



James E. McGreevey
Governor

State of New Jersey
Department of Environmental Protection
Division of Solid and Hazardous Waste
401 East State Street
P.O. Box 414
Trenton, New Jersey 08625-0414
Phone # (609) 292-9880
Fax # (609) 633-9839

Bradley M. Campbell
Commissioner

Hazardous Waste Facility Permit

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

Clean Earth of North Jersey, Inc.
105 Jacobus Avenue
Kearny, New Jersey 07032

For the Purpose of Operating a: Hazardous Waste Treatment, Storage and Transfer Facility
On Lot No.: 14, 14A
Block No.: 289
In the Municipality of: Kearny Town
County: Hudson
Under Facility Permit No.: 0907N1HP14
USEPA ID No.: NJD 991 291 105

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

This permit shall not prejudice any claim the State may have to riparian land, nor does it allow the permittee to fill or alter or allow to be filled or altered in any way, lands that are deemed to be riparian, wetlands, stream encroachment areas or flood plains, or that are within the Coastal Area Facility Review Act (CAFRA) zone or are subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this State without prior acquisition of the necessary grants, permits, or approvals from the Department of Environmental Protection or the U.S. Environmental Protection Agency. This permit does not authorize the operation of a Major Hazardous Waste Facility as defined at N.J.A.C. 7:26G-14.6.

July 18, 1994

Issuance Date

June 30, 1998

Reissuance Date

July 30, 1998

Effective Date

November 23, 1998

Modification Date

August 10, 1999

Modification Date

May 22, 2002

Modification Date

December 30, 1998

Modification Date

September 25, 2001

Modification Date

August 18, 2004

Expiration Date

Thomas Sherman

Assistant Director,

Division of Solid and Hazardous Waste



State of New Jersey

Department of Environmental Protection
Division of Solid and Hazardous Waste
401 East State Street
P.O. Box 414
Trenton, New Jersey 08625-0414
Tel. # (609) 292-9880
Fax. # (609)-633-9839
<http://www.state.nj.us/dep/dshw/>

Richard J. Codey
Acting Governor

Bradley M. Campbell
Commissioner

August 1, 2005

Robert Fixter
President
Clean Earth of North Jersey, Inc.
115 Jacobus Avenue
Kearny, New Jersey 07032

Re: Continuation of Expiring Permit, Clean Earth of North Jersey, Inc., Kearny,
Hudson County, USEPA ID No. NJD 991 291 105, NJ Hazardous Waste Facility
Permit No.: 0907N1HP14

Dear Mr. Fixter:

The purpose of this letter is to clarify the current status of Hazardous Waste Facility Permit No. 0907N1HP14 issued to Clean Earth of North Jersey, Inc. (CENJ) for the above referenced facility.

The current hazardous waste facility permit for the CENJ facility lists an expiration date of August 18, 2004. However, CENJ has submitted an application for renewal of the hazardous waste facility permit that is currently under review by the Division. Therefore, Hazardous Waste Facility Permit No. 0907N1HP14, and any subsequent modifications, shall remain in effect and enforceable until such time as the Division makes a final determination regarding the renewal application.

Should you have any questions regarding this matter, please call John Scott of my staff at 609-984-2040 or e-mail him at john.scott@dep.state.nj.us.

Very truly yours,

Anthony Fontana, Chief
Bureau of Hazardous Waste and Transfer Facilities

C: Barry Tomnick, USEPA, Region II
Jeffery Sterling, BHWCE-Northern
Document: Continuation of permit

CPS

COMPLIANCE PLUS SERVICES



June 12, 2007

Robert Fixter
President
Clean Earth of North Jersey, Inc.
105 Jacobus Avenue
Kearny, New Jersey 07032

RE: Status of Submission of Hazardous Waste Storage, Treatment and Transfer Facility Permit Renewal Application for Clean Earth of North Jersey, Inc. and the Administrative Continuation of Existing Permit Conditions

Dear Bob,

Pursuant to our discussions, I am sending you this letter to provide you with the current status of the Hazardous Waste Storage, Treatment and Transfer Facility Permit for Clean Earth of North Jersey, Inc. ("CENJ") site.

On June 23, 2004, the New Jersey Department of Environmental Protection ("NJDEP") issued an extension for the submission of the permit renewal application until August 31, 2004, at our request, to allow us to complete the final negotiations with the Town of Kearny and Hudson County Solid Waste Authority regarding certain open issues related to the management of solid wastes at the facility. These issues included the settlement of historical host municipality fees and the planned modification of the facility under the County Solid Waste Management Plan to revise the design and construction of the proposed MRF/Transfer unit at the site.

Although CENJ has not concluded its final negotiations regarding these solid waste issues related to the facility's operations with the Town of Kearny, CENJ has proceeded with the submission of the Solid and Hazardous Waste Facility renewal application.

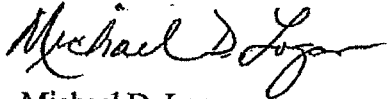
Based on our discussions with Mr. Anthony Fontana, Chief, Bureau of Hazardous Waste and Transfer Facilities, (and indicated in the August 1, 2005 letter from the Department), the facility's existing Hazardous Waste Permit and operating conditions are concurrently administratively continued in accordance with the provisions of 40 CFR 270.51(d), which are incorporated by reference under N.J.A.C. 7:26G Chapter 8. Consequently, the facility may continue all existing operations, uninterrupted, until the permit renewal application is acted upon by the Department under a final decision to reissue the permit, issue the permit with modifications, or deny the application.

Mr. Robert Fixter
June 12, 2007
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Moreover, CENJ has received three separate approvals from the Department, issued 1/8/06, 4/5/06 and 10/25/06, that has allowed the Facility to proceed with several significant changes and upgrades to the plant's operating design and waste management/environmental control capabilities. CENJ has been working in concert with the Department to incorporate these changes to the Facility renewal application. As a result, these changes have caused additional delays in receiving the Final Approval of the Facility's renewed permits; however, the State is in agreement with the Facility that this open renewal process is the best course of action for all parties to ensure that the final permit will be both reflective of the current Facility configuration and that the overriding environmental benefits to the Facility improvements that were implemented far exceed the possible administrative concerns over extending the expired permit in the manner described above.

If you have any further questions or comments related to this matter, please do not hesitate to contact me.

Sincerely,



Michael D. Logan
Vice President, Environment Services
Compliance Plus Services, Inc.
Corporate Compliance Consultant to the Clean Earth Companies



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Solid and Hazardous Waste Management Program
401 East State Street, P.O. Box 414
Trenton, NJ 08625-0414
Phone # (609) 292-9880
Fax # (609) 633-9839
<http://www.state.nj.us/dep/dshw>

JON S. CORZINE
Governor

LISA P. JACKSON
Commissioner

OCT 25 2006

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Robert Fixter
President
Clean Earth of North Jersey, Inc.
115 Jacobus Avenue
Kearny, New Jersey 07032-4597

Re: Modification to Solid and Hazardous Waste Facility Permit
Clean Earth of North Jersey, Inc.
Kearny, Hudson County
Facility ID No.: NJD 991 291 105
Permit No.: HWP050001

Dear Mr. Fixter:

Please be advised that the New Jersey Department of Environmental Protection, Solid and Hazardous Waste Management Program, has reached a final determination to issue a modification to the solid and hazardous waste facility permit that addresses the referenced facility's April 2005, Class 2 permit modification request. The Class 2 modification request dealt with the partial closure, upgrading and construction of various solid and hazardous waste treatment, storage and transfer units including the addition of a rail spur at the referenced facility.

The Department has decided to issue the modifications to the solid and hazardous waste facility permit. A copy of the modified permit is enclosed. It was not the Department's intent in this modified permit to change any substantive authorizations or requirements other than those requested in the modifications. If Clean Earth of North Jersey, Inc. believes that the modified permit has made unintentional changes, please let the Department know as soon as possible.

Should you wish to contest any of the modified conditions of the enclosed permit, you must file a request for an adjudicatory hearing within twenty (20) days of the date you receive this decision notice. The request must include the following information:

1. Facility name and location;

2. Permit number and EPA identification number;
3. Permit issuance date;
4. The date of receipt of the final permit decision by the permittee;
5. A list of specific contested permit conditions;
6. The legal or factual questions at issue for each contested permit condition;
7. A statement as to whether the permittee raised the legal and/or factual issues during the public comment period;
8. The relevance of the legal and/or factual issues to the final permit decision;
9. Suggested revised or alternative permit conditions;
10. Any other information or written documentation supporting the request;
11. An estimate of the time required for the hearing;
12. The name, mailing address and telephone number of the person making the request for a hearing.

The request should be submitted directly to:

Office of Legal Affairs
ATTENTION: Adjudicatory Hearing Requests
Department of Environmental Protection
P.O. Box 402
Trenton, New Jersey 08625-0402

The attached "Administrative Hearing Request Checklist and Tracking Form" must be completed and included with the adjudicatory hearing request.

A copy of the Administrative Hearing Request Checklist and Tracking Form, with attachments should also be mailed to the following address:

Anthony Fontana, Chief
Bureau of Solid and Hazardous Waste Permitting - North
NJDEP, Solid and Hazardous Waste Management Program
P.O. Box 414
Trenton, New Jersey 08625-0414

The adjudicatory hearing shall be conducted in accordance with the Administrative Procedure Act (N.J.S.A. 52:14B-1 et seq.) and the Uniform Administrative Procedure Rules found at N.J.A.C. 1:1.

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Should you wish to request a stay for any of the modified conditions of the enclosed permit, you must send a stay request to the following address:

Lisa P. Jackson, Commissioner
Department of Environmental Protection
P.O. Box 402
401 East State Street, Floor 7
Trenton, New Jersey 08625-0402

A copy of the stay request should be mailed to Anthony Fontana at his above address.

Very truly yours,



Anthony Fontana, Chief
Bureau of Solid and Hazardous Waste Permitting - North

DOC: CL Facility Final Mod. (CL2/3)



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

JON S. CORZINE
Governor

LISA P. JACKSON
Commissioner

Solid & Hazardous Waste Management Program

P.O. Box 414

Trenton, NJ 08625-0414

Tel. No. (609) 984-5950

Fax. No. (609) 633-9839

<http://www.state.nj.us/dep/dshw>

Solid and Hazardous Waste Facility Permit

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

CLEAN EARTH OF NORTH JERSEY INC

105 Jacobus Ave

Kearny, New Jersey 07032

| | |
|---------------------------------|--|
| For the Purpose of Operating a: | Solid and Hazardous Waste Treatment, Storage and Transfer Facility |
| Lot & Block Nos: | 14,14A, 289 |
| In the Municipality of: | Kearny Town |
| County: | Hudson |
| Under Facility Permit No.: | HWP050002 |
| EPA ID No.: | NJD991291105 |

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

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

July 18, 1994

Issuance Date

Handwritten signature of Anthony Fontana in cursive.

Anthony Fontana, Chief

Bureau of Solid and Hazardous Waste Permitting – North

October 23, 2006

Latest Modification Date

August 18, 2004

Expiration Date

C



RECEIVED
BY BM DATE 9/10/09

State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

JON S. CORZINE
Governor

Solid and Hazardous Waste Management Program
Bureau of Landfill and Hazardous Waste Permitting
401 East State Street, P.O. Box 414
Trenton, New Jersey 08625-0414
Tel. # (609) 292-9880
Fax # (609) 633-9839
<http://www.state.nj.us/dep/dshw>

MARK N. MAURIELLO
Acting Commissioner

SEP 02 2009

Michael D. Logan, Vice President
Compliance Plus Services
P.O. Box 186
Hatboro, PA 19040-0186

Re: Administrative Completeness of a Hazardous Waste Facility Permit Application
CLEAN EARTH OF NORTH JERSEY INC (Clean Earth)
Kearny Town, Hudson County
Facility ID No.: NJD991291105
Permit No.: HWPO40002

Dear Mr. Logan:

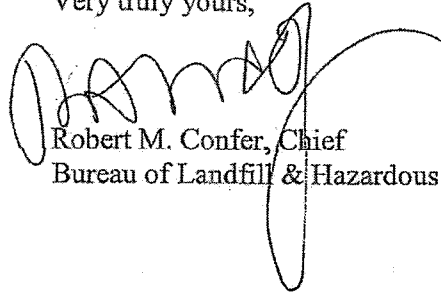
The Bureau of Landfill and Hazardous Waste Permitting (the Bureau) is in receipt of an application for the renewal of hazardous waste facility permit for the above-referenced facility dated August 2009. You submitted this application on Clean Earth's behalf as agreed upon during a series of meetings, including those held on April 28, 2008 and June 30, 2008, between the Department and Clean Earth representatives.

The Bureau has completed an administrative review of the application for the issuance of the hazardous waste permit. Based on this review, the Bureau has determined that the application is administratively complete. Therefore, the Bureau has accepted the application for technical review.

Within thirty (30) days of the date of this letter, you are required to submit an additional five (5) copies of the application for distribution to various federal, state, and local agencies for their review and comment.

If you have any questions regarding this matter, please contact Jennifer Meyer at (609) 984-4608, or by email at Jennifer.Meyer@dep.state.nj.us.

Very truly yours,



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

HF09-6696

Administrative Completeness

C: Barry Tornick, USEPA - Region 2
Jeff Sterling, Bureau of Hazardous Waste Compliance and Enforcement
Robin Heston, Bureau of Transfer Stations & Recycling Facilities