



Enforcement **Alert**

Making You Aware of Anticipated Enforcement Activities

Compliance and Enforcement

Issued: September 2010

#2010-09

DEP Conducting Rate Evaluations of Solid Waste Collectors/Utilities

Who is affected by this initiative?

Solid Waste collectors that are engaged in the collection and/or disposal of solid waste and are required to hold a Certificate of Public Convenience and Necessity (CPCN) are affected.

What is DEP doing?

The Department of Environmental Protection (Department) has begun conducting rate investigation reviews as part of its efforts to monitor effective solid waste competition of solid waste entities that hold or are required to hold a CPCN. The Department has also retained the services of a Certified Public Accounting firm on state contract to assist with performing evaluations to determine if solid waste collectors are charging rates that are a result of effective competition.

What should I do?

If you are a solid waste collector in New Jersey and you are contacted by the Department or by the Certified Public Accounting firm retained by the Department, you must provide records as identified at N.J.A.C. 7:26H-5.9 such as annual reports, customer lists, etc. Failure or refusal to submit records or information within 30 days of receipt of the request may result in the Department taking action to revoke or suspend your utility's Certificate of Public Convenience and Necessity.

Who should I contact with questions?

Please contact Department's Office of Local Environmental Management at (609) 984-2080 or at the following address:

NJ Department of Environmental Protection
County Environmental & Waste Enforcement
Office of Local Environmental Management
Mail Code 09-01A
P.O. Box 420
Trenton, New Jersey 08625-0420

COMPLIANCE ADVISORY

Where can I get more information?

Visit the following Web sites for additional information regarding this advisory:

Solid Waste Utility Regulations: http://www.nj.gov/dep/rules/rules/njac7_26h.pdf

Solid Waste Regulation Unit: <http://www.nj.gov/dep/dshw/swr/>

Visit the following Web site for general information:

Contact NJDEP: <http://www.nj.gov/cgi-bin/dep/contactdep.pl>

To comment on this advisory:

<http://www.nj.gov/dep/enforcement/survey.html>

Please note this advisory is intended to be a summary explanation of a department initiative. It does not include all potentially applicable requirements. If you have any questions related to compliance with this initiative, please contact the Enforcement number listed above.