

**AMENDMENT TO THE UNION COUNTY  
DISTRICT SOLID WASTE MANAGEMENT PLAN**

Recommended by the  
Union County Utilities Authority  
June 2020

# **AMENDMENT TO THE UNION COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN TO INCLUDE A CLASS C RECYCLING FACILITY TO BE OWNED AND OPERATED BY LINDEN RENEWABLE ENERGY, LLC IN THE CITY OF LINDEN**

## **I. INTRODUCTION**

The Solid Waste Management Act, N.J.S.A 13:1E-1 et seq. (the “Act”), in pertinent part, designates each of the State’s twenty-one counties and the Hackensack Meadowlands Development Commission (now known as the New Jersey Sports and Exposition Authority) as a solid waste management district. The Act further provides that each solid waste management district, including the County of Union (“County”), develop a solid waste management plan setting forth the solid waste disposal strategy to be applied in the district. The Union County District Solid Waste Management Plan (the “County Plan”) was adopted by the Union County Board of Chosen Freeholders (“Freeholders”) on April 11, 1979 and approved, with modifications, by the New Jersey Department of Environmental Protection (“NJDEP”) on August 13, 1980, and has since been amended and modified from time to time. The Union County Board of Chosen Freeholders has designated the Union County Utilities Authority (“UCUA”) as the agency responsible for the implementation of the County Plan in accordance with the Act.

The purpose of this Plan Amendment is to modify the County Plan to include a Class C recycling facility (“Facility”) to be located at Block 587, Lot 8.02 on the Tax Map for the City of Linden, also known as 4900 Tremley Point Road, Linden, New Jersey, that will be owned and operated by Linden Renewable Energy, LLC. The Facility intends to accept organic waste or organic substrate that is processed by third parties off-site in satellite de-packaging facilities and will utilize 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

## **II. INCLUSION OF THE LINDEN RENEWABLE ENERGY, LLC FACILITY IN THE CITY OF LINDEN, NEW JERSEY, INTO THE UNION COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN AS A CLASS C RECYCLING FACILITY**

Appendix ‘A’ contains a copy of the application by Linden Renewable Energy, LLC for inclusion of a Class C recycling facility in the County Plan, as supplemented, that is attached hereto and incorporated herein.

Appendix ‘B’ contains a Resolution of the UCUA, duly adopted on May 20, 2020, which is attached hereto and incorporated herein, recommending that the Facility to be owned and operated by Linden Renewable Energy, LLC be included in the County Plan as a Class C recycling facility.

The County Plan is hereby amended to include the following recycling facility, subject to the specific conditions set forth in UCUA’s June 17, 2020 Resolution, as are also set forth below:

<u>Facility</u>	<u>Lot and Block</u>
Linden Renewable Energy, LLC 9400 Tremley Point Road Linden, New Jersey Class C Recycling Facility	City of Linden Lot 8.02, Block 587

The Facility will be operated in compliance with the waste flow and other requirements of the County Plan, will not accept feed stock derived from de-packaged food products that remain in original containers when disposed of and that are generated in the County, unless and until NJDEP determines that the separation of these packaged materials for de-packaging fits within the definition of “source separation,” and all solid waste generated during Facility operations will be disposed of in accordance with the County Plan.

### **III. SCOPE OF PLAN AMENDMENT**

This Plan Amendment incorporates by reference, as if set forth herein at length, the Union County District Solid Waste Management Plan, as certified by NJDEP on August 13, 1980, and all subsequent Plan Amendments so certified, to the extent that they are not inconsistent with this Plan Amendment. A copy of the Union County District Solid Waste Management Plan, along with all subsequent Amendments and NJDEP Plan Certifications, is available for review at the offices of UCUA, 1499 Routes 1&9 North, 3rd Floor, Rahway, New Jersey, during normal business hours, for public review and inspection. Copies of the County Plan, Plan Amendments and NJDEP Plan Certifications are available in accordance with the UCUA’s policy with respect to photocopying and at the offices of the Clerk of the Freeholders.

If any clause, provision, subsection, section or article of this Plan Amendment shall be ruled invalid by any court of competent jurisdiction, or administrative agency, the invalidity of such clause, provision, subsection, section or article, shall not affect any of the remaining provisions, unless such ruling adversely impacts the purpose and effect of the remaining portions of this Plan Amendment.

### **IV. EFFECTIVE DATE**

This Plan Amendment shall become effective upon adoption by the Board of Chosen Freeholders of the County of Union, and certification by the Commissioner of the New Jersey Department of Environmental Protection.