

**AN ORDINANCE TO MODIFY THE UNION COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN TO 1) INCLUDE THE WASTE MANAGEMENT OF NEW JERSEY, INC. FACILITIES IN ELIZABETH, NEW JERSEY, AS THE COUNTY'S DESIGNATED FACILITIES TO WHICH SOLID WASTE TYPES 13, 13C, 23 AND 27 ARE DIRECTED FOR DISPOSAL, 2) INCORPORATE THE SOLID WASTE DISPOSAL SERVICES AGREEMENT BY AND BETWEEN THE UNION COUNTY UTILITIES AUTHORITY AND WASTE MANAGEMENT OF NEW JERSEY, INC. FOR THE PROVISION DISPOSAL SERVICES FOR SOLID WASTE TYPES 13, 13C, 23 AND 27, AND 3) DIRECT ALL SOLID WASTE TYPES 13, 13C, 23 AND 27 TO THE WASTE MANAGEMENT OF NEW JERSEY, INC. FACILITIES IN ELIZABETH, NEW JERSEY FOR DISPOSAL, PURSUANT TO REGULATORY WASTE FLOW CONTROL**

**WHEREAS**, pursuant to the Solid Waste Management Act, N.J.S.A 13:1E-1 et seq., the County of Union is designated as a Solid Waste Management District and by law did develop and prepare a District Solid Waste Management Plan ("County Plan") that was adopted by the Union County Board of Chosen Freeholders on June 7, 1979, pursuant to and in accordance with the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq.; and

**Page 2...Amendment to Solid Waste Management Plan**

**WHEREAS**, the County Plan was approved, with modifications, by the Department of Environmental Protection ("NJDEP") on August 13, 1980, and has since been amended and modified from time to time; and

**WHEREAS**, on December 11, 1986, the Union County Board of Chosen Freeholders designated the Union County Utilities Authority ("UCUA") as the agency responsible for the implementation of the County Plan, as amended from time to time, and the UCUA is empowered to plan, acquire, construct, maintain and operate facilities for the processing, disposal and/or recycling of solid waste generated in the County; and

**WHEREAS**, the UCUA has formulated a Plan Amendment, and recommends that this Board set a public hearing for the purpose of taking public testimony on the proposed plan amendment, and review and enact said amendment that is now on file with the Clerk of this Board and available for public inspection and is made a part hereof by reference; and

**WHEREAS**, the subject amendment is summarized as follows:

This Plan Amendment is prepared as a result of a determination by the UCUA to:

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**WHEREAS**, pursuant to the Solid Waste Management Act, the County's Solid Waste Advisory Committee ("SWAC") must be consulted with respect to amendment to the County Plan; and

**WHEREAS**, by Resolution No. 74-2018, duly adopted January 3, 2019, the UCUA approved the Plan Amendment and recommended that the Plan Amendment be approved by the Board of Chosen Freeholders of the County, after public hearing in accordance with the Solid Waste Management Act; and

**WHEREAS**, pursuant to and in accordance with the provisions of the Solid Waste Management Act, the Plan Amendment was presented to SWAC:

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Chosen Freeholders of the County of Union, that:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Plan Amendment, as prepared and recommended by the Union County Utilities Authority, is hereby adopted as an Amendment to the Union County District Solid Waste Management Plan.
3. Any provision of the County Plan that is inconsistent with the Plan Amendment is hereby repealed to the extent of said inconsistency and the provisions of the Plan Amendment shall be fully effective and shall control.
4. A certified copy of this Ordinance, as finally adopted, together with the Plan Amendment, shall be forwarded to the New Jersey Department of Environmental Protection, the County Clerk of the County of Union, and the Union County Utilities Authority.

Page 3...Amendment to the Solid Waste Management Plan

5. The Clerk of this Board shall publish and disseminate notice of this Ordinance as provided by law.
6. The aforesaid Plan Amendment and a copy of the transcript of the public hearing to be held at such time as may be scheduled by said Board of Chosen Freeholders, and the necessary deliberations shall be submitted to the Commissioner of the New Jersey Department of Environmental Protection.
7. This Ordinance shall take effect in the manner prescribed by law.