



## OFFICE OF THE GOVERNOR

### NEWS RELEASE

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### STATEMENT OF GOV. CHRISTIE WHITMAN ON U. S. SUPREME COURT CASE ON SOLID WASTE FLOW CONTROL

Today, the U. S. Supreme Court denied the petition of the State of New Jersey for a hearing in the Atlantic Coast case on the subject of waste flow control.

We are disappointed with the Supreme Court's decision not to hear the case because we believe that New Jersey's system warranted the court's review. Nevertheless we are working with the counties, local officials and the solid waste industry to assure that New Jersey's solid waste will continue to be handled in an environmentally sound manner, that recycling goals will be achieved and that the public debt obligations in connection with the construction of solid waste facilities will be met.

To assist counties which have incurred such debt, our current budget includes \$20 million which was specifically set aside to assist counties in meeting their debt service for waste handling facilities.

Throughout the summer, representatives of the departments of Environmental Protection, Community Affairs, Law and Public Safety, and Treasury have been meeting with county officials to help them amend their solid waste management plans to bring them into compliance with the court's directive. As a result of this effort, many counties have already taken steps to amend their solid waste plans.

As of today, the Department of Environmental Protection has approved amendments to the solid waste management plans requested by Cape May, Burlington, Mercer and Passaic counties and amendments proposed by a number of other counties are currently under consideration.

Last month, emergency rules were adopted by the Department of Environmental Protection in the eventuality that the Supreme Court would decline to accept our petition for a hearing. These rules provide counties and authorities with additional tools in order for them to develop revised solid waste systems in the face of the loss of flow control authority, including expedited procedures to modify facility permits and procure solid waste

services. The rules also provide flexibility to public and private facilities to adjust their economic rates based on competitive market forces without the need for specific state approval.

I am confident that with the counties' cooperation we will maintain a waste disposal system in New Jersey that is both environmentally sensitive and economically feasible as well as continue our state's excellent recycling programs.

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