

AMENDMENTS  
TO  
OCEAN COUNTY DISTRICT  
SOLID WASTE MANAGEMENT PLAN

NOVEMBER 28, 1984

Adopted by

THE OCEAN COUNTY BOARD OF CHOSEN FREEHOLDERS

In Cooperation With

THE OCEAN COUNTY SOLID WASTE ADVISORY COUNCIL

# THE BOARD OF CHOSEN FREEHOLDERS

OCEAN COUNTY  
TOMS RIVER, NEW JERSEY 08754

Damian G. Murray  
Freeholder Director



(201) 929-2003

November 28, 1984

Commissioner Robert Hughey  
New Jersey Department of Environmental Protection  
CN 402, Room 802  
Labor & Industry Building  
Trenton, NJ 08625

Dear Commissioner <sup>Bob</sup> Hughey:

I am very pleased to submit the enclosed Amendment to the Ocean County District Solid Waste Management Plan. This Amendment has been completed and adopted in accordance with the Administrative Agreement executed between the Board of Freeholders and the Department of Environmental Protection on September 27, 1984.

The Plan Amendment addresses the ownership and upgrading of necessary regional landfills, the expansion of County and local recycling efforts, and the implementation of resource recovery according to a definitive schedule which is based upon a cooperative planning effort between Ocean County and Jersey Central Power & Light Company.

The Board of Freeholders conducted public hearings concerning the enclosed Amendment in the host municipalities for the regional landfills. The hearings were held on November 8th and on November 9th. The Board also received comments from the County Solid Waste Advisory Council concerning the Amendment and incorporated recommendations from the Council in the adopted Amendment.

The Board looks forward to your approval of our Plan, and we appreciate the assistance and support you and your staff have provided to us in developing this Amendment.

Very truly yours,

Damian G. Murray  
Freeholder Director

DGM/SLP:mjb  
Encl.

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Ocean County Environmental Agency

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## INTRODUCTION

Presented on the following pages is an amendment to the Ocean County Solid Waste Management Plan. This proposal is a revision of a draft Plan amendment prepared for the Board of Freeholders in the Fall of 1983 and published as Draft No. 2 on 15 December 1983. Action on the 1983 proposal was withheld by the Board at the request of Manchester Township officials. The delay was requested in order to give that township's municipal utilities authority the opportunity to consider possible purchase of the Ocean County Landfill. The amendment presented here reflects the purchase negotiations which have taken place as well as other events which have occurred since the end of 1983.

In accordance with the statute, the Freeholders on 15 October 1984 consulted with the Solid Waste Advisory Council on the proposed amendment. The Council endorsed the amendment but recommended specific revisions in certain sections of the amendment. These revisions are incorporated in the amendment.

The Board of Chosen Freeholders conducted two public hearings concerning the amendments. These hearings were held on 8 November and 9 November 1984. The hearings were in Ocean Township, site of the southern regional landfill and in Manchester Township, site of the northern regional landfill. Written and spoken statements were invited and received from persons interested in the proposal. The hearing record was held open for submission of written comments until 4:30 PM, November 16th.

In consideration of the comments made at the hearings and the written comments received, the Board made certain revisions in the amendment. In addition the Board's staff and legal advisors have prepared a separate report which responds directly to the comments received. This separate report is part of the record of the proceedings leading to adoption of this amendment.

The Board of Chosen Freeholders adopted this amendment on 28 November 1984. The amendment is presented to the New Jersey Commissioner of Environmental Protection for approval as required by law.

#### BACKGROUND

The Ocean County Board of Chosen Freeholders adopted a Solid Waste Management Plan on 18 July 1979 in accordance with the Solid Waste Management Act (L. 1975, c.326). With changes made at the direction of the Commissioner of Environmental Protection, that Plan was approved on 31 July 1980.

The Plan provided for two regional sanitary landfills to receive all domestic, commercial and non-chemical industrial wastes generated in the County. The northern region of the County was to be served by the Ocean County Landfill Corp. facility in Manchester Township. The site was to be acquired and operated by the Manchester Municipal Utilities Authority as an agent of the County.

The Southern Ocean Landfill Inc. facility in Ocean Township was to serve the southern region of Ocean County. It was to be acquired and operated by the County if the results of an engineering and environmental evaluation were favorable.

All other non-regional landfills were to be closed. The two regional landfills were to be used for the disposal of all County solid waste until resource recovery facilities were ready for use. Thereafter, these landfills were to be used for solid waste volumes beyond those which the resource recovery system could accommodate, wastes which could not be processed in such facilities, all wastes generated during those times when resource recovery units were not operating, and the residue from resource recovery operations.

In 1981 strong citizen opposition developed to the designation of the northern regional landfill site. Thousands of area residents petitioned the Board to change its plan to use the Manchester site. As a consequence of

this opposition, the Manchester Municipal Utilities Authority decided not to proceed with its plan to purchase and operate the proposed regional landfill as an agent of the County.

In an attempt to accommodate the objections of the public, the Board of Freeholders sought an alternative site for the northern regional landfill. After a favorable engineering and economic feasibility study, the Lakewood Township Municipal Landfill was selected as the alternative site.

An amendment to the Solid Waste Management Plan, changing the northern regional site from Manchester to Lakewood, was adopted by the Board of Freeholders on 16 December 1981 and sent to the Commissioner of Environmental Protection for required approval.

On 18 January 1982, the Commissioner rejected this proposed change in the designation of the northern regional landfill site. The Commissioner cited the Solid Waste Management Act, N.J.S.A. 13:1E-21 (b) (3), which requires that a Plan include "...all existing solid waste facilities located within the solid waste management district, provided that they are operated and maintained in accordance with all applicable health and environmental standards."

The County executed its right of appeal to the Appellate Division of the Superior Court from the Commissioner's decision to disapprove the proposed amendment. However, analysis by counsel of recent cases under the Solid Waste Management Act and particularly the opinion of the State Supreme Court in Mastrangelo v. the Department of Environmental Protection (90 NJ 666, made it appear that the County's appeal was very unlikely to succeed. Therefore, in September 1983, the County assented to a dismissal of this action. The County is submitting the amendments contained in this document, in order to update its approved Plan.

#### 1. Regional Landfills

The designation of the two regional landfills and their servi

in the approved Plan is continued. The northern region of the County will be served by the Ocean County Landfill Corp. site in Manchester. The southern region of the County will be served by the Southern Ocean Landfill Inc. site in Ocean Township. These sanitary landfills will receive for disposal all domestic, commercial and non-chemical industrial wastes generated in the County.

The Southern Ocean Landfill will operate until August 1990 when, in accordance with the regulations (N.J.A.C. 7:50-6.74) of the Pinelands Commission, it will be required to close. This landfill's waste flows will thereafter be redirected to the Ocean County Landfill in Manchester. In the event that the Southern Ocean Landfill obtains a waiver from the closure requirements of the Pinelands comprehensive management plan, waste flow to the landfill will be continued, pursuant to the terms and conditions of the waiver, until the proposed resource recovery facility opens for operation. At that time, waste flow will be redirected to the resource recovery facility.

At the end of 1986, the James H. James Landfill in Brick Township will reach capacity and be closed, by order of the DEP, if necessary. Its wastes will be redirected to the Ocean County Landfill.

In accordance with the schedule presented in another section of these Plan amendments, it is expected that in 1992 resource recovery facilities will be operable for the disposal of a substantial portion of the solid waste generated in the County. At that time, waste flows will be redirected from the Ocean County Landfill to the resource recovery facilities in quantities sufficient to meet their design capacity. Thereafter, this landfill will serve as backup receiving wastes not processed at the resource recovery facilities and the residue from wastes which are so processed.

Table 1 shows the estimated waste quantity projections for the



TABLE I

SOLID WASTE DISTRIBUTION FOR THE 10 YEAR  
PLANNING PERIOD (TONS/YR.)

<u>YEAR</u>	<u>OCLF</u>	<u>SOLF</u>	<u>JHJ</u>	<u>RRF</u>	<u>TOTAL</u>
1985	253,600	126,900	55,000	0	435,500
1986	255,600	127,900	55,400	0	438,900
1987 <sup>(1)</sup>	313,500	128,900	0	0	442,400
1988	316,000	129,900	0	0	445,900
1989	318,600	130,900	0	0	449,500
1990 <sup>(2)</sup>	453,100	0	0	0	453,100
1991	456,700	0	0	0	456,700
1992 <sup>(3)</sup>	199,900	0	0	260,500	460,400
1993	203,600	0	0	260,500	464,100
1994	207,300	0	0	260,500	467,800

(1) JHJ Waste Added to OCLF, JHJ Closes

(2) SOLF Waste Added to OCLF, SOLF Closes.

(3) RRF Begins Operation at 1050 tpd.

OCLF - Ocean County Landfill Corp.

SOLF - Southern Ocean Landfill, Inc.

JHJ - James H. James Landfill

RRF - Resource Recovery Facility

planning period 1985-1994. The table distributes waste flow among existing and proposed facilities. The volumes depicted are based upon the best available information and do not represent legal entitlements to waste flow. These projections have been done solely for planning purposes. Appendix A includes correspondence from the DEP estimating the remaining capacity in landfills currently in operation in Ocean County.

Early in 1984, a committee of Manchester Township citizens appointed by the governing body considered the advantages of acquisition and operation of the Ocean County Landfill by the Manchester Municipal Utilities Authority. The committee recommended public acquisition.

In recent months representatives of the Manchester MUA have met with the landfill owner in an attempt, which has thus far been unsuccessful, to negotiate a purchase agreement. There have also been a number of meetings between representatives of the MUA and of the Board of Freeholders to consider a pledge of credit by the County. The pledge would be a guarantee for the repayment of the debt which would be incurred by the MUA if it financed the purchase and improvement of the landfill. Those discussions have not achieved agreement.

The Ocean County Landfill and the Southern Ocean Landfill will continue in private ownership and operation. If in the future steps are taken which will result in public ownership of the Ocean County Landfill, appropriate amendments to the County Plan will be proposed.

The DEP has proposed stringent regulations for the construction and operation of sanitary landfills. We have been assured by DEP that conformity with these requirements will be expected of the operators of the two regional landfills in Ocean County. Conformity with these requirements should assure reasonable protection against environmental harm resulting from landfill operation. The DEP has issued approvals to both the Ocean

County Landfill and the Southern Ocean Landfill requiring improvements, including the installation of liners. A copy of the letter of approval for each landfill is presented in Appendix A.

With respect to control of the flow of waste directed to the two regional landfills, it now appears that the affirmation of governmental authority contained in the Supreme Court's opinion in Mastrangelo v. DEP and the exercise of franchise privileges by the County will give it the control it needs for resource recovery planning.

It seems possible that the objective of the County Solid Waste Plan as here amended can be achieved without public acquisition at this time of either of the two regional landfills.

## 2. Importation

The County reaffirms the provision of the original approved Solid Waste Management Plan which prohibits out-of-county wastes from all disposal facilities located in Ocean County. The County Plan which is herein amended provides for adequate facilities for the disposal of the actual and projected amounts of solid waste generated in Ocean County. Therefore, within the parameters of the Solid Waste Management Act the County Plan does not provide for any interdistrict agreements between the County and any other solid waste management district for the disposal of the solid waste in Ocean County provided for at NJSA 13:1E-21 b (3).

The County fully expects the Department of Environmental Protection to enforce the prohibition of out-of-county waste provided for in this Plan, pursuant to its statutory authority.

## 3. Franchise

The Board of Chosen Freeholders is authorized to apply for, and the Board of Public Utilities is empowered to award, a franchise for solid waste disposal for the entire County. Such a franchise would strengthen the County's control over waste flow to assist in its planning for resource

recovery facilities.

The Board of Freeholders has authorized County Counsel to make application for such a franchise on behalf of the County. The County expects DEP support of this application. The County also expects DEP to join in the County's opposition to any other application for a franchise unless it can be shown that such franchise would assist the County in the achievement of its resource recovery objectives and is in the public interest. The granting of a franchise should be done in conjunction with resource recovery implementation so that the franchise can be incorporated into the financing and security structure for the capital intensive resource recovery facility currently scheduled to commence operation by 1992.

#### 4. Resource Recovery

Solid waste planning in Ocean County recognizes the legislative intent in the 1975 statute to advance resource recovery as a replacement for the use of sanitary landfills. It is understood that the recovery of materials, the production of energy and the control of pollution of ground water and surface water are the benefits to be granted by this change.

The resource recovery facility proposed in the original County Plan to be built by the Dover Township Municipal Utilities Authority proved to be infeasible. The project is cancelled. In addition, the work done by consultants for the Ocean County Utilities Authority concerning sludge management did not show opportunities for the incineration of solid wastes at regional sewage disposal plants. This possibility was also discussed in the County Plan.

Ocean County is now actively advancing a proposed resource recovery facility that can serve the needs of the entire County. It is proposed that processable solid waste generated in Ocean County be transported to

a resource recovery facility to be constructed at the Oyster Creek site (Lacey Township) of Jersey Central Power & Light (JCP&L) for direct conversion of electric power. This proposal suggests the following fundamental benefits for solid waste management in Ocean County:

- There is a site which offers the strong likelihood of general acceptability. Much of the costly and time-consuming work expended in site selection will be unnecessary. Much site analysis data are already on hand.
- There is an operating capability with respect to power generation. The involvement of JCP&L assures a high level of expertise which will focus on power generation - - - regardless whether JCP&L or some other entity is the ultimate operator of the generating facility.
- There is a design capability for a power generating plant. JCP&L has the talent and resources to assist in resolving many of the preliminary and fundamental design considerations for the proposed generating plant.
- There is a "customer" for the power. This proposal presumes that the power produced by this resource recovery facility will go directly into the JCP&L lines. The market survey required by many resource recovery concepts, therefore, need not be undertaken.
- There is the potential for a reliable waste flow of sufficient volume. The Ocean County Solid Waste Plan indicates a substantial volume of waste with flow patterns that are not overly complex. The feasibility assessments for the northern and southern regional landfills indicate the following respective tonnages: 1149 TPD

northern site and 448 southern site. In addition, Ocean County has been the fastest growing County in New Jersey for 30 years and some growth is expected in the future.

In the Spring of 1983, the opportunity arose for the County to apply to the DEP for a resource recovery planning grant. A feasibility study for the Forked River-JCP&L project was proposed. A State grant of \$62,000 from fiscal 1984 funds, an appropriation by the County, and a contribution by JCP&L underwrote the study which began in the Fall of 1983.

The study was to consider facility size and preliminary design, capital cost, operating cost, financing opportunities, arrangements for ownership and management, suitability of the proposed site, solid waste flow, environmental effects and other factors which would bear upon the prospects of a successful project.

a. Preliminary Engineering

After reviewing proposals, JCP&L engaged Sanders & Thomas, Inc. to do a preliminary engineering study. S&T completed its technical and economic feasibility study of a plant to mass-burn municipal solid waste and generate electricity for sale to the utility. Preliminary design was done for a plant to be constructed to process 1950 tons per day of solid waste. Capital and operating cost estimates were developed for 1050, 1500 and 2400 TPD capacity plants. Pollution control requirements were assessed.

The cost in 1983 dollars of a 1050 TPD plant was estimated to be approximately \$123 million. The cost estimate for a 2400 TPD plant was approximately \$202 million. Estimated costs of intermediate size plants are provided.

b. Waste Flow

Under contract with the County, Elson T. Killam Associates made current estimates of solid waste generation rates in the County. It obtained this information by making week-long truck checks of all four landfills operating in the County.

A dead-of-winter survey was made during the week of 9 January. Results showed, among other things, an average daily disposal of 877 tons of solid waste originating in Ocean County and 79 tons from outside the County. Another survey was done in the week of 19 March. The average for this period was 1090 tons per day of Ocean County waste and 140 tons per day from outside the County. A third survey was conducted in August to determine the seasonal increase in solid waste generation which occurs during the summer tourism season. Table 1, page 6 incorporates the results of this summer survey. A report presenting the results of this survey is currently in preparation and will be published shortly.

c. Environmental Factors

JCP&L prepared in draft form an assessment of existing site conditions at the Forked River location. Some of this appraisal was a current version of work earlier done by the company in evaluating the site for power generation purposes.

Examinations were made of air quality, meteorology, geology, soils, topography, ground water, surface water, flooding and site drainage, terrestrial ecology, aquatic ecology and noise.

An evaluation was made of the environmental effects in each of these categories of the construction and operation of the proposed waste-to-energy mass burning facility.

d. Ownership, Financing and Operation Choices

The law permits a number of different forms of sponsorship of resource recovery facilities. Several different kinds of public agencies can build and operate; facilities can be constructed and operated by a private enterprise; a combination of public and private entities is also permissible. Factors such as cost, public acceptance, accountability and adaptability to existing circumstances must be considered in deciding the best form for Ocean County.

As a part of the feasibility study an evaluation has been made under contract and with the advice and assistance of County Counsel, of alternative administrative arrangements.

The following administrative structures are possible:

- Under the Municipal Utilities Authority Law (N.J.S.A. 40:14B-1 et seq), it is permissible for the Ocean County Utilities Authority to build and operate solid waste disposal facilities. A modification of its existing service agreement with the Board of Chosen Freeholders would have to be made to permit this new responsibility to be undertaken.
- Under the provisions of the County Solid Waste Disposal Financing Law (N.J.S.A. 40:66A-31.1 et seq.), it is possible for County government itself to build and operate waste disposal facilities. In carrying out this responsibility it could enter into contracts with private parties for certain aspects. It is believed that such private contracting would be more practical if Assembly Bill 1778, now pending before the Legislature, was adopted.
- The County Improvement Authority Act (N.J.S.A. 40:37A-100 et seq.), would allow the County to create a new Improvement Authority with



solid waste disposal responsibilities.

- The Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.) permits the Freeholders to enter into a contract with any public authority in the district for disposal services.
- Private sponsorship: it is permissible under law for a private entity to finance, own, construct and operate a resource recovery facility for the disposal of municipal solid waste and sale of generated electricity to a public utility. It would be necessary for such a proposed facility to be included in the District Solid Waste Management Plan. It would be appropriate, in such a case, for the Board of Freeholders to approve the issuance by the Board of Public Utilities of a franchise to the entity giving it rights to dispose of the solid waste generated in the franchise area.
- JCP&L: Under the terms of a Stipulation of Settlement signed 17 April 1984 by representatives of the BPU, the Public Advocate and JCP&L, the company is directed to become active in the resource recovery enterprise.

"...Jersey Central's mitigation effort will include the establishment of a separate entity for the purpose of maximizing the development of the cost-effective cogeneration technologies....". (Cogeneration is defined here to include resource recovery.)

This stipulation has been confirmed in an Order of the Board. It is likely that the most promising opportunity for JCP&L, or some still-to-be-created entity, to become involved in resource recovery, is the Forked River project.

5. Additional Resource Recovery Proposal

REF-Fuel Corp. of Philadelphia has proposed the construction of a resource recovery plant on a 100-acre site in Little Egg Harbor Township. The facility is proposed as the "...anchor" of a proposed industrial park.

REF-Fuel and its consultants, accompanied by the Mayor of Little Egg Harbor Township, made a presentation of the proposal at the July 1984 meeting of the Ocean County Solid Waste Advisory Council. At that time, the Mayor assured the Council of the support of his governing body and community for the construction of such a plant.

The sponsors met again with Ocean County representatives and followed this with the presentation of a written general proposal in August.

The County Solid Waste Management staff believes the site to be somewhat distant from the source of generation of solid waste. The sponsors should consider the possibility of receiving wastes from municipalities to the south. This proposal is in very preliminary form and it is not possible for the County to make a determination of the viability of this project at the present time. If the proposed resource recovery facility proves feasible in all other respects, the County could consider the receipt of wastes from sources in Atlantic County and southern Burlington County in accordance with an inter-district agreement which could be drafted for incorporation in a subsequent Plan Amendment.

6. Implementation of Resource Recovery Project

On September 27, 1984, the Ocean County Board of Chosen Freeholders and the DEP entered into an administrative agreement which incorporates the County's proposed resource recovery implementation schedule. The schedule contained in that agreement is incorporated herein by reference.

The designation of the JCP&L Oyster Creek site as the preferred site for the development of a resource recovery facility is a necessary first

step which must be taken in order to allow for the preparation of detailed environmental and economic studies of the site's suitability.

Upon the completion of these studies, public hearing and other opportunities for public participation, the Board of Chosen Freeholders will advance the resource recovery project in accordance with the implementation schedule set forth in the Administrative Consent Agreement presented as Appendix B.

#### 7. Recycling

The County Solid Waste Management Plan, adopted by the Board of Chosen Freeholders in 1979, incorporates recycling as one of three plan elements to manage solid waste. The other two, of course, are landfilling and resource recovery. The goal is to increase recycling activities at the municipal level so that 25 percent of the total volume of solid waste generated within Ocean County is recycled by 1986.

The County has no statutory or regulatory authority to require recycling. Its policy towards recycling is to support the implementation and expansion of recycling activities at the local level. In 1982, the Board created the position of County Recycling Coordinator to assist municipalities in developing recycling programs. The Recycling Coordinator provides a variety of services to municipal governments and organizations interested in recycling, including information on programs, material markets, technical assistance, availability of grants, and waste generation and composition.

At the time of Plan adoption in 1979, only 5 of the County's 33 municipalities had comprehensive recycling programs. Since 1979, the number of municipalities with recycling programs has increased steadily. In 1984, 26 municipalities have some form of recycling activities conducted in the communities.

The amount of solid waste recycled in Ocean County reflects a growing interest. In 1982, 10,256 tons of materials were recycled. This figure increased by 83 percent over a one year period, with preliminary figures indicating 18,795 tons were recycled in the County in 1983.

Of the state's 21 counties, Ocean County ranked thirteenth in the amount of waste generated per person in 1982. The County ranked seventh in the total amount of solid waste recycled, collecting 10,256 tons of recycled material. The County ranked sixth in the total amount of residential waste recycled with 6,453 tons. On a per capita basis, the County ranked third in the amount of residential waste recycled, with 57 pounds recycled per person.

Ocean County municipalities received \$82,967 in 1982 under the state's Recycling Tonnage Grant Program as a result of recycling 9,852 tons of waste. In 1983, an estimated 18,795 tons of recycled materials will be eligible for rebates under this program

Ocean County Government operates 6 recycling programs. Various County departments recycle waste computer paper, office paper, food scraps, waste motor oil, cans, bottles, and used automobile tires. The County's tire recycling program, being conducted with the cooperation of the New Jersey Department of Environmental Protection, is an innovative project that is using processed tires to create an artificial reef in the Atlantic Ocean offshore of Long Beach Island. The processed tires will create new habitat for fish and shellfish.

Program planning and education are essential ingredients in implementing successful recycling programs. In 1982 the State provided grants totalling \$15,430 to County municipalities and \$11,500 to Ocean County under the New Jersey Recycling Act of 1981. These grants are

intended to support the development of recycling programs tailored to a community's financial resources, population, availability of markets and other local factors.

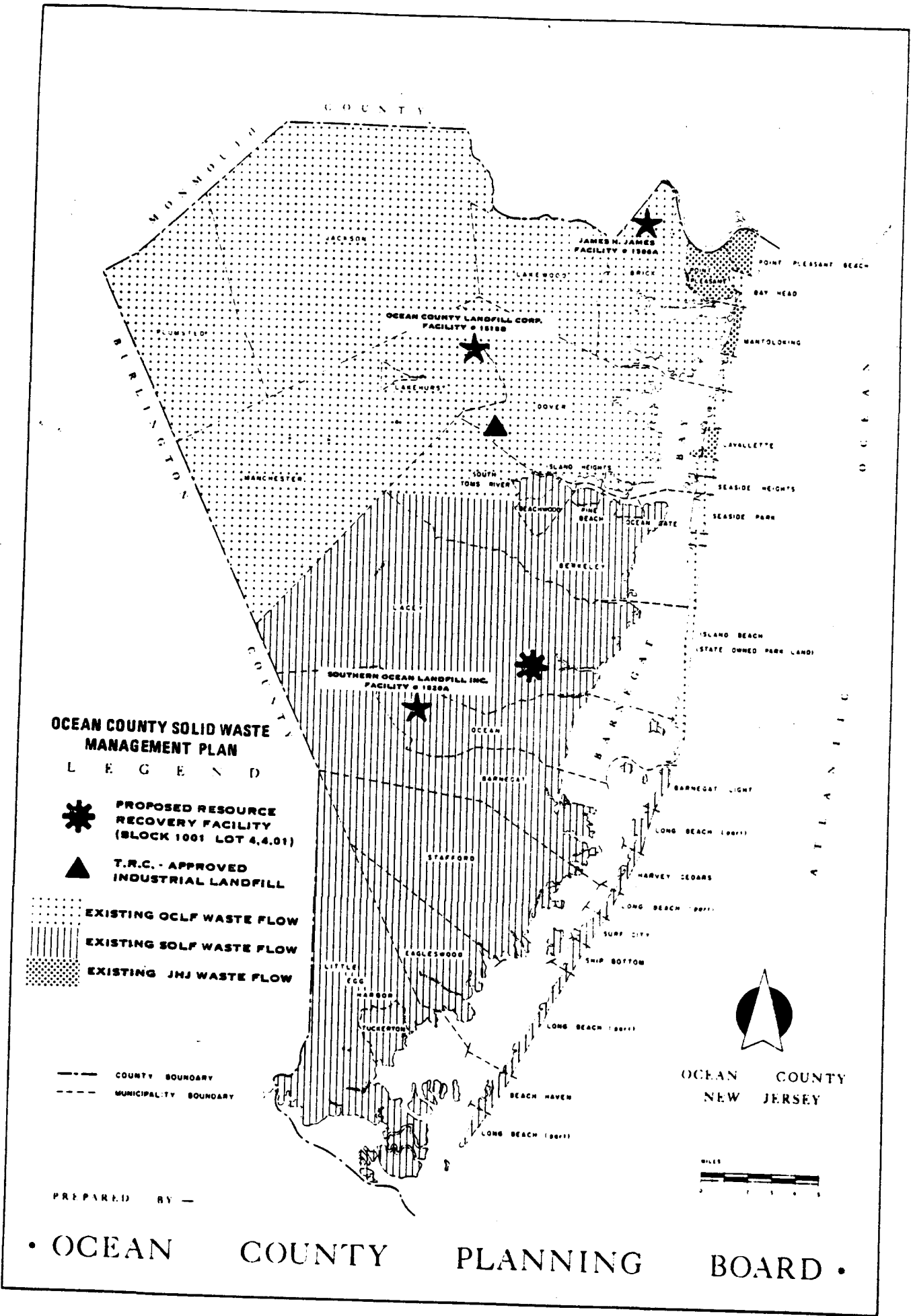
Ocean County has established a film library on recycling at the Ocean County Audio Visual Aids Commission. It has distributed a curriculum guide on recycling education for use by local school districts. To assist teachers in using the curriculum guide, the County and State Office of Recycling are sponsoring a series of teacher training workshops on recycling. The County also publishes a quarterly newsletter, available upon request, to provide current information on recycling activities throughout the County and the State.

To achieve the County's goal of recycling 25 percent of the total volume of solid waste generated within Ocean County, all of the County's municipalities must actively support recycling. This is our goal.

To help achieve our recycling goal, the County, as a matter of policy, supports the establishment of compost facilities for lawn trimmings, leaves and similar vegetative wastes. The approval of such facilities by the DEP is considered to be consistent with the County Solid Waste Plan. Municipal facilities which have been approved are listed in Table II. If any municipalities obtain DEP approval for such facilities in the future, the facilities will be incorporated in subsequent amendments to this plan.






TABLE II  
COMPOST FACILITIES WITHIN OCEAN COUNTY



<u>LOCATION</u>	<u>FACILITY #</u>	<u>BLOCK/LOT REFERENCE</u>
Jackson Township	1511C	Block 80, Lot 8
Lakewood Township	1514B	Block 1160, Lot 41A
Beachwood Township	1504B	Block H-49, 64, 63 Lot 1-60 and 1-30
Manchester Township (Whiting)	1518C	Block 116, Lot 13
Barnegat Light State Park	1501A (not operating)	
Island Beach State Park	1505B (not operating)	
Stafford Township		Block 25, Lot 13, 14, 15
Lacey Township	(not permitted)	Block 1837, Lot 5




**OCEAN COUNTY SOLID WASTE MANAGEMENT PLAN**

**LEGEND**

-  **PROPOSED RESOURCE RECOVERY FACILITY (BLOCK 1001 LOT 4,4.01)**
-  **T.R.C. - APPROVED INDUSTRIAL LANDFILL**
-  **EXISTING OCLF WASTE FLOW**
-  **EXISTING SOLF WASTE FLOW**
-  **EXISTING JHJ WASTE FLOW**

-  **COUNTY BOUNDARY**
-  **MUNICIPALITY BOUNDARY**

PREPARED BY -

  
**OCEAN COUNTY**  
**NEW JERSEY**



• OCEAN COUNTY PLANNING BOARD •

APPENDIX A





State of New Jersey  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF WASTE MANAGEMENT  
 32 E. Hanover St., CN 028, Trenton, N.J. 08625

DR. MARWAN M. SADAT, P.E.  
 DIRECTOR

LINO F. PEREIRA  
 DEPUTY DIRECTOR

MAR 23 1984

Freeholder Director Damian G. Murray  
 Ocean County  
 Administration Building  
 Toms River, New Jersey 08753

Dear Freeholder Director Murray:

Listed below, for your information and review, is a preliminary report on landfills presently operating in your District which accept municipal waste. Annual inflow and remaining capacity as of October 1, 1983, are listed for each facility based on DEP records.

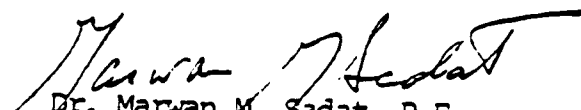
The inflow data were obtained in a recent telephone survey of facilities; the capacity data are based on topographical maps and engineers estimates and may not reflect the actual permitted capacity. Two cubic yards in-truck are assumed to equal one cubic yard in-place.

Please scrutinize this data and notify us if your information differs significantly.

Name of Facility	File No.	Estimated Annual Inflow (In-truck Cu. Yds.)	Estimated Capacity as of October, 1983 (In-place Cu. Yds.)
James H. James	1506A	192,400	772,000
Ocean County Corp.	1518B	902,720	11,574,400
Southern Ocean	1520A	180,000	2,506,000

Please contact Edward J. Londres, Assistant Director, at (609) 292-6724 if you have any questions.

Very truly yours,

  
 Dr. Marwan M. Sadat, P.E.  
 Director

EPl:d

c: Steven Pollock



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF WASTE MANAGEMENT

32 E. Hanover St., CN 628, Trenton, N.J. 08625

MARWAN M. SAOUD, P.E.  
DIRECTOR

LINO F. PEREIRA  
DEPUTY DIRECTOR

October 16, 1984

Mr. Charles Hesse  
Ocean County Landfill Corp.  
P. O. Drawer  
Belford, New Jersey 07718

RE: Ocean County Landfill Corporation, Facility #1518B

Dear Mr. Hesse:

I am enclosing herewith a Certificate of Approved Registration and Engineering Design Approval regarding your subject facility. In accordance with the Amended Administrative Order of March 16, 1984, implementation of the Engineering Design must begin within sixty (60) days, with all wastes disposed of at the facility in the lined area within ninety (90) days of the approval.

Conditions have been incorporated within this approval that must be complied with in order for this Certificate to remain valid. The Department will consider amendment or modification of the specific terms of the conditions of this Certificate, if the Registrant submits a written request by certified mail within fifteen days of receipt of the Certificate. Said written request must clearly state the proposed amendment or modification, and the factual basis for the request. This registration is non-transferable.

Also note that if pollution control equipment is required to meet certain conditions within the attached document, you may be eligible for financial assistance. I have enclosed additional information concerning financial assistance for pollution control facilities.

Sincerely,

Edward J. Londres, P.E.  
Assistant Director  
Engineering

EP21:jj  
Enclosure

OCT 18 1984



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF WASTE MANAGEMENT  
32 E. Hanover St., DN 028, Trenton, N.J. 08625

MARWAN M. SADAT, P.E.  
DIRECTOR

LINO F. PEREIRA,  
DEPUTY DIRECTOR

July 20, 1984

Mr. Joseph J. Caldeira  
Southern Ocean Landfill, Inc.  
1647 Whittier Avenue  
Toms River, NJ 08753

RE: Southern Ocean Landfill, Inc., Facility Number 1520A

Dear Mr. Caldeira:

I am enclosing herewith an Amended Certificate of Approved Registration and Engineering Design Approval regarding your subject facility.

Conditions have been incorporated within this approval that must be complied with in order for this Certificate to remain valid. The Department will consider amendment or modification of the specific terms of the conditions of this Certificate if the Registrant submits a written request by certified mail within fifteen days of receipt of the Certificate. Said written request must clearly state the proposed amendment or modification, and the factual basis for the request. This registration is non-transferable.

Also note that if pollution control equipment is required to meet certain conditions within the attached document, you may be eligible for financial assistance. I have enclosed additional information concerning financial assistance for pollution control facilities.

Please note that construction of the first lined cell must commence within ninety (90) days and be fully operational within one hundred fifty (150) days. Failure to comply with this requirement will result in the Department taking enforcement actions against your facility.

Sincerely,

Edward J. Londres, P.E.  
Assistant Director  
Engineering

EP21:gk

Enclosure

APPENDIX B



STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
ROBERT E. HUGHEY, COMMISSIONER  
CN 402  
TRENTON, N.J. 08625  
609-292-2385

September 26, 1984

Mr. Damian G. Murray  
Freeholder Director  
The Board of Chosen Freeholders  
Ocean County Administration Building  
Toms River, New Jersey 08754

Dear Freeholder Director Murray:

Thank you for your letter of September 18, 1984 transmitting the Administrative Consent Order between Ocean County and the Department of Environmental Protection. I am pleased to return the enclosed, fully executed agreement for your records and to congratulate you and the other members of the board upon the successful conclusion of our negotiations.

Ocean County is the first solid waste district to enter such an agreement with the state, and I am confident that the implementation of its terms will ensure sound solid waste management in the county for the foreseeable future.

Sincerely,

enclosure

IN THE MATTER OF )  
OCEAN COUNTY, SOLID ) ADMINISTRATIVE  
WASTE MANAGEMENT PLAN ) CONSENT ORDER

The following ADMINISTRATIVE CONSENT ORDER is issued pursuant to the authority vested in the Commissioner of the New Jersey Department of Environmental Protection (hereinafter "the Department") by N.J.S.A. 13:1D-1 et seq. and the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq.

#### FINDINGS

1. Ocean County (hereinafter "the County") is designated as a solid waste management district pursuant to N.J.S.A. 13:1E-19.
2. The Solid Waste Management Act requires the Ocean County Board of Chosen Freeholders to prepare and implement a solid waste management plan which provides a comprehensive strategy for the efficient collection, processing, and disposal of solid waste within the County, as well as financing mechanisms to ensure funding of these operations.
3. On August 2, 1984 Commissioner Robert E. Hughev sent the County a letter alleging various deficiencies in the County's plan and the implementation thereof.

4. The County asserts that it has met its obligation under the Act. The County is pursuing the implementation of its approved Solid Waste Management Plan which provides for reliance on two environmentally upgraded landfills to meet its current and short term disposal needs, is proceeding with necessary steps to implement resource recovery facilities to meet its future disposal needs. The County has an active recycling program underway and is expanding that program to meet the State goal of recycling 25% of the County's current waste stream.
5. Representatives of the Department and the County met on August 20, 1984 and August 28, 1984 to discuss resolution of this matter. Having successfully negotiated an agreement, the Department and the County enter into an Administrative Consent Order without trial or adjudication of any issues of fact or law and without admission of liability by the parties with respect to such issues, with the exception of the parties' binding obligation to comply with all of the terms of this Administrative Consent Order set forth herein below.
6. Ocean County is unique in that it is the site of two commercially operated landfills which currently have significant remaining disposal capacity. This gives rise to substantial institutional issues which the

parties acknowledge must be resolved before a guaranteed waste flow can be secured for any resource recovery project. The County has been attempting to address this issue in its current negotiations with the Manchester Township M.U.A. which has expressed an interest in purchasing the Ocean County Landfill Corp. site.

7. On July 20, 1984, the Department approved a revised engineering design for the Southern Ocean County Landfill, Inc. which requires construction of a lined landfill cell to be operational by December 20, 1984. In addition, the Department is currently reviewing a revised engineering design submitted by the Ocean County Landfill Corp. and construction of a lined cell at this facility is anticipated to commence during the fall of 1984.

ORDER

8. NOW, THEREFORE, IT IS HEREBY ORDERED AND AGREED THAT:  
Not later than September 30, 1984 the County shall propose amendments to its Solid Waste Management Plan which specify:
  - a) which landfills are designated for the disposal of the County's solid waste for each year until August 1, 1992 and for the disposal of residuals after August 1, 1992;
  - b) the ownership and financing of the designated County landfills;



- c) a schedule for acquisition and implementation of necessary environmental improvements (applicable only if the Plan amendments provide for public ownership of a landfill);
  - d) the site designated for the County's resource recovery facility;
  - e) a designated Plan Implementation Agency;
  - f) that the within Administrative Consent Order is incorporated into the County's Solid Waste Management Plan.
9. Not later than December 1, 1984 the County shall adopt the aforesaid amendments to its Solid Waste Management Plan and submit same to the Department for review and approval.
10. Not later than May 1, 1985 the Department shall complete its review and render its decision on approval of the County's Plan amendments.
11. Not later than July 1, 1985 the County shall release a request for proposals for development of an EIS and preliminary drawings for its resource recovery facility.
12. Not later than September 1, 1985 the County shall receive proposals for development of an EIS and preliminary drawings for its resource recovery facility.

13. Not later than October 1, 1985 the County shall award a contract for the EIS and preliminary drawings for its resource recovery facility.
14. Not later than July 1, 1986 the County shall submit to the Department the EIS for the resource recovery facility.
15. Not later than January 1, 1987 the Department shall complete its review and issue its decision on approval of the EIS.
16. Not later than March 1, 1987 the County shall adopt amendments to its Solid Waste Management Plan specifying ownership and a financial plan for the procurement and implementation of its resource recovery facility.
17. Not later than July 1, 1987 the Department shall complete its review and render its decision on approval of the County's Plan amendments.
18. Not later than September 1, 1987 the County shall acquire any necessary property or interests therein for the resource recovery facility.
19. Not later than January 1, 1988 the County shall release a request for proposals for design, construction and operation of the resource recovery facility in accordance with the approved ownership and financing plan.
20. Not later than April 1, 1988 the County shall designate a vendor for the resource recovery facility.

21. Not later than July 1, 1988 the County or its designated vendor shall complete negotiations and award a contract for design, construction and operation of the resource recovery facility.
22. Not later than January 1, 1989 the County shall submit to the Department complete applications for all necessary permits relative to the resource recovery facility.
23. Not later than November 1, 1989 the Department shall complete its review and render its decision on permit issuance.
24. Not later than May 1, 1990 the County or its designated vendor shall commence construction of its resource recovery facility and submit to DEP a schedule which provides for completion of construction within 23 months.
25. Not later than April 1, 1992 the County or its designated vendor shall complete construction of the resource recovery facility and commence shakedown.
26. Not later than August 1, 1992 the County or its designated vendor shall commence operation of the resource recovery facility.
27. Commencing 6 months from the effective date of this Administrative Consent Order, and every 6 months thereafter until all terms and conditions hereof have been complied with in full, the County shall submit to the Department

a written report which details the status of compliance of each item contained herein.

28. If any delay or anticipated delay in the achievement of any deadline contained in this Administrative Consent Order has been or will be caused by circumstances alleged to be beyond the County's control, then the County shall provide written notice to the Department within 10 days of the delay or anticipated delay. The burden of proving that any such delay is caused by circumstances beyond the County's control and the length of such delay attributable to those circumstances shall rest with the County. In the event the County proves unavoidable delay, the time for performance hereunder shall be extended by the Department for a period no longer than the delay resulting from such circumstances. If the events causing such delay are found not to be beyond the control of the County, failure to comply with the provisions of this Administrative Consent Order shall constitute a breach of this Order's requirements. Delay in completing an interim requirement shall not automatically justify or excuse delay in the attainment of subsequent requirements.
29. This order shall take effect upon signature on behalf of the Department and the County.

RESERVATION OF RIGHTS

30. This Administrative Consent Order shall be fully enforceable in the Superior Court of New Jersey upon the filing of a summary action for compliance and shall constitute an administrative order issued pursuant to the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. Nothing in this Administrative Consent Order shall prohibit, prevent or otherwise preclude the Department or the County from taking whatever legal action it deems appropriate to enforce the environmental protection laws of the State of New Jersey in any manner not inconsistent with the terms of this Administrative Consent Order and shall not prohibit, prevent or otherwise preclude the Department or the County from utilizing this Administrative Consent Order in any subsequent administrative or judicial proceedings.
31. No modification to this Administrative Consent Order shall be effective, binding or otherwise valid in either law or equity proceedings to alter the obligations of the parties as memorialized hereinabove except by amendments to this Administrative Consent Order which shall be reduced to writing and duly executed by the undersigned parties.
32. The County and the Department hereby consent to and agrees to comply with all the provisions of this Admin-



istrative Consent Order. The County waives any right it may have to a hearing on the entry of this Order. The County does not waive any other right it may have to an administrative or judicial hearing on any matter.

Attest:

*[Signature]*  
 COUNTY OF OCEAN  
 DARRAN G. MURRAY, Freeholder

STATE OF NEW JERSEY  
 DEPARTMENT OF ENVIRONMENTAL

*[Signature]*  
 ROBERT E. HUGHES, Commr.

Attest:

*[Signature]*  
 September 27, 1984



R-E-S-O-L-U-T-I-O-N

WHEREAS, the New Jersey Solid Waste Management Act requires the Board of Chosen Freeholders to prepare, adopt and implement a Solid Waste Management Plan for Ocean County; and,

WHEREAS, a Solid Waste Management Plan was adopted by the Board, amended and subsequently approved by the Commissioner of the Department of Environmental Protection on July 31, 1980; and,

WHEREAS, an amendment to the adopted plan is necessary to comply with the Administrative Agreement between the Board and the Commissioner and to advance the regional landfill, resource recovery and recycling objectives of the County.

NOW, THEREFORE, BE IT RESOLVED by the BOARD OF CHOSEN FREEHOLDERS of the COUNTY OF OCEAN, STATE OF NEW JERSEY that the Plan Amendment dated November 28, 1984 is hereby adopted.

BE IT FURTHER RESOLVED that the Director of Planning on behalf of the Board of Chosen Freeholders is hereby authorized and directed to submit the Amendment to the Commissioner of the New Jersey Department of Environmental Protection for State approval as required by law.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be sent to the Commissioner of the New Jersey Department of Environmental Protection, Director of the State Solid Waste Administration, the Ocean County Solid Waste Advisory Council and Director of Planning.

I certify the foregoing to be a true  
copy of a Resolution adopted by  
the Board of Chosen Freeholders  
of the County of Ocean on the

27<sup>th</sup> day of November 19 84

  
Clerk