

Morris County

New Jersey

Solid Waste Management Plan Amendment

Response to the January 2006 New Jersey Department of Environmental Protection
Solid Waste Management and Sludge Management State Plan Update

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Prepared for the
Morris County Board of Chosen Freeholders



Prepared by the
Morris County Municipal Utilities Authority
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Introduction

In accordance with the requirements of the New Jersey Solid Waste Management Act (N.J.S.A. 13:E-1 et seq.), Morris County has been designated as a solid waste management district, along with each of the remaining New Jersey counties and the New Jersey Meadowlands Commission. Each solid waste management district has been charged with the responsibility of developing a solid waste management plan consistent with the state's goals and objectives. The Morris County Municipal Utilities Authority ("MCMUA") has been designated by the Morris County Board of Chosen Freeholders as the agency responsible for implementing the Morris County Solid Waste Management Plan ("SWMP" or "Plan").

On January 3, 2006, the Solid and Hazardous Waste Management Program of the New Jersey Department of Environmental Protection ("NJDEP" or "Department") issued its updated statewide solid waste management plan titled *Solid Waste Management & Sludge Management State Plan Update, January 2006* ("State Plan"). As stated in the Executive Summary of the State Plan, "On April 13, 2002 New Jersey Department of Environmental Protection Commissioner Bradley M. Campbell signed Administrative Order No. 2002-10, which requires, among other things, that the Department revise, update and readopt the Statewide Solid Waste Management Plan. There has been significant change to the landscape of solid waste management in New Jersey since the last plan update in 1993. Statewide waste flow rules have been invalidated by Federal court action, and annual increases in the state's recycling rates in the late 1980's and early 1990's have been replaced by declining rates."

The NJDEP issued a letter dated February 9, 2006 to freeholder directors and chairmen. This letter states that "...New Jersey's twenty-one counties, and the New Jersey Meadowlands Commission, have the responsibility for developing solid waste management plans consistent with the State's goals and objectives. As noted in the State Plan, each county or district shall, within one year of the adoption of the State Plan (January 3, 2007), adopt and submit to the Department, an updated district solid waste plan. The plan update must demonstrate consistency with the State Plan. Further, district plans shall reiterate the district plan requirements contained in N.J.S.A. 13:1E-21. Specifically, revised plan updates shall include, but not be limited to, the following components:

- 1) Designation of the department, unit or committee of the county government (or district in the case of the New Jersey Meadowlands Commission) to supervise the implementation of the district plan;
- 2) An inventory of the quantity of solid waste generated within the district for the ten-year period commencing with the adoption of updated district solid waste management plan;
- 3) An inventory of all solid waste and recycling facilities (lot and block and street address) including approved waste types and amounts, hours of operation and approved truck routes;
- 4) An outline of the solid waste disposal strategy to be utilized by the district for a ten-year planning period;
- 5) Where applicable, a procedure for the processing of applications for inclusion of solid waste and recycling facilities within the district solid waste management plans. The procedure shall state the applicant requirements for inclusion into the district plan and the specific county review process/procedures, including time frames for county approvals or rejections and subsequent submittals to the Department. Note- the criteria for inclusion shall not include a requirement that local zoning or planning board approval(s) be obtained as a condition for inclusion within the district solid waste management plan, nor shall such a requirement be made a condition for subsequent construction or operation of any facility;
- 6) Where applicable, utilizing the data supplied in Table B-1 that identifies the additional tonnage of recycled materials in the MSW [Municipal Solid Waste] stream (by material commodity

types) required by each county to meet the mandated MSW recycling goal, a strategy for the attainment of the recycling goals as outlined above. The strategy shall include, as necessary:

- a) the designation of the currently mandated recyclable materials and additional materials, if any, to be source separated in the residential, commercial and institutional sectors;
- b) a listing of those entities providing recycling collection, processing and marketing services for each of the designated recyclable materials;
- c) the communication program to be utilized to inform generators of their source separation and recycling responsibilities (note: statutory responsibility of municipalities);
- d) a comprehensive enforcement program that identifies the county and/or municipal entity(ies) responsible for enforcement of the recycling mandates, specifies the minimum number of recycling inspections that will be undertaken by these entities on an annual basis and details the penalties to be imposed for non-compliance with the municipal source-separation [sic] ordinance and county solid waste management plan. Additionally, each county or district must submit copies of each municipal source-separation [sic] ordinance to the Department within 6 months of the approval of its updated county or district solid waste plan."

Morris County's responses to these six required components are included in this update to its Solid Waste Management Plan ("Plan Amendment") under the next section titled "Compliance with State Plan Requirements."

With this Plan Amendment, Morris County sets forth its strategy for returning the county to the status of achieving the recycling goals set forth in N.J.S.A. 13:1E-99.13.3.b.(4)(c) and (5) as follows:

13:1E-99.13. District Recycling Plan

"3.b. Each district recycling plan required pursuant to this section shall include, but need not be limited to:

(4) Designation of recovery targets in each municipality to achieve the maximum feasible recovery of recyclable materials from the municipal solid waste stream which shall include, at a minimum, the following schedule:

- (c) The recycling of at least 50% of the total municipal solid waste stream, including yard waste and vegetative waste, by December 31, 1995; and

(5) Designation of countywide recovery targets to achieve the maximum feasible recovery of recyclable materials from the total solid waste stream which shall include, at a minimum, the recycling of at least 60% of the total solid waste stream by December 31, 1995."

Morris County met both of these goals in 1995, 1996, 1997 and 1998, according to Table 1 below. As is the case in most counties in New Jersey, since 1999, these rates decreased below the level of achieving the goals. This Plan Amendment will focus on achieving the goal of recycling at least 50% of the total municipal solid waste stream ("MSW Recycling Goal" or "50% Recycling Goal"). By implementing this Plan and achieving the MSW Recycling Goal, the county will be well on its way toward increasing and achieving the recycling goal of at least 60% of the total solid waste stream ("TSW Recycling Goal" or "60% Recycling Goal").

1. Compliance with State Plan Requirements

According to the Department letter dated February 9, 2006, as described below, the Morris County SWMP must be consistent with the State Plan:

"As noted in the State Plan, each county or district shall, within one year of the adoption of the State Plan (January 3, 2007), adopt and submit to the Department, an updated district solid waste plan. The plan must demonstrate consistency with the State Plan. Further, the district plans shall reiterate the district plan requirements contained in N.J.S.A. 13:1E-21. Specifically, revised plan updates shall include, but not be limited to, the following components:"

Morris County's responses to each of the six required plan components follow.

- 1) *"Designation of the department, unit or committee of the county government (or district in the case of the New Jersey Meadowlands Commission) to supervise the implementation of the district plan;"*

Morris County Response:

In an amendment to the Plan dated December 15, 1987 and certified by NJDEP on March 3, 1988, Morris County designated the Morris County Municipal Utilities Authority ("MCMUA") to supervise the implementation of the county's solid waste management plan.

- 2) *"An inventory of the quantity of solid waste generated within the district for the ten-year period commencing with the adoption of updated district solid waste management plan;"*

Morris County Response:

As shown in Table 1, the latest year for which solid waste generation data from the NJDEP is available is 2004, therefore this Plan Amendment will use 2004 as its base year. According to Table 1, solid waste generated in 2004 for Morris County was 1,174,122 tons. Total solid waste generation includes all solid waste disposed as garbage and all solid waste recycled. Disposal plus recycling yields generation. The recycling totals in Table 1 provided by the NJDEP for Morris County are a total of the annual recycling tonnage reports submitted by each Morris County municipality. The NJDEP adds tonnage to the municipal reports from other reports provided to the state by various sources, i.e. ISRI (the Institute of Scrap Recycling Industries) and the NJDOT. These tonnages, often referred to as "add-ons," usually are in material categories which apply only toward the 60% Recycling Goal and not the 50% Recycling Goal. Municipal solid waste is a subset of total solid waste. Total solid waste includes all municipal solid waste plus other waste categories such as construction and demolition debris and industrial waste.

In order to arrive at an estimate of what the total generation, solid waste disposed and recycled for all types of waste, will be in 2015, the MCMUA looked at the trend of total generation from 1995 to 2004. The resulting totals for waste generation are shown in Table 2. For informational purposes, the table also shows population projections. Population projections based on the 2000 U.S. Census were available from the 2006 Morris County Data Book for 2005, 2010 and 2015. The data for the years between were extrapolated. The generation rate in pounds per capita per day was calculated from the population and total generation projections. Appendix A shows the table that was used to arrive at the total generation figures in Table 2. Appendix B compares Morris County total solid waste disposal tonnages which were handled at the 2 MCMUA transfer stations to the total solid waste disposal tonnages for Morris County as provided by the NJDEP and shown in Table 1. The difference between the two figures is assumed to be Morris County tonnage which was disposed outside of the 2 transfer stations.

Table 1
Morris County Recycling Rates 1995 – 2004

Year	Total Solid Waste Generation	Disposal			Recycling			
		MSW (tons)	Bulky (tons)	Total (tons)	MSW (tons)	MSW %	Total Recycled	Total % Recycled
1995	729,669	189,823	86,401	276,224	228,663	54.6%	453,445	62.1%
1996	816,350	205,889	91,038	296,927	208,971	50.4%	519,423	63.6%
1997	959,269	237,182	102,405	339,587	252,506	51.6%	619,682	64.6%
1998	881,720	233,389	99,910	333,299	233,017	50.0%	548,421	62.2%
1999	894,999	292,150	126,048	418,198	227,237	43.8%	476,801	53.3%
2000	866,184	297,368	128,344	425,712	247,148	45.4%	440,472	50.9%
2001	937,671	328,768	141,987	470,755	218,496	39.9%	466,916	49.8%
2002	988,313	335,728	145,511	481,239	197,518	37.0%	507,074	51.3%
2003	1,017,001	355,758	153,146	508,904	202,916	36.3%	508,097	50.0%
2004	1,174,122	380,662	163,867	544,529	205,884	35.1%	629,593	53.6%

Data provided by the NJDEP on its website.

Table 2
Morris County Total Solid Waste Generation
Ten-Year Projection from 2004 Base Year

Year	Population	Total Generation (tons)	Pounds per Capita per Day
2004	482,362	1,174,122	13.34
2005	485,400	1,200,196	13.55
2006	486,740	1,226,271	13.80
2007	488,080	1,252,345	14.06
2008	489,420	1,278,420	14.31
2009	490,760	1,304,494	14.56
2010	492,100	1,330,569	14.82
2011	493,160	1,356,643	15.07
2012	494,220	1,382,717	15.33
2013	495,280	1,408,792	15.59
2014	496,340	1,434,866	15.84
2015	497,400	1,460,941	16.09

- 3) *"An inventory of all solid waste and recycling facilities (lot and block and street address) including approved waste types and amounts, hours of operation and approved truck routes;"*

Morris County Response:

Provided as Appendix C is an inventory of the solid waste and recycling facilities that have been previously included in the Morris County Solid Waste Management Plan.

- 4) *"An outline of the solid waste disposal strategy to be utilized by the district for a ten-year planning period;"*

Morris County Response:

The outline of the solid waste disposal strategy to be utilized by the district for a ten year planning period is set forth below and is premised on the following history:

On November 10, 1997, the United States Supreme Court denied *certiorari* in Atlantic Coast Demolition and Recycling, Inc. v. Board of Chosen Freeholders of Atlantic County, 112 F.3d 652 (3d Cir.), cert. denied, 522 U.S. 996 (1997). As a result, Solid Waste Management Districts in New Jersey were required to either adopt plan amendments to revise their solid waste disposal strategies to conform with Atlantic Coast or undertake Administrative Action procedures under N.J.A.C. 7:26-6.11 if the current solid waste system was in conformance with the dictates of Atlantic Coast.

Having determined to re-institute solid waste flow control for waste types 10, 13, 23, 25 and 27 generated within the County of Morris, MCMUA held a public hearing on December 9, 1997 on the adoption of the Administrative Action. The Administrative Action explained that the MCMUA's existing solid waste flow control disposal strategy was the result of an open, fair and competitive procurement process. Following the public hearing, the MCMUA adopted a Resolution accepting and approving the Administrative Action. In a letter dated January 9, 1998, the NJDEP certified as an Administrative Action the Morris County solid waste management system.

In the Administrative Action, the MCMUA demonstrated that the procurement process for out-of-state landfill capacity and the operations of the two MCMUA transfer stations and the transportation to out-of-state landfills was consistent with the criteria set forth in the Atlantic Coast decision and accordingly, Morris County was able to continue to direct all solid waste for disposal to either the MCMUA Mt. Olive transfer station or the MCMUA Parsippany-Troy Hills transfer station.

Pursuant to American Ref-Fuel Co. of Essex County v. Morris County Municipal Utilities Authority, 169 N.J. 135 (2001), the MCMUA, on January 7, 2002, issued a Notice to Bidders seeking sealed competitive bids for the "Operating The Two Morris County Solid Waste Transfer Stations, Located in Parsippany-Troy Hills Township and Mount Olive Township, Including Providing Transportation and Disposal of all County Solid Waste received at the Transfer Stations."

On April 9, 2002, the Authority adopted a Resolution accepting the bid submitted by Waste Management of New Jersey, Inc. as the lowest responsible bidder. Both the April 9, 2002 Resolution and the January 7, 2002 Notice to Bidders stated the performance of the contract is conditioned upon receipt of all applicable governmental approvals, including approval by the Department of Environmental Protection of an amendment to the Morris County Solid Waste Management Plan.

Accordingly, on July 24, 2002, the Morris County Board of Chosen Freeholders adopted an amendment to the Morris County District Solid Waste Management Plan. The Amendment included the terms and conditions of the bid submitted by Waste Management of New Jersey, Inc., dated April 2, 2002 for "Operating the Two Morris County Solid Waste Transfer Stations, Located in Parsippany-Troy Hills Township and Mount Olive Township, Including Providing Transportation to Disposal Facilities and Disposal of County Solid Waste."

The bid of Waste Management of New Jersey, Inc. provides for the operation of the Morris County Transfer Stations for a period of five (5) years. Additionally, for a period of five (5) years, Waste Management of New Jersey, Inc. will transport all the solid waste accepted at the Morris County Transfer Stations to the out-of-state disposal facilities. These disposal facilities are:

- GROWS Landfill, Morrisville, PA
- Tullytown Resource Recovery Facility Landfill, Morrisville, PA
- Alliance Sanitary Landfill, Taylor, PA
- Wheelabrator Falls, Inc., Resource Recovery Facility, Morrisville, PA

On December 20, 2002, the Department Certified the Amendment to the Morris County Solid Waste Management Plan, which included the aforementioned solid waste disposal strategy contained in the bid submitted by Waste Management of New Jersey, Inc. On December 27, 2002 the Authority issued a Notice to Proceed for the Contract to commence on January 27, 2003. The existing Contract with Waste Management of New Jersey, Inc. expires on January 27, 2008.

Given this background, for the next ten-year planning period, Morris County, through the MCMUA, its implementing agency, intends to maintain the solid waste disposal system that was re-affirmed by the New Jersey Department of Environmental Protection in its certification and approval of the Administrative Action on January 9, 1998. Accordingly, MCMUA shall continue to direct all solid waste generated within Morris County to either its Mt. Olive Transfer Station or its Parsippany-Troy Hills Transfer Station. In light of the fact that its contract with Waste Management of New Jersey, Inc. expires on January 27, 2008, the MCMUA will continue to engage in nondiscriminatory, fair, open and competitive procurement processes when it chooses operators of its transfer stations, disposal facilities for the waste accepted at its transfer stations and transporters to haul the waste from the transfer stations to the selected disposal facilities. These procurements will be in accordance with the criteria set forth in the Atlantic Coast decision as well as New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

- 5) *"A procedure for the processing of applications for inclusion of solid waste and recycling facilities within the district solid waste management plans. The procedure shall state the applicant requirements for inclusion into the district plan and the specific county review process/procedures, including time frames for county approvals or rejections and subsequent submittals to the Department. **Note-** the criteria for inclusion shall **not** include a requirement that local zoning or planning board approval(s) be obtained as a condition for inclusion within the district solid waste management plan, nor shall such a requirement be made a condition for subsequent construction or operation of any facility;"*

Morris County Response:

Provided as Appendix D is the procedure utilized by Morris County for processing applications for solid waste and recycling facilities to be included in the Morris County Solid Waste Management Plan.

6) *"Where applicable, utilizing the data supplied in Table B-1 that identifies the additional tonnage of recycled materials in the MSW stream (by material commodity types) required by each county to meet the mandated MSW recycling goal, a strategy for the attainment of the recycling goals as outlined above. The strategy shall include, as necessary:*

a) the designation of the currently mandated recyclable materials and additional materials, if any, to be source separated in the residential, commercial and institutional sectors;"

Morris County Response:

See the section titled "Designated Materials Mandated to be Source Separated and Recycled" that follows.

b) "a listing of those entities providing recycling collection, processing and marketing services for each of the designated recyclable materials;"

Morris County Response:

The MCMUA website (www.MCMUA.com) contains information in response to the requirement above. The MCMUA continually updates and revises this information as needed. Due to the fact that this information is voluminous and dynamic, it has not been printed and included in this Plan Amendment. The MCMUA suggests the Department visit this website, specifically the following subsections found under the main heading "Home:"

- "Materials" <http://www.mcmua.com/Materials.asp>
- "Facilities" <http://www.mcmua.com/Facilities.asp>
- "Towns" <http://www.mcmua.com/Towns.asp>.

c) "the communication program to be utilized to inform generators of their source separation and recycling responsibilities;"

Morris County Response:

See subsections 3.1(g) and 3.2(a),(c),(f),(h),(i),(j),(k), regarding existing and proposed educational programs to be implemented at the county level. See also subsection 2.f. of the section entitled "Municipal Responsibilities" that addresses the communications program requirements to be implemented to inform generators of their source separation and recycling responsibilities at the municipal level.

d) "a comprehensive enforcement program that identifies the county and/or municipal entity(ies) responsible for enforcement of the recycling mandates, specifies the minimum number of recycling inspections that will be undertaken by these entities on an annual basis and details the penalties to be imposed for non-compliance with the municipal source-separation [sic] ordinance and county solid waste management plan."

Morris County Response:

See the section titled "Enforcement Program" that follows.

As further stated in the Department letter dated February 9, 2006:

"Additionally, each county or district must submit copies of each municipal source-separation [sic] ordinance to the Department within 6 months of the approval of its updated county or district solid waste plan."

Morris County Response:

Each Morris County municipality is required to update and submit a copy of its municipal ordinance to the MCMUA within 6 months of the approval of this Plan Amendment. Copies of these ordinances will be forwarded to the Department.

2. Attainment of the Mandated Municipal Solid Waste Recycling Goal

According to Table 3, which is taken from the State Plan, Morris County needed an additional 76,421 tons of generated waste to have been recycled in 2003 in order to have met its MSW Recycling Goal.

Table 3
Recycling and Disposal Data
(State Plan, Table B-1) ¹

County	2003 MSW Disposal Tonnage	2003 MSW Recycling Tonnage	2003 MSW Recycling Rate	at 50% Recycling Rate		MSW Recycling Tonnage Increase Needed to Reach 50% MSW Recycling Goal
				MSW Disposal Tonnage	MSW Recycling Tonnage	
Atlantic	255,501	86,093	25.2%	170,797	170,797	84,704
Bergen	674,728	489,718	42.1%	582,223	582,223	92,505
Burlington	343,555	234,437	40.6%	288,996	288,996	54,559
Camden	362,301	160,819	30.7%	261,560	261,560	100,741
Cape May	93,463	64,325	40.8%	78,894	78,894	14,569
Cumberland	125,329	101,201	44.7%	113,265	113,265	12,064
Essex	639,537	280,140	30.5%	459,838	459,839	179,699
Gloucester	203,347	150,440	42.5%	176,893	176,894	26,454
Hudson	435,393	88,332	16.9%	261,862	261,863	173,531
Hunterdon	87,099	20,939	19.4%	54,019	54,019	33,080
Mercer	260,385	108,033	29.3%	184,209	184,209	76,176
Middlesex	593,459	315,847	34.7%	454,653	454,653	138,806
Monmouth	439,586	259,876	37.2%	349,731	349,731	89,855
Morris	355,758	202,916	36.3%	279,337	279,337	76,421
Ocean	462,800	179,013	27.9%	320,906	320,907	141,894
Passaic	387,182	171,948	30.8%	279,565	279,565	107,617
Salem	36,670	19,287	34.5%	27,978	27,979	8,692
Somerset	220,702	85,613	27.9%	153,157	153,158	67,545
Sussex	91,337	25,294	21.7%	58,315	58,316	33,022
Union	408,380	126,454	23.6%	267,417	267,417	140,963
Warren	75,766	18,116	19.3%	46,941	46,941	28,825
Total	6,552,278	3,188,841			4,870,563	1,681,722

¹ This table is taken from the NJDEP *Solid Waste Management & Sludge Management State Plan Update, January 2006*. The table was modified by the addition of a column to show the MSW disposal tonnage at the 50% recycling rate.

Because the State Plan requires counties to provide "an inventory of the quantity of solid waste generated within the district for the ten-year period commencing with the adoption of updated district solid waste management plan," this Plan Amendment is also taking into account the tons required to be recycled in 2015 to meet Morris County's MSW Recycling Goal by that time. Table 4 shows projected MSW growth through 2015, taking population growth into account. This table reflects a constant generation rate of 6.66 pounds per person per day, which is based on the 2004 generation rates computed in Appendix A - Morris County Solid Waste Generation - Plan Implementation Ten-Year Projection. It is important to note that Table 4 reflects the status quo projected growth in MSW generation if no changes are implemented. On the other hand, Appendix A lists the decreasing solid waste tonnages and the increasing recycling tonnages necessary each year in order to achieve the recycling goals by 2015. This is a forecast of tonnage levels to be achieved by implementing this Plan Amendment.

Of note, Appendix A shows very slight fluctuation from a low of 6.64 and a high of 6.66 pounds per capita per day, whereas. Table 4 lists a constant per capita generation rate of 6.66 pounds per capita per day and did not use the slight fluctuations that were shown in Appendix A. First, the figures in Appendix A were not broken down into disposal and recycling, whereas Table 4 does provide this breakdown. Second, the figures in Table 4 are projections based on current trends whereas the figures in Appendix A are projections based on achieving the 50% and 60% Recycling Goals.

Table 4
Municipal Solid Waste
Status Quo Projection Based on Population Increases

Year	Population	Total (lbs/cap/day)	Disposal (lbs/cap/day)	Recycling (lbs/cap/day)	Disposal (tons)	Recycling (tons)	Total (tons)
2004	482,362	6.66	4.32	2.34	380,662	205,884	586,546
2005	485,400	6.66	4.32	2.34	383,059	207,180	590,239
2006	486,740	6.66	4.32	2.34	384,117	207,752	591,869
2007	488,080	6.66	4.32	2.34	385,174	208,324	593,498
2008	489,420	6.66	4.32	2.34	386,232	208,896	595,127
2009	490,760	6.66	4.32	2.34	387,289	209,468	596,757
2010	492,100	6.66	4.32	2.34	388,347	210,040	598,386
2011	493,160	6.66	4.32	2.34	389,183	210,492	599,675
2012	494,220	6.66	4.32	2.34	390,020	210,945	600,964
2013	495,280	6.66	4.32	2.34	390,856	211,397	602,253
2014	496,340	6.66	4.32	2.34	391,693	211,849	603,542
2015	497,400	6.66	4.32	2.34	392,529	212,302	604,831
2015*	497,400	6.66	3.33	3.33	302,416	302,416	604,831

* The first row of figures for the year 2015 above shows projected MSW generation based on population growth alone. The second row of figures for the year 2015 provides projected MSW generation based on the attaining the MSW Recycling Goal stipulated in this Plan Amendment.

The use of a constant per capita MSW generation rate is consistent with the U.S. Environmental Protection Agency report on municipal solid waste titled *Municipal Solid Waste in the United States" 2005 Facts and Figures, Executive Summary* dated October 18, 2006. This report shows very little fluctuation in MSW generation levels on a per capita basis from 1990 through 2005. Table ES-3 on page 3 of that report shows MSW generation rates as summarized in Table 5.

Table 5
National Municipal Solid Waste Generation Rates
According to the U.S. Environmental Protection Agency (USEPA)

Year	Pounds per Capita per Day
1990	4.50
2000	4.63
2003	4.53
2004	4.61
2005	4.54

In Table 4, the difference between the forecasted amount of recycling tonnage in 2015 (212,302 tons) and the tonnage that will be needed to achieve the 50% Recycling Goal (302,416 tons) is 90,114 tons. This Plan Amendment will focus on the diversion of these 90,114 tons from the municipal solid waste stream in order to achieve the 50% Recycling Goal by 2015. Table 6 shows by material the total amount of tons which will be targeted by this Plan Amendment. Table 6 utilizes data from the Bergen County Utilities Authority ("BCUA") *Solid Waste Composition – Final Report* dated March 2005. Specifically, Table 3-2 of that report lists the percentages of specified material categories that remain in the Type 10 waste stream as tallied from samples of waste at several transfer stations located in the county over 4 seasons. Type 10 waste, as defined by N.J.A.C. 7:26-2.13.g.1.i., means "waste originating in the community consisting of household waste from private residences, commercial waste which originates in wholesale, retail or service establishments, such as, restaurants, stores, markets, theatres, hotels and warehouses, and institutional waste material originated in schools, hospitals, research institutions and public buildings." For the purposes of this Plan Amendment Type 10 waste and MSW data from various sources are similar enough to be used for comparison purposes.

This Plan Amendment uses the BCUA study for the following reasons. The 2005 BCUA study, which takes into account recent recycling trends, is more current than the most recent Morris County waste composition study, conducted in 1991. Comparisons between the 2005 BCUA study and the 1991 Morris County study were made and similarities were found in the percent composition of most materials to provide assurance that the information is applicable. Additionally, Bergen County and Morris County are both located in northern New Jersey and utilize some of the same recycling markets.

Using the BCUA study, the MCMUA multiplied Morris County's MSW disposal tonnage for 2004, the base year, and the projected MSW disposal tonnage for 2015 by the composition percentages in order to determine the quantity of certain materials which remain in the waste after source separation and recycling. This yielded the tonnage amounts of each specified material category which remains in the waste. For example, there remained an estimated 135,135 tons of paper in the waste in 2004 and that number will grow to 139,348 tons of paper by 2015. The MCMUA then applied conservative percentages to many of the waste types in which it is felt that improvements in recycling will be made, and therefore increased tonnage will be diverted from the disposal waste stream to the recycling waste stream. The total amount of material to be diverted by 2015 is 108,691 tons. This diversion goal of 108,691 tons will exceed the 90,114 tons required to achieve the MSW Recycling Goal by over 18,000 or almost 20%.

As stated above, N.J.S.A. 13:1E-99.13. District Recycling Plan states:

"3.b. Each district recycling plan required pursuant to this section shall include, but need not be limited to:

(4) Designation of recovery targets in each municipality to achieve the maximum feasible recovery of recyclable materials from the municipal solid waste stream which shall include, at a minimum, the following schedule:

(c) The recycling of at least 50% of the total municipal solid waste stream, including yard waste and vegetative waste, by December 31, 1995;"

This Plan Amendment reaffirms the statutory requirement of municipalities to achieve the recycling of at least 50% of the total municipal solid waste stream. Further, this Plan Amendment seeks to have each municipality achieve this MSW Recycling Goal by 2015. Despite the fact that some municipalities currently have achieved the MSW Recycling Goal, it is recommended that each municipality continue to evaluate and improve their recycling program to increase recycling tonnage.

With the tonnage projections presented, the following sections of the Plan Amendment address how the additional recycling tonnage diversion will be achieved.

Table 6
Additional Tonnage to be Extracted from the
Municipal Solid Waste Stream for Recycling by 2015

Material Category	Average Percent in Type 10 Waste ¹		Tons Remaining In MSW after Recycling		Percent Estimated to be Recycled	Additional MSW Recycling Tons to be Extracted
			Base Year 2004	Ten Year Projection 2015		
Fiber/Paper	35.5%		135,135	139,348	50%	69,674
Corrugated		6.8%				
Newsprint		4.8%				
Office Print		2.4%				
Magazines & Other Glossy		2.8%				
Other Paper		18.7%				
Food Waste	14.8%		56,338	58,094	10%	5,809
Bottles and Cans	4.5%		17,130	17,664	50%	8,832
HDPE		0.4%				
PETE		0.9%				
Aluminum		0.7%				
Steel		0.3%				
Glass		2.2%				
Other Recyclable Metal	2.8%		10,659	10,991	50%	5,495
Non-Recyclable Metal	1.4%		5,329	5,495	50%	2,748
Other Plastic	13.4%		51,009	52,599	15%	7,890
Wood	6.8%		25,885	26,692		
Textiles	4.2%		15,988	16,486	50%	8,243
Other	16.7%		63,418	65,395		
Leaves		0.5%				
Grass		1.0%				
Other Yard Waste		1.6%				
Rubber & Leather		1.3%				
Disposable Diapers/Sanitary Products		2.1%				
Other Organics/Combustibles		3.8%				
Other Inorganics/Combustibles		3.9%				
Household Hazardous/Special Waste		0.3%				
Electronics		0.9%				
Batteries		0.06%				
Unclassifiable Fines		1.2%				
Total	100.06%		380,662	392,529		108,691

¹ Waste composition percentages were taken from the Bergen County Utilities Authority *Solid Waste Composition – Final Report* dated March 2005, Table 3-2 on page 3-11.

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3. Existing and Proposed Morris County Source Reduction, Recycling and Waste Diversion Programs

This section provides an inventory of some of the existing programs, as well as programs to be implemented and/or expanded, that will help Morris County achieve the recycling goals stated in this Plan Amendment.

3.1 Existing Programs

(a) Household Hazardous Waste and Special Waste Management Programs: Reducing the Source of Toxicity in the Waste Stream While Making it Safer to Handle

Since 1985, the Morris County has been sponsoring Household Hazardous Waste (“HHW”) cleanup events for its residents and conditionally-exempt small quantity generators (“CESQGs”). The HHW management program provides the community with an outlet through which to manage its hazardous waste materials properly. Over time, the MCMUA has dedicated increasing amounts of time, money and resources toward expanding its HHW management program. The HHW program reduces the source of toxicity in the MSW waste stream, thereby making it safer to handle while lessening its impact on the environment.

The MCMUA accepts batteries and fluorescent light bulbs from municipalities and businesses as part of its universal waste recycling program. These common, yet hazardous, materials are collected at the MCMUA Recycling Consolidation Center in Dover, New Jersey. In addition, the MCMUA collects used consumer electronics and ships them to a demanufacturer. Also the MCMUA operates a permanent HHW facility at its transfer station in Mt. Olive Township. This is only the third facility of its kind in New Jersey, and it provides HHW generators with year-round access to proper HHW management through scheduled appointments on most Tuesday, Friday and Saturday mornings.

The MCMUA has nurtured the growth of its HHW program since its inception in 1985, and since then it has evolved into one of the most comprehensive of its kind in New Jersey. Morris County’s program is good for the environment in that it protects water resources and helps sewage treatment plants and disposal/recycling facilities comply with their environmental requirements. In addition, HHW programs protect workers who collect and/or process garbage and/or recyclables from the unknown dangers that might lurk there.

Household Hazardous Waste Cleanup Days

Periodic HHW cleanup events have been held since 1985 with increasing popularity among Morris County residents. They have traditionally been held in a central location in the county, but the MCMUA also holds disposal days at different locations on the periphery of the county in an effort to provide the public with greater access to these programs. On site at all disposal events, in addition to a licensed hazardous materials management company, are Morris County Sheriff’s officers with training in both traffic control and explosives management. A representative from the MCMUA is also on site at all times to oversee the disposal event, assist with traffic control and answer participants’ questions. In addition, the MCMUA representative oversees the packaging of materials and preparation of manifests for signature. For the past several years, used consumer electronics have been accepted at the cleanup days; this has become an increasingly popular feature of the program.

Permanent Household Hazardous Waste Facility

As a means to provide a more comprehensive approach to HHW management, the MCMUA constructed a permanent HHW facility at its Mount Olive Township transfer station, which began operations in April 1998. Since that time, the permanent facility has been open to accept waste on over 800 days while accepting waste from over 15,000 participants.

By establishing its permanent drop-off site for HHW, the MCMUA has significantly improved and expanded Morris County's HHW management program. This facility provides a more convenient and accommodating HHW program for residents and CESQGs. Permanent, on-going availability of HHW management lessens the potential for illegal disposal or dumping of HHW by residents who are unable or unwilling to wait for a one-day collection event.

The MCMUA HHW facility consists of two pre-fabricated waste storage units, five poly storage units, an office trailer, and a 1,000-gallon waste oil storage tank. The facility itself sits on a concrete pad that would contain any sized spill and it is located in a walled-in area in the northwest portion of the MCMUA Mount Olive transfer station. It is open to residential and CESQGs by appointment on most Tuesday, Friday and Saturday mornings throughout the year. The MCMUA oversees the operation of the facility that is performed by a private, licensed hazardous waste management company. All material collected is transported for recycling and/or disposal at least every 90 days.

Besides the hazardous waste accepted for disposal, many items are accepted for recycling. The current list of recyclable materials accepted includes non-rechargeable and rechargeable batteries, lead acid batteries; used consumer electronics including computers, monitors and televisions, copiers, faxes, audio components, etc.; antifreeze; motor oil and motor oil filters; fluorescent light bulbs; and propane cylinders.

Not only is the MCMUA providing a valuable service to its own residents and CESQGs, but it is also serving the surrounding counties by making access available to its permanent HHW facility for their residents and CESQGs who may not be willing or able to wait for their own counties' one-day HHW cleanup events. The Permanent HHW Facility is the only facility of its kind located in Northern New Jersey.

Used Consumer Electronics (UCE) Recycling Program

In 2001 the MCMUA combined its HHW collection events with its used consumer electronics ("UCE") collection events. The MCMUA also collects UCE at its permanent HHW facility, which is open year-round. The amount of UCE collected over the past few years has increased dramatically with the advent of collections at the HHW facility. As an example, the MCMUA collected over a total of 135,000 pounds of UCE in 2004, while in 2005 it collected over 234,000 pounds, an increase of almost 100,000 pounds in one year.

Propane Cylinder Recycling

On April 1, 2002, a National Fire Protection Association (NFPA) safety code went into effect that prohibits the refilling of propane tanks that are not equipped with overfill protection devices (OPD). This code applies to propane tanks with capacities between 4 and 40 pounds, including the 20-pound tanks used by millions of households for barbecue grills. While tanks manufactured after September 30, 1998, are equipped with the required OPD, it is estimated that there are 40 million 20-pound propane tanks that do not have OPDs and must be retrofitted or become obsolete. If the tanks are discarded along with household trash, there is the risk of explosion or fire during collection. Morris County has addressed this matter by accepting these propane tanks for recycling

as part of its HHW management program. This includes accepting these tanks at both the MCMUA permanent HHW facility as well as during its periodic HHW disposal days.

Universal Waste Program - Used Household Battery Recycling

Household batteries contain a variety of toxins and heavy metals. When landfills are their final resting place, the batteries will rust and decay, releasing both acids and heavy metals (e.g., mercury, zinc, chromium, cadmium, nickel, lithium, lead) and a host of toxic elements into the soil. These in turn will act and react with each other as well as with materials in the surrounding area. The final result is leachate that often ends up in the groundwater, a particularly serious problem in old landfills where linings were rarely used.

From a broader environmental perspective, the disposal of lead and cadmium in landfills represents a missed opportunity to recycle these metals, which both technically and practically can be refined and reused in new batteries and other products. Recycling these metals therefore reduces the demand for virgin materials and contributes to the achievement of the ultimate environmental goal of sustainability.

In 1994, the MCMUA began collecting discarded rechargeable and alkaline batteries for recycling at its Recycling Consolidation Center in Dover. Initially, just municipalities were allowed to participate in the recycling program by delivering collected batteries to the Center for recycling; however, in 1998, the MCMUA began accepting batteries from commercial generators. Morris County accepts and recycles both alkaline and rechargeable batteries. In addition, the MCMUA accepts lead-acid batteries for recycling at both its permanent HHW facility and at its one-day HHW collection events.

Universal Waste Program - Fluorescent Lamp Recycling

The reason why proper fluorescent lamp management is important is that fluorescent lamps contain mercury. Mercury is an extremely noxious and enduring substance which is harmful to both human health and the environment. Fortunately, since 1985 the average mercury content per four-foot lamp has decreased from 48 mgs to 23 mgs of mercury. Some manufacturers already produce fluorescent lamps with less than 10 mg of mercury (e.g., Phillips Alto Lamp). Despite this progress, lamp waste is the second largest source of mercury in the waste stream (after batteries).

Since March 1997, the MCMUA has been granted the authority by NJDEP to operate a universal waste recycling program for fluorescent light bulbs at its Recycling Consolidation Center in Dover, NJ. By participating in this recycling program, regulated hazardous waste generators may utilize the universal waste regulations, as opposed to the hazardous waste regulations, for management purposes. This allows a regulated hazardous waste generator to reduce the quantity of hazardous waste it generates for recordkeeping purposes. Since universal waste does not require manifesting for transportation and/or disposal purposes, significant cost reductions related to recordkeeping and disposal can be experienced by businesses. In addition, valuable warehouse/storage space is freed up by recycling bulbs in a timely manner.

According to information obtained from the EPA Green Lights Program, lamp recycling represents only 1% of a fluorescent lamp's life-cycle cost. Fluorescent lamps are 100% recyclable, and recycling does provide productive reuse for thousands of tons of glass, aluminum, phosphor powder and elemental mercury. In addition, recycling resolves the issue of extended company liability if materials are directed away from landfill disposal. Last, but not least, recycling should be included as a cultural practice if a company has a goal of reducing waste-related expenses and

providing a total quality vision. The MCMUA recycles all spent fluorescent lamps collected from Morris County government offices.

Since the inception of the MCMUA universal waste recycling program in March 1997, over 1.5 million fluorescent lamp feet have been diverted from the waste stream and then recycled, resulting in the removal of over 200 pounds of mercury from the municipal solid waste stream.

“Catch The Fever” Mercury Thermometer Collection Program

The USEPA found in its *Mercury Study Report to Congress* that fever thermometers contribute about 17 tons of mercury to solid waste every year. In an effort to combat this release of mercury, the MCMUA initiated the “Catch the Fever” Mercury Thermometer Collection Program in 2003. The MCMUA provides participating municipal offices and local pharmacies with drop-off buckets for mercury-containing thermometers dropped off by residents seeking to properly manage their mercury-containing thermometers. The MCMUA then collects these buckets and disposes of thermometers through its HHW facility program.

Awards for the Morris County HHW Program

- **2003 USEPA Environmental Quality Award Recipient** -- In April 2003, the MCMUA was presented with an Environmental Quality Award for its outstanding commitment to protecting and enhancing environmental quality through its sponsorship of special and hazardous waste management programs. The Environmental Quality Awards are the highest recognition presented to the public by the USEPA. Awards recipients come from all sectors of the community, including non-profit, environmental and community groups, individual citizens, environmental education and business organizations and members of the news media.
- **2002 *Environmental Protection* magazine “Facility of the Year” Honorable Mention** – The MCMUA HHW facility was spotlighted as an “honorable mention” (and the only governmental agency) chosen as a “role model[s] to show us how to deal with today’s economic challenges while maintaining our commitment to protect the environment.”
- **2001 NAHMMA Program Excellence Award for Hazardous Waste Management** -- In 2001, the MCMUA received a Program Excellence Award at the 16th Annual Hazardous Materials Management Conference in Portland, Oregon, for its outstanding hazardous waste management program. Sponsored by the North American Hazardous Materials Management Association (NAHMMA), this conference recognized and promoted exemplary pollution prevention initiatives.
- **“A Special Effort for a Special Waste”** -- In April 2000, *Waste Age* magazine published an article outlining the MCMUA’s efforts to manage household hazardous waste.
- **1999 SWANA Special Waste Management Excellence Award** -- In 1999, the MCMUA was selected to receive the Solid Waste Association of North America (SWANA) Special Waste Management Silver Award for its commitment to achieving the highest standards in the municipal solid waste field. This award was presented at the SWANA WASTECON 1999/37th Annual International Solid Waste Exposition in Reno, Nevada. The SWANA Special Waste Management Excellence Award is presented annually to (1) recognize outstanding performance in operation, design, efficiency and an overall integrated solid waste management system, and (2) promote excellence to the general public.

(b) Recycling Collection Programs

MCMUA Curbside Recycling Program

Beginning in December 1985, Morris County began collecting newspapers at curbside, once per month, in box vans from 2 of the 39 municipalities in the county. Since that time the county recycling collection program provided by the MCMUA has greatly expanded. In 2006, approximately 40,000 households (more than one fifth of all the households in the county) in 15 municipalities receive curbside collection every other week by the MCMUA curbside program. The service provides collection of 8 different types of recyclable materials including newspaper, mixed paper (junk mail/magazines), corrugated cardboard and brown bags, chipboard/paperboard, aluminum cans, steel cans, glass bottles and jars, and plastic bottles (coded 1 and 2). Collection is provided by two compactor trucks, one for paper materials and the other for bottles and cans. For the residential sector, collection is provided both at curbside and from rear-load dumpsters where needed in some multifamily complexes.

In all but one of the 15 municipalities in the MCMUA program, the collection service includes the provision of roll-off containers at the municipal recycling center/depot, and transportation for those containers to market when they are full. The MCMUA also provides this roll-off service to 3 other municipalities that are not part of the curbside collection program. Materials transported in roll-off containers includes those collected at curbside, as well as scrap metal and yard waste in some municipalities.

In addition to residential households, collection is also provided to some businesses and schools. In 2 municipalities, the MCMUA has collection routes established in the downtown business district for a combined total of 69 businesses including 3 post offices. Collection is also provided to 32 schools in 10 municipalities.

In total, the Morris County Recycling Collection Program collected/transported well over 21,000 tons of recyclable material in 2005.

Municipal Recycling Collection Programs

In addition to the 15 municipalities that utilized the MCMUA curbside recycling program, all but 2 of the remaining 24 municipalities provide curbside recycling program either by their own departments of public works or under contract with private collectors. One other municipality has curbside collection provided to residents privately through subscription service. The 2 municipalities that have limited or no curbside collection of recyclables have municipal recycling centers/depos where their residents can drop off their recyclables. One of those municipalities offers curbside collection for newspaper only. Table 7 indicates, by municipality, the curbside collection programs and/or recycling center/ drop-off programs offered in each municipality for various types of paper and bottles and cans.

In addition to offering collection of paper and bottles and cans, most municipalities also provide collection of many other materials both at curbside and at drop-off sites. These materials include yard waste (leaves, grass and brush), scrap metal, household batteries, tires, textiles, etc.

Table 7
Municipal Recycling Programs

Municipality	Curbside Collection	Recycling Center/ Drop-off Program
Boonton	✓	✓
Boonton Township	✓	✓
Butler	✓	
Chatham Borough	✓	✓
Chatham Township	✓	✓
Chester Borough	✓	
Chester Township	✓	
Denville	✓	✓
Dover	✓	✓
East Hanover	✓	✓
Florham Park	✓	✓
Hanover	✓	✓
Harding		✓
Jefferson	✓	✓
Kinnelon	✓	
Lincoln Park	*	✓
Long Hill Township	✓	
Madison	✓	✓ (mainly for small businesses)
Mendham Borough	✓	✓
Mendham Township	✓	
Mine Hill	✓	
Montville	✓	
Morris Plains	✓	✓
Morris Township	✓	✓
Morristown	✓	✓
Mount Arlington	✓	✓
Mount Olive	✓	✓
Mountain Lakes	✓	✓
Netcong	✓	✓
Parsippany-Troy Hills	✓	✓
Pequannock	✓	
Randolph	✓	✓
Riverdale	✓	
Rockaway Borough	✓	✓
Rockaway Township	✓	✓✓
Roxbury	✓	✓
Victory Gardens	✓	
Washington	✓*	✓
Wharton	✓	✓

* Curbside collection for newspaper only.

✓* Available through subscription service via private haulers.

(c) Recycling Consolidation Center

In August 1991, Morris County opened its Recycling Consolidation Center (“Center”) located in Dover. When the Center began its operation it was as a pilot program to assist in the sale of materials for which markets were limited. The initial list of materials accepted for processing included plastic bottles, corrugated cardboard and junk mail. Over time, newspaper and aluminum and tin(steel) cans mixed together were added to materials processed by the center. The Center's processing consisted of sorting and baling. In 1992, its first full year of operating, the Center sold over 4,500 tons of material and earned approximately \$87,000 in revenue.

In 1996, the Center underwent a major change regarding the types of material it handled. With the opening of FCR Morris, Inc., in Mine Hill, a privately owned and operated facility that accepted commingled bottles and cans, the Center discontinued its processing of bottles and cans. The Center now focuses its processing on paper or fiber materials. The paper that is received at the Center is mixed to varying degrees and is sorted and baled into four categories: newspaper, corrugated cardboard, mixed paper (junk mail/magazines) and chipboard/paperboard. In 2005, the Center processed 14,500 tons of fiber and earned over \$1 million in revenue from the sale of that fiber.

The material received at the Center comes mainly from municipalities in the MCMUA recycling collection program. Additionally, approximately of 5% of the material delivered to the Center in 2005 came from 150 commercial generators that delivered material directly to the facility. Municipalities that have recyclables delivered to the Center receive a rebate for the materials received from their town. In 2005, the total rebate paid to municipalities was almost \$120,000.

(d) Vegetative Waste Composting

The County of Morris provides outlets for grass, leaves and brush at its 2 compost facilities via interlocal service agreements with municipalities. In addition, the compost facilities accept material from commercial generators such as landscapers. The MCMUA operates the 2 compost facilities: one in Parsippany-Troy Hills Township and one in Mount Olive Township. See Appendix C for additional information on these 2 facilities.

Municipalities may collect leaves, grass and brush, separately, at curbside or at their municipal depots and deliver the material to one of the MCMUA compost sites. If the municipality does not have the ability to transport roll-off container loads from its depot, the MCMUA also offers this service to municipalities.

In 2005, the two compost facilities handled a combined total of 75,000 cubic yards of vegetative waste.

(e) Tire Program

Many of the municipalities in Morris County provide residents with a means for disposing of scrap tires. Several municipalities accept tires from their residents for a fee of \$2 per tire. For those municipalities that do not provide an outlet for tire disposal, the MCMUA accepts tires at its Parsippany transfer station. The tires are kept separate from other waste and are loaded into a trailer. When the trailer is full, the tires are shipped to a facility approved to handle tires. Tires are accepted at the transfer station from residents, municipalities and businesses.

In addition to accepting tires at the Parsippany transfer station from generators, Morris County has also established a tire clean-up program for tires that have been illegally dumped and littered throughout the county. This program, established in October 2001, is run by the cooperative

efforts of the Morris County Mosquito Extermination Commission (MCMEC) and the MCMUA. The MCMEC locates tire piles throughout their mosquito control season (March to October) and in their "off-season" (October to March) collect the tires from these sites. The MCMUA provides roll-off containers for these tires and arranges for the disposition of the tires. The program began in 2001 as a result of state funding provided to counties for tire clean-up programs. This funding was made available at that time and for 2 additional years due to the threat of West Nile Virus in New Jersey. Despite the fact that funding has not been provided from the state for the past 2 years, Morris County has continued this program with its own funding. From October 2001 through November 2006, the MCMEC has collected and the MCMUA has properly disposed of almost 45,000 tires which were found in piles throughout the county.

In addition to the tire clean-up program, the MCMUA used the tire funding provide by the state to run 3 tire amnesty collection programs with 7 events in the Summer of 2001, 8 events in the spring of 2002 and 6 events in the fall of 2005. The MCMUA received assistance to run these programs from municipalities that offered to host the various events. At the events, tires were accepted from county residents at no charge. If state funding becomes available in the future, the MCMUA will look forward to running additional tire amnesty programs for Morris County residents.

(f) Bicycle Collection

As a means of reducing waste disposal and reusing resources, the MCMUA began accepting bicycles in conjunction with Pedals for Progress in 2003. Through 2006, a total of 850 bicycles have been collected, processed and given to Pedals for Progress to ship to developing countries. The bicycles are collected in two ways: 1) at an annual spring collection event sponsored by the MCMUA and 2) by 2 municipalities that accept them from their residents throughout the year. The bicycles need to be "processed" in order to make them more compact for shipping. The MCMUA has received assistance with processing the bicycles from a Boy Scout troop and the county Sheriff's Labor Assistance Program. The MCMUA plans to continue this collection program.

(g) Education Program

Since 1985 the MCMUA has had a multifaceted education/promotion/outreach program targeting various audiences. "Live" programs have ranged from the "Wartville Wizard" for third graders, to "Glinda Garbahj" for fourth graders to environmental shopping tours for adults, to "A Tour of Trash and Treasure" and "Dung Beetles and Recycling: Perfect Together" for scout troops, middle - and high school-age students and adults who are members of houses of worship and civic organizations.

In addition, the MCMUA has developed a variety of materials for publication and distribution: newspaper inserts, flyers (e.g., "A Primer on Plastics Recycling"); brochures about home composting, leaving grass clippings on the lawn, the recycling requirements for businesses and institutions, all aspects of household hazardous waste disposal, litter prevention and more; *The Wragtimes*, a newsletter; and *Challenge of the Garbage Gargoyle*, a comic book. And several types of refrigerator magnets have served as recycling reminders.

The MCMUA has also made available to the public a wide array of decals to be used on containers for garbage and for recyclables. Photos of the decals, along with all sorts of other information, appear on www.mcmua.com, the MCMUA website that has been in existence for several years.

MCMUA staff regularly appear on Focus on Morris County, a cable TV program hosted by Joe Garifo, Morris County public information director. In fact, virtually every year during the past seven or so years, a very special event has been publicized on Focus on Morris County: the annual

recycling awards dinner, the first of which was held in 1988 (the 20th is scheduled for November 2, 2007). Several hundred awards have been given at these well-attended dinners that have also received good media coverage, thus insuring that recycling is in the headlines.

MCMUA staff also have participated in a number of public events such as the annual 4-H Fair in July, the Fall Festival in Morristown in late September/early October and an occasional Morris County Chamber of Commerce-sponsored event. The MCMUA has worked with personnel at the Morris County Library to create two recycling exhibits, one in 1997 and one in 2004. Also, MCMUA staff members have assisted with the creation of recycling exhibits in several municipal locations. Besides providing outreach to businesses, institutions and residents, the MCMUA has dealt with all County of Morris employees through the M.O.R.E. (Morris County Office Recycling Excels!) program.

At any time when a municipality has a change in the position of municipal recycling coordinator, the MCMUA offers a municipal recycling coordinator orientation meeting to the new coordinator. This orientation program was first implemented by the MCMUA in 2001 as it was recognized that new coordinators need to know some basic information about what is required of them. Despite the fact that the New Jersey Recycling Certification Series is offered and that coordinators are encouraged to attend by the MCMUA, not all coordinators are able to take the course due to time and financial constraints. The orientation meeting supplies valuable information to coordinators in a few hours. Municipal coordinators will also be encouraged to utilize the new *Recycling Coordinator's Primer* which is available electronically on the Association of New Jersey Recyclers' website www.anjr.com.

The MCMUA offers a tour of recycling facilities every spring. The tour is offered primarily to municipal recycling coordinators and is especially useful to new coordinators. Depending on availability, the tour may also be offered to interested individuals, such as teachers. The tour provides a first-hand look at solid waste management, recycling facilities and recycling processes, vegetative waste/composting, and the management of hazardous waste. The participants learn many interesting facts and are always amazed at what they see. The tour includes the following MUA facilities: the Recycling Consolidation Center in Dover, the vegetative waste facility, the Mount Olive transfer station and the household hazardous waste facility. The tour also includes FCR Morris, Inc., a privately owned materials sorting/recycling facility in Mine Hill. The tour usually takes up a good part of the day (approximately 6 hours) and is very well received and appreciated by the participants.

(h) Quarterly Municipal Recycling Coordinators Meetings

The MCMUA hosts quarterly meetings for municipal recycling coordinators and other municipal personnel involved with the municipal recycling program. The purpose of these meetings is to provide educational information and assistance to each municipal recycling coordinator and to keep municipal recycling personnel apprised of new developments in the recycling field. The meetings also provide municipal personnel with the opportunity to network with their counterparts in other municipalities.

The first meeting of the year is usually held in March with a focus on recycling tonnage reports. A representative of the NJDEP Bureau of Recycling and Planning is invited each year to be one of the guest speakers at this meeting to provide detailed information about proper reporting. County-wide reports are distributed at the meeting and there is usually a question and answer session. Other quarterly meetings provide the opportunity to discuss a range of topics. In order to keep things interesting and to give our coordinators new experiences, some meetings are held at

recycling depots and other recycling facilities. One meeting was held at the Willow School in Gladstone, a recipient of a gold LEED (Leadership in Energy and Environmental Design) award. Guest speakers address many subjects related to recycling. The main goal is to expand the knowledge of the coordinators and give them the confidence and support to provide the required resources in their municipalities.

(i) Garbage and Recycling Containers for Use at Public Outdoor Events

In order to raise consciousness about recycling and to make recycling as convenient as possible at public outdoor events, the MCMUA recently purchased 20 sets of containers for both garbage and recyclables to be loaned to municipalities. The MCMUA has loaned the containers-on-the-go to several municipalities where the collection of uncontaminated recyclables has been the norm. The reason for this success is that a container for recyclable bottles and cans is stationed right next to a container for garbage, and several sets of containers are used at every event. Thus, no one has to walk very far in order to find a suitable container for her/his empty plastic water bottle, for example. Indeed, some of the representatives from the municipalities where the containers have been used, have given the containers-on-the-go program rave reviews, saying that the department of public works employees who clean up following such events have noticed that both garbage and recyclables bottles and cans have been deposited in the proper containers and that much less litter has accumulated than at previous events. Not only does the use of the containers at outdoor events provide a means for collecting bottles and cans, but the containers also serve as a visual reminder and therefore an educational tool that people should recycle outside of the home in addition to inside the home.

3.2. Programs to be Implemented and/or Expanded

(a) Recycling Enforcement Program

In November 2002, Morris County created its County Health Management Office. Prior to that time, there was no health office at the county level, and recycling enforcement issues were handled either at the municipal or the state level. With the development of this new county office and with the establishment of a County Environmental Health Act (“CEHA”) program within this office, Morris County now has enforcement authority for solid waste and recycling statutes and regulations at the state level. Additionally, through this Plan Amendment, the county is adopting new SWMP language enforceable through this county office as well. The new and increased enforcement activities will yield additional recycling tonnage and thereby reduce the amount of solid waste disposed. The section enforcement describes this program in greater detail.

(b) Regular Meetings with Recycling Enforcement Officers

The MCMUA will host meetings on a regular basis with Morris County municipal recycling enforcement coordinators, a title that is created in this Plan Amendment. Details regarding this newly created title is further described in the Enforcement section. County Health Management personnel involved with solid waste and recycling enforcement will be requested to attend the meetings.

(c) Recycling Status Reports for Generators and Site Visits

This Plan Amendment requires municipal recycling coordinators to obtain recycling status reports on a regular basis from the following generators: schools, multifamily complexes and certain businesses, etc. After the municipal recycling coordinator has received a completed recycling status report that will be required to include a copy of the recycling notification that has been provided to each occupant, the coordinator must perform a follow-up site visit for certain generators to verify that the information in the report is accurate and that the recycling program is

in compliance with the municipal recycling ordinance and provides adequate outlets for recyclable materials from occupants. Please see subsection 2.(g) "Recycling Reports for Generators and Site Visits" in Section 9, "Municipal Responsibilities" for further explanation.

(d) County Tabulation of MSW Recycling Rates by Municipality

Each year, the MCMUA will calculate MSW recycling rates for every Morris County municipality, so that each municipal recycling coordinator and other municipal officials know where they stand with respect to achievement of their goal.

(e) List of Materials which are Strongly Recommended to be Recycled

In this Plan Amendment is a list of new materials that the MCMUA strongly recommends to be recycled. Since it was determined that these items should not be mandated at this time, rather than omitting these materials from being addressed in the Plan, listing them in this manner will encourage municipalities and generators to include these items in their recycling programs.

(f) Reinvigorating Recycling through Revamped "Branding"/Education/Promotion Campaign

The MCMUA will develop a more cohesive "branded" education/outreach/promotion plan in order to spread the recycling gospel (and the related gospels of waste and litter prevention, as well as reuse) to as many members of the public as possible. At the inception of the process, the MCMUA will identify target audiences and the appropriate messages for each, as well as the means by which those messages will be conveyed. A concerted effort will be made to achieve the "Coca-Cola Effect" (attributed to Margaret Gainer of Arcata, California) whereby recycling will be instantly recognizable by virtually all Morris County residents.

(g) Plan Update Orientation Meetings

The MCMUA shall schedule orientation meetings to familiarize municipal recycling coordinators and the new recycling enforcement coordinators (this new title is explained in the enforcement section) with the new requirements of the Plan. The MCMUA shall hold these meetings twice, once immediately after submittal of the Plan Amendment to the Department and once after the Department has certified the Plan Amendment in order to explain any changes that may have come about since the first meeting. The first meeting will be held prior to Plan certification, despite the fact that some changes may be received from the Department, in order to provide municipalities with as much time as possible to understand what will be required of them. Once the Plan is certified, municipalities will have only 6 months to adopt and revise new ordinances. Additionally, the MCMUA shall host a Plan orientation meeting for collector haulers.

(h) Status Report Orientation Meetings

Some groups to be targeted for orientation meetings are condominium and apartment complex management personnel, school administrators and school recycling coordinators (this is a new title which is further explained under the Generator Status Reports subsection of the Municipal Responsibilities section).

The MCMUA will host orientation meetings for designated school recycling coordinators and municipal recycling coordinators in order to explain the Status Reports. If considered useful, the MCMUA will maintain a list of contacts at schools and meet with them on a regular basis.

Additionally, the MCMUA will host orientation meetings for management personnel from apartment and condominium complexes and municipal recycling coordinators to explain the Status Reports. If considered useful, the MCMUA will maintain a list of contacts at these complexes and meet with them on a regular basis.

(i) County Outreach to Certain Large Businesses and Institutions

Using Morris County's Electronic Factbook '02 written by the Morris Area Development Group, a division of the Morris County Chamber of Commerce, the MCMUA will take the lead, unless otherwise taken by the respective municipal recycling coordinator, to contact various large businesses and institutions regarding status reports and site visits. As examples, the types of businesses and institutions to be contacted by the MCMUA are large retail shopping outlets, large business parks/campuses, large warehouse and distribution operations, large hospitals, colleges and universities and large hotels. The MCMUA also plans to coordinate this outreach with the Morris County Chamber of Commerce, as well the other 16 local Chambers of Commerce.

(j) County of Morris In-House Recycling Program

Morris County began its in-house recycling program in May 1985. At that time it was called M.O.R.E. (Morris County Office Paper Recycling Exists). M.O.R.E. has since has been changed slightly to "Morris County Office Recycling Excels!" because of the fact that the list of material collected has been expanded. This program will be revisited and revamped to ensure that all county offices are recycling all mandated material properly and that they are properly managing disposal of universal and hazardous wastes.

(k) Guide for Residents Who Are Preparing to Move

To assist residents who are preparing to move, MCMUA will create a guide to proper disposal of various kinds of solid waste; garbage, recyclables and hazardous waste. If residents have this kind of information a reasonable amount of time prior to their moving dates, they should be able to find the proper outlets for disposal of unwanted material. In addition to providing information about disposal opportunities afforded by the MCMUA, the following will be included: www.freecycle.org, www.throwplace.com, www.Ebay.com and/or www.craigslist.com, the suggestion to host a garage sale, to donate items to consignment or thrift stores or to the Habitat for Humanity ReStore. The guide will be available to realtors, public libraries and municipal government offices and it will be posted on www.MCMUA.com.

(l) Food Waste Collection

In 2003, the MCMUA worked with Shop-Rite of Wharton to start a food waste collection program. The food waste, specifically, produce and bakery goods, was collected separately from other trash and all of its packaging, including rubber bands and wire ties, was removed. The food was placed in a 30 cubic yard container provided by Penn Jersey Pork and Beef Farms, Inc., located in Bernville, PA. Penn Jersey provided the transportation to their farm where the loads of food waste were carefully mixed with other feed to produce a nutritionally balanced diet for the livestock. Unfortunately this program only lasted for one year. The MCMUA wants to investigate food recycling further and if the program still seems feasible would like to encourage other grocery stores in the county to implement similar programs. Based on estimates, the MCMUA calculates that it could divert 5,000 tons of food waste each year if half of the larger grocery stores implement the program. It remains to be determined if the farm or any yet-to-be-established food waste recycler, could consume that quantity.

(m)Habitat for Humanity ReStore

With input by the MCMUA, Morris Habitat for Humanity, which services Morris County, is on the verge of opening a ReStore in Mine Hill. A ReStore is a retail store that facilitates waste reduction and reuse by accepting donations of building supplies and furniture and then reselling these donated items. These donated materials come from other retail stores, wholesalers, contractors and homeowners. The materials are unwanted but still have a useful life. Some of the items that get donated are discontinued, surplus or slightly damaged. For example, a homeowner may be

remodeling her/his kitchen and may donate the old kitchen cabinets to the ReStore. A Habitat ReStore is exceedingly beneficial for all parties involved. It is a source reduction activity that reduces disposal. It saves money in disposal costs for the party who has the unwanted items who in turn receives a tax deduction on the value of the donated items. The ReStore customers benefit by being able to purchase good items at very low costs. Finally, Habitat for Humanity uses the ReStore income to fund its homebuilding projects for families in need.

As for Morris County, the benefit of having a ReStore located here will provide an outlet for building materials which would otherwise have ended up in the landfill. While outlets do exist for other types of "second-hand" materials, like clothing and furniture (e.g. Salvation Army and Goodwill thrift stores), an outlet for building materials does not exist. The MCMUA looks at the creation of a ReStore within the county as having a tremendous potential to divert tons of waste. The MCMUA staff plan to work with Morris Habitat for Humanity to provide support for and to promote the ReStore in whatever ways possible. In fact, 2 ReStore representatives enlightened municipal recycling coordinators about the facility at a meeting on December 12, 2006.

According to the Habitat for Humanity International website, as of October 2006, there are 359 ReStores in 43 states across the country and another 33 in Canada. New Jersey has 4 of its own and the Morris Habitat ReStore will be the fifth. For more information about Habitat ReStores visit www.habitat.org/env/restores.aspx.

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4. Source Separation

As defined in N.J.S.A. 13:1E-99.12. Definitions, the terms "source separation" or "source separated" means "the process by which materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling." Morris County reaffirms that "source separation" is the primary method of separating the recyclable waste stream from the solid waste stream for the following reasons:

- Source separation is mandated by law under the New Jersey Source Separation and Recycling Act (N.J.S.A 13:1e-99 et. seq.). In support of this law, the MCMUA favors a consistent source separation policy throughout the residential, commercial and institutional sectors.
- Source separation promotes the removal of all designated recyclable materials from the waste stream and, therefore, helps in achieving high reduction rates.
- Source separation promotes clean, marketable materials by limiting levels of contamination. Contamination undermines long-term marketability of recyclable materials.
- Source separation enables the recycler at the source to receive the economic benefits of cost avoidance by not disposing of recyclable materials as solid waste as well as enabling the recycler to receive revenue by the sale of the recyclable material.
- Source separation fosters a free market, independent of the solid waste collection and disposal system. This reduces the need for burdensome regulations and costly enforcement.
- Proper documentation is difficult, if not impossible, when recyclables are mixed with solid waste.
- Source separation fosters competition among recycling companies, thereby keeping costs low and quality of services high.
- Source separation encourages a thought process for each individual recycler that solid waste disposal is every person's responsibility. This can foster further source reduction and recycling activities at work, home and school.

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5. Materials Mandated to be Source Separated and Recycled

Morris County has designated a list of materials that are mandated to be source separated and recycled. This means that all of the materials as defined in the list that are generated within Morris County's borders by any and all generators, must be kept separate from solid waste (garbage) at the point when and where it is generated, and then the materials must be recycled. At no time are these mandated materials to be mixed with solid waste. These materials are therefore banned from the county's disposal system which currently includes two transfer stations and out-of-state landfills.

A generator is any one who generates the material. Some examples of generators are residents in single and multifamily homes (apartments and condominium complexes), employees at businesses, teachers and students in schools, occupants of hotels, shoppers in malls, etc. In the case of a multigenerator building, (i.e., apartment building, office complex, hotel, etc.), the generator, building owner and the building management shall all be responsible for compliance with county and municipally mandated material source separation requirements. The building owner and the building management shall be considered generators in this case.

The county will mandate materials to be recycled only if recycling markets are available for those materials. Markets are currently available for all of the materials designated in this Plan Amendment and therefore are mandated effective immediately upon the certification of Plan Amendment. If market demand disappears for any of these materials, the county may elect to delete those materials from the mandated list. Likewise, additional materials may be added as recycling markets develop and expand.

According to N.J.S.A. 13:1E-99.14 Contracts for recycling services:

"a. Each county shall, within six months of the adoption and approval by the department of the district recycling plan required pursuant to section 3 of this amendatory and supplementary act, solicit proposals from, review the qualifications of, and enter into contracts or agreements on behalf of municipalities with persons providing recycling services or operating recycling centers for the collection, storage, processing, and disposition of recyclable materials designated in the district recycling plan in those instances where these services are not otherwise provided by the municipality, interlocal service agreement or joint service program, or other private or public recycling program operator."

Further, according to N.J.S.A. 13:1E-99.16.6.a., "Each municipality shall provide for a collection system for the recycling of the recyclable materials designated in this Plan in those instances where a recycling collection system is not otherwise provided for by the generator or by the county, interlocal service agreement or joint service program, or other private or public recycling program operator."

The list of county mandated materials represents the minimum requirements for residential, business and institutions in Morris County. Individual municipalities may mandate additional materials.

Table 8 contains the new list of mandated recyclable materials for Morris County. This list will supersede the list of mandated recyclable materials in the February 1993 Morris County Solid Waste Plan Update. The materials in Table 8 are mandated to be source separated and recycled at the point of generation by any and all generators within Morris County. The only exception on the list is that whole tires may, in addition to being recycled, be incinerated for energy recovery.

These materials, as named, along with their definitions, shall be included verbatim in each municipal ordinance. This list of materials and their definitions will replace the existing list of materials. Any additional materials which a municipality mandates to be source separated and recycled will remain unaffected. The purpose of the requirement to include the materials, as named, and their definitions verbatim is to create consistency throughout the county.

Table 8

Materials Mandated to be Source Separated and Recycled Morris County, New Jersey	
Aluminum Cans	Cans made from aluminum that was manufactured to hold a serving of a beverage. Specifically omitted from this definition are aluminum foil and aluminum pie plates.
Glass Bottles and Jars	Bottles and jars made from glass including clear, brown and green glass. A bottle is defined as a receptacle having a narrow neck and a mouth that can be corked or capped. A jar is defined as a wide mouthed container that can be capped. Caps and lids not included. Specifically omitted from this definition are drinking glasses, windows, mirrors, light bulbs, and anything made of Pyrex® or ceramic.
Plastic Bottles (coded 1 and 2)   PETE HDPE	Plastic bottles coded to indicate that they are comprised of the specific types of plastic compounds (polymers) known as polyethylene terephthalate (PETE) or high density polyethylene (HDPE). See symbols to the left. A bottle is defined as a receptacle having a narrow neck and a mouth that can be corked or capped. Caps and lids not included. Any item made of plastic that is not a bottle, and any plastic bottle without one of the symbols shown to the left is specifically omitted from this definition.
Steel (Tin) Cans	An air-tight container for the distribution or storage of goods, composed of thin, usually ferrous, metal. Examples are soup cans and tuna fish cans.
Newspaper	A publication containing news, information and advertising, usually printed on low-cost paper called newsprint. Newspaper may include glossy inserts which come with the paper, dependent upon the market conditions at the time.
Corrugated Cardboard	Shipping containers made with kraft paper linerboard and corrugated medium.
Mixed Paper	Various categories of recyclable paper including, but not limited to white and colored paper used in printers, photocopiers and fax machines, white and colored ledger paper, carbonless copy paper, construction paper, undeliverable mail, mailed promotional letters/advertisements/circulars, magazines, catalogues, envelopes, soft cover books.
Leaves	Vegetative material, typically generated in the autumn when they fall from trees and then are raked from residents' and/or commercial lawns.
Grass Clippings	Vegetative material generated when grass (lawns) are cut.
Brush	Branches, woody plants and other similar vegetative material. Leaves and grass do not constitute brush.
Natural Wood Waste	Logs, stumps, branches and other wood tree parts. Dimensional lumber is omitted from inclusion in this definition.
Oil-Contaminated Soil	Non-hazardous soil that contains petroleum hydrocarbons (gasoline, diesel, kerosene, jet fuel, #4 & #6 heating oils and certain other refinery products including coal tar). This type of soil shall be determined to be non-hazardous in accordance with the standards set forth in N.J.A.C. 7:26.
Used Motor Oil	Motor oil from motor vehicles, lawn mowers, boats, etc., which has served its intended useful purpose.
Lead-Acid Batteries	Storage batteries in which the electrodes are grids of lead containing lead oxides that change in composition during charging and discharging, and the electrolyte is dilute sulfuric acid. These include starting batteries such as car batteries that deliver a short burst of high power to start the engine. In addition, they may include deep cell batteries found on boats or campers used to power accessories like trolling motors, winches or lights.

Table 8 (continued)

Materials Mandated to be Source Separated and Recycled Morris County, New Jersey (continued)	
Hazardous Dry Cell Batteries	Rechargeable batteries, such as nickel-cadmium, nickel-iron, nickel metal hydride, lithium ion, small sealed lead acid, etc. These are often used as substitutes for non-rechargeable batteries in standard sizes such as AAA, AA, C, D and 9V. Rechargeable batteries are commonly found in cordless tools, cellular and cordless phones, laptop computers, cameras, remote controls, toys, etc. Also included in this definition are non-rechargeable batteries that are hazardous as defined by the Resource Conservation Recovery Act ("RCRA"), regardless of the RCRA exclusion of household waste from the definition of hazardous waste pursuant to 40 C.F.R. 261.4(b). Non-rechargeable, hazardous batteries include older alkaline and carbon zinc batteries as well as silver oxide, mercury and magnesium button-type batteries, etc. It should be noted that domestically manufactured alkaline and carbon zinc non-rechargeable batteries made after circa 1994 eliminated mercury content to the point that they should not be considered RCRA hazardous and therefore are not included in this material category.
Metal Appliances	Appliances composed predominantly of metal, and may include stoves, washing machines and dryers, for example, if the appliance is predominantly metal. Also included are air conditioners, refrigerators and dehumidifiers if they are predominantly metal. If these appliances on the latter list contain refrigerants that are prohibited by the Clean Air Act from being knowingly vented, the refrigerant must be recovered accordingly.
Whole Tires*	Tires that are whole, not chipped into small pieces. *Tires are allowed to be recycled and/or incinerated for energy recovery.

The following section explains the changes made to each of the material categories, if any, since the 1993 Plan Amendment.

Newspaper - There is no change to the source separation requirement for Newspaper. This material remains mandatory for all generators to source separate and recycle.

Corrugated Cardboard - In the 1993 Plan Amendment, this material was referred to as "Corrugated." The term Corrugated Cardboard better explains type of material defined. There is no change to the source separation requirement for Corrugated Cardboard. It continues to be mandatory for all generators to source separate and recycle this material.

Mixed Paper - There is no change to the source separation requirement for Mixed Paper. It continues to be mandatory for all generators to source separate and recycle this material.

Aluminum Cans - In the 1993 Plan Amendment, this material was referred to as "Aluminum," and the intent was that it meant Aluminum Cans. The word "Cans" has been added to clarify the intent. Aluminum foil and aluminum pie plates are not included in this material. Otherwise, there is no change to the source separation requirement for Aluminum Cans. It continues to be mandatory for all generators to source separate and recycle this material.

Plastic Bottles coded 1 and 2 - In the 1993 Plan Amendment, this material was referred to as "Plastic Containers." It has since been learned that markets exist primarily for PETE (Polyethylene Terephthalate) and HDPE (High Density Polyethylene) plastic bottles (coded number 1 and number 2, respectively). See the symbols that follow. The word "Containers" has been replaced with the phrase "Bottles coded 1 and 2" to clarify that only bottles with the codes 1 and 2 as shown below are included in this material category, and other plastic bottles and containers are not. A bottle is defined as a receptacle having a narrow neck and a mouth that can be corked or capped. Otherwise, there is no change to the source separation requirement for Plastic Bottles coded 1 and 2. It continues to be mandatory for all generators to source separate and recycle this material.



Polyethylene Terephthalate: **PETE**



High Density Polyethylene: **HDPE**

Glass Bottles and Jars - In the 1993 Plan Amendment, this material was referred to as "Glass Containers," and the intent was that meant Glass Bottles and Jars. The phrase "Bottles and Jars" has been added to clarify the intent. For example, drinking glasses and Pyrex® containers are not included in this material. Otherwise, there is no change to the source separation requirement for Glass Bottles and Jars. It continues to be mandatory for all generators to source separate and recycle this material.

Steel Cans - In the 1993 Plan Amendment, this material was referred to as "Ferrous Containers." It is now felt that a more recognizable term to describe this material is Steel Cans. Otherwise, there is no change to the source separation requirement for Steel Cans. It continues to be mandatory for all generators to source separate and recycle this material.

Leaves - In the 1993 Plan Amendment, this material was referred to as "Yard Waste." Leaves has been included as a separate item, in lieu of the broader term "Yard Waste," in order to differentiate between leaves and other organic material that is generated outdoors. Otherwise, there is no change to the source separation requirement for Leaves. It continues to be mandatory for all generators to source separate and recycle this material.

Grass - In the 1993 Plan Amendment, this material was referred to as "Yard Waste." Grass has been included as a separate item, in lieu of the broader term "Yard Waste," in order to differentiate between grass and other organic material that is generated outdoors. Otherwise, there is no change to the source separation requirement for Grass. It continues to be mandatory for all generators to source separate and recycle this material.

Brush - In the 1993 Plan Amendment, this material was referred to as "Yard Waste." Brush has been included as a separate item, in lieu of the broader term "Yard Waste," in order to differentiate between brush and other organic material that is generated outdoors. Otherwise, there is no change to the source separation requirement for Brush. It continues to be mandatory for all generators to source separate and recycle this material.

Lead-Acid Batteries - In the 1993 Plan Amendment, this material was referred to as "Vehicular Batteries." The term Lead-Acid Batteries better explains type of material defined. Otherwise, there is no change to the source separation requirement for Lead-Acid Batteries. It continues to be mandatory for all generators to source separate and recycle this material.

Metal Appliances - In the 1993 Plan Amendment, this material was referred to as "White Goods." It is now felt that a more recognizable term to describe this material is Metal Appliances. Otherwise, there is no change to the source separation requirement for Metal Appliances. It continues to be mandatory for all generators to source separate and recycle this material.

Used Motor Oil - In the 1993 Plan Amendment, this material was referred to as "Motor Oil." The term was changed slightly to Used Motor Oil to more clearly indicate that this is motor oil which has been used. Otherwise, there is no change to the source separation requirement for Used Motor Oil. It continues to be mandatory for all generators to source separate and recycle this material.

Oil Contaminated Soil – There is no change to the source separation requirement for Oil-Contaminated Soil. It continues to be mandatory for all generators to source separate and recycle this material.

Natural Wood Waste - In the 1993 Plan Amendment, this material was referred to as "Stumps," and the remarks indicated that the term Stumps included "logs, branches, natural wood waste." A more inclusive term to describe this material is Natural Wood Waste, which includes stumps logs and branches and other wood tree parts. Otherwise, there is no change to the source separation requirement for Natural Wood Waste. It continues to be mandatory for all generators to source separate and recycle this material.

Hazardous Dry Cell Batteries - In the 1993 Plan Amendment, this material was referred to as "Household Batteries." The term Hazardous Dry Cell Batteries better explains the material defined. This category has been modified slightly and now allows non-hazardous dry cell batteries to be disposed as MSW. Circa 1994, most non-rechargeable dry cell batteries became non-hazardous when the battery industry removed most of the mercury contained in the dry cell. If the industry continues to change the formulation of dry cell batteries, rechargeable and/or non-rechargeable, the determination of whether or not the battery must be source separated and recycled is based on whether or not it is hazardous.

Whole Tires - In the 1993 Plan Amendment, this material was referred to as "Tires." The category is now renamed Whole Tires to differentiate between whole tires and chipped tires. Chipped tires are excluded from this definition. Another change with this Plan Amendment regarding whole tires is that whole tires are allowed to be incinerated for energy recovery. Whole Tires are not acceptable at the transfer station for disposal since whole tires are not allowed for disposal at landfills, due to the fact that they tend to resurface after having been buried. Whole Tires are, however, allowed to be incinerated for energy recovery (waste-to-energy) or as a tire-derived fuel (TDF). Waste-to-energy is considered by the NJDEP to a "beneficial use." The category "beneficial use" is a separate and distinct waste handling method from recycling and is therefore not considered to be recycling. Therefore, Whole Tires are an exception on this list of designated materials in that all of the materials on this list must be recycled. Whole Tires must either be recycled or incinerated for energy recovery as a beneficial use.

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6. Additional Materials

The materials listed in this section are not mandated to be source separated and recycled; however, Morris County strongly recommends that municipalities include these materials in their municipal waste management programs in order to provide generators of these materials with the proper waste management outlet. This category of "additional" materials was created for several reasons:

- 1) Some of the materials on the list may not necessarily be recycled. For example toner cartridges and cell phones often get reused instead of recycled. Electronics, fluorescent light bulbs and mercury containing devices may get recycled when managed as universal wastes, but may also be disposed of when managed as RCRA hazardous wastes.
- 2) While markets currently exist for these materials, some of the markets are new as is the case for cell phones and electronics. New markets need time to prove that they are stable and will be in place for the long term.
- 3) In the case of scrap metal and textiles, the material categories are difficult to define and would therefore be difficult to enforce.

The county will consider adding these materials on a case-by-case basis after there has been sufficient time for the materials to be included in municipal programs as a result of this recommendation, the markets have proven to be stable and definitions have been created for the material categories.

Table 9
Additional Materials
Recommended to be Included in Municipal
Waste Management Programs

Material
Scrap Metal
Textiles
Appliances Containing Refrigerants
Cell Phones
Electronics
Devices Containing Mercury
Toner Cartridges
Fluorescent Light Bulbs
Christmas Trees
Concrete
Asphalt

Scrap Metal - This material category is very wide reaching and therefore is difficult to define. Some items are made of metal, but also contain parts made of non-metal materials; therefore, enforcing the recycling of this material category, would prove difficult. In the Morris County area, there are 11 scrap metal dealers whose names are listed below:

All Grades Removal Service, Hopatcong
Bob Long, Rockaway
Cipollini Carting & Recycling, Morristown
Conca and Maviglia Inc., Dover
Fred M. Reis Metals Co. LLC, Pine Brook
George's Salvage Co. Inc., Newton

Hi-Temp Specialty Metals Inc, Mendham
Monaco, Frank M., Florham Park
Raimo of Stanhope Inc., Stanhope
Rockaway Recycling, Rockaway
V & V Recycling Inc., Montville.

If a municipality were to collect scrap metal from residents and/or businesses and were to contract with one of these scrap metal dealers to accept the material for recycling, the category would be defined by what the individual market will accept.

According to a survey of the 39 Morris County municipalities done by the MCMUA staff in 2001, 15 of 27 municipalities that have recycling center/depots offer some type of scrap metal recycling to their residents. Further, 31 of the 36 municipalities that responded to the survey offered some type of scrap metal collection, most of which included collection of metal appliances.

Recommendation for Scrap Metal - Morris County strongly recommends that each municipality examine its recycling program with respect to scrap metal collection beyond appliances (or what was formerly referred to as "White Goods"). Special attention needs to be paid to collection of other scrap metal items. Many scrap metal dealers and the MCMUA offer roll-off containers and transportation service to municipalities for scrap metal collection at their recycling center/depots.

Textiles - This includes clothing, drapes, fabric, shoes, belts, leather goods, lace. Clothing bins are currently provided in various locations in many municipalities.

Recommendation for Textiles - Many markets currently exist for the recycling of textiles. The MCMUA recommends that each municipality ensure that one or more convenient outlets exist within the municipal borders where residents may deposit their textiles. Many markets currently provide clothing bins into which residents may deposit bags of textiles. The markets often provide the transportation for the material and in some cases may even provide payment to the municipality for the material.

Appliances Containing Refrigerants - It has been noted that residents in some municipalities do not readily have access to refrigerant removal services. If a resident herself or himself must find an outlet for proper disposal of an appliance that contains refrigerants, the resident often becomes very frustrated at the high cost involved with proper handling.

Recommendation for Appliances Containing Refrigerants - The MCMUA will work with municipalities which currently do not offer a service to their residents to properly handle appliances containing refrigerants to possibly develop a regional program. The potential exists for a cooperative marketing agreement to provide lower pricing for residents. Existing municipal programs will also be investigated and summarized to provide information to those municipalities that do not have programs.

Cell Phones - Many markets currently exist for the recycling and/or reuse of cell phones.

Recommendations for Cell Phones – In addition to accepting cell phones during electronics drop-off programs, there are several additional opportunities for the reuse of cell phones. These include drop-off bins at local electronics stores and programs that charitable organizations conduct to collect and distribute old cell phones to those that need them. The MCMUA will continue to nurture and promote these cell phone recycling and/or reuse opportunities.

Electronics - Electronics include the following: computer CPUs (central processing units), computer monitors, televisions, printers, scanners, fax machines, audio equipment (receivers, radios, turntables, tape players/recorders, DVD players/recorders) microfiche machines, speakers, telephones, cell phones, keyboards, wire, hard drives, removable floppy and/or hard drives, power supplies, docking stations, circuit boards.

Recommendations for Electronics - The MCMUA currently accepts electronics in its Household Hazardous Waste Program throughout the year, which was previously described in detail. In addition, markets exist for large generators of electronic waste to manage this portion of the waste stream directly with a market. Finally, for the past several years, Intel Corporation of has been sponsoring two annual two-day electronics drop-off programs at of its corporate office in Parsippany, which provides an additional outlet for this material. The MCMUA will continue to nurture and promote these electronics collection and recycling opportunities. Several municipalities also provide outlets for electronics to be dropped off at their recycling center/depot.

Devices Containing Mercury - Any items or devices that contain the element mercury. Examples of these include some thermometers, thermostats, electric switches.

Recommendation for Devices Containing Mercury - The MCMUA accepts devices containing mercury in its Household Hazardous Waste Program which was previously described in detail. All residents in need of disposing of these items, should be referred to the MCMUA.

Toner Cartridges - These are spent cartridges which were full of laser printer toner or ink jet printer ink.

Recommendation for Toner Cartridges - Several markets exist for the recycling and/or reuse of toner cartridges.

Fluorescent Light Bulbs - Aside from the newly manufactured low mercury bulbs, such as the Phillips Alto Lamp, Green-tips, etc., fluorescent light bulbs contain enough mercury to classify them as hazardous waste according to RCRA. If the bulbs are RCRA hazardous, it is illegal for commercial generators to dispose of them in the municipal solid waste stream. Fortunately, outlets to accept, transport and recycle the mercury-containing bulbs as a universal waste do exist. In addition, the process involved in recycling fluorescent bulbs not only captures and recycles the elemental mercury contained in the bulbs, but it also separates and recycles the other materials contained in the bulbs such as glass and metal end-caps.

Recommendations for Fluorescent Light Bulbs – The MCMUA currently accepts fluorescent light bulbs for recycling from residential generators at both the permanent HHW facility and the one-day HHW collection events. In addition, the MCMUA Recycling Consolidation Center in Dover, a small quantity handler of universal wastes, accepts fluorescent bulbs from commercial generators for recycling. The MCMUA also provides municipalities with collection boxes for bulbs so they may

safely accept, store and transport bulbs accepted from their residents for delivery to the MCMUA for recycling. Finally, an adequate market does exist for larger quantity generators of fluorescent light bulbs to have these bulbs managed properly either as hazardous waste for disposal and/or recycled as universal waste. The MCMUA will continue to nurture and promote these programs to safely manage fluorescent bulbs.

Christmas Trees - Christmas trees are generated only for a few weeks each year and as a result, present a problem with collection. Additionally, the trees must be clean of any and all decorations. These trees are vegetative waste and as such should not be mixed with other waste and disposed at the transfer stations.

Recommendation for Christmas Trees - The MCMUA currently accepts Christmas Trees from municipalities at its compost sites. At least one private market exists in the county that accepts Christmas trees from individuals for recycling.

Concrete - It makes economic sense to recycle this very heavy building material, since disposing of it when charged by the ton is very costly.

Recommendations for Concrete - Markets exist for the recycling of concrete; therefore, municipalities should direct generators of this material to those markets. The MCMUA maintains a market list on its website for this material.

Asphalt - This material, often resulting from a pavement resurfacing construction project, is readily recyclable.

Recommendations for Asphalt - Markets exist for the recycling of asphalt; therefore, municipalities should direct generators of this material to those markets. The MCMUA maintains a market list on its website for this material.

7. Materials That are No Longer Designated to be Source Separated and Recycled

Upon certification of this Plan Amendment by the Department, the material listed below shall no longer be a mandated or designated recyclable material.

Asphalt Roofing Shingles

This material is no longer mandated for several reasons. Currently no known market exists for asphalt roofing shingles within a reasonable distance of Morris County. In 1993 when this material was first mandated, ReClaim, a market, was available. Based on tonnage for source separated, asphalt roofing shingles received at the Morris County transfer stations, it appears that ReClaim was out of business by 1997. The county had no market for two years, and in July 1998 Tilcon New Jersey was approved by the NJDEP to accept asphalt roofing shingles for recycling. The MCMUA began accepting the shingles once again at its transfer stations in January 1999. By November 2002, Tilcon was no longer accepting the asphalt roofing shingles.

The MCMUA was accepting source separated asphalt roofing shingles at both of its transfer stations for recycling until November 2002. Below is the total tonnage received at those facilities since 1993.

1993	2,252 tons	1998	0 tons	2003	0 tons
1994	343 tons	1999	868 tons	2004	0 tons
1995	606 tons	2000	1,244 tons	2005	0 tons
1996	874 tons	2001	1,514 tons	2006	0 tons
1997	0 tons	2002	1,082 tons		

Due to the fact that a market is no longer readily available and the apparent amount of tonnage recycled as a result of asphalt roofing shingles being a mandated material was not that high, relatively speaking, asphalt roofing shingles is no longer a mandated recyclable material in Morris County.

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8. Enforcement Program

8.1. Development of County Enforcement Program

Prior to November 2002, the County of Morris had a limited compliance and enforcement program with respect to solid waste. With the exception of waste flow enforcement, the role of enforcing solid waste laws and regulations prior to November 2002 was the obligation of either the NJDEP or municipalities. Since that time when the Morris County Office of Health Management ("MCOHM") was established, Morris County has developed the necessary institutional framework to have an effective county-wide solid waste enforcement agency. As of the writing of this Plan Amendment, the impacts of the newly developed Morris County Office of Health Management are just being felt with respect to the regulated solid waste community. It is anticipated that over the next few years, the county's new health office will have influence over assuring compliance with state solid waste regulations and the county Solid Waste Management Plan, and that in doing so it will help Morris County achieve its recycling goals.

8.2. Historical Development of the Morris County Office of Health Management

On November 6, 2002, the Morris County Board of Chosen Freeholders adopted a resolution establishing a County Environmental Health Act ("CEHA") program within the auspices of a newly formed Morris County Division of Health Management, as referred to in the resolution. This resolution also resolved that the County of Morris through its Division of Health Management will assume responsibility for solid waste and, subsequently, emergency response.

In a resolution dated June 11, 2003, the Morris County Board of Chosen Freeholders approved the Environmental Health Act Work Plan of the Morris County Division of Health Management as it pertains to solid waste. This is referred to as the Solid Waste Control Program.

Finally, in an agreement executed on March 1, 2005, the Morris County Municipal Utilities Authority, County of Morris and the Morris County Office of Health Management, (this office was originally referred to as the Division of Health Management) entered into a contract for the provision of services for administration and enforcement of Title 13, the solid waste component of the CEHA program.

Copies of these two resolutions, the Solid Waste Control Program and the solid waste enforcement agreement have been included as Appendix E.

8.3. Inspection Universe

The inspection universe is detailed in the Solid Waste Control Program provided in Appendix E. Inspections will be performed and coordinated between three entities that are part of the CEHA program; the MCOHM, the NJDEP and the local municipal enforcing authority ("LMEA"). In Table 10, the solid waste activities to be inspected and the entity that will have the role of inspecting these solid waste activities is provided.

Table 10
Solid Waste Activities Inspection Checklist

Categories	# of Facilities	Frequency of Inspections	Total Inspections	Inspection Entity
Major Landfills	0	One per year	0	MCOHM
Minor Landfills	0	One per year	0	MCOHM
Resource Recovery Facility	1	One per year	1	NJDEP
Class B Recycling Centers	4	One per year	4	NJDEP
Class C Composting Facilities	16	Once per year	16	MCOHM
Class A Recycling Centers	3	Once per year	3	NJDEP
Farmland Mulch	0	Once per year	0	NJDEP
Recycling Depot	33	Once per year	33	MCOHM
Transfer Stations/MRFS	3	Twice per year	6	MCOHM / NJDEP
<i>Solid Waste Activities</i>			Number of Activities	
Truck checks			50	MCOHM
Recycling Investigations			117	Local or MCOHM if needed
Illegal Dumping Investigations			As needed	Local
Container Inspections			50	MCOHM
Waste Flow Investigations			As needed	MCMUA
Citizen Complaint Investigations			As needed	Local
NJDEP Referrals			As needed	MCOHM
Transporter Route Investigations (if applicable)			As needed	MCOHM
Exempt Hauler Interviews			As needed	MCMUA
Exempt Hauler Investigations			As needed	MCOHM
Enforcement Actions (NOVs, Settlements, Court)			As needed	Local, MCOHM or NJDEP
Tire Sites			5	MCOHM

8.4. The Morris County Office of Health Management ("MCOHM")

In accordance with the Solid Waste Control Program and as authorized by CEHA, the MCOHM will perform all routine compliance monitoring inspections of solid waste facilities throughout the county. The MCOHM will handle NJDEP and Morris County referrals such as those referrals provided by the MCMUA. The MCOHM will monitor the compliance of collector haulers for having proper NJDEP registration cards and NJDEP numbers on their vehicles.

A Solid Waste Enforcement Agreement was executed between the MCMUA, the MCOHM and the County of Morris on March 1, 2005, that provides for the MCMUA to make its investigators available as agents of the MCOHM. Acting as a subcontractor to the MCOHM, the solid waste investigations by the MCMUA will include illegal dumping, illegal operation of solid waste facilities, decaling of containers and vehicles, violations of the Morris County Solid Waste Management Plan, including, but not limited to the Plan's designated materials mandated to be source separated and recycled, litter, proper solid waste disposal and proper disposal of regulated medical waste.

While MCMUA waives any fees or reimbursement for the enforcement activities performed by the MCMUA on behalf of the MCOHM, the agreement states that the enforcement of waste flow control issues remain in the exclusive control of the MCMUA.

8.5. New Jersey Department of Environmental Protection ("NJDEP")

The NJDEP retains primary responsibility for monitoring and inspecting solid waste facilities for registration and engineering design violations. NJDEP is mandated to have the responsibility for fee collection and registration of facilities and collector/haulers.

8.6. Local Municipal Enforcing Authority ("LMEA")

Within six months of the certification of this Plan Amendment by the Department, each municipality shall designate a municipal recycling enforcement coordinator. This person will have the following responsibilities:

- Maintain a list of personnel in the municipality who are capable of and obligated to enforce the municipal recycling ordinance and/or other municipal ordinances which pertain to illegal dumping, solid waste and recycling and provide copy of this list to the MCMUA as requested.
- Coordinate all communication between various agencies including the MCMUA, MCOHM and NJDEP regarding solid waste and recycling enforcement issues.
- Ensure that violations have been followed through to corrective action by the violator and/or that penalties have been imposed.
- Notify the MCMUA when a notice of violation has been issued to any entity other than a single family or a multifamily dwellings with 34 units or fewer.
- Ensure that the required annual inspections have been performed.
- Provide a report of the illegal dumping, solid waste and/or recycling enforcement activity which has taken place in the municipality. This report shall be submitted to the municipal recycling coordinator in order to be included in the annual municipal recycling and solid waste program report explained in Section 9.2.i).

If for any reason, there becomes a vacancy in this position and/or the recycling enforcement coordinator is not available to perform these duties, the municipality shall designate a new or acting recycling enforcement coordinator, so that the period of time of vacancy does not exceed two weeks.

The LMEA responsible for solid waste enforcement shall investigate illegal dumping and residential complaints that are not NJDEP referrals. The LMEA shall also investigate illegal dumping and residential complaints referred to them by the MCMUA and/or the MCOHM. In addition, matters in which generators violate the source separation recycling requirements of the Plan and, in turn, the municipal ordinance, will first be referred to the municipal recycling enforcement coordinator to seek compliance with the local municipal recycling ordinance. The MCOHM will serve as a backup to the LMEA, only for multifamily complexes of 35 or more units and non-residential generators, enforcing the source separation recycling requirements of the Plan if invited to do so by the LMEA.

At a minimum, each municipality shall conduct a total of three (3) recycling investigations per year at schools, businesses and/or multifamily complexes. In accordance with Table 10, Morris County, as a whole, will complete a minimum of 117 recycling investigations per year based on three (3) per municipality. Site visits, as prescribed in Section 9.2.(g), will count toward the minimum required number of recycling investigations.

8.7. Interagency Enforcement Coordination

Interagency enforcement coordination is detailed in the Solid Waste Control Program provided in Appendix E. In accordance with the Solid Waste Control Program, the MCOHM will provide technical and enforcement support to LMEAs for illegal dumping and residential complaints when called upon to do so.

As a means to assure consistency and coordination, all investigations and enforcement procedures shall be conducted pursuant to the standard operating procedures and guidance of the NJDEP. The NJDEP has ultimate authority and responsibility over MCOHM. Only those solid waste investigations and inspections specified in the Solid Waste Control Program may be performed by MCOHM. Any and all solid waste investigations and actions that are overly complex or political in nature shall be immediately brought to the attention of the NJDEP to determine appropriate enforcement action.

The MCMUA will develop a database to track recycling violations from both the MCOHM and the municipalities. This database will track violations county-wide so that the MCMUA and MCOHM are readily able to determine repeat offenders and to keep track of the history of individual violations.

8.8. Compliance Assistance, Education and Training

Compliance assistance, education and training is provided by Morris County in many forms. The MCMUA conducts meetings for municipal recycling coordinators several times throughout the year informing municipalities of new opportunities, regulations and issues that municipal recycling coordinators may face in their jobs. These meetings provide an excellent networking opportunity for the recycling coordinators to get to know their neighboring towns and, their problems as well as their management techniques or solutions. In addition, the MCOHM routinely visits local recycling depots and department of public works sites in a compliance assistance role providing education and training to both municipal recycling coordinators and public works staffs.

As a new effort, the MCMUA will host meetings on a regular basis with Morris County municipal recycling enforcement coordinators, a new title which was previously explained and is created by this Plan Amendment, and with MCOHM personnel involved with solid waste and recycling enforcement.

8.9. Punitive Measures

The punitive measures of the enforcement program are detailed in sections IV and V the Solid Waste Control Program provided in Appendix E. In accordance with the Solid Waste Control Program, the MCOHM will provide enforcement by issuing notices of violations (“NOV”), conducting settlement meetings or making and signing complaints and summons for the NOVs. All penalties and fees resulting from solid waste enforcement activities and violations shall be consistent with applicable Department solid waste rules.

In addition to enforcing the Solid Waste Management Act N.J.S.A. 13:1E-1 *et seq.* and the regulations adopted pursuant thereto, the MCOHM will enforce the provisions contained in this Morris County Solid Waste Management Plan. Authority to enforce the provisions contained in the Morris County Solid Waste Management Plan is found in the Solid Waste Control Program provided in Appendix E. Additionally, the CEHA program provides authority for the MCOHM to enforce the rules and regulations in N.J.A.C 7:26-1, *et seq.* as stated in Subchapter 5 section 5.1(a) of these regulations:

"This subchapter shall govern the Department's assessment of civil administrative penalties for violations of the Solid Waste Management Act, N.J.S.A. 13:1E-1 *et seq.*, including the Comprehensive Regulated Medical Waste Management Act, P.L. 1989, c.34, amending and supplementing the Solid Waste Management Act (hereinafter "the Act"), including violation of any rule promulgated, any administrative order, permit, license or other operating authority issued, any **district solid waste management plan** approved, pursuant to the Act."

a. Generator Non-Compliance with Source Separation Recycling Requirements

With respect to generators not complying with the source separation recycling requirements of the Plan, herein, referrals will first be made to the local municipal recycling enforcement coordinator in an effort to obtain compliance with the applicable local recycling ordinance. Penalties will be assessed based on this ordinance.

According to the 1993 Morris County Solid Waste Management Plan Update, "The municipal ordinances shall include enforcement policies which include inspection of garbage set out for disposal and a minimum fine of \$25.00 per offense for recycling violators." Upon the adoption of the updated municipal recycling ordinance in accordance with the requirements of this Plan, the enforcement language above shall be superseded by the following language which shall be included in the ordinance:

Source Separation of Designated Recyclable Material

It shall be mandatory for all persons who are owners, tenants, or occupants of residential and non-residential premises, which shall include but not be limited to retail and other commercial locations, as well as government, schools and other institutional locations within the municipality of (insert name of municipality), to separate designated recyclable materials from all solid waste. Designated recyclable materials shall be deposited separately and apart from other solid waste generated by the owners, tenants, or occupants of such premises.

Penalty for Non-compliance with Source Separation Requirement

Any person, corporation, occupant, or entity that violates or fails to comply with any provision of this ordinance or any of the rules and regulations promulgated hereunder shall, upon conviction thereof, be punishable by a fine not less than \$25, nor more than \$1,000.

For the information of municipalities as they consider the revisions to their ordinances in accordance with this Plan, reference is made to the provisions of N.J.S.A. 40:49-5. titled "Penalties for violations of municipal ordinances." Included in this statute among other provisions is the following statement:

"The governing body may prescribe that for the violation of an ordinance pertaining to unlawful solid waste disposal at least a minimum penalty shall be imposed which shall consist of a fine which may be fixed at an amount not exceeding \$2,500 or a maximum penalty by a fine not exceeding \$10,000."

If adequate compliance by the generator with the source separation recycling requirements of the Plan is not obtained by the efforts of the LMEA, the LMEA may invite the MCOHM to assume the responsibility of investigating such noncompliant activities and assess penalties with the exception that the MCOHM will not assume the responsibility of investigating noncompliant activities for residential generators in single family homes or in multifamily dwellings with 34 units or fewer. The penalties assessed from such investigations will be based on the following:

1. It shall be mandatory for all persons who are owners, tenants, or occupants of residential and non-residential premises, which shall include but not be limited to retail and other commercial locations, as well as government, schools and other institutional locations within the County of Morris to separate designated recyclable materials from all solid waste. Designated recyclable materials shall be deposited separately and apart from other solid waste generated by the owners, tenants, or occupants of such premises.

Penalties associated with this section of the Plan shall be in accordance with those available to the municipal court of jurisdiction.

b. Prohibition of Hauling of Mandated Recyclable Materials Commingled With Solid Waste

As written in the New Jersey Solid Waste Utility Regulations, N.J.A.C. 7:26H-4.4 Solid waste collection tariff terms and conditions:

"(a) 6. Collectors are prohibited from collecting commingled loads of solid waste and designated source separated recyclable materials, except in those instances where a specific municipal exemption has been granted to the generator of those materials as provided by N.J.S.A. 13:1E-99.16(d). Each solid waste management district plan contains a definition of the district's designated recyclable materials. Collectors are prohibited from disposing of leaves in any manner that differs from that outlined in N.J.S.A. 13:1E-99.21."

Morris County hereby incorporates the following similar language into this Plan Amendment, to be enforceable as part of the Plan.

1. Collectors are prohibited from collecting commingled loads of solid waste and the mandated source separated recyclable materials, except in those instances where a specific municipal exemption has been granted to the generator of those materials as provided by N.J.S.A. 13:1E-99.16(d).

The following actions will be considered violations under this Plan.

- 1) A hauler which collects waste which includes mandated recyclable materials mixed in it.
- 2) A hauler which informs the generator that source separation of mandated recyclable materials from the waste is not necessary.
- 3) A hauler which mixes mandated source separated recyclable materials with waste.

Haulers are hereby put on notice that all three of the scenarios listed above violate N.J.A.C. 7:26H-4.4(a)6. and this Plan and the MCOHM will enforce this violation as part of this Plan to its fullest extent. Below is the fining schedule for violations by haulers to the Plan's prohibition of collecting commingled loads of solid waste and mandated source separated recyclable materials.

Finning Schedule for Hauler Violations of This Section

1 st offense:	NOV with grace period with no fine
2 nd offense - Fine:	\$500.00
3 rd offense - Fine:	\$1,000.00
4 th offense - Fine:	\$2,000.00

In accordance with DEP regulations, the MCOHM may conduct a settlement meeting at which a reduction in fines may be given up to 20%. In order to be eligible for a reduction, the offender must be in full compliance at the time of the settlement meeting.

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9. Municipal Responsibilities

In order to insure the achievement of the MSW Recycling Goal in each municipality, and in order to meet the requirements as set forth in N.J.S.A. 13:1E-99.16, the mandated municipal responsibilities are identified below:

Note: Text in italics is taken directly from the statute N.J.S.A. 13:1E-99.16, in some cases, verbatim.

9.1. Designate a Municipal Recycling Coordinator (MRC): *Each municipality shall designate one or more persons as the municipal recycling coordinator (MRC) to oversee the recycling activities of the municipality, maintain and compile recycling information for submittal to the state and county and act as an informational base for municipal residents, businesses and officials. If for any reason, there becomes a vacancy in this position and/or the MRC is not available to perform his or her duties, the municipality shall, within two weeks, designate a new or acting MRC, so that the period of time of vacancy does not exceed two weeks. If a town fails to designate an MRC, the county shall assume that the municipal administrator or manager will be the acting coordinator until one is designated.*

Further, as required by this Plan Amendment, the MRC shall ensure that the action items of the Municipal Recycling Program, as outlined in this section, are carried out, on a regular basis, if so indicated.

9.2. Establish and Implement a Municipal Recycling Program (MRP): *Each municipality shall establish and implement a municipal recycling program (MRP) in accordance with the requirements as set forth in N.J.S.A. 13:1E-99.16 and in accordance with this Plan Amendment as follows:*

- (a) Provide for a Collection System (13:1E-99.16.6.a.): *Each municipality shall provide for a collection system for the recycling of the recyclable materials designated in this Plan in those instances where a recycling collection system is not otherwise provided for by the generator or by the county, interlocal service agreement or joint service program, or other private or public recycling program operator.*
- (b) Adopt a Recycling Ordinance (13:1E-99.16.6.b.): *Within six months from the date of NJDEP approval of this Plan Amendment, the governing body of each municipality shall adopt an update to its recycling ordinance. This ordinance shall require persons generating municipal solid waste within its municipal boundaries to source separate from the municipal solid waste stream, in addition to leaves, the specified recyclable materials for which markets have been secured and, unless recycling is otherwise provided for by the generator, place these specified recyclable materials for collection in the manner provided by the ordinance. The list of specified recyclable materials shall include at a minimum the county list of designated materials mandated to be source separated and recycled along with their respective definitions as written in Table 8.*

The revised ordinance shall also include a provision whereby the municipality accepts the MSW Recycling Goal as a level of recycling to be achieved by 2015. The municipal ordinance shall include enforcement policies; these policies are set forth in this Plan under the Enforcement Program section. Finally, the municipality must provide the district recycling coordinator with a certified copy of the its recycling ordinance as soon as it is

amended, which shall be within 6 months from the date of NJDEP approval of this Plan Amendment.

The NJDEP has created a Model Municipal Source Separation and Recycling Ordinance that may be of use to a municipality in updating its ordinance. It can be found on the NJDEP website at: http://www.state.nj.us/dep/dshw/recycling/whatsnew/model_waste_ordinance.pdf

Further, along with the recycling ordinance, the municipality shall provide a copy of the ordinance pertaining to multifamily subdivision approval by the planning board according to N.J.S.A.13:1E.99-13a. to the MCMUA. N.J.S.A.13:1E.99-13a. "Adoption of model ordinance on recycling in multifamily housing" states:

"13:1E-99.13a .

2. The Commissioner of Environmental Protection, in cooperation with the Commissioner of Community Affairs, shall, within 90 days of the effective date of this act, adopt a model ordinance requiring approval by the planning board of either subdivisions or site plans, or both, pursuant to paragraph (15) of subsection b. of section 29 of P.L. 1975, c.291 (C.40:55D-38), as provided herein. The department shall submit the model ordinance to the Legislature for review upon its adoption. A municipality shall adopt an ordinance which is substantially similar to the model ordinance within 12 months of the adoption of the model ordinance. The model ordinance shall set forth standards governing the inclusion, in all new multifamily housing developments which require subdivision or site plan approval, of collection or storage facilities which allow for the source separation of all recyclable materials required by the district recycling plan adopted pursuant to section 3 of P.L. 1987, c.102 (C.13:1E-99.13). For the purposes of this section, 'multifamily housing' shall mean housing in which three or more units of dwelling space are occupied, or are intended to be occupied, by three or more persons who live independently of one another."

N.J.S.A. 13:1E-99.13a. was adopted in 1993 and by 1994 or 1995, each municipality was to have adopted an ordinance, substantially similar to the model ordinance adopted by the NJDEP and the DCA, requiring approval of planning boards for multifamily housing developments of 3 or more units that require subdivision or site plan approval. This ordinance sets forth standards governing the inclusion of collection or storage facilities that allow for the source separation of all mandated/designated recyclable materials. A copy of this model ordinance is included in Appendix F.

Each municipality is required to provide a copy of this multifamily housing development recycling ordinance, in addition to the updated municipal recycling ordinance, within 6 months of the certification of this Plan Amendment by the Department.

- (c) Review and Revise Master Plan (13:1E-99.16.6.c.): *The governing body of each municipality shall, at least once every 36 months, conduct a review and make necessary revisions to the master plan and development regulations adopted pursuant to P.L. 1975, c.291 (C.40:55D-1 et seq.), which revisions shall reflect changes in federal, State, county and municipal laws, policies and objectives concerning the collection, disposition and recycling of designated recyclable materials.*

The revised master plan shall include provisions for the collection, disposition and recycling of recyclable materials designated in the municipal recycling ordinance adopted pursuant to subsection b. of this section, and for the collection, disposition and recycling of designated recyclable materials within any development proposal for the construction of 50 or more units of single-family residential housing or 25 or more units of multifamily residential housing and any commercial or industrial development proposal for the utilization of 1,000 square feet or more of land.

Further, N.J.S.A. 40:55D-38.29. states:

29. Contents of ordinance. An ordinance requiring approval by the planning board of either subdivisions or site plans or both, shall include the following:

b. Provisions ensuring:

(9) Conformity with a municipal recycling ordinance required pursuant to section 6 of P.L. 1987, c.102 (C.13:1E-99.16).

Within 6 months from the date of NJDEP approval of this Plan Amendment, the municipality shall submit to the MCMUA a copy of the section of the municipal master plan that includes provisions for "the collection, disposition and recycling of designated recyclable materials within any development proposal for the construction of 50 or more units of single-family residential housing or 25 or more units of multifamily residential housing and any commercial or industrial development proposal for the utilization of 1,000 square feet or more of land." Along with a copy of the provisions in the master plan, the municipality shall submit to the MCMUA a copy of the process used by the municipal planning board or other appropriate municipal department to determine that provisions for the collection, disposition and recycling of designated recyclable materials in the above listed development proposals have met the municipality's requirements. This process shall include approval by the municipal recycling coordinator to ensure that adequate provisions have been made for all mandated recyclable materials.

- (d) May Allow for Exemptions (13:1E-99.16.6.d.): *The governing body of a municipality may exempt persons occupying commercial and institutional premises within its municipal boundaries from the source separation requirements of the ordinance adopted pursuant to subsection b. of this section if those persons have otherwise provided for the recycling of the recyclable materials designated in the district recycling plan from solid waste generated at those premises. To be eligible for an exemption pursuant to this subsection, a commercial or institutional solid waste generator annually shall provide written documentation to the municipality of the total number of tons recycled.*

In its 1993 Plan Amendment, Morris County provided guidelines to municipalities to assess the granting of exemptions, in accordance with N.J.S.A. 13:1E-99.16.6.d., for commercial and institutional establishments from the source separation requirements of the respective municipal ordinance. These guidelines remain unchanged and are posted on the MCMUA website at: www.MCMUA.com/recycling/ExemptionFromSourceSeparation.htm. As of the writing of this Plan Amendment, no Morris County municipality has granted an exemption according to this provision in the statute. Further, as of the writing of this Plan Amendment, Morris County is unaware of any facility in New Jersey capable of and processing mixed waste to extract recyclables to justify the granting of such an exemption.

- (e) Submit Recycling Tonnage Report (13:1E-99.16.6.e.): *The governing body of each municipality shall, on or before July 1 of each year, submit a recycling tonnage report to the New Jersey Office of Recycling in accordance with rules and regulations adopted by the department therefore.*

The governing body of each municipal shall also provide a copy of this recycling tonnage report to the district recycling coordinator. Additionally, along with the recycling tonnage report, a copy of the required annual notifications to generators (to be explained further in subsection f) of this section), and the recycling and solid waste program report (to be explained further in subsection i) of this section) are required to be submitted. All of these documents must be submitted annually to the district recycling coordinator on or before the deadline for submittal of recycling tonnage reports to the NJDEP.

- (f) Notify Generators of Recycling Opportunities and Requirements (13:1E-99.16.6.f.): *The governing body of each municipality shall at least once every six months notify all persons occupying residential, commercial, and institutional premises within its municipal boundaries of local recycling opportunities, and the source separation requirements of the ordinance. In order to fulfill the notification requirements of this subsection, the governing body of a municipality may, in its discretion, place an advertisement in a newspaper circulating in the municipality, post a notice in public places where public notices are customarily posted, include a notice with other official notifications periodically mailed to residential taxpayers, or any combination thereof, as the municipality deems necessary and appropriate.*

Further, as required by this Plan Amendment, at least one notification each year shall be a direct mailing to each individual unit including all single and multifamily residential units, commercial units and institutional units.

At a minimum, this notification will include information on each and every mandated material, and those materials which are strongly recommended to be recycled describing what each material is, examples of unacceptable material, material preparation requirements and outlets for collection or drop off. Information on the proper disposal of household hazardous waste must also be included. It is strongly recommended that the recycling notification be its own document and not be contained as a section of municipal newsletter or calendar that may contain other municipal news not relevant to recycling. As an example, some towns rely on a calendar publishing company to include recycling information on the last page of the calendar. In this case, some generators may never see the recycling information. The calendar publication may be best used in addition to a separate recycling notice. Municipalities are encouraged to issue recycling information more than once each year and through different venues. Copies of these notifications shall be provided to the district recycling coordinator each year. This county notification requirement will be explained further in the subsection g) of this section.

In addition to the annual notification, each municipality shall include on its website, at a minimum, all of the information included in its notification.

Municipal recycling coordinators (or their designee) shall be available to respond to questions from any generators located within the municipality and shall be prepared to assist any generator with compliance with this Plan. It will be the responsibility of the municipality to ensure that the municipal recycling coordinator has the background and the

knowledge of the recyclable materials and the markets/outlets in order to properly assist generators within its borders. It is highly recommended that each municipal recycling coordinator become educated in the field by attending and completing the New Jersey Recycling Certification Series offered by the Cook College Office of Continuing Professional Education or other similar courses offered. Upon completion of the Recycling Certification Series, the attendee earns the title of Certified Recycling Professional. It is also highly recommended that each municipal recycling coordinator attend the quarterly municipal recycling coordinators meetings hosted by the MCMUA and that new municipal recycling coordinators contact the MCMUA to schedule a recycling coordinator orientation meeting. Additionally, a new and valuable resource available to municipal recycling coordinators is *The Recycling Coordinator's Primer*, available on the Association of New Jersey Recyclers' website www.anjr.com. All municipal recycling coordinators are strongly encouraged to join the Association of New Jersey Recyclers in order to stay informed regarding recycling issues affecting the state, Morris County and their municipality.

- (g) Recycling Status Reports for Generators and Site Visit Reports: As required by this Plan Amendment, each municipal recycling coordinator shall obtain, on a regular basis to be determined by the MCMUA, a recycling status report from each of the generators located within their municipal borders which fall into specific categories to be defined by the MCMUA. Types of generator categories to be specified may include, but will not be limited to schools, colleges, universities, multifamily complexes, businesses, especially business campuses, retail shopping centers, hotels/motels and hospitals. A sample blank recycling status report created for multifamily housing complexes is attached in Appendix G. This sample recycling status report is subject to change and is provided to give an idea of the types of information necessary to complete a recycling status report. A recycling status report for each category of generator will be developed by the MCMUA and made available to municipal recycling coordinators.

After obtaining recycling status reports from specified generators, municipal recycling coordinators will be required to visit the sites of certain specified generators in order to ascertain that the information provided on the recycling status reports is accurate and that the provisions of the recycling program at the site are satisfactory. A separate site visit report form will be prepared by the MCMUA and made available to municipal recycling coordinators to provide the generator with an evaluation on the program. If the site visit report reveals deficiencies, the generator will need to take action to correct them.

A key component of a recycling status report is the attachment by the generator of the recycling notice provided to the generator's residents or employees. All persons who are either part of a multifamily complex or a business or a school need to be notified, at least annually, of their recycling responsibilities. While a municipal recycling coordinator is required to notify all persons occupying residents, commercial or institutional premises on an annual basis, it is recognized that multifamily, commercial and institutions need to have information customized to their specific in-house recycling programs. The county therefore leaves the determination of who will produce and distribute the information up to the municipal recycling coordinator and each generator. Regardless of who produces and distributes the educational information, a copy of each generator's information must be attached to the recycling status report.

Specifically for schools, the MCMUA will work toward establishing a list of school recycling coordinators so that each school has one person who is the designated point of contact regarding recycling matters. This will hopefully facilitate communication with the schools, since past experience has shown that various types of school personnel are involved with recycling including students, teachers, administrators and custodial staff.

- (h) Multifamily Complex Reimbursement for Recycling Collection Services: N.J.S.A. 40:67-23.3 and N.J.S.A. 40:66-1.3, pertain to the provision of or reimbursement for certain municipal services to condominium and apartment complexes, respectively. To the extent that reimbursement is provided by a municipality, it is advised that prior to any reimbursement being issued, the municipality ensures that recycling is taking place in the complex in a manner that complies with the municipal recycling ordinances, and that all mandated recyclable materials are being kept source separated from other solid waste. The municipality should verify a satisfactory level of recycling compliance each and every year, prior to issuing reimbursement to each complex.

- (i) Municipal Recycling and Solid Waste Program Report
As stated above, in its revised recycling ordinance, each municipality must accept the MSW Recycling Goal. Each municipality shall annually submit a report to the district recycling coordinator to describe the recycling programs currently in place, especially with respect to the mandated materials and the recommended materials to be recycled, and any new programs it plans to implement in order to increase recycling. The report shall state the amount of additional recycling tonnage needed to achieve the MSW Recycling Goal and provide an explanation of the means to achieve these additional tonnages. The report will be in the form of a questionnaire and will be provided by the MCMUA. The report will include a detailed description of the recycling programs established at all municipal buildings and grounds including parks and athletic fields.

Appendix A

Appendix A Morris County Solid Waste Generation Plan Implementation Ten-Year Projection

Year	Population	Pounds Per Capita Per Day		Disposal		Recycling		Generation		MSW Recycling Goal	Total Recycling Goal
		Total Generation	MSW Generation	Total in tons	MSW in tons	Total in tons	MSW in tons	Total in tons	MSW in tons		
1990	421,361										
1995	445,787	8.97	5.14	276,224	189,823	453,445	228,663	729,669	418,486	54.6%	62.1%
1996	450,672	9.93	5.04	296,927	205,889	519,423	208,971	816,350	414,860	50.4%	63.6%
1997	455,557	11.54	5.89	339,587	237,182	619,682	252,506	959,269	489,688	51.6%	64.6%
1998	460,442	10.49	5.55	335,299	233,389	548,421	233,017	881,720	466,406	50.0%	62.2%
1999	465,327	10.54	6.12	418,198	292,150	476,801	227,237	894,999	519,387	43.8%	53.3%
2000	470,212	10.09	6.35	425,712	297,368	440,472	247,148	866,184	544,516	45.4%	50.9%
2001	473,250	10.86	6.34	470,755	328,768	466,916	218,496	937,671	547,264	39.9%	49.8%
2002	476,287	11.37	6.13	481,239	335,728	507,074	197,518	988,313	533,246	37.0%	51.3%
2003	479,325	11.63	6.39	508,904	355,758	508,097	202,916	1,017,001	538,674	36.3%	50.0%
2004	482,362	13.34	6.66	544,529	380,662	629,593	205,884	1,174,122	586,546	35.1%	53.6%
2005	485,400	13.55	6.64	548,151	373,549	652,045	214,659	1,200,196	588,208	36.5%	54.3%
2006	486,740	13.80	6.64	551,774	366,435	674,497	223,435	1,226,271	589,870	37.9%	55.0%
2007	488,080	14.06	6.64	555,396	359,322	696,949	232,210	1,252,345	591,532	39.3%	55.7%
2008	489,420	14.31	6.64	559,019	352,209	719,401	240,986	1,278,420	593,195	40.6%	56.3%
2009	490,760	14.56	6.64	562,641	345,095	741,853	249,762	1,304,494	594,857	42.0%	56.9%
2010	492,100	14.82	6.64	566,264	337,982	764,305	258,537	1,330,569	596,519	43.3%	57.4%
2011	493,160	15.07	6.65	569,886	330,869	786,757	267,313	1,356,643	598,182	44.7%	58.0%
2012	494,220	15.33	6.65	573,509	323,755	809,209	276,089	1,382,717	599,844	46.0%	58.5%
2013	495,280	15.59	6.65	577,131	316,642	831,661	284,864	1,408,792	601,506	47.4%	59.0%
2014	496,340	15.84	6.66	580,754	309,529	854,112	293,640	1,434,866	603,169	48.7%	59.5%
2015	497,400	16.09	6.66	584,376	302,416	876,564	302,416	1,460,941	604,831	50.0%	60.0%

Source: Table No. 9 of the 2006 Morris County Data Book compiled by the Morris County Department of Planning, Development & Technology.
The source listed for Table No. 9 is the North Jersey Transportation Planning Authority, March 2005.

Appendix B

Morris County Generated Disposal Tonnages by Year for 1995-2006 MCMUA Parsippany and Mt. Olive Transfer Stations Combined as Compared to NJDEP Data

Year	MCMUA Transfer Stations Total (tons)	NJDEP Total (tons)
1995	267,054	276,224
1996	261,810	296,927
1997	255,548	339,587
1998	237,592	333,299
1999	305,796	418,198
2000	390,609	425,712
2001	430,441	470,755
2002	441,958	481,239
2003	461,707	508,904
2004	483,270	544,529
2005	494,015	pending
2006	489,736	pending

Appendix C

Inventory of Morris County Solid Waste Facilities

Inventory of Morris County Facilities - The inventory of solid waste facilities contained in this Plan Amendment provides a listing of solid waste facilities previously included in the Morris County Solid Waste Management Plan. Except where noted, the provision of this listing does not modify any of the Plan inclusion conditions for any of these facilities from what was already approved as part of each facility's Plan inclusion amendment and related NJDEP certification of such amendments.

MCMUA Mt. Olive Transfer Station / Materials Recovery Facility - Address: 168 Gold Mine Road, Flanders, NJ 07836; Municipality: Mt. Olive Township; Block No 4500, Lot No. 5.

Type of Material - Approved waste types are ID 10 Municipal Waste, ID 13 Bulky Waste, ID 13 C Construction and Demolition Debris, ID 23 Vegetative Waste, ID 25 Animal and Food Processing Waste and ID 27 Dry Industrial Waste (excluding asbestos and asbestos-containing waste).

Facility Capacity - 1,500 tons per day.

Hours of Operation - Hours of Acceptance: 7:00 a.m. to 4:30 p.m. Monday through Friday and 7:00 a.m. to 1:00 p.m. on Saturdays.

Traffic Routes - The traffic routes to and from the Mt. Olive transfer station were originally included in a Plan dated April 1, 1987, and certified by NJDEP on July 28, 1987. At that time vehicles were permitted to make a left turn from Gold Mine Road and onto Route 206 north when exiting the transfer station. With the development of the ITC Crossings Shopping Center just to the north of the transfer station, the ability to make this left turn onto Route 206 north was eliminated. The traffic route leaving the transfer station will be modified from what was originally included in the Plan in 1987 to reflect this reality. Vehicles leaving the transfer station and heading to Route 206 north will now be required to take Gold Mine Road eastbound to Link Road where they make a left on Link Road north and then a right turn on International Center South Road east and proceed to the traffic light at the intersection with Route 206. The new traffic routes including this needed change are as follows:

- (1) Collection vehicles entering the Mt. Olive facility will utilize Route 206 northbound or southbound, turn onto Gold Mine Road, make a left turn into the facility. Vehicles leaving the transfer station and heading to Route 206 north will take Gold Mine Road eastbound to Link Road where they make a left on Link Road and then a right turn on International Center South Road eastbound and proceed to the traffic light at the intersection with Route 206. Vehicles leaving the transfer station and heading to Route 206 south will take Gold Mine Road eastbound to Route 206 and make a right turn onto Route 206 south.
- (2) Transfer trailers entering and exiting the Mt. Olive facility must utilize Interstate 80 to Rt. 206 south to Gold Mine Road. Transfer trailers leaving the transfer station and heading to Route 206 north will take Gold Mine Road eastbound to Link Road where they make a left on Link Road north and then a right turn on International Center South Road eastbound and proceed to the traffic light at the intersection with Route 206. Vehicles leaving the transfer station and heading to Route 206 south will take Gold Mine Road eastbound to Route 206 and make a right turn onto Route 206 south.

MCMUA Parsippany-Troy Hills Transfer Station / Materials Recovery Facility

Address: 1100 Edwards Road, Parsippany, NJ 07836; Municipality: Parsippany-Troy Hills Township; Block No 768, Lots 2.01 and 3; Block 769, Lot 1; and Block 770, Lots 17, 18 and 19.

Type of Material - Approved waste types are ID 10 Municipal Waste, ID 13 Bulky Waste, ID 13 C Construction and Demolition Debris, ID 23 vegetative Waste, ID 25 Animal and Food Processing Waste and ID 27 Dry Industrial Waste (excluding asbestos and asbestos containing waste).

Facility Capacity - 2,050 tons per day.

Hours of Operation - Hours of Acceptance: 7:00 a.m. to 4:00 p.m. Monday through Friday and 7:30 a.m. to 11:00 a.m. on Saturdays.

Traffic Routes - The traffic routes to and from the Parsippany-Troy Hills transfer station were originally included in a Plan dated April 1, 1987, and certified by NJDEP on July 28, 1987. These routes were subsequently modified in a Plan amendment dated November 21, 1988, and certified by NJDEP on July 5, 1989. At the time of the 1989 Plan amendment Interstate 280 did not have an eastbound exit that accessed New Road and likewise, New Road did not have an entrance to Route 280 westbound. As a work around, the 1989 Plan amendment required vehicles accessing and leaving the transfer station to head east on Interstate 280 into Essex County where they would make a turnaround at the Eisenhower Parkway exit. Since that time, Interstate Route 280 had its interchange with New Road improved to add an eastbound exit onto New Road and a westbound entrance off New Road onto Interstate 280 westbound. This improved interchange eliminated the need utilize the Eisenhower Parkway turnaround, as well as the need to enter Essex County. The new traffic routes based on the improved Interstate 280/New Road interchange are as follows:

- (1) Routes to the transfer station facility in Parsippany-Troy Hills – All collection trucks, with the exception of rear loaded packer trucks that cannot meet the Department of Transportation weight limitations for highways, will access the facility using eastbound Interstate 80 to eastbound Interstate 280, continuing on Interstate 280 to the New Road exit. Vehicles will turn left onto New Road north, and then right onto New Edwards Road and to the transfer station facility. All rear loaded packers trucks that cannot meet the Department of Transportation weight limitations for highways will access the facility on eastbound Route 46 to New Road south, and making a left turn onto New Edwards Road to the transfer station facility.
- (2) Routes from the transfer station facility in Parsippany-Troy Hills – All empty collection vehicles and loaded transfer trailers will exit the facility in Parsippany-Troy Hills by turning onto New Edwards Road and making a left onto New Road south. Vehicles will then make a right turn onto the entrance ramp to Interstate 280 west and continue to the appropriate destinations.

S. Rotondi & Sons, Inc. - Vegetative Waste Transfer Station - Address: 3 Watchung, Chatham, NJ 07928 (Mailing address: PO Box 1407, Summit, NJ 07902) Municipality: Chatham Borough; Block No. 140, Lot No. 16. Note that lot 7.02; Block 140 in the Borough of Chatham was attached to Lot 16; Block 140 in the Borough of Chatham by way of an October 28, 1988 resolution by the Borough of Chatham Board of Adjustment. Since Lot 16; Block 140 was included as part of the Rotondi facility in the original 1989 Plan amendment, the use of Lot 7.02; Block 140 is considered part of the Rotondi facility and is included in the Plan.

Type of Material - Approved waste types include vegetative matter which includes tree parts in addition to leaves and grass. The acceptance of this vegetative matter is approved regardless of the proportion of each constituent in the vegetative matter.

Facility Capacity - 260 tons per day.

Hours of Operation - Operating hours are 8:00 a.m. – 5:00 p.m., Monday through Saturday, year round.

Veolia ES Technical Solutions, LLC ID 27 Non-hazardous Solid Waste Transfer Station Facility - Address: 1 Eden Lane, Flanders, NJ 07836; Municipality: Mt. Olive Township; Block No. 4500, Lot No. 37. This facility was originally included in the Plan as being operated by Advanced Environmental Technical Services, L.L.C., which was subsequently purchased by Onyx Environmental Services and is now operating under the name of Veolia Technical Solutions, LLC.

Type of Material - The Veolia facility is permitted to accept both RCRA hazardous and RCRA non-hazardous wastes. The facility is not permitted to handle radioactive, infectious or medical waste. All RCRA characteristic and listed waste codes are acceptable. In addition, the Part B permit currently allows acceptance of non-hazardous wastes using the following codes:

- ◆ X910 – Chemical Process Solids, NOS
- ◆ X905 – Chemical Process Gas, NOS, and
- ◆ ID72 – Non-hazardous Liquid Wastes.

The non-hazardous wastes will fall into the following general categories:

- ◆ Aerosols and cylinders
- ◆ Consumer commodities and product returns
- ◆ Lab Packs (five-gallon or small containers packed into larger containers with other materials and absorbents)
- ◆ Solids/debris in containers ranging in size from five gallons to 40 cubic yards.

Facility Capacity - At the time of the Plan amendment including the facility in the Plan, the facility's hazardous waste permit did not limit the amount of material, hazardous and/or non-hazardous waste that could be received and transferred on a per day basis. Rather, the permit limited the total volume that could be stored on the property at a given time. That volume was 170,500 gallons, the equivalent of 3,100 fifty-five gallon drums. The facility was included in the Plan with a capacity that maintains the facility's maximum acceptance and storage capacity to be consistent with the hazardous waste permit the facility operates under.

Hours of Operation - The hours of operation and receiving are not restricted in the Plan or its permit, but normal receiving hours are 6:00 a.m. through 10:00 p.m. Monday through Friday.

Traffic Routes - The facility is currently the only building which fronts Eden Lane, a short cul-de-sac. Eden Lane intersects with Gold Mine Road, which in turn intersects with Route 206 at its eastern termination. Access to the facility will be required to utilize Route 206 to Gold Mine Road westbound.

Randolph Township Depot – Drop-off Convenience Site for Household Solid Waste - Address: 1345 Sussex Turnpike, Randolph, NJ 07869, Municipality: Randolph Township; Block No. 86, Lot No. 73 and 74.

Type of Material - Approved waste types include municipal solid waste generated by Randolph Township residents.

Facility Capacity - An eight (8) cubic yard covered dumpster will be available for direct loading at the recycling depot, and the maximum duration the dumpster can be left on-site with waste in it is two weeks.

Hours of Operation - Operating hours are 7:30 a.m. – 3:00 p.m., Monday through Friday, 8:00 a.m. – 3:45 p.m. on Saturdays and 9:00 a.m. – 2:45 p.m. on Sundays.

MCMUA Recycling Consolidation Center - Class A Recycling Facility and Small Quantity Handler of Universal Wastes - Address: 22 Richboynton Road, Dover, NJ 07801: Municipality: Dover; Block No. 6-03, Lot No. 1.

Type of Material - Approved waste types include traditional Class A recyclable materials (source separated non-hazardous metal, glass, paper or plastic containers, and corrugated cardboard, magazines, junk mail and mixed paper). As a small quantity handler of universal wastes, this facility accepts hazardous lamps such as fluorescent, high intensity, neon, mercury vapor, sodium and metal halide lamps. In addition, the facility also accepts dry cell batteries as universal wastes.

Facility Capacity - 150 tons per day. In the 1993 Plan amendment, this facility was listed with a 50 ton per day capacity and the facility capacity is now increased to 150 tons per day.

Hours of Operation - The hours of operation are 7:30 a.m. to 4:30 p.m. Monday through Friday with Saturday operations added if needed.

Traffic Routes - All trucks from all municipalities except Town of Dover, Mendham Borough, Mendham Township, Randolph Township and the Borough of Victory Gardens which are legally permitted to utilize Interstate Highways, shall approach the center by taking Interstate Route 80 to State Highway 15 southbound (West Clinton Street) or by taking State Highway Route 15 southbound directly. From State Highway Route 15 (West Clinton Street), approaching trucks shall make a right onto Richboynton Road at its northern intersection with State Highway Route 15 (West Clinton Street).

Trucks that are not permitted to utilize above-mentioned transportation route shall approach the center by taking State Highway Route 46 to State Highway Route 15 northbound (West Clinton Street). From State Highway Route 15 (West Clinton Street), approaching trucks shall make a left onto Richboynton Road at its northern intersection with State Highway Route 15 (West Clinton Street). Under no circumstances are trucks permitted to utilize local roads in the Town of Dover to access the Center and/or its approach routes unless the trucks originate in the Town of Dover.

Trinity Recycling of NJ - Class A Paper Recycling Facility - Address: 116 Iron Mountain Road, Mine Hill, NJ 07803; Municipality: Mine Hill; Block No. 101, Lot No. 9. This facility was originally included in the Plan as being operated by Garden State Paper, which subsequently declared bankruptcy and the facility is now operated at this location by Trinity Recycling of NJ.

Type of Material - The facility was originally included in the Plan pursuant to an October 26, 1989 NJDEP certification of an April 12, 1989 amendment to the Plan that allowed for the acceptance of newspaper only. With the subsequent adoption of state regulations that designate this type of a recycling facility as a Class “A” recycling facility, the type of material allowed to be accepted is being expanded to include all Class “A” recyclable paper fiber products.

Facility Capacity - 20,000 tons per year.

Hours of Operation - The hours of operation and receiving are 7:00 a.m. to 5:00 p.m. Monday through Friday and 7:00 a.m. – 12 noon on Saturdays

FCR Morris, Inc. - Class A Recycling Facility - Address: 103 Iron Mountain Road, Mine Hill, NJ 07803; Municipality: Mine Hill; Block No. 201, Lot Nos. 32. and 31.01.

Type of Material - Class “A” materials, all of which can be delivered to the facility commingled or non-commingled. These materials include aluminum beverage and food containers; PET, HDPE (pigmented), HDPE (natural); flint glass, green glass, amber glass, ferrous/tin food containers, aerosol cans and paint cans.

Facility Capacity - 100 tons per day.

Hours of Operation - The hours of receiving are 8:00 a.m. to 4:00 p.m. Monday through Friday.

Carpet Cycle Co. – Class “A” Recycling Center - Address: 241 East Blackwell Street, Dover, NJ 07801, Municipality: Dover Town; Block No. 19-04, Lot No. 10A.

Type of Material – Approved waste types include source separated, post-consumer carpet and carpet padding.

Facility Capacity – 25 tons per day.

Hours of Operation - Operating hours are 6:00 a.m. – 6:00 p.m., Monday through Friday.

Nature’s Choice – Class “B” Stump Recycling Center - Address: 1405 Rt. 46, Ledgewood, NJ 07852, Municipality: Roxbury Township; Block No. 16, Lot No. 7.1. This facility was originally included in the Plan as being operated by Ox Contractors (Stump Factory), which was subsequently purchased by Nature’s Choice Corporation that now operates the facility.

Type of Material - Approved waste types include 100% natural land clearing debris which includes stumps, brush, branches, logs, roots, tree trunks, shrubberies and other 100% natural wood items. No material shall be accepted that has been treated, painted, stained, or been in contact with any form of chemical, petroleum or preservative product. No material shall be accepted that has been subjected to any type of industrial process (i.e., dimensional lumber). No material shall be accepted from demolition of existing buildings, parts of buildings, patios, decks, etc.

Facility Capacity - 500 tons per day.

Hours of Operation - Operating hours are 7:30 a.m. – 4:30 p.m., Monday through Friday.

Tilcon (Mt. Hope) – Class “B” Recycling Center - Address: 625 Mt. Hope Road, Wharton, NJ 07885, Municipality: Rockaway Township; Block No. 20001, Lot No. 5.01. This facility was originally included in the Plan as being operated by Mt. Hope Rock Products, Inc., which was subsequently purchased by Tilcon New York, Inc. that now operates the facility.

Type of Material - Approved waste types include waste type 27 oil-contaminated non-hazardous soils, concrete, asphalt, brick and block.

Facility Capacity - 10,000 tons per day.

Hours of Operation - Operating hours are 7:00 a.m. – 7:00 p.m., Monday through Friday and 7:00 a.m. to 5:00 p.m. on Saturday.

Tilcon (Riverdale) – Class “B” Recycling Center - Address: 125 Hamburg Turnpike, Riverdale, NJ 07457, Municipality: Riverdale Borough; Block No. 12, Lot No. 13 and Block 13, Lots 27, 28 and 29. This facility was originally included in the Plan as being operated by Riverdale Quarry Company, which was subsequently purchased by Tilcon New Jersey, Inc., that now operates the facility.

Type of Material - Approved waste types include concrete and asphalt.

Facility Capacity - 2,010 tons per day.

Hours of Operation - Operating hours are 7:00 a.m. – 7:00 p.m., Monday through Friday and on Saturday by appointment only.

Riverdale Borough – Class “C” Vegetative Waste Compost Facility - Address: Riverdale Road, Riverdale, NJ 07457, Municipality: Riverdale Borough; Block No. 32, Lot No. 3. The site is physically owned by NJDOT and is leased to the Borough of Riverdale.

Type of Material - Approved waste types include leaves, grass, brush and wood chips.

Facility Capacity - 112 cubic yards per day and 9,000 cubic yards per year.

Hours of Operation - Operating hours are 8:00 a.m. – 4:00 p.m., Monday through Friday and 9:00 a.m. – 2:00 p.m. on Saturdays.

T.F.U.F. Enterprises, LLC – Class “C” Vegetative Waste Compost Facility - Address: 12 Taylor Road, Jefferson, NJ 07885, Municipality: Jefferson Township; Block No. 266, Lot Nos. 3, 4 and 6. This facility was originally included in the Plan as being operated by A-L Services Inc., which was subsequently purchased by T.F.U.F. Enterprises, LLC, that now operates the facility.

Type of Material - Approved waste types include leaves, brush and wood chips.

Facility Capacity - 5,000 cubic yards per year.

Hours of Operation - Operating hours were not incorporated into the Plan inclusion process since this facility was originally included in the Plan using the “Blanket Inclusion Policy for Vegetative Waste Composting and Recycling Centers” as provided in the Plan.

St. Clare's Hospital – Small Scale Medical Waste Incinerator - Address: Pocono Road, Denville, NJ 07834, Municipality: Denville Township; Block No. 50002, Lot No. 2.

Type of Material - Materials to be incinerated shall be restricted to medical waste (“red bag”) as defined by N.J.A.C. 7:26-3A and hospital waste such as medical instruments, supplies, containers, gloves, tubing, bandages, etc., used by health care practitioners and facilities that are generated in the Denville Division of St. Clare's Riverside Medical Center.

Facility Capacity - 600 pounds per hour.

Hours of Operation - Operating hours were not provided in the August 1989 Plan amendment that included this facility in the Plan, but this Plan amendment calls for the incinerator to operate on an 8 hour-per-day schedule or approximately 2,920 hours per year.

Chilton Memorial Hospital – Small Scale Medical Waste Incinerator - Address: 97 West Parkway, Pequannock, NJ 07444, Municipality: Pequannock Township; Block No. 411, Lot No. 6.

Type of Material - Materials to be incinerated shall be restricted to medical waste and hospital (“red bag”) as defined by N.J.A.C. 7:26-3A.

Facility Capacity - 800 pounds per hour.

Hours of Operation - Operating hours were not provided in the October 1989 Plan amendment that included this facility in the Plan, but this Plan amendment calls for the incinerator to operate for 7 hours-per-day for 7 days-per-week.

Morristown Memorial Hospital – Small Scale Medical Waste Incinerator - Address: 100 Madison Avenue, Morristown, NJ 07960, Municipality: Morristown; Block No. 4201, Lot Nos. 1.00, 1.01 and 1.02.

Type of Material - Materials to be incinerated shall be restricted to medical waste and hospital (“red bag”) as defined by N.J.A.C. 7:26-3A.

Facility Capacity - 1,500 pounds per hour.

Hours of Operation - Operating hours were not provided in the October 1989 Plan amendment that included this facility in the Plan, but the Plan amendment calls for the incinerator to operate on a 16 hour-per-day schedule.

Dover General Hospital –Medical Waste Microwave Shredder - Address: Jardine Street, Dover, NJ 07801, Municipality: Dover Town; Block No. 2-02, Lot Nos. 2 and 3. The June 1990 Plan amendment that included this facility was originally for a small scale medical waste incinerator, but this was replaced with the use of a microwave shredder deemed to be consistent with the Plan in 1992.

Type of Material - Materials to be incinerated shall be restricted to medical waste and hospital (“red bag”) as defined by N.J.A.C. 7:26-3A.

Facility Capacity - 550 pounds per hour.

Hours of Operation - Operating hours were not provided in the June 1990 Plan amendment that included this facility in the Plan, but the Plan amendment calls for the incinerator to operate for 8 hours-per-day and 6 days-per-week

Novartis Pharmaceuticals – Small Scale Solid Waste Incinerator - Address: 59 Route 10, East Hanover, NJ 07936, Municipality: East Hanover; Block No. 99, Lot No. 12. This facility was included in the Plan in an October 1990 Plan amendment under the company name of Sandoz Pharmaceuticals, which was subsequently purchased by Novartis that currently operates the facility.

Type of Material - Materials to be incinerated shall be restricted non-hazardous, non-infectious waste generated on site by Novartis. Recyclable materials mandated by East Hanover Township are not acceptable in this incinerator.

Facility Capacity - 780 pounds per hour.

Hours of Operation - Operating hours were not provided in the October 1990 Plan amendment that included this facility in the Plan, but the Plan amendment calls for the incinerator to operate on a 10 hour-per-day schedule.

Compost Facilities:

Morris County Municipal Utilities Authority Vegetative Waste Compost Program is a county operated regional yard waste composting system that provides yard waste composting services for contracting municipalities both in and out of Morris County, as well as for landscape contractors. The system consists of two compost facilities operated by the MCMUA. These two vegetative waste recycling facilities were originally included in the Plan with an October 1988 Plan amendment as certified by the NJDEP on March 8, 1989. In a Plan amendment dated February 2001, and certified by NJDEP on August 28, 2001, the Class “B” natural wood waste and log grinding operation at the Camp Pulaski site was included in the Plan. Additionally, in a Plan amendment dated March 2002, and certified by NJDEP on June 23, 2002, the capacities and operations of these two facilities were expanded to meet existing needs. Finally, in an administrative action dated January 21, 2004, the materials and capacities acceptable at each facility were further clarified to eliminate individual material capacity limitations at both sites. As currently included in the Plan, these two facilities include the following:

- **Camp Pulaski - Vegetative Waste Recycling Facility and Class “B” Recycling Center** – Address: Old Waterloo Village Road, Municipality: Mount Olive Township, Block 400; Lot 1 and Block 401; Lot 4.

Type of Material and Capacity – A total of 94,000 cubic yards annually of either grass or leaves. For the Class “B” operation, the capacity is 152 tons per day of natural wood waste brush and logs.

- **Parsippany-Troy Hills - Vegetative Waste Recycling Facility** – Address: 500 West Hanover Avenue (behind the Morris County Firefighters and Police Training Academy), Municipality: Parsippany-Troy Hills Township, Block 7; Lot 2.

Type of Material and Capacity – A total 66,500 tons per year of either leaves, grass and/or brush.

Hours of Operation - The hours of operation for both the Parsippany facility and Camp Pulaski facility are Monday - Friday 7:00 a.m. - 4:30 p.m., Saturdays - usually closed but may open seasonally (October-Mid-December, 7:00 a.m.-4:30 p.m.).

The hours of operation are changing with this Plan Amendment from 7:30 a.m. to 4:00 p.m. to the hours listed above.

In addition to the two compost facilities operated by the MCMUA, there are several additional compost facilities developed both privately and by individual municipalities that compost some of Morris County's yard waste. These additional compost facilities were included in the February 1993 Morris County Solid Waste Management Plan amendment as follows:

Atlantic Green Valley Tree Service: Located on North Passaic Ave. in Florham Park.

Boonton Town Municipal Compost Facility: Located in Boonton Town.

Butler Municipal Compost Facility: Located at 1 Ace Road in Butler Borough.

Chatham Borough Municipal Compost Facility: The facility is located off of the Duchamp Place Extension in Chatham Borough.

Chatham Township Municipal Compost Facility: Located on Tanglewood Drive in Chatham Township.

Dover Municipal Compost Facility: Located on North Sussex Street in the Town of Dover.

Florham Park Municipal Compost Facility: Located at the Environmental Center on Columbia Turnpike in Florham Park.

Green Pond Corporation Compost Facility: Located on R.R. 2, Johnson Road in Newfoundland (Rockaway Township).

Green Valley Compost Facility: Located on North Passaic Ave in Florham Park.

Gro-Rite Greenhouse: Located in Lincoln Park.

Hacklebarney State Park: Located in Washington Township.

Hanover Municipal Compost Facility: Located in Hanover Township.

Hopatcong State Park: Located in Roxbury.

Long Hill Township Municipal Compost Facility: Located in Long Hill Township.

Luker Park: Located off of Eagle Rock Ave. in East Hanover.

Kinnelon Municipal Compost Facility: Located at 118 Kinnelon Road in Kinnelon.

Mine Hill Municipal Compost Facility: Located at Canfield Avenue in Mine Hill Township.

Montville Municipal Compost Facility: Located on Indian Lane in Montville.

Morristown Municipal Compost Facility: Located on Lake Road in the Town of Morristown.

Mountain Lakes Municipal Compost Facility: Located on Pocono Road in Mountain Lakes.

Mt. Olive Municipal Compost Facility: Located on Bell Road in the northwest section of Mt. Olive.

Netcong Municipal Compost Facility: Located on Mountain Road in Netcong.

Pequannock Municipal Compost Facility: Located at Bush League Field, Route 23 North in Pequannock Township.

Randolph Municipal Compost Facility: Located at the Environmental Center on Sussex Turnpike in Randolph Township.

Riverdale Borough – Class “C” Vegetative Waste Compost Facility - Address: Riverdale Road, Riverdale, NJ 07457, Municipality: Riverdale Borough; Block No. 32, Lot No. 3. The site is physically owned by NJDOT and is leased to the Borough of Riverdale. Included in the Morris County Solid Waste Management Plan with an amendment dated May 2000. (See list of Class "C" facilities that were individually included in the Plan above.)

Rockaway Township Municipal Compost Facility: Located on Jacobs Road in Rockaway Township.

Sisters of Charity: Located at The College of St. Elizabeth on Convent Road in Convent Station (Morris Township).

Stephens State Park: Located in Mt. Olive.

Wharton Municipal Compost Facility: Located on West Dewey Avenue in Wharton.

Appendix D

Guidelines For Evaluation of Solid Waste Facility Requests to be Included in the Morris County Solid Waste Management Plan

These guidelines were originally adopted for use on September 16, 1998 by the Morris Solid Waste Advisory Council. Slight changes to the approval timeline and grammatical improvements were made to these guidelines during the drafting of the March 2007 Plan Amendment.

The following guidelines will be used by the Morris County Solid Waste Advisory Council (SWAC) in evaluating requests to amend the Morris County Solid Waste Management Plan (Plan) for inclusion of solid waste facilities. Plan inclusion is required for all solid waste facilities prior to operation and NJDEP permitting/approval.

These guidelines are divided in to four major sections including the following:

1. **Facility Plan Inclusion Process:** Describes the process an applicant goes through with respect to amending the Solid Waste Management Plan. Details are included on the SWAC evaluation process as well as a description of the overall process relating to the evaluation from other related agencies. These agencies include, but are not limited to, the Morris County Board of Chosen Freeholders (Freeholders), the Morris County Municipal Utilities Authority (MCMUA), the host municipality and the New Jersey Department of Environment Protection (NJDEP) and others.
2. **Evaluation Criteria:** This lists the basis that the SWAC uses while formulating its recommendation to the freeholders.
3. **Submission Information:** This section provides details on the information to be supplied by the applicant.
4. **Ongoing Responsibilities:** Once operating, the facility will have responsibilities to ensure continued compliance with laws, regulations and the Solid Waste Management Plan. This section describes these requirements.

The SWAC reserves the right to request additional information, if needed, for a proper review of an applicant's Plan inclusion request.

The applicant should submit its Solid Waste Management Plan inclusion application and all other correspondence to:

Larry Gindoff, Solid Waste Coordinator
c/o Morris County Solid Waste Advisory Council
Morris County Municipal Utilities Authority
P.O. Box 370
Mendham, NJ 07945-0370
Tel: (973) 285-8391
Fax: (973) 285-8397

Facility Plan Inclusion Process

A proposed facility requires inclusion in the Solid Waste Management Plan and needs to obtain approval and/or permits from the NJDEP prior to operation. The process to receive the necessary Solid Waste Management Plan inclusion is provided below.

Morris County SWAC Review and Role

The SWAC initially reviews Plan inclusion requests and provides recommendations regarding the proposed facility and proposed amendments to the Plan to the freeholders. The SWAC review process will begin at the time the application is formally provided to the SWAC. The SWAC's role with respect to the freeholders is advisory and non-binding.

A SWAC subcommittee will formulate a recommendation based upon the review of a proposal and provide the recommendation to the entire SWAC at one of its public meetings.

Upon notification that the application is complete and is being scheduled for consideration by the SWAC at a public meeting, the applicant shall publish a legal notice. This notice shall be published two times in a newspaper having general circulation within Morris County, once each week for two (2) consecutive weeks, notifying the public of the application to amend the Solid Waste Management Plan and the scheduled public meeting. The second notice shall be published at least seven (7) days prior to the scheduled public meeting. Prior to the SWAC public meeting, the applicant must provide proof of publication to the SWAC.

The legal notice shall state the date, time and location of the SWAC public meeting; the nature of facility; the address (including block & lot numbers) of the proposed site; the location of depositories where the application can be inspected by the public; and that written comments on the proposed facility will be accepted by The Solid Waste Advisory Council, c/o Morris County Municipal Utilities Authority, P.O. Box 370, Mendham, New Jersey 07945-0370.

The applicant shall mail a copy of the published legal notice to the municipal clerk of the host municipality at least 10 days prior to the SWAC meeting and provide proof of such to the SWAC.

Morris County Board of Chosen Freeholders

The SWAC provides a non-binding, advisory recommendation to the freeholders in the form of a resolution adopted during a public meeting. Subsequent to the SWAC recommendation, the freeholders will schedule a public hearing to consider the proposed facility and Plan amendment. After adoption by the freeholders, the Plan amendment is sent to the NJDEP for its approval. The freeholders shall adopt their resolution regarding such an application no more than 120 days after the applicant is notified that the application is complete.

The applicant shall submit a copy of the application to the Board of Chosen Freeholders.

Morris County Municipal Utilities Authority

The MCMUA has been designated by the freeholders in a Plan amendment to be the implementation agency of the Solid Waste Management Plan. As such, the MCMUA provides a recommendation on the proposed facility and Plan amendment to the freeholders.

The applicant shall submit a copy of the application to the Morris County Municipal Utilities Authority.

New Jersey Department of Environmental Protection

The NJDEP provides the facility with either a permit and/or general approval to operate. The NJDEP will not review permit and/or general approval applications without the facility first being included in the district's Solid Waste Management Plan by way of an NJDEP Commissioner certified "as approved" Plan amendment.

Other Agencies

The applicant shall identify any local, state, or federal permits and/or approvals that may be required for the proposed facility. As the permits and/or approvals are applied for, the applicant shall provide the SWAC with full copies of each application.

Host Municipality

The applicant shall submit a copy of the application to the governing body of the host municipality at the time it submits its application to the SWAC indicating the host municipality shall maintain a copy of the complete application and supporting documents in the host municipal building.

For information purposes, the applicant shall send a copy of the application to the municipal clerk of any municipality within 200 feet of the site boundary.

The applicant shall formally request in writing that the governing body of the host community adopt a resolution setting forth its position relative to the inclusion of the proposed facility in the Solid Waste Management Plan based on the application provided to the SWAC and the host municipality. If there is no resolution adopted by the host municipal governing body within three (3) months of the applicant's request, then the SWAC may consider the inclusion of the facility in the Morris County Solid Waste Management Plan without a resolution from the host municipality. In the applicant's written request to the host municipality it shall be indicated that the SWAC is allowing three (3) months for the municipality to provide its position in the form of a resolution.

The SWAC will also inform the municipal clerk in writing for distribution to elected officials of its receipt of a Plan inclusion application and its intention to review the application which may result in a recommendation to the freeholders. This letter will also request that the governing body adopt a resolution setting forth its position on the proposed facility within three (3) months of the receipt of the SWAC letter and that the resolution be forwarded to the SWAC and the freeholders. Anything to the contrary and notwithstanding, the SWAC will begin its review process upon receipt of the application.

The applicant shall mail of a copy of the published legal notice advertising the public meeting at which the application will be considered by the SWAC to the municipal clerk of the host municipality at least ten (10) days prior meeting.

The applicant shall provide proof to the SWAC of all the required mailings to the host municipality, as described above, prior to the SWAC adopting a resolution at its public meeting.

Evaluation Criteria

The SWAC's evaluation of the proposed facility and recommendation to the freeholders will be based on the application's consistency with the following criteria:

1. The proposed facility will provide for the proper management of solid waste and can be shown to be a complementary component of the coordinated strategy for solid waste management.
2. The proposed facility will not have a negative effect on existing public efforts and legal responsibilities of the County of Morris to manage solid waste management.
3. The facility shall not have a negative effect on public or environmental health, safety or welfare.
4. The applicant has demonstrated the necessary competency, knowledge, resources and experience to operate the proposed facility in accordance with all laws, regulations and the Solid Waste Management Plan.
5. The proposed facility has proposed a proven technology (or innovative technology shown to be feasible) that is appropriate for managing the solid waste proposed to be accepted at the facility.

Submission Information

Applicant Information

Contacts

- List the name, address, telephone and fax numbers, and the role of all contact people related to the application, including, but not limited to, the applicant, its consultants, engineers, attorneys, etc. Specify who will be the main contact person during the application process.

Ownership

- List the name, address and telephone and fax numbers of all persons owning five percent (5%) or more of corporate stock in the facility or a listing of the general and limited partners where applicable. In the case where no persons own five percent (5%) or more of corporate stock in the facility, the names of the corporate principals shall be listed. The SWAC, at its discretion, may request complete ownership disclosure by the applicant.
- List any intra-corporate relationships between the facility owner and any existing or previous solid waste hauling and/or management company.
- A copy of the deed of record establishing ownership of the facility property or, if the applicant is other than the landowner, a legal agreement (for example, a legal lease agreement) to use the real property in question for the intended purpose shall be provided.

Operator

- If the facility operator will be different from the owner, complete the following section.
- List the name, address and telephone and fax numbers of the operator of the proposed facility. If the operator is a corporation or partnership, the names and home addresses must be provided for all (a) stockholders who own five percent (5%) or more of its stock, or (b) partners who own a five percent (5%) or greater interest. The SWAC, at its discretion, may request complete ownership disclosure by the applicant.
- List any intra-corporate relationships between the facility operator and any existing or previous solid waste hauling and/or management company.

Site and Facility Information

Type of Solid Waste Facility

- State the type of facility being proposed, i.e. *Class A recycling facility, Class B recycling facility, Class C recycling facility, transfer station, materials recovery facility, etc.*, and the corresponding N.J.A.C. citation of the definition of this type of facility. A separate SWAC facility inclusion application shall be filed for each type of facility proposed.

Geographical Location

- Provide the name of the municipality the facility will be located in.
- Provide a tax map outlining the lot and block numbers of the facility site and of all adjacent properties. Detail the total acreage of all parcels comprising the proposed site. Indicate which parcels will be utilized for the proposed operation.
- State the street address of the proposed facility.
- Provide an original 7.5 minute USGS Quadrangle map which includes the boundary of the facility plotted on the map. The map shall delineate any public access roads to the site and

any streams, ponds, wetlands, floodplain and sensitive receptors (e.g., hospitals, schools, playgrounds, churches, homes, etc.) within a one-half mile radius of the site.

Existing Property Use

- Describe the existing use of the property and how this existing use will relate to the proposed facility.

Process Design and Operation

Site Plan

Provide twenty (20) copies of a site plan map, prepared, signed and sealed in accordance with N.J.S.A. 45:8-35.1 et seq. by a licensed professional engineer or surveyor, which identifies (plots) the placement of all equipment, buildings, activities and areas related to the receipt, storage, processing and transferring of all unprocessed and processed recyclable materials. This site plan shall also:

- Be drawn to a scale no larger than one inch equals 200 feet;
- Indicate the location and dimensions, in feet, of the unprocessed and processed materials stockpile areas. Also, based on this information, the total cubic yard storage capacity of the unprocessed and processed materials stockpile areas shall be indicated. The applicant shall also indicate whether the applicant wishes to reserve the right to use unprocessed material stockpile space as processed material stockpile space in certain instances; and
- Indicate the site access controls to be employed at the facility as well as interior traffic circulation.
- Include topographic contours and the flow of water (run-on and run-off) over the site.
- Include a vicinity map of a one-mile radius around the facility boundaries.

Traffic

- Provide a description of the traffic impacts of the facility, setting forth the number and types of vehicles transporting material to and from the facility. Include the times and days of the week these vehicles will be accessing the facility. In addition, provide routes vehicle will be required to use to access the facility. Describe any restrictions on allowable transportation routes, if any. Finally, provide a description of nearby intersections that will be impacted from the development of the facility and their current status with respect to traffic levels.
- Indicate in a narrative the routing of vehicles between the facility and all nearby roadways serving the site, as well as the traffic flow within the site, and indicate the provisions incorporated into the site plan to ensure safe and efficient vehicular and pedestrian circulation, parking, loading and unloading;

Materials

- Provide a list of the material(s) to be accepted at the facility. Include the maximum daily tons accepted of each material. Indicate the types and quantities in percent and tons of any reasonably anticipated contaminants for each material accepted. Contaminants are materials that are extracted from recyclables for disposal.
- List any size, weight, or other restrictions regarding materials to be received.

Materials Handling and Process Flow

- Describe the proposed process and technology to manage the materials accepted. Provide and describe reference facilities where this process and/or technology has been used successfully.
- Provide a written narrative waste flow of the facility from the receipt of each material to the point of transfer of end products. Describe the equipment utilized and techniques used to minimize all types of pollution.

Marketing Materials

- The name, address and telephone number of all planned end markets for the materials.
- List all end market contracts or agreements, and submit same as evidence of the applicant's ability to sell the products resulting from the proposed activities at the facility. When end market contracts or agreements are not available at the time of application for a general approval to operate a recycling center, the applicant shall submit letters of interest from prospective end market users of the products resulting from the applicant's recycling operation. Letters of interest may be based on information provided by the applicant to prospective end market users such as a description of the equipment to be used at the facility and the specifications of the products resulting from facility operation.
- If the applicant is proposing to use intermediate solid waste processing facilities prior to the delivery of materials to a recycling end market, then the applicant shall describe the facilities being used for each material. Descriptions shall include location, capacity and the operations and/or processes the intermediate facilities will perform on the materials.
- Identify the disposal facility(ies) that will manage residue from the proposed facility. Indicate the consistency of utilizing this disposal facility(ies) with the current Solid Waste Management Plan.

Site Access and Control

- List proposed means to control and/or limit access to the proposed facility, both during and after operating hours.
- List the hours and days of operation.

Inspecting Materials Accepted and Record Keeping

- Describe the inspection procedure for material delivered to the facility. State the procedure regarding when an inspection reveals that a load contains more than the allowable amounts of contaminants.
- Describe the record-keeping procedures for accepting material as well as transferring material off-site. The applicant shall record the municipality of origin of the material received; the name of the entity delivering materials to the facility; the vehicle license plate number, NJDEP registration number, if an NJDEP registered vehicle is used, and an EPA ID number, if an EPA registered vehicle is used; and

Environmental Issues

- Floodplains - If there are any floodplains as defined at N.J.A.C. 7:13-1.2 within the facility, describe their location(s) and indicate what, if any, additional approvals will be required due to their presence along with any proposed actions to be taken by the applicant to avoid impacting them.

- Wetlands - If there are any wetlands within ½ mile of the facility, describe their location(s) and indicate what, if any, additional approvals will be required due to their presence along with any proposed actions to be taken by the applicant to avoid impacting them.
- Historic Sites - If there are any historic sites within the facility, describe their location(s) and indicate what, if any, additional approvals will be required due to their presence, along with any proposed actions to be taken by the applicant to avoid impacting them.
- Stormwater management plan for the facility must be provided.
- Potable Water – Describe the potable water sources within 500 feet of the facility.
- Describe the screening and landscaping provisions that may be incorporated at the site.
- Odors - Describe anticipated odors generated by the facility along with the methods used to minimize their impacts.
- Noise - Describe anticipated noise pollution generated by the facility and the methods used to minimize their impacts.
- Describe any and all discharges to the environment resulting from the operation of the proposed facility. This includes air and water discharges from either stormwater run-off and/or process water. In addition, describe any systems used to contain these discharges.

Morris County Solid Waste Management Plan Consistency

- List the significant benefits the facility will have on the community.
- List the significant negative impacts the facility will have on the community along with mitigating measures taken.
- Describe the need for the facility.
- Describe by percent the anticipated geographic points of generation, i.e., towns, county and/or state of each solid waste types accepted. Include the sector of the community, i.e., commercial, residential, industrial for each waste type and list any restrictions if any.
- Additional Pertinent Information: The applicant shall provide any additional information in the application that is pertinent to the proposal. In addition, the SWAC reserves the right to request any additional information.

Applicant’s Certification

The applicant submission shall be accompanied by the written certification below:

“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that submitting false information may be grounds for denial, revocation or termination of the approval.”

The certification above shall be signed by the applicant as follows:

- For a corporation, by a principal executive officer of at least the level of vice president;
- For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
- For a municipality, county, state, Federal or other public agency, by either a principal executive officer or ranking elected official.

Ongoing Responsibilities

- Provide a statement that the owner and operator agree to permit access by the MCMUA and other authorized county agents to inspect the proposed facility during operating hours, to ascertain compliance with applicable statutes, laws and regulations and the provisions of the Solid Waste Management Plan.
- Provide a statement that the owner and/or operator agrees to provide the MCMUA with all tonnage reports it is required to provide to NJDEP, at the times it is required to provide such reports to NJDEP. At a minimum, the facility shall provide monthly reports summarizing the types and quantities of solid waste received at and transferred from the proposed facility for each material from each municipality. By January 20 of each year, the facility shall provide the MCMUA with an annual summary of this tonnage information from the previous year.
- Provide a statement attesting to the fact that, subsequent to inclusion in the Solid Waste Management Plan, full copies of all NJDEP solid waste facility permit applications and/or modifications shall be provided to the Morris County solid waste coordinator within fifteen (15) days of submission to the NJDEP.

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Appendix E – Enforcement Documentation

Included in this appendix are resolutions and agreements pertaining to the Morris County CEHA program. Included are a freeholder resolution dated November 6, 2002 establishing a CEHA program, a freeholder resolution dated 6/11/03 approving and including the work plan for solid waste and a Solid Waste Enforcement Agreement dated March 1, 2005 executed by and between the Morris County Board of Chosen Freeholders, the Morris County Office of Health Management and the Morris County Municipal Utilities Authority.

BOARD OF CHOSEN FREEHOLDERS MORRIS COUNTY, NEW JERSEY

RESOLUTION NO. 42

ADOPTED: November 6, 2002

WHEREAS, the State of New Jersey was awarded funding through the Centers for Disease Control and Prevention (CDC) Public Health Preparedness and Response to Bio-terrorism Cooperative Agreement; and

WHEREAS, this funding has been made available for the planning and implementation of a permanent program to detect bio-terrorism events and the mobilization of responses to them in addition to other public health threats; and

WHEREAS, the County of Morris has applied for these funds and has been notified that a grant award of \$415,841 is approved and contingent upon the creation of an office or department that is recognized by the New Jersey Department of Health as a bona fide public health agency that responds with the requirements of County Environmental Health Act (CEHA); and

WHEREAS, the Department of Environmental Protection has identified five (5) core environmental programs certified CEHA agencies participate in: air, water, solid waste, noise and emergency response.

WHEREAS, the State of New Jersey has indicated that there are the following two options for structuring a CEHA program:

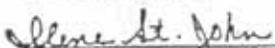
1. The lead local agency performs the delegated environmental activities on behalf of the Department of Health: or
2. The lead local health agency "subcontracts" some or most of the delegated environmental activities to other local governmental agencies via the Interlocal Services Act and coordinates and reports of these activities to the Department

NOW THEREFORE BE IT RESOLVED that the County of Morris intends to establish a CEHA program, within the auspices of a newly formed Morris County Division of Health Management, using the second option as the structure for the program to oversee the implementation of the grant, and

BE IT FURTHER RESOLVED that the County of Morris will hire a full time licensed health officer to oversee the bio-terrorism preparedness program and CEHA program.

BE IT FURTHER RESOLVED, that the County of Morris will initially assume responsibilities for solid waste and, subsequently, emergency response. The assumption of any other responsibilities will be mutually agreed upon by both the County of Morris and Department of Environmental Protection.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Morris at a regular meeting held on November 6, 2002.


Ilene St. John, Clerk of the Board

BOARD OF CHOSEN FREEHOLDERS
MORRIS COUNTY, NEW JERSEY

Resolution No. 13

Adopted June 11, 2003

WHEREAS, the County of Morris has approved the establishment of a new Division of Health Management to oversee the administration of the bio-terrorism preparedness program and the development of a County Environmental Health Act (CEHA) program;

WHEREAS, the Department of Environmental Protection has identified five (5) core environmental programs certified CEHA agencies participate in: air, water, solid waste, noise and emergency response; and

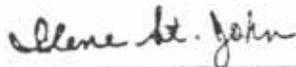
WHEREAS, the County of Morris has agreed to initially assume responsibilities for the areas of emergency response and solid waste; and

WHEREAS, official designation as a CEHA program by the State Department of Environmental Protection is contingent upon the submission and approval of a Workplan; and

WHEREAS, the DEP will accept the submission of the Workplan in sections;

NOW THEREFORE, BE IT RESOLVED, that the County of Morris approves of the Environmental Health Act Workplan as it pertains to the area of solid waste.

I hereby certify this to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Morris at a regular meeting held on **JUNE 11, 2003**.



Ilene St. John, Clerk of the Board

SOLID WASTE CONTROL PROGRAM:

Purpose:

- A. To integrate the solid waste control activities of the County of Morris and the NJDEP in accordance with N.J.S.A. 26:3A-2.21, the County Environmental Health Act.
- B. To ensure the maximum effective use of manpower and resources for solid waste control activities.
- C. To enforce applicable State solid waste regulations for the protection of the public health and welfare, and environmental health after appropriate approvals from Morris County.
- D. To provide for effective communication between State, county and municipal agencies on solid waste control issues.

Program Standards:

- A. Monitor compliance with the rules and regulations of the NJDEP concerning the operation of solid waste facilities and the activities of solid waste collectors and haulers.
- B. Report the results of such monitoring to the NJDEP as required for the purposes of record keeping, data management, and/or the referral of enforcement actions.
- C. Enforce the Solid Waste Management Act, N.J.S.A. 13:IE-1, *et seq.* and the rules and regulations, N.J.A.C 7:26-1, *et seq.* as delegated by NJDEP, including the enforcement of provisions found within the Morris County District Solid Waste Management Plan, as most recently amended and certified by the NJDEP. All enforcement efforts shall be coordinated with the NJDEP to obtain appropriate approvals from Morris County consistent enforcement and to preclude duplication of effort after.

Objectives:

- A. Ensure that solid waste disposal practices occur without environmental degradation through routine compliance monitoring and investigation of complaints;
- B. Prevent active facilities from receiving non-permitted waste;
- C. Inform industry, commercial establishments, institutions and residents on the benefits of recycling;
- D. Provide support to local health departments to discourage promiscuous dumping through investigation (who are already authorized to investigate such activities pursuant to the Solid Waste Management Act);
- E. Promote reuse, recycling and reduction of materials in Morris County;
- F. Monitor compliance with the Morris County Solid Waste Management Plan; and
- G. Monitor solid waste haulers and containers to ensure that the NJDEP registration requirements are being complied with.

The Morris County Office of Health Management will perform all routine compliance monitoring inspections. Any violations identified will be handled in accordance with the enforcement provisions found in the Solid Waste Management Act and regulations adopted thereunder, as well as

Specific:

Routine Solid Waste Facility Inspections:

<i>Facility #</i>	<i>Facility Name</i>	<i>Operation Type</i>	<i>Status</i>
1403000611	Butler Borough Compost	Compost	Closed
1404000612	Chatham Borough Compost	Compost	Operating
1405000613	Marchetto SLF	Sanitary Landfill	Closed
1405000614	Chatham Twp. Compost	Compost	Operating
1405001001	S. Rotondi & Sons	Transfer Station	Operating
1407000615	Combe-SLF-Chester Site	Sanitary Landfill	Closed
1408001329	Denville Twp. SLF	Sanitary Landfill	Unregistered
1408000616	Dover Town SLF	Sanitary Landfill	Closed
1409000517	Dover Public Works Yard	Compost	Operating
1409001016	Dover General Hospital	Medical Waste	Operating
1410000618	Metro LTD, Inc. SLF	Sanitary Landfill	Closed
1410000619	Deskovick SLF	Sanitary Landfill	Closed
1410000620	E. Hanover Twp.	Compost	Closed
1410000621	E. Hanover Twp.-Luther	Compost	Closed
1410001067	Novartis Pharmaceuticals	Medical Waste	Operating
1410001392	Novartis Pharmaceuticals	Resource Recovery	Operating
1411000622	Florham Park Borough	Sanitary Landfill	Closed
1411000623	Green Valley Service	Compost	Closed
1411000624	Florham Env. Cntr.	Compost	Operating
1412000625	Whippany Paper Board	Sanitary Landfill	Closed
1412000626	Hansch SLF	Sanitary Landfill	Closed
1412001220	Parcel C. Landfill	Sanitary Landfill	Closed
1414000628	Jefferson Twp.	Sanitary Landfill	Closed
1415001093	Summerdown Realty	Compost	Closed
1418000629	Mendham Borough	Sanitary Landfill	Closed
1420001243	Mine Hill Compost	Compost	Operating
1421000630	Ecology Club, Inc.	Sanitary Landfill	Closed
1421000631	Indian Lane East-Montville	Compost	Operating
1421001384	Como & Sons	Compost	Operating
1422000632	Villa Walsh SLF	Sanitary Landfill	Closed
1422000633	Sisters of Charity	Compost	Operating
1423001253	Warner-Lambert Co.	Medical Waste	Operating
1424000634	Morristown	Compost	Closed
1424001049	Morristown Memorial Hosp.	Medical Waste	Inactive
1425000635	Mountain Lakes Borough	Compost	Operating
1426000636	Mt. Arlington Borough	Sanitary Landfill	Closed
1427000637	Combe-SLF-Mt. Olive Site	Sanitary Landfill	Superfund Site
1427000638	DEP Stephens PK	Compost	Closed
1427000639	Mt. Olive Twp.	Compost	Closed
1427000640	Morris County MUA	Transfer Station	Operating
1427001115	Camp Pulaski	Compost/Class B	Operating
1427001328	Musconetcong Sewage SLF	Sanitary Landfill	Un-Registered
1428000641	U S Minerals Prod., Inc.	Sanitary Landfill	Closed
1428000642	Netcong Borough	Compost	Operating

<i>Facility #</i>	<i>Facility Name</i>	<i>Operation Type</i>	<i>Status</i>
1429000643	Parsippany Troy Hills	Sanitary Landfill	Closed
1429000644	Morris County MUA	Transfer Station	Operating
1429001102	Parsippany Troy Hills	Compost	Closed
1430000645	Passaic Township	Sanitary Landfill	Closed
1431000646	Pio Costa	Sanitary Landfill	Closed
1431000647	Pequannock Township	Compost	Closed
1431000648	Morris County Shade Tree	Compost	Operating
1431001011	Chilton Memorial Hospital	Medical Waste	Closed
1431001244	Pequannock Township	Compost	Closed
1432000649	Russ-Reid Residual	Transfer Station	Closed
1432000650	Randolph Township	Compost	Operating
1433001367	Riverdale Quarry Recycling	Recycling Center	Not Operating
1435000651	Rockaway Township	Sanitary Landfill	Closed
1435000652	Lavin Brothers, Inc.	Sanitary Landfill	Closed
1435000653	Rockaway Township	Compost	Operating
1435000654	Green Pond Corp.	Compost	Closed
1436000655	Fenimore	Sanitary Landfill	Closed
1436000656	Hercules, Inc.	Sanitary Landfill	Operating
1436000657	DEP - Hopatcong Park	Compost	Closed
1436001295	Natures Choice	Recycling Center	Operating
1438000658	Hacklebarney St. Park	Compost	Closed
1439000659	Wharton Borough	Sanitary Landfill	Closed
14390001167	Tilcon, New York.	Recycling Center	Operating

Note: Closed landfills are annually inspected by NJDEP, and Superfund sites are not part of the solid waste inspection program.

Investigative Procedures, Enforcement, and Penalty Assessment:

All Investigative and Enforcement Procedures shall be conducted pursuant to the standard operating procedures and guidance of the NJDEP. In particular, the Standard Operating Procedure explicitly outlines how such actions shall be performed, and is incorporated in the Morris County solid waste control work program as follows:

Standard Operating Procedure

I. Purpose:

The purpose of this standard operating procedure (SOP) is to provide clear direction to all delegating certified county health agencies in specific aspects of the investigation and prosecution of all solid waste enforcement actions taken under the authority of:

- County Environmental Health Act, N.J.S.A. 26:3A2-21 et seq. and the administrative rules written there under, N.J.A.C. 7:1H-1 et seq.
- Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. and the administrative rules written there under N.J.A.C. 7:26-1 et seq. and N.J.A.C. 7:26A-1 et seq.

Specifically, this procedure will delineate DEP and CEHA solid waste enforcement authorities and

obligations; will define how and when these authorities may be delegated to subcontractors; will identify the categories of solid waste enforcement actions the certified county health agencies are authorized to take; and will detail how penalties and fees are to be assessed, settled and accounted for. The goal of this procedure is to ensure that CEHA actions are consistent with the Department's procedures and among the counties to the maximum feasible extent and, as such, are equitable and legally defensible after appropriate approvals from Morris County.

I. Delegation of Authority:

The CEHA statute authorizes the Commissioner of the Department of Environmental Protection to "delegate the administration of one or more aspects of the environmental health laws of this State or of the rules adopted thereto" to a "certified local health agency." The Order of Certification issued by the Department specifies the environmental laws delegated to the certified county health agency and the programs it is authorized to administer. The certified county health agency must also submit a comprehensive work program for Department approval which, among other things, describes the solid waste enforcement and other activities it proposes to undertake and demonstrates its ability to meet the administrative and performance standards set forth in the rules. In some cases, the primary county health agency administering the delegated authorities under CEHA may choose to further delegate some of its authority to other local governmental agencies, which then serve as "subcontractors" to the certified county health agency. Such arrangements may be authorized by the Department for a variety of media areas, including solid waste enforcement, provided that the following conditions are met:

- A. The certified county health agency shall retain ultimate control and responsibility for the proper implementation of the CEHA program within the county. All administrative responsibilities shall be under the direct supervision of the health officer of the certified agency. The health officer or a designated manager employed by the certified agency shall assign and monitor work to staff, approved CEHA subcontractors, and refer cases to legal counsel. The certified agency shall provide notifications to the Department in accordance with notification guidelines document issued by the Department on January 6, 2000.
- B. The certified county health agency shall, in the work program submitted to the Department, identify each subcontractor that will perform solid waste enforcement functions, their respective qualifications, and the specific nature and scope of the delegated activities to be performed by each subcontractor.
- C. The certified county health agency must execute a written agreement with each subcontractor providing solid waste enforcement services as described in the work program and including such terms as may be necessary to ensure accountability, effective coordination and efficient delivery of delegated solid waste enforcement services. Such agreements require written Department approval prior to implementation.
- F. The delegating certified county health agency may delegate solid waste enforcement authority only to other governmental agencies within the county and their paid employees. In no case shall any solid waste enforcement authority be delegated to, or appear to be assumed by, any private party. The Department reserves the exclusive right to approve or reject any subcontracting agency. In the case of rejection, the Department shall notify the delegating certified county health agency in writing within ten business days of the reasons for the rejection, as well as remedial measures that the subcontractor may take to gain Department approval.

the current standard operating procedure for County Environmental Health Act solid waste enforcement activities.

The Morris County Office of Health Management (MCOHM) will handle NJDEP referrals. The local Health Departments will continue to investigate illegal dumping and residential complaints that are not NJDEP referrals, as they are authorized to do under the Solid Waste Management Act. However, the MCOHM will provide technical and enforcement support to Municipal Health Departments for these activities whenever called upon to do so.

In pursuit of the objectives and pursuant to the provisions of the Solid Waste Management Act and the County Environmental Health Act, the MCOHM, accepts solid waste management program responsibilities as summarized in the implementation specifics section hereunder after appropriate approvals from Morris County.

Plan of Implementation:

General:

The MCOHM will perform routine compliance monitoring inspections of solid waste facilities throughout Morris County as specified in the annual CEHA grant agreement, in accordance with the Solid Waste Management Act and regulations adopted there under. The MCOHM will enforce said laws by issuing notice of violations (NOV), conducting settlement meetings when appropriate, or the making and signing of a complaint and summons for the violation, by serving the summons upon the violator and thereafter filing the complaint promptly with a court having jurisdiction after appropriate approvals from Morris County.

These routine inspections will evaluate among other things, the size of working face, litter control, cover, odor and dust control, general housekeeping, etc., and compliance generally can be determined through physical observations of the facility. Compliance monitoring of collector/haulage will be performed by the MCOHM for appropriate NJDEP Registration Cards in the vehicle and having proper NJDEP numbers displayed on the vehicle. The collectors/haulers may be checked for compliance when encountered during the course of an inspection at a solid waste facility, or at a roadside checkpoint in cooperation with county or municipal police who have authority to curb vehicles on public roadways.

The NJDEP will retain primary responsibility for monitoring and inspecting solid waste facilities for registration and engineering design violations. Responsibility for fee collection and registration of facilities and collectors/haulers is mandated to the NJDEP.

It is noted that the solid waste activities of the Morris County Municipal Utilities Authority (MCMUA) will remain separate and distinct from the County Environmental Health Act activities of the MCOHM, since no formal agreement between the MCOHM and MCMUA has been finalized at the time of submittal of this work program. It is contemplated that an agreement will be submitted in the future to NJDEP.

- G. The delegating certified county health agency's authority to enforce provisions of the Solid Waste Management Act are limited to the inspection and/or investigation of and issuance of enforcement actions against, authorized and unauthorized solid waste facilities, solid waste transporters, recycling facilities, compost operations and the investigation of citizen complaints within the agency's county borders. In addition, the delegating certified county health agency is authorized to enforce its county's Solid Waste Management Plan (Plan), as approved by the Department. Such enforcement may include transportation routes and waste flow. CEHA authorized enforcement staff may perform investigations beyond the delegating agency's county borders to verify compliance with its county's Solid Waste Management Plan and take enforcement actions against New Jersey solid waste facilities accepting solid waste that is bypassing a county's Plan.
- H. Each certified county health agency and its approved subcontractors are authorized to inspect daily records maintained by New Jersey permitted solid waste facilities during normal working hours (N.J.A.C. 7:26-2.13(b)). These records may also be reviewed at Department Headquarters, Bureau of Resource Recovery and Technical Assistance. There is no statutory or regulatory authority delegated under CEHA to enable certified county health agencies to request such records directly from solid waste transporters and thus, such records must be reviewed either at the permitted facilities or at Department Headquarters in order to identify potential violations.

III. Department and Bureau of Solid Waste Compliance and Enforcement (BSWCE) Authority to Oversee CEHA Solid Waste Enforcement Activities.

Under the CEHA statute and rules, the Department has the ultimate authority and responsibility over all certified county health agencies. The Department realizes that there is some variation between the counties in terms of types of solid waste violations and violation frequency. Nevertheless, the Department strives to maintain consistency among the counties in how State solid waste rules are enforced. This consistency is vital to any good enforcement program to avoid the appearance of selective enforcement that could undermine enforcement efforts and to ensure fairness. Consistency is best achieved by careful coordination between BSWCE and the certified county health agencies. Therefore, the following requirements apply to all CEHA solid waste investigations and enforcement actions:

- A. Only those solid waste investigations and inspections specified in the approved work program may be performed by the certified county health agency. Any and all solid waste investigations and actions that are overly complex or political in nature shall be immediately brought to the attention of the Bureau Chief or applicable supervisor for their determination of appropriate enforcement action. If there is any uncertainty about the appropriateness of a certified county health agency to continue a solid waste investigation or issue an enforcement action, the BSWCE CEHA coordinator's decision on how the case should proceed is final.
- B. If an investigation reveals solid waste violations that require further enforcement action, the certified county health agency is authorized to issue an enforcement action to the violator. For violations of delegated CEHA solid waste laws that have adopted "grace period" rules, a Notice of Violation (NOV) shall be issued, either in the field, or sent via certified mail to the facility. A follow-up inspection shall be conducted after the appropriate compliance period. When a follow up inspection for an NOV indicates

continued non-compliance, an NOV/OS (Notice of Violation/Offer of Settlement) or a court summons and complaint may be issued depending on the severity of the violation and the violator's history of non-compliance. To ensure consistency, the Department requires that all NOV's, NOV/OSs, and a court summons and complaint for solid waste violations be on the Department-supplied form to ensure that all required information and warnings are included in the NOV.

- C. Certified county health agencies shall not rely on the public health nuisance code for citing significant environmental violations that are identified during the course of CEHA delegated inspections or investigations and instead shall use the Solid Waste Management Act and the regulations adopted thereunder. If there is any question about the appropriateness of using the nuisance code, or any other environmental statute or regulation, the certified county health agency should contact the BSWCE CEHA coordinator for guidance prior to issuing the violation.
- D. All CEHA agencies and their delegated agencies are required to notify the BSWCE CEHA coordinator in writing of all solid waste enforcement actions, including the actions taken by any solid waste enforcement subcontractor. Each certified county health agency shall designate a lead point of contact to notify BSWCE. In the case of NOV's, the Department requires a fax copy within five calendar days of issuance. The BSWCE CEHA coordinator shall be notified by fax or phone prior to the issuance of an NOV/OS document. If the certified county health agency contemplates issuing a court summons, the BSWCE CEHA coordinator shall be notified by fax or phone a minimum of five calendar days prior to issuance. In no case shall a NOV/OS or court summons be issued until BSWCE CEHA coordinator notification is confirmed. Such notice is essential to the Department's ability to oversee CEHA activities and ensure that cases are not undermined by overlapping and inconsistent actions.
- E. In all cases of repeated, recalcitrant solid waste offenders, where the issuance of three NOV's within a one year period has failed to achieve substantial compliance, the case shall be discussed with the BSWCE CEHA coordinator to determine the next appropriate enforcement action to take. The referral to the BSWCE shall be made within five calendar days following a determination of non-compliance with the third NOV, but not more than twenty calendar days after the issuance of the third NOV. A written case summary shall accompany the referral, including a synopsis of the case history, and copies of all evidence, NOV's and inspection forms.
- F. Certain classes and types of violations fall under the Department's grace period regulations where a prescribed amount of grace days are allowed for the violator to achieve compliance, and these regulations may be used when appropriate. Also, certain classes and types of violations fall under the Department's base penalty regulations and these regulations may be used when appropriate. However, violations that do not fall under the grace period or base penalty regulations may be assessed using the Department's penalty matrix regulations for severity of the offense and violator's conduct (attached).
- G. In addition to NOV's and settlements, each delegating certified county agency shall submit to the BSWCE CEHA coordinator a monthly summary of all NOV's and settlements, facilities inspected, actions taken, total number of inspections and compliance status of violators. No other documents should be sent to the BSWCE

CEHA coordinator (i.e., no vehicle inspection forms, in-compliance reports, etc.). These summaries shall be e-mailed to www.terry.mcadams@dep.state.nj.us.

IV. Penalties and Fees:

All penalties and fees resulting from solid waste enforcement activities and violations shall be consistent with applicable Department solid waste rules, specifically:

- A. To ensure consistency, all NOV/OS penalties assessed under delegated solid waste management laws shall be calculated according to the penalty schedule and criteria found in the solid waste rules cited above (attached). In no case shall any NOV/OS containing a penalty in excess of \$10,000 be issued without prior written approval from BSWCE. In the case of waste flow penalties, the Department is providing guidance on these penalty amounts to facilitate consistency and fairness throughout the State (attached).
- B. For waste flow penalty calculations, refer to the Department's Solid Waste Regulations at N.J.A.C. 7:26-6.5 and 7:26-5.4(g)7. The base penalty amount for "Failure to comply with a district solid waste flow plan" is \$10,000. These penalties may be settled, as appropriate, in accordance with Section V. below.
- C. Except as provided for below, all penalties and fees collected pursuant to CEHA delegated solid waste laws shall be deposited into the Environmental Quality & Enforcement Fund (EQEF) established by each certified county health agency, and dedicated exclusively to the support of the CEHA program. CEHA penalties shall not be used for solid waste debt relief. In waste flow penalty enforcement cases, two checks shall be required for 1. The penalty amount made payable to the certified county health agency for deposit into the EQEF; and 2. The reimbursement to the county for lost solid waste revenues due to bypassing the county's waste flow system (i.e. solid waste debt relief). A complete accounting of all penalty and fee collections and expenditures shall be submitted to the Department with each quarterly activity report.
- D. A certified county health agency may initiate an enforcement action in the court of "competent jurisdiction," which under the Solid waste Management Act may be the Superior County or the municipal court in whose jurisdiction the solid waste violation occurred. The Superior Court, however, has the inherent power to grant most forms of requested relief, including injunctive relief to contain the environmental impacts of serious violations. It is essential for all certified county health agencies to consult with county counsel or the municipal prosecutor having jurisdiction to determine which environmental statutes and ordinances apply to an enforcement situation and the proper judicial forum.

V. Settlements:

In many solid waste cases, a responsible party may be provided an opportunity to discuss the penalty assessment and negotiate a settlement amount with the certified county health agency. All certified county health agencies are authorized to negotiate solid waste penalty settlements provided that the following requirements are met:

- A. Prior to any settlement negotiations, substantial compliance should be attained, or a realistic schedule for achieving compliance should be agreed upon and incorporated into the settlement document. All settlement agreements must be memorialized in writing. Repetitive violators or cases in which violations are considered egregious in nature shall not qualify for settlement meetings.
- B. The CEHA health officer or his/her designee will conduct the settlement meeting. County counsel or the municipal prosecutor cannot be designated to independently settle any matter delegated under CEHA and need not be present at the settlement meeting unless the certified county health agency requests their assistance.
- C. The certified county health agency shall notify the BSWCE CEHA coordinator of any settlement conference concerning solid waste violations 5 calendar days prior to the conference. At the settlement conference, the certified county health agency may accept a settlement offer of 25% less than the original penalty without prior Department approval. If the certified county health agency desires a settlement reduction in excess of 25% of the original penalty, the certified county health agency shall submit a written (or E-mail) justification to, and obtain written approval from, the BSWCE CEHA coordinator prior to offering the reduced settlement to the violator. The outcome of all settlement conferences and negotiations shall be reported to the BSWCE CEHA Coordinator within five days of the date of settlement.

VI. Reporting

All reporting of solid waste activities, including:

- enforcement actions
- penalties assessed, collected and expended
- inspections
- complaint investigations
- waste flow investigations
- enforcement fees collected and expended (if applicable)
- settlement meetings
- court actions

shall be conducted in accordance with applicable departmental statutes and rules, policies and procedures, CEHA certification order, and annual CEHA grant agreement. The frequency of such reporting is specified in the annual grant agreement.

Forms:

The Lead Agency has the following forms and documents in inventory for solid waste enforcement activities:

Case (complaint) forms
Investigative summary
Notice of Noncompliance (NNC)
Notice of Violation (NOV)
Penalty Assessment (PA)
Transfer Station/Landfill Inspection Report Form
Compost Facility Inspection Report Form
Recycling Facility Inspection Form

Staffing and Training:

Staffing will consist of two employees from the MCOHM Hazmat program, one individual has a Masters of Environmental Management and the other is currently enrolled in a degree program. The MCOHM will receive training from NJDEP and/or other certified county health agencies to become proficient in conducting compliance monitoring inspections and complaint investigations. Ongoing training programs will consist of updated inspection and investigative training courses as offered by the NJDEP augmented by continuing education seminars and conferences as they become available.

Solid Waste Emergency Response:

The MCOHM will establish a schedule for after-hours coverage so that a solid waste field investigator is available for any after-hour matter requiring an incident response that cannot wait until the next business day. The schedule and/or on-call procedure will be coordinated through the Communications Section of the County Sheriff's Department.

Summary:

Implementation:

It is believed the Solid Waste Management Program Work Program herein above submitted/ establishes that the MCOHM should be delegated with the authority to be the agent of the NJDEP and certified so by the Commissioner.

The Work Program as submitted demonstrates that the human resources, the administrative procedural mechanisms, the equipment, the investigative and enforcement capabilities, and necessary programs are all in place.

The MCOHM will undertake all compliance monitoring inspections and NJDEP referrals, as well as any subsequent enforcement action that may be needed.

The MCOHM will schedule after-hours emergency coverage so an inspector is available for immediate response.

The Morris County MUA will conduct at least two (2) yearly household hazardous waste collection days whereby all Morris County homeowners and other small generators can dispose of various chemicals, paints, batteries, automotive fluids and tires in an environmentally responsible

manner. The MCOHM will provide support as these events as needed, for hazardous materials emergency response or if solid waste support is required.

SOLID WASTE ENFORCEMENT AGREEMENT

THIS AGREEMENT made this 1st day of MARCH, 2005, among the County of Morris through its Office of Health Management (hereinafter "CEHA Agency" or "Provider") and the Morris County Municipal Utilities Authority (hereinafter "MCMUA").

WHEREAS, the Provider is authorized, pursuant to N.J.S.A. 13:1E-9 and N.J.S.A. 48:13A-12 to provide among other services, for administration and enforcement of Title 13, the Solid Waste component of the County Environmental Health Act ("CEHA") Program; and

WHEREAS, the parties hereto desire to enter into a contract for the provision of the aforesaid component of the County Environmental Health Act program administered by the CEHA Agency which is a Certified Health Agency. This Agreement is hereby established in N.J.S.A. 40:8A-1 et seq.

NOW THEREFORE, in consideration of the terms and conditions hereinafter set forth, the parties agree as follows:

I. THE CEHA AGENCY'S OBLIGATION TO THE MCMUA:

- 1) To provide for the development of a Solid Waste component of the Component of the County Environmental Health Act Program under the aegis of a full time Health Officer or his designee.
- 2) To implement the Solid Waste component of the County Environmental Health Act program as described in the Work Plan in cooperation with the MCMUA and Local Health Agencies.
- 3) In conjunction with MCMUA to enforce applicable laws, rules, regulations, ordinances and standards of the Solid Waste Management Act as well as approved Morris County Solid Waste Management Plan.

- 4) To hereby designate the MCMUA or its designee and their agents and employees as agents of the CEHA Agency's Health Officer, pursuant to N.J.S.A. 13:1E-9, 48:13A-12, and N.J.A.C. 8:52-1 et seq., for the joint implementation with the CEHA Agency of the Solid Waste Performance Standards of the CEHA Work Plan, and to authorize MCMUA agents to enforce, with the oversight by CEHA Agency, all laws, regulations and standards related to solid waste.
- 5) The MCMUA shall consult with the CEHA Agency on all enforcement activities, and other matters of mutual concern, to ensure a uniform and consistent enforcement program. The parties recognize the role of the MCMUA regarding the Morris County Solid Waste Management Plan and the Administrative Action approved by NJDEP on January 9, 1998, that enforcement of waste flow control issues shall remain in the exclusive control of the MCMUA. However, the usage of CEHA authority to enforce waste flow control (i.e., penalty assessment) shall be with the oversight of the CEHA Agency. No provision contained herein shall be intended to limit the legal authority of the MCMUA to exercise any rights or powers it may have or obtain to enforce solid waste related violations, which legal authority results from sources other than the County Environmental Health Act.
- 6) The MCMUA has agreed to waive any fees or reimbursement for enforcement activities performed on behalf of the CEHA Agency.
- 7) The CEHA Agency agrees to provide the services of County Counsel or its designee, for the prosecution and litigation of any and all violations of laws, regulations, rules and standards, as they relate to activities undertaken under the County Environmental Health Act.

- 8) The CEHA Agency and the MCMUA, as its designee, agrees to develop, amend as necessary, prosecute and administer the enforcement strategy to implement the Solid Waste Performance Standard of the Work Plan.
- 9) All Notices of Violations and penalty assessments will be issued by the CEHA Agency under standards promulgated under the Solid Waste Management Act, CEHA and regulations adopted thereunder. It will be the responsibility of the CEHA Agency to send all relevant notice and documents to the NJDEP.
- 10) The CEHA Agency shall deposit all fees, fines and penalties assessed and collected using CEHA authority into the Morris County Environmental Quality and Enforcement Fund. The Morris County Health Officer will solely authorize expenditures from this dedicated fund.

II. MCMUA's OBLIGATION TO CEHA AGENCY:

- 1) The MCMUA shall make its investigators available as agents of the CEHA Agency's Health Officer, pursuant to the authority cited in Section I, paragraph 4 of this Agreement, for the implementation of the Solid Waste Performance Standard of the Work Plan, for the CEHA Agency's enforcement strategy, and to enforce all laws, regulations, ordinances and standards related to Solid Waste. The solid waste investigations by the MCMUA will include illegal dumping, illegal operation of solid waste facilities, decaling of containers and vehicles, violations of the Morris County Solid Waste Management Plan's mandated materials to be source separated and recycled, litter, proper solid waste disposal and proper disposal of regulated medical waste. The MCMUA shall also conduct hauler interviews.

- 2) The MCMUA shall, on request, make available to the CEHA Agency, all books and records relevant to enforcement activities undertaken under the aegis of the CEHA Agency. The CEHA Agency shall respect and be bound by all legal privileges and confidentiality requirements attendant to such books and records. Additionally, MCMUA shall make available to the CEHA Agency, monthly reports relevant to field enforcement activities, as well as the names of inspectors deputized under CEHA Agency's aegis.

III. TERMS AND CONDITIONS:

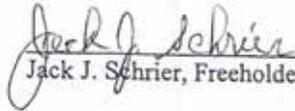
- 1) The provisions of this Agreement shall commence upon the formal approval by all parties and remain in effect for a period not to exceed seven (7) years until modified or terminated by either party. Either party may modify or terminate the agreement with 60 days written notice to the other party.
- 2) The CEHA Agency shall furnish the MCMUA with copies of the Quarterly Progress and Expenditure Reports required by the New Jersey State Department of Environmental Protection.
- 3) The CEHA Agency's Health Officer or his designee shall meet with the MCMUA's Executive Director or his designee, monthly and as needed, to discuss matters of mutual concern, exchange information concerning the enforcement program and to develop and update the Solid Waste component of the County Health Work Plan. Mutual consideration shall be given for additional meetings for special needs or requests if the requesting party gives prior notice.

- 4) This Agreement shall be subject to the approval of the State Commissioner of Environmental Protection.

Attest:

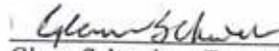

For the County of Morris

County of Morris

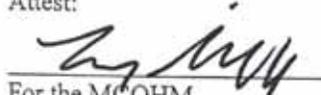
 Date:
Jack J. Schrier, Freeholder Director

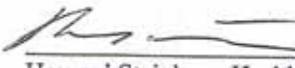
Attest:


For the MCMUA

 Date: 3/1/05
Glenn Schweizer, Executive Director, MCMUA

Attest:


For the MCOHM

 Date:
Howard Steinberg, Health Officer, MCOHM

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BETWEEN
THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY AND THE
COUNTY OF MORRIS OFFICE OF HEALTH MANAGEMENT**

WHEREAS, the Morris County Municipal Utilities Authority ("MCMUA") and the Morris County Office of Health Management ("CEHA Agency") desire to enter into an agreement for the provision of the solid waste component of the County Environmental Health Services by the CEHA Agency; and

WHEREAS, the MCMUA and the CEHA Agency have drafted an agreement that define the CEHA Agency's obligations to the MCMUA as well as the MCMUA's obligations to the CEHA Agency in providing for the solid waste component of the County Environmental Health Services, and that such agreement has been attached to this resolution.

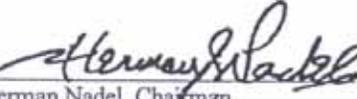
NOW, THEREFORE, BE IT RESOLVED, by the MCMUA as follows:

1. The Executive Director of the MCMUA is authorized and directed to execute the attached agreement with the County of Morris to provide for the solid waste component of the County Environmental Health Services. The provisions of this Agreement shall commence upon the formal approval by all parties and remain in effect for a period not to exceed seven (7) years or until modified or terminated by either party to the extent set forth in the agreement.
2. A copy of this Resolution and applicable agreement shall be available for public inspection at the offices of the MCMUA, 300 Mendham Road, Mendham, New Jersey.
3. A copy of this Resolution shall be forwarded to the CEHA Agency.
4. This Resolution shall take effect immediately.

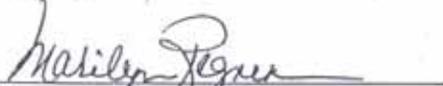
CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County
Municipal Utilities Authority at the regular meeting held on Tuesday, February 8, 2005.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: 
Herman Nadel, Chairman

ATTEST:


Marilyn Regner, Secretary

BOARD OF CHOSEN FREEHOLDERS

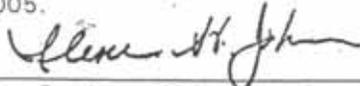
MORRIS COUNTY, NEW JERSEY

RESOLUTION NO. 31

ADOPTED: February 23, 2005

BE IT RESOLVED, by the Board of Chosen freeholders of the County of Morris in the State of New Jersey that the Director of the Board of Chosen Freeholders is hereby authorized to sign and execute an interagency agreement, the Solid Waste Enforcement Agreement, between the Morris County Office of Health Management and the Morris County Municipal Utilities Authority, for administration and enforcement of Title 13, the Solid Waste Component of the County Environmental Health Act (CEHA) Program, a copy of which agreement is on file in the Office of the Department of Law and Public Safety and made a part hereof by reference.

I hereby certify this to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Morris in the State of New Jersey at a regular meeting held on February 23, 2005.



Ilene St. John, Clerk of the Board

Appendix F - Sample Model Municipal Planning Board Recycling Ordinance for Multifamily Housing Developments that Require Subdivisions or Site Plan Approval

This sample model ordinance is included for reference only. The actual model ordinance to be adopted by municipalities will be provided by the NJDEP to the MCMUA. The MCMUA will make that model ordinance available to municipalities.

Definitions - The following terms shall have the meanings indicated:

Multifamily Housing Development - A building containing three or more dwelling units occupied or intended to be occupied by persons living independently of each other, or a group of such buildings.

Recycling Area - Space allocated for collection and storage of source-separated recyclable materials.

Solid waste and recycling.

- A. Provision shall be made for the indoor or enclosed outdoor storage and pickup of garbage and refuse, to be approved by the municipal engineer.
- B. There shall be included in any new multifamily housing development that requires subdivision or site plan approval an indoor or outdoor recycling area for the collection and storage of residentially generated recyclable materials. The dimensions of the recycling area shall be sufficient to accommodate recycling bins or containers which are of adequate size and number and which are consistent with anticipated usage and with current methods of collection in the area in which the project is located. The dimensions of the recycling area and the bins or containers shall be determined in consultation with the Municipal Recycling Coordinator and shall be consistent with the district recycling plan adopted pursuant to Section 3 of P.L. 1987, c. 102, and any applicable requirements of the Municipal Master Plan, adopted pursuant to Section 6 of P.L. 1987, c. 102. Editor's Note: See N.J.S.A. 13:1E-99.13.
- C. The recycling area shall be conveniently located for the residential disposition of source-separated recyclable materials, preferably near, but clearly separated from a refuse dumpster.
- D. The recycling area shall be well lit and shall be safely and easily accessible by recycling personnel and vehicles. Collection vehicles shall be able to access the recycling area without interference from parked cars or other obstacles. Reasonable measures shall be taken to protect the recycling area and the bins or containers placed therein against theft of recyclable materials, bins or containers.
- E. The recycling area or the bins or containers placed therein shall be designed so as to provide protection against adverse environmental conditions which might render the collected materials unmarketable. Any bins or containers which are used for the collection of recyclable paper or cardboard and which are located in an outdoor recycling area shall be equipped with a lid or otherwise covered so as to keep the paper or cardboard dry.
- F. Signs clearly identifying the recycling area and the materials accepted therein shall be posted adjacent to all points of access to the recycling area. Individual bins or containers shall be equipped with signs indicating the materials to be placed therein.
- G. Landscaping and/or fencing shall be provided around any outdoor recycling area and shall be developed in an aesthetically pleasing manner.

Appendix G - Sample Recycling Status Report for Generators

Recycling Status Report for a Multifamily Housing Complex

Name of complex: _____

Address/Location: _____

Contact's name and title: _____

Contact's phone number: _____

Contact's mailing address: _____

Contact's company name: _____

Is this complex: Condominiums/Townhouses Apartments Senior Housing/
(Circle one) (Individually Owned Units) (Rental Units) Assisted Living

Number of units in complex: _____

Name of company providing collection of waste: _____

Name of company providing collection of recyclables: _____

Are recyclables collected at curbside so that each unit sets out its own containers on a given day? _____

If no, are the recyclables taken by residents to designated areas in the complex? _____

If so, how many designated recycling areas are located in the complex? _____

How often are recyclables collected? _____

On what day of the week is collection? _____

**Recycling Status Report for a
Multifamily Housing Complex**

Do you have a written contract for the recycling service? _____

If not, it is strongly suggested that obtain a written contract for the service and that the contract include the provisions as shown in the attached sample contract.

If there is a contract, please attach a copy to this status report.

Do you provide information to your residents at least annually regarding recycling? _____

If not, it is required by the Morris County Solid Waste Management Plan that residents be notified at least annually and it is strongly recommended that all new residents receive a copy of this information upon occupancy. This information must be prepared, distributed to residents and to the municipal recycling coordinator within one month from the date of submittal of this form.

If you do provide information to your residents at least annually, please attach a copy(ies) of that information to this status report. Also, please explain when and how the information was distributed. _____

Please complete the attached Mandated Recyclable Material form.

Signature of person completing this form: _____

Name and title (please print): _____

Date on which form was completed: _____

If you have any questions, please contact your municipal recycling coordinator at the number below. Please return this completed form to your municipal recycling coordinator at the address and/or fax number listed below:

<Name of Municipal Recycling Coordinator>

Recycling Coordinator

<Name of Municipality>

<Address of Municipality>

<Town>, NJ <Zip Code>

Phone: <Telephone Number>

Fax: <Fax Number>

The Morris County Municipal Utilities Authority appreciates your completing this status report. This report will enable us to ensure that residents are complying with the mandatory recycling requirements of the County of Morris and of the State of New Jersey. For more information about these recycling requirements, visit www.mcmua.com.