



State of New Jersey

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

401 East State Street

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

Trenton, New Jersey 08625-0420

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

www.nj.gov/dep/dswm/swpl/index.html

PHILIP D. MURPHY

Governor

SHEILA Y. OLIVER

Lt. Governor

SHAWN M. LATOURETTE

Commissioner

October 21, 2022

David K. Dech, Planning Director/Solid Waste Coordinator
Warren County Planning Department
Wayne Dumont, Jr. Administration Building
165 County Road 519, South
Belvidere, NJ 07823-1949

Dear Mr. Dech:

The New Jersey Department of Environmental Protection, Division of Sustainable Waste Management is in receipt of a proposed amendment to the Warren County District Solid Waste Management Plan ("County Plan") dated October 14, 2022. This request for administrative action to the County Plan proposes plan inclusion of LMR Disposal, LLC Class A Recycling Center, to be located at Block 4, Lot 3.02 with a street address of 11 Roxburg Station Road (CR622) in the Township of Harmony to accept source separated non-putrescible metal, glass, paper, plastic containers, and corrugated and other cardboard.

Pursuant to N.J.A.C. 7:26-6.11(b)3, the inclusion of a new recycling facility for the acceptance of Class A recyclables can be accomplished via an administrative action. Therefore, the County Plan inclusion of LMR Disposal, LLC Class A Recycling Center located in the Township of Harmony is hereby approved as an administrative action pursuant to N.J.A.C. 7:26-6.11(f).

If you have any questions relative to this action, please contact Dawn Slawsky of my staff at (609) 984-4250 or email at dawn.slawsky@dep.nj.gov.

Sincerely,

Jill Aspinwall, Section Chief
Bureau of Planning and Licensing

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF WARREN**

Wayne Dumont, Jr. Administration Building
165 County Route 519 South
Belvidere, New Jersey 07823

RESOLUTION 437-22

On a motion by **Mr. Kern**, seconded by **Ms. Ciesla**, the following resolution was adopted by the Board of County Commissioners of the County of Warren at a meeting held October 12, 2022.

**RESOLUTION TO AMEND THE WARREN COUNTY SOLID WASTE MANAGEMENT PLAN
THROUGH ADMINISTRATIVE ACTION TO INCLUDE
LMR DISPOSAL, LLC IN HARMONY TOWNSHIP
AS A CLASS A RECYCLING CENTER**

WHEREAS, LMR Disposal, LLC (LMR) submitted a complete application for inclusion in the Warren County Solid Management Plan as a Class A Recycling Center on May 31, 2019, and then supplemented with a set of site plan maps on June 12, 2019, located at 11 Roxburg Station Road (CR 622), Block 4, Lot 3.02 consisting of 10.0047 acres in Harmony Township; and

WHEREAS, Class A recyclables are defined in the NJDEP regulations at N.J.A.C. 7:26A-1.3 as "a source separated non-putrescible recyclable material specifically excluded from Department approval prior to receipt, storage, processing or transfer at a recycling center in accordance with N.J.S.A. 13:1E-99.34b, which material currently includes source separated non-putrescible metal, glass, paper, plastic containers, and corrugated and other cardboard"; and

WHEREAS, a Class A recycling center is defined as "a facility designed and operated solely for receiving, storing, processing or transferring source separated recyclable materials (Class A). Recycling centers shall not include recycling depots, manufacturers, or scrap processing facilities".

WHEREAS, LMR would collect recyclables in all municipalities in Warren County and Hunterdon County. Understanding that some recyclables may be contaminated with solid waste materials, the origin of the recyclables would be limited to residential and commercial curbside recycling containers, to the exclusion of solid waste containers; and

WHEREAS, LMR's Class A recycling facility will operate Monday through Friday with typical hours of operation of 4:00 a.m. to 5:00 p.m. and with occasional and minimal operations on the weekend; and

WHEREAS, LMR will process approximately 500 tons per month of Class A recyclables thereby adding 40 additional trips per day (20 leaving and 20 entering) to the existing number of trips from its existing operations; and

WHEREAS, LMR will be constructing a 4,440 sq.ft. (60.0 feet by 74.0 feet) open front storage shed, a 2,500 sq.ft office building, a 5,000 sq.ft equipment storage building, a truck scale and parking; and

WHEREAS, the LMR application for preliminary and final site plan approval was approved subject to certain conditions in Resolution 18-2 by the Harmony Township Land Use Board on June 6, 2018; and

WHEREAS, the LMR application for preliminary and final site plan approval was granted unconditional final approval by the Warren County Planning Board in a letter dated September 9, 2022; and

WHEREAS, as described in the application, the recyclable materials hauled in from the route will be emptied into the recycling shed floor and the contaminated materials i.e. bagged (non-loose) recyclables, wet cardboard, trash, and other contaminated material, would be loaded into another truck and delivered to a landfill. The contamination rate is projected to be approximately 30% of the recyclables delivered. The remaining 70% of the non-contaminated materials will then be placed by a front end loader into a larger truck for transport to the end user, processing facility for further processing.

WHEREAS, the SWAC Sub-Committee met and reviewed the application and supplemental materials on August 7, 2019 and toured the site on August 28, 2019; and

WHEREAS, Harmony Township Committee and Land Use Board were contacted in a letter dated August 14, 2019 asking that if the Township had comments on the application to submit them by October 3, 2019, the next SWAC meeting; and

WHEREAS, no further comments were received from the Township; and

WHEREAS, at the October 3, 2019 SWAC meeting the Council reviewed the Sub-Committee's Report to the full SWAC, dated October 3, 2019 and recommended that LMR be included in the Solid Waste Management Plan as a Class A Recycling Center with the following comments and recommendations:

1. The SWAC sub-committee recognizes that the cost of disposing recyclables has risen since the Chinese Government has instituted stricter requirements on the quality of materials. Consequently, the sub-committee supports the efforts taken by LMR to invest in a recycling facility locally to help reduce the costs of transportation and be able to deliver a better quality-recycling load to the end users by sorting out the cleaner materials.

2. The location of the site is in an industrial zone with very few residences nearby. Negative impacts on neighbors from its site operations will be minimal.

3. Truck traffic at the intersection with County Route 519 is a concern. This is being addressed through the site plan approval process that was pending with the County Planning Board.

4. Site plan approval was pending with the Warren County Planning Board. Unconditional approval was granted on September 9, 2022.

5. According to the application submitted on May 31, 2019, the estimated contamination rate was 30%, stating that the contamination rate was in line with the average national rate of 25%. SWAC believed that 30% was still too high and recommended that measures be taken to reduce that rate. One reason LMR stated for the high contamination rate is that the recycling trucks will unload on the floor and if any of the contents are bagged, they are set aside and transported for final disposal as solid waste. The bags may contain recyclables. To reduce the level of contamination in the recyclables the SWAC recommends the following:

a. LMR should engage in a robust campaign to educate its customers about the proper way of preparing recyclables for pickup. The campaign would stress that no plastic bags should be placed in curbside recycling or used to contain recyclables. Customers must be informed that alternative collection sites are available for plastic bags disposal such as the local supermarket. If recycling the plastic bags are not viable for some reason, customers should be instructed to throw plastic bags and film into the trash. If customers continue to place their recycling in plastic bags, LMR's drivers should be instructed to leave the bags at the curb with a note explaining the reason why with instructions on how to prepare the recycling properly.

b. It is recommended that when the trucks are unloaded on the floor and sorted for reloading onto the larger trucks, the plastic bags should be opened and the plastic bags and other non-recyclables placed into the trash. The clean recycling pile would then be loaded onto the trucks for transport to the recycling processing center. If workers are on the floor sorting through the recycling trucks' contents anyway it should not be that much more costly to cut open the bags and sort out the recyclables. While it may cost more in labor (time) to cut open the bags and sort the material into recycling and solid waste, the overall cost of recycling vs disposal fees should be less because the full cost of disposal will be avoided.

c. As was learned on the tour of the site, because the trucks are stored outside, the rear of the truck may fill with rainwater. The water is not drained before the pickup run begins so potentially clean recyclables are placed into the water-filled hopper thus becoming contaminated and potentially diverted as a clean recyclable to trash. It is recommended that the trucks be stored inside, or place a cover/tarp over the top and back of the trucks to prevent rainwater from seeping in, or drain the water in an environmentally safe manner before beginning the run.

WHEREAS, the Warren County Solid Waste Management Plan encourages the recycling of Class A materials as a component of the County's long term solid waste and recycling strategy; and

WHEREAS, an administrative action is a process described in the regulations to allow counties to amend solid waste management plans for specified minor modifications including Class A Recycling Centers through an abbreviated plan amendment process that does not require a public hearing.

NOW, THEREFORE BE IT RESOLVED, that the Board of County Commissioners hereby amends the Warren County Solid Management Plan, adopted September 8, 2021 and certified by the New Jersey Department of Environmental Protection on February 17, 2022, through administrative action to include LMR Disposal, LLC a Class A Recycling Center at Block 4, Lot 3.02, 11 Roxburg Station Road, (CR 622).

BE IT FURTHER RESOLVED, that the LMR Disposal, LLC Class A Recycling Center shall operate within the regulations established by the NJDEP found at N.J.A.C. 7:26A-4.1 to 4.4, and the terms and conditions established by the Harmony Township Land Use Board and the Warren County Planning Board and the application filed with the Warren County Solid Waste Advisory Council as amended and supplemented May 31, 2019 and June 12, 2019.

BE IT FURTHER RESOLVED, that certified copies of this resolution be sent to the New Jersey Department of Environmental Protection, the Township of Harmony, and to LMR Disposal, LLC.

RECORDED VOTE: Mr. Kern yes, Ms. Ciesla yes, Mr. Sarnoski yes

I hereby certify the above to be a true copy of a resolution adopted by the Board of County Commissioners of the County of Warren on the date above mentioned.


_____, Clerk
Alex Lazbrisak