



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Solid & Hazardous Waste

401 E. State Street

PO Box 420, Mail Code 401-02C

Trenton, New Jersey 08625

Tel: (609) 633-1418

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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CATHERINE R. McCABE
Commissioner

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

September 20, 2018

Mr. Thomas Marturano, Director
New Jersey Sports and Exposition Authority
Solid Waste and Natural Resources
One DeKorte Park Plaza
Lyndhurst, NJ 07071

Re: Certificate of Authority to Operate
KEEGAN LANDFILL
Kearny Town, Hudson County
Facility ID No.: 133571
CAO No.: CTO180001

Dear Mr. Marturano:

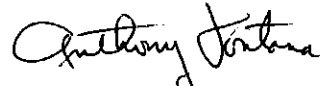
The Bureau of Solid Waste Permitting (the Bureau) is in receipt of your letter dated August 29, 2018 requesting an extension of the Certificate of Authority to Operate (CAO) for the Keegan Landfill.

Based on operational needs and the review status of the application for modification and renewal of the Solid Waste Facility Permit for the landfill, the Department hereby approves your request and is issuing a Certificate of Authority to Operate in accordance with N.J.A.C. 7:26-1.7(d) for a period of one year from the date of expiration of the current CAO. The CAO authorizes continued operation of the landfill until November 14, 2019.

Conditions have been incorporated within this CAO. The Department will consider amendment or modification of the specific terms of the conditions of this CAO if the New Jersey Sports and Exposition Authority submits a written request by certified mail within twenty (20) calendar days of receipt of this letter. Said written request must clearly state the proposed amendment or modification and the factual basis for the request. The CAO is non-transferable.

If you have any questions concerning this matter, please contact Sanjay Shah of my staff by telephone at 609-984-6985, or by email at Sanjay.Shah@dep.nj.gov.

Sincerely,



Anthony Fontana, Chief
Bureau of Solid Waste Permitting

Enclosure

c: John Shevlin, BSWP
Thomas Farrell, BSWCE
Gina Lugo, BSWCE
Vincent Caliguire, BSWPL

Carrie Nawrocki, Executive Director
Hudson Regional Health Commission
595 County Avenue, Building 1
Secaucus, NJ 07094

Kurt A. Cherry, Executive Director
Hudson County Improvement Authority
830 Bergen Avenue, 9th Floor
Jersey City, NJ 07306

Honorable Alberto G. Santos, Mayor
Town of Kearny
Town Hall
402 Kearny Ave
Kearny, NJ 07032

Pat Carpenter, Town Clerk
Town of Kearny
Town Hall
402 Kearny Ave
Kearny, NJ 07032

E. Junior Maldonado, County Clerk
Hudson County
257 Cornelison Ave., 4th Floor
Jersey City, NJ 07302

Doc: TCAO Transmittal Letter



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CERTIFICATE OF AUTHORITY TO OPERATE

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

NEW JERSEY SPORTS AND EXPOSITION AUTHORITY

Facility Name: **Keegan Landfill**
Lot & Block Nos.: Lot #(s) 18, 19.02, 24, 27, 28, 29, 30, 31, 32 and 33; Block # 205
Municipality: Town of Kearny
County: Hudson
Facility ID No.: 133571
Certificate No.: CTO180001

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

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

November 14, 2018

Effective Date

Anthony Fontana, Chief
Bureau of Solid Waste Permitting

November 14, 2019

Expiration Date

Scope

This Certificate of Authority to Operate (CAO), along with the referenced application documents herein specified, shall constitute the sole approval of solid waste landfill facility operations by the New Jersey Sports and Exposition Authority (NJSEA) at the **KEEGAN LANDFILL** located in the Town of Kearny, Hudson County, New Jersey. Any registration, approval or permit previously issued by the Division of Solid & Hazardous Waste or its predecessor agencies for the specific activities described below and as conditioned herein is hereby superseded.

Facility Description

Keegan Landfill property consists of approximately 110 acres located northeast of Bergen Avenue in the Town of Kearny, Hudson County, New Jersey. The first landfill operation on the site occurred in the 1940's. The majority of the disposal/landfilling activity occurred through the 1960's and ceased in 1970's. Due to the previous landfill activity, contaminated leachate regularly discharged into the adjacent fresh water marsh and there have been many incidents of underground fires. In order to remediate the site, the New Jersey Meadowlands Commission (now NJSEA) signed an agreement with the Town of Kearny and in 2007 and 2008 installed site improvements consisting of a perimeter slurry wall, a leachate collection system, and relocation of Frank's Creek.

The New Jersey Meadowlands Commission reopened the landfill operating under the CAO issued by the Department on December 18, 2008, which was subsequently renewed on an annual basis until a Solid Waste Facility Permit was issued on March 15, 2012.

This CAO authorizes the NJSEA to continue to operate the Keegan Landfill to receive and dispose of the following waste types: ID13 (Bulky waste, with the exception of automobiles, trucks, trailers, large vehicle parts, drums and appliances), ID13C (Construction and demolition waste), ID23 (Vegetative waste), and ID27 (Dry industrial waste). Access to the landfill for solid waste disposal is limited to the following hours: Monday through Friday from 6:00 a.m. to 4:00 p.m., and Saturday from 6:00 a.m. to 1:30 p.m.

This CAO authorizes filling of the landfill to a maximum final elevation of 100 feet above mean sea level.

Approved Application and Associated Documents

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

1. A Solid Waste Facility Permit Application Form signed on December 8, 2007 by Thomas Marturano, Director of Solid Waste and Natural Resources of NJMC, Lyndhurst, New Jersey.

2. A letter dated December 12, 2007 requesting an Initial Operating Permit for the Keegan Landfill prepared, signed, sealed and submitted by Thomas Marturano, Director of Solid Waste and Natural Resources of NJMC, Lyndhurst, New Jersey.
3. A response dated February 6, 2008 to Department's Administrative Notice of Deficiency of January 25, 2008, along with a revised application requesting an Initial Operating Permit for the Keegan Landfill prepared, signed, sealed and submitted by Thomas Marturano, Director of Solid Waste and Natural Resources of NJMC, Lyndhurst, New Jersey.
4. A submittal dated May 12, 2008, in response to Department's Administrative Notice of Deficiency dated May 7, 2008, prepared, signed, sealed and submitted by Thomas Marturano, Director of Solid Waste and Natural Resources of NJMC, Lyndhurst, New Jersey.
5. A submittal dated August 4, 2008, in response to Department's Notice of Administrative Completeness dated July 3, 2008, including the following documents prepared, signed, sealed and submitted by Thomas Marturano, Director of Solid Waste and Natural Resources of NJMC, Lyndhurst, New Jersey:
 - A revised Solid Waste Facility Permit Application Form signed on August 4, 2008 by Thomas Marturano, Director of Solid Waste and Natural Resources of NJMC, Lyndhurst, New Jersey.
 - A report entitled "Environmental and Health Impact Statement for the New Jersey Meadowlands Commission Keegan Landfill Remediation" dated August 28, 2007 revised on July 22, 2008 prepared, signed and sealed by Thomas R. Marturano, New Jersey Professional Engineer (license # 29537) of NJMC, Lyndhurst, New Jersey.
 - A report entitled "New Jersey Meadowlands Commission Keegan Landfill Operations & Maintenance Manual" dated November 2007 revised on July 22, 2008 prepared, signed and sealed by Thomas R. Marturano, New Jersey Professional Engineer (license # 29537) of NJMC, Lyndhurst, New Jersey.
 - A report entitled "New Jersey Meadowlands Commission Keegan Landfill Closure and Post-closure Care Plan" dated September 2007 revised on July 22, 2008 prepared, signed and sealed by Thomas R. Marturano, New Jersey Professional Engineer (license # 29537) of NJMC, Lyndhurst, New Jersey.
 - A report entitled "New Jersey Meadowlands Commission Keegan Landfill Closure/Post Closure Financial Plan" dated December 2007 prepared, signed and sealed by Thomas R. Marturano, New Jersey Professional Engineer (license # 29537) of NJMC, Lyndhurst, New Jersey.
 - A report entitled "Stability Analysis, Keegan Landfill, Town of Kearny, New Jersey" dated August 20, 2007 prepared, signed and sealed by Golam Kabir, New Jersey

Professional Engineer (license # GE39908) of Converse Consultants, Parsippany, New Jersey.

- A report entitled “Geotechnical Investigation Report, Keegan Landfill, Town of Kearny, Hudson County, New Jersey” dated December 5, 2005 prepared, signed and sealed by Golam Kabir, New Jersey Professional Engineer (license # GE39908) of Converse Consultants, Parsippany, New Jersey.
 - Engineering Drawings for the site improvement dated September 26, 2007 prepared, signed and sealed by Golam Kabir, New Jersey Professional Engineer (license # GE39908) of Converse Consultants, Parsippany, New Jersey.
 - A Final contour plan for Keegan Landfill dated November 30, 2007 prepared, signed and sealed by Golam Kabir, New Jersey Professional Engineer (license # GE39908) of Converse Consultants, Parsippany, New Jersey.
6. A report entitled “ Analytical Report of C & D Screening Fines from Waste Management Inc., Elizabeth, New Jersey” dated October 21, 2008 prepared by Amy Lynn Haag, Project Manager of Test America Laboratories Inc., Amherst, NY along with a letter signed by Thomas R. Marturano, Director of Solid Waste and Natural Resources, NJMC, Lyndhurst, New Jersey, dated December 18, 2008 indicating the need for NJMC Keegan Landfill to accept Class B recycling center fines from Front Street Class B Recycling operated by Waste Management Inc., Elizabeth, New Jersey.
 7. A letter dated January 21, 2009 requesting modification to Temporary Certificate of Authority to Operate for the Keegan Landfill prepared, signed and submitted by Thomas Marturano, Director of Solid Waste and Natural Resources of NJMC, Lyndhurst, New Jersey.
 8. Electronic mail documents dated January 15, 2009 and March 18, 2009 requesting use of on-site processed dredge material as an alternative daily cover material at Keegan Landfill prepared, signed and submitted by Thomas Marturano, Director of Solid Waste and Natural Resources of NJMC, Lyndhurst, New Jersey.
 9. A letter dated June 22, 2009 along with an engineering drawing entitled “ NJMC and Waste Management Trailer and Waste Management Utility Building Locations, Keegan Landfill, Town of Kearny, Hudson, County, New Jersey” certified (licence # 29537), prepared, signed and submitted by Thomas Marturano, Director of Solid Waste and Natural Resources of NJMC, Lyndhurst, New Jersey.
 10. A letter dated September 30, 2010 in response to Department’s Technical Notice of Deficiency dated September 10, 2010 along with a copy of New Jersey Pollutant Discharge Elimination System Permit Application for the Keegan Landfill prepared, signed and submitted by Thomas Marturano, Director of Solid Waste and Natural Resources of NJMC, Lyndhurst, New Jersey.

11. A memorandum in response to the Bureau's memorandum dated November 18, 2010 to John Gray of Bureau of Non-point Pollution Control along with comments on New Jersey Pollutant Discharge Elimination System Permit Application for the Keegan Landfill.
12. An application for renewal and modification of a Solid Waste Facility Permit dated December 1, 2014, signed and submitted by Thomas Marturano, Director, Solid Waste & Natural Resources, NJMC, including a solid waste application form, the proposed design capacity for the landfill, a USGS topographic map and the proposed final contour plan.
13. A report entitled "Stability Assessment for the Vertical Expansion of the Keegan Landfill, 437 Bergen Avenue, Kearny, NJ" dated January 7, 2016 prepared by Issa S. Oweis of Oweis Engineering Inc, Cedar Knolls, NJ;
14. A report entitled "NJSEA Class II Keegan Landfill, Vertical Expansion, Operations and Maintenance Manual" dated November 2007, revised January 2016;
15. A report entitled "Environmental and Health Impact Statement for the Vertical Expansion of the New Jersey Sports & Exposition Authority Keegan Class II Landfill" dated August 28, 2007, revised January 20, 2016, prepared by NJSEA;
16. A report entitled "New Jersey Sports and Exposition Authority, Keegan Class II Landfill, Closure/Post Closure Financial Plan" dated May 2016, prepared by Thomas Marturano;
17. A report entitled "New Jersey Sports and Exposition Authority, Keegan Class II Landfill, Vertical Expansion Closure and Post Closure Care Plan" dated May 2016, prepared by Thomas Marturano;
18. A report entitled "Assessment of the Future Settlements, the Vertical Expansion of the Keegan Landfill, 437 Bergen Avenue, Kearny, NJ" dated April 22, 2016 prepared by Issa S. Oweis of Oweis Engineering Inc, Cedar Knolls, NJ;
19. A submittal entitled "Engineering Report, Keegan Landfill, Projecting the Remaining Capacity at Elevation 100" dated May 6, 2016, submitted by Thomas Marturano, Director, Solid Waste and Natural Resources, NJSEA;
20. A response to an Administrative Notice of Deficiency dated June 6, 2016, along with attachments, submitted by Thomas Marturano, Director, Solid Waste and Natural Resources, NJSEA;
21. A letter dated October 18, 2016, along with the report entitled "Keegan Landfill Vertical Expansion, Response to Request for Additional Information" dated October 24, 2016, submitted by Thomas Marturano, Director, Solid Waste and Natural Resources, NJSEA;
22. A report entitled "Studying Baseline Quality of Ambient and Personal Air within the New Jersey Meadowlands District," dated May 18, 2008, prepared for the New Jersey

Meadowlands Commission by P.J. Liroy, C. Weisel, P.G. Georgopoulos, S.W. Wang, X. Tang, and S. Isukapalli, of the Environmental and Occupational Health Sciences Institute, UMDNJ – R.W. Johnson Medical School & Rutgers, The State University of New Jersey, submitted via email on November 10, 2016, by Thomas Marturano, NJSEA;

23. A series of photographs taken in the direction of Keegan Landfill from Gunnel Oval submitted via electronic mail by Thomas Marturano of NJSEA on November 10, 2016;
24. A letter dated November 14, 2016 submitted by Tom Marturano, Director, Solid Waste & Natural Resources, NJSEA, amending the Closure and Post-Closure Financial Plan for Keegan Landfill;
25. A letter dated October 25, 2017 submitted by Tom Marturano, Director, Solid Waste & Natural Resources, NJSEA, requesting a one year extension of Temporary Certificate of Authority to Operate Keegan Landfill; and
26. A letter dated August 29, 2018 submitted by Tom Marturano, Director, Solid Waste & Natural Resources, NJSEA, requesting a one-year extension of Temporary Certificate of Authority to Operate Keegan Landfill.

Conditions of this Certificate of Authority to Operate

The conditions of this CAO are found in the attached document entitled “KEEGAN LANDFILL, 133571 CTO180001 Certificate of Authority to Operate – Sanitary Landfill Exemption 1.7(d) Requirements Report.”

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

KEEGAN LANDFILL

133571 CTO180001 Certificate of Authority to Operate -Sanitary Landfill Exemption 1.7(d) Requirements Report

Subject Item: SWLG885392 - General TCAO Conditions

1. The operator/owner shall manage the operation authorized by this Certificate of Authority to Operate (CAO) in accordance with the application documents referenced in this CAO. [N.J.A.C. 7:26-1.7(a)]
 2. This CAO shall remain effective for the period of one (1) year or until a final decision is made on the owner/operator's application for renewal and modification of the Solid Waste Facility Permit for the facility, whichever is earlier. A complete application requires an appropriately funded financial plan for closure and post-closure care of the landfill pursuant to N.J.A.C. 7:26-2A-9. The financial plan remains under review. If the application is determined to be complete, the Department will commence solid waste facility permit issuance procedures following the requirements and schedules presented in N.J.A.C. 7:26-2. If a final decision has not been made on the Solid Waste Facility Permit Application by the expiration date of this CAO, the owner/operator may apply to extend this CAO. [N.J.A.C. 7:26- 1.7(a)]
 3. Failure to comply with the conditions of this CAO may subject the operator/owner to suspension or revocation of the CAO in accordance with N.J.A.C. 7:26-1.7b. [N.J.A.C. 7:26-1.7(b)]
 4. The Department may terminate or modify the conditions of this CAO, in the event that the Department determines that such associated operations may pose a threat to public health or the environment. [N.J.A.C. 7:26-1.7(a)]
 5. The issuance of this CAO and the conditions of operation identified herein shall not be interpreted as relieving the operator/owner of his/her responsibility to secure and maintain all other applicable federal and local permits or similar forms of authorization relating to the construction and/or operation of this project. [N.J.A.C. 7:26- 1.7(a)]
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Subject Item: SWLG885393 - General Solid Waste Facility Operating Conditions

6. The owner/operator shall operate the facility in compliance with the requirements of N.J.A.C. 7:26-2.11. [N.J.A.C. 7:26- 2.8(i)]
7. In case of conflict, the provisions of N.J.A.C. 7:26-1 et seq. shall have precedence over the conditions of this CAO, the conditions of this CAO shall have precedence over the referenced permit application documents, and the most recent revisions and supplemental information approved by the Department shall prevail over prior submittals and designs. [N.J.A.C. 7:26-2]
8. One complete set of the permit application documents as referenced herein, this CAO, the O & M manual, and all records, reports and plans as may be required pursuant to this CAO shall be kept on-site and shall be available for inspection by authorized representatives of the Department upon presentation of credentials. [N.J.A.C. 7:26-2.11(b)12]
9. Where the owner/operator becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, the owner/operator shall promptly submit such facts or information. [N.J.A.C. 7:26- 2]
10. All completed registration statements submitted by the owner/operator shall be signed as specified at N.J.A.C. 7:26-2.4(e)1. [N.J.A.C. 7:26- 2.4(e)1]

KEEGAN LANDFILL

133571 CTO180001 Certificate of Authority to Operate -Sanitary Landfill Exemption 1.7(d) Requirements Report

Subject Item: SWLG885393 - General Solid Waste Facility Operating Conditions

11. All engineering designs and reports, the environmental and health impact statement, other information requested as "Addendums" by the Department pursuant to N.J.A.C. 7:26-2.4(f) and (g)4 and documents required to be submitted pursuant to N.J.A.C. 7:26-2.9 and 2.10, submitted on behalf of the owner/operator, shall be signed by a person described in N.J.A.C. 7:26-2.4(e)1 or by a duly authorized representative of that person, as specified at N.J.A.C. 7:26-2.4(e)2. [N.J.A.C. 7:26-2.4(e)2]
12. Any person signing a registration statement, engineering design or report, environmental and health impact statement or addendum mentioned in N.J.A.C. 7:26-2.4(e)1 or (e)2, submitted on behalf of the owner/operator, shall make the certification specified at N.J.A.C. 7:26-2.4(e)3. [N.J.A.C. 7:26-2.4(e)3]
13. Prior to May 1 of each calendar year the owner/operator shall submit to the Department a statement updating the information contained in the initial registration statement. This update shall be on forms furnished by the Department. In no case shall submission of an updated statement alter conditions of this CAO. [N.J.A.C. 7:26- 2.8(b)]
14. The owner/operator shall notify the Department in writing within 30 days of any change in the information set forth in the current registration statement. [N.J.A.C. 7:26- 2.8(c)]
15. Failure of the permittee to submit an updated registration statement and to submit all applicable fees, required by N.J.A.C. 7:26-4, on or before July 1 of each calendar year shall be sufficient cause for the Department to revoke this permit or take such other enforcement action as is appropriate. [N.J.A.C. 7:26- 2.8(d)]
16. The owner/operator shall maintain a daily record of wastes received. The record shall include the information specified at N.J.A.C. 7:26-2.13(a). [N.J.A.C. 7:26- 2.13(a)]
17. The daily record shall be maintained, shall be kept, and shall be available for inspection in accordance with N.J.A.C. 7:26-2.13(b). [N.J.A.C. 7:26- 2.13(b)]
18. The owner/operator shall verify, retain and make available for inspection a waste origin/disposal (O and D) form for each load of solid waste received in accordance with N.J.A.C. 7:26-2.13(c). [N.J.A.C. 7:26- 2.13(c)]
19. The owner/operator shall submit monthly summaries of wastes received to the Division of Solid and Hazardous Waste, Bureau of Planning and Licensing and the Solid Waste Coordinator for the District where the facility is located, on forms provided by the Department (or duplication of same), no later than 20 days after the last day of each month. The monthly summaries shall include the information specified at N.J.A.C. 7:26-2.13(e). [N.J.A.C. 7:26- 2.13(e)]
20. Upon request by the Department, the owner/operator shall submit, in such form as the Department may deem appropriate, information concerning the sources of wastes received and the transportation or disposal patterns associated with such wastes. [N.J.A.C. 7:26- 6.4]
21. The owner/operator shall operate the facility in compliance with any applicable district solid waste management plan(s) as well as any amendments to and/or approved administrative actions concerning such plan(s). Should the owner/operator fail to comply with any applicable district solid waste management plan(s) as well as any amendment to or approved administrative actions concerning such plan(s), the owner/operator shall be deemed in violation of N.J.S.A. 13:1E-1 et seq. and N.J.A.C. 7:26-1 et seq. and shall be subject to applicable penalties provided thereunder, and any other applicable laws or regulations. [N.J.A.C. 7:26- 6.12(b)]

KEEGAN LANDFILL

133571 CTO180001 Certificate of Authority to Operate -Sanitary Landfill Exemption 1.7(d) Requirements Report

Subject Item: SWLG885393 - General Solid Waste Facility Operating Conditions

22. The owner/operator shall report to the Department and the Attorney General within 30 days any changes or additions in the information required to be included in the disclosure statement, as specified at N.J.A.C. 7:26-16.6. [N.J.A.C. 7:26-16.6(b)]
23. The owner/operator shall report any other changes in the information contained in the disclosure statement currently on file with the Department and the Attorney General in an annual update to be filed with the Department at the time of the annual renewal of its registration with the Department, as specified at N.J.A.C. 7:26-16.6. [N.J.A.C. 7:26-16.6(c)]
24. The owner/operator shall inspect each incoming waste load in accordance with the Waste Control, Inspection, and Recyclables Plan included as part of the approved final operations and maintenance manual, or in accordance with any other approved facility operating plan as appropriate. Such inspections shall be performed to identify the incidence of designated recyclable materials that may be mandated to be source separated by the District Recycling Plan applicable to the point of origin of the waste load. The owner/operator shall consult with each county recycling coordinator for the facility's service area on a quarterly basis to review those recyclable materials that are designated by each county to be source separated pursuant to N.J.S.A. 13:1E-99.13(b)2. The Waste Control, Inspection, and Recyclables Plan or other approved facility operating plan as appropriate, shall be updated accordingly. Should any designated recyclable materials be detected in a delivered waste load, the appropriate county recycling coordinator shall be notified in writing. The owner/operator shall maintain a copy of each such notification at the facility. Whenever possible, the generator who failed to source separate the recyclable materials shall also be identified and reported to the county recycling coordinator. [N.J.A.C. 7:26- 2.10(b)9vii]
25. 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 the New Jersey Disaster Control Act at N.J.S.A. App. A:9-30 et seq., the owner/operator shall provide to the Division of Solid and Hazardous Waste a daily report on the operational status of the facility and the quantity of wastes received during the previous operating day or any other relevant information requested pursuant to N.J.S.A. App. A:9-36. The status report shall be submitted electronically, or as otherwise directed by the Department, to solidwasteemergencies@dep.nj.gov on forms, or in the format, provided by the Department and in compliance with the time frames established by the Department after the State of Emergency declaration. The status reports shall be submitted daily until the owner/operator is informed by the Department that the reports are no longer required for that State of Emergency. [N.J.A.C. 7:26- 2.11(b)9]
26. If required, soil erosion and sediment control shall be achieved in accordance with the Soil Erosion and Sediment Control Plan certified by the Hudson Essex Passaic Soil Conservation District. [N.J.A.C. 7:26- 2A.9(e)]

Subject Item: SWLG885394 - Specific Landfill Operating Conditions

27. The facility shall comply with the additional operational, maintenance, inspection and monitoring requirements for all sanitary landfills as provided at N.J.A.C. 7:26-2A.8 [N.J.A.C. 7:26-2A.8]
28. The facility is authorized to accept the following waste types: ID13 - Bulky waste (except for automobiles, trucks, trailers, large vehicle parts, drums, and appliances), ID13C - Construction and demolition waste, ID23 - Vegetative waste, and ID27 - Dry industrial waste as per N.J.A.C. 7:26-3A.5. [N.J.A.C. 7:26- 2.11(b)9]

KEEGAN LANDFILL

133571 CTO180001 Certificate of Authority to Operate -Sanitary Landfill Exemption 1.7(d) Requirements Report

Subject Item: SWLG885394 - Specific Landfill Operating Conditions

29. The facility is not authorized to accept any other type or description of solid waste as defined at N.J.A.C. 7:26-2.13(g) and (h), regulated medical waste as defined at N.J.A.C. 7:26-3A.6(a), or hazardous waste as defined at N.J.A.C. 7:26G. [N.J.A.C. 7:26- 2.11(b)9]
30. The areal extent of the landfill shall be approximately 100 acres. Final elevation, including the final cover, shall not exceed elevation 100 feet above mean sea level for the entire landfill. All sideslopes shall be constructed as specified on the referenced engineering plans. [N.J.A.C. 7:26- 2A]
31. Access to the sanitary landfill for solid waste disposal shall only be permitted during the following hours: Monday through Friday: 6:00 a.m. to 4:00 p.m. and Saturday from 6:00 a.m. to 1:30 p.m. The landfill will be closed on the New Jersey legal holidays. [N.J.A.C. 7:26- 2A.8(b)24]
32. The landfill's base liner consist of the naturally occurring gray silt layer with permeability 6.0×10^{-7} . The facility is vertically contained by a perimeter slurry wall tied into the silt layer. The in-place permeability of the slurry wall shall be maintained at less than or equal to 1×10^{-7} cm/sec. [N.J.A.C. 7:26- 2A.7(c)]
33. The final cover for the landfill shall consist of the following capping system in descending order:
 - (a) 6 inches of vegetative soil with hydraulic conductivity of 5×10^{-4} cm/sec;
 - (b) a 12 inch sacrificial barrier layer with hydraulic conductivity maximum of 1×10^{-4} cm/sec;
 - (c) a 12 inch barrier layer with hydraulic conductivity maximum of 1×10^{-5} cm/sec; and
 - (d) 12 inches of intermediate cover.

For any change in the final cover, a request shall be submitted to the Division of Solid & Hazardous Waste for approval prior to implementation. There shall not be any future use of the landfill that may result in the alteration of the final cover, subsequent to closure activities, without review and approval by the Division of Solid & Hazardous Waste. [N.J.A.C. 7:26- 2A.7(i)]

34. The owner/operator shall close and maintain the landfill in accordance with N.J.A.C. 7:26-2A.9 and the approved closure and post-closure plan as referenced herein. [N.J.A.C. 7:26- 2A.9]
35. The owner/operator shall notify the Department in writing of his intention to suspend or terminate operations at the landfill. The Department shall receive notice at least 10 days prior to the date of suspension of operations, which notice shall include the duration of the suspension, and shall receive notice at least 180 days prior to the date of termination of operations. [N.J.A.C. 7:26-2A.9(c)2]
36. Final cover constructed in accordance with N.J.A.C. 7:26-2A.7(i) shall be applied to all surfaces where final approved elevation has been reached and to all surfaces when the landfill operation is terminated. [N.J.A.C. 7:26- 2A.8(b)14]
37. Upon closure of the sanitary landfill, a detailed description of the landfill shall be recorded, along with the deed, with the appropriate county recording office. The description shall include the general types, locations, and depths of wastes on the site, the depth and type of cover material, the dates the landfill was in use and all such other information as may be of interest to potential landowners, and shall remain in the record in perpetuity. The deed shall also provide notice that any future disruption of the closed landfill shall require prior approval from the Department in accordance with N.J.A.C. 7:26-2A.8(j). A copy of the recorded deed shall be submitted to the Division of Solid & Hazardous Waste. [N.J.A.C. 7:26- 2A.9(c)8]

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38. The owner or operator shall apply for and obtain Departmental approval to modify the Closure and Post-Closure Plan prior to undertaking any activity that is not included in the approved Closure and Post-Closure Plan or changing any portion of the approved Closure and Post-Closure Plan. [N.J.A.C. 7:26- 2A.9(d)6]
39. The Department may require the modification of an engineering design and a Closure and Post-Closure Plan at any time it is deemed necessary during the sanitary landfill's operation, closure or post-closure care period. [N.J.A.C. 7:26- 2A.9(d)8]
40. A copy of the approved Closure and Post-Closure Plan shall be kept on file at the sanitary landfill during the course of the sanitary landfill's operation and, after closure, shall be filed with the municipal clerk. [N.J.A.C. 7:26- 2A.9(d)10]
41. Within six months of closure of the sanitary landfill, the owner and/or operator of the sanitary landfill shall obtain and submit to the Department an as-built certification by a New Jersey licensed professional engineer, certifying that each provision of the Closure and Post-Closure Plan has been implemented as designed and approved. [N.J.A.C. 7:26- 2A.9(c)6]
42. A New Jersey licensed professional engineer shall certify, in writing, to the Department that he or she has supervised the inspection of the construction of each major phase of the sanitary landfill's closure. He or she shall further certify that each phase has been prepared and constructed in accordance with the closure design approved by the Department. The certification shall include as-built drawings. [N.J.A.C. 7:26- 2A.9(c)6i]
43. A New Jersey licensed professional engineer shall certify that the materials utilized in the closure of the sanitary landfill are in conformance with and meet the specifications of the approved closure design. [N.J.A.C. 7:26- 2A.9(c)6ii]
44. There shall be no deviation from the approved closure design without the prior written approval of the design engineer and the Department. [N.J.A.C. 7:26- 2A.9(c)6iii]
45. All certifications shall bear the raised seal of the New Jersey licensed professional engineer, his or her signature, and the date of certification. [N.J.A.C. 7:26- 2A.9(c)7]
46. The closure certification shall include the following statement: I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals under my supervision, I believe the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I understand that, in addition to criminal penalties, I may be liable for civil administrative penalty pursuant to N.J.A.C. 7:26-5 and that submitting false information may be grounds for denial, revocation or termination of any solid waste facility permit for which I may be seeking approval or now hold. [N.J.A.C. 7:26- 2A.9(c)7]
47. The flow of leachate in the leachate collection system shall be recorded on a daily basis. The results shall be compiled on a quarterly basis and submitted to the Division of Solid & Hazardous Waste. [N.J.A.C. 7:26- 2A.8(h)4,5]
48. The hydrostatic pressure of the cut-off wall and the liner system shall be monitored on a monthly basis and the results submitted to the Division. [N.J.A.C. 7:26-2A.8(h)8]

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49. A methane gas survey shall be performed around the perimeter of the landfill buffer zone not bounded by water on a quarterly basis. The survey shall be performed with a hand-held portable explosimeter or equivalent and the minimum sampling depth shall be three feet below the ground surface or above the water table, whichever is higher. The maximum interval between sampling points shall be 300 feet. Sampling shall be performed around the perimeter of all on-site structures. The maximum interval between sampling points for structures shall be 50 feet; however, there shall be at least one sampling point along each side of the structure. Survey results shall be submitted to the Division of Solid & Hazardous Waste as a condition of this Approval. [N.J.A.C. 7:26-2A.8(h)9ii]
50. The daily precipitation data from the meteorological monitoring system shall be compiled on a quarterly basis and submitted to the Division. [N.J.A.C. 7:26-2A.8(h)10]
51. The monitoring data for hydrostatic pressure of the cut-off wall shall be submitted on a monthly basis due on the last day of each month. The monitoring data for (a) daily precipitation, (b) leachate collection and (c) methane gas shall be submitted on a quarterly basis; fourth quarter due on January 31, 1st quarter due on April 30, 2nd quarter due on July 31, and 3rd quarter due on October 31 of each year. [N.J.A.C. 7:26- 2A.8]
52. The annual topographical survey of the sanitary landfill meeting the requirements of N.J.A.C. 7:26-2A.8(i) shall be submitted to the Division by May 1 of each year. [N.J.A.C. 7:26-2A.8(i)]
53. The Bergen Avenue entrance shall be fenced and equipped with a secure gate. The facility fencing and gate shall be maintained to prevent unauthorized entry to the landfill. [N.J.A.C. 7:26- 2A.8(b)]
54. The owner/operator shall accept no more than 75 cubic yards of ZIMPRO material on a daily basis. [N.J.A.C. 7:26-2A]
55. The owner/operator of the landfill shall use ZIMPRO as daily cover on the interior faces only. It shall not be applied to the exterior sides and side slopes. [N.J.A.C. 7:26- 2A]
56. Solid waste shall be covered at the close of each operating day with daily cover consisting of six inches of compacted clean soil and/or a mixture of ZIMPRO sludge and clean soil. ZIMPRO sludge shall only be mixed in a 1:1 ratio with clean soil material for use as cover. Any alternative cover material and/or Processed Dredge Material from off-site shall not be accepted for use of daily/intermediated cover without prior approval from the Division of Solid & Hazardous Waste.
- In accordance with N.J.A.C. 7:26-2A.8(b)8, the owner may be exempted from the application of daily cover soil if uncovered solid waste is inert and will not create an environmental or public health nuisance or safety hazard. [N.J.A.C. 7:26- 2A.8(b)7]
57. The owner/operator shall maintain a separate area for staging and mixing ZIMPRO sludge to be used for daily cover. [N.J.A.C. 7:26-2A]
58. A ground water monitoring system shall be maintained and the ground water shall be monitored in conformance with the New Jersey Pollutant Discharge Elimination System Permit issued pursuant to N.J.A.C. 7:14A-1 et. seq. Monitoring data shall be reported as required by the NJPDES Permit # NJ0171271. [N.J.A.C. 7:26- 2A.9(e)]