

NJ Land and Community Preservation Alliance
Fighting to Keep Warren County Safe and Green



Agenda

- **An Overview**
- **Comparisons | Other Facilities Around the Country**
- **Key Concerns**
- **Remediation at NJDEP**

Overview

Comparisons

Concerns

Remediation

Operations Overview

There are three basic tiers to composting:

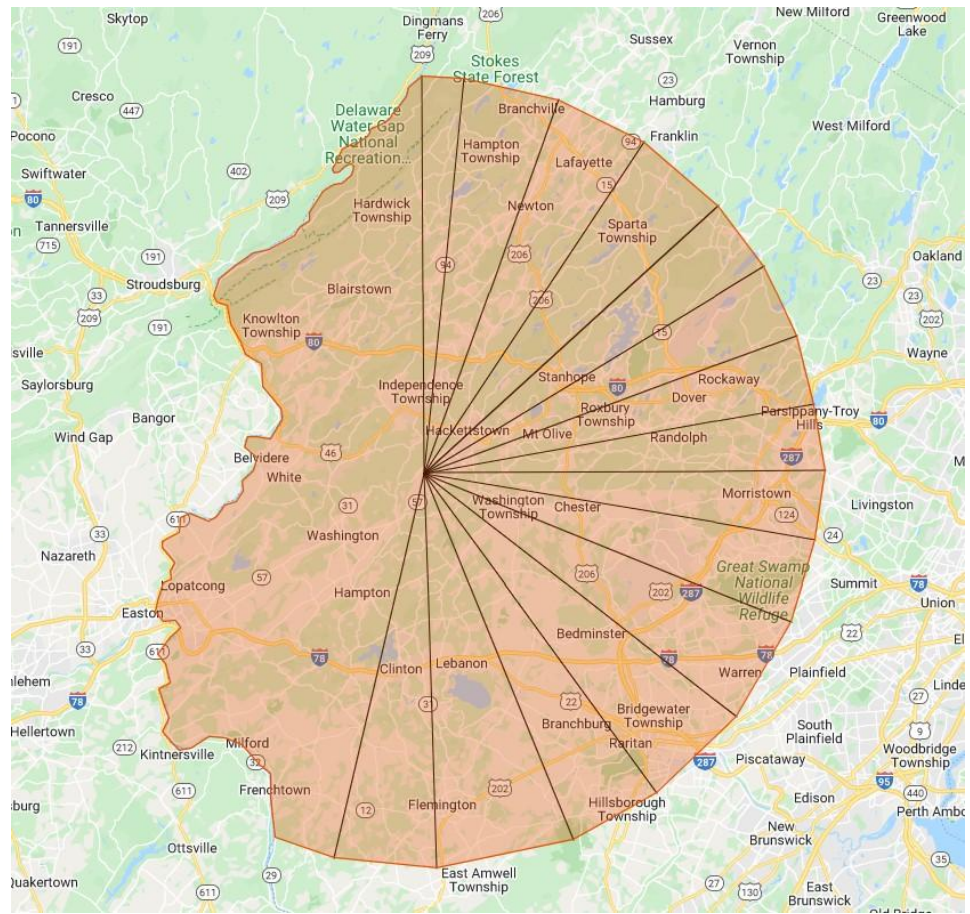
- The Backyard Project
- Farm-Level Operations
- Industrial-Level servicing cities/municipalities

Vivaria's proposal essentially contemplates operations for one-third to as much as half of Northern New Jersey.

Overview

The 25 mile radius where food waste producers of >52 tons/year are **obligated** to use such a facility, according to the law.

[NJ Rev Stat § 13:1E-99.122 (2020)]



What does **Aerated Static Pile (ASP) composting** look like in practice?

[San Francisco | Composting Operations](#)

[Napa City | ASP Composting Operations Overview](#)

Key Take-Away's

- **12 Trucks / day vs. 150 Trucks / day**
- Total Processing Time
- Massive Machinery

12 Trucks / 150 Trucks

That heavily industrialized operation was just 12 Trucks per day.

Based on current volume projections, the facility anticipates a phasing growth to full capacity over three (3) years at approximately 1/3 volume each year in

Operating Year	Total Volume (cubic yards)	Vehicle Volume (cubic yards)	Total Vehicles In (Yearly)	Total Vehicles Out (Yearly)	Total Vehicle Trips (Yearly)	Monthly Trips	Weekly Trips	Daily Trips	Hourly Trips*
1	217,333	30	6586	6586	13,173	1098	254	51	6
2	217,333	30	6586	6586	13,173	1098	254	51	6
3	217,333	30	6586	6586	13,173	1098	254	51	6

*Imagine that heavily industrialized process from the video...
times twelve?*

Key Take-Away's

- 12 Trucks / day vs. 150 Trucks / day
- **Total Processing Time**
- Massive Machinery

Total Processing Time

Aerated Static Pile composting is actually a **three phase** technology:

- Phase 1: Screening/Mixing Materials
- Phase 2: Decomposition (ASP)
- Phase 3: Curing Phase

Total Processing Time

Phase 1: Screening/Mixing Materials

What it looks like:

[Cedar Grove Seattle | Screening Inbound Material](#)

Building the Pile:

[ASP Pile Creation | 3 Key Parameters](#)

Screening

1-5 days

Total Processing Time

Phase 2: Main Decomposition | Aerated Static Pile

[ReUnity Resources | Santa Fe](#)

[Veteran Compost | Aberdeen MD](#)

[O2 Compost, Bailey Compost | Process Time](#)

Screening

~1-5 Days

**Main
Composting
(ASP)**

**28 - 45
Days**

Total Processing Time

Phase 3: Curing Phase | Deconstructed Piles,
Curing and Turning...

[Reunity Resources | Santa Fe | Total Time to Process](#)

[Veteran Compost | Aberdeen | Curing Phase](#)

Screening

~1-5 Days

(ASP)

28 - 45 Days

Curing Phase

**30-60
Days**

What's the Point?

At the 9/1 SWAC Meeting, Vivaria was asked 'How long does the material remain on site?'

Vivaria Response*: Material remains on-site for
26 Days

* SWAC Meeting, September 1, 2022

Total Processing Time

Vivaria's Statement*

Material remains on-site for
26 Days

Actual Time to Process

Phase 1: ~1-5 Days
Phase 2: 28-45 Days
Phase 3: 30-60 Days

59-110 days!

* SWAC Meeting, September 1, 2022

Total Processing Time

But why does that matter?

The proposal states they will operate a Class-C recycling facility, which is already an **approved use** under the Industrial Zoning for the Township.

The proposal cites:

Chapter 363. Zoning, Article XI. I Industrial District, 363-58 “Conditional Uses”, A. Recycling establishments as defined in 360-4 and as regulated in [363-71](#).

§ 363-58 Conditional uses.

The following shall be conditional uses in the I District:

A. Recycling establishments as defined in § 360-4 and as regulated in § 363-71.

Click Here!

What are the “Conditions” in [363-71](#)??

* [MFTP Zoning | Regulation 363-58 A](#)

* [Conditional Usage | Class C Recycling Facility](#)

Total Processing Time

Regulation [363-71](#)

- D. Only the amount of material which can be processed by the recycling establishment within one month's period shall be stored on site...Residue remaining after processing shall not be stored on the site for periods exceeding one month and shall be removed from the site in accordance with the currently effective solid waste flow rules promulgated by the (NJDEP). It is the intention of this section that recycling establishments maintain a continuous flow of materials through the receipt, storage, processing or transferring and removal in order to avoid unreasonable accumulations of preprocessed materials, processed materials and residue materials.**

Total Processing Time

Aerated Static Pile composting is a 59-110 day turn around process, so Vivaria's proposal is **not an approved use.**

What other regulations are not being followed in the proposal?

Total Processing Time

What are those other regulations in [363-71](#)??

- A. *All recycling operations shall be conducted within **enclosed buildings**...*
- B. ***Neither** the storage nor the processing of any material shall be permitted **outside**.*

Total Processing Time

What are those other regulations in [363-71](#)??

- E. The applicant shall demonstrate no significant impact on the environment by compliance with 361-26 and submission of a **completed environmental impact statement**. In no event shall the option of an environmental appraisal be available for this conditional use.*

Total Processing Time

What are those other regulations in [363-71](#)??

F. (3) The activity shall minimize the degradation of **existing lifestyles of residents of the community**.

*This shall be determined based on the effect on **existing transportation patterns, ambient acoustical conditions, drainage and soil characteristics, surface and groundwater quality, and odor production and similar conditions.***

*(4) All materials brought onto the site are to be removed and **no material is to be retained or used** on the site in such a manner that it would prohibit removal.*

Total Processing Time

***And there's a whole lot
More...***

Township of Mansfield, NJ / Part III: Land Use Legislation / Design and Performance Standards

← Article IV Performance Standards →

- § 361-30 Compliance required; issuance of permits. >
- § 361-31 Land disturbance construction permit. >
- § 361-32 Electrical or electronic devices. >
- § 361-33 Glare. >
- § 361-34 Heat. >
- § 361-35 Fire and explosion hazards. >
- § 361-36 Radioactivity. >
- § 361-37 Smoke control. >
- § 361-38 Storage and waste disposal. >
- § 361-39 Vapors and gases; dust and dirt; fly ash and fumes. >
- § 361-40 Ventilation. >
- § 361-41 Vibration. >
- § 361-42 Noise. >
- § 361-43 Airport safety zones and airport hazard. >

Total Processing Time

Summary

Vivaria's proposal states this facility is already an approved use under current zoning ordinances.

Clearly, **it is not... another misleading statement.**

Key Take-Away's

- 12 Trucks / day vs. 150 Trucks / day
- Total Processing Time
- **Massive Machinery**

Overview

Overview

Comparisons

Concerns

Remediation

Vivaria was asked on Sept 1 what they would do if plastics and other inorganics arrived with the food scraps.

The response to this question was 'they'd send the offending material back' to the originator.

That's not even feasible.

- 1) Every single load of inbound material will have inorganics that have to be screened out
- 2) By the time the operators become aware of plastics and other inorganics, there's no traceability to one particular truck or source business and **certainly** there is no way the source location **could** accept it back.

This is just another example of Vivaria misrepresenting the real process required, avoiding having to admit 'Yes, plastics will be dumped here.'

Massive Machinery

Upon arrival, massive machines are needed to screen materials and mix the food compost with carbon material to create the right carbon to nitrogen ratio. More heavy equipment is used to create the static piles.

After it emerges from the static piles, more machinery is needed to turn the material to separate out the larger aggregate (overs) before the Curing Phase.

And during Curing, more machinery is needed to turn the windrows to cool the material in its final stage.

[ASP | Trommels](#)

[ASP | Windrow Turner](#)

Massive Machinery



All of this heavy machinery...

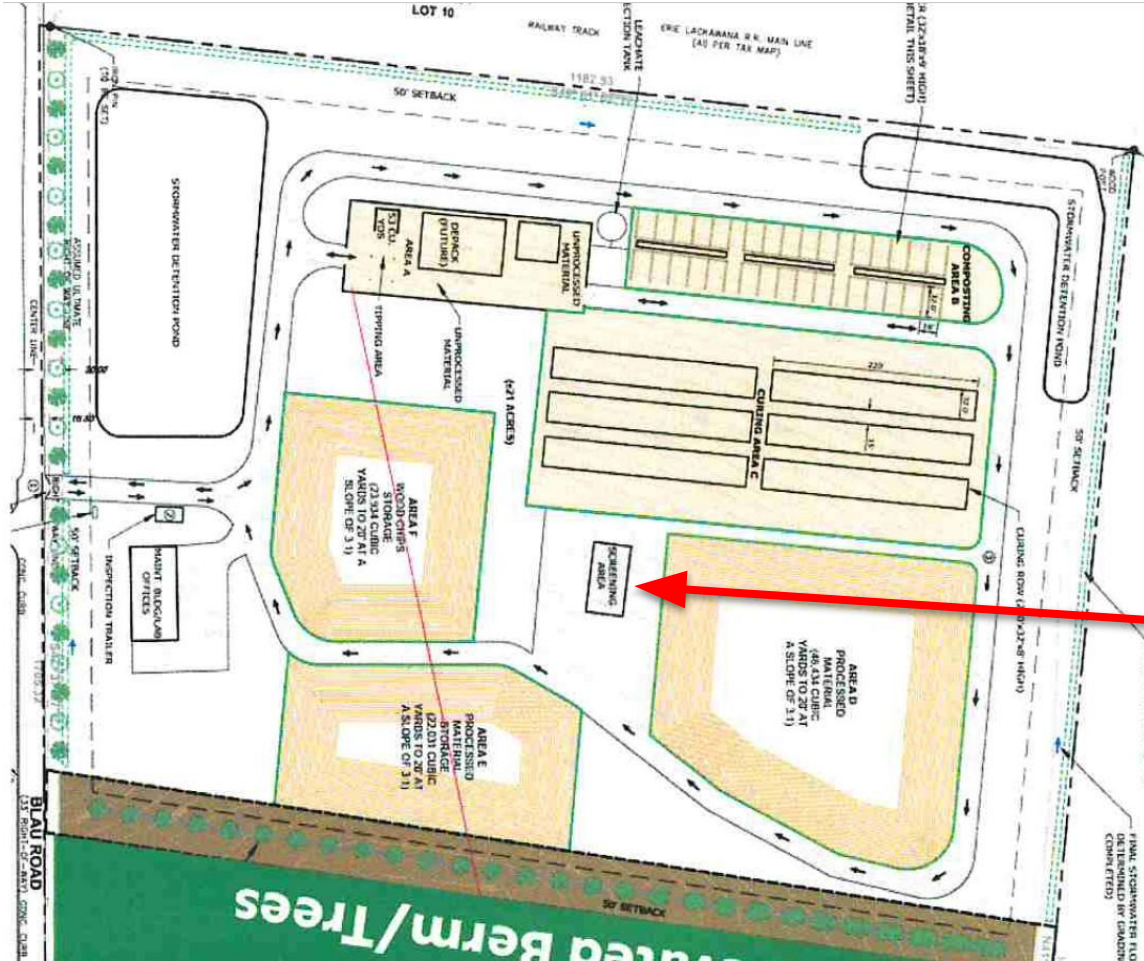
Overview

Overview

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Remediation



... is going here??

Summary from the Overview

- We've seen what an Industrial Composting facility really looks like
- The proposal is **not** in compliance with local and county zoning
- The proposal grossly neglects key steps in ASP operations
- Vivaria's submission at SWAC has yet to furnish the required studies

Overview

Comparisons

Concerns

Remediation

Site Comparisons

Site Comparisons

Overview

Comparisons

Concerns

Remediation

Let's take a tour around the country!!

Vivaria's website has listed a few other operational facilities that are using the Aerated Static Pile (ASP) technology.

Let's check them out and see where they are located and what's around them:

Site Comparisons

Overview

Comparisons

Concerns

Remediation

The [BlauRoad.com](https://www.blauroad.com) website Vivaria established as its 'community outreach' listed a few example facilities:

Prince William County, VA

Green Blenz, WA

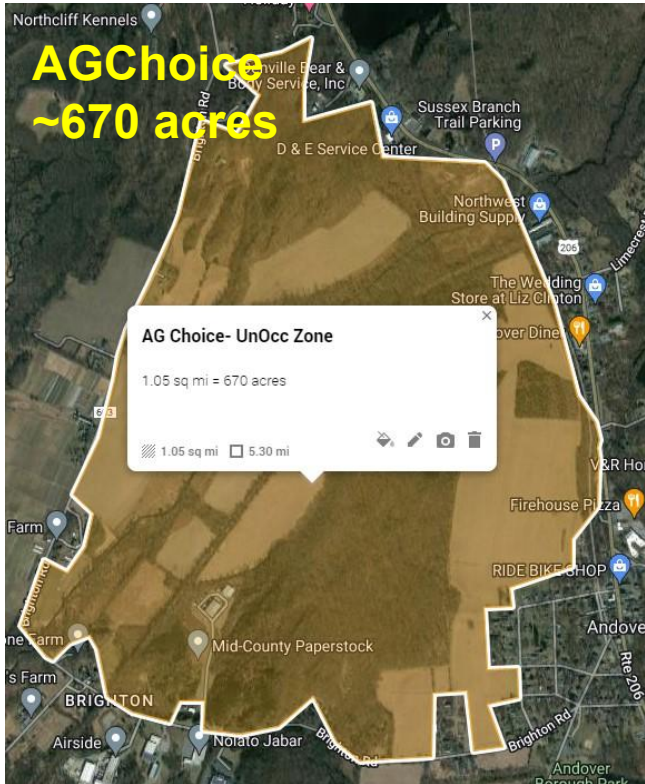
City of Napa, CA

St. Peters, MO

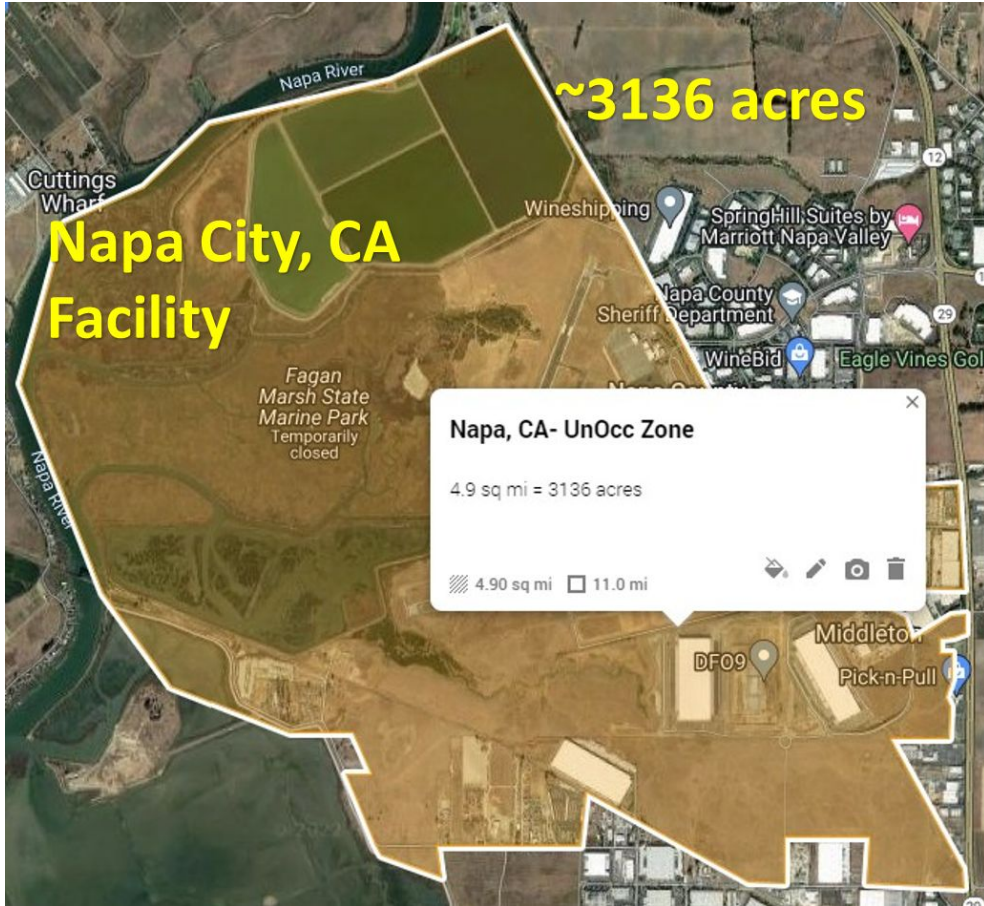
Let's take a closer look ...

[MyGoogleMaps | National Tour of Composting Sites](#)

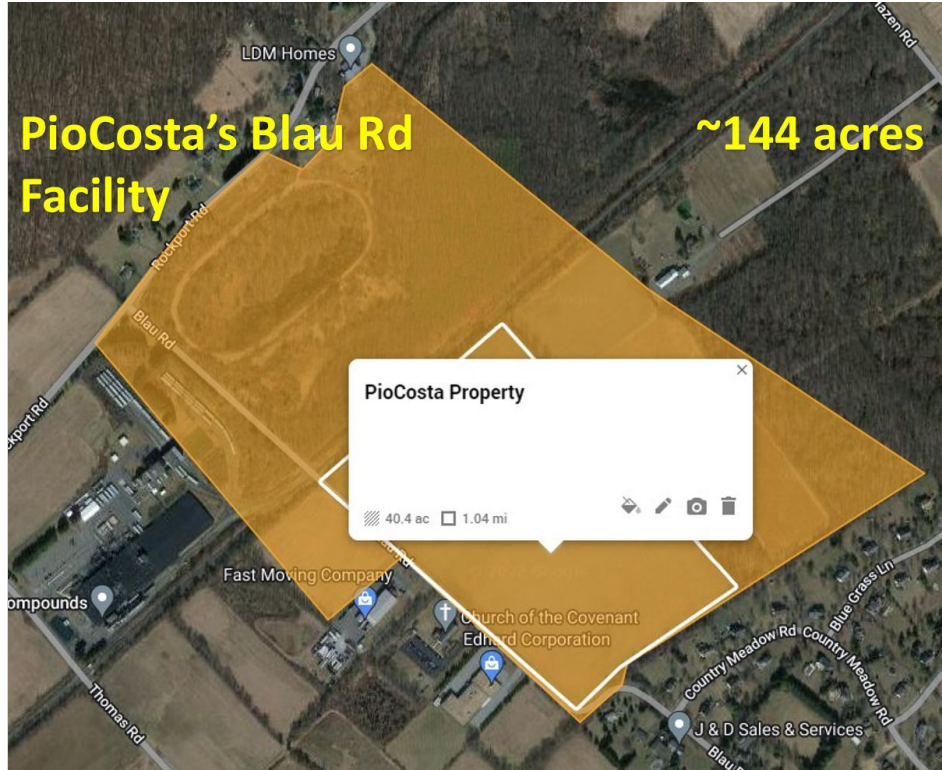
Site Comparisons



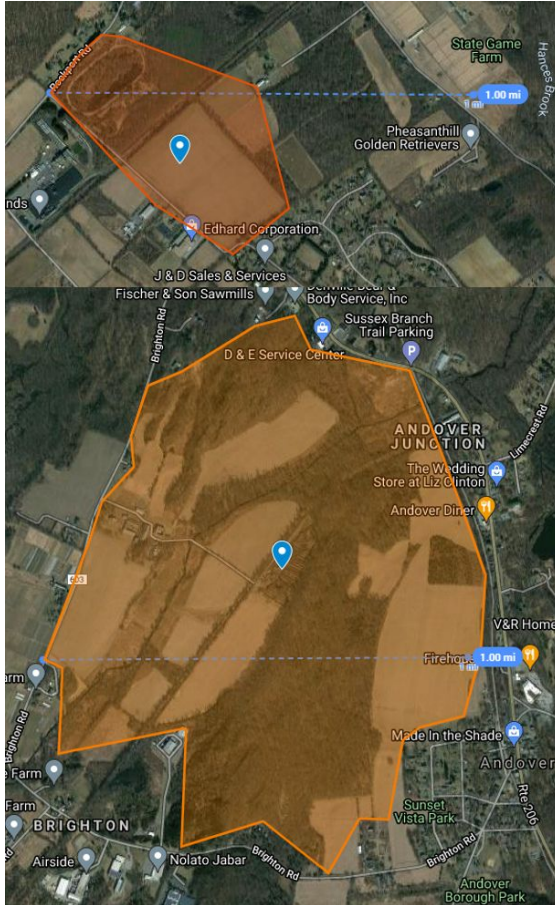
Site Comparisons



Site Comparisons

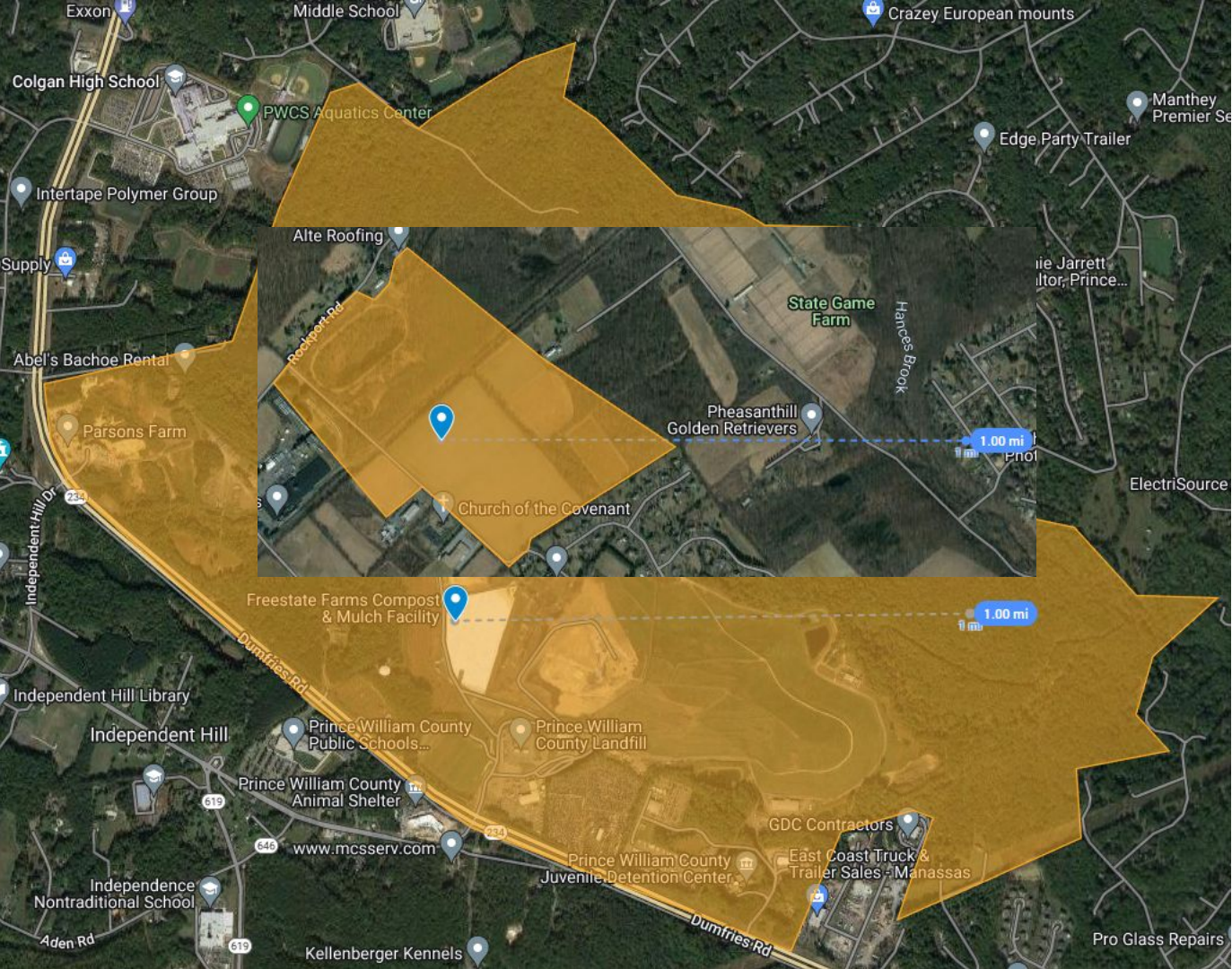


Site Comparisons



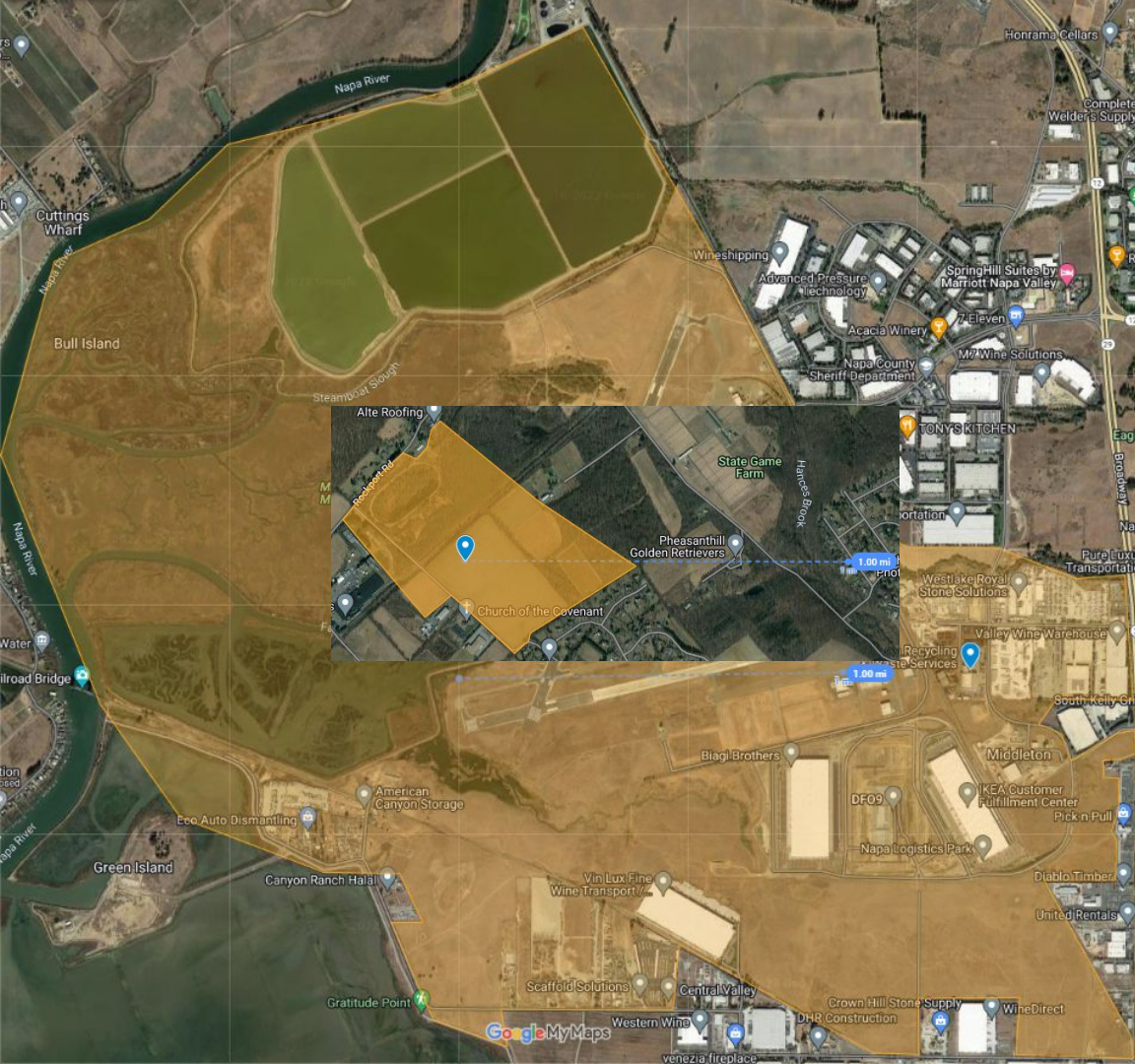
Blau Road

AG Choice, Andover



Notice that the 1mi lines (blue dotted) are approx same. This means the pics are approx the same scale.

See how much more Unoccupied area surrounds Free State Farms, VA compared to Blau Road.



Notice that the 1mi lines (blue dotted) are approx same. This means the pics are approx the same scale.

See how much more Unoccupied area surrounds Napa City, CA's facility compared to Blau Road.

Site Comparisons

Overview

Comparisons

Concerns

Remediation

Conclusions...

Surrounding Unoccupied Area (No Commercial Businesses or Residents) in the area:

Napa City, CA:	~ 3136 acres
Free State Farms, VA:	~ 1369 acres
St. Pete, MO:	~ 1228 acres
AG Choice, Andover NJ:	~ 670 acres

Blau Road:	~ 144 acres
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THERE'S MORE!!!

Vivaria's recent supplemental submission lists these new examples:

Woodland Park Zoo

St. Peter's (again)

Lynden, WA

Lenz Enterprises, Seattle, WA

Alpha Ridge, MD

Freestate Farms, VA

Let's check these out...

Site Comparisons

Overview

Comparisons

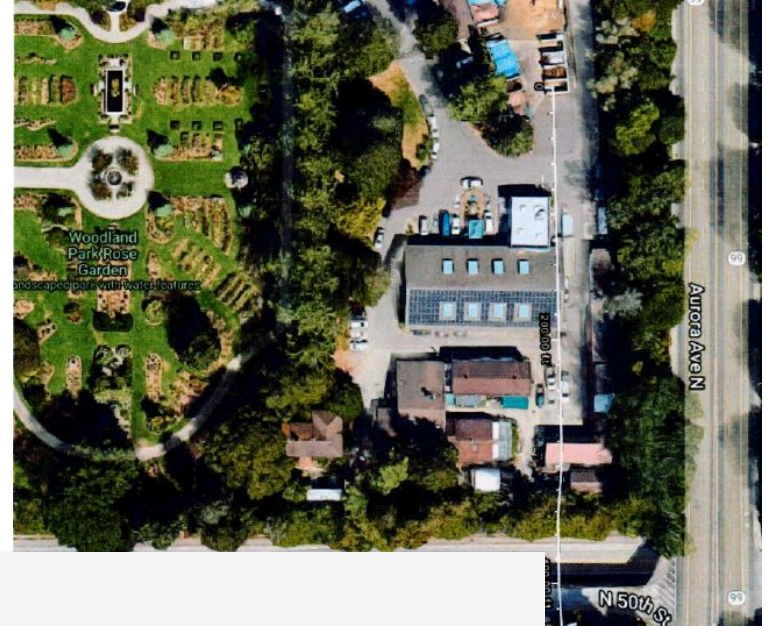
Concerns

Remediation

Woodland Park Zoo | Map

Vivaria's Supplemental Submission deceptively shows an overhead image of the zoo. **Where are the windrows in the image they supplied of Woodland Park Zoo?**

Vivaria's submission states they are composting ~1,000 Tons Per Year. A simple Google search reveals that not only are they composting the zoo's herbivore poop but are only processing 500 Tons Per Year:



Whose Poop?

All the herbivores (plant-eating animals) are happy to doo their part. Rhinos, giraffe, hippos, mountain goats, zebras, and many more provide plenty of material to work with! Woodland Park Zoo composts approximately 500 tons of this animal waste each year—saving around \$125,000 per year in disposal costs.

Conclusion: What a disingenuous and misleading example. This site is **not an industrial-level facility** taking in food scraps from multiple neighboring Counties; it's a Zoo. Any residents living within smelling distance of the animals waste when left in the open would not perceive any difference if it were composted.

Site Comparisons

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City of St. Peters Earth Centre

Vivaria's Supplemental Submission deceptively shows an overhead image of the facility. What ***IS INCLUDED*** in that image is the existing Sewage Wastewater Treatment Facility co-located with the site!



THIS facility is **APPROPRIATELY co-located** with existing facilities that has existing infrastructure to handle truck traffic, leachate and the contributing smells would be negligible against the backdrop that is an existing open-air sewage treatment plant.

Site Comparisons

Overview

Comparisons

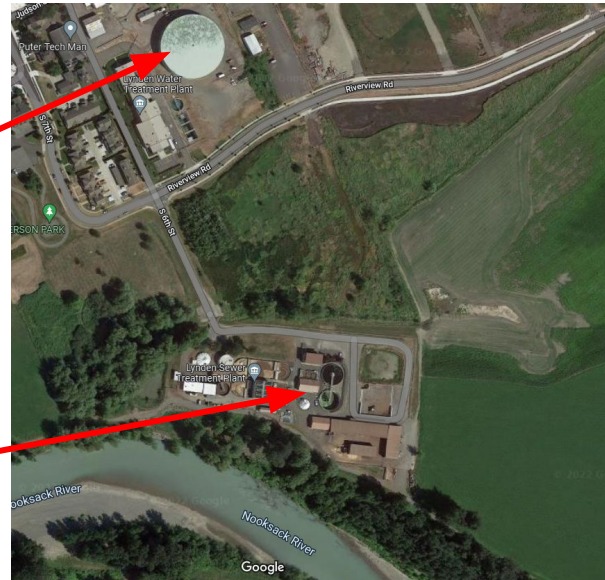
Concerns

Remediation

Lynden, WA

Vivaria's Supplemental Submission shows an overhead image of **A** facility, an **existing Sewage Treatment Facility!**

And quelling other concerns, that's a water tower. Local residents are on city water, mitigating the risk to public health of leachate escaping into the groundwater.



Site Comparisons

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Remediation

Lenz Enterprises

Not only is Lenz Enterprises in Seattle Washington largely surrounded by farm fields, it's located on a large County Road, Rt. 532, a major artery to Interstate 5, quelling concerns over **Truck Traffic**.

The City of Stanwood Washington also serves Public Water, mitigating public health risk to drinking water



Site Comparisons

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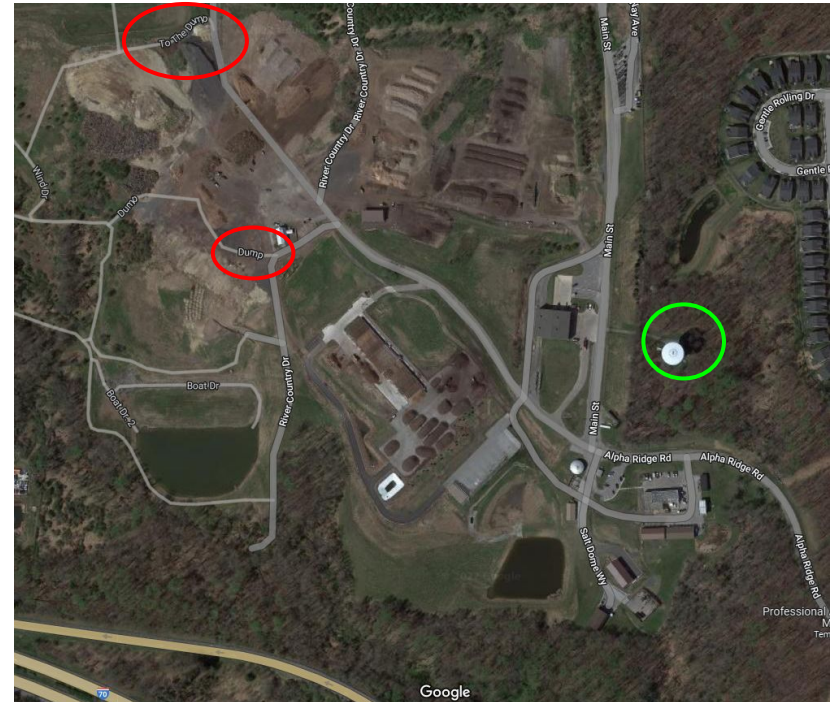
Alpha Ridge Landfill, Howard Co, MD

Is it a wonder that the name of this facility was omitted from the supplemental document?

This facility is co-located with an existing city landfill. Even their roads are named “Dump” and “To The Dump”.

And what was not depicted in Vivaria’s supplement is the giant water tower between **their Dump** and the residence.

And it is located adjacent to Interstate 70.



Site Comparisons

Freestate Farms, Virginia

The 'Other' composting site.

This facility is located in a heavy industrial park with an adjacent recycling center.

There are four-lane roads connecting their driveway to the Prince William Parkway.

The City of Manassas also includes a Department of Public Water



Summary from the Site Comparisons

Example after Example, these facilities are located:

- with existing landfills, Zoo's, recycling centers and/or wastewater treatment facilities
- in examples with nearby residents, the towns have public water works
- with existing highway infrastructure

Other Concerns

The Proposal Itself...

At the Sept 1 SWAC meeting, it was made very clear that this proposal and the talking points were **not to be considered 'sworn testimony'**; there's no "swearing in" to tell the truth.

How can the County be asked to approve a proposal that is not required to be final, factually accurate, is missing required documents/studies, and the site plan itself being noted as just a concept for illustrative purposes?

What process prevents Vivaria to double their operations and use all 42 acres if this is all speculative and conceptual?

What recourse is available to the Public, the Town and to the County when operations fail or grow beyond the "**guesstimates**" provided?

TRUCKS...

150 of them...

Every day...

...ALL

...Day

...Long

*But is it **really** 150 Trucks per day??*

- In Mid-2021 when the Concept Plan was submitted to the MF Land Use board, the estimate for inbound trucks was **~18 per day**.
- At the Feb 2022 meeting held in the cold snowy field, the statement of **18 Trucks per Hour** was said by Vivaria's team to the gathered community.
- Shortly afterwards, their team created www.BlauRoad.com to 'inform' the public. In March 2022, the FAQ's stated **75 Trucks per Hour** (this escalation was so shocking, we immediately reacted by holding a Town Hall meeting).
- Then, the website was updated to state **79 Trucks per week** and TO THIS DAY the site still misleads the public with that number:

How will trucks enter the site?

Trucks will use the municipal-designated truck route to the site. This will entail trucks leaving the Blau Road facility and traveling to Rockport Road to Airport Road to Route 57. At this time, it is estimated that approximately 79 trucks per week will be entering and exiting the facility. We will enforce usage of truck routes through contractual agreements with haulers and customers.

How can we Trust Vivaria's Estimates?

Vivaria has already demonstrated a wild inconsistency with their estimated traffic volume. **So what holds them accountable to 150 Trucks per day?**

- How **CAN** we trust **these** estimates are accurate?
- What oversight is there to ensure the estimates are not exceeded.
- There are no penalties when they are exceeded.

What is the True Scope of the project? Where does it End?

***Rumor Bucket:** the state may be considering to follow suit of California and NYC in drafting new legislation requiring all households to separate organic compostable materials to be collected in a third curbside bin.*

The moment that passes, the State will have a great need for processing capacity.

The approval they are seeking is on the entire 42 acre lot!

Overnight, a **24 acre “proposal”** becomes **42 acres** and **150 Trucks** become **300+**. What mechanism exists to stop that kind of expansion?

That's how Warren County shoulders the expense of becoming Northern New Jersey's Dumping Ground

Odors from the Trucks themselves

- Supermarkets and Restaurants will not immediately truck every individual banana peel and uncooked chicken scrap halfway across the state; there will be dumpsters collecting this material until its full.
- The food scraps will already be rotting before it even departs for Mansfield. The mice and rats will already be in the dumpsters, along with pathogens associated with rotting meats.

Here's an excerpt from a Wantage, NJ composting site* talking about smells from the trucks themselves.

RER, said Tartaglia, has attempted to minimize lingering odors by instructing its drivers to get in quickly, make their deliveries, and leave as quickly as possible and to avoid lingering at the nearby QuickChek for purchases of coffee and other items -- a common practice that he suggested may have contributed to some of the public's complaints in the past. However, he said RER has only limited control over other drivers employed by municipalities and other outside entities.

"We've asked town drivers not to stop at QuickChek for cups of coffee, but all we can do is ask," Tartaglia said.

* Not the same composting as ASP.

Water Usage

Massive volumes of water is required to maintain a moisture level of 60%-65%.

[Constructing the Pile | Adding Water](#)

2600 gallons of water per pile at creation

[Keys to Success | Moisture Content](#)

Water Usage

Their site plan shows 30 stalls holding the Aerated Static Piles. Each pile remains in place ~30 days or 1 month.

2600 gallons H₂O x 30 stalls x 12 times per year =

936,000 gallons of water
just for Phase 2

The **Average person** uses
82 gallons/day x 5 staff x 260 work days per year = ~106,000 gallons per
year*

Total: More than 1 Million gallons of water per year

Water Usage

According to the US EPA, the average American household uses 300 gallons of water per day*.

300 gallons/day x 365 days = ~119,000 gallons/year

**1M gallons of water is approaching the water usage for
NINE Households**

**Located in a water-challenged area where wells have already
gone dry**

When Leachate escapes into the Water System

What is Leachate?

- Leachate is the liquid residue created during the composting process.

[Ontario ASP | Leachate Processing](#)

In Vivaria's response to captured Leachate, they intend to store it and possibly re-use it as suggested in Ontario's Operations. But...

(4)

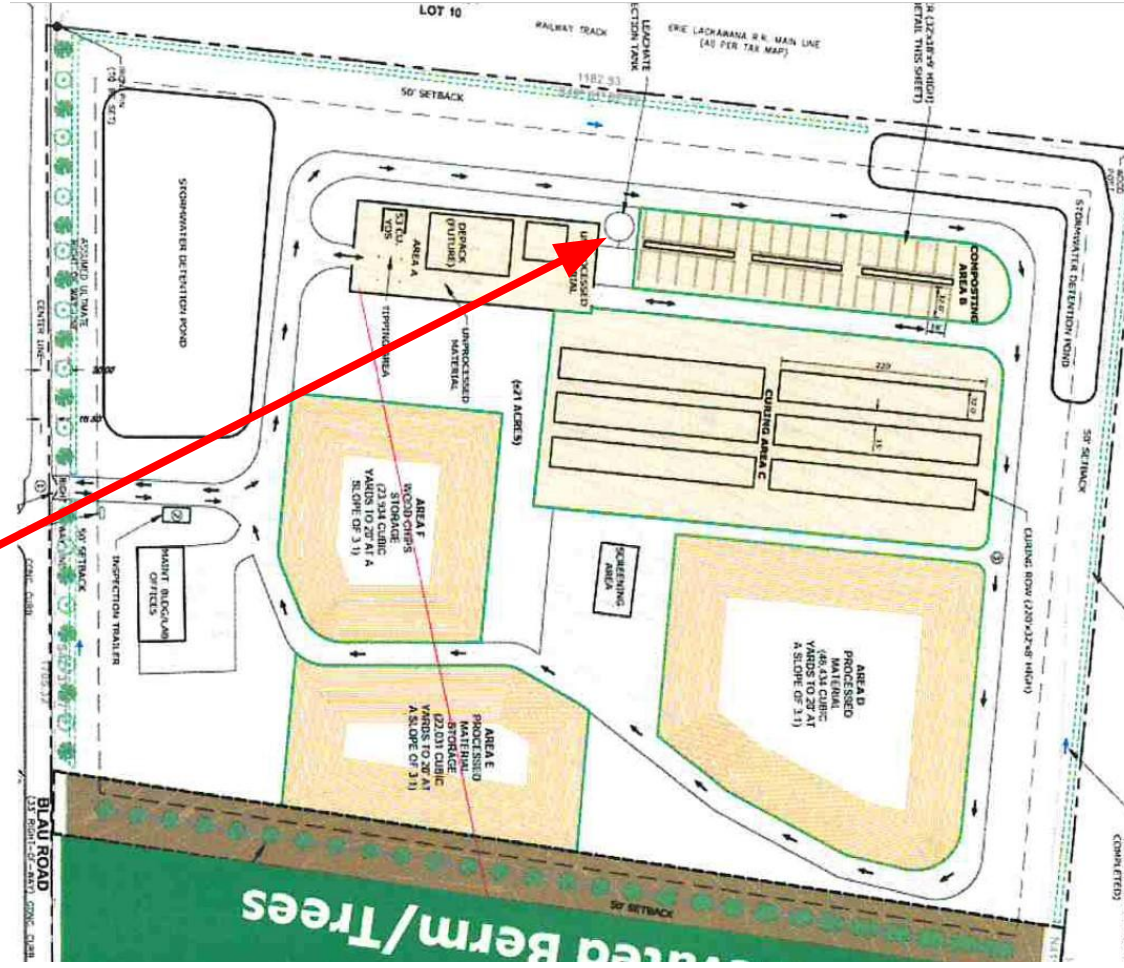
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Other Concerns

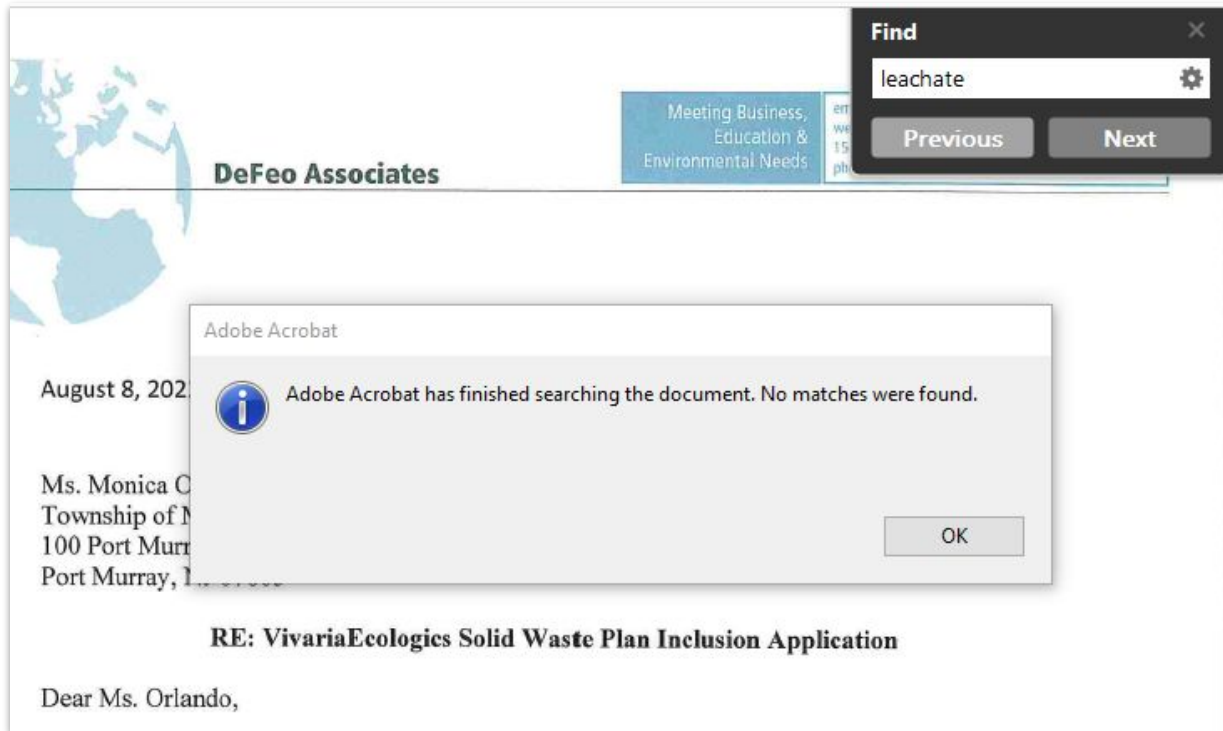
When Leachate escapes

Vivaria's Proposal barely scratches at the surface of what's required to manage this dangerous process.

They drew a circle.



When Leachate escapes into the Water System



Lack of Remediations

Who do we call to resolve problems when things go wrong?



NJDEP's Response to Studies:

- Smells | A Call Log
- Scope Creep | A Township's Fight
- When Leachate escapes into the Water System

Smells | A Call Log to NJDEP

A neighbor to a South Jersey resident was composting livestock waste*, creating terrible smells.

Over seven years, she tried calling NJDEP to have them remediate. After two years, she started logging her calls:

Total number of reported incidents:	368	
Number of Reports w/ tracked responses:	213	
Number of Responses to Reports:	98	46.01%
Number of Responses "Call back if ongoing":	80	81.63%
Number of Visits/Action:	3	1.41%

* Not the same composting as ASP. This is a study of NJDEP's responsiveness.

Scope Creep and Smells | A Township's Fight with NJDEP

In 2018 in Wantage, NJ, the Township was attempting to get the NJDEP to respond to massive complaints of noxious odor at a composting facility* as well as have the operators appear before the council to address an **unauthorize expansion** in their operations, taking in far more material than what had originally been granted by Sussex County.

The article details that over **THREE WEEKS** had gone by without even a response from NJDEP to the Township!

WANTAGE -- The state Department of Environmental Protection has yet to respond to the township's formal request three weeks ago for a public airing of concerns about the permit renewal sought by a recycling operator accused of fouling the air along Route 23 with noxious odors from its composting operation.

* Not the same composting as ASP. This is a study of NJDEP's responsiveness.

Source: NJ Herald News, "DEP has yet to respond to Wantage on odor complaints" by Eric Obernauer; Posted Dec 9, 2018.

When Leachate escapes into the Water System

From NJ.com:

Stink from former N.J. Superfund site is worrying neighbors and officials

Published: Oct. 03, 2020, 5:00 p.m.

site until 1972. Princeton Disposal was then purchased by Browning-Ferris Industries of South Jersey, which continued to lease and operate the landfill until 1978.

That's the year that leachate began leaking from the landfill and onto Lani Street. A state investigation found that even though only household and municipal waste was delivered to the landfill, the area's soil and groundwater had become contaminated with hazardous chemicals. It is known that hydrochloric acid was dumped at the site, [according to the EPA](#).

When Leachate escapes into the Water System

From NJ.com:

Stink from former N.J. Superfund site is worrying neighbors and officials

Published: Oct. 03, 2020, 5:00 p.m.

In the 1990's Monroe Township started pumping the leachate into the local sewer system hoping it would flow to the water treatment plant for processing.

...it didn't make it. The pipes backed up into local homes.

Conclusion: Once leachate escapes into the water table, it's a DECADES long process for NJ-DEP to remediate.

CONCLUSIONS

Summing Up

- This is a **HEAVY** Industrialized proposal
- There is no Accountability/Liability. The entire proposal is based on guesstimates, not a sworn submission; it is **entirely speculative**.
- The proposal has repeated **disingenuous statements and omissions** including statements of compliance to existing ordinances.
- When comparing to other facilities, **none are so recklessly located near homes** on well-water and most are co-located with appropriate roadway infrastructure, on landfills or sewage treatment facilities.
- We, the people, the towns and the County are on our own! **No help is coming from NJDEP**; they don't have the resources.

One last note...

Before our counsel talks about the Traffic Study, let's recall some recent local traffic current events and go for a ride to Blau Road...

12 Oct 2022 – Wires down in area of Rockport Rd and Airport Rd.



Airport Rd closed, traffic diverted through Kensington Neighborhood, & residents without power early AM to ~5 PM

2 Nov 2022 - Driver seriously injured after dump truck overturns



[NJLCPA | Drive to Blau](#)

Thank You

For further information, questions, or requests for source materials:

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