



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. EER-SW 11731-13

AGENCY DKT. NO. 004742 PI#575345

WALTER MOORE,

Petitioner,

v.

**NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION,
SOLID AND HAZARDOUS WASTE
MANAGEMENT PROGRAM,**

Respondent.

Genia C. Philip, Esq., for petitioner

Raghu Murthy, Deputy Attorney General, for respondent (John J. Hoffman, Acting
Attorney General of New Jersey, attorney)

Record Closed: July 21, 2014

Decided: August 4, 2014

BEFORE **JAMES A. GERAGHTY, ALJ:**

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

Petitioner Walter Moore d/b/a Moe & Son Cleaning Services, LLC contests the New Jersey Department of Environmental Protection, Solid and Hazardous Waste

Management Program (DEP) denial of his application for an A901 license, which would have allowed him to participate in the New Jersey solid waste industry. By order dated March 10, 2014, the undersigned granted partial summary decision in favor of the DEP but concluded that there was a material fact issue, that is, petitioner's rehabilitation, which warranted a fact finding. A copy of the decision (OAL-1) is attached, familiarity with which is presumed. The matter was scheduled for hearing to be held on July 21, 2014. Petitioner failed to appear. Accordingly, I **FIND** that the petitioner has failed to establish rehabilitation, and I **CONCLUDE** that the DEP denial of his A901 license application was not in any way unsound.

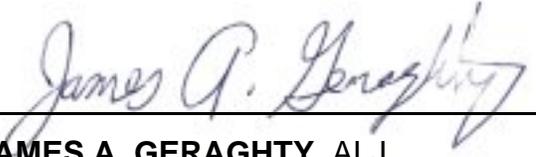
For the foregoing reasons, I decide this matter in favor of the respondent DEP and **ORDER** the petition **DISMISSED**.

I hereby **FILE** my initial decision with the **COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION** for consideration.

This recommended decision may be adopted, modified or rejected by the **COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION**, who by law is authorized to make a final decision in this matter. If the Commissioner of the Department of Environmental Protection does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **DIRECTOR, OFFICE OF LEGAL AFFAIRS, DEPARTMENT OF ENVIRONMENTAL PROTECTION, 401 East State Street, 4th Floor, West Wing, PO Box 402, Trenton, New Jersey 08625-0402**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

August 4, 2014
DATE



JAMES A. GERAGHTY, ALJ

Date Received at Agency: _____

Date Mailed to Parties: _____

jb

APPENDIX

OAL-1 Order Granting Partial Summary Decision