

RESOLUTION

OF THE

UNION COUNTY UTILITIES AUTHORITY

Resolution No.: 38-2024

Date: July 17, 2024

Approved as to form:

Bianka Vargas, Clerk

Approved as to sufficiency of funds:

John Cuffo, Acting Comptroller
[] YES [] NO [X] NONE REQUIRED

AMENDING AND SUPPLEMENTING ITS PRIOR RECOMMENDATION OF AN ADMINISTRATIVE ACTION PLAN AMENDMENT TO THE UNION COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN PERTAINING TO LINDEN RENEWABLE ENERGY, LLC'S CLASS C RECYCLING FACILITY IN THE CITY OF LINDEN

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, by way of Ordinance No. 818-2020 adopted on October 1, 2020 by the Union County Board of County Commissioners and approved by Certification of the NJDEP on February 21, 2021, the County Plan was amended to include a Class C recycling facility ("Facility"), to be located at Block 587, Lot 8.02 on the City of Linden Tax Map, also known as 4900 (now 5000) Tremley Point Road, Linden, New Jersey, to be owned and operated by Linden Renewable Energy, LLC ("LRE") to accept organic waste or organic substrate to be processed off-site by third-parties in satellite de-packaging facilities and utilizing anaerobic digestion to create renewable natural gas, a marketable soil amendment, and liquid digestate that will be processed on site to produce a liquid organic fertilizer; and

WHEREAS, by way of an Administrative Action adopted by Resolution of the UCUA on August 4, 2021 and approved by the NJDEP on August 4, 2022, the LRE Facility plan inclusion was modified to allow the facility to receive an average of 1,400 tons per day of food waste based upon a seven-day week, to be reconciled on a monthly basis, where the maximum daily tonnage received shall not exceed 2,200 tons, with a maximum limit of 1,400 tons per day delivered by truck; and

WHEREAS, pursuant to LRE's April 8, 2024 application and a June 11, 2024 report from the UCUA's Engineers, CME Associates, the UCUA adopted Resolution 28-2024 on June 19, 2024, which authorized an amendment to the County Plan via administrative action to include modifications to the Facility increasing the daily average substrate deliveries to the Facility by ten (10) percent, from an average of 1400 tons per day to 1540 tons per day (based upon a seven-day week), with a maximum limit of 1,540 tons per day delivered by truck, and with no change to the maximum daily tonnage capacity of 2,200 tons, which proposed amendment is currently under review by the NJDEP; and

WHEREAS, LRE and the NJDEP have requested that the UCUA supplement and amend Resolution 28-2024 to specifically include a recommendation that the address of the Facility be changed from 4900 Tremley Point Road, Linden, New Jersey 07036, to 5000 Tremley Point Road, Linden, New Jersey 07036; and

WHEREAS, the approval of LRE's application to amend the County Plan as described in Resolution 28-2024 and 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 and supplement its prior authorization of an administrative action plan amendment set forth in Resolution 28-2024, to specifically request a change of the Facility's address.

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 reiterates its authorization, by administrative action, of an amendment to the County Plan to increase the authorized capacity to recycle food waste and other organic material at the Facility, as set forth in Resolution 28-2024, which authorization shall remain in full force and effect.

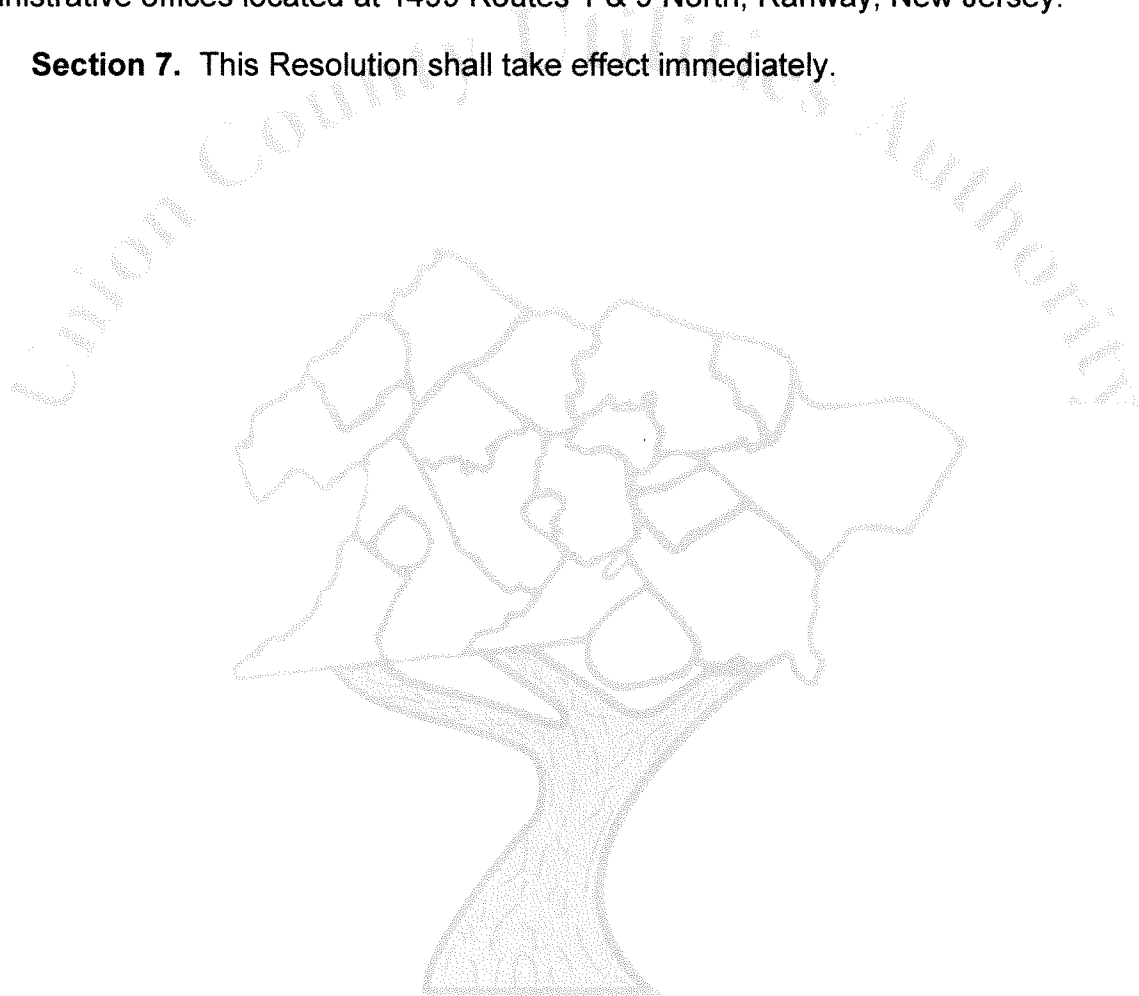
Section 3. UCUA amends and supplements Resolution 28-2024 to specifically authorize a change in the address of the Facility (which is located in the City of Linden, Union County, on property identified as Lot 8.02, Block 587), from 4900 Tremley Point Road, Linden, New Jersey 07036, to 5000 Tremley Point Road, Linden, New Jersey, 07036; and

Section 4. The amendment to the County Plan is subject to LRE's compliance with the any comments and recommendations in CME Associates' June 11, 2024 letter report and receipt of approval from the County and NJDEP, if applicable.

Section 5. The Acting Executive Director of UCUA and Special and General Counsel are hereby authorized and directed to submit the application from LRE and this Resolution to NJDEP as an administrative action in order to obtain such approvals as may be necessary under law.

Section 6. A copy of this Resolution, together with a copy of LRE'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 7. This Resolution shall take effect immediately.



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