



## State of New Jersey

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### CERTIFICATION OF THE JUNE 18, 2015 AMENDMENT TO THE MIDDLESEX 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 (previously formally known as the New Jersey Meadowlands Commission, and now known as New Jersey Sports and Exposition Authority or NJSEA) develop comprehensive plans for waste management in their respective districts. On July 29, 1980, the Department of Environmental Protection (Department or DEP) approved the Middlesex County District Solid Waste Management Plan (County Plan).

The Act further provides that a district may review its district plan at any time and, if found inadequate, a new district plan must be adopted. The Middlesex County Board of Chosen Freeholders (County Freeholders) completed such a review and on June 18, 2015 adopted an amendment to its approved County Plan.

The June 18, 2015 amendment proposes County Plan deletion of the Mid Point Recycling, LLC Class A Recycling Center, which was operated on Block 459, part of Lots 55-67 and Lots 80-92 at 1037 State Street in the City of Perth Amboy.

The amendment was considered administratively complete for review by the Department on July 13, 2015 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 June 18, 2015 is approved as provided in N.J.S.A. 13:1E-24.

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

Pursuant to N.J.S.A. 13:1E-24a(1), I have studied and reviewed the June 18, 2015 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 the amendment is consistent with the Statewide Solid Waste Management Plan. In this regard, the County Freeholders are notified of the elements of the June 18, 2015 amendment which are included below.

**Elements of the June 18, 2015 Amendment**

**Element: Facility History & Operations**

On June 23, 2005, the Middlesex County Board of Chosen Freeholders adopted an amendment to their County Plan to include within it the State Street Class A Recycling Center, to be located on Block 459, part of Lots 55-67 and Lots 80-92 at 1037 State Street in the City of Perth Amboy. The June 23, 2005 amendment to the County Plan proposed County Plan inclusion of this facility for the receipt of up to 150 tons per day of Class A recyclables (plastic, glass, aluminum, steel containers, cardboard, mixed paper and newspaper). The subject amendment to the County Plan was approved by the Department as an administrative action on July 25, 2005.

On October 10, 2007, the Department approved an October 5, 2007 request for administrative action to the County Plan which proposed to amend the County Plan to reflect a change in name and ownership of the State Street Class A Recycling Center, located on Block 459, part of Lots 55-67 and Lots 80-92 at 1037 State Street in the City of Perth Amboy, to Recycling Kingdom.

On November 6, 2008, the Department approved an October 28, 2008 request for administrative action to the County Plan which proposed to amend the County Plan to reflect a change in name and ownership of the Recycling Kingdom Class A Recycling Center, located on Block 459, part of Lots 55-67 and Lots 80-92 at 1037 State Street in the City of Perth Amboy, to RTC Plastics, LLC.

On October 16, 2012, the Department approved an October 10, 2012 request for administrative action to the County Plan which proposed to amend the County Plan to reflect a change in name and ownership of RTC Plastics, LLC Class A Recycling Center, located on Block 459, part of Lots 55-67 and Lots 80-92 at 1037 State Street in the City of Perth Amboy, to Mid Point Recycling, LLC.

As of August 15, 2014, Mid Point Recycling, LLC was no longer in operation.

The June 18, 2015 amendment to the County Plan proposes County Plan deletion of the Mid Point Recycling, LLC Class A Recycling Center, which was operated on Block 459, part of Lots 55-67 and Lots 80-92 at 1037 State Street in the City of Perth Amboy.

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

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, I have reviewed the June 18, 2015 amendment to the approved County Plan and certify to the County Freeholders that the June 18, 2015 amendment is approved as further specified below.

The County Plan deletion of the Mid Point Recycling, LLC Class A Recycling Center, which was operated on Block 459, part of Lots 55-67 and Lots 80-92 at 1037 State Street in the City of Perth Amboy is approved.

D. **Other Provisions Affecting the Plan Amendment**

1. **Compliance**

All owners and/or operators of recycling centers approved by 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 recycling center owner and/or operator who fails to comply with the provisions contained herein shall be deemed to be in violation of N.J.S.A. 13:1E-1 et seq., in violation of N.J.A.C. 7:26A-1 et seq., and in violation of their approval to operate a recycling center issued thereunder by the Department and shall be subject to the provisions and penalties of N.J.S.A. 13:1E-9 and -12, N.J.A.C. 7:26A-9.1 et seq., and all other applicable laws.

2. **Certification to Proceed with Implementation of 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 Freeholders shall proceed with the implementation of the approved components of the amendment certified herein.

3. **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. 7:26A-1.3.

4. **Effective Date of Amendment**

The approved components of the amendment to the County Plan contained herein shall take effect immediately.

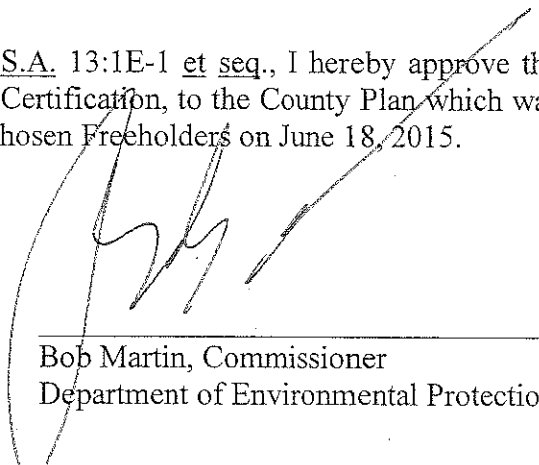
5. Reservation of Authority

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 to the Statewide Solid Waste Management Plan, with appendices, which includes the Department's planning guidelines, rules, regulations, orders of the Department, and also includes the compilation of individual County 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 County Plan which was adopted by the Middlesex County Board of Chosen Freeholders on June 18, 2015.

11/12/2015  
Date

  
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Bob Martin, Commissioner  
Department of Environmental Protection