



## State of New Jersey

CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BOB MARTIN  
*Commissioner*

Division of Solid & Hazardous Waste  
Bureau of Recycling & Hazardous Waste Management  
401 East State Street  
P.O. Box 420, Mail Code 401-02C  
Trenton, NJ 08625-0420  
Tel (609) 984-3438 Fax (609) 777-1951/984-0565  
[www.nj.gov/dep/dshw/recycling](http://www.nj.gov/dep/dshw/recycling)

August 4, 2016

Mr. Peter Yarem, Partner  
Scarinci & Hollenbeck, LLC  
1100 Valley Brook Avenue,  
P.O. Box 790  
Lyndhurst, NJ 07071-0790

Re: Class B Recycling Center General Approval - Transfer of Ownership  
Nature's Choice Corporation  
Block 8901, Lot 2 & 2.01  
Roxbury Township, Morris County  
Facility ID No.: 133630  
CBG: 150002

Dear Mr. Yarem:

The Bureau of Recycling & Hazardous Waste Management (the Bureau) is in receipt of a May 6, 2016, request from your client, Northeast Products, LLC, for a grace period of two years, after permit transfer to comply with the financial assurance requirements described in my letter of May 2, 2016, and Deputy Attorney General Aaron Love's email dated March 7, 2016. The Bureau has considered your request and hereby agrees to grant a two-year grace period during which financial assurance will not be required, subject to the conditions described below.

The Bureau recognizes the positive steps taken by Northeast Products in the approximately 18 months that it has operated at the site towards bringing this facility to compliance and anticipates that Northeast Products will continue to process stockpiled materials still left on the site, as described in Mr. Besty's May 6th email. Based on the above, and provided Northeast Products continues on pace to finish processing of the remaining two historic piles described in Mr. Besty's email (and thereby bring the site back into compliance with the site plan of record referenced in the now-expired General Approval) by August 31, 2017, the Bureau agrees to not require financial assurance at this time. The Bureau will consider the requests for transfer of ownership and renewal of the General Approval upon full compliance with the site plan requirements mentioned above. Pending transfer of ownership and renewal of the site's General Approval, Northeast Products must comply with the conditions of the expired General Approval

for the site, including requirements to maintain horizontal and vertical site markers, and to maintain all records for review by Department staff on request.

The Bureau reserves the right to reconsider this decision in the event compliance is not achieved by the above due date, or if new or additional violations occur at this or any other site operated by Northeast Products.

With respect to the ongoing exempt recycling operation at the site, please be informed that per N.J.A.C. 7:26A-1.4(b)7 the holder of a general or limited approval or any person that engages in activities listed at N.J.A.C. 7:26A-1.4(a) at the site of an approved recycling center, is subject to the district solid waste management plan requirements identified at N.J.A.C. 7:26-6.11 and the general approval modification requirements at N.J.A.C. 7:26A-3.10 for those additional activities conducted at the site of the approved recycling center. Therefore, in order to continue the exempt recycling operation, Northeast Products must seek approval from the Morris County as part of an administrative action concerning the district solid waste management plan, as well as a modification of the General Approval from the Bureau. However, should Northeast Products wish not to pursue this exempt activity, it may express its intent in writing to discontinue the exempt activity, whereby all such activities must cease and the area where these activities occurred must be cleaned up. In which case, the renewal could be issued without changes along with the transfer of ownership to Northeast Products.

If you have any questions concerning this matter, please contact Rakesh Patel of my staff at (609) 984-6814, or by e-mail at [rakesh.patel@dep.nj.gov](mailto:rakesh.patel@dep.nj.gov)

Sincerely,



Zafar M. Billah, Section Chief  
Bureau of Recycling & Hazardous Waste Management

C: Thomas Farrell, Chief, Bureau of Compliance & Enforcement  
Ben Salahi, Supervisor, Bureau of Solid Waste Compliance & Enforcement  
Ed Nielwocki, Supervisor, Bureau of Planning and Licensing  
Aaron Love, DAG, Office of Attorney General (w/attachment)  
Krish Kasturi, Supervisor, Bureau of Recycling and Hazardous Waste Management  
Carlos Perez, Jr., M.P.A., Morris County Health Officer  
Larry Gindoff, Morris County Solid Waste Coordinator  
Kathleen Hourihan, Morris County Recycling Coordinator  
Roxbury Township Municipal Clerk  
Jim Bestys, Northeast Products, LLC 11 Pleasantville Rd, Basking Ridge, NJ 07920  
Nick Vene, Nature's Choice Corp. 482 Houses Corner Road, Sparta, NJ 07871  
Steve Senior, Esq., One Speedwell Avenue, Headquarters Plaza, Morristown, NJ 07962