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October 27, 2022

VIA ELECTRONIC FILING

GL -29659

Honorable Mara Zazzali-Hogan, J.S.C.
Monmouth County Courthouse
71 Monument Park, 2nd Floor
Freehold, NJ 07728

Re: Resource Engineering, LLC v. Monmouth County Board of Freeholders, et al.
Docket No.: MON-L-2495-20

Dear Judge Zazzali-Hogan:

As you may recall this office represents the Township of Howell with regard to the captioned matter. We enclose a copy of a letter dated October 26, 2022 from the Ocean County Counsel, John C. Sahradnik. The letter is self-explanatory and has also attached the Solid Waste Facility Permit issued by NJDEP to the County of Ocean.

Please note that Ocean County would object to any transfer station in Monmouth County which would accept flow of recycling material from Lakewood Township or any other municipality in Ocean County.

Since one of the reasons proposed by the Plaintiff for the “need” of the transfer station in Howell Township is to accept waste from Lakewood, it is abundantly clear that such a need is not necessary. In addition, attached hereto is a copy of a letter from Mayor Raymond Coles of Lakewood Township which is also self-explanatory.

By copy of this letter one copy of the enclosed documents have been forwarded to all counsel.

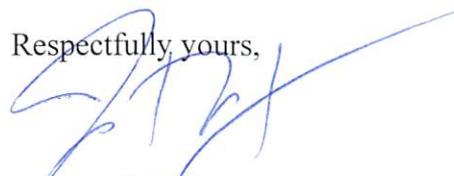
Honorable Mara Zazzali-Hogan, J.S.C.

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In the event Your Honor has any questions or we can be of additional assistance, please do not hesitate to contact our office.

Respectfully yours,



JERRY J. DASTI

JJD/pak

Enclosures

cc: Frank J. Vitolo, Esquire, via email: fvitolo@sillscummis.com
Kira S. Dabby, Esquire, via email: kdabby@archerlaw.com
Erik Anderson, Esquire, via email: eanderson@reardonanderson.com
Joseph Clark, Esquire, Township Administrator: via email: jelark@twp.howell.nj.us



COUNTY OF OCEAN

JOHN C. SAHRADNIK
COUNTY COUNSEL

October 26, 2022

Michelle M. Smith, Clerk
Superior Court of New Jersey
Monmouth County Court House
71 Monument Park
Freehold, NJ 07728

Re: Resource Engineering v. Monmouth County Board of Freeholders, et al.
Docket No. MON-L-2495-20

Dear Ms. Smith:

Please be advised that this office represents the County of Ocean and in that regard have an objection to the application by Resource Engineering to amend the Monmouth County Solid Waste Plan by granting permission to construct a transfer station in Howell Township. The proposal by Resource Engineering is to accept non-recycling waste at this transfer station, which has been generated by Lakewood Township, Ocean County, New Jersey.

Ocean County has in accordance with the New Jersey Solid Waste Management Act N.J.S.A. 13:1E et seq., adopted a Solid Waste Management Plan for the County of Ocean. The Solid Waste Management Plan authorizes an intrastate solid waste flow control system whereby all non-hazardous waste generated within Ocean County must be disposed of at the Ocean County Landfill in Manchester Township, Ocean County or transferred and disposed of out of the State of New Jersey.

On January 22, 2009, the DEP Commissioner issued Permit No. SWF090002 to the Ocean County Landfill Corporation last modification to the Solid Waste Facility Permit. A copy of the latest modification permit is included herewith. Specifically page 2 of that permit specifically sets forth that:

“The Ocean County Landfill Corporation SWF is designated in the Ocean County District Solid Waste Management Plan for the disposal of all nonhazardous solid waste generated in the County of Ocean that is not recycled or taken to a duly permitted out-of-state facility for disposal.”

October 26, 2022

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Accordingly, the County of Ocean will require any and all nonhazardous solid waste generated from Lakewood Township, along with every other municipality within Ocean County, to be disposed of only at the Ocean County Landfill Corporation in Manchester Township. The terms of the NJDEP permit are nonnegotiable and the County of Ocean will enforce the same. Ocean County cannot authorize any nonhazardous waste to be generated in Lakewood Township be transferred to Howell Township for disposal.

Respectfully,



JOHN C. SAHRADNIK

JCS/dv

Enclosure

cc: Michel J. Fiure, Ocean County Administrator (w/enc.)
Tony Agliata, Director of Solid Waste (w/enc.)
Jerry Dasti, Esq. – Howell Township Solicitor (w/enc.)

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State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

Solid & Hazardous Waste Management Program
Bureau of Landfill & Hazardous Waste Permitting
P.O. Box 414 401 E. State Street
Trenton, New Jersey 08625-0414
Telephone: 609-984-6985 Telecopier: 609-633-9839
<http://www.state.nj.us/dep/dshw>

BOB MARTIN
Commissioner

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Lawrence C. Hesse, President
Ocean County Landfill Corporation
25 First Avenue, 2nd Floor
Atlantic Highlands, NJ 07716

SEP 28 2010

Re: Final Solid Waste Facility Permit Modification
OCEAN COUNTY LANDFILL
Manchester Twp., Ocean County
Facility ID No.: 133642
Permit No.: SWF090002

Dear Mr. Hesse:

Please be advised that the New Jersey Department of Environmental Protection, Bureau of Landfill & Hazardous Waste Permitting did not receive any comments on the draft modification to the Solid Waste Facility Permit for the Ocean County Landfill during the public comment period, which ended on September 4, 2010. As such, the Department has reached a final determination to issue the Solid Waste Facility Permit Modification. Enclosed is the final permit.

Should you wish to contest any of the conditions of the enclosed permit, you must file a request for an adjudicatory hearing within twenty (20) days of the date you receive this decision notice, in accordance with the procedures found at N.J.A.C. 7:26-2.4(g)22. A copy of the request should also be mailed to the Bureau.

If you have any questions concerning this matter, please contact Mary Anne Goldman of my staff by telephone at 609-984-6985, or by email at maryanne.goldman@dep.state.nj.us.

Very truly yours,

Robert M. Confer, Chief
Bureau of Landfill & Hazardous Waste Permitting

Enclosures

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c: Theodore Schwartz, Esq., Scarinci Hollenbeck
Prentiss Shaw, Cornerstone Env. Group
Michael Gerchman, Section Chief, BLHWP
Rai Belonzi, Chief, BSWCE
Brian Pettit, Supervisor, BSWCE
Anthony Fontana, Chief, BTRF
Sabina Skibo, Clerk, Manchester Twp.
J. Mark Mutter, Toms River Twp.
Carle W. Block, Clerk, Ocean County
Ernest J. Kuhlwein, Jr., Ocean Co. Dept. of Solid Waste Management

Doc: Final Permit Distrib Letter

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State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHRIS CHRISTIE
Governor

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

SOLID & HAZARDOUS WASTE MANAGEMENT PROGRAM
BUREAU OF LANDFILL & HAZARDOUS WASTE PERMITTING
P.O. BOX 414, 401 EAST STATE STREET
TRENTON, NJ 08625-0414
TELEPHONE (609) 984-6985 TELECOPIER (609) 633-9839
HTTP://WWW.STATE.NJ.US/DEP/DSHW

SOLID WASTE FACILITY PERMIT

Under the provisions of N.J.S.A. 13:1E et seq., known as the Solid Waste Management Act, this permit is hereby issued to:

OCEAN COUNTY LANDFILL CORPORATION

Facility Type: Sanitary Landfill and Transfer Station/Materials Recovery Facility
Block & Lot Nos.: Block 2; Lots 1(partial), 6, 9-24, 30-37, 59-62, 64, 65, 768-772, 777, 778
Block 3; Lot 635 (partial)
Block 3.02; Lot 642
Block 3.03; Lot 1 (partial)
Municipality: Manchester Township
County: Ocean
Program Interest #: 133642
Permit No.: SWF090002

This permit is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection.

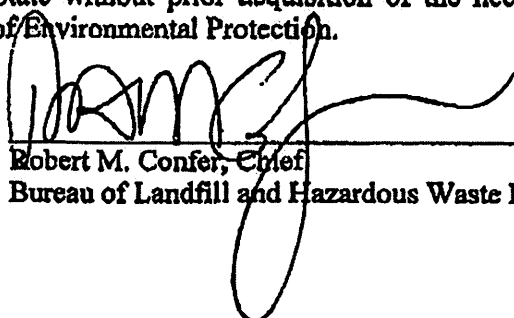
This permit shall not prejudice any claim the State may have to riparian land nor does it allow the registrant to fill or alter, or allow to be filled or altered, in any way, lands that are deemed to be riparian, wetlands, stream encroachment or flood plains, or within the Coastal Area Facility Review Act (CAFRA) zone or are subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this State without prior acquisition of the necessary grants, permits, or approvals from the Department of Environmental Protection.

June 2, 2008
Issuance Date

June 30, 2008
Modified Date

June 2, 2013
Expiration Date

January 22, 2009
Modified Date



 Robert M. Confer, Chief
 Bureau of Landfill and Hazardous Waste Permitting

Modified Date

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Scope of the Permit

This Permit, along with the referenced application documents herein specified, shall constitute the sole approval of solid waste facility operations for solid waste disposal by Ocean County Landfill Corporation (OCLC) at the OCLC Solid Waste Facility (SWF) located in Manchester Township, Ocean County, New Jersey. Any registration, approval or permit previously issued by the Solid & Hazardous Waste Management Program, or its predecessor agencies, for the specific activities described below and as conditioned herein, is hereby superseded.

This Permit replaces the previously issued Permit, modified on January 22, 2009 for the sanitary landfill (Landfill) and transfer station/materials recovery facility (TS/MRF), which expires on June 2, 2013. There has been no change in the expiration date of the Permit.

This Permit does not convey any property rights of any sort, or any exclusive privilege. Failure to comply with all of the conditions specified herein may result in revocation of this Permit and/or may result in such other regulatory or legal actions that the Department is authorized by law to institute.

Facility Description

The OCLC SWF is designated in the Ocean County District Solid Waste Management Plan for disposal of all nonhazardous solid waste generated in the County of Ocean that is not recycled or taken to a duly permitted out-of-state facility for disposal. OCLF capacity initiatives and their inclusion in the County Plan and approval in Department Permit modifications have been in furtherance of this responsibility and designed to provide for the continuing solid waste disposal need of the residents and municipalities of Ocean County.

The Ocean County Landfill (OCLF) has been in operation since 1972. The current OCLC SWF is located on approximately 725 acres, of which 284 acres are dedicated for solid waste disposal activities. The remaining acreage forms a perimeter buffer area. The existing facility is bounded on the north by Route 70, on the west by Ridgeway Road (County Route 571) and on the east by the nearby branch of the Toms River. Access to the SWF is from a signalized intersection on Route 70. The facility accepts waste during the hours of 7:00 a.m. to 3:30 p.m. Monday through Friday and 7:00 a.m. to 12:00 p.m. on Saturday. The facility is closed on Sundays and holidays. The landfill is authorized to accept waste types ID 10 (Municipal Waste), ID 13 (Bulky Waste), ID 13C (Construction and Demolition Waste), ID 23 (Vegetative Waste), ID 25 (Animal and Food Processing Waste), ID 27 (Dry Industrial Waste), ID 27A (Asbestos Containing Waste), and ID 27I (Incinerator Ash Containing Waste).

All solid waste disposed at the Landfill is placed in landfill cells having double composite liners and leachate collection systems. Permitted elevations are up to 175 feet above mean sea level (amsl). All leachate generated at the facility is collected, temporarily stored in a lagoon and in storage tanks, treated onsite and then discharged to a trunk line of the Ocean County Utilities Authority (OCUA). Wells are used to monitor groundwater quality in accordance with a New Jersey Pollutant Discharge Elimination System (NJPDES) Permit. The NJPDES Permit also regulates stormwater at the facility.

An active gas collection system prevents landfill gas from accumulating within the landfill and subsequently causing odor problems. The collected gas is flared onsite or routed for use as fuel by two

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off-site Landfill to Energy Facilities. Odors are also controlled by the placement of daily cover on all exposed waste and, if necessary, use of a suitable deodorant or neutralizer.

06/30/08 This paragraph describes the previously approved Permit modifications authorizing a change from an approved materials recovery facility to be constructed at the OCLC to now be designated as a transfer station/material recovery facility. The TS/MRF will provide a support function to the landfill and is permitted to accept and process solid waste Type 10 Municipal Waste (household, commercial and institutional), Type 13 Bulky Waste, Type 13C Construction and Demolition Waste, Type 23 Vegetative Waste, Type 25 Animal and Food Processing Wastes, and Type 27 Dry Industrial non-hazardous solid waste. This facility will utilize the existing infrastructure, including truck scales, roadways and utilities for its operations. Unloading, segregation of recyclable materials, processing, and load-out operations will take place within an enclosed building with overall dimensions of 225 feet long and 135 feet wide and with an effective tipping floor area of approximately 24,000 square feet. The facility will operate at a maximum capacity of 2,000 tons of solid waste per day. Recyclable materials will be recovered from the waste stream and placed in the appropriate locations as identified on the engineering design drawings until transported to approved end markets or recycling centers. The remaining solid waste will be disposed of in the OCLC Landfill or at an out-of-state disposal facility. Loaded transfer trailers will be securely tarped before leaving the SWF. The waste processing hours at the TS/MRF will be Monday through Friday from 7:00 a.m. to 6:00 p.m. and on Saturday from 7:00 a.m. to 3:30 p.m. Consequently, the Permit requirements were modified to reflect the acceptance of additional waste types, the change in capacity and the new processing hours of the TS/MRF. Conditions were renumbered to reflect this modification.

01/22/09 The SWF Permit was modified by deleting a Condition in the requirement report since the permittee has submitted a detailed construction schedule. In addition, other conditions in the requirement report were renumbered to reflect this modification.

This Modification - The SWF Permit was modified to accommodate a significant change in the design of the landfill. A new state-of-the-art landfill cell will be located on top of a previously filled part of the landfill, totally within the existing footprint of the Landfill. The overfill area is approximately 72 acres with a current elevation of less than 100 feet above mean sea level (amsl). Construction of the new landfill cell will bring that portion of the Landfill up to the permitted maximum elevation of 175 feet amsl and will provide additional airspace for waste disposal. This design change is not expected to change the environmental performance of the OCLC Landfill in any way. Implementation of this change will enable more efficient stormwater management and will require no changes in the existing infrastructures for leachate treatment, landfill gas management, collection, vehicle and internal road networks or in the bird and odor control programs. In addition, minor modifications to the SWF Permit and the Operations & Maintenance Manual were approved. This included language changes to better reflect actual landfill operations and to enhance the readability of the SWF Permit. The Operations & Maintenance Manual, Cover Material Management was modified to include the use of Posi-Shell[®] Advanced Formulation Cover System as an alternate daily and intermediate cover material option.

Implementation of the previously approved enhancements to the OCLC site will continue under the terms and conditions of this Permit.

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Approved Permit Application and Associated Documents

The registrant shall construct and operate the facility in accordance with N.J.A.C. 7:26-1 *et seq.*, the conditions of this Permit, and the following documents:

1. Solid Waste Facility Permit Major Modification Application Form signed by Lawrence Hesse, President, OCLC on September 17, 2009.
2. "Engineering Report - Sustainable Landfill Project for Previously Used Landfill Area", prepared by Cornerstone Engineering Group, LLC, dated September 2009.
3. "Quality Assurance/Quality Control Plan for the Ocean County Landfill Facility", prepared by Cornerstone Engineering Group, LLC, dated October 1993 with last revision dated September 2009.
4. "Final Operations and Maintenance Manual for the Ocean County Landfill Facility", prepared by Cornerstone Engineering Group, LLC, dated November 1993 with last revision dated September 2009.
5. "Environmental Review Report - Sustainable Landfill Project for Previously Used Landfill Area", prepared by Cornerstone Engineering Group, LLC, dated September 2009.
6. Engineering Plans entitled "Sustainable Landfill Project for Previously Used Landfill", numbered HS1 to HS32, (33 total, including cover), prepared, signed and sealed by Richard Peluso, P.E., Cornerstone Engineering Group, LLC, dated September 2009.
7. "Request for Operation & Maintenance Manual Minor Modification of Alternate Cover Material", prepared by Cornerstone Engineering, PLLC, dated April 2008.
8. Letter dated April 18, 2008 requesting the addition of the Posi-Shell[®] Advanced Formulation Cover System to the list of approved cover materials used for daily and intermediate cover at the Ocean County Landfill, prepared and submitted by Andrew F. Kaplan, P.E., Cornerstone Environmental Group, LLC.
9. Letter dated January 3, 2008 noting minor corrections and clarifications to the Draft Solid Waste Facility Permit Renewal document prepared by Ocean County Landfill Corporation and signed by Martin L. Ryan, P.E., Vice President - Engineering.
10. "Operations and Maintenance Manual, Cell 5, 6 and 7 Leachate Recirculation System, Ocean County Landfill", prepared by Cornerstone Environmental Group, LLC, dated September 2006.
11. Solid Waste Facility Permit Application Form, signed on December 21, 2005 by Charles J. Hesse, III (Ocean County Landfill Corporation - President) and by the applicant's agent Joseph J. Gurda, P.E., of Shaw Environmental, Inc., Senior Engineer, N.J.P.E. License No. 19644.

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12. "Final Operations and Maintenance Manual for the Ocean County Landfill Facility", prepared by Shaw Environmental, Inc., dated November 1993 with last revision dated December 2005.
13. "Updated Environmental and Health Impact Statement for the Ocean County Landfill", prepared by Shaw Environmental, Inc., dated December 2005.
14. "Construction Plans for Cell 7A1-7A2 Temporary/Final Cap, prepared for Ocean County Landfill Corporation", prepared by Shaw EMCON/OWT, Inc., dated November 2005.
15. Letter from Joseph Gurda, P.E. of EMCON/OWT, Inc., dated April 18, 2005 concerning the construction of a supplemental gas header for Cells 6 and 7.
16. "Supplemental Gas Header Construction Drawings, prepared for Ocean County Landfill Corporation", prepared by EMCON/OWT, Inc., dated June 2004.
17. "Engineering Design Report, Cell 7 Leachate Recirculation System, Ocean County Landfill", prepared by EMCON/OWT, Inc., dated March 2005.
18. "Construction Plans for Cell 7B-7E Temporary/Final Cap, prepared for Ocean County Landfill Corporation", prepared by EMCON/OWT, Inc., dated February 2005.
19. Letter from Joseph Gurda, P.E. of EMCON/OWT, Inc., dated October 26, 2004 concerning the use of a geosynthetic clay liner on the side slopes of Cell 9.
20. "Cell 9 Construction Drawings Addendum #2, prepared for Ocean County Landfill Corporation", prepared by EMCON/OWT, Inc., dated February 2004.
21. "Operations and Maintenance Manual, Cells 5 and 6 Leachate Recirculation System, Ocean County Landfill", prepared by EMCON/OWT, Inc., dated November 2002.
22. "Minor Permit Modification Application prepared for Ocean County Landfill Corporation", dated September 5, 2002.
23. "Response to Comments, Minor Permit Modification Application, prepared for Ocean County Landfill Corporation", dated December 10, 2002.
24. "Minor Permit Modifications Engineering Plans, prepared for Ocean County Landfill Corp.", dated September 2002.
25. "Closure and Post-Closure Plan for the Ocean County Landfill Solid Waste Management Facility", dated October 2001.
26. "Construction Plans for Cell 6 Temporary Cap, prepared for Ocean County Landfill Corporation, Manchester Township, Ocean County, New Jersey", dated January 2001 and revised December 2001.

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27. "Capacity Modification Engineering Plans, prepared for Ocean County Landfill Corporation, Manchester Township, Ocean County, New Jersey", dated June 1999 and revised February 2000, as prepared, signed and sealed by Joseph J. Gurda, P.E., of EMCON, Senior Engineer, N.J.P.E. License No. 19644.
28. Drawing Number FX5 of the Capacity Modification Engineering Plans was changed to include a revised vicinity map, dated June 8, 2001, showing the relocation of the Phase II screening berm.
29. "Engineering Design Report, Cell 6 Leachate Recirculation System, Ocean County Landfill, Manchester Township, New Jersey", dated February 2001.
30. "Temporary Scale Facility prepared for Ocean County Landfill Corp.", dated July 2000 and revised May 21, 2001.
31. "Addendum No. 2 to Solid Waste Facility Application of the Capacity Modification and Materials Recovery Facility at the Ocean County Landfill", dated March 2000.
32. "Draft Operations and Maintenance Manual for the Transfer Station/Material Recovery Facility/ Materials Recovery Facility at the Ocean County Landfill Solid Waste Management Facility", dated January 2007 and revised sections (2.1.2, 2.3, 2.3.2, and 2.5.2), replacement section-9.7 and new section 3.7 and 7.3 with the latest revision dated December 21, 2007.
33. "Environmental Review of the Proposed Ocean County Landfill Capacity Modification, Lakehurst, New Jersey", dated July 1999.
34. "Addendum to Solid Waste Facility Application for the Capacity Modification and Materials Recovery Facility at the Ocean County Landfill – Volumes I, II & III", dated February 2000.
35. "Plans for the Leachate Storage Tanks, prepared for Ocean County Landfill Corp., Manchester Township, Ocean County, New Jersey", dated December 1998.
36. "Engineering Plans for Leachate Recirculation System, prepared for Ocean County Landfill Corp., Manchester Township, Ocean County, New Jersey", dated May 1998.
37. "Engineering Plans for the Landfill Facility at the Ocean County Landfill Corporation, Cell 7 Modifications, Manchester Township, Ocean County, New Jersey", dated March 1998 and revised May 1998.
38. "Addendum No. 3 to the Application for a Solid Waste Facility Permit for the Landfill Facility at the Ocean County Landfill Corporation Integrated Solid Waste Management Facility", dated April 1995.
39. "Supplement to Addendum No. 2 to the Application for a Solid Waste Facility Permit for the Landfill Facility at the Ocean County Landfill Corporation Integrated Solid Waste Management Facility", dated February 1995.

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40. "Addendum No. 2 to the Application for a Solid Waste Facility Permit for the Landfill Facility at the Ocean County Landfill Corporation Integrated Solid Waste Management Facility", dated November 1994.
41. "Addendum to the Application for a Solid Waste Facility Permit for the Landfill Facility at the Ocean County Landfill Corporation Integrated Solid Waste Management Facility", dated February 1994
42. "Quality Assurance and Quality Control Plan for the Ocean County Landfill Solid Waste Management Facility", dated October 1993 and revised June 1999.
43. "Geotechnical Report for the Landfill Facility at the Ocean County Landfill Solid Waste Management Facility – Volumes I & II", dated November 1993 and revised June 1999.
44. "Environmental and Health Impact Statement for the Landfill Facility at the Ocean County Landfill Corporation Integrated Solid Waste Management Facility – Volumes I & II", dated October 1993.
45. "Engineering Report for the Ocean County Landfill Facility – Volumes I & II", dated October 1993 and revised June 1999.

TS/MRF Approved Application, Drawings and Associated Documents

1. "Solid Waste Facility Permit Application Form" for Ocean County Landfill Corporation Solid Waste Transfer Station/Material Recovery Facility signed by Lawrence C. Hesse, President of Ocean County Landfill Corporation dated August 29, 2007.
2. Design Report for Ocean County Landfill Corporation Solid Waste Transfer Station/Material Facility signed and sealed by Peter J. Carey of P.J. Carey & Associates , Sugar Hill, Georgia dated July 19, 2007.
3. Updated Environmental Review for the Proposed Ocean County Landfill Corporation Solid Waste Transfer Station/Material Recovery Facility prepared by Cornerstone Environmental Group, LLC, Goshen, NY with the latest revision dated July 2007.
4. Preliminary Operations & Maintenance Manual for the Proposed Ocean County Landfill Corporation Solid Waste Transfer Station/Material Recovery Facility prepared by Cornerstone Environmental Group, LLC, Goshen, NY with the latest revision dated July 2007.
5. Traffic Impact Study for the Proposed Ocean County Landfill Corporation Solid Waste Transfer Station/Material Recovery Facility prepared and signed by Christopher J. Noll, PE, N.J.P.E. License Number 32206 and Stacey Arcari, PE, N.J.P.E. License Number 43447 of Environmental Resolutions, Inc., Mt. Laurel, New Jersey with latest revision dated March 26, 2007.

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6. **Response letter dated July 17, 2007 to DEP comments providing additional clarification on the traffic impact study from Christopher J. Noll, PE and Stacey Arcari, PE of Environmental Resolutions, Inc. addressed to Mr. Lawrence C. Hesse, President, Ocean County Landfill Corporation.**
7. **Baseline Sound Level Study Report for Ocean County Landfill dated July 3, 2007 prepared by Norman R. Dotti, PE, Principal, Russell Acoustics, LLC., Butler, New Jersey addressed to Mr. Richard J. Calegero, Cornerstone Environmental Group, LLC.**
8. **A letter dated July 20, 2007 providing responses to DEP comments on the proposed Ocean County Landfill Corporation Solid Waste Transfer Station/Material Recovery Facility addressed to Anthony Fontana, Chief, Bureau of Transfer Stations/Recycling Facilities, Solid and Hazardous Management Program from Sandra T. Ayres, Counsel, Scarinci & Hollenbeck, LLC, Attorneys at Law, Lyndhurst, New Jersey.**
9. **A letter dated December 20, 2007 addressed to Anthony Fontana, Chief, Bureau of Transfer Stations and Recycling Facilities providing responses along with some revised sections to the previously submitted preliminary O & M Manual to the Notice of Deficiency letter dated November 15, 2007 from Martin L. Ryan, PE, Vice President-Engineering, Ocean County Landfill Corporation, Manchester, New Jersey.**
10. **A letter dated May 29, 2008 providing a copy of the revised waste storage calculations prepared by Cornerstone Engineering, PLLC, the consultant for Ocean County Landfill Corporation (dated May 28, 2008) addressed to Anthony Fontana, Chief, Bureau of Transfer Stations and Recycling Facilities from Martin L. Ryan, PE, Vice President Engineering, Ocean County Landfill Corporation, Manchester, New Jersey.**
11. **The following drawings prepared by CLA Engineers, Inc., Norwich, Connecticut, for Ocean County Landfill Transfer Station/Material Recovery Facility, signed and sealed on January 26, 2007 by Peter J. Carey, N.J.P.E. License No. 26900 and revisions dated as follows:**
 - i. **Title Page including Vicinity Map, dated January 24, 2007.**
 - ii. **Sheet No. A-1, Main Floor Plan, Revision 8, dated November 3, 2006.**
 - iii. **Sheet No. A-2, Lower Plan & Details, Revision 8, dated November 3, 2006.**
 - iv. **Sheet No. A-3, Exterior Elevations, Revision 8, dated November 3, 2006.**
 - v. **Sheet No. A-4, Door & Finish Schedules, Door Details, Reflected Ceiling Plan, Miscellaneous Details, Revision 9, dated November 3, 2006.**
 - vi. **Sheet No. A-5, Building Sections, Revision 8, dated November 3, 2006.**
 - vii. **Sheet No. A-6, Roof Plan, Revision 8, dated November 3, 2006.**
 - viii. **Sheet No. G-1, Code Data & General Info., Revision 8, dated November 3, 2006.**
 - ix. **Sheet No. S-1, Foundation Plan-Lower Level, Revision 1, dated 6-6-2006.**
 - x. **Sheet No. S-2, Foundation Plan-Main Floor Level, Revision 1, dated 6-6-2006.**
 - xi. **Sheet No. S-3, Schematic Roof Framing Plan, Revision none, dated 8-16-2005.**

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- xii. Sheet No. S-4, Foundation Details, Revision 1, dated 6-6-2006.
 - xiii. Sheet No. S-5, Foundation Details, Revision 1, . dated 6-6-2006
12. The following drawings prepared by PJ Carey & Associates, PC, Sugar Hill, Georgia for Ocean County Landfill Transfer Station/Material Recovery Facility, signed and sealed on January 26, 2007 by Peter J. Carey, N.J.P.E. License No. 26900 and revisions dated as follows:
- i. Sheet No. C-1, Existing Conditions, Revision 2, dated 11-7-2006.
 - ii. Sheet No. C-2, Proposed Site Plan, Revision 2, dated 11-7-2006.
 - iii. Sheet No. C-3, Yard Piping, Revision 2, dated 11-7-2006.
 - iv. Sheet No. C-4, Piping Profiles, Revision 2, dated 1-22-2007.
 - v. Sheet No. C-5, Pavement Plan, Revision 2, dated 1-22-2007.
 - vi. Sheet No. E1, Electrical Plan, Symbols and Abbreviations, Revision 2, dated 1-22-2007.
 - vii. Sheet No. E4, Lighting Plan, Revision 2, dated 6-6-2006.
 - viii. Sheet No. G-2, Details, Revision 2, dated 6-8-2006.
 - ix. Sheet No. H-1, Heating & Ventilation Plan, Revision 3, dated 1-18-2007.
 - x. Sheet No. H-2, Heating & Ventilation Partial Plan & Schedules, Revision 3, dated 1-18-2007.
 - xi. Sheet No. P-1, Plumbing Plan, Schematic & Notes, Revision 2, dated 6-7-2006.
 - xii. Sheet No. P-2, Plumbing Plan, Details and Schedules, Revision 2, dated 6-7-2006.
 - xiii. Sheet No. Z-1, Vicinity Map, Revision 2, dated 11-7-2006.
 - xiv. Sheet No. Z-2, Tax Map, Revision 2, dated 11-7-2006.
 - xv. Sheet No. Z-3, Zoning Map, Revision 2, dated 11-7-2006.
 - xvi. Sheet No. Z-4, Tip Floor Material Storage Diagram, Revision none, dated 1-24-2007.
13. The following drawings prepared by Allied Fire & Safety Equipment Company, Inc., Neptune, New Jersey for Ocean County Landfill Transfer Station/Material Recovery Facility, signed and sealed on January 26, 2007 by Peter J. Carey, N.J.P.E. License No. 26900 and revisions dated as follows:
- i. Drawing No. FP-1, (Sheet 1 of 2), Fire Sprinkler Details and Site Plan, Revision 3, dated 5-30-2006.
 - ii. Drawing No. FP-2, (Sheet 2 of 2), Fire Sprinkler Plan, Revision 3, dated 5-30-2005.

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14. The following drawings prepared by Wehran Engineering for Ocean County Landfill Corporation, signed and sealed on January 26, 2007 by Peter J. Carey, N.J.P.E. License No. 26900 and revision dated as follows:
- i. Sheet 1 of 1, Map of Permitted Area, Revision 2, dated 12-4-1985

In case of conflict, the provisions of N.J.A.C. 7:26-1 *et seq.* shall have precedence over the conditions of this Permit, and the conditions of this Permit shall have precedence over plans and specifications listed above.

Submission Schedule

The following information or documentation, referenced by condition number as reflected in the attached Permit Renewal Requirements Report, shall be submitted by the permittee:

1. A statement updating the information contained in the permittee's initial registration statement shall be submitted prior to May 1 of each calendar year (Condition 22).
2. Monthly summaries of wastes received shall be submitted no later than 20 days after the last day of each month (Condition 28).
3. Changes or additions to the information contained in the permittee's disclosure statement shall be submitted annually (Condition 32).
4. The leachate recirculation, collection, quality, and discharge volumes shall be submitted on a quarterly basis (Condition 72).
5. Methane gas survey reports shall be submitted on a quarterly basis (Condition 73).
6. Daily precipitation data shall be submitted on a quarterly basis (Condition 74).
7. The annual topographic survey shall be submitted by May 1 of each calendar year (Condition 76).
8. For the transfer station/materials recovery facility, the construction certification and final O&M Manual shall be submitted as required by Conditions 105 and 106.
9. For the Landfill, a construction certification shall be submitted upon completion of each major phase of the Landfill's construction as required by Conditions 54 through 58.

Attachment

The conditions of this Permit are found in the attached document entitled "OCEAN COUNTY LANDFILL CORP. 133642 SWF090002 SW Multiple Operations - Major Modification Requirements Report."

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1. The permittee shall operate the facility in compliance with the requirements of N.J.A.C. 7:26-2.11. [N.J.A.C. 7:26-2.8(i)]
2. The permittee shall operate the facility, and construct or install associated appurtenances thereto, in accordance with the provisions of N.J.A.C. 7:26-1 et seq., and in conformance with the conditions, restrictions, requirements and any other provisions set forth in this permit, and the permit application documents which are referenced as part of this permit. [N.J.A.C. 7:26-2.8(j)]
3. Except for minor modifications as set forth at N.J.A.C. 7:26-2.6(d), the permittee shall not modify, revise or otherwise change any condition of this permit without prior written approval of the Department. [N.J.A.C. 7:26-2.8(k)]
4. If the permittee wishes to continue the operation of this facility after the expiration date of this permit, the permittee shall apply for permit renewal at least 90 days prior to the expiration date of this permit, and the facility must be included in the District Solid Waste Management Plan at the time of such application. [N.J.A.C. 7:26-2.7(b)1]
5. The conditions of this permit shall continue in force beyond the expiration date of this permit pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-11, until the effective date of a new permit if the permittee has submitted a timely and complete application for a renewal permit at least 90 days prior to the expiration of this permit and the Department, through no fault of the permittee, does not issue a new permit with an effective date on or before the expiration date of this permit, due to time or resource constraints. [N.J.A.C. 7:26-2.7(c)]
6. Permits continued under the Administrative Procedure Act remain fully effective and enforceable. If the Permittee is not in compliance with any one of the conditions of the expiring or expired permit, the Department may choose to: Initiate enforcement action based on the permit which has been continued; Issue a notice of intent to deny the new permit under N.J.A.C. 7:26-2.4. If the permit is denied, the permittee would then be required to cease activities and operations authorized by the continued permit or be subject to an enforcement action for operating without a permit; Issue a new permit under N.J.A.C. 7:26-2.4 with appropriate conditions; or take such other actions as are authorized by N.J.A.C. 7:26-1 et seq. or the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. [N.J.A.C. 7:26-2.7(d)]
7. Should the Department determine that the facility is operating in an environmentally unsound manner in accordance with N.J.A.C. 7:26-2.8(p) the permittee shall: Within 90 days of notification by the Department, submit a plan to close or environmentally upgrade the facility in conformance with the applicable standards, as determined by the Department and set forth in N.J.A.C. 7:26-1 et seq.; Within 90 days of receipt of written approval by the Department of the submitted plan, begin to close or construct the environmental upgrading at the facility; and Within one year of receipt of written approval by the Department of the submitted plan, complete closure or construction of the environmental upgrading at the facility. [N.J.A.C. 7:26-2.8(p)]
8. A one time extension of the compliance schedule established by N.J.A.C. 7:26-2.8(p) shall be granted by the Department provided the permittee demonstrates that it has made a good faith effort to meet the schedule. [N.J.A.C. 7:26-2.8(q)]

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9. Should the environmental upgrading required pursuant to N.J.A.C. 7:26-2.8(p) not be completed or should continued operations be determined by the Department to be environmentally unsound despite the implementation of the plan approved pursuant to N.J.A.C. 7:26-2.8(p), the facility shall temporarily or permanently cease operations and close or enter into receivership, as provided for in N.J.S.A. 13:1E-9, for that period of time necessary to rectify the environmentally unsound conditions. [N.J.A.C. 7:26-2.8(r)]
10. If cause exists, the Department may modify, or revoke and reissue this permit, subject to the limitations of N.J.A.C. 7:26-2.6, and may require the permittee to submit an updated or new application in accordance with N.J.A.C. 7:26-2.6(e), if appropriate. [N.J.A.C. 7:26-2.6(a)1]
11. The Department may modify or, alternatively, revoke and reissue this permit if cause exists for termination under N.J.A.C. 7:26-2.6(c) and the Department determines that modification or revocation and reissuance is appropriate. [N.J.A.C. 7:26-2.6(b)]
12. Upon the request of the permittee, an interested party or for good cause, the Department may make certain minor modifications to a permit without issuing a tentative approval, providing public notice thereof or holding a public hearing thereon. [N.J.A.C. 7:26-2.6(d)]
13. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, the permittee shall promptly submit such facts or information. [N.J.A.C. 7:26-2]
14. All completed registration statements submitted by the permittee shall be signed as specified at N.J.A.C. 7:26-2.4(e)1. [N.J.A.C. 7:26-2.4(e)1]
15. All engineering designs and reports, the environmental and health impact statement, other information requested as "Addendums" by the Department pursuant to N.J.A.C. 7:26-2.4(f) and (g)4 and documents required to be submitted pursuant to N.J.A.C. 7:26-2.9 and 2.10, submitted on behalf of the permittee, shall be signed by a person described in N.J.A.C. 7:26-2.4(e)1 or by a duly authorized representative of that person, as specified at N.J.A.C. 7:26-2.4(e)2. [N.J.A.C. 7:26-2.4(e)2]
16. Any person signing a registration statement, engineering design or report, environmental and health impact statement or addendum mentioned in N.J.A.C. 7:26-2.4(e)1 or (e)2, submitted on behalf of the permittee, shall make the certification specified at N.J.A.C. 7:26-2.4(e)3. [N.J.A.C. 7:26-2.4(e)3]
17. The permittee shall not transfer ownership of the permit without receiving prior written approval of the Department, in accordance with N.J.A.C. 7:26-2.7(e). [N.J.A.C. 7:26-2.8(l)]
18. A written request for permission to allow any transfer of ownership or operational control of the facility must be received by the Department at least 180 days in advance of the proposed transfer. The request for approval shall include all of the information required by N.J.A.C. 7:26-2.7(e)1i-iv. [N.J.A.C. 7:26-2.7(e)1]
19. A new owner or operator may commence operations at the facility only after the existing permit has been revoked and a permit is issued pursuant to N.J.A.C. 7:26-2.4. [N.J.A.C. 7:26-2.7(e)2]
20. During a transfer of ownership, the permittee of record remains liable for ensuring compliance with all conditions of the permit unless and until the existing permit is revoked and a new permit is issued in the name of the new owner or operator. [N.J.A.C. 7:26-2.7(e)3]
21. Compliance with the transfer requirements set forth in N.J.A.C. 7:26-2.7 shall not relieve the permittee from the separate responsibility of providing notice of such transfer pursuant to the requirements of any other statutory or regulatory provision. [N.J.A.C. 7:26-2.7(e)4]

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22. Prior to May 1 of each calendar year the permittee shall submit to the Department a statement updating the information contained in the permittee's initial registration statement. This update shall be on forms furnished by the Department. In no case shall submission of an updated statement alter conditions of this permit. [N.J.A.C. 7:26-2.8(b)]
23. The permittee shall notify the Department in writing within 30 days of any change in the information set forth in the permittee's current registration statement. [N.J.A.C. 7:26-2.8(c)]
24. Failure of the permittee to submit an updated registration statement and to submit all applicable fees, required by N.J.A.C. 7:26-4, on or before July 1 of each calendar year shall be sufficient cause for the Department to revoke this permit or take such other enforcement action as is appropriate. [N.J.A.C. 7:26-2.8(d)]
25. The permittee shall maintain a daily record of wastes received. The record shall include the information specified at N.J.A.C. 7:26-2.13(a). [N.J.A.C. 7:26-2.13(a)]
26. The daily record shall be maintained, shall be kept, and shall be available for inspection in accordance with N.J.A.C. 7:26-2.13(b). [N.J.A.C. 7:26-2.13(b)]
27. The permittee shall verify, retain and make available for inspection a waste origin/disposal (O and D) form for each load of solid waste received in accordance with N.J.A.C. 7:26-2.13(c). [N.J.A.C. 7:26-2.13(c)4]
28. The permittee shall submit monthly summaries of wastes received to the Solid and Hazardous Waste Management Program/Bureau of Recycling and Planning and the Solid Waste Coordinator for the District where the facility is located, on forms provided by the Department (or duplication of same), no later than 20 days after the last day of each month. The monthly summaries shall include the information specified at N.J.A.C. 7:26-2.13(e). [N.J.A.C. 7:26-2.13(e)]
29. Upon request by the Department, the permittee shall submit, in such form as the Department may deem appropriate, information concerning the sources of wastes received and the transportation or disposal patterns associated with such wastes. [N.J.A.C. 7:26-6.4]
30. The permittee shall operate the facility in compliance with any applicable district solid waste management plan(s) as well as any amendments to and/or approved administrative actions concerning such plan(s). Should the permittee fail to comply with any applicable district solid waste management plan(s) as well as any amendment to or approved administrative actions concerning such plan(s), the permittee shall be deemed in violation of N.J.S.A. 13:1E-1 et seq. and N.J.A.C. 7:26-1 et seq. and shall be subject to applicable penalties provided thereunder, and any other applicable laws or regulations. [N.J.A.C. 7:26-6.12(b)]
31. The permittee and/or facility operator shall report to the Department and the Attorney General within 30 days any changes or additions in the information required to be included in the disclosure statement, as specified at N.J.A.C. 7:26-16.6 [N.J.A.C. 7:26-16.6(b)]
32. The permittee and/or facility operator shall report any other changes in the information contained in the permittee's disclosure statement currently on file with the Department and the Attorney General in an annual update to be filed with the Department at the time of the permittee's annual renewal of its registration with the Department, as specified at N.J.A.C. 7:26-16.6. [N.J.A.C. 7:26-16.6(c)]
33. The issuance of this permit shall not exempt the permittee from obtaining all other permits or approvals required by law or regulations. [N.J.A.C. 7:26-2.8(h)]

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34. The permittee shall inspect each incoming waste load in accordance with the Waste Control, Inspection, and Recyclables Plan included as part of the approved final operations and maintenance manual, or in accordance with any other approved facility operating plan as appropriate. Such inspections shall be performed to identify the incidence of designated recyclable materials that may be mandated to be source separated by the District Recycling Plan applicable to the point of origin of the waste load. The permittee shall consult with each county recycling coordinator for the facility's service area on a quarterly basis to review those recyclable materials that are designated by each county to be source separated pursuant to N.J.S.A. 13:1E-99,13(b)2. The Waste Control, Inspection, and Recyclables Plan or other approved facility operating plan as appropriate, shall be updated accordingly. Should any designated recyclable materials be detected in a delivered waste load, the appropriate county recycling coordinator shall be notified in writing. The permittee shall maintain a copy of each such notification at the facility. Whenever possible, the generator who failed to source separate the recyclable materials shall also be identified and reported to the county recycling coordinator. [N.J.A.C. 7:26-2.4(g)12]
35. No person shall engage or continue to engage in disposal of solid waste in a manner which does not meet all the conditions, restrictions, requirements or any other provisions set forth in its Solid Waste Facility Permit. [N.J.A.C. 7:26-2.8(j)]
36. In case of conflict, the provisions of N.J.A.C. 7:26-1 et seq. shall have precedence over the conditions of this permit, the conditions of this permit shall have precedence over the SWF permit application documents, and the most recent revisions and supplemental information approved by the Department shall prevail over prior submittals and designs. [N.J.A.C. 7:26-2.11(b)9]
37. One complete set of the approved referenced permit application documents as referenced herein, this Solid Waste Facility Permit, the O & M Manual, and all records, reports and plans as may be required pursuant to this permit shall be kept on-site and shall be available for inspection by authorized representatives of the Department upon presentation of credentials. [N.J.A.C. 7:26-2.11(b)12]

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38. The facility shall comply with the additional operational, maintenance, inspection and monitoring requirements for all sanitary landfills as provided at N.J.A.C. 7:26-2A.8. [N.J.A.C. 7:26-2A.8]
39. The permittee is authorized to accept the following waste types: ID10 - Municipal (household, commercial and institutional), ID13 - Bulky waste, ID13C - Construction and demolition waste, ID23 - Vegetative waste, ID25 - Animal and food processing wastes, ID27 - Dry industrial waste, ID27A - Waste material consisting of asbestos or asbestos-containing wastes, and ID27I - Waste material consisting of incinerator ash or ash-containing wastes. [N.J.A.C. 7:26-2.11(b)9]
40. The permittee is not authorized to accept any other type or description of solid waste as defined at N.J.A.C. 7:26-2.13(g) and (h), untreated regulated medical waste as defined at N.J.A.C. 7:26-3A.6(a), or hazardous waste as defined at N.J.A.C. 7:26G-5. [N.J.A.C. 7:26-2.11(b)9]
41. The areal extent of the solid waste facilities shall remain at approximately 725 acres, of which 284 acres are dedicated for waste disposal activities. Final elevation, including the final cover, shall not exceed elevation 175 feet above mean sea level for the entire landfill. All sideslopes shall be constructed as specified on the referenced engineering plans. [N.J.A.C. 7:26-2A.7(a)22]

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42. Access to the sanitary landfill for solid waste disposal shall only be permitted during the following hours: Monday through Friday: 7 a.m. to 3:30 p.m.; and from 7:00 a.m. to 12:00 p.m. on Saturday. The facility shall be closed on Sundays and holidays as defined in the Operations and Maintenance Manual. [N.J.A.C. 7:26-2A.8(b)24]
43. The landfill's base liner profile, in descending order, shall be as follows:
- (1) Valley Fill Area: Two feet of primary collection system blanket drain soil with a minimum hydraulic conductivity of 0.005 cm/sec (contains the primary leachate collection piping); Primary 60 mil HDPE geomembrane; Two feet of clay having a maximum hydraulic conductivity of 1×10^{-7} cm/sec; Filter fabric; One foot of secondary collection system blanket drain soil with a minimum hydraulic conductivity of 0.003 cm/sec (contains the secondary leachate detection/collection piping); Secondary 60 mil HDPE geomembrane; 18 inches of clay having a maximum hydraulic conductivity of 1×10^{-7} cm/sec; Six inches of compacted subgrade.
- (2) Cell 8 and Cell 9: Two feet of primary collection system blanket drain soil with a minimum hydraulic conductivity of 0.005 cm/sec (contains the primary leachate collection piping); 60 mil HDPE textured geomembrane; Two feet of clay having a maximum hydraulic conductivity of 1×10^{-7} cm/sec. Only Cell 9 shall have a geosynthetic clay liner on the sideslope; Geocomposite drain (contains the secondary leachate collection piping); 60 mil HDPE textured geomembrane; 18 inches of clay having a maximum hydraulic conductivity of 1×10^{-7} cm/sec; Six inches of compacted subgrade.
- (3) Overfill Area: Two feet of primary collection system blanket drain soil with a minimum hydraulic conductivity of 1×10^{-2} cm/sec (contains the primary leachate collection piping); 60 mil HDPE textured geomembrane; Two feet of clay having a maximum hydraulic conductivity of 1×10^{-7} cm/sec; 12 inches of sand transitioning to a geocomposite drain up the sideslopes (contains the secondary leachate collection piping); 60 mil HDPE textured geomembrane; 18 inches of clay having a maximum hydraulic conductivity of 1×10^{-7} cm/sec; Six inches of compacted subgrade. [N.J.A.C. 7:26-2A.7]
44. The final cover for the landfill shall consist of the following capping system in descending order: vegetative cover; six inches of top soil; twelve inches of cover soil; four inch drainage pipe; 40-mil textured HDPE geomembrane; six inches of subbase. [N.J.A.C. 7:26-2A.7(i)]
45. A quality assurance inspector, independent of the quality control inspector, approved by the Department and reporting directly to the Department, shall be at the site at all times during the initial construction phase of the containment and leachate collection systems to observe and perform all required systems audits of the quality control inspections to insure proper implementation of the design and permit requirements. For the purposes of this section, quality control assurance means the periodic testing and observations performed by the owner and/or operator of a landfill as a check on the construction contractor's quality control activities. [N.J.A.C. 7:26-2A.7(a)7]
46. A meeting shall be held between the quality assurance inspectors and the Department to establish reporting procedures and frequency, in accordance with the construction scheduling. [N.J.A.C. 7:26-2A.7(a)8]

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47. Quality control inspectors shall be at the site during all phases of construction to ensure and verify that the approved sanitary landfill design and SWF permit landfill construction requirements are properly implemented. The quality control inspectors shall, at a minimum, be at the site at all times during the construction of the containment and leachate collection systems. For the purposes of this section, quality control means those activities and responsibilities assigned to the construction contractor, manufacturer, installer or supplier to measure and regulate the characteristics or properties of an item in order to ensure that the applicable landfill construction requirements at N.J.A.C. 7:26-2A.7, (a)12 and 13 and the SWF permit conditions are met. This includes those actions taken before, during, or after construction to ensure that the materials used and the completed workmanship are in conformance with the construction requirements at N.J.A.C. 7:26-2A.7 and the SWF permit. [N.J.A.C. 7:26-2A.7(a)9]
48. The quality control measures and tests required by N.J.A.C. 7:26-2A.7 and described in the QA and QC plan submitted in accordance with N.J.A.C. 7:26-2A.5(a)7 shall be employed to ensure that the construction requirements are properly implemented and that the design and performance standards are achieved. [N.J.A.C. 7:26-2A.7(a)10]
49. The scheduled frequency of inspections by the independent quality assurance inspectors may be reduced or discontinued if approved by the Department. The reductions or discontinuance shall be based on the results of the initial construction tests and the precision and consistency of the quality control test results. [N.J.A.C. 7:26-2A.7(a)15]
50. At such time as the independent quality assurance inspector is discontinued, as approved by the Department, the activities performed by the quality assurance inspector shall be carried out by the permittee's quality control inspectors in accordance with the approved Quality Assurance and Quality Control Plan. [N.J.A.C. 7:26-2A.7(a)16]
51. The Department may reinstate the independent quality assurance inspection at the site if the results of the construction tests and the precision and consistency of the quality control testing warrant such reinstatement. [N.J.A.C. 7:26-2A.7(a)17]
52. Best available engineering construction practices shall be employed for all phases of the facility construction. [N.J.A.C. 7:26-2A.7(a)18]
53. Following the completion of new liner construction involving geomembranes pursuant to N.J.A.C. 7:26-2A.7(c)4, but prior to the submittal of the engineer's certification pursuant to N.J.A.C. 7:26-2A.7(a)20-24, an electrical leak location or equivalent test shall be undertaken on the newly constructed primary liner. Results of the test shall be appended in the engineer's final documentation report. The final documentation report shall list any repairs that were undertaken on the liner as a result of the electrical leak location test. [N.J.A.C. 7:26-2A.7(a)19]
54. A New Jersey licensed professional civil or geotechnical engineer shall certify, in writing, to the Department that he or she has supervised the inspection of the construction of each major phase of the sanitary landfill's construction. He or she shall further certify that each phase has been prepared and constructed in accordance with the engineering design approved by the Department, prior to operations. The certification shall include a final documentation report which shall summarize the daily quality control of construction activities as required by N.J.A.C. 7:26-2A.7(a)14 and shall include as-built drawings. [N.J.A.C. 7:26-2A.7(a)20]
55. A New Jersey licensed professional civil or geotechnical engineer shall certify that the materials utilized in the containment system and leachate collection system are in conformance with and meet the specifications of the approved engineering design. [N.J.A.C. 7:26-2A.7(a)21]

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56. There shall be no deviation made from the approved engineering design specification without the prior written approval of the design engineer and, at a minimum, prior verbal approval by the Department. [N.J.A.C. 7:26-2A.7(a)22]
57. All certifications shall bear the raised seal and signature of the licensed professional engineer, and the date of certification. [N.J.A.C. 7:26-2A.7(a)23]
58. The certification shall include the following text: 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 under my supervision, I believe the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I understand that, in addition to criminal penalties, I may be liable for a civil administrative penalty pursuant to N.J.A.C. 7:26-5 and that submitting false information may be grounds for denial, revocation or termination of any solid waste facility permit for which I may be seeking approval or now hold. [N.J.A.C. 7:26-2A.7(a)24]
59. The owner/operator shall close and maintain the landfill in accordance with N.J.A.C. 7:26-2A.9 and the approved closure and post-closure plan as referenced herein. [N.J.A.C. 7:26-2A.9(d)8]
60. The owner/operator shall notify the Department in writing of his intention to suspend or terminate operations at the landfill. The Department shall receive notice at least 10 days prior to the date of suspension of operations, which notice shall include the duration of the suspension, and shall receive notice at least 180 days prior to the date of termination of operations. [N.J.A.C. 7:26-2A.9(o)2]
61. Final cover constructed in accordance with N.J.A.C. 7:26A.7(i) shall be applied within six (6) months to all surfaces where final approved elevation has been reached and to all surfaces when the landfill operation is terminated. [N.J.A.C. 7:26-2A.8(b)14]
62. Upon closure of the sanitary landfill, a detailed description of the landfill shall be recorded, along with the deed, with the appropriate county recording office. The description shall include the general types, locations, and depths of wastes on the site, the depth and type of cover material, the dates the landfill was in use and all such other information as may be of interest to potential landowners, and shall remain in the record in perpetuity. The deed shall also provide notice that any future disruption of the closed landfill shall require prior approval from the Department in accordance with N.J.A.C. 7:26-2A.8(j). A copy of the recorded deed shall be submitted to the Department. [N.J.A.C. 7:26-2A.9(c)4]
63. The owner or operator may apply for Departmental approval to amend the Closure and Post-Closure Plan at any time during the sanitary landfill's operation, closure or post-closure care period. [N.J.A.C. 7:26-2A.9(d)6]
64. The Department may require the amendment of an engineering design and a Closure and Post-Closure Plan at any time it is deemed necessary during the sanitary landfill's operation, closure or post-closure care period. [N.J.A.C. 7:26-2A.9(d)7]
65. A copy of the approved Closure and Post-Closure Plan shall be kept on file at the sanitary landfill during the course of the sanitary landfill's operation and, after closure, shall be filed with the municipal clerk. [N.J.A.C. 7:26-2A.9(d)9]
66. Within six months of closure of the sanitary landfill, the owner and/or operator of the sanitary landfill shall obtain and submit to the Department an as-built certification by a New Jersey licensed professional engineer, certifying that each provision of the Closure and Post-Closure Plan has been implemented as designed and approved. [N.J.A.C. 7:26-2A.9(d)10]

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67. A New Jersey licensed professional engineer shall certify, in writing, to the Department that he or she has supervised the inspection of the construction of each major phase of the sanitary landfill's closure. He or she shall further certify that each phase has been prepared and constructed in accordance with the closure design approved by the Department. The certification shall include as-built drawings. [N.J.A.C. 7:26-2A.9(d)10i]
68. A New Jersey licensed professional engineer shall certify that the materials utilized in the closure of the sanitary landfill are in conformance with and meet the specifications of the approved closure design. [N.J.A.C. 7:26-2A.9(d)10ii]
69. There shall be no deviation from the approved closure design without the prior written approval of the design engineer and the Department. [N.J.A.C. 7:26-2A.9(d)10iii]
70. All certifications shall bear the raised seal of the New Jersey licensed professional engineer, his or her signature, and the date of certification. [N.J.A.C. 7:26-2A.9(d)10iv]
71. The closure certification shall include the following statement: 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 under my supervision, I believe the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I understand that, in addition to criminal penalties, I may be liable for civil administrative penalty pursuant to N.J.A.C. 7:26-5 and that submitting false information may be grounds for denial, revocation or termination of any solid waste facility permit for which I may be seeking approval or now hold. [N.J.A.C. 7:26-2A.9(d)10v]
72. The flow of leachate in the primary and secondary leachate collection and detection systems shall be recorded on a daily basis. Leachate generated at this facility may be recirculated through Cell 5, Cell 6, and Cells 7A, 7B, 7C, 7D, 7E (Cells 7A-7E) to maintain the waste fill at field capacity. Leachate shall be pumped from the leachate storage tank pump station through force mains to the top of the cells and into a perforated pipe network, below the cap, which will distribute the leachate flow. Leachate distribution shall be rotated in groups of four between the sixteen laterals within Cell 5 and groups of eight to ten within the sixty laterals within Cell 6. The number of laterals and operating flow rate for Cells 7A-7E will be varied based on the performance and inspection of the systems. The leachate recirculation system shall be operated to regulate flow of leachate through the distribution system by adjustment of a control valve. Leachate seeps in side-slopes shall be handled by a leachate seep trench along the toe of Cell 5, Cell 6 and Cells 7A-7E. If a leachate seep is suspected, the leachate flow to the nearest lateral shall be reduced or suspended until the seep is eliminated. The hydraulic head on the composite liner system shall meet the Department's requirement that leachate head on the primary liner system shall not exceed 12 inches water gauge. The permittee shall submit appropriate reports concerning leachate recirculation, collection, quality, and discharge volumes to the Department on a quarterly basis. These reports must also provide calculations that demonstrate that the leachate head on the liner system is not exceeding 12 inches. Should the operation of the leachate recirculation system result in odor problems beyond that which can be controlled by the gas collection system, the permittee shall shut down the operation of the leachate recirculation system until a corrective action is implemented. [N.J.A.C. 7:26-2A.8(h)4,5]
73. A methane gas survey shall be performed on a quarterly basis and the results shall be submitted to the Department. [N.J.A.C. 7:26-2A.8(h)9ii]
74. The daily precipitation data from the meteorological monitoring system shall be compiled on a quarterly basis and submitted to the Department. [N.J.A.C. 7:26-2A.8(h)10]

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Subject Item: SWLG785080 - Sanitary Landfill

75. The above monitoring data shall be submitted to the Department during the months of January, April, July and October. [N.J.A.C. 7:26-2A.8]
76. The annual topographical survey of the sanitary landfill meeting the requirements of N.J.A.C. 7:26-2A.8(i) shall be submitted to the Department by May 1 of each calendar year. [N.J.A.C. 7:26-2A.8(i)]
77. An active gas collection system shall be installed at this facility as detailed in the engineering designs referenced in the "Approved Permit Application and Associated Documents" section of this permit. The collected gas shall be flared on-site or used for energy applications. An Air Pollution Control permit shall be obtained prior to the construction of the landfill gas collection system pursuant to N.J.A.C. 7:27-8.2(a)1. [N.J.A.C. 7:26-2A.7(f)]
78. The permittee is authorized to use Posi-Shell Advanced Formulation Cover System as alternate daily and intermediate cover material. Posi-Shell shall be used only on interior landfill slopes. Areas where Posi-Shell is used as intermediate cover must receive at least two coats and must be recoated as necessary. The use of Posi-Shell must be in accordance with manufacturer's specifications. [N.J.A.C. 7:26-2A.8(b)15]
79. Street sweepings, dredge materials and other materials approved by the Department that are used as an alternate daily cover material shall meet the following performance standards: (1) The volatile solids, or combustible content of the cover, shall not exceed 12 percent by weight; (2) No more than 20 percent of fine grained materials shall pass a No. 200 mesh sieve; (3) At least 40 percent by weight of the fragments in the soil admixture shall be capable of passing through a No. 10 mesh sieve; and (4) Particle sizes shall not exceed six inches in diameter. [N.J.A.C. 7:26-2A.8(b)16]

Subject Item: SWLG785957 - Asbestos Cell

80. A detailed metes-and-bounds description of the asbestos disposal area shall be recorded, along with the deed for the landfill property, at the appropriate county recording office, notifying future owners of the property that disruption or excavation is expressly prohibited pursuant to N.J.A.C. 7:26-2A.8(1)2v. The description shall also include the depths of asbestos and asbestos-containing waste materials and cover material, and shall remain in the record in perpetuity. [N.J.A.C. 7:26-2A.8(1)2iv]
81. Upon acceptance of the asbestos and asbestos-containing waste materials, it shall be immediately taken to the asbestos disposal area. After unloading, the asbestos and asbestos-containing waste materials shall be immediately covered with a minimum of three (3) feet of daily cover. To prevent disturbance of the buried asbestos and asbestos-containing waste materials, truck traffic shall be excluded from the active asbestos disposal area. [N.J.A.C. 7:26-2A.8(1)2i(2)]
82. The requirements in this section do not apply to asbestos and asbestos-containing waste materials generated in a renovation or demolition project wherein the total project involves less than 260 feet of asbestos-coated pipe or less than 160 square feet of asbestos-coated surface, such as ducts, boilers, tanks, structural members and the like. [N.J.A.C. 7:26-2A.8(1)4]
83. The permittee shall operate a separate area of the landfill, apart from other waste disposal areas, for disposal of asbestos and asbestos-containing waste materials. When possible, the asbestos disposal area shall be operated by a trench method, with sufficient width and ramping to allow the transport vehicle to back up to or into the trench to allow for proper unloading of the asbestos and asbestos-containing waste materials in a manner that prevents the rupture of the containers during the unloading operation. [N.J.A.C. 7:26-2A.8(1)2i(1)]

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Subject Item: SWLG785957 - Asbestos Cell

84. The permittee shall only accept and dispose of asbestos and asbestos-containing waste materials which have been managed in accordance with N.J.A.C. 7:26-2.12(a). [N.J.A.C. 7:26-2A.8(1)1]
85. The permittee shall maintain a secured drop-off area for the acceptance of asbestos and asbestos-containing waste materials separate and apart from the disposal area. The operator shall ensure that the container used for drop-off is fully enclosed and located on an impermeable surface. No person other than facility personnel or a licensed commercial asbestos removal contractor may load the asbestos or asbestos-containing waste materials into the container used for drop-off. It shall be the permittee's responsibility to remove the asbestos waste at a frequency so as not to exceed the storage capacity of the area. [N.J.A.C. 7:26-2A.8(1)2vii]
86. The intermediate and/or final landfill cover of the asbestos disposal area may not be disrupted, except as required for pollution control or remedial action, in which case such disruption must be managed in compliance with State regulations and 40 CFR Part 61 governing the removal, disposal or other handling of asbestos or asbestos-containing waste materials. [N.J.A.C. 7:26-2A.8(1)2v]
87. The final cover shall be seeded and maintained to prevent erosion and exposure of the asbestos and asbestos-containing waste materials. [N.J.A.C. 7:26-2A.8(1)2i(5)]
88. The final cover of the asbestos disposal area shall be sufficient to minimize infiltration into the asbestos and asbestos-containing waste materials. The final slopes shall be graded to facilitate run-off away from the asbestos disposal area. [N.J.A.C. 7:26-2A.8(1)2i(4)]
89. During or after acceptance and disposal, there shall be no visible air emissions from any active waste disposal site where asbestos-containing waste materials have been deposited, or the permittee shall ensure that the asbestos-containing waste material that has been deposited at the site is either: (1) Covered with at least six inches of compacted non-asbestos-containing material; or (2) Covered with a resinous or petroleum-based dust suppression agent that effectively binds dust and controls wind erosion. Such an agent shall be used in the manner and frequency recommended for the particular dust by the dust suppression agent manufacturer to achieve and maintain dust control. Other equally effective dust suppression agents may be used upon written approval by the Department. For purposes of this paragraph, any used, spent, or other waste oil is not considered a dust suppression agent. [N.J.A.C. 7:26-2A.8(1)3]
90. No person may enter an asbestos disposal area at a landfill during the unloading and covering of asbestos and asbestos-containing waste materials without wearing a respirator approved for asbestos by the National Institute for Occupational Safety and Health, and the Mine Safety and Health Administration. This equipment shall be provided and maintained in good working order by the permittee for its employees. Transporters of asbestos and asbestos-containing waste materials shall be responsible for providing respirators, any mandatory training, and fit testing for its drivers and passengers. [N.J.A.C. 7:26-2A.8(1)2vi]
91. In areas in which asbestos and asbestos-containing waste materials have been previously deposited, the current working face may be prepared by removal of cover material; however, no previously deposited asbestos and asbestos-containing waste materials shall be exposed and a minimum of six inches of cover material shall be maintained between the waste loads. After unloading, the asbestos and asbestos-containing waste materials shall be immediately covered with a minimum of three (3) feet of daily cover. [N.J.A.C. 7:26-2A.8(1)2i(3)]

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Subject Item: SWTG785860 - Transfer Station/Materials Recovery Facility

92. The permittee shall comply with the additional operational, maintenance, inspection and monitoring requirements for materials recovery facilities as provided at N.J.A.C. 7:26-2B.9. [N.J.A.C. 7:26-2B.9]
93. Upon Department approval of the final Operations & Maintenance Manual and certification of construction of the transfer station/ materials recovery facility, the permittee is authorized to accept waste types ID 10 (Municipal Waste) (household, commercial and institutional); ID13 (Bulky Waste); ID13C (Construction and Demolition Waste); ID 23 (Vegetative Waste except leaves pursuant to NJSA 13:1E-99.21); ID 25 (Animal and Food Processing Waste); and ID 27 (Dry Industrial Waste); at the transfer station/materials recovery facility building. The permittee is not authorized to accept any other type or description of solid waste as defined at N.J.A.C. 7:26-2.13(g) and (h), regulated medical waste as defined at N.J.A.C. 7:26-3A.6(a), or hazardous waste as defined at 40 CFR 261.3 at the material recovery facility. [N.J.A.C. 7:26-2.11(b)9]
94. Upon Department approval of the final Operations & Maintenance Manual and certification of construction of the materials recovery facility, the permittee is authorized to accept a maximum of 2,000 tons of waste material of Type 10, 13,13C, 23, 25, and 27 on any operating day at the transfer station/materials recovery facility. The solid waste shall be deposited only in those areas within the building which have been specifically identified in the approved design drawings for such purposes. The permittee shall adhere to the requirements of N.J.A.C. 7:26-2.11(b)2. [N.J.A.C. 7:26-2.11(b)10]
95. The permittee shall accept waste at the transfer station/materials recovery facility only in accordance with the following schedules: Monday through Friday 7:00 a.m. to 3:30 p.m.; and from 7:00 a.m. to 12:00 p.m. on Saturday. The facility shall be closed on Sundays and holidays. [N.J.A.C. 7:26-2.10(b)9i]
96. The permittee shall process waste at the transfer station/materials recovery facility only in accordance with the following schedules: Monday through Friday 7:00 a.m. to 6:00 p.m. and from 7:00 a.m. to 3:30 p.m. on Saturday. [N.J.A.C. 7:26-2.10(b)9i]
97. The permittee shall schedule the waste deliveries to the facility in such a manner as to minimize truck queuing on the facility property. The permittee shall stage vehicles at those areas within the facility property as depicted on the referenced drawings and the permit application documents. [N.J.A.C. 7:26-2B.9(e)]
98. Under no circumstances shall delivery trucks and/or transfer trailers accessing or exiting the facility be allowed to park or queue on any public road. [N.J.A.C. 7:26-2B.9(d)]
99. In the event of a facility outage or other significant malfunction which would result in the facility's inability to process waste at a rate equal to or exceeding the rate of incoming waste, the operator shall immediately report such situation or event to the Department's Hotline at 1-(877) 927-6337. [N.J.A.C. 7:26-2.10(b)9v]
100. The permittee may conduct materials recovery operations in order to extract recyclable materials, including plastic, paper and metals, in accordance with the referenced permit application documents. All recovered materials shall be processed and stored in the facility as depicted on the referenced drawings and the permit application documents, pending transportation to a recycling center or final market destination. [N.J.A.C. 7:26-2B.5(d)]

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Subject Item: SWTG785860 - Transfer Station/Materials Recovery Facility

101. The permittee shall not accept any waste load from a commercial or institutional generator for recovery of designated recyclable materials mandated to be source separated at the point of origin unless the facility has received documentation from the generator that the generator's municipality has granted the generator an exemption from the requirement to source separate the designated recyclable materials from the solid waste stream. The permittee shall maintain a copy of each such documentation of exemption at the facility. Additionally, for each such commercial or institutional generator from which the permittee accepts a waste load for recovery of designated recyclable materials, the permittee shall provide reports to the generator's municipality, annually or as otherwise requested by the municipality, identifying the generator, the quantity (in tons) of the waste loads received from the generator, and the quantity (in tons) of each of the designated recyclable materials actually recovered from those waste loads. [N.J.A.C. 7:26-2.11(b)9]
102. The permittee shall maintain contracts or letters of agreement with end markets, manufacturers and approved recycling centers for the disposition of all recovered materials. The permittee shall notify the Department within one week of changes in the status of existing contracts or the addition of any new contracts or letters for the disposition of recovered materials. Such notice shall include documentation of the changed status or a copy of the new contract or letter of agreement. [N.J.A.C. 7:26-2.9(c)4iii]
103. The permittee shall maintain the air pollution control equipment for the facility. The air pollution control system's filters shall be replaced in accordance with the manufacturer's standard operating procedures. The air pollution control system shall be turned on and functioning properly when solid waste is stored and/or processed within the building. Additionally, the air pollution control equipment must be turned on and functioning properly during the entire period whenever solid waste is stored inside the transfer station/material recovery facility building with the doors closed during the weekend and holidays while the facility is not in operation. [N.J.A.C. 7:26-2.11(b)6]
104. The permittee is authorized to construct a transfer station/materials recovery facility as detailed in the engineering designs referenced in the permit application documents. Prior to initiating any construction activity, the permittee shall obtain all necessary permits and approvals required for construction. [N.J.A.C. 7:26-2.11(b)11]
105. Within thirty (30) days of completion of each of the construction projects, the permittee shall submit to the Department, by Certified Mail or hand delivery, written certification from both the permittee and a licensed professional engineer registered in the State of New Jersey, that the construction has been completed in accordance with the approved designs. The written certifications shall be in conformance with the requirements of N.J.A.C. 7:26-2.4(e), and shall be accompanied with a set of as-built construction drawings signed and sealed by the licensed professional engineer. [N.J.A.C. 7:26-2.11(b)9]
106. A final Operations and Maintenance (O&M) Manual shall be submitted to the Department subsequent to the completion of the construction phase, but at least sixty (60) days prior to initiating full-scale operations. Full-scale operations shall not be initiated before obtaining approval of the final O and M Manual from the Department. [N.J.A.C. 7:26-2.10(b)10]
107. All air pollution control equipment must be installed and certified to be fully operational prior to the commencement of transfer station/material recovery facility operations within the enclosed building. [N.J.A.C. 7:26-2.11(b)11]
108. The permittee shall submit a modified application and obtain an air pollution control permit from the Bureau of Preconstruction Permits, Division of Air Quality, sixty (60) days prior to initiating construction. [N.J.A.C. 7:26-2.11(b)9]

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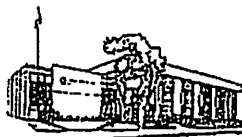
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Subject Item: SWTG785860 - Transfer Station/Materials Recovery Facility

109. Prior to initiating any construction activity, the permittee shall obtain all necessary permits and approvals required for construction. [N.J.A.C. 7:26-2.11(b)9]



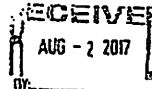
Township of Lakewood

MUNICIPAL BUILDING
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Raymond G. Coles, Mayor
Merrilee Miller, Deputy Mayor

Council Members
Albert Akerman
Michael J. D'Elia
Mick Lieberstadt



July 27, 2017

To Whom It May Concern:

The Township of Lakewood is generating this letter in protest of the proposed 33,000 square foot trash dump and transfer center that is to be built at the border of Lakewood Township.

First, and foremost this area is not the right place for this facility, especially in close proximity to residential developments. Some of the issues being odor, air and ground pollution, traffic, pests and other animals are associated with this type of facility.

Second, why and to who's benefit was this area picked for this facility? It makes no sense to construct this type of facility near residential developments.

Finally, there are many areas where the facility would make more sense to construct. In addition, there will probably be several legal battles that will slow down this process and it will cost time and money from both sides. This could be avoided if we all work together to locate an agreeable area, it should be a team effort.

In closing, we are asking for your support in helping to stop the construction of the dump and transfer center at the location of 34 Randolph Road in Howell Township, Monmouth County.

Thank you,

Raymond Coles
Mayor of Lakewood Township

Cc: Jeffrey Maysfield, Howell Township Municipal Manager
Monmouth County Municipal Utilities Authority
Monmouth County Freeholders
Lakewood Township Committee
Thomas Hartshorn, Municipal Manager
Steve Secore, Township Attorney
Ocean County Freeholders



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