



UNION COUNTY UTILITIES AUTHORITY

1499 Routes 1 & 9, North, Rahway, New Jersey 07065

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RESOLUTION NO.: 86-2014

DATED: October 15, 2014

**RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY
AUTHORIZING AN ADMINISTRATIVE ACTION PLAN AMENDMENT TO THE
UNION COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN ON THE
APPLICATION OF GLYECO ACQUISITION CORP. # 34 FOR A MAJOR
MODIFICATION TO AN EXISTING CLASS D RECYCLING CENTER IN
ELIZABETH, NEW JERSEY FOR THE RECYCLING OF GLYCOL PRODUCTS
AND USED OIL PRODUCTS**

APPROVED AS TO FORM:

APPROVED AS TO SUFFICIENCY OF FUNDS

~~Joseph C. Bodek~~ *Lisa M. Dasilva*
Clerk of the Authority

YES NO NONE REQUIRED
UNION COUNTY UTILITIES AUTHORITY

By: *Lisa M. Dasilva*

By: *[Signature]*

	PRESENT	ABSENT	AYE	NAY	ABSTAIN	MOTION	SECOND
<i>Badri</i>		1					
<i>Eastman</i>	1		1			1	
<i>Jackus</i>	1		1				
<i>Kahn</i>	1		1				
<i>Kennedy, Secretary</i>	1		1				1
<i>Kulish</i>		1					
<i>People, Treasurer</i>	1		1				
<i>Erdos, Vice Chairwoman</i>		1					
<i>Huff, Chairman</i>	1		1				
<i>Bonanno, Alternate</i>	1		1				
<i>Lombardo, Alternate</i>		1					

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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”) is a public body corporate and politic of the State of New Jersey, 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 exercises essential governmental functions for the public health, benefit and welfare of the citizens of the County; and

WHEREAS, the Freeholders have designated the UCUA as the implementing agency for the County Plan charged with implementing and recommending updates and amendments to the aforesaid County Plan from time to time and selected to plan, acquire, construct, maintain and operate facilities for the processing and disposal of County solid waste and/or the recovery of recyclable materials; and

WHEREAS, on prior occasion, Full Circle Manufacturing Group, Inc. (“Full Circle”) filed an application seeking authorization from UCUA in the form of an amendment to the County Plan for the transfer of the Recycling Center General Approval for, and change in ownership of, the existing Class D recycling facility located at 534 South Front Street, Elizabeth, New Jersey, (“Facility”); and

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

WHEREAS, GlyEco filed an application with the UCUA on October 10, 2014, requesting an amendment to the County Plan for inclusion of major modifications to the Facility; and

WHEREAS, GlyEco proposes to implement modifications to the processing and tank system for the receipt of off-grade glycols, antifreeze and used oils in accordance with the Facility's design capacity of 92 tons/day and 11 million gallons per year, and 24 hour per day/365 days per year operation; and

WHEREAS, the solid waste regulations of NJDEP (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 as an alternative to a full plan amendment requiring notice and a public hearing before the governing body of a county; and

WHEREAS, the UCUA has received a report from CME, describing the Facility, addressing all engineering issues, and recommending that the major modifications requested for the Facility be included in the County Plan; and

WHEREAS, the UCUA has determined that the major modifications to the processing and tank system at the Facility for Class D recyclable material in the form of off-grade glycols, antifreeze and used oils does not warrant a formal 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; and

WHEREAS, the approval of GlyEco's application to amend the County Plan to implement major modifications to the processing and tank system at the Facility for Class D recyclable material in the form of off-grade glycols, antifreeze and used oils is consistent with the Statewide Solid Waste Management Plan and the State's recycling goals, and is in the best interests of the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of 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 major modifications to the processing and tank system at the Facility for Class D recyclable material in the form of off-grade glycols, antifreeze and used oils, as described in the application of GlyEco, dated October 10, 2014, filed with the UCUA.

Section 3. The Executive Director of the UCUA and General Counsel are hereby authorized and directed to submit the application from GlyEco and this Resolution to 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, together with a copy of GlyEco's application to amend the County Plan, shall be forwarded to the Clerk of the County for public inspection, and this Resolution shall also available for public inspection at the offices of the Authority at 1499 Routes 1 & 9 North, Rahway, New Jersey.

Section 5. This Resolution shall take effect immediately.