# STATE OF NEW JERSEY - Department of Environmental Protection

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606-262-2668

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

CERTIFICATION
OF
MODIFICATION

BY ORDER OF THE COMMISSIONER:

On June 13, 1979, the Passaic County Board of Chosen Freeholders adopted the Passaic 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 Passaic 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 Passaic 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 Passaic County District Solid Waste Management Plan, and in accordance with the Solid Waste Management Act, has made the following findings and conclusions:

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 Passaic County Solid Waste Management Plan includes a survey of the various types of collection systems, and an analysis of existing transportation routes and costs incurred by municipalities within the District to existing solid waste facilities, the Plan does not include a list of collector/haulers servicing the District, the duration of their contracts with municipalities nor the proposed transportation routes within the District to available suitable sites for solic waste facilities.

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- The Solic 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.
- 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 Passaic County Plan does include various strategies for maximizing resource recovery, a detailed implementation schedule is not included.
- The Solid Waste Management Act requires that each District Plan contain a plan for using terminated landfill disposal sites. While the Passaic County Plan describes the uses of its landfills, the Plan does not identify a specific use for each of its two landfills identified in the Plan.
- 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 Passaic County Plan describes methods to reduce the amount of solid waste to be disposed of through the continuation of existing source separation programs and through encouraging new municipal and private sector programs, the Plan lacks a comprehensive program to maximize source separation, including the identification of specific markets and costs, 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 Passaic 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 the Passaic County Plan, 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 Passaic 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 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 Passaic County. In light of the need for this interdistrict

flow plan, it is necessary for Passaic County to enter into interdistrict agreements with the Hackensack Meadowlands Development Commission and Morris and Sussex Counties. In developing its combined approach for northeastern New Jersey, the Department intends to issue regulations which have come to be known as the "Interdistrict Waste Flow Order." These proposed regulations, which were published in the December 6, 1979 issue of the New Jersey Register, will impact solid waste collection and disposal practices and planning in the multi-district region.

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

- 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) either within Passaic County or within another Solid Waste Management District.
- The Plan shall include a schedule (including specific milestones) for the completion of indepth studies necessary for resource recovery implementation at the proposed Paterson and Lakeland Authority sites, 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:
  - the means for securing agreements/contracts for markets for materials and energy (including those for source separation/ recycling),
  - an assessment of available resource recovery technology (including co-disposal) and an evaluation of cost/benefits,
  - determination of specific facility site(s), including lot and block numbers,
  - d) collection of more reliable solid waste generation and composition data and justification for facility capacity,
  - e) identification of legal and institutional constraints and solutions thereto,
  - f) projections of both capital and operating costs and the method of financing them,
  - g) environmental assessment of technology and sites,
  - h) determination of capacity needs and facility locations for the disposal of resource recovery residuals, for emergency backup and for non-processable wastes, and

- identification of a detailed resource recovery implementation schedule.
- 3) The Plan snall include a detailed plan for the use of each terminated land disposal sites.
- The Plan shall include a more comprehensive and implementable program for extracting the maximum practicable amount of recoverable 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.
- The Plan shall include an interdistrict agreement with the Hacken-sack Meadowlands Development Commission (HMDC) for implementing that part of the "Interdistrict Waste Flow Order" impacting the Passaic District, in accordance with the schedule contained within the "Interdistrict Waste Flow Order." Passaic County shall also enter an agreement with the HMDC District 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) Passaic County shall negotiate agreements of five years duration with Morris and Sussex Counties to provide for the disposal or resource recovery within those Counties of Passaic County wastes. The five year agreements negotiated pursuant to this section shall include provision for a one year renewal upon expiration of the initial five year period to allow for delays in facility construction and shall be in a form described in the proposed regulations as it appeared in the New Jersey Register of December 6, 1979. Each agreement shall be executed in a form making same binding upon the affected Districts. The agreements negotiated pursuant to this section shall be included in the Passaic County Plan. Passaic County shall set forth in its Plan provisions to take over responsibility for resource recovery and disposal of its own wastes after the initial five year period, either alone or jointly with adjacent Districts.
- 8) Passaic County shall reach an agreement with the HMDC and the Counties of Morris and Sussex on the amounts and types of wastes generated within the County and transported to either existing and/or proposed facilities within HMDC, Morris and Sussex County Districts, for each year addressed in the Plan. The agreed upon data shall be incorporated into Passaic County's report and Plan.
- 9) In addition, Passaic 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.

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.

Date

Jerry Fitzgerald English

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#### Appendix I

### Additional Modifications Required by July 1, 1980

# SOLID WASTE GENERATION

- The Plan shall include an inventory by <u>source</u>, <u>type</u>, <u>composition</u>, and <u>quantity</u> 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
- The Plan shall identify a strategy for increasing the efficiency of collection and transportation within the County, including a study evaluating the maximum utilization of transfer stations and implementation of "COLMIS" or a similar collection system.

# III. SLUDGE AND SEPTAGE

- The Solid Waste Management Act requires an inventory and appraisal of any solid waste facility located within the District which could be used for the processing or land disposal of sludge. The Plan fails to address the adequacy of current in-district disposal sites and the possibility of their continuance or expansion. Similarly, the Plan states that septic waste may be disposed of at treatment plants which are not currently operating at design capacity, but fails to identify these plants or their capacities.
- The Solid Waste Management Act requires a statement of the sludge disposal strategy to be applied in the District, and the Department of Environmental Protection has reaffirmed that sludge disposal is the responsibility of the Solid Waste Management District until such time as 201 facilities come on line. The Plan states that 201 sludge handling facilities are not expected to be operational until 1985, but fails to provide a strategy for the interim.
- The Plan has not adequately addressed septage disposal. Therefore, the revised Plan shall include, at a minimum, the following information:
  - A. Identification of current generation and disposal patterns for septic waste, with accurate volumes.

- E. Identification of treatment facilities with available capacity for nandling septage, together with timetables for construction of necessary septage treatment capacity.
- C. Development of a coordinating role for the District to insure that 201 plans are developed in accordance with District policy.
- D. Investigation of the need for alternate means of handling septage on an interim basis.

#### 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

- Passaic County undertook an adequate public information and participation program during the development if its District Solid Waste Management Plan. The Plan does not, however, identify a specific on-going program for continued public input during development and implementation of the solid waste management program. Therefore, the revised Plan shall set forth an on-going comprehensive public information and participation program which identifies 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 an analysis of the necessary environmental improvements to the Wanaque and Carrino Landfills.

#### 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 Passaic 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 Passaic 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 classification 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.
- Estimates and projections for population should show the specific methodology employed and why certain assumptions were employed.

# 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.
- The Plan should segregate out bulky waste figures from the municipal waste totals to provide a more accurate determination of processible solid waste that can be handled by resource recovery facilities.

### III. COLLECTION AND HAUL

- The Plan should contain an analysis of the feasibility of alternative collection practices and should require the modifications of those practices where appropriate. This feasibility analysis should include an assessment of the feasibility of eliminating twice a week collection in those areas where recycling programs are successful.