



UNION COUNTY UTILITIES AUTHORITY

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RESOLUTION NO.: 32-2016

DATE: March 16, 2016

**RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY
RECOMMENDING AN ADMINISTRATIVE ACTION PLAN AMENDMENT
FOR A TRANSFER OF A GENERAL APPROVAL FOR A CLASS D
RECYCLING CENTER, LOCATED IN ELIZABETH, NEW JERSEY TO
FULL CIRCLE MANUFACTURING GROUP.**

APPROVED AS TO FORM:

Joseph C. Bodek
Clerk of the Authority

APPROVED AS TO SUFFICIENCY OF FUNDS

[] YES [] NO NONE REQUIRED
UNION COUNTY UTILITIES AUTHORITY

By: Joseph C. Bodek

By: [Signature]

	PRESENT	ABSENT	AYE	NAY	ABSTAIN	MOTION	SECOND
<i>Badri</i>	✓		✓				
<i>Criscione</i>	✓		✓				
<i>Jackus</i>	✓		✓				
<i>Kahn</i>	✓		✓				✓
<i>Kennedy</i>	✓		✓			✓	
<i>People</i>	✓		✓				
<i>Scutari</i>	✓		✓				
<i>Erdos, Vice Chair</i>	✓		✓				
<i>Eastman, Chair</i>	✓		✓				
<i>Lombardo, Alternate No. 1</i>	✓						
<i>McManus, Alternate No. 2</i>	✓						

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WHEREAS, pursuant to the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. (the “SWMA”), each county within the State of New Jersey is designated a solid waste management district with responsibility for the development of a solid waste management plan setting forth the solid waste disposal strategy to be applied in the district; and

WHEREAS, the Union County District Solid Waste Management Plan (the “County Plan”), developed in accordance with the SWMA, was initially adopted by the Union County Board of Chosen Freeholders (“Freeholders”) on June 7, 1979 and certified by the New Jersey Department of Environmental Protection (“NJDEP”) on August 13, 1980, and has since been amended from time to time; and

WHEREAS, the Union County Utilities Authority (the “UCUA”) was created by the Freeholders, in accordance with the provisions of the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., by an Ordinance adopted on June 5, 1986, as amended on December 11, 1986, and has been designated by the Freeholders, pursuant to and in accordance with the SWMA, as the agency responsible for implementation of the County Plan; and

WHEREAS, Full Circle Manufacturing Group Inc. (“Full Circle”), previously operated a Class D recycling facility located at 534 South Front Street in Elizabeth, New Jersey, which includes the receipt, storage, transfer and processing of used antifreeze, among other materials, at the facility which is currently included within the County Plan.

WHEREAS, pursuant to Resolution 71-2014, duly adopted by UCUA at a public meeting on August 20, 2014, UCUA amended the County Plan by administrative action authorizing transfer of the subject Recycling Center General Approval (“General Approval”) for, and change in operational control of, the Facility to GlyEco Acquisition Corp. #4 (“GlyEco”), a wholly owned subsidiary of GlyEco, Inc.; and

WHEREAS, Full Circle has communicated to the UCUA its desire to resume the operational control of its facility via transfer of the facility’s General Approval from GlyEco back to Full Circle, which transfer is subject to UCUA and NJDEP approval in accordance with the NJDEP solid waste planning regulations (N.J.A.C. 7:26-6.1 et seq.); and

WHEREAS, GlyEco has confirmed that it has no further obligation regarding the General Approval and acknowledged Full Circle’s authority to effectuate such transfer of the General Approval; and

WHEREAS, the UCUA has determined, in consultation with the NJDEP, that the review process for a transfer of the type requested by Full Circle does not warrant a full plan amendment as set forth in N.J.A.C. 7:26-6.10, but rather may be implemented by way of an administrative action.

WHEREAS, the approval of Full Circle's application to amend the County Plan to resume operations at its Facility for the recycling of Class D materials, in the form of off-grade glycols, antifreeze and used oils, is consistent with the Statewide Solid Waste Management Plan and the State and County's recycling goals, and is in the best interests of the County and its citizens.

NOW, THEREFORE, BE IT RESOLVED, by the Union County Utilities Authority as follows:

1. The aforesaid recitals are hereby incorporated by reference, as if set forth at length herein.
2. The UCUA hereby authorizes as an administrative action an amendment to the County Plan for the proposed transfer of the Recycling Center General Approval for the Class D recyclable materials facility located at 534 South Front Street, Elizabeth, New Jersey from GlyEco to Full Circle.
3. The Executive Director of the UCUA and General Counsel are hereby authorized and directed to submit the request from Full Circle and this Resolution to the NJDEP as an administrative action in order to obtain such approvals as may be necessary under law and shall cause to be taken any and all other actions required by the SWMA and its implementing regulations to effectuate this administrative action..
4. A copy of this Resolution, together with a copy of the request from Full Circle shall be forwarded to the Chairman and Clerk of the Union County Board of Chosen Freeholders.
5. This Resolution shall take effect immediately.