

Department address cited above. Should the Department decide to hold a public hearing, additional notice will be published in a future issue of the New Jersey Register and the comment period will be extended to 15 days after the public hearing. All comments submitted prior to the close of the comment period shall be considered by the Department before making a final decision on the proposed amendment.

Sewer service is not guaranteed should this amendment be adopted as it represents only one part of the permit process and other issues may need to be addressed. Inclusion in the SSA as a result of the approval of this amendment does not eliminate the need to obtain all necessary permits, approvals, or certifications required by any Federal, State, county, or municipal review agency with jurisdiction over this project/activity.

HEALTH

(a)

HEALTH SYSTEMS BRANCH

DIVISION OF CERTIFICATE OF NEED AND LICENSING

CERTIFICATE OF NEED AND HEALTH CARE FACILITY LICENSURE PROGRAM

Notice of Action on Petition for Rulemaking Manual of Standards for Licensing of Ambulatory Care Facilities

Computerized Tomography (CT), Magnetic Resonance Imaging (MRI), and Radiological Services

Additional Staffing

N.J.A.C. 8:43A-25.2

Petitioner: John D. Fanburg, Esq., Brach Eichler LLC, Roseland, New Jersey, on behalf of the Radiological Society of New Jersey, Whippany, NJ.

Take notice that the Department of Health (Department) has determined to deny the petition for rulemaking that is described below.

On February 29, 2024, the Department received a petition for rulemaking from the above petitioner requesting that the Department make certain amendments at N.J.A.C. 8:43A-25.2(a)1 and (b)2. A notice acknowledging receipt of the petition was published in the New Jersey Register on June 17, 2024, at 56 N.J.R. 1125(a).

N.J.A.C. 8:43A-25.2(a)1 and (b)2 require a radiologist to be physically present on the premises of a licensed ambulatory care facility (facility) during the administration of contrast medium to a patient in the performance of, respectively, computer tomography (CT) and magnetic resonance imaging (MRI) services. The petitioner requested that the Department modify N.J.A.C. 8:43A-25.2(a)1 and (b)2 to permit a radiologist to supervise the administration of contrast medium to a patient undergoing a CT or an MRI test at a facility through virtual presence, rather than on-site, using audiovisual real-time communication technology. The Department reviewed the petition pursuant to law and, upon due deliberation, has determined to deny the petition.

The New Jersey Board of Medical Examiners within the Division of Consumer Affairs of the Department of Law and Public Safety (the Board) establishes standards governing the respective scopes of practice of radiologists and radiology technicians. N.J.A.C. 13:35-6.20A, Radiologist assistant performing procedures, at paragraphs (c)6 and 7, permit a radiology technician to administer contrast dye exclusively under either the direct or personal supervision of a radiologist, depending on the procedure. N.J.A.C. 13:35-6.20A(a) defines both "direct supervision" and "personal supervision" to require a radiologist to be physically present on the facility premises during a supervised procedure. Thus, the relief the

petitioner requests would violate this rule of the Board by authorizing a radiologist to deviate from the radiologist's duty to supervise a radiology technician in the administration of contrast dye, and by allowing a radiology technician to exceed the technician's authorized scope of practice by permitting the technician to administer contrast dye with inadequate supervision.

The Department inquired of the Board as to whether it is developing rulemaking to amend N.J.A.C. 13:35-6.20A in a manner that would authorize the Department to grant the petition without impinging on the Board's authority to regulate these professions' respective scopes of practice and duties. The Board indicated that no such rulemaking is in development or planned. Therefore, the Department has determined to deny the petition as seeking relief that would conflict with the Board's rule governing the authorized scopes of practice and duties of a radiologist.

A copy of this notice has been mailed to the petitioner in accordance with N.J.A.C. 1:30-4.2.

PUBLIC UTILITIES

(b)

BOARD OF PUBLIC UTILITIES

Notice of Action on Petition for Rulemaking Clean Energy Proposed New Rule: Energy Eligible for Class I Renewable Energy Certificates

Petitioners: Vitol, Inc. and VC Renewables, LLC.

Take notice that on August 11, 2025, the New Jersey Board of Public Utilities (Board) received a petition for rulemaking from Vitol, Inc. and VC Renewables, LLC (petitioners) seeking amendments to the Board's Renewable Portfolio Standard (RPS) rules to modify the definition of Class I renewable energy. The petitioners seek to allow out-of-State solar energy generated within the PJM region or delivered into the PJM region to serve as the basis for New Jersey Class I renewable energy certificates (RECs) market and to be used by third-party suppliers (TPSSs) and basic generation service (BGS) providers to satisfy their New Jersey RPS obligations. The petitioners state that the proposed rule amendments would amend the definition of eligible Class I renewable energy to remove the requirement that only solar energy from a facility previously certified as eligible to generate energy for the creation of Solar Renewable Energy Certificates (SRECs) may serve as the basis for a Class I REC. As only solar generation facilities interconnected with an electric distribution system that serves New Jersey customers may generate energy eligible for the creation of an SREC, removing the requirement that a facility must have formerly been eligible to generate energy for the creation of SRECs would allow solar energy generated outside of New Jersey, but within the PJM region, to serve as the basis for a Class I REC. The petitioners further allege that the proposed amendments are more consistent with the statutory definition of Class I renewable energy than the Class I REC eligibility requirements in the existing rules.

Take further notice that a notice acknowledging receipt of the petition was published in the October 6, 2025 New Jersey Register at 57 N.J.R. 2317(a). In accordance with applicable law, the Board reviewed the petition and has determined that additional time is needed to deliberate about the petitioners' recommended new rules.

Therefore, pursuant to N.J.A.C. 1:30-4.2(a) and 14:1-5.16(h)3, the Board has determined to refer this matter for further deliberation for a period not to exceed 90 days.

A copy of this public notice is being mailed to the petitioners.