



UNION COUNTY UTILITIES AUTHORITY

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Resolution: 32-2013

Date: May 15, 2013

**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 GREEN WASTE TECHNOLOGIES, INC. FOR
INCLUSION OF A RESEARCH, DEVELOPMENT AND DEMONSTRATION
PROJECT IN PLAINFIELD, NEW JERSEY FOR THE RECYCLING OF FOOD
WASTE**

APPROVED AS TO FORM:

Joseph C. Bodek
Clerk of the Authority

By: Joseph C. Bodek

APPROVED AS TO SUFFICIENCY OF FUNDS

YES NO NONE REQUIRED
UNION COUNTY UTILITIES AUTHORITY

By: [Signature]

PRESENT ABSENT AYE NAY ABSTAIN MOTION SECOND

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

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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, Green Waste Technologies, Inc. ("GWT") filed an application with the UCUA on February 7, 2013, requesting an amendment of the County Plan for the inclusion of a research, development and demonstration project to be located at 1355 West Front Street, Plainfield, New Jersey, ("Facility") to accept Class C recyclable material in the form of source separated food waste and vegetative food waste for recycling; and

WHEREAS, GWT proposes to initially accept at the Facility 10 tons per day (with an intention to expand up to a maximum of 100 tons per day) of Class C recyclable material, consisting primarily of food waste, for recycling through an organic process that utilizes the larvae of the black soldier fly; 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 Facility be included as Class C research, development and demonstration project recycling facility in the County Plan; and

WHEREAS, the UCUA has determined that the designation of the proposed Facility to accept and transport Class C recyclable material in the form of food waste as part of a research, development and demonstration project 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 pursuant to N.J.A.C. 7:26-1.7(f)(4) and N.J.A.C. 7:26-6.11; and

WHEREAS, the approval of GWT's application to amend the County Plan to reflect the designation of the Facility to accept and recycle Class C material in the form of food waste 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 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, by administrative action, an amendment to the County Plan to reflect the designation of the Facility to accept and recycle Class C material in the form of food waste as part of a research, development and demonstration project as described in the application of GWT, dated February 7, 2013, 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 GWT 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 GWT'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.