



4

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF THE COMMISSIONER  
P. O. BOX 1390  
TRENTON, N. J. 08625  
609-292-2885

( IN THE MATTER OF THE PROPOSED )  
( SOLID WASTE MANAGEMENT PLAN )  
( OF THE SOMERSET COUNTY SOLID )  
( WASTE MANAGEMENT DISTRICT )

CERTIFICATION  
OF  
MODIFICATION

BY ORDER OF THE COMMISSIONER:

On July 17, 1979, the Somerset County Board of Chosen Freeholders adopted the Somerset County Solid Waste Management Plan pursuant to the Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.).

The Department of Environmental Protection has studied and reviewed the Plan in accordance with this Legislation. The review process, established by the Solid Waste Administration in an April, 1979 Policy Memorandum entitled "Policy and Procedures for Review of District Solid Waste Management Plans", was used to evaluate the Somerset Solid Waste Management Plan. This process was designed to incorporate both State level and public comments into the review. Generally, State agencies evaluated the Plan with regard to its impact on the State solid waste management program and their own programs, and provided advice within their own specialized areas of expertise. Public comments centered mostly on environmental concerns and the possibilities of implementing resource recovery. Additionally, the State has reviewed the Plan to ascertain whether there is sufficient clarity of facts and recommendations to permit program implementation.

Based on the results of this review and evaluation, it is my determination that the Somerset County Solid Waste Management Plan be granted a Certification of Modification at this time, requiring satisfactory completion of the modifications listed herein.

The Department, as a result of its review of the Somerset County District Solid Waste Management Plan, and in accordance with the Solid Waste Management Act, has made the following findings and conclusions:

- 1) The Solid Waste Management Act requires each District to include an analysis of existing solid waste collection systems and transportation routes within the Solid Waste Management District and further, to make a survey of proposed collection districts and transportation routes, and to project the transportation costs from collection districts to existing and designated solid waste facilities. While the Somerset County Solid Waste Management Plan includes a survey of the various types of existing collection systems, the collector haulers servicing the District and costs incurred by municipalities, the Plan does not include an analysis of existing or proposed transportation routes and costs within the District to existing or available suitable sites for solid waste facilities.

- 2) The Solid Waste Management Act requires the District Plan to inventory the sources, composition and quantity of solid waste generation for each of the ten years following the year in which the Plan is prepared. The Plan does not totally comply with this requirement.
- 3) The Solid Waste Management Act requires the District Plan to include a solid waste disposal strategy which includes the maximum practicable use of resource recovery. While the Somerset County Plan does include various strategies for maximizing resource recovery, a detailed implementation schedule is not included.
- 4) The Solid Waste Management Act requires that each District Plan contain a plan for using terminated landfill disposal sites. While the Somerset County Plan provides an assessment of landfill conditions, it does not identify a specific use for each of its landfills following termination.
- 5) The Solid Waste Management Act and the guidelines and criteria adopted by the Department pursuant to the Act require the District to adopt a solid waste management strategy which includes the maximum practicable use of resource recovery, including source separation and recycling. While the Somerset County Plan proposes material recovery through source separation and recycling, the Plan lacks a comprehensive District program to maximize source separation, including the identification of specific market costs for materials, the consideration of regional source separation districts and any legal, institutional or financial measures necessary to implement the program.
- 6) The Solid Waste Management Act provides that a system shall be established for uniform disposal rates within the District. The Somerset County Plan does not include a detailed procedure for the uniform distribution of resource recovery and disposal costs throughout the District's service area.
- 7) The Department, in its review of District Solid Waste Management Plans for the northeast, finds that certain District Plans, including Somerset County's, have not identified or included interdistrict agreements for sufficient existing or available suitable sites to treat or dispose of their own wastes either in the short or long term, or both. Districts, including Somerset County, have not entered interdistrict agreements with one another for the transportation of wastes across District boundaries. The Department finds that such interdistrict waste flow is necessary, particularly during the short term as resource recovery is implemented, and should be part of a comprehensive plan for solid waste management in northeastern New Jersey.

In the absence of such a comprehensive plan, it has become necessary for the Department to develop a combined approach which will impact, to varying degrees, many Districts, including Somerset County. In light of the need for this interdistrict flow plan, it is necessary for Somerset County to enter into

184

interdistrict agreements with Middlesex, Morris and Union (transfer only) Counties. In developing a combined approach for northeastern New Jersey, the Department intends to issue regulations governing the interdistrict flow of waste. These proposed regulations were published in the New Jersey Register of December 6, 1979 and have come to be known as the "Interdistrict Waste Flow Order." The proposed regulations will impact solid waste collection and disposal practices and planning in the multi-district region including Somerset County.

Therefore, Somerset County is hereby directed to make the following modifications to its adopted District Solid Waste Management Plan no later than July 1, 1980:

- 1) The Plan shall set forth sufficient data and discussion to identify the existing and proposed configuration of solid waste collection and disposal operations, such that a solid waste franchise system can be developed. This shall include a waste flow diagram, for each type of waste, which shows the existing and proposed flow of solid waste for the ten year planning period from each municipality (source) to a specific processing and/or disposal facility (destination).
- 2) The Plan shall include a schedule (including specific milestones) for the completion of indepth studies necessary to ensure the implementation of high technology resource recovery by 1984-85 and an indication of who will undertake the studies, an estimate of their cost, and how the studies will be funded. The studies shall include, as a minimum, the following:
  - a) the means for securing agreements/contracts for markets for materials and energy (including those for source separation/recycling),
  - b) determination of specific facility site(s), including lot and block numbers,
  - c) collection of more reliable solid waste generation and composition data and justification for facility capacity,
  - d) identification of legal and institutional constraints and solutions thereto,
  - e) projections of both capital and operating costs and the method of financing them,
  - f) environmental assessment of technology and sites, and
  - g) final determination of capacity needs and in-county facility locations for the disposal of resource recovery residuals, for emergency backup and for non-processable wastes.
- 3) The Plan shall include a detailed plan for the use of each terminated land disposal site within the County.
- 4) The Plan shall include a more comprehensive and implementable program for extracting the maximum practicable amount of recover-

able materials via recycling, waste exchanges, and similar source separation programs.

- 5) The Plan shall include a more detailed procedure for the uniform distribution of resource recovery and disposal costs throughout the District's service area. This plan shall include procedures for the uniform distribution of costs necessary to upgrade existing disposal facilities to meet environmental regulations.
- 6) The Plan shall include an interdistrict agreement with Middlesex County for the disposal of Somerset County waste in Middlesex County in accordance with the proposed regulations which appeared in the New Jersey Register on December 6, 1979. The Somerset County Plan shall also include an agreement with Middlesex County setting forth the necessary procedures for coordinating and integrating collection, transportation, recovery and disposal services in the area and setting forth the specific responsibilities of each District for implementation of the Plan(s).
- 7) The Somerset County Plan shall include an interdistrict agreement with Morris County to provide for the disposal or resource recovery within Morris County of Somerset County wastes. The Plan shall also include an interdistrict agreement with Union County for the transfer of wastes generated in Somerset County through the transfer facility(ies) located in Union County to disposal facilities in Middlesex County. These agreements shall be of no more than five years duration and shall be in a form described in the proposed regulations as it appeared in the New Jersey Register of December 6, 1979. At the conclusion of these agreements, Somerset County shall set forth in its Plan provisions to take over responsibility for resource recovery and disposal of its own wastes either alone or jointly with adjacent Districts.
- 8) Somerset County shall reach an agreement with the Counties of Middlesex, Morris and Union on the amounts and types of wastes generated within the County and transported to either existing and/or proposed facilities within Middlesex, Morris and Union (transfer only) County Districts, for each year addressed in the Plan. The agreed upon data shall be incorporated into Somerset County's report and Plan.
- 9) In addition, Somerset County is directed to complete the additional modifications to its Solid Waste Management Plan described in the document attached to this Certification as Appendix I by July 1, 1980.

Attached as Appendix II is a list of recommended modifications to be included in the District Solid Waste Management Plan as part of the two year review required pursuant to N.J.S.A. 13:1E-20.

In accordance with N.J.S.A. 13:1E-24, these required modifications shall be considered major modifications of the District Plan and the District is hereby directed to conduct an additional public hearing no later than 45 days from the date of this Certification.

20

Following submission and review of the adopted modifications, I shall, within 30 days of submittal, certify to the Board of Chosen Freeholders whether or not these modifications are acceptable and if the Plan is approved.

Further, it is noted that the Solid Waste Management Act, the Rules of the Department of Environmental Protection, and other State and federal requirements apply to the permitting and approval of solid waste facilities. Therefore, neither the Certification nor any future action of the Department concerning the District Solid Waste Management Plan shall be construed to be in derogation of, or inconsistent with, such other requirements.

20 December 1979  
Date

  
Jerry Fitzgerald English  
Commissioner



## Appendix I

### Additional Modifications Required by July 1, 1980

#### I. SOLID WASTE GENERATION

- The Plan shall include an inventory by source, type, composition, and quantity of solid waste (including sludge and septage) generated within the solid waste management District in the year in which the report is prepared and each of the ten years following the report. In addition, the Plan shall include a specific timetable for the conduct of a program to more accurately define waste generation rates and composition necessary for resource recovery implementation.

#### II. COLLECTION AND HAUL

- The Plan did not provide a specific analysis of industrial waste generation, transportation and disposal within the County. In addition, a strategy for the maximum recovery of industrial wastes should be developed. A specific timetable for undertaking this analysis and developing a strategy shall be included.
- The Plan should include a strategy for increasing the efficiency of collection and transportation within the County, specifically a study evaluating the maximum utilization of transfer stations and implementation of the COLMIS or similar collection improvement system. Further, a strategy and timetable should be developed in order to aid municipalities wishing to make the transition from a private collection system to a municipal contract collection system.

#### III. SLUDGE AND SEPTAGE

- The Solid Waste Management Act requires an inventory and appraisal, including the identity, location and life expectancy, of any solid waste facility which could be used for the processing or land disposal of sludge or septage. This information is not included in a manner which allows an adequate appraisal of such facilities. If this information is to be developed in subsequent 201 studies, the studies, areas of jurisdiction and estimated completion dates should be set forth in the Plan.
- In its Plan, the District identifies a 300% discrepancy in the amount of septage reportedly generated and the amount theoretically generated. The accuracy of these figures shall be investigated further, as should the potential incidence of illegal dumping.
- The District shall adopt guidelines for the review of 201 sludge management plans which are no less stringent than those which have been adopted by the Department.

IV. RESOURCE RECOVERY

- The Plan shall analyze and identify that part of the waste stream which will be recovered by high and low technology resource recovery, in order to minimize costs, conserve energy and enhance environmental quality.

V. PUBLIC PARTICIPATION

- The Somerset Plan shall set forth an on-going comprehensive public information and participation program. This program shall identify a process for keeping the public informed, for the receipt, evaluation and consideration of public comment, and for the integration of public participation into Plan development and implementation.

VI. LANDFILLS

- The Plan shall contain a map showing the locations of all existing solid waste facilities, identified by their Department of Environmental Protection Registration Number.
- The Plan shall include an on-going program that will ensure the development of an in-county landfill facility by 1982.

VII. PLAN REVIEW AND UPDATE

- The Solid Waste Management Act requires the District Plan to contain provisions for its review by the Board of Chosen Freeholders once every two years. While the Somerset County Plan acknowledges this requirement and indicates that the Plan will have to be updated, no specific provisions have been made in the Plan to accomplish this. The Plan shall include specific provisions for its update.



## Appendix II

### Recommended Modifications for Two-Year Update of the Somerset County Solid Waste Management Plan

#### I. DATA BASE

- The Plan should contain a table showing existing land distribution (amount and percent) for single family residential, multi-family residential, commercial, industrial, public and quasi-public, conservation and recreation, and open space areas.
- The Plan should include updated census data and population projections consistent with year 2000 policy projections from the New Jersey Department of Environmental Protection Draft New Jersey Water Quality Management Plan, March, 1979.
- Employment projections should be presented according to standard industrial classifications to provide consistency with other District data. Methodologies and assumptions used in the formulation of estimates and projections should be included.
- The Plan should contain a section on existing major industrial and institutional developments and utilities. Proposed developments and constraints to development should also be included.

#### II. SOLID WASTE GENERATION

- Solid waste estimates and projections should be provided according to waste identification categories in the New Jersey Department of Environmental Protection "Rules of the Solid Waste Administration." This format will provide consistency among District data.
- The updated Solid Waste Management Plan should include, in an appendix, the specific methodology used in obtaining solid waste estimates and projections.

#### III. COLLECTION AND HAUL

- The Plan should contain an analysis of the feasibility of eliminating twice a week collection in those areas where recycling programs are successful.

N<sup>o</sup>