

# ASSEMBLY RESOLUTION No. 37

## STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington)**

**Assemblywoman CAROL A. MURPHY**

**District 7 (Burlington)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Co-Sponsored by:**

**Assemblywoman Reynolds-Jackson, Assemblymen Verrelli and Zwicker**

**SYNOPSIS**

Opposes construction of hazardous waste incinerator in Falls Township, Pennsylvania.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1   **AN ASSEMBLY RESOLUTION** opposing the construction of a  
2       hazardous waste incinerator in Falls Township, Pennsylvania.  
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4   **WHEREAS**, Elcon Recycling Services is an industrial waste treatment  
5       service provider based in Israel which processes hazardous waste  
6       produced by chemical, pharmaceutical, and other companies; and  
7   **WHEREAS**, Elcon Recycling Services is applying a second time to  
8       build a hazardous waste incinerator in Falls Township,  
9       Pennsylvania to process hazardous industrial, medical, and other  
10      waste; and  
11   **WHEREAS**, Falls Township, Pennsylvania is located just across the  
12      Delaware River from many New Jersey municipalities, including  
13      our state capital of Trenton City, Hamilton Township, Bordentown  
14      Township, and other nearby communities in Mercer and Burlington  
15      counties; and  
16   **WHEREAS**, Currently, Elcon Recycling Services only has facilities  
17      operating in Israel where its Haifa Bay facility has recently been  
18      ordered to shut down and relocate due to its history of violations of  
19      air and groundwater emissions standards and its negative impact  
20      and pollution to the surrounding environment in Haifa Bay; and  
21   **WHEREAS**, Elcon Recycling Services has been denied authorization to  
22      build facilities in Italy due to environmental issues created by its  
23      treatment facilities; and  
24   **WHEREAS**, In 2015, the Pennsylvania Department of Environmental  
25      Protection denied Elcon's request to construct a facility in the  
26      Keystone Industrial Port Complex in Falls Township, Pennsylvania  
27      because the business failed to demonstrate compliance with flood-  
28      hazard regulations; and  
29   **WHEREAS**, In addition, the Delaware River serves as a primary source  
30      of drinking water and a popular recreational destination for millions  
31      of New Jersey and Pennsylvania residents and visitors; and  
32   **WHEREAS**, A hazardous waste treatment facility would likely degrade  
33      and pollute the surrounding area and waterways which will be  
34      detrimental to residents, the environment, and wildlife; and  
35   **WHEREAS**, According to the Delaware Riverkeeper Network and  
36      Pennsylvania League of Woman Voters, the facility would process  
37      hazardous and medical waste including the treatment of 210,000  
38      tons of raw waste per year that would include high levels of  
39      mercury, cadmium, and lead; and  
40   **WHEREAS**, According to local environmentalists, the incineration  
41      treatment process would likely produce over 39 tons of air  
42      emissions containing, among other pollutants, nitrous oxide,  
43      ammonia, hydrochloric acid, volatile organic compounds, sulfur  
44      oxide, and total particulate matter; and  
45   **WHEREAS**, In July 2018, the Pennsylvania Department of  
46      Environmental Protection announced that Elcon has submitted all  
47      necessary application materials to the department commencing a  
48      10-month review period for the facility; and

1   **WHEREAS**, In July 2016, the Mercer County Board of Chosen  
2       Freeholders adopted a resolution opposing the construction of  
3       Elcon's proposal for a hazardous waste incinerator facility in Falls  
4       Township, Pennsylvania; and

5   **WHEREAS**, Due to the high probability of pollution from both  
6       permitted and accidental discharges that would affect the air quality  
7       in the region and the water quality of the Delaware River, the  
8       Delaware Bay, the Chesapeake Bay, and other bodies of water, this  
9       House opposes the construction a toxic waste incinerator in Falls  
10      Township, Pennsylvania; now, therefore,

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12       **BE IT RESOLVED** by the General Assembly of the State of New  
13      *Jersey:*

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15       1. This House opposes the construction of a toxic waste  
16      incinerator in Falls Township, Pennsylvania due to the high  
17      probability of pollution from both permitted and accidental  
18      discharges that would affect air quality in the region and the water  
19      quality of the Delaware River, the Delaware Bay, the Chesapeake  
20      Bay, and other bodies of water.

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22       2. Copies of this resolution, as filed with the Secretary of State,  
23      shall be transmitted by the Clerk of the General Assembly to the  
24      Secretary of the Pennsylvania Department of Environmental  
25      Protection, the Commissioner of the New Jersey Department of  
26      Environmental Protection, each member of the Falls Township  
27      Board of Supervisors, and the Clerk of the Board of Chosen  
28      Freeholders in each county in New Jersey.

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## STATEMENT

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33       This bill would oppose the construction of a hazardous waste  
34      incinerator in Falls Township, Pennsylvania by Elcon Recycling  
35      Services. Elcon Recycling Services is an industrial waste treatment  
36      service provider based in Israel which processes hazardous waste  
37      produced by chemical, pharmaceutical, and other companies.  
38      Currently, Elcon Recycling Services only has facilities operating in  
39      Israel where its Haifa Bay facility has recently been ordered to shut  
40      down and relocate due to its history of violations of air and  
41      groundwater emissions standards and its negative impact and  
42      pollution to the surrounding environment in Haifa Bay.

43       Elcon Recycling Services has been denied authorization to build  
44      facilities in Italy due to environmental issues created by its  
45      treatment facilities. In 2015, the Pennsylvania Department of  
46      Environmental Protection denied Elcon's request to construct a  
47      facility in the Keystone Industrial Port Complex in Falls Township,

1 Pennsylvania because the business failed to demonstrate  
2 compliance with flood-hazard regulations.

3 Elcon Recycling Services is applying a second time to build a  
4 hazardous waste incinerator in Falls Township to process hazardous  
5 industrial, medical, and other waste. In July, 2018, the  
6 Pennsylvania Department of Environmental Protection announced  
7 that Elcon has submitted all necessary application materials to the  
8 department commencing a 10-month review period for the facility.  
9 Falls Township is extremely close to the Delaware River and is a  
10 part of a densely populated residential region. In addition, the  
11 Delaware River serves as a primary source of drinking water and a  
12 popular recreational destination for millions of New Jersey and  
13 Pennsylvania residents and visitors.

14 A hazardous waste treatment facility would likely degrade and  
15 pollute the surrounding area and waterways which will be  
16 detrimental to residents, the environment, and wildlife. According  
17 to the Delaware Riverkeeper Network and Pennsylvania League of  
18 Woman Voters the facility would process hazardous and medical  
19 waste including the treatment of 210,000 tons of raw waste per year  
20 that would include high levels of mercury, cadmium, and lead.  
21 According to local environmentalists, the incineration treatment  
22 process would likely produce over 39 tons of air emissions  
23 containing, among other pollutants, nitrous oxide, ammonia,  
24 hydrochloric acid, volatile organic compounds, sulfur oxide, and  
25 total particulate matter.

26 Due to the high probability of pollution from both permitted and  
27 accidental discharges that would affect the air quality in the region  
28 and the water quality of the Delaware River, the Chesapeake Bay,  
29 and other bodies of water, this House opposes the construction a  
30 toxic waste incinerator in Falls Township, Pennsylvania.