



# UNION COUNTY UTILITIES AUTHORITY

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RESOLUTION NO.: 86-2023

DATE: December 20, 2023

## RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY RECOMMENDING AN ADMINISTRATIVE ACTION PLAN AMENDMENT TO THE UNION COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN PERTAINING TO THE ADDITION OF TWO REGULATED WASTE TREATMENT SYSTEMS

APPROVED AS TO FORM:

Bianka Vargas  
Clerk of the Authority

APPROVED AS TO SUFFICIENCY OF FUNDS

YES  NO  NONE REQUIRED  
UNION COUNTY UTILITIES AUTHORITY

By: *Bianka Vargas*

By: *John Luff*

	PRESENT	ABSENT	AYE	NAY	ABSTAIN	MOTION	SECOND
<b>Eastman</b> , Treasurer	✓		✓				✓
<b>Figueiredo</b>	✓		✓				
<b>Jackus</b>	✓		✓				
<b>Holder</b>	✓		✓			✓	
<b>Kahn</b>	✓		✓				
<b>McManus</b> , Secretary	✓		✓				
<b>Rachlin</b>		✓					
<b>Scutari</b> , Vice Chairperson	✓		✓				
<b>Szpond</b> , Chairperson	✓		✓				
<b>Alma</b> , Alternate No. 1		✓					
<b>Scott-Bey</b> , Alternate No. 2	✓		✓				

**RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY  
RECOMMENDING AN ADMINISTRATIVE ACTION PLAN AMENDMENT TO  
THE UNION COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN  
PERTAINING TO THE ADDITION OF TWO REGULATED WASTE TREATMENT  
SYSTEMS**

**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 County of Union (the "County") 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 ("UCUA") was created by the County, 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 County, pursuant to and in accordance with the SWMA, as the agency responsible for implementation of the County Plan; and

**WHEREAS**, on or about November 15, 2023, Merck Sharp & Dohme LLC ("Merck") filed an application with the UCUA, requesting an amendment of the County Plan for the addition of two (2) batch thermal units to treat liquid process wastewater streams (the "Thermal Treatment Systems") at the Merck Campus located at Block 396, Lot 1 in the City of Rahway, Union County, New Jersey, 07065 (the "Facility"), which is owned and operated by Merck; and

**WHEREAS**, the Thermal Treatment Systems will be located in Building 870 ("B870") and the FLEX-Building 880 ("B880") on the Merck Campus; and

**WHEREAS**, the projected liquid Biowaste Material flow rates in B870 and B880 are 8,300 to 10,000 Liters/day and 3,200 Liters/day, respectively. These aqueous Biowaste Materials contain trace amounts of residual compounds, which meet the Class 1 Regulated Medical Waste ("RMW") category; and

**WHEREAS**, the Thermal Treatment Systems will heat sterilize liquid process wastewaters generated by Merck's operations and inactivate the Biowaste Material; and

**WHEREAS**, the Thermal Treatment Systems will discharge a liquid stream containing trace amounts of solids to the Rahway Valley Sewerage Authority in accordance with Merck's Permit # 037; and

**WHEREAS**, there are no vehicles used nor traffic control procedures required, no loading and unloading operations involved, nor any delivery inspection requirements for the proposed Thermal Treatment Systems; and

**WHEREAS**, the treatment of the aqueous Biowaste Material streams does not generate solid waste; all aqueous material is discharged directly to the sanitary sewer system; and

**WHEREAS**, the NJDEP's solid waste regulations (N.J.A.C. 7:26-1.1 et seq.) provide certain actions to amend a county solid waste management plan may be taken by administrative action by the implementing agency without the necessity for a full plan amendment which would otherwise require notice and a public hearing before the governing body of the County; and

**WHEREAS**, UCUA has determined that the inclusion in the County Plan of the proposed Facility modifications does not warrant a full plan amendment and may be amended via administrative action, as set forth at N.J.A.C. 7:26-6.11; and

**WHEREAS**, on or about December 6, 2023, UCUA received a letter report from UCUA's Engineers, CME Associates, describing the proposed modifications, setting forth no exceptions to the addition of the proposed Thermal Treatment Systems to be adopted as an amendment to the County Plan, subject to County and NJDEP approval, as applicable; and

**WHEREAS**, the approval of Merck's application to amend the County Plan as described above is consistent with the Statewide Solid Waste Management Plan and the State's recycling goals, is in the best interests of the County and its citizens, and is necessary for UCUA's continued effective operation as the agency responsible for implementation of the County Plan; and

**WHEREAS**, based on the foregoing, UCUA desires to amend the County Plan based on Merck's application.

**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.** UCUA hereby authorizes, by administrative action, an amendment to the County Plan to reflect the addition of two (2) batch thermal units to treat liquid process wastewater streams generated by Merck's operations to be located in Building 870 and FLEX-Building 880 of the Facility owned and operated by Merck Sharp & Dohme, LLC, located at Block 396, Lot 1 in the City of Rahway, Union County, New Jersey, 07065.

**Section 3.** The amendment to the County Plan is subject to Merck's compliance with the UCUA Engineer's (CME Associates) comments and recommendations in its December 6, 2023 letter report and receipt of approval from the County and NJDEP, if applicable.

**Section 4.** The Acting Executive Director of UCUA and Special Counsel are hereby authorized and directed to submit the application from Merck and this Resolution to NJDEP as an administrative action in order to obtain such approvals as may be necessary under law.

**Section 5.** A copy of this Resolution, together with a copy of Merck's application to amend the County Plan, shall be made available for public inspection at the UCUA's administrative offices located at 1499 Routes 1 & 9 North, Rahway, New Jersey.

**Section 6.** This Resolution shall take effect immediately.