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ENVIRONMENTAL PROTECTION

OFFICE OF LEGAL AFFAIRS

OFFICE OF ADMINISTRATIVE HEARINGS AND DISPUTE RESOLUTION

Notice of Administrative Changes

Water Supply Loan Programs; General Practice and Procedure; Discharges of Petroleum and Other Hazardous Substances; Worker and Community Right to Know Regulations; Processing of Damage Claims Pursuant to the Sanitary Landfill Facility Closure and Contingency Fund Act; Pollution Prevention Program Rules; List of Approved Foresters; Coastal Zone Management Rules; Freshwater Wetlands Protection Act Rules; Well Construction and Maintenance; Sealing of Abandoned Wells; Safe Drinking Water Act; Licensing of Water Supply and Wastewater Treatment System Operators; Shellfish; Growing Water Classification; Flood Hazard Area Control Act Rules; Water Pollution Control Act; New Jersey Pollution Discharge Elimination System; Underground Storage Tanks; Determination of Environmental Benefit of the Reuse of Further Treated Effluent in Industrial Facilities; Regulations Governing the Certification of Laboratories and Environmental Measurements; Water Supply Allocation Permits; Dam Safety Standards; Agricultural, Aquacultural, and Horticultural Water Usage Certification; Financial Assistance Programs for Environmental Infrastructure Facilities; Dam Restoration and Inland Waters Projects Loan Program; Division of Fish and Wildlife Rules; Oysters; Solid Waste; Recycling Rules; Administrative Requirements for the Remediation of Contaminated Sites; Hazardous Waste; Solid Waste Utility Regulations; Air Pollution Control; Air Administrative Procedures and Penalties; CO₂ Budget Trading Program;

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Radiation Protection Programs; Pesticide Control Code; Toxic Catastrophe Prevention Act Program; Green Acres Program; and Highlands Water Protection and Planning Act Rules

N.J.A.C. 7:1A-2.34; 7:1D-2.4 and 2.7; 7:1E:6.4 and 9.8; 7:1G-6.13 and 7.3; 7:1I-5.6; 7:1K-12.3; 7:3-3.9; 7:7-16.9, 28.1, 28.2, and 29.4; 7:7A-21.1, 21.2, and 22.6; 7:9D-4.8; 7:10-3.5 and 11.17; 7:10A-2.8; 7:12-9.4; 7:13-23.1, 23.2, and 24.4; 7:14-8.1 and 8.4; 7:14A-6.13, 17.2, and 22.24; 7:14B-12.2; 7:14D-3.1; 7:18-2.17; 7:19-2.13, 6.10, and 18.3; 7:20-1.5 and 2.4; 7:20A-2.8 and 4.3; 7:22-9.15; 7:24A-4.19; 7:25-2.22, 4.12, 10.12, 12.20, 14.21, and 22.5; 7:25A-1.15; 7:26-1.7, 1.9, 2.4, 2C.13, 5.3, 14A.21, 16.10, and 17.22; 7:26A-3.14, 9.3, and 13.12; 7:26C-9.10; 7:26G-2.3; 7:26H-1.11, 5.17, and 7.2; 7:27-1.26 and 1.32; 7:27A-3.4; 7:27C-1.6; 7:28-4.17, 19.18, 24.16, and 48.7; 7:30-11.4 and 13.9; 7:31-11.3; 7:36-25.16; and 7:38-1.5 and 13.13

Effective Date: February 23, 2023.

Take notice that the Department of Environmental Protection is announcing administrative changes to various provisions throughout New Jersey Administrative Code Title 7, to update the address for the submittal of an adjudicatory hearing request and the name of the office to which requests for adjudicatory hearings or dispute resolution are to be submitted. As of February 23, 2023, all such requests shall be submitted to:

New Jersey Department of Environmental Protection
Office of Administrative Hearings and Dispute Resolution
ATTENTION: Adjudicatory Hearing Requests
401 E. State Street

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Mail Code 401-07A

PO Box 420

Trenton, NJ 08625-0420

This notice is published pursuant to N.J.A.C. 1:30-2.7.

Full text of the changed rules follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

CHAPTER 1A

WATER SUPPLY LOAN PROGRAMS

SUBCHAPTER 2. LOAN PROCEDURES AND REQUIREMENTS

7:1A-2.34 Administrative hearings

(a) (No change.)

(b) A borrower may request a hearing within 15 days of a decision by the Administrator. The hearing request shall be addressed to: [Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests, Department of Environmental Protection, CN402, Trenton, New Jersey 08625-0402] **New Jersey Department of Environmental Protection, Office of Administrative Hearings and Dispute Resolution, ATTENTION: Adjudicatory Hearing Requests, 401 E. State Street, Mail Code 401-07A, PO Box 420, Trenton, NJ 08625-0420.**

The request for a hearing shall specify in detail the basis for the appeal.

(c) – (d) (No change.)

CHAPTER 1D

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GENERAL PRACTICE AND PROCEDURE

SUBCHAPTER 2. DEBARMENT, SUSPENSION, AND DISQUALIFICATION FROM DEPARTMENT CONTRACTING

7:1D-2.4 Procedures, period, and scope of debarment

(a) When the Department or any agency within its control or jurisdiction seeks to debar a person or his or her affiliates, the person or persons shall be furnished with a written notice stating that:

1. – 2. (No change.)

3. An opportunity will be afforded to such person or persons for a hearing if the hearing is requested within seven days from the date of personal delivery or the date of mailing of such notice. Such request shall be filed with the Department at the following address:

[Office of Legal Affairs

ATTENTION: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

[Mail code 401-04L]

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 [East] **E.** State Street[, 7th Floor]

PO Box [402] **420**

Trenton, New Jersey [08625-0402] **08625-0420**

(b) – (e) (No change.)

7:1D-2.7 Procedures, period and scope of suspension

(a) – (c) (No change.)

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(d) A request for a hearing [under] **pursuant to** (a) above shall be filed with the Department at the following address:

[Office of Legal Affairs

ATTENTION: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

[Mail Code 401-04L] 401 [East] E. State Street[, 4th Floor]

Mail Code 401-07A

PO Box [402] **420**

Trenton, New Jersey [08625-0402] **08625-0420**

CHAPTER 1E

DISCHARGES OF PETROLEUM AND OTHER HAZARDOUS SUBSTANCES

SUBCHAPTER 6. CIVIL ADMINISTRATIVE PENALTIES AND REQUESTS FOR ADJUDICATORY HEARINGS

7:1E-6.4 Procedures for requesting and conducting adjudicatory hearings

(a) – (d) (No change.)

€ Requests for adjudicatory hearings shall be sent to:

[Office of Legal Affairs]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

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401 [East] **E.** State Street[7th Floor]

[P.O. Box 402,] Mail Code [401-04L] **401-07A**

PO Box 420

Trenton, New Jersey [08625-0402] **08625-0420**

[Attention: Adjudicatory Hearing Request]

With a copy sent to:

Bureau of Release Prevention

New Jersey Department of Environmental Protection

401 East State Street 7th floor

[P.O.]**PO** Box 420, Mail Code 22-03D

Trenton, New Jersey 08625-0420

Attention: Adjudicatory Hearing Request

SUBCHAPTER 9. DISCLOSURE AND USE OF CONFIDENTIAL INFORMATION

- (a) 7:1E-9.8 Hearing before disclosure of information for which a confidentiality claim has been made) A claimant may request an adjudicatory hearing to contest disclosure of any information for which a confidentiality claim has been made, at any time before disclosure. The request shall be in accordance with the requirements [of] **at** N.J.A.C.

7:1E-6.4(b), and shall be delivered to the Department at the following address:

New Jersey Department of Environmental Protection

[Office of Legal Affairs]

Office of Administrative Hearings and Dispute Resolution

[Attention -] **ATTENTION:** Adjudicatory Hearing Requests [- DPCC Confidentiality]

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401 [East] E. State Street[7th Floor]

[P.O. Box 402,] Mail Code [401-04L] **401-07A**

PO Box 420

Trenton, New Jersey [08625-0402] **08625-0420**

(-) - (e) (No change.)

CHAPTER 1G

WORKER AND COMMUNITY RIGHT TO KNOW REGULATIONS

SUBCHAPTER 6. TRADE SECRETS

7:1G-6.13 Appeal of determination

- (a) If the Department denies an employer's trade secret claim, the employer shall have 45 days from the receipt of the Department's determination to file with the Department a written request for an administrative hearing on the determination. Such request shall be filed with the [Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests, Department of Environmental Protection, P.O. Box 402, Mail Code 401-04L, 401 East State Street, Seventh Floor, Trenton, New Jersey 08625-0402.] **Department at the following address:**

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 E. State Street, Mail Code 401-07A

PO Box 420

Trenton, NJ 08625-0420

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(b) – (f) (No change.)

SUBCHAPTER 7. ISSUANCE OF ADMINISTRATIVE ORDERS AND NOTICES OF CIVIL ADMINISTRATIVE PENALTY ASSESSMENT

7:1G-7.3 Procedures for the issuance of Administrative Orders and Notices of Civil

Administrative Penalties Assessments

(a) – (b) (No change.)

(c) The alleged violator shall have 20 calendar days from receipt of the Administrative Order and/or Notice of Civil Administrative Penalty Assessment within which to deliver a written request for an adjudicatory hearing to:

[Office of Legal Affairs Attention: Adjudicatory Hearings]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

[P.O. Box 402 Mail Code 401-04L]

401 [East] E. State Street[, Seventh Floor]

Mail Code 401-07A

PO Box 420

Trenton, New Jersey [08625-0402] **08625-0420**

(–) - (i) (No change.)

CHAPTER 1I

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PROCESSING OF DAMAGE CLAIMS PURSUANT TO THE SANITARY LANDFILL

FACILITY CLOSURE AND CONTINGENCY FUND ACT

SUBCHAPTER 5. SETTLEMENT AND DETERMINATION OF CLAIM

7:1I-5.6 Adjudicatory hearings

(–) - (d) (No change.)

(e) A request for an adjudicatory hearing shall be filed with the Department at the following address:

[Office of Legal Affairs

ATTENTION: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 E. State Street, Mail Code 401-07A

PO Box [402] **420**

Trenton, New Jersey [08625-0402] **08625-0420**

All such communications regarding adjudicatory hearings for which a street address is required shall be sent to the following address:

[Office of Legal Affairs

ATTENTION: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 [East] E. State Street

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Mail Code 401-07A

PO Box 420

Trenton, New Jersey [08609] **08625-0420**

(f) (No change.)

CHAPTER 1K

POLLUTION PREVENTION PROGRAM RULES

SUBCHAPTER 12. CIVIL ADMINISTRATIVE PENALTIES AND REQUESTS FOR ADJUDICATORY HEARINGS

7:1K-12.3 Procedures for requesting and conducting adjudicatory hearings

(a) To request an adjudicatory hearing to contest an administrative order, notice of civil administrative penalty assessment, or confidentiality determination issued pursuant to the Act or this chapter, the violator or claimant shall submit the information required [by] **pursuant to** (b) below to the following address:

[Office of Legal Affairs

Attention: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

[Mail Code 401-04L

P.O. Box 402]

401 [East] E. State Street[, 7th Floor]

Mail Code 401-07A

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PO Box 420

Trenton, New Jersey [08625-0402] **08625-0420**

(b) – (e) (No change.)

CHAPTER 3

FORESTRY

SUBCHAPTER 3. LIST OF APPROVED FORESTERS

7:3-3.9 Adjudicatory hearing requests

(a) – (b) (No change.)

(c) The individual requesting an adjudicatory hearing shall:

1. Submit the request in writing to:

[Office of Legal Affairs

Attention: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

[Mail Code 401-04L]

401 [East] **E.** State Street[, 7th Floor]

Mail Code 401-07A

PO Box [402] **420**

Trenton, New Jersey [08625-0402] **08625-0420**; and

2. (No change.)

(d) (No change.)

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CHAPTER 7

COASTAL ZONE MANAGEMENT RULES

SUBCHAPTER 16. RESOURCE RULES

7:7-16.9 Public access

(a) - (i) (No change.)

(j) The Department shall revoke its approval of a Municipal Public Access Plan for good cause.

Good cause includes failure to implement the Municipal Public Access Plan and/or noncompliance with the Municipal Public Access Plan such as, but not limited to, conversion of public access sites to other uses, and failure to maintain existing public access and signage.

1. (No change.)

2. If the above requirements are not met, the Department shall provide the Municipality with written notice, by certified mail, of intent to revoke the Department's approval of the Municipal Public Access Plan and of the Municipality's right to a hearing pursuant to the provisions of N.J.A.C. 7:7-28. A request for a hearing shall be addressed to the [Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests,] **New Jersey Department of Environmental Protection, Office of Administrative Hearings and Dispute Resolution, ATTENTION: Adjudicatory Hearing Requests**, [Mail Code 401-04L, PO Box 402,] 401 [East] E. State St., 7th floor, **Mail Code 401-07A, PO Box 420**, Trenton, New Jersey [08625-0402] **08625-0420**. A copy shall also be submitted to the Office of Land Use Planning, Mail Code 401-07C, PO Box 402, 401 [East] E. State St., 7th floor, Trenton, New Jersey 08625.

3. (No change.)

(k) - (x) (No change.)

SUBCHAPTER 28. REQUESTS FOR ADJUDICATORY HEARINGS

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7:7-28.1 Procedure to request an adjudicatory hearing; decision on the request

(a) – (c) (No change)

(d) A person requesting an adjudicatory hearing shall:

1. Submit the original hearing request to:

New Jersey Department of Environmental Protection

Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

[Attention:] **ATTENTION:** Adjudicatory Hearing Requests

[Mail Code 401-04L, P.O. Box 402]

401 [East] E. State Street[, 7th Floor]

Mail Code 401-07A

PO Box 420

Trenton, NJ [08625-0402] **08625-0420**; and

2. (No change.)

(e) - (g) (No change.)

7:7-28.2 Procedure to request dispute resolution

As part of a request for an adjudicatory hearing, a person may request that the Department determine whether the matter is suitable for mediation by the Department's Office of **Administrative Hearings and Dispute Resolution**. The Department shall promptly notify the requester of its determination. If the Department determines that the matter is suitable for mediation, the Department shall also notify the requester of the procedures and schedule for mediation.

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SUBCHAPTER 29. ENFORCEMENT

7:7-29.4 Procedures to request and conduct an adjudicatory hearing to contest an administrative order and/or notice of civil administrative penalty assessment

(a) - (b) (No change.)

(c) A person requesting an adjudicatory hearing shall:

1. Submit the original hearing request to:

New Jersey Department of Environmental Protection

Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

[Attention:] **ATTENTION:** Adjudicatory Hearing Requests

[Mail Code 401-04L, P.O. Box 402]

401 [East] **E.** State Street[, 7th Floor]

Mail Code 401-07A

PO Box 420

Trenton, NJ [08625-0402] **08625-0420**; and

2. (No change.)

(d) - (e) (No change.)

CHAPTER 7A

FRESHWATER WETLANDS

PROTECTION ACT RULES

SUBCHAPTER 21. REQUESTS FOR ADJUDICATORY HEARINGS

7:7A-21.1 Procedure to request an adjudicatory hearing; decision on the request

(a) - (c) (No change.)

(d) A person requesting an adjudicatory hearing shall:

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1. Submit the original hearing request to:

New Jersey Department of Environmental Protection

Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

[Attention:] **ATTENTION:** Adjudicatory Hearing Requests

[Mail Code 401-04L, P.O. Box 402]

401 [East] **E.** State Street[, 7th Floor]

Mail Code 401-07A

PO Box 420

Trenton, NJ [08625-0402] **08625-0420**; and

2. (No change.)

(e) – (h) (No change.)

7:7A-21.2 Procedure to request dispute resolution

As part of a request for an adjudicatory hearing, a person may request that the Department determine whether the matter is suitable for mediation by the Department's [Office of Dispute Resolution.] **Office of Administrative Hearings and Dispute Resolution.** The Department shall promptly notify the requester of its determination. If the Department determines the matter is suitable for mediation, the Department shall also notify the requester of the procedures and schedule for mediation.

SUBCHAPTER 22. ENFORCEMENT

7:7A-22.6 Procedures to request and conduct an adjudicatory hearing to contest an administrative order and/or notice of civil administrative penalty assessment

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(a) – (b) (No change.)

(c) A person requesting an adjudicatory hearing shall:

1. Submit the original hearing request to:

New Jersey Department of Environmental Protection

Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

[Attention:] **ATTENTION:** Adjudicatory Hearing Requests

Mail Code 401-04L, P.O. Box 402

401 [East] **E.** State Street[, 7th Floor]

Mail Code 401-07A

PO Box 420

Trenton, NJ [08625-0402] **08625-0420**; and

2. (No Change.)

(d) – (e) (No change.)

CHAPTER 9D

WELL CONSTRUCTION AND MAINTENANCE; SEALING OF ABANDONED WELLS

SUBCHAPTER 4. CIVIL ADMINISTRATIVE ORDERS AND PENALTIES; DENIAL, SUSPENSION, AND REVOCATION OF LICENSES; DENIAL AND REVOCATION OF PERMITS; AND REQUESTS FOR ADJUDICATORY HEARINGS

7:9D-4.8 Procedures to request an adjudicatory hearing to contest an administrative order,
administrative penalty assessment, suspension of license, revocation of license or permit, or the
denial of license or a permit

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(a) Any person ([hereinafter “[petitioner]”]) requesting an adjudicatory hearing to contest an administrative order, civil administrative penalty assessment, denial, suspension, or revocation of a license or permit or to challenge any permit or license condition, or who believes himself or herself to be aggrieved with respect to decisions made by the Department, shall:

1. Submit the original request in writing to:

[Attention: Adjudicatory Hearing Requests

Office of Legal Affairs]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Request

401 E. State Street, Mail Code 401-07A

[P.O.] PO Box [402] 420

Trenton, New Jersey [08625-0402] 08625-0420

2. (No change.)

(b) – (f) (No change.)

CHAPTER 10

SAFE DRINKING WATER ACT

SUBCHAPTER 3. CIVIL ADMINISTRATIVE PENALTIES AND REQUESTS FOR ADJUDICATORY HEARINGS

7:10-3.5 Procedures to request an adjudicatory hearing to contest an administrative order and/or a notice of civil administrative penalty assessment; procedures for conducting adjudicatory hearings

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(a) To request an adjudicatory hearing to contest an administrative order and/or notice of civil administrative penalty assessment issued pursuant to the State Act, the person to whom the administrative order and/or notice of civil administrative penalty assessment was issued shall submit the following information, in writing, to the Department at the [Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests,] **New Jersey Department of Environmental Protection, Office of Administrative Hearings and Dispute Resolution, ATTENTION: Adjudicatory Hearing Requests, 401 E. State Street, Mail Code 401-07A, PO Box [402] 420, Trenton, New Jersey [08625-0402] 08625-0420.**

1. – 8. (No change.)

(b) – (d) (No change.)

7:10-11.17 Requests for adjudicatory hearings

(a) (No change.)

(b) Requests for an adjudicatory hearing shall be, in writing, and submitted to:

[Office of Legal Affairs

Attention: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Request

[PO Box 402]

401 E. State Street, Mail Code 401-07A

PO Box 420

Trenton, New Jersey [08625-0402] 08625-0420

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(c) – (h) (No change.)

CHAPTER 10A

LICENSING OF WATER SUPPLY AND WASTER TREATMENT SYSTEM OPERATORS SUBCHAPTER 2. CIVIL ADMINISTRATIVE PENALTIES, INJUNCTIVE RELIEF, SUSPENSION AND REVOCATION OF OPERATOR’S LICENSE, DENIAL OF AN APPLICATION TO RENEW A LICENSE AND REQUESTS FOR ADJUDICATORY HEARINGS

7:10A-2.8 Procedures to request an adjudicatory hearing to contest an administrative order, administrative penalty assessment, suspension of license, revocation of license, or the denial of an application to renew a license

(a) To request an adjudicatory hearing to contest an administrative order, civil administrative penalty assessment, suspension or revocation of license, or a denial of an application to renew a license, the person requesting the hearing ([hereinafter “]petitioner[”]) shall:

1. Submit the original request, in writing, to:

[Attention: Adjudicatory Hearing Requests

Office of Legal Affairs]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Request

401 E. State Street

PO Box [402] **420**

Trenton, NJ [08625-0402] **08625-0420**; and

2. (No change.)

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(b) – (e) (No change.)

CHAPTER 12

SHELLFISH GROWING WATER CLASSIFICATION

SUBCHAPTER 9. SHELLFISH PERMITS FOR HARVEST FOR WATERS OTHER THAN APPROVED; RESEARCH; RESTORATION AND ENHANCEMENT; TOXINS MONITORING; AND AQUACULTURE

7:12-9.4 Request for an adjudicatory hearing on a permit decision

(a) – (d) (No change.)

(e) A request for an adjudicatory hearing shall be submitted to the Department at the address listed below, with a copy to the Bureau at the address at N.J.A.C. 7:12-1.1(l):

[Office of Legal Affairs

Attention: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 [East] E. State Street[, Seventh Floor]

Mail Code 401-07A

[P.O.] **PO Box [402] 420**

Trenton, New Jersey [08625-0402] **08625-0420**

CHAPTER 13

FLOOD HAZARD AREA CONTROL ACT RULES

SUBCHAPTER 23. REQUESTS FOR ADJUDICATORY HEARINGS

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7:13-23.1 Procedure to request an adjudicatory hearing; decision on the request

(a) – (c) (No change.)

(d) A person requesting an adjudicatory hearing shall:

1. Submit the original hearing request to:

New Jersey Department of Environmental Protection

Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

[Attention:] **ATTENTION:** Adjudicatory Hearing Requests

[Mail Code 401-04L, P.O. Box 402]

401 [East] E. State Street[, 7th Floor]

Mail Code 401-07A

Trenton, NJ [08625-0402] **08625-0420**; and

2. (No change.)

(e) – (g) (No change.)

7:13-23.2 Procedure to request dispute resolution

As part of a request for an adjudicatory hearing, a person may request that the Department determine whether the matter is suitable for mediation by the Department's Office of **Administrative Hearings and Dispute Resolution**. The Department shall promptly notify the requester of its determination. If the Department determines that the matter is suitable for mediation, the Department shall also notify the requester of the procedures and schedule for mediation.

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7:13-24.4 Procedures to request and conduct an adjudicatory hearing to contest an

Administrative Order and/or a notice of civil administrative penalty assessment

(a) (No change.)

(b) A violator requesting an adjudicatory hearing shall provide the following information on an adjudicatory hearing request form, available from the Department at the address set forth at

N.J.A.C. 7:13-1.3:

1. – 4. (No change.)

5. A statement as to whether the violator agrees to allow the Department to delay the transfer of a granted hearing request to the Office of Administrative Law for the purposes of engaging in settlement negotiations as provided by the Uniform Administrative Procedure Rules at N.J.A.C. 1:1-8.1(b)[;].

i. A person may request that the Department determine whether the matter is suitable for mediation by the Department's Office of **Administrative Hearings and Dispute Resolution**. The Department shall promptly notify the requester of its determination. If the Department determines that the matter is suitable for mediation, the Department shall also notify the requester of the procedures and schedule for mediation[. More information about the Office of Dispute Resolution is available from the Department's website at <https://www.nj.gov/dep/odr>];

6. – 8. (No change.)

(c) A person requesting an adjudicatory hearing shall:

1. Submit the original hearing request to:

New Jersey Department of Environmental Protection

Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

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[Attention:] **ATTENTION:** Adjudicatory Hearing Requests

[Mail Code 401-04L, P.O. Box 402]

401 [East] **E.** State Street[, 7th Floor]

Mail Code 401-07A

PO Box 420

Trenton, NJ [08625-0402] **08625-0420**; and

2. Submit a copy of the hearing request to:

New Jersey Department of Environmental Protection

Bureau of Coastal and Land Use Compliance and Enforcement

[P.O.] **PO** Box 420

[Mail Code 401-04C]

401 [East] **E.** State Street, 4th Floor

Trenton, New Jersey 08625-0420

(d) – (e) (No change.)

CHAPTER 14

WATER POLLUTION CONTROL ACT

SUBCHAPTER 8. CIVIL ADMINISTRATIVE PENALTIES AND REQUESTS FOR

ADJUDICATORY HEARINGS

7:14-8.1 Authority and purpose

(a) – (e) (No change.)

(f) This subchapter also establishes a civil administrative penalty policy governing the uniform assessment of civil administrative penalties by delegated local agencies as authorized pursuant to N.J.S.A. 58:10A-10.5. Nothing in this subchapter shall be construed to authorize a delegated

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local agency to take any action beyond the scope of its authority [under] **pursuant to** N.J.S.A.

58:10A-10.5 through 10.10. Except as provided in this subsection, in connection with actions taken by a delegated local agency pursuant to N.J.S.A. 58:10A-10.5, all references in this subchapter to the Department shall be deemed to refer to the delegated local agency; the delegated local agency shall comply with all requirements which this subchapter imposes upon the Department, and may take all actions which this subchapter states that the Department may take, except that delegated local agencies shall not be subject to the requirement, at N.J.A.C.

7:14-8.4(a), that an adjudicatory hearing request be submitted to the Department's Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution** with a copy to the Department's enforcement bureau. A person requesting an adjudicatory hearing to contest an administrative order, notice of civil administrative penalty assessment, or notice of civil administrative cost assessment issued by a delegated local agency shall submit the request to the delegated local agency.

7:14-8.4 Procedures to request an adjudicatory hearing to contest an administrative order, a notice of civil administrative penalty assessment, or a notice of civil administrative cost assessment; procedures for conducting adjudicatory hearings

(a) To request an adjudicatory hearing to contest an administrative order, a notice of civil administrative penalty assessment, or a notice of civil administrative cost assessment issued by the Department pursuant to the Water Pollution Control Act, the New Jersey Underground Storage of Hazardous Substances Act, or the Water Supply and Wastewater Operators' Licensing Act, the violator shall submit the original request in writing to the Department at [Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests,] **New Jersey**

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Department of Environmental Protection, **Office of Administrative Hearings and Dispute**

Resolution, ATTENTION: Adjudicatory Hearing Requests, 401 E. State Street, Mail Code

401-07A, PO Box [402] **420**, Trenton, New Jersey [08625] **08625-0420** and a copy of the request to the enforcement bureau which issued the enforcement document. Any written request shall include the following information:

1. – 11. (No change.)

(b) – (c) (No change.)

CHAPTER 14A

NEW JERSEY POLLUTANT DISCHARGE ELIMINATION SYSTEM

SUBCHAPTER 6. CONDITIONS APPLICABLE TO ALL NJPDES PERMITS

7:14A-6.13 General permits

(a) – (j) (No change.)

(k) If the Department directs the permittee to apply for an individual permit or seek authorization [under] **pursuant to** another general permit, the permittee may ask the Department to reconsider its decision by sending a letter to the Commissioner within the 30 days of the issuance of the initial decision. The letter shall be sent to:

[Office of Legal Affairs]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 [East] **E. State Street**

Mail Code 401-07A

PO Box 420

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[CN-402]

Trenton, NJ [08625-0402] **08625-0420**

Both the envelope and the letter shall clearly indicate that it is a "REQUEST FOR RECONSIDERATION OF GENERAL PERMIT DETERMINATION." The Commissioner may act on the request with 60 days; if the Commissioner fails to take any action the request shall be deemed denied. In no event shall an order from the Department directing a permittee to apply for an individual permit or seek authorization under another general permit (or a denial of a request to reconsider that order) be deemed final agency action.

(l) - (o) (No change.)

SUBCHAPTER 17. PROCEDURES FOR DECISION MAKING — ADJUDICATORY HEARINGS AND STAYS OF PERMIT CONDITIONS

7:14A-17.2 Request for an adjudicatory hearing

(a) - (c) (No change.)

(d) The request for an adjudicatory hearing shall be submitted to the Department at the address listed below, and a copy of the request shall be submitted to the permit issuing office:

[Office of Legal Affairs

Attention: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 E. State Street

Mail Code 401-07A

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PO Box [402] **420**

Trenton, New Jersey [08625-0402] **08625-0420**

(e) - (g) (No change.)

SUBCHAPTER 22. TREATMENT WORKS APPROVALS, SEWER BANS, SEWER BANS
EXEMPTIONS

7:14A-22.24 Request for adjudicatory hearings

(a) (No change.)

(b) A request for an adjudicatory hearing shall:

1. (No change.)

2. Be submitted to the Department as follows:

i. Submit the original request to:

[Office of Legal Affairs

Attention: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 [East] **E.** State Street[, 4th Floor]

Mail Code 401-07A

PO Box [402] **420**

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ii. (No change.)

(c) – (e) (No change.)

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(f) As part of a request for an adjudicatory hearing, a person may request that the Department determine whether the matter for which the adjudicatory hearing is requested is suitable for mediation by the Department's Office of **Administrative Hearings and** Dispute Resolution. The Department shall promptly notify the requester of its determination. If the Department determines that the matter is suitable for mediation, the Department shall also notify the requester of the procedures and schedule for mediation.

(g) - (j) (No change.)

CHAPTER 14B

UNDERGROUND STORAGE TANKS

SUBCHAPTER 12. PENALTIES, REMEDIES, AND ADJUDICATORY HEARING PROCEDURES

7:14B-12.2 Adjudicatory hearings

(a) (No change.)

(b) Within 20 calendar days after receiving the document for which a hearing is sought, the person requesting a hearing shall send a completed Adjudicatory Hearing Request Checklist and a written request for a hearing to:

1. [Office of Legal Affairs

ATTENTION: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 E. State Street

Mail Code 401-07A

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[Mail Code 401-042]

PO Box [402] **420**

[401 East State Street, 4th floor]

Trenton, New Jersey[, 08625-0402] **08625-0420**; and

2. (No change.)

(c) - (f) (No change.)

CHAPTER 14D

DETERMINATION OF ENVIRONMENTAL BENEFIT OF THE REUSE OF FURTHER TREATED EFFLUENT IN INDUSTRIAL FACILITIES

SUBCHAPTER 3. REQUESTS FOR ADJUDICATORY HEARINGS

7:14D-3.1 Requests for adjudicatory hearings

(a) - (b) (No change.)

(c) The request for an adjudicatory hearing shall be submitted to the [Office of Legal Affairs,]
New Jersey Department of Environmental Protection, **Office of Administrative Hearings and
Dispute Resolution, ATTENTION: Adjudicatory Hearing Requests**, [Mail Code 401-04L,]
401 E. State Street, Mail Code: 401-07A, [P.O. Box 402] **PO Box 420**, Trenton, NJ [08625-
0402] **08625-0420**[, Attention Adjudicatory Hearing Requests]. A copy of the request shall also
be submitted to the Division of Water Quality in the Department at the address provided [in] **at**
N.J.A.C. 7:14D-2.1(b).

(d) – € (No change.)

CHAPTER 18

REGULATIONS GOVERNING THE CERTIFICATION OF LABORATORIES AND ENVIRONMENTAL MEASUREMENTS

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SUBCHAPTER 2. PROGRAM PROCEDURES AND REQUIREMENTS

7:18-2.17 Procedure for requesting and conducting adjudicatory hearings

(a) – (e) (No change.)

(f) The laboratory shall send its request for an adjudicatory hearing to the Department at the address listed below (with a copy to the Department’s enforcement bureau which issued the decision):

[Office of Legal Affairs]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 E. State Street

Mail Code 401-07A

PO Box [402] **420**

Trenton, New Jersey [08625-0402] **08625-0420**

[Attention: Adjudicatory Hearing Request]

CHAPTER 19

WATER SUPPLY ALLOCATION PERMITS

SUBCHAPTER 2. PERMIT AND WATER USE REGISTRATION PROCEDURES;

PERMITS-BY-RULE

7:19-2.13 Request for adjudicatory hearing

(a) (No change.)

(b) Requests for a contested case hearing shall be submitted to:

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[Office of Legal Affairs

ATTENTION: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 E. State Street

Mail Code 401-07A

PO Box 420

[CN402]

Trenton, New Jersey [08625-0402] **08625-0420**

(1) c) – (k) (No change.)

SUBCHAPTER 6. WATER SUPPLY MANAGEMENT ACT RULES

7:19-6.10 Administrative hearings

(a) – (b) (No change.)

(c) The request for a hearing shall be sent to the [Office of Legal Affairs, ATTENTION:

Adjudicatory Hearing Requests,] **New Jersey Department of Environmental Protection, Office**

of Administrative Hearings and Dispute Resolution, ATTENTION: Adjudicatory Hearing

Requests, 401 E. State Street, Mail Code 401-07A, PO Box 420, [CN 402,] Trenton, New

Jersey [08625-0402] 08625-0420. The request for a hearing shall specify in detail the basis for

the request. The Department may attempt to settle the dispute by conducting such proceedings,

meetings, and conferences as deemed appropriate. Should the efforts to settle the dispute fail,

and the Department determines that the matter is a contested case, the Department will forward

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the request for a hearing to the Office of Administrative Law, pursuant to the provisions of the Administrative Hearings Act (N.J.S.A. 52:14B-1 et seq.).

SUBCHAPTER 18. CIVIL ADMINISTRATIVE PENALTIES AND REQUESTS FOR ADJUDICATORY HEARINGS

7:19-18.3 Procedures to request an adjudicatory hearing to contest an administrative order and/or notice of civil administrative penalty assessment; procedures for conducting adjudicatory hearings

(a) To request an adjudicatory hearing to contest an administrative order and/or notice of civil administrative penalty assessment issued pursuant to the Water Supply Management Act, N.J.S.A. 58:1A-1 et seq., the violator shall submit the following information, in writing, to the Department at [Office of Legal Affairs, ATTENTION: Adjudicatory Hearings Requests,] **New Jersey Department of Environmental Protection, Office of Administrative Hearings and Dispute Resolution, ATTENTION: Adjudicatory Hearing Requests, 401 E. State Street, Mail Code 401-07A, PO Box 420, [CN 402,] Trenton, New Jersey [08625-0402] 08625-0420:**

1. – 6. (No change.)

(–) - (d) (No change.)

CHAPTER 20

DAM SAFETY STANDARDS

SUBCHAPTER 1. APPLICATION PROCEDURE; DESIGN CRITERIA FOR DAM CONSTRUCTION; DAM INSPECTION PROCEDURE

7:20-1.5 General application procedures

(–) - (c) (No change.)

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(d) Appeal procedures; permit denials

1. An applicant for a dam permit may request, in writing, an administrative hearing from the Department within 15 days of receipt of the decision by the Department to deny the application. The request for a hearing shall be sent to the New Jersey Department of Environmental Protection, Office of [Legal Affairs,] **Administrative Hearings and Dispute Resolution**, ATTENTION: Adjudicatory Hearing Requests, 401 [East] E. State Street, [Floor 7,] Mail Code [401-04L,] **401-07A**, [P.O. Box 402] **PO Box 420**, Trenton, New Jersey [08625-0402] **08625-0420**.

2. (No change.)

(e) (No change.)

SUBCHAPTER 2. CIVIL ADMINISTRATIVE PENALTIES; REQUESTS FOR
ADJUDICATORY HEARINGS; ACTIONS BY THE DEPARTMENT TO REPAIR AND
MITIGATE

7:20-2.4 Procedures to request an adjudicatory hearing to contest an administrative order and/or a notice of civil administrative penalty assessment; procedures for conducting adjudicatory hearings

(a) To request an adjudicatory hearing to contest an administrative order and/or a notice of civil administrative penalty assessment issued pursuant to the Safe Dam Act, the person to whom the administrative order and/or notice of civil administrative penalty assessment was issued shall, within 20 days of receipt of the order and/or notice, submit an original written request for an adjudicatory hearing to:

New Jersey Department of Environmental Protection

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Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

[Attention:] **ATTENTION:** Adjudicatory Hearing Requests

401 [East] **E.** State Street[, Floor 7]

[Mail Code 401-04L] **Mail Code 401-07A**

[P.O.] **PO** Box [402] **420**

Trenton, NJ [08625-0402] **08625-0420**

(b) – (f) (No change.)

CHAPTER 20A

AGRICULTURAL, AQUACULTURAL, AND HORTICULTURAL WATER USAGE

CERTIFICATION

SUBCHAPTER 2. WATER USAGE CERTIFICATION PROCEDURE

7:20A-2.8 Appeal procedure

(a) (No change.)

(b) Requests for a contested case hearing shall be submitted to:

[Office of Legal Affairs

Attn: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 E. State Street

Mail Code 401-07A

PO Box [402] **420**

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[401 East State Street]

Trenton, New Jersey [08625-0402] **08625-0420**

(c) – (i) (No change.)

SUBCHAPTER 4. CIVIL ADMINISTRATIVE PENALTIES AND REQUESTS FOR ADJUDICATORY HEARINGS

7:20A-4.3 Procedures to request an adjudicatory hearing to contest an administrative order and/or a notice of civil administrative penalty assessment; procedures for conducting adjudicatory hearings

(a) To request an adjudicatory hearing to contest an administrative order and/or a notice of civil administrative penalty assessment issued pursuant this subchapter, the violator shall submit the following information, in writing, to the Department at [Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests,] **New Jersey Department of Environmental Protection, Office of Administrative Hearings and Dispute Resolution, ATTENTION: Adjudicatory Hearing Requests, 401 E. State Street, Mail Code 401-07A, PO Box [402] 420, Trenton, New Jersey [08625-0402] 08625-0420:**

1. – 6. (No change.)

(b) - (d) (No change.)

CHAPTER 22

FINANCIAL ASSISTANCE PROGRAMS FOR ENVIRONMENTAL INFRASTRUCTURE FACILITIES

SUBCHAPTER 9. AWARDING CONTRACTS FOR STATE ASSISTED PROJECTS TO SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS

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7:22-9.15 Administrative hearings

(a) (No change.)

(b) A project sponsor may request an administrative hearing within 20 days of receipt of a decision by the Department and/or the Trust. The request for a hearing shall be sent to the [Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests,] **New Jersey** Department of Environmental Protection, **Office of Administrative Hearings and Dispute Resolution, ATTENTION: Adjudicatory Hearing Requests, 401 E. State Street, Mail Code 401-07A, PO Box [402] 420, Trenton, New Jersey [08625-0402] 08625-0420.** The request for an administrative hearing shall specify in detail the basis for the appeal. Administrative hearings shall be conducted in accordance with the requirements of the Administrative Procedure Act, N.J.S.A. 52:14B et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

(c) (No change.)

CHAPTER 24A

DAM RESTORATION AND INLAND WATERS PROJECTS LOAN PROGRAM
SUBCHAPTER 4. PROJECT IMPLEMENTATION PHASE

7:24A-4.19 Adjudicatory hearings

(a) (No change.)

(b) Within 20 days of receipt of the Administrator's decision, a borrower may submit a written request for an adjudicatory hearing to contest the Administrator's decision. The hearing request shall be submitted to the Department at the following address:

New Jersey Department of Environmental Protection

Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

[Attention:] **ATTENTION: Adjudicatory Hearing Requests**

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401 [East] **E.** State Street[, Floor 7]

Mail Code [401-04L] **401-07A**

[P.O.] **PO** Box [402] **420**

Trenton, NJ [08625-0402] **08625-0420**

(c) - (f) (No change.)

CHAPTER 25

DIVISION OF FISH AND WILDLIFE RULES

SUBCHAPTER 2. USE OF ALL LAND AND WATER AREAS UNDER THE CONTROL OF THE DIVISION

7:25-2.22 Special Events Permits

(a) - (m) (No change.)

(n) Any applicant or permittee who is aggrieved by the conditions placed upon a Special Events Permit issued to them, by the denial of their application for the same, or the suspension or revocation of their Special Events permit may request an administrative hearing. Requests for administrative hearings shall be submitted, in writing, within 10 days from the date of the issuance of the permit or other Department decision and shall set forth the reasons why the Department's action is improper, specifying all legal and factual issues to be raised in support of the applicant's position. A request for a hearing shall be sent to:

[Office of Legal Affairs

ATTENTION: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

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401 [East] **E.** State Street

Mail Code 401-07A

PO Box [402] **420**

Trenton, NJ [08625-0402] **08625-0420**

Upon receipt of such a request, the Commissioner may conduct the hearing or refer the matter to the Office of Administrative Law, which shall conduct a hearing on the matter pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1. Within 45 days of receipt of the Administrative Law Judge's decision, the Commissioner shall affirm, reject, or modify the decision. The Commissioner's final decision affirming, rejecting, or modifying the recommended findings by the Office of Administrative Law shall constitute final agency action pursuant to R.2:2-3(a)2 and shall be subject only to judicial review as provided in the Rules of Court.

SUBCHAPTER 4. ENDANGERED, NONGAME, AND EXOTIC WILDLIFE

7:25-4.12 Notice of denial of permit, procedure, review, time limitations, hearing

(a) (No change.)

(b) Any such person may request a hearing for a review of such determination within 30 days from the date of issuance of the denial, pursuant to the applicable provisions of the Administrative Procedure Act. The request for a hearing shall be sent to the [Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests,] **New Jersey** Department of Environmental Protection, **Office of Administrative Hearings and Dispute Resolution,**

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ATTENTION: Adjudicatory Hearing Requests, 401 E. State Street, Mail Code 401-07A,

PO Box [402] **420**, Trenton, New Jersey [08625-0402] **08625-0420**.

(c) (No change.)

7:25-10.12 Denial, suspension, revocation, and hearings

(a) - (b) (No change.)

(c) The recipient of the notice of intent may request a contested case hearing in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1, by filing a written request with the Department therefor within 20 days from the receipt of the notice of intent described above at (b). The request for a hearing shall be sent to the [Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests,] **New Jersey Department of Environmental Protection, Office of Administrative Hearings and Dispute Resolution, ATTENTION: Adjudicatory Hearing Requests, 401 E. State Street, Mail Code 401-07A, PO Box [402] 420, Trenton, New Jersey [08625-0402] 08625-0420.**

1. - 3. (No change.)

(d) - (e) (No change.)

SUBCHAPTER 12. SURF CLAIMS

7:25-12.20 Hearings

(a) Except as provided [in] **at** (b) below, prior to the suspension or revocation of any license, the licensee has a right to a hearing, upon the licensee's request to the Department. The request for a hearing shall be sent to the [Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests,] **New Jersey Department of Environmental Protection, Office of Administrative**

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Hearings and Dispute Resolution, ATTENTION: Adjudicatory Hearing Requests, 401 E.

State Street, Mail Code 401-07A, PO Box [402] **420**, Trenton, New Jersey [08625-0402]

08625-0420. The hearing shall be conducted pursuant to the Administrative Procedure Act, N.J.A.C. 52:14B-1 et seq., and 52:14F-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

(b) (No change.)

SUBCHAPTER 14. CRAB AND LOBSTER MANAGEMENT

7:25-14.21 Request for adjudicatory hearing

(a) - (d) (No change.)

(e) A request for an adjudicatory hearing shall be submitted to the Department at the address listed below, with a copy to the Division of Fish & Wildlife at the address given at N.J.A.C.

7:25-14.4(c):

[Office of Legal Affairs]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 E. State Street

Mail Code 401-07A

[Mail Code 401-04L; 7th Floor]

[P.O.] **PO Box [402] 420**

Trenton, New Jersey [08625-0402] **08625-0420**

[Attention: Adjudicatory Hearing Requests]

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SUBCHAPTER 22. MENHADEN

7:25-22.5 Menhaden Landing and Personal Use and Limited Sale licenses

(a) - (m) (No change.)

(n) A licensee who is eligible for renewal of the licensee's Menhaden Landing License or Menhaden Personal Use and Limited Sale License may request an extension of time to renew the license.

1. – 3. (No change.)

4. Within 30 days after receipt of a completed application for an extension of a license renewal, the Department shall approve or deny the application, and shall provide written notice of this determination to the licensee. A licensee whose application for extension is denied may appeal the decision by submitting an adjudicatory hearing request to the Department at the address listed below, with a copy to the Division of Fish and Wildlife at the address at (n)1 above:

[Office of Legal Affairs]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 E. State Street

Mail Code 401-07A

PO Box 420

[Mail Code 401-04L P.O. Box 402]

Trenton, NJ [08625-0402] **08625-0420**

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[Attention: Adjudicatory Hearing Requests]

(o) – (r) (No change.)

CHAPTER 25A

OYSTERS

SUBCHAPTER 1. OYSTER MANAGEMENT

7:25A-1.15 Requests for adjudicatory hearings

(a) – (d) (No change.)

(e) A request for an adjudicatory hearing shall be submitted to the Department at the address listed below, with a copy to the Division of Fish and Wildlife at the address given at N.J.A.C.

7:25A-1.12(c):

[Office of Legal Affairs

Attention: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401[East] E. State Street[, Fourth Floor]

Mail Code 401-07A

PO Box [402] **420**

Trenton, New Jersey [08625-0402] **08625-0420**

CHAPTER 26

SOLID WASTE

7:26-1.7 Exemption from SWF permitting

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(a) - (b) (No change.)

1. The owner or operator of a facility for which authority to operate has been revoked or suspended shall be afforded the opportunity for a hearing pursuant to the Administrative Procedure Act, N.J.S.A. 51:14B-1 et seq., subsequent to the revocation or suspension. The request for a hearing shall be sent to the [Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests,] **New Jersey Department of Environmental Protection, Office of Administrative Hearings and Dispute Resolution, ATTENTION: Adjudicatory Hearing Requests, 401 E. State Street, Mail Code: 401-07A, PO Box [402] 420, Trenton, New Jersey [08625-0402] 08625-0420 .**

(c) – (g) (No change.)

7:26-1.9 Temporary exemption from solid waste facility permit modification procedures for permitted solid waste facilities

(a) - (b) (No change.)

(c) (No change.)

1. The owner or operator of a facility for which temporary approval has been revoked or suspended shall be afforded the opportunity for a hearing pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., subsequent to the revocation or suspension. The request for a hearing shall be submitted to the [Office of Legal Affairs, Attention: Adjudicatory Hearing Requests,] **New Jersey Department of Environmental Protection, Office of Administrative Hearings and Dispute Resolution, ATTENTION: Adjudicatory Hearing Requests, 401 E. State Street, Mail Code: 401-07A, PO Box [402] 420, Trenton, NJ 08625-0402.**

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2. (No change.)

SUBCHAPTER 2. DISPOSAL

7:26-2.4 Application procedures for a solid waste facility permit

(a) - (f) (No change.)

(g) The procedures for Department review and tentative approval or denial of a SWF permit application shall be in accordance with the following:

1. – 21. (No change.)

22. Within 20 calendar days of receipt of the Department's decision, the applicant may submit a written request to the Department for an adjudicatory hearing to contest any aspect of the Department's decision.

i. – iv. (No change.)

v. The request for a hearing shall be sent to:

[Office of Legal Affairs

ATTENTION: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

401 [East] E. State Street[, 7th Floor]

Mail Code [401-04L] **401-07A**

[P.O.] **PO** Box [402] **420**

Trenton, NJ [08625-0402] **08625-0420**

23. – 25. (No change.)

SUBCHAPTER 2C. PARTICIPATION BY LANDFILLS IN SILVER TRACK II TIER OF SILVER AND GOLD TRACK PROGRAM FOR ENVIRONMENTAL PERFORMANCE

7:26-2C-13, Requests for an adjudicatory hearing

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(a) (No change.)

(b) Requests for a contested case hearing shall be submitted to:

[Office of Legal Affairs

ATTENTION: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

401 [East] E. State Street[, Floor 7]

Mail Code [401-04L] **401-07A**

[P.O.] **PO** Box [402] **420**

Trenton, NJ [08625-0402] **08625-0420**

(c) – (f) (No change.)

SUBCHAPTER 5. CIVIL ADMINISTRATIVE PENALTIES AND REQUESTS FOR ADJUDICATORY HEARINGS

7:26-5.3 Procedures to request an adjudicatory hearing to contest an administrative order and/or a notice of civil administrative penalty assessment, and procedures for conducting adjudicatory hearings

(a) To request an adjudicatory hearing to contest an administrative order and/or a notice of civil administrative penalty assessment issued pursuant to the Act, the violator shall submit the following information, in writing, to the Department, at [Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests,] **New Jersey** Department of Environmental Protection[, CN 402], **Office of Administrative Hearings and Dispute Resolution, ATTENTION: Adjudicatory Hearing Requests, 401 E. State Street, Mail Code 401-07A, PO Box 420, Trenton, New Jersey [08625-0402] 08625-0420:**

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1. – 6. (No change.)

(b) – (d) (No change.)

SUBCHAPTER 14A. RESOURCE RECOVERY AND SOLID WASTE DISPOSAL FACILITY LOANS

7:26-14A.21 Administrative hearings

(a) (No change.)

(b) A borrower may request an administrative hearing within 15 days of a written decision by the Department. Such hearings shall be addressed to: [Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests,] New Jersey Department of Environmental Protection, **Office of Administrative Hearings and Dispute Resolution, ATTENTION: Adjudicatory Hearing Requests**, 401 [East] E. State Street, [7th Floor,] Mail Code [401-04L] **401-07A**, [P.O.] **PO** Box [402] **420**, Trenton, NJ [08625-0402] **08625-0420**.

(c) – (d) (No change.)

SUBCHAPTER 16. SOLID AND HAZARDOUS WASTE LICENSING AND REVOCATION — DISCLOSURE STATEMENTS AND INTEGRITY REVIEW

7:26-16.10 Administrative hearing; requests

(a) – (b) (No change.)

(c) Requests for hearings shall be sent to the [Office of Legal Affairs, Attention: Adjudicatory Hearing Requests,] New Jersey Department of Environmental Protection, **Office of Administrative Hearings and Dispute Resolution, ATTENTION: Adjudicatory Hearing**

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Requests, 401 [East] E. State Street, [7th Floor, P.O.] **PO** Box [402] **420**, Mail Code [401-04L] **401-07A**, Trenton, NJ [08625-0402] **08625-0420**.

SUBCHAPTER 17. CONFIDENTIALITY DETERMINATIONS

7:26-17.22 Hearing before disclosure of information for which a confidentiality claim has been made

- (c) A claimant may request an adjudicatory hearing to contest disclosure of any information for which a confidentiality claim has been made, at any time. The request shall be in accordance with the requirements of [N.J.A.C. 7:26-17.22] **this section**, and shall be delivered to the Department at the following address:

New Jersey Department of Environmental Protection

Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

ATTENTION: Adjudicatory Hearing Requests

401 [East] E. State Street[, 7th Floor]

Mail Code [401-04L] **401-07A**

[P.O.] **PO** Box [402] **420**

Trenton, New Jersey [08625-0402] **08625-0420**

- (d) – € (No change.)

CHAPTER 26A

RECYCLING RULES

SUBCHAPTER 3. APPROVAL OF RECYCLING CENTERS FOR CLASS B, CLASS C, OR CLASS D RECYCLABLE MATERIALS

7:26A-3.14 Appeal procedure

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(a) (No change.)

(b) Requests for an administrative hearing shall be submitted to:

[Office of Legal Affairs

ATTENTION: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 [East] E. State Street[, CN402]

Mail Code 401-07A

PO Box 420

Trenton, NJ [08625-0402] **08625-0420**

(e) c) – (g) (No change.)

SUBCHAPTER 9. CIVIL ADMINISTRATIVE PENALTIES AND REQUESTS FOR ADJUDICATORY HEARINGS

7:26A-9.3 Procedures to request an adjudicatory hearing to contest an administrative order and/or a notice of civil administrative penalty assessment, and procedures for conducting adjudicatory hearings

(a) To request an adjudicatory hearing to contest an administrative order and/or a notice of civil administrative penalty assessment issued pursuant to the Act, the violator shall submit the following information, in writing, to the Department at [Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests,] **New Jersey Department of Environmental Protection, Office of Administrative Hearings and Dispute Resolution, ATTENTION: Adjudicatory Hearing**

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Requests, 401 [East] E. State Street, [P.O.] **PO** Box [402] **420**, Mail Code [401-04L] **401-07A**,
Trenton, NJ [08625-0402] **08625-0420**.

1. – 7. (No change.)

(b) – € (No change.)

SUBCHAPTER 13. ELECTRONIC WASTE MANAGEMENT

7:26A-13.12 Requests for administrative hearings

(a) Subject to the limits on third-party hearings at N.J.S.A. 52:14B-3.1 through 3.3, a party who believes it is aggrieved with respect to the Department's decision to approve or disapprove the collection plan of a manufacturer or group of manufacturers may, within 20 calendar days after the date of the decision, request an administrative hearing by submitting the request, in writing, to:

[Office of Legal Affairs

ATTENTION: Adjudicatory Hearing Request]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 [East] E. State Street[, 7th Floor, West Wing]

Mail Code [401-04L] **401-07A**

[P.O.] **PO** Box [402] **420**

Trenton, NJ [08625-0402] **08625-0420**

and to:

Department of Environmental Protection

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Division of Solid and Hazardous Waste

Bureau of Recycling and Hazardous Waste Management

401 [East] E. State Street, 2nd Floor, West Wing

Mail Code: 401-02C

[P.O.] PO Box 420

Trenton, NJ 08625-0420.

(b) - (f) (No change.)

CHAPTER 26C

ADMINISTRATIVE REQUIREMENTS FOR THE REMEDIATION OF CONTAMINATED SITES

SUBCHAPTER 9. ENFORCEMENT

7:26C-9.10 Adjudicatory hearings

(a) - (d) (No change.)

(e) The person shall send the request for an adjudicatory hearing pursuant to this section to both the:

1. New Jersey Department of Environmental Protection

Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

ATTENTION: Adjudicatory Hearing Requests

401 [East] E. State Street[, 7th Floor]

Mail Code [401-04L] **401-07A**

PO Box [402] **420**

Trenton, NJ [08625-0402] **08625-0420**

[Attention: Hearing Request]; and

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2. (No change.)

CHAPTER 26G

HAZARDOUS WASTE

SUBCHAPTER 2. CIVIL ADMINISTRATIVE PENALTIES AND REQUESTS FOR ADMINISTRATIVE HEARINGS

7:26G-2.3 Procedures to request an administrative hearing to contest an administrative order or a notice of civil administrative penalty assessment, and procedures for conducting administrative hearings

(a) To request an administrative hearing to contest an administrative order and/or a notice of civil administrative penalty assessment issued pursuant to the Act, the violator shall submit the following information, in writing, to the Department, at:

[Office of Legal Affairs

ATTENTION: Administrative Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 [East] E. State Street[, 7th Floor]

Mail Code: [401-04L] **401-07A**

[P.O.] **PO** Box [402] **420**

Trenton, NJ [08625-0402] **08625-0420**

1. - 6. (No change.)

(b) - (d) (No change.)

CHAPTER 26H

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SOLID WASTE UTILITY REGULATIONS

SUBCHAPTER 1. GENERAL REQUIREMENTS

7:26H-1.11 Revocation or suspension of certificate

(a) (No change.)

(b) Any solid waste collector who receives a notice of intent to revoke or suspend a certificate may, upon a written request to the Department within 20 days of receipt of notice, request an adjudicatory hearing thereon in the manner provided for contested case pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1.1 et seq. The solid waste collector shall deliver the written request to the following addresses:

New Jersey Department of Environmental Protection

Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

ATTENTION: Adjudicatory Hearing Requests

401 [East] **E.** State Street[, 7th Floor]

Mail Code [401-04L] **401-07A**

[P.O.] **PO** Box [402] **420**

Trenton, NJ [08625-0402] **08625-0420**

New Jersey Department of Environmental Protection

Division of [Solid and Hazardous Waste] **County Environmental and Waste**

Enforcement

[Bureau of Planning and Licensing]

401 E. State Street

[Mail Code: 401-02C]

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[P.O.] **PO** Box [422] **420**

Trenton, New Jersey [08625-0422] **08625-0420**

[Telephone: (609) 984-4250]

New Jersey Department of Law and Public Safety

Division of Law

Richard J. Hughes Justice Complex

25 Market Street

[P.O.] **PO** Box 093

Trenton, New Jersey [08625-0093] **08625**

1. – 2. (No change.)

(c) – (e) (No change.)

SUBCHAPTER 5. SOLID WASTE COLLECTION EFFECTIVE COMPETITION

MONITORING

7:26H-5.17 Administrative hearings; requests

(a) (No change.)

1. The solid waste collector shall deliver the written request to the following address:

New Jersey Department of Environmental Protection

Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

ATTENTION: Adjudicatory Hearing Requests

401 [East] **E.** State Street[, 7th Floor]

Mail Code 401-07A

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[P.O.] **PO** Box [402] **420**

Trenton, NJ [08625-0402] **08625-0420**

2. (No change.)

(b) – (e) (No change.)

SUBCHAPTER 7. HOST COMMUNITY BENEFITS

7:26H-7.2 Procedural regulations

(a) – (g) (No change.)

(h) If all parties agree, the Department may refer the matter to its Office of **Administrative Hearings and** Dispute Resolution to determine whether a settlement can be negotiated. In the event that the matter is referred to the Office of **Administrative Hearings and** Dispute Resolution, the time deadlines set forth shall be tolled.

(i) (No change.)

CHAPTER 27

AIR POLLUTION CONTROL

SUBCHAPTER 1. GENERAL PROVISIONS

7:27-1.26 Hearing before disclosure of information for which a confidentiality claim has been made

(a) A claimant may request an adjudicatory hearing to contest disclosure of any information for which a confidentiality claim has been made, at any time before disclosure. The request shall be in accordance with the requirements [of] **at** N.J.A.C. 7:27A-3.4(a), and shall be delivered to the Department at the following address:

New Jersey Department of Environmental Protection

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Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

ATTENTION: Adjudicatory Hearing Requests

401 [East] **E.** State Street[, 4th Floor]

Mail Code [401-04L] **401-07A**

[P.O.] **PO** Box [402] **420**

Trenton, NJ [08625-0402] **08625-0420**

(b) – (e) (No change.)

7:27-1.32 Request for an adjudicatory hearing

(a) (No change.)

(b) Requests for a contested case hearing shall be submitted to:

New Jersey Department of Environmental Protection

Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

ATTENTION: Adjudicatory Hearing Requests

401 [East] **E.** State Street[, 4th Floor]

Mail Code [401-04L] **401-07A**

[P.O.] **PO** Box [402] **420**

Trenton, NJ [08625-0402] **08625-0420**

(c) – (e) (No change.)

CHAPTER 27A

AIR ADMINISTRATIVE PROCEDURES AND PENALTIES

SUBCHAPTER 3. CIVIL ADMINISTRATIVE PENALTIES AND REQUESTS FOR ADJUDICATORY HEARINGS

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7:27A-3.4 Procedures to request an adjudicatory hearing to contest an administrative order and notice of civil administrative penalty assessment and procedures for conducting adjudicatory hearings

(a) To request an adjudicatory hearing to contest an administrative order and notice of civil administrative penalty assessment issued pursuant to the Act, the violator shall submit the following information, in writing, to the Department, at **New Jersey** Department of Environmental Protection, Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**, ATTENTION: Adjudicatory Hearing Requests, **401 E. State Street**, Mail Code [401-04L] **401-07A**, 401 [East] E. State Street, [4th Floor, P.O.] **PO** Box [402] **420**, Trenton, NJ [08625-0402] **08625-0420**:

1. – 6. (No change.)

(b) – (d) (No change.)

CHAPTER 27C

CO₂ BUDGET TRADING PROGRAM

SUBCHAPTER 1. GENERAL PROVISIONS

7:27C-1.6 Appeal Procedure

(a) (No change.)

(b) Requests for an adjudicatory hearing shall be submitted to:

[ATTENTION: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

401 E. State Street

Mail Code [401-04L] **401-07A**

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[401 East State Street, 7th Floor]

[P.O.] **PO** Box [402] **420**

Trenton, NJ [08625-0402] **08625-0420**

(c) – (h) (No change.)

(i) As part of a request for an adjudicatory hearing, a person may request that the Department determine whether the matter for which the adjudicatory hearing is requested is suitable for mediation by the Department’s Office of **Administrative Hearings and** Dispute Resolution.

The Department will promptly notify the requester of its determination. If the Department determines the matter is suitable for mediation, it will also notify the requester of the procedures and schedule for mediation.

CHAPTER 28

RADIATION PROTECTION PROGRAMS

SUBCHAPTER 4. LICENSING OF DIFFUSE NATURALLY OCCURRING OR DIFFUSE ACCELERATOR PRODUCED RADIOACTIVE MATERIALS

7:28-4.17 Requests for an adjudicatory hearing

(a) - (b) (No change.)

(c) All requests for a contested case hearing shall be submitted, in writing, to the Department, at [Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests,] **New Jersey**

Department of Environmental Protection, **Office of Administrative Hearings and Dispute**

Resolution, ATTENTION: Adjudicatory Hearing Requests, 401 E. State Street, Mail Code

[401-04L] **401-07A**, [P.O.] **PO** Box [402] **420**, [401 East State Street, 7th Floor,] Trenton, NJ

[08625-0402] **08625-0420**. The request shall contain:

THIS IS A COURTESY COPY OF THIS NOTICE. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE MARCH 20, 2023, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE NOTICE, THE OFFICIAL VERSION WILL GOVERN.

1. – 4. (No change.)

(d) (No change.)

SUBCHAPTER 19. RADIOLOGIC TECHNOLOGIST AND RADIOLOGIST ASSISTANT

7:28-19.18 Procedures for requesting and conducting adjudicatory hearings

(a) – (d) (No change.)

(e) The applicant or violator shall send the request for an adjudicatory hearing to:

[The Office of Legal Affairs]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 E. State Street

Mail Code [401-04L] **401-07A**

[401 East State Street, Seventh Floor]

[P.O.] **PO Box [402] 420**

Trenton, NJ [08625-0402]

Attention: Adjudicatory Hearing Requests] **08625-0420**; and

New Jersey Department of Environmental Protection

Bureau of X-ray Compliance

Mail Code 25-01

25 Arctic Parkway

PO Box 420

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Trenton, New Jersey 08625-0420

Attention: Hearing Request

(f) (No change.)

SUBCHAPTER 24. NUCLEAR MEDICINE AND FUSION IMAGING COMPUTED
TOMOGRAPHY (CT) TECHNOLOGY

7:28-24.16 Adjudicatory hearings

(a) - (c) (No change.)

(d) Requests for adjudicatory hearings shall be sent to:

New Jersey Department of Environmental Protection

Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

[Attention:] **ATTENTION:** Adjudicatory Hearing Requests

401 [East] **E.** State Street[, 7th Floor]

Mail Code [401-04L] **401-07A**

[P.O.] **PO** Box [402] **420**

Trenton, NJ [08625-0402] **08625-0420**; and

New Jersey Department of Environmental Protection

Bureau of X-ray Compliance

Mail Code 25-01

25 Arctic Parkway

PO Box 420

Trenton, New Jersey 08625-0420

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Attention: Hearing Request

(e) (No change.)

SUBCHAPTER 48. FEES FOR THE REGISTRATION OF NONIONIZING RADIATION PRODUCING SOURCES

7:28-48.7 Initial registration fee and annual renewal fee for nonionizing radiation producing sources

(a) - (d) (No change.)

(e) The registration of an owner who fails to submit an annual renewal fee within 60 calendar days after the owner's receipt of the bill shall be considered expired.

1. (No change.)

2. Requests for hearings shall be sent to the [Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests,] **New Jersey** Department of Environmental Protection, [CN 402,] **Office of Administrative Hearings and Dispute Resolution, ATTENTION: Adjudicatory Hearing Requests, 401 E. State Street, Mail Code 401-07A, PO Box 420, Trenton, NJ [08625-0402] 08625-0420.**

(f) - (g) (No change.)

CHAPTER 30

PESTICIDE CONTROL CODE

SUBCHAPTER 11. ENFORCEMENT AND REQUESTS FOR ADJUDICATORY HEARINGS

7:30-11.4 Adjudicatory hearing

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(a) A person requesting an adjudicatory hearing shall send a completed Adjudicatory Hearing

Request Checklist and written request for a hearing to:

1. [Office of Legal Affairs

ATTENTION: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 E. State Street

Mail Code [401-04L] **401-07A**

[P.O.] **PO Box [402] 420**

401 [East] **E. State Street**[, 7th Floor]

Trenton, NJ [08625-0402] **08625-0420**; and

2. (No change.)

(b) – (f) (No change.)

SUBCHAPTER 13. INTEGRATED PEST MANAGEMENT IN SCHOOLS

7:30-13.9 Enforcement action

(a) – (d) (No change.)

(e) A request for an adjudicatory hearing shall be submitted to the Department at the address

listed below, with a copy to the Pesticide Control Program at PO Box 411, Trenton, New Jersey

08625-0411:

[Office of Legal Affairs]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

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ATTENTION: Adjudicatory Hearing Requests

401 E. State Street,

Mail Code 401-07A

PO Box [402] **420**

Trenton, New Jersey [08625-0402] **08625-0420**

[Attention: Adjudicatory Hearing Requests]

(f) - (g) (No change.)

SUBCHAPTER 31

TOXIC CATASTROPHE PREVENTION ACT PROGRAM

SUBCHAPTER 11. CIVIL ADMINISTRATIVE PENALTIES AND REQUESTS FOR

ADJUDICATORY HEARINGS

7:31-11.3 Procedures to request an adjudicatory hearing

(a) – (f) (No change.)

(g) Requests for adjudicatory hearings shall be sent to:

[Office of Legal Affairs]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 E. State Street

Mail Code 401-07A

PO Box [402] **420**

Trenton, New Jersey [08625-0402] **08625-0420**

[Attention: Hearing Request]

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CHAPTER 36

GREEN ACRES PROGRAM

SUBCHAPTER 25. REQUIREMENTS FOR MAINTENANCE OF PARKLAND; WHAT CONSTITUTES A DISPOSAL OR DIVERSION OF PARKLAND; AMENDMENT OF RECREATION AND OPEN SPACE INVENTORIES; ADMINISTRATIVE TRANSFER OF PARKLAND; CHANGES IN USE OF PARKLAND; CONSTRUCTION OF BUILDINGS ON PARKLAND; FEES; PUBLIC ACCESS TO AND USE OF PARKLAND; LEASES, USE AGREEMENTS AND CONCESSION AGREEMENTS; DESIGNATED COMMUTER PARKING LOTS; ADJUDICATORY HEARING REQUESTS

7:36-25.16 Adjudicatory hearing requests

(a) (No change.)

(b) To request an adjudicatory hearing, the local government unit or other person with a constitutional right to request a hearing shall, within 30 days of the Department's issuance of a notice of its decision, submit a written hearing request including the information listed at (d) below to the following address:

New Jersey Department of Environmental Protection

Office of [Legal Affairs] **Administrative Hearings and Dispute Resolution**

ATTENTION: Adjudicatory Hearing Requests

401 E. State Street

Mail Code 401-07A

PO Box [402] **420**

Trenton, New Jersey [08625-0402] **08625-0420**

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(c) – (f) (No change.)

CHAPTER 38

HIGHLANDS WATER PROTECTION AND PLANNING ACT RULES

SUBCHAPTER 1. GENERAL INFORMATION

7:38-1.5 Requests for adjudicatory hearings

(a) – (b) (No change.)

(c) A request for an adjudicatory hearing shall:

1. (No change.)

2. Be submitted to the Department at the following address:

[Office of Legal Affairs

Attention: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 E. State Street

[P.O.] PO Box [402] 420

Trenton, New Jersey [08625-0402] 08625-0420.

(d) – (f) (No change.)

(g) As part of a request for an adjudicatory hearing, a person may request that the Department whether the matter for which the adjudicatory hearing is requested is suitable for mediation by the Department's Office of **Administrative Hearings and Dispute Resolution**. The Department shall promptly notify the requester of its determination. If the Department determines the matter

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is suitable for mediation, it shall also notify the requester of the procedures and schedule for mediation.

SUBCHAPTER 13. ENFORCEMENT

7:38-13.13 Appeal of an administrative order and/or notice of civil administrative penalty assessment

(a) (No change.)

(b) A request for an adjudicatory hearing [under] **pursuant to** this subchapter shall be addressed to:

[Office of Legal Affairs

ATTENTION: Adjudicatory Hearing Requests]

New Jersey Department of Environmental Protection

Office of Administrative Hearings and Dispute Resolution

ATTENTION: Adjudicatory Hearing Requests

401 E. State Street

Mail Code 401-07A

[P.O.] **PO Box [402] 420**

Trenton, New Jersey [08625-0402] **08625-0420**

(c) – (e) (No change.)