



# State of New Jersey

## DEPARTMENT OF ENVIRONMENTAL PROTECTION SITE REMEDIATION & WASTE MANAGEMENT PROGRAM

401 East State Street

P.O. Box 420, Mail Code 401-06

Trenton, New Jersey 08625-0420

Tel. (609) 292-1250 • Fax (609) 777-1914

[www.nj.gov/dep](http://www.nj.gov/dep)

**PHILIP D. MURPHY**

*Governor*

**SHEILA Y. OLIVER**

*Lt. Governor*

**SHAWN M. LATOURETTE**

*Commissioner*

The Honorable John P. Kelly  
Ocean County Board of Commissioners  
101 Hooper Avenue  
Toms River, NJ 08753

Dear Commissioner Kelly:

I am pleased to inform you that the New Jersey Department of Environmental Protection has approved the Solid Waste Management Plan Amendment ("Amendment") adopted by the Ocean County Board of Commissioners on January 19, 2022. The certification is enclosed.

The approved Amendment incorporates the Lakewood Township Transfer Station to be located within the existing Lakewood Public Works Complex at 1 America Avenue, Block 549.01, Lot 1 and Block 549.02, Lot 1 in Lakewood Township, to collect Type 10 solid waste (not to exceed 300 tons per day) generated within the boundaries of Lakewood Township, for delivery to the Ocean County Landfill Corporation sanitary landfill facility. The proposed facility will consist of a permanent pre-engineered metal building, which will facilitate the transfer of Type 10 solid waste from Lakewood's solid waste haulers to semi-trailers for onward transportation to the landfill.

While this plan amendment is approved, please be advised that the permit applicant for this facility will be required to adhere to Administrative Order 2021-25, and may be subject, pending rule promulgation, to further requirements as stipulated in NJSA 13:1D-157 (the "Environmental Justice Law").

We recognize and appreciate the leadership and commitment that the Ocean County Board of Commissioners demonstrated in working collaboratively with the Ocean County Solid Waste Advisory Council, elected officials, and residents to formulate the Amendment.

Sincerely,

Mark J. Pedersen

Assistant Commissioner

Enclosure



# State of New Jersey

## DEPARTMENT OF ENVIRONMENTAL PROTECTION SITE REMEDIATION & WASTE MANAGEMENT PROGRAM

401 East State Street

P.O. Box 420, Mail Code 401-06

Trenton, New Jersey 08625-0420

Tel. (609) 292-1250 • Fax (609) 777-1914

[www.nj.gov/dep](http://www.nj.gov/dep)

**PHILIP D. MURPHY**

*Governor*

**SHEILA Y. OLIVER**

*Lt. Governor*

**SHAWN M. LATOURETTE**

*Commissioner*

### CERTIFICATION OF THE JANUARY 19, 2022 AMENDMENT TO THE OCEAN COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN

#### BY ORDER OF THE DEPARTMENT:

#### A. Introduction

The New Jersey Solid Waste Management Act (“Act”) (N.J.S.A. 13:1E-1 *et seq.*) established a comprehensive system for the management of solid waste in New Jersey. The Act designated all twenty-one (21) of the State’s counties, and the Hackensack Meadowlands District, as Solid Waste Management Districts, and mandated that the Boards of County Commissioners and the Hackensack Meadowlands Development Commission (previously known as the New Jersey Meadowlands Commission, and now known as New Jersey Sports & Exposition Authority or NJSEA) develop comprehensive plans for waste management in their respective districts. On May 13, 1980, the Department of Environmental Protection (“Department” or “DEP”) approved the Ocean County District Solid Waste Management Plan (“County Plan”).

The Act further provides that a District may review its County Plan at any time and, if found inadequate, a new County Plan must be adopted. The Ocean County Board of Commissioners completed such a review and on January 19, 2022, adopted an amendment to its approved County Plan.

The January 19, 2022, Amendment (“Amendment”) proposes County Plan inclusion of The Lakewood Township Transfer Station to be located within the existing Lakewood Public Works Complex at 1 America Avenue, Block 549.01, Lot 1 and Block 549.02, Lot 1 in Lakewood Township, to collect Type 10 solid waste (not to exceed 300 tons per day) generated within the boundaries of Lakewood Township, for delivery to the Ocean County Landfill Corporation sanitary landfill facility (OCLC). Type 10 solid waste is classified as municipal solid waste and includes residential, commercial, or institutional waste. The proposed facility will consist of a permanent pre-engineered metal building, which will facilitate the transfer of Type 10 solid waste from Lakewood’s solid waste haulers to semi-trailers for onward transportation to the landfill.

The Amendment was considered complete for review by the Department on February 24, 2022, and copies were distributed to various administrative review agencies for review and comment, as required by law. The Department has reviewed this Amendment and has determined that the Amendment adopted by the County Commissioners on January 19, 2022, is approved as provided in N.J.S.A. 13:1E-24.

**B. Findings and Conclusions with Respect to the Ocean County District Solid Waste Management Plan Amendment**

Pursuant to N.J.S.A. 13:1E-24a (1), I have studied and reviewed the Amendment to the County Plan according to the objectives, criteria, and standards developed in the Statewide Solid Waste Management Plan and I find and conclude that the Amendment proposing inclusion of the Lakewood Township Transfer Station is consistent with the Statewide Solid Waste Management Plan. In this regard, the County Commissioners are notified of the elements of the Amendment which are included below.

**Elements of the January 19, 2022 Amendment**

**Element: Facility Operations**

The Amendment proposes County Plan inclusion of the Lakewood Township Transfer Station to be located within the existing Lakewood Public Works Complex at 1 America Avenue, Block 549.01, Lot 1 and Block 549.02, Lot 1 in Lakewood Township, to collect Type 10 solid waste (not to exceed 300 tons per day) generated within the boundaries of Lakewood Township, for delivery to the OCLC. The proposed facility will be designed, constructed, and operated by Lakewood Township. The proposed facility will consist of a permanent pre-engineered metal building, which will facilitate the transfer of mixed municipal solid waste from Lakewood's solid waste haulers to semi-trailers for onward transportation to the landfill.

**Element: Regulatory Requirements**

The owner or operator of a solid waste TS/MRF must obtain a Solid Waste Facility (SWF) Permit from the Department prior to the commencement of regulated activities and shall also follow all pertinent regulations found at N.J.A.C. 7:26-2 et seq. and the design and operational requirements at N.J.A.C. 7:26-2B.5 and N.J.A.C. 7:26-2B.9, respectively.

Transfer stations/material recovery facilities are subject to the provisions of N.J.A.C. 7:27-8.2(c)17 which requires air pollution control permits for any equipment which vents a solid waste facility directly or indirectly into the outdoor atmosphere.

If the proposed operation has a "storm water discharge (or storm water DSW)", a "process wastewater" discharge and/or discharges a "pollutant" as defined in N.J.A.C. 7:14A-1.2, or includes activities that require a New Jersey Pollutant Discharge Elimination System (NJPDDES) Permit as identified in N.J.A.C. 7:14A-2.4, the applicant shall contact the



Department's Division of Water Quality to obtain a NJPDES Permit and/or a Treatment Works Approval for discharges prior to operation, if required.

Finally, while this plan amendment is approved, please be advised that the permit applicant for this facility will be required to adhere to Administrative Order 2021-25, and may be subject, pending rule promulgation, to further requirements as stipulated in NJSA 13:1D-157 (the "Environmental Justice Law").

**C. Certification of the Ocean County District Solid Waste Management Plan Amendment**

In accordance with N.J.S.A. 13:1E-1 et seq., specifically N.J.S.A. 13:1E-21, which establishes specific requirements regarding the contents of the district solid waste management plans, I have reviewed the Amendment to the approved County Plan and certify to the County Commissioners that the Amendment is approved as further specified below.

The County Plan inclusion of The Lakewood Township Transfer Station to be located within the existing Lakewood Public Works Complex at 1 America Avenue, Block 549.01, Lot 1 and Block 549.02, Lot 1 in Lakewood Township, to collect Type 10 solid waste (not to exceed 300 tons per day) generated within the boundaries of Lakewood Township, for delivery to the OCLC. The proposed facility will consist of a permanent pre-engineered metal building, which will facilitate the transfer of mixed municipal solid waste from Lakewood's solid waste haulers to semi-trailers for onward transportation to the landfill.

The construction or operation of any solid waste facility shall be preceded by the acquisition of all necessary permits and approvals pursuant to N.J.S.A. 13:1E-1 et seq., and all other applicable laws.

**D. Other Provisions Affecting the Plan Amendment**

**1. Certification to Proceed with Implementation of Amendment**

This document shall serve as the Certification by the Department to the County Commissioners and pursuant to N.J.S.A. 13:1E-24c and f., the County Commissioners shall proceed with the implementation of the approved components of the Amendment certified herein.

**2. Definitions**

For the purpose of this Amendment and unless the context clearly requires a different meaning, the definitions of terms shall be the same as those found at N.J.S.A. 13:1E-3 and -99.12, N.J.A.C. 7:26-1.4 and -2.13, and N.J.A.C. 7:26A-1.3.



3. **Effective Date of Amendment**

The approved components of this Amendment shall take effect immediately.

4. **Reservation of Authority**

Nothing contained herein shall be construed as a limitation on any other action taken by the Department pursuant to its authority under the law. The County Plan, including any amendment made thereto, shall conform to the Statewide Solid Waste Management Plan, with appendices, which includes the Department's planning guidelines, rules, regulations, orders of the Department, and includes the compilation of individual county plans and amendments as they are approved.

E. **Certification of Approval of the Amendment by the Department of Environmental Protection**

In accordance with the requirements of N.J.S.A. 13:1E-1 et seq., I hereby approve the Amendment, as outlined in Section C. of this Certification, to the Ocean County District Solid Waste Management Plan which was adopted by the Ocean County Board of County Commissioners on January 19, 2022.

6/29/22  
Date

  
Mark J. Pedersen  
Assistant Commissioner





## State of New Jersey

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF SUSTAINABLE WASTE MANAGEMENT  
BUREAU OF SOLID WASTE PLANNING & LICENSING**

401 East State Street

P.O. Box 420, Mail Code 401-02C

Trenton, New Jersey 08625-0420

Tel. (609) 984-4250 • Fax (609) 777-1951/984-0565

[www.nj.gov/dep/dshw/swpl/index.html](http://www.nj.gov/dep/dshw/swpl/index.html)

**PHILIP D. MURPHY**

*Governor*

**SHEILA Y. OLIVER**

*Lt. Governor*

**SHAWN M. LATOURETTE**

*Commissioner*

March 17, 2022

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

Re: Notice of Completeness  
Ocean County District Solid Waste Management Plan Amendment of 1/19/22  
Inclusion of The Lakewood Township Transfer Station

Dear Mr. Agliata:

The Bureau of Planning & Licensing (Bureau) is in receipt of a Solid Waste Plan Amendment (Amendment) on February 23, 2022, which was adopted by the Ocean County Board of County Commissioners on January 19, 2022.

The Bureau has completed a review of the Amendment to determine if the submittal is complete or incomplete pursuant to N.J.A.C. 7:26-6.10(f). Upon review, the Bureau has determined that the Amendment is COMPLETE.

The Department's 150-day review of the Amendment will commence as of February 24, 2022, wherein the Department will distribute the Amendment for review pursuant to N.J.A.C. 6.10(g).

Upon review of the Amendment and upon receipt of recommendations pursuant to N.J.A.C. 6.10 (g), the Department shall approve, modify, or reject the Amendment within 150 calendar days of receipt of a complete plan amendment, or by July 23, 2022.

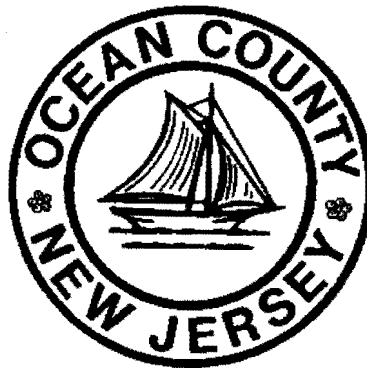
If you have any questions concerning this matter, please contact Joanne McClendon, of my staff at (609) 984-4250, or by email at [joanne.mcclendon@dep.nj.gov](mailto:joanne.mcclendon@dep.nj.gov).

Sincerely,

Jill Aspinwall, Section Chief  
Bureau of Planning & Licensing

**AMENDMENT  
to the  
OCEAN COUNTY  
DISTRICT SOLID WASTE  
MANAGEMENT PLAN**

January 19, 2022



**PREPARED BY  
OCEAN COUNTY DEPARTMENT OF SOLID WASTE MANAGEMENT  
129 HOOPER AVENUE  
TOMS RIVER, NEW JERSEY 08754  
OCEAN COUNTY BOARD OF COMMISSIONERS**

**OCEAN COUNTY BOARD OF COMMISSIONERS**

John P. Kelly, Director  
Virginia E. Haines, Deputy Director  
Barbara Jo Crea  
Gary Quinn  
Joseph H. Vicari  
Carl W. Block, County Administrator  
Michelle I. Gunther, Clerk of the Board

**OCEAN COUNTY SOLID WASTE ADVISORY COUNCIL**

Angela Kacsur, Chairperson  
David Most, Vice Chairperson  
James Boekholt, Jr.  
Alvin Burdge  
George Yockachonis  
Martin L. Ryan  
Theresa Lettman  
Suzanne Plesnarski  
Louis A. Amoruso  
Patrick Donnelly  
Marc Rudman

Anthony M. Agliata, Ocean County Department of Solid Waste Management  
Robert Shertenlieb, Ocean County Utilities Authority  
John Protonentis, Ocean County Health Department

Barbara Jo Crea, Commissioner Liaison

**OCEAN COUNTY DEPARTMENT OF SOLID WASTE MANAGEMENT**

Anthony M. Agliata, Director, Solid Waste Management  
Sean McLaughlin, District Recycling Coordinator  
Laura Benson, Assistant County Counsel



## **Plan Amendment: Lakewood Township Transfer Station**

The purpose of this Plan Amendment is to include a proposed transfer station into the Ocean County District Solid Waste Management Plan. Lakewood Township seeks to install a transfer station within the existing Lakewood Public Works Complex at 1 America Avenue, Block 549.01, Lot 1 and Block 549.02, Lot 1.

The transfer station's function will be to collect Type 10 municipal solid waste (not to exceed 300 tons per day) generated within the boundaries of Lakewood Township, for delivery to the Ocean County Landfill Corporation sanitary landfill facility ("OCLC"). Type 10 solid waste is classified as household, commercial or institutional waste and is accepted at landfills. The proposed facility will consist of a permanent pre-engineered metal building, which will facilitate the transfer of mixed municipal solid waste from Lakewood's solid waste haulers to semitrailers for onward transportation to the landfill.

### **Existing Lakewood Public Works Complex Operations**

- The Lakewood Township Department of Public Works (DPW) owns two properties adjacent to each other – Block 549.01, Lot 1, and Block 549.02, Lot 1. Both properties are placed in zoning district Industrial (M-1, see Appendix B) per the Township's Unified Development Ordinance, Chapter 18-903.
- DPW administration building and parking/maintenance bays for garbage trucks are housed in Block 549.01. The 9.30-acre Block 549.02, Lot 1 is used for roll-off storage. A residential waste collection center, operated and managed by the DPW, is in operation on the south end of said lot.
- Lakewood Township maintains and operates a fleet of haulers that collect residential and commercial waste from residents and businesses in Lakewood Township. Crews operate in three shifts to collect and process approximately 120 tons of residential and commercial waste daily, throughout Township boundaries.
- Collected waste is transported by DPW trucks to the Ocean County Landfill, located at 2498 NJ-70, Manchester Township, NJ 08759. Currently, if collection efforts continue past landfill closing time crews park haulers at the DPW complex overnight for disposal at the OCLC facility the following morning.
- Lakewood Township also collects recyclables during curbside pickups and transports them directly to the County's local recycling facility, the Ocean County Northern Recycling Center, located on New Hampshire Avenue in Lakewood.
- The proposed transfer station will be constructed on Block 549.02, Lot 1. See attached Tax Map (Appendix A) for more information.

## Proposed Transfer Station Operations

- The proposed transfer station will be operated as a sole source facility by Lakewood Township, and will process residential and commercial waste collected from the residences, institutions, and businesses within Lakewood Township boundaries only.
- All waste processed at the proposed transfer facility will be transported to the Ocean County Landfill Corporation (OCLC) facility for final disposal.
- To account for future growth and/or higher than average collection periods, proposed facility would be designed to process 300 tons per day (109,500 tons per year) of mixed municipal solid waste. Based on a volume to weight conversion factor of 300 lbs. per cubic yard, published by the US EPA in April 2016, this amounts to 2,000 cubic yards per day (730,000 cubic yards per year).
- Hours of operation shall be Sunday through Saturday 6 AM - 9 PM. Perimeter of the DPW complex is fenced and access is restricted through designated entry and exit points. Additional fencing will be installed at the perimeter of the proposed transfer station, and access will be restricted through a single access gate. The transfer station is not open to the general public; access to the facility will be limited to Lakewood DPW personnel, i.e. collection truck drivers and semitrailer operators.
- Lakewood staff and security personnel are present at the DPW facility during regular working hours. DPW personnel will be present onsite during operating hours. In the event of holidays and/or closures due to unforeseen circumstances, facility access gates will be locked to block public access.
- Mixed municipal solid waste will be collected from residences, businesses, and institutions within Lakewood Township boundaries, by collection trucks operated and maintained by the Township DPW or by private haulers contracted to collect waste generated in the Township under a municipal contract. Waste that is routed to the transfer station will be transferred from smaller collection trucks to larger semitrailers at the facility, and weighed prior to being transported to the Ocean County Landfill.
- No waste is anticipated to be stored at the transfer station facility overnight during normal operations. If unforeseen circumstances require storage of waste overnight at the transfer facility, waste will be transferred to covered semitrailers and then parked on a concrete pad reserved for the trailers. Stored waste will be transported to the Ocean County Landfill Corporation (OCLC) sanitary landfill facility the next day.
- Transfer station will not have offices and/or employee break rooms, as these facilities exist in proximity via DPW administration building and maintenance facilities across the street.

## **Transfer Facilities in NJ**

Transfer facilities are a reliable tool for solid waste disposal throughout the country, and are recognized in New Jersey as solid waste facilities as defined in NJSA 13:1E-3(h). This statute identifies 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. Statute also 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 DEP will not accept an application for review until the proposed facility is included in the Ocean County District Solid Waste Management Plan.

As summarized in Table 1, there are currently 51 registered transfer facilities operational in New Jersey. At this time there are no registered transfer facilities located in Ocean County, however Toms River Township (then Dover Township) received Plan approval for a transfer station back in April of 1996. The County's Southern Recycling Center also operates as a Recyclables Transfer Station, collecting recyclable material generated in the southern portions of Ocean County from municipal, commercial, and private haulers to be loaded into semitrailers and transported to the County's Recyclable Materials Processing Facility in Lakewood Township.

It should be further noted that the Ocean County Landfill Corp. facility currently houses a 2,000 ton per day municipal solid waste transfer facility within its property, to be utilized as an operational transfer station when the landfill reaches capacity (estimated to occur around 2037). At this point in time the OCLC's transfer station is non-operational and not recognized by the NJDEP.

## Table 1 -- Transfer Station/Intermodal Container/Material Recovery Facilities (Operating)

<u>FACILITY NAME/COUNTY</u>	<u>NJEMS PI</u>	<u>WASTE TYPE</u>	<u>PHONE</u>	<u>LOCATION</u>	<u>CITY</u>
<b>ATLANTIC</b>					
Atlantic County Utilities Authority	143393	10,13,13C,23, 25,27,27A,27I	(609) 272-6950	Delilah Rd.	Egg Harbor Twp.
<b>BERGEN</b>					
IWS Transfer Systems of NJ, Inc.	131858	10,13,13C, 23	(201) 768-5407	60 Railroad Ave.	Closter
WMNJI (Fairview)	131871	10,13,13C,23,27	(855) 389-8047	61 Broad Avenue	Fairview
I.W.S. Transfer System of NJ, Inc.	131873	10,13,13C,23,27	(973) 340-0431	19-35 Atlantic St.	Garfield
National Transfer, Inc.	131883	10,13,13C,23,27	(973) 778-4764	445 N Main St.	Lodi
S & L Zepetelli, Inc.	131894	13,13C,27	(201) 440-8092	191 Moonachie Rd.	Moonachie
<b>BURLINGTON</b>					
Hainesport Industrial Railroad	286283	13,13C	(609) 261-8092	5900 Sylon Blvd.	Hainesport
RSNJ, LLC-Mt. Laurel	133508	10,13,13C,23,27	(856) 234-4000	Springdale & Church Roads	Mt. Laurel
<b>CAPE MAY</b>					
Cape May Co. MUA (Middle Twp.)	133526	10,13,13C	(609) 465-9026	Shunpike Road	Cape May Ct. House
<b>ESSEX</b>					
Advanced Enterprises Recycling, Inc.	213296	10, 13, 13C, 23, 25, 27	(973) 344-5067	540 Doremus Ave.	Newark
Advanced Enterprises Recycling, Inc. (Intermodal Containers ONLY)	238466	10,13,13C, 23,27	(973) 344-5067	540 Doremus Ave.	Newark
Evergreen Recycling Solutions	501232	10,13,13C,27	(973) 242-3030	110 Evergreen Ave.	Newark
EPIC (Intermodal Containers ONLY)	132144	10,12,13,13C,23, 25,27,72,73,74	(973)601-9212	Brills Yard/Wilson Ave.	Newark
Lemcor, Inc.	132133	10,13,13C,27,72	(973) 642-1212	170 Frelinghuysen Ave.	Newark
<b>HUDSON</b>					
IWS Transfer Systems of NJ.	195492	10,13,13C,23,25,27	(201) 830-3269	375 Routes 1 & 9 South	Jersey City
Clean Earth of North Jersey, Inc.	230216	13, 13C, 27, 27A, 72	(973) 344-4004	105 Jacobus Avenue	Kearny
Cardella Trucking	132244	13, 13C	(800) 548-7001	2400 Tonnelle Ave.	No. Bergen Twp.
Consolidated Environmental Services	265387	13C	(201) 866-1973	3700 Westside Ave.	No. Bergen
Lincoln Recycling	132246	10,13,13C,23, 27	(201) 974-2962	4711 Dell Ave.	No. Bergen
Total Waste Services	476582	13, 13C, 27	(201) 854-7676	25-31 94th Street	No. Bergen
Westside Transload, LLC	452296	13, 13C, 23, 27	(800) 548-7001	5600 West Side Ave.	No. Bergen
Allegro Sanitation Corp.	132250	10,13,13C, 23, 27	(201) 863-1063	278 Secaucus Road	Secaucus
<b>HUNTERDON</b>					
Hunterdon County Util. Authority	132254	10,13,13C,23,25,27	(908) 788-1351	Petticoat Lane	Flemington
<b>MERCER</b>					
Mercer County Improv. Auth.	133577	10	(609) 278-8100	N. Olden Ave.	Trenton
Mercer Group Int.	197093	10,13,13C,23,27	(609) 393-4834	4 Beakes St.	Trenton
Duck Island Recycling TS/MRF	464985	13, 13C	(609) 559-0900	2100 Lambertson Road	Hamilton Twp.

## MIDDLESEX

986 Jersey Avenue	532911	13, 13C	n/a	986 Jersey Ave.	New Brunswick
RSNJ, LLC-Middlesex	132341	10,13,13C,23,25,27	(732) 469-3777	92 Bakeland Ave.	Middlesex
RSNJ, LLC-New Brunswick	132390	10,13,13C,23,27	(732) 545-8988	5 Industrial Drive	New Brunswick
Perth Amboy City Transfer	133598	10,13,13C,23	(732) 826-2010	599 Fayette St.	Perth Amboy
RSNJ, LLC-So. Plainfield	132382	10,13,13C,23,25,27	(908) 561-8380	11 Harmich Rd.	So. Plainfield
Safety-Kleen Systems, Inc. (Intermodal Containers ONLY)	733516	13C,27	(908) 941-3652	116 Skyline Drive	So. Plainfield
Sakoutis Bros. Disposal Inc.	132384	10,13,13C,27	(908) 222-8310	2101 Roosevelt Ave.	So. Plainfield

## MONMOUTH

Freehold Cartage	193704	10,13,13C,23,27	(732) 462-1001	825 Hwy 33 East	Freehold Twp
Mazza & Sons	195599	13,13C	(732) 922-9292	3230 Shafto Road	Tinton Falls
Monmouth County MRF	133927	10,13,13C,23,25,27,27A,27I	(732) 683-8686	6000 Asbury Ave.	Tinton Falls
RSNJ, LLC - Tinton Falls	132443	13,13C	(732) 542-2348	1861 Wayside Rd.	Tinton Falls

## MORRIS

Morris County MUA (Mt. Olive)	133624	10,13,13C,23,25,27	(973) 285-8390	Goldmine Road	Mt. Olive
Morris County MUA (Par-Troy)	132507	10,13,13C,23,25,27	(973) 285-8390	Edwards Rd.	Parsippany

## PASSAIC

Coastal Distribution of Paterson LLC.	494846	13,13C,27	(973) 278-0019	30-36 4th Avenue	Paterson
Covanta Sustainable Solutions (Fulton St.)	133649	10,13,13C,23,25,27	(973) 278-3636	20-32 Fulton St.	Paterson
Covanta Sustainable Solutions (River St.)	132581	10,13,13C,23,27	(973) 278-3636	178 River St.	Paterson
Gaeta Recycling Co., Inc.	132582	10,13,13C,23,27	(973) 278-6625	278 W Railway Ave.	Paterson

## SOMERSET

Bridgewater Resources, Inc.	132640	10,13,13C,23,25,27	(732) 271-2800	15 Polhemus Lane	Bridgewater
Bridgewater Res. Inc. (Intermodal Containers ONLY)	135683	10,13,23,25,27	(732) 271-2800	15 Polhemus Lane	Bridgewater

## SUSSEX

Cavalier Env. Compliance Services.	213190	13C	(973) 512-2402	482 Houses Corner Road	Sparta
------------------------------------	--------	-----	----------------	------------------------	--------

## UNION

WMNJI -Julia St.	132698	10,13,13C,23,25,27	(855)389-8047	864 Julia St.	Elizabeth
Allstate Power Vac, Inc. (Intermodal Containers ONLY)	420780	12, 13, 13C, 27, 27A, 72, 74	(732) 815 -0220	928 E, Hazelwood Avenue	Rahway
Plainfield City	132718	10,13,13C,23,27	(908) 226-2518	Rock Ave.	Plainfield
Summit City Transfer	132728	10,13,13C,23,27	(908) 273-6404	New Providence Ave.	Summit
WMNJI - So. Front St. (Intermodal Containers ONLY)	731349	10,13,25,27,27I	(855) 389-8047	650 Front Street	Elizabeth

Last Updated: August 16, 2021

## **Demand for a Transfer Facility in Lakewood**

With consideration of unique population density challenges seen in Lakewood Township, in concert with inherently limited hours of operation for landfills (the OCLC facility operates 7 AM - 3:30 PM Monday through Friday, 7 AM - 12 PM Saturday), the need for a transfer station servicing Lakewood Township is demonstrable. Currently Lakewood's Department of Public Works handles 120 tons of Mixed Municipal Solid Waste (Residential, Institutional, & Commercial Entities) per day on average, a number that is expected to increase into the future. This number is already subject to increases around religious holidays and other peak load periods in the municipality.

The proposed transfer facility will effectively serve the population of Lakewood Township well into the future, and allow the municipality to collect and store solid waste overnight as needed during peak load periods, with negligible increases to current traffic patterns; Department of Public Works collection trucks already traverse the roadways in and around their existing DPW complex daily. The planned transfer station will introduce up to three (3) new semitrailers into the traffic plan, however these trailers may lead to decreases in roadway and/or landfill congestion by transferring waste from Lakewood Township to the Ocean County Landfill more efficiently (each trailer can transport an amount of waste that would normally require four collection trucks, roughly). The transfer station will also aid waste hauling services by providing flexibility for the municipality's daily collection routes, enabling waste collection trucks to quickly dump collected material in a centralized location within the Township and then return to their routes while that material is aggregated and re-directed to the Ocean County Landfill Corporation facility.

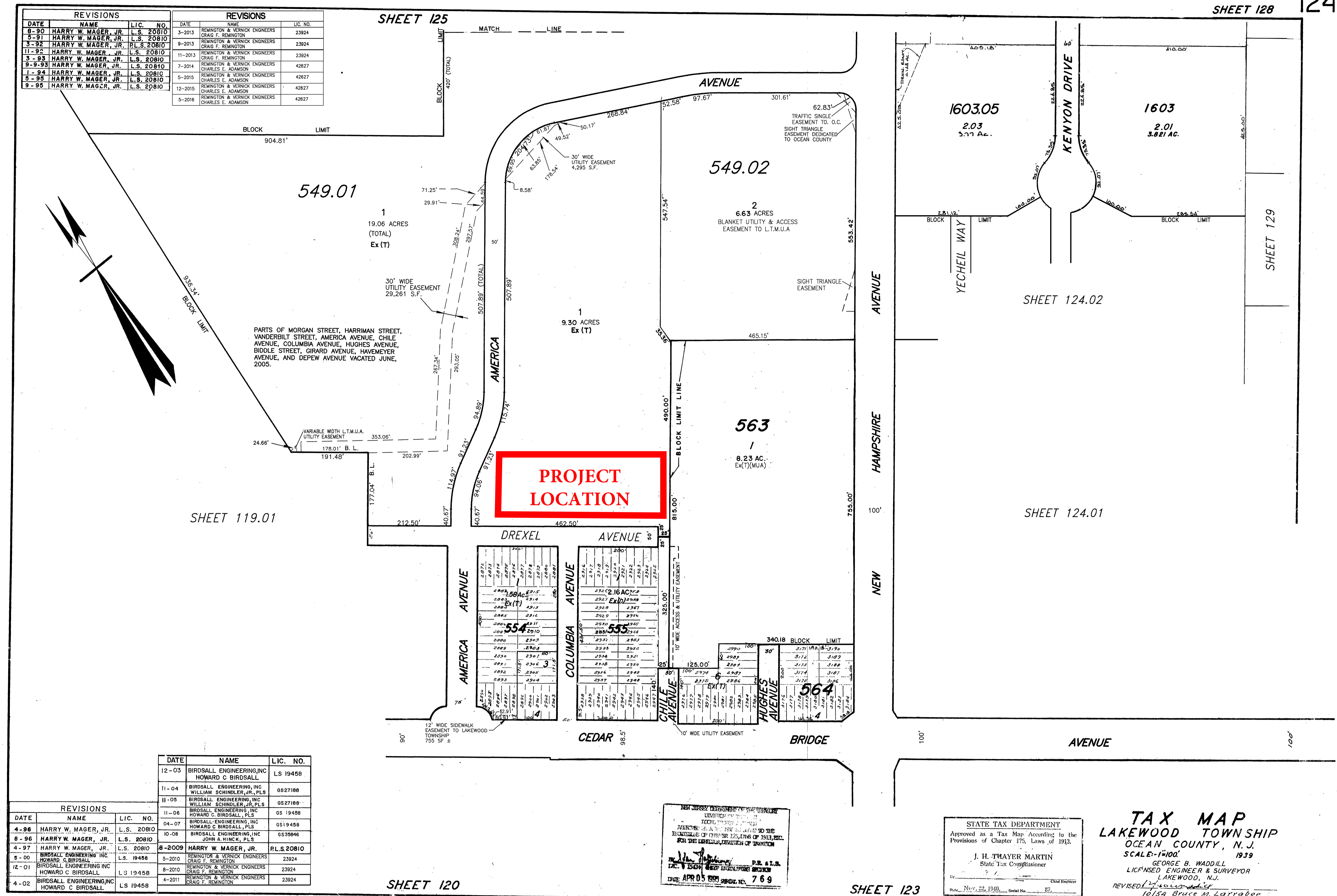
## **Conclusion**

Based on the aforementioned facts, the proposed Lakewood Township Transfer Station is deemed consistent with the Ocean County District Solid Waste Management Plan. Therefore the proposed facility is included in the Ocean County District Solid Waste Management Plan as a municipal solid waste transfer facility at Block 549.01, Lot 1 and Block 549.02, Lot 1 in the Township of Lakewood, subject to obtaining all necessary state and local permits and reaching agreement with the County regarding the specific terms of operations.

## **Appendix**

- A. Tax Map
- B. Zoning Map
- C. Conceptual Plan
- D. Traffic Plan
- E. Resolution - Ocean County Solid Waste Advisory Council
- F. Resolution of Adoption - Board of Commissioners
- G. Agreement - Board of Commissioners / Lakewood Twp.

# APPENDIX A



REVISIONS			REVISIONS		
DATE	NAME	L.I.C. NO.	DATE	NAME	L.I.C. NO.
8-90	HARRY W. MAGER, JR.	L.S. 20810	3-2013	REMINGTON & VERNICK ENGINEERS	23924
5-91	HARRY W. MAGER, JR.	L.S. 20810	9-2013	REMINGTON & VERNICK ENGINEERS	23924
3-92	HARRY W. MAGER, JR.	P.L.S. 20810	11-2013	REMINGTON & VERNICK ENGINEERS	23924
11-92	HARRY W. MAGER, JR.	L.S. 20810	7-2014	REMINGTON & VERNICK ENGINEERS	42827
3-93	HARRY W. MAGER, JR.	L.S. 20810	5-2015	REMINGTON & VERNICK ENGINEERS	42827
9-9-93	HARRY W. MAGER, JR.	L.S. 20810	12-2015	REMINGTON & VERNICK ENGINEERS	42827
11-94	HARRY W. MAGER, JR.	L.S. 20810	5-2016	REMINGTON & VERNICK ENGINEERS	42827
5-95	HARRY W. MAGER, JR.	L.S. 20810			
9-95	HARRY W. MAGER, JR.	L.S. 20810			

DATE	NAME	L.I.C. NO.
12-03	BIRDSALL ENGINEERING INC HOWARD C BIRDSALL	LS 19458
11-04	BIRDSALL ENGINEERING INC WILLIAM SCHINDLER, JR., PLS	GS27188
11-05	BIRDSALL ENGINEERING INC WILLIAM SCHINDLER, JR., PLS	GS27188
11-06	BIRDSALL ENGINEERING INC HOWARD C BIRDSALL, PLS	GS 19458
04-07	BIRDSALL ENGINEERING INC HOWARD C BIRDSALL, PLS	GS19458
10-08	BIRDSALL ENGINEERING INC JOHN A HINCK, PLS	GS35846
8-2009	HARRY W. MAGER, JR.	P.L.S. 20810
5-2010	REMINGTON & VERNICK ENGINEERS CRAIG F. REMINGTON	23924
8-2010	REMINGTON & VERNICK ENGINEERS CRAIG F. REMINGTON	23924
4-2011	REMINGTON & VERNICK ENGINEERS CRAIG F. REMINGTON	23924

DATE	NAME	L.I.C. NO.
4-96	HARRY W. MAGER, JR.	L.S. 20810
8-96	HARRY W. MAGER, JR.	L.S. 20810
4-97	HARRY W. MAGER, JR.	L.S. 20810
5-00	BIRDSALL ENGINEERING INC HOWARD C BIRDSALL	L.S. 19458
12-01	BIRDSALL ENGINEERING INC HOWARD C BIRDSALL	L.S. 19458
4-02	BIRDSALL ENGINEERING INC HOWARD C BIRDSALL	L.S. 19458

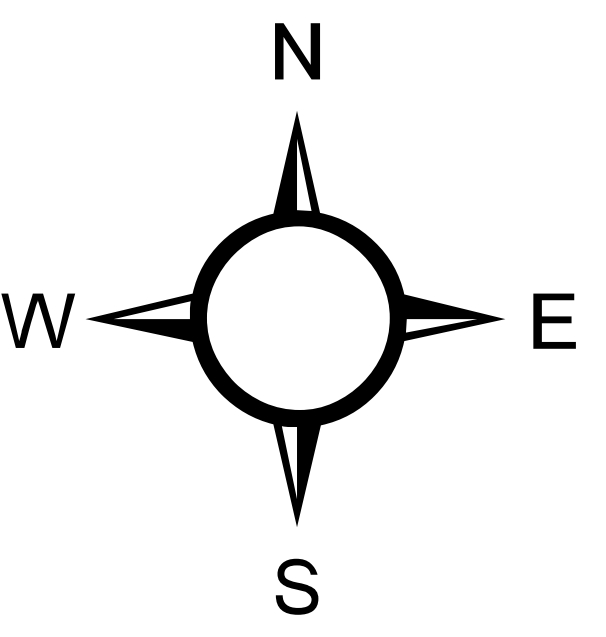
NEW JERSEY DEPARTMENT OF TREASURY  
UNIVERSITY MICROFILMS  
SERIALS ACQUISITION  
300 N ZEEB RD  
ANN ARBOR MI 48106-1500  
TEL: 734 769 0900 FAX: 734 769 0901  
WWW.UMI.COM  
P.R. # 769  
DATE APR 05 2009 SERIAL NO. 769

STATE TAX DEPARTMENT  
Approved as a Tax Map According to the  
Provisions of Chapter 175, Laws of 1913.  
J. H. THAYER MARTIN  
State Tax Commissioner  
Nov. 23, 1940, Serial No. 87.

TAX MAP  
LAKEWOOD TOWNSHIP  
OCEAN COUNTY, N. J.  
SCALE: 1"=100'  
1939  
GEORGE B. WADDILL  
LICENSED ENGINEER & SURVEYOR  
LAKEWOOD, N.J.  
REVISED BY  
10/59 Bruce M. Larrabee  
9/56

8-1-84 Rev. For Revaluation  
10-87 LINDA M. HARRIS, DE. L.S. 774  
9-88 LINDA M. HARRIS, DE. L.S. 1074  
8-89 DE. FOR REVALUATION - HARRY W. MAGER, JR. L.S. 4/81

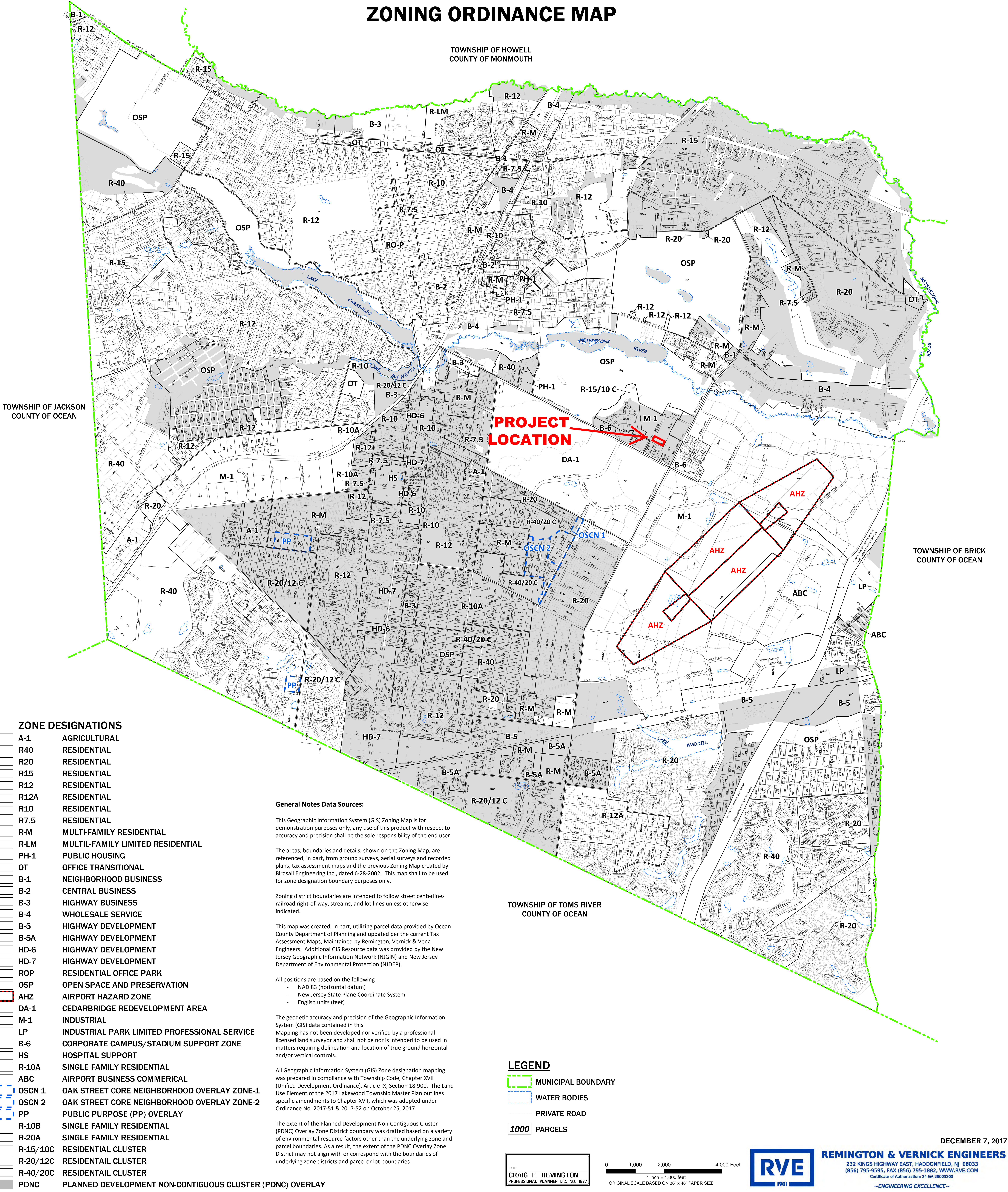




# TOWNSHIP OF LAKEWOOD

Ocean County, New Jersey

## ZONING ORDINANCE MAP



**ZONE DESIGNATIONS**

A-1	AGRICULTURAL
R40	RESIDENTIAL
R20	RESIDENTIAL
R15	RESIDENTIAL
R12	RESIDENTIAL
R12A	RESIDENTIAL
R10	RESIDENTIAL
R7.5	RESIDENTIAL
R-M	MULTI-FAMILY RESIDENTIAL
R-LM	MULTI-FAMILY LIMITED RESIDENTIAL
PH-1	PUBLIC HOUSING
OT	OFFICE TRANSITIONAL
B-1	NEIGHBORHOOD BUSINESS
B-2	CENTRAL BUSINESS
B-3	HIGHWAY BUSINESS
B-4	WHOLESALE SERVICE
B-5	HIGHWAY DEVELOPMENT
B-5A	HIGHWAY DEVELOPMENT
HD-6	HIGHWAY DEVELOPMENT
HD-7	HIGHWAY DEVELOPMENT
ROP	RESIDENTIAL OFFICE PARK
OSP	OPEN SPACE AND PRESERVATION
AHZ	AIRPORT HAZARD ZONE
DA-1	CEDARBRIDGE REDEVELOPMENT AREA
M-1	INDUSTRIAL
LP	INDUSTRIAL PARK LIMITED PROFESSIONAL SERVICE
B-6	CORPORATE CAMPUS/STADIUM SUPPORT ZONE
HS	HOSPITAL SUPPORT
R-10A	SINGLE FAMILY RESIDENTIAL
ABC	AIRPORT BUSINESS COMMERCIAL
OSCN 1	OAK STREET CORE NEIGHBORHOOD OVERLAY ZONE-1
OSCN 2	OAK STREET CORE NEIGHBORHOOD OVERLAY ZONE-2
PP	PUBLIC PURPOSE (PP) OVERLAY
R-10B	SINGLE FAMILY RESIDENTIAL
R-20A	SINGLE FAMILY RESIDENTIAL
R-15/10C	RESIDENTIAL CLUSTER
R-20/12C	RESIDENTIAL CLUSTER
R-40/20C	RESIDENTIAL CLUSTER
PDNC	PLANNED DEVELOPMENT NON-CONTIGUOUS CLUSTER (PDNC) OVERLAY

**General Notes Data Sources:**

This Geographic Information System (GIS) Zoning Map is for demonstration purposes only, any use of this product with respect to accuracy and precision shall be the sole responsibility of the end user.

The areas, boundaries and details, shown on the Zoning Map, are referenced, in part, from ground surveys, aerial surveys and recorded plans, tax assessment maps and the previous Zoning Map created by Birdsall Engineering Inc., dated 6-28-2002. This map shall be used for zone designation boundary purposes only.

Zoning district boundaries are intended to follow street centerlines railroad right-of-way, streams, and lot lines unless otherwise indicated.

This map was created, in part, utilizing parcel data provided by Ocean County Department of Planning and updated per the current Tax Assessment Maps, Maintained by Remington, Vernick & Vena Engineers. Additional GIS Resource data was provided by the New Jersey Geographic Information Network (NJGIN) and New Jersey Department of Environmental Protection (NJDEP).

All positions are based on the following

- NAD 83 (horizontal datum)
- New Jersey State Plane Coordinate System
- English units (feet)

The geodetic accuracy and precision of the Geographic Information System (GIS) data contained in this Mapping has not been developed nor verified by a professional licensed land surveyor and shall not be nor is intended to be used in matters requiring delineation and location of true ground horizontal and/or vertical controls.

All Geographic Information System (GIS) Zone designation mapping was prepared in compliance with Township Code, Chapter XVII (Unified Development Ordinance), Article IX, Section 18-900. The Land Use Element of the 2017 Lakewood Township Master Plan outlines specific amendments to Chapter XVII, which was adopted under Ordinance No. 2017-51 & 2017-52 on October 25, 2017.

The extent of the Planned Development Non-Contiguous Cluster (PDNC) Overlay Zone District boundary was drafted based on a variety of environmental resource factors other than the underlying zone and parcel boundaries. As a result, the extent of the PDNC Overlay Zone District may not align with or correspond with the boundaries of underlying zone districts and parcel or lot boundaries.

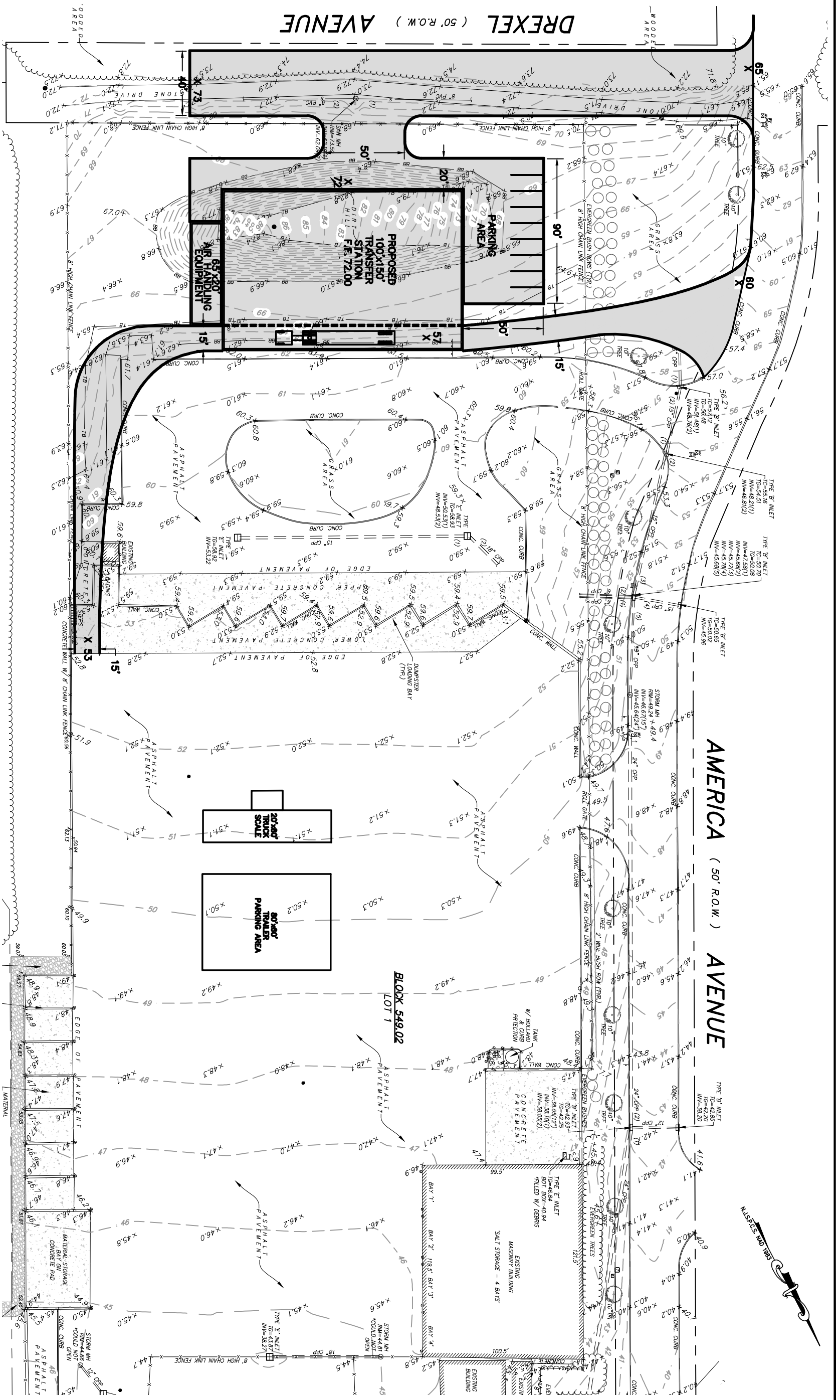
**LEGEND**

- MUNICIPAL BOUNDARY
- WATER BODIES
- PRIVATE ROAD
- 1000 PARCELS

**CRAIG F. REMINGTON**  
PROFESSIONAL PLANNER LIC. NO. 1877

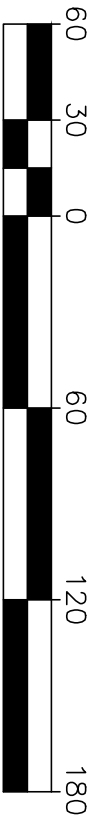
0 1,000 2,000 4,000 Feet  
1 inch = 1,000 feet  
ORIGINAL SCALE BASED ON 36" x 48" PAPER SIZE

**REMINGTON & VERNICK ENGINEERS**  
232 KINGS HIGHWAY EAST, HADDONFIELD, NJ 08033  
(856) 795-9595, FAX (856) 795-1882, WWW.RVE.COM  
Certificate of Authorization: 24 GA 28003300  
~ENGINEERING EXCELLENCE~



**CALL BEFORE YOU DIG**  
 1-800-272-1000  
 IT'S THE LAW  
 NEW JERSEY ONE CALL  
 DigSafely.

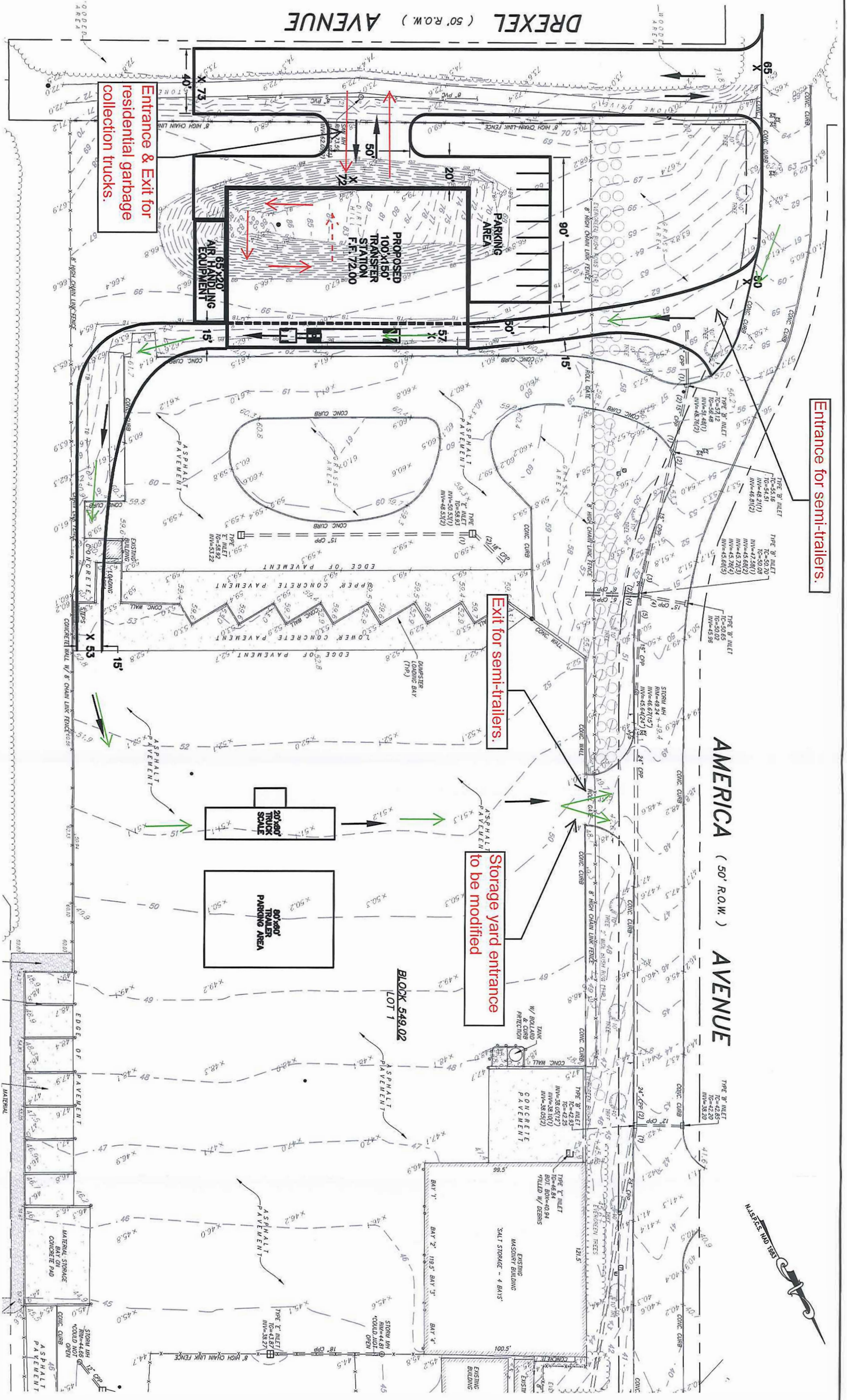
CONTRACTOR TO CALL AT LEAST 72 HOURS PRIOR TO COMMENCEMENT OF EXCAVATION WORK.



**REMINGTON & VERNICK ENGINEERS**  
 232 KINGS HIGHWAY EAST  
 HADDONFIELD, NJ 08033  
 (856) 795-9595, FAX (856) 795-1882  
 WEB SITE ADDRESS : WWW.RVE.COM  
 Certification of Authorization: 24 GA 28003300  
 ~ENGINEERING EXCELLENCE~

**CONCEPT PLAN  
 LAKEWOOD TRANSFER STATION  
 TOWNSHIP OF LAKEWOOD,  
 OCEAN COUNTY, NEW JERSEY 08701**

DATE:  
**KENNETH C. RESSLER**  
 NJ PROFESSIONAL ENGINEER LIC. No. 34559



**CALL BEFORE YOU DIG**  
 1-800-272-1000  
 IT'S THE LAW  
 NEW JERSEY ONE CALL **DigSafely**  
 CONTRACTOR TO CALL AT LEAST 72 HOURS PRIOR TO  
 COMMENCEMENT OF EXCAVATION WORK.

**Traffic pattern of residential  
garbage collection trucks.**

**Traffic pattern of residential  
garbage collection trucks  
backing into the facility.**

**Traffic pattern of semi-trailers**



**REMINGTON & VERNICK ENGINEERS**  
 232 KINGS HIGHWAY EAST  
 HADDONFIELD, NJ 08033  
 (856) 795-9595, FAX (856) 795-1882  
 WEB SITE ADDRESS: WWW.RVE.COM  
 Certification of Authorization: 24 GA 28003300  
 --ENGINEERING EXCELLENCE--

**TRAFFIC PLAN  
 LAKEWOOD TRANSFER STATION  
 TOWNSHIP OF LAKEWOOD,  
 OCEAN COUNTY, NEW JERSEY 08701**

*Kenneth C. Ressler*  
 DATE: 10-2-2019  
**KENNETH C. RESSLER**  
 NJ PROFESSIONAL ENGINEER LIC. No. 34559

**RESOLUTION**

**SEPTEMBER 20, 2021**

**WHEREAS**, the County has received an application from Lakewood Township to include a proposed transfer station into the Ocean County District Solid Waste Management Plan as a solid waste facility to process 300 tons per day (not to exceed) of municipal solid waste at Block 549.02, Lot 1 and Block 549.02, Lot 1, at One America Avenue, Lakewood Township; and

**WHEREAS**, the Ocean County Solid Waste Advisory Council has reviewed the application provided by Lakewood Township; and

**WHEREAS**, the applicant and their consultants made a presentation at the Ocean County Solid Waste Advisory Council Meeting on September 20, 2021; and

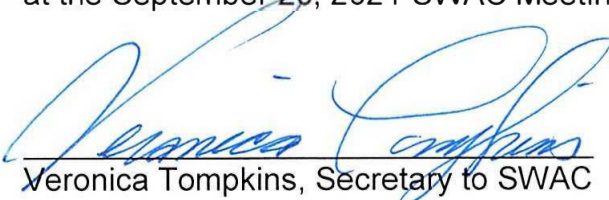
**WHEREAS**, the applicant has agreed to enter into a Voluntary Agreement with the County of Ocean detailing the operation of the Transfer Station.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF OCEAN, STATE OF NEW JERSEY**, as follows:

The Ocean County Solid Waste Advisory Council recommends that the Board of Commissioners consider a Plan Amendment to include Lakewood Township's Proposed Transfer Station into the Ocean County District Solid Waste Management Plan, contingent upon the following:

- 1) Lakewood Township Committee shall enter into an Agreement with the Ocean County Board of Commissioners regarding the specific terms of the transfer station operations.

I certify that this Resolution was adopted at the September 20, 2021 SWAC Meeting.

  
Veronica Tompkins, Secretary to SWAC

**RESOLUTION**

January 19, 2022

**WHEREAS**, the Ocean County Board of Commissioners has 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 District (hereinafter "District"); and

**WHEREAS**, the Ocean County Board of Commissioners has adopted amendments to the District Solid Waste Management Plan (hereinafter "Plan") to provide a comprehensive strategy for the management, recycling, and disposal of solid waste generated within District; and

**WHEREAS**, Lakewood Township submitted an application on September 17, 2021 to establish a municipal solid waste transfer facility ("Facility") located within their existing Public Works Complex at Block 549.01, Lot 1 and Block 549.02, Lot 1 at One America Avenue, Lakewood Township; and

**WHEREAS**, Ocean County's Department of Solid Waste Management reviewed the application and confirms the need and function for such a facility; and

**WHEREAS**, the Ocean County Solid Waste Advisory Council recommended to the Ocean County Board of Commissioners that a draft Plan Amendment be prepared for the inclusion of the proposed transfer facility in the Plan in order to meet the needs of Lakewood Township into the future; and

**WHEREAS**, a draft Plan Amendment has been prepared to include the Lakewood Township Transfer Station in the Ocean County District Solid Waste Management Plan as set forth above; and

**WHEREAS**, the Plan Amendment has been publicly distributed as required by law and the draft Plan Amendment was subject to public comment during a public hearing conducted by the Ocean County Board of Commissioners on December 15, 2021; and

**WHEREAS**, the Ocean County Board of Commissioners has carefully considered the recommendation of the County's professional staff, consultants, and the Ocean County Solid Waste Advisory Council and has further considered both oral and written comments and testimony from the public comment period; and

**WHEREAS**, N.J.S.A. 13:1E-20 requires County Solid Waste Management Districts to develop Solid Waste Management Plans to meet the solid waste disposal needs of the respective Districts for a ten (10) year planning period; and

**WHEREAS**, one of the long term objectives of the Ocean County District Solid Waste Management has been to include only those solid waste facilities sized to meet the solid waste disposal needs of the District; and

**WHEREAS**, this Facility has been considered in accordance with all applicable State and District regulations, and consideration for the Plan's objectives; and

**WHEREAS**, the Ocean County Board of Commissioners wishes to approve the inclusion of the Lakewood Township Transfer Facility in the Ocean County Solid Waste Management Plan subject to the agreements set forth above and upon the NJDEP issuance of a permit for the facility..

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF OCEAN, STATE OF NEW JERSEY, as follows:**

1. The Lakewood Township Transfer Facility is hereby included in the Ocean County District Solid Waste Management Plan.
2. The Commissioner Director and Clerk of the Board are hereby authorized and directed to enter into and execute any required Agreements on behalf of the Board.
3. Certified copies of this Resolution shall be made available to the following:

Township of Lakewood

Department of Solid Waste Management

Ocean County Counsel

I certify the foregoing to be a true copy of a Resolution adopted by the Board of Commissioners of the County of Ocean on the 19<sup>th</sup> day of January, 2022  
Michelle I. Gunther  
Michelle I. Gunther

AGREEMENT BETWEEN OCEAN COUNTY BOARD OF COMMISSIONERS AND  
THE TOWNSHIP OF LAKEWOOD PROVIDING FOR THE INCLUSION OF PROPOSED  
300 TON PER DAY SOLID WASTE TRANSFER STATION IN THE COUNTY SOLID  
WASTE MANAGEMENT PLAN

THIS AGREEMENT, made and entered into this *19<sup>th</sup>* day of *January*, 20*22*, by  
and between the OCEAN COUNTY BOARD OF COMMISSIONERS, hereinafter called  
“County”, with offices at the Ocean County Administration Building, Hooper Avenue, Toms  
River, New Jersey 08753 and THE TOWNSHIP OF LAKEWOOD, hereinafter called  
“Township”, with offices at 231 Third Street, Lakewood; New Jersey 08701.

WHEREAS, the County is charged with the obligation of preparing and adopting a Solid  
Waste Management Plan for the Ocean County Solid Waste District pursuant to the provisions of  
the New Jersey Solid Waste Management Act, N.J.S. 13:1E1 et seq.: and

WHEREAS, the County is likewise charged with the obligation of preparing and  
adopting a Recycling Plan for the Ocean County Solid Waste District pursuant to the provisions  
of the Statewide Mandatory Source Separation and Recycling Act, N.J.S. 13:1E-99.11 et seq.;

and

WHEREAS, the County has adopted and the State Department of Environmental  
Protection has certified and approved the Ocean Count District Solid Waste Management Plan  
and the Ocean County Recycling Plan; and

WHEREAS, Township has applied to the County for inclusion in the Ocean County Plan  
of a 300 ton per day Type 10 Municipal Solid Waste Transfer Station to be designed, constructed  
and operated by the Township for the receipt of Solid Waste, as hereinafter defined which are

only generated within the jurisdiction of the Township at Tax Block 549.01, Lot 1 and Tax Block 549.02, Lot 1, Lakewood Township, Ocean County, New Jersey; and

WHEREAS, the Facility proposed by Township will be capable of receiving up to a total of 300 tons per day of Type 10 Municipal Solid Waste which shall be transported and delivered for disposal at the OCLC sanitary landfill facility, Manchester Township, New Jersey; and

WHEREAS, the Township recognizes and acknowledges the comprehensive approach contained on the County Plan and implemented by the County for the collection and disposal of Solid Waste and the processing and marketing of source separated recyclable materials; and

WHEREAS, the Township further recognizes that on August 31, 1994, the New Jersey Department of Environmental Protection awarded the OCLC a Solid Waste Disposal Franchise pursuant to N.J.S.A. 48:13A-1 et seq., designating the OCLC Sanitary Landfill, Manchester Township, Ocean County New Jersey as the Disposal Facility for Solid Waste types 10, 13, 23, 25 and 27 Generated within Ocean County, including the Township of Lakewood; and

WHEREAS, the Township agrees to cooperate with the County in the implementation of the County Plan by assuring that all Solid Waste collected by the Township and delivered to the proposed Facility shall thereafter be transported to and disposed at the OCLC sanitary landfill facility in Manchester Township; and

WHEREAS, the Facility proposed by Township, subject to Township's compliance with the terms and conditions of this Agreement, is consistent with the County Plan as well as the Franchise awarded to OCLC; and

WHEREAS, the County has agreed to propose an amendment to the County Plan to include the Township's proposed Facility subject to and in accord with the conditions set forth in



this Agreement and approval of the Plan Amendment by the Commissioner of the NJDEP incorporating the within Agreement without modification; and

WHEREAS, the Township desires to enter into this Agreement with the County, acknowledging acceptance of the terms and conditions set forth herein; and

WHEREAS, the inclusion of the Township's Facility within the County Plan is specifically conditioned and contingent upon the Township's application for and receipt of a Solid Waste Facility Permit from the NJDEP and all Required Approvals necessary for the construction and operation of the proposed Facility and the incorporation of the Township's compliance with this Agreement as a term and condition of the Township's Solid Waste Facility Permit.

NOW, THEREFORE, inconsideration of the mutual promises contained herein, the County and the Township agree as follows:

SECTION 1. The above WHEREAS clauses are incorporated herein and made a part of this Agreement.

SECTION 2.

Definitions. For the purposes of this Agreement, the following terms shall have the following meanings:

"Accept" or "Acceptance" means the receipt of and taking responsibility by the Township of Acceptable Waste and Designated Recyclable Materials at the Facility in accordance with the terms and conditions of this Agreement.

"Acceptable Waste" means Type 10 Municipal Solid Waste as defined in N.J.A.C. 7:26-2.13(g) which is collected by the Township or on behalf of the Township solely from its jurisdictional residents and transported to the Facility in the collection vehicles.

“Agreement” means this Agreement between the County and the Township, providing for the inclusion of the Township’s Facility in the County Plan.

“County” means the Ocean County Board of Commissioners and/or the County of Ocean, as the context requires.

“County Plan” means:

1. The Ocean County District Solid Waste Management Plan adopted by the Ocean County Board of Commissioners (then Freeholders) on July 18, 1979 and approved by the NJDEP on July 31, 1980, and all subsequent amendments thereto; and

2. The Ocean County Recycling Plan adopted by the Ocean County Board of Commissioners (then Freeholders) as an element of the Ocean County District Solid Waste Management Plan on October 21, 1987, and approved by the NJDEP on March 22, 1988, and all the subsequent amendments thereto.

“Designated Recyclable Materials” means that list of Source Separated Recyclable Materials set forth on Schedule B of this Agreement which are collected by the Township or on behalf of the Township from its residents and transported to Facility in collection vehicles.

“Director” means the Director of the Ocean County Department of Solid Waste Management.

“Disposal” means the storage, treatment, utilization, processing or final disposition of Solid Waste.

“Facility” means the Type 10 Municipal Solid Waste and Source Separated Recyclable Materials Transfer Station to be located at Tax Block 549.01, Lot 1 and Tax Block 549.02, Lot 1, Lakewood Township, Ocean County, New Jersey, and constructed in accordance

with the Township's plans and design which are more specifically described on Schedule A hereto, and which are incorporated herein and made a part of this Agreement.

"Facility Site" means Tax Block 549.01, Lot 1 and Tax Block 549.02, Lot 1, as shown on the current Tax map of the Township of Lakewood, Ocean County New Jersey.

"Franchise" means the exclusive right to provide for the disposal of Solid Waste within a solid waste district or districts awarded pursuant to the Solid Waste Utility Control Act, N.J.S. 48:13A-1 et seq.

"Generate" means the act or process of producing Solid Waste.

"Generator" means any and all Persons that produce Solid Waste.

"Law" means any federal, state, county, local, administrative or other governmental law, including any statute, ordinance, code or other legislation, regulation, rule or other promulgation or pronouncement, or any judicial, executive or administrative ruling, order or decision.

"NJDEP" means the New Jersey State Department of Environmental Protection.

"Ocean County Health Department" means the Ocean County Health Department established by the Ocean County Board of Health pursuant to N.J.S.A 26:3A2-1 et seq.

"OCLC" means Ocean County Landfill Corp., Inc., the owner and operator of the Ocean County Landfill sanitary landfill, facility number 1518, Manchester Township, Ocean County, New Jersey.

"Person" means any individual, corporation, partnership, joint venture, association, joint stock company, trust, unincorporated organization or other non-governmental agency or entity or any governmental agency or political subdivision thereof, including any

agency or entity created or existing under the laws of the United States, the State of New Jersey, or any other state, or any combination thereof.

“Recyclable Materials” means those materials which would otherwise become Solid Waste and which may be collected, separated, or Processed and returned to the economic mainstream in the form of raw materials or products.

“Required Approvals” means, with respect to the Facility and this Agreement, the County’s adoption of an amendment to the County Plan and its approval by the Commissioner of the NJDEP as set forth in Section 10 of this Agreement; Township’s receipt of a Solid Waste Facility Permit from the NJDEP, incorporating this Agreement as a term and condition, and all other permits and approvals required to be issued for the Facility as a precondition to the construction and operation of the Facility by any federal, State, County or municipal agency having jurisdiction over same.

“Solid Waste” or “Waste” means garbage, refuse and other discarded materials resulting from industrial, commercial and agricultural operations, and from domestic and community activities and shall include all other waste materials including liquids generated from within the jurisdiction of the Township and not recycled by the Township.

“Solid Waste Facility” means any system, site, equipment, building or structure which is utilized for the storage, collection, processing, transfer, transportation, separation, recycling, recovering or disposal of Solid Waste other than a “Recycling Center” as defined in N.J.A.C 7:26-1.4.

“Solid Waste Facility Permit” means a certificate of approved registration and engineering design approval issued by the NJDEP for the Township’s Facility in accordance with N.J.A.C. 7:26-1.1 et seq.

“Source Separated” means the process of separating Recyclable Materials from the Solid Waste stream by the Generator at the point of Generation.

“Township” means the Township of Lakewood and the governing body of the Township of Lakewood, Ocean County, New Jersey.

“Transfer Station” means a Solid Waste Facility at which Waste is transferred from a Solid Waste collection vehicle to a Solid Waste haulage vehicle for transportation to a Solid Waste Facility for Disposal.

“Unacceptable Waste” means any Solid Waste or other materials or substances not specifically allowed to be Accepted by the Township at its Facility under this Agreement, or which would, if Accepted at the Facility, constitute an endangerment to health or safety or give rise to violations of permit conditions for the Facility.

### SECTION 3. Delivery of Acceptable Waste and Recyclable Materials at the Facility.

The Township shall Accept at the Facility only Source Separated Recyclable Materials and Acceptable Waste collected by Township or on behalf of the Township solely from its residents within the jurisdictional boundaries of the Township and transported to the Facility in collection vehicles. Township shall not Accept or store Acceptable Waste at the Facility, except within the confines of a completely enclosed building.

SECTION 4. Design Capacity. The design and operating capacity of the Facility shall not exceed a total of 300 tons per day of Acceptable Waste and Source Separated Recyclable materials combined. The Facility shall be designed, constructed and operated in accordance with Township’s design plans more specifically described in Schedule A of this Agreement. The Township shall supply the Director with copies of all plans, documents and correspondence

between Township and the NJDEP pertaining to the registration, design and permitting of the Facility.

SECTION 5. Solid Waste Disposal. The Township shall be responsible for the Disposal of all Solid Waste Accepted at the Facility at the OCLC Sanitary Landfill Facility, Manchester Township, New Jersey, consistent with the County Plan, and previously issued OCLC Franchise. The Township's Disposal of Solid Waste other than as agreed to herein is prohibited and shall constitute a material breach of this Agreement.

SECTION 6. Disposition of Recyclable Materials.

A. All Designated Recyclable Materials Accepted at the Facility shall be transported by the Township to the Ocean County Recycling Center, New Hampshire Road, Lakewood Township, New Jersey in accordance with the provisions of the Recycling Center Use and Revenue Sharing Agreement executed by the Township and the County, effective January 1, 2020.

B. The Township shall coordinate the scheduling of deliveries of Designated Recyclable Materials with the Director in order to facilitate the operation of the County's Recycling Center and to minimize congestion and wait time.

SECTION 7. Prohibited Wastes and Materials. The Township shall not knowingly Accept at the Facility any Solid Waste or other materials not specifically included within the definition of Acceptable Waste or Source Separated Recyclable Materials. Further, the Township shall not Accept at the Facility Acceptable Waste or Source Separated Recyclable Materials in excess of the Facility's design capacity of 300 tons per day as set forth in Section 4 of this Agreement.

SECTION 8. Construction, Operation and Maintenance of Facility.

A. In no event shall Township commence operation of the Facility prior to the County's adoption and the NJDEP Commissioner's approval of an Amendment to the County Plan providing for the inclusion of Township's Facility therein in accordance with N.J.S. 13:1E-23 and 24 and Township's receipt of all Required Approvals as set forth herein; and

B. Township, upon receipt of all Required Approvals, shall construct, maintain and operate the Facility in accordance with applicable Law, the County Plan and all Required Approvals. Township shall be the exclusive owner and operator of the Facility and nothing herein shall be deemed to make the Township an agent, representative or independent contractor of the County.

SECTION 9. Commencement and Term. This Agreement shall be effective and shall commence upon full execution of the Agreement by the Township and the County. This Agreement shall remain in full force and effect for the term of the Township's Solid Waste Facility Permit and any renewal thereof consistent with the terms of this Agreement unless sooner terminated by the County in accordance with Sections 10 or 18 of this Agreement.

SECTION 10. Inclusion of Facility In County Plan.

A. Upon the execution of this Agreement by the Township, the County will expeditiously propose an amendment to the County Plan providing for the inclusion therein of the Township's Facility subject to the terms of this Agreement therein in accordance N.J.S. 13:1E-1 et seq. Said amendment to the County Plan shall be subject to the public hearing, comment and approval process set forth in N.J.S. 13:1E-23. Upon the adoption of said amendment by the County and approval thereof by the Commissioner of the NJDEP in accordance with N.J.S. 12:1E23 and 24, Township's Facility shall be included in the County Plan.

B. The inclusion of Township's Facility in the County Plan shall be conditioned and contingent upon the following:

(i) The County's adoption of an amendment to the County Plan including Township's Facility therein subject to the terms of this Agreement and the approval of said amendment by the Commissioner of the NJDEP in accordance with the provisions of N.J.S. 13:1E-23 and 24, including the within Agreement; and

(ii) Township's receipt of all Required Approvals to operate the Facility;  
and

(iii) The NJDEP's incorporation of the Township's compliance with this Agreement as a term and condition of the Township's Solid Waste Facility Permit for the Facility.

C. In the event each and every condition set forth in subparagraph B of this Section shall not be fully and completely satisfied within two (2) years after the effective date of this Agreement and provided the County has expeditiously proposed an amendment to the County Plan, as set forth in subparagraph A of this Section, then the County shall have the right, at its sole option and discretion, to terminate this Agreement by giving Township thirty (30) days advance written notice of the termination date and the parties shall have no further liability or obligation to each other hereunder.

D. Upon the termination of this Agreement as set forth in subparagraph C of this Section, Township's Facility shall not be included in the County Plan and shall be deemed inconsistent with the County Plan.



SECTION 11. Staffing and Training. The Township shall insure that a sufficient number of trained and qualified personnel are employed and assigned to operate and maintain the Facility at all times in accordance with all applicable Law, permit and license requirements.

SECTION 12. Facility Performance Review and Inspection. The County, the Ocean County Health Department and their designated representatives, agents and employees may enter the Facility Site and the Facility at any time, review records of Facility performance and inspect the Facility to determine Township's compliance with the Facility's approved Solid Waste Facility Permit, registration statement and engineering design, and with the terms and conditions of this Agreement and all applicable Law, permits and licenses.

SECTION 13. Compliance with the Law.

A. The Township shall comply with all applicable Law, license and permit requirements concerning the collection, storage, transfer, handling and disposal of Solid Waste.

B. The Township shall comply with all applicable requirements of the County Plan.

C. The Township shall adhere to all applicable Law governing the safety and working conditions of its employees.

D. Township warrants and represents that it shall operate the Facility in accordance with the terms and conditions of all Required Approvals and in accordance with all applicable Law and the County Plan. Any violation of the provisions of Section 4 of this Agreement shall constitute a material breach of this Agreement.

SECTION 14. Screening of Solid Waste Stream.

A. The Township shall prohibit the delivery and Acceptance of Unacceptable

Waste and All materials other than Acceptable Waste and Source Separated Recyclable Materials at the Facility. The Township shall reject deliveries to the Facility of any Unacceptable Waste or materials.

B. The Township shall perform Solid Waste screening procedures to avoid Accepting Unacceptable Waste, including all materials other than Acceptable Waste and Source Separated Recyclable materials at the Facility. The Township shall be solely responsible for the removal, transportation and Disposal of all Unacceptable Waste Accepted at the Facility in accordance with the County Plan and OCLC's Franchise and all applicable Law.

SECTION 15. Applicable Law. This Agreement shall be construed and interpreted in accordance with the laws of the State of New Jersey pertaining to contracts executed and to be performed in New Jersey.

SECTION 16. Modification or Amendment. No modification or amendment to this Agreement and no waiver of any of the provisions or conditions of this Agreement shall be valid unless in writing and signed by an officer or other duly authorized representative of the County and the Township.

SECTION 17. Indemnification.

A. The Township shall defend, indemnify, and hold harmless the County, its officers, employees, representatives and agents, from any and all claims, liabilities, demands, damages or costs of any nature whatsoever arising out of or in any way pertaining to this Agreement, the inclusion of the Township's Facility in the County Plan and/or the acts or omissions of the Township or other Persons pursuant to or connected with this Agreement, excluding only such Claims caused or resulting solely through the intentional, willful or negligent acts of the County, its employees and agents.

B. The Indemnification of the County, its officers, employees, representatives and agents hereunder shall include all reasonable costs, including legal fees, disbursements and expert fees incurred in defending any lawsuit or administrative proceeding brought against the County, its officers, employees and agents.

SECTION 18. Termination of Agreement.

A. Termination by the County. The County may terminate this Agreement for an Event of Default by the Township in accordance with subsection B. of this Section 17.

B. Events of Default by Township. Each of the following shall independently constitute an Event of Default by the Township.

(i) Township's knowing Acceptance of Unacceptable Waste at the Facility.

(ii) Township's knowing Acceptance of any Prohibited Wastes or Materials at the Facility in violation of Section 7 of this Agreement.

(iii) Township's Disposal of Solid Waste at a Solid Waste Facility other than OCLC's as agreed to herein.

(iv) The failure of the Township to perform any of its other obligations in accordance with the terms of this Agreement, provided, however, that no such failure shall constitute an Event of Default by the Township unless and until the Director has given notice to the Township specifying that a particular fault or faults exist and the Township has not corrected the fault(s) within thirty (30) days from the date of the notice.

C. Termination for Events of Default.

(i) The County, upon electing to terminate this Agreement for an Event of Default, shall direct the Director to give the Township notice of the termination date,

which shall be not less than ten (10) days nor more than thirty (30) days from the date the notice is given. Termination for an Event of Default shall not affect any of the Township's liabilities or obligations hereunder through the date of termination.

(ii) If the County terminates this Agreement for an Event of Default by the Township, Township shall cease and discontinue operation of its Facility on the termination date set forth in the notice of termination and shall not thereafter operate its Facility without the express written consent of the County, which consent the County may grant or withhold on such terms and conditions as the County, in its sole discretion, deems appropriate and just.

**SECTION 19. Remedies Upon Township Default.**

A. If the Township commits an Event of Default as specified in Section 18 of this Agreement or threatens to commit an Event of Default, the County in addition to any and all other rights and remedies it may have, shall have the right and remedy, without posting bond or other security, to have each and every provision of this Agreement specifically enforced by the Ocean County Superior Court, Chancery Division, it being acknowledged and agreed that any such Event of Default or threatened Event of Default will cause irreparable injury to the County, and the residents thereof, and that money damages will not provide adequate remedy at law.

B. Each of the County's rights and remedies enumerated in this Agreement shall survive the termination of this Agreement, shall be independent of the other, and shall be in addition to, and not in lieu of, any other rights and remedies available to County at law or in equity.

**SECTION 20. Expense of Enforcement of Covenants.** In the event that any administrative proceeding or suit at law or in equity is brought by the County to enforce terms and conditions of this Agreement or to obtain damages for an Event of Default by Township, the

County, upon prevailing in any such action, suit or administrative proceeding shall be entitled to reimbursement from the Township for all expenses (including, without limitation, reasonable attorney's fees and disbursements) incurred in connection therewith. The provisions of this Section 19 shall survive the termination of this Agreement.

SECTION 21. Unenforceable Terms and Conditions. If any the terms and conditions of this Agreement are hereafter construed to be invalid or unenforceable, the same shall not affect the remainder of terms and conditions of this Agreement which shall be given full effect, without regard to the invalid portions.

SECTION 22. Township's Ability to Contract. Township warrants and represents that it may legally enter into this Agreement; that it intends all terms and conditions contained in this Agreement to be legally binding on Township; and that all terms and conditions contained in this Agreement are valid and legally enforceable against Township.

SECTION 23. Environmental Compliance. The Township shall comply with all applicable environmental Law, license and permit requirements, including, but not limited to all applicable standards, orders, requirements and regulations adopted under the following:

- A. The Clean Air Act, 42 U.S.C. §7401 et seq.;
- B. The Clean Water Act, 33 U.S.C. §1251 et seq.;
- C. The Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §6901 et seq.;
- D. The Air Pollution Control Act, N.J.S. 26:2C-1 et seq.;
- E. The Noise Control Act of 1971, N.J.S. 13:1G-1 et seq.;
- F. The Soil Erosion & Sediments Control Act, N.J.S. 4:24-39 et seq.
- G. The New Jersey Solid Waste Management Act, N.J.S. 12:1E-1 et seq.

H. The Statewide Mandatory Source Separation and Recycling Act, N.J.S.

13:1E-99.11 et seq.; and

I. The Water Pollution Control Act, N.J.S. 58:10A-1 et seq.

If Township fails to comply with the provisions of this Section, Township shall pay all fines, deficiencies, penalties, levies or other sanctions which may be levied against the Township for any such failure and the Township shall immediately make, at the Township's sole cost and expense, any changes, modifications, or additions to the Facility as may be necessary to bring the Facility into compliance with all applicable environmental Law, license and permit requirements.

SECTION 24. Notice of Violations.

- A. Township shall immediately notify the Director in writing of any change in the status of any license, permit, authorization or approval required by Township for the performance of his obligations and duties hereunder.
- B. Township shall immediately notify the Director in writing in the event that the Township receives any communication from the USEPA, NJDEP or any other governmental body or agency indicating that the Township's Facility is alleged or considered for or subject to an enforcement action by any federal, state or local government body or agency.

SECTION 25. Notice. Any notice or other communications required or permitted hereunder shall be in writing and will be deemed sufficiently given only if delivered in person or sent by telegram or by first-class mail, postage prepaid. and addressed as follows:

- (a) The County at: Ocean County Board of Commissioners

Administration Building

CN 2191

Toms River, NJ 08754

Attn: Director, Department of Solid Waste Management

(b) The Township at: Lakewood Township Municipal Clerk

231 Third Street

Lakewood, NJ 08701

Changes in the respective addresses to which such notices may be directed may be made from time to time by either party by written notice to the other party.

SECTION 26. Waiver. The waiver by the County of any default, breach or violation of the provisions of this Agreement shall not operate or be construed as a waiver of any other default, breach or violation of the provisions of this Agreement.

SECTION 27. Severability. If any provision of this Agreement is found to be invalid by any court, administrative agency or tribunal of competent jurisdiction, the invalidity of any such provision shall not effect the validity of the remaining provisions hereof.

SECTION 28. Entire and Complete Agreement. This Agreement constitutes the entire and complete agreement of the parties pertaining to the inclusion of the Township's Facility in the County Plan. This Agreement supersedes all prior or contemporaneous representations, understandings, arrangements and commitments, all of such, whether oral or written, having been merged herein.

SECTION 29. Binding effect. This Agreement has been duly entered into and constitutes a legal, valid and binding obligation of the Township enforceable in accordance with its terms and it shall inure to the benefit of the parties hereto and any successor or assignee acquiring an interest hereunder.

SECTION 30. Other Documents. The Township agrees to execute and deliver any instruments and to perform any acts that may be necessary or reasonably requested in order to give full effect to this Agreement.

SECTION 31. Relationship of the Parties. No party to this Agreement shall have any responsibility whatsoever to perform services or to assume contractual obligations that are the obligations of the other party. Noting herein shall constitute either party a partner, employee, agent or representative of the other party, or create any fiduciary relationship between the parties.

SECTION 32. Headings. Captions and headings in this Agreement are for reference only and do not constitute a part of this Agreement.

SECTION 33. Assignment. This Agreement shall not be assignable by the Township without the prior written consent of the County. In any event, and notwithstanding and consent given by the County, no purported assignment by the Township shall be valid or effective, and no assignment by the Township shall relieve the Township of any of its obligations under this Agreement, unless and until the Township guarantees the performance of the assignee. Any prohibited assignment of this Agreement shall be null and void.

SECTION 34. NJDEP Plan Amendment. Notwithstanding any condition of this Agreement to the contrary, should the Commissioner of NJDEP in exercising his authority under NJSEA 13:1E-23 and 24 to approve, reject or modify in whole or in part any provision of this Agreement and/or fail to include the within Agreement as part of the County Plan Amendment, than this Agreement and Plan Amendment request shall become null and void.

IN WITNESS WHEREOF, the parties have executed this Agreement as the date first above written.

BOARD OF COMMISSIONERS,

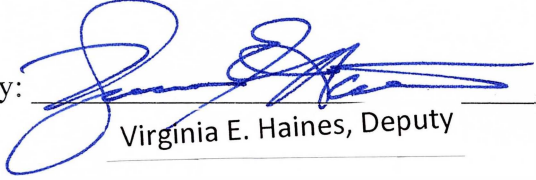


ATTEST:

OCEAN COUNTY

  
\_\_\_\_\_

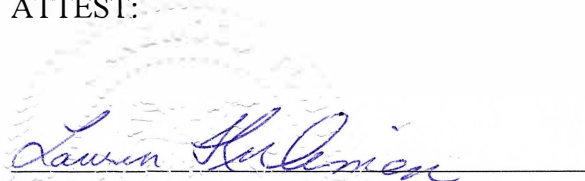
MICHELLE GUNTHER, Clerk

By:   
\_\_\_\_\_

Virginia E. Haines, Deputy

ATTEST:

TOWNSHIP OF LAKEWOOD

  
\_\_\_\_\_

Clerk

By:   
\_\_\_\_\_

Mayor