

STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

RICHARD T. DEWLING, Ph.D., P.E., COMMISSIONER

CN 402

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(IN THE MATTER OF CERTAIN AMENDMENTS)
(TO THE ADOPTED AND APPROVED SOLID)
(WASTE MANAGEMENT PLAN OF THE)
(CAMDEN COUNTY SOLID WASTE)
(MANAGEMENT DISTRICT)

CERTIFICATION
OF THE JUNE 25, 1987
AMENDMENT TO THE CAMDEN COUNTY DISTRICT
SOLID WASTE MANAGEMENT PLAN
TRUCK RTES. TO G. CAMPEN REF

BY ORDER OF THE COMMISSIONER

A. Introduction

The New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.) established a comprehensive system for the management of solid waste in New Jersey. The Act designated all twenty-one (21) of the state's counties, and the Hackensack Meadowlands District, as Solid Waste Management Districts, and mandated that the Boards of Chosen Freeholders and the Hackensack Meadowlands Development Commission develop comprehensive plans for waste management in their respective districts. On July 17, 1980, the Department approved, with modifications, the Camden County District Solid Waste Management Plan.

The Act requires that all district plans be based on and accompanied by a report detailing the existing waste disposal situation in the district, and a plan which includes the strategy to be followed by the district in meeting the solid waste management needs of the district for the ten-year planning period. The report must detail the current and projected waste generation for the district, inventory and appraise all facilities in the district, and analyze the waste collection and transportation systems which The disposal strategy must include the maximum serve the district. practicable use of resource recovery techniques. In addition to this strategy, the plan must designate sufficient available suitable sites for the disposal of the district's waste for the ten-year period, which sites may be in the district or, if none are available, in another district. (The Act provides procedures for reaching any necessary interdistrict agreements.)

The Act further provides that a district may review its plan at any time and, if found inadequate, a new plan must be adopted. The Camden County Board of Chosen Freeholders completed such a review and on June 25, 1987 adopted an amendment to its approved district solid waste management plan. The proposed amendment defines truck routes to be used by Camden County Energy Recovery Associates' franchise area municipalities assigned to the South Camden Resource Recovery Facility.

The amendment was received by the Department of Environmental Protection on September 21, 1987 and copies were distributed to various state level agencies for review and comment, as required by law. The Department has reviewed this amendment, as well as the entire Camden County District Solid Waste Management Plan, and has determined that the amendment adopted by the Camden County Board of Chosen Freeholders on June 25, 1987 is approved in part and rejected in part as provided in N.J.S.A. 13:1E-24. With regard to the district plan, while the requirements of the Act concerning the report have been met, the district's plan remains deficient in one important way. This deficiency is with regard to the identification of sites to provide in-county disposal capacity.

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

Pursuant to N.J.S.A. 13:1E-24a(1), I, Richard T. Dewling, Commissioner of the Department of Environmental Protection have studied and reviewed the June 25, 1987 amendment to the Camden County District Solid Waste Management 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 addition, the Division of Solid Waste Management circulated the plan amendment to seventeen review agencies and solicited their review and recommendations. Pursuant to N.J.S.A. 13:1E-24a(2) and (3), these agencies included various agencies, bureaus, and divisions within the Department of Environmental Protection as well as the Board of Public Utilities. among these agencies were the Department of Community Affairs, Department of the Public Advocate, the Pinelands Commission, the Department of Health, the Office of Recycling, the Department of Agriculture, the Department of Transportation, and the New Jersey Turnpike Authority. these agencies, the following did not object to the proposed plan the N.J.D.E.P. Divisions of Environmental Quality, Water amendment: Resources, Fish, Game and Wildlife, and Coastal Resources; the State Departments of Agriculture, Health, Community Affairs, and Transportation; the Board of Public Utilities, the Green Acres Program, the Office of Recycling, the New Jersey Turnpike Authority, and the New Jersey Advisory Council on Solid Waste Management. The following agencies failed to respond the Pinelands Commission, the State to our requests for comments: Department of the Public Advocate, and the U.S. Environmental Protection Agency. The Division of Parks and Forestry submitted substantive comments which are further addressed below.

The Division of Parks and Forestry commented that twenty-three of the twenty-six francise municipalities' truck routes present no conflicts with state register resources, and of the three (3) that do, Audubon Park and Woodlynne truck routes present insignificant impacts. These routes dispatch truck traffic by the Fairview Historic District in the City of Camden. However, since this district was built as a planned urban neighborhood incorporating the principles of boundaries and an internal street system, conflict with this state register resource is precluded.

The Division of Parks and Forestry did note one serious preservation conflict involving the City of Camden's mandatory truck access route number 1, and recommended that access routes 2 and/or 3 be selected. The Division stated that access route 1 would dispatch truck traffic along Mickle Boulevard and adjacent to the Walt Whitman House and Walt Whitman Neighborhood Historic District, and would introduce or compound existing audible, visual, atmospheric and vibratory encroachment. In response, mandatory access route number 1 is rejected in Section C. of the certification.

C. Certification of Camden County District Solid Waste Management Plan Amendment of June 25, 1987

- I, Richard T. Dewling, Commissioner of the Department of Environmental Protection, in accordance with N.J.S.A. 13:1E-1 et seq. and N.J.S.A. 13:1E-21, which established specific requirements regarding the contents of the district solid waste management plans, have reviewed the June 25, 1987, amendment to the approved Camden County District Solid Waste Management Plan and certify to the Camden County Board of Chosen Freeholders that the June 25, 1987 amendment is approved in part and rejected in part as further specified below.
- 1. The following mandatory truck access routes to the South Camden Resource Recovery Facility are approved for inclusion into the Camden County District Solid Waste Management Plan:

Nicholson Road (635) to Rt. 168 north to Audubon Park Rt. 130 south to I-676 north to Morgan Blvd. Rt. 41 north to I-295 south to Rt. 42 north Barrington to I-676 north to Morgan Blvd. Rt. 42 north to I-676 north to Morgan Blvd. Bellmawr Rt. 30 north to I-295 south to Rt. 42 north Berlin Borough to I-676 north to Morgan Blvd. Rt. 30 north to I-295 south to Rt. 42 north Berlin Twp. to I-676 north to Morgan Blvd. Rt. 130 north to I-676 north to Morgan Blvd. Brooklawn (1) I-676 north and south to Morgan Blvd. Camden City (2) Broadway (551) north and south to Morgan Blvd. Rt. 30 north to I-295 south to Rt. 42 north Chesilhurst

Clementon Blackwood Clementon Road (534) west to Rt. 42 north to I-676 north to Morgan Blvd.

to I-676 north to Morgan Blvd.

Gibbsboro	Gibbsboro Clementon Road (686) to Rt. 30 north to I-295 south to Rt. 42 north to I-676 north to Morgan Blvd.
Gloucester City	(1) Rt. 130 north to I-676 north to Morgan Blvd. (2) Broadway (551) north to Morgan Blvd.
Gloucester Twp.	(1) Rt. 168 north to Rt. 42 north to I-676 north to Morgan Blvd. (2) Hickstown Turnersville Road (688) to Rt. 42 north to I-676 north to Morgan Blvd. (3) Blackwood Clementon Road (534) west to Rt. 42 north to I-676 north to Morgan Blvd.
Haddon Heights	Rt. 30 and Rt. 168 south to I-295 south to Rt. 42 north to I-676 north to Morgan Blvd.
Hi Nella	Somerdale Road (681) to Rt. 30 north to I-295 south to Rt. 42 north to I-676 north to Morgan Blvd.
Laurel Springs	Laurel Road (673) to Rt. 30 north to I-295 south to Rt. 42 north to I-676 north to Morgan Blvd.
Lawnside	Rt. 30 north to I-295 south to Rt. 42 north to I-676 north to Morgan Blvd.
Magnolia	Rt. 30 north to I-295 south to Rt. 42 north to I-676 north to Morgan Blvd.
Mt. Ephraim	Rt. 168 south to I-295 south to Rt. 42 north to I-676 north to Morgan Blvd.
Pine Hill	Branch Road (687) to Blackwood Clementon Road (534) west to Rt. 42 north to I-676 north to Morgan Blvd.
Pine Valley	Same as Pine Hill
Runnemede	Rt. 168 north to I-295 south to Rt. 42 north to I-676 north to Morgan Blvd.
Somerdale	Somerdale Road (681) to Rt. 30 north to I-295 south to Rt. 42 north to I-676 north to Morgan Blvd.

Waterford Rt. 716 north to Rt. 710 west to Rt. 30 north to I-676 north to Morgan Blvd.

to I-676 north to Morgan Blvd.

Warwick Road (669) and Laurel Road (673) to Rt. 30 north to I-295 south to Rt. 42 north

Stratford

Winslow

(1) Rt. 73 north and south to Willamstown Winslow Rd. (723) west to the Atlantic City Expressway north to Rt. 42 north to I-676 north to Morgan Blvd. (2) Rt. 73 north and south to New Brooklyn Cedarbrook Rd. (536) west to New Brooklyn Sickleville Rd. (705) north to Rt. 42 north to I-676 north to Morgan Blvd.

Woodlynne

Rt. 130 south to I-676 north to Morgan Blvd.

2. The following mandatory truck access route to the South Camden Resource Recovery Facility is rejected for inclusion into the Camden County District Solid Waste Management Plan:

Camden City

(1) Federal Street (537) to Mickle Blvd. (756) to I-676 south to Morgan Blvd.

The Department has also reviewed the entire Camden County District Solid Waste Management Plan to determine whether the plan fulfills the requirements set forth in N.J.S.A. 13:1E-21. As a result of that review, the Department has determined that the Camden Plan is deficient with respect to the requirement of N.J.S.A. 13:1E-21b(3), which requires a site plan which shall include all existing solid waste disposal facilities located within the Solid Waste Management District . . . and sufficient additional available suitable sites to provide solid waste facilities to treat and dispose of the actual and projected amounts of solid waste contained in the report accompanying the plan. Camden County has not yet identified sites that will provide necessary in-state disposal capacity, and the overall district solid waste management plan is deficient in this regard. Therefore, the Camden County Board of Chosen Freeholders is ordered to submit, in writing, its schedule for expeditiously resolving this plan deficiency.

D. Other Provisions Affecting the Plan Amendment

1. Contracts

Any contract renewal or new contract for solid waste collection or disposal which is inconsistent with the within amendment to the Camden County District Solid Waste Management Plan and which was executed prior to the approval of this amendment and subsequent to the effective date of the Solid Waste Management Act (July 29, 1977), and which shall further be for a term in excess of one year, shall immediately be renegotiated in order to bring same into conformance with the terms and provisions herein set forth. Any solid waste collection operation or disposal facility registered by the Department of Environmental Protection and operating pursuant to a contract as herein described, shall be deemed to be in violation of this amendment and of the Camden County District Solid Waste Management Plan if such renegotiation is not completed within ninety (90) days of the effective date of this amendment; provided, however, that any such

registrant may, upon application to the Department of Environmental Protection, and for good cause shown, obtain an extension of time to complete such renegotiation.

2. Compliance

All solid waste facility operators and collector/haulers registered with the Department of Environmental Protection and operating within Camden County and affected by the amendment contained herein shall operate in compliance with this amendment and all other approved provisions of the Camden County District Solid Waste Management Plan. Any facility operator or collector/hauler who fails to comply with the provisions contained herein shall be deemed to be in violation of N.J.S.A. 13:1E-1 et seq., in violation of N.J.A.C. 7:26-1 et seq., and in violation of their registration to operate a solid waste facility or a collection system issued thereunder by the Department of Environmental Protection and shall be subject to the provisions and penalties of N.J.S.A. 13:1E-9, and 12 and all other applicable laws.

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

The provisions of the Camden County District Solid Waste Management Plan shall apply to all solid wastes defined in N.J.S.A. 13:1E-3 and N.J.A.C. 7:26-2.13 and shall not apply to liquid wastes, sewage sludge, septage, and hazardous wastes. Also, all non-hazardous materials separated at the point of generation for sale or reuse are excluded from the waste flows designated in the Interdistrict and Intradistrict Solid Waste Flow Rules (N.J.A.C. 7:26-6).

4. Certification to Proceed with the Implementation of Plan Amendment

This document shall serve as the certification of the Commissioner of the Department of Environmental Protection to the Camden County Board of Chosen Freeholders and pursuant to N.J.S.A. 13:1E-24c. and f., the county shall proceed with the implementation of the approved part of the amendment contained 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 N.J.A.C. 7:26-1.4 and -2.13.

6. Effective Date of Amendment

The approved part of the amendment to the Camden County District Solid Waste Management Plan contained herein shall take effect immediately.

7. Reservation of Authority

Nothing contained herein shall be construed as a limitation on any other action taken by the Department of Environmental Protection

pursuant to its authority under the law. The Camden County District Solid Waste Management Plan, including any amendment made thereto, shall conform with the Statewide Solid Waste Management Plan. The Department has published a Statewide Solid Waste Management Plan with appendices which includes the Department's planning guidelines and rules, regulations, and orders of the Department, including the interdistrict and intradistrict waste flow rules, and also includes the compilation of individual district plans and amendments as they are approved.

E. Certification of Approval in Part and Rejection in Part of the Amendment and Notification of Deficiency 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 in part and reject in part the amendment as outlined in Section C. of this certification, to the Camden County District Solid Waste Management Plan which was adopted by the Camden County Board of Chosen Freeholders on June 25, 1987. I also once again urge the Camden County Board of Chosen Freeholders to expeditiously resolve the remaining plan deficiency which is outlined in Section C. of this certification.

February 17, 1988

DATE

RICHARD TO DEWI NG COMMISSIONER

DEPARTMENT OF ENVIRONMENTAL PROTECTION