

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

DISTRICT OF DELAWARE

Case number (if known) \_\_\_\_\_

Chapter you are filing under:

- Chapter 7
- Chapter 11
- Chapter 12
- Chapter 13

Check if this an amended filing

Official Form 201

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

12/15

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name River City Recycling, LLC

2. All other names debtor used in the last 8 years  
 Include any assumed names, trade names and doing business as names  
FDBA Premier Metals Recycling, LLC

3. Debtor's federal Employer Identification Number (EIN) 45-3411980

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>1207 School Street, Suite 5</u> Richmond, VA 23220	
	Number, Street, City, State & ZIP Code	P.O. Box, Number, Street, City, State & ZIP Code
	<u>Richmond City</u> County	Location of principal assets, if different from principal place of business
		Number, Street, City, State & ZIP Code

5. Debtor's website (URL) \_\_\_\_\_

6. Type of debtor

- Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- Partnership
- Other. Specify: \_\_\_\_\_

Debtor River City Recycling, LLC  
Name

Case number (if known) \_\_\_\_\_

7. Describe debtor's business

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53AB))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply

- Tax-exempt entity (as described in 26 U.S.C. §501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- Investment advisor (as defined in 15 U.S.C. §80a-3)

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.  
See <http://www.naics.com/search/>.

4239

8. Under which chapter of the Bankruptcy Code is the Debtor filing?

Check one:

- Chapter 7
- Chapter 9
- Chapter 11. Check all that apply:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years after that).
- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operation, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

- Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- No.
- Yes.

If more than 2 cases, attach a separate list.

District _____	When _____	Case number _____
District _____	When _____	Case number _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- No
- Yes.

List all cases. If more than 1, attach a separate list

Debtor _____	Relationship to you _____
District _____	When _____
	Case number, if known _____

Debtor River City Recycling, LLC  
Name

Case number (if known) \_\_\_\_\_

11. Why is the case filed in this district? *Check all that apply:*
- Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
  - A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?
- No  
 Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.
- Why does the property need immediate attention? (Check all that apply.)**
- It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
What is the hazard? \_\_\_\_\_
  - It needs to be physically secured or protected from the weather.
  - It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
  - Other \_\_\_\_\_
- Where is the property?** \_\_\_\_\_  
Number, Street, City, State & ZIP Code
- Is the property insured?**
- No
  - Yes. Insurance agency \_\_\_\_\_  
Contact name \_\_\_\_\_  
Phone \_\_\_\_\_

**Statistical and administrative information**

13. Debtor's estimation of available funds. *Check one:*
- Funds will be available for distribution to unsecured creditors.
  - After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> 1-49               | <input type="checkbox"/> 1,000-5,000   | <input type="checkbox"/> 25,001-50,000     |
| <input type="checkbox"/> 50-99              | <input type="checkbox"/> 5001-10,000   | <input type="checkbox"/> 50,001-100,000    |
| <input checked="" type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999            |  |  |

15. Estimated Assets
- |  |  |  |
|--|--|--|
| <input type="checkbox"/> \$0 - \$50,000                  | <input type="checkbox"/> \$1,000,001 - \$10 million    | <input type="checkbox"/> \$500,000,001 - \$1 billion     |
| <input checked="" type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million   | <input type="checkbox"/> \$1,000,000,001 - \$10 billion  |
| <input type="checkbox"/> \$100,001 - \$500,000           | <input type="checkbox"/> \$50,000,001 - \$100 million  | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million         | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion          |

16. Estimated liabilities
- |  |   |  |
|--|---|--|
| <input type="checkbox"/> \$0 - \$50,000          | <input type="checkbox"/> \$1,000,001 - \$10 million             | <input type="checkbox"/> \$500,000,001 - \$1 billion     |
| <input type="checkbox"/> \$50,001 - \$100,000    | <input checked="" type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion  |
| <input type="checkbox"/> \$100,001 - \$500,000   | <input type="checkbox"/> \$50,000,001 - \$100 million           | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million          | <input type="checkbox"/> More than \$50 billion          |

Debtor River City Recycling, LLC  
Name

Case number (if known) \_\_\_\_\_

**Request for Relief, Declaration, and Signature**

**WARNING --** Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature of authorized representative of debtor**

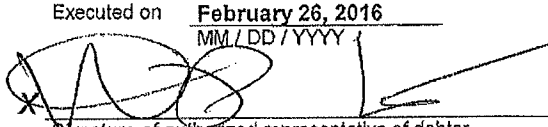
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 26, 2016  
MM/DD/YYYY

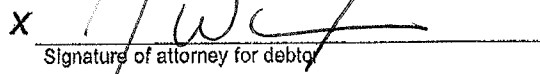
X 

Signature of authorized representative of debtor

Mathew P. Appelget  
Printed name

Title Authorized Signor

**18. Signature of attorney**

X 

Signature of attorney for debtor

Date February 26, 2016  
MM/DD/YYYY

Jeffrey R. Waxman  
Printed name

Morris James LLP  
Firm name

500 Delaware Avenue, Suite 1500  
P. O. Box 2306  
Wilmington, DE 19899  
Number, Street, City, State & ZIP Code

Contact phone (302) 888-6800

Email address \_\_\_\_\_

DE Bar No. 4159  
Bar number and State

**RIVER CITY RECYCLING, LLC****RESOLUTION APPROVED BY SOLE MEMBER**

February 25, 2016

The undersigned, being the sole member (the "**Member**") of River City Recycling, LLC, a Delaware limited liability company (the "**Company**"), hereby consents to and approves the adoption of the following resolutions without a meeting, in accordance with the Company's limited liability company agreement, as amended (the "**LLC Agreement**") and the Limited Liability Company Act of the State of Delaware, as amended (the "**Act**").

**A. Chapter 7 Bankruptcy**

WHEREAS, the Member has considered the circumstances of the Company's business and its assets and outstanding liabilities, and determined that a liquidation in bankruptcy is necessary in order to resolve creditor claims, including maximizing the value of the Company's assets for the benefit of creditors;

NOW, THEREFORE, BE IT RESOLVED, that in the judgment of the Member, it is desirable and in the best interests of the Company, its creditors, and other interested parties that a petition be filed by the Company in the United States Bankruptcy Court for the District of Delaware (the "**Bankruptcy Court**") seeking relief under the provisions of chapter 7 of title 11 of the United States Code (the "**Bankruptcy Code**"); and

RESOLVED FURTHER, that Matthew Appelget, the former president and CEO of the Company as the person with the greatest personal knowledge as to the Company's assets and liabilities, is hereby authorized, empowered and directed on behalf and in the name of the Company to execute, verify and file all petitions, schedules, lists, and other papers or documents, and to take and perform any and all further actions and steps that Manager deems necessary, desirable and proper in connection with the commencement of the Company's chapter 7 case (the "**Chapter 7 Case**"). In the event the Mr. Appelget is unavailable, the Member is authorized, empowered and directed to undertake such actions or delegate authority to take such actions on behalf of the Company.

**B. Attorneys**

WHEREAS, the Company will require the services of legal professionals to prepare for and during the Chapter 7 Case.

RESOLVED FURTHER, that the Member is hereby authorized, empowered and directed on behalf and in the name of the Company to retain the law firm of Morris James LLP ("**MJ**") as bankruptcy counsel to represent and assist the Company in carrying out its duties under chapter 7 of the Bankruptcy Code, and to take any and all actions to advance the Company's rights in connection therewith, and the Member is hereby authorized, empowered and directed on behalf and in the name of the Company to execute appropriate retention agreements, and cause an appropriate retainer to be remitted to MJ prior to the filing of the Chapter 7 Case.

**C. Omnibus authority**

NOW THEREFORE, BE IT RESOLVED, that the Member hereby is authorized, empowered and directed on behalf and in the name of the Company to take any and all actions, to execute, deliver, certify, file and/or record and perform any and all documents, agreements, instruments, motions, affidavits, applications for approvals or rulings of governmental or regulatory authorities or certificates and to take any and all actions and steps deemed by Member to be necessary or desirable to carry out the purpose and intent of each of the foregoing resolution and to effectuate a successful Chapter 7 Case; and

RESOLVED FURTHER, that any and all actions heretofore taken by the Member or Manager on behalf and in the name of the Company in furtherance of the purpose and intent of any or all of the foregoing resolutions be, and hereby are, ratified, confirmed, and approved in all respects.


IN WITNESS WHEREOF, the undersigned Member of the Company has caused this consent to be executed as of the date first written above.

**SOLE MEMBER**

**River City Recycling, LLC**

By: River City Recycling Holdings, LLC  
Its: Sole Member

By: BEP/Waste Intermediate Investors, LLC  
Its: Sole Member

  
\_\_\_\_\_  
Jason G. Runco  
President