

AMENDMENT #7

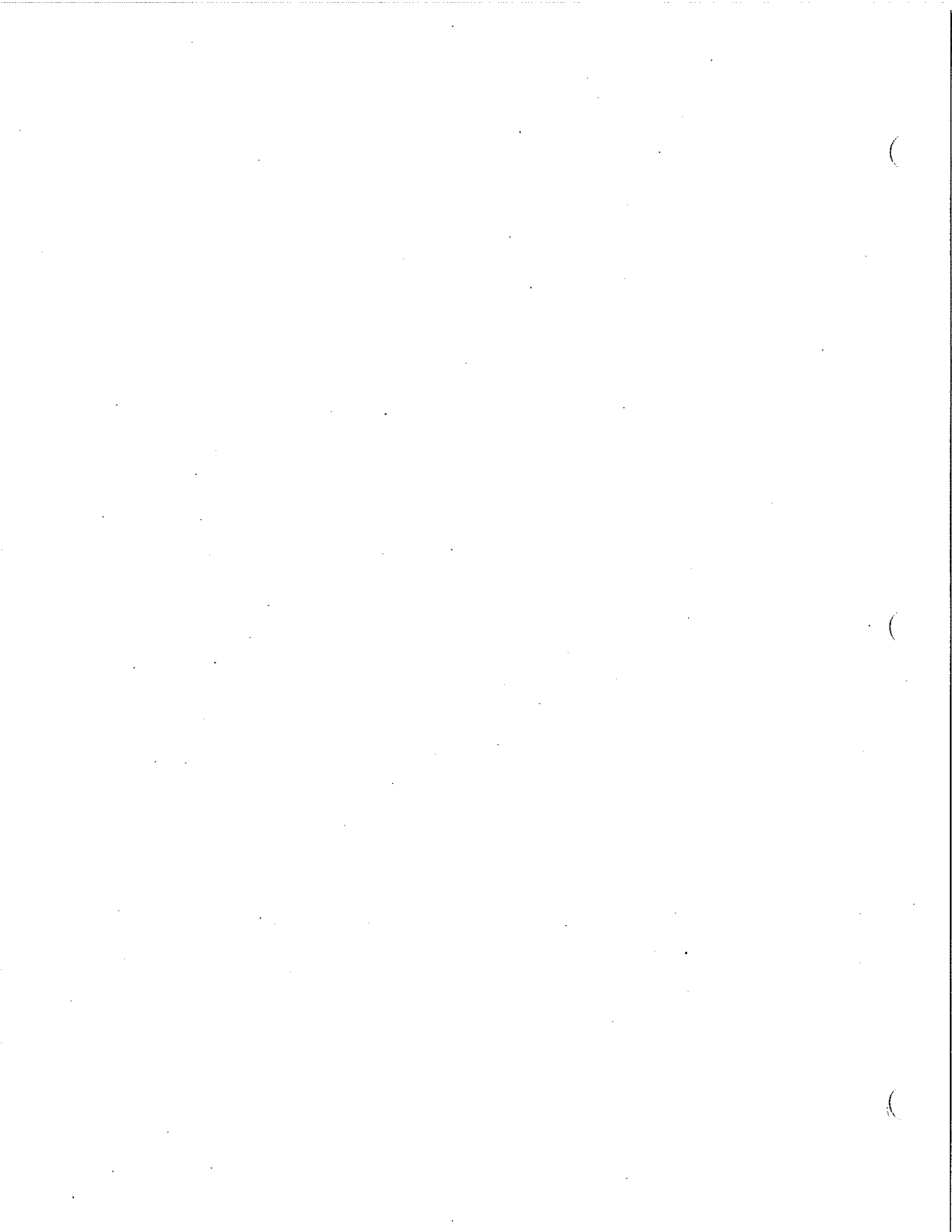
TO THE CUMBERLAND COUNTY

SOLID WASTE MANAGEMENT PLAN

DECEMBER 1989

PREPARED BY THE

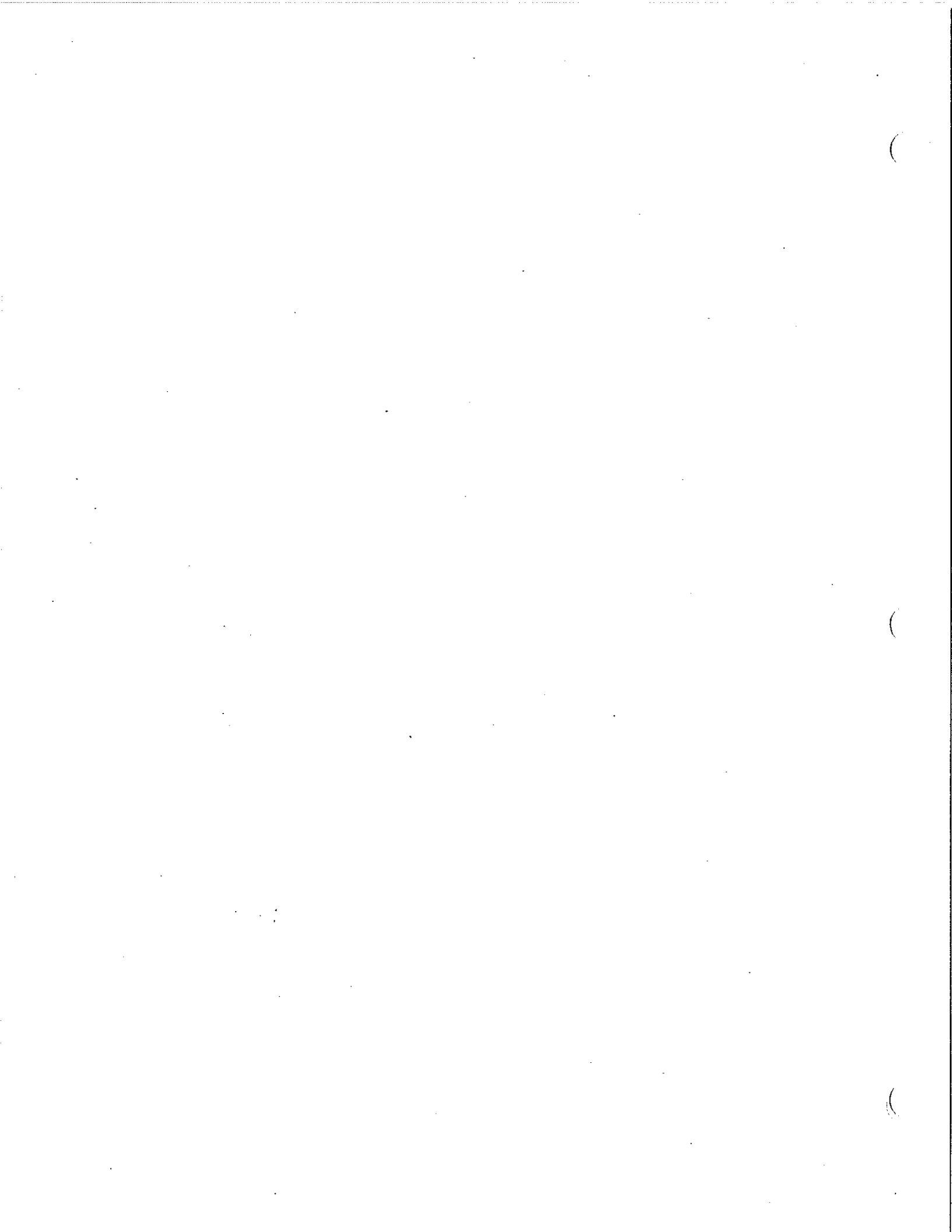
CUMBERLAND COUNTY IMPROVEMENT AUTHORITY



AMENDMENT #7

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## 1.0 INTRODUCTION

The County of Cumberland proposes to amend the Cumberland County Solid Waste Management Plan pursuant to the requirements of the New Jersey Solid Waste Management Act (N.J.S.A. 13: 1E-1 et.seq.). The New Jersey Solid Waste Management Act (the "Act") designates each County in the State and the Hackensack Meadowlands District as solid waste management districts, and provides each County and the Hackensack Meadowlands Development Commission with the Authority to develop and implement comprehensive solid waste management plans which meet the needs of every municipality within each County and within the Hackensack Meadowlands District. The Act requires that all district plans be based on and accompanied by a report detailing the existing waste disposal situation in the district, and a plan which includes the strategy to be followed by the district in meeting the solid waste management needs of the district for a 10 year planning period. The act further provides that a District may review its Plan at anytime and, if found inadequate, a new Plan may be adopted.

The Cumberland County Solid Waste Management Plan was adopted by Cumberland County Board of Chosen Freeholders on December 13, 1979, and approved with modifications by the Commissioner of the Department of Environmental Protection ("The Department") on March 4, 1981. The County amended the Plan on July 14, 1983 and the Commissioner approved such amendment on December 22, 1983. On March 15, 1984, the County amended the Plan to include the specific location of the County's new secure sanitary landfill, located in Deerfield Township, to be developed and operated by the Cumberland County Improvement Authority. On May 8, 1986 the County updated the Plan according to the requirements of the Act, and the Commissioner approved such Amendment on October 10, 1986. On October 17, 1987, Amendment #4 and #5 was submitted and the Commissioner approved with modifications both amendments on March 9, 1988. On June 26, 1989, Amendment #6 was submitted and the Commissioner approved with modifications this amendment on November 27, 1989. This amendment addresses the modifications to Amendment #6 as required by the NJDEP specifically regarding the Resource Recovery Investment Tax Disbursement Schedule.

To insure the broadest possible participation by the general public in this Plan Amendment process, the Cumberland County Board of Chosen Freeholders has conducted a public hearing on Thursday, December 14, 1989 at 4:00 P.M. in the County Administration Building. All County residents, public officials or organizations interested in Amendment #7 to the County Solid Waste Management Plan were encouraged to attend and offer testimony.

## 2.0 RESOURCE RECOVERY INVESTMENT TAX (RRIT)

## 2.1 Narrative - Use of Funds

As a result of the New Jersey State Mandatory Source Separation and Recycling Act, the Cumberland County Recycling Plan was developed and adopted by the Cumberland County Freeholders. This plan was subsequently certified by the Commissioner of the New Jersey Department of Environmental Protection. The Recycling Plan requires county municipalities to collect separated commingled glass and metal food and beverage containers and PET-plastic and separated newspapers from all residents. This material then will be delivered to the Cumberland County Improvement Authority owned and operated Material Separating Facility (MSF). The municipalities which will be sending material to the MSF will have entered into an Authority/Municipality Agreement with the Cumberland County Improvement Authority for a minimum term of three years. Also, each municipality will have adopted a recycling ordinance requiring all residents to participate in the recycling program.

The Cumberland County Improvement Authority has gone through the McEnroe Process for procuring the design, construction and operations support of the MSF. The Bureau of Public Utilities and the Department of Community Affairs has approved this process. The Department of Environmental Protection is in the process of approving the procurement method. The disbursement of funds from the RRIT shall be based upon the funds necessary to design and construct the MSF and to purchase operating equipment and operations support and subsidize the cost of operations.

The RRIT funds will be used to retire the \$2,900,000.00 bond issue for the design, construction and equipment procurement of the Material Separating Facility and for other engineering and operating costs as indicated in Table 2.4.3. By having these monies on hand, the Improvement Authority can enter into a contract for the completion of the MSF. The expenditure of RRIT funds for the purpose of design, construction and equipment procurement for the MSF will continue until September, 1993.

The purpose of the Household Recycling Buckets (HRB) is to help implement the convenience inherent in the collection of commingled recyclables as outlined in the County Recycling Plan. Each household will receive one

or two HRB's. The procurement of the HRB's by the Cumberland County Improvement Authority will be by the standard bidding process unless the HRB's are available under state contract.

2.2 NARRATIVE - PROJECT(S) DESCRIPTION(S)

2.2.1 Material Separating Facility (MSF)

The total cost of design and construction of the MSF is \$3,304,033.92. These funds are being provided by a \$2,900,000.00 bond issue, funds from the Solid Waste Services Fund Grant and RRIT funds. The bond issue is being repaid by RRIT funds as indicated in Table 2.4.3. Income generated by the Resource Recovery Investment Tax is indicated in Table 2.4.1. The balance of the design and construction costs is being provided as follows:

RRIT	\$171,067.92
Solid Waste Services Fund	\$232,966.00

The purpose of the MSF is to receive commingled glass and metal food and beverage containers and PET-plastic and also newspaper as collected by Cumberland County municipalities. These materials will be received at no tipping fee at the facility. The MSF functions as a separating and processing facility to prepare the received material for marketing. The glass will be processed into furnace ready cullet. The aluminum, tin cans and PET will be flattened and baled. The newspaper will be accumulated in 40 cubic yard containers and shipped to a baler.

The facility is housed in a metal frame building located on the site of the Cumberland County Solid Waste Complex as approved by the NJDEP.

The facility design was provided by New England Cr Inc which is a nationally known firm that designs and operates recycling facilities.

The object of the MSF is to provide the means for Cumberland County to meet the mandatory state recycling goal of 25% by handling 80 tons/day of commingled recyclables and newspaper. Amendment #4 and #6 addressed the quantities of material that would be received by the MSF.

Table 2.4.3 indicates the Budget Plan for the MSF.

#### 2.2.2 Household Recycling Buckets (HRB)

The Cumberland County Improvement Authority designated the County Recycling Plan for convenience for all county residents. By commingling glass and metal food and beverage containers and PET-plastic, residents will require less containers to store and transport their recyclables. The Improvement Authority intends to purchase either two six gallon recycling buckets or one 10-12 gallon bucket. By providing each household with buckets, the Improvement Authority judges that this will encourage initial and long term participation by all county households.

Table 2.4.2 indicates the expenditure for the buckets.

### 2.3 NARRATIVE - PROJECT(S) SCHEDULES AND STATUS

The MSF design incorporates the latest technology of hand and automatic sorting of commingled recyclables as marketed by New England Cr Inc and the Count Company. At present, the design is complete and construction is scheduled to begin in December 1989 with completion in June, 1990. The MSF will then begin accepting material for processing.

The HRB'S will be procured and distributed prior to the opening of the MSF with bids being advertised in January, 1990 and delivery required by June, 1990.

### 2.4 SPREADSHEETS

#### 2.4.1 RRIT Collection Table

This table indicates the current balance in the RRIT fund and estimated income until 1996. In conjunction with this table is a table forecasting solid waste disposal quantities.



2.4.2 RRIT Use Distribution Table

This table indicates how the RRIT funds will be spent over the span of time the fund is available.

2.4.3 Material Separating Facility Budget Plan

This table lists the yearly expenses for the MSF and also the income to cover expenses.

2.4.4 Household Recycling Buckets Budget Plan

This table lists the expenses and income for the purchase of the Household Recycling Buckets.

TABLE 2-4.1  
CUMBERLAND COUNTY RESOURCE RECOVERY INVESTMENT TAX(RRIT) COLLECTION TABLE

YEAR	PRE 1988	88/89	89/90	90/91	91/92	92/93	93/94	94/95	1995
TAX		\$4	\$4	\$4	\$4	\$4	\$4	\$4	\$4
TIME SPAN	AS OF 7/89	7/88-6/89	7/89-6/90	7/90-6/91	7/91-6/92	7/92-6/93	7/93-6/94	7/94-6/95	7/95-12/95
TONS OF WASTE*		177,601	186,107	168,192	160,160	155,775	157,041	158,308	79,470
RRIT FUNDS COLLECTED		\$710,404	\$744,428	\$672,768	\$640,640	\$623,100	\$628,164	\$633,232	\$317,080
BALANCE **	\$1,386,966	\$696,196	\$729,539	\$659,313	\$627,827	\$610,638	\$615,601	\$620,567	\$311,522
EXPECTED DATE FUNDS RECEIVED		5/90	5/91	5/92	5/93	5/94	5/95	5/96	11/96

\* SEE TABLE BELOW FOR ESTIMATED SOLID WASTE GENERATION WHICH WAS BASED ON FORECASTS PROVIDED BY THE LANDFILL DESIGN ENGINEER WITH AN 8.3% POPULATION INCREASE BETWEEN 1991 AND 2000.  
\*\* BALANCE IS RRIT FUNDS COLLECTED LESS THE 2% NJ DEPT. OF TREASURY SHARE.

CUMBERLAND COUNTY WASTE DISPOSAL TABLE

YEAR	WASTE GENERATED (TONS/YR)	PERCENT RECYCLED (%)	QUANTITY RECYCLED (TONS/YR)	WASTE LANDFILL (TONS/YR)
(7/1 THRU 6/30)				
1989-1990	186,107	0%	0	186,107
1990-1991	186,880	10%	18,688	168,192
1991-1992	188,424	15%	28,264	160,160
1992-1993	189,969	16%	34,194	155,775
1993-1994	191,514	16%	34,473	157,041
1994-1995	193,058	16%	34,750	158,308
1995(7/1-12/30)	96,915	16%	17,445	79,470

TABLE 2.4.2

RESOURCE RECOVERY INVESTMENT TAX USE DISTRIBUTION TABLE

YEAR	1989	88/89	89/90	90/91	01/92	92/93	93/94	94/95	1995
BALANCE JULY '89	\$1,386,966								
FUNDS AVAILABLE									
INCOME		\$696,196	\$729,539	\$659,313	\$627,827	\$610,638	\$615,601	\$620,567	\$911,522
PREVIOUS YEAR CARRYOVER		\$175,827	\$162,992	\$237,754	\$297,067	\$374,894	\$985,532	\$1,601,133	\$2,221,700
BALANCE		\$872,023	\$892,531	\$897,067	\$924,894	\$985,532	\$1,601,133	\$2,221,700	\$2,593,222
EXPENSES									
1989		1990	1991	1992	1993				
RECYCLING FACILITY	\$963,639	\$709,031	\$654,777	\$600,000	\$550,000	\$0	\$0	\$0	\$0
RECYCLING BUCKETS	\$247,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
BALANCE	\$175,827	\$162,992	\$237,754	\$297,067	\$374,894	\$985,532	\$1,601,133	\$2,221,700	\$2,593,222

TABLE 2.4.4  
HOUSEHOLD RECYCLING BUCKETS BUDGET PLAN

YEAR	1990
EXPENSES	
ADMINISTRATION	\$0
PROCUREMENT	\$247,500 *
TOTAL	\$247,500
INCOME	
RRIT	\$247,500
BALANCE	\$0

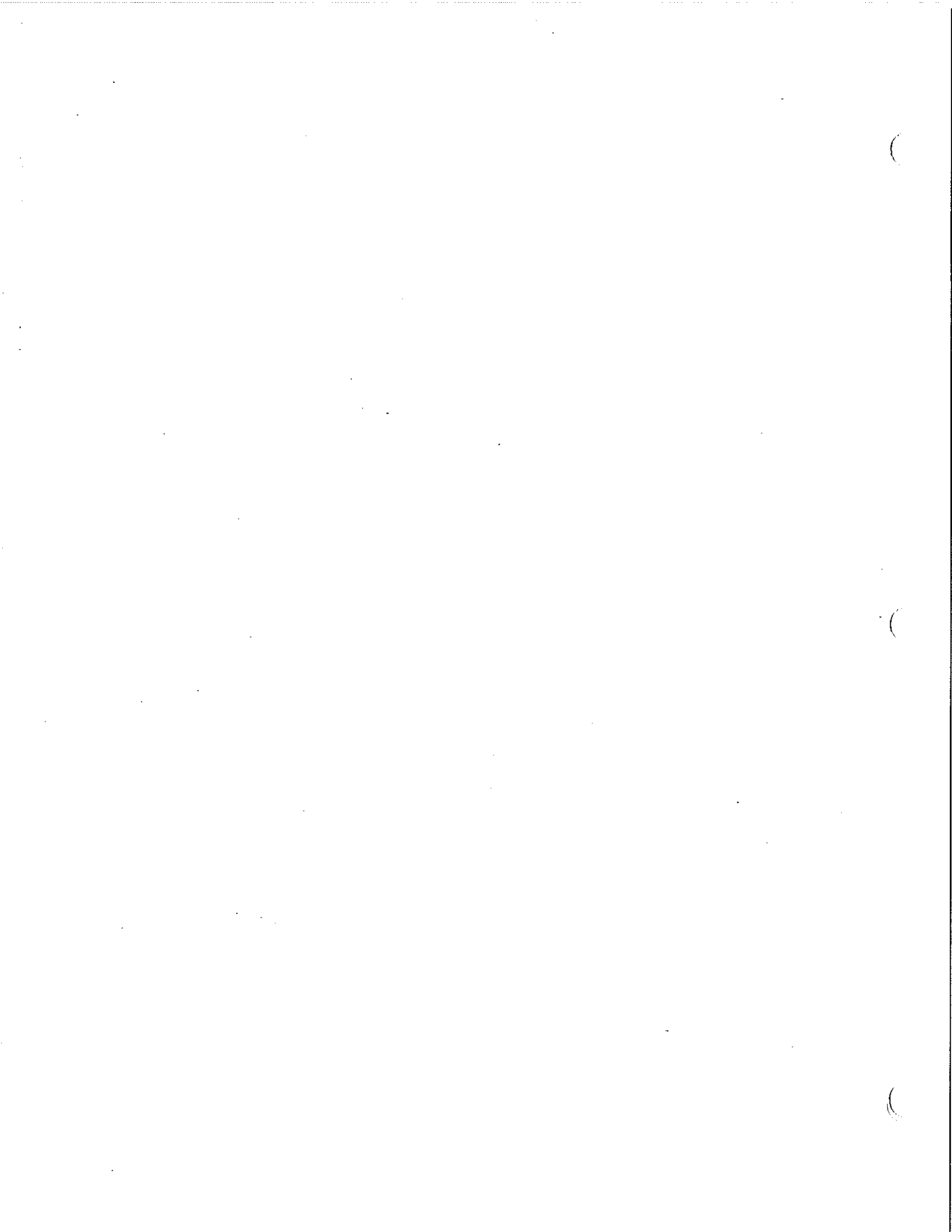
\* 45,000 HOUSEHOLDS TO RECEIVE TWO SIX GALLON BUCKETS AT \$2.75 EACH OR ONE 10-12 GALLON BUCKET AT \$5.50 EACH.

TABLE 2-4.3 MATERIAL SEPARATING FACILITY BUDGET PLAN

YEAR	1989	1990	1991	1992	1993	1994	1995	1996
EXPENSES								
BOND PRINCIPAL	\$900,000	\$500,000	\$500,000	\$500,000	\$500,000			
BOND INTEREST	\$63,639	\$151,111	\$150,000	\$100,000	\$50,000			
SUB-TOTAL	\$963,639	\$651,111	\$650,000	\$600,000	\$550,000			
PERSONNEL								
(INCLUDES ALL FRINGES)								
PLANT FOREMAN		\$23,813	\$33,020	\$34,341	\$35,714	\$37,143	\$38,629	\$40,174
PLANT MAINTENANCE DRIVER/LABORER		\$21,336	\$27,737	\$28,846	\$30,000	\$31,200	\$32,448	\$33,746
WORKERS(10)		\$10,160	\$21,133	\$21,978	\$22,857	\$23,772	\$24,723	\$25,712
ADMINISTRATIVE ASST. JUNIATOR(1/2 TIME)		\$79,375	\$198,120	\$206,045	\$214,207	\$222,858	\$231,772	\$241,043
ADMINISTRATOR 1		\$7,937	\$16,510	\$17,170	\$17,857	\$18,572	\$19,314	\$20,087
ADMINISTRATOR 2		\$3,969	\$8,255	\$8,585	\$8,929	\$9,286	\$9,657	\$10,043
		\$5,326	\$11,079	\$11,522	\$11,983	\$12,462	\$12,961	\$13,479
		\$5,154	\$10,720	\$11,149	\$11,595	\$12,059	\$12,541	\$13,043
SUB-TOTAL	\$157,070	\$326,574	\$326,574	\$339,637	\$353,222	\$367,351	\$382,045	\$397,327
OPERATIONS								
MAINTENANCE		\$9,000	\$18,000	\$19,440	\$20,995	\$22,675	\$24,489	\$26,448
UTILITIES		\$10,000	\$25,000	\$27,000	\$29,160	\$31,493	\$34,012	\$36,733
NEWSPAPER RECYCLING		\$10,000	\$50,000	\$54,000	\$58,320	\$62,986	\$68,024	\$73,466
SUPPLIES		\$3,500	\$6,000	\$6,480	\$6,998	\$7,558	\$8,163	\$8,816
SHIPPING		\$5,000	\$10,000	\$10,800	\$11,664	\$12,597	\$13,605	\$14,693
EQUIPMENT REPLACEMENT		\$12,500	\$25,000	\$27,000	\$29,160	\$31,493	\$34,012	\$36,733
INSURANCE		\$12,500	\$25,000	\$27,000	\$29,160	\$31,493	\$34,012	\$36,733
TELEPHONE		\$600	\$1,200	\$1,296	\$1,400	\$1,512	\$1,633	\$1,763
CONTRACTED SERVICES		\$5,000	\$10,000	\$10,800	\$11,664	\$12,597	\$13,605	\$14,693
ADMIN. OFFICE EXPENSE		\$2,750	\$4,500	\$4,860	\$5,249	\$5,669	\$6,122	\$6,612
SUB-TOTAL	\$70,850	\$174,700	\$174,700	\$188,676	\$203,770	\$220,072	\$237,677	\$256,692
SUB-TOTAL PERS. & OPS.	\$227,920	\$501,274	\$501,274	\$528,313	\$556,993	\$587,423	\$619,723	\$654,019
GRAND TOTAL	\$963,639	\$879,031	\$1,151,274	\$1,128,313	\$1,106,993	\$587,423	\$619,723	\$654,019
INCOME								
SALE OF RECYCLABLES		\$170,000	\$496,497	\$528,313	\$556,993	\$587,423	\$619,723	\$654,019
RKIT FUND X	\$963,639	\$709,031	\$654,777	\$600,000	\$550,000	\$0	\$0	\$0
GRAND TOTAL	\$963,639	\$879,031	\$1,151,274	\$1,128,313	\$1,106,993	\$587,423	\$619,723	\$654,019
BALANCE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
MRRIT-RESOURCE RECOVERY INVESTMENT TAX FUND								

APPENDIX A

FREEHOLDER APPROVAL OF PLAN AMENDMENT #7



MINUTES  
OF  
MEETING

DECEMBER 14, 1989

The Board of Chosen Freeholders of the County of Cumberland, held a Regular Meeting on Thursday, December 14, 1989, at 4 o'clock, prevailing time, at the Court House, Broad & Fayette Streets, Bridgeton, New Jersey.

Director James F. Quinn called the meeting to order.

Director Quinn announced that adequate notice of this meeting was provided in accordance with Ch. 231, P.L. 1975, (The Open Public Meetings Act).

The Invocation was given by Rev. M. Virginia Parry, Vineland, New Jersey.

The Flag Salute was led by Freeholder A. William Biondi.

The Clerk called the roll and the following members were present: Director Quinn, Freeholders, Mr. Biondi, Mrs. Lookabaugh, Mr. McCormick, Mr. Miller, Mr. Padgett and Dr. Reinard.

The Reading of the Minutes of the last meeting was dispensed with upon motion duly made and seconded.

There was no correspondence to be read by the Clerk.

At this time, Mr. Biondi made a motion to open the Public Hearing on Amendment #7 To The Cumberland County Solid Waste Management Plan, seconded by Mr. Padgett.

The Public Hearing was then held. No one from the public spoke. At this time, Mr. Biondi moved to close the Public Hearing seconded by Mr. Padgett. The Director called for a voice vote, all Freeholders voted in the affirmative.

At this time, Mr. Biondi offered the following resolution:

CUMBERLAND COUNTY BOARD OF CHOSEN FREEHOLDERS RESOLUTION (1989)-505

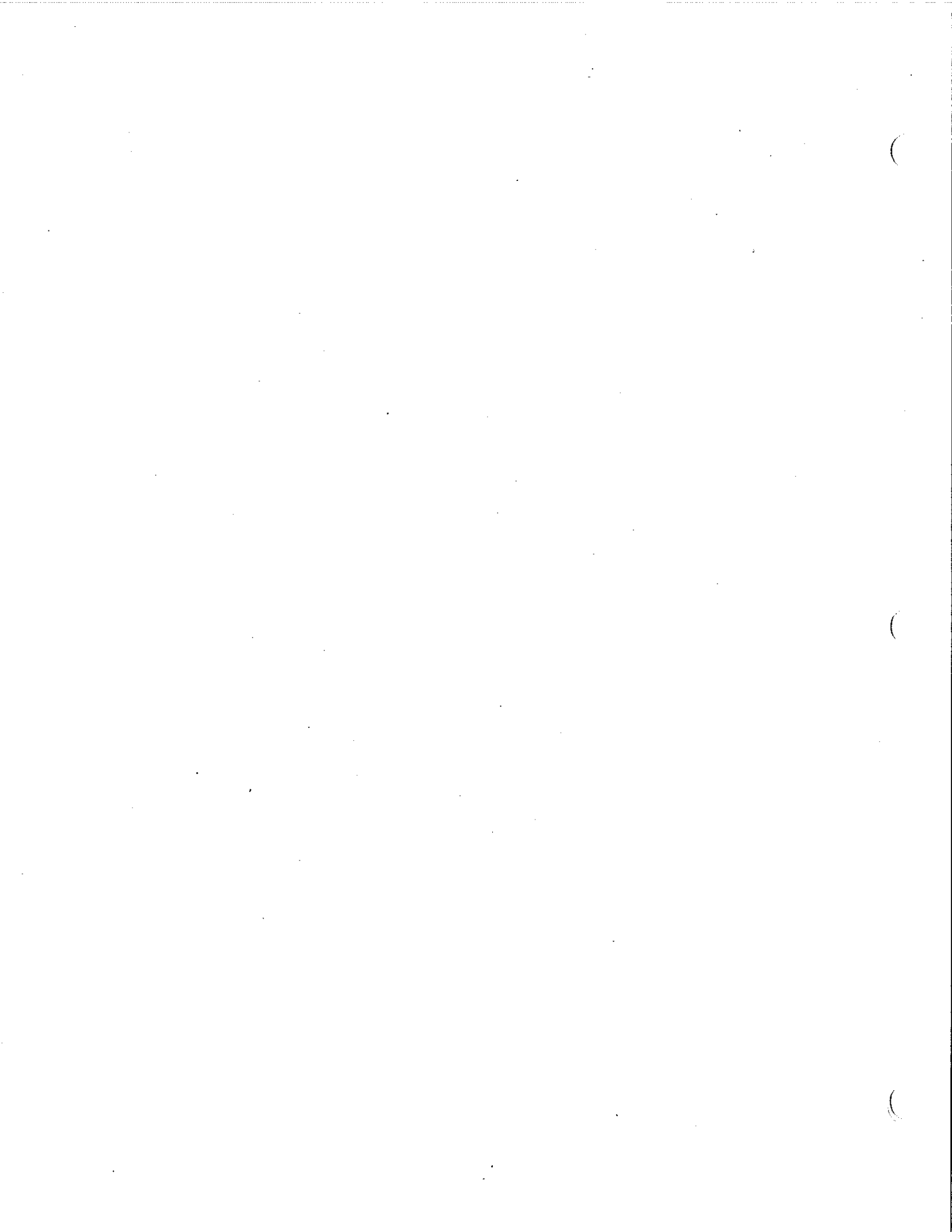
Approving Amendment #7 To The Cumberland  
County Solid Waste Management Plan

BE IT RESOLVED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF Cumberland, as follows:

That Amendment No. 7 to the Cumberland County Solid Waste Management Plan bearing date December, 1989, and consisting of eight (8) pages plus cover and table of contents, a copy of which is on file with the Clerk of this Board, is hereby approved.

DATED: December 14, 1989

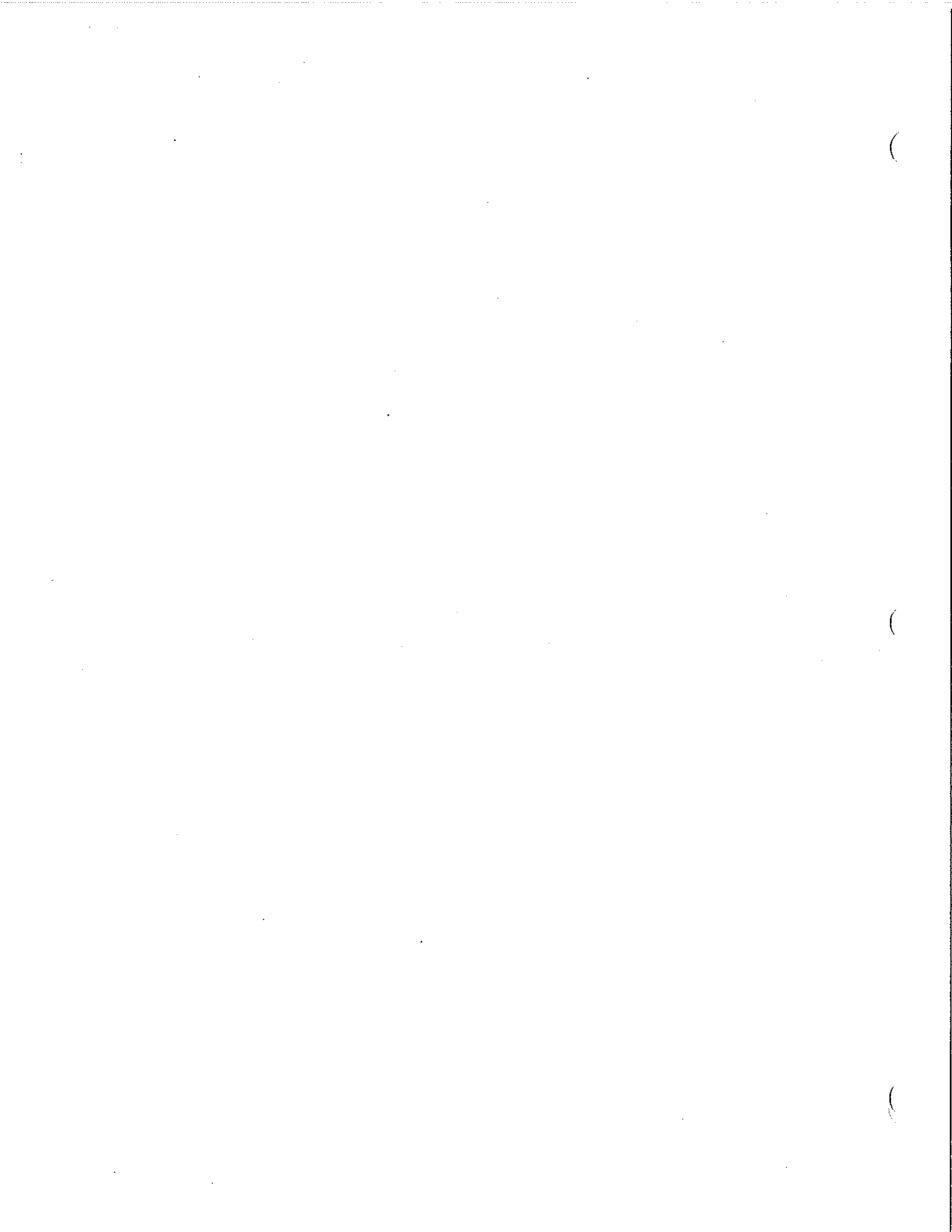
Mr. Biondi moved for adoption of the foregoing resolution seconded by Mr. Padgett. The Clerk called the roll and all members present voting for adoption, Director Quinn declared the resolution unanimously adopted.





APPENDIX B

NJDEP CERTIFICATION OF PLAN AMENDMENT #7



Let's protect our earth



STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
JUDITH A. YASKIN, COMMISSIONER  
CN 402  
TRENTON, N.J. 08625-0402  
(609) 292 2885  
Fax: (609) 984-3962

RECEIVED

JUN 13 1990

C.C.I.A.

(IN THE MATTER OF CERTAIN AMENDMENTS)  
(TO THE ADOPTED AND APPROVED SOLID )  
(WASTE MANAGEMENT PLAN OF THE )  
(CUMBERLAND COUNTY SOLID WASTE )  
(MANAGEMENT DISTRICT )

CERTIFICATION  
OF THE DECEMBER 14, 1989  
AMENDMENT TO THE CUMBERLAND COUNTY  
SOLID WASTE MANAGEMENT PLAN

BY ORDER OF THE COMMISSIONER:

A. Introduction

The New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.) establishes a comprehensive system for the management of solid waste in New Jersey. The Act designates all twenty-one (21) of the state's counties, and the Hackensack Meadowlands District, as Solid Waste Management Districts, and mandates that the Boards of Chosen Freeholders and the Hackensack Meadowlands Development Commission develop comprehensive plans for waste management in their respective districts.

The Act requires that all district plans be based on and accompanied by a report detailing the existing waste disposal situation in the district, and a plan which includes the strategy to be followed by the district in meeting the solid waste management needs of the district for the ten-year planning period. The report must detail the current and projected waste generation for the district, inventory and appraise all facilities in the district, and analyze the waste collection and transportation systems which serve the district. The disposal strategy must include the maximum practicable use of resource recovery procedures. In addition to this strategy, the plan must designate sufficient available suitable sites for the disposal of the district's waste for the ten-year period, which sites may be in the district or, if none are available, in another district. (The Act provides procedures for reaching any necessary interdistrict agreements.)

The Act further provides that a district may review its plan at any time, and if found inadequate, a new plan must be adopted. Amendments to the Act found at N.J.S.A. 13:1E-136 et seq. require that, among other things, counties amend their district solid waste management plans to include an outline of the proposed uses of the moneys in the District Resource Recovery Investment Tax Fund, as well as establish a schedule for disbursement of the moneys in that fund.

On March 4, 1981, the Department approved the Cumberland County District Solid Waste Management Plan. The Cumberland County Board of Chosen Freeholders, on December 14, 1989, adopted an amendment to its approved District Solid Waste Management Plan to satisfy the requirements of N.J.S.A. 13:1E-150. The amendment proposed a plan for the disbursement of moneys in the Cumberland County District Resource Recovery Investment Tax Fund for those uses previously approved by the Department. This disbursement schedule had been required by the Department in its certification of the June 13, 1989 Cumberland County Plan Amendment.

The amendment was received and accepted by the Department of Environmental Protection on January 30, 1990 and copies were distributed to various state level agencies for review and comment, as required by law. The Department has reviewed this amendment, and has determined that the amendment adopted by the Cumberland County Board of Chosen Freeholders on December 14, 1989 is approved in full as provided in N.J.S.A. 13:1E-24.

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

Pursuant to N.J.S.A. 13:1E-24a(1) and N.J.S.A. 13:1E-150, I, Judith A. Yaskin, Commissioner of the Department of Environmental Protection, have studied and reviewed the December 14, 1989 amendment to the approved Cumberland County District Solid Waste Management Plan according to the objectives, criteria and standards developed in the Statewide Solid Waste Management Plan and N.J.S.A. 13:1E-150 and I find and conclude that this plan amendment is consistent with the Statewide Solid Waste Management Plan and N.J.S.A. 13:1E-150 in proposing an acceptable disbursement schedule for moneys in the Cumberland County District Resource Recovery Investment Tax Fund.

In addition, the Division of Solid Waste Management circulated the plan amendment to sixteen review agencies and solicited their review and recommendations. Pursuant to N.J.S.A. 13:1E-24a(2) and (3), these agencies included various agencies, bureaus and divisions within the Department of Environmental Protection, as well as the Board of Public Utilities. Among these agencies were the following:

- Division of Environmental Quality
- Division of Financial Management, Planning and General Services
- Division of Water Resources
- Division of Coastal Resources
- Division of Parks and Forestry
- Division of Fish, Game and Wildlife
- Board of Public Utilities
- Green Acres Program
- New Jersey Turnpike Authority
- New Jersey Advisory Council on Solid Waste Management
- Department of Agriculture
- Department of Health
- Department of Transportation
- Department of Community Affairs
- Department of the Public Advocate
- U.S. Environmental Protection Agency

Of these agencies, the following did not object to the proposed plan amendment:

- Division of Environmental Quality
- Division of Water Resources
- Division of Parks and Forestry
- Division of Fish, Game and Wildlife
- New Jersey Advisory Council on Solid Waste Management
- Green Acres Program
- Department of Agriculture

The following agencies failed to respond to our requests:

- Division of Financial Management, Planning and General Services
- Division of Coastal Resources
- Board of Public Utilities
- New Jersey Turnpike Authority
- Department of Health
- Department of Transportation
- Department of Community Affairs
- Department of the Public Advocate
- U.S. Environmental Protection Agency

The following agencies provided substantive comment as further described below:

The Division of Solid Waste Management commented that the provisions of the "McEnroe" legislation (N.J.S.A. 13:1E-136 et seq.) which establish District Resource Recovery Investment Tax Fund accounts for the state's twenty-one (21) counties, set out a clear state policy objective to generate revenues in order to subsidize anticipated resource recovery tipping fees to a level which is competitive with disposal costs at landfills utilized by the counties. If a county can demonstrate to the satisfaction of the Department that utilization of a resource recovery facility is not feasible for the disposal of solid waste generated in the county, then the District Resource Recovery Investment Tax Fund may be used to design, finance, construct, operate or maintain environmentally sound state-of-the-art sanitary landfill facilities.

Prior to disbursement from its District Resource Recovery Investment Tax Fund, however, a county must prepare a plan amendment which outlines the proposed uses of the moneys in its District Fund and establishes a disbursement schedule for those moneys in the fund. Thus, two tests must be met: an eligible use test, which uses are limited to those identified in N.J.S.A. 13:1E-150b. and a disbursement schedule test, which test criteria are not specifically provided in the Act.

Eligible uses of the fund are provided in Attachment I, Part I, of this certification. In consideration of the intent and objectives of the Act outlined above and the specific limitations upon eligible uses of the fund provided in N.J.S.A. 13:1E-150b., projects not formally identified in the approved district solid waste management plan shall not be funded with Resource Recovery Investment Tax Fund moneys. Therefore, in order to ensure user's rate reduction and facilitate timely project implementation,

disbursements from a District Resource Recovery Investment Tax Fund shall be made only to projects formally identified in the approved district solid waste management plan.

Pursuant to law, in order to provide safeguards as to how the investment tax funds are to be spent, a schedule for the disbursement of the moneys must be provided through the plan amendment process established under the New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-1 *et seq.*). In this way, a formal procedure for quantifying contributions to and withdrawals from the fund is established in order to maintain a running fund balance. Such a procedure may be followed using a variety of specific steps and methods of data presentation. In order to evaluate the adequacy of a disbursement schedule, the Department has established criteria (See Attachment I, Part II). The disbursement schedule submitted by Cumberland County provided adequate information.

The Cumberland County Board of Chosen Freeholders on June 13, 1989 adopted an amendment to its approved District Solid Waste Management Plan to satisfy the requirements of N.J.S.A. 13:1E-150. The Department approved the proposed use of the Cumberland County District Resource Recovery Investment Tax Funds for the design and construction of the Material Separating Facility (MSF) located in Deerfield Township; operating subsidies for the MSF; the purchase of residential recycling containers and the County's 2% administrative expenses permitted by the Act. The Department rejected the allocation for activities over time as they relate to the Resource Recovery Investment Tax Fund because it did not meet adequate content and format criteria provisions for a disbursement schedule.

On December 14, 1989, the Cumberland County Board of Chosen Freeholders adopted an amendment to their approved district plan which provided a detailed disbursement schedule for the use of the entire fund balance in the Cumberland County District Resource Recovery Investment Tax Fund. The Department has reviewed this amendment and has determined that the amendment adopted by the Cumberland County Board of Chosen Freeholders on December 14, 1989 is approved as being in conformance with the requirements of N.J.S.A. 13:1E-150b.

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

I, Judith A. Yaskin, Commissioner of the Department of Environmental Protection, in accordance with N.J.S.A. 13:1E-1 *et seq.* and N.J.S.A. 13:1E-21, which establish specific requirements regarding the contents of the district solid waste management plans and N.J.S.A. 13:1E-150b which establishes eligible uses and disbursement schedule requirements for a district's Resource Recovery Investment Tax Fund, have reviewed the December 14, 1989 amendment to the approved Cumberland County District Solid Waste Management Plan and certify to the Cumberland County Board of Chosen Freeholders that the December 14, 1989 amendment is approved.

The Department finds that the provisions of the plan amendment concerning the allocation for activities over time as they relate to the District Resource Recovery Investment Tax Fund do meet the Department's content and format criteria provisions for a disbursement schedule. Therefore, the disbursement schedule contained in this plan amendment is approved.

D. Other Provisions Affecting the Plan Amendment

1. Contracts

Any contract renewal or new contract for solid waste collection or disposal which is inconsistent with the herein amendment to the Cumberland County District Solid Waste Management Plan herein certified, which was executed prior to the approval of this amendment and subsequent to the effective date of the Solid Waste Management Act and which shall further be for a term in excess of one year, shall immediately be renegotiated in order to bring same into conformance with the terms and provisions herein set forth. Any solid waste collection operation or disposal facility registered by the Department of Environmental Protection and operating pursuant to a contract as herein described, shall be deemed to be in violation of this amendment and of the Cumberland County District Solid Waste Management Plan if such renegotiation is not completed within ninety (90) days of the effective date of this amendment, provided, however, that any such registrant may, upon application to the Department of Environmental Protection, and for good cause shown, obtain an extension of time to complete such renegotiation.

2. Compliance

All solid waste facility operators and transporters registered with the Department of Environmental Protection and operating within Cumberland County and affected by the portion of the amendment certified herein shall operate in compliance with this amendment and all other approved provisions of the Cumberland County District Solid Waste Management Plan. Any facility operator or transporter who fails to comply with the provisions contained herein shall be deemed to be in violation of N.J.S.A. 13:1E-1 et seq., in violation of N.J.A.C. 7:26-1 et seq., and in violation of their registration to operate a solid waste facility or a collection system issued thereunder by the Department of Environmental Protection and shall be subject to the provisions and penalties of N.J.S.A. 13:1E-9 and 12 and all other applicable laws.

3. Types of Solid Waste Covered by the District Solid Waste Management Plans

The provisions of the Cumberland County District Solid Waste Management Plan shall apply to all solid wastes defined in N.J.S.A. 13:1E-3 and N.J.A.C. 7:26-2.13 and shall not apply to liquid wastes, sewage sludge, septage and hazardous wastes. Also, all non-hazardous materials separated at the point of generation for sale or reuse are excluded from the waste flows designated in the Interdistrict and Intradistrict Solid Waste Flow Rules (N.J.A.C. 7:26-6).

4. Certification to Proceed with the Implementation of Plan Amendment

This document shall serve as the certification of the Commissioner of the Department of Environmental Protection to the Cumberland County Board of Chosen Freeholders and pursuant to N.J.S.A. 13:1E-24c. and f., the county shall proceed with the implementation of the approved portions of the amendment contained herein.

5. Definitions

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

6. Effective Date of Amendment

The approved portions of the amendment to the Cumberland County District Solid Waste Management Plan certified herein shall take effect immediately.

7. Audit Requirements

Cumberland County shall by October 31 of each year in which moneys remain in its District Resource Recovery Investment Tax Fund, file an audit of the fund and any expenditures therefrom with the Local Finance Board in the Division of Local Government Services in the Department of Community Affairs. The audit shall be conducted by an independent public accountant. A copy of the audit shall be provided to: Chief, Bureau of Solid Waste and Resource Recovery Financing, Division of Solid Waste Management, Department of Environmental Protection, CN 414, Trenton, New Jersey 08625.

8. Reservation of Authority

Nothing contained herein shall be construed as a limitation on any other action taken by the Department of Environmental Protection pursuant to its authority under the law. The Cumberland County District Solid Waste Management Plan, including any amendment made thereto, shall conform with the Statewide Solid Waste Management Plan. The Department has published a Statewide Solid Waste Management Plan with appendices which include the Department's planning guidelines, rules, regulations, orders of the Department, including the interdistrict and intradistrict waste flow rules, and also include the compilation of individual district plans and amendments as they are approved.



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

In accordance with the requirements of N.J.S.A. 13:1E-1 et seq., I hereby approve the amendment as outlined in Section C. of this certification to the Cumberland County District Solid Waste Management Plan which was adopted by the Cumberland County Board of Chosen Freeholders on December 14, 1989.

June 1, 1990  
DATE

Judith A. Yaskin  
JUDITH A. YASKIN  
COMMISSIONER  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

