

New Jersey Herald

DEP has yet to respond to Wantage on odor complaints

By Eric Obernauer

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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.

Township Attorney Glenn Kienz, in a Nov. 16 letter to the DEP, outlined the township's reasons for opposing the five-year permit renewal sought by RER Recycling, whose operation behind the Route 23 QuickChek serves as a bulk intake facility for the processing of grass clippings, leaves, tree parts and other organic waste into resaleable compost and mulch.

Despite what RER maintains have been improvements to its operation, Kienz's letter cited continued problems with off-site odors being generated there along with several instances when the township's volunteer fire department had to respond to reports of smoldering material at the facility.

The letter went on to request, at a minimum, that the DEP hold a public hearing on RER's permit renewal application before entering a decision in the matter, which could come within the next month.

DEP spokesperson Caryn Shinske, in a one-sentence email to the New Jersey Herald, said the “DEP has received the (township’s) letter and request, and is reviewing the record on this matter” but did not elaborate.

Her statement to the Herald came after DEP Commissioner Catherine McCabe and Mike Delamater, a representative of Gov. Phil Murphy’s office, declined to respond to media questions about this and other matters while visiting a suspected dump site in Vernon last week.

However, in a phone conversation Friday, Wantage Mayor Bill Gaechter insisted a public hearing is needed.

“What Wantage Township would like is a hearing so our residents can speak their minds and so they (the DEP) can hear our concerns, but unfortunately the DEP has to be the ones to make them (RER) agree to that,” Gaechter said.

The 24th District state legislators, he added, are well aware of the public’s concerns, which go back three years and were expressed in a June 2017 letter to the DEP by state Sen. Steve Oroho and Assemblyman Parker Space.

“I’m hoping the DEP does respond to our letter,” Gaechter said. “I don’t see how it would hurt them in any way to do so.”

Although the odors from RER’s facility seem to have abated recently with the approach of winter, past experience suggests the odors -- and the public’s concerns about those odors -- could resume in the spring as the volume of grass clippings and other organic waste being received and processed increases and as the heat and humidity further intensify the decomposition processes and resultant odors.

Anthony Tartaglia, a spokesperson for RER, reiterated Friday that the company wants to be a good neighbor and has invested in an improved odor control system. He said the company is also processing less waste than was the case three years ago and is open to working with township officials to make voluntary additional improvements to its facility despite the fact that it has never received a DEP violation notice.

He said, however, that the company would be opposed to having another public hearing beyond the hearing that was required when it received its initial recycling center permit from the DEP in 2013. The DEP also recently said it has no formal plans to hold a hearing or to solicit public comment as part of the renewal process.

“We feel if we’re following the law, we should follow whatever requirements the DEP has for the renewal process,” Tartaglia said. “We don’t feel we should have to do any less than anyone else, but we also don’t feel we should have to go beyond what anyone else is required to do.”

Among the public’s concerns, beyond the odors, is what township officials maintain has been an unauthorized expansion of RER’s operation beyond the scope of its original site plan, as approved by the township in 1999.

Tartaglia acknowledged that RER has expanded its operation but said the expansion was fully authorized as part of its inclusion five years ago in the Sussex County Solid Waste Plan. He said the township was included in that process and even passed a resolution endorsing the move, which also required county approval along with public hearings at both the local and county levels in order for the DEP to grant RER’s initial five-year recycling center permit in 2013.

Township officials, however, maintain RER has vastly exceeded its operation beyond what the township agreed to and that RER further agreed it would appear for a public hearing if ever it sought to expand its operation or renew its permit.

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.

Still, he said, “The things we’ve done on odor control are way above what the DEP requires, and we’re willing to do more. We’re always looking at different things and the latest science, and if there’s legitimate concerns, we want to address them. We’re not trying to be arrogant about it.”

Gaechter, however, suggested the township has been more than patient.

“Back when Jim Doherty was our administrator, anytime we got a complaint, we forwarded it to RER -- but there’s only so much you can do and only so much you can complain,” Gaechter said. “And when we see that ‘gee, their permit is expiring,’ we see that as an opportunity to get them to come before us for a hearing, but only the DEP can make them do that.”

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