



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 MORRIS COUNTY SOLID)
(WASTE MANAGEMENT DISTRICT)

CERTIFICATION
OF
MODIFICATION

BY ORDER OF THE COMMISSIONER:

On December 12, 1979, the Morris County Board of Chosen Freeholders adopted the Morris 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 Morris 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 Morris 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 Morris 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 Morris County Solid Waste Management Plan includes a survey of various types of existing collection systems, lists the collector haulers servicing each municipality, and the transportation routes utilized to travel to existing facilities, the Plan does not include an analysis of proposed transportation routes or existing or proposed 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 Morris 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. The Morris County Plan does not contain such a plan for each of its landfills.
- 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 Morris County Plan encourages municipalities and the private sector to initiate and expand source separation programs and to assist where possible in the matching of markets to the recycled waste stream, the Plan lacks a comprehensive program to maximize source separation, including an indepth evaluation 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. While the Plan addresses the need for such uniform disposal rates, and indicates the possible equalization of tariffs at the Chester Hills and Mount Olive landfills, the Morris 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 Morris 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 Morris 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 Morris County. In light of the need for this interdistrict flow plan, it is necessary for Morris County to enter into interdistrict agreements with Passaic, Hunterdon, Warren, Sussex, Somerset, Union and Essex Counties. In developing its combined approach for northeastern New Jersey, the Department has approved new rules, cited as N.J.A.C. 7:26-1.11 et seq., which will impact solid waste collection and disposal practices in the multi-district region including Morris County.

Therefore, Morris County is hereby directed to make the following modifications to its adopted District Solid Waste Management Plan no later than December 31, 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). The waste flow shall also consider and illustrate the changes in transportation routes for those Morris County municipalities in the Lakeland area should the Lakeland Authority fail to operate its proposed resource recovery facility by 1983.
- 2) The Plan shall include a schedule (including specific milestones) for the completion of indepth studies necessary for resource recovery implementation 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) final assessment of available resource recovery technology (including co-disposal) and an evaluation of cost/benefits,
 - c) final 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 potential sites,
 - h) determination of capacity needs and facility locations for the disposal of resource recovery residuals, for emergency backup and for non-processable wastes,

- i) identification of a detailed resource recovery implementation schedule which will ensure the completion of Morris County's resource recovery facility by 1985, and
 - j) identification of the authorized County implementation agency(ies) for both short and long term solid waste management in Morris County.
- 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 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.
- 6) The Morris County Plan shall include interdistrict agreements with Essex and Union Counties for implementing those requirements of N.J.A.C. 7:26-1.11 et seq. (approved on December 31, 1979) impacting Morris County. Morris County shall also enter agreements with said Districts 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 Morris County Plan shall include, if appropriate, interdistrict agreements with Hunterdon, Sussex, Warren and Somerset Counties for the disposal of said Counties' waste at existing or proposed facilities within Morris County, or disposal of Morris County waste within said Districts. Morris County shall enter agreements with said Districts setting forth the necessary procedures for coordinating and integrating collection, transportation, recovery and disposal services in the area and setting forth specific responsibilities of each District for implementation of the Plan(s).
- 8) The Morris County Plan shall include, if necessary, an interdistrict agreement with Passaic County for disposal of Morris County's waste at the proposed resource recovery facility in Passaic County and for that waste generated and disposed of within the Lakeland Authority area which comprises parts of Morris and Passaic County. Morris County shall enter agreements with Passaic County setting forth the necessary procedures for coordinating and integrating collection, transportation, recovery and disposal services in the area and setting forth specific responsibilities of each District for implementation of the Plan(s).
- 9) Morris County shall reach an agreement with the Counties of Union, Essex, Passaic, Hunterdon, Sussex, Warren and Somerset on the amounts and types of wastes generated within said Counties and transported to either existing and/or proposed facilities within

Morris County or disposal of Morris County's wastes within said Districts, for each of the ten years addressed in the Plan. The agreed upon data shall be incorporated into Morris County's report and Plan.

- 10) In addition, Morris 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 December 31, 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.

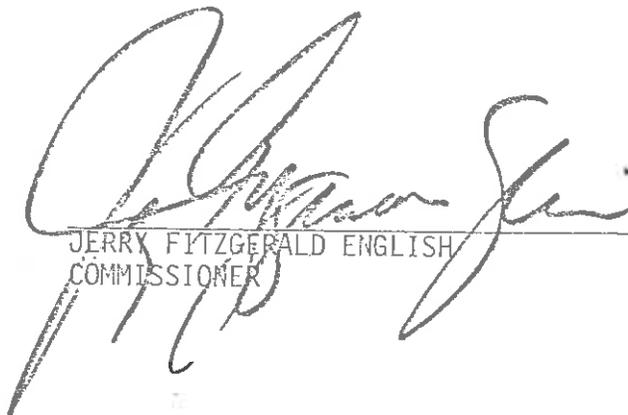
Following submission and review of the adopted modifications, I shall, within 30 days of submittal, certify to the Board of Chosen Freeholders whether or not these modifications are acceptable and if the Plan is approved.

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

13 May 1980

JERRY FITZGERALD ENGLISH
COMMISSIONER



Appendix I

Additional Modifications Required by December 31, 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 also include a strategy for increasing the efficiency of collection within the County, specifically the implementation of the "COLMIS" or similar collection improvement system.

III. SLUDGE AND SEPTAGE

- The discussion of sludge and septage management was thorough and coincided with the Department's policy in terms of the necessary coordination between the Solid Waste District and 201 agency plans. Accordingly, the County should pursue its stated role of assisting and coordinating with the existing 201 agencies to provide the maximum treatment/disposal capacity for sludge and septage. In addition, the County should be aware that some or all of the on-site landfilling of sludge taking place at treatment plants is unacceptable as a final means of disposal. Continued use of the Mount Olive landfill (Combe Fill) for dewatered sludge disposal should also be addressed.

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 Plan shall set forth a comprehensive public information and participation program similar to the County's existing 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 throughout the implementation phase of the Solid Waste Management Plan.

VI. LANDFILLS

- The Plan shall contain an analysis of the necessary environmental improvements to landfills located within the District.

Appendix II

Recommended Modifications for Two-Year Update of the Morris 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, to provide consistency with other District data.
- 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 more indepth analysis of 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 continue to 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.
- The Plan should re-evaluate the maximum utilization of transfer stations by continuing with the same methodology used in the original Plan.