

# **Ocean County Solid Waste Management Plan Amendment Application Procedures**



**Revised July 2, 2007**



**PROCEDURES TO CONSIDER PROPOSED  
SOLID WASTE AND RECYCLING FACILITIES  
FOR INCLUSION IN THE OCEAN COUNTY  
DISTRICT SOLID WASTE MANAGEMENT PLAN**

Introduction

- 100. Purpose & Submission Requirements
  
- 200. Solid Waste Facilities
  - 201. Criteria for Review of Proposed Solid Waste Facilities
  - 202. Criteria for Review of Proposed Sanitary Landfills for the Disposal of Tree Stumps and Vegetative Waste
  - 203. Submission Requirements for Transfer Stations, Resource Recovery Facilities, Sanitary Landfills and Other Plants Collecting or Disposing of Solid Waste
  
- 300. Leaf Composting Facilities, Vegetative Waste Composting Facilities and Leaf Mulching Sites
  - 301. Criteria for Review of Proposed Leaf Composting and Vegetative Waste Composting Facilities
  - 302. Submission Requirements for Proposed Leaf Composting and Vegetative Waste Composting Facilities
  
- 400. Leaf Mulching Sites on Farmland
  - 401. Criteria for Review of Proposed Leaf Mulching Sites on Farmland
  - 402. Submission Requirements for Proposed Leaf Mulching Sites on Farmland
  
- 500. Recycling Centers and Recycling Facilities
  - 501. Criteria for Review of Proposed Recycling Centers and Recycling Facilities
  - 502. Submission Requirements for Proposed Recycling Centers and Recycling Facilities
  
- 600. Submission and Approval Procedures
  - 601. Review by the Department of Solid Waste Management for Proposed Facilities.
  - 602. Review and Consideration by the Board of Chosen Freeholders
  - 603. Formal Proposal to Amend the District SWMP to include Proposed Facilities
  - 603A. Timeframes for a Formal Proposal to Amend the District SWMP to Include New Facilities
  - 604. Expedited Plan Inclusion Procedures
  - 604A. Timeframes for Expedited Plan Inclusion
  
- 700. Repeal of Previous Amendment Procedures and Requirements

800. Validity

900. Application Fees

Appendix I - Solid Waste Plan Inclusion Application Fee Schedule

Appendix II - Sample Public Notice

**Procedures to Consider Proposed**  
**Solid Waste & Recycling Facilities**  
**For**  
**Inclusion in the Ocean County District**  
**Solid Waste Management Plan**

**Introduction:**

The Solid Waste Management Act, N.J.S.A. 13:1E-1 et. seq. designates Ocean County as a solid waste management district and requires the Board of Chosen Freeholders to prepare, adopt and implement a plan for the proper management of solid waste generated in Ocean County. In accordance with the Act's requirements, the Board of Chosen Freeholders has adopted the Ocean County District Solid Waste Management Plan (District SWMP) which has been certified by the Commissioner of the Department of Environmental Protection. As required by statute, the District SWMP includes all solid waste facilities that currently or are planned to provide for the proper management of solid waste in Ocean County.

The Statewide Mandatory Source Separation and Recycling Act, N.J.S.A. 13:1E-99.11 et. seq. requires the Board of Chosen Freeholders to adopt a District Recycling Plan as an amendment to the District SWMP. In accordance with the Act's requirements, the Board of Chosen Freeholders has adopted the Ocean County Recycling Plan, which has been certified by the Commissioner of the Department of Environmental Protection. As required by statute, the Ocean County Recycling Plan includes all recycling facilities that currently or are planned to provide for the recycling of solid waste in Ocean County.

There are a number of state, municipal and county regulations and requirements that apply specifically to solid waste facilities, recycling facilities, recycling operations and services, composting facilities, leaf mulching sites, and similar facilities that either dispose, handle, process, store, collect or haul solid waste or recyclable materials. The Department of Environmental Protection has promulgated detailed and specific requirements for solid waste facilities, such as resource recovery facilities, sanitary landfills and solid waste transfer stations. There are other state requirements for leaf and vegetative waste composting and leaf mulching sites.

State requirements for recycling operations and activities are less specific and generally take the form of guidelines. Since recycling operations relate directly to the implementation of the Ocean County District and State Solid Waste Management Plans, both the Department of Environmental Protection and the courts have determined that recycling facilities require an additional level of review beyond the traditional municipal and county review of land development applications. The Department of Environmental Protection now requires that certain recycling facilities and operations be included in the applicable District SWMP.

Therefore, all solid waste facilities and certain recycling facilities require the approval of the Department of Environmental Protection. In general, the Department of Environmental

Protection will not initiate its review of proposed facilities until the facility is included in the District SWMP. The principal goal of the Ocean County District SWMP is to manage solid waste generated in Ocean County in an environmentally sound manner. Accordingly, Ocean County seeks to recycle the maximum amount of solid waste possible. In order to achieve this goal, the Board of Chosen Freeholders is aware that there may be a need for solid waste and recycling facilities and operations beyond that which currently exist or are presently provided for in the District SWMP. It is important to note that there is no statutory obligation for the Board of Chosen Freeholders to include any proposed facility in the District SWMP.

The following sections specify the information required to consider a proposed facility. A prospective applicant should be aware that the information required by Ocean County is consistent with the material also required by the Department of Environmental Protection.

### **100. Purpose & Submission Requirements**

The purpose of this section is to establish procedures for considering inclusion of proposed solid waste and recycling facilities and operations into the District SWMP. The procedures established by the Department of Environmental Protection for the review, permitting and/or registration of solid waste and recycling facilities and operations require that such facilities first be included in the District SWMP. Sections 200 through 600 set forth the information that any applicant, either public or private, must provide to be considered for inclusion in the District SWMP. These requirements are in addition to, and do not supersede any state, municipal or county statutes or regulations that also pertain to the siting, design, construction and/or operation of a regulated facility.

### **200. Solid Waste Facilities**

Solid waste facilities are defined in N.J.S.A. 13:1E-3(h). The statute includes the plants, structures and other real and personal property acquired, constructed or operated, including vehicles and equipment for the collection or disposal of solid waste in a sanitary manner. The statute includes transfer stations, incinerators, resource recovery facilities, sanitary landfill facilities or other plants collecting or disposing of solid waste. The Department of Environmental Protection must review and approve of the location, design, construction and operation of any solid waste facility. The Department of Environmental Protection will not accept an application for review until the proposed facility is included in the Ocean County District SWMP.

### **201. Criteria for Review of Proposed Solid Waste Facilities**

Ocean County will review applications for additional solid waste facilities for consistency with the adopted and certified District SWMP. As a general policy, the County will incorporate only those facilities that are determined to support the implementation of the District SWMP. This determination will consider the application's consistency with the following criteria:

- A. There is a demonstrated need for the proposed facility to provide for the proper management of solid waste generated in Ocean County.
- B. The proposed facility will complement existing solid waste facilities or planned facilities already provided for in the District SWMP.
- C. The County can provide an allocation of waste flow to the proposed facility.
- D. The proposed facility will not have a negative effect on existing agreements between the County of Ocean and the Department of Environmental Protection or any owner and/or operator of solid waste facilities or state regulated facilities and operations.
- E. The expected tipping fees, user charges or other financial charges to be imposed on any users of the proposed facility for the receipt, storage, processing or transfer of solid waste and/or residue from the proposed facility are not unreasonable.

**202. Criteria for Review of Proposed Sanitary Landfills for the Disposal of Tree Stumps and Vegetative Waste**

For sanitary landfills for the disposal of tree stumps and demolition debris only, the following criteria will be considered:

- A. The proposed facility is specifically associated with the reclamation of a previously operated and lawful resource extraction site.
- B. Solid waste disposed of at the proposed facility is exclusively limited to tree stumps, ID type 13 and 1ID type 23 wastes as classified by the Department of Environmental Protection.
- C. The solid waste proposed for disposal is generated only as a result of the business activities of the owner and/or operator and that the facility shall not accept wastes from any other hauler, business, corporation or entity.
- D. The applicant can demonstrate by submission of a letter, from either the mayor or the administrator of the municipality in which the site is located, stating that the municipality has no objection to disposal operations at the specific site or including any conditions the municipality may have for such operations.

### **203. Requirements for Transfer Stations, Resource Recovery Facilities, Sanitary Landfills, and Other Plants Collecting or Disposing of Solid Wastes**

In order for a transfer station, resource recovery facility, sanitary landfill or other plant for collecting or disposing of solid waste to be considered for inclusion in the Ocean County District Solid Waste Management Plan, the following must be submitted to the Ocean County Department of Solid Waste Management:

- A. The name, mailing address and telephone number of the owner of record of the proposed site and certification that the owner has authorized submission of an application for the proposed facility or operation.
- B. The corporate name, address and telephone number of the operator of the proposed facility, if different from the owner.
- C. The corporate name, address and telephone number of the operator of the proposed facility, if different from the owner.
- D. A listing of all other solid waste facilities and operations and/or recycling facilities and operations that are owned and/or operated by either the owner or operator of the proposed facility (in whole or in part) including their specific location, a description of all materials received, stored, processed or transferred to each facility and operation, a description of the source or point of generation of all materials received, stored, processed and transferred at each facility and operation and the location of the disposal facility(s) that receive residue from each facility and operation.
- E. The street address of the proposed facility and the block(s) and lot(s) number(s) and total acreage of all parcels comprising the proposed site.
- F. A key map showing the boundary of the proposed site on a 7-1/2 mile U.S.G.S. Quadrangle Map. This map shall delineate public access roads to the proposed site, any streams, lakes or other surface water bodies and sensitive receptors such as hospitals, schools, recreation areas, churches, homes, etc., within a one half mile radius of the proposed site.
- G. A tax map showing the block(s) and lot(s) numbers of the proposed site, adjoining properties and properties within a one half mile radius of the proposed site indicating the current land use and municipal zoning.
- H. Three copies of a site plan, at a scale no larger than 1" = 100', which delineates the property boundary lines, location of all buildings and equipment, boundaries of areas proposed for the receipt, storage, processing and transfer of solid waste, boundaries of proposed buffer areas, access and internal roadways, traffic flow,



identification of the direction of on-site and off-site drainage and the location of all proposed storm water management facilities and controls.

- I. An indication of the proposed source of potable water, process water or any other water required for the operation of the proposed facility and the estimated quantity of each expressed in terms of gallons per day.
- J. An indication of how sanitary wastewater, process water or any other water requiring treatment will be handled at the proposed facility and the estimated quantity of each expressed in terms of gallons per day.
- K. A listing and description for the types and quantity of the solid waste(s) to be handled at the proposed facility and the estimated maximum daily and annual capacity by weight and volume for each type.
- L. A description of the source or point of generation of all solid waste types to be received, stored, processed or transferred at the proposed facility.
- M. A list of all products, end products, by-products and residue, expressed in tons per day, resulting from the proposed activities.
- N. Identification of the disposal facility(s) that will handle all residue from the proposed facility.
- O. The proposed hours and days of operation.
- P. An indication of the means proposed to control and/or limit access to the proposed facility, both during and after operating hours.
- Q. An indication of the design capacity as to number and types of vehicles bringing material to the proposed facility for receipt, storage, processing and the number and types of vehicles transferring materials and residue from the proposed site, on a daily basis.
- R. A description of the provisions to handle unusual peak loadings which exceed the daily capacity.
- S. A certified letter from the zoning officer of the municipality in which the proposed site is located, stating that the proposed facility is a permitted use, conditional use and/or any special conditions that would apply under current municipal zoning or a letter from an attorney licensed to practice law in the State of New Jersey, that the proposed facility is exempt from zoning under State statute.
- T. A listing of all municipal, county and state permits and/or other approvals required for the proposed facility and the status of each.

U. An indication of the tipping fee, user charge or other fees that will be imposed on any user of the proposed facility for the receipt, storage, processing, disposal or transfer of solid waste materials at the proposed facility.

V. Certification that the owner and/or operator will submit one copy of the Environmental Impact Statement, registration statement, engineering design and any other application materials required by the New Jersey Department of Environmental Protection to the Ocean County Department of Solid Waste Management.

W. Certification that the owner and/or operator agrees to permit access to the Ocean County Health Department and other authorized representatives to inspect the proposed facility during reasonable hours, to ascertain compliance with applicable State statutes and the provisions of the Ocean County District SWMP.

X. Certification that the owner and/or operator agrees to provide users of the proposed facility and the Ocean County Department of Solid Waste Management monthly reports summarizing the types and quantities of solid waste received, stored, processed or transferred at the proposed facility from each hauler or municipality, including weight receipts or other source documentation and identifying that source or point of generation of all solid waste types and quantities, in a form acceptable to the Ocean County Department of Solid Waste Management to ensure compliance with the provisions of the Ocean County District SWMP and the provisions of N.J.S.A. 13:1E-1 et seq.

### **300. Leaf Composting Facilities, Vegetative Waste Composting Facilities and Leaf Mulching Sites**

The New Jersey Statewide Mandatory Source Separation and Recycling Act, N.J.S.A. 13:1E-99.21, requires that all leaves collected by a municipality be transported to a leaf composting facility, vegetative waste composting facility, or a recycled center approved by the Department of Environmental Protection. The Act further requires that each district recycling plan identify the facility to be utilized by each municipality.

Such facilities are regulated by the Department of Environmental Protection. The Department has promulgated detailed and specific requirements for the siting, design, construction and/or operation of leaf and vegetative waste composting facilities.

Composting permits may be obtained by municipal and county governmental bodies, agencies and authorities, residential complexes and multiple dwellings, nursery establishments, landscapers, farms, educational and other institutions and industries that have a need for disposing leaves and other vegetative material. The Department of Environmental Protection issues several permits for leaf composting facilities and vegetative waste composting facilities dependent on the type and volume of wastes proposed for composting. The general permit requirements for leaf composting facilities and vegetative waste composting facilities are set forth in N.J.A.C. 7:26-2.4. Certain leaf composting facilities and vegetative waste composting facilities are exempt from the general permit requirements set forth in N.J.A.C. 7:26-2.4, but

nonetheless must be included in the Ocean County District Solid Waste Management Plan. See N.J.A.C. 7:26-1.7(g), 1.11 and 1.12.

### **301. Criteria for Review of Proposed Leaf Composting and Vegetative Waste Composting Facilities**

Any facility application submitted to the Department of Environmental Protection must include documentation from the Ocean County Department of Solid Waste that the facility is included in, or consistent with, the District Solid Waste Management Plan. As a general policy, the County encourages leaf composting and vegetative waste composting facilities as a means to further reduce the solid waste stream and ensure compliance with N.J.S.A. 13:1E-99.21. In order to be included in the District SWMP, applications will be required to demonstrate consistency with the following criteria:

- A. The waste intended for composting consists either exclusively of leaves or leaves in combination with other permitted type ID 23 wastes.
- B. The proposed design and operation of the facility will ensure achieving the conditions necessary to permit efficient and effective composting activity.
- C. There is a demonstrated need for the proposed facility.
- D. The proposed facility will complement existing facilities or facilities already provided for in the District SWMP.
- E. The proposed facility is consistent with the planning and land development programs of the municipality in which it is located.

### **302. Submission Requirements for Proposed Leaf Composting and Vegetative Waste Composting Facilities**

A leaf composting facility is defined in N.J.S.A. 13:1E-99.12 as a solid waste facility which is designed and operated solely for the purpose of composting leaves. A vegetative waste composting facility is defined as a solid waste facility which is designed and operated for the purpose of composting leaves, either exclusively or in combination with other vegetative wastes authorized by the Department of Environmental Protection. Other vegetative wastes authorized by the Department are classified ID 23 and are typically grass clippings, garden waste and chipped wood waste from tree branches and/or brush. It does not include dirty and/or mixed vegetative material, wood waste, lumber and construction or demolition waste.

In order to have a leaf composting or vegetative waste composting facility considered for inclusion in the Ocean County District Solid Waste Management Plan, the following must be submitted to the Ocean County Department of Solid Waste Management.

- A. The corporate name, address and telephone number of the owner of the proposed facility.
- B. The corporate name, address and telephone number of the operator of the proposed facility, if different from the owner.
- C. The street address of the proposed facility, and the block(s) and lot(s) number(s) and total acreage of the proposed site.
- D. A key map showing the boundary of the proposed site plotted on a 7-1/2 minute U.S.G.S. Quadrangle Map. This map shall delineate public access roads to the proposed site, any streams, leaks or other surface water bodies and sensitive receptors such as hospitals, schools, recreation areas, churches, homes, etc. within a one half mile radius of the proposed site.
- E. A tax map showing the block(s) and lot(s) of the site, adjoining properties and properties within a one half mile radius of the proposed site indicating the current land use and municipal zoning.
- F. Three copies of a site plan, at a scale no larger than 1"=100', which delineates the property boundary lines, location of all building, boundaries of the proposed composting area, boundaries of proposed buffer areas, boundaries of proposed composting staging and storage areas, access and internal roadways, traffic flow, identification of the direction of on-site drainage and any proposed storm water management controls.
- G. A listing and description of the types and quantity of the vegetative waste(s) to be handled by the proposed facility and the estimated maximum annual capacity by weight and volume for each type.
- H. A description of the source or point of generation of all leaves and vegetative wastes to be received, stored, processed and transferred at the proposed facility.
- I. The proposed hours and dates of operation.
- J. A description of the staging steps relating to anticipated delivery rates defining the number of trucks daily, hourly, and peak hourly in volume and weight of waste brought on-site and storage procedures prior to the formation of the windows.
- K. A description of how the finished compost product will be used.
- L. A certified letter from the zoning officer of the municipality in which the proposed site is located, stating that the proposed facility is a permitted use, conditional use and/or special conditions that would apply under current municipal zoning.

- M. A listing of all municipal, County and State permits and/or other approvals required for the proposed facility and the status of each.
- N. Certification that the owner and/or operator will submit one copy of the permit application and supporting material required by the New Jersey Department of Environmental Protection to the Ocean County Department of Solid Waste Management.
- O. An indication of the tipping fee, user charge or other fees that will be imposed on any user of the proposed facility.
- P. Certification that the owner and/or operator agrees to permit access by the Ocean County Health Department and other authorized representatives to inspect the proposed facility during reasonable hours, to ascertain compliance with applicable State statutes and the provisions of the Ocean County District SWMP.
- Q. Certification that the owner and/or operator agrees to provide the Ocean County Department of Solid Waste Management, in a form acceptable to the Department, a quarterly report summarizing the total volume of material accepted at the facility.

**400. Leaf Mulching Sites on Farmland**

Leaf mulching on agricultural lands is permitted by N.J.A.C. 7:26-1.12. Leaf mulching sites must be registered with the Ocean County Department of Solid Waste Management for inclusion in the District SWMP.

**401. Criteria for Review of Proposed Leaf Mulching Sites on Farmland**

As a general policy, the County encourages leaf mulching sites that are designed and operated in accordance with State regulations.

**402. Submission Requirements for Proposed Leaf Mulching Sites on Farmland**

In order for a farmer to have a farm site registered for inclusion in the District SWMP, the following is required:

- A. Submission of a letter by the owner and/or operator of the farmland requesting inclusion of the site.
- B. The mailing address of the owner of record of the property proposed as a leaf mulching site.

- C. The street address of the farm, acreage and the block(s) and lot(s) number(s) of the proposed site.
- D. A key map showing the location of the proposed site.
- E. Submission of proof that the farmland is qualified for farmland assessment pursuant to N.J.S.A. 54:4-23.5.
- F. Submission of a letter from either the mayor or the administrator of the municipality in which the site is located stating that the municipality has no objection to leaf mulching operations at the specific site, or including any conditions the municipality may have for such operations.
- G. A statement that the Ocean County Health Department is granted periodic and reasonable access to the site to inspect site conditions or operations.
- H. A statement that the owner and/or operator agrees to operate the proposed leaf mulching site in accordance with the following State rules and operating procedures:
  - 1. Leaves accepted shall not be stockpiled for more than seven (7) days and within that period, shall be spread to a depth not to exceed six (6) inches, approximately 800 cubic yards per acre.
  - 2. Leaves must be incorporated into the soil prior to the next tillage season (by the coming spring).
- I. Certification that the owner and/or operator agrees to provide the Ocean County Department of Solid Waste Management, in a form acceptable to the Department, a quarterly report summarizing the total volume of material accepted at the facility.

#### **500. Recycling Centers and Recycling Facilities**

Recycling centers are defined in N.J.S.A. 13:1E-99.12 as any facility designed and operated solely for receiving, storing, processing and transferring source separated, nonputrescible or source separated commingled nonputrescible metal, glass, paper, plastic containers and corrugated and other cardboard, or other recyclable materials approved by the Department of Environmental Protection. Recycling centers consistent with this definition are exempt from State requirements to obtain a registration statement, engineering design approval or approval of an environmental and health impact statement prior to the commencement of operations, pursuant to N.J.S.A. 13:1E-99.34(a).

Any recycling center that receives, stores, processes or transfers any waste material, other than those materials listed above must receive prior approval from the Department of Environmental Protection pursuant to N.J.S.A. 13:1E-99.34(b). These include recycling centers which accept source separated tires, wood waste or construction demolition debris.

The Department of Environmental Protection, Office of Recycling, has established procedures and guidelines/criteria for the review of regulated recycling centers. These may be obtained from:

New Jersey Department of Environmental Protection  
Office of Recycling  
401 East State Street  
CN 414  
Trenton, NJ 08625

The Department's guidelines/criteria require submission of evidence of inclusion of all recycling facilities in the District SWMP or a description of the steps which the owner has taken to have the facility included in the District SWMP. It is not necessary to include in the District SWMP a "recycling center" that is used solely for recycling drop-off at residential complexes or shopping centers if that site is not open to other haulers or to the general public.

#### **501. Criteria for the Review of Proposed Recycling Centers & Recycling Facilities**

The County encourages recycling facilities and operations, both public and private, as a means of achieving the municipal recycling targets mandated by N.J.S.A. 13:1E-99.23(4) and the statewide goal of recycling 60 percent of the total solid waste stream. As a general policy, the County will incorporate those recycling facilities and operations that are determined to support those objectives. This determination will be made based upon a review of the application's consistency with the following criteria:

- A. The proposed facility will complement existing recycling facilities or operations, or planned recycling facilities or operations already provided for in the District SWMP.
- B. The proposed facility will not have a negative effect on existing agreements between the County of Ocean and any other owner and/or operator of recycling facilities and operations.
- C. The expected tipping fees, user charges or other financial charges to be imposed on any users of the proposed facility for the receipt, storage, processing or transfer or recyclable materials from the proposed facility are not unreasonable.
- D. The proposed facility is consistent with the planning and land development programs of the municipality in which it is located.

- E. The proposed design and operation of the facility will ensure the conditions necessary to permit the efficient recycling of the materials to be accepted at the facility.

## **502. Submission Requirements for Proposed Recycling Centers & Recycling**

In order to have a recycling center considered for inclusion in the Ocean County District Solid Waste Management Plan, the following must be submitted to the Ocean County Department of Solid Waste Management:

- A. The corporate name, address and telephone number of the owner of the proposed facility.
- B. The corporate name, address and telephone number of the operator of the proposed facility, if different than the owner.
- C. A listing of all other solid waste facilities and operations and/or recycling facilities and operations that are owned and/or operated by either the owner or operator of the proposed facility, in whole or in part, including their specific location, a description of all materials received, stored, processed or transferred at each facility and operation, a description of the source or point of generation of all materials received, stored, processed and transferred at each facility and operation, and the location of the disposal facility(s) that receive residue from each facility and operation.
- D. The street address of the proposed facility and the block(s) and lot(s) number(s) of the proposed site.
- E. A key map showing the boundary of the proposed site plotted on a 7-1/2 minute U.S.G.S. Quadrangle map. This map shall delineate public access roads to the proposed site, any streams, lakes or other surface water bodies and sensitive receptors such as hospitals, schools, recreation areas, churches, homes, etc. within a one half mile radius of the proposed site.
- F. A tax map showing the lot(s) and block(s) of the site and adjoining properties indicating the current land use and zoning.
- G. A listing of the recyclable materials to be received, stored, processed or transferred at the proposed facility.
- H. The amount of each recyclable material, expressed in tons per day, which is to be received, stored, processed or transferred at the proposed facility.
- I. A description of the source or point of generation of all recyclable materials to be received, stored, processed or transferred at the proposed facility.



- J. A listing of all proposed end uses for the recycled materials, including the name, address and telephone number of all markets for the recyclable materials received stored, processed or transferred at the proposed facility.
- K. A list of all products, end products, by-products and residue, expressed tons per day, resulting from the proposed activities.
- L. Identification of the disposal facility that will handle all residue from the proposed facility.
- M. The proposed hours and days of operation.
- N. Three copies of a site plan, at a scale no larger than 1"=100', which plots the location of all equipment, buildings, activities and areas related to the receipt, storage, processing and transfer of all materials resulting from the proposed activities. The site plan shall also indicate the routing of vehicles between the proposed facility and all nearby roadways to the proposed site.
- O. An indication of the design capacity as to number and types of vehicles bringing material to the proposed facility for receipt, storage or processing and the number and types of vehicles transferring processed materials and residue from the proposed site, on a daily basis.
- P. A description of the provisions to handle unusual peak loading which exceed the planned daily capacity.
- Q. A certified letter from the zoning officer of the municipality in which the proposed site is located, stating that the proposed facility is a permitted use, conditional use and/or any special conditions that would apply under current municipal zoning.
- R. A listing of all municipal, County and State permits and/or other approvals required for the proposed facility and the status of each.
- S. An indication of the tipping fee, user charge or other fees that will be imposed on any user of the proposed facility for the receipt, storage, processing and transfer of recyclable materials at the proposed facility.
- T. An indication of how sanitary wastewater, process water or any other water requiring treatment will be handled at the proposed facility.

- U. Certification that the owner and/or operator agrees to permit access by the Ocean County Health Department and other authorized representatives to inspect the proposed facility during reasonable hours, to ascertain compliance with applicable State statutes and the provisions of the Ocean County District SWMP.
- V. Certification that the owner and/or operator agrees to provide users of the proposed facility and the Ocean County Department of Solid Waste Management adequate recycling records, including monthly reports summarizing the types and quantities of recyclables received from a particular hauler or municipality, including weight receipts or other source documentation, in a form acceptable to the Ocean County Department of Solid Waste Management to ensure compliance with the municipal recycling targets established by the Ocean County Recycling Plan and the provisions of the N.J.S.A. 13:1E-9.11 et seq.
- W. Certification that the owner and/or operator will submit one copy of the permit application and supporting material required by the New Jersey Department of Environmental Protection to the Ocean County Department of Solid Waste Management.

**600. Submission & Approval Procedures**

All proposals to include solid waste and recycling facilities in the Ocean County District Solid Waste Management Plan shall be submitted to:

Ocean County Department of Solid Waste Management  
129 Hooper Avenue  
P.O. Box 2191  
Toms River, New Jersey 08754-2191

The following procedures shall be utilized by the County of Ocean in the review of and approval of applications for inclusion of proposed solid waste and recycling facilities in the District SWMP.

**601. Review by the Department of Solid Waste Management for Proposed Facilities**

- A. All applicants for proposed facilities must submit the information and other supporting material required by the District SWMP for the type of facility proposed for inclusion in the District SWMP. No formal review of the proposed facility will commence until the application is determined to be complete. The County Department of Solid Waste Management shall make the determination of completeness and may waive any of the submission requirements that are determined to be unnecessary for the review of the application. The County's Department of Solid Waste Management shall review each initial application for completeness and notify the applicant in writing of any additional material required to initiate formal

review, or that the application is complete for review. Upon a determination that the application is complete for review, the County Department of Solid Waste Management shall prepare a report to determine the consistency of the proposed facility with the policies of the adopted and certified Ocean County District SWMP. The report shall indicate if the proposed facility is consistent, inconsistent, or any conditions or modifications required to make the proposed facility consistent with the District SWMP. Prior to formal submission of the report to the Board of Chosen Freeholders, the Department of Solid Waste Management shall consult with the Ocean County Solid Waste Advisory Council as required by N.J.S.A. 13:1E-23(a).

- B. The County Department of Solid Waste Management shall review an application for a leaf mulching site on farmland and upon determination that the applicant has met the submission requirements, notify the applicant, by certified letter, that the site is registered for inclusion in the District SWMP. The letter will also include any conditions required for operation. The owner and/or operator may begin accepting leaves immediately upon receipt of the letter from the County Department of Solid Waste Management. Failure to meet the conditions established or correct deficiencies identified by inspection of the site by the Ocean County Health Department shall result in revocation of registration of the site for leaf mulching operations. The County will include all registered leaf mulching sites in the next appropriate amendment to the District SWMP, providing the applicant has designed and operated the site in accordance with conditions established for the site.

#### **602. Review & Consideration by the Board of Chosen Freeholders**

The Ocean County Board of Chosen Freeholders shall consider all proposals to amend the District SWMP consistent with the provisions of N.J.S.A. 13:1E-23. The Board of Chosen Freeholders shall not formally consider a proposal to include solid waste or recycling facilities in the District SWMP until it has consulted with the County Solid Waste Advisory Council.

Upon consideration of the report prepared by the County Department of Solid Waste Management, the application for the proposed facility and any recommendation of the Solid Waste Advisory Council, the Board of Chosen Freeholders shall adopt a Resolution authorizing the Department of Solid Waste Management to prepare an Amendment to the District SWMP for the proposed facility(s), or stating its intent not to propose an Amendment for the proposed facility(s).

#### **603. Formal Proposal to Amend the District SWMP to Include Proposed Facilities**

- A. If the Board of Chosen Freeholders determines to propose an Amendment to the District SWMP to include the proposed facility(s), the Department of Solid Waste Management shall prepare the appropriate map, plan and report containing the proposed Amendment which shall be sent by certified mail to the mayor of each municipality within the County.

- B. The Board of Chosen Freeholders shall schedule a public hearing on the proposed Amendment to solicit public comment from persons interested in, or who would be affected by, the adoption of the proposed Amendment to the District SWMP. The public hearing shall be scheduled in accordance with the procedures set forth in N.J.S.A. 13:1E-23(d) and conducted in accordance with the procedures set forth in N.J.S.A. 13:1E-23(e).
- C. At the conclusion of the public hearing and any period provided for written comments to the hearing record, the Board of Chosen Freeholders shall, by Resolution, adopt or reject, in whole or in part, the proposed Amendment to the District SWMP. Notice of this action shall be in compliance with the requirements of N.J.S.A. 13:1E-23(e) and N.J.S.A. 13:1E-23(g) and (h).

**603.A Timeframes for a Formal Proposal to Amend the District SWMP to Include New Facilities**

An application that is submitted to the County for a significant facility, including a sanitary landfill or transfer station, to be included into the Ocean County District Solid Waste Management Plan, will be reviewed by the Department of Solid Waste Management (DSWM) within thirty (30) days for completeness. Once an applicant has a complete application, the DSWM shall have sixty (60) days to prepare a report for submission to the Board of Chosen Freeholders (Board) to determine the consistency of the proposed facility with the policies of the adopted and certified Ocean County District Solid Waste Management Plan. The Ocean County Solid Waste Advisory Council shall be consulted during this period of time. The Board, within thirty (30) days of receipt of the report prepared by the DSWM, shall adopt a resolution authorizing the DSWM to prepare an Amendment to the District Solid Waste Management Plan for the proposed facility(s), or state its intent not to propose an Amendment for the proposed facility(s). If an Amendment is recommended, within sixty (60) days, the DSWM shall prepare an Amendment and commence the public comment period.

The Board shall conduct the public hearing within the comment period and accept written comments until the end of the comment period. Following the conclusion of the public comment period, the DSWM shall prepare a response document regarding comments made at the public hearing and issues raised from correspondence received during the public comment period within thirty (30) days and transmit same to the Board for their consideration. The Board shall have sixty (60) days to review the report and adopt a Resolution concerning the Amendment.

**604. Expedited Plan Inclusion**

This section establishes and describes an expedited arrangement for inclusion in the County Plan of vegetative waste compost facilities and recycling centers.

An application for such a facility or a center must be submitted to the County at the address listed in Section 600. The application must contain the information required under Subsections 302 and/or 502 of this document.

The applicant must submit written documentation that all applicable local approvals and permits have been secured.

When the application is found to be complete, the County will advise the applicant to publish two notices of the proposed application, one each week for two consecutive weeks, in a newspaper of general circulation with the host municipality. The notice shall set forth:

1. The nature of the project;
2. The block and lot numbers of the site location;
3. The generally recognized address of the site;
4. The location of the depositories (which in all cases shall be the municipal building and the County Department of Solid Waste Management) for inspection of the complete application and supporting documents; and
5. A statement that written documents on the proposed application will be accepted by the County Department of Solid Waste Management for a period of 30 days from the date of the first notice.

A sample notice may be found in Appendix II of this document.

The applicant must also notify by certified, return receipt mail, all property owners within 200 feet of the property proposed for use for the facility or the center. The applicant must forward a copy of the notice to the municipal clerk of the host municipality and of contiguous municipalities, and to the New Jersey Department of Environmental Protection, Office of Recycling, upon its publication.

If no substantive objections are presented, the County may, by a resolution of the Board of Chosen Freeholders, include the proposed facility in the Plan.

If a substantive objection is received, then a public hearing will be held by the Solid Waste Advisory Council for the County. Notice of the hearing must be published by the applicant in the same manner as the first notice. Thereafter, upon receiving the recommendation of the Solid Waste Advisory Council, the Board may by resolution, reject or adopt, in whole or in part, with or without change, Solid Waste Advisory Council's recommendation concerning proposed inclusion of the proposed facility in the County Plan.

The applicant and the DEP will be properly notified of the action of the Board.

Inclusion in the Plan does not relieve the applicant from any obligation to secure from the DEP, or the Pinelands Commission, any permits or other required approvals.

## **604.A Timeframes for Expedited Plan Inclusion**

An application that is submitted to have a proposed Class A, B, C or D recycling facility included into the Ocean County District Solid Waste Management Plan pursuant to the expedited plan inclusion procedures, will be reviewed by the DSWM within thirty (30) days for completeness. Once an applicant has a complete application, they will be notified to conduct their public notice requirements. If a public hearing is not required, the Ocean County Solid Waste Advisory Council will make a recommendation at their next meeting following the conclusion of the public comment period to the Board. If a public hearing is required, the County will only schedule one presentation and public hearing on plan inclusion per Solid Waste Advisory Council meeting. Should there be more than one application under review, special meetings will be scheduled to separately hear the proposals. The County will schedule the public hearing for the next regularly scheduled meeting after the conclusion of the public comment period.

The Solid Waste Advisory Council will then review the transcripts and hearing record. Since the Solid Waste Advisory Council meets every other month, they will take formal action at their next meeting to make a recommendation to the Board. Once the Solid Waste Advisory Council makes a recommendation, a report and resolution are prepared and sent to the Board for their action within thirty (30) days of the recommendation. The Board will take action on the recommendation at their next regularly scheduled meeting.

## **700. Repeal of Previous Amendment Procedures & Requirements**

All previous amendment procedures and requirements established by the Board of Chosen Freeholders in the District SWMP and/or the Ocean County Recycling Plan are hereby repealed, and the procedures established hereof shall supersede any nonstatutory amendment procedures.

## **800. Validity**

Fees shall be charged for the review of all applications for solid waste and recycling facilities to be included in the Ocean County District SWMP. Said fees shall be used by the County to defray all engineering, legal, environmental and other administrative review costs incurred by the County during the review of the application. Application fees shall be in accordance with the fee schedule established by Resolution of the Board of Chosen Freeholders. Said fee schedule shall establish a range of fees for different types of solid waste and recycling facilities and shall reflect reasonable costs incurred by the County of Ocean for the review of proposed facilities. Said monies shall be held in trust by the County. In the event the fees incurred by the County do not exceed the application fee paid by the applicant, the County shall return the unspent balance of the fee. The maximum fee charged for review shall not exceed \$5,000.00 unless such limit shall be revised by Resolution of the Board of Chosen Freeholders. Fees shall not be charged for applications submitted by state, county and municipal

governments and churches, hospitals and secular nonprofit institutions. Application fees shall not be refunded if the application is disapproved or if the application is withdrawn by the applicant.





**Appendix I**

**Solid Waste Plan Inclusion Application Fee Schedule**



### **Solid Waste Plan Inclusion Application Fee Schedule**

All applications for inclusion in the Ocean County District Solid Waste Management Plan require the submittal of an Application Fee, except as exempted herein. Fees shall be calculated based on the total of a minimum nonrefundable amount, and an amount to be determined based on the County's utilization of outside consultants during the application process.

A. **Fees**

	<u><b>Amount</b></u>	<u><b>Nonrefundable</b></u>
1. Leaf Mulching Facility	\$ 50.00	\$ 50.00
2. Leaf Composting Facility	\$ 500.00	\$ 100.00
3. Recycling Centers	\$ 2,500.00	\$ 500.00
4. Solid Waste Facility	\$ 5,000.00	\$ 2,500.00

- B. The maximum application fee charged shall not exceed \$5,000.00 unless such limit shall be revised by Resolution of the Board of Chosen Freeholders. If costs exceed the original submitted fee, the applicant will be notified of the need to remit additional monies.
- C. Fees shall not be charged for the review of applications submitted by county and municipal governments and churches, hospitals and secular nonprofit institutions. The Board of Chosen Freeholders reserves the right to waive fees on a case by case basis.
- D. The applicant shall make payment by check or money order, made payable to the Treasurer, County of Ocean. Application fees shall not be refunded if the application is disapproved or if the application is withdrawn by the applicant.
- E. Any requests for revisions to the original application after approval will require the submittal of a new fee.
- F. All monies collected from the application fees will be held in trust until such time as the process is complete. At this time, a determination will be made on any costs exceeding the nonrefundable amount and not exceeding remitted fees. If it is determined that review costs were less than the fee submitted, the difference will be refunded to the applicant.



**Appendix II**  
**Sample Public Notice**



### **Sample Public Notice**

**NOTICE IS HEREBY GIVEN** that (name of company) plans to construct and operate (nature of project) located (address, lot and block numbers). The complete application and supporting documents for this project can be reviewed at the Ocean County Department of Solid Waste Management, 129 Hooper Avenue, Toms River, New Jersey, and at (name of municipal building). Written comments on the proposed application will be accepted by the County Department of Solid Waste Management for a period of 30 days from (date of first notice). Please submit any comments to:

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

