



## State of New Jersey

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

Environmental Regulation

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[www.state.nj.us/recyclenj](http://www.state.nj.us/recyclenj)

JON S. CORZINE  
*Governor*

MARK N. MAURIELLO  
*Acting Commissioner*

July 31, 2009

Dear New Jersey Mayors:

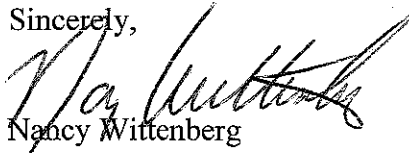
As many of you know, in January 2008, the "Recycling Enhancement Act" (REA) specifically P.L. 2007, chapter 311, became effective. A major component of the new law is a \$3.00 per ton tax on most solid waste accepted for disposal or transfer at solid waste facilities within the State. Sixty percent of the revenue generated by this tax is to be returned to municipalities to support recycling efforts. The purpose of this letter is to remind you that with passage of the REA comes the requirement that "all grant moneys received by the municipality shall be expended only for its recycling program". This is very important as this was not a legal requirement for monies previously disbursed by the Department as part of its annual Municipal Recycling Tonnage Grant Program.

Examples of how REA monies may be spent include, but are not limited to:

- the purchase and distribution of recycling containers for residential, commercial, and/or institutional generators within your municipality;
- additional promotional or educational campaigns regarding recycling;
- the expansion of recycling depots or other collection alternatives to accept designated recyclable materials from the commercial or institutional sectors, where no such opportunity now exists; and/or
- costs associated with augmented recycling compliance and enforcement efforts.

Lastly, please note that all expenditures made with REA monies should be carefully documented and maintained as all municipalities are subject to the requirements of the "Local Budget Law", NJSA 40A:4-1 et seq., and the "Local Fiscal Affairs Law", NJSA 40A:5-1 et seq. If you have any additional questions concerning REA monies, please do not hesitate to contact Joseph Davis of my staff at 609-984-3438 or by e-mail at [joseph.davis@dep.state.nj.us](mailto:joseph.davis@dep.state.nj.us).

Sincerely,

  
Nancy Wittenberg  
Assistant Commissioner