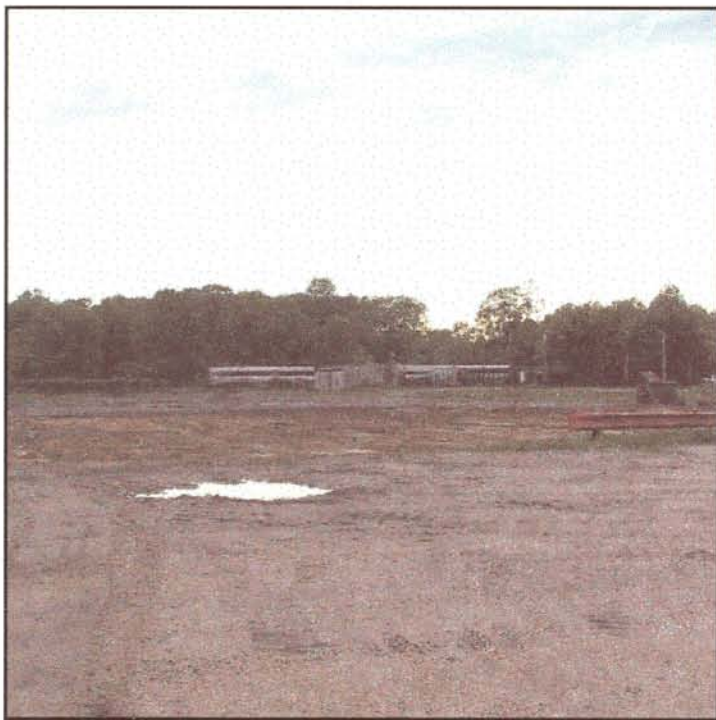




## MULLICA GETS SUPPORT AGAINST TRANSFER STATION



**Waszen property along the White Horse Pike in Mullica Township**

**by Theresa Lettman**

Mullica Township officials learned recently that plans were being developed by the Southern Railroad of New Jersey to construct and operate a solid waste transfer station in the Elwood Village section of the township. Pinelands Comprehensive Management Plan (CMP) regulations do not permit this kind of development in that area.

The Waszen family who operates Magic Disposal, Inc, a solid waste hauling company, has leased its 20 acres of land along the White Horse Pike to the Southern Railroad of New Jersey. The railroad company is asserting that a transfer station is exempt from the Pinelands Commission regulations, State Department of Environmental Protection (DEP) regulations and local permitting because it is a railroad operation, and therefore is covered by the preemption

provision of the "Interstate Commerce Commission Termination Act of 1995." This act provides some regulatory exemptions for rail companies and gives the federal Surface Transportation Board control over railroads and railroad activities.

The State of New Jersey and PPA maintain that the Pinelands CMP is not preempted, because it arises from a federal law the National Parks and Recreation Act of 1979, which created the Pinelands National Reserve.

Mullica Township is located in the heart of the Pinelands National Reserve created by Federal law under the National Parks and Recreation Act of 1978. A solid waste facility such as the one being purposed by Southern Railroad cannot be constructed unless it fully complies with the Pinelands Comprehensive Management Plan (CMP). To date no application has been submitted.

New Jersey Pinelands Commission chairman James Florio and Acting Governor Cody requested Attorney General Harvey to immediately seek a judicial restraining order to stop the unlawful development activities that were already beginning on the Waszen property in Mullica Township.

Acting Governor Cody also asked the Commissioner of DEP to prepare a plan for the State to pursue to bring the Mullica Township site along with the four other unregulated and unpermitted transfer stations operating in the Meadowlands into compliance. The Acting Governor's letter states "Even though our ability to act may be limited by the federal law, we must make every effort, and utilize every power the State has, to force these facilities to comply with the same environmental and health standards as all of the other solid waste transfer stations in the state."

Chairman Florio has also written to Secretary of the Interior, Gale Norton to ask that the Department advise the

*continued on page 2*

Surface Transportation Board that regulates the Interstate Commerce Commission Termination Act to use its authority to stop the construction of the Waszen property within the Pinelands National Reserve.

Mullica Township has also gotten support against the transfer station from Congressman Frank LoViondo, Senator Jon Corzine, State Senator William Gormley, Assemblyman Frank Blee and Assemblyman Kirk Conover.

Concerned Citizens of Mullica (aka Residents Against Transfer Station or R.A.T.S.), a local residents group, met on May 26, 2005 to organize against the solid waste transfer station. A number of residents expressed their concerns with siting a transfer station on the Waszen property. Some of their concerns included the proximity of the school to the site, the increased truck traffic on the roadways, the ongoing cleanup of the previous tire dump on the site and DEP's termination of Magic Disposal's permit to operate a solid waste facility in Egg Harbor Township due to its disregard of DEP regulations.

PPA opposes the transfer station for two basic reasons:

- It violates the Pinelands CMP, and
- It is not an appropriate land use in the Elwood Village area, which serves as a bridge between the northern and southern Pinelands forest and should be kept as undeveloped as possible.



**Concerned Citizens of Mullica held a meeting to inform residents about the transfer station.**

## What can you do?

- Write Acting Governor Cody thanking him for his actions to date and asking for continued support against solid waste transfer stations along railroad tracks in the Pinelands.

Honorable Richard Codey  
Acting Governor, State of New Jersey  
State House  
P.O. Box 001  
Trenton, NJ 08625

- Write a letter to the editor, which educates others, expressing opposition to this railroad solid waste transfer station.

**For update information contact PPA at  
[theresa@pinelandsalliance.org](mailto:theresa@pinelandsalliance.org) or  
609-859-8860 ext. 22.**

## PINELANDS COMMISSION 2005 MEETING SCHEDULE

Friday, July 8, 2005 (9:30 a.m.)  
Friday, August 12, 2005 (9:30 a.m.)  
Friday, September 9, 2005 (9:30 a.m.)  
Friday, October 14, 2005 (9:30 a.m.)  
Thursday, November 10, 2005 (7:00 p.m.)  
Friday, December 9, 2005 (9:30 a.m.)

**Pinelands Commission Meetings  
are open to the public. For  
meeting location call  
the Commission at  
609-894-7300**

## Go Pesticide Free!

Do you know that the pesticide products you spray on your lawn could affect your health and the health of your family? Do you also know that if some of these products get into our waterways they can affect aquatic communities? What if it enters your drinking water?

The latest report by the EPA on "Pesticide Industry Sales and Usage: 2000 and 2001 Market Estimates" highlights some of the following facts:

- Pesticide use occurs in more than 78 million households in the United States.
- Herbicides were the leading type of pesticides used.
- 2,4-D was the most widely used pesticide in both the home and garden (yet is classified by EPA as slight to high toxicity).

A recent study by a University of Pittsburgh researcher has discovered that Roundup, a popular chemical for killing weeds, may be highly deadly to baby frogs (April 2005). In another report by the EPA, MSMA (monosodium methanearsonate) used on golf courses to kill weeds can be anticipated to cause cancer in humans. About 4 million pounds of MSMA is applied every year to golf courses and cotton fields in the USA.

PPA is very concerned about these issues and is in the process of gathering more information. You can contact PPA to learn more about what you can do to be pesticide free.

Please contact Jaclyn Rhoads at 609-859-8860 ext. 18 or [jaclyn@pinelandsalliance.org](mailto:jaclyn@pinelandsalliance.org).



## RESOURCES RESOURCES RESOURCES



### NEW JERSEY AUDUBON SOCIETY

[www.njaudubon.org](http://www.njaudubon.org)

### NEW JERSEY CONSERVATION FOUNDATION

[www.njconservation.org](http://www.njconservation.org)

### SIERRA CLUB, NEW JERSEY CHAPTER

[www.sierraactivist.org](http://www.sierraactivist.org)

### THE NATURE CONSERVANCY

[www.nature.org/newjersey](http://www.nature.org/newjersey)

### THE FORKED RIVER MOUNTAIN COALITION

[www.frmc.org](http://www.frmc.org)

### LEAGUE OF WOMEN VOTERS

[www.lwv.org](http://www.lwv.org)

### GARDEN STATE ENVIRONET

[www.gsenet.org](http://www.gsenet.org)

### ASSOCIATION OF NEW JERSEY ENVIRONMENTAL COMMISSIONS

[www.anjec.org](http://www.anjec.org)

### NEW JERSEY ENVIRONMENTAL FEDERATION

[www.cleanwateraction.org/njef](http://www.cleanwateraction.org/njef)

### SAVE BARNEGAT BAY

[www.savebarnegatbay.org](http://www.savebarnegatbay.org)

### ALLIANCE FOR LIVING OCEAN

[www.livingocean.org](http://www.livingocean.org)

### STATE OF NEW JERSEY

[www.state.nj.us](http://www.state.nj.us)

[www.state.nj.us/pinelands/](http://www.state.nj.us/pinelands/)

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[www.pesticidefreelawns.org](http://www.pesticidefreelawns.org)



**PLEASE SUPPORT OUR MISSION & BECOME A MEMBER**

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**Membership Categories**

- Basic  \$35
- Friend  \$60
- Sponsor  \$100
- Patron  \$250
- Benefactor  \$500
- Chairman's Circle  \$1,000
- Other  \_\_\_\_\_

*All members receive:*  
A PPA membership card  
A year's subscription to *Inside the Pinelands*  
A PPA window sticker  
Discounts on PPA merchandise and events

A Sponsor will receive an *Exploring the Pine Barrens of New Jersey* map  
A Patron will receive a copy of *Exploring the Pine Barrens of New Jersey* book  
A Benefactor will receive a Pinelands Botanical Print by Robin Jess  
A member of the Chairman's Circle will receive a personalized tour of the Pinelands



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