

DEP Rules for Prioritizing
Report Date: May 16, 2011
(Sorted by Rule Citation)

Must be filed by [date]	Reason for deadline	Rule description	Assistant Commissioner Area
8/24/17	chapter sunset	7:1 Department Organization	OLA
10/11/14	chapter sunset	7:1A Water Supply Loan Programs	WR
3/7/12	proposal expiration	7:1B Waiver rule <u>Adoption:</u> New rule	OLA/LU
1/7/12	proposal expiration	7:1D General Practice and Procedure <u>Adoption:</u> Readoption with amendments changing additional notice procedure to email listserv rather than newspaper publication (will enable cost and process savings) [chapter sunset 6/20/13]	OLA
12/6/11	proposal expiration	7:1D-5 General Practice and Procedure - OPRA <u>Adoption:</u> New rules re OPRA, classifies certain records as non-public and not subject to disclosure.	OLA
2/27/14	chapter sunset	7:1E Discharge of Petroleum and Other Hazardous Substances	CEM
12/13/13	chapter sunset	7:1G Worker and Community Right to Know	CEM

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12/21/13	chapter sunset	7:1H County Environmental Health Standards of Administrative Procedure and Performance (CEHA) NOTE: Program anticipates proposal to repeal existing rules and put in place new rules. In that case, the subsequent adoption of the proposed new rules must be published (and therefore effective) by the sunset date.	C&E
7/20/17	chapter sunset	7:1I Processing of Damage Claims pursuant to the Sanitary Landfill Closure and Contingency Fund Act	CEM
1/31/16	chapter sunset	7:1J Processing of Damage Claims pursuant to the Spill Compensation and Control Act	SR
2/24/14	chapter sunset	7:1K Pollution Prevention	CEM
2/25/16	chapter sunset	7:1L Payment Schedule for Permit Application Fees	OLA
4/13/14	chapter sunset	7:2 State Park Service Code	NHR
6/4/17	chapter sunset	7:3 Forestry	NHR
		7:3 Forestry Rules <u>Proposal:</u> Amendments concerning forest stewardship and standards for Forestry Plans	NHR

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		7:3A Forestry Plans <u>Proposal:</u> New chapter to provide standards for forestry plans.	NHR
8/5/15	chapter sunset	7:4 New Jersey Register of Historic Places Rules	NHR
3/14/14	chapter sunset	7:5 Conserve Wildlife Matching Grants	NHR
5/16/17	chapter sunset	7:5A Natural Areas and the Natural Areas System	NHR
5/12/13	chapter sunset	7:5C Endangered Plant Species <u>Proposal:</u> Readoption w/ amendments to the list of endangered plant species. NOTE: Proposal to readopt is prepared. Held pending decision to proceed post recent APA amendments re: sunset extension and readoption procedures.	NHR
3/3/18	chapter sunset	7:5D State Trails System	NHR
5/15/13	chapter sunset	7:6 Office of Environmental Services Matching Grant Program NOTE: Allowing chapter to expire.	Commissioner's Office
5/15/13	chapter sunset	7:6A Aid for Urban Environmental Concerns Matching Grants Program NOTE: Allowing chapter to expire.	Commissioner's Office
4/4/12	proposal expiration	7:7 and 7E Coastal Permit Program and Coastal Zone Management rules <u>Adoption:</u> Amendments regarding public access.	LU

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12/15/14	chapter sunset	7:7 Coastal Permit Program Rules	LU
9/4/15	chapter sunset	7:7A Freshwater Wetlands Protection Act Rules	LU
3/3/12	sunset for specially adopted provision est'd by P.L. 2011, ch. 20 (amending CAFRA)	7:7E-7.4 Coastal Zone Management; Energy Facility Use rule <u>Proposal:</u> Readoption of provision allowing wind energy facility on a pier provided is accessory use to other uses of the pier. NOTE: Special adoption filed 3/3/2011 (published in 4/4/2011 NJR) and, per P.L. 2011, ch. 20, effective for 1 year, until 3/3/2012. Proposal to readopt therefore must be filed by 3/3/2012.	LU
7/7/13	chapter sunset	7:7E Coastal Zone Management	LU
8/2/14	chapter sunset	7:8 Stormwater Management	WR
3/7/12	proposal expiration	7:9A Standards for Individual Subsurface Sewage Disposal Systems <u>Adoption:</u> Readoption with amendments to, in part, authorize the use of advanced technology, environmentally beneficial sewage disposal system not authorized under existing rules. [chapter sunset 7/25/13]	WR
11/16/16	chapter sunset	7:9B Surface Water Quality Standards	WR
4/4/14	chapter sunset	7:9C Ground Water Quality Standards	WR

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3/3/14	chapter sunset	7:9D Well Construction and Maintenance	WR
2/22/15	chapter sunset	7:9E Private Well Testing Act Rules	WR
4/30/17	chapter sunset	7:10 Safe Drinking Water Act	WR
11/20/15	chapter sunset	7:10A Licensing of Water Supply and Wastewater Treatment System Operators	C&E
3/13/16	chapter sunset	7:11 New Jersey Water Supply Authority	NJWSA
5/26/11	Filing deadline for 6/20/2011 N.J.R. (last Register before 7/1/2011 start of FY2012)	7:11-2.3 etc. Schedule of Rates, Charges and Debt Service Assessments for the Sale of Water from the Raritan Basin System <u>Adoption:</u> FY2012 rate adjustments.	NJWSA
5/26/11	Filing deadline for 6/20/2011 N.J.R. (last Register before 7/1/2011 start of FY2012)	7:11-4.3 etc. Schedule of Rates, Charges and Debt Service Assessments for the Sale of Water from the Manasquan Reservoir System <u>Adoption:</u> FY2012 rate adjustments.	NJWSA
5/14/15	chapter sunset	7:12 Shellfish Growing Water Classification	WR
11/5/14	chapter sunset	7:13 Flood Hazard Area Control Act Rules	LU

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10/5/17	chapter sunset	7:14 Water Pollution Control Act	C&E
12/2/15	chapter sunset	7:14A NJPDES	WR
		7:14B Underground Storage Tanks <u>Proposal:</u> Readoption with amendments. NOTE: Pursuant to para.6 of Exec.Order No. 1 (Jan. 2010) the 4/18/2010 chapter expiration date is extended until the chapter is readopted pursuant to the APA.	SR
6/6/12	proposal expiration	7:14C Sludge Quality Assurance ("SQAR") <u>Adoption:</u> Readoption with amendments. Proposal to readopt signed by Commissioner and approved by Gov & SGO; to be filed 5/5/2011 for 6/6/2011 NJR. [chapter sunset of 4/24/2013 will be extended 180 days to 10/21/2013 by filing of proposal to readopt]	
6/23/15	chapter sunset	7:14D Determination of Environmental Benefit of the Reuse of Further Treated Effluent in Industrial Facilities	WR
5/21/15	chapter sunset	7:15 Water Quality Management Planning	
11/22/13	chapter sunset	7:18 Laboratory Certification <u>Proposal:</u> Readoption (?) with amendments related to accreditation standards (prescribed by TNI, the accreditation association).	CEM
2/23/14	chapter sunset	7:19 Water Supply Allocation Permits	WR

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3/3/18	chapter sunset	7:20 Dam Safety Standards	NHR
12/5/13	chapter sunset	7:20A Agricultural, Aquacultural and Horticultural Water Usage Certification	WR
1/18/12	proposal expiration	7:22 Financial Assistance Programs for Environmental Infrastructure Facilities <u>Adoption:</u> Readoption w/o change. [chapter sunset 6/6/13]	WR
4/21/13	chapter sunset	7:22A Sewage Infrastructure Improvement Act NOTE: Allowing chapter to expire.	WR
2/7/18	chapter sunset	7:24A Dam Restoration and Inland Waters Projects Loan Program	
1/18/12	proposal expiration	7:25-4 Fish and Wildlife Rules <u>Adoption:</u> Amendments to add/remove species in endangered species list.	NHR

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7/22/11	Filing adoption by 7/22/11 necessary so amendments will be published & effective before start of September 2011 hunting season.	7:25-5 Fish and Wildlife rules <u>Adoption:</u> Amendments to Game Code	NHR
6/30/11	Filing proposal by 6/30/11 will ensure the subsequent adoption can be published before start of early 2012 fishing seasons.	7:25-6 Fish & Wildlife Rules - Fish Code <u>Proposal:</u> Amendments to fish code	NHR
		7:25 Fish and Wildlife Rules <u>Proposal:</u> Proposed new subchapter re: Aquaculture Development Zone Leasing	NHR
7/13/14	chapter sunset	7:25 Division of Fish and Wildlife Rules	NHR
		7:25A Oysters <u>Proposal:</u> Amendments to allow consolidation of more than one license on a single vessel. NOTE: Subsequent adoption must be in place by July 2012 expiration of initial ACOs bet. DEP and licensees allowing license consolidation.	NHR

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4/11/18	chapter sunset	7:25A Oysters	NHR
10/20/16	chapter sunset	7:26 Solid Waste	CEM
		7:26A Recycling rules <u>Proposal:</u> Amendments and new rules re: recycling of e-waste. NOTE: Rules necessary ASAP to implement Ewaste Act information collection requirements. Ban on Ewaste disposal effective 1/1/11.	CEM
1/7/16	chapter sunset	7:26A Recycling Rules	CEM
8/23/16	chapter sunset	7:26B Industrial Site Recovery Act Rules	SR
10/31/11	chapter sunset for specially adopted ARRCS rules est'd by SRRA, as extended 180 days by filing of proposal to readopt.	7:26C Administrative Requirements for the Remediation of Contaminated Sites rules <u>Adoption:</u> Readoption of specially adopted "Interim Rules" for LSRP program under SRRA.	SR
		7:26C Administrative Requirements for Remediation of Contaminated Sites rules <u>Proposal:</u> Amendments and new rules constituting "Final Rules" for LSRP program under SRRA. Proposal includes changes to four rules: ARRCS (7:26C), UST (7:14B), Technical Rules (7:26E), and ISRA (7:26B). NOTE: SRRA requires LSRP program to be fully effective by May 7, 2012. Thus the subsequent adoption of this proposal must be published (& therefore effective) by May 7, 2012.	SR
6/2/15	chapter sunset	7:26D Remediation Standards	SR

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5/7/14	chapter sunset	7:26E Technical Requirements for Site Remediation	SR
		7:26F Rules for Petroleum Storage Tanks not Regulated by NJAC 7:14B ("UHOT" rules) <u>Proposal:</u> New rules. NOTE: Part of effort to streamline UST rules.	SR
10/11/14	chapter sunset	7:26G Hazardous Waste rules	C&E
4/8/15	chapter sunset	7:26H Solid Waste Utility Regulations	CEM
		7:26I Licensed Site Remediation Professional Board rules <u>Proposal:</u> New rules for LSRP Board practices and procedures, required under SRRA.	SR
exempt from APA sunsetting provision		7:27 Air Pollution Control	
		7:27 Air Pollution Control <u>Proposal:</u> Amendments to control ozone and fine particles from consumer products, paints and varnishes, and new natural gas-fired boilers and water heaters.	CEM
		7:27 Air Pollution Control <u>Proposal:</u> Amendments to NOx and VOC rules (RACT plus HEDD)	CEM

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4/4/12	proposal expiration	7:27-9 Air Pollution Control - Sulfur in Fuels <u>Adoption:</u> Amendments to the sulfur in fuels rules to extend the interim compliance date for one year for certain refineries.	CEM
		7:27-17 Control and Prohibition of Air Pollution by Toxic Substances <u>Proposal:</u> Amendments to further reduce "perc" in dry cleaning	CEM
4/21/13		7:27A Air Administrative Procedures and Penalties <u>Proposal:</u> Readoption with amendments. NOTE: Proposal to readopt is at the Governor's office and submitted to Comm'r for signature. Held pending decision to proceed post recent APA amendments re: sunset extension and readoption procedures.	C&E
exempt from APA sunsetting provision		7:27B Sampling and Analytical Procedures	
11/17/15	chapter sunset	7:27C CO2 Budget Trading Program	CEM
12/21/16	chapter sunset	7:27D Global Warming Solutions Fund Rules	EGGE
6/21/13	chapter sunset	7:28 Radiation Protection rules <u>Proposal:</u> Readoption (?) with amendments	CEM
12/20/11	proposal expiration	7:29 Noise Control <u>Adoption:</u> Readoption with amendments to formulae for measuring noise. (chapter sunset 5/8/13)	C&E

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4/22/15	chapter sunset	7:30 Pesticide Control Code	C&E
2/9/16	chapter sunset	7:31 Toxic Catastrophe Prevention Act Program	CEM
12/13/14	chapter sunset	7:35 Real Property Taxation of Recreation and Conservation Lands Owned by Nonprofit Organizations	NHR
2/7/12	proposal expiration	7:36 Green Acres Program rules <u>Adoption:</u> Readoption without change. [chapter sunset 7/2/13]	NHR
11/2/13	chapter sunset	7:38 Highlands Water Protection and Planning rules	LU
6/1/16	chapter sunset	7:45 Delaware and Raritan Canal State Park Review Zone	in/not of
11/20/13	chapter sunset	7:62 Landscape Irrigation Contractors	C&E