



UNION COUNTY UTILITIES AUTHORITY

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RESOLUTION NO.: 20-2013

DATED: February 13, 2013

**RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY
RECOMMENDING BY ADMINISTRATIVE ACTION AN AMENDMENT
TO THE UNION COUNTY DISTRICT SOLID WASTE MANAGEMENT
PLAN REGARDING THE WASTE MANAGEMENT OF NEW JERSEY,
INC. TRANSFER STATION/MATERIALS RECOVERY FACILITY
LOCATED ON FRONT STREET IN THE CITY OF ELIZABETH, NEW
JERSEY.**

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: *Thomas M. L...*

	PRESENT	ABSENT	AYE	NAY	ABSTAIN	MOTION	SECOND
<i>Badri</i>	7		7				
<i>Eastman</i>		7					
<i>Erdos</i>	7		7				
<i>Huff</i>	7		7				
<i>Jackus</i>	7		7				
<i>Kahn</i>		7					
<i>Kennedy</i>		7					
<i>Kulish</i>	7		7			7	
<i>People</i>	7		7				
<i>Bonanno, Alternate No. 1</i>	7		7				7
<i>Lombardo, Alternate No.2</i>		7					

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JERSEY.**

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, Waste Management of New Jersey, Inc. ("WMI") operates a fully permitted Transfer Station/Materials Recovery Facility on Front Street in the City of Elizabeth, County of Union, New Jersey (the "Facility") and is currently included as a solid waste facility within the County Plan; and

WHEREAS, WMI has submitted an Application for a Solid Waste Facility Permit Renewal to the NJDEP for the subject facility; and

WHEREAS, during the NJDEP permit renewal review process it was brought to light that the Facility's inclusion in the County Plan includes an erroneous and/or outdated reference to the Facility's hours of operation; and

WHEREAS, having reviewed the relevant documentation along with information submitted by the NJDEP's Bureau of Recycling and Planning, the UCUA desires to amend the County Plan in order to reflect the proper hours of operation for the Facility to accept and process waste as being twenty-four (24) hours per day, Monday through Saturday; and

WHEREAS, the NJDEP solid waste planning regulations (N.J.A.C. 7:26-6.1 et seq.) permit implementing agencies such as the UCUA to amend District Solid Waste Management Plans by way of an administrative action; and

WHEREAS, the UCUA, in consultation with the NJDEP, has determined that the actions described herein which are the subject of this Resolution, do not warrant a full plan amendment process as set forth in N.J.A.C. 7:26-6.10, but rather may be implemented by way of an administrative action in accordance with N.J.A.C. 7:26-6.11.

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

Section 1. The aforesaid recitals are hereby incorporated by reference, as if set forth at length herein.

Section 2. The UCUA hereby authorizes, as an administrative action, an amendment to the Union County District Solid Waste Management Plan to now reflect and include the Waste Management of New Jersey, Inc. Transfer Station/Materials Recovery Facility, described herein above, located on Front Street in the City of Elizabeth, County of Union, State of New Jersey, is permitted to accept and process waste twenty-four (24) hours per day, Monday through Saturday.

Section 3. The Executive Director of the UCUA and General Counsel are hereby authorized and directed to cause a copy this Resolution to be submitted 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.

Section 4. A copy of this Resolution shall be forwarded to the Chairman and Clerk of the Union County Board of Chosen Freeholders.

Section 5. This Resolution shall take effect immediately.