State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF SUSTAINABLE WASTE MANAGEMENT
BUREAU OF RECYCLING & HAZARDOUS WASTE MANAGEMENT
401 East State Street
P.O. Box 420, Mail Code 401-02C
Trenton, New Jersey 08625-0420
Tel. (609) 984-3438 • Fax (609) 777-1951/984-0565
www.nj.gov/dep/dshw/recycling

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

SHAWN M. LATOURETTE
Commissioner

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

March 7, 2022

Michael Persico, General Manager
Clean Earth of Carteret, LLC
24 Middlesex Avenue
Carteret, NJ 07008

Re: Class B Recycling Center General Approval Renewal (with no changes)
Clean Earth of Carteret, LLC
Block 102, Lot 6
Borough of Carteret, Middlesex County
Facility ID No: 132310, Approval No.: CBG210002

Dear Mr. Persico:

Please be advised that the New Jersey Department of Environmental Protection, Division of Sustainable Waste Management, Bureau of Recycling and Hazardous Waste Management (Bureau) has reached a final determination to issue the above Class B Recycling Center General Approval Renewal. Enclosed is a copy of the final document.

Should you wish to contest any of the modified conditions of the enclosed general approval, you must file a request for an adjudicatory hearing within twenty (20) days of the date you receive this decision notice in accordance with the procedures found in N.J.A.C. 7:26A-3.14. A copy of the request should also be mailed to the Bureau.

If you have any questions concerning this matter, please contact me at (609) 984-2067 or nicholas.nader@dep.nj.gov.

Sincerely,

Nicholas C. Nader, Supervising Engineer
Bureau of Recycling and Hazardous Waste Management

Enc.

C: *John Stavash, Supervisor, BSWCE – Central Region
*Les Jones, Middlesex County Health Officer
*Christopher Sikorski, Middlesex County Solid Waste Coordinator
*Municipal Clerk, Borough of Carteret
*Ashia McRae, BRHWM
*Rakesh Patel, Supervisor, BRHWM

*By e-mail

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF SUSTAINABLE WASTE MANAGEMENT
BUREAU OF RECYCLING & HAZARDOUS WASTE MANAGEMENT
401 East State Street
P.O. Box 420, Mail Code 401-02C
Trenton, New Jersey 08625-0420
Tel. (609) 984-3438 • Fax (609) 777-1951/984-0565
www.nj.gov/dep/dshw/recycling

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

SHAWN M. LATOURETTE
Commissioner

RECYCLING CENTER GENERAL APPROVAL FOR CLASS B RECYCLABLE MATERIALS

Under the provisions of N.J.S.A. 13:1E-1 *et seq.* and N.J.S.A. 13:1E-99.11 *et seq.*, known as the Solid Waste Management Act and New Jersey Statewide Mandatory Source Separation and Recycling Act, respectively, and pursuant to N.J.A.C. 7:26A-1 *et seq.,* known as the Recycling Regulations, this approval is hereby issued to:

Clean Earth of Carteret, LLC

Facility Type:	Recycling Center for Class B Materials
Block & Lot No.:	Block 102, Lot 6
Municipality:	Borough of Carteret
County:	Middlesex
Facility ID No.:	132310
Approval No.:	CBG210002

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

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

March 7, 2022
Issuance Date

Nicholas C. Nader, Supervising Engineer
Bureau of Recycling and Hazardous Waste Management

March 7, 2027
Expiration Date

Scope of Approval

This General Approval (approval), along with the referenced application documents herein specified, shall constitute the sole approval of Recycling Center operations for Class B Recyclable Material (petroleum contaminated soil, street sweepings, brick, block, concrete, stone, rock, and asphalt) by **Clean Earth of Carteret, LLC**, located in the Borough of Carteret, Middlesex County, New Jersey. Any registration, approval or permit previously issued by the Division of Solid and Hazardous Waste, or its predecessor agencies, for the specific activities as described below and as conditioned herein, is hereby superseded.

Regulated Activities at the Facility

Requirements 1 through 42 of this approval contain the general conditions applicable to all recycling centers. Requirements 43 through 88 of this approval contain the operating requirements specific to the recycling center for receipt, storage, processing, or transfer of Class B recyclable materials including non-hazardous petroleum contaminated soils. Requirements 89 through 92 of this approval are the sampling requirements for testing street sweepings. Requirements 93 through 98 of this approval contain the conditions for aggregate crushing operations.

Facility Description

The facility is a Class B recycling center owned and operated by Clean Earth of Carteret, LLC (Clean Earth). The recycling center is located at 24 Middlesex Avenue on Block 102, Lot 6, in the Borough of Carteret, Middlesex County. This regional recycling center receives and treats petroleum contaminated soil from soil remediation contractors and street sweepings from municipalities.

Petroleum contaminated soils accepted for treatment by the facility include soils contaminated with gasoline, kerosene, jet fuel, numbers 1-6 fuel oil, manufactured gas plant residuals, and used oil and waste oils. The treatment process consists of using the facility's biological remediation process to introduce specifically engineered solid and liquid microbial reagents and a fertilized blend into the soil matrix.

Additionally, the recycling center is authorized to receive, store, process and transfer brick, block, concrete, stone, rock, and asphalt from construction and demolition contractors, construction companies, municipalities, and counties. Hours of operation for the receipt, treatment/processing and transferring source separated recyclable material are 24 hours per day, 7 days per week. The operation of the crushers shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday and Saturday 7:00 a.m. to 4:00 p.m.

The recycling center may receive a combined total of 4,700 tons per day of aggregate material and contaminated soil, with weekly average not to exceed 28,000 tons.

The recycling center is also utilized for finished product storage and equipment storage as shown on the site plan. The recycling center markets clean soil and dense graded aggregate from the site.

Approved General Approval Application and Associated Documents

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

a) Inclusion of SD&G, Inc. as a Class B Recycling Facility in the District Solid Waste Management Plan (Plan) by the County of Middlesex, certified by the NJDEP Commissioner on July 16, 1996 and subsequent Plan Amendment by Administrative Action dated November 6, 2002 to change the facility's name to Clean Earth of Carteret, Inc.

b) Plan Amendments by Administrative Action dated May 12, 2003, August 19, 2005, May 11, 2010, and July 31, 2018, approving changes to operations of the facility.

c) Plan Amendment by Administrative Action dated January 11, 2019 to change the block and lot designation.

d) Site Plan dated May 9, 2014 and last revised (Revision No. 8) on November 02, 2021, signed and sealed by Bradley J. Cunningham, New Jersey registered P.E.

e) Clean Earth of Carteret, Submittal of signed transfer agreement, prepared and signed by Michael D. Logan, Vice President, Compliance Plus Services, dated May 22, 2003.

f) Drawing No. SB-01 – Process Building Floor Plan, dated May 2, 2014 and last revised (Revision No. 2) on December 3, 2020, signed and sealed by Bradley J. Cunningham, New Jersey registered P.E.

g) Clean Earth of Carteret, Inc., Request to utilize cement kiln dust or lime as a drying agent to remove moisture from its treated soils, prepared and signed by Michael D. Logan, Vice President, Compliance Plus Services, dated December 27, 2006.

h) Notification of Proposed Stock Purchase of Clean Earth Holdings, Inc. dated August 20, 2014 and prepared by Michael D. Logan, Vice President of Compliance Plus Services, Inc.

i) Class B Recycling Center General Approval Renewal and Modification Application for the Acceptance of Restricted Use Aggregate ("RUA") and Direct Reuse Soils ("DRS SOILS"), dated March 5, 2012, prepared by Michael D. Logan, Vice President of Compliance Plus Services, Inc.

j) Class B General Approval Renewal Application dated June 10, 2014, and prepared by Michael D. Logan, Vice President of Compliance Plus Services, Inc. This Renewal Application did not include any modification approval requested to the proposed acceptance and processing of Direct Reuse of Soils (DRS) and Restricted Reuse Aggregate (RUA) referenced above.

k) Class B Recycling Center Renewal Application of General Approval dated November 21, 2016 and signed by Michael D. Logan, Vice President – Environmental Services, Compliance Plus Services, Inc. and including the following:

1. Ground Lease Agreement dated November 1, 2010;
2. List of Permitted Equipment; and
3. Certification dated November 21, 2016, signed by Christopher Dods, President – Clean Earth of Carteret and certifying that there have been no changes in the operations of the recycling center since the most recent Approval modification.

l) Supplemental information dated February 17, 2017 and signed by Michael D. Logan, Compliance Plus Services.

m) Class B Approval Modification Application dated June 15, 2017 and prepared by Compliance Plus Services.

n) Supplemental information dated January 16, 2018 and signed by Michael D. Logan, Compliance Plus Services, submitted in response to the Bureau's Notice of Technical Deficiency dated November 16, 2017.

o) Supplemental information dated March 27, and April 11, 2018 by John A. Castner, P.E., Compliance Plus Services.

p) Application for Modification of Class B General Approval, dated March 8, 2019, prepared and submitted by Compliance Services, Inc. on behalf of Clean Earth of Carteret, signed by Michael D. Logan and including certification dated February 19, 2019, signed by Christopher Dods, CEO/President, Clean Earth of Carteret.

q) Supplemental information dated May 14 and June 18, 2019 and submitted via electronic mail by John A. Castner, P.E., Compliance Plus Services, Inc. on behalf of Clean Earth of Carteret.

r) Application for Modification of Class B General Approval, dated December 4, 2020 and prepared and signed by Michael D. Logan, Compliance Plus Services, Inc.

s) Supplemental information dated December 18, 2020 and submitted by Michael D. Logan, Compliance Plus Services.

t) Application for renewal of Class B General Approval (with no changes), dated November 8, 2021 and signed by Sharon Crawford, Area Environmental Manager, Clean Earth.

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

Subject Item: PI 132310 -

1. All persons issued a general approval to operate a recycling center for Class B, Class C and/or Class D recyclable material pursuant to N.J.A.C. 7:26A-1 et seq. shall comply with all conditions of the approval. [N.J.A.C. 7:26A- 3.1(a)]
2. The holder of this general approval shall prominently post and maintain a legible sign, at or near the entrance to the recycling center, indicating that the recycling center is an approved New Jersey Department of Environmental Protection recycling center. The sign shall also indicate the following: Hours of operation of the recycling center; Listing of the source separated materials to be received; The size, weight, or other restrictions regarding materials to be received; The maximum amount of contaminants allowed in each load; Warning that loads will be inspected and will be barred from offloading if the contaminant level is exceeded; and Notice that the person offloading shall certify the amount of material per load, municipality of origin of the material and any other information contained on the Recyclable Material Receipt Form. [N.J.A.C. 7:26A- 3.5(f)]
3. Application for renewal of this general approval shall be submitted at least three months prior to expiration of the current approval and shall comply with all requirements for renewal set forth in N.J.A.C. 7:26A-3.6 et seq. One copy of the application for renewal of the general approval shall be submitted by the applicant to the municipal clerk of the municipality in which the recycling center is located, and to the solid waste or recycling coordinator of the county in which the recycling center is located. [N.J.A.C. 7:26A- 3.6(a)]
4. The applicant for renewal of this general approval shall certify in writing to the Department that there have been no changes in the operations of the recycling center since the issuance of the general approval in order to renew the approval in its existing form. In the event that there have been changes in the operations of the recycling center or where changes are planned, the application for renewal of a general approval shall be accompanied by a written request to modify the general approval in accordance with N.J.A.C. 7:26A-3.10. [N.J.A.C. 7:26A- 3.6(b)]
5. In a case where the holder of this general approval does not comply with N.J.A.C. 7:26A-3.6(a) and (b) and continues to operate without renewal of the general approval, the Department may take enforcement action including the assessment of penalties under N.J.S.A. 13:1E-9; require the holder of this general approval to file an application as a new applicant for a general approval in accordance with N.J.A.C. 7:26A-3.2 and pay the application fee as per N.J.A.C. 7:26A-2; and/or take any other appropriate actions. [N.J.A.C. 7:26A- 3.6(c)]
6. All persons granted a renewal pursuant to N.J.A.C. 7:26A-3.6(d) shall continue to pay the annual fee as specified in N.J.A.C. 7:26A-2. [N.J.A.C. 7:26A- 3.6(h)]
7. The holder of this general approval shall obtain prior approval from the Department for any modification of the general approval. [N.J.A.C. 7:26A- 3.10(a)]
8. Any change affecting the conditions of this general approval requires the prior approval of the Department. [N.J.A.C. 7:26A- 3.10(b)1]
9. Any change to the information submitted pursuant to N.J.A.C. 7:26A-3.2(a), 3.4, 3.8, 3.18, 3.19 or 3.20 requires the prior approval of the Department, except that changes in end-market information submitted pursuant to N.J.A.C. 7:26A-3.2(a) 7 shall not require the prior approval of the Department but shall be handled in accordance with N.J.A.C. 7:26A-3.10(f). [N.J.A.C. 7:26A- 3.10(b)2]

Subject Item: PI 132310 -

10. The holder of this general approval shall notify the Department in writing of the intended modification and shall update the information submitted pursuant to N.J.A.C. 7:26A-3.2(a), 3.4, 3.8, 3.18, 3.19 or 3.20. The holder of this general approval shall also provide written notice to the solid waste or recycling coordinator of the applicable county of any request to modify a general approval. [N.J.A.C. 7:26A- 3.10(c)]

11. The holder of this general approval shall not institute the modification until it receives written approval from the Department. [N.J.A.C. 7:26A- 3.10(e)]

12. Within one week of any change to the end-market information submitted to the Department pursuant to N.J.A.C. 7:26A-3.2(a)7, the holder of this general approval shall submit to the Department a written notification which details any change in the use of the recyclable material transferred from the recycling center to an end-market or in the end-market location to which the recyclable material is transferred. The written notification shall be sent to: New Jersey Department of Environmental Protection, Division of Sustainable Waste Management, Bureau of Recycling and Hazardous Waste Management, 401 East State Street, P.O. Box 420, Mail Code 401-02C, Trenton, New Jersey 08625-0420. Such notification may be sent electronically to the Bureau's email inbox: recyclingfacilities@dep.nj.gov. [N.J.A.C. 7:26A- 3.10(f)]

13. The Department may revoke this general approval upon a determination that the holder of the general approval has violated any provision of N.J.S.A. 13:1E-1 et seq., the New Jersey Statewide Mandatory Source Separation and Recycling Act, or any rule, regulation or administrative order promulgated pursuant to N.J.S.A. 13:1E-1 et seq. and the New Jersey Statewide Mandatory Source Separation and Recycling Act. [N.J.A.C. 7:26A- 3.13(a)1]

14. The Department may revoke this general approval upon a determination that the holder of the general approval has violated any solid waste utility law at N.J.S.A. 48:2-1 et seq. or 48:13A-1 et seq., or any rule, regulation or administrative order promulgated pursuant to N.J.S.A. 48:2-1 et seq. or 48:13A-1 et seq. [N.J.A.C. 7:26A- 3.13(a)2]

15. The Department may revoke this general approval upon a determination that the holder of the general approval has violated any provision of any laws related to pollution of the waters, air or land surfaces of the State or of any other State or Federal environmental laws including criminal laws related to environmental protection. [N.J.A.C. 7:26A- 3.13(a)3]

16. The Department may revoke this general approval upon a determination that the holder of the general approval has refused or failed to comply with any lawful order of the Department. [N.J.A.C. 7:26A- 3.13(a)4]

17. The Department may revoke this general approval upon a determination that the holder of the general approval has failed to comply with any of the conditions of this general approval issued by the Department. [N.J.A.C. 7:26A- 3.13(a)5]

18. The Department may revoke this general approval upon a determination that the holder of the general approval has transferred a general approval to a new owner or operator pursuant to N.J.A.C. 7:26A-3.15 without the prior approval of the Department. [N.J.A.C. 7:26A- 3.13(a)6]

19. The Department may revoke this general approval upon a determination that the holder of the general approval has failed to obtain any required permit or approval from the Department or other State or Federal agency. [N.J.A.C. 7:26A- 3.13(a)7]

Subject Item: PI 132310 -

20. The Department may revoke this general approval upon a determination that the holder of the general approval has committed any of the acts which are criteria for denial of a general approval set forth in N.J.A.C. 7:26A-3.12. [N.J.A.C. 7:26A- 3.13(a)8]

21. This general approval shall not be transferred to a new owner or operator without the Department's prior approval. [N.J.A.C. 7:26A- 3.15(a)]

22. A written request for permission to allow a transfer of this general approval must be received by the Department at least 60 days in advance of the proposed transfer of ownership or operational control of the recycling center. The request for approval shall include the following: the name, address and social security number of all prospective new owners or operators; a written certification by the proposed transferee that the terms and conditions contained in the general approval will be met by the proposed transferee; and a written agreement between the current owner or operator of the recycling center and the proposed new owner or operator containing a specific future date for transfer of ownership or operational control. [N.J.A.C. 7:26A- 3.15(a)1]

23. A new owner or operator may commence operations at the recycling center only after the existing approval has been revoked and a new approval is issued to the new owner or operator pursuant to N.J.A.C. 7:26A-3.5. [N.J.A.C. 7:26A- 3.15(a)2]

24. The holder of this general approval remains liable for ensuring compliance with all conditions of the approval unless and until the existing approval is revoked and a new approval is issued to the new owner or operator pursuant to N.J.A.C. 7:26A-3.5. [N.J.A.C. 7:26A- 3.15(a)3]

25. Compliance with the transfer requirements set forth at N.J.A.C. 7:26A-3.15 shall not relieve the holder of this general approval from the separate responsibility of providing notice of such transfer pursuant to the requirements of any other statutory or regulatory provision. [N.J.A.C. 7:26A-3.15(a)4]

26. The transfer of a controlling interest in the stock or assets of the recycling center that is the subject of this general approval shall constitute a transfer of this general approval. [N.J.A.C. 7:26A- 3.15(b)]

27. The holder of this general approval shall maintain a daily record of the amounts of each recyclable material by type and municipality of origin which are received, stored, processed or transferred each day, expressed in tons, cubic yards, cubic feet or gallons. Those operators specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons and vice versa. [N.J.A.C. 7:26A- 3.17(a)1]

28. The holder of this general approval shall maintain a daily record of the name, address and telephone number of the end-markets for all recyclable materials transported from the recycling center, including the amounts, in tons, cubic yards, cubic feet or gallons, transported to each end-market. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons and vice versa. [N.J.A.C. 7:26A- 3.17(a)2]

29. The holder of this general approval shall maintain a daily record of the amount of residue disposed of, expressed in tons, cubic yards, cubic feet or gallons, including the name and New Jersey Department of Environmental Protection solid waste registration number of the solid waste collector/hauler contracted to provide the haulage/disposal service. Those persons specifying the amount of residue in cubic yards shall also indicate the conversion ratio of the residue from cubic yards to tons or vice versa. [N.J.A.C. 7:26A- 3.17(a)3]

Subject Item: PI 132310 -

30. The holder of this general approval shall retain all Recyclable Material Receipt Forms required pursuant to N.J.A.C. 7:26A-3.2(a)16iii for three calendar years following the calendar year for which an annual report is required pursuant to N.J.A.C. 7:26A-3.17(c). [N.J.A.C. 7:26A- 3.17(b)]

31. The holder of this general approval shall submit an annual report containing monthly summary statements of the information required pursuant to N.J.A.C. 7:26A-3.17(a) to the New Jersey Department of Environmental Protection, Division of Sustainable Waste Management, on or before March 1 of each year, for the previous calendar year. The summaries shall include the following: monthly totals of the amount of recyclable material received from each customer by municipality of origin; monthly totals of the amount of recyclable product transferred to each end-market; and the amount of residue disposed of during each month. The annual report shall be submitted electronically to the Bureau's inbox: recyclingfacilities@dep.nj.gov, on forms or in the format specified by the Department. [N.J.A.C. 7:26A- 3.17(c)]

32. All information submitted to the Department pursuant N.J.A.C. 7:26A shall be handled in accordance with the requirements of the Public Records law, N.J.S.A. 47:1-1 et seq. The Department will hold confidential all end-market information, as well as information pertaining to the municipality of origin of recyclable material, submitted pursuant to N.J.A.C 7:26A-3.2, 3.7, and 3.17 through 3.20 for a period of two years from the date on which the information is submitted to the Department, where specified as confidential by the applicant and where there are no health, safety or environmental concerns which require the release of the information, as determined by the Department. [N.J.A.C. 7:26A-3.17(f)]

33. The holder of this general approval shall provide a recycling tonnage report by March 1 of each year to all municipalities from which recyclable material is received in the previous calendar year. The report shall detail the amount of each source separated recyclable material, expressed in tons or cubic yards, brought to the recycling center, as well as the date on which the recyclable materials were delivered to the recycling center. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons or vice versa. [N.J.A.C. 7:26A- 4.4(a)]

34. The recycling center shall not commence operations unless and until it is included in the applicable district solid waste management plan. [N.J.A.C. 7:26A- 4.2]

35. The construction of the recycling center that is the subject of this general approval shall be in conformance with the New Jersey Uniform Construction Code, N.J.S.A. 52:27D-119 et seq., and the rules promulgated pursuant thereto. [N.J.A.C. 7:26A- 4.1(b)]

36. The New Jersey Department of Environmental Protection or an authorized representative acting pursuant to the County Environmental Health Act, N.J.S.A. 26:3A2-1 et seq. shall have the right to enter and inspect any building or other portion of the recycling center at any time in order to determine compliance with the provisions of all applicable laws or rules and regulations adopted pursuant thereto. This right to inspect includes, but is not limited to: sampling any materials on site; photographing any portion of the recycling center; investigating an actual or suspected source of pollution of the environment; and, ascertaining compliance or non-compliance with the statutes, rules or regulations of the Department, including conditions of the recycling center approval issued by the Department. [N.J.A.C. 7:26-1.7(a)]

Subject Item: PI 132310 -

37. The right of entry specified at N.J.A.C. 7:26A-1.7(a) shall be limited to normal operating hours for the purpose of reviewing and copying all applicable records, which shall be made available to the Department during an inspection and submitted to the Department upon request. [N.J.A.C. 7:26-1.7(b)]

38. The facility shall comply with the general operating requirements for all Recycling Centers as provided at N.J.A.C. 7:26A-4.1. [N.J.A.C. 7:26A- 4]

39. In case of conflict, the provisions of N.J.A.C. 7:26A-1 et seq. shall have precedence over the conditions of this Approval, and the conditions of this Approval shall have precedence over plans and specifications listed above. [N.J.A.C. 7:26A- 3.5(e)]

40. Pursuant to N.J.A.C. 7:26A-3.2(a)18, the holder of this General Approval shall ensure that all recycling activities authorized by this General Approval are conducted in full compliance with the applicable Storm Water Management rules at N.J.A.C. 7:8-5 and 6 and Pollutant Discharge Elimination System rules at N.J.A.C. 7:14A et seq. and any permit issued pursuant to 7:14A et seq. In the event that compliance with the above rules require changes to the site plan or any operations authorized by this general approval, the holder of the general approval shall submit a modification application including a revised site plan, within thirty (30) days of receiving all approvals/permits from the NJPDES Program, to the Bureau of Recycling and Hazardous Waste Management for review and approval. [N.J.A.C. 7:26A- 3.5(e)]

41. The holder of this General Approval shall grade and maintain the facility to minimize the accumulation of ponded water in a manner that protects human health, safety, and the environment, and prevents detrimental conditions including, but not limited to odors, mosquito colonization, or causes site materials to be tracked off-site. Any soil modification and grading performed shall be in accordance with the approved Soil Erosion and Sediment Control Plan approved by the Applicable Soil Conservation District and shall be in compliance with all Department permits. [N.J.A.C. 7:26A-3.5(e)]

42. Upon notification from the Department that a State of Emergency, which may impact the facility's operations, has been declared by the Governor pursuant to New Jersey Disaster Control Act at N.J.S.A. App. A:9-30 et seq., the permittee shall provide to the Division of Sustainable Waste Management, a daily report on the operational status of the facility and the quantity of wastes received during the previous day or any other relevant information requested pursuant to N.J.S.A. App.A:9.36. The status report shall be submitted electronically to solidwasteemergencies@dep.nj.gov, or as otherwise directed by the Department, on forms or in format porvided by the Department and in compliance with the time frames established by the Department after the State of Emergency Declaration. The status report shall be submitted daily until the permittee is informed by the Department that the reports are no longer required for the State of Emergency. [N.J.A.C. 7:26A- 3.5(e)]

Subject Item: RCBG139162 - General Class B & Soil Conditions

43. Recycling centers receiving petroleum contaminated soil must have a preparedness and prevention plan. The contingency plan contained in the approved documents must be maintained onsite and updated as necessary. [N.J.A.C. 7:26A- 3.5(e)]

Subject Item: RCBG139162 - General Class B & Soil Conditions

44. Upon detection of a release of contaminants to the environment, the facility shall perform the following cleanup steps: stop the release, contain the released contaminants, clean up and manage properly the released contaminants and other materials and if necessary, repair or replace any leaking soil containment systems prior to returning them to service. [N.J.A.C. 7:26A-3.5(e)]

45. Upon closure of the facility the owner or operator shall remove or decontaminate petroleum contaminated soils, containment system components, and structures and equipment and manage them as hazardous waste, unless the materials are not hazardous waste under N.J.A.C. 7:26G-5. [N.J.A.C. 7:26A- 3.5(e)]

46. All equipment and portions of the facility designated for the storage or processing of petroleum contaminated soils shall be visually inspected each operating day for integrity and leaks. [N.J.A.C. 7:26A-3.5(e)]

47. Records shall be maintained for all visual inspections. These records shall document that inspections were performed, any problems found, and the subsequent correction of such problems. All records shall be kept for a minimum of three years. [N.J.A.C. 7:26A-3.5(e)]

48. The facility shall keep a record of each shipment of petroleum contaminated soil accepted for processing. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. All tracking records shall be maintained by the holder of this general approval as required by N.J.A.C. 7:26A-3.2(a) 16iii for three calendar years.

    Records for each shipment shall include the following information: the name and address of the transporter who delivered the soil to the facility, the name and address of the generator from whom the soil was sent, the NJDEP registration number of the transporter, EPA ID number (if applicable) of the generator, the quantity of soil accepted and the date of acceptance.

    Prior to the receipt of a shipment of soil from a generation source, the holder of this approval shall have received a completed Clean Earth of Carteret Material Characterization Report, as referenced in the approved General Approval Application, and associated documents for that shipment. The report shall include at least the following information: name and address of the generation site, contact information, quantity of soil, type of oil contaminating the soil, contamination source (i.e. underground storage tank, above ground storage tank, spill, historic or other), past use of generation site (i.e. industrial, commercial, residential or historic fill), analytical results conducted on the soil and a certification that the information provided is true and accurate. The holder of this approval shall review the information provided to ensure the shipment complies with the facility's acceptance criteria for soil prior to authorizing acceptance of a shipment. [N.J.A.C. 7:26A- 3.5(e)]

49. The facility shall maintain onsite a written operating record showing analysis records, tracking records, and summary reports of incidents requiring implementation of the contingency plan. This information shall be made available to Department personnel upon request and shall be kept for a minimum of three years. [N.J.A.C. 7:26A- 3.5(e)]

Subject Item: RCBG139162 - General Class B & Soil Conditions

50. The following source separated Class B recyclable materials, which have been separated at the point of generation from other waste materials or separated at a permitted solid waste facility authorized to separate recyclable materials, may be received, stored, processed or transferred at this recycling center: NJDOT street sweepings that meet NJ Non-Residential Direct Contact Soil Remediation Standards (SRS) and non-hazardous petroleum contaminated soils which otherwise would be ID 27 if not recycled. Only soil contaminated with the following compounds shall be accepted and processed at this facility: gasoline, kerosene, jet fuel, Numbers 1 through 6 fuel oil, Manufactured Gas Plant residuals, and used oil and waste oils. Used oil shall be defined as any oil that has been and as a result of such use, is contaminated by physical or chemical impurities. No soils may be accepted that have been contaminated with materials that are other waste materials, or waste by-products, such as sludges. No soils with free petroleum product or other liquids shall be accepted at the facility. For soils containing greater than 17,000 ppm Extractable Petroleum Hydrocarbons (EPH) or Total Petroleum Hydrocarbons (TPH), the soil shall be determined not to contain free liquids, using the analytical test method(s) in the latest edition of USEPA SW-846. No hazardous waste, as defined by N.J.A.C. 7:26G-5, shall be accepted by the facility. Authorized soil may include soils that are contaminated with petroleum hydrocarbons which originate from historically contaminated sites or historic fill sites provided they do not contain in excess of 1% by volume of other contaminants such as trash or rubbish. [N.J.A.C. 7:26A- 3.5(e)]

51. At no time shall the receipt, storage, processing, or transferring of non-source separated construction and demolition material be allowed at this recycling center. The prohibition of this material shall be strictly enforced and any incident shall be considered a serious violation to the conditions of this Approval. [N.J.A.C. 7:26A-3.5(e)]

52. The recycling center may not receive, store, process, or transfer source separated petroleum contaminated soils and NJDOT street sweepings with any other Class B recyclable materials. The commingling of petroleum contaminated soil and NJDOT street sweepings shall only be allowed after the testing requirements identified in this approval have been met. The commingling of any other materials not described above is prohibited. [N.J.A.C. 7:26A-3.5(e)]

53. The maximum amount of contaminants, as defined in N.J.A.C. 7:26A-1.3, allowed in each incoming load of Class B recyclable material shall be limited to 1% by volume. Incidental by-product materials shall not be considered to be contaminants. [N.J.A.C. 7:26A-3.5(e)]

54. Incidental amounts of rebar, metal, soil, and other by-products which adhere to the Class B recyclable materials, as specified in this Approval, and which are returned to the economic mainstream as raw material or products, may be received, stored, processed, or transferred at this recycling center. The receipt of such incidental amounts of these materials need not be separately accounted for, but the storage and end-markets for these materials shall be subject to specific conditions of this Approval. [N.J.A.C. 7:26A-3.5(e)]

55. The holder of this general approval shall operate the recycling center and construct or install associated appurtenances thereto, in accordance with the provisions of N.J.A.C. 7:26A-1 et seq., the conditions of this general approval, and the general approval application documents. [N.J.A.C. 7:26A-3.5(e)]

56. One complete set of the general approval application documents, this general approval, and all records, reports and plans as may be required pursuant to this approval shall be kept on file at the recycling center and shall be available for inspection by authorized representatives of the Department or delegated agents upon presentation of credentials. [N.J.A.C. 7:26A-3.5(e)]

Subject Item: RCBG139162 - General Class B & Soil Conditions

57. Hours of operation for the receipt, storage, treatment/processing and transferring source separated petroleum contaminated soils and NJDOT street sweepings material can occur 24 hours per day, 7 days per week. [N.J.A.C. 7:26A- 3.5(e)]

58. Material deliveries to the recycling center shall be scheduled in such a manner as to minimize truck queuing on the recycling center property. Under no circumstances shall delivery trucks be allowed to back-up or queue onto public roads. [N.J.A.C. 7:26A-3.5(e)]

59. The recycling center may receive no more than a combined total of 4,700 tons per day of petroleum contaminated soils and street sweepings, and source separated recyclable material. Soils meeting applicable end use standards without the need for treatment are considered to be product and do not count toward the daily tonnage. This condition is contingent upon the traffic on the public roads adjacent to the facility not being adversely affected. Should the traffic be impacted by the facility, the Department reserves the right to reduce the capacity of the facility. [N.J.A.C. 7:26A- 3.5(e)]

60. The total amount of unprocessed soil material stored in the building (Soil Storage Warehouse) shall not exceed 18,287 cubic yards. Materials stored in the Soil Storage Warehouse (SSW) shall be stored only in those areas designated for that purpose as indicated on the approved interior layout drawing. In addition, Area B on the approved site plan may be used to temporarily store 15,000 cubic yards of unprocessed soils until further processing in the SSW. The unprocessed soils in Area B will be segregated on an asphalt base with Jersey barriers and tarped during storage. [N.J.A.C. 7:26A-3.5(e)]

61. If at any time, the amount of soil material stored inside SSW exceeds 18,287 cubic yards, and the amount of soil material stored in the temporary storage Area B exceeds 15,000 cubic yards, the recycling center shall immediately cease receiving any unprocessed soil material until the combined amount of unprocessed soil material fall below 33,287 cubic yards. [N.J.A.C. 7:26A- 3.5(e)]

62. Unprocessed recyclable material shall not remain onsite, in its unprocessed form, for more than one (1) year. [N.J.A.C. 7:26A- 3.9(b)]

63. The total amount of processed soil materials stored outside shall not exceed 55,792 cubic yards. Processed material shall be stored only in those areas designated for that purpose as indicated on the approved site plan drawings. [N.J.A.C. 7:26A- 3.5(e)]

64. If at any time, the amount of processed soil material stored onsite exceeds 55,792 cubic yards, the recycling center shall immediately cease processing activities until the amount of processed material falls below 55,792 cubic yards. [N.J.A.C. 7:26A- 3.5(e)]

65. All processed material shall be stored separately from residues. [N.J.A.C. 7:26A-3.5(e)]

66. By-products shall be stored in the container(s) or area(s) as depicted on the approved site plan and shall be removed off-site to the end markets as referenced in the approved documents. [N.J.A.C. 7:26A-3.5(e)]

67. Horizontal and vertical control points for the unprocessed and processed soil stockpile areas shall be set and maintained onsite. Horizontal limitation markers shall be set at the corners of the stockpile areas as depicted on the approved site plan. Vertical limitation markers shall be set at locations in close proximity of the stockpile areas and shall clearly establish elevation height of 20 feet above the existing grade for the stockpile areas located inside the building and 30 feet above the existing grade for the processed stockpile areas located outside. Metal pipes/rods or the equivalent, as approved by the Department, shall be used to establish these control points. [N.J.A.C. 7:26A- 3.5(e)]

Subject Item: RCBG139162 - General Class B & Soil Conditions

68. Ingress and egress of the facility shall be restricted to Middlesex Avenue only. [N.J.A.C. 7:26A-3.5(e)]

69. Methods of effectively controlling dust shall be implemented at the facility in order to prevent offsite migration. [N.J.A.C. 7:26A-3.5(e)]

70. Fire fighting and emergency procedures shall be posted, and shall include the telephone numbers of local fire, police, ambulance, and hospital facilities. If a fire occurs on-site, the facility shall immediately notify the local fire official and the N.J.D.E.P. Environmental Action Hotline at 1-877-927-6337. [N.J.A.C. 7:26A-3.5(e)]

71. Any suspected or prohibited hazardous waste, as defined at N.J.A.C. 7:26G-5, found in a load accepted at the recycling center shall not be returned to the generator. Such materials shall be segregated and stored in a secure manner and shall be immediately reported to the N.J.D.E.P. Environmental Action Hotline at 1-877-927-6337. The owner/operator of the recycling center shall secure the name of the collector/hauler suspected of delivering such waste to the facility and related information surrounding the incident, if available, and shall make this information known to the Department's enforcement personnel. Such materials may be returned to a known generator, provided the specific permission to do so is received by the owner/operator after contacting 1-877-927-6337. Otherwise, the owner/operator shall dispose of the unauthorized waste in accordance with instructions received from the Department. [N.J.A.C. 7:26A- 3.5(e)]

72. All revisions to the site plan and the approved documents which may be required as a result of the above, shall be submitted to this office for modification to this Approval. [N.J.A.C. 7:26A-3.5(e)]

73. Pursuant to N.J.A.C. 7:26A-3.11(a), the holder of this general approval shall obtain prior approval from the Department for any increase in the design capacity of the facility. The facility shall submit a request to the Department, in writing, for the proposed increase and shall submit updated information pursuant to the requirements of N.J.A.C. 7:26A-3.2(a), 3.4, or 3.8, as applicable. The facility shall also provide written notice of the request to the solid waste or recycling coordinator of the applicable district. [N.J.A.C. 7:26A-3.5(e)]

74. The sampling plan, collection, preservation, and handling for the sampling and analysis of unprocessed contaminated soil as required in this Approval must be performed in accordance with the New Jersey Technical Requirements for Site Remediation at N.J.A.C. 7:26E and the latest edition of the New Jersey Department of Environmental Protection's Field Sampling Procedures Manual. All analysis must be performed by a NJDEP certified laboratory. [N.J.A.C. 7:26A- 3.5(e)]

75. All soils must be tested using the most current approved test methodology in accordance with USEPA SW-846. [N.J.A.C. 7:26A-3.5(e)]

76. Petroleum contaminated soils shall be sampled either at the point of generation or at the recycling center. Soils from different generation sites shall be segregated at the facility until the sampling results are received. The sampling and analysis shall be implemented as described in the following conditions. [N.J.A.C. 7:26A- 3.5(e)]

77. Every 400 cubic yards of contaminated soil from each site shall be sampled and analyzed for EPH or TPH in the following manner: a representative sample from every 100 cubic yards of contaminated soil shall be taken and these four samples shall be composited into one sample and analyzed. When the volume of soil is greater than 100 and less than 400 cubic yards, a representative sample of every 100 cubic yards, or a fraction thereof, shall be taken and these samples shall be composited into one sample and analyzed. [N.J.A.C. 7:26A- 3.5(e)]

Subject Item: RCBG139162 - General Class B & Soil Conditions

78. Every 800 cubic yards of contaminated soil shall be sampled and analyzed for total volatile organic compounds (VOC), in the following manner: a representative sample from every 100 cubic yards of contaminated soil shall be taken and these samples shall be composited into one sample and analyzed. When the volume of soil is less than 800 cubic yards, a representative sample of every 100 cubic yards, or fraction thereof, shall be taken and these samples shall be composited into one sample and analyzed. [N.J.A.C. 7:26A-3.5(e)]

79. The sampling results shall be used to determine the maximum contaminant feed rate or maximum contaminant concentration for the processing equipment in accordance with the Air Quality Permit and shall also demonstrate that the material is non-hazardous for the above contaminants in accordance with N.J.A.C. 7:26G-8.5. The processing equipment at the facility uses bioremediation to process petroleum contaminated soils and achieve acceptable contaminent levels for reuse. [N.J.A.C. 7:26A- 3.5(e)]

80. Processed material end products, for uses other than as landfill cover material, Department approved Brownfields projects or road construction projects, shall be sampled and analyzed for EPH, total volatile organic compounds (VOC), and all contaminants listed in the SRS. The sampling procedure shall be implemented as follows: Every 100 cubic yards of processed soil shall be sampled and analyzed for the above contaminants in the following manner: a representative sample from every 20 cubic yards of processed soil shall be taken and these five samples shall be composited into one sample and analyzed. Processed soil destined for out of state clients shall follow sampling and analytical requirements as well as action levels established by respective state's regulatory authority. [N.J.A.C. 7:26A- 3.5(e)]

81. Processed material end products to be used in road construction projects shall be sampled every 1,000 cubic yards for EPH and VOC in the following manner: a representative sample from every 100 cubic yards of processed soil shall be taken and the samples shall be composited into one sample and analyzed. Processed soil destined for out of state clients shall follow sampling and analytical requirements as well as action levels established by respective state's regulatory authority. [N.J.A.C. 7:26A- 3.5(e)]

82. Other levels of testing may be allowed on a case-by-case basis as determined by use criteria in accordance with Department guidance and regulations. Applications for case-specific testing requirements must be made to the Bureau of Recycling and Hazardous Waste Management. [N.J.A.C. 7:26A- 3.5(e)]

83. Only approved criteria shall be used to determine the allowable end use of the processed material and the maximum allowable contamination levels for use. [N.J.A.C. 7:26A-3.5(e)]

84. The maximum allowable contamination levels for unrestricted general use are 200 ppm EPH and all individual organic contaminants less than or equal to 50% and inorganic contaminants less than or equal to 75% of the most stringent Direct Contact Soil Remediation Standards (SCC). [N.J.A.C. 7:26A- 3.5(e)]

Subject Item: RCBG139162 - General Class B & Soil Conditions

85. The analytical requirements of the individual landfills shall be complied with for soils being used as landfill cover material. For soils being used as fill material in Brownfields projects, the requirements (including sampling frequency and analytical parameters) shall be approved by the individual Site Remediation Program case manager or Licensed Site Remediation Professional (LSRP) as appropriate on a case-by-case basis. Processed soil destined for out of state clients shall follow sampling and analytical requirements as well as action levels established by respective state's regulatory authority. [N.J.A.C. 7:26A- 3.5(e)]

86. Other levels of contamination may be allowed on a case-by-case basis as determined by use criteria and levels of contamination in accordance with Department guidance and regulations. Certificates of Authority to operate beneficial use projects pursuant to N.J.A.C. 7:26-1.7(g) must be obtained before any use of the processed material end products. [N.J.A.C. 7:26A-3.5(e)]

87. Any processed material end products that do not meet the above criteria must be reintroduced to the treatment process for further treatment. After treatment, the processed material end products must be reanalyzed in accordance with the above criteria. [N.J.A.C. 7:26A-3.5(e)]

88. All analysis records must be kept for a minimum of three years and made available for inspection by state and local officials upon request. [N.J.A.C. 7:26A-3.5(e)]

Subject Item: RCBG139339 - Street Sweepings Sampling

89. Every 400 cubic yards of street sweepings from each site shall be sampled and analyzed for EPH or TPH in the following manner: a representative sample from every 100 cubic yards shall be taken and these four samples shall be composited into one sample and analyzed. When the volume is greater than 100 and less than 400 cubic yards, a representative sample of every 100 cubic yards, or a fraction thereof, shall be taken and these samples shall be composited into one sample and analyzed. [N.J.A.C. 7:26A- 3]

90. The sampling results shall be used to determine the maximum contaminant feed rate or maximum contaminant concentration for the processing equipment in accordance with the Air Quality Permit and shall also demonstrate that the material is non-hazardous for the above contaminants in accordance with N.J.A.C. 7:26G-5. [N.J.A.C. 7:26A-3]

91. Unprocessed street sweepings shall be sampled either at the point of generation or at the recycling center. Street sweepings from different generation sites shall be segregated at the facility until the sampling results are received. [N.J.A.C. 7:26A- 3]

92. Every 800 cubic yards of street sweepings shall be sampled and analyzed for total volatile organic compounds (VOC), in the following manner: a representative sample from every 100 cubic yards shall be taken and these samples shall be composited into one sample and analyzed. When the volume is less than 800 cubic yards, a representative sample of every 100 cubic yards, or fraction thereof, shall be taken and these samples shall be composited into one sample and analyzed. [N.J.A.C. 7:26A-3]

Subject Item: RCBG882032 - Final Phase Crushing Operations

93. The recycling center may receive no more than a combined total of 4,700 tons per day of source-separated asphalt, concrete, brick, block, rock, and stone, and/or petroleum contaminated soil and street sweepings. [N.J.A.C. 7:26A- 3.5(e)]

Subject Item: RCBG882032 - Final Phase Crushing Operations

94. Hours of operation for the receipt, processing and transferring source separated recyclable material can occur 24 hours per day, 7 days per week; the operation of the crusher shall be limited to: 7:00 a.m. to 7:00 p.m., Monday through Friday and Saturday from 7:00 a.m. to 4:00 p.m. [N.J.A.C. 7:26A- 3.5(e)]

95. The following equipment or equivalent is authorized for site operations:

Terex Finlay J1175 Crusher
Sandvik QH331 Cone Crusher
Sandvik QA331 Screener
Sandvik QE440 Screener (2 units)
Sandvik QE441 Screener
Extect Robotrac Screener (2 units)
Edge Modular Picking Station
Edge Stacking Conveyor (2 units)

At a minimum, one (1) crusher, three (3) screeners and two (2) stacking conveyors shall be maintained in operable condition to ensure adequate Class B material processing. equipment or for equipment down time.

The holder of this Approval must notify the Bureau in writing of any replaced equipment along with the manufacturer specifications for the replacement equipment within two weeks of such replacement. Where applicable, the holder of the Approval must also submit any air permit(s) or air permit application(s) required for the replacement equipment. The above required information may be submitted electronically to recyclingfacilities@dep.nj.gov. [N.J.A.C. 7:26A- 3.5(e)3]

96. The recycling center is authorized to store unprocessed and processed materials (asphalt, concrete, brick, block, rock, and stone) in the designated storage areas, as shown on the approved site plan. The maximum authorized capacity and height for each area is as follows:

Area A: Unprocessed Materials - 12,956 cubic yards; 20 feet
Area B: Unprocessed Materials - 19,697 cubic yards; 20 feet
Area C: Unprocessed Materials - 43,557 cubic yards; 30 feet
Area E: Unprocessed Materials - 6,401 cubic yards; 30 feet
Area D: Processed Materials - 53,807 cubic yards; 15 feet

If at any time, the total amount of unprocessed and processed materials stored onsite reaches the maximum authorized capacities shown on the approved site plan, the recycling center shall immediately cease receiving additional unprocessed material until the amount of unprocessed and processed material stored onsite falls below the total authorized storage capacity of 136,418 cubic yards. Under such circumstances, arrangements shall be made to transfer processed material offsite. While tranfering processed material offsite, any processed material stored in an unprocessed material storage area (Per Condition 97 below) shall be transferred first. [N.J.A.C. 7:26A- 3.5(e)]

Subject Item: RCBG882032 - Final Phase Crushing Operations

97. Processed material may be stored in an unprocessed material storage area as needed, subject to availability of additional capacity in that area and provided that processed and unprocessed materials are separated by either a physical barrier or by maintaining at least eight (8) feet of aisle space between the piles. Under no circumstances shall the combined volume of processed and unprocessed materials exceed that area's maximum storage capacity. [N.J.A.C. 7:26A- 3.5(e)]

98. Horizontal and vertical control points for the unprocessed and processed materials stockpile areas shall be set and maintained on-site. Permanent horizontal limitation markers with bin blocks, jersey barriers, or equivalent as approved by the Department shall be set at the corners of the operational areas, as depicted on the approved site plan. Vertical limitation markers with metal pipes, metal rods, or equivalent as approved by the Department shall be set at locations in close proximity of the stockpile areas and shall clearly establish elevation height above the existing grade for material stock piles. [N.J.A.C. 7:26A- 3.5(e)]