

## NJ04 - Administrative Hearing Request Checklist and Tracking Form

### I. DOCUMENT BEING APPEALED

| Facility Name | Program Interest (PI) Number | Permit Activity Number | Permit Approval Date |
|---------------|------------------------------|------------------------|----------------------|
|               |                              |                        |                      |

### II. CONTACT INFORMATION

| Name and Title of Person Requesting Hearing | Name of Attorney (if applicable) |
|---|----------------------------------|
|   |                                  |
| <b>Address:</b>                             | <b>Address:</b>                  |
|   |                                  |
|   |                                  |
| <b>Telephone:</b>                           | <b>Telephone:</b>                |
|   |                                  |
| <b>Email:</b>                               | <b>Email:</b>                    |
|   |                                  |

### III. ADDITIONAL INFORMATION

**Please include the following information as part of your request:**

1. The date the Permittee received the permit decision;
2. One printed and two PDF (or scanned) copies of the document being appealed saved on two CDs – for submitting to address 1 below;
3. A PDF (or scanned) copy of all documents being submitted to the Office of Legal Affairs saved on a CD – for submitting to address 2 below;
4. The legal and factual issues you are appealing;
5. A statement as to whether or not you raised each legal and factual issue during the permit application process;
6. Suggested revised or alternative permit conditions;
7. An estimate of the time required for the hearing;
8. A request, if necessary, for a barrier-free hearing location for physically disabled persons;
9. A clear indication of any willingness to negotiate a settlement with the Department prior to the Department's transmittal of your hearing request to the Office of Administrative Law.

Mail this form, completed, signed and dated with all of the information listed above, including attachments, to:

1. New Jersey Department of Environmental Protection  
Office of Legal Affairs  
Attention: Adjudicatory Hearing Requests  
401 E. State Street, P.O. Box 402  
Trenton, New Jersey 08625-0402
  
2. New Jersey Department of Environmental Protection  
Division of Air Quality  
Bureau of Stationary Sources – Operating Permits Section  
401 E. State Street, 2nd Floor, P.O. Box 420, Mail Code 401-02  
Trenton, New Jersey 08625-0420

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

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**IV. THIRD PARTY APPEAL REQUEST**

**If you are not the Permittee but rather an interested person claiming to be aggrieved by the permit decision, please include the following information:**

1. The date you or your agent received notice of the permit decision (include a copy of that permit decision with your hearing request);
2. Evidence that a copy of the request has been delivered to the applicant for the permit which is the subject of the permit decision;
3. A detailed statement of which findings of fact and/or conclusion of law you are challenging;
4. A description of your participation in any public hearings held in connection with the permit application and copies of any written comments you submitted;
5. Whether you claim a statutory or constitutional right to a hearing, and, if you claim such a right, a reference to the applicable statute or an explanation of how your property interests are affected by the permit decision;
6. If the appeal request concerns a CAFRA permit decision, evidence that a copy of the request has been delivered to the clerks of the county and the municipality in which the project which is the subject of the permit decision is located;
7. Suggested revised or alternative permit conditions;
8. An estimate of the time required for the hearing;
9. A request, if necessary, for a barrier-free hearing location for physically disabled persons;
10. A clear indication of any willingness to negotiate a settlement with the Department prior to the Department's transmittal of the hearing request to the Office of Administrative Law.

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401 E. State Street, 2nd Floor, P.O. Box 420, Mail Code 401-02  
Trenton, New Jersey 08625-0420

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**