

NOTE: THIS IS A COURTESY COPY OF THIS RULE ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE OCTOBER 2, 2017, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN.

ENVIRONMENTAL PROTECTION

COMMISSIONER'S OFFICE

OFFICE OF LEGAL AFFAIRS

Notice of Readoption without Change

Waiver of Department Rules

Readoption: N.J.A.C. 7:1B

Authority: N.J.S.A. 12:5-1 through 12:5-11, 13:1B-2 through 13:1B-71, 13:1B-15.4 through 13:1B-15.12, 13:1B-15.12a-1 through 13:1B-12a-10, 13:1B-15.100 through 13:1B-15.107, 13:1B-15.108 through 13:1B-15.121, 13:1B-15.128 through 13:1B-15.132, 13:1B-15.151 through 13:1B-15.161, 13:1B-30 through 13:1B-41, 13:1D-1 through 13:1D-19, 13:1D-29 through 13:1D-34, 13:1D-35 through 13:1D-67, 13:1D-120 through 13:1D-124, 13:1D-125 through 13:1D-133, 13:1D-134 through 13:1D-137, 13:1E-1 through 13:1E-225, 13:1E-100 through 13:1E-116, 13:1F-1 through 13:1F-33, 13:1G-1 through 13:1G-23, 13:1H-1 through 13:1H-7, 13:1H-8 through 13:1H-11, 13:1K-1 through 13:1K-5, 13:1K-6 through 13:1K-18, 13:1K-19 through 13:1K-42, 13:1L-1 through 13:1L-36, 13:8-30 through 13:8-44.2, 13:8A-1 through 13:8A-18, 13:8A-19 through 13:8A-34, 13:8A-35 through 13:8A-55, 13:8C-1 through 13:8C-42, 13:9A-1 through 13:9A-10, 13:9B-1 through 13:9B-30, 13:13A-1 through 13:13A-15, 13:19-1 through 13:19-45, 13:20-1 through 13:20-35, 23:1-1 through 23:12-2, 23:2A-1 through 23:2A-15, 23:2B-1 through 23:2B-22, 26:2C-1 through 26:2C-25.2, 26:2C-37 through 26:2C-57, 26:2D-1 through 26:2D-88, 26:3A2-21 through 26:3A2-38, 34:5A-1 through 34:5A-44, 39:3-33.10 through 39:3-33.11, 39:8-59 through 39:8-78, 40:55D-1 through 163, 40A:11-1 through 40A:11-51, 45:1-8 through 45:1-9, 45:5AA-1 through 45:5AA-11, 45:15C-1 through 45:15C-32, 47:1A-1 through 47:1A-13, 48:3-1 through 48:3-107, 48:13A-1 through 48:13A-7, 48:13A-7.1

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through 48:13A-7.23, 50:1-5 through 50:1-36, 50:1-23 through 50:1-33, 50:2-7 through 50:2-12, 50:3-1 through 50:3-5, 52:14B-1 through 52:14B-15, 52:27D-222 through 52:27D-228, 54:4-3.63 through 54:4-3.71, 54:4-23.1 through 54:4-34, 54:10A-5.31 through 54:10A-5.32, 54:32B-8.36, 58:1A-1 through 58:1A-17, 58:1B-1 through 58:1B-25, 58:2-1 through 58:2-5, 58:4-1 through 58:4-14, 58:4A-4.1 through 58:4A-29, 58:10-23.11a through 58:10-23.11z, 58:10-23.15 through 58:10-23.19, 58:10-23.20 through 58:10-23.24, 58:10-46 through 58:10-50, 58:10A-1 through 58:10A-14.6, 58:10-15 through 58:10A-20, 58:10A-21 through 58:10A-35, 58:10B-1 through 58:10B-31, 58:10C-1 through 58:10C-29, 58:11-9.1 through 58:11-11, 58:11-23 through 58:11-48, 58:11-49 through 58:11-58, 58:11-59 through 58:11-63.4, 58:11-64 through 58:11-73, 58:11A-1 through 58:11A-16, 58:12A-1 through 58:12A-21, 58:12A-22 through 58:12A-25, 58:12A-26 through 58:12A-37, 58:16A-50 through 58:16A-102, 58:24-1 through 58:24-14, 58:25-23 through 58:25-33 and 58:29-1 through 59:29-8.

Authorized By: Bob Martin, Commissioner, Department of Environmental Protection

Effective Date:

New Expiration Date:

Take notice that pursuant to N.J.S.A. 52:14B-5.1, Waiver of Department Rules, N.J.A.C. 7:1B, are readopted and shall continue in effect for a seven-year period. The rules had been scheduled to expire on April 2, 2019. The Department of Environmental Protection (Department) has reviewed these rules and has determined that the rules should be readopted because they are necessary, reasonable and proper for the purpose for which they were originally promulgated. In

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accordance with N.J.S.A. 52:14B-5.1.c(1), timely filing of this notice extended the expiration date of the chapter seven years from the date of filing.

N.J.A.C. 7:1B, Waiver of Department Rules, sets forth the limited circumstances in which the Department may, in its discretion, waive the strict compliance with any of its rules in a manner consistent with the core missions of the Department to maintain, protect, and enhance New Jersey's natural resources and to protect the public health, safety, and welfare, and the environment. The Department may provide a waiver where appropriate to address situations where rules conflict, strict compliance with the rule would be unduly burdensome in specific application, the waiver would result in a net environmental benefit, or a public emergency exists.