



## State of New Jersey

CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Mail Code 401-02C  
Division of Solid and Hazardous Waste  
P.O. Box 420  
Trenton, NJ 08625-0420  
Tel. # (609) 984-3438  
Fax # (609) 633-1112  
[www.state.nj.us/recyclenj](http://www.state.nj.us/recyclenj)

BOB MARTIN  
*Commissioner*

February 23, 2015

Brian Lefke, VP of Solid Waste, ACUA  
P.O. Box 996,  
Pleasantville, NJ 08232-0996

Dear Mr. Lefke,

The Department of Environmental Protection's Division of Solid and Hazardous Waste is in receipt of a proposed amendment to the Atlantic County District Solid Waste Management Plan (County Plan) dated December 8, 2014. This amendment, adopted by the Atlantic County Board of Chosen Freeholders on November 19, 2014, seeks the approval of the authority of the Atlantic County Utilities Authority (ACUA) to enter into disposal and recycling contracts with New Jersey state agencies.

Although initiated as a plan amendment, pursuant to N.J.A.C. 7:26-6.11 (b) 6 and N.J.A.C. 7:26-6.11 (b) 14, the modification of a recycling program and the procurement of solid waste and recycling contracts with New Jersey state agencies constitutes an approvable administrative action. Therefore, the authority of the ACUA to enter into disposal and recycling contracts with New Jersey state agencies is hereby approved as an administrative action pursuant to N.J.A.C. 7:26-6.11 (f).

Please be advised, under the Solid Waste Utility Control Act-NJSA 48:13A-1 and the regulations thereunder, the ACUA as a regulated solid waste utility must provide solid waste services with rates that are the result of fair and effective competition.

If you have any questions relative to this matter, please contact Cristina Lezcano of my staff at (609) 984-2135 or by e-mail at [cristina.lezcano@dep.nj.gov](mailto:cristina.lezcano@dep.nj.gov).

Sincerely,

Edward A. Nieliwocki, Contract Administrator 3  
Bureau of Planning and Licensing