



August 16, 2016

Mail Code 401-02C
Scott Brubaker, Deputy Director
NJDEP Solid & Hazardous Waste Management Program
Bureau of Solid Waste Planning and Licensing
P.O. Box 420
Trenton, NJ 08625-0420

**RE: Administrative Action Request: Plan Inclusion Modification - Change In Ownership
Natures Choice Corporation to Northeast Products, LLC
Class B Recycling Facility, Roxbury, NJ**

Dear Mr. Brubaker:

In a letter dated April 14, 2016, Northeast Products, LLC ("Northeast"), requested a modification to the Morris County Solid Waste Management Plan ("Plan") with respect to the inclusion of the class "B" recycling facility at 1405 Rt. 46 W., Ledgewood, NJ (Block 8901; Lots 2 & 2.01 in the Township of Roxbury). The modification requested was to amend the Plan to recognize the transfer ownership from Nature's Choice Corporation to Northeast Products, LLC. This recycling facility was originally and formally included in the Plan by means of a January 1990 Plan amendment as certified by NJDEP on February 17, 1990. The transfer in ownership listed in the Plan would be the only change to the Plan made by this requested modification. All other existing conditions listed in the Plan for this site would remain as provided.

State regulations and NJDEP policy, specifically N.J.A.C. 7:26-6.11 (b)14, allows for modifications to the Plan with respect to a change in ownership of existing facilities, such as the change being proposed herein, that may be achieved through an administrative action procedure. This administrative action procedure permits the county's designated implementing agency, which is the Morris County Municipal Utilities Authority ("MCMUA"), to submit a letter to the NJDEP describing and requesting the change 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, subject to the submission and approval of an updated Fire Control Plan, as described below.

Although not specifically required by N.J.A.C. 7:26-6.11 (b)-14, the MCMUA requested the host municipality of Roxbury Township to forward its opinion on this change prior to the MCMUA requesting this administrative action. In a resolution adopted by its Council on August 9, 2016, Roxbury Township supported and consented the proposed modifications to the Plan as described above. One caveat to the consent from Roxbury Township is that the new owner needs to provide a updated Fire Control Plan for the facility. As such, this request for administrative action approval of the change in ownership is subject

to the submission and approval of an updated Fire Control Plan by Roxbury Township. 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
Christine Myers, Freeholder Liaison
Peter Yarem, Counsel representing the applicant
Amy Rhead, Municipal Clerk, Roxbury Township
File Copy

RESOLUTION NO. 2016-256

A RESOLUTION CONSENTING TO A CHANGE IN OWNERSHIP OF THE CLASS "B" RECYCLING FACILITY LOCATED AT BLOCK 8901, LOTS 2 AND 2.01 FROM NATURES CHOICE CORPORATION TO NORTHEAST PRODUCTS, LLC IN THE MORRIS COUNTY SOLID WASTE MANAGEMENT PLAN

WHEREAS, the County of Morris ("County") received an application for a change in ownership for a Class "B" Recycling Facility located at Block 8901, Lots 2 and 2.01 in the Township of Roxbury ("Township"), which facility is presently owned by Natures Choice Corporation; and

WHEREAS, by letter dated April 27, 2016, the Morris County Municipal Utilities Authority requested that the Township review the application for the change in ownership and adopt a resolution setting forth its position relative to the requested change in the County's Solid Waste Management Plan; and

WHEREAS, the proposed change in ownership of the Class "B" Recycling Facility has been referred to and reviewed by the Township's appropriate department heads; and

WHEREAS, the Township's Fire Official has recommended approval of the change in ownership provided the new owner provides the Township with an updated Fire Control Plan for the facility; and

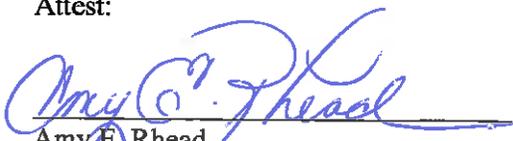
WHEREAS, the Township Council has reviewed the Fire Official's memorandum dated May 11, 2016 and wishes to approve of the proposed change in ownership of the Recycling Facility subject to the Fire Official's recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Roxbury, in the County of Morris, and State of New Jersey, that the Township Council hereby supports and consents to the change in ownership of the Class "B" Recycling Facility located at Block 8901, Lots 2 and 2.01 in the Township of Roxbury from Natures Choice Corporation to Northeast Products, LLC subject to Northeast Products, LLC providing the Township with an updated Fire Control Plan for the facility; and

BE IT FURTHER RESOLVED, that the Township Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Morris County Municipal Utilities Authority and the Morris County Solid Waste Advisory Council indicating the Township's approval and recommending that the condition set forth in this Resolution be incorporated into any plan modification. A copy of this Resolution shall also be provided to the Township Fire Official, Michael Pellek and Township Attorney, Anthony M. Bucco.

ADOPTED: August 9, 2016

Attest:



Amy E. Rhead
Township Clerk