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PUBLIC MEETING

before

ASSEMBLY COUNTY GOVERNMENT AND REGIONAL AUTHORITIES COMMITTEE

ASSEMBLY BILL NO. 4105

(Requires DEP study of cumulative impact of resource recovery facilities on the environment; appropriates \$75,000)

March 2, 1989
Room 373
State House Annex
Trenton, New Jersey

MEMBERS OF COMMITTEE PRESENT:

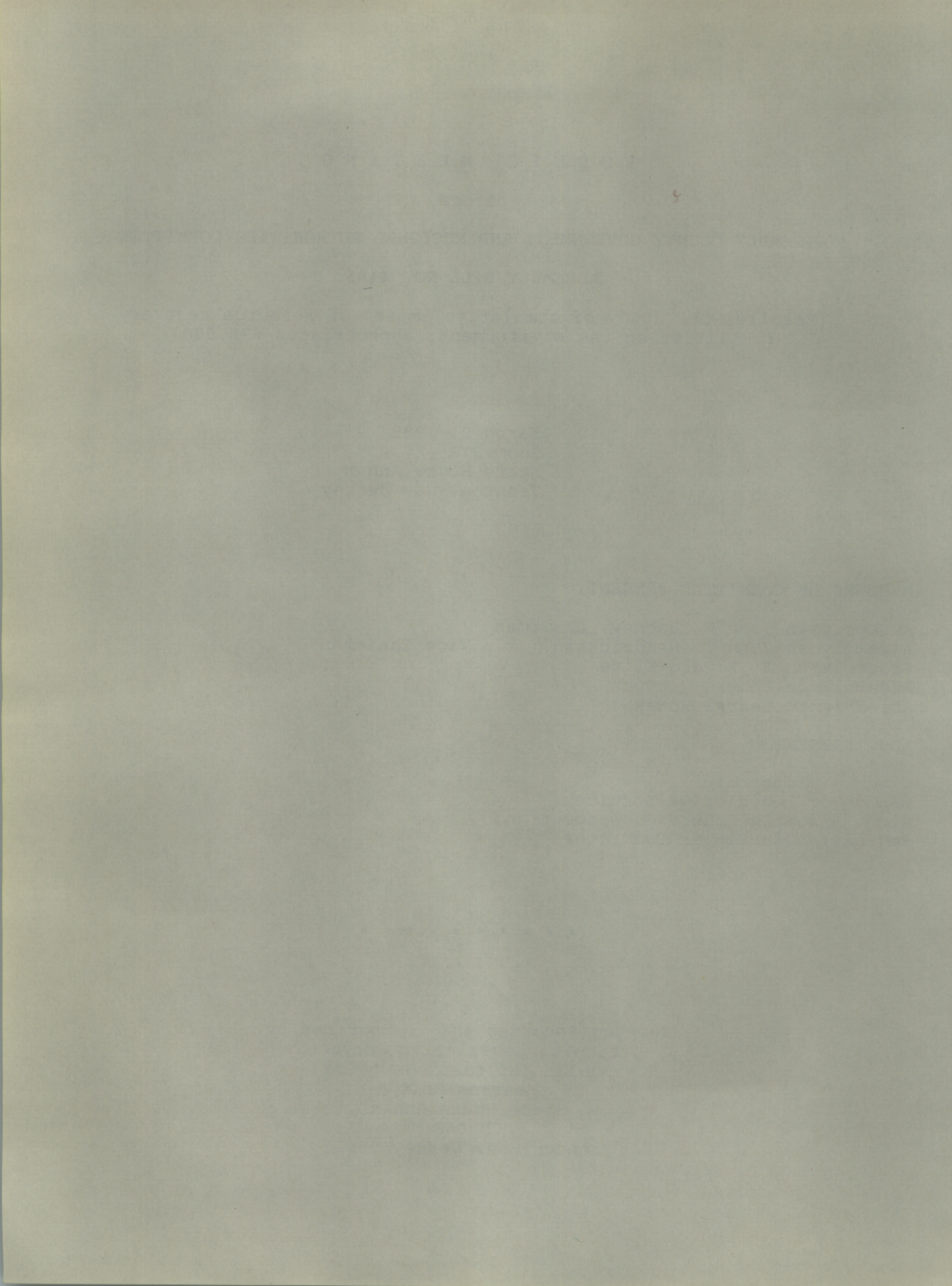
Assemblyman John E. Rooney, Chairman
Assemblyman John T. Hendrickson, Jr., Vice Chairman
Assemblyman J. Edward Kline
Assemblyman Thomas J. Duch
Assemblyman George Hudak

ALSO PRESENT:

Cindy A. Lombardi
Office of Legislative Services
Aide, Assembly County Government and
Regional Authorities Committee

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Meeting Recorded and Transcribed by
Office of Legislative Services
Public Information Office
Hearing Unit
State House Annex
CN 068
Trenton, New Jersey 08625



ASSEMBLY, No. 4105
STATE OF NEW JERSEY

INTRODUCED DECEMBER 19, 1988

By Assemblymen ROCCO, PASCRELL, Moran,
Rooney and Spadaro

1 AN ACT concerning the impact of resource recovery facilities on
the environment and making an appropriation therefor.

3

BE IT ENACTED by the Senate and General Assembly of the
5 State of New Jersey:

1. The Legislature finds and declares that an effective
7 statewide solid waste management strategy will require the
construction of several resource recovery facilities which will
9 impose burdens on ambient air quality, water supply and water
quality, and changes in land use patterns; that the current
11 regulatory process whereby projects are permitted on a
case-by-case basis fails to address the cumulative impacts of
13 these facilities, especially those sited in close proximity to one
another, on the environment; that the ambient air quality in some
15 areas of the State, a few of which may host a resource recovery
facility, already exceeds federal standards for some pollutants;
17 that many areas in which resource recovery facilities are planned
experience water supply shortages and have inadequate
19 wastewater collection and treatment systems; that the operation
of resource recovery facilities may significantly alter land use
21 patterns, particularly with regard to transportation and
residential development; and that it is in the interest of the
23 public health and the environment to determine the extent of this
impending problem, to identify measures required to minimize
25 impacts, and to prohibit the siting and construction of resource
recovery facilities until such time as these issues are addressed in
27 a satisfactory manner.

2. The Department of Environmental Protection shall prepare
29 a methodology for assessing the cumulative impact of the
operation of resource recovery facilities on ambient air quality,
31 water supply and water quality, and changes in land use patterns.
In developing the methodology, the department shall identify the
33 stationary and mobile sources of air pollutants requiring
monitoring, identify alternative monitoring strategies therefor,
35 develop computer models for assessing the impacts of pollutant

1 sources on ambient air quality, identify and assess the impact of
2 any other factors on ambient air quality, inventory water supply
3 and wastewater discharge requirements, analyze existing land use
4 patterns and predicted changes thereto, assess future
5 transportation needs, identify other environmental parameters
6 requiring monitoring and strategies therefor, and review and
7 evaluate other factors pertinent to a study of the cumulative
8 effect of the operation of resource recovery facilities. The
9 department shall submit the methodology, together with any
10 recommendations for legislative or administrative action, to the
11 Governor and the Legislature within 6 months of the effective
12 date of this act.

13 3. Using the methodology developed pursuant to section 2 of
14 this act, the Department of Environmental Protection shall
15 undertake a study of the projected cumulative impact of the
16 development of resource recovery facilities with respect to
17 ambient air quality, water supply and water quality, and land
18 use. The department shall prepare and submit to the Governor
19 and the Legislature within 6 months of completion a written
20 report of the results of the study, together with any
21 recommendations for legislative or administrative action.

22 4. The Department of Environmental Protection may avail
23 itself of any information, data and other expertise of the New
24 Jersey Institute of Technology; Rutgers, the State University;
25 Princeton University; the Department of Transportation; the Port
26 Authority of New York and New Jersey; and any other agency or
27 institute, whether private or public, cooperation with which
28 would further the goals of the department in developing the
29 methodology required pursuant to section 2 of this act and
30 undertaking the study required pursuant to section 3 of this act.

31 5. a. The Department of Environmental Protection may not
32 issue any permits required pursuant to law to any resource
33 recovery facility for a period not to exceed 12 months, pending
34 the results of the study required pursuant to section 3 of this act.

35 b. The provisions of P.L.1970, c.39 (C.13:1E-1 et seq.) to the
36 contrary notwithstanding, the governing body of any county may
37 adopt an ordinance or resolution, as appropriate, to suspend
38 construction of a resource recovery facility pending the
39 completion of the study required pursuant to section 3 of this act.

JOHN E. ROONEY
Chairman
JOHN T. HENDRICKSON, JR.
Vice Chairman
J. EDWARD KLINE
THOMAS J. DUCH
GEORGE HUDAK



**New Jersey State Legislature
ASSEMBLY COUNTY GOVERNMENT
AND
REGIONAL AUTHORITIES COMMITTEE**

STATE HOUSE ANNEX, CN-068
TRENTON, NEW JERSEY 08625
(609) 292-1596

CORRECTED

MEMORANDUM

February 24, 1989

TO: MEMBERS OF THE ASSEMBLY COUNTY GOVERNMENT AND
REGIONAL AUTHORITIES COMMITTEE

FROM: ASSEMBLYMAN JOHN E. ROONEY, CHAIRMAN

SUBJECT: COMMITTEE MEETING - March 2, 1989 (CORRECTED)

(Address comments and questions to Cindy Lombardi,
Committee Aide, 292-1596)

The Assembly County Government and Regional Authorities Committee will meet on Thursday March 2, 1989 at 10:00 A.M. in Room 373 of the State House Annex, Trenton. The following bills will be considered:

A-1879 Zecker	Requires State to reimburse counties for costs of operating county medical examiner's office.
A-2131 Pascrell	Clarifies term of appointment of member of county governing body to other public entity.
A-3155 Penn/Kavanaugh	Provides tax relief for county seats.
A-3567 Bryant	Creates the position of sheriff's officer chief. Same as S-2556
A-4105 Rocco/ Pascrell	Requires DEP study of cumulative impact of resource recovery facilities on environment; appropriates \$75,000.
A-4146 Schusted/ Rocco	Provides that certain public bodies shall not begin their meetings prior to 7:00 p.m.
A-4175 LoBiondo	Prohibits establishment of municipal port authority under certain circumstances.

(OVER)

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S-1023 Lipman	Authorizes the State to accept purchase orders from counties and municipalities in pre-payment of certain fees.
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S-2556 Rand	Creates the position of sheriff's officer chief. Same as A-3567
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Revised 2/24/89/pm
2ND Revised 2/24/89/pm

1 6. Nothing contained herein shall be construed to apply to any
waste facility approved for disposal of hazardous waste or special
3 medical waste.

7 7. There is appropriated from the General Fund to the
5 Department of Environmental Protection the sum of \$75,000 to
implement this act.

7 8. This act shall take effect immediately.

9 STATEMENT

11 This bill requires the Department of Environmental Protection
to develop a methodology with which to assess the cumulative
13 impacts of the operation of resource recovery facilities, and to
conduct a study of these impacts. The State of Massachusetts
15 has undertaken a similar project in light of the potential negative
effects of the development of these facilities. Approximately 18
17 resource recovery facilities are planned for the State of New
Jersey, many of which may be sited in close proximity to one
19 another. Little information is available regarding the cumulative
effect of the operation of these facilities on air quality, water
21 supply, water quality, and changes in land use patterns.

 This measure imposes a one year moratorium on the permitting
23 of resource recovery facilities until the study required by this act
is completed and its results evaluated. It is current regulatory
25 practice to permit these facilities on a case-by-case basis, a
practice which fails to fully account for cumulative impacts.
27 Under this bill, counties may suspend the construction of resource
recovery facilities until the study is completed.

29 The sum of \$75,000 is appropriated to the department to
implement the provisions of this act.

31 This bill would not apply to any waste facility approved for
disposal of hazardous waste or special medical waste.

33

 ENVIRONMENT

35 Air and Water Pollution

37 Requires DEP study of cumulative impact of resource recovery
facilities on the environment; appropriates \$75,000.



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ASSEMBLYMAN JOHN E. ROONEY (Chairman): We are now going to start this hearing on A-4105. This is a bill sponsored by Assemblymen Rocco and Pascrell. It is a very serious bill; I want to put that on the record right now. This is a bill that could cost the State hundreds of millions of dollars, and the ratepayers hundreds of millions of dollars, in any moratorium that would result from the passage of this bill.

So what we want to do, is hear all the testimony. The bill being here before this Committee today in no way indicates what the vote of this Committee will be. We are here simply to listen; to hear what is going on in the State. We believe -- we know -- that we have a solid waste crisis which is beyond belief. We are trying to do everything we can. I have to say that my background, as a Commissioner of the Bergen County Utilities Authority, gives me a little bit of experience in this area, particularly since I was on that Authority when we sited, when we bonded, and when we were hoping to build that plant in Bergen County. I am also a co-sponsor of this bill. The reason I am a co-sponsor of the bill, is that I believe it should be heard.

Now, I am not saying I am going to vote for the bill. I am not saying I am going to continue being a co-sponsor of the bill. I'm saying that this meeting is entirely necessary at this point in time. We don't want this meeting to send the wrong message to the State of New Jersey, or to the bonding community. I fully realize the impact that this bill may have on the bonds that are already out there and the ones that are going to be done. We cannot have a position of the State of New Jersey putting AAA bonds that may be going on these authorities right now -- putting them into a speculative situation by having a moratorium. It is a serious issue. I don't want the press here to say that this Assembly Committee is trying to ban resource recovery plants in the State. I want that clear; I want it understood; I want it up-front.

We have all of the people who are involved, I think, under one roof now. We may not be able to hear all of the testimony, but I certainly want to emphasize that the wrong message should not go out to the people of the State of New Jersey. We cannot afford to completely abandon any method of garbage disposal in this State, resource recovery being one of them, and one of the major ones at this particular time.

With that in mind, I will turn it over to the sponsors of the bill -- Assemblyman Rocco and Assemblyman Pascrell.

A S S E M B L Y M A N J O H N A . R O C C O: Thank you, Mr. Chairman. Let me first thank you for posting the bill, and thank you for the people of New Jersey, because without this meeting, without the attention of the people here in this room, the DEP -- Chris Daggett is here, Dr. Deieso, and a cast of thousands-- The DEP is set and intent upon doing one thing, and one thing only: that is, invading and intruding upon our land and our environment with mass burn facilities.

If we do nothing more, Mr. Chairman, than draw attention to the fact that this State should stop, take a look at where it is, and take a look at the impact upon the people of the State of New Jersey-- If we do nothing more than that, if this bill goes down in flames, which it well might do with the kind of pressure coming on the members of this Committee, and the money behind the people who are opposed to this bill-- If this bill does nothing more than draw attention to the fact that we must do something in this State to stop this intense reliance upon one form of disposing of our municipal solid waste -- the incinerator-- I think but for that, the people of New Jersey would never really know what you have done for them, because I couldn't get to the DEP Commissioners before, as a ranking member of the leadership and the Majority. I could not get people from DEP to go out and take a look at alternatives.

Now, Chris Daggett, I have to admit, has been willing to meet with me and talk about it, and for that I thank Chris.

I think there may be a different perspective coming from DEP. I know the State is somewhere down the road. But God, you know, if you have read "Future Shock," and it is an old book now -- Alvin Toffler's "Future Shock"-- It's an old book now, but if you believe in the premise that we are a super technological society, that this society is going to continue to enhance its technical abilities, and we are only scratching the surface of our intellectual capabilities and our technological advances, then there is nothing more primitive than burn and bury. There is nothing more primitive than to take trash, burn it and bury it, and put it in a worse form than when it came in. Instead of being at the top end of technology, we are at the bottom end of technology, when we know that out in the United States, out throughout this world, there are various technical abilities being developed to dispose of municipal solid waste.

Now, I know what the opposition is saying: "We are too far down the road; we have spent too much money; getting the county people on your neck. You know, if we break the contract, it is going to cost us \$10 million, it is going to cost us \$20 million, it is going to cost us \$30 million." That's garbage, in the true sense of the word -- garbage.

The fact is, if you break a contract, it may cost the county a million or two, but in the long run -- in the long run -- it is going to save the county \$100 million, \$200 million, \$300 million down the road, because we will have a situation where we won't have the most expensive form of getting rid of trash, which is incineration, and we won't destroy and pollute the environment. How hypocritical can DEP be? They want to join with the State of Massachusetts to go after the EPA for air quality, ozone layer destruction. Well, nothing destroys the ozone layers quite like incineration.

I am not an expert on this, Mr. Chairman. Let me tell you that when I started out, I was not against incineration.

It was a freeholder from Camden County who got me involved in some other technologies. But the more I learned about incineration, the more I found out that I can't find one good thing about it. The only thing that is good about incineration, is that it reduces bulk from 100% to 40% -- maybe. But, in reducing bulk, you get a hazardous residue that costs you \$300 a ton to get rid of; to take to New York and to other landfills throughout the country -- just to reduce bulk. What else do we have incinerators for? There is nothing else other than that purpose.

So, it is expensive; it is environmentally intrusive. The people who live close to incinerators are certainly going to be negatively impacted by what occurs.

Let me give you what DEP calls the "measle map." DEP has a cast of upteen hundred. I have, like a couple of people who work in my office, you know what I mean? But we put together a little map. We did a little research. I am not sure that DEP ever did this, up until we drew attention to it with The New York Times article, with the articles in The Star-Ledger, with the articles really around the State -- The Inquirer, The Courier, and so on and so forth. But this map shows the location of the various incinerators -- or proposed incinerators -- those that are proposed, those that are unspecified locations, and those that are operational, which is only Warren.

If this Committee cares -- and I know all of you personally -- about the people in the State of New Jersey, you won't listen to the money people; you will worry about the people of the State. That is what you will worry about. The fact is, the one and only operating facility should be looked at carefully.

Now, certainly, one of the major problems is, they are not getting enough trash. Well, how do you give them more trash, you know? How do you give them more trash? The more

you recycle, the more trash you take away. So, it is counterproductive to recycling. Why should you take something that has been useful at one time and destroy it, and put it in a form that cannot be handled in landfills? The worst part of it is, they lied; they lied throughout.

I called a chemist from Pennsylvania -- the DER -- when the ash first went over there. He told me that it was toxic at that time, and it was denied time and time again, until finally, I guess the newspaper reporters did a better job than I did in finding out ultimately what the toxic effect was. So, let's deal first with the locations throughout the State.

One of the things that should, and always does knock your shoes off -- knock your socks off -- is-- Let's just use the Camden County situation. In Camden County, we're lucky. We are going to have two incinerators -- one in Pennsauken -- and I see that Mr. Jacobs is here -- and the other in Camden City. I don't know why we need two, but apparently we do need two. The Camden incinerator alone will take -- and listen carefully, because it's so critical; it is this blue area -- one million gallons of water a day out of the aquifer; not out of the river, out of the aquifer. And every incinerator up and down the line that you see-- These blue spots are water that is taken out of the aquifers. At a time when we have drought, at a time when we are being told not to use our water, at a time when the citizens of the State have to sacrifice to try to keep some water in the aquifers, they have the audacity -- the audacity -- to say that we should pump up these incinerators around the State, to use all of this water. That's number one.

Number two, this is from an EPA study. I don't know whether Chris was in charge of the EPA at the time or not, but an EPA study -- EPA 530/SW/87/021G, "Assessment of Health Risks Associated with Municipal Solid Waste Combustion." George (speaking to Assemblyman Hudak), if you will please pass this

around to the Committee, they can check it out. This radius -- the gray radius -- hits 90% of the population of the State of New Jersey. This is a 10-mile radius -- a 10-mile radius -- not a 31-mile radius, as EPA says, you know, a 10-mile radius. They said it even goes further, but they didn't want to-- They had to draw a line someplace, I guess. Now, if you look at that, there is a message there somewhere.

I guess the other thing you ought to think about, you North Jersey guys, is, this is "Cancer Alley" right here. It already has a high rate of cancer deaths. You can see the location of the incinerators proposed and how it is going to break through the State. Now, the EPA will tell you: "Incinerators are not that bad. It is only a small part of the air quality problem. Don't worry about it." You know, all kinds of stuff like that. But I'm asking you: "Are you willing to move your family next to that incinerator? Are you willing to put up with that smoke and the droppings of pollution that come out of that incinerator? Are you willing to have your family live there?" If you are, then you ought to vote against the bill. I mean, for the bill, if you are willing to do that.

It seems to me that that would be a good criteria to use. I'm getting myself all fouled up here. Vote against the bill. (laughter)

ASSEMBLYMAN HENDRICKSON: You're charged up, John. You know it well.

ASSEMBLYMAN ROCCO: But, you know, that certainly is a criteria that you can use, if you are willing to put your family in that kind of jeopardy.

There are so many people here to speak, and I have so much to say, and so little time to say it. I can tell you that I have been, to put it in a crude fashion, whistling in the wind here for the last six months, because no one listens. I mean, it's hard to get people to listen to this problem. But,

it has come about. The New York Times picked it up; the other major newspapers have picked it up finally. There is a real focus on it now, and we are going to slow it down. We are going to slow it down, because when you look at the greenhouse effect -- and Congress has a bill in front of them that is going to deal with that-- While they are talking about the greenhouse effect, and DEP is suing the EPA, they are proposing incinerators. It's hypocritical, and it is totally incongruous, to say the least.

Environmentally, you need the hazardous ash landfill; it is absolutely required. I am not going to get political today, but there is one person in Congress who wants to redefine that ash, from being "hazardous," to making it "special ash." Congressman Jim Florio wants to change the ash -- and I don't want this to get political, because I am taking enough heat from people in my party-- He wants to change the definition of that ash from "hazardous" to "special," so that we can put it in our landfills. You know, a rose is a rose is a rose, and hazardous ash is hazardous ash is hazardous ash.

So, you have the emissions, the dioxin problems, groundwater contamination -- I want to get into that -- respiratory illnesses, economic impact. You know, we have someone here today who will talk a little bit more about legislators and mayors and councilpeople who have had the guts to stop incineration throughout this country -- to stop incineration because they knew, it will cost you a little now, but it will save you and your taxpayers -- the people who have to pay for this -- a great deal in the future. A hundred dollars a ton tipping fee, a hundred and twenty-five dollars a ton tipping fee-- It is like the battleship we build in government. You know, it starts out costing "X" amount, and finishes up three times "X."

Tipping fees-- What are they, \$65 in some areas now? Pennsauken has to be up in the \$80s or \$90s; Camden has to be

in the \$80s or \$90s; North Jersey is already \$100, \$125, \$135. What is it going to take to bankrupt a community? What is it going to take? The cure is worse than the illness -- the cure. What do you eliminate? You are only eliminating municipal solid waste, and you are making it toxic; you are polluting the air; you are affecting the groundwater. You know, there is nothing about it that makes sense. Anybody who has a truly objective view, can see that. Absolutely, it's right there.

So, let some others talk. I hope I will have a chance to sum up. I'm sure you are going to have a lot of discussion in opposition. I hope I will be able to respond to that ultimately in the end.

Once again, I can't thank you enough, Mr. Chairman, no matter what happens with this bill, for the people of the State of New Jersey.

ASSEMBLYMAN ROONEY: Thank you, Mr. Rocco. Mr. Pascrell? (applause) Please, please, no applause, no booing, no hissing. We will just conduct our regular meeting.

A S S E M B L Y M A N W M. J. P A S C R E L L, J R.: Good morning, Mr. Chairman, members of the Committee. I am very proud to co-prime-sponsor this bill with a member from the other side of the aisle, because I believe that this extends beyond politics, beyond borders, and into the very heartland of this State. This issue is critical, because we are not only talking about the financial fallout; we are talking about the very air we breathe, and this is a consideration.

You know, Mr. Chairman, there is nothing I like better than a polite street fight on an issue. I was brought up to understand those kinds of things. But when I hear the demagoguing that has been going on concerning this bill, then I have to take off the gloves, and I am prepared to do that, beginning today.

Mr. Chairman, when someone says that this bill, if implemented, if passed, if ever signed by the Governor of this State, will cost the taxpayers of this State "X" amount of dollars-- If I hear one person come up and say that from the industry, from the Department, from any county, I am going to ask the question -- I am going to follow it up with, "Where were you when we were putting the transfer process together? Where were you when we were putting the process together for building incinerators that are going to cost us millions and millions of dollars?"

Recycling saves more energy than mass burn incinerators produce, number one. Number two, the energy produced by mass burn incinerators is the most costly to produce, itself. What if this Legislature wanted to go to 50% recycling five minutes from now, five years from now, ten years from now, whoever will be here? It couldn't. If we continue on the road that we are continuing on right now, we will be building 19 or 20 incinerators that need to be fed. We are not even able to respond favorably, when we look at each county in this State, to the 25% mandate which will go into effect only a short period of time from now. We are even sending signals out in certain counties -- my own, for instance -- that recycling is a phase we are going through, like adolescence, and that what we should do is understand that in four or five years, when these incinerators are on-line, that we won't need to recycle our goods.

We have a European mentality when it comes to mass burn incinerators, and there is a big difference. In Europe, we have a paper economy; in the United States, we have a plastic economy. And when you burn each of those, there is a world of, and oceans of difference between us.

So, we are talking about serious matters. I want to dedicate what I am going to do today, and hence on, and from here on, to some students in West Milford, New Jersey, in West

Milford High School. In West Milford High School, a group of students got together, almost as a project, to bring to the citizens of West Milford what all of these plastics are doing, the impact, the ripple effect of plastics on this society. They started a project to inform the public about this. I think not only that they should be commended, but they should be told that they are out of step with what is going on, insofar as "policy" is concerned in the State of New Jersey.

Mr. Chairman, I have concluded -- and like John, I am far from an expert -- that the State, moved by the Legislature perhaps, was determined on shutting landfills prematurely, to move to mass burn incineration. While it attempted to smack the tail of the procrastinating counties, what it really did was cause almost a non-policy situation. It put counties in a heck of a situation, to try to respond to the solid waste problem, and at the same time, get a clear signal from DEP, or the administration. And this goes back past this administration. It has nothing to do with partisan politics here, because I think both administrations were bent on getting rid of the problem as fast as they could.

That is not good enough for the citizens of this State. We cannot accept that. We have no study, none whatsoever, that indicates what the cumulative effect of all of these incinerators will be if put on-line tomorrow morning. You don't have that scientific report; I don't have that scientific report; and, John, I don't think you have that scientific report. What will be the cumulative effect? The State Department of Development (sic), in its Redevelopment Plan, speaks very specifically about the environmental hazards already existing in the air and on the land and in the sea, in certain parts of this State. It warns us; it is the DEW -- the distant early warning signal -- as to what is coming around the bend. We cannot rush into a situation if we think, if there is any possibility, if there is a microscopic doubt that what we

are doing to ourselves may be expeditious and costly both on our lives and the quality of life of our citizens and our taxpayers.

This is serious business. The DEP -- the Department of Environmental Protection -- doesn't know what the cumulative effect of these incinerators will be. If they did, I'm sure they would have told us. I'm sure they would have determined by now-- But we do not know.

When we in Passaic County-- I sympathize with my county freeholders. I sympathize with them, because it was dumped into their laps like it was dumped into everyone's lap, with no real technical direction as to which way to go; with no discussions about regionalization; with no encouragement about other alternatives to the process besides mass burn incineration, when recycling was simply an afterthought and extracurricular activity, at best -- at best.

When I look back at my county -- my glorious county -- and I see the history of how we came to the transfer station situation, when I see what was given in sworn testimony about what was going to happen about the garbage in Passaic County, and what has happened; the commitments that were made on every piece of this document, filed November 25, 1987 -- I'm sure it will not be different in any county; my county is not unique in that sense -- when what was committed to about the environment, about the transfer stations, about how much garbage would go to those transfer stations, and what actually happened after that, any resemblance to fact is totally coincidental. We are only at the preface to the real problems we are about to face, if we move forward.

The cost of savings on recycling-- The cost of savings, where it actually has been implemented, where markets have been created for recyclable goods, where we have invested in those markets, where we have invested in recycling-- In every place where that has happened, it would seem to me that

we are not only moving toward solving solid waste problems, but we are saving the taxpayers a lot of money, and we are having a cleaner -- a much cleaner environment.

Mr. Chairman, when I speak to people around the State who call me, I assure them that I have no interest, financial or otherwise, in any alternative, in recycling -- and we will get into that later on, because if you don't think this is trench warfare, then you are mistaken-- But when I speak to the people around this State, Mr. Chairman, about how decisions were made in their counties, political persuasions aside, I have to say, "This is worth a second look. We need to look at the state of the art; we need to look at the financial consequences of what we are doing -- the deferred payments on principal which are going to saddle our taxpayers 5, 10, 15, and 20 years from now, generations unborn."

Are we going to duplicate what the nuclear industry did to this country? We need nuclear power. Don't misunderstand me; don't mistake what I say. But what was done, was to box us into a particular situation, commit us to expenditures of money, only to find out later what the repercussions were, both financially and environmentally. We cannot afford that duplication. We need to stand back. We need to take a look. We do not need to stall the process up to permit time. That bill does not say this. We need an independent study, not by the Department of Environmental Protection. We need an independent study, perhaps by our own Rutgers University. Why do we have public institutions, if we cannot turn to them? We fund them. Why can't we turn to them, and say, "This is the need. We need to review. We need an independent study to find out just where we are at this particular time," and perhaps go into the alternatives. I don't think that is unfair. I don't think that is unjust.

I don't want the Assembly, Mr. Chairman, I don't want my children, to be committed to a policy that is dictated by a

particular segment of industry. I am frightened of that proposal. I am not concerned about the Mafia, Mr. Chairman. I am not concerned about -- unduly concerned about -- the mob in the trash industry. That is for others to investigate. I am concerned about our mob. I am concerned about the shirts and ties who make decisions for people, who don't find out about those decisions until after the bricks and the mortar -- until after the edifice has been built; after transfer stations have been put into communities, which should not have happened. In my beloved County of Passaic, where they put two transfer stations in a city, and the fourth and the fifth in the Fourth Ward of the City of Paterson-- The people didn't even know what was going on until the fourth, fifth, and sixth day after these monstrosities were built. They were promised -- promised -- that at six o'clock they would shut down and, like everything else they were promised, there is no one there to protect those citizens. There is no public advocate there to protect those citizens. And to think, in my own county, that we would even consider building an incinerator of mass burn proportions next to a hospital and two schools, is incredible, but no more incredible, Mr. Chairman, than building a transfer station in a flood plain in the City of Paterson.

Mr. Chairman, there are a lot of things in this whole situation that smell, but we should bring some good from it. We can work together, all of us. We can work together with the Commissioner, who has the expertise and the background. We can work together with the scientists at Rutgers University, and people from both sides of the aisle, finally, to carve a policy.

I am honored to present this bill. I am proud of it, and I do not apologize for one second. Thank you, Mr. Chairman.

ASSEMBLYMAN ROONEY: Thank you, Mr. Pascrell. I am going to go over the order I have, because certain people do have to leave. They asked previously to be heard first. I am going to start with the Commissioner of DEP, Chris Daggett.

The next speaker will be a gentleman from Washington, who has a plane to make. After that, County Executive Bill Mathesius will be third. My Senator -- Senator Cardinale -- also has to leave, and he will be fourth. That will be the order.

A S S E M B L Y M A N L O U I S J. G I L L: Mr. Chairman?

ASSEMBLYMAN ROONEY: Assemblyman, I'm sorry. I have an order. These people requested it before you came in. You are not a sponsor on the bill. I'm sorry to do this, Assemblyman, but you will have to wait.

ASSEMBLYMAN ROCCO: He is a co-sponsor.

ASSEMBLYMAN ROONEY: Not on the bill.

ASSEMBLYMAN ROCCO: He can speak later, though, right, John?

ASSEMBLYMAN ROONEY: He can speak later, no problem.

ASSEMBLYMAN ROCCO: He is a co-sponsor.

ASSEMBLYMAN ROONEY: Rocco, Pascrell, Moran, Rooney, and Spadaro are on the bill. I have to hear these people first. I have committed that I will let them leave. (several Assemblymen speaking at once here; transcriber cannot tell who is speaking)

We will have Commissioner of DEP, Chris Daggett, first. The fifth speaker will be the representative from the BPU, Melissa Margetts.

ASSEMBLYMAN GILL: Would you put me on the list, please?

ASSEMBLYMAN ROONEY: I have you down. I am trying to get those people who have to leave. Then we will go to the legislators. The legislators will follow Senator Cardinale. We will continue for as long as we have time, until they call the quorum call. Twelve o'clock would be the earliest we could have it, but it could possibly be later.

Commissioner Daggett? Why don't you move one of those microphones over to the Commissioner? Commissioner Daggett, Assistant Commissioner Deieso, welcome to our meeting. We are very interested in what you have to say. You're on.

C O M M . C H R I S T O P H E R J . D A G G E T T : Thank you, Mr. Chairman.

ASSEMBLYMAN ROONEY: Congratulations, by the way, Commissioner Daggett.

COMMISSIONER DAGGETT: Thank you.

ASSEMBLYMAN HENDRICKSON: From all of us.

ASSEMBLYMAN ROONEY: From all of us.

COMMISSIONER DAGGETT: Thank you.

ASSEMBLYMAN HENDRICKSON: Even Ocean County.

ASSEMBLYMAN KLINE: Are you getting paid? Did you get your check yet? That's all I want to know.

COMMISSIONER DAGGETT: Thank you, Mr. Chairman. Members of the Committee: I appreciate this opportunity to comment on this bill, which is of tremendous concern to the Department of Environmental Protection. This bill, which the Department opposes, has many components. The first is a study of cumulative air, water supply, water pollution, and land use planning impacts of all resource recovery facilities to be sited in the State of New Jersey. Additionally, this bill would impose a moratorium on the permitting of any such facilities for a one-year period.

I would like to offer comments in two general categories. First, I would like to address the basic underlying assumption expressed in this bill that resource recovery facilities or mass burn incinerators are bad and pose a threat to public health and the environment. This is simply not true.

Secondly, I would like to address how this moratorium would conflict with the goals established by this Legislature and by the administration to make New Jersey self-sufficient in terms of garbage disposal by 1992. A bill which proposes a moratorium on facilities would put New Jersey at serious environmental risk of having no place to dispose of its garbage. I must challenge the assumption of this bill that

resource recovery facilities pose a threat to public health and the environment, and that, in fact, resource recovery technology is unproven and is of questionable value.

Quite the contrary. The Department remains convinced that this technology is environmentally sound, environmentally safe, and can be regulated in a manner that is fully consistent with similar industrial facilities. Far from believing that this technology is unproven, it is proven to be an effective means of solid waste disposal within the United States and many other parts of the world. The Department's design requirements for resource recovery facilities states specifically that a proposed resource recovery facility cannot place a demand on existing physical utilities which exceeds the remaining use. This includes potable and nonpotable water supplies, wastewater/stormwater collection and treatment systems, energy supply and transmission systems, transportation systems, or any other site-related infrastructure. In those cases where additional capacity is needed, it must be supplied through the establishment of new utility systems which will meet the additional demand generated by the construction and operation of this facility. This requirement is also supported by the Environmental and Health Impact Statement, which must be conducted for each facility prior to approval of site, design, or construction.

Cumulative air quality impact studies are already done as part of the air permit review process, if the resource recovery facility has a significant overlapping effect on another facility, other major source, or other types of incinerators. DEP is now requiring the inclusion of small existing incinerators in the cumulative impact assessments.

In addition, we have been discussing with EPA in New York, a broader study of air quality impacts of all existing and proposed sources in the region, in order to make informed decisions that allow continued economic growth and improved air

quality. Based upon the multiple source modeling studies that DEP has conducted, there are no cumulative effects on air quality from resource recovery facilities. We have attached a comparison of the total emissions from all 20 resource recovery facilities, were they to be built, with the total annual statewide emissions. Currently, New Jersey has over 13,600 facilities with air pollution permits. In the extreme, resource recovery facilities will increase this number by 20. When the total emissions of all the State's 13,600 facilities are summed, the emissions from 20 resource recovery facilities represent a very small fraction of overall emissions.

In the area of land use, the Environmental and Health Impact Statement states the present facilities' relationship to any Federal, State, county, or local land use plan for environmental regulations, as well as how the proposed facility will conform or conflict with the land use plan and the mitigation measures proposed to address any potential environmental impact associated with the facility.

I submit that the Department regulations are sufficiently stringent to address the concerns of the proposed legislation. Additionally, the evaluation and analysis required on an individual basis is equally, if not more stringent than evaluating the accumulative impacts. I might add that the majority of our counties have already had to struggle through the siting process, and to their credit, this difficult decision is behind them.

In summary on this point, I would like to note that combustion is not new; that incineration is not new; and that the control technologies for these facilities are not new. They are already well-established and effective, yet are still being improved.

On a somewhat broader issue, this bill implies that somehow, New Jersey is embarking on a new and uncharted course in pursuing and siting resource recovery facilities. Nothing

could be further from the truth. Looking to many of our neighbors and to other countries, we can see that New Jersey is, in fact, well behind the rest of the country, and the rest of the world, in utilizing resource recovery facilities, mass burn incineration, as an option for the safe disposal of waste. Connecticut, a state very much like our own, currently incinerates 60% of its processable waste, and is moving ahead to the goal of 100% of this waste stream within the next three years. Connecticut currently has seven mass burn incinerators and one refuse-derived fuel plant on-line, and an additional four facilities are planned. Connecticut is fully self-sufficient, and does not export any of its solid waste.

Moving now to Massachusetts, a moratorium recently imposed there is cited as an example of why New Jersey should delay the siting of resource recovery facilities. Again, I would offer the following facts: Massachusetts has already sited and constructed eight mass burn incinerators. These incinerators currently handle 50% of the total waste stream. With regard to the current moratorium in Massachusetts, I call your attention to some important facts:

The moratorium was imposed to ensure against the proliferation of mass burn incinerators without other waste disposal operations, specifically recycling. Massachusetts has no formalized source reduction or recycling program in place, and we in New Jersey would concur that Massachusetts' approach is prudent. To delay the development of additional mass burn incinerators until the effects of a recycling program are taken into account, may make sense in the Massachusetts case. However, there is an important distinction. Massachusetts is self-sufficient, and does not export any garbage out of the state, as our State does. Massachusetts does not have mandatory recycling, as New Jersey does.

Let us now turn to our own State. New Jersey exports 55% of its garbage out-of-state. Fifty-five percent of all New

Jersey garbage goes out-of-state. This translates to almost six million tons per year going to such states as Pennsylvania, Ohio, West Virginia, and as far away as Kentucky. This is due largely, in part, to our aggressive program of closing old, environmentally unsound landfills. This measure, however, resulted in a tremendous decrease in landfill capacity over a very short time frame, from 400 landfills 15 years ago, to some nine today. I would also note that of the 55% of the total garbage we export, 80% of that 55% goes to the states of Pennsylvania and Ohio. Both of these states are currently pursuing programs, both legislative and regulatory in nature, designed to close their borders to out-of-state garbage, just as we closed our borders to out-of-state garbage in the 1970s, when we were an importing State.

In the near future, we expect that this will result in a situation in which New Jersey can no longer ship to Ohio or Pennsylvania, the two states that currently take most of our waste. Moreover, other states are not far behind in closing their doors to New Jersey's waste. Recent Federal legislation also addresses this issue of the interstate transport of waste. Relative to our continued reliance on out-of-state disposal of our garbage, we simply do not have the luxury of delaying our necessary actions.

It is apparent that the clock is ticking, and we can no longer depend on out-of-state disposal. We must remain committed to a policy of self-sufficiency by 1992. In this light, the proposed study and moratorium pose tremendous difficulties for this Department, and for the State of New Jersey, in reaching that goal. A one-year moratorium on a proven, environmentally sound, safe technology such as mass burn incineration, could put the State in a crisis situation within the next two years.

First and foremost, the risks associated with not having a place for our garbage pose grave public health and

environmental consequences, and secondly, the costs associated with cleanup and crisis disposal will be even more expensive than current and projected costs. This moratorium, if passed, would impose on those counties planning resource recovery facilities significant increases in costs due to increased financing charges. A one-year delay will cause the costs of these programs -- or projects -- to increase considerably. In Union County, for example, county residents may absorb at least \$50 million in extra costs for the one-year delay this bill imposes. The same situation exists for both Passaic and Bergen Counties.

New Jersey remains committed to a four-prong strategy in dealing with its solid waste: A strategy which relies on source reduction, decreasing the amount of material we generate; recycling, taking what can be taken out of the waste stream and reusing it; resource recovery, of which mass burn incineration is just one technology, and includes mechanical separation and refuse-derived fuels; and finally, continued reliance, where necessary, on safe, state-of-the-art, environmentally sound landfills.

Our critics and the proponents of this bill would have the public believe that New Jersey has picked and chosen only one way of disposing of its solid waste; that we are madly rushing toward mass burn incinerators, oblivious to any other alternatives. Again, the facts speak the truth here. The truth is, we are ahead of other states in areas such as recycling. We have the most aggressive recycling program in the nation, and we are well on our way to meeting the legislatively mandated goal of 25% reduction. However, contrary to what this bill would lead one to believe, we are not ahead of the other states in pursuing resource recovery. Japan, often cited as an example of aggressive recycling, recycles approximately 50% of its waste. This outstanding recycling accomplishment in Japan has not come easily. It has

taken the better part of 20 years to achieve. It should be emphasized, however, that 68% of the solid waste remaining after recycling is incinerated in one of more than 1800 incinerators.

In Sweden, their moratorium on waste-to-energy facilities was lifted after the Swedish government stated that after its review of waste management technologies, no technology compared to waste-to-energy in overall environmental soundness and cost-effectiveness.

The New Jersey Legislature set in motion, with the passage of the Solid Waste Management Act and its amendments, a process by which counties would independently evaluate technologies to handle their own waste. All of the counties have stepped up to this task and faced difficult issues of site selection, technology selection, and technology evaluation, as well as the financing of these facilities, in order to deal with solid waste within their borders. We would do these counties a tremendous disservice by taking this option out of their hands.

To impose a moratorium would essentially penalize them for selecting what is a proven, internationally accepted technology. If this bill becomes law, it will penalize those counties which have responsibly planned and sited facilities. If enacted, counties with existing facilities, such as Gloucester and Ocean Counties, could be forced to accept waste from counties which have been able to handle their own waste, but for the moratorium imposed by this bill.

Finally, I offer one final question: Once this disposal technology is eliminated, what environmentally sound and economically feasible disposal alternative will we have to handle our solid waste? To remove this option when there is no viable alternative will place the State's solid waste future in great jeopardy.

Thank you very much. We would be glad to answer any questions you may have.

ASSEMBLYMAN ROONEY: Thank you, Commissioner. I think I will start off with a question, taking the privilege of the Chair. The Warren incinerator has been one that has been questionable, and we would like an update from the Department as to how that is functioning.

COMMISSIONER DAGGETT: Okay. I will let Don go into the specific details, but basically it had some problems, as you know, with waste flow. It has had a few problems with its ash, in that the amount of ash that was deemed to be hazardous was higher than we had originally anticipated. But, in keeping with the conditions of the permit, those ash residues, once identified as having hazardous components, have been taken properly to landfills that can handle that material.

In addition, we are -- as an aside -- beginning to require all new resource recovery facilities to separate their bottom and fly ashes, because it has been generally the case that the fly ash is more toxic than the bottom ash. In separating them, we think we will significantly reduce, ultimately, the amount of ash that needs to be taken to a hazardous waste landfill for disposal.

They have also had some problems with their air permits. We have brought them in. We have essentially read them the riot act with respect to that, and I tell you here today, I have no qualms whatsoever that if they do not meet the permit conditions in any continued fashion, I will take and do what I can to withdraw that permit, if I have to. I have no qualms about doing that. The important thing is that the technology has been demonstrated. It has been a proven technology in a number of locations. If those facilities are operated in a proper fashion, they will have no environmental impact of a significance that we need to be concerned about.

Don, do you want to go into further specifics on that?

A S S T. C O M M. D O N A L D A. D E I E S O: Thank you, Commissioner. Let me take the opportunity, Mr. Chairman

and members of the Committee, first to draw your attention to three boxes that our folks have--

ASSEMBLYMAN ROONEY: Excuse me. This is Don Deieso, Assistant Commissioner of DEP.

ASSISTANT COMMISSIONER DEIESO: The three boxes you see behind you, are three boxes that represent the application documents for one resource recovery facility. This one happens to be the Passaic resource recovery facility. It is important just to see, and for visual impact to understand, that the cumulative studies, or lack of, that this bill has as its heart, simply is not the case. That is not the Department's action or our response, simply what the applicant provides us as the environmental information that we first evaluate.

On to Warren: The facility, as the Commissioner has noted, has had one main difficulty in the past six months, not enough garbage to burn. The reasons for it: The facility was designed at 400 tons a day. It is receiving today, probably, 300 tons a day. We are 100 tons a day short. The actual reason is, some of the waste is slipping across the border into Pennsylvania legally, and others -- the Hunterdon portion that is being shared into the Warren plant -- has come in less quantities than we had expected.

Warren is under active consideration now with several counties to take their solid waste from them short term, and perhaps to even enter long-term arrangements. This Department is encouraging that -- those business arrangements -- today, as we have in the past.

The ash, for several weeks -- at least nine weeks -- was categorized as hazardous. That is consistent with our permit conditions. New Jersey, quite apart from any other state in the country, required that the ash be tested daily. The next state in stringency requires that ash be tested twice a year. We must understand the difference: We test ash daily. Based on that nine weeks, we classified it hazardous

waste, and it was disposed of appropriately. That cost the county \$58,000 extra per week for that disposal. The county has absorbed that expense, in compliance with the permit conditions.

We are looking now to the cause. I might add an optimistic note: The last two weeks, the ash has not been categorized as hazardous, and it has been disposed of in a standard landfill in Pennsylvania. We think we may have found the cause. That perhaps is an industrial or commercial source. They have stopped bringing the material to the plant.

That is the status, Mr. Chairman.

ASSEMBLYMAN ROONEY: Thank you. I appreciate that answer. Our Vice Chairman will also take his prerogative.

ASSEMBLYMAN HENDRICKSON: I think one of the points that was well brought up by Assemblyman Rocca, was the draw down on water. I have been concerned about the transportation of Pinelands water; the overdraw already in Camden County; the problem of withdrawal down on the Delaware River for the oyster industry. It goes on and on for our farms. In the paper this morning, it says we have salt intrusion in Cape May County, and there may be a moratorium down there. Okay?

I have been an advocate for the last eight years of Tocks Island. Every time I talk about that, I am told absolutely no from an awful lot of people. It's ridiculous. We should have leadership. I believe we have to start saving the surface water, and eliminate, as much as we can, the draw down on the aquifers. What will we do now with the tremendous amount of water?

COMMISSIONER DAGGETT: The amount of water -- and again, I will let Dr. Deieso go into the specific details-- It is a non-consumptive use of that water. There is not the kind of problem as outlined by Assemblyman Rocco in his comments. I will let Dr. Deieso go into the details.

ASSISTANT COMMISSIONER DEIESO: Thank you, Commissioner. Assemblyman, the water isn't used up in these plants. It is not like taking water and converting it into a chemical and having it used. This water is taken for cooling purposes, and in a matter of seconds through the plant, is placed back in the stream or back into the aquifer. It is not being consumed, nor is it in the order, if we looked at consumptive use, of the millions of gallons that have been alluded to, and misrepresented.

The fact is, the consumptive use of these plants is measured in less than 100,000 gallons a day, what 15 or 30 homes in a community would consume.

ASSEMBLYMAN ROCCO: Can I get that on the record? You're saying that every plant -- every plant-- I know that Gloucester does, and some of the others. But, you're saying now that every plant puts the water back in, almost in the same amount that it came out?

ASSISTANT COMMISSIONER DEIESO: Assemblyman, these plants do not consume water. They take it to cool. Whether they take it out of the groundwater or they take it from the river, the water is put back again. The difference is, they consume, perhaps, 100,000 gallons, or thereabouts, per day.

ASSEMBLYMAN ROCCO: Dr. Deieso, the question is very simple. Don't give me a lot of bureaucratic three boxes--

ASSISTANT COMMISSIONER DEIESO: It is not bureaucratic, Assemblyman. It has been the science of it.

ASSEMBLYMAN ROONEY: Mr. Rocco and Dr. Deieso, please, through the Chair.

ASSEMBLYMAN HENDRICKSON: I didn't mean to--

ASSEMBLYMAN ROCCO: That is an important question. I don't think you ought to get off without answering the direct question.

ASSEMBLYMAN ROONEY: Please, Dr. Rocco and Dr. Deieso, I appreciate your doctorates, but I think on this particular issue I may be a little more expert than both of you.

ASSEMBLYMAN ROCCO: You probably are.

ASSEMBLYMAN ROONEY: The steam turbines that are required in these plants to generate energy need water to convert to steam. A lot of the steam is returned. There is some evaporation. It does go up the stack. There is a percentage. Now, I know Dr. Deieso is incorrect when he says that one plant would consume 100,000 gallons, for the simple reason that the size of that plant, the size of the turbines, would determine how much steam is necessary. The larger the turbine, the more the water. In Bergen County, we are going to have approximately two 45-megawatt turbines. You're talking about a major consumption of water. It might be a million gallons of water a day, but--

ASSISTANT COMMISSIONER DEIESO: Mr. Chairman, I will deliver to this Committee, facility by facility, the consumptive use of water and cooling water.

ASSEMBLYMAN ROONEY: That's a good idea. The cooling water for the turbines.

ASSISTANT COMMISSIONER DEIESO: I draw on your background, though, and I just-- I bring to fact that those turbines, and that water, is a closed cycle.

ASSEMBLYMAN ROONEY: You're correct. It is a closed loop. The cooling water is to take it -- the return.

ASSISTANT COMMISSIONER DEIESO: Correct. Once that--

ASSEMBLYMAN ROCCO: Pennsauken went to that; I don't believe Camden did.

ASSISTANT COMMISSIONER DEIESO: It's a common design, Mr. Chairman.

ASSEMBLYMAN ROONEY: I believe the technical aspects can be covered later. We'll get that on the record for your benefit.

ASSEMBLYMAN HENDRICKSON: Do you have the power at this time to revoke mass burn permits, or will you need legislation -- if they are violating the health, safety, and welfare of people in any way?

COMMISSIONER DAGGETT: If they do not meet the permit conditions, we can, indeed, revoke the permit, if we deem it--

ASSEMBLYMAN HENDRICKSON: Do you have the power today to revoke if anything in that plant may be harmful to the people?

COMMISSIONER DAGGETT: If we deem it appropriate, we can revoke the permit, yes.

ASSEMBLYMAN HENDRICKSON: Thank you.

ASSEMBLYMAN ROONEY: Assemblyman Hudak?

ASSEMBLYMAN HUDAK: Mr. Daggett, I have a hypothetical question. This has been asked of me many times, and I think it is a good question. What will happen if next week the State of New Jersey cannot dispose of its waste in any other state? What would be the scenario? What would DEP do?

COMMISSIONER DAGGETT: The scenario is, very quickly we would have garbage in the streets, first of all, piling up, because people wouldn't be able to collect it. I would then have the Governor declare-- I believe it is the formal process. The Governor would declare a state of emergency, which in turn would give me very broad authority to redirect waste flow. I would very quickly redirect that waste flow from whatever county is using an out-of-state option, to counties like Ocean County, frankly, which has a state-of-the-art landfill. It would be receiving much of the State's waste, and then I would have to deal with Assemblyman Hendrickson and several other people. But the fact is, I have that authority and, frankly, I would exercise it, despite the cries from Ocean County, or any other county that has a state-of-the-art landfill, because it would be a choice between doing that, and allowing garbage to pile up on the streets, which would quickly, as you know, become a health hazard, as well as an environmental hazard.

ASSEMBLYMAN HUDAK: I think your predecessor mentioned, on at least one occasion that I remember, that he

would open some landfills that are now closed, and that there would be approximately 50 to 70 landfills that could be utilized in that situation. Is that a fact?

COMMISSIONER DAGGETT: We have been taking a look at the landfills that are closed as to whether, under an emergency situation, they might be reopened. But I'll tell you, my first options are going to be, more than likely, to take it to facilities that have state-of-the-art controls. I am going to try to do what is most environmentally sound.

ASSEMBLYMAN HUDAK: I understand that, but you know, and I know, that at some point, you will have to make a determination about whether you are going to have to open up some other landfills.

COMMISSIONER DAGGETT: That is correct.

ASSEMBLYMAN HUDAK: And if you do-- The question that is being posed to many of us, as legislators, by our constituents, is, why don't we open up some of those landfills now? We are in a very serious financial crisis statewide. Why can't we open up some of them?

COMMISSIONER DAGGETT: We closed them originally because they were environmentally unsound. They did not have state-of-the-art controls. They did not have the kinds of mechanisms in place that we felt would give us sound environmental safeguards. So, we have been taking a look at that and, as I said, under an emergency situation, we would, indeed, reopen them if we had to. But believe me, I-- You know, we're running around trying to--

ASSEMBLYMAN HUDAK: I understand.

COMMISSIONER DAGGETT: We close one set of landfills, and then we are asked to open them again.

ASSEMBLYMAN HUDAK: The thing is, several years ago, we were paying \$14 a ton to get rid of our garbage. Now we are paying \$136 a ton in Union County.

COMMISSIONER DAGGETT: That is correct.

ASSEMBLYMAN HUDAK: That cost imposed on our homeowners, and the people who rent, has driven the cost of living up and has increased the taxes -- the real property taxes -- to a degree where many of our senior citizens can't afford to live in their own homes, which they lived in for 30 or 40 years. Primarily, a very big cause of that, is the increased cost of getting rid of garbage. The City of Elizabeth went from \$4 million to \$16 million.

COMMISSIONER DAGGETT: I understand that.

ASSEMBLYMAN HUDAK: That city is facing a \$38 million shortfall. Half of that is because of getting rid of the garbage the way we are told to do so. That is the problem we are facing in our larger cities.

What we're asking is: Why can't we take a look at opening up some of the landfills, until our resource recoveries -- if they ever do -- come on-line? There is a major crisis that is facing this State today, and that is a shortfall of money.

COMMISSIONER DAGGETT: I'm still going to take the waste, as long as I can, to as environmentally sound locations as possible.

ASSEMBLYMAN HUDAK: I understand that, yes.

COMMISSIONER DAGGETT: If we can open up some facilities for some reason, we will take a look at it. However, in the end, I think the costs associated with -- that you are talking about with garbage-- The best chance we have to level off the prices that have, indeed, been escalating very rapidly, is to get in place a self-sufficient system in New Jersey, so that we can begin to get some of that leveling. The out-of-state costs are going up and up and up and up very rapidly.

In addition, the old landfills, themselves, are going to cost, in our estimation, some \$1.5 billion to close properly. So the costs are not over yet, even on the landfills

that we have closed. Environmental protection is not a cheap business.

ASSEMBLYMAN HUDAK: I understand that. I want to pose the same question that has been posed to me: If you already have contaminated sites, and we are paying \$136 a ton to get rid of our garbage now out-of-state, why couldn't we use a good portion of that money, continue dumping in some of our contaminated dumps -- take a good portion of that \$136 a ton, and later on when you do close them, put that money aside, and clean them up at that point? These are questions that are being posed to me, and I would like to pose that question to you.

COMMISSIONER DAGGETT: Yes, I understand. I don't think that we in DEP should be in the business of making a bad problem worse; piling additional waste on a landfill that we already know has a problem, and taking the chance that we will further spread the contamination associated with that facility. So, I would be very reluctant to move toward reopening a facility on the grounds that we would later clean up the whole thing, in a broader area.

ASSEMBLYMAN ROONEY: Assemblyman Duch?

ASSEMBLYMAN DUCH: I would like to follow-up on the question before regarding water usage. You made a statement that when the water is taken out-- For example, the question asked by Assemblyman Hendrickson was: "If the water is taken out of an aquifer, is it returned?" Is it returned to the aquifer? Is that what you're telling me?

ASSISTANT COMMISSIONER DEIESO: For each of the designs -- and I will give you plant by plant, Assemblyman -- in this State, we have proposed exactly where the water is withdrawn, where it will be replaced, how much is used, and how much is just passed through for cooling. In general, the numbers I have given you are not going to be wrong. That million gallons is not used by the plant. It is borrowed for a

few minutes for cooling, and then replaced to where it was taken.

ASSEMBLYMAN DUCH: Okay. When this water is returned, let's say, for example, to a stream or to a river -- and I guess there are some situations like that -- what about thermal pollution? Is there any thermal pollution created, and has that been addressed?

ASSISTANT COMMISSIONER DEIESO: Thermal pollution and chlorine are the two issues that may contaminate, or the two parameters that may be of concern to us in the cooling water, and we attach permit conditions on both. They are entitled to add only so much heat per gallon, and they are entitled to add so much chlorine per gallon. Both of those parameters, both heat and chlorine, are set in a way that it will not hurt the stream or the aquifer.

ASSEMBLYMAN HENDRICKSON: There is a filter in it, is there not?

ASSISTANT COMMISSIONER DEIESO: This cooling water does not come in contact with anything. It comes in contact with the heat exchanger only. So, it comes in contact with a metal surface, just before it enters, to keep bacterial growth down.

ASSEMBLYMAN ROONEY: Excuse me, Don Deieso.

ASSISTANT COMMISSIONER DEIESO: Yes?

ASSEMBLYMAN ROONEY: I know you have a hoarse throat. I spoke to you yesterday. If you could speak as loudly as you possibly can-- We have turned the air conditioner off again, because that seems to be interfering. We have tried to get the police to quiet the people outside down (referring to people demonstrating outside the State House Annex building), but to no avail. I apologize. I know the transcription is not going to be too clear because of the background noise. So, please bear with us.

ASSISTANT COMMISSIONER DEIESO: Okay.

ASSEMBLYMAN ROONEY: It is very important testimony, and we would like to have everyone hear it.

ASSEMBLYMAN DUCH: I thank you for that answer. I would like to follow that up, and ask the question: In these resource recovery facilities, I guess at various points you wash down the facilities, and there are some liquid wastes that are created. Do we make provisions for single containment facilities or double containment facilities in the construction of these plants?

ASSISTANT COMMISSIONER DEIESO: There is a wastewater, for certain. That wastewater from hosing down the tipping floor, typically and in other portions of the plant, is sewered. That wastewater is sewered and sent to the sewage treatment plants servicing those areas, for proper disposal and treatment.

ASSEMBLYMAN DUCH: Okay. In line with that -- following that up -- will the waste discharge-- Will they comply with the requirements of the Clean Water Enforcement Act, A-3831, which is presently being considered by the General Assembly?

COMMISSIONER DAGGETT: That Act has not been passed through the Legislature. That Act has changed frequently over the debate. I don't know whether we can answer that question specifically at this point.

ASSEMBLYMAN DUCH: Okay. If the Act passes as it is presently written, would we be able to comply with the terms of the Clean Water Enforcement Act?

ASSISTANT COMMISSIONER DEIESO: Assemblyman, the permit conditions we impose today on the thousands of facilities in our State are set with numbers. That Act does not set numbers. It does not specify how much of chemical "A" or chemical "B." So the question you ask, could these facilities -- if that were to become law -- could they comply? They, like all of the others, would have to, if that were the law of the State.

ASSEMBLYMAN DUCH: Okay. You made a statement before, Commissioner, about the technology having been proven. Proven by whom, the EPA, by some higher source? I bring that question up only because the study mentioned by Dr. Rocco indicates that there is a fallout radius of approximately 31 miles. I would ask that if, in fact, there were no danger, why would we be concerned with establishing how far the fallout radius is?

COMMISSIONER DAGGETT: I didn't say that there was no pollution whatsoever coming from a resource recovery facility. It is a proven technology in a number of different ways. Primarily, it can significantly reduce large quantities of material on a day-to-day basis, day in and day out. And frankly, despite what you have heard from many people, we have no proven technology, other than that and possibly refuse-derived fuel facilities, which can reduce the volume of waste to the levels that we need to in this State, when we are talking about 2000 tons a day at some facilities, 1000 tons a day, and even 400 tons a day at Warren County, which is a relatively small facility. The ORFA facility, which has been promoted by a number of people, in Philadelphia, can handle, at the moment, 50 tons a day, and frankly that plant has been down since December. It has not worked. An ORFA facility in Sweden, I believe, is one ton a day. We're talking about huge quantities of garbage that every single day have to be able to be handled, and the only technology that has been proven, to date, to handle that, has been mass burn incineration facilities.

ASSEMBLYMAN DUCH: Okay. So this is the best technology that exists to date.

COMMISSIONER DAGGETT: That is correct.

ASSEMBLYMAN DUCH: Now, a follow-up question to that would be: What is the effect -- the cumulative effect -- which is a question that both of the Assemblymen have asked-- I see that you addressed the cumulative effect of each and every

facility on its particular neighborhood. What is the cumulative effect of all these facilities upon the entire State of New Jersey? That is what my question would be. And I want to talk about air, water, land use impact, but also the greenhouse effect. What effect will all of these facilities have? A conference is being held -- it started this week -- on the greenhouse effect, on Planet Earth, and the future of our existence. Could you respond to that?

ASSISTANT COMMISSIONER DEIESO: First, on the global-- That conference in New York City, Assemblyman, as you know, we are co-sponsoring. It is our commitment to understanding the issue. It is not a new one; it is one that goes back 15 years. Carbon dioxide is the emission that is of concern in the greenhouse effect. Every source of combustion produces carbon dioxide. The overwhelming majority of it comes from utility boilers, fossil-fired plants. Our automobiles -- as you correctly note -- are number two. As a source of carbon dioxide, if we were to have 20 resource recovery facilities in this State, it wouldn't surprise me if it were one-half of 1%, if that, of the total amount of carbon dioxide we produce.

So, I pose the question to you this way: If we were to stop and cancel 20 resource recovery facilities, would the fate of the greenhouse effect, or global warming be changed? The answer, resoundingly, is no. We've got a lot of work to do on it. That is precisely the reason for the conference and the other things we are going to take on.

The cumulative effect question you asked-- Allow me to respond to that. First, as the Commissioner noted in his testimony, of the 13,000 industrial sources in our State which we have issued air permits to, if we were to build 20 resource recovery plants in our State, those 20 resource recovery plants would be responsible for one-half of 1% of particulates, compared to the 13,000; two-tenths of 1% of volatile organic substances; three-tenths of 1% of carbon monoxide; 5% of

nitrogen oxides. So, the picture that emerges when you take a look at this cumulative is, for most of those parameters, less than 1%, if we were to build 20 of them in our State, when compared to all of our other sources.

So we must understand that these incinerators, when viewed in the context of the whole State and all of its emissions, are minuscule.

COMMISSIONER DAGGETT: Let me piggyback on that for a minute. There is no question that we are a State that is in non-attainment for certain air quality parameters, and we have had concerns about that. We don't deny that at all. Frankly, it would do us good to continue to look at that question. We have had an ongoing study, for example, that I actually started when I was at EPA in the Regional Office in New York, of air quality over Staten Island, that is associated with releases from the Union County and Middlesex County area of New Jersey. That study is beginning to give us some very good information about air quality in that area. We ought to continue to conduct studies like that on overall air quality, not picking, necessarily, any one source over any other. Once we begin to get better information through the actual collection of data about our air quality, that will allow us to begin to address all sources and whether, for example, we need to crank down on our permit levels, generally speaking, as opposed to picking out resource recovery facilities. For me to stop with the resource recovery facilities as they are now planned, I may create another major environmental problem of not being able to handle the waste.

We are not in a business where you don't have any risks associated with these things. It is a balancing question all the time. So, I would completely subscribe to the idea that we've got to continue research. We've got to continue to look at the issue of air quality, and develop ways to understand how we would reduce overall emissions. That does

not mean that we would need a moratorium on something in the meantime, particularly given the kinds of numbers that Dr. Deieso just mentioned with respect to the overall emission load from 20 resource recovery facilities.

ASSEMBLYMAN DUCH: Okay. Can you say to me, as the Commissioner, as the protector of our environment, that unequivocally these 20 locations are the best that the State of New Jersey can have? Can we say this is the best siting procedure? In other words, should there be 15, should there be 10, or do we need 20, and is this siting appropriate?

COMMISSIONER DAGGETT: Those sitings are as reasonable as any other we might come up with, frankly. I don't see that there is anything associated with how those were sited that raise in our minds any significant concern with respect to these. Now, whether or not you want to reduce the number-- That is something that we have encouraged all along, in terms of-- You talk about regionalization. We have nothing against regionalization. We have said all along, fine, but we have also said it has to be done within the context of the deadlines we have set.

Now, if you recall, when the Solid Waste Management Act was first put into place in 1970, the concept of regionalization--

ASSEMBLYMAN DUCH: I was in high school.

COMMISSIONER DAGGETT: You were in high school? Okay. I can't say I was here either, but--

ASSEMBLYMAN HENDRICKSON: Unfortunately.

COMMISSIONER DAGGETT: That's right. In 1970, there was great talk about regionalization, and the final debate ended up saying that regions were counties. So, there was regionalization. It was just done along county lines. And now, to go beyond county lines is fine by me. I would have no problem. If you tell me that you want to reduce these by half because you can get counties to enter into arrangements, so be

it. But I still say, we've got to do it within the time frames we have set, because without those we don't know whether or not we are going to have the clock strike midnight, and we are suddenly going to be without options out-of-state to dispose of the waste, while we construct all of these new facilities.

ASSEMBLYMAN DUCH: One final question: You know, I never experienced the war, but I heard about it. I heard that during the war, we recycled everything.

COMMISSIONER DAGGETT: Which war?

ASSEMBLYMAN DUCH: World War II. We saved everything.

ASSEMBLYMAN HENDRICKSON: He's talking about the big war -- the big war.

ASSEMBLYMAN KLINE: That was World War I, wasn't it?

ASSEMBLYMAN DUCH: We saved everything. Now, I have a question, very very seriously, because we talked about the inability to feed all of these plants. Maybe we should be looking at, and encouraging the same kind of recycling that took place during the war; the same kind of "preserve our environment" idea.

I have a question: Is that feasible? Is that an appropriate countermeasure? Maybe that would lessen the need for as many of these plants.

COMMISSIONER DAGGETT: First of all, I totally subscribe to that kind of an approach -- the concept that you express. I would say, let's set a higher goal. Let's go for 50% by the year 2000, or something like that. Whatever number you want to pick, I will be first in line to help you move toward it. But I still say to you that if we got to that level, we would still have 50% that we would have to do something else with, and that would likely lead to some form of reduction of that waste flow by either incineration or, at that time, new technology, or whatever. But I don't think we have the luxury to wait until the year 2000 before we begin to do that.

ASSEMBLYMAN DUCH: Thank you.

ASSEMBLYMAN ROONEY: Thank you. Commissioner Daggett, there is one thing I would just like to add to that. Each county had the option of where they would site. They held all the public hearings. They were the ones responsible for siting, not DEP.

COMMISSIONER DAGGETT: That is correct.

ASSEMBLYMAN ROONEY: Each county had a right to go and decide which course they were going to take, as far as disposing of their waste, whether it was resource recovery, whether it was -- whatever the plan was.

COMMISSIONER DAGGETT: Including regionalization.

ASSEMBLYMAN ROONEY: Including regionalization. The problems that we have confronted over and over again -- the NIMBY syndrome, where it is "Not In My Back Yard" as far as siting. Also, when you talk about regionalization, the problem comes up-- One county says, "They are not going to put their trash in my county, or in my back yard." That is one of the problems -- and I have to lay it out on this table today -- that is not the responsibility of DEP. Maybe it should have been. Maybe the State of New Jersey should have told DEP, "You are in charge of siting," and given you that authority to go in and tell the counties where to put it, and when to put it, and not have had the delays we had.

COMMISSIONER DAGGETT: No, I think the Legislature was very wise, in this instance, thank you. (laughter)

ASSEMBLYMAN ROONEY: I'm not too sure of that.

ASSEMBLYMAN PASCRELL: Before the Commissioner leaves, may I just ask him-- In the continuation of these hearings on the bill, I would hope that your Department would be available, because I intend to go into, very specifically, the Union County application -- the process -- and the Passaic County process.

ASSEMBLYMAN ROCCO: What was that? (crowd of demonstrators outside breaking balloons at this point)

COMMISSIONER DAGGETT: Those are our people.

ASSEMBLYMAN ROCCO: They're firing on our position.

COMMISSIONER DAGGETT: Let me just underscore that the Department will be available for any of those kinds of discussions. We will make available to you any information you want with respect to our own research, our own permit activity. Whatever aspect of this that you want to look into, we will supply you with the information. It is probably best to do it, in some cases, literally in our offices, but we will do it.

ASSEMBLYMAN ROONEY: I sent Suzi Chichester, my aide, down to find out about the quorum call. As soon as we find out that we have to go down, we will then break. But we are going to stay as long as possible, and take as much testimony as possible, depending on what happens with the board list.

ASSEMBLYMAN ROCCO: Dr. Deieso, we do need the cumulative effect of the impact on the State. If you have that available, I would like to see it. I am concerned about bankrupting the cities, because I think when these townships that are now paying \$65 and \$70 a ton jump to \$90 and \$100 a ton, they are going to be paying \$1 million, \$2 million more, and they are going to go under. I have great concern about that in the future. The far end is much more expensive than the near end.

ORFA was mentioned. I, personally, didn't mention it, but I can tell you that ORFA is up and operating. We just called. They are doing 400 tons per day, and all of you are invited to visit the plant and see it in operation. It is up and operating, and you can observe for yourself.

I can also say that Chris Daggett inherited this situation from Dick Dewling. He can't say it, but I can say it. He will probably get angry at me for saying it, but he

inherited this situation. They are into incineration so far now that it is up to here. Do you know what I mean? And they are trying to live with it as best they can. Chris has been more open and more willing to meet and discuss it and look at it, than at any other time in the 10 years I have been in the Legislature. I really appreciate that. We have been able to get data that we have never been able to get before.

ASSEMBLYMAN HENDRICKSON: Let me just second that, John, because we have had a lot of problems in Ocean County, not just with mass burn, but with DEP. I know that our association with Dr. Deieso has been along those lines, and we look forward to working with you, Commissioner, rather than being at swords all the time, which we are all tired of.

ASSEMBLYMAN ROONEY: We have a gentlemen who has a plane to catch, so we would like to get him on to testify -- Mr. Neil Seldman, Institute for Local Self-Reliance, Washington, D.C.

ASSEMBLYMAN KLINE: I just want you to reassure us that you will get back when we have more Committee meetings. How far are the 20 along? Are there some that are--

COMMISSIONER DAGGETT: We can give you all of that information, exactly where everybody is in the process.

ASSEMBLYMAN KLINE: That's what I want to know. In other words, who has picked a site? Who is doing bonding? That way I will know who is going to get hurt, where, when, and how. I would like to have that information.

COMMISSIONER DAGGETT: Yes, we can give you all of that information.

ASSEMBLYMAN HENDRICKSON: The Dr. Wei report from the University of California at Berkeley, that we used in A-1778, where he made the study on the air emissions-- He doesn't want it published, but I think we ought to start having that -- Dr. Wei -- from out through your Department some time ago, along with the hearings on A-1778.

ASSISTANT COMMISSIONER DEIESO: Okay.

ASSEMBLYMAN HENDRICKSON: Doctor, I have it in my office, but it says that you can't publish it.

ASSEMBLYMAN ROONEY: Let's hear from Mr. Seldman.

COMMISSIONER DAGGETT: Thank you.

ASSEMBLYMAN HUDAK: Chris, the New York study-- Can we get a copy of that?

COMMISSIONER DAGGETT: That is not completed yet. They are in about the second or third year.

ASSEMBLYMAN ROONEY: Please, let's eliminate the side comments, and get back on the record with Mr. Seldman. We have limited time available. As I said, we will probably continue this meeting later. I will get a date out as soon as possible -- as soon as I can consult with the Committee members.

Mr. Seldman?

D R. N E I L S E L D M A N: For the record, I am Dr. Neil Seldman. I am Director of Waste Utilization, Institute for Local Self-Reliance, Washington, D.C. You may call me Mister. My father taught me, "As long as they don't call you late for dinner, you're all set." I don't mind. I have been involved in solid waste management in the State since 1976. Most recently, my staff engineers produced a report on Union County, which I will distribute some literature on. In three weeks, we will be completing and distributing our report on Atlantic County, New Jersey.

I will be as brief as possible. I understand the pressure of time. Let me go to the heart of some of these matters. Unlike some of my colleagues who think mass burn is the wrong idea, my comments will deal with the economic impact. I am a businessman -- I was a businessman. I retired. I was also a university professor. I retired from that when I started the Institute. Let me make it very graphic: Austin, Texas cancelled the plant after incineration started. It cost them \$23 million. They did it because two

businessmen won elections and became city councilmen, and switched the vote, because when they looked at the economic analysis of the plant, they determined, with the assistance of data provided by my organization, as well as many others, that they would save, over a 20-year period, at least \$150 million, if they were to use proven technologies.

The question of proven technologies is a fascinating one. I know everybody is fixed on ORFA. I want to point out that ORFA may well soon be a proven technology, but at this point, it is not. I consider a proven technology one that has been on-line for more than a year. There are at least 24 other manufacturers or firms that have technologies similar to ORFA. So whether ORFA is a success or not, it has no bearing on what is viable technology. I want to make that very clear.

The Chairman started off his comments-- I want to commend him on his comments, first of all. I think it is the type of level-headedness that the people in this State require. I just want to point out that he did mention that there was a problem. If we don't do this mass burn, the costs will be too high. In fact, the previous speakers indicated that mass burn is a way of leveling costs. This is not true, and the record proves it. In fact, if you were to plot out, over the last few years, the cost of mass burn and the cost of recycling -- I include composting and processing as recycling -- you would see something that looks like a scissor, with the cost of recycling processing going like that (demonstrates) and the cost of mass incineration going like this. I refer to it as the scissors crisis of the mass burn industry.

I also want to point out that key industrial firms that are vendors in the mass burn industry, are now abandoning mass burn. You can talk to the people at Westinghouse; you can talk to the people at Wheelabrator. They are no longer pushing mass burn technology, because their own power engineers and their own licensees in Europe have told them that they have to

get away from mass burn. You can read this in the trade journals. You don't have to take my word for it. You can call the executives of these corporations.

The key thing is, everyone seems to think that if you cancel mass burn, then there is nowhere to put the garbage. I heard people say that garbage will build up in the street. That is probably true if you cancel mass burn and don't do anything else. But you also have to understand that when people in the State say, "We are doing source reduction, we're doing recycling, we're doing mass burn," etc., it is true in only the most technical sense of the words they are using.

I calculated that you are going to have to pay no less than \$2 trillion to pay for just the capital costs of mass burn alone in this State, no less the operating costs. I cannot give you operating costs, because right now they are moving up at a 45 degree angle. If I wait until tomorrow, those costs will be higher on mass burn, including ash disposal.

The point is, you have not made an investment in recycling. You have made an investment in recycling that is less than 1% of your total solid waste management budget. Now, technically it's true. You have done something on recycling, but let's face it, we have to talk about comparable investments. You are talking about mass burn plants that will take three to four years to come on-line, if there are no lawsuits; if there are no political pressures put on you gentlemen and ladies who are representing your local communities. It will take you, based on my calculations, and based on what is going on in Seattle right now, and in other cities in New Jersey right now-- It will take you two to three years to come on-line with the technology and the institutional changes to recycle 50% of your waste. Two years it will take you to do that.

So, if you put your moratorium on, and switch your investment-- I will tell you how to do it; it's written in our

technical reports. I will not take the time, but it is a known science. Let me tell you something else about compatibility. I also heard today, if we recycle 50%, what are we going to do with the next 50%? The point of the matter is, if you think that you can build a mass burn plant -- recycle 50% and put the other 50% in a mass burn plant, you are going to get a very rude awakening. Once you recycle 50%, you have taken out 80% of the BTU value of the waste stream, and you will be trying real hard to squeeze a BTU out of a rotten tomato.

And let me tell you something else: Someone mentioned this processing. RDF processing may work. I am not a fan of RDF. You can read my technical documents, if you want to get into detail. Again, I won't take your time. In three reports that no one else has ever replicated -- rather no one else has ever done-- My institution did the technical, economic, and performance analysis of more than 70 plants -- mass burn RDF plants -- in Europe and the United States. These are published materials. They have been peer reviewed, and so on and so forth. You can review them.

Let me tell you, once you recycle and process, and then put it into a mass burn plant, what you have done is, you have taken a sledge hammer to kill a fly, because in the last five years, the development of boiler technology is so sophisticated, that what you're doing is taking a mass burn boiler, which is the lowest common denominator of burning something. It is designed to burn the least beneficial fuel. Literally every second you get a piece of banana; you get a piece of glass; you get a piece of metal. The only way they could do that was to build a boiler that is basically the most inefficient way to get energy out of any fuel, no less garbage.

So, once you do your recycling, and once you do your processing, if you feed the residue into a mass burn boiler, you are literally buying a sledge hammer to kill a fly. And the cost of the more efficient boilers is one-third the cost of

the mass burn boilers. Their efficiency is one-third higher, and the pollution is 85% to 90% lower, using sophisticated, modern incineration units, if you need them. I am not convinced that you do.

I want to point out that it is not only carbon dioxide that is destroying the ozone and other layers. It is acid gas; it is hydrochloric acid -- NOX. Rather, that is oxides of nitrogen and sulfur dioxide. There is no need to build any new incinerators. This State has enough existing coal-fired boilers to feed in processed waste, if you have to do that. I know everyone is going to talk about the Atlantic County or Cape May plant where they tried it. They tried it under very certain circumstances. For example, when you use this type of new technology, you have to adjust the air flows in and out of the boiler. It just so happened that the air flow control mechanism on the plant down in Atlantic Energy (sic) was broken when they did this test.

The other thing is -- and I don't know how technical you want to get -- you feed the waste in slowly. You build up from 5% to 20%. They started right away with 20%, so it was a phony study, and the results, if you would talk to the technicians who did it, will tell you that. You have enough existing capacity to burn the garbage if it is recycled and processed, if you want to. It will also reduce your emissions coming from the coal plant, because good RDF will reduce sulfur and other emissions.

Again, I am not recommending RDF, and I will tell you why. Refuse-derived fuel is paper. It is only a fuel if you want to burn it. If you want to recycle it as paper fiber, then you can recycle it as paper fiber.

And I want to say one other thing: I am a businessman. I quit running factories in Jersey and Brooklyn years ago because I felt I wanted to do something else with my life. I wanted to help to improve, not the environment --

because I am not an environmentalist-- I grew up in Brooklyn, and I saw what happened to Brooklyn when ghettos started forming, and when generation upon generation of low-income people and racial minorities were subjected to uncivilized conditions. If you start to recycle, my expertise is to bring in plants -- manufacturing plants -- that take the old material, the plastic, including Styrofoam, which is now recyclable, and other types of plastic and metal and compost and so forth, and create jobs. The way I do it is, when I bring in a private investor who has done this before, I say to him: "I'll help you build a plant in Philadelphia. I'll help you build a plant in Newark, or Camden," or wherever we need these things, "if you give a piece of the action to the community groups," and I don't mean jobs -- although jobs are good because they are paying \$8, \$9, \$10 an hour -- but equity, ownership. That is why your garbage problem is not an environmental problem; it is an economic problem.

You have the raw material flow your State, literally through your hands, because garbage does not become garbage unless people touch it first and put it someplace. Those raw materials are the salvation for New Jersey's ghettos, and God knows we need something to happen. The capital investment that you folks are pouring out to burn garbage-- If you would take one-third of it and invest it in materials processing and manufacturing, you would not only solve your garbage problem, you would start revitalizing your inner cities. In fact, there is a book from my organization coming out next month, called, "Salvaging the Future: Waste Based Manufacturing." What we have done is, we have taken glass and plastic and paper and organic material, etc. and showed at each step of the processing and manufacturing stage the level of jobs it created; the level of economic profit; the level of taxes that are created. This is why it is not good enough to recycle. It won't help you too much to recycle and ship your stuff to

Japan, as is now happening. Why ship the jobs and the profits to Japan or Korea or Taiwan, or wherever they are going? We need those here in New Jersey.

I know I am a "foreigner" because I am from Washington, D.C. I have lived there for 20 years. But I have probably spent more time in New Jersey than many people in this room, because I live in Brooklyn, too, and I go back and forth and I stop all the time in-between. I know what is happening in New Jersey, and I know what the tax base in Camden County is like. I know what the tax base in Rahway is like, and the other cities that are dying in this State. I don't mean any offense, because I live in a city, also -- Washington, D.C. -- that is dying because of all the crap that is going on.

What I am saying is, there is a way out. It is not a quick-fix technology way out. It is not a big investment in a mass burn plant. It is a diversified investment over an array of technologies to bring in entrepreneurs and investors and technologists, and to educate people.

I'll tell you something else, and this is the last point I will make, although I could make many more: People think that we are going to have to wait a generation to get our young people to recycle. It's just not true. Washington, D.C. is a city/state that has mandatory seat belts in cars. I'm sure New Jersey is, too. I cannot get in my car and drive away if I don't put my seat belt on, if my kid is in that car. If you get your kid a recycling program in day-care or in first or second grade, that same phenomenon is going to take place immediately. When your kid sees you putting a bottle of plastic or glass in the garbage can, you are not going to be able to deal with it, and you are going to start recycling.

Now, I did say I would stop, and I will. All I'm saying is, let's use common sense and make an investment. Let's use the same investment-- Let's lower that investment because we don't need it, but let's use the same investment not

only to solve the garbage crisis, but to solve the crisis of our cities.

Thank you very much for your time. I know you are busy. (applause)

ASSEMBLYMAN ROONEY: Please, no applause.

ASSEMBLYMAN HENDRICKSON: Just real quickly, I have listened to all of this in amazement. Okay? Unfortunately, I guess we just don't get enough information. For myself, I would like to have your resume and background. We listen to an awful lot of people, and we hear an awful lot of words said. I would like to know, you know, with all of your background and just what we listened to, how you are going to approach it and how you are going to solve it -- to see it in black and white, where you've been and where those plants are.

ASSEMBLYMAN ROONEY: Through the Chair, please. Dr. Seldman is here as Mr. Rocco's invited guest. We put him on early in the program because Mr. Rocco requested it. Yes, that would be pertinent, to have your resume, but at a later date, if you would submit that.

DR. SELDMAN: Fine.

ASSEMBLYMAN ROONEY: I don't think we want to take any more questions at this time.

ASSEMBLYMAN PASCRELL: I just want to make a statement, not ask a question.

ASSEMBLYMAN ROONEY: Okay, you may make a statement. County Executive Mathesius will be next.

ASSEMBLYMAN PASCRELL: I have read through this young man's biography, and I have read through all of what they did, particularly on Union County. I am shocked by what I read. The report was just presented in February, I believe, of 1989. Is that correct?

DR. SELDMAN: It was formally issued January 6. It was released in New Jersey in February.

ASSEMBLYMAN PASCRELL: I suggest that everyone sitting around this table, and anyone else, read that report about what was done to get Union County to where it is today.

ASSEMBLYMAN ROONEY: All right. I would like--

ASSEMBLYMAN PASCRELL: Those three boxes that were in back of me, Mr. Chairman, are very interesting boxes.

ASSEMBLYMAN ROONEY: --that this be provided to the Committee members. If you can get us at least six or seven copies, I would appreciate it. We will take it up, after we have had a chance to review it, at a later meeting.

Bill, I'm sorry it took so long, but-- County Executive Bill Mathesius, from Mercer County, welcome.

C O U N T Y E X E C U T I V E B I L L M A T H E S I U S:
Thank you, Mr. Chairman. I am always appreciative of your courtesy.

I think when we started today, we were talking about an imposition of a moratorium. We have heard a lot of theory and a lot of predictions and a lot of hypotheticals. I would like to say, from a practical standpoint, that I think it is very unfortunate that the Dr. Doom scenario is once again resurrected.

I am going to get very practical for Assemblyman Pascrell. He says he doesn't want to hear anyone come in here and say, "It costs us this much money to do a year's moratorium," without an answer to a question. Well, I am going to give him that answer. It is going to cost Mercer County citizens between \$18 million and \$20 million for one year's moratorium. I am going to go further, and say, Assemblyman Pascrell-- I am going to tell you where I was when that debate began. I was in the beginning of my term in 1980 -- I have been involved for 10 years -- and I heard the hucksters, I heard the salesmen, I have heard the preachers come in on both sides. I have heard Dr. Seldman, with his books and his plans and his interests. I have heard the purveyors of mass burn

tell us what we are going to do with the steam and what we are going to do with the electricity. I have heard them for 10 years, as you have in Passaic, and as virtually everyone on this Committee has heard in their counties. It is still going to cost us \$18 million up-front, and after a year of study we are going to have heard every huckster again, for the fifteenth time.

I'm telling you right now, Mr. Chairman, the reports and the books and the confidential studies and the technological diagrams, and the scissor effects and the clipper effects and the nail effects and everything, could fill this room, just from Mercer County. The trouble we are going to have to get rid of all of the studies and reports will invade the sky with the nitrogen and the oxygen and the burnings we have heard about. So I am very troubled by a year's moratorium.

I believe that both Assemblymen are well-intentioned, but in this case, the intentions, once again, are sure to pave the road to hell.

We in Mercer County have tried to follow the dictates of 20 years of legislation, part of which has been produced by this Committee and predecessors of this Committee. We played the game by the rules. We have not always been happy with DEP. We have had good experiences with Chris Daggett; we have had good experiences with Dr. Deieso. We have had good experiences with Bob Hughey. He was always responsive back in the early years. There were troubles in-between, but it cost us \$60 million to site a facility. We believe we heard all of the threats and the dire consequences that are going to befall our community. We have heard people preach and drink in the applause, such as you have heard today, and have it flow on their backs as they became more eloquent about the damage that is going to happen.

We have heard the implications by the Assemblyman that there is a different mob that has taken over. I resent that

implication, frankly, because I was part of the governmental process where Democrats and Republicans alike, Assemblymen, voted after aching hours -- agonized over what we should do. We looked at composting; we looked at recycling; we looked at percentages; we looked at all of these things.

Mr. Chairman, I want to tell you, we have Democratic and Republican Freeholders all agonize and raise their hands when they had to, and go against the tremendous mobs that screamed for their blood, with, "Why are you trying to kill our children?" We are going to hear that again.

Thank you for the opportunity to present this. The costs to Mercer County are grossly prohibitive. I really support your observations initially. Thank you, Mr. Chairman.

ASSEMBLYMAN HENDRICKSON: What control do you think there could possibly be on the household waste stream by composting? Frankly, I have listened to it for 10 years -- compost, compost. How do we get the hazardous stuff out of the household waste stream?

COUNTY EXECUTIVE MATHESIUS: I think you stop it up-front. That is the only way we can do it, Assemblyman. I think you are exactly right. We have heard it for 10 years, too.

ASSEMBLYMAN HENDRICKSON: Disposable diapers?

COUNTY EXECUTIVE MATHESIUS: Sixteen billion yards per year. I happen to be an expert on disposable diapers, not because I have any kids, but-- And the contents are two-and-a-half million tons a year, in a landfill. So you--

ASSEMBLYMAN HENDRICKSON: I just thought I would bring it up.

COUNTY EXECUTIVE MATHESIUS: --are precisely correct. It is not quite the most tasteful thing before lunch, but I guess we gotta do what we gotta do.

ASSEMBLYMAN HENDRICKSON: Facts are facts.

ASSEMBLYMAN KLINE: You haven't seen our lunch.
(laughter)

ASSEMBLYMAN ROONEY: Just so everyone is aware, Suzi Chichester is checking the members of the Committee in, the two sponsors of the bill. Anyone else here will probably have to send an aide down to make sure you are in for the quorum call. We are going to continue for as long as we possibly can. They are going to do the ceremonial resolutions. If anyone has a problem and has to go down, fine. We are going to continue for as long as we can.

Assemblyman Pascrell?

ASSEMBLYMAN PASCRELL: Thank you, Mr. Chairman. Well, I have been called many things, and I know you weren't calling us "hucksters."

COUNTY EXECUTIVE MATHESIUS: Not you, but maybe friends of yours.

ASSEMBLYMAN PASCRELL: It's always somebody else. I don't have anybody here who has any special interest in anything we are doing. I hope we can all say that by the end of these meetings. I hope we can all say that.

COUNTY EXECUTIVE MATHESIUS: I hope so as well.

ASSEMBLYMAN PASCRELL: What I am concerned about is, you know exactly how much it is going to cost your county if there is a delay, if there is a study done -- an independent study. I can only assume from that that you are convinced of all the environmental and financial questions that have been brought up heretofore. You are convinced of them.

What are the costs of savings to the residents of Mercer County if we recycle? What are the savings going to be over the next year, two years, three years, to the residents of your county? Have you ever done any reports or briefings to that effect?

COUNTY EXECUTIVE MATHESIUS: We have, Assemblyman, considered that very question on a number of occasions when we decided to go mass burn. In fact, there was a moratorium imposed up-front, so it didn't cost us the kind of money it

costs today, which will be \$3 million in lost revenue; \$11 million in the dumping fees that it will cost that year; and \$4 million interest and debt service. That (indiscernible) by just a slight degree, to get us between \$18 million and \$20 or \$25 million.

We did what I consider to be a study that took us a year about whether recyclability can work in Mercer County; whether we can recycle to the extent that we need to, and if we did, how much would it cost? That is why the Democratic and Republican Freeholders voted to go mass burn. It was deemed to be-- The savings were deemed to be inconsequential when compared to our inability to off-load the trash.

ASSEMBLYMAN PASCRELL: We have, Mr. Chairman, in response to a question, a very interesting answer. We have heard that there was a study done in Mercer County -- an independent study obviously -- that indicated at the end of that study that recycling didn't pay -- simply put.

COUNTY EXECUTIVE MATHESIUS: No, didn't work, I would say.

ASSEMBLYMAN PASCRELL: Excuse me, didn't work -- didn't work. How are the residents of Mercer County going to live by the 25% mandate from the State of New Jersey then? How is that ever going to work and keep your facility functioning and operating to capacity?

COUNTY EXECUTIVE MATHESIUS: Contrary to the suggestion of Dr. Seldman, or Mr. Seldman -- I am not sure of his name, the gentleman who preceded me -- we tried to integrate the percentage of recyclables in our ultimate computation. We designed our plant, which has been sited, with that in mind. So we have a recyclable goal of 25%. I hope we are able to absorb whatever we can go over and above that.

We have heard that in the next 20 years, it is wholly unrealistic to assume that we can get more than a 10% to 15% recyclable rate, despite the objectives or the mandates of the

Legislature. I hope we have more. We will have to have a profound cultural change in addressing what we use and how we use it. We are going to have to eliminate large parts of plastic and change the whole system of recycling. Recycling itself, in futures -- and I use the term "futures of recycling," not the future -- will have its own impact when more and more recyclable material comes on-line. Many people do not consider that when they study what it means to recycle goods. You will have tremendous amounts of recyclable goods without a market.

ASSEMBLYMAN PASCRELL: You said that your county spent many millions and millions of dollars to come up to the point where you are now.

COUNTY EXECUTIVE MATHESIOUS: That is correct.

ASSEMBLYMAN PASCRELL: What percentage of the \$65 million that you spent went into research and resource material and technology on how best to create markets and feed those markets for recycling? What percentage in your county did you do in researching for recycling? Tell the audience.

COUNTY EXECUTIVE MATHESIOUS: I would say in terms of research, we probably spent what amounts to -- I'd say \$10 million in research.

ASSEMBLYMAN PASCRELL: On recycling?

COUNTY EXECUTIVE MATHESIOUS: Excuse me, let me finish.

ASSEMBLYMAN PASCRELL: Oh, I'm sorry. Go ahead.

COUNTY EXECUTIVE MATHESIOUS: Ten million dollars overall on research -- research effort, research with professional staff -- and of that percentage, probably 20%, or roughly \$2 million -- maybe \$3 million, maybe \$5 million-- I'm using things over 10 years, and trying to extrapolate a figure for you, and I am sure you are going to come back to me at some time, and say, "You said this at this time." But, I'm using my best estimate. Perhaps in the whole context, maybe \$2 million to \$3 million of the total sum of \$10 million of research effort.

ASSEMBLYMAN PASCRELL: What was the conclusion of that research effort about recycling in your county?

COUNTY EXECUTIVE MATHESIOUS: The conclusion was that it would be better to do mass burn and recycle what we could, and have an integrated facility and an integrated plan whereby we would accomplish the reuse of nonhazardous ash, together with the production of electricity, vis-a-vis the other competing technologies; aim as a goal to the State of New Jersey's 15% to 25%, which we would like to see, and have that in balance.

No particular effort, in and of itself, was better, per se, than anything else. It was a matter of integrating a number of technologies.

ASSEMBLYMAN PASCRELL: Thank you.

ASSEMBLYMAN ROONEY: Mr. Rocco?

ASSEMBLYMAN ROCCO: Bill, I will be very brief. Of the \$18 million to \$20 million, you indicated a good portion of that was from tipping fees?

COUNTY EXECUTIVE MATHESIOUS: John, the tipping fees would be about \$11 million.

ASSEMBLYMAN ROCCO: Okay. So, the tipping fees really come from the municipalities. I mean, they come from the taxpayers ultimately anyhow.

COUNTY EXECUTIVE MATHESIOUS: Everything does.

ASSEMBLYMAN ROCCO: What comes from the municipality ultimately goes to the county, so you can't-- The municipality is still going to have that money. You are just saying that as a county, you don't get that money.

COUNTY EXECUTIVE MATHESIOUS: I'm talking in terms-- We actually--

ASSEMBLYMAN ROCCO: Each member on the Committee here has been hit by that, that it is going to cost \$20 million if you don't pass it right away. But a good portion of that money stays in the municipality, and they will deal with cheaper

tipping fees than they do with an incinerator, so the municipalities are saving money.

I think if you talk to some of the mayors out there ultimately-- Right now, they are paying \$60, \$65. If they have to go into Camden or Pennsauken, they are going to pay \$100.

COUNTY EXECUTIVE MATHESIUS: Well, I'm saying, in light of the commitments we made-- As a generic proposition, Mercer County is its citizens. And whether they pay on property tax, which is what they will do, or a use tax with respect to the off-loading of garbage and their trash, they will be paying it, and the county will be paying it. I am not saying it would come out of the county treasury.

ASSEMBLYMAN ROCCO: What I am trying to say is, it is not lost. It stays in the municipalities. It is just that the county doesn't it.

COUNTY EXECUTIVE MATHESIUS: Yes, but you understand that this is not \$11 million standing alone. It is plus \$11 million on top of the fees we already have. So we're talking about maybe a \$200 tipping fee.

ASSEMBLYMAN ROCCO: I think in the long run, if you really get somebody to really look at it in totality, by the time you go 20 years and the excessive costs, or the additional costs in going to the incinerator versus staying with other alternatives, the taxpayers are ultimately going to save \$100 million, \$200 million in the long run, than they will by paying the huge tipping fees, because ultimately the taxpayers pay for the bonds. John Jacobs here will tell you that in Pennsauken it is \$100 million, or whatever it is, to put it up. But who pays for it? The taxpayers and the bondholders pay for that, and the taxpayers pay them back through the tipping fees. The municipalities pay the tipping fee to pay the bonding people. It ultimately comes from the person -- the guy in the street.

So I think that is a bogus number that all of you have been hit with. I don't know who they came from. I'm sure some of the lobbyists have been working on this.

COUNTY EXECUTIVE MATHESIUS: John, let me just answer the question that I think was posed early on in your brief statement.

ASSEMBLYMAN ROCCO: Sure.

COUNTY EXECUTIVE MATHESIUS: I have never doubted your sincerity, and I respect you as an Assemblyman. I don't know Assemblyman Pascrell all that well, but I'm sure that his, like ours-- All of us have the same idea. None of us want to take over the world--

ASSEMBLYMAN ROCCO: Right.

COUNTY EXECUTIVE MATHESIUS: --or be part of a very common contingency, where Iranian death squads will hit us if we do one thing or another. That is not the point.

ASSEMBLYMAN KLINE: Speak for yourself.

COUNTY EXECUTIVE MATHESIUS: Thank you, Assemblyman Kline. I appreciate that.

The point is, we have anticipated a certain pattern of expenditure that will cost us, if the year's delay is imposed and nothing is done thereafter-- It is going to cost us a minimum of \$18 million to \$25 million, within that context. And that is going to come from our taxpayers.

One thing I will agree on that you both said -- and I will say it as well -- you are not experts in solid waste, and neither am I, but we are close enough that we can talk intelligently about it. Each one of us has a desire to do what is best for our respective communities and our constituencies and our State. I am simply saying that as a practical assessment by Mercer County, it is going to cost us 18 million additional dollars over and above that other amount for a year's delay.

Perhaps if there was such drastic behavior to be anticipated from the consequences of mass burn, something else can be done, but the moratorium just might be having us march in place, and then still suffer the millions and billions. I heard Dr. Seldman introduce the new watershed number, which is now trillions of dollars. In the old days 10 years ago, John, we would be talking about a billion, and we would be impressed. Now we are talking trillions.

ASSEMBLYMAN ROCCO: You know what Dirksen said, don't you? "A million here, a million there, and pretty soon you're talking real money."

COUNTY EXECUTIVE MATHESIUS: That's for sure. That's nickels and dimes.

ASSEMBLYMAN ROCCO: Let me tell you-- I want Bill Mathesius to know, I don't doubt-- You know, I think that you and so many other people in the State are just so far along. This is a shock to the State, because they are just so far along. I guess, as I said initially, I had been with incineration as well, because there didn't seem to be other alternatives. Now I think there are alternatives out there. I can tell you, as did Assemblyman Pascrell, I have no financial investment in any alternative. That is for the record, Mr. Chairman.

COUNTY EXECUTIVE MATHESIUS: You're not selling a book for \$16.95, are you?

ASSEMBLYMAN ROCCO: The only thing I know is what I see. I have been to the ORFA plant. It is up; it is operating; and you are all welcome. Chris Daggett said it wasn't operating. It is operating. You are all invited there. Go down and see it. If that is not a blatant statement that is incorrect, I don't know what is. You are invited tomorrow to go down to ORFA and see it in operation, from start to finish -- tomorrow.

COUNTY EXECUTIVE MATHESIUS: John, we went to Europe. We had Freeholders flying to Europe, in an election year.

ASSEMBLYMAN ROONEY: I didn't go.

COUNTY EXECUTIVE MATHESIUS: You did not go. They went to Europe to see how real recycling works. They went to Baltimore to see how mass burning worked. We had a Texas operation that had different types of recycling. Everybody's got the answer, but nobody's got the answer. That's the bottom line.

ASSEMBLYMAN ROONEY: Let's get back to the bill. The bill deals with a moratorium. The effects of the moratorium on the communities is what we want to hear. You know, I kind of let the conversation stray. I don't think the County Executive--

You answered the questions, and we allowed you to answer the questions, but the way they sited them-- I think everybody knows what we went through on the siting of these things. Let's try to get the questions pertinent to the issue. We do have other speakers, so if you have nothing else to testify--

ASSEMBLYMAN KLINE: I have one question for him.

ASSEMBLYMAN ROONEY: Ed Kline.

ASSEMBLYMAN KLINE: What phase are you in now? Are you to bonding? Have you picked your site?

COUNTY EXECUTIVE MATHESIUS: We bonded. We bonded \$189 million.

ASSEMBLYMAN KLINE: Did you start construction yet? I mean, what phase--

COUNTY EXECUTIVE MATHESIUS: We are waiting for permits. We should complete construction in 1991 -- late 1991.

ASSEMBLYMAN KLINE: So, you are ready to start construction?

COUNTY EXECUTIVE MATHESIUS: We just need the permits. We've got Westinghouse. We went down to Panama City and looked at their operation.

ASSEMBLYMAN ROONEY: Did you see Mr. Noriega while you were there?

COUNTY EXECUTIVE MATHESIUS: We were convinced of their--

ASSEMBLYMAN KLINE: Your Environmental Impact Study is in?

COUNTY EXECUTIVE MATHESIUS: April 15 it will be in.

ASSEMBLYMAN KLINE: Okay, that is what I want to know. I'm looking for grandfather clauses in the bill.

ASSEMBLYMAN HENDRICKSON: He needs somebody like me to carry his bags. (several Assemblymen speaking at once here)

ASSEMBLYMAN ROONEY: Mr. Pascrell?

ASSEMBLYMAN PASCRELL: Just one quick question. Don't you think we are sending conflicting signals to the public: "Recycle, but don't do too good of a job of it, because if you do, you impact on the incinerator operations"? That is what I'm hearing, and not only in New Jersey. Don't you think so?

COUNTY EXECUTIVE MATHESIUS: In response to that, I would like to believe-- I still didn't hear a good answer to the other 50%, despite what the gentleman said. If we can recycle 50%, which is an extraordinary amount, and produce recyclable goods that are going to be in the marketplace, with no place to go-- If we can do that, we will make the adjustments to burn the other 50%, if that is the case, whether it is a rotten tomato or a rotten idea.

ASSEMBLYMAN PASCRELL: Thank you.

ASSEMBLYMAN ROONEY: Thank you, Bill.

COUNTY EXECUTIVE MATHESIUS: Thank you very much.

ASSEMBLYMAN ROONEY: Our next speaker will be Christine Todd Whitman, from the BPU. (Chairman consults with aide) She had to leave, so we will hear from her representative from the BPU. I am probably only going to hear one other speaker afterward, and that will be Senator Cardinale, who also has to leave. And I believe we have to get down-- We are all punched in.

Please identify yourself for the record.

M E L I S S A M A R G E T T S: My name is Melissa Margetts. I represent the Board of Public Utilities. Commissioner Whitman apologizes, but she did have to leave.

ASSEMBLYMAN ROONEY: I appreciate her staying as long as she did.

MS. MARGETTS: We want to be fairly brief, because the testimony has been long. But basically, we would have to support the DEP in its position in opposition to the bill. While we applaud the efforts, or the intent of the legislation, in trying to slow down, possibly, or not put all of our eggs in one basket and count on resource recovery as the sole means of solid waste disposal for the future, we do have several concerns of our own with regard to the economic impact of such a moratorium.

Basically, we have a listing and update of the different counties and the different stages they are in with resource recovery. Adding up all of the construction costs that we can perceive so far, we figure out there is about a \$1.5 billion investment. Our concern with the moratorium is how this will be perceived on Wall Street. It was the State's credibility -- the Board's credibility in going forward with resource recovery facilities as a viable option, and then suddenly putting a halt to it, or at least a temporary halt.

Our other concern is with regard to-- It has taken about 20 years to get geared up for this, and suddenly to put a halt to it-- How much longer is it going to take to get geared up again?

That's pretty much briefly what we would like to say.

ASSEMBLYMAN ROONEY: Thank you very much.

ASSEMBLYMAN PASCRELL: Mr. Chairman?

ASSEMBLYMAN ROONEY: Yes?

ASSEMBLYMAN PASCRELL: I want to go back to something that you said, if I may.

MS. MARGETTS: Yes?

ASSEMBLYMAN PASCRELL: You know, you have hit on a very sensitive issue: How will this be perceived on Wall Street? Now, I've got to tell you, I am concerned, because I do have a great respect for the business community, about how it will be perceived on Wall Street, but I am just as concerned, and maybe just a little bit more concerned, about what is going on back home in my county, with my citizens and their taxes and their environment.

Now, am I naive, or am I only considering the people, or maybe there should be a balance here. We cannot define policy, wouldn't you agree, based strictly upon what is happening on Wall Street? That isn't what you were saying, is it?

MS. MARGETTS: No, except that some of the policy has, to a certain extent, been defined in that the State has agreed to go ahead and go forward with resource recovery as a viable option for solid waste disposal. So, to some extent, some policy has been set. I am not saying statewide, and that that will be the only means. I don't think we want that to be the only means.

ASSEMBLYMAN PASCRELL: If the policy meant that we were committed for the next 25 years to a course of action, and that course of action may -- may, now -- move us away from what we know is environmentally good for us, like recycling, we will have a problem then, won't we? Won't we have a problem down the road apiece?

MS. MARGETTS: Yes.

ASSEMBLYMAN PASCRELL: Or, am I stating the question incorrectly?

MS. MARGETTS: Well, I think we are not the environmental experts, and we don't claim to be. We can only say that with our input into the situation -- into the equation, as it were -- and with the resource recovery

facilities being considered a viable option, our job then is to evaluate the economic impact -- what it means in dollars.

ASSEMBLYMAN PASCRELL: Are you saying that the Board of Public Utilities accepts the policy -- created the policy that this State is determined to go on a course of mass burn incineration? Do you accept that as a policy?

MS. MARGETTS: No, not entirely. What we would like to see, and what we are doing is, we have come up with a computer program that is an adaptation of an EPA mainframe. What it does is-- The intent of this program -- this computer program -- is to do a run and put in all of the variables that would determine the cost of the facility, that would determine the size -- the capacity of the facility, and come up with a bottom line number. Also, we would run the different options that are available as well, and their costs and their effects and economic impacts. The idea is to either consider other options and/or consider regionalization. We don't want to see 21 facilities.

ASSEMBLYMAN PASCRELL: You don't want to see 21 facilities?

MS. MARGETTS: And I don't think-- I better not say anything more.

ASSEMBLYMAN PASCRELL: Let me ask you this one other question: You heard this morning, or this afternoon-- You heard DEP state very clearly -- in fact, they used Warren County as an example -- that they are requesting other counties to bring in their garbage, since they don't have enough themselves. What happens when we run out of counties? Might we conclude from that policy that we will encourage New York and Pennsylvania to bring their garbage here so we can operate these factory facilities -- resource recovery facilities, ha, ha? Is that what you think we should do?

ASSEMBLYMAN ROONEY: Mr. Pascrell, that is an unfair question. The Board of Public Utilities--

ASSEMBLYMAN PASCRELL: I want to know if they are in the same boat on policy.

ASSEMBLYMAN ROONEY: I don't believe that is a BPU policy. I don't think they have any position on the merchant waste stream that you are talking about. I know that each county has its own task. I know Bergen was looking at that, and we have an override in Bergen County for the resource recovery plant on anything coming in beyond the put or pay commitment that Bergen has. It is not a BPU function.

You have to, please, also address your questions through the Chair, because some of the questions have gone beyond the scope of the people who are testifying. That is not a fair question for the BPU. Yes, John?

ASSEMBLYMAN ROCCO: You know, I understand the bonding problems and the BPU's concern, Mr. Chairman. All of these things are not taken lightly. I think I have been around long enough. This is not an issue that certainly I needed politically, but it certainly is a situation where I feel I am not taking it lightly. So we looked at the bonding, and the concern of what would happen on Wall Street, but we had to evaluate what had taken place around the State. Where the question was on the ballot, in Cape May and parts of Ocean County and Gloucester City-- Whenever the question is put on the ballot to the people of the State of New Jersey as to whether or not they want incineration, the answer is always the same and the tally is always the same, and nonbinding. It is always a, "No."

The people of the State do not want this system. So I don't think the people should be subjected to the bonding concerns ultimately in the long run. I think the BPU, by the way, if I may, really has been much more objective than many other groups in the State in looking at the problem we are facing with incineration. The BPU knows that in Pennsauken, I think, it is going to be about \$90.

MS. MARGETTS: Somewhere around that.

ASSEMBLYMAN ROCCO: Camden is going to be -- by the time they are finished -- \$120, or \$100 at least. Union County is-- Everybody is \$100 and up and growing -- tipping per ton. So the BPU has to be concerned about the ultimate impact on the municipalities.

The contracts, in many cases, are written to receive "X" tonnage. If they receive "X" minus, then they have the problem that Warren has, which is that they have to go out and hunt for garbage. The problems are obvious. You know, if you recycle, you take the good stuff out -- 80% of the real burnable materials -- so the contracts have to be drawn down, the size of the incinerators has to be drawn down, to exist at all.

I think those kinds of things have to be evaluated now that we see the problems that exist with the present burning problem, not getting enough fuel. You know, if we are forced into other situations or have to go elsewhere to meet the requirements, then the BPU is in a situation when they set the tipping rates, that those things have to be taken into consideration. How much-- You, as a former mayor, Mr. Chairman, and the other mayors who I see on this Committee-- How much is that going to affect -- we have always talked about the county here today -- the local town? What about the mayor who wants to send his trash somewhere else for \$65 a ton? Why can't he do that? What about all of that kind of business? They are being fined for not sending the fuel now to the big burner, you know.

ASSEMBLYMAN ROONEY: We are not on a cost basis on this particular issue. The issue--

ASSEMBLYMAN ROCCO: The moratorium.

ASSEMBLYMAN ROONEY: --we are dealing with is a moratorium, and basically you have brought up the health issue in here, as to whether -- and also the concentration of so many

of these plants. I can look at the-- We are looking at the effect that this moratorium would create.

ASSEMBLYMAN ROCCO: Well, she brought up the bonding concerns. I am just pointing out that the municipalities ultimately pay the bonds through the tipping fees.

ASSEMBLYMAN ROONEY: John, we have a different experience in Bergen County. Our experience right now is, with our trash going out-of-state, we're lucky. We are totaling \$105 a ton. In the northern counties, some of them are \$130 or \$140 a ton, going out-of-state.

ASSEMBLYMAN ROCCO: Astounding.

ASSEMBLYMAN ROONEY: Our tipping fee with the resource recovery plant is between \$30 and \$40 a ton. That is what our resource-- And I was there when we designed this plan, so I know that that, as far as economically, is a better solution for me than \$105 a ton. I can justify that \$30 to \$40. So, economically, it is different throughout the State. But that is my economics, and that is what I am looking for.

So, you can't use the Pennsauken experience, and just overlay it on everyone else. We also have a problem, at 2400 tons a day, which is our put or pay-- Today, we are only receiving-- Because of the diversion of the waste flow in this State, we are only receiving less than 1600 tons a day, and that is from 3600 tons a day. We've got to get something on-stream to change that. This cost we are experiencing, especially in northern New Jersey, of \$100 to \$140 a ton, is creating all kinds of problems--

ASSEMBLYMAN ROCCO: Sure.

ASSEMBLYMAN ROONEY: --all kinds of diversion of the waste flow, and we don't know what the hell we've got any more. When we do get something on-stream, we may not have the garbage to fuel it, and that is what they are experiencing.

So, you know, I appreciate that. I kind of kept quiet. But I do want to hear more testimony. I want to get

the Senator, and I also want to get Assemblyman Shinn as the last speaker for the day. I also want to say that Assemblyman Shinn and I have discussed this, and what I would like to do is-- We are going to continue the meeting, Bob. What I would like to do is invite the Solid Waste Committee to also join in at our next meeting. I wanted to put this up today. I believe this bill belongs in the Solid Waste Committee, also.

So, we will discuss the details of that after the session. I would like to hear now from Senator Cardinale, District 39. He happens to be my Senator--

ASSEMBLYMAN HENDRICKSON: He's all of ours.

ASSEMBLYMAN ROONEY: --and I am prejudiced.

S E N A T O R G E R A L D C A R D I N A L E: Thank you, Mr. Chairman and members of the Committee. I come to support Assemblyman Rocco and Assemblyman Pascrell's bill. As I listened to the testimony, it occurred to me, when Bill Mathesius mentioned having listened to hucksters for 10 years-- I have to admit that until I came to this meeting today, until I saw that this bill was actually scheduled, I had believed that the hucksters had won.

I think we can all agree that we cannot dump our garbage in the ocean, because then we will swim in it. I believe we all agree that we cannot bury it, because then we ultimately drink it. So we have been told by the hucksters, "Burn it," and give our kids cancer. I agree with you that ultimately that is what we are going to be doing, but, you know, it will take a long time for that to happen, and it will happen on someone else's watch.

Now, that is too often what goes on here in Trenton, or locally in counties or somewhere else. We take our problem, and we push it off into someone else's regime. I believe that is what has been happening with garbage. How can anyone in the State of New Jersey avoid looking at the experience of Philadelphia -- which is right across the river -- which sent

its ash barges all over the world in an attempt to get rid of them? How can we not look at Connecticut, which has 10 of these mass burn incinerators, and which has no place within its borders any longer to store the ashes? If you think we have a siting problem now, when most of the public is unaware that the ashes are toxic substances, that what we do when we burn garbage is create new toxic substances-- If we think we have a problem in siting these facilities, what are we going to do when we are in Connecticut's position?

You know, when I was at a hearing in Bergen County, and we asked the engineers, "How long will your ashfill capacity last, in years," after a good deal of shilly-shallying and attempts not to answer the question, they said, "Seven years." Now, we are going to build approximately a \$500 million facility, and anyone who tells you it is less, is not telling you the truth -- it will probably be more -- and that is only in one county. What are we going to do seven years down the road? We are going to be looking for a place, as Connecticut today is looking for places, to put the ashes.

Now, in Warren County, they're lucky, because they have Niagara Falls, to which they can ship their ashes. You know, there will be no Niagara Falls, there will be no Omaha, there will be no place in Africa or somewhere else around the world, seven years from now when we fill up the capacity of the landfills that have been designated, and what will we do with the ashes then?

I have five kids. I hope they are going to have kids, and I hope they will live in New Jersey. But who in New Jersey is going to want to have that ash, at whatever cost, near them, when we have to site new ashfills? Fifty percent of the ash coming out of Warren -- and that is the state-of-the-art incinerator -- is toxic. Now, I have been down to see ORFA, as Assemblyman Rocco has. I took the gloves off five years ago, and I started talking about this problem. No one was

listening. About a year ago, I spoke in Camden County, and they started listening. I guess they went over and took a look. If anyone wants to deal with these kinds of decisions, they ought to go take a look at that plant. It costs less capital investment to build a plant like that. And whether that particular technology, or someone else's version of that kind of technology is better, I can't presume to know. But committees like this ought to be looking into that.

They take garbage. It comes in on garbage trucks, and no one has source-separated anything. What they do with that garbage is chop it up, they take the water out of it, they sterilize it, and then they separate it in an industrial process, so that if someone -- a householder -- has not separated it, it doesn't make any difference. They don't burn anything; therefore, there is no more toxic stuff coming out of there than went in there. They didn't create anything new. They didn't create a new problem.

And, yes, there may be problems from time to time in disposing of the end products, because they have ferrous metal, and we all think that ferrous metal, you know, iron, is readily reusable. Sometimes there is a good market for it, and sometimes there isn't. But if you have a steady supply of it, and industry can depend on having that steady supply of it, they will develop uses for it, because it is a lot better to use iron that has already been done, than have to go out and mine it and smelt it and bring it where you need to bring it.

And, yes, there is a problem sometimes that you don't have enough uses for the aggregate which comes out of it, which contains ground up glass, where no one had to separate bottles, that contains little bits of metal that didn't come out with the magnets, that contains the other hard substances. Yes, but that is a great landfill material, and it is not toxic. You can mix it. You can make concrete out of it. And, yes, the ORFA fiber is a basic cellulose fiber. It can be used to make

cardboard; it can be used to make furniture, stuff like this; it can be used in many, many different ways. And, yes, there is a problem today that we have not developed the markets to use up all of that stuff, if it is all here in New Jersey. But you are 100% right. We ought not to be spending these hundreds of millions of dollars in each and every county to create facilities that we know are going to be obsolete in just a couple of years down the road.

We ought to be spending those hundreds of millions of dollars, instead, to develop the markets to use the products. If we do that, then we will be doing something real good for the future generations in the State of New Jersey.

Now, Assemblyman Rocco's bill is a very important step along that way, because until his bill came along, until you had this meeting today, we were embarked headlong on a course that was dictated by a lot of those Wall Street people, because, you know, if you extrapolate the cost in Bergen County -- and I know the figures in Bergen County; the ratios would be the same anywhere else -- we could build an ORFA type plant for about a third of the cost of building a mass burn incinerator. If we did that, we would sell less bonds, and there would be fewer commissions. We would have fewer environmental problems, and there would be fewer environmental consultants getting paid fees. And those three boxes of books might be reduced to one box of books, or hopefully, I would hope it could be in one book. I would hope that we would not have to reinvent the wheel for each and every one of these plants. I would hope that we could come up with a pattern that would say, "This kind of plant is okay, because it doesn't produce anything toxic, and we don't have to worry about whether we've got a place to put the toxic stuff," and that is what is in those books.

It does not consume natural resources. As a matter of fact, it is the kind of process where you don't have to cut down more trees. In order to produce more paper, you can

recycle the same paper. And, yes, you may lose some of it along the way, and may still have to have some forests being cut down here and there, but certainly much less. If we did all of that, we would be doing our job for the people of the State of New Jersey.

I am here to support Assemblyman Rocco's bill because I believe -- and Bill's bill -- I'm sorry, Bill--

ASSEMBLYMAN PASCRELL: That's all right.

SENATOR CARDINALE: --that that is the way we ought to go. Now, I haven't said anything like what is in my written testimony, but I am going to have copies of it given to you. You may have that, because I have tried to summarize it.

ASSEMBLYMAN ROONEY: We have two copies of your testimony, both the printed word and the tape.

SENATOR CARDINALE: Thank you very much. I hope you vote this bill out without any further delay.

ASSEMBLYMAN ROONEY: Thank you, Senator. That's why he is my Senator.

I would now like to hear from Assemblyman Shinn. Assemblyman Shinn is going to be our last speaker. We are well beyond the time.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Are you going to continue the meeting?

ASSEMBLYMAN ROONEY: We are going to continue this meeting. Everyone who has signed a slip will get a notice of our next meeting, as to where it will be. Anyone who wishes to be notified can sign-- Do we have the pad?

MS. LOMBARDI: (Committee Aide) Yes. (brief discussion among Committee members about where next meeting will be held)

ASSEMBLYMAN ROONEY: Assemblyman Shinn, Chairman of the Assembly Solid Waste Management Committee. It is a pleasure to have you come to testify. I am awaiting your experienced words.

A S S E M B L Y M A N R O B E R T C. S H I N N, J R.:
Thank you, Assemblyman Rooney. About an hour and a half ago,
you heard a rapid series of explosions. That was a result of
the freeholders of 15 counties committing suicide en mass.
(laughter) Because, I'll tell you--

UNIDENTIFIED SPEAKER FROM AUDIENCE: As in mass burn.

ASSEMBLYMAN SHINN: As in mass burn. My concern about
this bill -- and I am not going to be dramatic -- is strictly
in the signal it sends to the financial community that is
committed to financing. Not a week goes by that I don't get a
call from a bonding company or somebody who is doing financing
on resource recovery, who has some new article about bottom ash
being toxic, or there is a new problem with fly ash -- which is
15% of the ash, approximately -- or a county that wants to buy
insurance from our county, which, if their out-of-state
contract falls apart, they can use our county until they can
bring a landfill on-line, so they can sell their bonds, to get
an approved solid waste management plan in New Jersey. I can
tell you, this is a serious, serious, costly issue to counties
that are in the process and have committed, and have financing
on-line. You know that as well as I do.

The other problem that is a serious, serious problem
is, we are not exporting 55% of our waste. We are exporting
60% plus, because the missing waste is being generated. It is
going across the bridges. I think you know that. I know
that. Waste is magnetic. I don't know how many people know
that, but it finds the cheapest source of disposal. If that
happens to be illegal-- That may be the cheapest source, but
if you've got a landfill that is a public utility under the
State law-- When Jersey sued the City of Philadelphia, all
landfills were deemed public utilities, and unless you have
inter-district waste flow agreements with other states, you
can't really control where waste goes. We are not putting the
resources behind either DEP or SPU, and we all know that they

are starved for resources. We have not brought about the legislation to put those resources in place to control where waste is going.

Yes, there is an obligation to build state-of-the-art facilities to deal with solid waste, but there is as much of an obligation to assure the investment community that that waste is there when that facility is built. I'll tell you, the waste volume is growing greater than the population is growing in New Jersey. It is a national fact. We opened a landfill in Burlington County as part of our overall program about a month ago. We are getting more waste than the State average numbers predict. We are one of the few facilities in the State that is weighing trash; not a cubic yard, because you really don't know how much trash you're getting when you measure by cubic yard. A 3.3 number is not an accurate number; 2.5, 2.7 is more like it. So, we're getting more tonnage of waste, and there is more tonnage of waste being generated in this State than the numbers suggest.

ASSEMBLYMAN HENDRICKSON: Cubic yards to the ton -- two point what?

ASSEMBLYMAN SHINN: We're looking at 2.5, 2.8, right in that range, and it varies with the manufacturer of a trash truck. Certain manufacturers pack tighter and have higher pressures. Therefore, you are compacting -- you're baling, in essence. You're compacting trash, and you are getting-- The 3.3 number is probably an average between uncompacted and compacted waste, but most of our volume is compacted waste, and we're seeing numbers more like 2.5 to 2.8.

The worst signal we are sending with this legislation is to Pennsylvania and Ohio, West Virginia and Kentucky. They are the garbage can for New Jersey, quite frankly. We were the garbage can for 12 counties of Pennsylvania, New York, the City of Philadelphia. They are the garbage can for us. If you were sitting as a legislator in Pennsylvania, and you saw that New

Jersey was about to do nothing for 12 months, you would be waving this legislation in the air, and saying, "Why are we letting these people use our facilities? They are not going to do anything. They are not going to be self-sufficient by 1992. They are not going to be out of the ocean by 1991. They're demagoguing this issue." That is the signal that I think is so bad that we are sending out by talking about this kind of legislation.

As you know -- you were on our select committee -- we do not do NIMBY legislation. Unfortunately, in my book, this comes under that heading. It's after 1975. We have been at this. This is 1989. Is it time? We have tried to have continuity. The signal that we are sending to these counties-- I am talking about Commissioner Hughey, Commissioner Dewling, and now Commissioner Daggett. They all committed. I have a problem with what Chris said today, because I nailed each one of those Commissioners and said, "If a county doesn't do its homework, and doesn't become self-sufficient, will you commit to solving that problem in the county that has a deficit, because if you won't commit to that, there is no sense of Cape May or Camden or Burlington or Bergen or Ocean doing a solid waste plan?" Why go through an Environmental Impact Statement? Why go through a health risk analysis? Why go through a traffic study and a host benefit program for the communities, if you are not going to control the waste volume? If you get double the waste -- because this county didn't do a job, and it is going to import its waste to this county via the courts -- and that is what is going to happen today-- You know, there is no legislation that makes trash in the streets an emergency. It ends up in the courts, and the courts redirect. We have already had that experience. If out-of-state dries up -- I think we are bringing that date closer by doing this type of legislation -- we are going to have trash in counties that have capacity, like Ocean and

Burlington and Cape May and Gloucester, and any one that has landfill capacity. That isn't that many counties in the State of New Jersey. It is, like, 25% to 30% of the counties that have-- And that is just a fact.

We talk about things like they are nonexistent here. We have had a mass burn facility at Fort Dix since 1986. We just had DEP come out and do an analysis of their permit versus their stack emissions, very carefully. They are meeting it to the "T." They had start-up problems. Every incinerator you start up is going to have start-up problems. It is going to have stack problems for a temporary time. It is going to have ash problems. But you analyze what you are feeding that incinerator; you analyze what the temperatures are; and you solve those problems and you solve the emissions problems. Fly ash-- New York and New Jersey are doing a joint venture study on fly ash under pavement now. New York has taken the lead on that. That has been going on for two years, and we are following that issue. That is the big issue if we control what is going into these incinerators, I am convinced, because we are taking ash from Fort Dix on an ongoing basis -- bottom ash. That incinerator is: a) meeting its air permit; b) we looked at those emissions, with medical waste included. In fact, under the Medical Waste Bill, we have opened up that capacity for some other counties to utilize that, with the Fort Dix winding down.

If it wasn't for incineration-- That is the short-term answer for our beach pollution problem, which is near and dear to Jack's area. (referring to Assemblyman Hendrickson) It wouldn't be possible for an incinerator that is capable of destroying medical waste to be regionalized, if you will. It's tough for me to sit here, having just gone through that exercise, and having our Freeholders do a plan amendment to open our borders up, and hear all this hoopla against incineration. At the same time, we're saying, "Okay,

we're not even talking about our sludge mandate." Are we throwing out our solutions to medical waste, because that is trash on the beach? That hits another hot botton in the environment, directly related to incinerators.

Hazardous waste incinerator-- The same issue. We have a rotary kiln hazardous waste incinerator in our county. It is meeting its air permit standards. We have protocols for burns. We have a solid waste facility with a leachate treatment. We have a state-of-the-art landfill. And we are going to produce a RDF and a compost for sewage sludge, the only county in the State that adopted its sewage plan under its solid waste plan.

All of those technologies are there. A lot of what people have been talking about are very valid issues, but they all exist in New Jersey. You can get the answers, because there are microcosms of every issue in hazardous waste, medical waste, solid waste, state-of-the-art landfills, leachate treatment. You know, when you put ash in a landfill, if you have a secure facility, it impacts your leachate treatment facility, and you have a discharge permit that regulates that. So what we are developing is an environmental loop with all of these technologies that is responsive to permits. When you violate an air permit or a NJPDES permit, you know, the monitoring is so tight. It's not like a sewerage treatment plant. We have weekly monitoring. So we are getting our disposal in a controlled environment, which is the goal I think we are all after.

Some of you might have a different version, but keep in mind that we have been at this for 14 years; I would say the first nine of which we did precious little, except spend money for engineering and planning and environmental impact statements and health risk analyses and studies. But now it is implementation time. If we last until 1992 without out-of-state waste -- exporting -- we will be very, very

fortunate. So we have to bring things on-line. We can't interrupt counties that are in the middle of the process.

Obviously, I am opposed to this bill. I thank you for the opportunity to testify.

ASSEMBLYMAN ROONEY: Thank you, Mr. Shinn. There is only one disagreement I have with the statement you have made. I believe this bill should be heard. One of the problems that I experienced, as a legislator, as a Commissioner on the BCUA, as a former mayor, was the fact that it took so long to permit the Bergen facility. We have been going through-- We still don't have final approval from the Corps of Engineers. This has been going on since 1984. Perhaps with the pressure being brought to bear with DEP, they will start looking at this, and start doing a better job of answering the county's requirements. If we had a couple of these on-stream and could get a better idea of what they actually do--

As you said, I agree totally that on Warren County you have start-up problems. They had it on the Peekskill facility in Westchester County. That is running smoothly and clean. The biggest problem they have is actually the garbage lining up outside the plant, because they have so much. Apparently they were not prepared to take as much as they got. I visited the ones in Pinellas County. I visited the ones in Baltimore. And there are examples all over. Unfortunately, I didn't get to go to Europe, as the County Executive said, or Japan. Panama I could do without.

But, I believe it is time that we look at this legislation. We looked at the net effect. I believe there is a valid question as to the cumulative effect. Personally, I believe in regionalization. If we are going to do this, I believe it should be in one county, probably serving two, three, or four counties -- doing that regionalization process. We should look at alternatives, as Assemblyman Rocco said. The OFRA process is something to look at.

John, I asked you for six months to let me know when that is open, so I could go down there. As you know, I have been around the industry for many years, and I have no financial involvement in any of these processes.

ASSEMBLYMAN HENDRICKSON: We're all signing a statement.

ASSEMBLYMAN ROONEY: We are all going to sign that statement, I believe. I had seen a similar fiber process. I heard the description by my Senator. There was a process. It was Parsons Whittemore, and that was the town of Hempstead. That process didn't work, so I am very concerned as to, you know, what alternatives there are up there.

ASSEMBLYMAN ROCCO: Seeing is believing, Mr. Chairman.

ASSEMBLYMAN ROONEY: Perhaps we could have another meeting in the Camden area, and perhaps take a tour the same day over to see that. I will try to arrange that with the Committee members.

ASSEMBLYMAN ROCCO: That would be great. Mr. Chairman, I also sent the Committee members a New York Times article with reference to core burnouts and the expense of incinerators in terms of upkeep and maintenance. The costs are astronomical to maintain these incinerators. In The New York Times editorial, they asked the City not to go into incineration. There is just so much information now.

You know, it's a long time. We are intelligent people. Things change. Bob Shinn and I agree. You know, we started on this course, but as the technology has improved, we ought to be open enough and intelligent enough to take a look at what's new on the horizon.

ASSEMBLYMAN SHINN: I am not partial to incineration. Our county has chosen that as an option. You know, I am not here saying that--

ASSEMBLYMAN ROONEY: I would also suggest that we go to Warren County and take a look at that one, as soon as you

get the word that we can come down. I would like to take a look at the other alternatives. I would like to invite in some of the people from the manufacturing end of the processes; have them come and testify. I believe it is important. But again, as I said at the beginning of the meeting, I don't want to send the wrong message to any of the bonding people or any of the other people that we are going to put this moratorium on here and now, and we are not going to consider resource recovery. It's a thing where we have to look at the existing plants that have already been sited, have already been bonded. It is important that we don't interrupt that particular flow. We should at least look at some of the resource recovery plants that are ready to go.

ASSEMBLYMAN ROCCO: Mr. Chairman, you are doing the citizens of the State of New Jersey a tremendous favor here, because no one has dared bring this up for discussion before. You are the first one to have enough fortitude to do that, and I can tell you, for one, as well as the people whom I represent, that we appreciate that. At least, you know-- We are an American democracy, right? Discuss it, deal with it. Warren County was so secretive for so long, it was disgusting. It was a public entity, and you couldn't get any information from them. At least you're out, you're open, and we're dealing with it. Let the chips fall where they may.

ASSEMBLYMAN ROONEY: Flattery will get you anywhere, except we are not going to release the bill today. (laughter)

ASSEMBLYMAN SHINN: One quick response: Jack Hendrickson raised an excellent issue on household hazardous waste, because he is right on the money that there is a real problem with household hazardous waste.

ASSEMBLYMAN HENDRICKSON: I think everybody ought to be hearing about it, Bob. Talk a little louder. There are a lot of people for composting.

ASSEMBLYMAN SHINN: Household hazardous waste is not only a problem in composting operations. It is a problem in recycling; it is a problem dealing with sewerage sludge in the vegetative part of the municipal waste stream; and it is a problem in landfills, quite frankly.

We are about to be awarded an EPA grant to do a household hazardous waste pilot project. We have had three household hazardous waste collection days, which were extremely successful. People who clean out garages and farmers want to do something with that waste. They do not want to put it into the environment, but we have to have facilities that provide household hazardous waste facilities to deal with that issue.

ASSEMBLYMAN ROONEY: And commercial hazardous waste, too. There is a lot that comes out of offices.

ASSEMBLYMAN SHINN: Oh, exactly, but that is another issue. You sort of have to separate those two. But that is right in the same--

ASSEMBLYMAN ROONEY: Some of these home offices become--

ASSEMBLYMAN SHINN: Exactly. That is an issue that is forthcoming; something we will be talking about.

ASSEMBLYMAN HENDRICKSON: The public does not understand, all of the normal daily products they use -- how hazardous they are in the landfills. They just don't understand that.

ASSEMBLYMAN ROONEY: That does not pertain to this bill, but I would be happy to sit with you--

ASSEMBLYMAN SHINN: Thank you.

ASSEMBLYMAN ROONEY: Thank you for coming. Anyone who hasn't signed one of these slips, who wants to be notified of the next meeting, please do so, and give it to Cindy.

(MEETING CONCLUDED)

APPENDIX

ACTING COMMISSIONER DAGGETT'S TESTIMONY BEFORE THE
ASSEMBLY COMMITTEE ON COUNTY GOVERNMENT AND REGIONAL AUTHORITIES
ON ASSEMBLY BILL No. 4105

MEMBERS OF THE COMMITTEE, I APPRECIATE THIS OPPORTUNITY TO COMMENT ON THIS BILL WHICH IS OF TREMENDOUS CONCERN TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION. THIS BILL, WHICH THE DEPARTMENT OPPOSES, HAS MANY COMPONENTS. THE FIRST IS A STUDY OF THE CUMULATIVE AIR, WATER SUPPLY, WATER POLLUTION AND LAND-USE PLANNING IMPACTS OF ALL RESOURCE RECOVERY FACILITIES TO BE SITED IN THE STATE OF NEW JERSEY. ADDITIONALLY, THIS BILL WOULD IMPOSE A MORATORIUM ON THE PERMITTING OF ANY SUCH FACILITIES FOR A ONE YEAR PERIOD. I WOULD LIKE TO OFFER COMMENTS IN TWO GENERAL CATEGORIES.

FIRST, I WOULD LIKE TO ADDRESS THE BASIC UNDERLINING ASSUMPTION EXPRESSED IN THIS BILL THAT RESOURCE RECOVERY FACILITIES, I.E. MASS BURN INCINERATORS ARE BAD AND POSE A THREAT TO PUBLIC HEALTH AND THE ENVIRONMENT. THIS IS SIMPLY NOT TRUE. SECONDLY, I WOULD LIKE TO ADDRESS HOW THIS MORATORIUM WOULD CONFLICT WITH THE GOALS ESTABLISHED BY THE LEGISLATURE AND THE ADMINISTRATION TO MAKE NEW JERSEY SELF-SUFFICIENT IN TERMS OF GARBAGE DISPOSAL BY 1992. A BILL WHICH PROPOSES A MORATORIUM ON FACILITIES WOULD PUT NEW JERSEY AT SERIOUS ENVIRONMENTAL RISK OF HAVING NO PLACE TO DISPOSE OF ITS GARBAGE. I MUST CHALLENGE THE ASSUMPTION OF

THIS BILL THAT RESOURCE RECOVERY FACILITIES POSE A THREAT TO PUBLIC HEALTH AND ENVIRONMENT AND THAT, IN FACT, RESOURCE RECOVERY TECHNOLOGY IS UNPROVEN AND IS OF QUESTIONABLE VALUE. QUITE THE CONTRARY, THE DEPARTMENT REMAINS CONVINCED THAT THIS TECHNOLOGY IS ENVIRONMENTALLY SOUND, ENVIRONMENTALLY SAFE AND CAN BE REGULATED IN A MANNER THAT IS FULLY CONSISTENT WITH SIMILAR INDUSTRIAL FACILITIES. FAR FROM BELIEVING THAT THE TECHNOLOGY IS UNPROVEN, IT IS PROVEN TO BE AN EFFECTIVE MEANS OF SOLID WASTE DISPOSAL WITHIN THE UNITED STATES AND MANY OTHER PARTS OF THE WORLD.

THE DEPARTMENT'S DESIGN REQUIREMENTS FOR RESOURCE RECOVERY FACILITIES STATE SPECIFICALLY THAT A PROPOSED RESOURCE RECOVERY FACILITY CANNOT PLACE A DEMAND ON EXISTING PHYSICAL UTILITIES WHICH EXCEEDS THE REMAINING USE. THIS INCLUDES POTABLE AND NON-POTABLE WATER SUPPLIES, WASTEWATER/STORMWATER COLLECTION AND TREATMENT SYSTEMS, ENERGY SUPPLY AND TRANSMISSION SYSTEMS, TRANSPORTATION SYSTEMS OR ANY OTHER SITE-RELATED INFRASTRUCTURE. IN THOSE CASES WHERE ADDITIONAL CAPACITY IS NEEDED, IT MUST BE SUPPLIED THROUGH THE ESTABLISHMENT OF NEW UTILITIES SYSTEMS WHICH WILL MEET THE ADDITIONAL DEMAND GENERATED BY THE CONSTRUCTION AND OPERATION OF THIS FACILITY. THIS REQUIREMENT IS ALSO SUPPORTED IN THE ENVIRONMENTAL HEALTH IMPACT STATEMENT (EHIS) WHICH MUST BE CONDUCTED FOR EACH FACILITY PRIOR TO APPROVAL OF SITE, DESIGN OR CONSTRUCTION.

CUMULATIVE AIR QUALITY IMPACT STUDIES ARE ALREADY DONE AS PART OF THE AIR PERMIT REVIEW PROCESS IF THE RRF FACILITY HAS A SIGNIFICANT OVERLAPPING EFFECT ON ANOTHER FACILITY, OTHER MAJOR SOURCE, OR OTHER TYPES OF INCINERATORS. THE DEP IS NOW REQUIRING THE INCLUSION OF SMALL EXISTING INCINERATORS IN THE CUMULATIVE IMPACT ASSESSMENTS. IN ADDITION, WE HAVE BEEN DISCUSSING WITH EPA IN NEW YORK A BROADER STUDY OF AIR QUALITY IMPACTS OF ALL EXISTING AND PROPOSED SOURCES IN THE

REGION IN ORDER TO MAKE INFORMED DECISIONS THAT ALLOW CONTINUED ECONOMIC GROWTH AND IMPROVED AIR QUALITY.

BASED UPON THE MULTIPLE SOURCE MODELING STUDIES THAT DEP HAS CONDUCTED, THERE ARE NO CUMULATIVE EFFECTS ON AIR QUALITY FROM RESOURCE RECOVERY FACILITIES. WE HAVE ATTACHED A COMPARISON OF THE TOTAL EMISSIONS FROM ALL 20 RESOURCE RECOVERY FACILITIES WERE THEY TO BE BUILT WITH THE TOTAL ANNUAL STATEWIDE EMISSIONS. CURRENTLY, NEW JERSEY HAS OVER 13,600 FACILITIES WITH AIR POLLUTION PERMITS. IN THE EXTREME, RESOURCE RECOVERY FACILITIES WILL INCREASE THIS NUMBER BY 20. WHEN THE TOTAL EMISSIONS OF ALL OF THIS STATE'S 13,600 FACILITIES ARE SUMMED, THE EMISSIONS FROM TWENTY RESOURCE RECOVERY FACILITIES REPRESENT A VERY SMALL FRACTION OF OVERALL EMISSIONS.

IN THE AREA OF LAND USE, THE EHS STATES THE PRESENT FACILITY'S RELATIONSHIP TO ANY FEDERAL, STATE, COUNTY OR LOCAL LAND-USE PLAN OR ENVIRONMENTAL REGULATIONS, AS WELL AS HOW THE PROPOSED FACILITY WILL CONFORM OR CONFLICT WITH THE LAND-USE PLAN AND THE MITIGATION MEASURES PROPOSED TO ADDRESS ANY POTENTIAL ENVIRONMENTAL IMPACT ASSOCIATED WITH THE FACILITY.

I SUBMIT THAT THE DEPARTMENT REGULATIONS ARE SUFFICIENTLY STRINGENT TO ADDRESS THE CONCERNS OF THE PROPOSED LEGISLATION. ADDITIONALLY, THE EVALUATION AND ANALYSIS REQUIRED ON AN INDIVIDUAL BASIS IS EQUALLY, IF NOT MORE STRINGENT THAN EVALUATING THE CUMULATIVE IMPACTS. I MIGHT ADD THAT THE MAJORITY OF OUR COUNTIES HAVE ALREADY HAD TO STRUGGLE THROUGH THE SITING PROCESS AND TO THEIR CREDIT THIS DIFFICULT DECISION IS BEHIND THEM.

IN SUMMARY, ON THIS POINT, I WOULD LIKE TO NOTE THAT COMBUSTION IS NOT NEW, THAT INCINERATION IS NOT NEW AND THAT THE CONTROL TECHNOLOGIES FOR THESE FACILITIES ARE NOT NEW - - THEY ARE ALREADY WELL ESTABLISHED AND EFFECTIVE, YET ARE STILL BEING IMPROVED. ON A SOMEWHAT BROADER ISSUE, THIS BILL IMPLIES THAT SOMEHOW NEW JERSEY IS EMBARKING ON A NEW AND UNCHARTED COURSE IN PURSUING AND SITING RESOURCE RECOVERY FACILITIES. NOTHING COULD BE FURTHER FROM THE TRUTH. LOOKING TO MANY OF OUR NEIGHBORS AND TO OTHER COUNTRIES, WE CAN SEE THAT NEW JERSEY IS, IN FACT, WELL BEHIND THE REST OF THE COUNTRY AND THE REST OF THE WORLD IN UTILIZING RESOURCE RECOVERY FACILITIES MASS BURN INCINERATION AS AN OPTION FOR SAFE DISPOSAL OF WASTE. CONNECTICUT, A STATE VERY MUCH LIKE OUR OWN, CURRENTLY INCINERATES 60% OF ITS PROCESSIBLE WASTE AND IS MOVING AHEAD TO THE GOAL OF 100% OF THIS WASTESTREAM WITHIN THE NEXT THREE (3) YEARS. CONNECTICUT CURRENTLY HAS 7 MASS BURN INCINERATORS AND 1 REFUSE DERIVED FUEL PLANT (RDF) ON LINE AND AN ADDITIONAL FOUR FACILITIES ARE PLANNED. CONNECTICUT IS FULLY SELF-SUFFICIENT AND DOES NOT EXPORT ANY SOLID WASTE.

MOVING NOW TO MASSACHUSETTS, A MORATORIUM RECENTLY IMPOSED THEIR IS CITED AS AN EXAMPLE OF WHY NEW JERSEY SHOULD DELAY THE SITING OF RESOURCE RECOVERY FACILITIES. AGAIN, I WOULD OFFER THE FOLLOWING FACTS. MASSACHUSETTS HAS ALREADY SITED AND CONSTRUCTED 8 MASS BURN INCINERATORS. THESE INCINERATORS CURRENTLY HANDLE 50% OF THE TOTAL WASTESTREAM. WITH REGARD TO THE CURRENT MORATORIUM IN MASSACHUSETTS, I CALL YOUR ATTENTION TO SOME IMPORTANT FACTS: THE MORATORIUM WAS IMPOSED TO ENSURE AGAINST THE PROLIFERATION OF MASS-BURN INCINERATORS WITHOUT OTHER WASTE DISPOSAL OPERATIONS, SPECIFICALLY RECYCLING. MASSACHUSETTS HAS NO FORMALIZED SOURCE REDUCTION OR RECYCLING PROGRAM IN PLACE AND WE IN NEW JERSEY WOULD CONCUR THAT MASSACHUSETTS' APPROACH IS PRUDENT. TO DELAY THE DEVELOPMENT OF ADDITIONAL MASS BURN INCINERATORS UNTIL THE EFFECTS OF A RECYCLING PROGRAM ARE

TAKEN INTO ACCOUNT, MAY MAKE SENSE IN THE MASSACHUSETTS CASE. HOWEVER, THERE IS AN IMPORTANT DISTINCTION: MASSACHUSETTS IS SELF-SUFFICIENT AND DOES NOT EXPORT ANY GARBAGE OUT-OF-STATE, AS OUR STATE DOES, AND MASSACHUSETTS DOES NOT HAVE MANDATORY RECYCLING, AS DOES NEW JERSEY.

LET US NOW TURN TO OUR OWN STATE. NEW JERSEY EXPORTS 55% OF ITS GARBAGE OUT-OF-STATE. THIS TRANSLATES TO ALMOST 6 MILLION TONS PER YEAR GOING TO SUCH STATES AS PENNSYLVANIA, OHIO, WEST VIRGINIA AND AS FAR AS KENTUCKY. THIS IS DUE LARGELY IN PART TO OUR AGGRESSIVE PROGRAM OF CLOSING OLD, ENVIRONMENTALLY UNSOUND LANDFILLS. THIS MEASURE, HOWEVER, RESULTED IN A TREMENDOUS DECREASE IN LANDFILL CAPACITY OVER A VERY SHORT TIMEFRAME, FROM 400 LANDFILLS FIFTEEN YEARS AGO, TO 9 TODAY. I WOULD ALSO NOTE THAT OF THE 55% OF THE TOTAL GARBAGE THAT WE EXPORT, 80% GOES TO THE STATES OF PENNSYLVANIA AND OHIO. BOTH OF THESE STATES ARE CURRENTLY PURSUING PROGRAMS, BOTH LEGISLATIVE AND REGULATORY IN NATURE, DESIGNED TO CLOSE THEIR BORDERS TO OUT-OF-STATE GARBAGE JUST AS WE CLOSED OUR BORDERS TO OUT-OF-STATE GARBAGE IN THE 1970s. IN THE NEAR FUTURE, WE EXPECT THAT THIS WILL RESULT IN A SITUATION IN WHICH NEW JERSEY CAN NO LONGER SHIP TO OHIO OR PENNSYLVANIA, THE TWO STATES THAT CURRENTLY TAKE MOST OF OUR WASTES. MOREOVER, OTHER STATES ARE NOT FAR BEHIND IN CLOSING THEIR DOORS TO NEW JERSEY'S WASTE. RECENT FEDERAL LEGISLATION ALSO ADDRESSES THIS ISSUE OF INTERSTATE TRANSPORT OF WASTE. RELATIVE TO OUR CONTINUED RELIANCE ON OUT-OF-STATE DISPOSAL OF OUR GARBAGE, WE SIMPLY DO NOT HAVE THE LUXURY OF DELAYING OUR NECESSARY ACTIONS. IT IS APPARENT THAT THE CLOCK IS TICKING AND WE CAN NO LONGER DEPEND ON OUT-OF-STATE DISPOSAL.

WE MUST REMAIN COMMITTED TO A POLICY OF SELF-SUFFICIENCY BY 1992. IN THIS LIGHT, THE PROPOSED STUDY AND MORATORIUM POSES TREMENDOUS DIFFICULTIES FOR THIS

DEPARTMENT AND FOR THE STATE OF NEW JERSEY IN REACHING THAT GOAL. A ONE YEAR MORATORIUM, ON A PROVEN, ENVIRONMENTALLY SOUND, SAFE TECHNOLOGY SUCH AS MASS BURN INCINERATION COULD PUT THE STATE IN A CRISIS SITUATION WITHIN THE NEXT TWO YEARS. FIRST AND FOREMOST, THE RISKS ASSOCIATED WITH NOT HAVING A PLACE FOR OUR GARBAGE POSES GRAVE PUBLIC HEALTH AND ENVIRONMENTAL CONSEQUENCES AND SECONDLY, COSTS ASSOCIATED WITH CLEAN UP AND CRISIS DISPOSAL WILL BE EVEN MORE EXPENSIVE THAN CURRENT AND PROJECTED COSTS. IN ADDITION, THIS MORATORIUM IF PASSED WOULD IMPOSE ON THOSE COUNTIES PLANNING RESOURCE RECOVERY FACILITIES SIGNIFICANT INCREASES IN COSTS DUE TO INCREASED FINANCING CHARGES. A ONE-YEAR DELAY WILL CAUSE THE COST OF THESE PROJECTS TO INCREASE CONSIDERABLY. IN UNION COUNTY, FOR EXAMPLE, COUNTY RESIDENTS WILL ABSORB AT LEAST \$50 MILLION EXTRA COST FOR THE ONE-YEAR DELAY THIS BILL IMPOSES. THE SAME SITUATION EXISTS FOR PASSAIC AND BERGEN.

NEW JERSEY REMAINS COMMITTED TO A FOUR PRONGED STRATEGY IN DEALING WITH ITS SOLID WASTE. A STRATEGY WHICH RELIES ON SOURCE REDUCTION, DECREASING THE AMOUNT OF MATERIAL WE GENERATE; RECYCLING, TAKING WHAT CAN BE TAKEN OUT OF THE WASTE STREAM AND REUSING IT; RESOURCE RECOVERY OF WHICH MASS BURN INCINERATION IS JUST ONE TECHNOLOGY AND INCLUDES MECHANICAL SEPARATION AND REFUSE DERIVED FUELS AND FINALLY, CONTINUED RELIANCE WHERE NECESSARY ON SAFE, STATE-OF-THE-ART, ENVIRONMENTALLY SOUND LANDFILLS.

OUR CRITICS AND THE PROPONENTS OF THIS BILL, WOULD HAVE THE PUBLIC BELIEVE NEW JERSEY HAS PICKED AND CHOSEN ONLY ONE WAY OF DISPOSING OF SOLID WASTE, THAT WE ARE MADLY RUSHING TOWARDS MASS BURN INCINERATORS, OBLIVIOUS TO ANY OTHER ALTERNATIVES. AGAIN, THE FACTS SPEAK THE TRUTH. THE TRUTH IS, WE ARE AHEAD OF OTHER STATES IN AREAS SUCH AS RECYCLING. WE HAVE THE MOST AGGRESSIVE RECYCLING PROGRAM IN THE NATION AND WE ARE WELL ON OUR WAY TO MEETING THE

LEGISLATIVELY-MANDATED GOAL OF 25% REDUCTION. HOWEVER, CONTRARY TO WHAT THIS BILL WOULD LEAD ONE TO BELIEVE, WE ARE NOT AHEAD OF THE OTHER STATES IN PURSUING RESOURCE RECOVERY. JAPAN, OFTEN CITED AS AN EXAMPLE OF AGGRESSIVE RECYCLING, RECYCLES APPROXIMATELY 50%. THIS OUTSTANDING RECYCLING ACCOMPLISHMENT IN JAPAN HAS NOT COME EASY. IT HAS TAKEN THE BETTER PART OF TWENTY YEARS TO ACHIEVE. IT SHOULD BE EMPHASIZED, HOWEVER, THAT 68% OF THE SOLID WASTE REMAINING AFTER RECYCLING IS INCINERATED IN ONE OF THE MORE THAN 1800 INCINERATORS. IN SWEDEN, THEIR MORATORIUM ON WASTE-TO-ENERGY FACILITIES WAS LIFTED AFTER THE SWEDISH GOVERNMENT STATED THAT AFTER ITS REVIEW OF WASTE MANAGEMENT TECHNOLOGIES, NO TECHNOLOGY COMPARES TO WASTE-TO-ENERGY IN OVERALL ENVIRONMENTAL SOUNDNESS AND COST EFFECTIVENESS.

THE NEW JERSEY LEGISLATURE SET IN MOTION WITH THE PASSAGE OF THE SOLID WASTE MANAGEMENT ACT AND ITS AMENDMENTS, A PROCESS BY WHICH COUNTIES WOULD INDEPENDENTLY EVALUATE TECHNOLOGIES TO HANDLE THEIR OWN WASTES. ALL THE COUNTIES HAVE STEPPED UP TO THIS TASK AND FACED DIFFICULT ISSUES OF SITE SELECTION, TECHNOLOGY SELECTION AND TECHNOLOGY EVALUATION, AS WELL AS THE FINANCING OF THESE FACILITIES, IN ORDER TO DEAL WITH SOLID WASTE WITHIN THEIR BORDERS. WE WOULD DO THESE COUNTIES A TREMENDOUS DISSERVICE BY TAKING THIS OPTION OUT OF THEIR HANDS. TO IMPOSE A MORATORIUM WOULD ESSENTIALLY PENALIZE THEM FOR SELECTING WHAT IS A PROVEN, INTERNATIONALLY ACCEPTED TECHNOLOGY.

IF THIS BILL BECOMES LAW, IT WILL PENALIZE THOSE COUNTIES WHO HAVE RESPONSIBLY PLANNED AND SITED FACILITIES. IF ENACTED, COUNTIES WITH EXISTING FACILITIES SUCH AS GLOUCESTER AND OCEAN COUNTIES COULD BE FORCED TO ACCEPT WASTE FROM COUNTIES WHO WOULD HAVE BEEN ABLE TO HANDLE THEIR OWN WASTE BUT FOR THE MORATORIUM IMPOSED BY THIS BILL.

FINALLY, I WOULD OFFER ONE FINAL QUESTION. ONCE THIS DISPOSAL TECHNOLOGY IS ELIMINATED, WHAT ENVIRONMENTALLY SOUND AND ECONOMICALLY FEASIBLE DISPOSAL ALTERNATIVE WILL WE HAVE TO HANDLE OUR SOLID WASTE? TO REMOVE THIS OPTION WHEN THERE IS NO VIABLE ALTERNATIVE WILL PLACE THE STATE'S SOLID WASTE FUTURE IN GREAT JEOPARDY.

THANK YOU. WE WOULD BE GLAD TO RESPOND TO QUESTIONS.

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LOCAL

SELF-RELIANCE

Common Sense Economic Development for Cities

February 1, 1989

Assemblyman William J. Pascrell
470 Chamberlain Avenue
Suite #2
Patterson, New Jersey 07522

Dear Mr. Pascrell,

Based on recent findings of independent consultants in cities ranging from Seattle, Chatanooga, San Diego, Austin, and Philadelphia, incineration of waste has been shown to be the most polluting and most expensive way to manage municipal solid waste.

In two locations -- Alachua County, Florida, and King County, Washington, mass incineration plants were cancelled when studies showed that recycling would divert more waste from the waste stream than incineration.

In Austin, the city council cancelled a plant after it had already spent \$23 million; because a recycling program would save them \$150 million over a 20 year period.

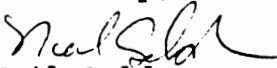
For communities that are considering mass incineration plants, this data and experience are crucial. If planners who have already chosen mass incineration let inertia carry them to build these plants, they will be using public funds in the least efficient manner. An investment in recycling not only gives you the biggest bang for your buck, but also has the quickest impact on the waste stream.

It is indeed difficult for public planning agencies to change a decision that has already been made, e.g. to build a mass burn plant. However, the economics of garbage disposal make it clear that this is the time and place to allow new information into the analysis before hundreds of millions of dollars are risked and millions of pounds of pollution are emitted into New Jersey's air, soil, and water resources.

Assemblyman William J. Pascrell
February 1, 1989
page two

The prudent course at this time in New Jersey is to undertake a comparative analysis of mass incineration with known feasible alternatives. If better ways are currently available, it is not too late to set policy on the right track.

Sincerely,


Neil Seldman
President

SENATOR GERALD CARDINALE TESTIMONY

NONBURN TECHNOLOGY AS AN ALTERNATIVE METHOD

OF SOLID WASTE DISPOSAL 3/2/89

THERE ARE SOME REAL ALTERNATIVE SOLUTIONS TO NEW JERSEY'S SOLID WASTE DISPOSAL CRISIS THAT ARE RELATIVELY INEXPENSIVE AND DO NOT POLLUTE OUR ENVIRONMENT. ONE SOLUTION IS 100 PERCENT RECYCLING OF HOUSEHOLD GARBAGE. ANOTHER IS COMPOSTING. ANOTHER IS GARBAGE GENERATED FUEL, WHICH IS BEING USED EXTENSIVELY IN THE STATE OF MAINE.

THE ORFA PROCESS WAS DEVELOPED SOME 15 YEARS AGO IN SWITZERLAND. THE FIRST AMERICAN FACILITY USING THIS PROCESS IS LOCATED IN SOUTHWEST PHILADELPHIA AND WAS COMPLETED ON JUNE 6, 1988. IT IS A "NONBURN" SYSTEM THAT RECYCLES 100 PERCENT OF HOUSEHOLD GARBAGE. BY USING THIS RECYCLING SYSTEM, WE CAN FINALLY ABANDON INCINERATION FOREVER.

SUSSEX COUNTY IS DOING COMPOSTING. MAINE IS USING GARBAGE GENERATED FUEL THAT PRODUCES NON-TOXIC ASH.

WE HAVE SEEN THE FOLLY OF LANDFILLS AND OCEAN DUMPING AND HAVE ACTED TO PROHIBIT THEM. WHY NOT ALSO DRAW THE CURTAIN OVER YESTERDAY'S TECHNOLOGY, WITH ITS OUTRAGEOUS COSTS, BOTH FINANCIAL AND ENVIRONMENTAL? OUR CURRENT SYSTEM ONLY BENEFITS BUREAUCRATS, LOBBYISTS, BOND SALESMEN AND MANUFACTURERS OF INCINERATORS. IT WILL LEAVE NEW JERSEY WITH MOUNTAINS OF TOXIC ASH THAT NO OTHER STATE WILL TAKE. IT WILL BE BURIED HERE TO THE DETRIMENT OF OUR FAMILIES AND OUR CHILDREN AND THEIR CHILDREN.

I THINK WE ALL LONG FOR THE DAY WHEN OUR CITIZENS WILL NOT BE FORCED TO CO-EXIST WITH SOME MONSTROUS MASS-BURN FACILITY NEXT TO THEIR PROPERTY, BELCHING POLLUTANTS INTO THE SKY AND LEAVING BEHIND A TOXIC ASH RESIDUE. IT IS THAT CONDITION THAT GIVES RISE TO THE "NOT IN MY BACKYARD" SYNDROME.

LET ME EXPLAIN HOW THE NONBURN SYSTEM WORKS. UPON DELIVERY, THE WASTE IS INSPECTED FOR UNUSABLE LARGE OBJECTS, SUCH AS REFRIGERATORS. THE MATERIALS ARE THEN CONVEYED ALONG A THREE-STAGE

APPENDIX 1. THE NONBURN SYSTEM. WITH A LARGE TABLE

PROCESS, WHICH BEGINS BY REDUCING THE WASTE SIZE THROUGH SHREDDERS, CUTTING MILLS AND HAMMER MILLS. LARGE ROTATING MAGNETS EXTRACT FERROUS METALS, WHICH CAN BE SOLD AS SCRAP.

IN THE SECOND STAGE, THE REMAINING WASTE IS DRIED AND TREATED WITH OZONE, ELIMINATING THE ODOR AND PRODUCING A BIOLOGICALLY STABLE PRODUCT.

IN THE FINAL STEP, A FIBER, WHICH IS A CELLULOSE-BASED MATERIAL, IS SEPARATED FROM THE LEFTOVER GRANULATE COMPOSED OF GLASS, PLASTIC AND NON-FERROUS METAL. BOTH ARE THEN SHIPPED TO PURCHASERS.

ONLY TEN EMPLOYEES ARE REQUIRED TO OPERATE THE FACILITY, PRIMARILY TO MONITOR THE EQUIPMENT. CLOSED CIRCUIT CAMERAS COVER THE ENTIRE PROCESS. EXHAUST FROM THE PROCEDURE IS FILTERED THROUGH SPECIAL ORGANIC FILTERS BEFORE BEING RELEASED INTO THE ATMOSPHERE.

A PAPERBOARD MILL IN PATERSON HAS ALREADY TESTED THE SPECIAL FIBER FOR POSSIBLE USE. IT HAS DEMONSTRATED APPLICATIONS IN THE PULP AND PAPER, AGRICULTURE AND BUILDING MATERIALS INDUSTRIES. IN

ADDITION, THE PILOT FACILITY IN SWITZERLAND HAS DEVELOPED A PROCESS FOR A HIGH-DENSITY PARTICLE BOARD THAT CAN BE USED AS A FURNITURE COMPONENT.

THERE ARE A NUMBER OF ADVANTAGES TO NONBURN TECHNOLOGY. TO BEGIN WITH, THERE IS ITS MUCH LOWER COST. RIGHT NOW, BERGEN COUNTY IS PLANNING TO BUILD A MASS-BURN FACILITY AT A COST OF \$500 MILLION DOLLARS. I WAS TOLD, DURING MY TOUR OF THE FACILITY, THAT THE 100 PERCENT RESOURCE RECOVERY SYSTEM CURRENTLY ON LINE IN PHILADELPHIA, WHICH IS ONE-SIXTH THE SIZE OF THE PROPOSED BERGEN PLANT, WAS BUILT FOR \$25 MILLION DOLLARS. THAT IS, ONE-TWENTIETH OF THE COST. IT WAS BUILT IN THE SAME TIME IT TAKES TO BUILD A MASS-BURN FACILITY. ADDITIONALLY, SINCE ALL COSTS ARE BORNE BY A PRIVATE COMPANY, A PUBLIC BOND ISSUE, OR PUBLIC FINANCING, WOULD NOT BE REQUIRED FOR ITS CONSTRUCTION.

THIS SYSTEM IS ALSO CONVENIENT. IT DOES NOT REQUIRE RESIDENTS TO SEPARATE NEWSPAPERS, GLASS AND ALUMINUM FROM THEIR GARBAGE WHEN THEY PUT IT OUT ON THE CURB. THUS, NO NEED FOR A

HORDE OF ENVIRONMENTAL CONSULTANTS TO SORT OUR TRASH.

AS I MENTIONED BEFORE, THE NONBURN PROCESS PRODUCES NO TOXIC ASH RESIDUE, WHICH ALL MASS-BURN FACILITIES NOW GENERATE. IT IS NOTEWORTHY THAT PHILADELPHIA CLOSED ITS PUBLICLY-OWNED MASS-BURN PLANT, BECAUSE IT COULD NOT DISPOSE OF THE TOXIC ASH GENERATED BY ITS FACILITY. HALF OF THE ASH WARREN COUNTY'S MASS-BURN INCINERATOR PRODUCES IS SO TOXIC IT IS BEING SHIPPED OUT OF STATE.

SINCE THE NONBURN METHOD IS ENVIRONMENTALLY SOUND, IT IS LESS LIKELY THAT COSTLY LAWSUITS WILL BE FILED, DELAYING CONSTRUCTION. THIS HAS HAPPENED IN OTHER STATES.

BY USING THE NONBURN SYSTEM, WE WILL BE ABLE TO MOVE FROM A SITUATION IN WHICH AN INEFFECTIVE, COSTLY, DIRTY SYSTEM COULD NOT EVEN GO ON-LINE ON SCHEDULE, TO ONE WHERE A LOW-COST, CLEAN TECHNOLOGY ACTS IN HARMONY WITH THE ENVIRONMENT AND THE PEOPLE IT IS MEANT TO SERVE.

THE BILL THAT I AM SPONSORING IN THE STATE SENATE IS A BILL WHICH WOULD ENCOURAGE COUNTIES TO IMPLEMENT A NONBURN SOLID WASTE

PROPOSAL AND RECYCLABLE MATERIALS STRATEGY AS AN ALTERNATIVE TO THE DEVELOPMENT OF A RESOURCE RECOVERY INCINERATOR FACILITY. IT WOULD ALLOW ANY COUNTY THAT HAS PROPOSED AND ADOPTED A DISTRICT RECYCLING PLAN TO DEVELOP A 100 PERCENT RECYCLING STRATEGY. THE PROPOSED RECYCLING FACILITY, WHICH WOULD HAVE TO BE INCLUDED AS AN AMENDMENT TO THE DISTRICT SOLID WASTE PLAN, WOULD REQUIRE D.E.P. APPROVAL AND BE DESIGNED TO INCREASE THE DESIGNATED RECOVERY TARGET AS OUTLINED IN THE DISTRICT PLAN.

ANYTHING THAT CAN BE DONE TO PROMOTE SUCH AN EXTRAORDINARY TECHNOLOGICAL ADVANCE AS THIS FACILITY IS, AND TO END OUR STATE'S CRISIS IN DISPENSING OF ITS WASTE, MUST BE DONE. JOHN ROCCO'S MORATORIUM ON MASS-BURN FACILITIES IS A GREAT FIRST STEP IN THE PROPER DIRECTION..

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