

Appendix B

Guidelines for Evaluation of Solid Waste Facility Requests to be Included in the Salem County Solid Waste Management Plan

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Adopted:

The following guidelines will be used by Salem County to evaluate requests to amend the Salem 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 New Jersey Department of Environmental Protection (“NJDEP”) permitting/approval.

These guidelines are divided into four major sections as follows:

1.0 Facility Plan Inclusion Process: Describes the process an applicant goes through with respect to amending the Plan. Details are included on the SWAC evaluation process as well as a description of the overall process relating to the evaluation from other agencies. These agencies include, but are not limited to, the Salem County Commissioners (“Commissioners”), the Salem County Improvement Authority (“SCIA”), the NJDEP.

2.0 Evaluation Criteria: This section provides evaluation criteria the SWAC may use while formulating its comments and recommendation to the Commissioners.

3.0 Submission Information: This section provides details on the information to be supplied by the applicant and applicable fees.

4.0 Ongoing Responsibilities: Once operating, the facility will be obligated to operate in compliance with laws, regulations and facility permits and the 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 Plan inclusion application and all other correspondence to:

Solid Waste Coordinator
Salem County Improvement Authority
P.O. Box 890, 286 Welchville Road
Alloway, NJ 08001-0890
Tel: (856) 935-7900
Fax: (856) 935-7331

1.0 Facility Plan Inclusion Process

A proposed solid waste or recycling facility requires inclusion in the Plan and needs to obtain approval and/or permits from the NJDEP prior to operation. The approval process for Plan inclusion is provided below.

1.1 Salem County Improvement Authority

The applicant shall submit three (3) copies of the application and the necessary fees to the Salem

County Improvement Authority (SCIA). The SCIA will conduct a completeness review of the application in accordance with these guidelines and the Plan. The SCIA will conduct the completeness review within thirty (30) days and prepare a review letter. If SCIA would like to request additional information, it may do so in this review letter. SCIA will determine the number of copies of the application needed for future meetings with SWAC and the Commissioners. If the application is deemed incomplete, SCIA shall state the reason(s) in a review letter.

SCIA shall attend meetings of SWAC and provide assistance to SWAC during their review of an application submitted under these guidelines. A meeting of SWAC shall be selected within sixty (60) days.

1.2 Role of Solid Waste Advisory Council

SWAC reviews Plan inclusion requests and provides recommendations regarding the proposed facility and proposed amendments to the Plan to the Commissioners. Minutes of the SWAC meetings shall be prepared and provided to the Commissioners. The SWAC's role with respect to the Commissioners is advisory and non-binding.

Upon notification that the application is complete and a SWAC meeting date has been selected, the applicant shall publish a Legal Notice for SWAC. Notice shall be published two times in a newspaper of general circulation within Salem County, once each week for two (2) consecutive weeks, notifying the public of the application to amend the Salem County 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 SWAC or their designated agent.

The Legal Notice shall state the date, time and location of the SWAC public meeting; the nature of facility; the address (including block and 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 Salem County Improvement Authority, P.O. Box 890, 286 Welchville Road, Alloway, New Jersey 08001-0890.

The applicant shall mail a copy of the published Legal Notice to the municipal clerk of the host municipality at least ten (10) days prior to the SWAC meeting and provide proof of such to the SWAC.

1.3 Salem County Commissioners

After the SWAC Meeting, the Commissioners will schedule a public hearing to consider the proposed facility and Plan amendment. The Commissioners shall hold a public hearing within ninety (90) days of the SWAC meeting. After adoption by the Commissioners, the Plan amendment will be sent to NJDEP for its approval.

1.4 New Jersey Department of Environmental Protection (NJDEP)

The NJDEP provides the facility with either a permit and/or general approval to operate. The NJDEP will not review a permit application without the facility first being included in the district's Solid Waste Management Plan.

1.5 Host Municipality

The applicant shall submit a copy of the application to the governing body of the host municipality at the time SCIA determines the application to be complete. 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 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 SWAC may consider the inclusion of the facility in the Salem 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 SWAC is allowing three (3) months for the municipality to provide its position in the form of a resolution.

The SCIA will also inform the municipal clerk, for distribution to elected officials, in writing of its receipt of a Plan inclusion application and its intention to review the application which may result in a recommendation to the Commissioners. This letter will also request 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 SWAC and the Commissioners. Anything to the contrary and notwithstanding, SWAC will begin its review process upon receipt of the application.

The applicant shall provide proof to SWAC of all the required mailings to the host municipality, as described above, prior to SWAC providing comment and recommendations at its public meeting.

1.6 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 SWAC with full copies of each application.

2.0 Evaluation Criteria

The SWAC's evaluation of the proposed facility and recommendation to the Commissioners 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 Salem County to manage solid waste.
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) and appropriate for managing the solid waste proposed to be accepted at the facility.

3.0 Submission Information

3.1 Applicant Information

3.1.1. 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.
- The SCIA can waive or modify the application requirements provided under these guidelines.

3.1.2. 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 SCIA, 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.

3.1.3. Operator

- If the facility operator will be different than 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.

3.2 Site and Facility Information

3.2.1. Type of Solid Waste Facility

- State the type of facility being proposed, i.e. *Class B Recycling Facility, Class C Recycling Facility, Class D Recycling Facility, Transfer Station, Materials Recovery Facility, etc.* and the corresponding N.J.A.C. citation of the definition of this type of facility.

3.2.2 Geographical Location

- Provide the name of the municipality in which the facility will be located.
- 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 (for example, hospitals, schools, playgrounds, churches, homes, etc.) within a one-half mile radius of the site.

3.2.3 Existing Property Use

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

3.3 Process Design and Operation

3.3.1. 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.

3.3.2. 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;

3.3.3. 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.

3.3.4. 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.

3.3.5. 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. Where 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.

3.3.6. 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.

3.3.7. Inspecting Materials Accepted and Record Keeping

- Describe the inspection procedure for material delivered to the facility. State the procedure for when an inspection reveals a load contains more than 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 EPA ID number, if an EPA registered vehicle is used; and

3.4 Environmental Issues

- Floodplains – if there are any floodplains as defined at N.J.A.C. 7:131.2 within the facility then describe their location(s) and indicate what, if any, additional approvals will be required due to their presence and any proposed actions to be taken by the applicant to avoid impacting them.
- Wetlands – if there are any wetlands within 1/2 mile of the facility then describe their location(s) and indicate what, if any, additional approvals will be required due to their presence and any proposed actions to be taken by the applicant to avoid impacting them.
- Historic Sites – if there are any historic sites within the facility then describe their location(s), indicate what, if any, additional approvals will be required due to their presence and any proposed actions to be taken by the applicant to avoid impacting them.
- Storm water 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 and 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 for the operation of the proposed facility. This includes air and water discharges from either storm water run-off and/or process water. In addition, describe any systems used to contain these discharges.

3.5 Salem 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 and mitigating measures taken.
- Describe why there is a 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 their application that is pertinent to their proposal. In addition, the SWAC reserves the right to request any additional information.

3.6 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.

3.7 Fees

- Application Fees. No application shall be received for consideration and review which is not accompanied by an Application Fee of Two Thousand (\$2,000.00) Dollars. The application fee shall be non-refundable and shall be promptly deposited by SCIA. The form of payment shall be the choice of the applicant, but the fee shall not be deemed to have been paid until credited to the account of SCIA. The application fee shall cover the costs of publication and mailing of all required legal notices and the administrative costs of processing the application. The costs of display advertisements as required under Section VIII, below, are not included in this fee.
- Transcript Fees. The applicant shall deliver to SCIA the sum of One Thousand Two

Hundred Fifty (\$1,250.00) Dollars as an escrow pre-payment to cover the costs of the transcripts of the SCIA application hearing and the formal plan amendment hearing before the Salem County Commissioners. The escrow fund shall be used by SCIA to pay for the transcript of the SCIA hearing. Any surplus remaining after the payment for all transcripts shall be refunded to the applicant. If the entire escrow fund and any supplements has been exhausted, the applicant shall pay the actual balance to SCIA as a condition of transmittal of the plan amendment to the NJDEP.

- Professional Fees. In the event SCIA reasonably believes that the proposal should be submitted to its engineer for a technical opinion, or to its lawyer or its accountant for their opinions, then applicant shall be liable for the engineering fees, attorney's fees and accountant's fees. SCIA shall obtain an estimate of such fees for applicant who shall be required to deposit to SCIA, in escrow, the estimated amounts of all such fees. Any excess in the escrow for professional fees will be refunded. Any unpaid balance shall be paid as a condition of transmittal of the plan amendment to the New Jersey Department of Environmental Protection.

4.0 Ongoing Responsibilities

4.1 Facility Access. Provide a statement that the owner and operator agree to permit access by the SCIA 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.

4.2 Copies of Permits. Provide a statement attesting to the fact that, after 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 Salem County Solid Waste Coordinator within fifteen (15) days of submission to the NJDEP.