

**NJ04 - Administrative Hearing Request
Checklist and Tracking Form**

I. DOCUMENT BEING APPEALED

Facility Name	Program Interest (PI) Number	Permit Activity Number	Permit Approval Date

II. CONTACT INFORMATION

Name and Title of Person Requesting Hearing	Name of Attorney (if applicable)
Address:	Address:
Telephone:	Telephone:
Email:	Email:

III. ADDITIONAL INFORMATION

Please include the following information as part of your request:

1. The date the Permittee received the permit decision;
2. One printed and two PDF (or scanned) copies of the document being appealed saved on two CDs – for submitting to address 1 below;
3. A PDF (or scanned) copy of all documents being submitted to the Office of Legal Affairs saved on a CD – for submitting to address 2 below;
4. The legal and factual issues you are appealing;
5. A statement as to whether or not you raised each legal and factual issue during the permit application process;
6. Suggested revised or alternative permit conditions;
7. An estimate of the time required for the hearing;
8. A request, if necessary, for a barrier-free hearing location for physically disabled persons;
9. A clear indication of any willingness to negotiate a settlement with the Department prior to the Department's transmittal of your hearing request to the Office of Administrative Law.

Mail this form, completed, signed and dated with all of the information listed above, including attachments, to:

1. New Jersey Department of Environmental Protection
Office of Administrative Hearings and Dispute Resolution
Attention: Adjudicatory Hearing Requests
401 E. State Street, P.O. Box 420, Mail Code 401-07A
Trenton, New Jersey 08625-0420
2. New Jersey Department of Environmental Protection
Division of Air Quality
Bureau of Stationary Sources – Operating Permits Section
401 E. State Street, 2nd Floor, P.O. Box 420, Mail Code 401-02
Trenton, New Jersey 08625-0420

Signature

Date

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IV. THIRD PARTY APPEAL REQUEST

If you are not the Permittee but rather an interested person claiming to be aggrieved by the permit decision, please include the following information:

1. The date you or your agent received notice of the permit decision (include a copy of that permit decision with your hearing request);
2. Evidence that a copy of the request has been delivered to the applicant for the permit which is the subject of the permit decision;
3. A detailed statement of which findings of fact and/or conclusion of law you are challenging;
4. A description of your participation in any public hearings held in connection with the permit application and copies of any written comments you submitted;
5. Whether you claim a statutory or constitutional right to a hearing, and, if you claim such a right, a reference to the applicable statute or an explanation of how your property interests are affected by the permit decision;
6. If the appeal request concerns a CAFRA permit decision, evidence that a copy of the request has been delivered to the clerks of the county and the municipality in which the project which is the subject of the permit decision is located;
7. Suggested revised or alternative permit conditions;
8. An estimate of the time required for the hearing;
9. A request, if necessary, for a barrier-free hearing location for physically disabled persons;
10. A clear indication of any willingness to negotiate a settlement with the Department prior to the Department's transmittal of the hearing request to the Office of Administrative Law.

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