

ANTHONY M. AGLIATA, P.P., L.L.A.
DIRECTOR

JOHN C. SAHRADNIK
COUNSEL



GARY QUINN
FREEHOLDER - LIAISON

SOLID WASTE ADVISORY COUNCIL
ANGELA KACSUR, CHAIRPERSON
DAVID MOST, VICE CHAIRPERSON

**OCEAN COUNTY
DEPARTMENT OF SOLID WASTE MANAGEMENT**

129 Hooper Avenue
P.O. Box 2191
Toms River, New Jersey 08754-2191
Telephone (732) 506-5047
FAX (732) 244-8396

January 31, 2020

Michael Trocchia, Environmental Engineer
New Jersey Department of Environmental Protection
Bureau of Recycling and Hazardous Waste Management
401 East State Street
P.O. Box 420
Trenton, NJ 08625-0420

Dear Mr. Trocchia:

The County has received a request from Rubbercycle, LLC, to increase their allowable daily incoming tire capacity, from 84 Tons Per Day (TPD) to 150 TPD. As part of this action, storage areas "E" and "F" at the facility will now be recognized as part of the site plan and Rubbercycle agrees that only half (25) of the site's 50 total trailers shall be filled with tires at any given time.

The County includes Rubbercycle's increased storage capacity, with the above conditions, into the Ocean County District Solid Waste Management Plan as an Administrative Action, pursuant to N.J.A.C. 7:26-6:11.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

Anthony M. Agliata
Director, Solid Waste Management

AMA:sm
Attachments

cc: Dan Mulligan, Ocean County Fire Marshall

Recycled Paper



SPECIAL ASSISTANCE/ACCOMMODATIONS available, please call (732) 506-5047

SEA

RUBBERECYCLE™

December 12, 2019

Ocean County
Solid Waste Management
Anthony M. Agliata, Planning Director
129 Hooper Avenue,
Toms River, N.J. 08754
Phone: (732) 506-5047
Fax: (732) 244-8396

OCEAN COUNTY
PLANNING DEPT. &
SOLID WASTE MGT.
2019 DEC 13 P 1:05

Dear Mr. Agliata

Re: Email from Mr. McLaughlin, dated Dec 3rd.

Rubbercycle has been in business since 1997, recycling scrap tires into Playground Rubber Mulch Surfacing. Rubbercycle has slowly grown to be at the forefront in tire recycling industry by pioneering, introducing, marketing and selling Rubber Mulch into the playground surfacing market.

Our sales have continued a steady annual growth and as such we have successfully expanded our operation and naturally have increased our Tire Recycling and our storage capacities.

Our NJ DEP Permit is expired and we are applying for a renewal, therefore we are requesting an administrative action to increase our tonnage to 150 Tons per day.

Please see enclosed our Tax Map.

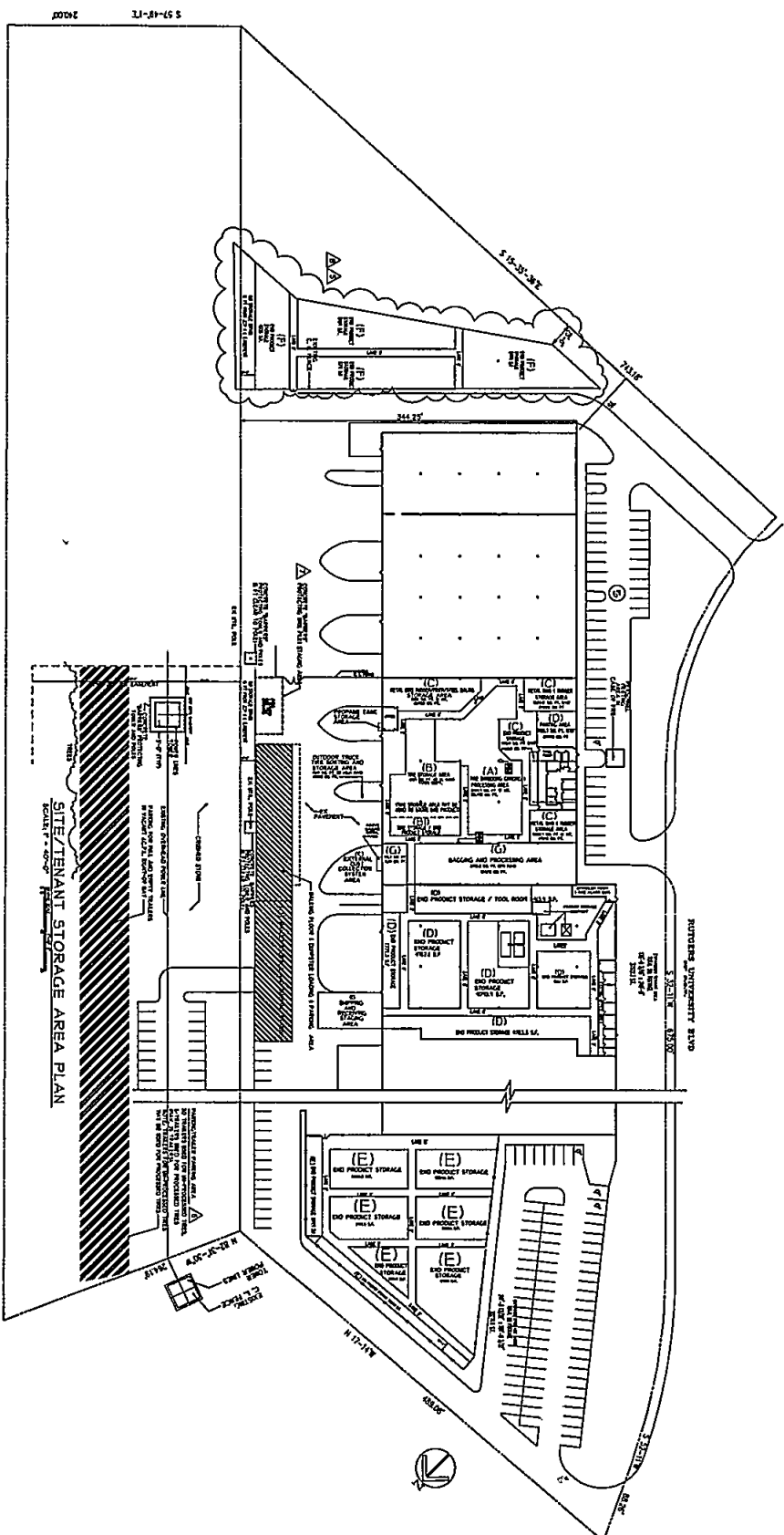
Sincerely,



Robert Bestetner

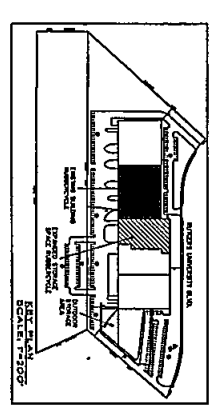
Rubbercycle LLC

DEP permit Number 1514001415



AREA	USE OF AREA	NET CITY OF TREAS
AREA V'	PROCESSING EQUIPMENT	1,000 SQ. FT.
AREA V''	PROCESSING TRAYS	1,000 SQ. FT.
AREA V'''	PROCESSING TRAYS - ROOM	1,000 SQ. FT.
AREA V''''	PROCESSING TRAYS - 100 PRODUCT NORTH	1,000 SQ. FT.
AREA V'''''	PROCESSING TRAYS - 100 PRODUCT SOUTH	1,000 SQ. FT.
AREA V''''''	PROCESSING TRAYS - 100 PRODUCT WEST	1,000 SQ. FT.
AREA V'''''''	PROCESSING TRAYS - 100 PRODUCT EAST	1,000 SQ. FT.
AREA V''''''''	PROCESSING TRAYS - 100 PRODUCT CENTER	1,000 SQ. FT.
AREA V'''''''''	PROCESSING TRAYS - 100 PRODUCT SOUTH	1,000 SQ. FT.
AREA V''''''''''	PROCESSING TRAYS - 100 PRODUCT NORTH	1,000 SQ. FT.
AREA V'''''''''''	PROCESSING TRAYS - 100 PRODUCT WEST	1,000 SQ. FT.
AREA V''''''''''''	PROCESSING TRAYS - 100 PRODUCT EAST	1,000 SQ. FT.
AREA V'''''''''''''	PROCESSING TRAYS - 100 PRODUCT CENTER	1,000 SQ. FT.
TOTAL		13,000 SQ. FT.

APPROVED BY :
 SIGNATURE OF OCEAN COUNTY FIRE MARSHAL DANIEL P. REILLY



ANTHONY M. AGLIATA, P.P., L.L.A.
DIRECTOR
JOHN C. SAHRADNIK
COUNSEL



GARY QUINN
FREEHOLDER - LIAISON
SOLID WASTE ADVISORY COUNCIL
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DEPARTMENT OF SOLID WASTE MANAGEMENT**

129 Hooper Avenue
P.O. Box 2191
Toms River, New Jersey 08754-2191
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FAX (732) 244-8396

July 23, 2020

Seth Hackman, Section Chief
New Jersey Department of Environmental Protection
Bureau of Planning and Licensing
401 East State Street
P.O. Box 420
Trenton, NJ 08625-0420

Dear Mr. Hackman:

The County is in receipt of a request from Rubbercycle, LLC, located at 1985 Rutgers University Blvd., Lakewood, NJ 08701 (Block 1609, Lot 2802), to increase their allowable daily incoming tire capacity from 84 Tons Per Day (TPD) to 150 TPD. As part of this action storage areas "E" and "F" at the facility will now be recognized as part of the site plan, and Rubbercycle agrees to ensure only half (25) of the site's fifty (50) total trailers shall be filled with tires at any given time.

The County hereby approves this request and includes Rubbercycle's increased storage capacity, with the above conditions, into the Ocean County District Solid Waste Management Plan through Administrative Action, pursuant to N.J.A.C. 7:26-6:11.

Should you have any questions regarding this action, please do not hesitate to contact Sean McLaughlin of my staff at 732-506-5047 or smclaughlin@co.ocean.nj.us.

Very truly yours,

Anthony M. Agliata
Director, Solid Waste Management

AMA:sm
Attachments
cc: Daniel P. Mulligan, Ocean County Fire Marshall

Recycled Paper



SPECIAL ASSISTANCE/ACCOMMODATIONS available, please call (732) 506-5047

RUBBERECYCLE™

SEA

December 12, 2019

Ocean County
Solid Waste Management
Anthony M. Agliata, Planning Director
129 Hooper Avenue,
Toms River, N.J. 08754
Phone: (732) 506-5047
Fax: (732) 244-8396

OCEAN COUNTY
PLANNING DEPT.
SOLID WASTE MGT.
2019 DEC 13 P 1:05

Dear Mr. Agliata

Re: Email from Mr. McLaughlin, dated Dec 3rd.


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Our sales have continued a steady annual growth and as such we have successfully expanded our operation and naturally have increased our Tire Recycling and our storage capacities.

Our NJ DEP Permit is expired and we are applying for a renewal, therefore we are requesting an administrative action to increase our tonnage to 150 Tons per day.

Please see enclosed our Tax Map.

Sincerely,



Robert Bestetner

Rubbercycle LLC

DEP permit Number 1514001415



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Solid & Hazardous Waste

401 E. State Street

PO Box 420, Mail Code 401-02C

Trenton, New Jersey 08625

Tel: (609) 984-4250

Fax: (609) 777-1951

www.state.nj.us/dep/dshw

CATHERINE R. McCABE

Commissioner

PHILIP D. MURPHY

Governor

SHEILA Y. OLIVER

Lt. Governor

AUG 18 2020

Anthony M. Agliata, Planning Director
Ocean County Department of Solid Waste Management
129 Hooper Avenue
P.O. Box 2191
Toms River, NJ 08754-2191

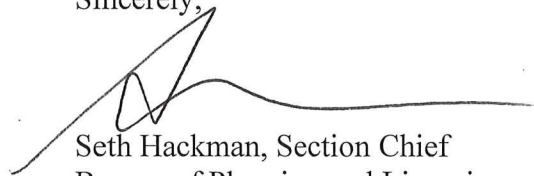
Dear Mr. Agliata,

The Department of Environmental Protection's Division of Solid and Hazardous Waste is in receipt of a request for administrative action to the Ocean County District Solid Waste Management Plan (County Plan) dated July 27, 2020. This amendment to the County Plan proposes County Plan inclusion of the modification to the daily incoming capacity of Rubbercycle, LLC located on Block 1609, Lot 2802 at 1985 Rutgers University Blvd. in the Township of Lakewood from 84 tons per day (tpd) of scrap tires to 150 tpd of scrap tires.

Pursuant to N.J.A.C. 7:26-6.11(b)14, the expansion of a recycling facility can be accomplished via an administrative action. Therefore, this request for County Plan inclusion of the daily capacity increase to 150 tpd of scrap tires at the Rubbercycle, LLC Recycling Center is hereby approved as an administrative action pursuant to N.J.A.C. 7:26-6.11(f).

If you have any questions relative to this matter, please contact Joanne McClendon of my staff at (609) 292-2125 or by e-mail at joanne.mcclendon@dep.nj.gov.

Sincerely,



Seth Hackman, Section Chief
Bureau of Planning and Licensing



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Solid & Hazardous Waste

Bureau of Recycling & Hazardous Waste Management

401 E. State Street

PO Box 420, Mail Code 401-02C

Trenton, New Jersey 08625

Tel: (609) 984-3438 • Fax: (609) 777-1951/984-0565

www.nj.gov/dep/dshw/recycling

PHILIP D. MURPHY

Governor

SHEILA Y. OLIVER

Lt. Governor

CATHERINE R. McCABE

Commissioner

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

September 17, 2020

Robert Gestetner, President
Rubbercycle, LLC
Rutgers University Blvd., Suite D
Lakewood, NJ 08701

Re: Class B Recycling Center General Approval - Renewal with Modification
Rubbercycle, LLC
Lot 2802, Block 1609
Lakewood, Ocean County
Facility ID No.: 132551; Approval No.: CBG130002

Dear Mr. Gestetner:


Please be advised that the New Jersey Department of Environmental Protection, Division of Solid and Hazardous Waste, Bureau of Recycling and Hazardous Waste Management (Bureau) has reached a final determination to issue the Class B Recycling Center General Approval Renewal with Modification. Enclosed is a copy of the final document.

The modification to the General Approval reflects increase of the allowable daily incoming tire capacity from 84 tons per day to 150 tons per day, the inclusion of storage areas "E" and "F" on the site plan, and the allowance of up to 25 of the site's 50 total trailers to be filled with tires at any given time.

Should you wish to contest any of the conditions of the enclosed General Approval, you must file a request for an adjudicatory hearing within twenty (20) days of the date you receive this decision notice in accordance with the procedures found in N.J.A.C. 7:26A-3.14. A copy of the request should also be mailed and emailed to this office.

If you have any questions concerning this letter please contact Daniel Murray of my staff at (609) 777-0176, or by email at Daniel.Murray@dep.nj.gov.

Sincerely,

for 
Karen Kloo, Chief
Bureau of Recycling & Hazardous Waste Management

Enclosure:

- cc: * Karen Kloo, Chief, BRHWM: Karen.Kloo@dep.nj.gov
* Tom Farrell, Chief, BSWCE: Thomas.Farrell@dep.nj.gov
* John Stavash, Supervisor, BSWCE: John.Stavash@dep.nj.gov
* Frank Piliere, Supervisor, BRHWM: Frank.Piliere@dep.nj.gov
* Rakesh Patel, Supervisor, BRHWM: Rakesh.Patel@dep.nj.gov
* Dan Murray, Environmental Engineer, BRHWM: Michael.Trocchia@dep.nj.gov
* Anthony Agliata, Ocean County Dept. of SW Management: Tagliata@co.ocean.nj.us
* Sean McLaughlin, Ocean County Recycling Coordinator:
SMcLaughlin@co.ocean.nj.us
* Daniel J. Krupinski, Ocean County CEHA Agent: dkrupinski@lbihealth.com
* Lauren Kirkman, Lakewood Township Municipal Clerk: twpclerk@lakewoodnj.gov
* Daniel P. Mulligan, Ocean County Fire Marshal: OCFireMarshal@co.ocean.nj.us
* Ashia McRae, BRHWM

*Via email only





State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Solid & Hazardous Waste
Bureau of Recycling & Hazardous Waste Management
401 E. State Street
PO Box 420, Mail Code 401-02C
Trenton, New Jersey 08625
Tel: (609) 984-3438 • Fax: (609) 777-1951/984-0565
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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CATHERINE R. McCABE
Commissioner

RECYCLING CENTER GENERAL APPROVAL
FOR CLASS B RECYCLABLE MATERIALS

Under the provisions of N.J.S.A. 13:1E-1 et seq. and N.J.S.A. 13:1E-99.11 et seq., known as the Solid Waste Management Act and New Jersey Statewide Mandatory Source Separation and Recycling Act, respectively, and pursuant to N.J.A.C. 7:26A-1 et seq., known as the Recycling Regulations, this approval is hereby issued to:

RUBBERCYCLE, LLC

Facility Type: Class B Recycling Facility
Block & Lot Nos.: Block 1609; Lot 2802
Municipality: Lakewood Township
County: Ocean County
Facility ID No.: 132551
Permit No.: CBG130002

This General Approval is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection (Department).

This General Approval shall not prejudice any claim the State may have to riparian land nor does it allow the registrant to fill or alter, or allow to be filled or altered, in any way, lands that are deemed to be riparian, wetlands, stream encroachment or flood plains, or within the Coastal Area Facility Review Act (CAFRA) zone or are subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this State without prior acquisition of the necessary grants, permits, or approvals from the Department.

September 17, 2020
Issuance Date

September 17, 2025
Expiration Date

Handwritten signature: Karen Klod
for Karen Klod, Chief
Bureau of Recycling & Hazardous Waste Management

Scope of Approval

This General Approval (Approval), along with the referenced application documents herein specified, shall constitute the sole approval of Recycling Center operations for Class B Recyclable Material (tires) receipt, storage, processing, and transfer by **Rubbercycle, LLC** located in the Lakewood Township, Ocean County, New Jersey. Any registration, approval or permit previously issued by the Division of Solid and Hazardous Waste, or its predecessor agencies, for the specific activities as described below and as conditioned herein is hereby superseded.

Regulated Activities at the Recycling Center

Permit requirements 1 through 40 of this approval contain the General Conditions applicable to all recycling centers. Permit conditions 41 through 68 of this approval contains general Operating Requirements for all recycling centers for receipt, storage, processing or transfer of Class B recycling materials.

Facility Description

The recycling center is a Class B recycling center operated by Rubbercycle, LLC within an 180,000 square foot industrial building, containing several other occupants located at Rutgers Boulevard, Lakewood Township, Ocean County, New Jersey. This regional recycling center receives automobile and truck tires from contractors, commercial companies and municipalities. The recycling center's hours of operation for storing, processing and transferring tires are limited to 8 PM on Saturday to 4 PM on Friday. Receiving hours of tires are limited to 9 AM to 5 PM, Monday through Thursday, and 9 AM to 4 PM on Friday. Additionally, the facility accepts tires by appointment only from 5 PM to 9 AM seven (7) days a week.

The tire-recycling center is also used for finished product and equipment storage as shown on the site plan. Rubbercycle, LLC's rubber tire recycling center markets crumb rubber and other tire products throughout the country.

This Approval modification authorizes the following changes:

1. Increase in allowable daily incoming tire capacity from 84 tons per day to 150 tons per day.
2. Inclusion of storage areas "E" and "F" on the site plan.
3. Allowance of half (25) of the facility's 50 total trailers to be filled with tires at any given time. Each trailer has a capacity of 130 cubic yards.



Approved General Approval Application and Associated Documents

The registrant shall construct and operate the facility in accordance with N.J.A.C. 7:26A-1 *et seq.*, the conditions of this Approval, and the following documents:

1. Site Plan: Prepared by Lawrence S. Schreiber, AIA - Architect, and signed by Lawrence S. Schreiber, AIA, dated July 12, 2011 and last revised on December 16, 2019.
2. Rubbercycle, LLC request for renewal and modifications of General Class B Recycling Center general approval, signed by Robert Gestetner, dated 2011 and 2013 respectively.
3. Rubbercycle, LLC request for renewal with modifications of General Class B Recycling Center general approval, signed by Robert Gestetner, dated July 16, 2008.
4. Rubbercycle, LLC – Type 3 Fire Permit, signed by Daniel Mulligan, Chief, Ocean County Fire Marshal, dated August 25, 2020.
5. Lease Agreement between Shlagro (“Landlord”) and Rubbercycle, LLC (“Tenant”), dated August 25, 2010 and expiring on October 1, 2015 with the option of automatically extending the term for five (5) three year options for a total of twenty (20) years (October 1, 2030).
6. The following email correspondence between the Department and Rubbercycle, LLC, and County Officials, with regards to notices of deficiencies, permit contingencies, and other changes to Rubbercycle’s Class B Recycling Center General Approval documents:
 - a) September 9, 2020 email from Robert Gestetner providing the dimensions and capacity for the 25 trailers.
 - b) July 31, 2020 email from Robert Gestetner providing the facility’s property lease, and information regarding the renewal with modification applications.
 - c) July 30, 2020 email from Daniel Murray to Robert Gestetner requesting the facility to provide the facility’s current lease information, Type 3 fire permit, and copies of the renewal with modification application.
 - d) July 27, 2020 email from Robert Gestetner responding to the requested information in Daniel Murray’s email dated July 17, 2020.
 - e) July 17, 2020 email from Daniel Murray to Robert Gestetner asking to provide information clarifying hours of operation and administrative action.
 - f) June 17, 2020 email from Michael Trocchia to Robert Gestetner addressing permit status and project manager update.
 - g) March 20, 2020 email from Michael Trocchia to Robert Gestetner, regarding permit status update and addressing contingency plan.



- h) February 10, 2020 email from Michael Trocchia to Sean McLaughlin, Ocean County Department of Solid Waste Management, addressing Rubbercycle, LLC Administrative Action Contingencies.
7. Ocean County Solid Waste Management inclusion of Rubbercycle, LLC as a Class B recycling facility located at Rutgers Boulevard, Block 1609, Lot 2802, Lakewood Township, certified by the Commissioner of the Department of Environmental Protection on November 17, 2005.
 8. Amendment to the Ocean County Solid Waste Management Plan approving an increase in allowable daily incoming tire capacity from 84 tons per day to 150 tons per day, approved by the Bureau of Planning and Licensing via the Administrative Action letter dated August 18, 2020.

In case of conflict, the provisions of N.J.A.C. 7:26A-1 *et seq.* shall have precedence over the conditions of this Approval, and the conditions of this Approval shall have precedence over plans and specifications listed above.



RUBBER CYCLE LLC
132551 CBG130002 Class B Recycling Ctr General Apprv -Renewal
Requirements Report

Subject Item: PI 132551 -

1. All persons issued a general approval to operate a recycling center for Class B, Class C and/or Class D recyclable material pursuant to N.J.A.C. 7:26A-1 et seq. shall comply with all conditions of the approval. [N.J.A.C. 7:26A- 3.1(a)]
2. The holder of this general approval shall prominently post and maintain a legible sign, at or near the entrance to the recycling center, indicating that the recycling center is an approved New Jersey Department of Environmental Protection recycling center. The sign shall also indicate the following: Hours of operation of the recycling center; Listing of the source separated materials to be received; The size, weight, or other restrictions regarding materials to be received; The maximum amount of contaminants allowed in each load; Warning that loads will be inspected and will be barred from offloading if the contaminant level is exceeded; and Notice that the person offloading shall certify the amount of material per load, municipality of origin of the material and any other information contained on the Recyclable Material Receipt Form. [N.J.A.C. 7:26A- 3.5(f)]
3. Application for renewal of this general approval shall be submitted at least three months prior to expiration of the current approval and shall comply with all requirements for renewal set forth in N.J.A.C. 7:26A-3.6 et seq. One copy of the application for renewal of the general approval shall be submitted by the applicant to the municipal clerk of the municipality in which the recycling center is located, and to the solid waste or recycling coordinator of the county in which the recycling center is located. [N.J.A.C. 7:26A- 3.6(a)]
4. The applicant for renewal of this general approval shall certify in writing to the Department that there have been no changes in the operations of the recycling center since the issuance of the general approval in order to renew the approval in its existing form. In the event that there have been changes in the operations of the recycling center or where changes are planned, the application for renewal of a general approval shall be accompanied by a written request to modify the general approval in accordance with N.J.A.C. 7:26A-3.10. [N.J.A.C. 7:26A- 3.6(b)]
5. In a case where the holder of this general approval does not comply with N.J.A.C. 7:26A-3.6(a) and (b) and continues to operate without renewal of the general approval, the Department may take enforcement action including the assessment of penalties under N.J.S.A. 13:1E-9; require the holder of this general approval to file an application as a new applicant for a general approval in accordance with N.J.A.C. 7:26A-3.2 and pay the application fee as per N.J.A.C. 7:26A-2; and/or take any other appropriate actions. [N.J.A.C. 7:26A- 3.6(c)]
6. All persons granted a renewal pursuant to N.J.A.C. 7:26A-3.6(d) shall continue to pay the annual fee as specified in N.J.A.C. 7:26A-2. [N.J.A.C. 7:26A- 3.6(h)]
7. The holder of this general approval shall obtain prior approval from the Department for any modification of the general approval. [N.J.A.C. 7:26A- 3.10(a)]
8. Any change affecting the conditions of this general approval requires the prior approval of the Department. [N.J.A.C. 7:26A- 3.10(b)1]
9. Any change to the information submitted pursuant to N.J.A.C. 7:26A-3.2(a), 3.4, 3.8, 3.18, 3.19, or 3.20 requires the prior approval of the Department, except that changes in end-market information submitted pursuant to N.J.A.C. 7:26A-3.2(a) 7 shall not require the prior approval of the Department but shall be handled in accordance with N.J.A.C. 7:26A-3.10(f). [N.J.A.C. 7:26A- 3.10(b)2]

RUBBER CYCLE LLC
132551 CBG130002 Class B Recycling Ctr General Apprv -Renewal
Requirements Report

Subject Item: PI 132551 -

10. The holder of this general approval shall notify the Department in writing of the intended modification and shall update the information submitted pursuant to N.J.A.C. 7:26A-3.2(a), 3.4, 3.8, 3.18, 3.19, or 3.20. The holder of this general approval shall also provide written notice to the solid waste or recycling coordinator of the applicable county of any request to modify a general approval. [N.J.A.C. 7:26A- 3.10(c)]
11. The holder of this general approval shall not institute the modification until it receives written approval from the Department. [N.J.A.C. 7:26A- 3.10(e)]
12. Within one week of any change to the end-market information submitted to the Department pursuant to N.J.A.C. 7:26A-3.2(a)7, the holder of this general approval shall submit to the Department a written notification which details any change in the use of the recyclable material transferred from the recycling center to an end-market or in the end-market location to which the recyclable material is transferred. The written notification shall be sent to: New Jersey Department of Environmental Protection, Division of Solid and Hazardous Waste, Bureau of Recycling & Hazardous Waste Management, P.O. Box 420, Mail Code: 401-02C, Trenton, New Jersey 08625-0420. [N.J.A.C. 7:26A- 3.10(f)]
13. The Department may revoke this general approval upon a determination that the holder of the general approval has violated any provision of N.J.S.A. 13:1E-1 et seq., the New Jersey Statewide Mandatory Source Separation and Recycling Act, or any rule, regulation or administrative order promulgated pursuant to N.J.S.A. 13:1E-1 et seq. and the New Jersey Statewide Mandatory Source Separation and Recycling Act. [N.J.A.C. 7:26A- 3.13(a)1]
14. The Department may revoke this general approval upon a determination that the holder of the general approval has violated any solid waste utility law at N.J.S.A. 48:2-1 et seq. or 48:13A-1 et seq., or any rule, regulation or administrative order promulgated pursuant to N.J.S.A. 48:2-1 et seq. or 48:13A-1 et seq. [N.J.A.C. 7:26A- 3.13(a)2]
15. The Department may revoke this general approval upon a determination that the holder of the general approval has violated any provision of any laws related to pollution of the waters, air or land surfaces of the State or of any other State or Federal environmental laws including criminal laws related to environmental protection. [N.J.A.C. 7:26A- 3.13(a)3]
16. The Department may revoke this general approval upon a determination that the holder of the general approval has refused or failed to comply with any lawful order of the Department. [N.J.A.C. 7:26A- 3.13(a)4]
17. The Department may revoke this general approval upon a determination that the holder of the general approval has failed to comply with any of the conditions of this general approval issued by the Department. [N.J.A.C. 7:26A- 3.13(a)5]
18. The Department may revoke this general approval upon a determination that the holder of the general approval has transferred a general approval to a new owner or operator pursuant to N.J.A.C. 7:26A-3.15 without the prior approval of the Department. [N.J.A.C. 7:26A- 3.13(a)6]
19. The Department may revoke this general approval upon a determination that the holder of the general approval has failed to obtain any required permit or approval from the Department or other State or Federal agency. [N.J.A.C. 7:26A- 3.13(a)7]

RUBBER CYCLE LLC
132551 CBG130002 Class B Recycling Ctr General Apprv -Renewal
Requirements Report

Subject Item: PI 132551 -

20. The Department may revoke this general approval upon a determination that the holder of the general approval has committed any of the acts which are criteria for denial of a general approval set forth in N.J.A.C. 7:26A-3.12. [N.J.A.C. 7:26A- 3.13(a)8]
21. This general approval shall not be transferred to a new owner or operator without the Department's prior approval. [N.J.A.C. 7:26A- 3.15(a)]
22. A written request for permission to allow a transfer of this general approval must be received by the Department at least 60 days in advance of the proposed transfer of ownership or operational control of the recycling center. The request for approval shall include the following: the name, address and social security number of all prospective new owners or operators; a written certification by the proposed transferee that the terms and conditions contained in the general approval will be met by the proposed transferee; and a written agreement between the current owner or operator of the recycling center and the proposed new owner or operator containing a specific future date for transfer of ownership or operational control. [N.J.A.C. 7:26A- 3.15(a)1]
23. A new owner or operator may commence operations at the recycling center only after the existing approval has been revoked and a new approval is issued to the new owner or operator pursuant to N.J.A.C. 7:26A-3.5. [N.J.A.C. 7:26A- 3.15(a)2]
24. The holder of this general approval remains liable for ensuring compliance with all conditions of the approval unless and until the existing approval is revoked and a new approval is issued to the new owner or operator pursuant to N.J.A.C. 7:26A-3.5. [N.J.A.C. 7:26A- 3.15(a)3]
25. Compliance with the transfer requirements set forth at N.J.A.C. 7:26A-3.15 shall not relieve the holder of this general approval from the separate responsibility of providing notice of such transfer pursuant to the requirements of any other statutory or regulatory provision. [N.J.A.C. 7:26A- 3.15(a)4]
26. The transfer of a controlling interest in the stock or assets of the recycling center that is the subject of this general approval shall constitute a transfer of this general approval. [N.J.A.C. 7:26A- 3.15(b)]
27. The holder of this general approval shall maintain a daily record of the amounts of each recyclable material by type and municipality of origin which are received, stored, processed or transferred each day, expressed in tons, cubic yards, cubic feet or gallons. Those operators specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons. [N.J.A.C. 7:26A- 3.17(a)1]
28. The holder of this general approval shall maintain a daily record of the name, address and telephone number of the end-markets for all recyclable materials transported from the recycling center, including the amounts, in tons, cubic yards, cubic feet or gallons, transported to each end-market. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons. [N.J.A.C. 7:26A- 3.17(a)2]
29. The holder of this general approval shall maintain a daily record of the amount of residue disposed of, expressed in tons, cubic yards, cubic feet or gallons, including the name and New Jersey Department of Environmental Protection solid waste registration number of the solid waste collector/hauler contracted to provide the haulage/disposal service. Those persons specifying the amount of residue in cubic yards shall also indicate the conversion ratio of the residue from cubic yards to tons. [N.J.A.C. 7:26A-3.17(a)3]

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30. The holder of this general approval shall retain all Recyclable Material Receipt Forms required pursuant to N.J.A.C. 7:26A-3.2(a)16iii for three calendar years following the calendar year for which an annual report is required pursuant to N.J.A.C. 7:26A-3.17(c). [N.J.A.C. 7:26A- 3.17(b)]
31. The holder of this general approval shall submit an annual report containing monthly summary statements of the information required pursuant to N.J.A.C. 7:26A-3.17(a) to the New Jersey Department of Environmental Protection, Bureau of Recycling and Hazardous Waste Management (the Bureau), on or before March 1 of each year, for the previous calendar year. The summaries shall include the following: monthly totals of the amount of recyclable material received from each customer by municipality of origin; monthly totals of the amount of recyclable product transferred to each end-market; and the amount of residue disposed of during each month. [N.J.A.C. 7:26A-3.17(c)]
32. The holder of this general approval shall certify in writing to the Department that all residue generated at the recycling center has been disposed of in accordance with the solid waste management rules at N.J.A.C. 7:26. The certification shall be submitted annually as part of the annual report. [N.J.A.C. 7:26A- 3.17(e)]
33. All information submitted to the Department pursuant N.J.A.C. 7:26A shall be handled in accordance with the requirements of the Public Records law, N.J.S.A. 47:1-1 et seq. The Department will hold confidential all end-market information, as well as information pertaining to the municipality of origin of recyclable material, submitted pursuant to N.J.A.C 7:26A-3.2, 3.7, and 3.17 through 3.20 for a period of two years from the date on which the information is submitted to the Department, where specified as confidential by the applicant and where there are no health, safety or environmental concerns which require the release of the information, as determined by the Department. [N.J.A.C. 7:26A-3.17(f)]
34. The holder of this general approval shall provide a recycling tonnage report by February 1 of each year to all municipalities from which recyclable material is received in the previous calendar year. The report shall detail the amount of each source separated recyclable material, expressed in tons or cubic yards, brought to the recycling center, as well as the date on which the recyclable materials were delivered to the recycling center. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons. [N.J.A.C. 7:26A- 4.4(a)]
35. The recycling center shall not commence operations unless and until it is included in the applicable district solid waste management plan. [N.J.A.C. 7:26A- 4.2]
36. The construction of the recycling center that is the subject of this general approval shall be in conformance with the New Jersey Uniform Construction Code, N.J.S.A. 52:27D-119 et seq., and the rules promulgated pursuant thereto. [N.J.A.C. 7:26A- 4.1(b)]
37. The New Jersey Department of Environmental Protection or an authorized representative acting pursuant to the County Environmental Health Act, N.J.S.A. 26:3A2-1 et seq. shall have the right to enter and inspect any building or other portion of the recycling center at any time in order to determine compliance with the provisions of all applicable laws or rules and regulations adopted pursuant thereto. This right to inspect includes, but is not limited to: sampling any materials on site; photographing any portion of the recycling center; investigating an actual or suspected source of pollution of the environment; and, ascertaining compliance or non-compliance with the statutes, rules or regulations of the Department, including conditions of the recycling center approval issued by the Department. [N.J.A.C. 7:26A-4.3(a)]

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38. The right of entry specified at N.J.A.C. 7:26A-4.3(a) shall be limited to normal operating hours for the purpose of reviewing and copying all applicable records, which shall be made available to the Department during an inspection and submitted to the Department upon request. [N.J.A.C. 7:26A-4.3(b)]
 39. The facility shall comply with the general operating requirements for all Recycling Centers as provided at N.J.A.C. 7:26A-4.1. [N.J.A.C. 7:26A- 4]
 40. Upon notification from the Department that a State of Emergency, which may impact the facility's operations has been declared by the Governor pursuant to the New Jersey Disaster Control Act at N.J.S.A. App. A:9-30 et seq., the permittee shall provide to the Division of Solid and Hazardous Waste a daily report on the operational status of the facility and the quantity of wastes received during the previous operating day or any other relevant information requested pursuant to N.J.S.A. App. A:9-36. The status report shall be submitted electronically to solidwasteemergencies@dep.nj.gov, or otherwise directed by the Department, on forms or in the format provided by the Department and in compliance with the time frames established by the Department, after the State of Emergency declaration. The status report shall be submitted daily until the permittee is informed by the Department that the reports are no longer required for the State of Emergency. [N.J.A.C. 7:26- 3.5(e)]
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41. The methods of processing tires shall be limited to slicing, shredding, chipping, crumbing or other activities as determined by the Department. At no time shall incineration, landfilling, abandonment or other disposal of tires, in whole or in part, occur at the recycling center. [N.J.A.C. 7:26A- 3.5(e)]
42. The owner or operator of a tire recycling center shall take all necessary steps to ensure that no mosquito colony formation or development is allowed to occur on the recycling center site. Outdoor unprocessed tire storage not in covered trailers, shall be covered with a tarp every night as noted on the approved site plan. [N.J.A.C. 7:26A- 3.5(e)]
43. The following source separated Class B recyclable materials, which have been separated at the point of generation from other waste materials or separated at a permitted solid waste facility authorized to separate recyclable materials, may be received, stored, processed or transferred at this recycling center: Car and Truck Tires with or without rims. [N.J.A.C. 7:26A- 3.5(e)]
44. At no time shall the receipt, storage, processing, or transferring of non-source separated construction and demolition material be allowed at this recycling center. The prohibition of this material shall be strictly enforced and any incident shall be considered a serious violation to the conditions of this Approval. [N.J.A.C. 7:26A-3.5(e)]
45. The recycling center may receive, store, process, or transfer source separated Car and Truck Tires with or without rims separately or in a commingled manner. The commingling of any other materials not described above is prohibited. [N.J.A.C. 7:26A- 3.5(e)]
46. The maximum amount of contaminants, as defined in N.J.A.C. 7:26A-1.3, allowed in each incoming load of Class B recyclable material shall be limited to 1% by volume. Incidental by-product materials shall not be considered to be contaminants. [N.J.A.C. 7:26A-3.5(e)]

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47. Incidental amounts of rebar, metal, soil, and other by-products which adhere to the Class B recyclable materials, as specified in this Approval, and which are returned to the economic mainstream as raw material or products, may be received, stored, processed, or transferred at this recycling center. The receipt of such incidental amounts of these materials need not be separately accounted for, but the storage and end-markets for these materials shall be subject to specific conditions of this Approval. [N.J.A.C. 7:26A-3.5(e)]
48. The holder of this general approval shall operate the recycling center and construct or install associated appurtenances thereto, in accordance with the provisions of N.J.A.C. 7:26A-1 et seq., the conditions of this general approval, and the general approval application documents. [N.J.A.C. 7:26A-3.5(e)]
49. In case of conflict, the provisions of N.J.A.C. 7:26A-1 et seq. shall have precedence over the conditions of this approval, and the conditions of this approval shall have precedence over plans and specifications listed above. [N.J.A.C. 7:26A- 3.5(e)]
50. One complete set of the general approval application documents, this general approval, and all records, reports and plans as may be required pursuant to this approval shall be kept on file at the recycling center and shall be available for inspection by authorized representatives of the Department or delegated agents upon presentation of credentials. [N.J.A.C. 7:26A-3.5(e)]
51. Hours of operation involving the source-separated or commingled Class B recyclable materials shall be as follows:
 - Storing, processing and transferring operations shall be limited to 8:00 PM on Saturday to 4:00 PM on Friday.
 - Receiving operations are limited to 9:00 AM to 5:00 PM, Monday through Thursday, and 9:00 AM to 4:00 PM on Friday
 - Additionally, the facility will accept tires by appointment only from 5:00 PM to 9:00 AM seven (7) days a week. [N.J.A.C. 7:26A- 3.5(e)]
52. Material deliveries to the recycling center shall be scheduled in such a manner as to minimize truck queuing on the recycling center property. Under no circumstances shall delivery trucks be allowed to back-up or queue onto public roads. [N.J.A.C. 7:26A-3.5(e)]
53. The recycling center shall receive no more than 150 tons per day of recyclable Car and Truck Rubber Tires. [N.J.A.C. 7:26A- 3.5(e)]
54. Unprocessed recyclable car and truck tires shall not remain on-site, in its unprocessed form, for more than one (1) year. [N.J.A.C. 7:26A- 3.5(e)]
55. All processed material shall be stored separately from residues. [N.J.A.C. 7:26A-3.5(e)]
56. By-products shall be stored in the container(s) or area(s) as depicted on the approved site plan and shall be removed off-site to the end markets as referenced in the approved documents. [N.J.A.C. 7:26A-3.5(e)]

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57. Horizontal and vertical control points for all operational areas shall be set and maintained. Permanent horizontal limitation markers such as bin blocks, Jersey barriers, or the equivalent as approved by the Department, shall be maintained at the corners of the stockpile areas. Vertical limitation markers with metal pipes, metal rods, or the equivalent as approved by the Department shall be set at locations in close proximity of the stockpile areas and shall clearly establish the following elevation heights for respective stockpile:
- Area B (indoor unprocessed storage area) - 15 ft.;
- Areas C, D, E and F (indoor and outdoor processed tire materials) - 12 ft. [N.J.A.C. 7:26A- 3.5(e)]
58. Ingress and egress of the facility shall be restricted to Rutgers Boulevard only. [N.J.A.C. 7:26A-3.5(e)]
59. Methods of effectively controlling dust shall be implemented at the facility in order to prevent offsite migration. [N.J.A.C. 7:26A-3.5(e)]
60. Firefighting and emergency procedures shall be posted, and shall include the telephone numbers of local fire, police, ambulance, and hospital facilities in accordance with the Emergency Response Plan prepared for Rubbercycle LLC/ Lakewood Fire Department by the Ocean County Fire Marshal updated September 2008. If a fire occurs on-site, the facility shall immediately notify the local fire official and within twenty-four (24) hours report the incident to the N.J.D.E.P. Environmental Action Hotline at 1-877-927-6337. [N.J.A.C. 7:26A- 3.5(e)]
61. Any suspected or prohibited hazardous waste, as defined at N.J.A.C. 7:26G-5, found in a load accepted at the recycling center shall not be returned to the generator. Such materials shall be segregated and stored in a secure manner and shall be immediately reported to the N.J.D.E.P. Environmental Action Hotline at 1-877-927-6337. The owner/operator of the recycling center shall secure the name of the collector/hauler suspected of delivering such waste to the facility and related information surrounding the incident, if available, and shall make this information known to N.J.D.E.P. enforcement personnel. Such material may be returned to a known generator, provided that specific permission to do so is received by the owner/operator after contacting 1-877-927-6337. Otherwise, the owner/operator shall dispose of the unauthorized waste in accordance with instructions received from the Department. [N.J.A.C. 7:26A- 3.5(e)]
62. All revisions to the site plan and the approved documents which may be required as a result of change in facility operations, shall be submitted to this office for modification to this Approval. [N.J.A.C. 7:26A- 3.5(e)]
63. Pursuant to N.J.A.C. 7:26A-3.11(a), the holder of this general approval shall obtain prior approval from the Department for any increase in the design capacity of the facility. The facility shall submit a request to the Department, in writing, for the proposed increase and shall submit updated information pursuant to the requirements of N.J.A.C. 7:26A-3.2(a), 3.4, or 3.8, as applicable. The facility shall also provide written notice of the request to the solid waste or recycling coordinator of the applicable district. [N.J.A.C. 7:26A-3.5(e)]

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64. Pursuant to N.J.A.C. 7:26A-3.2(a)18, the holder of the general approval shall ensure that all recycling activities authorized by this general approval are conducted in full compliance with the applicable Stormwater Management rules at N.J.A.C. 7:8-5 and 6 and the Pollutant Discharge Elimination System rules at N.J.A.C. 7:14-24 and 25. In the event that compliance with the above rules require changes to the site plan or any operations authorized by this general approval, the holder of the general approval shall submit a modification application including a revised site plan within thirty (30) days of receiving all approvals/permits from the Department's Division of Water Quality to the Bureau of Recycling & Hazardous Waste Management for review and approval. [N.J.A.C. 7:26A-3.5(e)]
65. In the event that the processed material storage area(s) has reached its maximum authorized capacity, the permittee may temporarily store excess processed material in the unprocessed material storage area subject to availability of additional capacity in that area, as long as processed and unprocessed material are separated by either a physical barrier or by maintaining at least eight (8) feet of aisle space between the piles. Under no circumstance shall the combined volume of processed and unprocessed material exceed that Area's maximum authorized storage capacity.
- In the event that the unprocessed material storage area(s) has reached its maximum authorized capacity, the recycling center shall immediately cease receiving additional unprocessed material until the amount of unprocessed material stored onsite falls below the total authorized unprocessed material storage capacity. [N.J.A.C. 7:26A- 3.5(e)]
66. The recycling center shall only allow half (25) of the 50 total tractor-trailers to be filled with tires at any given time. Each trailer has a capacity of 130 cubic yards. [N.J.A.C. 7:26A- 3.5(e)]

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67. The following equipment are authorized for the receipt, storage, processing or transferring of the Class B recyclable material:

1. Tire Processing Shredding & Granulation:

- One (1) Model # 60-44 Granutech Saturn Shredder
- One (1) Model 62-44 Granutech Saturn Shredder
- Two (2) Model # 80.Granutech Saturn Grizzly Granulators

2. Tire Processing Screeners, Separators, Conveyors, Air Bag House, Cyclone and Automated Product Bagger:

- Two (2) Action Equipment screeners
- One (1) Rotex screener
- Two (2) Foresberg screeners
- One (1) GC screener
- Four (4) Amadas industrial hoppers
- Seven (7) Bucket elevators
- Twelve (12) Magnetic separators
- Six (6) Belt conveyors
- Four (4) Screw conveyors
- One (1) Imperial Systems Reverse Bag House
- One (1) Imperial Systems H.E. Cyclones
- One (1) Hamer Automated Bagging System

3. Material handling Equipment:

- One (1) Bobcat loader
- One (1) Trojan loader
- Eleven (11) Hyster forklifts
- One (1) Towmotor forklift
- Two (2) Cat Skidsteers
- Two (2) Bobcat Skidsteers
- One (1) Snorkelift Airlift

All equipment must be operational at all times. In the event of breakdown, should there be a need to replace any equipment listed above, the replacement equipment's performance shall be equivalent or better than the equipment being replaced.

The holder of the Approval must notify the Bureau in writing of any replaced equipment along with the manufacturer specifications for the replacement equipment within two weeks of such replacement. Where applicable, the holder of the Approval must also submit any air permit(s) or air permit application(s) required for the replacement equipment. [N.J.A.C. 7:26A- 3.5(e)]

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68. The recycling center is authorized to store processed and unprocessed materials in the designated storage areas with capacity limitations as shown on the approved site plan. The areas specifically designated for storage of processed materials and the corresponding maximum authorized capacities are as follows:

Area C - 3,737 Cubic Yards (CY)
Area D - 9,780 CY
Area E - 10,842.5 CY
Area F - 4,730 CY
Five (5) Trailers - 650 CY (fully enclosed tractor trailers)

The areas specifically designated for storage of unprocessed materials and the corresponding maximum authorized capacities are as follows:

Area B - 6,801 CY
Twenty (20) Trailers - 2,600 CY (fully enclosed tractor trailers)

If at any time, the total amount of processed and unprocessed material stored onsite reaches the maximum authorized capacities shown on the approved site plan, the recycling center shall immediately cease receiving additional unprocessed material until the amount of processed and unprocessed material stored onsite falls below the total authorized storage capacity. Under such circumstance, arrangements shall be made to transfer processed material offsite. While transferring processed material offsite, any processed material stored in the unprocessed storage area shall be transferred first. [N.J.A.C. 7:26A- 3.5(e)]