

SUSSEX COUNTY SOLID WASTE MANAGEMENT PLAN AMENDMENT 2007

TO THE SUSSEX COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN

JUNE 4, 2008



Plan Amendment 2007-

Amend the Sussex County District Solid Waste Management Plan to include updates of various sections and programs of the Sussex County District Solid Waste Management Plan in compliance with the mandates of the updated Statewide Solid Waste Management Plan adopted January 3, 2006.

Revisions approved by Solid Waste Advisory Committee on May 13, 2008

Revisions Approved by Board of Chosen Freeholders on June 4, 2008

SOLID WASTE MANAGEMENT PLAN AMENDMENT 2007

TO THE SUSSEX COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN

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PLAN UPDATES

1. Summary

In its ongoing effort to remain current with the dynamic changes occurring in the areas of solid waste and recycling, Sussex County continually updates its District Solid Waste Management Plan via Plan Amendments and Administrative Actions. This specific Amendment reflects program changes that have not previously been discussed and approved in the Plan as well as proposals for the future. The Amendment contains several sections: Updated programs, including School Recycling Initiatives, Educational Outreach, Improved Recycling Tonnage & Information, Ten-Year Projection of Generated Waste Amounts, Recycling Initiatives, Source Reduction Strategies, expanded Enforcement, Inventory of Solid Waste and Recycling Facilities, and Evaluation of Solid Waste Facility Requests To Amend or be Included In The Sussex County Solid Waste Management Plan.

Sussex County municipalities will have six months from the date of NJDEP certification of this amendment to update their municipal ordinances so they are consistent with the County Solid Waste Management Plan.

Updated Programs

The following programs have been implemented since the last update:

1. School Recycling Initiatives:

School education and outreach efforts have been implemented through Municipal Recycling Coordinators during the last few years to increase recycling awareness. Individual efforts have included waste audits, school assemblies, and poster and poetry contests to name a few. To reinvigorate recycling programs in local schools, the County has worked with Buildings & Grounds Superintendents, Municipal Recycling Coordinators and contracted haulers to assess the status of existing programs. In addition, the County has coordinated the donation of recycling containers and equipment for school recycling programs. Over 400 containers have been donated to the schools. County personnel have made presentations to classrooms and school groups, both at individual schools and with tours of the landfill/recycling center/compost facility at the Sussex County Municipal Utilities Authority. These efforts will continue.

Future plans to increase school recycling include:

- Inspections in schools; pamphlets that describe recycling requirements will be provided by inspectors to administration, staff, and faculty
- Continuation of education activities listed above, supplemented by a recently published Public Service Announcement
- Future programs that generate cooperation between school administration, waste haulers, school staff and faculty, and students, to promote self-sustaining recycling activity
- The County will encourage municipalities to partner with schools within their District in purchasing/donating containers and other equipment so that schools can initiate or enhance their recycling programs.

- The County will develop an incentive program with schools and Municipal Recycling Coordinators for the collection of recyclable materials.

2. Household Battery Recycling Program: This program has been expanded to include specific containers for free drop-off at the SCMUA Recycling Center for residents and businesses during facility operation hours. All batteries are processed by a contracted vendor. Since 2000, the program has received 89,060 pounds/44.53 tons of batteries. In addition, several municipalities that provide drop-off locations include containers for battery collection.

3. Consumer Electronics Recycling Program: The SCMUA sponsored Consumer Electronics Program began in 2001. SCMUA has a contract which specifies that the vendor must provide staff, at the SCMUA, to provide the collection and recycling service for four events held at the Solid Waste Facility for eligible residents and businesses. The events are free to the public. Acceptable items include televisions, general electronics, computers and peripherals, cell phones, and mercury containing devices. Since its inception in 2001, the program has generated 268,040 pounds /134.02 tons of electronics, with 198,120 pounds/99.06 tons of the electronics recycled in 2005. This program has been augmented by the SCMUA's daily source separation, collection and recycling of consumer electronics from the solid waste stream.

4. Non-Regulated Medical Waste Collection Program: The Non-Regulated Medical Waste Collection Program began in late 2005 with scheduling one day per month collection by a medical waste management company at the SCMUA Solid Waste Facility. SCMUA's contract specifies that the vendor must provide staff at the SCMUA for collection and disposal of non-regulated medical waste. The purpose of this program is to provide a service to remove from the waste stream and properly dispose of home-generated medical waste. Since the inception of the program, approximately 36 collection events have resulted in more than 700 pounds of medical waste received from over 85 residents. The SCMUA plans to continue these events in the future.

5. Paper Shred Program: A pilot Paper Shred Program was started in 2006 at the SCMUA Solid Waste Facility. A mobile paper shredding truck was contracted for one day per month at the SCMUA Recycling Center, to provide secure document destruction for Sussex County residents and businesses, at a nominal fee. This program has allowed residents and businesses to recycle their old documents and confidential files safely and securely. Six events were held in 2006, with over 5,500 lbs/2.76 tons recycled. Collectively, over 700 residents brought over 26,000 pounds/13 tons of paper for recycling to these events. The SCMUA has planned to continue these events for 2007.

6. Propane Tanks: In 2002, manufacturers were required by law to install new valves—overfill prevention devices (OPD's)—on propane tanks to prevent the overfilling of tanks. Old tanks without this new valve were prohibited from being refilled in New Jersey. Due to these new regulations, many residents had non-compliant tanks requiring recycling. To address this large influx of tanks, the County organized collection of propane tanks at the SCMUA Solid Waste Facility. Tanks were consolidated at the SCMUA Solid Waste Facility and were picked up at no cost by an out of state market. Since 2002, the SCMUA collected over 7,429 propane tanks and over 232,400 pounds/116.20 tons were recycled. Propane tank collection is an ongoing county program at the SCMUA.

7. Tires: The County has always collected used car & truck tires, with or without rims, and augmented this with a recycling initiative back in 1999 with an SCMUA amnesty program. It is estimated that the SCMUA has collected 216.66 tons in 2005 and 280.38 tons of used tires in 2005 and 2004 respectively.
8. Used Motor Oil: In 2005, the SCMUA collected for recycling 29,011.43 gallons of used motor oil and 3,580 gallons of antifreeze.
9. Fluorescent Lamps: In 2005, the NJDEP issued a Compliance Advisory for the handling of fluorescent lamps/bulbs. Fluorescent lamps/bulbs contain small amounts of mercury vapor and are categorized as “Universal Waste”. The SCMUA has included fluorescent lamps and bulbs as part of the Household Hazardous Waste collection events for 2007. To minimize exposure due to breakage and reduce the number of fluorescent lamps in the landfill, the SCMUA has also instituted a daily Fluorescent Lamp Collection and Recycling Program.
10. Street Sweepings: The SCMUA currently accepts street sweepings from municipal sources only, pursuant to NJDEP policies and procedures. The street sweepings are stored within landfill containment and utilized as alternative daily cover. Street sweepings from outside the County may be disposed with a surcharge.

Educational Outreach, Improved Recycling Tonnage & Information

To Residents: The SCMUA has developed an informational/educational brochure that provides a list of designated recyclable materials for Sussex County, along with locations within the Solid Waste Facility for proper disposal and recycling. In addition the brochure provides dates of scheduled Household Hazardous Waste and Electronic Waste, Medical Waste and Document Destruction Days.

To Municipal Recycling Coordinators: The coordinated campaign for increasing recycling awareness and compliance is that all Municipal Recycling Coordinators receive a supply of SCMUA brochures to provide for residents and businesses. A recycling tonnage grant workshop is also held on an annual basis with NJDEP to assist Coordinators in preparing more accurate reports, using an electronic format and submitting to NJDEP on a timely basis.

To Businesses: The Sussex County Recycling Coordinator has coordinated with Municipal Recycling Coordinators to prepare an Annual Recycling Report form for businesses. Sussex County businesses are provided with the form to report actual tonnage of recyclable materials recorded for the calendar year. The SCMUA prepares a database of all commercial tonnage reports, by municipality. Municipalities then utilize the database to complete their annual tonnage reports. The database provides an easy, accurate way for the recycling information to be recorded. In addition, the SCMUA has taken an active role in gathering tonnage information by contacting markets, recycling facilities, and haulers in and outside Sussex County.

2. *Solid Waste Strategy*

Updated Ten-Year Projection of Generated Waste Amounts

Sussex County is faced with an increase in solid waste generation. With both a growing consumer economy and population, there has been an upward spiral of solid per-capita waste being generated statewide. Sussex County is sustaining a constant 5% population increase every 5 years (when a census or survey has taken place) versus a statewide average growth of roughly 3.6% from 2000 to 2005. Many other counties in New Jersey have also historically had more industrial activity than Sussex County. Whereas declining industry in other parts of the state can assuage the increase in consumer-related solid waste, Sussex County does not experience that mitigating effect. As a result, solid waste generation in the County is more volatile. For example, Sussex County threw out 12% more waste in 2003 as in 2002, compared to a statewide increase of 3%. (DEP/DSHW data)

Fortunately, Sussex County throws away less than most of the rest of New Jersey. Based on 2003 population estimates, there was an average of 12.5 lb/day thrown away (disposed of and recycled) by New Jersey residents. In 2003, the generation rate of all waste in Sussex County was 237,253 tons of solid waste¹, which corresponds to 8.75 lbs/person. (The waste per person is from an estimated 2003 county population of 148,489, which assumes a constant growth rate from 2000 to 2005 as provided by the U.S. Census Bureau.) Using that figure and a projection within the range predicted by the Sussex County Strategic Growth Plan, the projected generated waste is as follows:

| Year | Population | Total Waste Generation, Tons |
|------|------------|---------------------------------|
| 2010 | 159,087 | 254,187 |
| 2015 | 168,185 | 268,723 |
| 2017 | 171,968 | 274,768 |

Current Strategy

Sussex County currently relies on a centrally located Municipal Utilities Authority (SCMUA) Solid Waste Facility as the sole landfill in the County. A Residents Convenience Center facilitates public access to Solid Waste disposal. A Recycling Center within the SCMUA Facility continues to provide a location where individuals can dispose of Class A, B C, and D recyclables and be a Class C recycler in the plan. The SCMUA Solid Waste Facility will continue to compete with facilities outside the County. As per current practice and County Policy, it is herein reaffirmed that SCMUA will not accept landfill waste from generators outside the County. Therefore, the Sussex County Solid Waste District will continue to be a “market participant” in the waste management system in the near term. As per the Statewide Solid Waste Management Plan, the County will seek to maintain the integrity and optimize the lifespan of the current SCMUA Landfill.

In order to extend the lifespan of the current landfill and meet the state requirement of a 50% MSW recycling rate, public education will continually expand and enforcement will improve significantly, as described below.

¹ Statewide Solid Waste Management Plan 2006, p. A-18.

3. *Recycling Initiatives*

New Designated Recyclable Materials

The following material is added to the list of mandated materials designated for separation for residential (including multi-family), commercial, agricultural, industrial and institutional, government and office park sectors:

Waste tires (car and truck tires without rims) are defined under Waste Type ID #13, Bulky Waste/Construction Debris. This material is required to be separated at the source by the waste generator and ultimately recycled. Although this material cannot be mixed with garbage, the SCMUA typically finds tires within packer loads of Municipal Solid Waste (MSW). Waste tires disposed in landfills will not decompose for many years and tend to disrupt landfill covers by rising to the surface. As potential health risks, waste tire stockpiles can be havens in which pests reside and mosquitoes breed; they are a potential fire hazard, and can contaminate surface water run-off. Mandatory tire recycling will therefore assist with County recycling goals and objectives, improve SCMUA Landfill operations and reduce public health concerns.

This new mandate will take effect immediately upon the date of NJDEP certification of this amendment.

Other Recycling Initiatives

To increase recycling of previously designated materials the County will undertake the following:

1. A new waste composition study at the SCMUA Solid Waste Facility to ensure that our waste stream percentages are accurate and to determine if other strategies should be implemented.
2. Begin inspection of Solid Waste Facilities currently approved in the Plan to ensure that designated materials are source separated and recycled while performing inspections in accordance with the County Environmental Health Act (CEHA) contract with the NJDEP Office of Local & Environmental Management (OLEM).
3. Implement an inspection and enforcement initiative to ensure waste hauler recycling compliance, with source separation by generators, including an enforcement advisory placing notice on waste haulers of their responsibilities under the SWMP Amendment 2007. During the course of CEHA-obligated truck inspections, DEPHS will inspect haulers for recycling compliance.
4. Focus educational strategies on homeowners to increase recycling of cardboard, mixed paper, and commingled materials.
5. Through Municipal Recycling Coordinators, work with school districts to increase their recycling efforts.
6. Develop brochures on recycling requirements and guidelines for commercial and private businesses, multi-family and private communities.
7. Work with schools and organizers of major events including but not limited to fairs, concerts and sporting events to ensure they are providing adequate, clearly marked containers for recycling.
8. Continue to work with Municipal Recycling Coordinators to effect improved reporting.
9. Increase the number of inspections performed at convenience stores to one per year to ensure that they are adhering to the recycling requirements including the placement of recycling containers(s) inside and, where permissible by local ordinance, outside, their stores.

10. Develop guidelines for new multi-family/commercial developments to ensure that they will provide adequate space to accommodate recycling. Municipalities will be required to include these guidelines in their updated ordinances.
11. In cooperation with the Sussex County Health Department, initiate a public information campaign with an emphasis on recycling being the law.

Enforcement

The 1994 Sussex County District Codified Solid Waste Management Plan had no penalties designated for recycling infractions, so that minimum fines of \$4,500 would apply only to transporters of solid waste. Excessive penalties for initial recycling offenses would have resulted in unending legal challenges in court. In this amendment, a Notice of Violation without a penalty for the first violation is implemented so that the health department will be able to issue a warning before issuing monetary penalties. This notice will allow a grace period for minor violations.

With a new contract with NJDEP Office of Local & Environmental Management (OLEM), the County will devote more man-hours to recycling compliance. The Sussex County Department of Environmental and Public Health Services estimates being able to perform inspections of all Solid Waste Facilities annually, a sample of schools and eating establishments annually, and focus on other commercial establishments as complaints arise or as requested by the SCMUA, municipalities, or Planning Division.

Strategy to achieve the 50% Municipal Solid Waste (MSW) recycling goal

Sussex County believes that we will be able to meet the 50% MSW recycling goal by increasing the amount of recycling of currently designated materials. The chart below shows the generation rate of certain designated materials, the current recycling rate for those materials, and the target recycling rate necessary to meet and exceed the 60% total waste and 50% MSW recycling goals. By meeting the target rate for those previously designated materials, Sussex County can be expected to recycle an additional 42,470 tons of material, far exceeding the 33,022 tons required by NJDEP to meet the 50% MSW goal.

2003 Recycling Statistics:

| MSW Disposal | MSW Recycling Tonnage | MSW Recycling Rate | MSW Recycling Tonnage @ 50% Rate | MSW Recycling Tonnage Increase Needed to Reach 50% Goal |
|--------------|-----------------------|--------------------|----------------------------------|---|
| 91,337 tons | 25,294 | 21.7% | 58,316 | 33,022 |

2003 Amounts Of Selected Materials Recycled Vs. Target Rates

| | % Of Waste Stream | Tons Generated | Tons Recycled | Current Capture | Target Rate | additional tons to be recycled |
|--------------------|-------------------|----------------|---------------|-----------------|-------------|--------------------------------|
| Cardboard | 9.35% | 22,183 | 3,957 | 18% | 85% | 14,898 |
| Office Paper | 2.12% | 5,028 | 917 | 18% | 85% | 3,357 |
| Newspaper | 5.54% | 13,144 | 2,519 | 19% | 85% | 8,653 |
| Other Paper | 13.21% | 31,341 | 2,588 | 8% | 50% | 13,083 |
| Glass Containers | 1.81% | 4,294 | 4,736 | *101% | 90% | *0 |
| Aluminum Cans | 0.71% | 1,685 | 432 | 26% | 90% | 1,085 |
| Steel Cans | 0.66% | 1,566 | 645 | 41% | 85% | 686 |
| Plastic Containers | 1.24% | 2,942 | 1,057 | 36% | 60% | 708 |
| Total | | 82,183 | 16,851 | | | **42,470 |

Notes:

Percent (%) of Waste Stream calculated from the 1991 Killam Composition Study.

Tons Generated calculated by multiplying the percent (%) of waste stream by the total waste generated in 2003.

Tons Recycled from the 2003 DEP certified tonnage grants.

Current Capture was calculated by dividing the tons recycled by the tons generated.

Target Rates are from Governor Florio's 1992 Task Force Report.

Additional tons to be recycled calculated by multiplying the target rate by the tons generated and subtracting from that the tons currently recycled.

* Current Capture exceeds 100% (tons recycled are more than projected tons generated); therefore, target goal for recycling of this material (glass containers) has been met (exceeded) and no additional tonnage is anticipated or projected to be recycled.

** Potential additional tons to be recycled (42,470 tons) exceeds MSW Recycling Tonnage Increase Needed to Reach 50% Goal (33,022 tons); therefore 50% Goal can be achieved through recycling initiatives which address currently designated mandatory recyclable materials.

Procedure for County to Ensure that Municipalities Update Local Recycling Ordinances:

As part of the State requirements of the Statewide Solid Waste Management Plan, updated in 2006, municipalities must update their recycling ordinances within 180 days after the County Amendment 2007 is adopted and fully certified by the State. The Solid Waste Advisory Council (SWAC) will offer both assistance and a forum for creating those ordinances with the following framework to be used as a guide:

1. SWAC will hold discussions to determine if the State model ordinance should have standard alterations that are appropriate for municipalities in the County; a subcommittee may be established to write such standard alterations
2. SWAC attendees may discuss which standard alterations are suitable for the municipalities that they represent
3. Mayors of municipalities with SWAC representation may agree to use the State model ordinance with selected County standard alterations described above
4. All municipalities must submit draft ordinances to the County Planning Division within three months after the County Amendment 2007 is fully certified by the State, except those participating in the steps above. The County will review and provide feedback to municipalities not using State model ordinance with standard alterations established in SWAC meetings
5. Municipalities must submit a copy of adopted ordinances to the County Planning Division within six months after the County Amendment 2007 is fully certified by the State.

Facilities Involved In Collection Of Designated Recyclables:

| Material | Collection |
|---|---------------------------------|
| Class A | |
| Newsprint | SCMUA Goldmine Enterprises |
| Corrugated Cardboard | SCMUA Goldmine Enterprises |
| Magazines and Junk Mail | SCMUA Goldmine Enterprises |
| High Grade Office Paper | SCMUA Goldmine Enterprises |
| Tin and Bimetal Cans | SCMUA Goldmine Enterprises |
| Color-separated glass-clear, green, amber | SCMUA Goldmine Enterprises |
| #1 Plastic | SCMUA Goldmine Enterprises |
| #2 Plastic | SCMUA Goldmine Enterprises |
| Aluminum pans, cans & pie plates | SCMUA Goldmine Enterprises |
| Old clothing | clothing bins throughout county |
| Class B | |
| Tires | SCMUA |
| Class D | |
| Motor Oil | collection at SCMUA |

Note: The materials listed above are not processed or marketed in Sussex County.

Source Reduction Strategies:

To increase source reduction efforts and therefore decrease the amount of solid waste generated, the County will:

1. Develop, in conjunction with the SCMUA, educational programs such as “Cut it and Leave it” for grass clippings, and backyard composting. Resource information and guidance will be coordinated with the Rutgers Extension regarding backyard composting.
2. The County SCMUA will investigate the feasibility of continuing and/or expanding the current pilot fluorescent lamp recycling program.

4. *Sussex County Solid Waste Facilities*

SCMUA Landfill

The SCMUA Landfill is comprised of three (3) phases which have been further subdivided into A and B Cells. Initial construction consisted of Phase 1A (10 acres) and Phase 1B (7 acres). Landfilling of Phase 1 commenced in February 1990 and completed in September 1997. Phase 1 is now capped. Filling of Phase 2A (10 acres) and 2B (10 acres) started in September 1997 and January 2002 respectively, and remains ongoing. Phase 2 capping is under design. Phase 3A and 3B construction (17.5 acres) was initiated in June 2006. A Solid Waste Facility Permit Modification for an expanded (13.5 acres to 17.5 acres) Phase 3 was approved and issued by NJDEP in December 2006. Pursuant to the most recent SCMUA Design Capacity Report the currently permitted SCMUA 3 Phase Landfill has an ultimate capacity of 4,205,000 cubic yards, which yields a maximum solid waste volume of 3,279,000 cubic yards, and a maximum solid waste mass of 2,610,800 tons. Based upon waste flow projections, the SCMUA Landfill is estimated to be in operation through the planning period for this Solid Waste Management Plan (2016).

SCMUA Class A Recycling Facility

The SCMUA Class A Recycling Facility consists of four, thirty-yard containers for the collection of residential commingled glass, aluminum, steel and plastic containers. Additionally, two, forty-yard containers for newspaper; two, twenty-five yard containers for mixed paper/junk mail; and two, forty-yard compactor boxes for corrugated cardboard. Class A recyclables are processed in the existing, permitted, SCMUA Bulky Waste/Recycling Building and Commercial Class A materials are diverted directly to the SCMUA Bulky Waste/Recycling Building for collection and marketing. For 2003, the SCMUA recycled 7,181 tons of Class A materials towards the County total of 16,851 tons or 43%, with the remainder (57%) processed by other in-County Class A facilities, or marketed directly out of county. The necessary Class A tons to be recycled to meet the 50% goal has been projected to be 42,470 tons per year. The estimated capacity of the SCMUA Class A recycling facilities is roughly (but not limited to) 20,000 tons/year, or 47% of the County total. This percentage allocation approximates current conditions. Therefore, the remainder tonnage (53%) can continue to be processed either by a combination of other permitted in-County, Class A facilities or marketed directly out of the County. Should needs and/or economic considerations dictate, upgraded/expanded SCMUA Class A Recycling Facilities may be considered in the future.

SCMUA Class B Recycling Facility

The SCMUA Bulky Waste/Recycling Building is utilized for the temporary storage and transloading of approved Class B recyclable materials such as ferrous and non-ferrous scrap metals, tires and, at times, clean wood waste. Other Class B materials accepted and separately processed onsite consist of freon-containing appliances and propane tanks. Under the Solid Waste Management Plan, Class B Recycling shall be continued by SCMUA.

SCMUA Class C Program

The existing SCMUA Class C Vegetative Waste Recycling Program provides another opportunity to divert viable organic material from the landfill. Vegetative waste (I.D. #23) includes grass clippings and leaves which processed as compost and brush, which is chipped for mulch. These activities are exempted from the requirement to obtain a general or limited approval pursuant to N.J.A.C. 7:26A-3 as described in N.J.A.C. 7:26A-1.4(a) 13. A higher grade of screened compost and twice-ground colorized mulch are available at a reasonable fee. The compost and mulch program continues to be popular with Sussex County residents and businesses. Under the Solid Waste Management Plan, the current Class C Vegetative Waste Recycling Programs shall be continued by the SCMUA.

SCMUA Class D Recycling

The SCMUA Class D recycling program deserves special attention since it diverts hazardous waste materials from landfill disposal. Class D materials that the SCMUA collects onsite include used antifreeze, motor oil, textiles, automobile batteries, household batteries, fluorescent lamps and consumer electronics (E-Waste). The SCMUA has traditionally hosted four free E-Waste collection events annually for Sussex County residents and businesses. In addition, the SCMUA sponsors two free Household Hazardous Waste events annually with an authorized special waste vendor, for proper handling and disposal. Under the Solid Waste Management Plan, the SCMUA will continue to provide Class D recycling programs to ensure proper disposal of potentially dangerous materials thereby protecting the environment.

The following tables and map list Solid Waste Facilities in the County that are included in the Solid Waste Management Plan.

Inventory of Solid Waste and Recycling Facilities in Sussex County:

| Sanitary Landfill (major) | Location | Block & Lot | Material | phone # | Hours | Capacity in plan |
|---|---------------------------|---|--|--------------|--|--|
| Sussex County--Municipal Utilities Authority (MUA) 34 South Route 94 Lafayette NJ 07848 | 34 Route 94 South | Block 14, Lots 33.05, 34, 35.01, 36, 37, 38.01, 38.06 Lafayette | Waste ID nos. 10,13,13C, 23,25,27,27A,27I; treated regulated medical waste | 973-579-6998 | 7-4 Mon-Sat 7 PM Sat for residential partial access | 3,279,000 cu yd |
| Recycling Center - Class A | | | | | | |
| Goldmine Enterprises,LLC (Mid-County Paper Stock) 134 Milton Road Sparta NJ 07871 | 235 Brighton Ave. | Block 163, Lot 4.03 Andover Township | Newsprint, magazines, office stock, corrugated cardboard commingled | 973-786-7499 | 7-4:30 M-F, 7-Noon Sat | 400 tons (Includes 100 tons of fiber) |
| Sussex County MUA 34 South Route 94 Lafayette NJ 07848 | 34 Route 94 South | Block 14, Lots 38.01 Lafayette | Newsprint, magazines, office stock, commingled, corrugated cardboard | | see above | 600 tons / week Est.* |
| Recycling Center - Class B | | | | | | |
| Grinnell Recycling 482 Houses Corner Road Sparta NJ 07871 | 482 Houses Corner Road | Block 26, Lot 36, 38 Sparta | Asphalt, concrete, brick, block,brush,stumps,tree parts, raw wood waste | 973-383-9300 | 7-5 M-Sat | 400 tons / day |
| Weldon Quarry Co 141 Central Avenue Westfield NJ 07090 | 181 Route 181 | Block 70001, Lot1 Hopatcong | Clean concrete clean asphalt | 973-663-1800 | 7-4:30 M-F, 7-11:30AM Sat. | 11,000 tons / week OR 2,000 tons / day |
| Sussex County MUA 34 South Route 94 Lafayette NJ 07848 | 34 Route 94 South | Block 14, Lots 38.01, Lafayette | Tires, metals including appliances, Wood waste | | see above | 400 tons / week Est.* |
| Material Recovery Facility | | | | | | |
| Grinnell Recycling 482 Houses Corner Road Sparta NJ 07871 | 482 Houses Corner Road | Block 26, Lot 36 Sparta | Commercial Construction & Demolition (C&D) raw wood waste | 973-383-9300 | 7-5 Mon-Sat process until 8PM | 400 tons / day |

Note: There are no minor sanitary landfills, transfer stations, or resource recovery facilities

*Estimated capacities only, not limited by permit

Inventory of Solid Waste and Recycling Facilities in Sussex County (Continued):

| Recycling Center - Class C Exempt | Block & Lot | material(s) | phone # | Hours | Capacity in plan |
|--|--|--------------------------------------|--------------------------|---|-------------------------|
| Borough of Hopatcong 111 River Styx Road Hopatcong NJ 07843 | 114 Flora Avenue Block 10002, Lot 1.01 Hopatcong | Brush, Leaves | 973- 398-3611 | 8-4 Sat. 9-12 Wed. | 10,000 cu yd |
| Byram Township 10 Mansfield Drive Stanhope NJ 07874 | 10 Mansfield Drive Block 365, Lot16.01 Byram | Brush, Leaves | 973- 347-2500 | 9-4 Sat. 7:30-2:30W | 10,000 cu yd |
| Sparta Township 65 Main Street Sparta NJ 07871 | 15 Prices Lane Block 33, Lot 4 Sparta | Brush, Leaves | 973- 729-6178 | M, W 8-12 Sat 8-4 April-Dec. | 10,000 cu yd |
| Borough of Stanhope 77 Main Street Stanhope NJ 07874 | 7 Smith Street Block 10301, Lot 11.03 Stanhope | Brush, Leaves | 973- 347-0159 x 38 | W, Sat 8:30-4 | 10,000 cu yd |
| Peterson Compost 34 Waterloo Road Stanhope NJ 07874 | 34 Waterloo Road (CR 604) Block 30, Lot 76.03 Byram | Tree wood chips | (No staff on-site) | | 10,000 cu yd |
| RER Center LLC C/O Clark Road Realty,LLC 20 Cotluss Road, Suite 10 Riverdale NJ 07457 | Route 23 Block 3, Lot 2.01 Wantage | grass, leaves, brush & wood chips | 973- 616-6654 | Mon-Sat | 10,000 cu yd |
| Sussex County MUA 34 South Route 94 Lafayette NJ 07848 | 34 South Rt. 94 Block 14, Lot 38.01 Lafayette | grass, leaves, brush | 973- 579-6998 | 7-4 Mon-Sat Or 7 PM Sat residential | |

Class C - Research Development Demonstration

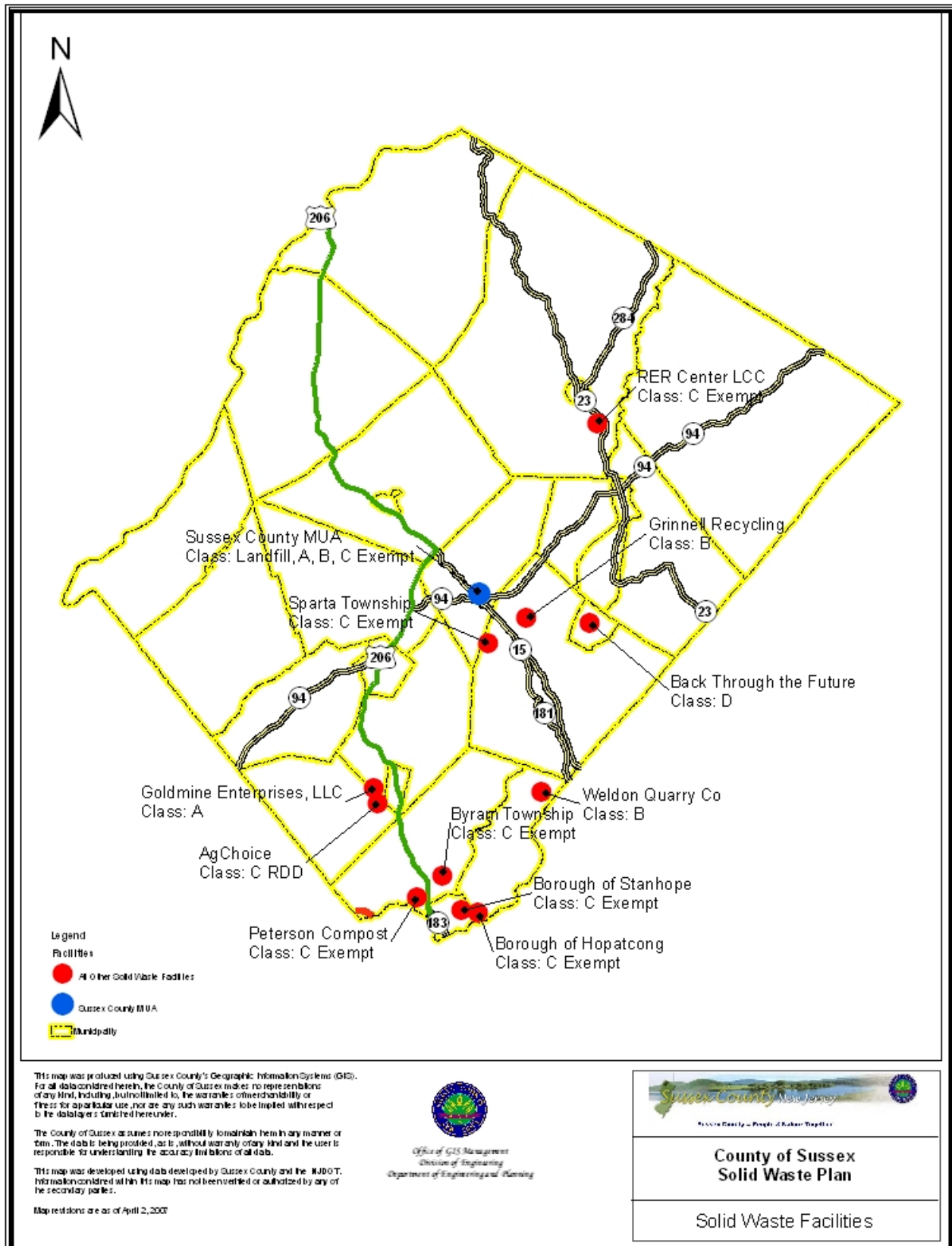
| | | | | | |
|--|---|--------------------------|------------------|--|--|
| AgChoice P.O. Box 1031 Andover, NJ 07821 | 95 Whitehall Rd. (CR 517) Block 27, Lot 6.02 Green | Animal and food waste | 973- 903-0412 | | Research Dev. Demonstration(RDD) For 3 years |
|--|---|--------------------------|------------------|--|--|

Recycling Center - Class D

| | | | | | |
|---|---|------------------------|------------------|--|------------------|
| Back Thru The Future, Inc. Computer Recycling, Inc. 150 Main Street Ogdensburg, NJ 07439 | 150 Main Street (CR 517) Block 25 Lot 1.01 *currently under SC Freeholder Review | Computer components | 973- 823-9752 | 6 AM- 12 AM M-F 6 AM-6 PM Sat & Sun | 100 Tons/ day |
|---|---|------------------------|------------------|--|------------------|

Note: The facilities listed under “Class C – Exempt” above may also provide drop-off points for household batteries. SCMUA collects some household “Class D” materials during special event collections.

Map of Solid Waste Facilities Currently Included in Sussex County District Solid Waste Management Plan



**PATHOLOGICAL AND INFECTIOUS WASTE
INCINERATION AND DESTRUCTION FACILITIES IN SUSSEX COUNTY**

| NAME OF FACILITY | NAME AND TYPE OF INCINERATOR |
|--|---|
| Abbey Glen Pet Memorial Park Route 94 Lafayette, NJ | 2 Therm-Tech G-50 600 lbs/hr |
| Schering Corporation Route 94 and County Rt. 659 Lafayette, NJ | Consummate Incinerator Model C75P11 (or equivalent) and Security Engineered Machinery Model 128 Heavy Duty Medical Waste Destroyer (or equivalent) with Vernitron Steam sterilizer autoclave, Model 82038 CPZ2 (or equivalent). |

Facilities being removed from the Plan:

The following facilities were approved by the Solid Waste Advisory Committee (SWAC) in prior amendments, but are not included in this amendment because they have closed their Sussex County facilities:

- Key Environmental, which was previously located in Byram Block 344, Lot 34.01 at 287 Lackawanna Drive. This facility previously collected oil filters.

The next section describes strategies to be considered in the next 2-10 years as part of a broader planning effort.

5. *Future Strategy -- Planning Direction*

As stated previously, the County currently operates a “market participant” waste management system. Flow Control was used until the New Jersey 3rd Circuit Court decided that it violated the interstate commerce clause in the constitution in 1997 in *Atlantic Coast Demolition and Recycling v. Board of Freeholder, Atlantic County*. Given a recent Supreme Court ruling on April 30th, 2007 which allows establishment of county and municipal Flow Control to benefit the public, the State may soon grant the County this local control over its solid waste once again. Flow Control would provide much needed financial stability for the County’s MUA and could entirely eliminate the County’s dependence on state subsidies to retire stranded landfill debt. Flow Control also offers the following additional benefits:

1. Efficient utilization of the existing SCMUA Solid Waste Facility ensures optimization of the County’s investment towards regional solid waste management
2. Implementation of fair enforcement and/or material separation from all generators in the County requires that all solid waste destined for the landfill gets brought to a single disposal point
3. Inspections can be conducted for all haulers, thereby establishing a more uniform enforcement of recycling requirements throughout the County
4. Recyclable material would enter the facility at significantly higher volumes, thereby making County-designated Class A and Class B recycling facilities more financially viable
5. More accurate recycling reporting
6. New potential revenue sources from recycling with a greater economy-of-scale
7. Increased supply of raw materials for County projects, such as roads and “green” buildings

Currently, many of the recyclables that are disposed of have little chance of being discovered because they get transported by haulers who sign contracts with residents and businesses. There is little opportunity for oversight of waste disposal and/or recycling that leaves Sussex County. This lost opportunity to oversee and recover solid waste results in lost economic and environmental potential for the County.

At first, the prospect of more “non-recyclable” solid waste in the County, as a result of voluntary Flow Control, sounds less than optimal. Yet for reasons stated above, recycling rates would increase when combining Flow Control with other strategies.

A Flow Control or Market Utilization system should include the establishment of County-designated (approved) recycling facilities. Independently operated recycling companies could continue to be included in the plan. With more solid waste being brought to a County-designated facility, the economies of scale for recycling will increase.

I. Municipal Waste Contracting

An important tool for implementing Flow Control or Market Utilization is the required waste collection by municipal-contracted haulers. This would be a departure from the current status, as

very few municipalities currently have contracts with haulers to bring waste to the SCMUA. As municipal contracts come up for renewal, it is strongly recommended that new contract language direct solid waste disposal to the SCMUA Facility, with recyclables directed to a County-designated recycling facility. The benefits to the public would be significant:

1. The financial integrity of the SCMUA Landfill and, hence, waste disposal in the County would be protected.
2. Municipal-contracted haulers would be overseen and inspected to ensure that recyclables are source separated from the solid waste stream.
3. Municipal-contracted haulers would be overseen and inspected to ensure that they bring all of their recyclables to a County-designated facility.
4. Reporting of tonnages would be integral with municipal contracts, thereby achieving more accurate recycling tonnages, more grant funding, and easier prediction of future solid waste flows.

II. New Disposal Capacity

The County will further consider its solid waste planning options in the near future to provide for continued waste disposal management. The SCMUA Facility is expected to reach its currently permitted capacity near the end of the 10-year horizon of this plan. The County will identify feasible waste management strategies to address future conditions over this plan term.

Research for applicable technologies to expand capacity has continually been researched. Technologies to expand existing capacity within the current landfill site will be explored. The County Landfill is an investment in solid waste management that should be optimized.

CODIFIED RECYCLING ELEMENT

Of the Sussex County Solid Waste Management Plan Amendment 2007

1. FINDINGS

The Sussex County Board of Chosen Freeholders finds and declares as follows:

- A. The County may most appropriately demonstrate its long-term commitment to proper solid waste management by establishing an effective and coherent enforcement program to ensure that the Sussex County District Recycling Plan goals are achieved.
- B. It is in the public interest to ensure that on a County-wide basis there is an emphasis for public and private sector generators of solid waste to be active in source separation of marketable waste materials and reusable waste materials for return to the economic mainstream.
- C. The County is desirous of maximizing the diversion of the materials out of the solid waste stream into a recycling program. The County Recycling Coordinator has been proactive with direct communication with generators for at least a year. These efforts are found to be effective; however, there are small businesses that are known to be reluctant to institute or maintain recycling as a norm. The New Jersey Solid Waste Management Act requires all businesses, industries, institutions and residents to recycle in accordance with their respective County's Solid Waste Management Plan. Separation of recyclables needs to become more convenient, commonplace, and part of the general public consciousness.
- D. In accordance with the Solid Waste Management Act, the County is responsible for the development and implementation of a comprehensive Solid Waste Management Plan for the Sussex County Solid Waste Management District. The Plan was originally certified by Commissioner Robert C. Shinn of the NJDEP on November 15, 1994, and has been amended from time to time.
- E. Sussex County is the implementation agency of the Solid Waste Management Plan. The Sussex County Board of Chosen Freeholders has appointed the Director of the Planning Division as the Solid Waste Coordinator. Important functions of Solid Waste planning, including recycling, will be directed by the Solid Waste Coordinator. Enforcement will be the responsibility of the Sussex County Department of Environmental and Public Health Services (DEPHS), and operations will be the responsibility of the Sussex County Municipal Utilities Authority (MUA).

2. *PURPOSES*

The purposes of this Solid Waste Management Plan are, on a County-wide basis, to standardize and:

- A. To codify existing County policy and procedures to enable the Sussex County Division of Health to efficiently enforce and effectively administer the Sussex County Solid Waste Management Plan as it exists and as it may be amended from time to time.
- B. To establish minimum standards of performance for residential and non-residential generators of solid waste and recyclable materials so as to provide for an effective and coherent source separation and recycling management strategy.
- C. To aid in the conservation and recovery of valuable resources.
- D. To establish standardized responsibilities for residential generators of solid waste throughout Sussex County.
- E. To establish standardized responsibilities for non-residential generators of solid waste throughout Sussex County.
- F. To establish standardized performance responsibilities for all Sussex County Municipal Recycling Coordinators.
- G. To establish standardized performance responsibilities for the Sussex County Recycling Coordinator.
- H. To provide mechanisms for the enforcement of the provisions of this Plan and to provide for penalties for those who, upon a compliance evaluation, are found to be non-compliant with any provision of this Solid Waste Management Plan, and to fix certain fees for compliance monitoring activities.
- I. To remove a maximum amount of recyclable material from the County solid waste stream.

3. *SCOPE*

- A. All residential and non-residential generators of solid waste residing within Sussex County shall be responsible to source separate certain Class A and/or Class B recyclable materials in accordance with methodologies as particularly prescribed in respective municipal recycling ordinances and in compliance with the most current Sussex County District Recycling Plan required pursuant to the provisions of the "Solid Waste Management Act" P.L. 1970 c. 39 (N.J.S.A. 13:1E et seq.). The Sussex County District Recycling Plan was adopted by the Sussex County board of Chosen Freeholders in December 1987. The Sussex County Solid Waste Management Plan was completed and submitted to NJDEP in 1980 and has been amended and updated since then. A Codified Solid Waste Management Plan was DEP certified on November 15, 1994.
- B. The following requirements are included herein:
 - a. Residential Generators must follow Sections 6, 7.
 - b. Non-Residential Generators must follow Sections 8, 9.
 - c. Transporters must follow Section 10.

- d. Municipalities are encouraged to perform items including but not limited to G-J in Section 11.I.
- e. County Recycling Coordinator has responsibilities listed in Section 12.
- f. Penalties for violations of the Solid Waste Management Plan are described in Section 13.

4. DEFINITIONS

Definitions, words and terms as used in this Solid Waste Management Plan shall have the meanings as set forth in The Solid Waste Management Act N.J.S.A. 13:1E-4 et seq. particularly the New Jersey Statewide Mandatory Source Separation and Recycling Act N.J.S.A.

13:1E-99.11 et seq., and the rules and regulations promulgated thereunder in N.J.A.C. 7:26-1 et seq., and N.J.A.C. A-1.1 et seq.

ADDITIONAL DEFINITIONS

Dwelling: shall mean any building occupied in whole or in part as the temporary or permanent home or residence of a single family and up to three family units of dwelling space.

Fully owner-occupied dwelling: shall mean a dwelling not occupied by a tenant.

Multiple dwelling: shall mean any building of one or more stories, and any land appurtenance thereto, and any portion thereof in which three (3) or more units of dwelling space are occupied, or are intended to be occupied, by three (3) or more persons who live independently of each other.

Non-Residential generator: shall mean any commercial and institutional premises, including but not limited to: retail, wholesale, restaurants, taverns, schools, institutions, warehouses, construction sites, factories, and office buildings.

Occupancy: shall mean the purpose or activity for which a building or space is used or is designed or intended to be used.

Occupant: shall mean any person, including guests, in actual physical possession or occupancy of a dwelling and/or unit of dwelling space on a regular basis. For purposes of assigning specific duties or responsibilities, the term, unless the text indicates otherwise, shall mean the owner, tenant, lessee, head of the family or household, or the adult person or emancipated minor assuming basic responsibility for the continued renting or occupancy of the dwelling space.

Operator: shall mean any person who shall either be designated to manage or operate any multiple dwelling on behalf of the owner; or actually managing or operating any multiple dwelling; or if registration under, or evidence of management, or operation under, is not available, the person collecting rents or making charges for use of the premises, or in the absence of a person satisfying the superintendent, janitor or resident caretaker, having any responsibility for the maintenance of the premises.

Owner: shall mean the person who has legal title of record to a dwelling.

Person: shall mean an individual, partnership, corporation or other legal entity.

Premises: shall mean land, improvements thereon, or any part thereof.

Residential generator: shall mean any single or multi-dwelling unit including single-family homes, garden and high-rise apartments, condos, townhouses, and other multi-family units.

Unit of dwelling space: shall mean any room or rooms, or suite or apartment thereof; whether furnished or unfurnished, which is occupied, or intended, arranged or designed to be occupied, for sleeping or dwelling purposes, by one or more persons, including but not limited to the owner thereof; or any of his servants, agents or employees, and shall include all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use of occupancy thereof.

5. PUBLIC RECORD

A copy of the Sussex County District Solid Waste Management Plan, as most currently amended, will be made available at the office for the Division of Planning, Sussex County Department of Engineering and Planning, on the 3rd floor of the County Administration Building at One Spring Street in Newton, New Jersey.

6. STANDARDS FOR RESIDENTIAL GENERATORS OF SOLID WASTE

- a. All residential generators of solid waste within the political subdivision of Sussex County, State of New Jersey, shall source separate, as a minimum, all those recyclable materials as designated in the Sussex County District Codified Solid Waste Management Plan and amendments thereto. For purpose of this section, “source separate” shall mean that designated recyclable materials be separated from solid waste by the residential generator, at the point of generation (residential dwelling or dwelling unit). For purposes of this section, residential generator shall include, but is not limited to: owner; agent of owner; managing agent; operator, superintendent, janitor; custodian; tenant roomer; boarder; lodger; emancipated minor.
- b. All non-residential generators, as defined in Section 4 herein, shall source separate for disposition, at a minimum, the following recyclable materials as defined by the New Jersey Department of Environmental Protection.
 - 01- Aluminum Cans - Food and beverage containers made entirely of aluminum.
 - 03- Computer Printout/White Ledger - All-computer paper, all high-grade white paper (including letterhead, typing paper, copier paper, onionskin, tissue and note pad).
 - 06- Corrugated - Containers, brown grocery bags, and similar paper items, usually used to transport supplies, equipment, parts or other merchandise.
 - 07- Glass Containers - AU glass containers used for packaging food or beverages.
 - 10- Leaves and Brush Leaves - brush and other yard trimmings, including grass clippings, from institutions, commercial or industrial sources
 - 11- Magazine & Junk Mail magazine stock - white and colored paper and envelopes, telephone directories and books.
 - 13- Mixed Office Paper - items listed in computer printout/white ledger category when mixed with envelopes, manila binders and color paper. Material is generated by commercial/institutional sources.

- 14- Newspaper - All paper marketed as newsprint or newspaper and containing at least 70% newsprint or newspaper (American Paper Institute grades #6, #7 and #8-news).
 - 15- Plastic containers - Containers such as polyethylene terephthalate (PETE -#1) soda bottles, high-density polyethylene (HDPE -#2) milk, and water or detergent bottles.
 - 17- Steel Cans - Rigid containers made exclusively or primarily of steel, tin-plated steel, and composite steel and aluminum cans used to store food, beverages, paint and a variety of other household and consumer products.
 - 18- Stumps, Logs and Tree Parts - Unfinished wood from land clearing projects, storm damage or pruning activities.
 - 19- Textiles - Textiles larger Than 15" x15" (e.g. clean clothing, drapes, curtains, sheets, towels, cloth, belt, shoes, handbags. and small stuffed animals).
 - 20- Tires - Rubber-based scrip automotive and Truck tires.
 - 22- Used Motor Oil -A petroleum base or synthetic oil whose use - includes, but is not limited to, lubrication of internal combustion engines, which through use, storage or handling has become unsuitable in its original purpose due to the presence of impurities or loss of original properties.
-
- c. Disposition of the source separated recyclable materials by the residential generator shall be as prescribed in the Sussex County District Recycling Plan contained (as amended from time to time) within the Sussex County District Solid Waste Management Plan.
 - d. Failure of the residential generator to comply with the provisions of Section 7 herein below shall constitute a violation of this Solid Waste Management Plan and shall subject the residential generator to those penalties as prescribed hereinafter in Section 13C of this Solid Waste Management Plan.

7. *RESPONSIBILITIES OF RESIDENTIAL GENERATORS*

I. Single dwelling:

- a. The owner of a fully owner occupied residential dwelling shall be responsible to comply with the provisions of this Solid Waste Management Plan.
- b. The occupant(s) of a dwelling not fully owner occupied shall be responsible to comply with the provisions of this Solid Waste Management Plan.

II. Duties of Owners of Multiple Dwellings

- a. The owners, including but not limited to, agents of owners, managing agents and superintendents and/or the occupant(s) of multiple dwellings shall be responsible to comply with the provisions of this Solid Waste Management Plan.
- b. The owner of multiple dwellings shall establish and maintain recyclable drop-off locations and/or containers that are conveniently located and accessible to occupants. These locations and/or containers shall be physically separated from the solid waste collection location, but shall be located on the multiple family premises. Containers for recyclables shall be clearly marked to indicate they are for recyclable material deposits only. Container capacity shall be adequate to hold all recyclable materials generated between disposal pickups. Separate containers shall be utilized for each recyclable material, except that a commingling of source separated non-putrescible recyclable materials may be allowable dependent upon the requirements of the providers of recycling services.
- c. The owner, including agents of owners, managing agents, and superintendents, shall maintain the recycling systems in good operating order. Notice of violation directed to the owner shall be promptly corrected. The owner shall notify all current occupants, and all new occupants upon their arrival to the multiple dwelling, as to the source separation and recyclable material disposal requirements. In addition, the owner shall thereafter provide to all occupants not-less than once every twelve (12) months, copies of the source separation recycling rules. Proof of distribution of the notices sent shall be kept on file by the owner and made available for inspection by Sussex County Division of Health officials and municipal recycling coordinators.
- d. No Owner shall be relieved from such responsibility hereunder by reason of the fact that an occupant or other person shall have similar responsibilities, nor shall any such person be relieved of any responsibility by the terms, or provisions of any contract, lease or agreement.

III. Duties of Occupants of Multiple Dwellings

- a. Occupants of multiple dwellings shall have the same general duties as specified in this Solid Waste Management Plan for owners of owner occupied dwellings.
- b. Occupants of multiple dwellings shall source separate all solid waste from recyclable materials in the respective units of dwelling space, and deposit the solid waste into containers provided by the owner for solid waste collection, and deposit the recyclable material into containers provided by the owner for the collection of recyclables.
- c. Occupants shall not be relieved from any responsibility by reason of the fact that any owner or operator shall have similar responsibilities, nor shall any person be relieved of any responsibility by the terms or provisions of any contract, lease or agreement.
- d. An occupant shall, in addition to complying with all provisions of this Solid Waste Management Plan applicable to him/her be responsible for adhering to the specific recycling provisions made by the owner, managing agents or superintendent for the multiple dwelling unit in which they reside.

8. STANDARDS FOR NON-RESIDENTIAL GENERATORS OF SOLID WASTE (COMMERCIAL AND INSTITUTIONAL)

- A. All non-residential generators, as defined in Section 4 herein, shall source separate for disposition, at a minimum, the following recyclable materials as defined by the New Jersey Department of Environmental Protection.

CLASS MATERIAL AND DEFINITION

- 01- Aluminum Cans - Food and beverage containers made entirely of aluminum.
- 02- Antifreeze - An automotive engine coolant consisting of a mixture of ethylene glycol and water or propylene glycol and water.
- 03- Computer Printout/White Ledger - All-computer paper, all high-grade white paper (including letterhead, typing paper, copier paper, onionskin, tissue and note pad).
- 04- Concrete, Asphalt and *Masonry/Paving* Material - Asphalt, concrete, brick, cinder block, "patio blocks", and other masonry and paving materials.
- 05- Consumer Batteries - Any type of button, coin, cylindrical, rectangular or other shaped, enclosed device or sealed container which is utilized as an energy source for commercial, industrial, medical, institutional, or household use. (Does not include lead-acid batteries from vehicles).
- 06- Corrugated - Containers, brown grocery bags, and similar paper items, usually used to transport supplies, equipment, parts or other merchandise.
- 07- Glass Containers - AU glass containers used for packaging food or beverages.
- 08- Heavy Iron - All structural steel or ferrous metal, cast iron components,
- 09- Lead-Acid - Batteries -Batteries from automobiles, trucks, other vehicles and machinery and equipment, which shall be stored in a manner that protects them from the elements to avoid corrosion and leakage.
- 10- Leaves and Brush Leaves - brush and other yard trimmings, including grass clippings, from institutions, commercial or industrial sources
- 11- Magazine & Junk Mail magazine stock - white and colored paper and envelopes, telephone directories and books.
- 12- Mercury Containing Devices - including fluorescent and compact tubes, High Intensity Discharge (HID) and neon lamps, electrical switches, thermostats, thermometers and any batteries containing mercury.
- 13- Mixed Office Paper - items listed in computer printout/white ledger category when mixed with envelopes, manila binders and color paper. Material is generated by commercial/institutional sources.
- 14- Newspaper - All paper marketed as newsprint or newspaper and containing at least 70% newsprint or newspaper (American Paper Institute grades #6, #7 and #8-news).
- 15- Plastic containers - Containers such as polyethylene terephthalate (PETE -#1) soda bottles, high-density polyethylene (HDPE -#2) milk, and water or detergent bottles.
- 16- Scrap Autos - Crushed or shredded automobile or truck bodies, excluding auto shredder residue or "fluff".

- 17- Steel Cans - Rigid containers made exclusively or primarily of steel, tin-plated steel, and composite steel and aluminum cans used to store food, beverages, paint and a variety of other household and consumer products.
- 18- Stumps, Logs and Tree Parts - Unfinished wood from land clearing projects, storm damage or pruning activities.
- 19- Textiles - Textiles larger Than 15" x15" (e.g. clean clothing, drapes, curtains, sheets, towels, cloth, belt, shoes, handbags. and small stuffed animals).
- 20- Tires - Rubber-based scrip automotive and Truck tires.
- 21- Used Consumer Electronics - Any appliance used in a business that includes circuitry. Includes components and subassemblies of the electrode products. Examples include computers & peripherals, printers, copiers, VCRs, televisions, cell phones and fax machines, etc.
- 22- Used Motor Oil -A petroleum base or synthetic oil whose use - includes, but is not limited to, lubrication of internal combustion engines, which through use, storage or handling has become unsuitable in its original purpose due to the presence of impurities or loss of original properties.
- 23- White Goods & Light Iron - All large appliances such as washers, dryers, refrigerators, etc., as well as products made from sheet iron, such as shelving, file cabinets, metal desks, recycled or reconditioned steel drums, and other non-structural ferrous scrap.
- 24 - Wood Scrap -Unfinished lumber from construction or demolition projects including pallets. Unfinished shall mean non-chemically treated (not pressure treated, impregnated with preservatives, insecticides, fungicides, creosote, or other chemicals, and not painted, resin-coated or otherwise surface treated, and not laminated or bonded; and not similarly altered from its natural condition).
- 25 - Non-Ferrous and aluminum Scrap – All non-container aluminum, stainless steel, copper, zinc, brass, and other metals which generally do not rust.

- B. Disposition of the source separated recyclable materials by the non-residential generator shall be in accordance with state, county and local plans and regulations, etc.
- C. Failure of the non-residential generator to comply with the provisions of Section 8, or Section 9A and/or 9B herein below shall constitute a violation of this Solid Waste Management Plan and shall subject the nonresidential generator to those penalties as prescribed hereinafter in Section 13C of this Solid-Waste Management Plan.

9. RESPONSIBILITIES OF NON-RESIDENTIAL GENERATORS

- A. The non-residential generator shall mean the owner, agent, lessee, tenant, operator, contractor, builder or occupant of every building or premises issued in whole or in part for commercial, retail, wholesale, industrial, construction sites, restaurants, taverns, schools, institutions, warehouses, factories, offices etc. Non-residential generators shall be responsible to comply with the source separation and recycling provisions of this Solid Waste Management Plan.
- B. Non-residential generators shall locate and maintain at their premises containers for the collection and disposal of recyclable materials in addition to the containers which are located at their sites for the collection and disposal of solid waste:
- i. Container capacity shall be adequate to hold all recyclable materials generated between disposal events.
 - ii. Containers for recyclables shall be clearly marked to indicate that they are for recyclable material deposits only.
 - iii. Separate containers and/or separate staging areas located on premises to effectuate source separation shall be utilized for each class of recyclable material as listed in Section 8 hereof, except that commingling of **ONLY** the following classes of non-putrescible recyclable materials into one container is allowable, dependent upon the requirements of the providers of recycling services:
 - a. Containers with Class Codes 01, 07, 15, & 17 may be commingled in the same recycling container.
 - b. Paper with Class Codes 03, 11, & 13 may be commingled in the same recycling container.
- C. Non-residential generators of solid waste and/or recyclable materials shall obtain from their disposal providers receipts for the removal of those materials from the premises. As a minimum, the receipts shall indicate the type and the amount in tons of the solid waste and/or recyclable material(s) removed, and the date of each and every incident of removal. Those disposal records shall be kept on file and maintained by the owner or operator for a period of three (3) years and shall be available to enforcing officials of this Solid Waste Management Plan for inspection during normal and reasonable business hours. A summary total tonnage on official letterhead or copies of disposal receipts for recycled materials shall be forwarded to the Municipal Coordinator at the end of each calendar year for inclusion in the municipalities' Annual Recycling Tonnage report, specifically N.J.S.A. 13:1E-99.16.

10. RESPONSIBILITIES OF SOLID WASTE/RECYCLING TRANSPORTERS

All solid waste transporters engaged in the act of collecting and/or moving solid waste generated within Sussex County from the site shall completely record, prior to removal, a waste origin waste disposal (O & D) form, in accordance with N.J.A.C. 7:26-3.5(h), and which may be obtained from the NJDEP.

- A. Haulers servicing non-exempted generators (including residential multi-family dwellings, which are not permitted exemptions) shall not collect and mix in one vehicle the generator's garbage and source separated recyclables.
- B. Haulers shall notify all generators, including but not limited to all occupants of residential, commercial, and institutional properties, of their recycling responsibilities to ensure that trash is separated from recyclable materials and, in the event of a violation, the violator will receive a notice that un-separated solid waste will not be transported.
- C. Haulers shall provide tonnage reports to municipal recycling coordinators
- D. Violations of sections above shall be subject to a Penalty Assessment by the SCDEPHS as allowable under section 13 herein.
- E. SCMUA shall develop and make available a one page summary advising contractors of source separation and disposal options for construction and demolition (C&D) projects.

11. RESPONSIBILITIES OF MUNICIPALITIES

I. Municipal Recycling Coordinators

- A. All municipal recycling coordinators shall have all those duties as enumerated in the respective Municipal Recycling Plan Ordinance, as well as those duties enumerated under N.J.S.A. 13:1E-99.16; and designate one or more persons as the municipal recycling coordinator (13:1E-99.16).
- B. All Municipal Recycling Coordinators shall also be responsible to perform those duties and functions as required by any interlocal services agreement for recycling between Sussex County and its municipalities; and,
- C. All Municipal Recycling Coordinators shall notify all generators of their source separation responsibilities (13:1E-99.16f) at least twice annually, the municipality must notify, all occupants of residential, commercial and institutional properties of the requirements of the municipal recycling ordinance.

- D. All Municipal Recycling Coordinators are encouraged to provide any person applying for a construction/demolition (C&D) permit with an information sheet including the following:
- Locations and hours of relevant recycling facilities
 - Money saved by separating recycling C&D
- It may be noted that the zoning officer/construction official would be encouraged to include this information sheet in the construction & demolition permit package.
- E. All Municipal Recycling Coordinators must attend at least one County-hosted Recycling Coordinators meeting annually.
- F. All Municipal Recycling Coordinators shall also be responsible to perform in a timely manner, those duties and functions as enumerated in the Sussex County District Solid Waste Management Plan and amendments thereto.
- G. It is recommended that all Municipal Recycling Coordinators attend Rutgers Recycling Certification Courses and achieve certification.
- H. All Municipal Recycling Coordinators are to promote recycling as part of the general public consciousness in the municipality.
- I. Municipalities are encouraged to share services relating to recycling, including but not limited to advertisements, recycling coordinators, and reporting of tonnages.
- J. Municipal Recycling Coordinators are encouraged to educate schools and institutions concerning recycling within the municipality.

II. Other Municipal Responsibilities:

- A. **Adopt a mandatory source separation and recycling ordinance** (13:1E-99.16b. and 99.17). This ordinance must include, at a minimum: the designation of materials mandated for source separation and recycling from all residential, commercial and institutional generators; responsibilities of generators for the collection and recycling of those materials; method of enforcement for the mandate, including delegation of enforcement powers and penalties for non-compliance.
- B. **Periodically review and update municipal land use master plans and development regulations** (13:1E-99.16c.). The master plan and development regulations shall require, at a minimum, provisions for the storage and collection of designated recyclable materials in any development requiring site plan approval that involves the construction of 50 or more units of single family residential housing, any construction of multi-family residential construction, or commercial or industrial development for the utilization of 1000 square feet or more of land.
- i. Require site plans to show adequate storage for all solid waste between garbage pickups and recycling pickups (as per part of 40:55D-45.2d).

- C. **Enforce the Municipal Recycling Ordinance:** Municipalities shall act on recycling violation occurrences by either investigating and enforcing them in accordance with their local recycling and/or separation ordinance, or referring them to the SCDEPHS for action in accordance with Section 13 below.

- D. **Submit an annual municipal recycling tonnage report to the NJDEP** (13:1E-99.16e). The NJDEP provides an annual guidance document and on-line reporting forms for this requirement. This report must detail all recycling that occurred in the municipality, from all sectors (residential, commercial and institutional) subject to the ordinance. The NJDEP provides several reminders regarding this report and the governing body resolution which must accompany this report. Those municipalities which do not report are barred from receiving a recycling grant, may jeopardize receiving other NJDEP grants, and will be referred to NJDEP Enforcement for appropriate action.

- E. **Prohibit, by ordinance, the placement of leaves for disposal as solid waste** (13:1E-99.22). The ordinance may either specify the on-site composting of leaves and grass (for residential generators only), or the placement of leaves for collection and composting as provided in the ordinance.

12. RESPONSIBILITIES OF THE COUNTY RECYCLING COORDINATOR

- A. The County Recycling Coordinator shall have all those duties as enumerated in N.J.S.A. 13:1E-1 et seq., N.J.A.C. 7:26-All et seq., and the Sussex County District Solid Waste Management Plan as most currently amended.
- B. Additionally, the County Recycling Coordinator shall be responsible to:
- i. Plan and implement public education programs stressing, in particular, the public's responsibilities under the Statewide Mandatory Source Separation and Recycling Act, and the public's responsibilities under this Solid Waste Management Plan.
 - ii. Plan and implement with other responsible parties new and innovative recycling programs for Sussex County.
 - iii. Attend State, County and Association of New Jersey Recycles (ANJR) meetings.
 - iv. Make contact with each Municipal Recycling Coordinator at least once during a calendar year to determine progress towards meeting the recycling goals of the County Recycling Plan. At least 3 recycling coordinator meetings must be held each year.
 - v. Prepare and submit annual tonnage reports to municipal recycling coordinators.
 - vi. Recommend solid waste inspection by the SCDEPHS of any non-residential use premises located in Sussex County.
 - vii. Conduct, at a minimum, one (1) educational seminar annually for any businesses needing direction as to the methodology they should use to comply with Section 8 and Section 9 of this Solid Waste Management Plan.
 - viii. Successfully complete the New Jersey Recycling Certification Series or equivalent certification program and complete annual training to maintain such certification.
 - ix. Investigate potential markets for traditional and non-traditional recyclable materials

13. ENFORCEMENT BY SUSSEX COUNTY DIVISION OF HEALTH

In accordance with N.J.S.A. 26:3A2-21, the County Environmental Health Act (CEHA) gives the Sussex County Division of Health (SCDEPHS) power and authority to enforce applicable Environmental Statutes and Administrative Codes. The New Jersey Department of Environmental Protection has delegated the Sussex County Division of Health as the certified local health agency for the County of Sussex.

In each calendar year for which SCDEPHS is an authorized CEHA Agency, and conditioned upon the availability of CEHA funding to support enforcement staff, the Health Officer and/or his/her designee(s) shall, in addition to his/her other duties, enforce and administer the provisions of this Solid Waste Management Plan. The Health Officer may appoint or designate any employee under his/her direct supervision or, with Freeholder approval, other employees of the County to perform duties necessary for the performance of this Solid Waste Management Plan. In the event that SCDEPHS either loses CEHA funding to support environmental enforcement activities, or NJDEP changes its approved Work Plan with regard to solid waste enforcement activities, the Health Officer may, at his/her discretion, refer enforcement matters to the NJDEP or to the local municipality.

A. INSPECTIONS AND RIGHT OF ENTRY

I. In instances where the SCDEPHS, Sussex County Municipal Utilities Authority (SCMUA) or Sussex County Division of Planning (SCDOP) has determined that there has been non-compliance, or upon receipt of a complaint to the SCDEPHS from the municipalities or public, it shall be within the authority of the County Health Officer to cause the gathering of evidence to pursue formal legal action.

II. The Health Officer and/or his/her designee, upon presentation of identification, shall have the right to enter upon residential or commercial property located within Sussex County for the purpose of observation, inspection and monitoring, exercised as a necessary and reasonable method to determine code compliance. The right of entry upon residential and non-residential property as described herein shall only extend to the exterior portions of the premises, or any common areas of a multi-family dwelling, where solid waste/recyclable staging or container areas are located.

III. Pursuant to N.J.S.A. 13:1D-9(d) the Health Officer or his/her designee(s) shall have the right to enter any non-residential building and/or property, or part thereof; for observing, inspecting or monitoring, exercised as a necessary and reasonable method to determine compliance with this Solid Waste Management Plan or any other applicable State/County/Local Solid Waste statute, regulation, rule, ordinance or plan. The right to inspect, observe, and/or monitor includes, but is not limited to, the right to engage in the following activities at the non-residential site:

- a. Sampling any materials on site.

- b. Photographing or videotaping any portion of the source separation areas, solid waste storage/container areas or waste management operation.
- c. Investigating an actual or suspected Solid Waste Management Plan violation.
- d. Ascertaining compliance or non-compliance with the Plan or any other applicable State/County/Local Solid Waste statute, regulation, rule, ordinance or plan.
- e. Reviewing and copying all applicable records which shall be made available to the Health Officer and/or his/her designee during an inspection, upon request.

B. NON-LIMITING PROVISIONS

Nothing herein contained shall be deemed to limit the Sussex County Division of Health or any of its agents from exercising any other right or power granted by the Federal, State or County Government to effectuate the purpose of this Solid Waste Management Plan or to protect the environment of the County, nor shall anything contained herein be construed as relieving any generator of solid waste in Sussex County from complying with any other applicable statutes, regulating codes, district plans or ordinances.

C. ENFORCEMENT ACTION, VIOLATIONS AND PENALTIES

Any person violating any of the provisions of this Solid Waste Management Plan shall be liable to penalties established herein. Each day a particular violation continues shall constitute a separate violation. Any penalty issued equal to or greater than \$10,000 shall be approved by the NJDEP first.

I. Any residential or non-residential generator violating any of the provisions of this Solid Waste Management Plan for the first time shall not be liable for any penalty, but shall immediately, upon receipt of a written Notice of Violation, take immediate measures to mitigate the effects of the violation or prevent future violations. Failure to do so within the time frame established within the Notice of Violation shall result in penalty action. In the event that non-compliance was documented and enforcement actions were initiated prior to the effective date of this Plan Amendment, the generator will not be eligible for a grace period.

II. When an initial Notice of Violation has not been complied with, the Health Officer shall assess a Penalty Assessment for violations of this Solid Waste Management Plan, as outlined in Sections III through IX hereinafter.

III. It is realized that there may be mitigating and extenuating circumstances regarding the occurrence of a violation. Any person receiving a Penalty Assessment shall be entitled to an informal hearing to discuss their case in a non-adversarial manner. Plausible explanation as to the circumstances that caused the violation may be used to diminish any penalty. Nothing herein to the contrary is intended to preclude the Health Officer from negotiating, settling and compromising any matter on terms and conditions that are consistent, equitable and promote compliance. Each settlement shall include, at a minimum, an agreement by the violator to achieve full compliance within a specified time period. The terms and conditions of each settlement shall be in writing and may provide for the payment of a penalty that is less than calculated as herein described.

IV. Penalty Assessments for Notices of Violation will be determined by N.J.A.C. 7:26-5.4 and 5.5, or by an environmental health ordinance, if such has been adopted by the Sussex County Board of Chosen Freeholders. Upon a first offense, the waste generator may be given a reasonable grace period without a monetary penalty, if the offense is found to be a minor violation by the Health Officer.

VI. Penalty Assessment for Submitting Inaccurate or False Information:

- a. The Health Officer may assess a penalty pursuant to this section against each violator who submits inaccurate information or who makes a false statement, representation or certification in any record or other document required to be submitted or maintained pursuant to the Solid Waste Management Plan, or any administrative order, or any district solid waste management plan approved.
- b. Each day, from the day that the violator knew, or had reason to know, that it submitted inaccurate or false information to the Health Officer until the day of receipt by the Health Officer of a written correction by the violator, shall be an additional, separate and distinct violation.
- c. The Health Officer shall assess a civil administrative penalty for violations described in this section based on the conduct of the violator and pursuant to State statutes (N.J.S.A. 13:1E-1, et seq. and N.J.A.C. 7:26-1 et seq.)

VII. Penalty Assessment for Failure to Allow Lawful Entry and Inspection:

The Health Officer may assess a penalty pursuant to this section against any violator who refuses, inhibits or prohibits immediate lawful entry and inspection by any authorized County Health Department representative of any premises, building or facility, which the Health Department may enter and inspect pursuant to the provisions of the Solid Waste Management Plan.

Each day that a violator refuses, inhibits or prohibits immediate lawful entry and inspection by an authorized health department representative of any premises, building or facility which the Health Department may enter and inspect pursuant to the provisions of this Solid Waste Management Plan, shall be an additional separate and distinct violation.

The Health Officer shall assess a penalty for violations described in this Section pursuant to and consistent with N.J.S.A. 13:1E-1, et seq. and N.J.A.C. 7:26-1, et. seq.

VIII. Penalty Assessment for Failure to Pay a Fee:

- a. The Health Officer may assess a penalty pursuant to this section against each violator who fails to pay a fee when due pursuant to the Plan, any administrative order, or any district solid waste management plan approved.
- b. Each day a fee is not paid after it is due shall constitute an additional, separate and distinct violation.
- c. For violations described in this section, the amount of the civil administrative penalty shall be consistent with N.J.S.A. 13:1E-1, et. seq. and N.J.A.C. 7:26-1, et seq.

IX. Penalty Assessment for Economic Benefit:

The Health Officer may, in addition to any other penalty assessed pursuant to this Section, in his/her discretion include a penalty assessment including the economic benefit (in dollars) which the violator has realized as a result of not complying with, or by delaying compliance with, the requirements of the Solid Waste Management Plan, or any administrative order, any district solid waste management plan approved. If the total economic benefit was derived from more than one violation, the total economic benefit may be apportioned among the violations from which it was derived so as to increase each civil administrative penalty assessment to an amount consistent with N.J.S.A 13:1E-1, et seq. and N.J.A.C. 7:26-1 et seq.

14. CONSTRUCTION AND SEPARABILITY

- A. This Solid Waste Management Plan is to be liberally construed to effectuate the purpose herein described.
- B. If any section, subsection, paragraph, sentence, clause, phrase, or word contained in this Solid Waste Management Plan shall be declared invalid for any reason whatsoever by a court of competent jurisdiction, such determination shall not prejudice the enforcement of the remaining provisions.

15. RESOURCES

| | |
|---|--------------|
| Sussex County Division of Health | 973-579-0370 |
| - for Compliance and Monitoring Issues | |
| Sussex County Municipal Utilities Authority | 973-579-6998 |
| - Marketing Assistance | |
| Sussex County Division of Planning | 973-579-0500 |

Appendix A: - Guidelines For Evaluation of Solid Waste Facility Requests To Amend or be Included In The Sussex County Solid Waste Management Plan

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

These guidelines are divided into four major sections:

1. Plan Amendment and Facility Inclusion Process: Describes the process an applicant goes through with respect to amending and being included in the Solid Waste Management Plan. Details are included on the SWAC evaluation process as well as a description of the overall process relating to the evaluation from other related agencies. These agencies include, but are not limited to, the Sussex County Board of Chosen Freeholders (Freeholders), the prospective host municipality, the New Jersey Department of Environment Protection (NJDEP), and the Sussex County Division of Health.
2. Evaluation Criteria
3. Submission Information: This section provides detailed information to be supplied by the applicant.
4. Conditions of Approval and Ongoing Responsibilities: Once operating, the facility will have responsibilities to ensure continued compliance with laws, regulations and the Solid Waste Management Plan. This section describes these requirements.

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

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

Planning Director
Sussex County Division of Planning
One Spring Street
Newton, NJ 07860

Tel: (973) 579-0500
Fax: (973) 579-0513

1. Plan Amendment & Facility Plan Inclusion Process

An existing facility that proposes to expand operations in terms of volume of material, type of material, and of geographic area may require a Solid Waste Management Plan amendment pursuant to the appropriate Recycling or Solid Waste regulation.

A proposed new facility requires inclusion in the Solid Waste Management Plan and must obtain approval and/or permits from the NJDEP prior to operation.

The process to secure the necessary Solid Waste Management Plan amendment and inclusion is provided below.

Applicant

Prior to filing an application with the NJDEP for a solid waste facility general approval, and subsequent to filing for inclusion in the applicable district Solid Waste Management Plan, the applicant shall publish a notice in a newspaper of general circulation within the host municipality which indicates that the applicant will apply to the County for inclusion of a solid waste facility in the County Solid Waste Management Plan and will apply to the NJDEP for solid waste facility approval. The notice shall include the following:

1. The name of the proposed solid waste facility, the name of the owner or operator of the proposed facility and the nature of the project;
2. The generally recognized street address and tax block and lot of the proposed facility.
3. An indication that a copy of the application for County Plan inclusion may be examined at the County Planning Division and at the applicable municipal clerk's office; and
4. An indication that comments regarding the application for County Plan inclusion can be made at the meeting of the Solid Waste Advisory Committee that the application is scheduled to be heard and/or at the public hearing which shall be held by the Sussex County Board of Chosen Freeholders, or submitted in writing to the Sussex County Division of Planning.

Sussex County Division of Planning

The Sussex County Division of Planning receives the application from the applicant, checks the application for completeness, and schedules the application to be heard before the Solid Waste Advisory Committee (SWAC).

Sussex County SWAC Review and Role

The SWAC initially reviews Plan inclusion requests and provides recommendations regarding the proposed facility and proposed amendments to the Solid Waste Management Plan to the Sussex County Board of Chosen Freeholders. The SWAC review process will begin at the time a complete application is formally provided to the SWAC. The SWAC's role with respect to the Board of Chosen Freeholders is advisory and non-binding, and has 100 days to make a formal recommendation.

The SWAC will discuss comments and recommendations provided by representatives of the public, host municipality, County Planning Board, County Counsel, Sussex County Division of Health, and other agencies, and general public and make them known in its recommendation to

the Freeholder Board.

The SWAC will inform the municipal clerk of the host municipality, for distribution to elected officials, in writing of determination of a complete plan inclusion application and its intention to review the application which may result in a recommendation to the Freeholders. This letter will also request the governing body adopt a resolution setting forth its position on the proposed facility within 60 days of the receipt of the SWAC letter and that the resolution be forwarded to the SWAC and the Freeholders. In any event, the SWAC will begin its review process upon determination that the application is complete.

Upon notification that the application is complete and is being scheduled for consideration by the SWAC at a public meeting, the applicant shall publish the notice as specified above. Prior to the SWAC public meeting, the applicant must provide proof of publication to the SWAC.

Sussex County Board of Chosen Freeholders

The SWAC provides a non-binding, advisory recommendation to the Freeholders in the form of a resolution adopted during a public meeting. Subsequent to the SWAC recommendation, the Freeholders will consider the proposed facility and Plan amendment. The County will schedule a public hearing and administer public notices as required in N.J.A.C. 7:26-6.10. After adoption by the Freeholders, the Plan amendment is sent to the NJDEP for its approval. The Freeholders must respond to the application within 270 days of being considered a complete application by the Sussex County Division of Planning.

New Jersey Department of Environmental Protection

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

Other Agencies

The applicant shall identify any local, state, or federal permits and/or approvals that may be required for the proposed Facility. As the permits and/or approvals are applied for, the applicant shall provide the SWAC with proof that each application has been submitted.

The applicant must provide the SWAC with each agency's responses as they become available.

Host Municipality

The applicant shall submit a copy of the application to the governing body of the host municipality at the time it submits its application to the SWAC and maintain a copy of the complete application and supporting documents in the host municipal building. For information purposes, the applicant shall send a copy of the application to the municipal clerk of any municipality within 200 feet of the site boundary.

County Planning Board

The applicant must submit the necessary plans and supporting material to the County Planning Board for its review and approval. The County Planning Board reviews the application for its impacts on County facilities including County roadways, drainage structures and land areas.

2. *Evaluation Criteria*

The SWAC's evaluation of the proposed facility and recommendation to the Freeholders will be based on the following criteria:

1. The proposed facility will provide for the proper management of solid waste and can be shown to be a complementary component of the coordinated strategy for solid waste management consistent with the Sussex County Solid Waste Management Plan. (See section on Solid Waste Plan Consistency)
2. The proposed Facility will not have a negative effect on existing public efforts and legal responsibilities of the County of Sussex to manage solid waste;
3. The facility shall not have such a negative effect on public or environmental health, safety or welfare that it outweighs the public benefit.
4. The applicant has demonstrated the necessary competency, knowledge, resources and experience to operate the proposed facility in accordance with all laws, regulations and the Solid Waste Management Plan.
5. The proposed facility has proposed a proven technology (or innovative technology shown to be feasible) and appropriate for managing the solid waste proposed to be accepted at the facility.
6. Comments received from the host municipality, other agencies and the general public

3. *Submission Information*

Applicant Information

Contacts

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

Ownership

- List the name, address and telephone and fax numbers of all persons owning ten percent (10%) or more of corporate stock in the facility or a listing of the general and limited partners where applicable. In the case where no persons own ten percent (10%) or more of corporate stock in the facility, the names of the corporate principals shall be listed. The SWAC, at its discretion, may request complete ownership disclosure by the applicant.
- List any intra-corporate relationships between the facility owner and any existing or previous solid waste hauling and/or management company.
- A copy of the deed of record establishing ownership of the facility property or, if the applicant is other than the landowner, a legal agreement (for example, a legal lease agreement) to use the real property in question for the intended purpose shall be provided.
- Provide prior experience, history of violations, fines levied, licenses revoked, Litigation.

Operator

- If the facility operator will be different than the owner complete the following: List the name, address and telephone and fax numbers of the operator of the proposed facility. If the operator is a corporation or partnership, the names and home addresses must be provided for all: (a) stockholders who own ten percent (10%) or more of its stock, or (b) partners who own a ten percent (10%) or greater interest. The SWAC, at its discretion, may request complete ownership disclosure by the applicant.
- List any intra-corporate relationships between the facility operator and any existing or previous solid waste hauling and/or management company.
- Provide prior experience, history of violations, fines levied, licenses revoked, and litigation.

Site and Facility Information**Type of Facility**

- State the type of facility being proposed, i.e. Class A Recycling Center; Class B Recycling Center; Class C Recycling Center; Class D Recycling Center; Resource Recovery Facility; Materials Recovery Facility; Solid Waste and Co-Composting Facility; Permanent Household Hazardous Waste Collection Site; New Regulated Medical Waste Treatment, Processing, and Disposal Facility and the corresponding-N.J.A.C. citation of the definition of this type of facility. A separate SWAC facility inclusion application shall be filed for each type of facility proposed.

Location

- Provide the name of the municipality the facility will be located in.
- Provide a tax map outlining the lot and block numbers of the facility site and of all adjacent properties. Detail the total acreage of all parcels comprising the proposed site. Indicate which parcels will be utilized for the proposed operation.
- State the street address of the proposed facility.

Existing Property Use

- Describe the existing use of the property and how this existing use will relate to the proposed facility.
- List the existing property uses within 200 ft. of the property.
- Show approximate distances to nearest residential building, school, daycare, or hospital

Process Design and Operation**Site Plan**

Provide two (2) copies of a site plan map, prepared, signed and sealed in accordance with N.J.S.A. 45:8-35.1 et seq. by a licensed professional engineer and surveyor, which identifies (plots) the placement of all equipment, buildings, activities and areas related to the receipt, storage, processing and transferring of all unprocessed and processed recyclable materials. This site plan shall also:

- Be drawn to a scale no smaller than one inch equals 100 feet;
- Indicate the location and dimensions, in feet, of the unprocessed and processed materials stockpile areas. Also, based on this information, the total cubic yard storage capacity of the unprocessed and processed materials stockpile areas shall be indicated. The applicant shall also indicate whether the applicant wishes to reserve the right to use unprocessed material stockpile space as processed material stockpile space in certain instances; and
- Indicate the site access controls to be employed at the Facility as well as interior traffic circulation.
- Include topographic contours and the flow of water (run-on and run-off) over the site.
- Include a vicinity map of a one-mile radius around the facility boundaries.

Traffic

Provide a description of the traffic impacts of the facility setting forth the number and types of vehicles transporting material to and from the facility. Include the times and days of the week these vehicles will be accessing the facility. In addition, provide the route vehicles will be required to use to access the facility. Describe any restrictions on allowable transportation routes, if any. Finally, provide a description of nearby intersections that will be impacted from the development of the facility and their current status with respect to traffic levels.

Indicate in a narrative the routing of vehicles between the Facility and all nearby roadways serving the site, as well as the traffic flow within the site, and indicate the provisions incorporated into the site plan to ensure safe and efficient vehicular and pedestrian circulation, parking, loading and unloading;

The operator must obtain a statement from the municipality and County that the roadways to be used are capable of handling the volume and weight of truck traffic. Off site improvements may be required.

Materials

Provide a list of the material(s) to be accepted at the facility. Include the maximum daily tons accepted of each material. Indicate the types and quantities in percent and tons of any reasonably anticipated contaminants for each material accepted. Contaminants are materials that are extracted from recyclables for disposal.

List any size, weight, or other restrictions regarding materials to be received.

Materials Handling and Process Flow

Describe the proposed process and technology to manage the materials accepted. Provide and describe reference facilities where this process and/or technology have been used successfully.

Provide a written narrative waste flow of the facility from the receipt of each material to the point of transfer of end products. Describe the equipment utilized and techniques used to minimize all types of pollution.

Marketing Materials

The name, address and telephone number of all planned end markets for the materials.

List all end market contracts or agreements and submit same as evidence of the applicant's ability to sell the products resulting from the proposed activities at the Facility. Where end market contracts or agreements are not available at the time of application for a general approval to operate a recycling center, the applicant shall submit letters of interest from prospective end market users of the products resulting from the applicant's recycling operation. Letters of interest may be based on information provided by the applicant to prospective end market users such as a description of the equipment to be used at the facility and the specifications of the products resulting from facility operation.

If the applicant is proposing to use intermediate solid waste processing facilities prior to the delivery of materials to a recycling end market, then the applicant shall describe the facilities being used for each material.

Descriptions shall include location, capacity and the operations and/or processes the intermediate facilities will perform on the materials.

Identify the disposal facility(ies) that will manage residue from the proposed facility. Indicate the consistency of utilizing this disposal facility(ies) with the current Solid Waste Management Plan.

Site Access and Control

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

Inspecting Materials Accepted and Record Keeping

Describe the inspection procedure for material delivered to the facility. State the procedure for dealing with loads containing more than allowable amounts of contamination as determined by inspection.

Describe the record keeping procedures for accepting material as well as transferring material off-site. The applicant shall record the municipality of origin of the material received; the name of the entity delivering materials to the facility; the vehicle license plate number, NJDEP registration number, if an NJDEP registered vehicle is used and EPA ID number, if an EPA registered vehicle is used.

Environmental Issues

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

- Wetlands - If there are any regulated wetlands or buffers of wetlands within the property then describe their location(s) and indicate what, if any, additional approvals will be required due to their presence and any proposed actions to be taken by the applicant to avoid impacting them.
- Historic Sites - If there are any regulated historic sites within the facility then describe their location(s), indicate what, if any, additional approvals will be required due to their presence and any proposed actions to be taken by the applicant to avoid impacting them.
- Stormwater management and water quality plan for the facility must be provided.

- Potable Water - Describe the potable water sources within 500 feet of the facility.
- Describe the screening and landscaping provisions that may be incorporated at the site.
- Odors - Describe anticipated odors generated by the facility and the methods used to minimize their impacts.
- Noise - Describe anticipated noise pollution generated by the facility and the methods used to minimize their impacts.
- Lighting - Describe the outdoor lighting that will be required by the facility.
- Describe any and all discharges to the environment resulting from the operation of the proposed facility. This includes air and water discharges from either stormwater run-off and/or process water. In addition, describe any systems used to contain these discharges.
- Describe threatened and endangered species and C-1 stream corridors that are likely to be impacted.

Sussex County Solid Waste Management Plan Consistency

- List the significant benefits the facility will have on the County and host municipality.
- List the significant negative impacts the facility will have on the County and host municipality and mitigating measures to be taken.
- Describe why there is a need for the facility.
- Describe, by percent, the anticipated geographic points of generation, i.e. towns, county and/or state of each solid waste types accepted. Include the sector—I.e. commercial, residential, and industrial—for each waste type and list restrictions, if any.
- Additional Pertinent Information: The applicant shall provide any additional information in their application that is pertinent to their proposal. In addition, the SWAC reserves the right to request any additional information reasonably necessary to address the impact and benefit of such a facility on the County and municipalities.

Applicant's Certification

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

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and

complete. I am aware that submitting false information may be grounds for denial, revocation or termination of the approval."

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

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

Conditions of Approval and Ongoing Responsibilities

1. Provide a statement that the owner and/or operator agree as a condition of any approval granted to permit access by the NJDEP, authorized County agents, and authorized municipal agents, to inspect the proposed facility during operating hours, to ascertain compliance with applicable statutes, laws and regulations and the provisions of the Solid Waste Management Plan.
2. Provide a statement that the owner and/or operator agree as a condition of any approval granted to provide the County Solid Waste Coordinator or Municipal Recycling Coordinator with all tonnage reports it is required to provide to NJDEP at the times it is required to provide such reports to NJDEP. At a minimum the facility shall provide monthly reports summarizing the types and quantities of solid waste received at and transferred from the proposed facility for each material from each municipality. By February 1 of each year, the facility shall provide the County Solid Waste Coordinator or Municipal Recycling Coordinator with an annual summary of this tonnage information from the previous year.
3. Provide a statement attesting to the fact that, subsequent to inclusion in the Solid Waste Management Plan, full copies of all NJDEP solid waste facility permit applications and/or identifications shall be provided to the Sussex County Division of Planning within fifteen (15) days of submission to the NJDEP. Depending upon the nature and scope of the modification a Solid Waste Plan Amendment may be required.
4. Copies of licenses and permits must be kept on site for inspection.

Appendix B: Summary of Method of Solid Waste Collection

| Municipality | Municipality DPW Collection | Municipality Contract with Hauler | Residential Contract with Hauler |
|---------------------|-----------------------------|-----------------------------------|----------------------------------|
| Andover Borough | | | x |
| Andover Township | | x | |
| Branchville Borough | | x | |
| Byram Township | | x | |
| Frankford Township | | | x |
| Franklin Borough | | x | |
| Fredon Township | | | x |
| Green Township | | x | |
| Hamburg Borough | | | x |
| Hampton Township | | x | |
| Hardyston Township | | | x |
| Hopatcong Borough | x | | |
| Lafayette Township | x | | |
| Montague Township | | | x |
| Town of Newton | | | x |
| Ogdensburg Borough | | x | |
| Sandyston Township | | | x |
| Sparta Township | x | | |
| Stanhope Borough | | x | |
| Stillwater Township | x | | |
| Sussex Borough | | | x |
| Vernon Township | | | x |
| Walpack Township | | | x |
| Wantage Township | | | x |

Appendix C: Municipal Separation Ordinances

Andover Township

ARTICLE I Recycling [Adopted by Ord. No. 88-3(Ch. XIX of the 1973 Code)]

§ 144-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ALUMINUM CANS — Recyclable aluminum cans. Aluminum siding, aluminum window frames and aluminum pie plates, etc., are not included in this definition.

BIMETAL CANS — Used for packaging of food products and which have steel sides and aluminum tops or combinations thereof. Specifically excluded are cans used for paints, pesticides or similar hazardous products.

COLLECTION POINT — The curb side of each residence within the Township of Andover or if through a contractual relationship with an authorized collector such other area designated for the removal of recyclable materials.

COMMERCIAL — Businesses engaged in retail, warehousing, or light industrial operations.

CORRUGATED PAPER — Corrugated cardboard or other paper products which were manufactured with folded or parallel and alternating ridges and grooves so as to make them stiff and rigid.

GLASS — All products made from silica and sand, soda ash and limestone, which are transparent or translucent, and used for packaging or bottling of various matter and all other materials commonly known as glass; excluding, however, blue and flat glass commonly known as window glass and mirror glass and light bulbs.

HIGH-GRADE PAPER — Uncontaminated paper of the type commonly used in offices, such as white bond, white stationery, white notepad paper, computer print-out paper, and white paper forms, excluding carbon and carbonized paper.

INSTITUTIONS — Includes, but not necessarily limited to, schools, agencies of local and state government, hospitals and nursing homes.

MULTIFAMILY DWELLING UNIT — Housing structures of six or more units.

PLASTIC (PET) BOTTLES — All plastic bottles such as soda and beverage containers and milk bottles being transparent or translucent.

REGULATIONS — Includes such rules, implementation dates, schedules of times, and such other requirements promulgated by the Andover Township Committee as may be necessary to carry out the purposes and objectives of this chapter.

RESIDENTIAL DWELLING UNIT — Housing structures of one to five units.

USED NEWSPAPER — Includes paper of the type commonly referred to as newsprint and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest. Expressly excluded, however, are all magazines or similar periodicals, as well as all other paper periodicals of any nature whatsoever.

YARD WASTE — Grass clippings, leaves and brush.

§ 144-2. Separation of materials required.

- A. All persons who are owners and/or occupants of residential properties in the Township of Andover shall separate used newspaper, aluminum cans, bimetal cans, glass, plastic (PET) bottles, and yard waste from any other household trash produced by such residences, and shall separately bundle same for pickup, collection and recycling, in accordance with this chapter and all applicable regulations.
- B. All persons who are owners/operators and/or residents of multifamily properties in the Township of Andover shall separate used newspaper, aluminum cans, bimetal cans, glass, plastic (PET) bottles, yard waste from any other household trash, and shall take appropriate measures to recycle same in accordance with this chapter and all applicable regulations.
- C. All persons who are owners and/or occupants of commercial businesses and institutions shall separate corrugated cardboard, high-grade office paper, used newspaper, aluminum cans, bimetal cans, glass, plastic (PET) bottles, yard waste from any other trash and shall take appropriate measures to recycle same in accordance with this chapter and all applicable regulations.

§ 144-3. Placement for collection.

- A. Owners/occupants of residential properties either single-family or multifamily at such time as the Township may provide pickup service shall place recyclable materials for curbside collection. Until the Township provides pickup service the owners/occupants shall deliver such materials to the Township mobile unit if provided or to the Sussex County Recycling Center on Route 94, Lafayette, New Jersey. Any owners/occupants may contract with an authorized collector to designate a collection point on their property other than at the curbside.
- B. Owners/occupants and operator of commercial property and/or institution property as defined herein shall place recyclable materials on their property at such places as they by contract have agreed to with an authorized collector. If no such contractual agreement has been made they shall deliver said recyclables to the Township mobile unit or to the Sussex County Recycling Center on Route 94, Lafayette, New Jersey.
- C. Recyclable materials shall be placed for collection or shall be delivered to the Township mobile unit if available or to the Sussex County Recycling Center in strict conformity with the following regulations:
 - (1) Used newspapers shall be separated and secured in bundles not exceeding 12 inches in height. Bundles shall not be contained in plastic bags.
 - (2) Aluminum cans, bimetal cans, and plastic (PET) bottles shall be separated and contained in suitable containers and/or clear plastic trash bags. Containers constructed of paper or cardboard materials shall be deemed not suitable for this purpose.
 - (3) Yard waste shall be bagged (leaves, grass, small clippings, weeds) or bundled (branches, stems, large clippings).
 - (4) Glass separated by color as set forth in the regulations promulgated hereunder shall be contained in suitable occupant- or owner-supplied containers.

§ 144-4. Exemption for commercial, multifamily residential and institutional premises.

The Township may exempt persons, firms, or corporations occupying commercial, multifamily residential, and institutional premises from the requirements of this chapter if those persons, firms, or corporations have otherwise provided for the recycling of designated materials. To be eligible for such an exemption, the person, firm, or corporation shall provide, on an annual basis, written documentation as to the method of separation and collection, and the total number of tons recycled.

§ 144-5. Unauthorized collection.

It shall be a violation of this chapter for any person unauthorized by the Township of Andover to collect or pick up or cause to be collected or picked up any corrugated cardboard, high-grade office paper, newspapers, glass, aluminum cans, bimetal cans and plastic (PET) bottles, and yard waste. Each such collection in violation hereof from one or more residential collection points shall constitute a separate and distinct offense punishable as hereinafter provided.

§ 144-6. Selling or donating recyclables.

Anything herein to the contrary notwithstanding, any person may donate or sell recyclables to any person, partnership or corporation whether said purchaser or recipient is operating for profit or not for profit. No person, partnership or corporation other than charitable organizations shall however under any circumstances pick up said recyclables from within the Township of Andover collection points or at the Township mobile unit. Materials dropped off at the Township mobile unit shall become the property of Andover Township. Materials dropped off at the County Recycling Facility shall become the property of the County of Sussex.

§ 144-7. Promulgation of regulations.

The Township Committee shall promulgate reasonable regulations establishing the commencement dates for mandatory separation of recyclables, and the manner, dates and times for the collection of same in accordance with the terms of this chapter. A copy of such regulations, as approved, modified or amended, shall be available for public inspection in the office of the Township Clerk during regular office hours.

§ 144-8. Enforcement.

The Recycling Coordinator of Andover Township or his/her authorized agent is hereby authorized and directed to enforce this chapter.

§ 144-9. Violations and penalties.

Any person, business or institution which violates any provision of this chapter, or any of the regulations promulgated pursuant thereto, shall upon conviction thereof, be punished by a fine of not less than \$100 and not more than \$1,000.

Franklin Borough

ARTICLE II, Mandatory Recycling

230-6. Definitions.

A. As used in this article, the following terms shall have the meanings indicated:

COUNTY --Sussex County.

DEPARTMENT --The Department of Environmental Protection.

DESIGNATED RECYCLABLE MATERIALS --Recyclable materials designated in a district recycling plan to be source separated in Franklin Borough pursuant to Section 3 of the Mandatory Statewide Recycling Program.

DISPOSITION or DISPOSITION OF DESIGNATED RECYCLABLE MATERIALS --Transportation, placement, reuse, sale, donation, transfer or temporary storage for a period not exceeding six months of designated recyclable materials for all possible uses except for disposal as solid waste.

DISTRICT --Sussex County.

DISTRICT RECYCLING PLAN --The plan prepared and adopted by the governing body of Sussex County and approved by the Department to implement the state recycling plan goals pursuant to Section 3 of the Mandatory Statewide Recycling Program.

HIGH-GRADE PAPER --Includes high-grade office paper, fine paper, bond paper, offset paper, xerographic paper, mimeo paper, duplicator paper and related types of cellulosic material containing not more than 10% by weight or volume of noncellulosic materials such laminants, binders, coatings or saturants.

MUNICIPAL SOLID WASTE --All residential, commercial and institutional solid waste generated within the boundaries of Franklin Borough.

NEWSPAPER --Includes all newspaper, including glossy inserts, but does not include magazines and high-grade paper.

PAPER PRODUCT --Any paper items or commodities, including but not limited to paper napkins, towels, corrugated and other cardboard, construction material, toilet tissue, paper and related types of cellulosic products containing not more than 10% by weight or volume of noncellulosic material such as laminate binders, coatings or saturants.

PLASTIC CONTAINER --Any hermetically sealed or made airtight with a metal or plastic cap container with a minimum wall thickness of not less than 0.010 inch and composed of thermoplastic synthetic polymeric material utilized for the storage of liquids.

RECYCLABLE MATERIAL --Those materials which would otherwise become municipal solid waste and which must be collected, separated or processed and returned to the economic mainstream in the form of raw materials or products.

RECYCLING --Any process by which materials which would otherwise become solid waste are collected, separated or processed and returned to the economic mainstream in the form of raw materials or products.

RECYCLING CENTER --Any facility designed and operated solely for receiving, storing, processing and transferring source-separated, nonputrescible recyclable materials.

RECYCLING SERVICES --Services provided by persons engaging in the business of recycling, including the collection, processing, storage, purchase, sale or disposition or any combination thereof of recyclable materials.

SOURCE-SEPARATED RECYCLABLE MATERIALS --Recyclable materials, including but not limited to paper, glass, food waste, office paper and plastic, which are kept separate and apart from residential, commercial and institutional solid waste by the generator thereof for the purpose of collection, disposition and recycling.

WHITE GOODS --Refrigerators, stoves, air conditioners, dishwashers, washing machines and dryers.

YARD WASTE --Includes leaves, grass clippings and brush.

B. All words and phrases not otherwise defined herein shall be given their commonly understood meaning.

230-7. Items to be recycled.

All residential households shall recycle the following items which shall be picked up by the Municipal Sanitation Department:

- A. Yard waste.
- B. Newspapers.
- C. Glass.
- D. Aluminum cans.
- E. Tin and bi-metal cans.
- F. White goods.
- G. Plastic containers.
- H. Magazines.

230-8. Businesses, institutions, industries and organizations.

All businesses, institutions, industries and organizations shall be subject to recycling the same items as residential households.

However, additionally, the following items shall be recycled by all businesses, institutions, industries and organizations:

- A. Corrugated paper; and
- B. High-grade paper.

230-9. Methods of recycling.

No recyclables may be disposed of in the municipal solid waste. Residents shall have the following options, except that yard waste must be disposed of in accordance with 230-10 and white goods must be disposed of in accordance with 230-14:

- A. Providing for recycling themselves.
- B. Leaving recyclables at the curb on designated days for municipal collection in sturdy, reusable containers which are clearly marked.
- C. Dropping off recyclables at the designated drop-off point at the Borough garage during the posted hours of operation.

230-10. Yard waste.

Yard waste may not be disposed of by including it in municipal solid waste.

A. Yard waste must be disposed of in one of the following two manners:

- (1) Residents may arrange for the recycling of their yard waste by transporting it to the county-designated composting site on their own; or

- (2) Residents may place their yard waste at curbside on dates designated by the Borough of Franklin for collection by the municipality. Collection by the Borough Sanitation Department will be according to the following schedule each year:
- (a) During two weeks in the spring.
 - (b) During four weeks in the autumn.

B. Yard waste to be collected by the Borough should be bagged in weather-resistant, ecology-safe paper bags. The Borough will, however, accept yard waste bagged in plastic bags. The Borough will not accept loose yard waste.

C. The Borough will also accept limbs not exceeding two inches in diameter and not exceeding four feet in length which are properly bundled and tied.

230-11. Newspapers and magazines.

All newspapers must be bundled and tied in stacks which do not exceed 12 inches in height or else the Municipal Sanitation Department shall not collect the newspapers and the resident shall be responsible for providing for the recycling of the newspapers. All newspapers must be bound with sturdy, nonplastic string. All magazines left for collection must be kept separate from the newspapers to be collected by the Borough.

230-12. Glass.

The following restrictions apply to the recycling of glass:

A. Glass must be set out at the curb on designated days in sturdy, neat, reusable containers which should be clearly marked.

B. Window glass, industrial glass, light bulbs or ceramics shall not be designated as recyclable and must not be disposed of with recyclable glass.

230-13. Aluminum, tin and bi-metal cans.

Residential households may not dispose of aluminum cans, tin cans or bi-metal cans in the regular municipal solid waste. These items shall be recycled. All cans and scrap aluminum to be recycled shall be disposed of in sturdy, neat, reusable containers and must be clearly marked.

230-14. White goods.

Residents who wish the Borough Sanitation Department to collect white goods shall be required to pay a collection fee in accordance with 5 230-3 and make arrangements for the collection through the Borough Hall.

230-15. Plastic containers.

Residential households may not dispose of plastic containers in the municipal solid waste. All plastic containers must be recycled. All plastic containers to be recycled shall be disposed of in sturdy, neat, reusable containers and must be clearly marked.

230-16. Corrugated paper.

All businesses and other nonresidential institutions must recycle corrugated paper. All corrugated paper placed at the curb for municipal collection must be stacked in neat piles, and cardboard boxes shall be flattened.

230-17. High-grade paper.

All businesses and nonresidential institutions must recycle high-grade paper.

A. The Borough Sanitation Department shall, according to a schedule established by the Superintendent of the Sanitation Department, collect nonresidential high-grade paper at the curb.

B. All high-grade paper must be stored neatly in a sturdy, reusable container clearly labeled with the phrase "high-grade paper."

230-18. Businesses and other nonresidential institutions.

Businesses and other nonresidential institutions shall provide for the recycling of designated items according to the following provisions:

A. If a business contracts with the Borough Sanitation Department for solid waste collection, the Borough shall collect recyclable materials at no additional fee other than the existing fee schedule for solid waste collection.

B. If a business contracts with a private hauler in order to recycle items, the business or other nonresidential institution shall provide written documentation of compliance with the recycling plan to the Borough upon demand.

230-19. Mobile home parks, condominiums, cooperatives and townhouses.

Mobile home parks, condominiums, cooperatives and townhouse developments shall provide for the recycling of all items designated as recyclable by § 230-7.

230-20. Enforcement agency.

The Borough Sanitation Department in cooperation with the Borough Recycling Coordinator shall be the primary enforcement agencies for compliance with the provisions of this article.

230-21. Enforcement; violations and penalties.

Enforcement of this article shall be in accordance with the following methods:

A. Fines imposed by the Municipal Court in accordance with state law. Specifically, the fine for the first offense shall be in the amount of \$25, the fine for the second offense shall be in the amount of \$50 and the fine for each and every subsequent offense shall be pursuant to the penalties as provided for in Chapter 1, General Provisions.

B. Not picking up waste which is not in compliance with the provisions of this article.

C. The Borough, in its discretion, may place warning stickers on garbage receptacles.

D. Each violation shall constitute a separate offense.

230-22. Collection of recyclables unauthorized individuals prohibited.

A. Recyclable materials placed by a property owner at the curb for collection shall only be picked up, collected and recycled by the private recyclable operator with whom said property owner has contracted or by the municipality or its duly authorized agents. No other person shall collect or pick up or cause to be collected or picked up any recyclables. Unauthorized collection of recyclables from a property owner's recyclables shall constitute a separate offense for each incident with each individual.

B. Recyclable materials deposited at the mobile depot shall be the property of the municipality. No person shall remove or cause to be removed any recyclable materials properly deposited in such mobile depot without the express written authorization of the Municipal Recycling Coordinator.

230-23. Private operators to provide information to municipality.

All private recycling program operators operating pursuant to the provisions of 230-22 above shall provide the municipality with the following information:

A. A listing of the names and addresses of all property owners within the municipality who have contracted with them to collect their recyclables. This list must be updated on a monthly basis.

B. Private operators must submit written documentation to the Municipal Recycling Coordinator setting forth the total number of tons of recyclable materials collected during the preceding twelve-month period with the municipality. Such information must be submitted prior to June 15 each year.

230-24. Certain sale of recyclable materials permitted.

The provisions herein shall not be construed to prohibit groups or individuals who are authorized by the Municipal Recycling Coordinator from collecting or picking up recyclables at curbside or otherwise in such manner and under such terms and conditions as shall be imposed by the Municipal Recycling Coordinator. No collection shall interfere with the collection by the municipality or private recycling operators.

Note: 230-25 through 230-26 introduce multi-family ordinance

230-27. Property owners' responsibilities.

A. In order to be eligible for the solid waste collection reimbursement, the property owner must comply with all applicable recycling requirements within the Borough. Failure of the property owner to comply with the recycling requirements may result in the termination of solid waste and recycling collection service to the violating property.

B. In the event the Borough provides reimbursement to a property owner, the Borough and the property owner shall sign a multifamily solid waste service agreement. The agreement shall require the property owner to provide an accounting showing how the money provided by the Borough was used. The property owner shall refund to the Borough any reimbursement payments in excess of the amount actually expended by the property owner.

Green Township

16 -1 DUMPS &AND DUMPING.

16-1.1 Dumping Prohibited Except in Licensed Dumps. It shall be unlawful in the Township of Green for any person, firm or corporation to throw, cast or place any garbage, wastepaper, ashes, sewage, refuse, junk, rubbish, circulars, glasses, bottles, cans, dead animals or any other type of waste matter on any property and streets, public or private, within the limits of the Township of Green, except in such areas as may be officially designated and licensed for dumping by the Township Committee of the Township of Green. (1979 Code 8 80-1)

16-1.2 Permit Required for Use of Dump by Nonresidents and Corporations. It shall be unlawful in the Township for any person not residing in the Township and any firm or corporation to dump any waste matter, as set forth in subsection 16-1.1 above, in, on or upon such licensed dump without first securing permission from the Board of Health. (1979 Code 4 80-2)

16-1.3 Permit Required for Dumping Refuse from Outside Township. It shall be unlawful in the Township for any person, to throw, cast or place any waste matter, as mentioned in subsection 16- 1.1 above, originating from beyond and outside of the limits of the Township of Green in or upon any licensed dump without first securing permission from the Board of Health. (1979 Code 8 80-3)

16-1.4 Administration and Enforcement. The Board of Health, by resolution, shall designate or appoint the officer or officers to issue permits provided for herein and to enforce this section. (1979 Code 5 80-4)

16-1.5 Violations and Penalties. Any person who violates any provision of this section shall, upon conviction thereof, be liable to the penalty stated in Chapter I, Section 1-5. (1979 Code 5 80-5; New)

16-2 REFUSE FROM OTHER MUNICIPALITIES.

16-2.1 Dumping of Certain Materials from Outside Township Prohibited. No person shall be permitted to transport from any other municipality and to dump acids; effluent, both human and animal matter and organisms; and any and all noxious and offensive matter, both poisonous and nonpoisonous in and on property, streams and rivers within the confines of the Township. (1979 Code § 80-7)

16-2.2 Violations and Penalties. Any person who violates any of the provisions of this section or who fails or refuses to comply with any of the provisions hereof shall, upon conviction, be liable to the penalty stated in Chapter I, Section 1-5. (1979 Code 3 80-8; New)

16-3 RECYCLING.

16-3.1 Definitions. As used in this section:

Aluminum shall mean products made of aluminum including aluminum cans.

Bimetal (tin) cans shall mean cans of the type commonly used for packaging of food products, excluding any cans used for paints, pesticides or similar products.

Corrugated cardboard shall mean box-type products made from paper commonly used in packaging and shipping.

Glass shall mean products made from silica and sand, soda ash and limestone, the product being transparent or translucent and being used for packaging or bottling, and other material commonly known as glass, excluding blue and flat glass and glass commonly known as window glass.

High grade paper shall mean white bond, white ledger paper, copier paper and computer paper. No drafting paper or no carbonized paper.

Magazines and junk mail should include magazines, catalogs and junk mail.

Plastic shall mean all plastic PET bottles (soda bottles) and HDPE jugs commonly used for packaging of milk, water and juice.

Recyclable materials shall mean aluminum products, bi-metal (tin) cans, corrugated cardboard, glass, plastic, used newspapers, magazines and junk mail.

Regulations shall mean and include such rules, implementation dates, schedules of times and such other requirements promulgated by the Recycling Coordinator of the Township of Green and approved by the Governing Body as may be necessary to carry out the purposes and objectives of this chapter.

Used newspaper shall mean and include paper of the type commonly referred to as newsprint and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest. (1979 Code 8 78-1; Ord. No. 10-88; Ord. No. 4-89)

16-3.2 General Obligations of the Community. All persons who are owners, lessees and occupants of residential property, firms and corporations, public and private, businesses, public and private in the Township shall be subject to the provisions of this section as follows:

- a. Shall separate recyclable materials, as defined, from any other trash and garbage produced by any residence or facility.
- b. Shall deliver or cause to have delivered separated recyclable materials to the designated Township recycling depot. (1979 Code 78-2; Ord. No. 10-88)

16-3.3 Separation of Recyclables. All recyclable materials shall be separated and rendered for recycling in strict conformity with the following regulations:

- a. *Used Newspapers.* Shall be separated and secured in bundles; not to exceed twelve (12) inches in height. Such bundles shall not be contained in plastic or brown bags.
- b. *Aluminum.** Aluminum cans shall be rinsed.
- c. *Glass.** Shall be rinsed, lids, metal rings and plastic covers removed.
- d. *Bimetal (tin) cans:* Cans shall be rinsed and lids and labels removed.
- e. *plastic.** Containers shall be rinsed and caps, metal rings and labels (whenever possible) removed.
- f. *Corrugated Cardboard.* Shall be crushed flat and secured in bundles. Each bundle not to exceed twelve (12) inches in height.
- g. *Magazines and junk mail.* To be secured in bundles of twelve (12) inches in height.
- h. *High Grade Paper.* Flat, placed in a box; brown paper bag or bundled, kept dry and free of contaminants, computer paper shall be separated from white bond, ledger and copier paper. (1979 Code § 78-3; Ord. No. 10-88; Ord. No. 4-89)

Items must be placed in a container that can be picked up and emptied.

16-3.4 Pickup and Collection of Separated Recyclables. The Recycling Coordinator shall promulgate reasonable regulations establishing the commencement dates for mandatory separation of recyclables and the manner, dates and times for the collection of same in accordance with the terms of this section. Any such regulations promulgated by the Recycling Coordinator shall be approved by the Township Committee and may be changed, modified, repealed or amended in whole or in part by the majority vote of the Township Committee. A copy of such regulations promulgated by the Recycling Coordinator, as approved, modified or amended shall be available for public inspection at the Office of the Township Clerk during regular office hours. (1979 Code 3 78-4; Ord. NO. 10-88)

16-3.5 Recyclable Materials Shall Be the Property of the Township of Green. From the time of delivery to the Township recycling depot, recyclables shall be the property of the Township of Green or its duly authorized agent. No person unauthorized by the Township shall collect or pick up or cause to be collected or picked up any such recyclables. Each collection or pickup of recyclables in violation hereof from any one (1) or more residences shall constitute a separate and distinct offense. (1979 Code 78-5; Ord. No. 10-88)

16-3.6 Certain Sale of Recyclable Materials Permitted. No provision herein shall be constructed to prohibit groups or individuals who shall be authorized by the Governing Body or its authorized agent from collecting or picking up recyclables at curbside or otherwise in such a manner and under such terms and conditions as shall be prescribed by the Governing Body or its authorized agent. No such collection or pickup shall conflict or interfere with pickup and collection by the Township and its duly authorized agent(s). (1979 Code 78-6; Ord. No. 10-88)

16-3.7 Enforcement. The Governing Body or its duly authorized designee is hereby designated and authorized as the enforcement officer of this section. (1979 Code 3 78-7; Ord. No. 10-88)

16-3.8 Penalties. Any person, firm or corporation who shall violate or fail to comply with any provision of this section or of any regulation promulgated pursuant thereto, shall upon conviction thereof be punished by a fine not to exceed fifty (\$50.00) dollars except, however, an initial conviction for failure to comply with subsections 16-3.2 or 16-3.3, and any rules and regulations issued pursuant thereto, shall be punished by a fine not to exceed twenty-five (\$25.00) dollars. (1979 Code 3 78-8; Ord. No. 10-88)

Hampton Township

§ 44-3. Separation and preparation for collection.

All persons within the Township of Hampton who shall place for pickup, collection or recycling the items listed in § 44-2 of this chapter shall do so in strict conformity with the following regulations:

- A. Newspapers shall be bundled separately and secured in bundles.
- B. Glass shall be separated by color, as set forth in the regulations promulgated hereunder and shall be contained in suitable occupant- or owner-supplied containers.
- C. All aluminum cans, bimetal cans and plastic (PET) bottles shall be separated as set forth in the regulations promulgated hereunder and shall be contained in suitable occupant- or owner-supplied containers.
- D. Rubber tires, including but not limited to auto, truck and tractor tires, and scrap metal, motor oil, high-grade paper and corrugated paperboard shall be separated at all commercial properties and institutions as required by the collector engaged to remove the same. [Added 3-28-1989]

§ 44-4. Unauthorized collection prohibited.

It shall be a violation of this chapter for any person unauthorized by the Township of Hampton to collect or pickup or cause to be collected or picked up any newspapers, glass, aluminum cans, bimetal cans and plastic (PET) bottles. Each such collection in violation hereof, from one or more residential collection points, shall constitute a separate and distinct offense punishable as hereinafter provided.

§ 44-5. Sale or donation of recyclables permitted.

Anything herein to the contrary notwithstanding, any person may donate or sell recyclables to any person, partnership or corporation, whether said purchaser or recipient is operating for profit or not for profit. No person, partnership or corporation other than charitable organizations shall, however, under any circumstances, pick up said recyclables from within the Township of Hampton.

§ 44-6. Enforcement.

The Recycling Coordinator or his authorized agents are hereby authorized and directed to enforce this chapter. They are hereby authorized and directed to establish to be approved by the Township Committee as to the manner and days for collection of glass, aluminum cans, bimetal cans, plastic (PET) bottles in accordance with the terms hereof. Such regulations shall be promulgated and effective not later than three months from the effective date of this chapter.

§ 44-7. Violations and penalties.

Any person, firm or corporation who violates or neglects to comply with any provision of this chapter or any regulation promulgated pursuant thereto shall, upon conviction thereof, be punishable by a fine not to exceed \$500. No enforcement of this chapter shall be made until three months from the effective date of regulations authorized to be promulgated hereunder.

§ 44-8. Records and reports. [Added 3-28-1989]

All commercial properties and institutions disposing of bulk rubber tires, scrap metal, corrugated paperboard and motor oil shall be required to keep records of the volume of materials disposed of by each classification and shall require the collector engaged to dispose of the same to furnish weight and/or load tickets for each category of items collected. Copies of all weight and/or load tickets for bulk rubber tires, scrap metal, corrugated paperboard and motor oil shall be forwarded to the offices of the Recycling Coordinator by February 15 of the following year for materials recycled during the previous calendar year. Failure to supply said information shall be a violation of this chapter and shall be subject to the penalties provided for hereunder.

§ 44-9. Copies available in Township Clerks office.

Copies of this chapter and regulations promulgated hereunder may be obtained without charge from the Hampton Township Clerk during regular office hours.

Hamburg Borough

180-3. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ALUMINUM and BIMETAL --All recyclable metal containers of the variety commonly found in the household. Excluded are empty paint cans or any metal container which previously held a substance or chemical which would prove potentially dangerous to the environment.

CARDBOARD --Corrugated cardboard not having a glossy finish.

GLASS --All products made from silica or sand, soda ash and limestone which are translucent or transparent and used for packaging or bottling of various matter, and all other material commonly known as glass.

PLASTICS --Restricted to plastic milk jugs and plastic soda bottles or any plastic container deemed to be made of the "PET" type of plastic.

REGULATIONS --Includes such rules, implementation dates, schedules of times and other such regulations promulgated by the Recycling Coordinator and approved by the Borough Council as may be necessary to carry out the purposes and objectives of this article.

USED NEWSPAPER --Paper of the type commonly referred to as newsprint. Expressly excluded, however, are all magazines or similar periodicals as well as office paper and noncorrugated cardboard.
YARD WASTE --Includes leaves, grass clippings, brush and Christmas trees.

180-4. General obligations of property owner.

All persons, except those physically disabled, who are owners, lessees and occupants of any residential property in the Borough of Hamburg shall separate used newspapers, aluminum and bimetal cans, plastic bottles, cardboard and yard waste from any other trash and garbage produced by any such residences, and shall deposit them at the municipal dropoff point in accordance with all applicable regulations.

180-5. Separation and placement in containers.

All separated recyclables shall be brought to the municipal dropoff point in strict conformance with the following regulations:

- A. Used newspapers shall be separated and secured in bundles; not to exceed 12 inches in height. Such bundles shall not be contained in plastic bags.
- B. Aluminum and bimetal cans and plastic bottles should be separated and placed in the appropriate containers/bins at the dropoff point.
- C. Glass should be separated by color (clear, green, brown) and placed in the appropriate containers/bins at the dropoff point.
- D. Corrugated cardboard shall be tied in flat bundles; not to exceed 12 inches in height. Such bundles shall not be contained in plastic bags.
- E. Yard waste shall be brought to the county recycling center. It is not to be brought to the municipal dropoff point.

180-6. Materials excluded from recycling

Expressly excluded from recycling are all appliances and building materials/waste.

180-7. Recyclable materials to be property of borough.

From the time of placement at the municipal recycling center, all recyclables become the property of the Borough of Hamburg or its duly authorized agent. No person or persons not authorized by the borough shall collect, pick up or cause to be collected or picked up any such recyclables. Each collection or pickup of recyclables in violation hereof from any one or more residences shall constitute a separate and distinct offense.

180-8. Certain sale of recyclables permitted.

No provision herein shall be construed to prohibit groups of individuals who shall be authorized by the Recycling Coordinator and the Borough Council, from collecting or picking up recyclables at curbside or otherwise in such manner and under such conditions as prescribed by the Recycling Coordinator.

180-9. Enforcement.

- A. The Recycling Coordinator, or his/her duly authorized designee, is hereby designated and authorized as enforcement agent of this chapter.
- B. The Recycling Coordinator shall promulgate reasonable regulations establishing the commencement dates for mandatory recycling. Any such regulations shall be approved by the Borough Council and may be changed, modified, repealed or amended in whole or in part by majority vote of the Borough Council. A copy of these regulations as approved, amended or modified, shall be available for public inspection at the office of the Borough Clerk during regular office hours.

180-10. Violations and penalties.

Violations of the provisions of this article shall be punished as provided in Chapter 1, General Provisions, Article 111.

Hardyston Township

ARTICLE I Recycling

§ 152-1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ALUMINUM — Recyclable aluminum cans.

BIMETAL — Steel sides/aluminum pop top cans.

GLASS — All products made from silica or sand, soda ash and limestone, the product being transparent or translucent and being used for packaging or bottling of various matter, and all other materials commonly known as "glass," excluding, however, blue and flat glass commonly known as "window glass."

SOLID WASTE — Includes all garbage and rubbish normally placed at the curb by the residents and commercial occupants of the Township of Hardyston for regular collection.

USED NEWSPAPER — Includes paper of the type commonly referred to as "newsprint" and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest. Expressly excluded, however, are all magazines or other periodicals as well as all other paper products of any nature whatsoever.

§ 152-2. Compliance required. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

On and after the date of the adoption of this article and in accordance with the terms thereof, it shall be mandatory for all persons, except those physically disabled, who are owners, lessees and occupants to separate used newspapers, plastic, glass, aluminum, bimetal cans and leaves from all other solid waste produced by any such residences and non-residences and to separately bundle newspapers, plastic, glass, aluminum, bimetal cans and leaves for recycling.

§ 152-3. Sale or donation of recyclables permitted.

Any person who is an owner, lessee or occupant may donate or sell recyclables to any person, partnership or corporation, whether operating for profit or not for profit. Editor's Note: Original Section 20-1.4, Enforcement, which immediately followed this section, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 152-4. Violations and penalties. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

Any person, firm or corporation who or which violates or neglects to comply with any provision of this article or any regulation promulgated pursuant thereto shall, upon conviction thereof, be subject to the penalties set forth in Chapter 1, General Provisions.

Borough of Hopatcong

ARTICLE I Recycling [Adopted 5-5-1988 by Ord. No. 11-88]

§ 201-1. Purpose.

It is hereby declared that reduction in the amount of solid waste and conservation of recyclable materials is an important public concern by reason of the growing problem of solid waste disposal and its impact on our environment. The collection, therefore, of the various items enumerated in § 201-2 hereof from residences and business establishments in the Borough of Hopatcong will not only serve the public interest, but will also result in a financial benefit to the residents and taxpayers of the Borough by reason of the possible income to be realized from the sale of such recyclables and from the savings in landfill costs or tipping fees.

§ 201-2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ALUMINUM — Recyclable aluminum cans.

CORRUGATED PAPER — The paper that is commonly used for packaging quantities of products or large single items.

GLASS — All products made from silica or sand, soda ash and limestone which is transparent or translucent and used for packaging or bottling of various matters and all other materials commonly known as "glass," excluding, however, blue and flat glass commonly known as "window glass."

MAGAZINES — Includes glossy weeklies, monthlies, journals, etc. Junk mail, including envelopes, may be included with magazines if properly secured. It is not to include books or telephone books. [Added 4-4-1991 by Ord. No. 7-91]

METAL CANS — Bimetal and tin cans used for the packaging of food products.

PLASTICS — Containers commonly used for packaging detergents, milk or other beverages. It includes mixed plastics marked "PETE 1" or "HDPE 2." [Amended 4-4-1991 by Ord. No. 7-91]

REGULATIONS — Includes such rules, implementation dates, schedules of times and such other requirements promulgated by the governing body as may be necessary to carry out the purposes and objectives of this article.

USED NEWSPAPER — Includes paper of the type commonly referred to as "newsprint" and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest. Expressly excluded, however, are all magazines or similar periodicals as well as all other paper periodicals of any nature whatsoever.

YARD WASTE — Includes leaves, grass clippings, brush and Christmas trees.

§ 201-3. Separation of recyclables required. [Amended 4-4-1991 by Ord. No. 7-91]

All persons who are owners, lessees and/or occupants of property in the Borough of Hopatcong shall separate used newspapers, aluminum, glass, plastic, metal cans, corrugated paper, magazines and yard waste from any other trash and garbage produced by any such residences and/or business properties and shall separately bundle the same for pickup, collection and recycling, in accordance with applicable regulations as adopted by the governing body.

§ 201-4. Placement for collection.

All separated recyclables shall be placed for pickup, collection and recycling in strict conformity with the regulations as adopted by the governing body.

§ 201-5. Regulations regarding collection schedules.

The governing body, upon recommendation of the Department of Public Works, shall promulgate reasonable regulations establishing commencement dates for mandatory separation of recyclables and the manner, dates and times for collection of the same in accordance with the terms of this article. A copy of such regulations promulgated by the governing body shall be available for public inspection at the office of the Borough Clerk during regular hours.

§ 201-6. Recyclables to be property of Borough.

From the time of placement at the curb for pickup, collection and recycling, recyclables shall be the property of the Borough of Hopatcong or its duly authorized agent. No person unauthorized by the Borough of Hopatcong shall collect or pick up or cause to be picked up any such recyclables. Each collection or pickup of recyclables from any one or more residences or business establishments shall constitute a separate and distinct offense.

§ 201-7. Authorized collection of recyclables.

No provision herein shall be construed to prohibit groups or individuals who shall be authorized by the Superintendent of Public Works from collecting or picking up recyclables at curbside or otherwise in a manner and under such terms and conditions as shall be prescribed by the Superintendent of Public Works. No such collection or pickup shall conflict or interfere with pickup and collection by the Borough and its duly authorized agent(s). Any such group or individual so authorized shall report to the Superintendent of Public Works the weights or volumes of the materials recycled.

§ 201-8. Enforcement.

The Superintendent of Public Works, the Chief of Police, the Health Officer and any of their duly authorized designees are hereby designated and authorized as the enforcement officers of this article.

§ 201-9. Violations and penalties. [Amended 4-4-1991 by Ord. No. 7-91]

Any person, firm or corporation who or which shall violate or fail to comply with any provision of this article or of any regulation made pursuant thereto shall be liable upon the first offense to a penalty of not less than \$50 and/or community service and upon second offense to a penalty of not less than \$100 and/or community service and upon each conviction thereafter to a fine not to exceed \$500 or 30 days in jail, or both, and/or community service. Each day shall be considered a separate offense.

Lafayette Township

SECTION I -DEFINITIONS

1. For the purposes of this Ordinance, the following definitions shall apply:

- A. SOURCE SEPARATION -The act of separating from disposable trash, at the point of generation, materials which can be effectively recycled or reused, as a means of reducing the overall waste for disposal.
- B. DESIGNATED RECYCLABLE MATERIALS -All materials selected for recycling which are named in the approved Sussex County District Recycling Plan.
- C. MUNICIPAL SOLID WASTE -Waste Type #10 as classified by the New Jersey Department of Environmental Protection.
- D. BULKY WASTE -Waste Type #13 as classified by the New Jersey Department of Environmental Protection.
- E. COLLECTION -The curbside collection (private or municipal service), or other delivery of recyclable materials to municipal or county locations.
- F. MARKET -Any facility approved under the laws of the State of New Jersey for the disposal of recyclable materials.
- G. PROCESSING FACILITY -A facility engaged in the separation of materials from a commingled state to a separated state suitable for marketing.
- H. TRANSPORTER -Persons conveying source separated recyclable materials to recycling centers and manufacturers, for the purpose of processing, manufacturing or marketing.
- I. ALUMINUM CANS -Food and beverage containers made entirely of aluminum.
- J. RECYCLABLE BATTERIES -Batteries designated as type AAA through D.
- K. GRASS CLIPPINGS -Grass clippings derived from mowing grass.
- L. LEAVES AND BRUSH -Leaves, brush and other yard trimmings, excluding grass clippings.
- M. NEWSPAPER -All paper marketed as newsprint or newspaper and containing at least 70% newsprint or newspaper (American Paper Institute grades #6, #7 and #8 news).
- N. GLASS -All glass bottles, jars and jugs in flint (clear), green and amber color but not including window glass, drinking glasses, crystal, pottery, ceramic, glass dinnerware, glass cookware, glass ovenware (tempered glass) and similar glassware items.
- O. CORRUGATED CARDBOARD -Only domestically produced corrugated card board used for shipping, made of layers of kraft type paper with zigzag layers between.
- P. OFFICE PAPER -Computer paper (white bond and green bar), stationary and envelopes.
- Q. PETE PLASTIC BOTTLES -PETE plastic soda and similar beverage bottles bearing the triangular recycling symbol surrounding a number 1 and the letters PETE below, or otherwise designated by the market in the normal course of business.
- R. HDPE PLASTIC BOTTLES. -HDPE plastic bottles are bottles bearing the triangular recycling symbol surrounding a number 2 and the letters HDPE below, but not including containers for motor oil or antifreeze.
- S. TIN AND BIMETAL CANS -Food and beverage cans other than aluminum.

- T. USED MOTOR OIL -A petroleum based or synthetic oil designed for, but not limited to, the lubrication of internal combustion engines, and which has become unsuitable for its original purpose, but not including brake fluid, transmission oil, antifreeze; or motor oil combined with these products.
- U. MIXED PAPER -Includes computer paper, colored paper, catalogs, weekly, monthly publications, junk mail, envelopes, file folders, and similar items excluding telephone books, newspaper, newsprint, and other paper products unacceptable to a manufacturing market.
- V. CLOTHING/TEXTILES -All cloth materials.

SECTION II -OTHER RECYCLABLE MATERIALS, "(CLASS B)"

Every resident, commercial or institutional site shall provide documentation to the Municipal Recycling Coordinator as to the type of material, weight of the material and location where the material was taken for the purpose of recycling. The following is a non- inclusive list of materials acceptable for recycling:

| | |
|----------------------------|--------------------------|
| TIRES | CONCRETE |
| ASPHALT | ASPHALT ROOFING SHINGLES |
| WOOD | SCRAPS WOOD PALLETS |
| TREE STUMPS/PARTS | ALUMINUM SIDING |
| FERROUS METAL | NONFERROUS METAL |
| WHITE GOODS | AUTOMOBILE SCRAPS |
| OTHER PLASTICS | OTHER GLASS |
| PETROLEUM CONTAINED SOLIDS | ANTIFREEZE |
| LEAD ACID BATTERIES (AUTO) | FOOD SCRAPS |

SECTION 111 -MUNICIPAL COLLECTION

All residents within the Township of Lafayette shall place designated recyclable materials at the roadside for Municipal pick up in such manner as shall be designated and promulgated by the Municipal Recycling Coordinator.

Alternatively residents may take their designated recyclable materials to any market. A copy of the weight slip containing materials recycled and tonnage, shall be forwarded to the Municipal Recycling Coordinator by the resident before the end of the calendar year.

SECTION IV -COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL RECYCLING

Commercial, industrial and institutional operations shall provide for separation of designated recyclable materials as defined in SECTION of this Ordinance if generated on site.

All facilities providing food or beverage shall provide containers to separate recyclable materials from trash. Post Offices shall provide containers for the patrons to dispose of mixed paper. Litter and recycling containers must be provided at all recreation areas where picnicking or food or beverage service is provided. These containers shall be maintained by the owner or management of the property.

It is the responsibility of the owner or management of any commercial, industrial or institutional operation to provide for the collection or transportation of the designated recyclable materials generated on their site to market. It is also the responsibility of the owner or management of the property to document all weights, types of material and location where it was marketed and to forward such information to the Municipal Recycling Coordinator at least once each quarter no later than 15 days after the end of the quarter.

SECTION V -ENFORCEMENT

The Municipal Recycling Coordinator may cause a Notice of Violation to be served upon any person violating this Ordinance, advising the person of the violation, and setting forth a fixed time within such violation is to be corrected. Should such person continue to violate the Ordinance at the end of such period, a Complaint shall be filed by the Municipal Recycling Coordinator on behalf of the Township. No Notice of Violation shall be issued prior to the filing of a Complaint against a scavenger or transporter.

Any person violating the terms of this Ordinance shall be imprisoned in the County Jail for a term not exceeding 90 days, or by a fine not exceeding \$1,000.00, or shall be sentenced to a term of community service not exceeding 90 days, and to such other penalties as may be provided by the provisions of N. J. S. A. 40:49-5, as the same may be at the time of the commission of the offense.

Violations under this Ordinance shall be prosecuted by the Local Department of Health, the Sussex County Department of Health or the New Jersey Department of Environmental Protection, as the case may be, in the municipal court having jurisdiction over the matter.

SECTION VI -SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or part thereof for any reason is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentence, clause or part of this Ordinance.

SECTION VII -REPEALER

All Ordinances or parts of Ordinances inconsistent or in conflict with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION VIII -EFFECTIVE DATE

This Ordinance shall take effect immediately after publication and passage according to law.

Adopted: September 20, 1994

Town of Newton

12-10 Mandatory Recycling.

All other ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency (specifically repealed is Chapter 6, subsection 6-12.h.)

12-10.1 General Definitions.

- a. "Source separation*" is the act of separating from disposable trash at the point of generation, materials which can be effectively recycled or reused, as a means of reducing the overall waste for disposal.
- b. "Designated recyclable materials" are all materials selected for recycling which are named in the approved Sussex County District Recycling Plan.
- c. "Municipal solid waste" is material that is classified as Waste Type 10 by the New Jersey Department of Environmental Protection and consists of food waste, scrap paper, plastics, glass, ceramics, etc. from homes, restaurants and commercial, industrial and institutional establishments.
- d. "Bulky waste" is all mixed waste home construction and demolition sites, tires, white goods, furniture, tree stumps, scrap metals, pipes, wiring, sheetrock, concrete, asphalt, asbestos, etc. which are classified as Waste Type #13.
- e. "Collection" shall mean curbside collection (private or municipal service) and/or municipal depot for designated recyclable materials.
- f. "Market" shall mean any approved facility and, when required, inclusion in the Sussex County District Solid Waste Management Plan and/or approval or permit by the NJDEP, which purchases, receives or otherwise recycles source separated recyclable materials.
- g. "Reporting" shall mean recording and maintaining documentation (weight slips and facility identification) for designated materials and other recyclable materials generated within the municipality, and filing necessary reports with the county and the state as required.
- h. "Processing facility" shall mean the place at which materials are separated from a co-mingled state to a separated state for the purpose of marketing the recyclable materials to the respective markets. These facilities are usually termed as follows: MRF - Materials Recovery Facility or IPF - Intermediate Processing Facility. (These facilities require county approval and inclusion in the District Solid Waste Management Plan).
- i. "Transporter" shall mean those persons conveying source separated recyclable materials to either in-state or out-of-state recycling centers and manufacturers for the purpose of processing, manufacturing and marketing.
- j. "Residential properties" shall mean housing structures of one to five units.
- k. "Multi-family residential properties" shall mean housing structures of six or more units.
- l. "Commercial properties" shall mean businesses engaged in retail, professional, warehousing or industrial operations.
- m. "Institutional properties" shall mean and include but not necessarily be limited to schools, agencies of local and state government, and hospitals.

12-10.2 Designated Material Definitions, Class A'.

- a. "Aluminum cans" shall mean food and beverage containers made entirely of aluminum.
- b. "**Dry** cell batteries" shall mean batteries used for radios, watches, recorders, toys, etc.; I.e., AAA through D.
- c. "Grass clippings" shall mean grass clippings derived from the mowing of lawns and other grassy areas.
- d. "Leaves and brush" shall mean leaves, brush and other yard trimmings, excluding grass clippings, from homes, institutions, commercial and industrial sources.
- e. "Mixed office paper" shall mean items listed in computer print or white ledger category, when **mixed** with envelopes, manila folders and colored paper. Materials are generated by commercial and institutional sources.
- f. "Newspaper" shall mean all paper marketed as newsprint or newspaper and containing at least 70% newsprint or newspaper (American Paper Institute Grades #6, #7 and #8 news).
- g. "Glass" shall mean all glass bottles, jars and jugs in flint, green and amber color. This does not include window glass, drinking glasses, crystal, pottery, ceramic, glass dinnerware, glass cookware, glass ovenware (tempered glass) and similar glassware items.
- h. "Corrugated" shall refer to domestic corrugated cardboard used for shipping, made of sturdy layers of kraft type paper with a zigzag layer in between (foreign corrugated is yellow/green in color and usually has shredded paper and fiber between the paper layers).
- i. "Office paper" consists of computer paper (white bond and greenbar), stationery, envelopes (without windows), etc.
- j. "PETE plastic bottles" are plastic soda and similar beverage bottles bearing the triangular recycling symbol surrounding a number 1 and the letters PETE below. Not included are microwave plates or other containers.
- k. "HDPE plastic bottles" are plastic bottles bearing the triangular recycling symbol surrounding a number 2 and the letters HDPE below. These shall include dairy jugs, water, juice and pigmented detergent containers, etc. with the exception of containers used for motor oil or antifreeze. Also not included are any other containers not in bottle form.
- l. "Tin and bimetal cans" are food and beverage cans only. These cans are generated through residential, commercial and industrial sources. They do not include paint cans, aerosol cans, or any similar containers used for non-food sources.

- m. "Used motor oil" refers to petroleum based or synthetic oil with uses that include but are not limited to lubrication of internal combustion engines and which through use, storage or handling become unsuitable for their original purpose, due to the presence of impurities or loss of original properties. This does not include brake fluid, transmission oil or antifreeze. None of these items should be combined with used motor oil.
- n. "Magazines and junk mail" include catalogs, weekly and monthly publications, junk mail, manila envelopes, window envelopes, file folders and similar items, excluding telephone **books** and newspaper or newsprint.
- o. "Old clothing/textiles" consist of any old clothing or cloth materials, such as draperies, blankets, sheets, etc. and similar items.

12-10.3 Other Recyclable Materials, "Class B".

Any resident, commercial or industrial site must provide documentation to the municipal recycling coordinator as to the type of material, weight of the material, and location where the material was taken for the purpose of recycling. Materials must be source separated at the site prior to transportation. The following materials are acceptable for recycling:

- Tires
- Concrete
- Asphalt
- Asphalt roofing shingles
- Tree stumps/parts
- Wood pallets
- Ferrous metals
- Aluminum siding
- White goods
- Non-ferrous metals
- Other plastics
- Automobile scraps
- Petroleum contaminated soils
- Antifreeze
- Lead acid batteries (auto)
- Food scraps

The list above in no way limits anyone to only those materials. Any other materials with proper documentation which can be recycled and marketed for such, shall be included.

12-10.4 Municipal Collection.

The municipality shall provide for the collection of and/or provide a List of markets for the designated materials as defined above in section 12-10.2 of this chapter in the following manner:

- a. Owners/occupants of residential properties shall place recyclable materials for curb side collection or shall deliver such materials to the Newton recycling center on South Park Drive, in strict conformity with the specifications as set forth in the Newton recycling news, which is updated and published twice a year.
- b. Owners/operators of multi-family residential, commercial and institutional properties shall drop off designated recyclable materials at the Newton recycling center on South Park Drive.
- c. When collection of a designated recyclable is not provided for, the recycling coordinator will prepare and make available a list of markets for that recyclable material.

12-10.5 Exemptions.

The Town of Newton may exempt persons, firms or corporations from the requirements of this ordinance if those persons, firms or corporations have otherwise provided for the recycling of designated materials. To be eligible for such an exemption, the person, firm or corporation shall provide written documentation, on an annual basis, of the method of separation and collection, and the total number of tons recycled.

12-10.6 Disposal of Recyclables.

The town manager shall promulgate reasonable regulations establishing the commencement dates for mandatory separation of recyclables, and the manner, dates and times for the collection of same, in accordance with the terms of this chapter. Any such regulations promulgated shall be approved by the town council and may be changed, modified, repealed or amended, in whole or in part by a majority vote of the town council. A copy of such regulations as approved, modified or amended shall be available for public inspection in the office of the municipal clerk during regular office hours.

12-10.7 Ownership of Recyclable Materials.

Recyclable materials placed at the curb for collection by owner/occupants of residential properties shall be the property of the town of Newton. Persons not authorized by the town of Newton shall not collect or pick up or cause to be collected or picked up, any such recyclables. Each collection or pick up of recyclables in violation hereof from any one or more residents shall constitute a separate and distinct offense. Materials dropped off at the Newton recycling center shall become the property of the town of Newton.

12-10.8 Enforcement.

The recycling coordinator of the town of Newton or his authorized agent is hereby authorized and directed to enforce this ordinance. A notice of violation and/or a summons shall be issued to any person, business or institution which violates any provision of this ordinance.

12-10.9 Penalties.

Any person, business or institution which violates any provision of this chapter or any of the regulations promulgated pursuant hereto shall, upon conviction thereof, be punished as described herein.

a. Residents. Penalty for violations shall carry a fine of not less than \$100.00 or 40 hours of community service, or both, per offense.

b. Commercial, industrial or institutional. Penalty for violations shall carry a fine of not less than \$200.00 per offense.

c. Transporters. Any person or persons who deliberately place source separated materials within their vehicles along with putrescible waste shall be in violation of this chapter, the County Solid Waste Management Plan, and the State of New Jersey Source Separation Act, and shall be subject to penalty. Fines shall be not less than \$1,000.00 or 100 hours of community service, or both, per offense.

12-10.10 Repealer.

Ordinance #18-88 is hereby repealed and replaced by this ordinance.

12-10.11 Severability.

If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be unconstitutional or invalid, such decision shall not effect the remaining portions of this chapter.

Sandyston Township

§ 118-1. General definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BULKY WASTE — All mixed waste from construction and demolition sites, tires, white goods, furniture, tree stumps, scrap metals, pipes, wiring, Sheetrock, concrete, asphalt, asbestos, etc., classified as Waste Type No. 13.

COLLECTION — Curbside collection (private or municipal service) and/or municipal depot for designated recyclable materials.

DESIGNATED RECYCLABLE MATERIALS — All materials selected for recycling which are named in the approved Sussex County District Recycling Plan.

MUNICIPAL SOLID WASTE — New Jersey Department of Environmental Protection and Energy classified as Waste Type No. 10 which consists of food waste, scrap paper, plastics, glass, ceramics, etc., from homes, restaurants, commercial, industrial and institutional establishments.

REPORTING — Recording and maintaining documentation (weight slips and facility identification) for designated materials and other recyclable materials generated within the municipality and filing necessary reports to the county and state as required.

SOURCE SEPARATION — The act of separating from disposable trash, at the point of generation, materials which can be effectively recycled or reused, as a means of reducing the overall waste for disposal.

TRANSPORTER — Those persons conveying source-separated recyclable materials to either in-state or out-of-state recycling centers and manufacturers for the purpose of processing, manufacturing or marketing.

§ 118-2. Class A material definitions.

As used in this chapter, the following Class A materials shall be defined as follows:

ALUMINUM CANS — Food and beverage containers made entirely of aluminum.

CORRUGATED — Domestic corrugated cardboard used for shipping, made of sturdy layers of kraft-type paper with a zigzag layer between. (Foreign corrugated is yellow/green in color and usually has shredded paper and fiber between the paper layers.)

DRY-CELL BATTERIES — Batteries used for radios, watches, recorders, toys, etc. (i.e., AAA through D).

GLASS — All glass bottles, jars and jugs in flint, green and amber color. This does not include window glass, drinking glass, crystal, pottery, ceramic, glass dinnerware, glass cookware, glass ovenware (tempered glass) and similar glassware items.

GRASS CLIPPINGS — Grass clippings derived from the mowing of lawns and other grassy areas.

HDPE PLASTIC BOTTLES — Bottles bearing the triangular recycling symbol surrounding a number "2" and the letters "HDPE" below. This shall include dairy jugs, water, juice and pigmented detergent containers, etc., with the exception of containers used for motor oil or antifreeze. Also not included are any other containers not in bottle form.

LEAVES AND BRUSH — Leaves, brush and other yard trimmings, excluding grass clippings from homes, institutions, commercial or industrial sources.

MAGAZINES AND JUNK MAIL — Includes catalogs, weekly and monthly publications, junk mail, manila envelopes, window envelopes, file folders and similar items, excluding telephone books and newspaper or newsprint.

MIXED OFFICE PAPER — Items listed in the computer printout/white ledger category when mixed with envelopes, manila folders and colored paper. Material is generated by commercial/institutional sources.

NEWSPAPER — All paper marketed as newsprint or newspaper and containing at least 70% newsprint or newspaper (American Paper Institute Grade Nos. 6, 7 and 8 news).

OFFICE PAPER — Consists of computer paper (white bond and green bar), stationery, envelopes (without windows), etc.

OLD CLOTHING/TEXTILES — This consists of any old clothing or cloth materials, such as draperies, blankets, sheets, etc., and similar items.

PETE PLASTIC BOTTLES — PETE plastic soda and similar beverage bottles are bottles bearing the triangular recycling symbol surrounding a number "1" and the letters "PETE" below. Not included are microwave plates or other containers.

TIN AND BIMETAL CANS — Food and beverage cans only. These cans are generated through residential, commercial and institutional sources. "Tin and bimetal cans" does not include paint cans, aerosol cans or any similar container used for a nonfood source.

USED MOTOR OIL — A petroleum based or synthetic oil, which use includes but is not limited to lubrication of internal combustion engines and which, through use, storage or handling, has become unsuitable for its original purpose due to the presence of impurities or loss of original properties. This does not include brake fluid, transmission oil or antifreeze; none of these items should be combined with used motor oil.

§ 118-3. Other recyclable materials (Class B).

A. Any residential, commercial or institutional site must provide documentation to the Municipal Recycling Coordinator as to the type of material, weight of the material and the location where the material was taken for the purpose of recycling. Material must be source separated at the site prior to transportation. The following materials are acceptable for recycling:

| | |
|------------------------------|--------------------------|
| Tires | Concrete |
| Asphalt | Asphalt roofing shingles |
| Wood scraps | Wood pallets |
| Tree stumps/parts | Aluminum siding |
| Ferrous metal | Nonferrous metal |
| White goods | Automobile scraps |
| Other plastics | Other glass |
| Petroleum-contaminated soils | Antifreeze |
| Lead acid batteries (auto) | Food scraps |

B. The list above in no way limits anyone to only these materials. Any other materials which can be recycled and are marketed for such, with proper documentation, shall be included.

§ 118-4. Collection.

- A. Upon the effective date of this chapter, it shall be mandatory for all persons who are owners, lessees and occupants to separate recyclables from all other solid waste produced by any such residences and nonresidences and to bundle the same recyclables for collection and recycling.
- B. All private haulers in Sandyston Township shall report all violations to the Code Enforcement Officer, who is authorized to enforce this chapter. Residents who do not have recyclable pickup by a private hauler may take their recyclables to SCMUA, 34 Route 94 South, Lafayette, New Jersey, so long as Sussex County provides such service. Leaves will be picked up by the Sandyston Township Road Department on the first, second and third Monday in October of each year. Leaves must be contained securely in plastic garbage bags and placed curbside. The Road Department will then transport same to a licensed leaf composting facility. **[Amended 7-1-2003 by Ord. No. 3-03; 7-11-2006 by Ord. No. 6-06]**
- C. Separation and placing for removal. The occupant or owner of any building within the Township of Sandyston who shall place for disposal, removal or collection the following items shall do so in strict conformity with the following regulations:
- (1) Newspaper shall be bundled separately and secured in bundles, crosstied, not to exceed 50 pounds.
 - (2) Glass shall be cleaned and/or rinsed, all tops removed.
 - (3) Aluminum and bimetal cans shall be rinsed.
 - (4) Magazines and junk mail shall be bundled separately, crosstied and secured in bundles not to exceed 50 pounds.
- D. The aforementioned regulations shall be promulgated and effective not later than 30 days from the date hereof. Within 30 days from the date of the promulgation and publication of said regulations, the Township Committee may, by majority vote, change, modify, repeal or amend any portion of said rules and regulations.

§ 118-5. Commercial, industrial and institutional recycling.

- A. The commercial, industrial and institutional operations within the municipality must comply with the recycling responsibilities for all of the designated materials, as noted in § 118-2 of this chapter if, in fact, they generate it on site. Generation may be through their normal operation or within their break rooms or lunchrooms.
- B. Facilities, such as delicatessens, fast-food and similar type operations, whereby the customer clears his own table, must also provide containers for the customer to separate his recyclable materials from the trash. Post offices must provide containers for the patrons to dispose of junk mail. Litter and recycling containers must be provided for patrons in all recreation areas where picnicking or other food service is provided. These containers must be maintained by the owner or management of the property.

- C. It is the responsibility of the owner or management of any commercial, industrial or institutional operation to provide for the collection or transportation of the designated recyclable materials generated on their sites to an approved market. It is also the responsibility of the owner or management of the property to document all weights, types of material and location where it was marketed and to forward such information to the Municipal Recycling Coordinator.

§ 118-6. Enforcement.

- A. Due to the fact that the State of New Jersey has mandated that recycling must be done and has set goals for municipalities and counties to achieve, compliance with the program is important and must be attained.
- B. Any person or persons found in violation of this chapter or any section thereof shall be prosecuted in the manner as prescribed herein:
- (1) A notice of violation shall be issued within a ten-day time frame to achieve compliance. Should any person continue to be found in noncompliance with the chapter and all sections herein at the end of 10 days, a summons shall be issued by the local Department of Health, the Sussex County Department of Health or the New Jersey Department of Environmental Protection and Energy on behalf of the Municipal Recycling Coordinator and the municipality. The only exceptions shall be transporters and scavengers. Due to the severity of their acts, a summons shall be issued immediately upon a complaint of a violation.
- (a) Residents. Penalty for violations shall carry a fine of no less than \$100 or 40 hours of community service or both, per offense.
- (b) Commercial, industrial and institutional. Penalty for violations shall carry a fine of no less than \$250 per offense.
- (c) Transporters. Any person or persons who deliberately place source-separated materials within their vehicles along with the putrescible waste shall be in violation of this chapter, the County Solid Waste Management Plan and the State of New Jersey Source Separation Act and shall be subject to a penalty, and fines shall be no less than \$1,000 per offense.
- (d) Scavengers. Any person or persons, other than contracted haulers removing recyclable materials placed at the curb or from the municipal recycling depot, shall be considered in violation of this chapter and shall be subject to a fine of no less than \$1,000 per offense.
- C. Violations under this chapter shall be prosecuted by the local Department of Health, the Sussex County Department of Health or the New Jersey Department of Environmental Protection and Energy, as the case may be, in the Municipal Court having jurisdiction over the matter.

Sparta Township

CHAPTER XXII SOLID WASTE MANAGEMENT

22-1 RECYCLING.

22-1.1 Definitions.

As used in this section:

Aluminum beverage containers shall mean all cans consisting entirely of aluminum used in the storage or packaging of beverages.

Batteries, household shall mean any type of button, coin, cylindrical, rectangular or other shaped enclosed device or sealed container which was utilized as an energy source.

Brush/tree parts shall mean branches and wood chips generated from residential sources (storm damage or natural falling of branches only).

Concrete/asphalt and masonry paving materials shall mean asphalt or asphalt based roofing shingles, concrete, brick cinder block, ceramic materials, stones, and other masonry material and paving materials.

Corrugated paper shall mean corrugated cardboard or other paper products which are manufactured with folded or parallel and alternating ridges and grooves so as to make them stiff or rigid.

Ferrous scrap shall mean tin cans and bi-metal cans which have steel sides and aluminum tops or combinations thereof.

Food waste shall mean food plate wastes and food processing wastes, including food processing vegetative wastes, food processing residuals and animal processing wastes.

Glass food and glass beverage containers shall mean all bottles and jars made entirely of glass used in the storage of food and beverages. Specifically excluded are blue glass and flat glass known as window glass.

Grass clippings shall mean grass clippings derived from the mowing of lawns or other grassy areas.

Leaves shall mean leaves and other yard debris excluding grass and brush from residential sources only.

Metal items shall mean all ferrous and nonferrous scrap which includes but is not limited to the following: structural steel, cast iron components, non-container aluminum, stainless steel, cooper, zinc, brass and other metals which generally do not rust.

Office paper-computer paper shall mean any and all types of office paper including but not limited to computer paper, high grade white paper, typing paper, copier paper, onion skin, tissue paper, notepad paper, manila folders, colored paper or any mix thereof.

Other paper/magazines/junk mail shall mean all paper, which is not defined as corrugated, office paper, newspaper, and computer paper. Examples are as follows: magazine stock, wrapping paper, telephone directories, envelopes, glossy paper, etc.

Petroleum contaminated soil shall mean non-hazardous soils containing petroleum hydrocarbons resulting from spills, leaks or leaking underground storage tanks used for gasoline, or any other commercial fuel.

Plastic (PET, HDPE) bottles shall mean all plastic bottles such as soda or beverage containers and milk bottles which are transparent or translucent.

Recyclable materials shall mean aluminum beverage containers, corrugated paper, ferrous scrap, plastic, glass food and glass beverage containers, used newspapers and yard waste all as defined herein.

Regulations shall mean and include such rules, implementation dates, schedules of times, and such other requirements promulgated by the Township Manager as may be necessary to carry out the purposes and objectives of this section.

Solid waste shall mean and include all garbage and rubbish normally placed at the curb by the residents, business occupants and public institutions of the Township for regular municipal collection.

Steel/tin cans (ferrous containers) shall mean rigid containers made exclusively or primarily of steel or tin plated steel and used to store food, beverages, paint, and a variety of other household and consumer products.

Stumps shall mean unfinished wood from commercial or residential land clearing activities.

Textiles shall mean cloth materials such as wool, cotton, linen, nylon or polyester derived from clothing, lines or cloth diapers.

Tires shall mean rubber based scrap automotive, truck or specialty tires.

Used motor oil shall mean a petroleum based or synthetic oil, which, through use, storage or handling, has become unsuitable for its original purpose due to the presence of impurities or loss of original properties.

Used newspaper shall be deemed paper of the type commonly referred to as newsprint and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest. Expressly excluded, however, are all magazines or other periodicals as well as all other paper products of any nature whatsoever.

White goods/light iron shall mean all appliances such as washers, dryers, refrigerators, etc. as well as products made from sheet iron such as shelving, file cabinets, metal desks, recycled or reconditioned steel drums and other nonferrous scarp.

Yard waste shall mean and include leaves, grass clippings and brush.

22-1.2 Separation of Recyclables Required.

All persons, except those physically disabled, who are owners, lessees or occupants of residences, including garden apartments, condominiums, townhouses, businesses and public institutions or facilities within the Township shall recycle the following: newspaper, aluminum beverage containers, glass food and beverage containers, tin food containers, corrugated paper, plastic beverage containers, leaves, stumps, grass clippings, food waste (commercial only), brush/tree parts, batteries, concrete/asphalt and masonry paving materials, metal items, office paper, textiles, tires and other paper/magazines/junk mail produced by such residences from household garbage in accordance with State regulations through the Township's recycling program or any other approved facility. (1978 Code § 17-9.2; Ord. No. 759; New; Ord. No. 05-27 § 2)

22-1.3 Newspapers and Corrugated Paper.

a. Used newspapers shall be separated from other solid waste and shall be tied or otherwise secured in bundles not to exceed fifty (50) pounds in weight and shall not be contained in plastic or paper bags. Such bundles shall be placed at curbside for pickup and collected by the Township or its authorized agent, provided that such a program is available or deposited at designated Township recycling centers.

b. Used corrugated paper shall be separated from other solid waste and shall be tied or otherwise secured in bundles not to exceed fifty (50) pounds. Such bundles shall be placed at curbside for pickup and collection by the Township or its authorized agent, provided that such a program is available, or deposited at designated Township recycling centers. (1978 Code § 17-9.3; Ord. No. 759; New)

22-1.4 Aluminum, Glass, Tin and Plastic.

All used aluminum and plastic containers from beverages, glass containers from food and beverages and plastic and tin food containers shall be separated from other solid waste and shall be recycled by depositing same at designated Township recycling centers and/or by placing the recyclables at curbside for pickup and collection by the Township or its authorized agent, provided that such a program is available. All recycling of used aluminum beverage containers and glass food and glass beverage containers shall be carried out in strict conformity with the following regulations:

a. Recyclable containers shall be rinsed clear of all food residue.

b. Glass containers shall have caps and rings removed and shall be sorted by color.

c. Aluminum and glass containers shall not be mixed together.

d. Recyclable containers placed at curbside for collection by the Township or its authorized agent shall be placed in permanent, non-disposable and reusable receptacles, green glass, brown glass, clear glass and aluminum containers shall not be mixed in any such receptacle.

(1978 Code § 17-9.4; Ord. No. 759; New)

22-1.5 Yard Waste.

Yard waste shall be separated from other solid waste and shall be recycled in any of the following manners:

- a. By composting on the property of the owner, occupant or lessee; and/or
- b. By depositing same at designated Township recycling centers; and/or
- c. By placing said yard waste at curbside for pickup, collection and recycling by the Township or its authorized

agent, provided that such a program is available, and in accordance with all applicable regulations.
(1978 Code § 17-9.5; Ord. No. 759)

22-1.6 Recyclable Materials to Become the Property of the Township.

From the time of placement at the curb for pickup, collection and recycling, recyclables shall be and become the property of the Township or its authorized agent. It shall be a violation of this section for any person unauthorized by the Township to collect for pickup or cause to be collected or picked up any such recyclables. Any and each such collection in violation hereof shall constitute a separate and distinct offense punishable as hereinafter provided. (1978 Code § 17-9.6; Ord. No. 759)

22-1.7 Additional Methods of Disposal.

While the Township endorses and authorizes the use of its recycling facility for the depositing of recyclable materials, any owner, occupant or lessee of the Township may deposit recyclable materials at any other authorized recycling center which will accept such materials or may donate or sell recyclable materials to any person, partnership, or corporation, whether operating for profit or not for profit. Said person, partnership or corporation may not, however, under any circumstances pick up said recyclable materials from the curbside or from designated Township recycling centers. (1978 Code § 17-9.7; Ord. No. 759)

22-1.8 Additional Regulations.

The Township Manager is hereby authorized to establish and promulgate additional regulations as to proper recycling procedures and as to the manner, days and times for the collection of recyclable materials in accordance with the terms hereof. (1978 Code § 17-9.8; Ord. No. 759)

22-1.9 Enforcement.

The Department of Police and the Department of Health are hereby authorized and directed to enforce this section. (1978 Code § 17-9.9; Ord. No. 759)

22-2 GARBAGE AND REFUSE.**22-2.1 Definitions.**

As used in this section:

Combustible wastes shall mean yard trimmings, rags, wood, cardboard and other combustible waste solids of a nonvolatile or explosive nature.

Garbage shall mean animal or vegetable waste solids resulting from the handling, preparation, cooking and consumption of food.

Noncombustible wastes shall mean all solid waste material which does not burn.

Refuse shall mean all putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, and solid market and industrial wastes, whether combustible or noncombustible.

Rubbish shall mean nonputrescible solid wastes consisting of both combustible and noncombustible wastes.

(1978 Code § 17-3.1)

22-2.2 Receptacle Requirements.

a. The owner, agent, lessee, tenant, or occupant of every dwelling house or other premises where refuse accumulates shall provide and keep on such premises sufficient and suitable receptacles with tight fitting covers for receiving and holding the refuse.

1. "Sufficient" is defined for the purpose of this section to be at least one (1) receptacle for each family unit or other occupant of premises and at least two (2) such receptacles for each commercial or business establishment where the aforesaid refuse shall accumulate, but each occupant of premises shall provide sufficient receptacles to store all refuse which may be accumulated there between the times when such refuse is disposed of as hereinafter provided.

2. "Suitable" is defined for the purpose of this section to be a water-tight metal, rubber or plastic receptacle with a tight fitting cover so constructed as to prevent spilling or leakage of its contents.

b. Each receptacle for use at a single residence shall have a capacity of not more than thirty (30) gallons and be equipped with a pull handle or handles.

c. Receptacles for refuse from multi-dwelling units or industrial premises may have a greater capacity than that prescribed in paragraph b. of this subsection provided they meet the other qualifications of a suitable receptacle and are equipped for handling by motorized equipment, cleaned and sanitized as needed after emptying and replaced by the same type of receptacle if removed for emptying.

- d. Receptacles that are badly broken or otherwise fail to meet the requirements of this section, may be classed as refuse and collected and disposed of as such by the person or agency responsible for the collection of refuse, provided that such receptacle shall not be collected if it appears to have been suitable under the definition of this section at some previous time without a written notice being delivered to the owner of the fact that the receptacle is not deemed suitable at least ten (10) days before the receptacle is collected.
- e. Receptacles shall be conveniently located on premises for the storage of refuse and maintained in such a manner with the cover in place as to prevent creation of a nuisance or menace to public health.
(1978 Code § 17-3.2)

22-2.3 Preparation for Collection; Frequency.

- a. Garbage shall be thoroughly and completely drained of all liquids, wrapped securely in paper or placed in paper bags and placed in a receptacle as herein described.
- b. Combustible or noncombustible waste of such a nature that it cannot be deposited in a receptacle shall be securely and properly tied into bundles or packages to prevent spilling or scattering. The bundles or packages shall be of a size and weight to permit ease of handling by one (1) man and shall be packaged or otherwise assembled in quantities weighing not more than fifty (50) pounds.
- c. Receptacles for refuse shall not be set out for collection except during hours of a day scheduled for collection of refuse or the evening before.
- d. The person occupying any premises whereon a business or industry is conducted shall arrange for the removal of refuse from such premises each day unless sufficient and suitable facilities are provided and used for the storage of such refuse within a building on such premises until the refuse is removed.
- e. The person occupying any premises shall be required to arrange for the pickup or collection of refuse from the premises at least once a week during a period when the premises are being occupied and used by such person. (1978 Code § 17-3.3)

22-2.4 Refuse Disposal.

No refuse shall be disposed of except at a sanitary landfill established, conducted, operated and maintained in accordance with standards established by the State Department of Environmental Protection. (1978 Code § 17-3.4)

22-2.5 Nuisance.

The storage, collection or disposal of refuse in violation of any provision of this section is hereby declared to be a nuisance and detrimental to public health. (1978 Code § 17-3.5)

22-2.6 Additional Regulations.

The Township Sanitarian may, by regulation approved by the Township Council, adopt rules and regulations to carry out the provisions of this section and the violation of such rules and regulations shall constitute a violation of this section. (1978 Code § 17-3.6)

Sussex Borough

3-12 RECYCLING PROGRAM. 3-12.1 Definitions.

- a. *Aluminum cans* shall mean recyclable aluminum cans; however, aerosol cans shall not be separated for recycling.
- b. *Corrugated paper* shall mean corrugated cardboard or other paper products which are manufactured with folded or parallel and alternating ridges and grooves so as to make them stiff and rigid.
- c. *Ferrous scrap* shall mean all tin cans and bi-metal cans which have steel sides and aluminum tops or combinations thereof.
- d. *Glass* shall mean all products made from silica or sand, or certain ash and limestone, the product being transparent or translucent and being used for packaging or bottling of various materials and all other material commonly known as glass; excluding however, blue and flat glass commonly known as window glass, and mirror glass and light bulbs.
- e. *Newspaper* shall mean paper of the type commonly referred to as newsprint and distributed periodically having printed thereon news and opinions and containing advertisements and other matters of public interest. Expressly excluded, however, are all magazines or other periodicals and all other high-grade paper products. High-grade paper shall mean paper commonly referred to as slick or glossy which is commonly used for magazines or periodicals other than newspapers, and office paper or stationery.
- f. *Plastic (PET) bottles* shall mean all plastic bottles such as soda and beverage containers and milk bottles, being transparent or translucent.
- g. Solid *waste* shall mean all garbage and rubbish.
- h. Collection point shall mean the curbside of each residence, institution or business within the Borough of Sussex which contracts for the collection of solid waste and other trash. (Ord. 88-4, S1)

3-12.2 Separation of Materials.

Upon the effective date of this section, it shall be mandatory for all persons to separate aluminum cans, bi-metal cans, glass, newspaper, corrugated paper and plastic (PET) bottles from all other solid waste produced by any such residence, business or institution and to separately bundle said newspapers, corrugated paper, glass, aluminum cans, bi-metal cans and plastic (PET) bottles for pick up, collection and recycling. In addition, all commercial and institutional generators of solid waste shall separate and separately bundle all high grade paper for pick up, collection and recycling. (Ord. 88-4, S2)

3-12.3 Separation and Placing for Removal.

All persons within the Borough of Sussex who shall place for pick up, collection or recycling the items listed in subsection 3-12.2 of this section, shall do so in strict conformity with the following regulations:

- a. Corrugated paper, high-grade paper, and newspapers shall each be separately bundled and secured.
- b. Glass shall be separated into three separate colors: clear glass, brown glass and green glass and shall be contained in suitable occupant or owner supplied containers.
- c. Aluminum cans, bi-metal cans, plastic (PET) bottles shall each be separated and contained in suitable occupant or owner supplied containers.
- d. Suitable occupant or owner supplied containers shall include garbage can type metal or plastic containers, or other approved suitable containers.
- e. Caps and neck rings shall be removed from all plastic (PET) bottles **and** glass prior to separation.
- f. All glass, aluminum cans, bi-metals and plastic (PET) bottles shall be rinsed clean. (Ord. 88-4, S3)

3-12.4 Unauthorized Collection and Scavenging.

It shall be a violation of this section for any person unauthorized by the Borough of Sussex to collect or pick up or cause to be collected or picked up any newspapers, glass, aluminum cans, bi-metal cans, high-grade paper, corrugated paper and plastic (PET) bottles. Each collection and violation hereof from one or more residential collection points shall constitute a separate and distinct offense punishable as hereinafter provided. (Ord. 88-4, S4)

3-12.5 Selling or Donating Recyclables.

Anything herein to the contrary notwithstanding, any person may donate or sell recyclables to any person, partnership or corporation. (Ord. 88-4, S5)

3-12.6 Enforcement.

The recycling coordinator or his or her authorized agent or agents are hereby authorized and directed to enforce this section. (Ord. 88-4, S6)

3-12.7 Sanitary Pick-Up Cooperation.

Each garbage sanitation hauling, cartage or scavenger company providing pick-up service within the Borough of Sussex shall cooperate with the intent, spirit and purpose of this section and the State Enabling Act. Each such entity shall cooperate with all rules, regulations and directives of the Sussex Borough Municipal Recycling Coordinator and shall provide timely reports as to tonnage and distribution of all recyclable materials picked up within the Borough of Sussex. (Ord. 88-4, S7)

3-12.8 Penalties.

Any person, firm or corporation who violates or neglects to comply with any provision of this section or any regulation promulgated pursuant thereto shall, upon conviction thereof, be punishable by a fine of one hundred (\$100.00) dollars to five hundred (\$500.00) dollars. (Ord. 88-4, S8)

3-12.9 Severability.

If any section, sentence or any part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this section, that shall be confined to its effect to the section, sentence or other part of this ordinance directly involved in the controversy and which such judgment shall have been rendered. (Ord. 88-4, S9)

3-12.10 Consistency.

All ordinances or parts of ordinances which are inconsistent with the provision of this section **are** hereby repealed to the extent of such inconsistency. (Ord. 88-4, S10)

3-12.11 Exemption for Commercial or Institutional Premises.

The Borough Council of the Borough of Sussex may exempt persons, firms or corporations occupying commercial and institutional premises from the requirements of this section if those persons, firms or corporations have otherwise provided for the recycling of the materials designated in subsection 3-12.2. To be eligible for such an exemption, the person, firm or corporation annually shall provide written documentation as to the method of separation and collection and the total number of tons recycled. (Ord. 88-4, S11)

3-12.12 Non-Contracted Pick-Up of Solid Waste.

All persons, firms or corporations who have not privately contracted for collection point pick-up of solid waste and the recyclable materials designated in subsection 3-12.2 shall be required to deliver their recyclable materials as designated in subsection 3-12.2 to the recycling depots provided in the municipality. (Ord. 88-4, S12)

3-12.13 Copies of This Section.

Copies of this section may be obtained without charge from the Clerk of the Borough of Sussex during regular office hours. In addition, this section shall be advertised in the New Jersey Herald at least once within six months after the effective date of this section, and a copy shall be sent with each 1988 Real Property Tax Bill. (Ord. 88-4, S13)

3-12.14 Effectiveness.

This section shall take effect after final passage and publication as required by law. (Ord. 88-4, S14)

3-12.15 Leaf Collection and Composting.

All leaves from deciduous trees, bushes, plants or grass clippings shall be composted at a private or public facility and may not be placed for pick-up at the collection point. (Ord. 88- 4, S15)

3-13 MANDATORY SOURCE SEPARATION PROGRAM.

3-13.1 General Definitions.

- a. Source separation shall mean the act of separating from disposable trash, at the point of generation, materials which can be effectively recycled or reused, as a means of reducing the overall waste for disposal.
- b. Designated recyclable materials shall mean all materials selected for recycling which are named in the approved Sussex County District Recycling Plan.
- c. Municipal solid waste shall mean New Jersey Department of Environmental Protection and Energy classified as Waste Type #10 which consists of food waste, scrap paper, plastics, glass, ceramics, etc. from homes, restaurants, commercial and industrial and institutional establishments.
- d. Bulky waste shall mean all mixed waste from construction and demolition sites, tires, white goods, furniture, tree stumps, scrap metals, pipes, wiring, sheetrock, concrete, asphalt, asbestos, etc. Classified as Waste Type #13.
- e. Collection for the purpose of this section, shall mean curbside collection (private or municipal service) and/or municipal depot for designated recyclable materials.
- f. Market shall mean any approved facility (included in the Sussex County District Solid Waste Management Plan and when required, approval or permit by NJDEP) which purchases, receives or otherwise recycles source separated recyclable materials.
- g. *Reporting* shall mean recording and maintaining documentation (weight slips and facility identification) for designated materials and other recyclable materials generated within the municipality and filing necessary reports to the county and state as required.
- h. *Processing facility* for the purpose of this section, shall mean the separation of materials from a commingled state to a separated state for the purpose of marketing the recyclable materials to the respective markets. These facilities are usually termed as follows:
MRF-Materials Recovery Facility or
IPF-Intermediate Processing Facility
(these facilities require county approval and inclusion in the District Solid Waste Management Plan).
- i. *Transporter* for the purpose of this section, shall mean those persons conveying source separated recyclable materials to either in-state or out-of-state recycling centers and manufacturers, for the purpose of processing, manufacturing or marketing. (Ord. 05-93, SI)

3-13.2 Designated Material Definitions, "Class A".

- a. Aluminum Cans: Food and beverage containers made entirely of aluminum.
- b. Dry Cell Batteries: Batteries used for radios, watches, recorders, toys, etc. (i.e. AAA through D).
- c. Grass Clippings: Grass clippings derived from the mowing of lawns and other grassy areas.
- d. Leaves and Brush: Leaves, brush and other yard trimmings, excluding grass clippings from homes, institutions, commercial or industrial sources.
- e. Mixed Office Paper: Items listed in computer printout/white ledger category when mixed with envelopes, manila folders and colored paper. Material is generated by commercial/institutional sources.
- f. Newspaper: All paper marketed as newsprint or newspaper and containing at least 70 percent newsprint or newspaper (American Paper Institute grades #6, #7, and #8 news).
- g. Glass: All glass bottles, jars and jugs in flint, green and amber color. This does not include window glass, drinking glass, crystal, pottery, ceramic, glass dinnerware, glass cookware, glass ovenware (tempered glass) and similar glassware items.
- h. Corrugated: Domestic corrugated cardboard used for shipping, made of sturdy layers of kraft type paper with zigzag layer between (forest corrugated is yellow-green in color and usually has shredded paper and fiber between the paper layers).
- i. Office Paper: Consists of computer paper (white bond and green bar), stationery, envelopes (without windows), etc.
- j. PETE Plastic Bottles: PETE plastic soda and similar beverage bottles are bottles bearing the triangular recycling symbol surrounding a number 1 and the letters PETE below. Not included are microwave plates or other containers.
- k. HDPE Plastic Bottles: HDPE plastic bottles are bottles bearing the triangle recycling symbol surrounding a number 2 and the letters HDPE below. This shall include dairy jugs, water, juice and pigmented detergent containers, etc. with the exception of containers used for motor oil or antifreeze. Also included are any other containers not in bottle form.
- l. Tin and Bi-Metal Cans: Food and beverage cans only. These cans are generated through residential, commercial and institutional sources. Does not include paint cans, aerosol cans, or any similar container used for non-food source.
- m. Used Motor Oil: A petroleum based on synthetic oil which use includes, but is not limited to, lubrication of internal combustion engines, and which through use, storage or handling has become unsuitable for its original purpose due to the presence of impurities or loss of original properties. This does not include brake fluid, transmission oil, antifreeze; none of these items should be combined with used motor oil.
- n. Magazines and Junk Mail: Includes catalogs, weekly, monthly publications, junk mail, manila envelopes, window envelopes, file folders, and similar items excluding telephone books and newspaper or newsprint.
- o. Old Clothing/Textiles: This consists of any old clothing or cloth materials such as draperies, blankets, sheets, etc. and similar items. (Ord. 05-93, SII)

3-13.3 Other Recyclable Materials, "Class B".

Any resident, commercial or institutional site must provide documentation to the municipal recycling coordinator as to the type of material, weight of the material, location where material was taken for the purpose of recycling. Material must be source separated at the site prior to transportation. The following materials are acceptable for recycling:

Tires, Concrete, Asphalt, Asphalt roofing shingles, Wood scraps, Wood pallets Tree stumps/parts, Aluminum siding, Ferrous metal Nonferrous metal, White goods, Automobile scraps, Other plastics, Other glass, Petroleum contaminated soils, Antifreeze, Lead acid batteries (Auto), Food scraps

The above in no way limits anyone to only these materials. Any other materials which can be recycled, and are marketed for such, with proper documentation, shall be included. (Ord. 05-93, SIII)

3-13.4 Municipal Collection.

The municipality shall provide for the collection of the designated materials as defined above in subsection **3-13.2** of this section, pursuant to section 3-12 of these revised General Ordinances. (Ord. 05-93, SIV)

3-13.5 Commercial, Industrial, And Institutional Recycling.

The commercial, industrial and institutional operations within the municipalities must comply with the recycling responsibilities for all of the designated materials, as noted in subsection **3-13.2** of this section if, in fact, they generate it on site. Generation may be through their normal operation or within their break room or lunch rooms.

Facilities such as delicatessens, fast food and similar type operations where the customer clears his own table, must also provide containers for the customer to separate his recyclable materials from the trash. Post offices must provide containers for the patrons to dispose of junk mail. Litter and recycling containers must be provided for patrons in all recreation areas where picnicking or other food service is provided. These containers must be maintained by the owner or management of the property. It is the responsibility of the owner or management of any commercial, industrial or institutional operation to provide for the collection or transportation of the designated recyclable materials generated on their site to an approved market. It is also the responsibility of the owner or management of the property to document all weights, types of material and location where it was marketed and to forward such information to the municipal recycling coordinator. (Ord. 05-93, SV)

3-13.6 Enforcement.

Due to the fact that the State of New Jersey has mandated that recycling must be done and has set goals for municipalities and counties to achieve, compliance with the program is important and must be attained.

Any person or persons found in violation of this section or any subsection thereof shall be prosecuted in the manner as prescribed herein:

A notice of violation shall be issued with a ten day time frame to achieve compliance. Should any person continue to be found in noncompliance with the section and all subsections herein at the end of ten days, a summons shall be issued by the local department of health, the Sussex County Department of Health or the New Jersey Department of Environmental Protection and Energy on behalf of the municipal recycling coordinator and the municipality. The only exceptions shall be transporters and scavengers; due to the severity of their acts, a summons shall be issued immediately upon a complaint of violation.

- a. Residents. Penalty for violations shall carry a fine of no less than one hundred (\$100.00) dollars or 40 hours community service or both, per offense.
- b. Commercial, Industrial and Institutional. Penalty for violations shall carry a fine of no less than two hundred fifty (\$250.00) per offense.
- c. Transporters. Any person or persons who deliberately place source separated materials within their vehicles along with the putrescible waste shall be in violation of this section, the County Solid Waste Management Plan and the State of New Jersey Source Separation Act, and shall be subject to penalty, and fines shall be no less than one thousand (\$1,000.00) dollars per offense.
- d. Scavengers. Any person or persons removing recyclable materials placed at the curb or from the municipal recycling depot shall be considered in violation of this section and shall be subject to a fine of no less than one thousand (\$1,000.00) per offense.

Violations under this section shall be prosecuted by the local department of health, the Sussex County Department of Health or the New Jersey Department of Environmental Protection and Energy, as the case may be, in the municipal court having jurisdiction over the matter. (Ord. 05-93,SVI)

Vernon Township

§ 452-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings ascribed to them by this section:

ALUMINUM — Products made of aluminum, including aluminum cans, screen frames, lawn chair frames and similar items.

BIMETAL (TIN) CANS — Cans of the type commonly used for packaging of food products excluding any cans used for paints, pesticides or similar products.

CORRUGATED CARDBOARD — Box-type products made from paper commonly used in packaging and shipping.

GLASS — Products made from silica or sand, soda ash and limestone, the product being transparent or translucent and being used for packaging or bottling, and other material commonly known as glass, excluding blue and flat glass and glass commonly known as window glass.

HIGH-GRADE PAPER — Uncontaminated paper of the type commonly used in offices, such as white bond, white stationery, white notepad paper, computer printout paper and white paper forms, excluding carbon or carbonized paper.

PLASTIC — All plastic PET bottles (soda bottles) and HDPE jugs commonly used for packaging of milk, water, and juice.

SALVAGE PAPER PRODUCTS — Uncontaminated paper material, including such as material as used newspaper, magazines, paperback books, the colored or glossy/inserts and advertisement materials.

YARD WASTE — Grass clippings, leaves and small tree branches.

§ 452-2. Applicability; private contracts; reports.

All persons, firms and corporations, public and private, shall be subject to the provisions of this chapter. Firms and corporations may make arrangements for disposal of their recyclables through private contracts, provided that monthly reports (log sheets) shall be submitted, indicating items recycled and the specific weights for the month. Such reports shall be filed no later than the 10th day of the following month. An annual report on total tonnage recycled for the year shall also be filed no later than January 10. Such reports shall be filed with The Township of Vernon.

§ 452-3. Items to be recycled; regulations.

The occupant or owner of any building within the Township of Vernon shall deliver for disposal the following named items and shall do so in conformity with the following regulations:

- A. Salvage paper products may be deposited loose, bundled or in paper bags not to exceed 50 pounds and shall not be permitted in plastic bags.
- B. Glass shall be rinsed, lids, metal rings and plastic covers removed. Containers must also be separated by color, clear, brown (amber) and green.
- C. Aluminum. Aluminum cans shall be rinsed, aluminum scrap shall be neatly bundled and bundles not to exceed 50 pounds.
- D. Bimetal (tin) cans. Cans shall be rinsed and lids and labels removed.
- E. Plastic containers shall be rinsed and caps, metal rings, and labels (whenever possible) removed.
- F. Yard waste shall be subject to the provisions of this chapter from September 1 through December 31, and shall be placed in nonopaque biodegradable bags, and branches must be no longer than four feet nor larger than four inches in diameter and bundled not to exceed 50 pounds. Alternatively it may be composted.
- G. High-grade paper shall be separated and kept dry, flat in a paper or cardboard box and free of contaminants. No carbon or carbonized paper shall be included.
- H. Corrugated cardboard shall be crushed flat and bundled. Each bundle shall not exceed 50 pounds.

§ 452-4. Disposal of recyclables.

All recyclables shall be disposed of at designated recycling centers or, when available, to an authorized contractor picking up recyclables at curbside.

§ 452-5. Unlawful removal of recyclables; violations and penalties.

From the time of placement at the recycling center (or at the curb should there be a contract for curbside pickup of recyclables), all recyclables described herein shall be and become the property of the Township of Vernon or its authorized agent. It shall be a violation of this chapter for any person unauthorized by the Township of Vernon to cause to be removed any of these items from the recycling center (or curb). Violators of this section, upon conviction, will be subject to a fine of no less than \$500 for each offense.

§ 452-6. Violations and penalties.

Any person, business or institution which violates any provision of this chapter or any regulations promulgated pursuant thereto shall, upon conviction thereof, be punishable by a fine of not less than \$100 and not to exceed \$1,000.

Wantage Township

CHAPTER XX RECYCLING

20-1 PURPOSE.

The Legislature of the State of New Jersey has adopted an Act supplementing Public Law 1970. Chapter 39 (N.J.S.A. 13:1E et seq.). The conservation of recyclable materials is a public concern and has an impact on public safety and welfare; and the separation of certain enumerated recyclable materials in the Township of Wantage will, for the reasons set forth below, foster and promote the general public welfare and safety.

20-2 DEFINITIONS.

“Aluminum cans” shall mean recyclable aluminum cans, however, aerosol cans shall not be separated for recycling.

“Collection point” shall mean the curbside of each residence, institution or business within the Township of Wantage which contracts for the collection of solid waste and other trash.

“Corrugated paper” shall mean corrugated cardboard or other paper products which are manufactured with folded or parallel and alternating ridges and grooves so as to make them stiff and rigid.

“Ferrous scrap” shall mean all tin cans and bi-metal cans which have steel sides and aluminum tops or combinations thereof.

“Glass” shall mean all products made from silica or sand, or certain ash and limestone, the product being transparent or translucent and being used for packaging or bottling of various materials and all other material commonly known as glass, excluding, however, blue and flat glass commonly known as window glass, and mirror glass and light bulbs.

“Newspaper” shall mean paper of the type commonly referred to as newsprint and distributed periodically having printed thereon news and opinions and containing advertisements and other matters of public interest. Expressly excluded, however, are all magazines or other periodicals and all other high-grade paper products. High-grade paper shall mean paper commonly referred to as slick or glossy which is commonly used for magazines or periodicals other than newspapers, and office paper or stationery.

“Plastic (PET) bottles” shall mean only plastic bottles such as soda and beverage containers and milk bottles being transparent or translucent.

“Solid waste” shall mean all garbage and rubbish.

20-3 SEPARATION OF MATERIALS.

Upon the effective date of this chapter, it shall be mandatory for all persons to separate aluminum cans, bi-metal cans, glass, newspaper, corrugated paper and plastic (PET) bottles from all other solid waste produced by any such residence, business or institution and to separately bundle said newspapers, corrugated paper, glass, aluminum cans, bi-metal cans and plastic (PET) bottles for pick up, collection and recycling. In addition, all commercial and institutional generators of solid waste shall separate and separately bundle all high-grade paper for pick-up, collection and recycling.

20-4 SEPARATION AND PLACING FOR REMOVAL.

All persons within the Township of Wantage who shall place for pick-up, collection, or recycling the items listed in **section 20-2** of this chapter shall do so in a strict conformity with the following regulations:

- a. Corrugated paper, high-grade paper, and newspapers shall each be separately bundled and secured.
- b. Glass shall be separated into three separate colors - clear glass, brown glass and green glass and shall be contained in suitable occupant or owner supplied containers.
- c. Aluminum cans, bi-metal, cans, plastic (PET) bottles shall each be separated and contained in suitable occupant or owner supplied containers.
- d. Suitable occupant or owner supplied containers shall include garbage can type metal or plastic containers but does not include cardboard boxes.
- e. Caps and neck rings shall be removed from all plastic (PET) bottles and glass prior to separation.
- f. All glass, aluminum cans, bi-metal cans and plastic (PET) bottles shall be rinsed clean.

20-5 UNAUTHORIZED COLLECTION AND SCAVENGING.

It shall be a violation of this chapter for any person unauthorized by the Township of Wantage to collect or pick up or cause to be collected or picked up any newspapers, glass, aluminum cans, bi-metal cans, high-grade paper, corrugated paper and plastic (PET) bottles. Each such collection and violation hereof from one or more residential collection points shall constitute a separate and distinct offense punishable as hereinafter provided.

20-6 SELLING OR DONATING RECYCLABLES.

Anything herein to the contrary notwithstanding, any person may donate or sell recyclables to any person, partnership or corporation, so long as said person, partnership or corporation is a charity or not-for-profit organization.

20-7 ENFORCEMENT.

The recycling coordinator or his or her authorized agent or agents are hereby authorized and directed to enforce this chapter.

20-8 PENALTIES.

Any person, firm or corporation who violates or neglects to comply with any provision of this chapter or any regulation promulgated pursuant thereto shall, upon conviction thereof, be punishable by a fine of fifty (\$50.00) dollars to five hundred (\$500.00) dollars.

20-9 SEVERABILITY.

If any section, sentence or any part of this chapter is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this chapter, that shall be confined to its effect to the section, sentence, or other part of this chapter directly involved in the controversy and which such judgment shall have been rendered.

20-10 CONSISTENCY.

All Ordinances or parts of Ordinances which are inconsistent with the provision of this chapter are hereby repealed to the extent of such inconsistency.

20-11 EXEMPTION FOR COMMERCIAL OR INSTITUTIONAL PREMISES.

The Township Committee of the Township of Wantage may exempt persons, firms or corporations occupying commercial and institutional premises from the requirements of this chapter if those persons, firms or corporations have otherwise provided for the recycling of the materials designated in Section 20-3. To be eligible for such an exemption, the person, firm or corporation annually shall provide written documentation as to the method of separation and collection and the total number of tons recycled.

20-12 DELIVERY OF RECYCLABLE MATERIALS.

All persons, firms or corporations who have not privately contracted for collection point pick-up of solid waste and the recyclable materials designated in Section 20-3 shall be required to deliver their recyclable materials as designated in Section 20-3 to the recycling depots provided in the municipality or the County Recycling Center.

20-13 COPIES ON FILE.

Copies of this chapter may be obtained without charge from the Clerk of the Township of Wantage during regular office hours. In addition, this chapter shall be advertised in the New Jersey Herald at least once within six months after the effective date of this chapter, and a copy shall be sent with each 1988 Real Property Tax Bill.

20-14 EFFECTIVE DATE.

This chapter shall take effect after final passage and publication as required by law.

20-15 LEAF COLLECTION AND COMPOSTING.

All leaves from deciduous trees, bushes or plants shall be composted at a private or public facility and may not be placed for pick-up at the collection point.