt, storage or processing, and the number and types of vehicles transferring products and residue from the site on a daily basis;

13. A copy of a New Jersey air pollution control permit application required pursuant to N.J.A.C. 7:27-8.2(a)1 where applicable;

14. A written narrative explanation of the recycling center operation from the receipt of recyclable materials to the point of transfer of end-products;

15. Documentation establishing that the recycling center is included in the solid waste management plan of the solid waste management district within which the recycling center is located;

16. An operations plan which shall include, at a minimum, the following:

i. Hours of operation of the recycling center;

ii. An incoming materials specification sheet which shall be provided to all persons bringing, delivering or sending Class B recyclable material to the recycling center and which shall include the following information:

(1) A listing of the source separated materials to be received by the recycling center;

(2) The size, weight, or other restrictions regarding materials to be received; and

(3) A notice that vehicles delivering materials to the recycling center will be inspected and, if found to contain more than allowable amounts of contaminants as specified per N.J.A.C. 7:26A-3.5(e)3i, will be barred from offloading vehicle payload; and

(4) A notice that persons bringing materials to the recycling center shall certify the amount of material per load, the municipality of origin of that material, and other information contained on the Recyclable Materials Receipt Form.

iii. A Recyclable Materials Receipt Form which shall be provided to all persons bringing recyclable material to the recycling center and which shall maintain the following information for each vehicle delivering recyclable material to the recycling center:

(1) The amount of source separated recyclable material received, expressed in tons, cubic yards, cubic feet or gallons. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons;

(2) The municipality of origin of the material received;

(3) The name of the person bringing source separated recyclable materials to the facility;

(4) The vehicle license plate number, NJDEP registration number, if an NJDEP registered vehicle is used and EPA ID number, if an EPA registered vehicle is used; and

(5) A certification, to be completed and signed by the person delivering recyclable material to the recycling center at the time of delivery, that the information contained on the Recyclable Materials Receipt Form is true, accurate and complete.

iv. An incoming materials inspection plan which shall detail the manner by which all vehicles entering the facility with recyclable materials to be stored, processed or transferred will be inspected to determine the contents of the vehicle payload area, including the incidence of or extent of contaminants which may be present in the truckload of recyclable materials received;

17. A description of the methods to be used to control traffic and to expedite unloading;

18. A description of the leachate and storm water run-off and drainage control measures that will be used to meet the applicable provisions of the Stormwater Management rules at N.J.A.C. 7:8-5 and 6 and the Pollutant Discharge Elimination System rules at N.J.A.C. 7:14A-24 and 25;

19. A description of the methods that will be used to control soil erosion and meet the New Jersey Soil Erosion and Sediment Control Regulations, N.J.S.A. 4:24-43;

20. A description of the methods that will be used to minimize, manage and monitor noise at nearby residential and/or commercial property lines demonstrating the ability to meet the New Jersey noise control rules, N.J.A.C. 7:29. Manufacturer specifications on sound level ranges for all equipment to be used shall be provided; and

ii. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or

iii. For a municipality, county, State, Federal or other public agency, by either a principal executive officer or ranking elected official.

(c) One original and two copies of the information required pursuant to (a) above shall be submitted to:

New Jersey Department of Environmental Protection
Solid and Hazardous Waste Management Program
PO Box 414
401 East State Street, 2nd Floor, West Wing
Trenton, New Jersey 08625-0414

(f) All persons who seek a general approval to operate a recycling center for tires, tree stumps, tree parts or wood waste pursuant to this subchapter shall also comply with the requirements at N.J.A.C. 7:26A-3.8.

(g) All persons who submit an application for a general approval to operate a recycling center for the receipt, storage, processing or transfer of any Class B recyclable material pursuant to this subchapter shall submit information demonstrating compliance with the design and operational requirements of N.J.A.C. 7:26A-4.8.

(j) All persons who submit an application for a general approval to operate a recycling center for the receipt, storage, processing or transfer of any Class B, C or D recyclable materials pursuant to this subchapter shall submit information demonstrating compliance with the design and operational requirements of N.J.A.C. 7:26A-4.1(a)4 and 10 through 14.

7:26A-3.3 Mobile recycling equipment

(a) Persons operating mobile recycling processing equipment for Class B recyclable material shall operate such equipment only as follows:

1. At a site which possesses a general approval from the Department and in manner which conforms to the approval for the site; or

2. Pursuant to an exemption at *N.J.A.C. 7:26A-1.4(a)* and in a manner which conforms to the criteria of the exemption.

1. The history of enforcement actions taken by the Department against the applicant involving violations of any environmental statutes of the State, of the Department's solid waste management rules, N.J.A.C. 7:26, of this chapter, and of all other rules contained in Title 7 of the New Jersey Administrative Code, and the history of enforcement actions taken by the State, county or local government or any political subdivision of the State, county or local government;

2. The current cost of disposal, including site preparation and transportation costs, at a permitted solid waste facility which would receive the materials which may be abandoned on a site based on the maximum storage capacity of the recycling center;

3. The amount of material to be received, stored, processed or transferred at the recycling center over the duration of the general approval;

7. An analysis of the stability of end-markets for the Class B recyclable material received, stored, processed or transferred at the recycling center, which analysis shall consider the following:

i. The length of time the end-market has been in business;

ii. The length of time the end-market has been accepting the Class B recyclable material and using it as a raw material in a manufacturing process; and

New Jersey facility registration number, name, address, and closure amount(s) for each recycling center guaranteed by this bond:

Total penal sum of bond: \$

Surety's bond number:

Know All Persons by These Presents, That we, the Principal and Surety(ies) hereto are firmly bound to the New Jersey Department of Environmental Protection (hereinafter called NJDEP), in the above penal sum for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns jointly and severally; provided that, where the Surety(ies) are corporations acting as co-sureties, we, the Sureties, bind ourselves in such sum "jointly and severally" only for the purpose of allowing a joint action or actions against any or all of us, and for all other purposes each Surety binds itself, jointly and severally with the Principal, for the payment of such sum only as is set forth opposite the name of such Surety, but if no limit of liability is indicated, the limit of liability shall be the full amount of the penal sum.

Whereas said Principal is required, under the recycling rules of the State of New Jersey at N.J.A.C. 7:26A, issued under the authority of N.J.S.A. 13:1E-1 et seq., to have a recycling center approval in order to own or operate each recycling center identified above, and

Whereas said Principal is required to provide financial assurance for closure as a condition of the recycling center approval;

Now, Therefore, the conditions of this obligation are such that if the Principal shall faithfully perform closure, whenever required to do so, of each facility for which this bond guarantees closure, in accordance with the closure plan and other requirements of the recycling center approval as such plan and approval may be amended, pursuant to all applicable laws, statutes, rules, and regulations, as such laws, statutes, rules, and regulations may be amended;

Or, if the Principal shall provide alternate financial assurance as specified in N.J.A.C. 7:26A-3.4(c), and obtain NJDEP's written approval of such assurance, within 90 days after the date notice of cancellation is received by both the Principal and the NJDEP from the Surety(ies), then this obligation shall be null and void, otherwise it is to remain in full force and effect.

The Surety(ies) shall become liable on this bond obligation only when the Principal has failed to fulfill the conditions described above. Upon notification by the NJDEP that the Principal has been found in violation of the closure plan and recycling center approval requirements regarding closure, for a facility for which this bond guarantees performance of closure, the Surety(ies) shall either perform closure in accordance with the closure plan and other requirements of the recycling center approval or place the closure amount guaranteed for the facility into an account as directed by NJDEP.

Upon notification by NJDEP that the Principal has failed to provide

alternate financial assurance as specified in *N.J.A.C. 7:26A-3.4(c)*, and obtain written approval of such assurance from NJDEP during the 90 days following receipt by both the Principal and NJDEP of a notice of cancellation of the bond, the Surety(ies) shall place funds in the amount guaranteed for the facility(ies) into an account as directed by NJDEP. The Surety(ies) hereby waive(s) notification of amendments to closure plans, permits, applicable laws, statutes, rules, and regulations and agrees that no such amendment shall in any way alleviate its (their) obligation on this bond.

The liability of the Surety(ies) shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the aggregate to the penal sum of the bond, but in no event shall the obligation of the Surety(ies) hereunder exceed the amount of said penal sum.

The Surety(ies) may cancel the bond by sending notice of cancellation by certified mail to the owner or operator and to NJDEP, provided however, that cancellation shall not occur during the 120 days beginning on the date of receipt of the notice of cancellation by both the Principal and NJDEP, as evidenced by the return receipts.

The principal may terminate this bond by sending written notice to the Surety(ies), provided, however, that no such notice shall become effective until the Surety(ies) receive(s) written authorization for termination of the bond by NJDEP.

Principal and Surety(ies) hereby agree to adjust the penal sum of the bond yearly so that it guarantees a new closure amount, provided that the penal sum does not increase by more than 20 percent in any one year, and no decrease in the penal sum takes place without the written permission of NJDEP.

In Witness Whereof, The Principal and Surety(ies) have executed this Performance bond and have affixed their seals on the date set forth above. The persons whose signatures appear below hereby certify that they are authorized to execute this surety bond on behalf of the Principal and Surety(ies) and that the wording of this surety bond is identical to the wording specified in *N.J.A.C. 7:26A-3.4(d)* as such regulation was constituted on the date this bond was executed.

Principal

[Signature(s)]

[Name(s)]

[Title(s)]

[Corporate Seal]

Corporate Surety(ies)

[Name and address]

State of incorporation:

Liability limit: \$

[Signature(s)]

[Name(s) and title(s)]

[Corporate seal]

[For every co-surety, provide signature(s), corporate seal, and other information in the same manner as for Surety above.]

Bond premium: \$

(e) A letter of credit, as specified in N.J.A.C. 7:26A-3.4(c) above must be worded as follows, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted: Irrevocable Standby Letter of Credit

Commissioner, New Jersey Department of Environmental Protection c/o Division of Solid and Hazardous Waste 401 E. State Street, PO box 414 Trenton NJ 08625-0414

Dear Sir or Madam:

We hereby establish our Irrevocable Standby Letter of Credit No. in your favor, at the request and for the account of [owner's or operator's name and address] up to the aggregate amount of [in words] U.S. dollars....., available upon presentation, by you or your duly authorized representative, of:

(1) our sight draft, bearing reference to this letter of credit No....., and

(2) your signed statement reading as follows: "I certify that the amount of the draft is payable pursuant to the recycling rules of the State of New Jersey at N.J.A.C. 7:26A, issued under the authority of N.J.S.A. 13:1E-1 et. seq."

This letter of credit is effective as of [date] and shall expire on [date at least one year later], but such expiration date shall be automatically extended for a period of [at least one year] on [date] and on each successive expiration date, unless, at least 120 days before the current expiration date, we notify both you and [owner's or operator's name] by certified mail that we have decided not to extend this letter of credit beyond the current expiration date. In the event you are so notified, any unused portion of the credit shall be available upon presentation of your sight draft for 120 days after the date of receipt by both you and [owner's or operator's name], as shown on the signed return receipts.

Whenever this letter of credit is drawn on under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation

to us, and we shall deposit the amount of the draft directly into an account in accordance with your instructions.

We certify that the wording of this letter of credit is identical to the wording specified in N.J.A.C. 7:26A-3.4(e) as such regulations were constituted on the date shown immediately below.

[Signature(s) and title(s) of official(s) of issuing institution] [Date]

This credit is subject to [insert "the most recent edition of the Uniform Customs and Practice for Documentary Credits, published and copyrighted by the International Chamber of Commerce," or "the Uniform Commercial Code"].

7:26A-3.5 General approval

(a) Within 30 days of receipt of an application for recycling center general approval submitted pursuant to N.J.A.C. 7:26A-3.2(a), the Department will determine whether the application is administratively complete. An application is administratively complete where it satisfies the information submission requirements of N.J.A.C. 7:26A-3.2 and where a fee has been submitted pursuant to N.J.A.C. 7:26A-2. The procedures for Department review and approval of an application for a recycling center general approval are as set forth in (a)1 through 4 below and in (b) and (c) below:

1. If an application is deemed administratively complete in accordance with (a) above, the Department will, within 30 days of receipt of the application, issue a letter to applicant indicating the administrative completeness of the application.

2. If an application fails to meet the criteria for administrative completeness in accordance with (a) above, the Department will advise the applicant that the application is incomplete and will specify in writing what additional data, reports, specifications, plans or other information is required for administrative completeness, and a deadline by which such additional information shall be submitted. The Department shall not make a decision on any application until such time as the applicant has submitted the requested additional information. Failure to submit the requested additional information as required shall constitute cause for denial of the application without prejudice. A determination of incompleteness shall stop any review and shall stay the time limitations set forth in (a)1 above and (c) below.

3. Within 30 days of receiving the notice of incompleteness, the applicant shall submit the requested additional information to the Department as an addendum to the application for a recycling center general approval ("Addendum").

4. Upon receipt of the Addendum, the Department shall review the Addendum to determine administrative completeness in accordance with this subsection.

(b) Within 90 days of issuance of the letter of administrative completeness, the Department will issue a general approval to operate a recycling center for a period not to exceed five years where the Department determines the following:

1. That the application meets the criteria for a general approval of N.J.A.C. 7:26A-3; and

2. That the applicant fails to meet any of the criteria for denial or revocation of a general approval set forth at N.J.A.C. 7:26A-3.12 and 3.13.

(c) Within 90 days of the issuance of the letter of administrative completeness, the Department will issue a letter of denial of the application to operate a recycling center where the Department determines the following:

1. That the application fails to meet the criteria for a general approval of N.J.A.C. 7:26A-3; or

2. That the applicant meets any of the criteria for denial or revocation of a general approval set forth at N.J.A.C. 7:26A-3.11 and 3.12.

(d) No recycling center shall receive Class B recyclable materials and commence operation until it has received written approval from the Department, unless operating pursuant to an exemption as set forth at N.J.A.C. 7:26A-1.4.

(e) The general approval will accomplish the following:

1. Authorize the receipt, storage, processing or transferring of Class B recyclable materials at the recycling center;

2. Indicate the conditions of operation which shall be met by the recycling center owner or operator prior to the receipt, storage, processing or transfer of the source-separated recyclable materials approved to be received, stored, processed or transferred at the recycling center; and

3. Indicate the limitations on recycling center operation, including, but not limited to:

i. Limitation on the amount of contaminants which may be present in any truckload of source-separated recyclable materials received at the recycling center;

- ii. Limitation on the amount of residue which may be produced as a result of receiving, storing, processing or transferring source-separated recyclable materials at the recycling center; and
- iii. Limitation on the commingling of Class B materials at the recycling center.

(f) All recycling centers receiving a general approval to operate a recycling center shall prominently post and maintain a legible sign, at or near the entrance to the recycling center, indicating that it is an approved New Jersey Department of Environmental Protection recycling center. In addition, the sign shall also indicate those items detailed in N.J.A.C. 7:26A-3.2(a)16i and ii.

7:26A-3.8 Tire, tree stump, tree parts or wood waste recycling centers:
additional requirements for general approval

(a) The methods of processing tires that may be approved by the Department are limited to slicing, shredding, chipping, crumbing or other activities as determined by the Department. At no time shall incineration, landfilling, abandonment or other disposal of tires, in whole or in part, occur at the recycling center.

(b) The owner or operator of a tire recycling center shall take all steps necessary to ensure that no mosquito colony formation or development is allowed to occur on the recycling center site.

(c) A fire control plan for the recycling center shall be filed with and approved by the local fire official or other person of competent jurisdiction and shall be filed with the local municipal code enforcement officer prior to operation of a recycling center for tires, tree stumps, tree parts or wood waste.

7:26A-3.9 Storage of Class B materials that are not universal waste

(a) The temporary storage of unprocessed and processed Class B recyclable material that is not universal waste at recycling centers shall be limited to the amount indicated in the general or limited approval to operate.

(b) Notwithstanding (a) above, in no event shall unprocessed Class B recyclable material that is not universal waste be stored at recycling centers approved pursuant to this subchapter for a period in excess of one year from the date of its receipt.

(c) The storage of petroleum contaminated soil at a recycling center approved to receive this material shall be subject to additional storage requirements as indicated in the approval issued pursuant to N.J.A.C. 7:26A-3.5.

7:26A-3.10 Modifications of general or limited approvals

(e) Upon determining that the information submitted for modification review is complete, the Department will approve or deny the modification according to the criteria of (a) through (d) above and will notify the owner or operator in writing. The owner or operator shall not institute the modification until it receives written approval from the Department.

(f) Within one week of any change to the end-market information submitted to the Department pursuant to *N.J.A.C. 7:26A-3.2(a)7*, the owner or operator shall submit to the Department a written notification which details any change in the use of the recyclable material transferred from the recycling center to an end-market or in the end-market location to which the recyclable material is transferred. The written notification shall be sent to:

New Jersey Department of Environmental Protection
Division of Solid and Hazardous Waste
PO Box 414
Trenton, New Jersey 08625-0414

(g) The Department will notify the solid waste or recycling coordinator of the county in which the recycling center is located, and the applicable municipal planning board, of any approval or denial of modification to a general or limited approval.

(h) Applicants shall pay fees pursuant to the requirements at N.J.A.C. 7:26A-2 at the time that the applicant submits an application for modifications of general or limited approvals, including those modifications referenced during approval renewals pursuant to the requirements of N.J.A.C. 7:26A-3.6(b).

7:26A-3.11 Increase in design capacity at recycling centers for Class B, Class C, and Class D recyclable materials

(a) An owner or operator seeking approval of an increase in design capacity at an approved recycling center for Class B, Class C, or Class D recyclable materials shall submit a request to the Department, in writing, for the proposed increase and shall submit updated information pursuant to the requirements of N.J.A.C. 7:26-3.2(a), 3.4, or 3.8, as applicable. The owner or operator shall also provide written notice of the request to the solid waste or recycling coordinator of the applicable district.

(b) The Department shall review the request and determine whether additional information is necessary to adequately address issues of public or environmental health, safety or welfare. If such additional information is required, the Department shall so notify the owner or operator in writing within 30 days of receipt of the request for approval. The owner or operator shall submit, in writing, the additional information requested by the Department within 15 days of receipt of the request for additional information.

(c) No later than 60 days following receipt of the request for approval and any additional information submitted pursuant to (b) above, the Department shall deny the request for approval or declare its intent to approve the request and shall so notify the owner or operator in writing.

(d) Within five days of receipt of the Department's notice of intent to approve a request for an increase in design capacity, the owner or operator shall notify the district solid waste or recycling coordinator of its receipt of such notice and shall also publish notice thereof in a newspaper of general circulation in the county where the facility is located.

1. The notice shall be published not less than 30 calendar days prior to the proposed effective date of the Department's approval and shall contain the following:

i. A description of the location by municipality, street address, lot and block number, of the recycling center, the waste types received and the proposed increase in capacity;

ii. A statement justifying the necessity for the increase in design capacity; and

iii. The name and address of the district solid waste or recycling coordinator and the Department to which comments on the request for approval may be submitted.

(e) The proposed increase in design capacity shall become effective within 30 days following the publication of the newspaper notice pursuant to (d) above unless:

1. The Department determines that there is sufficient public interest to necessitate a public hearing; or
