

December 14, 2010

Mail Code 401-02C  
Ross M. Hull, Senior Environmental Specialist  
NJDEP Solid & Hazardous Waste Management Program  
Bureau of Recycling & Planning  
P.O. Box 420  
Trenton, NJ 08625-0420

**RE: Administrative Action Request: Plan Inclusion Modification  
FCR Morris, LLC– Class A Recycling Facility**

Dear Mr. Hull:

In a letter dated November 9, 2010, FCR Morris, L.L.C. (“FCR”), currently operating at 103 Iron Mountain Road, Mine Hill (Block 201; Lot 32 and Lot 31.01), requested the Morris County Solid Waste Management Plan (“Plan”) be modified and updated with respect to the Plan’s current inclusion of the FCR class A recycling facility. This recycling facility was originally and formally included in the Plan in 1995 and has been operating and serving Morris County ever since.

In a resolution adopted by the Morris County Municipal Utilities Authority (“MCMUA”) on November 9, 2010, the MCMUA authorized the execution of a contract with FCR that would result in an expansion and modification of the class A recycling activities authorized by the Plan at the FCR site. These modifications would provide for a dramatic improvement in the recycling efforts of Morris County through the development of an in-county single-stream class A recycling facility. In its letter, which has been attached, FCR requests five matters be addressed that modify the original 1995 Plan inclusion to make it consistent with the MCMUA’s new agreement with FCR. These five matters are detailed below.

1. Name Change – The current plan lists the owner as FCR Morris, Inc. and the Plan should be changed to represent the proper name of the company which is FCR Morris, LLC.
2. Additional Lot – The current Plan includes Block 201, Lots 32 and 31.01 and the Plan should be changed to add lot 29.01, which is adjacent to lot 31.01 and will be used to access the newly developed facility at 105 Iron Mountain Road.
3. Daily Tonnage Increase – The current Plan has a 100 TPD capacity limit and this should be changed to 550 TPD to handle the additional increase in materials and quantities of class A materials accepted and processed at the facility.
4. Additional Class A Materials – The current plan only includes the acceptance of class A containers described as aluminum beverage and food containers, PET, HDPE (pigmented), HDPE (natural), flint glass, green glass, amber glass, ferrous/tin food containers, aerosol cans and paint cans. The Plan should be modified to also allow for the acceptance of additional class A materials. All the acceptable materials may be delivered in either commingled or non-commingled

form. The expanded fiber materials include but are not limited to newspaper, corrugated cardboard, magazines, inserts, paperboard boxes, junk mail, office paper, paperback books, cardboard food and beverage containers (including wet strength). Likewise, the definition of acceptable class A containers should be expanded from the existing list now additionally include, but not be limited to, mixed rigid plastic, mixed plastics including food and beverage containers #4, #5 and #7 and nonbottle food and beverage containers #1 and #2. Finally, aluminum foil and trays and aseptic cartons will also be acceptable and processed at this facility and should be added to the list of acceptable materials.

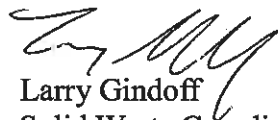
5. Hours of Operation – The current plan lists the hours of receiving to be 8:00 a.m. to 4:00 p.m. Monday through Friday. The hours of operation of the facility should be modified to be 7:00 a.m. to 6:00 p.m. Monday through Saturday.

State regulations, specifically N.J.A.C. 7:26-6.11 (b)-5, allow for modifications to be made to the Plan with respect to the operation of existing facilities through an administrative action procedure. This administrative action procedure permits the county's designated implementing agency, which is the MCMUA, to submit a letter to the NJDEP describing and requesting the changes to the Plan in lieu of going through the more formal and time-consuming Plan amendment process. The MCMUA formally requests the Plan be modified as described above in accordance with this administrative action process.

Although not specifically required by N.J.A.C. 7:26-6.11 (b)-5, the MCMUA requested the host municipality of Mine Hill to forward its opinion on this change prior to the MCMUA requesting this administrative action. In a resolution adopted by its Council on December 2, 2010, Mine Hill Township authorized, consented and endorsed the proposed modifications to the Plan as described above. Copies of correspondence related to this host municipal opinion have been attached for your information.

If you have any additional questions on this request please contact me.

Sincerely,



Larry Gindoff  
Solid Waste Coordinator

Enclosure

Cc: Glenn Schweizer, MCMUA Executive Director  
Jack Schrier, Freeholder Liaison  
Robert Anderson, FCR Morris, LLC  
Patricia T. Korpos, Mine Hill Township Clerk

File Copy



November 10, 2010

Patricia T. Korpos, Municipal Clerk  
Township of Mine Hill  
10 Baker Street  
Mine Hill, NJ 07803

**RE: Morris County Solid Waste Management Plan Modification Request:  
FCR Morris, LLC- Class A Recycling Facility**

Dear Ms. Korpos:

In a letter dated November 9, 2010, FCR Morris, LLC. ("FCR"), currently operating at 103 Iron Mountain Road, Mine Hill (Block 201; Lot 32 and Lot 31.01), requested the Morris County Solid Waste Management Plan ("Plan") be modified and updated with respect to the Plan's inclusion of the FCR class A recycling facility at this site. This recycling facility was originally and formally included in the Plan in 1995 and has been operating and serving Morris County ever since.

In a resolution adopted by the Morris County Municipal Utilities Authority ("MCMUA") on November 9, 2010, the MCMUA authorized the execution of a contract with FCR that would result in an expansion and modification of the class A recycling activities authorized by the Plan at the FCR site. These modifications would provide for a dramatic improvement in the recycling efforts of Morris County through the development of an in-county single-stream recycling facility. In its letter, which has been attached, FCR requests five matters be addressed that modify the original 1995 Plan inclusion to make it consistent with the MCMUA's new agreement with FCR. These five matters are included and detailed as a bullet-list in the November 9, 2010 FCR letter.

State regulations, specifically N.J.A.C. 7:26-6.11 (b)-5, allow for modifications to be made to the Plan with respect to the operation of existing facilities through an administrative action procedure. This administrative action procedure permits the county's designated implementing agency, which is the MCMUA, to submit a letter to the NJDEP describing and requesting the changes to the Plan in lieu of going through the more formal and time-consuming Plan amendment process.

Prior to issuing an administrative action request to NJDEP, the MCMUA is seeking the position of the host municipality, Township of Mine Hill. It is requested that this letter be distributed to Mine Hill's elected municipal officials and that the governing body of Mine Hill Township adopt a resolution within three (3) months of the receipt of this letter setting forth its position relative to the proposed modification to the Plan. Please be aware that if there is no resolution adopted with reference to this matter by Mine Hill's governing body within three (3) months of the receipt of this letter, the MCMUA may submit an administrative action request to the NJDEP without consideration of the township's position.



Please note that all correspondence relative to this matter should be forwarded to the MCMUA at the P.O. Box 370 address listed at the bottom of this letter. Additionally, if you and/or any members of Mine Hill Township's governing body want to discuss this matter, feel free to contact me at (973) 285-8391.

Sincerely,

  
Larry Gindoff  
Solid Waste Coordinator

Enclosure

Cc: Glenn Schweizer, MCMUA Executive Director  
Jack Shrier, Freeholder Liaison  
Robert E. Anderson, FCR Morris, LLC



A Casella Company

**Robert E. Anderson**  
Director Business Development and Marketing

FCR Regional Office  
809 West Hill Street  
Charlotte, NC 28208

November 9, 2010

Mr. Larry Gindoff  
Solid Waste Coordinator  
Morris County Municipal Utilities Authority  
300 Mendham Road  
Morris Township, NJ 07960

**REF: FCR Morris, Inc.**  
**Class A Recycling Center**  
**Located on Block 201, Lots 32 and 31.01 at 103 Iron Mountain Road**  
**in the Township of Mine Hill**  
**MCMUA – Solid Waste Plan Amendment**

Dear Mr. Gindoff,

FCR Morris, LLC will be executing an agreement with the Morris County Municipal Authority to process and market, Class A recyclable materials from both single-stream (containers mixed with paper) as well as dual-stream (containers separate from paper) sources. In support of that contract, and after a review of the current Morris County Solid Waste Plan ("Plan") which includes the current FCR operation for recycling commingled containers, FCR would like to request the following modification to the Plan. These proposed modifications will make the Plan consistent and with the new recycling contract between FCR and the MCMUA and will enhance recycling in Morris County

- **Name Change:** FCR Morris, LLC – The current Plan lists our company as FCR Morris, Inc.
- **Location:** Adding Lot 29.01. Lot 29.01 is adjacent to and will be used to access a building at 105 Iron Mountain which is on Lot 31.01. – The current Plan includes Block No. 201, Lot 32 and 31.01 but not lot 29.01.
- **Daily Tonnage:** 550 tons per day – This tonnage capacity needs to be increased to handle the additional types of recyclable materials to be accepted. Additionally, it is anticipated that this type of single-stream recycling facility will increase participation in recycling by making it more convenient to recycle.
- **Acceptable Materials Added** – The current Plan only included containers.
  - Fiber materials including, but not limited to: ONP, OCC, magazines, inserts, paper board boxes, junk mail, office paper, paperback books and cardboard food and beverage containers (including wet strength).
  - Containers including, but not limited to: mixed rigid plastic, mixed plastics including food and beverage containers #4, #5, and #7 and non bottle, food and beverage containers #1 and #2.
  - Aluminum Foil and Trays.
  - Aseptic Cartons.
- **Recycle Material Receiving Hours:** 6:00 AM to 6:00 PM Monday through Saturday. – The current Plan has receiving hours of 8:00 a.m. – 4:00 p.m.

The current Plan reflects the original FCR facility that accepted only commingle containers. The proposed Plan modifications listed above will offer substantially expanded recycling service options for Morris County residents and municipalities.

Thank you for your assistance, if you have any questions or require additional information, please contact me at the letterhead address or by telephone, at 856-649-9582.

Respectfully,

Robert E Anderson  
Director of Business Development and Marketing

cc: Stephen Welsh, Administrator, Township of Mine Hill  
Richard E. Leary, Mayor, Township of Mine Hill



# TOWNSHIP OF MINE HILL

Municipal Building - 10 Baker Street - Mine Hill, New Jersey 07803

**Municipal Clerk**  
Patricia T. Korpos

Tel: (973) 366-9031 x 2  
Fax: (973) 366-1626



December 3, 2010

Mr. Larry Gindoff  
Morris County MUA  
P.O. Box 370  
Mendham, New Jersey  
07945-0370

Dear Mr. Gindoff,

Transmitted herewith is RESOLUTION NO. 233-10 -- RESOLUTION OF THE TOWNSHIP COUNCIL OF MINE HILL ENDORSING THE PROPOSED MORRIS COUNTY SOLID WASTE MANAGEMENT PLAN MODIFICATION REQUESTED BY FCR MORRIS, LLC, 103-105 IRON MOUNTAIN ROAD, MINE HILL, NEW JERSEY which was adopted by the Township of Mine Hill Council on December 2, 2010.

Sincerely,

Patricia T. Korpos  
Registered Municipal Clerk

Encl.

as

RESOLUTION #233 -10

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MINE HILL ENDORSING THE PROPOSED MORRIS COUNTY SOLID WASTE MANAGEMENT PLAN MODIFICATION REQUESTED BY FCR MORRIS, LLC 103-105 IRON MOUNTAIN ROAD, MINE HILL, NEW JERSEY

**WHEREAS**, FCR Morris, Inc has operated its Class A Recycling Center at 103 - 105 Iron Mountain Road, Mine Hill for the last 14 years and is known for its ability to deal with the safe and appropriate processing and marketing of recyclable materials; and

**WHEREAS**, there is currently pending before the Morris County Municipal Utilities Authority a request for modification to the Morris County Solid Waste Management Plan to include FCR Morris, Incorporated, 103 – 105 Mine Hill, New Jersey, more specifically designated as Block 201 Lots 31.01 and 32 based on a corporate change of name to FCR Morris, LLC; and

**WHEREAS**, there is currently pending before the Morris County Municipal Utilities Authority a request for modification to the Morris County Solid Waste Management Plan to include the FCR Morris, LLC, 103 – 105 Mine Hill, New Jersey, more specifically designated as Block 201 lots 31.01 and 32 for the addition of Lot 29.01 which will allow additional access to building 105; and

**WHEREAS**, there is currently pending before the Morris County Municipal Utilities Authority a request for modification to the Morris County Solid Waste Management Plan to include FCR Morris, LLC, 103 -105 Mine Hill, New Jersey, more specifically designated as Block 201 lots 29.01, 31.01 and 32 for the addition of fiber materials to those currently permitted for processing, including but not limited to ONP, OCC, magazines, inserts, paper board boxes, junk mail, office paper, paperback books, cardboard food and beverage containers (including wet strength) and aseptic cartons and expansion non-fiber materials including, but not limited to: mixed rigid plastic, mixed plastics including food and beverage containers #4, #5, and #7 and non bottle, food and beverage containers #1 and #2 and aluminum foil and trays; and

**WHEREAS**, there is currently pending before the Morris County Municipal Utilities Authority a request for modification to the Morris County Solid Waste Management Plan to include the FCR Morris, LLC, 103 – 105 Mine Hill, New Jersey, more specifically designated as Block 201 lots 29.01, 31.01 and 32 for a daily tonnage of 550 tons per day; and

**WHEREAS**, there is currently pending before the Morris County Municipal Utilities Authority a request for modification to the Morris County Solid Waste Management Plan to include the FCR Morris, LLC, 103 – 105 Mine Hill, New Jersey, more specifically designated as Block 201 lots 29.01, 31.01 and 32 that will include the hours for acceptance of recyclable materials at their facility to be 7:00 AM to 6:00 PM Monday through Saturday.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Mine Hill that it does hereby authorize, consent and endorse the modification to the County's Solid Waste Plan to include the Class A Recycling facility of FCR Morris, LLC at 103 – 105 Mine Hill, New Jersey, more specifically designated as Block 201 lots 31.01 and 32 for a name change to FCR Morris, LLC and for the addition of Lot 29.01 and for the acceptance of additional recyclable materials to those that are already accepted at the facility, of fiber materials, including, but not limited to ONP, OCC, magazines, inserts, paper board boxes, junk mail, office paper, paperback books, cardboard food and beverage containers (including wet strength) and aseptic cartons and expansion non-fiber materials including, but not limited to: mixed rigid plastic, mixed plastics including food and beverage containers #4, #5, and #7 and non bottle, food and beverage containers #1 and #2 and aluminum foil and trays, and for a daily tonnage of 550 tons per day, and for the hours for acceptance of recyclable materials to be 7:00 AM to 6:00 PM Monday through Saturday at this location, subject to modification by the Council, in its sole discretion, should FCR Morris, LLC's operation of this facility fail to comply with applicable laws and codes, including municipal ordinances, that govern its operation.

Mine Hill Township Council

  
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Sam Morris, Council President

Attest:

  
Patricia T. Korpos  
Municipal Clerk

I hereby certify the foregoing to be a true copy of a Resolution passed by the Mine Hill Township Council at a duly convened meeting held on December 2, 2010.

  
Patricia T. Korpos  
Municipal Clerk