

**ASSEMBLY CONCURRENT
RESOLUTION No. 33**

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman ANGELICA M. JIMENEZ

District 32 (Bergen and Hudson)

Assemblyman PEDRO MEJIA

District 32 (Bergen and Hudson)

SYNOPSIS

Urges NJ Sports and Exposition Authority and DEP to take immediate action to close and cap Keegan Landfill.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **A CONCURRENT RESOLUTION** urging the New Jersey Sports and
2 Exposition Authority and the Department of Environmental
3 Protection to take immediate action to close and cap Keegan
4 Landfill located in the Town of Kearny, Hudson County.
5
6 **WHEREAS**, The Keegan Landfill, located in the Town of Kearny in
7 Hudson County, is operated by the New Jersey Sports and
8 Exposition Authority (NJSEA); and
9 **WHEREAS**, The operation of the Keegan Landfill greatly impacts the
10 Town of Kearny as the landfill is located less than 1,000 feet from
11 residences, approximately one-quarter of a mile from an elementary
12 school, and near a municipal outdoor soccer facility, which is one
13 of the most active recreational fields in the community; and
14 **WHEREAS**, The residents of the Town of Kearny and the surrounding
15 communities have been suffering as a result of noxious hydrogen
16 sulfide odors emanating from the Keegan Landfill, and have filed
17 complaints with the Department of Environmental Protection since
18 at least December 2018; and
19 **WHEREAS**, Hydrogen sulfide, a colorless gas with the odor of rotten
20 eggs, is often generated as a byproduct of industrial and natural
21 processes, including during the breakdown of waste contained
22 within a landfill; and
23 **WHEREAS**, Hydrogen sulfide has a low odor threshold, which means
24 that it can be detected by people at very low concentrations before
25 it could pose a health risk, and reactions to the odor itself may
26 trigger symptoms such as nausea, vomiting, sleep disturbance, loss
27 of appetite, and headaches; and
28 **WHEREAS**, The rotten egg odor has become a regular occurrence in
29 the Town of Kearny and the surrounding area, permeating the air on
30 a daily basis, and negatively impacting the health and quality of life
31 of residents, with many residents complaining of headaches,
32 nausea, and difficulty breathing; and
33 **WHEREAS**, Numerous complaints have been made to the NJSEA and
34 the Department of Environmental Protection concerning the
35 operation of the landfill and the hydrogen sulfide odors emanating
36 from the landfill; and
37 **WHEREAS**, Although the Department of Environmental Protection has
38 investigated the situation and taken enforcement action, and the
39 NJSEA has entered into a voluntary Administrative Consent Order
40 with the department, the odors still persist; and
41 **WHEREAS**, The Keegan Landfill has frequently emitted hydrogen
42 sulfide in concentrations exceeding the Department of
43 Environmental Protection's regulatory standard of 30 parts of
44 hydrogen sulfide in one billion parts of air (ppb) averaged over any
45 30-minute period at or beyond the landfill property line, most
46 recently on September 10, 2019; and
47 **WHEREAS**, While the NJSEA has installed a continuous monitoring
48 system as well as a gas collection and control system intended to

1 mitigate odor emissions from the Keegan Landfill, the continued
2 operation of this landfill unduly impacts the quality of life, health,
3 and well-being of the residents of the Town of Kearny and the
4 surrounding communities; and

5 **WHEREAS**, In April 2019, the Superior Court issued a temporary
6 injunction ordering the NJSEA to close the Keegan Landfill, and in
7 September 2019, the Superior Court ruled that the landfill must
8 permanently close because it presents a “clear and immediate
9 danger” to the residents of the Town of Kearny; now, therefore,
10

11 **BE IT RESOLVED** by the General Assembly of the State of New
12 Jersey (the Senate concurring):
13

14 1. The New Jersey Sports and Exposition Authority and the
15 Department of Environmental Protection are strongly urged to take
16 immediate action to permanently close the Keegan Landfill in the
17 Town of Kearny, Hudson County, and install an impermeable cover
18 and gas collection system to eliminate hydrogen sulfide emissions
19 from the landfill.
20

21 2. The New Jersey Sports and Exposition Authority is further
22 urged to accept the finality of the Superior Court’s September 2019
23 decision requiring the closure of the Keegan Landfill, and to
24 expeditiously comply with the court’s ruling to close and cap the
25 landfill.
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27 3. Copies of this resolution, as filed with the Secretary of State,
28 shall be transmitted by the Clerk of the General Assembly or the
29 Secretary of the Senate to the President and Chief Executive
30 Officer, and each member of the Board of Commissioners, of the
31 New Jersey Sports and Exposition Authority, the Commissioner of
32 Environmental Protection, and the Mayor of the Town of Kearny,
33 Hudson County.
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36 **STATEMENT**
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38 This resolution strongly urges the New Jersey Sports and
39 Exposition Authority and the Department of Environmental
40 Protection to take immediate action to permanently close the
41 Keegan Landfill in the Town of Kearny, Hudson County, and install
42 an impermeable cover and gas collection system to eliminate
43 hydrogen sulfide emissions from the landfill.