

AMENDMENT
to the
OCEAN COUNTY
SOLID WASTE MANAGEMENT PLAN
APRIL 20, 2005

*county
sent*

Prepared by:
Ocean County Department of Solid Waste Management
129 Hooper Avenue
Toms River, New Jersey

-text printed on recycled paper-

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June 3, 2005

Bradley M. Campbell, Commissioner
NJDEP
P.O. Box 402
Trenton, NJ 08625-0402

Dear Commissioner Campbell:

On behalf of the Ocean County Board of Chosen Freeholders, I am enclosing the adopted Resolution and Amendment to the Ocean County District Solid Waste Management Plan. This Plan Amendment was adopted by the Board because of its desire to update the County Plan. A summary of the Amendment includes the following provisions: identifies the components of the County recycling education and outreach activities; establish the recycling requirements for generators of recyclable materials; requires the expansion of the County's recycling enforcement program; modifies the County's position concerning waste flow to bring it into conformity with the Atlantic Coast decision; revises the development plan for the Ocean County Landfill, Inc. so that a filled portion of the landfill can be redeveloped to accept bulky waste and construction/demolition debris; the approved Materials Reprocessing Facility is modified to allow its alternate dual use as a MPF/transfer station with a maximum capacity of 2,000 TPD; the Plan Amendment also permits the MPF/transfer station building footprint to be moved into the northern part of Block 2, Lot 769 and Lots 770.

The Board appreciates your review of the adopted Amendment. If you or your staff have any questions concerning the Amendment, please do not hesitate to contact me.

Very truly yours,

Ernest J. Kuhlwein, Jr.
Director

EK/JH/rp

Cc: Guy Watson, Chief, Bureau of Recycling & Planning
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INTRODUCTION

1.1 BACKGROUND

This document is a proposed amendment to the Ocean County District Solid Waste Management Plan. The Solid Waste Management Act (NJSA 13:1E1 et seq.) requires the County to adopt such a plan and that it be amended as required by changing circumstances.

The original plan was adopted by the Board of Chosen Freeholders on July 17, 1979. Certain technical amendments were proposed on July 1, 1980 and were approved by the Commissioner of the Department of Environmental Protection on July 31, 1980 with certain additional modifications made on his initiative.

The Board of Chosen Freeholders has amended the County plan from time to time as required by changing circumstances. The most recent amendment was on April 3, 1996 and it added new mandatory recyclable materials, updates the list of plan approved facilities and uses of the Resource Recovery Investment Tax Fund.

The New Jersey Department of Environmental Protection has requested that the County re-certify its County plan. The proposed Plan Amendment set forth on the following pages has been drafted by staff and under the direction of the Board of Chosen Freeholders and in conjunction with the Solid Waste Advisory Council. A public hearing will be held on the proposal after which, with or without change, it will be adopted, by the Board and forwarded to the Commissioner of the Department of Environmental Protection for approval.

The County Plan continues to have the following elements:

- Waste flow control to the extent permissible under the decision in Atlantic Coast Demolition & Recycling, Inc. v. Board of Chosen Freeholders of Atlantic County, et al., 112 F.3d 652 (3d Cir. 1997) ("Atlantic Coast").
- An aggressive recycling effort to recover from the community solid waste stream all materials for which there are reuse opportunities.
- To encourage private sector recycling opportunities to reduce the solid waste stream and recover additional materials.
- Ocean County Landfill Corp., Inc. (OCLF), a privately owned state of the art double composite lined landfill for the disposal of solid waste.

Recycling

We can define recycling as the recovery of materials, which would otherwise be solid waste. Recycling is the first and the most important element of the

County plan. Recycling provides significant economic, as well as, environmental benefits.

The County Recycling Plan continues to have the following elements:

The County operates the Northern Recycling Center including a Materials Processing Facility, large compost facility and resident recycling center. Please refer to Appendix C.

- The County operates the Southern Recycling Center including a recycling transfer facility, small composting facility and resident recycling center. Please refer to Appendix C.
- The County's compost program processes vegetative materials at the following municipal sites: Dover Township, Brick Township, Manchester Township, Lacey Township, Beachwood Borough, Berkeley Township, Plumsted Township and Lakehurst Borough. Please refer to Appendix C.
- The County's Household Hazardous Waste Program manages more hazardous material than any program in New Jersey. Please refer to Appendix D.
- The County's Paint Management Program is the most comprehensive in New Jersey. Please refer to Appendix E.
- The County's Recycling Revenue Sharing Program has distributed \$5,000,000.00 to our municipalities since 1995.
- The number of Class B, C and D recycling facilities in the County Plan has decreased, and a need exists for additional facilities.
- The County's Computer Recycling Program will continue to accept computers and computer components from homeowners.
- The County's Municipal Recycling Mini Grant Assistance Program will assist the municipalities in implementing recycling programs in their community.

Landfill

Ocean County Landfill Corp., Inc. (OCLF) is an existing facility located on an approximately 725-acre tract on Route 70 in Manchester Township. OCLF has provided for the solid waste disposal needs of the solid waste generated from Ocean County for many years.

The Ocean County Solid Waste Management Plan continues to have the following elements:

- OCLF provides a facility with double composite liners and a leachate collection and treatment system.
- OCLF maintains a comprehensive methane gas collection system. A portion of the methane gas is converted into electric energy and sold to GPU.
- OCLF maintains a system of forty-two (42) monitoring wells.
- OCLF constructed a new entrance on Route 70 with a deceleration lane to improve highway safety.
- OCLF provides substantial host community benefits including free or reduced disposal to some Manchester Township residents.
- OCLF has made a commitment to reserve the facility's capacity exclusively for Ocean County users.
- On August 31, 1994 Commissioner Shinn awarded OCLF a franchise for the solid waste disposal needs in Ocean County.
- All non-hazardous waste that is not recycled shall continue to be delivered to the OCLF disposal facility unless taken to a duly permitted out of state facility for disposal.
- Pursuant to its franchise, OCLF shall continue to serve the needs of Ocean County until all of its permitted capacity is utilized.

1.2 PURPOSE OF PLAN AMENDMENT

The Plan Amendment set forth on the following pages has been drafted by staff at the direction of the Board of Freeholders and in consultation with the Solid Waste Advisory Council. The Amendment makes the following changes in the County Plan:

- Modifies the County position concerning waste flow to bring it into conformity with the Atlantic Coast decision.
- Revises the development plan for OCLF so that a filled portion of the landfill can be redeveloped to accept bulky waste and construction/demolition debris. The approved Materials Processing Facility is modified to allow its alternate dual use as a MPF/transfer station with a maximum capacity of 2,000 TPD.
- The Plan Amendment also permits the MPF/transfer station building footprint to be moved into the northern parts of Block 2, Lot 769 and Lot 770.

- Establishes definitions and describes actions for generators of recyclables which are necessary to enable Ocean County to meet and exceed the 60% recycling goal established by state law.
- Requires the Ocean County Health Department to expand its recycling enforcement program within one year following the adoption of the Amendment.

RECYCLING

2.1 RECYCLING PROGRAM-OUTREACH EFFORTS

- Outreach and education has been a vital part of Ocean County's Recycling Program from the beginning. The education activities noted below have helped make the County's program into the model program that it is today. The County offers various activities and resources to educate its residents about the benefits of recycling and source reduction. This is accomplished through the use of Ocean County's Recycling Education Center, Backyard Composting Demonstration Site, Master Composter Training Program, Ocean County Recycles Newsletter, Ocean County Solid Waste Management Website and Hotline, and Ocean County Recycles Teacher's Resource Guide to Recycling, Ocean County Recycling Directory, and various publications and recycled content promotional items.
- Ocean County Recycling Education Center - This Center opened in 2000 at the County's Northern Recycling Center in Lakewood Township and has enabled the County to provide further outreach about recycling and source reduction to its residents and schools. Teachers, students and organizations have the opportunity to listen to presentations by the County staff on Ocean County's Recycling Program prior to observing a tour of the County's Recyclable Materials Processing Facility (MPF). The Education Center also displays a scale model of the MPF so that visitors can get a closer look at how the facility operates. The Education Center is also used for training staff, Master Composter training, "How to" Compost classes by the Ocean County Master Composter volunteers, Rutgers Recycling Certification Series courses, and other environmental related events and presentations.
- Ocean County Backyard Composting Demonstration Site - Since residents were very responsive to the County's pilot backyard composting project in 1995, when the County purchased approximately 1,500 "Earth Machine" units for interested municipalities to conduct composting workshops, this site was developed to serve as a continuation of that project. The County's Backyard Composting Demonstration Site opened in 2000 at the Northern Recycling Center adjacent to the Recycling Education Center. The County built this site that displays various home composting units and an information Kiosk to further increase awareness about the many benefits of home composting, since it contributes to source reduction and is excellent to use for home gardening. While constructing the site, the County was also conscious to use recycled products such as benches, recycling containers, landscape ties, planters and bird feeders made from recycled plastic lumber, and also the signage welcoming visitors to the site is made from recycled plastic lumber. The County's compost was used for planting vegetation at the site as well. The demonstration site is open to the general public, for visiting school

groups and organizations, and as part of the Ocean County Master Composter Training Program, which also began in 2000. The County also uses the site for "How to" Compost classes, which are taught by its Master Composter volunteers. These classes are offered each spring and fall to interested residents free of charge to learn the basics of home composting.

- Ocean County Recycles Newsletter – The County has been producing this quarterly newsletter since 1989, which is distributed to municipal government officials, libraries, school officials, environmental commissions, county recycling and solid waste coordinators, Ocean County municipal recycling coordinators, environmental agencies and clubs, hospitals, chambers of commerce, garden clubs, campgrounds, senior groups, women's clubs, beach and yacht clubs, local landscapers, marinas, and Ocean County Master Gardeners and Master Composters. The newsletter covers the activities within the County's Solid Waste Management Program. Other related environmental activities within Ocean County are also covered.
- Ocean County Solid Waste Management Hotline 1-800-55-RECYCLE -The County developed this Hotline in 1995, which provides information on solid waste management activities in Ocean County. The Hotline provides information with such things as the County's Household Hazardous Waste Collection Program, tire and paint management, hours of operation for the County's Recycling Centers and materials accepted at the Centers, disposal of asbestos and appliances, and the Backyard Composting Demonstration Site.
- Ocean County Solid Waste Management Website - The website www.co.ocean.nj.us/recycle was created in 1999 and offers helpful information about programs and activities within the County's Department of Solid Waste Management. Information on such things as yearly recycled tonnage data for the County's 33 municipalities, publications, mandated recycling, municipal recycling coordinators, meeting schedules, the County's Recycling Centers and Recyclable Materials Processing Facility, Recycling Education Center, Master Composter Training Program, Backyard Composting Demonstration Site, Household Hazardous Waste Collection Program, Paint Management Program, and other recycling programs is accessible through the website.
- Ocean County Master Composter Training Program – The County began its Master Composter Training Program in 2000 with the opening of its Recycling Education Center and Backyard Composting Demonstration Site. The County offers this program free of charge to County residents familiar with gardening and composting who are interested in becoming trained Master Composter volunteers. The County provides twelve hours of training during a three-day period at its Recycling Education Center and Backyard Composting Demonstration Site. Upon completion of their

training, volunteers receive a Master Composter t-shirt, a compost bin, composting reference book, tote bag, pitchfork, thermometer, and a name badge that identifies them as an Ocean County Master Composter. As a Master Composter, volunteers are required to complete a total of 24 hours of service and community outreach for home composting. As part of their outreach, our volunteers have participated in teaching the County's "How to" Compost classes that are offered each spring and fall at the Education Center. The County decided to offer these classes in addition to the Master Composter training for those residents who just want to learn the simple basics behind composting. These classes run about an hour and a half. The County continues to receive a strong response from the public for registration to these classes and the feedback from residents who have taken the classes has been very positive. Other outreach activities that the County's Master Composter volunteers have participated in to support home composting are: speaking to community groups and schools, manning exhibits at the Ocean County Fair, garden shows, and other environmental events, as well as writing articles about composting for the Ocean County Recycles newsletter.

- Ocean County Recycles Video & Teacher's Resource Guide to Recycling – The County originally developed this video and guide in 1995 with education and public relation consultants for distribution to the County's public and private schools to encourage our schools to get more involved with recycling. Both the Ocean County Recycles video and the Teacher's Resource Guide were recently updated in 2003 and 2004 to reflect the many new activities that have been added to the County's Recycling Program. The video is for all age groups and provides an excellent overview of the County's Recycling Program, which includes coverage of the County's Recyclable Materials Processing Facility and its recent improvements, compost operations, the Household Hazardous Waste Collection Program and Paint Management Program, computer recycling, and outreach/education efforts. The Teacher's Guide is designed for middle elementary grades and enables educators to integrate recycling activities into their lesson plans and focuses on the "3 R's", Reduce, Reuse and Recycle, while introducing both teacher and student to the environmental and economic benefits to recycling specific to the County's Recycling Program.
- Ocean County Recycling Directory - The County developed this directory in 2003 to provide a convenient source of information for residents to refer to on recycling and solid waste management activities in Ocean County. The Directory includes information on the County's Recycling Plan, municipal recycling coordinators, mandated recycling, recycling collection, trash disposal, recycling drop-offs, non-traditional recycling, and private recycling centers. The County has 180,000 of these directories printed by the Asbury Park Press once annually in September. The Directory is inserted as a supplement in the Press and other local papers. Copies are also distributed to the County's Northern and

Southern Recycling Centers and The County Connection, the County's store at the Ocean County Mall.

- Publications and Promotional Items - The County has other various publications available on such topics as composting, grasscycling, Master Composter training, household hazardous waste, and the County's MPF. These publications are available at the Recycling Education Center for tour groups, the Department of Solid Waste Management office, at various public functions that staff and Master Composter volunteers attend, and many of them can also be downloaded off the Department of Solid Waste Management website. The County also stocks many various recycled content items such as paper and tire pens, blue jean and money pencils, magnets, information wheels on household hazardous waste and composting, seed packets, soy crayons, and coloring books made from recycled paper so that visitors to the County's facilities can see how you can "close the loop" by purchasing recycled content products. Also, these recycled content products are available at the many outreach functions County staff and Master Composter volunteers attend.

2.2 COMPLIANCE BY GENERATOR

This section provides definitions and describes action by generators of recyclables, which are necessary to enable Ocean County to meet and exceed the 60% recycling goal imposed by State Law.

Residential Compliance Requirements (single family and up to four family housed).

- Citizens are responsible for source separating mandated items according to municipal ordinances and delivering them to the municipal collection system (whether curbside collection, bulk center or drop-off center).

Multi-family Compliance Requirement (condominiums, townhouses, low and high-rise apartments).

- Drop-off centers (bulk centers) must be established and maintained so that they are conveniently accessible to residents. These centers must be physically separated from the garbage collection location, but must be on the development premises. Curbside collection may be made available in place of, or in conjunction with, these drop-off centers.
- It must be clear to an inspector that the recycling system is being serviced: i.e. containers must be clearly marked and the area neatly maintained; there must not be garbage in the recyclables or recyclables in the garbage; container capacity must be adequate to hold materials between pick-ups.

- The recycling system must provide for all mandated recyclables as required by the municipal ordinance and the County Plan. The recycling system must utilize separate containers for each recyclable material. In no case are recyclables allowed to be commingled with garbage.
- The Management is responsible for setting up and maintaining the recycling system. Violations and Penalty Notices will be directed to the Management. The Management will be expected to correct violations promptly and to make necessary direct contacts with residents. The Management is responsible for arranging to have recyclables picked up and for resolving any problems with the transporter of recyclables, solid waste and recyclables haulers, inspections, violation notices, and/or summonses, etc., at transfer stations, landfills, and recycling centers.
- Notification and collection rules shall be issued by the Management to new tenants when they arrive and to all residents every three months. Copies of these notices, or other proof of distribution of the notices, must be sent to the municipal recycling coordinator at the time of each mailing or distribution.
- The Management is responsible for obtaining information in order to make reports to the municipality at least every three months on the tonnage of materials recycled. Arrangements with recycling companies or with haulers handling recyclables should include provisions for obtaining this information. Documentation must be maintained by the Management. When the municipality provides recyclables collection service, reporting and proof are not needed.

Commercial and Institutional Compliance Requirements (retail, wholesale, restaurants, taverns, schools, institutions, warehouses, construction sites, factories, offices, etc.)

- The owner/operator/contractor is responsible for seeing that a recycling system is established and that it is operated in compliance with the requirements of the municipal ordinance and this Plan.
- The recycling system must provide for any mandated recyclables in the commercial waste stream. The recycling system may utilize separate containers for each recyclable material.
- It must be clear to an inspector that the system is being serviced: i.e., containers must be clearly marked and the area neatly maintained; there must not be garbage in the recyclables or recyclables in the garbage; container capacity must be adequate to hold materials between pick-ups.
- The owner/operator (or in case of construction, the contractor) is responsible for setting up and maintaining the recycling system. The owner/operator/contractor is responsible for receiving and responding to

Warnings, Notices of Violation, and Penalty Notices and for correcting violations. The owner/operator/contractor is responsible for resolving problems, which arise from the improper use of containers and for training employees to understand and use the recycling system.

- The owner/operator/contractor is responsible for arranging for recyclables to be moved from the premises and for assuring that they go into the recyclables market. The owner/operator/contractor may make arrangements to deliver the recyclables to municipal collection system (drop-off center or curbside collection) if permitted by the municipality. Otherwise, the owner/operator/contractor is responsible for arranging to have recyclables picked up and for resolving any problems with the transporter of recyclables. Solid waste and recyclables haulers, municipal or private, are responsible for what they pick up. They will be subject to inspections, violation notices, etc. at transfer stations, landfills, and recycling facilities if violations occur.
- If patrons, customers or employees are involved in the waste disposal process (i.e. fast food stores or company cafeteria), the recycling system must allow for this and include notice to customers as to their responsibilities.
- The owner/operator/contractor must arrange to obtain documentation in order to report at least every three months (or as specified by the municipality) the tonnages of materials recycled or else he/she must arrange to have the collector provide that documentation directly to the municipality.

Swimming beach compliance requirement:

- All swimming beaches along the ocean, bay, rivers and lakes in Ocean County that are of sufficient size to be serviced by lifeguards shall provide recycling containers and a recycling collection program for commingled bottles and cans.
- This requirement is applicable to municipal, county and state swimming areas, as well as private swimming areas.
- The commingled bottles and cans must be source separated; no recyclables are permitted in the garbage put out for collection; no garbage is permitted to be mixed in with the recyclables.

2.3 RECYCLING ENFORCEMENT

The Ocean County Health Department is responsible for inspecting solid waste, recycling and composting facilities and they have conducted an active inspection program of these facilities for a number of years. In 2004 the Ocean County Health Department began a program of inspecting schools and multi-family

dwelling to check the compliance with these generators of recyclables. The impact of these inspections has been positive.

The Ocean County Health Department is strongly encouraged to expand its inspection program to check compliance by generators including multi-family dwellings, commercial sector, institutions, and swimming beaches. Within one year of the adoption of this Amendment the Ocean County Health Department shall implement an expanded inspection program. In addition, the Ocean County Health Department should evaluate its enforcement protocol and penalties and increase the penalty assessment for repeated offenses. The penalty aspect of Generator enforcement procedures should be reasonable and conducive to settlement without the cost of litigation. It is also expected to raise the awareness of the Generator and deter continued non-compliance with the recycling laws.

SOLID WASTE

3.1 WASTE FLOW

Historically, Ocean County has relied on the Ocean County Landfill Corp., Inc. facility (OCLF) in Manchester Township for the proper disposal of all its solid waste. Waste has been directed to the OCLF for many years as a provision of the Ocean County District Solid Waste Management Plan. New Jersey's system of self-sufficiency and mandatory waste flow control was overturned in Atlantic Coast insofar as it discriminated against interstate commerce by barring the use of out of state disposal sites. As a result, the New Jersey Department of Environmental Protection (NJDEP) is requiring all counties to update their District Solid Waste Management Plan to the extent necessary to bring them into compliance with the decision in Atlantic Coast.

As stated previously, Ocean County's District Solid Waste Management Plan had directed all municipalities to dispose of solid waste at OCLF in Manchester Township. Provisions of the court decisions prohibit the County from directing waste to OCLF when the generator of the material wishes to dispose of it out-of-state. Henceforth, the County will not prohibit solid waste from leaving Ocean County with an intended out-of-state disposal location. This sets forth the County's new strategy with respect to interstate waste flow.

The Atlantic Coast decision did not, however, invalidate that aspect of New Jersey's waste flow control system, which regulates the intrastate flow and disposal of waste. In I/M/O Allegations of Violations of A. Fiore & Sons, Inc., 305 N.J. Super. 192, 207 (App. Div. 1997) the Appellate Court noted that the Atlantic Coast decision "did not vacate or void the New Jersey intra-state system of solid waste disposition" and held that flow control requirements which affect only the intrastate flow of waste remain enforceable. Therefore, with respect to any waste not taken out-of-state for disposal, no change is being made in the waste flow provisions of the current Plan, which require delivery of such waste to the OCLF site in Manchester Township for disposal. Retaining intrastate flow control is consistent with OCLF's entitlement to receive such waste under its franchise. It is

also a strategy retained in the post-Atlantic Coast District Plan updates adopted by Monmouth County and Cape May County and approved by the NJDEP.

In summary, the County hereby amends its plan to require that all waste generated in Ocean County, which is not disposed of outside the State of New Jersey, is to be disposed of at OCLF. Such a mandate is consistent with the directives established in Atlantic Coast and subsequent case law and is also in compliance with the NJDEP regulations. The Atlantic Coast decision only invalidated flow control regulations that burdened interstate commerce by discriminating against out-of-state facilities. Contrary to the regulation in Atlantic Coast, however, this amendment would not prevent haulers from disposing of solid waste at out of state facilities, but would only regulate that waste which is going to be disposed at in-state facilities.

3.2 OCEAN COUNTY LANDFILL

The Ocean County Landfill Corp., Inc. facility (OCLF) currently operates under New Jersey Department of Environmental Protection (NJDEP) Solid Waste Facility Permit No. 1518000689E1 and is located at 2498 Route 70 in Manchester Township, New Jersey. The facility is bordered on the north by Route 70 on the east by the Toms River, and on the west by Route 571. The facility has been an active landfill disposal facility since 1972. OCLF is the designated disposal facility in the Ocean County Solid Waste Management Plan (OCSWMP) and is currently the only active landfill disposal facility in Ocean County.

The current Solid Waste Facility (SWF) Permit was amended in March 2001 to allow for certain capacity modifications and development of a Material Recovery Facility (MRF) for Type 13C waste. Pursuant to the OCSWMP and its franchise, OCLF is to provide disposal capacity for all non-recyclable waste generated in Ocean County through the year 2015. The March 2001 capacity modification, including the approved MRF, was intended to ensure sufficient capacity to meet the growing population and waste generation needs of the County.

Since that approval, waste deliveries to OCLF have continued to exceed previous projections. During the years 2002 and 2003, waste generation increased at a rate of nearly 10 percent annually. It appears that new construction, both residential and commercial, and population increases are mainly responsible for the increase in solid waste generation. If this trend continues, OCLF will run out of disposal capacity before the end of 2015.

The original projections prepared by the County for solid waste requiring disposal at OCLF estimated that approximately 437,200 tons of waste would require disposal in the year 2004 (Ocean County Solid Waste Management Plan Amendment, February 1991). Subsequent projections made by the landfill's engineer EMCON in 1999 in conjunction with the 2001 permit modifications estimated that approximately 531,967 tons would require disposal in the year 2004. Actual waste deliveries amounted to over 617,000 tons, which greatly exceeded both the original and revised projections.

In response to this significant deviation between projected and actual waste flow, EMCON prepared revised projections in January 2005, based upon the continuation of the nearly 10% annual growth in waste deliveries which was exhibited in 2002 and 2003. Based on these 2005 projections, it is estimated that approximately 5 million tons of additional waste could need to be disposed of at OCLF through the year 2015.

As of March 28, 2004, approximately 14.5 million cubic yards of airspace was available for landfill operations (solid waste, daily cover, and intermediate cover).

This amendment to the OCSWMP does not involve the development of any new solid waste facilities. The amendment would allow for the replacement of landfill space in a previously filled area without an increase in the current landfill footprint and with no increase in the currently approved maximum elevation of the landfill. This ability to manage the increased waste flow would be enhanced by utilizing the approved MRF as a transfer station, which is capable of transferring up to 2,000 tons per day (TPD) of waste for off-site disposal.

The modification will meet the projected capacity shortfall without increasing the capacity of the existing landfill beyond the existing landfill footprint and without increasing the maximum approved elevation.

Specifically, as part of this plan amendment the original landfill area will be redeveloped to accept bulky waste and construction and demolition (C&D) debris and the approved MRF is modified to allow its alternate dual use as a solid waste transfer station with a maximum capacity of 2,000 TPD. The plan amendment would also permit the MRF/Transfer Station building footprint to be moved into the northern parts of Block 2, Lots 769 and 770. Despite this reconfiguration of the footprint, the remaining areas of these two lots would continue to provide approximately 500 feet of buffer distance to the facility property boundary.

The utilization of the original landfill for bulky waste/C&D disposal will provide for approximately 2.5 million tons of additional disposal capacity. The alternate utilization of the MRF as a solid waste transfer station with a design capacity of up to 2,000 TPD will provide the ability to manage peak waste delivery periods and to preserve the additional 2.5 million tons of disposal capacity required to meet the projected shortfall.

The Bulky Waste and C&D Landfill will be developed over previously developed landfill areas, which are already included in the OCSWMP. The existing SWF permit and OCSWMP previously authorized the development and operation of a MRF.

The facility site is located at 2498 Route 70 in Manchester Township, New Jersey. The facility site consists of 43 lots, which encompass approximately 725 acres of land.

The following table lists the blocks and lots, which comprise the facility site as per the Ocean County Solid Waste Management Plan, February 1991. Those lots, which cannot be used for the handling, processing or disposal of solid waste are indicated. These lots are used as buffer areas, but can include ancillary facilities such as access roads and stormwater recharge basins.

| Block Number | Lot Number | Acres | Notes |
|--------------|---------------|------------|-----------------|
| 2 | 1 (partial) | 74.5 | Buffer area lot |
| | 6 | 70.1 | |
| | 9 | 9.9 | Buffer area lot |
| | 10 | 7.6 | |
| | 11 | 6.4 | Buffer area lot |
| | 12 | 26.4 | |
| | 13 | 5.1 | |
| | 14 | 34.1 | |
| | 15 | 22.9 | |
| | 16 | 2.6 | Buffer area lot |
| | 17 | 1.3 | Buffer area lot |
| | 18 | 3.5 | Buffer area lot |
| | 19 | 9.3 | |
| | 20 | 22.4 | |
| | 21 | 1.9 | |
| | 22 | 2.4 | |
| | 23 | 44.5 | |
| | 24 | 4.5 | |
| | 30 | 43 | |
| | 31 | 2 | |
| | 32 | 9.9 | |
| | 33 | 28.1 | |
| | 34 | 56.2 | Buffer area lot |
| | 35 | 1.1 | Buffer area lot |
| | 36 | 41 | Buffer area lot |
| | 37 | 15.5 | Buffer area lot |
| | 59 | 95.5 | |
| | 60 | 0.2 | Buffer area lot |
| | 61 | 0.6 | |
| | 62 | 8.4 | |
| | 64 | 3.9 | |
| | 65 | 5.2 | |
| | 768 | 5 | Buffer area lot |
| | 769 | 5 | Buffer area lot |
| | 770 | 8.8 | Buffer area lot |
| | 771 | 4.8 | Buffer area lot |
| | 772 | 5 | Buffer area lot |
| | 775 | 4.8 | |
| | 777 | 3.3 | Buffer area lot |
| | 778 | 5 | Buffer area lot |
| 3 | 635 (partial) | 2.4 | Buffer area lot |
| 3.02 | 642 | 11.7 | Buffer area lot |
| 3.03 | 1 (partial) | 9.2 | Buffer area lot |
| TOTAL | | 725 | |

The following additional blocks and lots are owned by the Ocean County Landfill Corp., Inc. or affiliated companies, but are not located within the facility boundary. These lots are primarily used as buffer areas.

| Block Number | Lot Number | Acres |
|--------------|------------|-------------|
| 2 | 3 | 0.3 |
| | 25 | 3 |
| 3.02 | 3 | 0.4 |
| 3 | 636 | 0.4 |
| | 637 | 0.5 |
| 4 | 631 | 8 |
| 11 | 619 | 4.4 |
| 9 | 1524 | 5.9 |
| 12 | 1636 | 1 |
| TOTAL | | 25.1 |

The following table lists the blocks and lots which will be affected by the proposed amendment:

| Facility | Block Number | Lot Number |
|--------------------------|--------------|------------|
| Bulky Waste/C&D Landfill | 2 | 6 |
| | | 14 |
| | | 15 |
| | | 19 |
| | | 20 |
| | | 23 |
| | | 61 |
| MRF/Transfer Station | 2 | 15 |
| | | 769 |
| | | 770 |

The OCSWMP currently lists Block 2, Lots 769 and 770 among those lots, which cannot be used for the handling, processing or disposal of solid waste. The proposed plan amendment would permit the MRF/Transfer Station building footprint to be moved into the northern parts of Block 2, Lots 769 and 770. An earthen berm to be constructed around southern and western boundaries of the MRF/Transfer Station area will mitigate any potential noise impacts.

The Bulky Waste/C&D Landfill will be constructed on lots that are already approved in the OCSWMP for solid waste disposal.

3.3 FACILITIES UPDATE

The number of facilities in the County Plan has decreased significantly since the last amendment of the County Plan on April 3, 1996. A number of facilities

were not built because of permit issues, court challenges and changes in ownership of the company. In addition the Clayton Block facility was sold for residential development and others have had a history of enforcement problems. The Longview Material Recovery Facility and Longview Recycling Center were previously deleted from the County Plan as an administrative action.

The following list of facilities are being deleted from the approved list of facilities dated, April 1996 including:

- Andrew Nemeth Farm (Sam Russo Farm), farm leaf mulching site, Block 58, Lot 13, Plumsted Township.
- John Kummings Stump Reduction Center, stump recycling center, Block 34, Lot 1, Eagleswood Township.
- Ocean County Landfill Corp., Inc., Solid Waste Composting operation to process Type 10 waste, Block 2, Lots 31 and 32, Manchester Township.
- Ocean County Landfill Corp., Inc., Rutgers Pilot Compost Operation, compost field research station, Manchester Township.
- Pinelands Recycling Center, Class B Recycling Center to recycle stumps, brush, tree parts, concrete asphalt, brick, block, unpainted wood, Block 25, Lots 79, 81, 85, and 86, Stafford Township.
- Ralph Clayton & Sons, Class B Recycling Center to recycle concrete, asphalt, brick and block, Block 11.5, Lot 70, Lakewood Township.
- South Brunswick Asphalt, Class B Recycling Center to recycle concrete, asphalt, brick, block, tree stump and tree parts, Block 824, Lot 1, Berkeley Township.
- South Jersey Recycling Center, Class C Recycling Center to recycle stump and tree parts at Block 79, Lot 28, Plumsted Township.
- Tanner Landfill, stump dump, Block 114, Lot 13, Block 124, Lots 13, 37, 47 and 47.01, Barnegat Township.

The following list of facilities, have been included into the County Plan and are being added to the approved list of facilities including:

- Supreme Computer Wholesaler, computers and computer components, Block 1607, Lot 2, Lakewood Township.
- Suffolk Recycling Corp., Class B Recycling Center to recycle asphalt, concrete, brick and block, Block 12, Lots 39, 40 and 41, South Toms River.

- Rubbercycle Inc. (formally CBM Inc.) tires, Block 1609m Kit 28.02, Lakewood Township.
- Supreme Computer and Electronic Recycler, computers, computer components and electronic equipment, Block 1607, Lot 11, Lakewood Township.
- Ecoglas Recycling, Class D Recycling Center to recycle cathode ray tubes, Block 1605, Lot 5, Lakewood Township.

The Ocean County District Solid Waste Management Plan, approved facilities as of May 2005 can be found in Appendix F.

CONCLUSION

4.1 CONCLUSION

In conclusion, with this amendment the County has met its statutory responsibility to insure the health and well-being of its citizens by providing safe and adequate solid waste disposal services for its residents, businesses and institutions. The County believes this proposed amendment accomplishes its goal of safely and effectively meeting the needs of its residents while still remaining within the legal boundaries established in the area of solid waste management.

This proposed amendment is intended to modify only those portions of the approved Ocean County Solid Waste Management Plan specifically addressed herein. All previously approved provisions, which are not inconsistent with this proposed amendment, are intended to remain in full force and effect. If any clause, provision, subsections, section or article of this proposed amendment shall be declared invalid by any court of competent jurisdiction or any administrative agency, the invalidity of such clause, provision, subsection, section or article shall not affect any of the remaining portions of this proposed amendment.

APPENDIX

- LEGEND:**
- CHURCHES
 - [Cross-hatched box] PARK AND RECREATION AREAS
 - [Solid black box] RESIDENTIAL AREAS
 - [Dotted box] SCHOOLS
 - FACILITY BOUNDARY

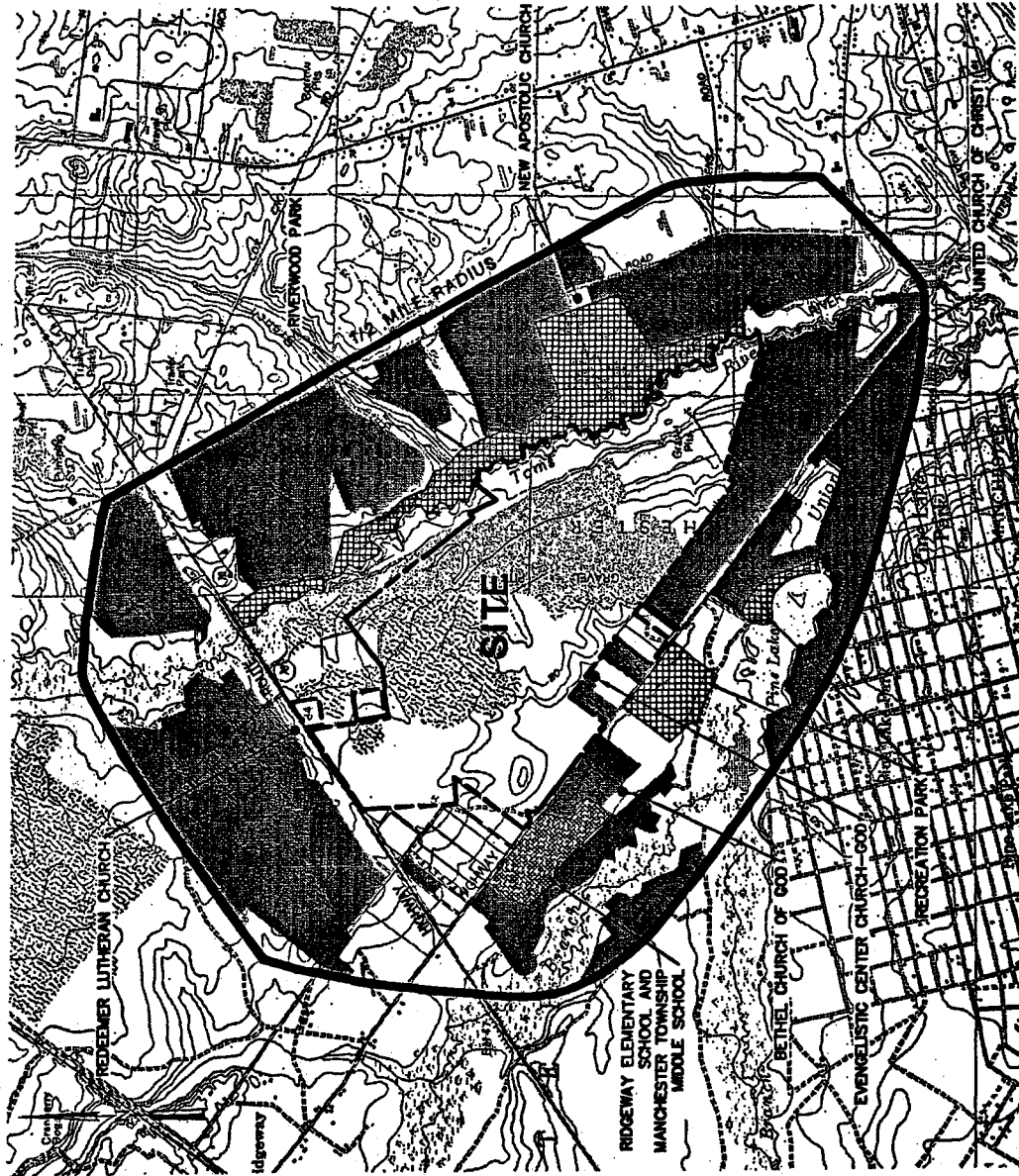


FIGURE 1-1
 OCEAN COUNTY LANDFILL CORP.
 SOLID WASTE MANAGEMENT PLAN AMENDMENT
 MANCHESTER TOWNSHIP, OCEAN COUNTY, N.J.
 VICINITY MAP

DATE 2/18/05
 DWN D. L. [Signature]
 APP G. [Signature]
 REV [Signature]
 PROJECT NO. 705228



Shaw EMCON/OWT, Inc.
 1000 ...
 ...



DOVER TOWNSHIP SYMBOLS

- 040 OFFICE ZONE
- 041 RESIDENTIAL ZONE
- 042 RESIDENTIAL ZONE
- 043 RESIDENTIAL ZONE
- 044 RESIDENTIAL ZONE
- 045 CONSERVATION RESIDENTIAL ZONE
- 046 RESIDENTIAL ZONE
- 047 HIGHWAY BUSINESS ZONE
- 048 INDUSTRIAL ZONE
- 049 LIGHT INDUSTRIAL ZONE
- 050 PLANNED RETIREMENT COMMUNITY ZONE
- 051 MULTI-FAMILY ZONE
- 052 MOBILE HOME PARK
- 053 RURAL HIGHWAY BUSINESS ZONE
- 054 SENIOR CITIZEN AFFORDABLE HOUSING - 1 ZONE

MANCHESTER TOWNSHIP SYMBOLS

- 2A RURAL AGRICULTURE - 1 ACRE
- 2B RESIDENTIAL - 40,000 SQ. FT.
- 2C RESIDENTIAL - 15,000 SQ. FT.
- 2D RESIDENTIAL - 15,000 SQ. FT.
- 2E RESIDENTIAL - 14,000 SQ. FT.
- 2F RESIDENTIAL - 14,000 SQ. FT.
- 2G RESIDENTIAL - 10,000 SQ. FT.
- 2H RESIDENTIAL - 10,000 SQ. FT.
- 2I RETIREMENT COMMUNITY/RESIDENTIAL CLUSTER
- 2J RETIREMENT COMMUNITY
- 2K MULTI-FAMILY
- 2L MOBILE HOME PARK
- 2M OFFICE, RESEARCH AND LIGHT INDUSTRIAL
- 2N OFFICE - PROFESSIONAL
- 2O BUSINESS
- 2P HIGHWAY DEVELOPMENT
- 2Q HIGHWAY DEVELOPMENT
- 2R HIGHWAY DEVELOPMENT
- 2S TOWN CENTER
- 2T FOREST AREA - RECEIVING AREA
- 2U FOREST AREA - SEEDLING AREA
- 2V LIGHT INDUSTRIAL



SOURCES:
 1. A MAP ENTITLED ZONING MAP, DOVER TOWNSHIP, OCEAN COUNTY, NEW JERSEY, PREPARED BY LAWRENCE P. CALUSTRO, TOWNSHIP ENGINEER AND DATED MARCH 21, 1978, LAST UPDATED JUNE 14, 2004.
 2. MAPS ENTITLED "MANCHESTER TOWNSHIP ZONING MAP - A PART OF MANCHESTER TOWNSHIP ORDINANCE 79-150", PREPARED BY E. EUGENE CROSS ASSOCIATES, AND DATED AUGUST 18, 1982, REVISED THROUGH ORDINANCE 00-044, ADOPTED 1/22/01 BY T & M ASSOCIATES.
 3. AERIAL PHOTOGRAPHY (ORTHOCS 2002) TAKEN FROM "NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF GEOGRAPHIC INFORMATION SYSTEMS (GIS) DATED IN 2002.

Shaw-EMCON/OWT, Inc.
 1000 ...
 ...
 ...

DATE 2/1/05
 DWN D. ...
 APP. ...
 REV. ...
 PROJECT NO. 783278

FIGURE 2-1
 OCEAN COUNTY LANDFILL CORP.
 SOLID WASTE MANAGEMENT PLAN AMENDMENT
 MANCHESTER TOWNSHIP, OCEAN COUNTY, N.J.
 LAND USE AND ZONING MAP

OCEAN COUNTY – TONS PROCESSED 2004

The Ocean County Recycling Program and Household Hazardous Waste Program have recycled or managed 151,996 tons of material in 2004. The breakdown is as follows:

Materials Processing Facility

| | |
|------------------|--------------------|
| Newspaper | 21,838 Tons |
| Commingled | 40,151 Tons |
| Cardboard | 20,338 Tons |
| Mixed Paper | 6,586 Tons |
| Sub Total | 88,913 Tons |

Compost Program

| | |
|------------------|--------------------|
| Brush | 25,828 Tons |
| Christmas Trees | 148 Tons |
| Grass Clippings | 565 Tons |
| Leaves | 33,722 Tons |
| Sub Total | 60,263 Tons |

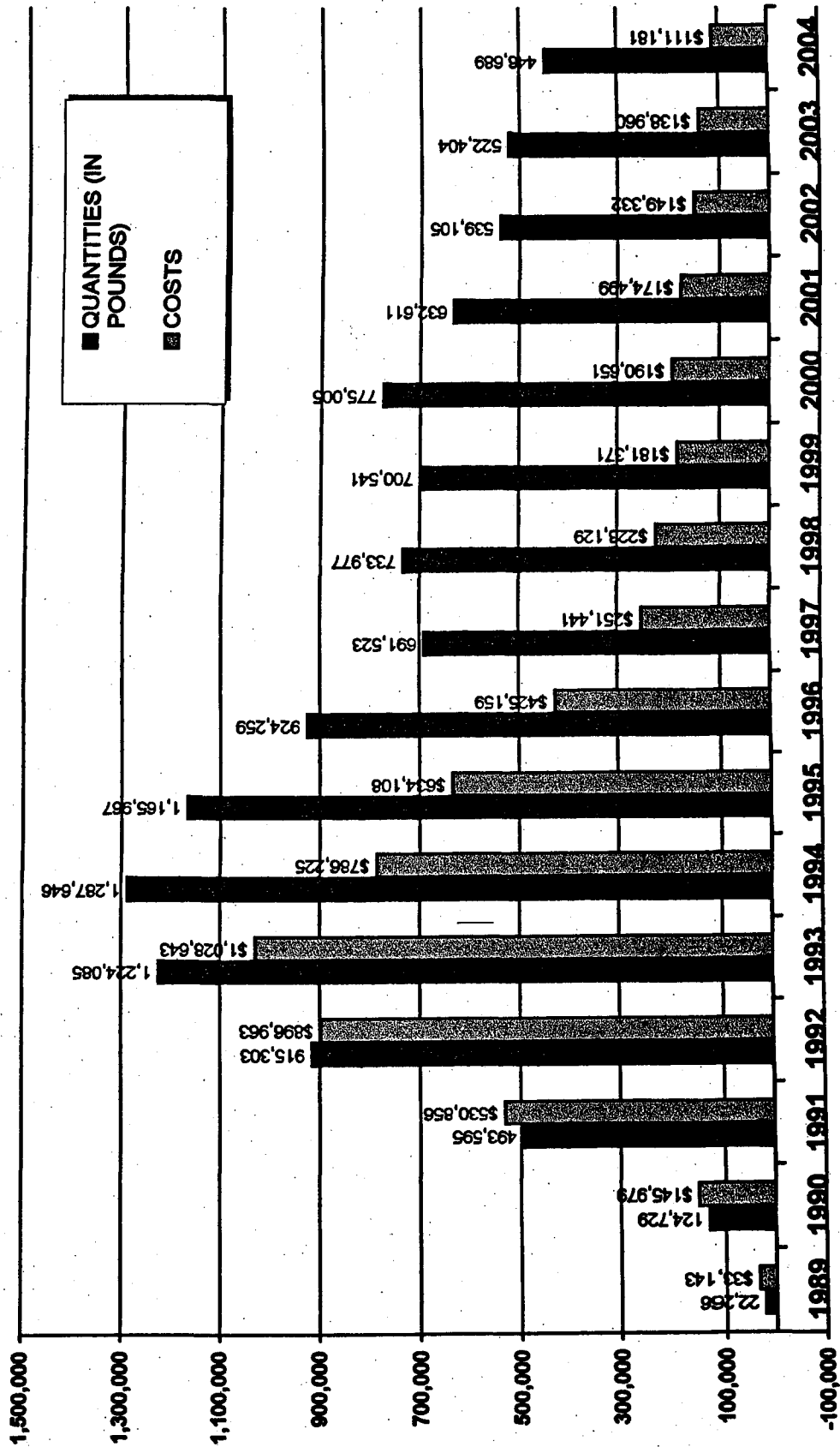
Recycling Centers

| | |
|------------------|-------------------|
| Aerosol Can | 10 Tons |
| Batteries | 21 Tons |
| Computers | 41 Tons |
| Phone Books | 107 Tons |
| Shrink Wrap | 52 Tons |
| Oil Filters | 6 Tons |
| Waste Oil | 1,706 Tons |
| Tires | 143 Tons |
| Sub Total | 2,086 Tons |

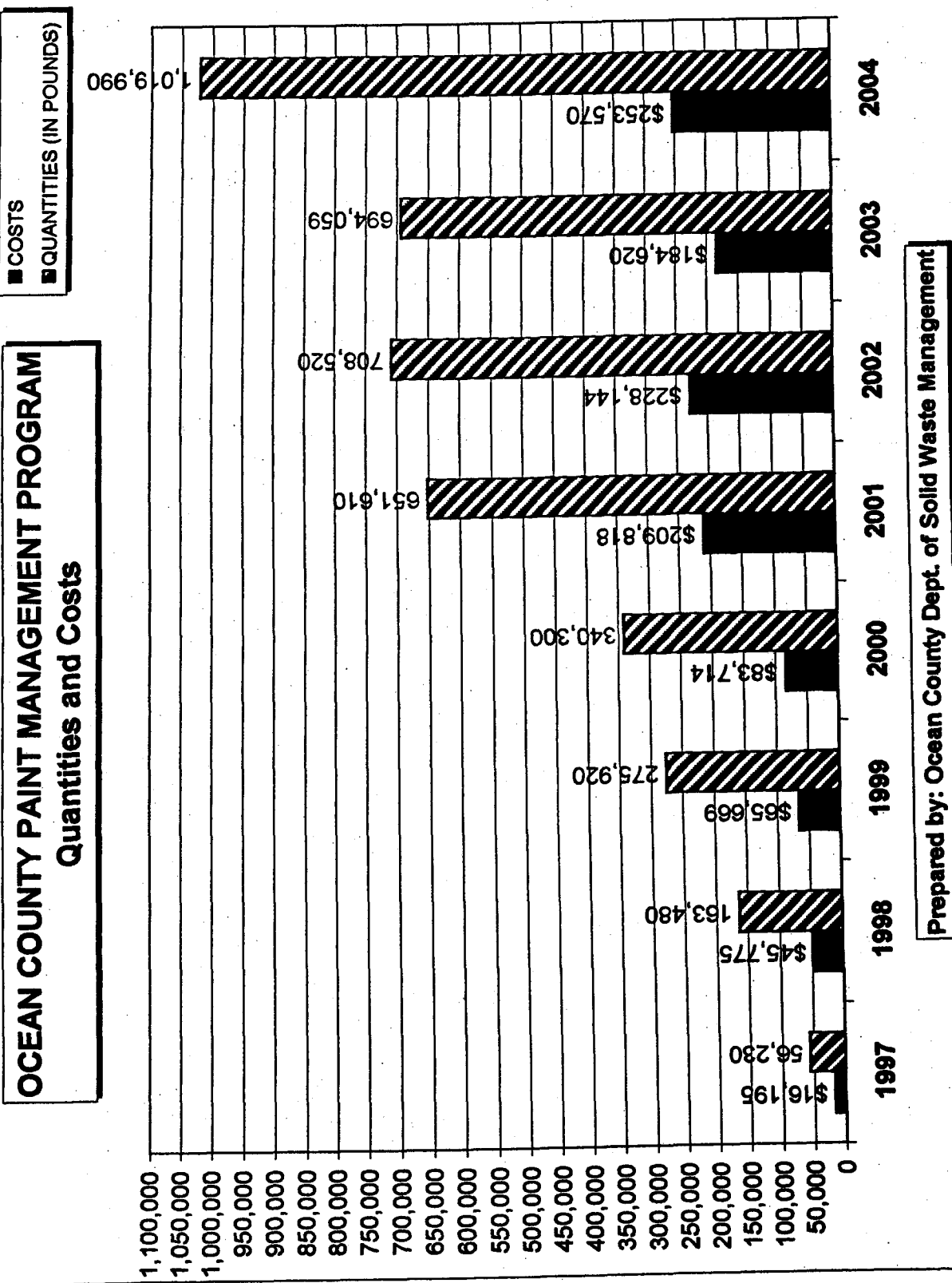
Household Hazardous Waste Program

| | |
|---------------------------|-----------------|
| Household Hazardous Waste | 244 Tons |
| Paint Management | 510 Tons |
| Sub Total | 734 Tons |

OCEAN COUNTY HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM
QUANTITIES AND COSTS



Prepared by: Ocean County Dept. of Solid Waste Management



APPENDIX F

OCEAN COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN – APPROVED FACILITIES AS OF MAY 2005

| FACILITY NAME | MAILING ADDRESS/ CONTACT-PHONE | MATERIALS ACCEPTED | STREET LOCATION/TWP BLOCK-LOT | CURRENT STATUS | DATE INCLUDED |
|--|---|--|--|---------------------------|--------------------------|
| ASSOCIATED HUMANE SOCIETIES, INC (Popcorn Park Zoo) | Humane Way (off Lacey Rd) P.O. Box 43 Forked River, NJ 08731 Lee Bernstein (609) 693-1900 | small incinerator on-site for animal carcasses | West Lacey Road Lacey Township Blk 2811, Lot 2 | Operating | 06/07/89 |
| BEACHWOOD LEAF COMPOST FACILITY | 1600 Pinewald Road Beachwood, NJ 08722 John Behrens (732) 286-6010 | Compost facility for vegetative waste (leaves & light brush) | Hickory Street Boro of Beachwood Blk 8.49, Lots 1 & 2 Blk 8.64, Lots 1 & 4 Blk 8.63, Lots 1, 2 & 3 | Operating | 10/21/87 |
| BERKELEY LEAF COMPOST FACILITY | P.O. Box B Bayville, NJ 08721 Mark Vanella (732) 341-1022 | Compost facility for vegetative waste (leaves & light brush) | Pinewald-Keswick Road Berkeley Township Blk 23, Lot 2 | Operating | 02/19/91 |
| BRICK LEAF COMPOST FACILITY | 401 Chambers Bridge Rd Brick, NJ 08723 Barry Houman (732) 451-4062 | Compost facility for vegetative waste (leaves & light brush) | Ridge Road Brick Township Blk 1422, Lots 4, 20, 21 & 25 | Operating | 10/21/87 |
| BRICK WALL CORPORATION RECYCLING FACILITY | 2215 West Lacey Road Forked River, NJ 08731 Charles J. Hesse (609) 693-6300 | Concrete, brick, block & asphalt | West Lacey Road Lacey Township Blk 4005, Lot 10 | Operating | 12/06/95 |

OCEAN COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN – APPROVED FACILITIES AS OF MAY 2005

| FACILITY NAME | MAILING ADDRESS/ CONTACT-PHONE | MATERIALS ACCEPTED | STREET LOCATION/TWP BLOCK-LOT | CURRENT STATUS | DATE INCLUDED |
|--|---|--|---|---------------------------|--------------------------|
| DOVER LEAF COMPOST FACILITY #2 | 33 Washington Street Toms River, NJ 08753 Bob Tully (732) 255-1000 | Compost facility for vegetative waste (leaves & light brush) | Whitesville Road, Dover Twp Dover Township Blk 539, Lot 5 | Operating | 12/19/91 |
| DOVER SOLID WASTE TRANSFER STATION | 33 Washington Street Toms River, NJ 08753 Bob Tully (732) 341-1000 | Type 10 MSW & source separated recyclable materials | Church Rd & Bay Ave Dover Township Blk 231, Lots 7, 10 & 11 | Proposed | 04/03/96 |
| EARLE ENVIRONMENTAL CORPORATION | P.O. Box 757 Farmingdale, NJ 07727 Walter Earle, Jr (732) 657-8551 | Private recycling facility for ID #27 non-hazardous petroleum contam- inated soils, concrete, asphalt, brick, block | Route 546 Jackson Township Blk 13.01, Lot 1 | Operating | 08/06/91 |
| EOGLAS RECYCLING | 175 No Oberlin Ave/Unit #3 Lakewood, NJ 08701 Al Boufarah (732) 370-4000 | Class D Recycling Center Cathode ray tubes | Lakewood Township Blk 1605, Lot 5 | Proposed | 02/18/04 |
| JACKSON LEAF COMPOSTING FACILITY | 95 Veteran's Highway Jackson, NJ 08527 Sergio Panunzio (732) 928-1200 | Compost facility for vegetative waste (leaves & light brush) | Klerych Dr (HulseRd) Jackson Township Blk 80, Lot 8.02 | Operating | 10/21/87 |
| LACEY LEAF COMPOSTING FACILITY | 820 Municipal Lane Forked River, NJ 08731 Casey Parker (609) 693-1100 | Compost facility for vegetative waste (leaves & light brush) | Municipal Lane Lacey Township Blk 1832, P/O Lots 2-7 Blk 1834, Lots 17-22 & 33-38 | Operating | 10/21/87 |

OCEAN COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN – APPROVED FACILITIES AS OF MAY 2005

| FACILITY NAME | MAILING ADDRESS/ CONTACT-PHONE | MATERIALS ACCEPTED | STREET LOCATION/TWP BLOCK-LOT | CURRENT STATUS | DATE INCLUDED |
|---|---|---|--|-----------------------|----------------------|
| MANCHESTER LEAF COMPOST FACILITY | 1 Colonial Drive Manchester, NJ 08759 Steve Stanziano (732) 657-8121 | Compost facility for vegetative waste (leaves & light brush) | Route 70 Manchester Township Blk 116, Lot 13 | Operating | 10/21/87 |
| OCEAN COUNTY LANDFILL INC. | P.O. Box Drawer #4 Belford, NJ 07718 Charles Hesse (732) 787-0226 | Private landfill Types 10, 13, 23, 25 & 27 waste | Route 70 Manchester Township Blk 2, Lots 1, 2, 5, 6, 8, 9-24, 30-37, 59-62, 64, 65, 768-772, 775, 777 & 778 Blk 3.02, Lot 642 Blk 33, Lot 783 Blk 3, Lots 635-638 Blk 3.03 Lot 1 | Operating | 01/79 |
| OCEAN COUNTY NORTHERN RECYCLING CENTER | 601 New Hampshire Avenue Lakewood, NJ 08701 Art Burns (732) 367-0802 | County recycling facility that processes aluminum cans, tin cans, glass containers newspapers, commercial/residential cardboard, mixed paper, office paper, plastic beverage containers, other plastic containers; Compost facility for vegetative waste (leaves, grass & light brush) | 601 New Hampshire Avenue Lakewood Township Blk 1160, Lot 241 | Operating | 10/21/87 |
| OCEAN COUNTY REMANUFACTURING CENTER, INC. | 1497 Lakewood Road Toms River, NJ 08755 Louis Sanzaro | Private recycling facility – processes concrete, asphalt, masonry products, cement blocks, bricks, tree stumps & tires | Route 9 Dover Township Blk 410, Lot 26 | Operating | 06/07/89 |

OCEAN COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN - APPROVED FACILITIES AS OF MAY 2005

| FACILITY NAME | MAILING ADDRESS/ CONTACT-PHONE | MATERIALS ACCEPTED | STREET LOCATION/TWP BLOCK-LOT | CURRENT STATUS | DATE INCLUDED |
|--|---|--|---|-----------------------|----------------------|
| OCEAN COUNTY SOUTHERN RECYCLING CENTER | 601 New Hampshire Avenue Lakewood, NJ 08701 Art Burns (732) 367-0802 | County recycling transfer station that collects aluminum cans, tin cans, glass containers, newspapers, commercial/residential cardboard, mixed paper office paper, plastic beverage containers & other plastic containers for processing at the northern facility; Compost facility for vegetative waste (leaves & light brush) | Recovery Rd & Hay Rd Stafford Township Blk 25, Lot 59 | Operating | 10/21/87 |
| RECYCLING OF CENTRAL JERSEY | 577 South Hope Chapel Road Jackson, NJ 08527 James R. Johnson, Jr (732) 323-0226 | Asphalt, concrete products, stumps, wood products, (non-chemically treated & unpainted wood) | 577 South Hope Chapel Rd Jackson Township Blks 14.19, 14.15, Lots 1 & 25 | Operating | 02/19/91 |
| ROBERT GOFF FARM | 133 West Colliers Mills Road New Egypt, NJ 08533 Robert Goff (609) 758-7370 | Farm leaf mulching facility | Magnolia Avenue Plumsted Township Blk 10, Lot 61Q | Operating | 08/06/91 |
| RUBBERCYCLE INC. | 1985 Rutgers University Blvd Lakewood, NJ 08701 Robert Gestetner (732) 363-0060 | Tires | Lakewood Township Blk 1609, Lot 28.02 | Operating | 03/19/97 |

OCEAN COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN - APPROVED FACILITIES AS OF MAY 2005

| FACILITY NAME | MAILING ADDRESS/ CONTACT-PHONE | MATERIALS ACCEPTED | STREET LOCATION/TWP BLOCK-LOT | CURRENT STATUS | DATE INCLUDED |
|--|--|---|--|----------------|---------------|
| STAFFORD LEAF COMPOST FACILITY | 775 East Bay Avenue Manahawkin, NJ 08050 Ron Cop (609) 978-0239 | Compost facility for vegetative waste (leaves & light brush) | Hay Road Stafford Township Blk 25, Lots 13, 14 & 15 | Operating | 10/21/87 |
| SUFFOLK RECYCLING CORPORATION | 242 Dover Road South Toms River NJ 08757 William Major (732) 349-7726 | Asphalt, concrete, brick block | South Toms River Blk 12, Lots 39-41 | Operating | 02/03/99 |
| SUPREME COMPUTER & ELECTRONIC RECYCLERS | 1941 Rutgers University Avenue Lakewood, NJ 08701 Al Boufarah (732) 370-4100 | Computers, computer components & electronic equipment | Lakewood Township Blk 1607, Lot 11 | Proposed | 06/18/03 |
| SUPREME COMPUTER WHOLESALE | 1955 Swarthmore Avenue Units 3-5 Lakewood, NJ 08701 Al Boufarah (732) 370-4100 | Computers & computer components | Lakewood Township Blk 1607, Lot 2 | Operating | 11/01/00 |
| TOMS RIVER REGIONAL SCHOOL DISTRICT | Toms River HS North Old Freehold Road Toms River, NJ 08753 Raymond Ryan (732) 341-9200 | Small incinerator on-site for confidential student files & non toxic school nurse waste | Toms River High School Old Freehold Road Dover Township Blk 410-C, Lot 30 | Operating | 06/07/89 |

APPENDIX G

RESPONSE

to

Questions & Comments offered for the Record of the April 20, 2005 Public Hearing on a proposed Amendment to the Ocean County Solid Waste Management Plan

Response Document

The Ocean County Board of Chosen Freeholders, on April 20, 2005 held a public hearing to receive comments on a proposed Amendment to the Ocean County District Solid Waste Management Plan. Only one person offered testimony at the hearing. Three written comments were received.

1. Comments on the list of approved facilities Appendix F –

Q. Associated Humane Societies, Inc., a small incinerator was proposed for deletion in the proposed plan. The Associated Humane Society requested to continue to be included in the County Plan.

A. The change was made.

Q. The Lacey Township Leaf Composting Facility was not included in the proposed plan. This facility had been previously included in the Solid Waste Management Plan. The facility was inadvertently not included in the plan.

A. The facility has been returned to Appendix F.

Q. The Pinelands Commission noted a possible internal inconsistency regarding Associated Humane Society being proposed for deletion from the list of facilities.

A. The facility is included in the County Plan.

2. Letter submitted on behalf of the Ocean County Landfill Corp., Inc. –

Q. The first point is that there should be no change in the current Plan with respect to its designation of the OCLF site in Manchester Township as the disposal site for all non-hazardous waste which is to be disposed of in the state. As noted in the rationales for several of the changes suggested, the **Atlantic Coast** decision did not invalidate such "intrastate flow control". It invalidated only "interstate flow control" which discriminates against out-of-state disposal facilities. Thus, the only amendment to the current Plan needed to bring it into conformity with **Atlantic Coast** is one which removes any ban on using such facilities.

A. The proposed amendment has been modified to clarify this concern.

Q. The second point relates to OCLF's franchise rights and obligations because Atlantic Coast did not invalidate intrastate waste flow control, OCLF continues to have a vested franchise right to receive all non-hazardous waste generated in Ocean County if it is to be disposed of in New Jersey. This vested right would be impermissibly impaired if the designation in the County Plan for the purpose were not retained. Moreover, failure to reaffirm this designation would disserve the interests of Ocean County and its residents who rely upon OCLF's concomitant commitment and franchise obligation to provide in-county disposal capacity.

A. The proposed Amendment has been modified to clarify this concern and to reaffirm the available capacity at OCLF for waste generated within Ocean County.

3. April 20, 2005 Public Hearing -

Q. Maurice Hill, Dover Township, asked if Dover Township's transfer station permit could be partnered with the OCLF proposal.

A. Solid Waste facility permits cannot be transferred to another location. Permits are site specific

APPENDIX H

OCEAN COUNTY SOLID WASTE ADVISORY COUNCIL

RESOLUTION

MARCH 21, 2005

WHEREAS, the Ocean County Board of Chosen Freeholders has previously adopted and the Commissioner of the New Jersey Department of Environmental Protection has certified, as required by law, a Solid Waste Management Plan for the Ocean County Solid Waste Management District; and

WHEREAS, the Ocean County Board of Chosen Freeholders has periodically adopted amendments to the Plan to provide a strategy for the recycling, composting and disposal of solid waste generated within the Ocean County Solid Waste Management District; and

WHEREAS, the County's professional staff has recommended that the Ocean County Solid Waste Advisory Council review the proposed Plan Amendment; and

WHEREAS, this Plan Amendment addresses the following items, as more specifically set forth in the May 2005 Plan Amendment report.

1. Establishes the County position on waste flow.
2. Revises the development plan for the Ocean County Landfill so that the original landfill area can be redeveloped to accept bulky waste and construction/demolition debris. The approved Materials Processing Facility is modified to allow its alternate dual use as a MPF/Transfer Station with a maximum capacity of 2,000 TPD.
3. The Plan Amendment also permits the MPF/Transfer Station building footprint to be moved into the northern parts of Block 2, Lot 769 and Lot 770.
4. Establishes definitions and describes actions for generators of recyclable which are necessary to enable Ocean County to meet and exceed the 60% recycling goal established by state law.
5. Require the Ocean County Health Department to expand its recycling enforcement program within one year following the adoption of the plan.
6. Modifies the waste flow projections in the plan to reflect growth within Ocean County.
7. The deletion and removal of the following facilities from the Plan.
 - A. Andrew Nemeth Farm, (Russo Farm) Block 58, Lot 13, Plumsted Township.
 - B. John Kummings Stump Reduction Center, Block 34, Lot 1, Eagleswood Township.
 - C. Ocean County Landfill, Solid Waste Composting Facility, Block 2, Lots 31 and 32, Manchester Township.
 - D. Pinelands Recycling Center, Block 25, Lots 79,81, 85,86, Stafford Township
 - E. Ralph Clayton and Sons, Block 11.5, Lot 70, Lakewood Township.

F. South Brunswick Asphalt, Block 824, Lot 1, Berkeley Township.

G. South Jersey Recycling Center, Block 79, Lot 28, Plumsted Township.

H. Tanner Landfill stump dump, Block 14, Lot 13, Block 174, Lots 13, 37, 47 and 47.01 Barnegat Township

8. Update the list of Blocks and Lots at the Ocean County Landfill. Please refer to section 3.2 of the Plan Amendment Report.

WHEREAS, the Ocean County Solid Waste Advisory Council is responsible for reviewing all significant aspects of the Plan and for making recommendations to the Board of Chosen Freeholders concerning changes thereto; and

WHEREAS, the Solid Waste Advisory Council has reviewed the May 2005 Plan Amendment report.

NOW THEREFORE BE IT RESOLVED by the Ocean County Solid Waste Advisory Council as follows:

1. The Ocean County Solid Waste Advisory Council recommends that the Ocean County Board of Chosen Freeholders adopt the proposed Amendment to the Plan as more specifically set forth in the May 2005 Plan Amendment report.
2. A copy of this resolution shall be forwarded to the Ocean County Board of Chosen Freeholders, Ocean County Department of Solid Waste Management, and the Clerk of each municipality in Ocean County.



Nicky Sluker, Secretary to SWAC

APPENDIX I

RESOLUTION

April 20, 2005

WHEREAS, the Ocean County Board of Chosen Freeholders has previously adopted and the Commissioner of the New Jersey Department of Environmental Protection has certified, as required by law, a Solid Waste Management Plan for the Ocean County Solid Waste Management District; and

WHEREAS, the Ocean County Board of Chosen Freeholders has periodically adopted amendments to the Plan to provide a strategy for the recycling, composting and disposal of solid waste generated within the Ocean County Solid Waste Management District; and

WHEREAS, the staff of the Department of Solid Waste Management has prepared an amendment to the Solid Waste Management Plan. This -amendment was reviewed by the Ocean County Solid Waste Advisory Council at their March 21, 2005 meeting.

WHEREAS, the Ocean County Solid Waste Advisory Council recommends that the Ocean County Board of Chosen Freeholders adopt the Amendment to the Plan as more specifically set forth in the April 20, 2005 Plan Amendment report,

WHEREAS, this Plan Amendment addresses the following items, as more specifically set forth in the April 20, 2005 Plan Amendment report.

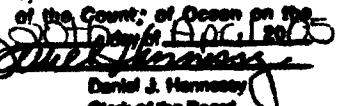
1. Modifies the County position on waste flow.
2. Revises the development plan for the Ocean County Landfill Corporation, Inc. facility so that the original landfill area can be redeveloped to accept bulky waste and construction/demolition debris. The approved Materials Processing Facility is modified to allow its alternate dual use as a MPF/Transfer Station with a maximum capacity of 2,000 TPD.
3. The Plan Amendment also permits the MPF/Transfer Station building footprint to be moved into the northern parts of Block 2, Lot 769 and Lot 770.
4. Establishes definitions and describes actions for generators of recyclables which are necessary to enable Ocean County to meet and exceed the 60% recycling goal established by state law.
5. Requires the Ocean County Health Department to expand its recycling enforcement program within one year following the adoption of the plan.
6. Modifies the waste flow projections in the plan to reflect growth within Ocean County.
7. The deletion and removal of the following facilities from the Plan.
 - A. Andrew Nemeth Farm, (Russo Farm) Block 58, Lot 13, Plumsted Township.
 - B. John Kummings Stump Reduction Center, Block 34, Lot 1, Eagleswood Township.
 - C. Ocean County Landfill Corporation, Inc. Solid Waste Composting Facility, Block 2, Lots 31 and 32, Manchester Township.
 - D. Pinelands Recycling Center, Block 25, Lots 79,81, 85,86, Stafford Township

- E. Ralph Clayton and Sons, Block 11.5, Lot 70, Lakewood Township.
- F. South Brunswick Asphalt, Block 824, Lot 1, Berkeley Township.
- G. South Jersey Recycling Center, Block 79, Lot 28, Plumsted Township.
- H. Tanner Landfill stump dump, Block 14, Lot 13, Block 174, Lots 13, 37, 47 and 47.01 Barnegat Township

- 8. Update the list of Blocks and Lots at the Ocean County Landfill. Please refer to section 3.2 of the Plan Amendment Report.

NOW THEREFORE BE IT RESOLVED by the Ocean County Board of Chosen Freeholders as follows:

- 1. The Ocean County Board of Chosen Freeholders adopts the proposed Amendment to the Plan as more specifically set forth in the April 20, 2005 Plan Amendment report.
- 2. A copy of this resolution shall be forwarded to the Clerk of the Board, Ocean County Department of Solid Waste Management, the Clerk of each municipality in Ocean County, and the Commissioner of the NJ Department of Environmental Protection.
- 3. A certified copy of this Resolution together with copies of the Plan Amendment Report, copies of the Public Hearing transcript and the pertinent documents and information shall be submitted to the Commissioner of the New Jersey Department of Environmental Protection for State certification as required by law.

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 20th day of April, 2005.

Daniel J. Hennessy
Clerk of the Board

TABLES

Table 1
Ocean County Landfill
Solid Waste Management Plan Amendment
Actual Waste Delivery / Current Waste Projections for All Waste Types
(Tons per Year for 1999 - 2015)

| Year | Ocean County Projected Waste Flows Per Solid Waste Management Plan ¹ (Tons per Year) | EMCON's 1999 Waste Projections ² (Tons per Year) | Actual Waste Delivery / 2005 Waste Projections (Tons per Year) | Actual or Projected |
|------|---|---|--|------------------------|
| 1999 | 407,514 | 457,323 | 453,606 | Actual |
| 2000 | 414,074 | 471,363 | 478,075 | Actual |
| 2001 | 417,321 | 485,834 | 504,167 | Actual |
| 2002 | 420,596 | 500,749 | 556,144 | Actual |
| 2003 | 423,898 | 516,122 | 608,520 | Actual |
| 2004 | 427,230 | 531,967 | 617,057 | Actual |
| 2005 | 430,589 | 548,298 | 677,915 | Projected |
| 2006 | 433,977 | 565,131 | 744,776 | Projected |
| 2007 | 437,394 | 582,481 | 818,231 | Projected |
| 2008 | 440,840 | 600,363 | 898,931 | Projected |
| 2009 | 444,315 | 618,794 | 987,589 | Projected |
| 2010 | 447,820 | 637,791 | 1,084,992 | Projected |
| 2011 | 449,817 | 657,371 | 1,192,002 | Projected |
| 2012 | 451,824 | 677,553 | 1,309,565 | Projected |
| 2013 | 453,840 | 698,353 | 1,438,723 | Projected |
| 2014 | 455,866 | 719,793 | 1,580,620 | Projected |
| 2015 | 457,902 | 741,890 | 1,736,512 | Projected |

(1) From Table B - February 1991 Ocean County Solid Waste Management Plan Amendment prepared by Ocean County

(2) From Table 2.3-1 - June 1999 Engineering Report prepared by EMCON / OWT, Inc.