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ENVIRONMENTAL PROTECTION

OFFICE OF THE COMMISSIONER

Payment Schedule for Permit Application Fees

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

Authority: N.J.S.A. 13:1D-124.

Authorized by: Bob Martin, Commissioner, Department of Environmental Protection.

Effective Date: December 18, 2017

New Expiration Date: December 18, 2024

Take notice that pursuant to N.J.S.A. 52:14B-5.1, Payment Schedule for Permit Application Fees, N.J.A.C. 7:1L, is readopted and shall continue in effect for a seven-year period. The rules had been scheduled to expire on February 25, 2018. The Department of Environmental Protection (Department) has reviewed these rules and has determined that they should be readopted because they are necessary, reasonable and proper for the purpose for which they were originally promulgated. In 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. 7:1L establishes a payment schedule for permit application fees that exceed \$1,000. The rules apply to permits issued under Federal law, or the following State laws: the laws governing waterfront and harbor facilities (N.J.S.A. 12:5-1 through 11); Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq., including without limitation N.J.S.A. 13:1E-5 and 26); Comprehensive Regulated Medical Waste Management Act (N.J.S.A. 13:1E-48.1 through 48.25); the laws governing leaf composting facilities (N.J.S.A. 13:1E-99.21a through 99.21f);

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Statewide Mandatory Source Separation and Recycling Act (N.J.S.A. 13:1E-99.11 through 99.39, including without limitation 13:1E-99.21a through 99.21f); Pesticide Control Act of 1971 (N.J.S.A. 13:1F-1 through 18); Industrial Site Recovery Act (N.J.S.A. 13:1K-6 through 13); Toxic Catastrophe Prevention Act (N.J.S.A. 13:1K-19 through 32); Wetlands Act of 1970 (N.J.S.A. 13:9A-1 through 10); Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 through 30); Coastal Area Facility Review Act (N.J.S.A. 13:19-1 through 21); Air Pollution Control Act (N.J.S.A. 26:2C-1 through 19.5); Water Supply Management Act (N.J.S.A. 58:1A-1 through 17); the laws governing well drillers and pump installers (N.J.S.A. 58:4A-5 through 28); Water Pollution Control Act (N.J.S.A. 58:10A-1 through 14.6); the laws governing the underground storage of hazardous substances (N.J.S.A. 58:10A-21 through 37); Safe Drinking Water Act (N.J.S.A. 58:12A-1 through 25); and Flood Hazard Area Control Act (N.J.S.A. 58:16A-50 through 66).

Under the fee payment schedule, one-third of the total fee is payable when the application for the permit is submitted; one-third is payable when the application is deemed complete for purposes of beginning a technical review; and the final third is payable when the Department takes final agency action on the permit application. The rules set forth definitions, procedural requirements for applicants seeking to use the installment protocol, and provisions regarding the processing of permit applications if fees are being paid in installments. The rules and the payment schedule are mandated by N.J.S.A. 13:1D-120 through 124.