



## State of New Jersey

Christine Todd Whitman  
Governor

Department of Environmental Protection  
Division of Solid and Hazardous Waste  
P.O. Box 414  
Trenton, NJ 08625-0414  
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Fax. # 609-777-0769

Robert C. Shinn, Jr.  
Commissioner

JAN 19 2000

George Marinakis, Director  
Cape May County Municipal Utilities Authority  
P.O. Box 610  
Cape May Court House, New Jersey 08210

Dear Mr. Marinakis:

The Department of Environmental Protection's Division of Solid and Hazardous Waste is in receipt of a letter dated December 27, 1999 in which the CMCMUA notifies the Department that, effective January 1, 2000, the EIC assessed upon all solid waste generated within Cape May County will be reduced to \$27.24 per ton.

On November 10, 1997, the Department certified as approved the County's October 2, 1997 amendment. This amendment established the collection of an EIC to recover stranded debt. The certification did not approve a specific EIC amount or provide for a duration of approval although the amendment estimated an EIC of \$43 per ton. This certification was the first issued by the Department approving the concept of imposing an EIC. Since that time, the Department has approved numerous EIC's and, in the process, established a protocol for such approvals.

The Department has been reviewing specific EIC's pursuant to the plan amendment requirements found at N.J.A.C. 7:26-6.10. Such approvals are generally for one year and subsequent renewals or changes in the amount of EIC being assessed are approved pursuant to the administrative action requirements found at N.J.A.C. 7:26-6.11. Now the Department is no longer requiring annual approvals but, instead, requiring that a county submit to the Department on an annual basis for the duration of EIC collection a status report on the amount of EIC collected versus that projected. The mechanism for this submission is again the administrative action requirements found at N.J.A.C. 7:26-6.11.

To bring approval of Cape May's EIC in line with approvals issued for other counties, the Department hereby takes the following action: the revised EIC of \$27.24 per ton is approved pursuant to N.J.A.C. 7:26-6.11(f); the CMCMUA is directed to submit within 60 days of the date of this letter a brief status report on the

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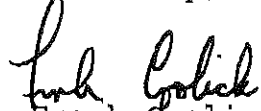
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amount of EIC collected since inception of its imposition with a comparison to the amount projected; the CMCMUA is directed to submit another status report by March 1, 2001 covering calendar year 2000; and, finally, if the CMCMUA proposes changing the amount of the EIC to be assessed, such change should be submitted to the Department for approval as an administrative action prior to its implementation.

If you have any questions relative to this matter, please contact me at (609) 633-1418.

Sincerely,



Frank Coolick  
Assistant Director

FC:GM