

NEW JERSEY



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RULE PROPOSALS

COMMUNITY AFFAIRS

(a)

DIVISION OF HOUSING

Uniform Construction Code Building and Plumbing Subcodes

Proposed Amendments: N.J.A.C. 5:23-3.14 and 3.15

Authorized By: John P. Renna, Commissioner, Department
of Community Affairs.

Authority: N.J.S.A. 52:27D-124.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before January 5, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Michael L. Ticktin, Esq.
Administrative Practice Officer
Division of Housing
CN 804
Trenton, NJ 08625

The Department of Community Affairs thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-499.

The agency proposal follows:

Summary

Adoption of the 1983 Accumulative Supplement to the BOCA Basic Building Code/1981 and 1981-82 Supplement to the National Standard Plumbing Code/1980 is proposed. The BOCA Basic Building Code/1981 is the building subcode of the State Uniform Construction Code. The National Standard Plumbing Code/1980 is the plumbing subcode of the State Uniform Construction Code.

Both are adopted by reference subject to modifications stated in the Uniform Construction Code Regulations. The sponsoring organizations of the model codes, respectively, Building Officials and Code Administrators International, Inc. and the National Association of Plumbing-Heating-Cooling Contractors, engage in a public code change process and issue supplements between succeeding editions of their codes. This procedure enables the codes to be responsive to rapidly advancing building technology. The adoption of these supplements is proposed so that New Jersey's building and plumbing subcodes may be as up-to-date as possible. The modifications being made to the supplements relate to the administration and enforcement systems of the State Uniform Construction Code and do not change the technical provisions of the model codes.

Social Impact

The supplements are presumed to be improvements to the model codes that are designed to protect public health, safety and welfare through efficient and effective use of available materials and current construction technology. The BOCA supplement contains several provisions that were New Jersey State sponsored code changes that were accepted by the organization and are now being incorporated into the model code.

Economic Impact

There may be an economic impact on property owners and building and plumbing contractors who perform or contract for the performance of work that will have to comply with the supplements to the code. In some instances the new code provisions may result in savings and in other instances in increased costs. It is not possible to anticipate these economic impacts as the future extent and type of construction activity in the State impacted by the supplements is unknown.

Full text of the proposal follows (additions indicated in boldface thus).

5:23-3.14 Building subcode

(a) Rules concerning subcode adopted are as follows:

1. (No change.)

2. The 1983 Accumulative Supplement to the BOCA Basic Building Code/1981 is adopted by reference with modifications as cited in (c) below as part of the building subcode for New Jersey.

(b) (No change.)

NEW JERSEY REGISTER

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The NEW JERSEY ADMINISTRATIVE CODE is published on a continuing basis by Administrative Publications of the Office of Administrative Law. Subscription rates for this 31-volume, regularly updated set of all State administrative rules are available on request. The Code is sold either in the full set or in one to three volumes depending on the Department coverage desired.

(c) The following articles or sections of the 1983 Accumulative Supplement to the building subcode are modified as follows:

1. The following amendments are made to Article 1 of the building subcode, entitled "Administration and Enforcement":

i. Section 119.6 is deleted.

2. The following amendments are made to Article 2 of the building subcode, entitled "Definitions":

i. The definition of the term "approved agency" is amended to delete the term "building official" and add the phrase "building subcode official or other authority having jurisdiction in accordance with the regulations" in place thereof;

ii. The definition of the term "building" is deleted, and substitute in lieu thereof, the definition of the term "building" found in N.J.A.C. 5:23-1.4;

iii. The definition of the term "day nursery" is amended to delete the term "not" after the phrase "for the care of";

iv. The definition of the term "Dwellings-Boarding house" is deleted, and substitute in lieu thereof, the definition of the term "boarding house" found in N.J.S.A. 55:13B-3.

3. The following amendments are made to Article 3 of the building subcode entitled "Use Group Classification":

i. Section 305.2.1 is amended to delete the following phrase "fire prevention code listed in Appendix A" in line 3 of 1 and line 2 of 2 and substitute in lieu thereof "Fire Protection Subcode".

4. The following amendments are made to Article 4 of the building subcode entitled "Types of Construction Classification":

i. Section 401.4.3 is amended to delete the phrase "and the plumbing codes listed in Appendix A" and substitute in lieu thereof "code listed in Appendix A and the Plumbing Subcode";

ii. Section 401.4.4 is amended to delete the phrase "NFPA 70 listed in Appendix A" and substitute in lieu thereof, "the Electrical Subcode".

5. The following amendments are made to Article 5 of the building subcode entitled "General Building Limitations":

i. Section 515.1 is deleted;

ii. Table 515.4 is deleted;

iii. Section 515.6.1 is deleted;

iv. Section 515.8.1 is deleted;

v. Section 515.8.2 is deleted;

vi. Section 515.8.7 is deleted;

vii. Section 515.9 is deleted.

6. The following amendments are made to Article 6 of the building subcode entitled "Special Use and Occupancy Requirements":

i. Section 609.3 is amended to delete the words "building official" and substitute in lieu thereof "fire protection subcode official";

ii. Section 617.9.5 is amended to delete the phrase "fire prevention code listed in Appendix A" and substitute in lieu thereof "Fire Protection Subcode";

iii. Section 630.11 is amended to delete the phrase "fire prevention code listed in Appendix A" and substitute in lieu thereof "Fire Protection Subcode";

iv. Section 632.1 is amended to delete the phrase "fire prevention code listed in Appendix A" and substitute in lieu thereof "Fire Protection Subcode";

v. Section 632.3.1, Blower equipment requirements numbers 2 and 5 are amended to delete the words "building official" and in lieu thereof, substitute "building subcode official";

vi. Section 632.5 is amended to delete the words "building official" and in lieu thereof, substitute "building subcode official".

7. The following amendments are made to Article 8 of the building subcode entitled "Means of Egress":

i. Section 801.2 is amended to delete the words "building official" and in lieu thereof, substitute "building subcode

official".

8. The following amendments are made to Article 11 of the building subcode entitled "Materials and Tests":

i. Section 1117.2 is amended to delete the words "building official" and in lieu thereof, substitute "building subcode official".

9. The following amendments are made to Article 12 of the building subcode entitled "Steel, Masonry, Concrete, Gypsum, and Lumber Construction":

i. Section 1218.4.1 is amended to delete the words "building official" and in lieu thereof, substitute "building subcode official";

ii. Section 1218.4.3 is amended to delete the words "building official" and in lieu thereof, substitute "building subcode official";

iii. Section 1218.8.3 is amended to delete the words "building official" and in lieu thereof, substitute "building subcode official".

10. The following amendments are made to Article 14 of the building subcode entitled "Fire Resistive Construction Requirements":

i. Section 1405.10.1.1 is amended to delete the words "building official" in lieu thereof, substitute "electrical subcode official".

11. The following amendments are made to Article 17 of the building subcode entitled "Fire Protection Systems":

i. Section 1702.7 is amended to delete the words "fire department" on line 7 of Exception 2 and in lieu thereof, substitute "fire protection subcode official";

ii. Section 1711.1 is amended to delete the words "fire prevention code" and in lieu thereof, substitute "Fire Protection Subcode";

iii. Section 1711.7 is amended to delete the phrase "fire prevention code listed in Appendix A" and in lieu thereof, substitute "Fire Protection Subcode";

iv. Section 1713.1 is amended to delete "the department" and in lieu thereof, substitute "the fire protection subcode official".

12. The following amendments are made to Article 20 of the building subcode entitled "Electric Wiring and Equipment":

i. Section 2006.1 is deleted;

ii. Section 2006.2 is deleted;

iii. Section 2006.3 is deleted;

iv. Section 2007.1 is deleted;

v. Section 2007.2 is deleted;

vi. Section 2007.3 is deleted.

13. The following amendments are made to Article 21 of the building subcode entitled "Elevator, Dumbwaiter and Conveyor Equipment, Installation and Maintenance":

i. Section 2107.4 is deleted;

ii. Section 2112.4 is amended to delete the phrase "Building and fire officials" and in lieu thereof, substitute "building subcode and fire protection subcode officials".

14. The following amendments are made to Appendix A of the building subcode entitled "Reference Standards":

i. Delete the entire subheading "ASHRAE" and all titles under this subheading;

ii. Under the subheading "BOCA", delete the following titles:

(1) Basic Fire Prevention Code;

(2) Basic Plumbing Code;

(3) One and Two Family Dwelling Code;

(4) Energy Conservation in New Building Construction - Code for;

iii. Under the subheading "NFPA," delete the title "National Electrical Code".

5:23-3.15 Plumbing subcode

(a) Rules concerning subcode adopted are as follows;

1.-2. (No change.)

3. The National Standard Plumbing Code 1981-82

Supplement is adopted by reference with modifications as cited in (c) below as part of the plumbing subcode for New Jersey.

(b) (No change.)

(c) The following chapters, appendices, or sections of the 1981-82 Supplement to the plumbing subcode are modified as follows:

1. Amend note on bottom of page v to delete "B" and add "D";
2. Chapter 2, entitled "General Regulations" is amended as follows:

i. Section 2.16 is amended to insert the number "Forty-two" in the blank space under item (a), and insert the number "Twenty-Four" in blank space under item (b).

3. Chapter 3, entitled "Materials" is amended as follows:

i. Section 3.12.4 is deleted in its entirety.

4. Chapter 7, entitled "Plumbing Fixtures" is amended as follows:

i. Table 7.24.1, Note No. 1 is amended to delete "local, state and national ordinances," in the third sentence and substitute in lieu thereof, "Barrier Free Design Regulations".

5. Chapter 10, entitled "Water Supply and Distribution" is amended as follows:

i. Section 10.4.2 is amended to delete the words "Administrative Authority" and in lieu thereof, substitute "authority having jurisdiction";

ii. Section 10.4.4 is amended to delete the words "Administrative Authority" and in lieu thereof, substitute "authority having jurisdiction";

iii. Section 10.4.9 is amended to delete the words "Administrative Authority" and in lieu thereof, substitute "authority having jurisdiction";

iv. Section 10.5.4 is amended to delete the words "Administrative Authority" and in lieu thereof, substitute "authority having jurisdiction";

v. Section 10.5.6 is amended to delete the phrase "by the local Administrative Authority" and in lieu thereof, insert "in N.J.A.C. 5:23-2.23";

vi. Section 10.8.1 is amended to change Section 10.4.3 to Section 10.14.3 on line 5 and to add "as required by the authority having jurisdiction" after the word "practice" on line 6.

6. Chapter 11, entitled "Sanitary Drainage Systems" is amended as follows:

i. Section 11.3.1 is amended to delete the words "local Administrative Authority" and in lieu thereof, substitute "authority having jurisdiction";

ii. Section 11.7.1a. is amended to delete the words "Administrative Authority" and in lieu thereof, substitute "authority having jurisdiction".

7. Appendix G, entitled "Special Design Plumbing Systems" is amended as follows:

i. Section G.2.1 is amended to delete the words "local Administrative Authority" and in lieu thereof, substitute "authority having jurisdiction".

ENVIRONMENTAL PROTECTION

(a)

DIVISION OF WASTE MANAGEMENT

Guidelines Governing County Fees for Solid Waste Enforcement Activities

Proposed Amendment: N.J.A.C. 7:1H-3.4

Proposed New Rule: N.J.A.C. 7:26-4.10

Authorized By: Robert E. Hughey, Commissioner,
Department of Environmental Protection.

Authority: N.J.S.A. 13:1E-1 et seq. and P.L. 1981, c.438
(N.J.S.A. 13:1E-9); N.J.S.A. 26:3A2-28b.

DEP Docket No. 036-82-08.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before January 5, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Gail Gutmann
Office of Regulatory Services
Department of Environmental Protection
Labor and Industry Building, Room 803
CN 402
Trenton, NJ 08625

The Department of Environmental Protection thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-506.

The agency proposal follows:

Summary

The following rules appeared in preproposal form in the September 20, 1982 Register. Various sections of the preproposal were revised in response to comments received.

The definition of county department was changed to refer directly to the definition contained in the County Environmental Health Act, N.J.S.A. 26:3A2-21 et seq.

N.J.A.C. 7:26-4.10(b)2i(3) and (4) were changed to require a county department, in collecting fees for solid waste enforcement and monitoring activities, to utilize the data submitted to the Department pursuant to the escrow account reporting requirements under the Sanitary Landfill Facility Closure and Contingency Fund Act, P.L. 1981, c. 306.

N.J.A.C. 7:26-4.10(b)2ii was revised to permit the assessment of a lower fee in a succeeding year should there be a decrease in a county department's funding requirements.

The fee rate of \$0.01 per cubic yard of solid waste accepted for disposal (N.J.A.C. 7:26-4.10(b)2i(1) and (4)) relates to vehicle capacity as the waste is received at a facility, whether or not such waste is compacted or uncompacted.

The proposed rules provide a basis by which any county health department may charge and collect fees from an owner or operator of a sanitary landfill facility within its jurisdiction to fund county enforcement and monitoring activities related to all rules adopted by the Department concerning solid waste collection and disposal. It should be noted that the statutory definition of solid waste in P.L. 1970, c. 39, section 3 (N.J.S.A. 13:1E-3) includes hazardous waste.

These rules also provide that the subject fees are to be collected

during the course of the facility's operation and that the fees generated by these rules are to be utilized exclusively to fund county solid waste enforcement and monitoring activities.

Social Impact

In view of the county fees which will be charged, the practical result of these proposed rules will be to increase county enforcement responsibility for the facilities located in each respective county. The proposed rules are a departmental effort to insure that the host county, which physically houses a facility and therefore has the most to gain by monitoring compliance with the law, is given the financial incentive and ability to do so. Thereby, each county will have the increased ability to maintain the aesthetic environment within its jurisdiction, as well as property values therein.

Economic Impact

This proposal provides a monetary incentive to counties to prepare and implement a solid waste control program, thereby lessening the burden upon the State in this area. Although the legal authority for county enforcement activities in this area already existed within the Solid Waste Management Act, P.L. 1970, c. 39, section 9 (N.J.S.A. 13:1E-9), until the effective date of the current Act, P.L. 1981, c. 438, there was no provision for reimbursement to a county for such activities.

In addition, the rules restrict use of the funds generated to solid waste enforcement and monitoring exclusively. This will result in an added incentive for the county to continue to develop and improve its solid waste control program each year should surplus fees remain from the prior year's program.

Although these rules provide that fees charged during the initial year's program be limited to \$0.01 per cubic yard, further provision has been made for the county to charge a higher fee in a subsequent year, based on sufficient documentation.

The law also provides that any additional expenditures for solid waste collection or disposal made by any county or municipality as a result of any fee imposed pursuant to that Act shall, for the purposes of P.L. 1976, c.68 (N.J.S.A. 40A-4:45.1 et seq.), be considered an expenditure mandated by State law and therefore exempted from the "cap".

Environmental Impact

In conjunction with the County Environmental Health Act, N.J.S.A. 26:3A2-21 et seq., these rules propose to compensate the 14 existing county health departments who have experience in administering environmental health programs on a regional basis. The environmental health services which may be funded shall include the monitoring and enforcement of environmental health standards and the enactment and enforcement of environmental health ordinances on a county-wide basis to control solid waste. The purpose of these rules is to permit broad use of these fees for any and all monitoring and enforcement activities relating to solid waste, and could include the evaluation of the environment in and adjacent to closed, non-operational facilities if such activities are made part of a solid waste control program approved by the Department.

Full text of the proposal follows (additions indicated in boldface thus).

7:1H-3.4 Performance standards for conducting a solid waste control program

(a)-(u) (No change.)

(v) **Fees for enforcement activities may be charged and collected from the owner or operator of any sanitary landfill facility in accordance with N.J.A.C. 7:26-4.10.**

7:26-4.10 **County enforcement activity fees for solid waste control program**

(a) **General provisions are as follows:**

1. **Scope:** Unless otherwise provided by rule or statute, the following shall constitute the rules of the Department of Environmental Protection concerning fees to be charged for enforcement activities undertaken by county health departments pursuant to the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq., and the County Environmental Health Standards of Administrative Procedure and Performance, N.J.A.C. 7:1H.

2. **Construction:** This section shall be liberally construed to permit the Department and its component divisions to effectuate the purposes of the above referenced laws.

3. **Purpose:** This section is promulgated for the following purposes:

i. To aid counties in the planning and implementation of a solid waste control program; and

ii. To provide a basis for the Department to review county department fees for enforcement activities related to their solid waste control program based upon the objectives in N.J.S.A. 13:1E-1 et seq. and N.J.A.C. 7:26-1.

4. **Definitions:** The following words and terms, when used in this chapter, shall have the following meanings. Where words and terms are used which are not defined herein, the definitions of those words and terms will be the same as the definitions found in the Department rules, N.J.A.C. 7:26.

"County department" means a county department of health established pursuant to P.L. 1975, c. 329 (N.J.S.A. 26:3A2-1 et seq.) as amended and supplemented with the purpose of providing environmental health programs throughout the county and other local health programs in any municipality which contracts therefor with the county board (N.J.S.A. 26:3A2-21 et seq.).

"Department" means the Department of Environmental Protection.

"Owner or operator" means and includes, in addition to the usual meanings thereof, every owner of record of any interest in land whereon a sanitary landfill facility is located, and any person or corporation which owns a majority interest in any other corporation which owns a majority interest in any sanitary landfill facility.

"Program" means a solid waste control program prepared by the county department pursuant to this section and the procedures and standards authorized by the County Environmental Health Standards of Administrative Procedure and Performance, N.J.A.C. 7:1H, and which has been submitted to the Department for review.

(b) **Enforcement activity fee schedule established:** In accordance with N.J.S.A. 13:1E-9, there is hereby established a fee schedule which shall apply to all sanitary landfill facilities requiring registration with the Department.

1. **Duties and powers of the county department are as follows:**

i. Any county department may charge and collect from the owner or operator of any sanitary landfill facility fees established by ordinance or resolution adopted by the county governing body. Such fees shall be established in accordance with this section for the purpose of enforcing the rules and regulations adopted by the Department related to solid waste collection and disposal, and in conformance with all applicable County Environmental Health Standards of Administrative Procedure and Performance, N.J.A.C. 7:1H, adopted pursuant to the County Environmental Health Act, N.J.S.A. 26:3A2-21 et seq.

ii. Within six months of the effective date of this section and by September 1 of each succeeding year as part of its annual work program, pursuant to the County Environmental Health Act, N.J.S.A. 26:3A2-21 et seq., a county department shall submit to the Department a Solid Waste Control Program (Program). The Program shall be submitted to each municipality located in the county for review and comment prior to its submittal to the Department and shall contain

monitoring and enforcement activities at least equivalent to those set forth in N.J.A.C. 7:1H-3.4(a) through (u) and shall also include the following:

- (1) Identification and number of operating facilities to be inspected;
- (2) Projection of the number of inspections to be conducted by facility name (minimum twice per month);
- (3) Purpose of inspections;
- (4) A description of the procedures for:
 - (A) Determining inspection frequency;
 - (B) Accounting for activities performed;
 - (C) Actions to be taken after inspections have been performed;
- and
- (D) Methods of taking legal action.

(5) In each succeeding year, a report on the previous year's activities, including a detailed financial statement of the previous year's expenditures, actual amount of fees collected and any surplus which can be credited to the next year's costs.

iii. The Program shall include certain county budgetary costs as follows, provided they are both reasonable and necessary. The Department may consider additional costs based upon particular local needs and abilities provided the Department is satisfied that those additional costs are both reasonable and necessary.

- (1) Personnel: Identify type, number, and salary required, including benefits therefor;
- (2) Local training: In addition to county department training costs, personnel performing solid waste inspections shall also be trained by the Department through the arrangement of joint inspections with departmental inspectors experienced in facility inspections. It shall be the responsibility of the county department to arrange such joint training inspections;
- (3) Protective equipment;
- (4) Vehicles and maintenance;
- (5) Test equipment;
- (6) Laboratory analysis;
- (7) Office equipment and supplies;
- (8) Secretarial, office and general administrative support; and
- (9) Costs based on (b)1ii (1) through (5) above.

2. Fees for the Program are as follows:

i. After review and approval by the Department of its Program, and pursuant to a resolution or ordinance adopted by the county governing body, any county department may charge and collect fees from the owner or operator of any sanitary landfill facility within its jurisdiction, as follows:

- (1) At the maximum rate of \$0.01 per cubic yard of solid waste accepted per month for disposal at a facility;
- (2) In the event that any solid waste is measured, upon acceptance for disposal, by other than cubic yards, the fee shall be assessed on the equivalents utilized pursuant to the Sanitary Landfill Closure and Contingency Fund Act, P.L. 1981, c. 306, and the Recycling Act, P.L. 1981, c. 278;
- (3) Fees shall be assessed and collected by a county department each month in the manner provided for in (b)2 of this section.
- (4) Except as otherwise provided for herein, the owner or operator of every sanitary landfill facility shall submit to the appropriate county department, on or before the 20th of each month, a fee equal to \$0.01 per cubic yard of solid waste accepted for disposal during the preceding month, together with a completed copy of Department form No. SFA-001 which is submitted for that month to the Department in accordance with the escrow account reporting requirements pursuant to the Sanitary Landfill Facility Closure and Contingency Fund Act, P.L. 1981, c. 306.

ii. Subject to the approval of the Department, a higher or lower fee may be assessed in the event that the county department documents the need for a greater or lesser amount in a succeeding year's program.

3. Utilization of fees: Fees provided for in this section shall be

utilized exclusively to fund county solid waste monitoring and enforcement activities as identified in the Program.

(a)

DIVISION OF COASTAL RESOURCES

Wetlands Management Wetlands Maps in Cape May County

Proposed Amendment: N.J.A.C. 7:7A-1.13

Authorized By: Robert E. Hughey, Commissioner,
Department of Environmental Protection.
Authority: N.J.S.A. 13:9A-2.
DEP Docket No. 057-82-11.

A public hearing concerning this proposal will be held on December 21, 1982 at 7:30 P.M. at:

Freeholder's Meeting Room
Cape May County Court House
Cape May Court House, New Jersey

In addition, copies of the wetlands maps affected by this proposal will be available for inspection beginning December 6, 1982 at the Clerk's Office, County Court House, Cape May Court House.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before January 5, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Allan Campbell, Chief
Bureau of Coastal Planning
and Development
Division of Coastal Resources
CN 401
Trenton, NJ 08625

The Department of Environmental Protection thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-505.

The agency proposal follows:

Summary

The Wetlands Act (N.J.S.A. 13:9A-1 et seq.) authorizes the Department of Environmental Protection to regulate most activities on mapped, tidal wetlands throughout the State. The purpose of this proposed revision is to update the upper wetlands boundary of the mapped wetlands of Cape May County, to reflect both natural changes and changes which have resulted from permitted filling and construction. Individual notice to affected property owners has been made and a public hearing scheduled, as required by the Wetlands Act. The list of affected wetlands appears at N.J.A.C. 7:7A-1.13(a)6.

In one case, a new wetlands map is being proposed for adoption. Affected property owners have been notified.

Social Impact

This proposed revision will result in minor changes to existing wetlands maps, but will place some additional private lands under wetlands protection. Overall the social impact will be beneficial, contributing added flood protection and maintaining water quality.

Economic Impact

This proposed revision will result in a likely reduction in property

value, albeit small, in the one new map to be adopted, but will result in a net beneficial economic impact due to a reduction in potential flood damage, recovery costs, and the maintenance of high water quality levels.

Full text of the proposal follows (all listed maps will be physically altered; additions are indicated in boldface **thus**).

7:7A-1.13 Areas affected

(a) The Wetlands Order and accompanying rules and regulations shall be applicable only to those areas shown below (seaward of the "Upland (inland) wetlands boundary" line on the following wetlands maps:

1.-5. (No change.)

6. Cape May County (filed in the Office of the County Recording Officer, Cape May Courthouse):

i.	035-1914
ii.	035-1920
iii.	035-1926
ix.	042-1932
x.	042-1938
xi.	042-1944
xii.	049-1914
xiv.	[049-1032] 049-1932
xviii.	056-1914
xxii.	056-1944
xxiii.	056-1950
xxiv.	056-1956
xxix.	063-1962
xxxv.	070-1962
li.	084-1974
lii.	091-1932
lx.	098-1932
lxviii.	098-1980
lxxv.	105-1986
lxxxiv.	112-1986
xciii.	119-1986
xciv.	119-1992
xcv.	126-1926
xcviii.	126-1944
ciii.	126-1992
civ.	126-1998
cxvii.	140-2004
cxxi.	147-1992

(Maps originally codified as cxxi-clii will be recodified as cxxii-clii.)

cxxii.	147-2004
cxxiii.	147-2010
cxviii.	154-2004
cxix.	154-2010
cxix.	154-2016
cxviii.	161-2004
cxliv.	168-1968

HEALTH

(a)

EMERGENCY MEDICAL SERVICES

Mobile Intensive Care Paramedics Authorized Therapeutic Agents

Proposed Amendment: N.J.A.C. 8:31-25.1

Authorized By: Allen N. Koplin, M.D., M.P.H., Acting
State Commissioner of Health.

Authority: N.J.S.A. 26:1A-15 and 26:2K-2.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before January 5, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Roy Nickels, Director
Emergency Medical Services
New Jersey State Department of Health
CN 363
Trenton, NJ 08625

The Department of Health thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-504.

The agency proposal follows:

Summary

This is a revision of the drugs approved for use by mobile intensive care paramedics in New Jersey. The list has been expanded to include the most recent advances in prehospital and emergency pharmacological agents. The list has been realphabetized and corrected to use generic drug names. Several drugs have been deleted and replaced with more appropriate agents. Further, citations to drug-related regulations from other units in the Department have been replaced by similar language applicable to paramedics. This negates the necessity to review or change the regulations each time other regulations expire or are revised.

Social Impact

Evaluation and subsequent revision of procedures and techniques is a continuous process in the health care delivery system. Drug therapy under medical direction is a vital management tool of the paramedic when giving advanced life support prehospital care. By updating and adding the most current pharmacological agents available, New Jersey will continue to provide to its citizens the best possible emergency care.

Economic Impact

Treatment in the prehospital setting, utilizing advanced life support techniques and procedures, is a major determinant in patient prognosis and survival rates. Appropriate and rapid prehospital interventions have the capability to prevent unnecessary hospital admissions and decrease the need for more costly in-hospital management techniques. These interventions may also decrease the patient's length of stay in the hospital, if he or she is admitted. These new drug changes reflect the most current and most effective pharmacological agents available for use in the United States.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

8:31-25.1 Performance of medical services

(a) [Joanne E. Finley, M.D., Commissioner of Health, hereby authorizes the administration of the following generic therapeutic agents by mobile intensive care paramedics:] **The following is an alphabetical list of generic therapeutic agents authorized for administration by mobile intensive care paramedics:**

1. A[n]minophylline;
2. (No change.)
- [3.] **3. Bretylium tosylate;**
- [3.] **4. Calcium chloride;**
- [6.] **5. Dextrose, 50%;**
- 6. Dextrose, 5% in water;**
- [23.] **7. Dexamethasone;**
- [4.] **8. Diazepam;**
- [5.] **9. Diphenhydramine;**
- [20.] **10. Dopamine HCL;**
- [7.] **11. Epinephrine;**
- [8.] **12. Furosemide;**
- 13. Ipecac Syrup;**
- [9.] **14. Isoproterenol;**
- [10.] **Lactated Ringer's injection;**
- [11.] **15. Lidocaine HCL;**
- [12.] **Metaraminol;**
- [13.] **Methyprednisolone;**
- [14.] **16. Morphine sulfate;**
- [15.] **17. Naloxone;**
- [16.] **18. Nitroglycerin[e];**
- 19. Nitroglycerin ointment;**
- [22.] **20. Normal saline;**
- [17.] **21. Oxygen;**
- [21.] **22. Procainamide HCL;**
- 23. Ringer's Lactate;**
- [18.] **24. Sodium bicarbonate;**
- [19.] **Sodium succinate;**
- 25. Terbutaline sulfate;**
- 26. Thiamine HCL;**
- 27. Verapamil HCL.**

(b) As an extension of the hospital, the mobile intensive care units shall be subject to the following N.J.A.C. regulations, except that the certified paramedic rather than the licensed nurse will be the responsible person:

1. N.J.A.C. 8:30-4.1(a): Telephone orders;
2. N.J.A.C. 8:30-5.3(b)1: Medications;
3. N.J.A.C. 8:30-7.4(a)3: Key for medication locker;
4. N.J.A.C. 8:30-7.4(b), (c), (f): Controlled dangerous substance;
5. N.J.A.C. 8:30-7.5: General provisions of New Jersey Controlled Dangerous Substances Act.]

(b) As an extension of the hospital, the mobile intensive care units shall be subject to applicable State laws and regulations.

[(d)] (c) Records on the administration of any therapeutic agent shall be maintained by the paramedic or mobile intensive care nurse on a written log, setting forth the date, time, drugs or therapeutic agents administered, directions for administering, quantity and strengths to be indicated where appropriate. All entries shall be typewritten or written in ink, legible, dated and signed by the paramedic or mobile intensive care nurse. All orders are to be countersigned and dated within 24 hours by the physician who directed the call.

(d) All policies and procedures regarding the control of drugs shall be subject to provisions of the Controlled Dangerous Substances Acts and amendments thereto. They shall be in compliance with all Federal and State laws and regulations, including the New Jersey State Board of Pharmacy Rules, concerning procurement, storage, dispensing, administration, and disposition.

(e) All medications are to be kept in a locked storage box or compartment. All substances in Schedule II of the Controlled Dangerous Substances Acts, and amendments thereto, shall be kept under double lock and key. Medications for external use

are to be kept in a separate section from medications for internal use. Keys to the medications box or compartment shall be available only to authorized persons.

(f) Policies and procedures regarding the storage, use, and disposition of hypodermic needles and syringes shall be in accordance with the New Jersey State Board of Pharmacy Rules and the Controlled Dangerous Substances Acts and amendments thereto. A verifiable record system shall be maintained of the acquisition, storage, and disposal of hypodermic needles and syringes.

(g) Each designated mobile intensive care program shall devise a plan for maintaining inventory control over medications, including all substances in Schedule II of the Controlled Dangerous Substances Acts and amendments thereto, and syringes used in the program. The following information shall be recorded: name of the patient receiving the medication, name of the prescribing physician, name and strength of the drug, date drug package was given to the mobile intensive care unit, date the drug was administered, dosage administered, method of administration, signature of the paramedic or mobile intensive care nurse administering the drug, and amount of medication wasted (if appropriate).

(h) In the event that the inventories to a particular mobile intensive care unit cannot be verified or drugs are lost, contaminated or destroyed, a report of such incident is to be written and signed by the paramedics or mobile intensive care nurses involved and any witnesses present, and copies are to be sent for review to the coordinator and medical director of the program.

[(c)] (i) All voice or telemetered orders between the hospital and mobile intensive care units shall be monitored by recording tape and retained by the hospital for a period of at least two years.

HUMAN SERVICES

(a)

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Hospital, Special Hospital and Medical Day Care Manuals, and Administration Manual Medical Day Care in Hospital Affiliated Facilities

**Proposed Amendments: N.J.A.C. 10:49-1.24,
10:52-1.1, 10:53-1.1, and 10:65-1.2-1.8,
2.1, 2.4-2.7**

**Proposed New Rules: N.J.A.C. 10:52-1.19
and 10:53-1.15**

Authorized By: George J. Albanese, Commissioner,
Department of Human Services.

Authority: N.J.S.A. 30:4D-6a(2), b(12) and (16) and
30:4D-7 and 7b.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before January 5, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Administrative Practice Officer
Division of Medical Assistance
and Health Services
CN 712
Trenton, NJ 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-509.

The agency proposal follows:

Summary

The Division currently provides medical day care services to Medicaid patients who are medically eligible in an identifiable part of a long-term care (LTC) facility. This proposal will enable a hospital affiliated facility to provide the same services. The overall objective is to provide a package of care to Medicaid patients whose physical and psychosocial needs do not require 24 hour care in an institutional setting, such as a LTC facility, yet whose needs cannot totally be met in another ambulatory care setting, such as a physician's office or hospital outpatient clinic.

All medical day care centers must provide the same basic services, including nursing, medical, social, dietary, rehabilitation, transportation, recreation, and personal care.

Prior authorization from the District Medicaid Offices, formerly called Local Medical Assistance Units, is required after the initial visit. (An updated list of the District Offices is included with this proposal.)

Hospital affiliated medical day care centers will be reimbursed at a negotiated per diem rate not to exceed the maximum medical day care rate paid to LTC facility based providers. The per diem rate shall include all required services except for physical and speech-language therapy services, which must be billed separately.

The proposal also allows the Medical Director (of the Medical Day Care Facility) to serve as the patient's attending physician, if the patient has no attending physician or one cannot be obtained.

Social Impact

There should be a positive impact on Medicaid patients who will have additional alternatives to institutionalized health care.

Hospitals will now be able to provide a service that was previously limited to LTC facilities, provided they comply with all program requirements for medical day care centers.

Economic Impact

Since there are currently no hospital affiliated medical day care centers, the Division has no cost figures available. It is anticipated that utilization of community based medical day care services will be less costly than institutionalized care.

The economic impact on hospitals will depend on the extent of their participation.

There is no charge to the Medicaid patient.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

10:49-1.24 Directory of [local medical assistance units (LMAU)] **Medicaid District Offices**

(a) The following is a directory of [local medical assistance units:] **Medicaid District Offices:**

(delete the existing directory and replace with the following.)

MEDICAID DISTRICT OFFICES

County	Address	Telephone No.
Atlantic	1 So. New York Ave. Atlantic City, 08401	609-441-3620

Bergen	50 Main St. Hackensack, 07601	201-488-5667
Burlington	50 Rancocas Road Mt. Holly, 08060	609-261-0448
Camden	P.O. Box 1089, Parkade Bldg. 519 Federal St. Camden, 08101	609-757-2870
Cumberland (Cape May)	501 Landis Ave. Vineland, 08360	609-696-6560
Essex	155 Washington St. Newark, 07102	201-648-2470
Gloucester (Salem)	Southwood Shopping Ctr. Woodbury, 08096	609-845-7185
Hudson	880 Bergen Ave. Jersey City, 07306	201-792-6390
Hunterdon (Somerset & Warren)	84 Park Ave. Flemington, 08822	201-782-1130
Mercer	1424 So. Broad St. Trenton, 08610	609-292-7315
Middlesex	75 Paterson St. New Brunswick, 08903	201-246-0653
Monmouth	1200 Memorial Drive Asbury Park, 07712	201-775-5700
Morris (Sussex)	10 Park Place Morristown, 07960	201-267-1700
Ocean	1861 Hooper Ave. Toms River, 08753	201-255-6226
Passaic	100 Hamilton Plaza Paterson, 07505	201-523-2800
Union	125 No. Broad St. 6th Floor, Hersch Towers Elizabeth, 07201	201-648-4630

10:52-1.1 Definitions

“Medical Day Care” means a program of health or health related services in a non-residential setting provided to Medicaid eligibles who do not require 24 hours inpatient institutional health care.

“Medical Day Care Center” means a hospital affiliated facility which is licensed by the New Jersey Department of Health and approved for participation in the New Jersey Medicaid Program to provide non-residential Medical Day Care Services as defined in N.J.A.C. 10:65-1.4.

10:52-1.19 Medical Day Care Centers (Hospital Affiliated)

(a) Medical Day Care as defined in N.J.A.C. 10:65-1.4 is a covered service when provided by a hospital affiliated facility. The Medical Day Care Center must provide the following basic services: nursing, medical, social, dietary, rehabilitation, transportation, recreation and personal care. Medical Day Care is not considered part of the Diagnosis Related Groups (DRG) experimental system for reimbursement purposes.

1. Prior authorization as defined in N.J.A.C. 10:65-2.4 must be obtained from the appropriate Medicaid District Office of the Division of Medical Assistance and Health Services before an applicant for Medical Day Care services can be considered medically eligible for service within the New Jersey Medicaid Program.

2. The Medical Day Care Center may bill the Medicaid contractor, the Prudential Insurance Company, for one initial evaluation visit for eligible recipients without prior authorization. Following the initial visit, prior authorization is required.

3. Form MC-14, Independent Outpatient Health Facility, will be used by a Medical Day Care hospital affiliated facility to report outpatient services as defined in N.J.A.C. 10:65-2.1.

(b) Hospital affiliated Medical Day Care Centers will be reimbursed at a negotiated per diem rate not to exceed the maximum medical day care rate paid to long-term care facilities based providers.

1. The per diem reimbursement shall include all required services except for physical and speech-language therapy services which must be billed separately.

2. Physical and speech-language therapies will be reimbursed to the Medical Day Care Centers at a negotiated rate.

10:53-1.1 Definitions

"Medical Day Care" means a program of health or health related services provided in a non-residential setting to Medicaid eligibles who do not require 24 hours inpatient institutional health care.

"Medical Day Care Center" means a hospital affiliated facility which is licensed by the New Jersey Department of Health and approved for participation in the New Jersey Medicaid Program to provide non-residential Medical Day care services as defined in N.J.A.C. 10:65-1.4.

10:53-1.15 Medical Day Care Centers (Hospital Affiliated)

(a) "Medical Day Care" as defined in N.J.A.C. 10:65-1.4 is a covered service when provided by a hospital affiliated facility. The Medical Day Care Center must provide the following basic services: nursing, medical, social, dietary, rehabilitation, transportation, recreation and personal care. Medical Day Care is not considered part of the Diagnosis Related Groups (DRG) experimental system for reimbursement purposes.

1. Prior authorization as defined in N.J.A.C. 10:65-2.4 must be obtained from the appropriate Medicaid District Office of the Division of Medical Assistance and Health Services before an applicant for Medical Day Care services can be considered medically eligible for service within the New Jersey Medicaid Program.

2. The Medical Day Care Center may bill the Medicaid contractor, the Prudential Insurance Company, for one initial evaluation visit for eligible recipients without prior authorization. Following the initial visit, prior authorization is required.

3. Form MC-14, Independent Outpatient Health Facility, will be used by a Medical Day Care hospital affiliated facility to report outpatient services as defined in N.J.A.C. 10:65-2.1.

(b) Hospital affiliated Medical Day Care Centers will be reimbursed at a negotiated per diem rate not to exceed the maximum medical day care rate paid to long-term care facilities based providers.

1. The per diem reimbursement shall include all required services except for physical and speech-language therapy services which must be billed separately.

2. Physical and speech-language therapies will be reimbursed to the Medical Day Care Centers at a negotiated rate.

10:65-1.2 Definitions

"Medical Day Care Center" means an identifiable part of a long-term care facility, or a hospital affiliated facility, or a freestanding ambulatory care facility which is licensed by the New Jersey Department of Health to provide non-residential medical day care services, and which possesses a valid and current provider agreement from New Jersey Division of Medical Assistance and Health Services, and which provides services as described in [section 4 of this subchapter.] N.J.A.C. 16:65-1.4.

"Medical Day Care Participant" means a person who is medically eligible and whose assessed physical and psychosocial needs:

1. Do not require 24 hours a day on an in-patient basis in a hospital or long-term care facility.

2. Cannot be met totally in any other ambulatory care setting, such as a physician's office or hospital out-patient clinic.

3. Require and can be met satisfactorily by a seven hour, day long active medical program by licensed and non-licensed personnel, including portal to portal travel time.

"Volunteer" means a person who gives his/her time and services regularly without remuneration [is considered a volunteer].

10:65-1.3 Program participation

(a) A Medical Day Care Center operated by a public or private agency or organization either proprietary or non-profit, or a subdivision of such an agency or organization, must meet the following requirements in order to participate in the New Jersey Medicaid Program:

1.-2. (No change.)

3. Approval for participation as a Medical Day Care Center provider by the New Jersey Medicaid Program. This includes, at a minimum, the completion of the New Jersey Medicaid Provider Application [FD-2002] **FD20-C2** (Exhibit II), the [Provider Agreement FD-62] **Participation Agreement FD-218** (Exhibit III), and [a narrative statement on the proposed Medical Day Care Program] **an Outline for Written Statement on Proposed Medical Day Care Center** (Exhibit VI). Continued participation as a New Jersey Medicaid provider is contingent upon approval annually by the New Jersey Medicaid Program.

(b)-(c) (No change.)

10:65-1.4 Required services

(a) As a minimum the following services shall be provided by the Center for participation in the Medical Day Care Program.

1. Medical Services

i. (No change.)

ii. The Medical Day Care Center shall provide:

(1) A medical evaluation of all participants, provided or arranged for by the Medical Director as needed, but at least every 90 days [;].

(A) This medical evaluation and any medical services required should be coordinated by the participant's attending physician.

(B) If the participant has no attending physician, the Medical Director shall assist the participant to secure one.

(C) In the event that an attending physician cannot be obtained to regularly care for the participant, the participant may choose the Medical Director as his/her attending physician, provided the Medical Director becomes the participant's attending physician with all the responsibilities attendant to such a role over a 24-hour period on a continuing basis.

(D) It is only in this new role as attending physician that the Medical Director can bill the Medicaid Program on the Health Insurance Claim Form 1500-N.J. (Exhibit VIII) for services rendered this participant.

(2) The Medical Director may not bill the Medicaid Program separately for any service performed for a Medicaid eligible while serving in his capacity as Medical Director.

[(2)](3) (No change in text.)

[(3)](4) Medical orders for treatment of participant(s) which shall include medication, diet, activities permitted, and therapies, such as physical therapy, occupational therapy, and speech-language therapy.

2.-7. (No change.)

8. Rehabilitative Services:

i. Rehabilitative Services, which include physical therapy, occupational therapy, and speech-language therapy shall be provided by the Center to those participants whose need for these services has been definitely described in the individualized plan of care.

ii. Physical and speech-language therapies provided by the Center shall not be included in the per diem costs for Medical Day Care. However, they are reimbursable and shall be billed separately.

Prior authorization is required for physical and speech-language therapies.

iii. (No change.)

10:65-1.5 Staff

(a) The Center shall have adequate staff capability to provide supervision to the participants at all times. The composition of the staff shall depend in part on the needs of the participants and on the number of participants the program is serving. As a minimum, the Center must have a Medical Day Care Center Director; a registered Professional Nurse; a Social Worker; an Activities Coordinator; and a Medical Director. If the freestanding facility has no Medical Director, a licensed physician shall be appointed to serve in this capacity.

1. Medical Day Care Center Director: The Director of the Center is responsible for the overall conduct and management of all program activities on a full-time basis. The Director shall:

i. Be a qualified health professional, such as a Nursing Home Administrator, licensed nurse, physician, licensed physical therapist, certified eligible occupational or speech-language therapist or social worker.

ii. (No change.)

2.-6. (No change.)

10:65-1.6 Prior authorization

(a) Whenever the term "prior authorization", or "reauthorization", is used in this manual it shall mean approval granted by the Division of Medical Assistance and Health Services through the appropriate [Local Medical Assistance Unit] **Medicaid District Office** for payment for Medical Day Care services rendered to an eligible participant for a specific time period. Current Medicaid eligibility is a prerequisite for payment. Prior authorization must be obtained from the [Local Medical Assistance Unit] **Medicaid District Office** of the Division of Medical Assistance and Health Services before an applicant for Medical Day Care can be considered medically eligible for the service within the New Jersey Medicaid Program.

(b)-(c) (No change.)

10:65-1.7 Participant review and evaluation

(a) (No change.)

(b) Every 90 days the participant's individualized plan of care shall be up-dated by the Medical Day Care Center staff to reflect the needs of the participant for Medical Day Care and a Request for Medical Day Care form FD-140 must be submitted to the [Local Medical Assistance Unit] **Medicaid District Office** for review and reauthorization by the Medical Evaluation Team.

10:65-1.8 Records

(a) As a minimum, the participant's chart shall contain the following information:

1. (No change.)

2. Individualized plan of care; **performed initially and updated every 90 days;**

3. Medical history, record of physical examination, medication record, and laboratory reports, **performed by the attending physician** initially and updated every 90 days thereafter, citing general medical condition, disabilities and limitations. Also included shall be any consultations performed;

4.-6. (No change.)

7. Physical, Speech-language, and Occupational Therapy and dietary progress notes as indicated;

8. (No change.)

(b) An Individualized Plan of Care shall be written for each participant prior to admission to the Program [along], with **input from** the participant, family, and interested community agencies. The plan shall state medical needs of the participant as evaluated by **the** attending physician, [and/or Medical Director,] and nursing, social service and other service needs as determined by the Center

Staff, with in-put from community agencies. Overall goals and services to be provided by the Center to fulfill the needs expressed should be indicated.

1.-2. (No change.)

10:65-2.1 Billing procedures

(a) This subchapter contains basic information and instructions necessary for the proper completion and submission of a claim. Included are exhibits to be utilized by medical day care centers for use in submitting claims for covered items or services. All forms to be completed by the facility are available from Prudential Insurance Company.

1. (No change.)

2. Reimbursement: The center participating in the Medical Day Care Program must agree to accept the reimbursement rate established by the Medicaid Program. The reimbursement rates set for a Medicaid participant in medical day care centers may not exceed charges for non-Medicaid patients. The per diem reimbursement shall cover cost of all services listed in N.J.A.C. 10:65-1.4, with the following exceptions:

i. Physical and speech-language therapy services are not included in the per diem rate and these services must be billed separately on the MC-14C2 form.

3. Submission of Independent Outpatient Health Facility Claim Form (MC-14C2): A fully completed MC-14C2, Independent Outpatient Health Facility Claim Form must be submitted to Prudential Insurance Company with a copy of the FD-140 Form, Request for Medical Day Care Authorization or Reauthorization (Exhibit IV) issued by the [local medical assistance unit] **Medicaid District Office**.

4. Medicare/Medicaid coverage: The only possible services that can be considered for payment under Medicare/Medicaid are physical and speech-language therapy. When the medical day care participant is covered under both programs only the Medicare Form HCFA-1483 (Exhibit V) must be completed with the appropriate section completed showing the Health Services Case and Person Number (HSP No.).

10:65-2.4 Prior authorization

(a) Prior authorization means approval by the [local medical assistance unit] **Medicaid District Office** for medical day care services.

(b) (No change.)

(c) Prior authorization is required for all persons participating under the Medical Day Care Program. An individual care plan must be submitted to the [local medical assistance unit] **Medicaid District Office** for approval and authorization on form FD-140. Authorization shall not exceed 90 days. Reauthorization can be obtained by the submission of the FD-140 form, Request for Medical Day Care Authorization or Reauthorization, which must include in item 19 recommendations for extension of such continued participation in medical day care. Allow at least two weeks prior to termination date of previous authorization for processing of a reauthorization of this request.

1. How to obtain prior authorization:

i. Request for Medical Day Care Authorization or Reauthorization Form, FD-140, should be promptly completed by the [medical director of the medical day care center or the] attending physician with the involvement of the nursing and social work staff and submitted to the appropriate [local medical assistance unit] **Medicaid District Office**.

2. Completing the Request for Medical Day Care Authorization or Reauthorization Form FD-140 (see Exhibit IV): All items, 1 through 21 inclusive must be completed on all FD-140 forms. All items should be typed or printed clearly.

i. Distribution of form FD-140 (four part snap-out form):

(1) Contractor's copies and provider copy and the [local medical assistance unit (LMAU)] **Medicaid District Office** copy are submitted to the [LMAU] **Medicaid District Office**, with the center retaining the second provider copy;

(2) Upon the [LMAU] **Medicaid District Office** approval or decline of the request, the contractor copy and the provider copy will be returned to the Medical Day Care Center. The [LMAU] **Medicaid District Office** will retain their copy;

(3) If physical or speech-language therapy services are to be provided and are not allowed under Medicare, or if Medicare benefits have been exhausted where a **Medicare/Medicaid** beneficiary is involved, item 14 on form FD-140 must be signed by the Medical Day Care Center, certifying that the services requested are not allowable or have been exhausted under the Medicare Program and that Medicare has not or will not be billed by the Center for the same services.

3.-4. (No change.)

10:65-2.5 [Directory of Local Medical Assistance Units (LMAU)] **Medicaid District Offices**

(a) [The following is a] A list of [local medical assistance units; their] **Medicaid District Offices** with addresses and telephone numbers can be found at N.J.A.C. 10:49-1.24(a).

1. Eligibility questions: Provider inquiries concerning patient eligibility and/or applications for eligibility may be directed to the appropriate eligibility determination agency (if known by the provider) or to the [LMAU] **Medicaid District Office** serving the provider area. The [LMAU] **Medicaid District Office** will assist the provider to the appropriate eligibility determination agency.

(Delete the entire Directory of Local Medicaid Assistance units that appears in this subchapter.)

10:65-2.6 Instructions: form MC-14

(a) Instructions for completion of the MC-14C2-(Independent Outpatient Health Facility Claim Form (see Exhibit 1):

1.-7. (No change.)

8. Item 13: Report of services:

i. Item A: Enter each date on which service has been provided. Use a separate line for medical day care visit, for physical therapy treatment, for speech-language therapy treatment. (Note: A visit means attendance at the Medical Day Care Center by the participant which consists of seven hours portal to portal.);

ii. Item B: Enter separately the procedure code for medical day care visit (0001) or for physical therapy treatment (0030) or for speech-language therapy treatment (0032);

iii. (No change.)

iv. Item D: Corresponding with the procedure code as outlined above, enter the following wording: medical day care visits or physical therapy treatment(s) or speech-language therapy treatment(s) including only the number of visits (or treatments) and the appropriate rate for each visit or treatment(s);

v.-vi. (No change.)

9.-11. (No change.)

10:65-2.7 Mailing instructions

Mail the original copy (contractor copy) of the MC-14C2 Outpatient Claim Form together with the FD-140 form to:

The Prudential Insurance Company of America
P.O. Box 5000
Millville, New Jersey 08332

Editor's Note: Exhibits I through VIII were filed with these rules but are not reproduced herein. Copies may be obtained from:

Division of Medical Assistance and Health Services
[P.O. Box 2486] CN 712
Trenton, New Jersey 08625

(a)

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICE

Pharmaceutical Services Manual Dispensing Fees and Delivery Services

Proposed Amendments: N.J.A.C. 10:51-1.14 and 1.17

Authorized By: George J. Albanese, Commissioner,
Department of Human Services.

Authority: N.J.S.A. 30:4D-6b(6), 30:4D-7 and 7b, 30:4D-22b.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before January 5, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Administrative Practice Officer
Department of Human Services
Division of Medical Assistance
and Health Services
CN 712
Trenton, NJ 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-493.

The agency proposal follows:

Summary

The proposal will increase the basic dispensing fee by \$.08 (from \$2.50 to \$2.58) for pharmaceutical providers having retail permits to dispense legend drugs to patients (other than those patients in long term care facilities). This increase in the basic dispensing fee minimum does not change the maximum dispensing fee, which remains \$2.80.

In addition, pharmaceutical providers are no longer required to have delivery service available to all Medicaid and Pharmaceutical Assistance for the Aged (PAAD) patients on a regular daily basis. Delivery of prescription drugs now becomes a non-covered service under both the Medicaid and PAAD programs. Pharmaceutical providers may provide delivery services, and may require the Medicaid and/or PAAD patient to pay a charge for this service. However, the charge may not be more than the provider's usual and customary charge to the general public for delivery.

Social Impact

The proposal will definitely impact on Medicaid and/or PAAD patients who will either have to pick up their own prescriptions, or possibly pay a charge if they request delivery service.

Pharmaceutical providers now have the option of providing delivery services to both Medicaid and/or PAAD patients. If delivery service is provided, the pharmacist may charge the individual patient a fee, which cannot exceed the usual and customary charge to the public.

The proposal will have no impact on pharmaceutical providers with permits to dispense legend drugs in long term care facilities.

Economic Impact

Both Medicaid and/or PAAD patients may be required to pay a fee for delivery of pharmaceuticals. However, any fee that is established will be set by the pharmaceutical provider, not the Division of Medical Assistance and Health Services.

There will be an overall cost increase of approximately \$80,000 (\$40,000 State share) to the Division because some pharmacies will be receiving \$.08 more per prescription than previously.

The impact on pharmaceutical providers will vary, but all providers having retail permits will receive a basic dispensing fee of \$2.58. This will represent an increase for some providers. The maximum dispensing fee remains the same (\$2.80).

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

10:51-1.14 Services not eligible for reimbursement

(a) The following classes of prescription drugs are not eligible for reimbursement:

1.-16. (No change.)

(b) **The following services are not eligible for reimbursement:**

1. Regular delivery services: If the provider provides supplies delivery services, he/she may waive or discount delivery charges to the recipient but is prohibited from charging more than his/her usual and customary charge to the general public for delivery.

10:51-1.17 Legend drug dispensing fee

(a) The dispensing fee for legend drugs, dispensed by providers having Retail Permits to patients other than those in long-term care facilities, [as defined in this subchapter,] shall be [\$2.50] **\$2.58**. Additional increments shall be given to pharmacy providers who provide the following:

1. Twenty-four hour emergency service: \$0.05. The provider must have a 24-hour per day, 365 days per year prescription service available and must have provided Medicaid recipients opportunities to utilize this service.

[2. Regular delivery service: \$0.08. The provider must have a prescription delivery service available to all Medicaid recipients on a regular daily basis.]

Renumber 3.-4. as **2.-3.** (No change in text.)

(b) (No change.)

(a)

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Manual for Physicians Services Sterilization by Hysterectomy

Proposed Amendment: N.J.A.C. 10:54-1.20

Authorized By: George J. Albanese, Commissioner,
Department of Human Services.

Authority: N.J.S.A. 30:4D-6a(1) and (5); and 4D-7 and 7b.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before January 5, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Administrative Practice Officer
Division of Medical Assistance
and Health Services
CN 712
Trenton, NJ 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-503.

The agency proposal follows:

Summary

The proposal amends New Jersey Medicaid regulations concerning sterilization so they will conform to the recently amended Federal regulations (42 CFR 441.250-259).

The specific issue concerns "Sterilization by Hysterectomy" (42 CFR 441.255). A FD-189 form, entitled Hysterectomy Receipt of Information Form, is still required for all medically necessary hysterectomies. This form is basically a consent form which must be signed by the patient being sterilized, the person who obtained the consent, and the physician. In addition to obtaining the patient's consent, both the person obtaining the consent and the physician are required to certify that they have explained the consequences of the procedure to the patient.

However, Federal regulations now allow for a waiver of the FD-189 form in the following instances:

1. The patient was already sterile;
2. The patient required a hysterectomy because of a life threatening emergency situation;
3. The hysterectomy was performed during a period of the patient's retroactive New Jersey Medicaid coverage and the patient was informed, before the operation, that the hysterectomy would make her permanently incapable of reproducing.

If, and only if, these situations occur, a written certification by the physician who performed the hysterectomy may be submitted in lieu of an FD-189. In addition, the physician must also state the cause of the patient's sterility, or include a description of the nature of the emergency, as appropriate.

It should be noted the prohibition against Federal financial participation for hysterectomies performed solely for the purpose of sterilization remains in effect (42 CFR 441.255(a)).

Social Impact

The proposal will impact mainly on hospitals and physicians, who should find it easier to be reimbursed by the Medicaid program so long as they follow the prescribed procedures.

Medicaid recipients will continue to receive these services as they have in the past.

Economic Impact

There may be a slight increase in expenditures by the Division of Medical Assistance and Health Services, because the number of reimbursable hysterectomies may increase. In the past, it was virtually impossible to reimburse for a hysterectomy performed during the patient's retroactive eligibility period, because the consent form (FD-189) could never be signed prior to the procedure.

Providers may experience a slight increase in the number of claims being reimbursed by Medicaid because of fewer restrictions. However, the proposal does not change the fee schedule for physicians nor the per diem rate for hospitals. In addition, providers who do not submit either the FD-189, or a physician's certification, as appropriate, will not be reimbursed.

The economic impact on Medicaid patients remains the same.

Full text of the proposal follows (additions indicated in boldface **thus**).

10:54-1.20 Sterilization

(a) (No change.)

(b) Payments will be made for sterilization procedures and hysterectomies only if the following requirements were met (**for hysterectomies, there are exceptions and additions to the following requirements; see (d) below**):

1.-5. (No change.)

(c) (No change.)

(d) Payments will be made for a hysterectomy when the completed Receipt of Hysterectomy Information Form (**FD-189**) is received

by the Medicaid Contractor and the following requirements have been met:

1.-2. (No change.)

3. In the event a **Receipt of Hysterectomy Information Form (FD-189)** was not obtained, it is possible to submit, with the claim form, a written certification signed by the physician who performed the hysterectomy. This written certification is applicable if, and only if, one or more of the following conditions existed:

- i. The patient was sterile before the hysterectomy and the physician lists the cause of sterility;
- ii. The patient required a hysterectomy because of a life threatening emergency in which the physician determined that prior acknowledgement was not possible and the physician describes, in the certification, the nature of the emergency;
- iii. The hysterectomy was performed during a period of the patient's retroactive New Jersey Medicaid coverage and the patient was informed, before the operation, that the hysterectomy would make her permanently incapable of reproducing or that one of the conditions described in (d)3i or ii above was applicable and the physician includes in the certification a statement that the patient was informed or describes which condition applied.

(1) Although a physician certification is acceptable for situations described in (d)3 of this section, the New Jersey Medicaid Program recommends that the **Hysterectomy Receipt of Information Form** be used whenever possible.

(a)

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Manual for Dental Services Radiography

Proposed Amendments: N.J.A.C. 10:56- 1.14(b)4 thru 9, and 10:56-3.4(b) and (c).

Authorized By: George J. Albanese, Commissioner,
Department of Human Services.
Authority: N.J.S.A. 30:4D-6b(4), 7 and 7b.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before January 5, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Administrative Practice Officer
Division of Medical Assistance
and Health Services
CN 712
Trenton, NJ 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-494.

The agency proposal follows:

Summary

The amendments were originally proposed on December 7, 1981 at 13 N.J.R. 875(a). Those subsections cited above were not part of the rule that was adopted, but are being proposed again for additional consideration.

The renewed proposal basically concerns limitations on

radiographs. The Division intends to limit the number of X-rays for which Medicaid will make reimbursement to dental providers without authorization from a Dental Consultant of the Division of Medical Assistance and Health Services.

Social Impact

Dental providers will have to carefully plan the scheduling of X-rays to stay within Medicaid guidelines. This might cause a reduction in provider utilization of X-rays.

Medicaid patients receiving dental treatment should be exposed to a reduced amount of radiation.

Economic Impact

In 1980 the Division's expenditures of X-rays were approximately \$1,700,000 (Federal and State share combined). If these limitations are imposed, there is an estimated savings of approximately \$800,000 (Federal and State share).

The impact on individual providers of dental services will vary depending on the number of Medicaid recipients being treated. Providers will still be reimbursed for services appropriately rendered.

There will be no economic impact on the Medicaid recipients, who will not be required to pay for these services.

Full text of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

10:56-1.14 Diagnostic services

(a) (No change.)

(b) Radiography rules are as follows:

1.-3. (No change.)

4. [Posterior bite-wing and single anterior films may be taken as needed as part of an examination subject to limitations in this section.] **Annual reimbursement will be limited to four intra-oral X-rays, bitewing or periapical, as appropriate, without authorization.**

5. [In order to establish a diagnosis, an X-ray(s) may be taken at any time, as appropriate.] **If a complete series radiological study is repeated within the three year limitation period without prior authorization, reimbursement will be subject to limitations in (b)4 above.**

6. **In an emergency situation, in order to establish a Diagnosis (which must be recorded in Item 16 of Dental Claim Form MC-10) an X-ray may be taken at any time as dentally appropriate.**

7. **A panoramic X-ray may be taken in lieu of periapical X-ray(s) without authorization, but reimbursement will be limited to the equivalent number of periapical X-rays that would satisfy the situation, e.g., for one tooth treated the equivalent of one periapical X-ray, two teeth treated, two periapical X-rays, etc., or as may be determined appropriate by a Dental Consultant. Total reimbursement may not exceed the maximum allowable fee for a single panoramic X-ray. This same panorex may be used and billed for in conjunction with subsequent services using the original date of service and for a one year period thereafter, but the total cumulative reimbursement may not exceed the maximum allowable fee for a single panoramic X-ray.**

8. **In lieu of a complete series radiological study (see (b)1 above) a panoramic X-ray alone or with up to four intra-oral X-rays, bitewing, or periapical, as appropriate, may be taken without prior authorization. Reimbursement will be subject to the same limitations as in (b)1, 3, 4 and 5 above.**

9. **X-rays on an edentulous patient are not reimbursable unless a definite need can be documented, in which case either a panoramic X-ray or two occlusal X-rays are reimbursable. If periapical X-rays are taken, reimbursement may not exceed the lesser of the alternatives above. Such X-rays require documentation and authorization.**

Renumber 6. as 10. (No change in text.)

[7.]11. The originals of [All] all X-ray films must be forwarded to the dental consultant when procedures requiring prior authorization are requested. It is recommended that the two film packet be used or a copy made by all dentists who wish to retain a set of X-ray films in their offices at all times.

Renumber 8. as 12. (No change in text.)

[9.] 13. The originals of [All] all X-rays must be available to authorized representatives of the New Jersey Medicaid Program or other agencies of the State of New Jersey as approved by the New Jersey Medicaid Program. [They] Such X-rays will be reviewed by dental consultants of the Medicaid Program and/or dentists representing organized dentistry, if appropriate.

Renumber 10. as 14. (No change in text.)

(c)-(e) (No change.)

10:56-3.4 Radiographs

(a) (No change.)

(b) Intra-oral radiographs[:] (Periapical Bitewing/Occlusal) including panoramic equivalents have the procedure codes and maximum allowance as follows:

	MAXIMUM ALLOWANCE	
	S	NS
	.	.

1.-7. (No change.)

8. 0208 Eight films (Maximum number of films reimbursable up to and including age six (6) without authorization) 9.00 9.00

i. 0327 Panoramic radiograph-maxillary and mandibular single film – equivalent in service to 0208. 7.00 7.00

ii. 0331 Panoramic film plus one intra-oral film (bitewing or periapical) – equivalent in service to 0208. 8.00 8.00

iii. 0332 Panoramic film plus two or more intra-oral films (bitewing or periapical) – equivalent in service to 0208. 9.00 9.00

9.-11. (No change.)

12. 0212 Twelve films (maximum number of films reimbursable-age seven up to and including age 14 – without authorization). 13.00 13.00

i. 0328 Panoramic radiograph – maxillary and mandibular single film equivalent in service to 0212. 10.00 10.00

ii. 0333 Panoramic film plus one intra-oral film (bitewing or periapical) – equivalent in service to 0212. 11.00 11.00

iii. 0334 Panoramic film plus two intra-oral films (bitewing or periapical) – equivalent in service to 0212. 12.00 12.00

iv. 0335 Panoramic film plus three intra-oral films (bitewing or periapical) – equivalent in service to 0212. 13.00 13.00

13.-15. (No change.)

16. 0216 Sixteen films – Complete Series – (Maximum number of films reimbursable – age 15 or older – without authorization.) 17.00 17.00

i. 0329 Panoramic radiograph – maxillary and mandibular single film – equivalent in service to 0216. 10.00 10.00

ii. 0336 Panoramic film plus one intra-oral film (bitewing or periapical) – equivalent in service to 0216. 11.00 11.00

iii. 0337 Panoramic film plus two intra-oral films (bitewing or periapical) – equivalent in service to 0216. 12.00 12.00

iv. 0338 Panoramic film plus three intra-oral films (bitewing or periapical) – equivalent in service to 0216. 13.00 13.00

v. 0339 Panoramic film plus four or more intra-oral films (bitewing or periapical) – equivalent in service to 0216. 14.00 14.00

17. (No change.)

(c) Extra-oral radiographs, have the procedure codes and maximum allowance as follows:

1.-5. (No change.)

6. [*] 0330 Panoramic radiograph – maxillary and mandibular single film. 10.00 10.00

7.-8. (No change.)

(a)

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Independent Clinic Services Manual Procedure Codes, Including Family Planning Services, Obstetrical Services, Rehabilitation Services

Proposed Amendment: N.J.A.C. 10:66-3.3

Authorized By: George J. Albanese, Commissioner,
Department of Human Services.

Authority: N.J.S.A. 30:4D-6b(3) and (16) and 4D-7 and 7b.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before January 5, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Administrative Practice Officer
Division of Medical Assistance
and Health Services
CN 712
Trenton, NJ 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-502.

The agency proposal follows:

Summary

The proposal concerns several additions and/or revisions to the Independent Clinic Services Manual Procedure Codes. As is indicated, in the preface to the subchapter, entitled Procedure Code Listing N.J.A.C. 10:66-3.3(a), "Approved clinics may only bill for those procedure codes which correspond to the allowable services included in their current New Jersey Medicaid Provider Agreement".

1. Several procedure codes have been added to provide for nurse-midwifery services in a clinic setting. Midwifery services are a required service under Title XIX (Section 1905(a)(17) of the Social Security Act, and 42 CFR 440.1 et seq.). These codes and corresponding fee schedules are the same as those which appeared in the Nurse-Midwifery proposal which appeared in the August 16, 1982 issue of the New Jersey Register at 14 N.J.R. 889(a), except that code 0091 has been added. The specific codes (4583, 0091, 4846, 4847, 4841, 4842, 4845, 4843, 4844, 0009, 4848) are described in the text below.

2. Three procedure codes (0047, 0048, 0049) have been added to allow reimbursement for an initial visit for evaluation purposes for physical, occupational, and speech therapy.

3. Two codes (9035, 9071) have been added concerning the care of "newborns". Code 9035 should be used for routine newborn care of a well-baby, and is a comprehensive, all inclusive fee which includes initial and discharge complete systems physical examination, and parental conference. If the patient is other than a "well newborn", either procedure code 0003, entitled "Hospital Day", or code 9071, should be used, as appropriate.

4. Procedure code 7390 was amended to require evidence of medical necessity.

5. Sterilization codes 4531, 4532, and 4549 have been amended to insure consistency with the Procedure Code Manual (N.J.A.C. 10:54-3). There is no change in the fee schedule.

6. A one-way fee for transportation has been added when the clinic provides this service (code 0084).

Social Impact

This proposal will affect those providers who provide certain services in an independent clinic setting. The main impact will be on clinics that provide family planning and obstetrical services. The general purpose is to allow reimbursement by the New Jersey Medicaid Program for services rendered. No procedure codes are being deleted.

Medicaid recipients will be able to receive nurse-midwifery services in a clinic setting.

Economic Impact

It is difficult to assess the economic impact on the Division at this time because many of the codes are additions and there is no statistical data available for these new codes. This is especially applicable to nurse-midwifery services, which have not previously been offered by the Medicaid program.

The economic impact on clinic providers will vary directly in relation to the services they are authorized to perform, and the number of Medicaid patients being treated.

There is no economic impact on the Medicaid recipient.

Full text of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

10:66-3.3 Procedure code listing

(a) (No change.)

1.-3. (No change.)

4. Family planning services: Only those clinics which have been specifically approved by the New Jersey Medicaid Program to provide family planning services may be reimbursed for the following codes.

0086 (No change.)

0087 (No change.)

0088 (No change.)

0089 (No change.)

0090 (No change.)

4591 (No change.)

4583 Removal of IUD (Intra-Uterine Device) 0 \$15 \$15 3*
(*"0" refers to follow-up visits, "3" refers to anesthesia, basic units.)

0091 Routine or follow-up visit, prolonged provided by a Certified Nurse-Midwife and limited to within the six week post-partum period: may include pelvic examination, changes in method or instructions. Involves 20 or more minutes of personal time in patient contact, including documentation of time as well as adequate significant progress notes on the clinic record. This code includes cost of birth control drugs dispensed. A prescription cannot be substituted. \$9.10

4846 Insertion of intracervical or intra-uterine device for contraception by certified nurse-midwife (includes cost of device and post insertion visit). Include delivery date on the claim form. Note: Limited to within the six week post-partum period. \$23.80

4847 Removal of an IUD by a certified nurse-midwife. Include delivery date on the claim form. Note: Limited to within the six week post-partum period. \$11.50

4241 (No change.)

8911 (No change.)

8961 (No change.)

5-8. (No change.)

9. Obstetrical services (maternity): Only those clinics which have been specifically approved by the New Jersey Medicaid Program to provide obstetrical services will be reimbursed for the following codes. Such approvals may or may not include services performed

in a hospital setting. The procedure codes are to be used regardless whether it is a single or multiple birth. All codes include pre-natal and post-natal care, unless otherwise indicated.

i. Physicians services

4821 (No change.)

4822 (No change.)

4823 (No change.)

4824 (No change.)

4825 (No change.)

4800 (No change.)

4801 (No change.)

4851 (No change.)

ii. Nurse-Midwifery Services

4841 Total obstetrical care when given by a certified nurse-midwife and includes:

(1) Ante partum care consisting of initial ante partum visit and seven subsequent ante partum visits. Specific dates of all visits are to be listed on the Independent Outpatient Health Facility Claim form (MC-14).

Note: Reimbursement will be decreased by the fee for the initial ante partum visit (code 4845) if patient not seen for this visit. The total fee will also be decreased by the reimbursement sum for each subsequent ante partum visit (code 4843) which is less than seven.

Note: If medical necessity dictates, corroborated by the record, then additional visits above seven ante partum may be reimbursed under procedure code 0009 (routine or follow-up office visit). The claim form should clearly indicate the reason for the medical necessity and date for each code 0009 listed.

(2) Obstetrical delivery per vagina with or without episiotomy, including post-partum care when performed by the certified nurse-midwife in the home, birthing center or in hospital (inpatient setting). This applies to a vaginal delivery at full term or premature following completion of at least 28 weeks of gestation or if baby lives over 24 hours. This shall also include one visit between the 15th and 42nd post-partum day following delivery and out of the hospital. Include name of hospital or birthing center and the delivery date on the MC-14. \$165.20

4842 Obstetrical Delivery per vagina with or without episiotomy, including post-partum care when performed by the certified nurse-midwife in the home, birthing center or in hospital (inpatient setting). This applies to a vaginal delivery at full term or premature following completion of at least 28 weeks of gestation or if baby lives over 24 hours. This shall also include one visit between the 15th and 42nd post-partum day following delivery and out of the hospital. Include name of hospital or birthing center and the delivery date on the MC-14. \$112.00

4845 Initial ante partum visit provided by a certified nurse-midwife (independent procedure). \$15.40

4843 Subsequent ante partum visits provided by a certified nurse-midwife (independent procedure). Indicate specific dates of service. \$5.60

4844 Post-partum care provided by a certified nurse-midwife who is other than the individual who performed the delivery and who is not related to this individual by any financial or contractual arrangement, e.g. group, clinic, employee, employer, etc. One visit between the 15th and 42nd post-partum day following delivery. Include delivery date on the claim form. (Independent procedure). \$9.10

0009 Clinic or home visit by certified nurse-midwife

applicable only when medical necessity warrants more than seven ante partum visits and is corroborated on the record. \$6.30

4848 Home Delivery Pack. All drugs and supplies etc., necessary for delivery in this setting. \$40.00

10. (No change.)

11. Radiology services: (No change in text.)

Codes 7003 through 7383 (No change.)

GYNECOLOGICAL AND OBSTETRICAL

(for abdomen and pelvis see 7217 – 7219, 7350, 7351)

7390 Pelvimetry, with or without [cephalometry or] placental localization. **Use of the code for Pelvimetry requires written evidence of medical necessity.**

7391 through 7482 (No change.)

12. Rehabilitation services: Only those clinics which [have been] are specifically approved by the New Jersey Medicaid Program to provide rehabilitation services may be reimbursed for the following codes.

0047 Physical therapy – initial visit, per individual, per provider – \$7.00

9090 (No change.)

0048 Occupational therapy – initial visit, per individual, per provider – \$7.00

0076 (No change.)

0049 Speech therapy – initial visit, per individual, per provider – \$7.00

0075 (No change.)

Audiometric tests: (No change.)

9340 (No change.)

9341 (No change.)

9345 (No change.)

9346 (No change.)

13. (No change.)

14. Other services: Only those clinics which are specifically approved by the New Jersey Medicaid Program to perform the service(s) listed below may be reimbursed for the corresponding procedure codes.

Abortion: (No change.)

4830 (No change.)

4831 (No change.)

4589 (No change.)

9075 (No change.)

0003 (No change.)

9035 Routine newborn care – well-baby: by a clinic physician other than the physician(s) or certified nurse-midwife rendering maternity service and includes in addition to routine care the following on the record:

(1) Initial and discharge complete systems physical examination;

(2) Conference(s) with parent(s). S \$22 NS \$17

Note: When dealing with other than a well newborn as in Code 9035, the alternative codes 0003 or 9071 may be used if the criteria are met and applicable.

9071 Detention – prolonged detention with a patient whose condition requires constant physician attendance to the exclusion of other patients or duties and, therefore, is beyond the usual service. Verified by the records per hour with recording of the time of onset and completion of service on the record. Minimum claim for this code is one hour. Time and activity documented personally on the clinic record or hospital record, if applicable, by the physician who performed the services. Basis for claim should be apparent on the Independent Outpatient

Health Facility Form MC-14. S \$37 NS \$32

Note: May not be used simultaneously with procedure codes that pay a reimbursement for the same time or type of service.

Sterilization; Female:

4531 [Transection of Fallopian tube, unilateral or bilateral, abdominal or vaginal approach.] Primary sterilization (family planning) procedure by abdominal or vaginal approach (independent procedure). 45 follow-up days.

S \$211 NS \$184

4549 [Transection – Fulgeration of Fallopian tubes by laparoscopy or culdoscopy; with or without dilation and curettage (independent procedure)] Primary sterilization (family planning) procedure by laparoscopy or culdoscopy; with or without dilation and curettage (independent procedure). 45 follow-up days.

S \$182 NS \$158

4532 [Transection of Fallopian tube, unilateral or bilateral, abdominal or vaginal approach post-partum, during same hospitalization by physician effecting delivery.] Primary sterilization (family planning) procedure; post-partum during the same hospitalization and performed by any surgical method or approach by the same physician or group effecting the vaginal delivery (or abortion). If other than the physician or group effecting the delivery performs the sterilization, procedure code 4531 or 4549 will apply. 45 follow-up days. S \$151 NS \$131

Sterilization; male:

4241 (No change.)

4261 (No change.)

Transportation: (No change.)

0085 (No change.)

0084 Transportation, one way (one way applicable when clinic transports the recipient either to or from the clinic in any one day). \$3.75

(a)

DIVISION OF PUBLIC WELFARE

Public Assistance Manual Requirements for Periodic Redetermination

Proposed Amendment: N.J.A.C. 10:81-5.2

Authorized By: George J. Albanese, Commissioner,

Department of Human Services.

Authority: N.J.S.A. 44:7-6 and 44:10-3.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before January 5, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

G. Thomas Riti, Director
Division of Public Welfare
CN 716
Trenton, NJ 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-507.

The agency proposal follows:

Summary

The proposal will extend the existing period for redetermination of eligibility for AFDC-F and -N cases from three months to six months. County welfare agencies will be relieved of the administrative burden of frequent eligibility determinations. It is believed that this rule will not injure program integrity as AFDC cases most subject to changes in circumstances are required to report changes in family circumstances on a monthly basis.

Social Impact

The proposal will have minimal social impact. Certain AFDC recipients will be subject to less frequent full redeterminations of program eligibility.

Economic Impact

The proposal will improve county agency administrative operations. To the extent an agency is able to reassign staff functions due to this rule, there will be some reduction in county administrative costs. There will be no economic impact on the State or the AFDC recipient population.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

10:81-5.2 Requirements for periodic redetermination

(a) In AFDC[-C], [the Federal requirement is that] complete reinvestigations **shall** be done at least once every six months at which time the parent(s) shall execute a formal written application for continuation of assistance. If this is not done and the CWA is responsible, the right of the client to continued assistance shall not be jeopardized.

[(b) In AFDC-F and -N, the redetermination of eligibility shall be undertaken every three months, in accordance with the regulations in subsection (a) of this section. In a companion case which includes a -C segment component, the three-month redetermination shall apply to the entire case.]

[(c)] (b) It is the responsibility of the CWA to maintain a control file to assure that redeterminations are undertaken and acted upon at intervals prescribed by regulation. The redetermination time interval shall be contingent upon the month in which an initial or regular grant of assistance is issued, rather than on such factors as the date of application or final validation of eligibility. For example, an AFDC[-C] case receiving an initial grant in July shall have a redetermination completed prior to the January payment so that the effective date of the redetermination will be January 1.

(a)

DIVISION OF PUBLIC WELFARE**General Assistance Manual
Emergency House Furnishings****Proposed Amendment: N.J.A.C. 10:85-4.6**

Authorized By: George J. Albanese, Commissioner,
Department of Human Services.
Authority: N.J.S.A. 44:8-111(d).

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before January 5, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

G. Thomas Riti, Director
Division of Public Welfare
CN 716

Trenton, NJ 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-496.

The agency proposal follows:

Summary

The proposal deletes the specification that the price limits on house furnishings apply only to new items. The regulation applies only to emergency losses such as burn-outs. The municipal welfare agencies do not purchase house furnishings in other circumstances.

Social Impact

The Department expects little or no social impact because the MWDs, in applying the limits, are already constrained by the current price structure to the purchase of used items.

Economic Impact

The only economic impact foreseen is, perhaps, an administrative saving in the paperwork which has been necessary to comply with the technical requirement.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

10:85-4.6 Emergency grants

(a) (No change.)

(b) Standards for emergency grants are:

1.-3. (No change.)

4. Emergency house furnishings: When authorized under [subsection] (a) **above** [of this section] emergency grants for house furnishings which the MWD deems urgent and essential to the physical health and safety of the eligible unit shall not exceed the maximum allowance in the following table [, which are applicable to new items. Where satisfactory used items in good condition are available, the amount granted shall be proportionately less, to be determined through the sound and reasonable discretion of the MWD].

5. (No change.)

(c)-(c) (No change.)

(b)

DIVISION OF PUBLIC WELFARE**General Assistance Manual
Completion of Forms GA-30 and GA-30A****Proposed Amendment: N.J.A.C. 10:85-6.5**

Authorized By: George J. Albanese, Commissioner,
Department of Human Services.
Authority: N.J.S.A. 44:8-111(d).

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before January 5, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

G. Thomas Riti, Director
Division of Public Welfare
CN 716
Trenton, NJ 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-495.

The agency proposal follows:

Summary

The proposal updates N.J.A.C. 10:85-6.5 to include a reference to Form GA-30A. Form GA-30A, entitled Agreement to Repay Assistance from Initial SSI Payment, is used by the municipal welfare director to seek reimbursement of assistance granted to those clients whose initial retroactive Supplemental Security Income (SSI) payments are erroneously mailed to them. Form GA-30 is separate and is designed to route the retroactive SSI check to the municipal welfare department.

Social Impact

The social impact of this proposal is expected to be negligible in that municipal welfare directors currently use this form but it has not previously been referenced in the Code. The form, when signed by a potential SSI recipient, becomes the legal basis by which municipal welfare directors can pursue reimbursement in the instance where the SSI recipient erroneously received a retroactive SSI check directly. These instances are recognized as rare throughout the State.

Economic Impact

No significant economic impact is foreseen since municipal welfare directors have observed the Form GA-30A procedure for some time. The proposal merely updates the existing rule.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

10:85-6.5 Reimbursement of assistance provided to applicants for SSI

(a)-(b) (No change.)

(c) **Completion of Forms GA-30 and GA-30A:** When an individual is about to apply or has already applied for SSI, the municipal welfare department will require that he[~~or~~] she sign Form GA-30, Authorization for Reimbursement of General Assistance from Initial SSI Payment[, and Form GA-30A, Agreement to Repay Assistance from Initial SSI Payment before granting assistance.

1. (No change.)

2. Couples applying for SSI: When both spouses are applying for SSI, separate sets of the GA-30 **and the GA-30A** must be completed for each individual. When one spouse is applying for SSI, the other spouse may be included in the SSI application as an "essential person", and only one GA-30 **and GA-30A** is to be completed.

3. **In any case in which the retroactive SSI check is sent directly to the client, the MWD will compute the reimbursement due in accordance with (d) below and will seek repayment from the client on the basis of the GA-30A agreement. The GA-30A is to be prepared in duplicate. The client is to receive a copy. The original is to be retained in the agency's file.**

(d)-(f) (No change.)

LAW AND PUBLIC SAFETY

(a)

BOARD OF PHARMACY

Computers in Pharmacies

Proposed Amendments: N.J.A.C. 13:39-6.4, 6.5, 6.7, 6.8, and 9.13

Authorized By: New Jersey State Board of Pharmacy,
Sheldon Moed, R.P., President.

Authority: N.J.S.A. 45:14-15 and 45:14-17.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before January 5, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Sheldon Moed, R.P., President
New Jersey State Board of Pharmacy
1100 Raymond Boulevard, Room 325
Newark, NJ 07102

The Board of Pharmacy thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-500.

The agency proposal follows:

Summary

The proposed changes to the rules extend and modify the current regulations to cover computerized recordkeeping in the practice of pharmacy, other than in hospitals. The Board intends to promulgate separate rules pertaining to the use of computers in hospital pharmacies. The proposal also establishes the requirements which pharmacists must follow when transferring prescriptions between pharmacies for the purpose of refill dispensing.

Social Impact

The proposed amendments to the regulations will bring the present regulations up to date, consistent with current state of the art technology regarding computers. These amendments will serve to protect the public against errors resulting from careless or frivolous use of computers and unwarranted invasion of patient profile records.

Economic Impact

The proposed regulations incorporate possible use of electronic data equipment into Board of Pharmacy regulations which heretofore have required manual compliance. Any costs incurred in software programming to comply are at the discretion of the pharmacist who chooses to replace the manual system. These costs should be nominal, one-time costs, readily amortized by eventual labor costs savings.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

13:39-6.4 Record of prescription refills

If a prescription is refilled, a record of the date upon which the prescription is refilled must appear on the prescription, [or] in a permanent prescription record book, **or in use of an electronic data processing system entered into such system.**

13:39-6.5 Authorization for renewal of prescriptions

(a)–(b) (No change.)

(c) When the renewals listed on the original prescription have been depleted, no additional renewals may be added to this prescription. A new prescription must be authorized as provided in N.J.S.A 45:14-14 by the prescribing physician and reduced to writing by the pharmacist for additional dispensing and entered into the electronic data processing system as a new prescription.

13:39-6.7 Copies of prescriptions

(a) Copies of prescriptions issued **directly to the patient** by the pharmacy where the medication was dispensed, pursuant to the receipt of said prescription, shall bear on the face thereof, in letters red in color and equal in size to those describing the medication dispensed, the statement: "COPY-FOR INFORMATION ONLY".

[(b) When a copy of a prescription is issued in writing or by telephone, refill authorizations shall be cancelled and the fact that a copy was issued shall be noted on the prescription with the date the copy was issued.]

[(c) Copies of prescriptions may not be used as authorizations for the dispensing of medication.]

(b) Prescriptions may be transferred by pharmacists between pharmacies for the purpose of refill dispensing provided that:

1. The transferor pharmacist invalidates the prescription on file as of the date the copy is given by writing "VOID" on its face, and records on the back of the invalidated prescription order that a copy has been issued, to whom, the date of issuance of such copy and the initials of the pharmacist issuing the transferred prescription order.

2. The transferee pharmacist, upon receiving such prescription directly from another pharmacist, records the following:

i. The name, address and original prescription number of the pharmacy from which the prescription was transferred;

ii. The name of the transferor pharmacist;

iii. All information constituting a prescription order, including the following:

- (1) Date of issuance of original prescription;
- (2) Original number of refills authorized on original prescription;
- (3) Complete refill record from original prescription;
- (4) Date of original dispensing;
- (5) Number of valid refills remaining.

3. The transferee pharmacist informs the patient that the original prescription has been cancelled at the pharmacy from which it was obtained.

(c) Computerized systems must satisfy all information requirements of a manual mode, including invalidation of the original prescription when transferred between pharmacies accessing the same prescription records or between pharmacies of the same ownership.

(d) Presentation of an informational written prescription copy or prescription label shall be for information purposes only and have no legal status as a valid prescription order. The recipient pharmacist of such copy or prescription label shall contact the prescribing practitioner or transferor pharmacy and obtain all information required under (b)2 above for authorization to dispense the prescription, which is the same as obtaining an original prescription order.

13:39-6.8 Record of pharmacist filling prescription

(a) A registered pharmacist who fills or compounds a prescription or who supervises the filling or compounding of a prescription by an intern shall place his/her signature or readily identifiable initials on the face of the original prescription. In use of an electronic data processing system, the initials of the pharmacist responsible for the filled prescription shall also be recorded in this system.

(b) A registered pharmacist who refills a prescription shall place his/her signature or readily identifiable initials on the reverse side of the original prescription next to the date of the refill and the amount dispensed in refilling the prescription, if it is different [than] from the original amount prescribed. In use of an electronic data processing system the information shall be entered into the electronic data processing system for refills.

(c) An intern who fills or compounds a prescription under the supervision of a registered pharmacist, shall place his/her signature or readily identifiable initials on the face of the original prescription. In use of an electronic data processing system, the initials of the intern responsible for the filling of the prescription shall also be recorded in this system.

(d) An intern who [fills] refills a prescription under the supervision of a registered pharmacist, shall place his/her signature or readily identifiable initials on the reverse side of the original prescription next to the date of the refill and the amount dispensed in refilling the prescription if different [than] from the original amount prescribed. In use of an electronic data processing system, this information shall be entered into the electronic data processing system for all refills.

(e) When a prescription is filled or refilled by an intern under the supervision of a registered pharmacist, the intern filling or refilling the prescription shall place his/her signature or readily identifiable initials, on the prescription as required in (c) and (d) above, prior to submitting the prescription to the registered pharmacist who shall place his/her signature or readily identifiable initials on the prescription, in accordance with (a) and (b) above, directly below the signature or readily identifiable initials of the intern who filled or refilled the prescription under his/her supervision. [Readily identifiable initials will be accepted in lieu of signature.] A record identifying such initials with the signature and the address of the pharmacist or intern, shall be maintained for a period of five years after the termination of employment of said pharmacist or intern.

(f) If an electronic data processing system is being utilized in connection with the [dispensing of medication] required recording of prescription information, a means acceptable to the Board may be utilized to identify the pharmacist or intern dispensing the medication.

(g) In use of an electronic data processing system, a pharmacist in charge shall maintain a document log in which each pharmacist shall sign a statement at the end of the pharmacist's working day attesting to the fact that the prescription information entered in the electronic data processing system that day is accurate and complete and identifying designations are correct. The document log shall be maintained at the pharmacy for a period of five years after the date of the last entry therein. The five years of record information may be kept in such a manner so as to be sight-readable within two weeks. The most recent one year of record information must be immediately retrievable.

(h) In the use of an electronic data processing system, the system shall have the capability of producing sight-readable documents of all original and refilled prescription data, as required by N.J.A.C. 13:39-13, and, in addition, the number of refills authorized by the prescribing physician for a period of not less than five years. Five years of record information must be maintained in such a manner so as to be sight-readable within two weeks. The most recent one year of record information must be immediately retrievable. The term sight-readable, as it appears in all regulations of the Board of Pharmacy means that the Board or Attorney General shall be able to examine the record of information and read the information. During the course of an on-site inspection, the record may be read from the cathode ray tube (CRT), microfiche, microfilm, hard copy printout or other acceptable method. For the purpose of administrative proceedings before the Board, records must be provided in a paper printout form.

(i) Initials of the dispensing pharmacist and intern if applicable must be entered into the system each time a prescription is filled or refilled. Initials which are system generated without direct entry at the time of dispensing are prohibited.

13:39-9.13 Patient profile record system

(a) A patient profile record system must be maintained [in] by all pharmacies for persons for whom prescriptions are dispensed. The patient profile record system shall be devised so as to enable the immediate retrieval of information necessary to enable the dispensing pharmacist to identify previously dispensed medication at the time a prescription is presented for dispensing. One profile card may be maintained for all members of a family living at the same address and possessing the same family name.

(b) (No change.)

(c) The pharmacist shall attempt to ascertain and shall record any allergies and idiosyncrasies of the patient and any chronic conditions which may relate to drug utilization as communicated to the pharmacy by the patient. **If there are no patient allergies, idiosyncrasies or chronic conditions which may relate to drug utilization, the pharmacist should so indicate on the patient profile record system.**

(d) Upon receipt of a prescription, a pharmacist must examine the patient's profile record before dispensing the medication to determine the possibility of a harmful drug interaction [or], reaction, or misutilization of the prescription. **In use of an electronic data processing system, electronic scanning of patient profile is permissible within the limits of the capability of the system in use by the pharmacist. It shall remain the responsibility of the pharmacist to determine any harmful drug interaction, reaction or misutilization of the prescription.** Upon recognizing a potential harmful reaction, interaction or misutilization, the pharmacist shall take appropriate action to avoid or minimize the problem which shall, if necessary, include consultation with the physician.

(e) A patient profile record must be maintained for a period of not less than five years from the date of the last entry in the profile record. **The oldest four years of record information may be maintained in such manner so as to be sight-readable within two weeks. The most recent one year of record information must be immediately retrievable.**

(f) **In the use of an electronic data processing system, an auxiliary recordkeeping system shall be established when the electronic data processing system is inoperative for any reason. If the electronic data processing system is restored to operation, the patient profile information and number of refills authorized shall be entered into the electronic data processing system within 72 hours.**

(g) **In use of an electronic data processing system, this system shall provide adequate safeguards against manipulation, alteration of records and confidentiality of the information contained in the data bank. The holder of the pharmacy permit shall make arrangements with the supplier of data processing services or materials to insure that the pharmacy continues to have adequate and complete prescription and dispensing records, if the relationship with such supplier terminates for any reason.**

[f](h) (No change in text.)

[g](i) The provisions of this regulation shall be fully implemented by July 31, 1972, and the additional portions of this regulation pertaining to computer recordkeeping shall be fully implemented by July 1, 1983.

(a)

BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Sealing of Documents

Proposed Amendments: N.J.A.C. 13:40-1.1 and 2.1

Authorized By: New Jersey Board of Professional Engineers and Land Surveyors, Robert J. Kirkpatrick, Jr., President.

Authority: N.J.S.A. 45:8-36.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before January 5, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Ruth Weisman, Executive Secretary
State Board of Professional Engineers
and Land Surveyors
1100 Raymond Boulevard, Room 319
Newark, NJ 07102

The Board of Professional Engineers and Land Surveyors thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-497.

The agency proposal follows:

Summary

The proposal replaces the word "stamping" with the word "sealing" in the regulations, to conform with the intent of N.J.S.A. 45:8-36.

Social Impact

The proposal will eliminate the misconception that professional engineers and land surveyors may use a rubber stamp facsimile of their raised seal on documents. This will afford greater protection to the public by reducing the possibility of counterfeit sealing or sealing of documents without personal review by the engineer or land surveyor.

Economic Impact

The proposal will pose minimal economic impact because the changes do not require any additional expenditures by any party.

Full text of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

13:40-1.1 Board regulation of [stamping] **sealing** documents
[The exact method of fulfilling the requirements as to the stamping of documents shall be regulated by the board.]

All sealing of documents must be done with an impression-type seal. A rubber stamp facsimile of the seal may not be used.

13:40-2.1 Board regulation of [stamping] **sealing** documents
[The exact method of fulfilling the requirements as to the stamping of documents shall be regulated by the board.]

All sealing of documents must be done with an impression-type seal. A rubber stamp facsimile of the seal may not be used.

ENERGY ENVIRONMENTAL PROTECTION

(a)

THE COMMISSIONER

Joint Proposal: Recycling Grants and Loans Programs Supplementary Projects Funding

Proposed New Rules: N.J.A.C. 7:26-15.8 and N.J.A.C. 14A:3-15.8

Authorized By: Robert E. Hughey, Commissioner,
Department of Environmental Protection, and Leonard
S. Coleman, Jr., Commissioner, Department of
Energy.

Authority: Recycling Act, P.L. 1981, c.278; N.J.S.A.
13:1E-6a(2) and N.J.S.A. 52:27F-11q.
Department Docket Nos.: DEP 056-82-11; DOE 002-82-
12.

Interested persons may submit in writing, data, views or
arguments relevant to the proposal on or before January 5, 1983.
These submissions, and any inquiries about submissions and
responses, should be addressed to:

Linda M. Scuzorzo
Office of Regulatory and
Governmental Affairs
New Jersey Department of Energy
101 Commerce Street
Newark, NJ 07102

The Departments of Environmental Protection and Energy
thereafter may adopt this proposal without further notice (see:
N.J.A.C. 1:30-3.5). The adoption becomes effective upon
publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-498.

The joint proposal follows:

Summary

The joint proposal inserts a provision permitting the Departments
of Environmental Protection and Energy to use monies from the
Program and Planning and Education funds not only for grants but
also for Supplementary Projects such as recycling research,
program development and implementation. The proposal also
enables the Departments to initiate projects for which public and
private groups may apply for funding. In addition, it permits public
and private groups to develop project proposals of their own for
funding by the Departments.

The current rules will be appropriately recodified.

Social Impact

The proposed new rule clarifies certain questions which have
arisen regarding the types of projects which may receive funding
from the Program and Planning Fund and Education Fund. The
Departments expect that the clarification will provide additional
opportunities for public and private groups to suggest projects
which may be funded pursuant to N.J.A.C. 7:26-15 (14A:3-15),
and will increase the number of recycling-related projects which
will be developed within the State.

Economic Impact

The Departments do not anticipate that the proposed new rule
will have any appreciable adverse impact on potential applicants for
Planning and Program Grants and Education Grants. This is the
case because the proposal does not impose any greater obligations
on these applicants than do the existing regulations.

The Departments may incur additional expenses in the event that
they decide to initiate or develop programs on their own, in the
manner permitted by the proposed new rule. However, the current
staff of the Departments are available to develop such programs; it
is not contemplated that additional staff will be necessary.
Therefore, the costs associated with implementation of the
proposed amendment will be minimal.

Full text of the joint proposal follows (additions indicated in
boldface **thus**; deletions indicated in brackets [thus]). The full text
of Subchapter 15 (Recycling Grants and Loans Program) can be
found at 13 N.J.R. 865(a) and 14 N.J.R. 206(b).

7:26-15.8 (14A:3-15.8) Application and award procedure for Supplementary Projects

(a) The Departments may, in their discretion, make available
any or all of the monies in the Program and Planning Fund and
in the Education Fund which are not used for the grants
specified in N.J.A.C. 7:26-15.7 (14A:3-15.7) for
Supplementary Projects involving recycling research, program
development, program implementation and other related
activities. Supplementary Projects may be developed by the
Departments on their own initiative or in response to proposals
submitted by public or private entities.

(b) Awards for Supplementary Projects shall be made giving
due consideration to the qualifications of the applicants in view
of the nature of the projects. Awards may be made by the
Departments as grants, contracts, or other forms of
disbursement as appropriate for the particular Supplementary
Project.

Renumber old 7:26-15.8 (14A:3-15.8) through 7:26-15.12 (14A:3-
15.12) as **7:26-15.9 (14A:3-15.9)** through **7:26-15.13 (14A:3-
15.13)**: No change in text.

[7:26-15.13 (14A:3-15.13)] **7:26-15.14 (14A:3-15.14)** Return of grants

(a) (No change in text.)

(b) The Departments shall, upon receipt of the monies, return
same to the appropriate Fund in accordance with the provisions of
[section 9 of this subchapter.] **N.J.A.C. 7:26-15.10 (14A:3-
15.10)**.

Renumber old 7:26-15.14 (14A:3-15.14) and 7:26-15.15 (14A:3-
15.15) as **7:26-15.15 (14A:3-15.15)** and **7:26-15.16 (14A:3-
15.16)**: No change in text.

TRANSPORTATION

(a)

PUBLIC TRANSPORTATION

Autobus Specifications

Vans, Small Buses, Recreational Vehicles, Sedans; Special Equipment for Wheelchairs; Modified Interiors for Charter or Special Bus Operations; Certificates; Public Liability Insurance

Proposed Amendments: N.J.A.C. 16:53-1.1–1.3, 1.6, –1.9, 1.11, 1.19, 1.21, 1.27–1.29; 3.1–3.6, 3.8–3.33; 5.1; 9.1, 9.2

Proposed New Rules: N.J.A.C. 16:53-1.22–1.26, 1.30; –2; 3.7, 3.34–3.39; –4, –6, –7, –8

Authorized By: John P. Sheridan Jr., Commissioner,
Department of Transportation.

Authority: N.J.S.A. 27:1A-5, 1A-6, 52:14D-1 et seq.,
Executive Order on Reorganization Plan for Board of
Public Utilities, September 18, 1978. (See: 10 N.J.R.
466(a).)

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before January 5, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers
Administrative Practice Officer
Department of Transportation
1035 Parkway Avenue
Trenton, NJ 08625

The Department of Transportation thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-508.

The agency proposal follows:

Summary

The existing regulations of the Board of Public Utilities regarding autobus specifications (which were transferred to the Department of Transportation pursuant to Reorganization Plan Laws 1978) provide for certain vehicular standards, pertaining to the overall length of autobuses, vans, sedan-type autobuses and special equipment required to transport passengers in wheelchairs. In view of recent technological advances, the proposed amendments and new rules provide specifications for parts and accessories necessary for the safe operation of autobuses.

N.J.A.C. 16:53-1.1 establishes specifications for vans formerly van-type autobuses.

N.J.A.C. 16:53-2.1 provides special equipment for vehicles used to transport passengers in wheelchairs.

N.J.A.C. 16:53-3.1, formerly N.J.A.C. 14:11-2.1, is transferred pursuant to the Reorganization Plan, Laws 1978, and amended to comply with Department of Transportation Motor Carrier Safety Regulations, Part 393.

N.J.A.C. 16:53-4.1 is a new rule which provides specifications

for the interior of autobuses used for charter or special bus operations.

N.J.A.C. 16:53-5.1 formerly N.J.A.C. 14:11-3.1 has been transferred in compliance with Reorganization Plan, Laws 1978 and updated in accordance with DOT Motor Carriers Safety Regulations.

N.J.A.C. 16:53-6 and -7 are new rules which provide specifications for small bus and special autobus-type recreational vehicles, respectively, as required by Department of Transportation Federal Motor Carriers Safety Regulations.

N.J.A.C. 16:53-8.1 formerly Administrative Order 14:212a, provides specifications for sedan-type autobuses in compliance with Reorganization Plan, Laws 1978 and Department of Transportation Federal Motor Carriers Safety Regulations.

N.J.A.C. 16:53-9 formerly N.J.A.C. 14:4-2, provides for the requirements for insurance and prescribes forms to be utilized in compliance with Uniform Motor Carrier Insurance Regulations.

Social Impact

These amendments and new rules will enhance the safety and well-being of passengers including the handicapped in knowing that the New Jersey transit system is safe and provides adequate protection. Additionally, these amendments and new rules will afford confidence to the passengers that their best interests are being considered by State government.

Economic Impact

The introduction of autobuses equipped to transport various types of passengers will allow carriers to upgrade equipment and transport more passengers at an appreciable cost saving. "Articulated" buses for example, are potentially 20 percent more economical per person per mile than the standard autobuses when total annual fixed costs are measured. Autobuses meeting the specifications prescribed will result in lower maintenance costs.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

SUBCHAPTER 1. AUTOBUS SPECIFICATIONS FOR [VAN-TYPE AUTOBUSES] VANS

FOREWORD

Note the following references:

VAN - vehicle having a seating capacity of 15 adult passengers or less, not including driver

16:53-1.1 Scope

(a) (No change.)

(b) Any [van-type autobus] **van** now in operation or acquired prior to [January 1, 1979] **January 2, 1983** and for which the [Board of Public Utilities (Board) or the Department] **New Jersey Department of Transportation** has issued a Certificate of Compliance may continue in service as presently designed, constructed and equipped.

(c) The following specifications apply to all [van-type autobuses] **vehicles described in (b) above** in interstate or intrastate common carriers service subject to the Department's jurisdiction and for which a Certificate of Compliance of this Department is required.

(d) [Van, van-type small bus, means those motor vehicles of any description which may originally have been constructed for other purpose, i.e. non-passenger truck use, in which seats have been installed for carrying passengers.] **For purposes of this subchapter, a van shall be defined as a motor vehicle used in the transportation for hire having a seating capacity of 15 adult passengers or less, not including driver. The Gross Vehicle Weight Rating (GVWR) shall not exceed 10,000 pounds.**

16:53-1.2 Dimensions

(a) The overall length of the vehicle, including bumpers, shall not exceed [225 inches] **25 feet**.

(b) (No change.)

(c) Ceiling height of not less than 74 inches, measured vertically along the center aisle, shall be provided on vehicle having a raised roof and/or center aisle.]

16:53-1.3 Chassis and body construction

(a) The chassis and body construction shall be of sufficient size and strength to safely support the gross vehicle weight (GVW) and the allowable payload, as recommended by the chassis manufacturer. [The minimum gross vehicle weight rating (GVWR) shall not be less than 7,000 pounds.]

(b) The gross vehicle weight rating (GVWR) shall not exceed 10,000 pounds but in no event shall be less than the sum of the unloaded vehicle and the rated minimum cargo load of 50 pounds multiplied by the seating capacity and the passenger load rated at 150 pounds multiplied by the seating capacity.]

[(c)] (b) (No change.)

[(d)] (c) (No change.)

(e) [(d)] Altering of the wheel base or the standard chassis frame in any manner shall be [prohibited.] **permitted when work is performed by the chassis or unit manufacturer or by others on a Certification of Approval by the original manufacturer. Such certification is to contain a detailed description of the extension. An extension may be installed at the rear end of the original chassis frame by the chassis manufacturer, or on the chassis manufacturer's Certificate of Approval of such extension.**

[(f)] (e) (No change.)

[(g)] (f) Roof modifications shall meet the requirements of the static test load code as set forth in regulation [VESC-10] **VESC 6-10** (Vehicle Equipment Safety Commission), [relating to minimum requirements for type II school bus construction and equipment.] A certificate stating that the requirements have been met must be presented at the time of inspection.

[(h)] (g) (No change.)

[(i)] (h) (No change.)

16:53-1.4 Equipment unit

(a)-(b) (No change.)

16:53-1.5 Interior

(a)-(b) (No change.)

16:53-1.6 Doors

(a)-(b) (No change.)

(c) Right front entrance door on vehicles with raised roofs shall be a minimum of 24 inches in width and 74 inches in height, and such doors shall be under control of the driver while in the driver's seat.]

[(d)] Doors located at the rear of the driver shall be equipped with an audible or visible signal, indicating to the driver when a door(s) is not completely closed. Any visible signal shall be red in color and of sufficient size to be clearly discernable to the driver.]

16:53-1.7 Emergency exits

(a) (No change.)

(b) Vehicle manufactured on and after September 1, 1973 having a seating capacity of more than 10 passengers, including the driver shall have emergency exits conforming to FMVSS No. 217[,] and N.J.A.C. 16:53-1.6(b) applicable to vehicle with a GVWR of 10,000 pounds or less. (Vehicles equipped with doors as stated in [14:11-9.6(b) of] these specifications shall be deemed to meet the requirements of FMVSS No. 217[,] and N.J.A.C. 16:53-1.6(b) re: vehicle manufactured on and after September 1, 1973).

(c) (No change.)

(d) Side doors and accessible rear doors shall be conspicuously marked by the words "EMERGENCY DOOR" or "EMERGENCY

EXIT" on the interior, on, above, or immediately adjacent to the door. The markings shall be in letters of not less than two inches in height[,], [and in addition, the emergency exits shall be identified by a red light.]

16:53-1.8 Aisles

(a) Vehicle equipped with a rear seat located to the rear of the rearmost opening of the right center side door shall have an aisle leading from the rearmost seat to the right center side door opening having a minimum width [11] **10** inches.

(b) (No change.)

16:53-1.9 Seating

(a)-(c) (No change.)

(d) A minimum of [36] **35** inches of headroom measured from top of the seat cushion to the ceiling shall be provided.

(e)-(g) (No change.)

(h) [Seat areas] **Bench type seats shall be equipped with suitable end arm rests.**

(i) **Wheelchair positions may be rear, longitudinal, diagonal or forward-facing and comply with N.J.A.C. 16:53-1.29.**

16:53-1.10 Glazing

(No change.)

16:53-1.11 Lights: reflectors

(a)-(b) (No change.)

(c) Vehicles shall be equipped with approved rear reflectors on each side. [Reflectors shall be mounted not over 60 inches nor less than 24 inches measured from the reflector center level to the ground.]

16:53-1.12 through 16:53-1.18

(No change.)

16:53-1.19 Steps

(a) The first step at the right side center **door** area shall not be less than 10 inches nor more than 16 inches from the ground, when the vehicle is unloaded.

(b)-(d) (No change.)

16:53-1.20 Sun visor

(No change.)

16:53-1.21 Baggage racks and compartments

(a)-(b) (No change.)

(c) Interior baggage area shall be separated from the passenger compartment by a plexiglass **or similar material** partition of at least 3/8-inch thick or of rigid plastic of the approved type - AS-4 through 13, or a metal grill of sufficient strength and construction to safely separate the areas, properly installed in a workmanlike manner. Interior baggage shall be carried in a manner so as not to interfere with any passenger seat, safety or comfort.

16:53-1.22 Drive shaft

The drive shaft shall be so constructed or equipped to prevent it from coming in contact with the roadway or with parts of the vehicle in the event that it becomes disconnected.

16:53-1.23 Speedometers

Each vehicle shall be equipped with a suitable speedometer which shall be operative with reasonable accuracy in miles per hour and readily visible to the driver.

16:53-1.24 Overhang of body

(a) **The maximum overhang of body to rear of the rear axle shall not be in excess of one-third of the total length of the vehicle.**

(b) **Vehicle measurements are to be taken from the extreme front to the extreme rear of the vehicle, not including bumpers.**

(c) Overhang measurements are to be taken from the center of the rear axle to the extreme rear end of the vehicle, not including rear bumper.

16:53-1.25 Signaling device

Each vehicle shall be equipped with a horn or other signaling device to give reasonable warning to other users of the highway of the approach of the vehicle.

16:53-1.26 Grounding device

Each vehicle, unless otherwise designed to eliminate static electric charge buildup, shall be equipped with a suitable grounding device.

[16:53-1.22] 16:53-1.27 Identification

(a) No van shall be operated unless it displays the exact name of the operator on each side of its exterior in clearly visible letters at least [1-5/8] three inches in height. [the exact name of the owner.]

[(b) The name of lessees, if any, shall be displayed in like manner, preceded by the words, "operated by".]

[(c)] (b) Every van shall be assigned an identifying number by the utility. This number must be displayed on the interior front, and the front, rear and both sides of the exterior. Interior number shall be at least [1-3/8] three inches in height. All exterior numbers shall be at least [3-5/8] three inches and of a sharply contrasting color from the background.

[(d)] (c) Each van shall have displayed on the righthand side thereof the number of the Department's Certificate of Compliance in letters and figures [two] three inches high in the following style; NJDOT V-123.

[16:53-1.23 Undercoating

Vehicles shall have applied to the underside of the body, front fender, floor members, and side panels below the floor level, undercoating of a fire resistant material for the purpose of sealing, insulating, reducing oxidation and noise level.]

[16:53-1.24] 16:53-1.28 Certificate of inspection (No change.)

[16:53-1.25] 16:53-1.29 Maintenance

(a) (No change.)

(b) A [current] maintenance record shall be kept showing the vehicle identification, driver, date of breakdowns, defects reported, corrective measures. The records shall also indicate the party making corrections and the date corrections were made.

(c) Vehicles inspected at other than the home garage shall have [defect] maintenance records available at inspection site.

(d)-(g) (No change.)

16:53-1.30 Inspection and Certificate of Inspection

(a) All vans for which Certificate of Compliance have been issued by the Department shall be inspected at least twice annually. Nothing herein contained shall limit the Department's authority to require more frequent inspection of such vehicles when, in its opinion, the safety of the public so requires.

(b) No van shall be operated unless it prominently displays an unexpired Certificate of Inspection issued by the Department visible from the exterior, on the lower right corner of the right-hand windshield.

(c) All vans operating in the State shall be subject to road and terminal checks. These shall be conducted at the Department's option as to location and frequency.

SUBCHAPTER 2. SPECIAL EQUIPMENT FOR VEHICLES USED TO TRANSPORT PASSENGERS IN WHEELCHAIRS

16:53-2.1 Doors

(a) A service door(s) shall be located on the right side. The door(s) opening shall be of sufficient size to accommodate the wheelchair and seated passenger.

(b) A drip molding shall be installed above the door(s) opening to effectively spill water from the entrance.

(c) The door(s) shall cover the entire opening and shall be weathersealed to include lift or ramp storage area.

(d) The door(s) shall be equipped with a device that will actuate an audible or visible signal when the door(s) is not securely closed. Such warning signal shall be located in the driver's compartment.

(e) A positive fastening device shall be installed to hold the door(s) in an open position.

(f) A light located over the service door(s) and activated by opening the door(s) shall be provided.

16:53-2.2 Ramp

(a) If a ramp is used, it shall be stored completely enclosed in the vehicle and shall be of sufficient strength and rigidity to support wheelchair, occupant and attendant. It shall be equipped with protective flange on each longitudinal side to keep the wheelchair on the ramp. The ramp shall be capable of supporting a minimum of 500 pounds.

(b) Ramp shall be equipped with handle(s) designed to permit one person to place the ramp in service position and to return it to storage area.

(c) Ramp shall be properly secured in the stored position.

(d) Provisions shall be made to permanently attach the ramp at one end to the inside of the vehicle at floor level, in such manner as to permit easy access of the wheels of the wheelchair(s) to the floor of the vehicle.

(e) Width of ramp shall conform generally to width of the door(s) opening.

(f) Rear door ramps are not permitted.

16:53-2.3 Power lift

(a) If a power lift is used, it shall be stored completely within the vehicle and shall be of sufficient size to accommodate the wheelchair and occupant. The power lift shall be capable of lifting a minimum load of 500 pounds. Protective panelling adjacent to the lift shall be provided to prevent shearing action between platforms and vehicle floor.

(b) The power lift shall be mounted on the chassis frame or vehicle body, provided the body and or chassis frame is adequately strengthened and warranted by the lift installer. Edges of platform and adjacent floor shall be properly finished and all seams covered with molding as required for vehicle floor. Flexible seals, designed to keep out dirt, water and fumes, when in a locked position, shall be installed along platform edges.

(c) The power lift floor shall be of skid-resistant material.

(d) An approach ramp shall be permanently attached to the lift platform. When the platform is in the down position, approach ramps shall minimize the incline from the ground to the lift floor. The approach ramp shall have a skid-resistant surface. There shall be means provided to contain the wheelchair on lift platform when platform is in use.

(e) A device shall be installed which will prevent operation of lift until door(s) is open.

(f) A device shall be provided to prevent power lift from dropping while in a stored position.

(g) All electrical and hydraulic lines within the passenger compartment shall be adequately enclosed and protected.

(h) Rear door lifts are prohibited.

(i) In the event the power lift, when in stored position, prevents inside access to the special service door(s) opening, the lift control system shall be equipped with a device which will allow moving the lift from its obstructing position in the event of an emergency or power failure.

(j) All lifts shall be approved by lift manufacturer for passenger carrying purposes. Manufacturer's certificate must be permanently attached to vehicle.

16:53-2.4 Fastening devices for wheelchairs

Positive fastening devices as approved by the New Jersey Department of Transportation shall be provided, attached to the floor, walls or both, that will securely hold wheelchair(s) in position and will not constitute a tripping hazard. Fastening devices attached to the underside of a fold-up seat shall be permitted if the original manufacturer certifies their suitability.

16:53-2.5 Aisle

Any aisle leading from a wheelchair position to the emergency or exit door shall be a minimum width of 30 inches.

16:53-2.6 Fuel tanks

The fuel tank may be located at other than normal position if required for wheelchair installation and approved by the New Jersey Department of Transportation.

16:53-2.7 Interlocks

Interlocks shall be provided to prevent the operation of the vehicle while the lift or ramp is not in its stored position.

OFFICE OF ADMINISTRATIVE LAW NOTE: The following subchapter was originally codified in Title 14 as N.J.A.C. 14:11-2. It was recodified as N.J.A.C. 16:53-2 on February 1, 1982. See: 13 N.J.R. 834(a), 14 N.J.R. 160(b).

SUBCHAPTER [2.] 3. AUTOBUS SPECIFICATIONS

[16:11-2.1] 16:53-3.1 Scope

(a) The [Board] New Jersey Department Of Transportation hereby adopts the rules and regulations relating to the safety of equipment as promulgated from time to time by the United States Department of Transportation (formerly ICC Motor Carrier Safety Regulations), presently set forth in Part 393, entitled "Parts and Accessories Necessary for Safe Operation", as amended. A copy of these regulations entitled "Department of Transportation Motor Carrier Safety Regulations", may be obtained from the Superintendent of Documents, Washington, D. C. 20423.

(b) The following specifications apply to all autobuses for which a Certificate of Compliance of this [Board] Department is required. [With respect to sedan type autobuses.] The specifications applicable to sedan-type autobuses are set forth in [Administrative Order 14:212(A)] N.J.A.C. 16:53-8; for vans N.J.A.C. 16:53-1, and small buses N.J.A.C. 16:53-4.

(c) Any autobus now in operation or acquired prior to [July 1, 1972] January 2, 1983, and for which this [Board] Department has issued a Certificate of Compliance, may continue in service as presently designed, constructed and equipped where the context of these specifications indicates to the contrary. Any autobus for which a contract of sale or purchase order has been entered into, on or before January 2, 1983, should be certificated in accordance with specifications in effect prior to January 2, 1983.

(d) For purposes of this subchapter, an autobus shall be defined as a motor vehicle used in the transportation for hire having a seating capacity of 16 or more passengers, except as provided in "modified interiors", with an interior height of not less than 75 inches. For purposes of this chapter, an articulated vehicle is a single unit.

[16:53-2.2] 16:53-3.2 Dimensions of autobuses

(a) The overall length, for a single unit bus, shall not exceed 40 feet, 0 inches, excluding bumpers[.], except that an articulated bus shall not exceed 61 feet, 0 inches, excluding bumpers.

(b) (No change.)

(c) No autobus with an outside width in excess of 96 inches, will be approved unless request for approval is accompanied by a certificate, of the Division of Motor Vehicles in the Department of Law and Public Safety, that the proposed width is not unsafe for use on the highways in this State, and of the [State Highway Department] Department of Transportation, that the proposed width, if in excess of 96 inches, is not in conflict with the requirements of any agency of the United States having jurisdiction over the National System of Interstate and Defense Highways authorized by law. No outside width so prescribed shall be valid if the allowance or use of same would disqualify the State of New Jersey or any department, agency or governmental subdivision thereof for the purpose of receiving Federal highway funds.

(d) (No change.)

(e) The overall height of an autobus shall not exceed 13 feet, 6 inches.

[16:53-2.3] 16:53-3.3 Window [seat distance] opening

[When the distance between the horizontal level of any seat and the lower edge of the window opening or the top of the window guards above said seat is less than 18 inches.] Window opening shall be restricted to a maximum of six inches.

[16:53-2.4] 16:53-3.4 Guard rail

[All autobuses normally transporting passengers in excess of seated capacity shall be equipped with a suitable guard rail or gate which will prevent passengers from occupying any space forward of the plane of the back of the driver's seat when the bus is in motion.] All autobuses so equipped to permit the carrying of standees shall comply with FMCSR 393.90. A crowd gate or guard rail that is installed in an autobus shall be in operating condition.

[16:53-2.5] 16:53-3.5 Partition and curtain

All autobuses shall be equipped with a partition of wood or metal and wire glass or safety glass or plexiglass at least 3/8 inches thick or rigid plastic of the approved type--AS-4 through AS 13, and located to the rear of the driver's seat with a suitable curtain, or tinting, if necessary, to shield the driver from the glare of inside lights.

[16:53-2.6] 16:53-3.6 Service doors

(a)-(c) (No change.)

16:53-3.7 Special equipment for vehicles used to transport passengers in wheelchairs

(a) Doors shall conform as follows:

1. A service door(s) shall be located on right side. The door(s) opening shall be of sufficient size to accommodate the wheelchair and seated passenger;

2. A drip molding shall be installed above the door(s) opening to effectively spill water from entrance;

3. The door(s) shall cover the entire opening and shall be weathersealed to include lift or ramp storage area;

4. The door(s) shall be equipped with a device that will actuate an audible or visible signal when the door(s) is not securely closed. Such warning signal shall be located in the driver's compartment;

5. A positive fastening device shall be installed to hold the door(s) in an open position; and

6. A light located over the service door(s) and activated by opening the door(s) shall be provided.

(b) Ramps shall conform as follows:

1. If ramp is used, it shall be stored completely enclosed in the

vehicle and shall be of sufficient strength and rigidity to support wheelchair, occupant and attendant. It shall be equipped with protective flange on each longitudinal side to keep the wheelchair on the ramp. The ramp shall be capable of supporting a minimum of 500 pounds;

2. Ramp shall be equipped with handle(s) designed to permit one person to place the ramp in service position and to return it to storage area;

3. Ramp shall be properly secured in the stored position;

4. Provisions shall be made to permanently attach the ramp at one end to the inside of the vehicle at floor level, in such manner as to permit easy access of the wheels of the wheelchairs(s) to the floor of the vehicle;

5. Width of ramp shall conform generally to width of the door(s) opening; and

6. Rear door ramps are not permitted.

(c) Power lifts shall conform as follows:

1. If a power lift is used, it shall be stored completely within the outside dimensions of the vehicle and shall be of sufficient size to accommodate the wheelchair and occupant. The power lift shall be capable of lifting a minimum load of 500 pounds. Protective panelling adjacent to the lift shall be provided to prevent shearing action between platforms and vehicle floor;

2. The power lift shall be mounted on the chassis frame or vehicle body, provided the body and/or chassis frame is adequately strengthened and warranted by the lift installer. Edges of platform and adjacent floor shall be properly finished and all seams covered with molding as required for vehicle floor. Flexible seals, designed to keep out dirt, water and fumes, when in a locked position, shall be installed along platform edges;

3. The power lift floor shall be of skid-resistant material;

4. An approach ramp shall be permanently attached to the lift platform. When the platform is in the down position, the approach ramp shall minimize the incline from the ground to the lift floor. The approach ramp shall have a skid-resistant surface. There shall be means provided to contain the wheelchair on lift platform when platform is in use;

5. A device shall be installed which will prevent operation of lift until door(s) is open;

6. A device shall be provided to prevent power lift from drifting or dropping while in a stored position;

7. All electrical and hydraulic lines within the passenger compartment shall be adequately enclosed and protected;

8. Rear door lifts are not permitted;

9. In the event the power lift, when in stored position, prevents inside access to the special service door(s) opening, the lift control system shall be equipped with a device which will allow moving the lift from its obstructing position in the event of an emergency or power failure; and

10. All lifts shall be approved by lift manufacturer for passenger carrying purposes. Manufacturer's certificate must be permanently attached to vehicle.

(d) Positive fastening devices for wheelchairs shall be provided, attached to the floor, walls or both, that will securely hold wheelchair(s) in position and will not constitute a tripping hazard. Fastening devices attached to the underside of a fold-up seat shall be permitted if the original manufacturer of the vehicle certifies their suitability.

(e) Any aisle leading from a wheelchair position to the emergency or exit door(s) shall be a minimum width of 30 inches.

(f) The fuel tank may be located at other than normal position if required for wheelchair installation and approved by the New Jersey Department of Transportation, provided location of fuel tank does not create a safety hazard.

(g) Interlocks shall be provided to prevent the operation of the vehicle while the lift or ramp is not in its fully stored and locked position.

[16:53-2.7] **16:53-3.8** Emergency door

(a)-(e) (No change.)

(f) In lieu of an emergency door, each autobus shall have adequate means of escape for passengers through push-out type windows. **Roof hatches are also required where there is no rear push-out type window.** Each push-out type window so constructed, shall have a frame or sash so designed, constructed and maintained as to provide free opening with reasonable effort. **Both push-out type windows and roof hatches must conform with FMVSS 217.**

[16:53-2.8] **16:53-3.9** Aisle

(No change.)

[16:53-2.9] **16:53-3.10** Seat dimensions

(a)-(b) (No change.)

(c) The seating capacity or seat layout in any autobus shall not be permanently changed without notification to the [Board] **Department** and no autobus in which such changes have been made shall be placed in service until inspected and approved by a representative of the [Board] **Department**.

(d) Permanent seats may be installed to the right of the driver provided an [adequate] **approved** transparent shield is installed between the driver and the seat to prevent passengers from interfering with or conversing with the driver.

[16:53-2.10] **16:53-3.11** Entrance handles for passenger use

(a)-(b) (No change.)

[16:53-2.11] **16:53-3.12** Handles for standing passengers

(a)-(b) (No change.)

(c) **Standing passengers shall not be carried in excess of the following limitations, except that the total weight of the passenger load plus the combined weight of the body and chassis shall not exceed the gross vehicle weight rating recommended by the chassis manufacturer:**

1. 75 percent of the seating capacity of a bus with a main aisle not less than 20 inches wide;

2. 70 percent of the seating capacity of a bus with a main aisle less than 20 inches but not less than 19 inches wide;

3. 65 percent of the seating capacity of a bus with a main aisle less than 19 inches but not less than 18 inches wide;

4. 60 percent of the seating capacity of a bus with a main aisle less than 18 inches but not less than 17 inches wide;

5. 55 percent of the seating capacity of a bus with a main aisle less than 17 inches but not less than 16 inches wide;

6. 50 percent of the seating capacity of a bus with a main aisle less than 16 inches but not less than 15 inches wide;

7. 40 percent of the seating capacity of a bus with a main aisle less than 15 inches but not less than 14 inches wide.

(d) **Passengers shall not be permitted to stand forward of the crowd gate or marking, described in FMCSR 393.90, as may be applicable, while the bus is in motion.**

(e) **All vehicles carrying passengers must have the permitted standing passengers capacity of vehicle displayed on the exterior of vehicle adjacent to the area of the entrance door and clearly visible to all boarding passengers.**

[16:53-2.12] **16:53-3.13** Lights

(a)-(c) (No change.)

[16:53-2.13] **16:53-3.14** Passenger signal

A satisfactory signal system shall be provided and maintained for the use of passengers to signal for a stop[.] **if operated on an approved route and passengers are discharged at points between termini.**

[16:53-2.14] **16:53-3.15** Signs

(a) **[A] An illuminated** sign indicating route [where applicable,] and destination shall be provided, so designed and located that it

may be read by day or night. [from a point at least 100 feet forward from the front of the vehicle.] This sign must not interfere with the driver's view or produce an annoying glare.

(b) The requirement for destination sign may be omitted in certain instances provided the operator receives written approval from the Department.

[(b)] (c) A sign shall be provided indicating that smoking on autobuses is prohibited by law.

[16:53-2.15] **16:53-3.16** Chassis and body or bus unit
(a)-(b) (No change.)

[16:53-2.16] Height of frame

(a) The height of chassis frame shall not exceed 35 inches from the ground to the top of the frame, measured at the front service door without passenger load.

(b) The height of floors of buses constructed in unit shall not exceed 47 inches from the ground, measured at front service doors without passenger load.]

[16:53-2.17] **16:53-3.17** Relation of body and chassis frame

(a) The body shall not extend more than [15] **18** inches beyond the rear of the main frame supporting the body.

(b) [Extensions of standard chassis frames will not be permitted.] **An extension may be installed at the rear end of the original chassis frame by the chassis manufacturer, or by any other person, provided the chassis manufacturer issued an approval for such extension.**

[16:53-2.18] **16:53-3.18** Overhang of body
(a)-(c) (No change.)

[16:53-2.19] **16:53-3.19** Bumpers

(a) (No change.)

(b) The rear bumper shall extend at least four inches beyond the body limits and be shielded on the top to prevent toehold[.]. [except on autobuses constructed with the motor attached to the extreme rear end of the chassis frame or with compartments of similar size between the extreme rear of the bus body and rear seat in the passenger compartment.]

[16:53-2.20] **16:53-3.20** Brakes

(a) Every autobus shall be equipped with two independent brake systems. Service brakes shall operate on all wheels and shall be capable of bringing the autobus to a stop [at a rate of deceleration equivalent to a stop] of 22.5 feet **or less** from a speed of 20 miles per hour.

(b) The emergency brake shall be capable of bringing the autobus to a stop [at a rate of deceleration equivalent to a stop] of 75 feet **or less** from a speed of 20 miles per hour.

[1. Emergency brake is to be activated by energy independent of energy to service brakes.]

[2.] **1. [Brakes] Emergency brake** is to be activated and capable of stopping and holding bus if main [energy] **system** supply to service brake falls below safe operating level. Upon application of emergency brake, it must remain on, though source of energy for application may be eliminated.

[3.] **2. When emergency brake** is activated by loss of [main energy supply] **system to main** service brakes, driver, without leaving seat, must be able to override emergency brake a minimum of three times. Control to operate override shall be of a "dead man" type, necessitating constant driver effort to use. **All buses equipped with air brakes manufactured after March, 1975, must comply with FMVSS No. 121, pertaining to split system and emergency application.**

[4.] **3. Any [energy supply] system source** to activate emergency brake shall be separate and independent of main [energy] **service brake system** supply [reservoirs] **source.**

(c) The braking distance [shall] **will ordinarily** be measured by means of an instrument or machine of the decelerometer type capable of being read in feet.

(d) Brake systems actuated by compressed air pressure or vacuum power shall be constructed to afford the following results:

1. Compressed air brake systems shall be equipped with an air compressor of sufficient size to fully charge the reservoir to its rated operating pressure in three minutes[.] **or less.**

2. Reservoir capacity shall be sufficient to [permit not less than] **maintain 60 PSI after** four full brake applications. [and maintain 60 psig after the motor has been shut off.] **This shall be accomplished with engine and compressor shut down.**

3. Compressed air reservoirs **system** shall be equipped with a safety valve that shall vent to the atmosphere. [at an air pressure not] **Safety valve setting shall not be** in excess of 1 1/2 times the maximum air compressor [governor] **governed pressure** setting. The safety valve shall be tested at intervals of not greater than six months.

4. Vacuum reservoirs shall have a volume of not less than 1,000 cubic inches **and shall be used** for braking purposes only.

5. Vacuum brake systems shall develop a minimum of 14 inches of reservoir vacuum [in] **within** the following [manner] **times:**

i. Intake manifold of [motor] **engine** [within] one minute, and

ii. Vacuum pump, [within] two minutes.

(e) Brake systems shall be equipped with pressure or power gauge, [not less than three inches in diameter,] **indicating pounds per square inch**, located in clear view of the driver and illuminated during the period running lights are required.

(f)-(g) (No change.)

[16:53-2.21] **16:53-3.21** Equipment unit

(a) Only single-unit, **including articulated**, autobus equipment with the motive power and the passenger compartment mounted on such unit will be permitted.

(b) Trailers will not be permitted to be attached to an autobus used in the transporting of passengers.

[16:53-2.22] **16:53-3.22** Identification

(a) No autobus shall be operated unless it displays on each side of its exterior, **the exact name of the operator** in clearly visible letters at least [1-5/8] **three** inches in height. [the exact name of the owner.]

[(b) The name of the lessee, if any, shall be displayed in like manner, preceded by the words "operated by".]

[(c)] **(b)** Every autobus shall be assigned an identifying number by the utility. This number must be displayed on the interior front, and the front, rear and both sides of the exterior. Interior **and exterior** numbers shall be at least [1-3/8] **three** inches in height [. All exterior numbers shall be at least 3 5/8 inches in height] and of a sharply contrasting color from the background.

[(d)] **(c)** Each autobus shall have displayed on the right-hand side thereof, the number of the [Board's] **Department's** Certificate of Compliance in letters and figures [two] **three inches high in the following style: [NJPU] NJDOT 12345.**

[(e) Subsections (a) through (c) of this section do not include limousine or van-type buses limited to 11 passengers, as they will be identified by a PUC-LIM license plate furnished by the Division of Motor Vehicles.]

[16:53-2.23] **16:53-3.23** Inspection and certificate of inspection

(a) All autobuses for which Certificates of Compliance have been issued by the [Board] **Department** shall be inspected at least twice annually. Nothing [herein contained] **contained herein** shall limit the [Board's] **Department's** authority to require more frequent inspection of such autobuses when, in its opinion, the safety of the public so requires.

(b) No autobus shall be operated unless it prominently displays [on the lower right corner of the right-hand windshield, visible from the exterior,] an unexpired Certificate of Inspection issued by the

[Board.] **Department, visible from the exterior, on the lower right corner of the right-hand windshield.**

(c) All autobuses operating in the State shall be subject to road and terminal checks. These shall be conducted at the Department's option as to location and frequency.

[16:53-2.24] **16:53-3.24 Maintenance**

(a) (No change.)

(b) A [current] **maintenance** record shall be kept showing the vehicle identification, date of breakdowns, any defects reported and corrective measures taken. These records shall be retained by the utility for at least three months **and shall be available for review by the Department.**

(c) Each utility shall make a complete inspection of each motor vehicle at regular time or mileage intervals for mechanical or structural defects and all necessary repairs shall be made before the motor vehicle is returned to service. An itemized record of each inspection, showing the date, vehicle identification, lubrication record, **repairs** and adjustments, and signed by the person making such inspection, shall be retained at the local office, garage or repair shop where such inspection is made, for at least three months **and available for review by the Department.**

(d) The maintenance facilities of each utility shall be adequate and shall include either a suitable pit, [ramp,] or [hoist,] **lift**, or an arrangement for the use of such facilities.

(e) The [passenger section] **entire vehicle** shall be kept clean and sanitary.

[16:53-2.25] **Overhang of body**

The maximum overhang of the body to the rear of the rear axle shall not be in excess of 7/24 of the total length of the vehicle. Vehicle measurements are to be taken from the extreme front to the extreme rear of the vehicle, not including bumpers. Overhang measurements are to be taken from the center of the rear axle to the extreme rear end of the bus, not including rear bumper.]

[16:53-2.26] **Bumpers**

Each autobus shall be equipped with front and rear bumpers attached to the main frame supporting the body. The rear bumper shall extend at least four inches beyond the body limits except on autobuses constructed with the motor attached to the extreme rear end of the chassis frame or with compartments of similar size between the extreme rear of the bus body and rear seat in the passenger compartment.]

[16:53-2.27] **Brakes**

(a) Every autobus shall be equipped with two independent sets of brakes. Service brakes shall operate on all wheels and shall be capable of bringing the autobus to a stop at a rate of deceleration equivalent to a stop of 22.5 feet from a speed of 20 miles per hour.

(b) The emergency brake shall be capable of bringing the autobus to a stop at a rate of deceleration equivalent to a stop within 50 feet from a speed of 20 miles per hour.

(c) The braking distance shall be measured by means of an instrument or machine of the decelerometer type capable of being read in feet to a stop of 20 miles per hour.

(d) Brake systems actuated by compressed air pressure or vacuum power shall be constructed to afford the following results:

1. Compressed air brake systems shall be equipped with an air compressor of sufficient size to fully charge the reservoir to its rated operating pressure in three minutes. Reservoir capacity shall be sufficient to permit not less than four full brake applications after the motor has been shut off.

2. Vacuum reservoirs shall have a volume of not less than 1,000 cubic inches for braking purposes only. Vacuum brake systems shall develop a minimum of 14 inches of reservoir vacuum in the following manner:

- i. Intake manifold of motor within one minute.
- ii. Vacuum pump within two minutes.

(e) Compressed air reservoirs shall be tested to 1-1/2 times the rated operating pressure at intervals of not greater than four months. The safety valve shall be tested for operation at the same time.

(f) Brake systems shall be equipped with a pressure or power gauge, not less than three inches in diameter located in clear view of the driver and illuminated during the period running lights are required.]

[16:53-2.28] **16:53-3.25 Tires and wheels**

(a) Each autobus shall be equipped with [pneumatic] tires **and wheels** of sufficient size and construction, and maintained in such condition as to sustain safely the gross weight of the vehicle, including maximum passenger load. [No autobus shall be operated with retread or recapped tires on the front wheels.]

(b) No autobus shall be operated with retread or recapped tires on the front wheels.

(c) No autobus shall be operated unless the front tires have a tread groove of at least 4/32 of an inch when measured in a major tread groove.

(d) No autobus shall be operated unless the rear tires have a tread groove of at least 2/32 of an inch when measured in a major tread groove.

[16:53-2.29] **16:53-3.26 Windshield wipers, washers and defroster**

(a) Each autobus shall be equipped with two or more suitable windshield wipers **and washers** that will provide the driver with a [reasonably] clear forward view.

(b) [When the autobus is operated under conditions such that ice or frost would be likely to collect on the windshield, it shall be equipped with a means of preventing or removing such ice or frost from the windshield.] **Each autobus shall be equipped with a suitable windshield defroster.**

[16:53-2.30] **16:53-3.27 Exhaust systems**

[Exhaust systems shall vent at the extreme rear end of the bus body at any point between the longitudinal center line and the extreme left side.]

(a) Exhaust systems shall discharge on the street side of the autobus. No part of the exhaust system shall be so located as would likely result in burning, charring or damaging the electrical wiring, the fuel supply or any combustible part of the bus.

(b) The exhaust system of a bus powered by a gasoline engine shall terminate within six inches forward of the rearmost part of the bus.

(c) The exhaust pipe of a diesel-powered vehicle shall:

1. Discharge gases to the atmosphere at or within 15 inches forward of the rearmost part of the vehicle; or

2. Discharge gases to the atmosphere to the rear of all doors or windows designed to be opened for ventilation. Windows designed to be opened solely as emergency exits are not considered to be openable for ventilation.

(d) Such system shall be maintained in good working order in conformity with standards promulgated by the New Jersey Department of Environmental Protection.

[16:53-2.31] **16:53-3.28 Drive shaft**

[The drive shaft shall be constructed or equipped so as to prevent it from coming in contact with the roadway or with other parts of the bus in the event that it becomes disconnected.] **Any drive shaft extending lengthwise under the floor of the passenger compartment of a bus shall be protected by means of at least one guard or bracket at that end of the shaft which is provided with a sliding connection (spline or other such device) to prevent the whipping of the shaft in the event of failure thereof or of any of its component parts. A shaft contained within a torque tube shall not require any such device.**

[16:53-2.32 Equipment unit

Only single unit autobus equipment with the motive power and the passenger compartment mounted on a single chassis will be permitted.]

[16:53-2.33] 16:53-3.29 Safety [glass] glazing and window construction

[In each autobus safety plate glass shall be used in the windshield and the window at the driver's left. Safety glass shall be used in all other windows and in the doors. All safety plate glass and safety glass shall be of an approved type.] **Glazing shall be a type approved by the Director, Division of Motor Vehicles and comply with Federal Motor Carrier Safety Regulation 393.90 and Federal Motor Vehicle Safety Standard No. 217, pertaining to emergency escape.**

[16:53-2.34 Ax

Each autobus shall be equipped with a suitable ax or mallet visible and accessible at all times.]

[16:53-2.35] 16:53-3.30 [Directional signals] Exterior Lights and Reflectors

Each autobus shall be equipped with [directional signals of an approved type] **lamps, signalling devices and reflectors of a type approved by the Director, Division of Motor Vehicles. In addition, stop lights are to be separate and independent of all other rear lights.**

[16:53-2.36] 16:53-3.31 Signaling device

(No change.)

[16:53-2.37] 16:53-3.32 Speedometers

(No change.)

[16:53-2.38] 16:53-3.33 Grounding device

Each autobus, **unless otherwise designed to eliminate static electric charge buildup, shall be equipped with a suitable grounding device.** [shall be equipped with a suitable device designed to permit discharge to ground of static electrical charges that may accumulate on the vehicle.]

[16:53-2.39 Identification

(a) No autobus shall be operated unless it displays on each side of its exterior in clearly visible letters, at least 1-5/8 inches in height, the exact name of the owner.

(b) The name of the lessee, if any, shall be displayed in like manner, preceeded by the words "operated by".

(c) Every autobus shall be assigned an identifying number by the operator. This number must be displayed on the interior front, exterior rear and on both sides. Interior number shall be at least 1-3/8 inches in height. All exterior numbers shall be at least 3-5/8 inches in height.

(d) Each autobus shall have displayed on the right hand side thereof, the number of the Board's Certificate of Compliance in letters and figures two inches in height in the following style: NJPUC 12345.]

[16:53-2.40 Inspection; certificate of inspection

No autobus shall be operated unless it prominently displays, visible from the exterior, an unexpired certificate of inspection issued by this Board.]

[16:53-2.41 Effective date; autobus compliance

(a) The specifications contained in this subchapter, in their entirety to be known as Administrative Order 14:212 (eff. January 1, 1959) shall apply to all autobuses whose operation is within the scope of the Board's jurisdiction and which are placed in operation subsequent to May 1, 1957, provided:

1. That any autobus now in operation and for which this Board

has issued certificate of compliance may continue in service as presently designed, constructed and equipped;

2. That in case of reconstruction of an autobus now in service and for which the Board has issued a certificate of compliance, or the replacement of a complete body or chassis of such autobus, these specifications shall be applicable; and

3. That each autobus now in operation or put in operation prior to February 1, 1957, shall comply with Section 2.39 (Identification) of this chapter on or before that date.]

16:53-3.34 Heating and ventilation

(a) An adequate heating system capable of heating the passenger section to a temperature of at least 50 degrees Fahrenheit, whenever required, shall be provided.

(b) Heating systems using exhaust gas to heat air carried within the passenger section or exhaust gas passing through conductors within the passenger section are prohibited.

(c) Heating devices using gasoline or other fuel shall be of a type approved by a recognized Underwriter's Laboratory and conform with FMCSR Part 393.77 and all fuel lines shall be located outside of the passenger section.

(d) Every autobus shall be equipped with a system of ventilation capable of distributing an adequate supply of fresh air throughout the passenger section.

(e) Every autobus equipped with at least 90 percent non-operational sash shall be equipped with a suitable air conditioner in good operating condition and shall be in operating condition during the months between June 1 and September 15 of each year.

(f) The above requirements shall pertain to all autobuses, not withstanding N.J.A.C. 16:53-3.1(c).

16:53-3.35 Turntable (articulated)

The turntable floor must be properly aligned to prevent raising and lowering while the vehicle is in operation.

16:53-3.36 Turntable area enclosure

Bellows or a similar arrangement used to enclose the portion of the vehicle in the turntable area shall be maintained to prevent exhaust fumes or the elements from entering the vehicle.

16:53-3.37 Anti-jackknifing devices

(a) Articulated vehicles must be equipped with an interlock to prevent the vehicle from jackknifing while backing up.

(b) The vehicle shall be equipped with an audible or visible signal indicating to the driver when the vehicle is nearing the jackknife position..

16:53-3.38 Fuel system

(a) All parts of the fuel system shall be securely installed outside of the passenger section and shall be located or protected so as to prevent damage to any part thereof.

(b) Buses manufactured after January 1, 1974, shall have the fuel supply line fitting located in the top of the tank.

(c) The filler cap shall be non-detachable, leakproof and spillproof.

(d) A gasoline tank shall not be placed below the aisle, unless the area over such tank is adequately protected by metal shielding.

(e) A fuel supply system using liquefied petroleum gas shall be constructed and installed in conformity with the standards established by the National Board of Fire Underwriters. A certificate of such compliance, executed by the manufacturer or the installer of the fuel system, shall be submitted by the operator at the original inspection.

(f) All buses manufactured after January 1, 1974, shall be equipped with fuel tanks certified and marked by the manufacturer as to compliance with FMCSR Part 393.67,

requirements for liquid fuel tanks. Replacement fuel tanks installed on any bus after January 1, 1974, shall comply with this subdivision.

16:53-3.39 Fire extinguisher

Fire extinguishers are not required on a regular scheduled intrastate route.

SUBCHAPTER 4. MODIFIED INTERIORS OR AUTOBUSES USED FOR CHARTER OR SPECIAL BUS OPERATIONS

16:53-4.1 Scope

(a) The following additions apply to autobuses whose conventional seating arrangements have been changed and special equipment installed.

(b) A New Jersey Department of Transportation autobus whose conventional seating has been modified prior to January 2, 1983, may continue in service as presently designed.

16:53-4.2 Seating

All seating must be securely fastened. A clear, straight aisle width of 14 inches, minimum, shall be provided the entire length of the bus.

16:53-4.3 Passageways

(a) Original entrance doors, steps, controls and lighting are not to be modified.

(b) Trap doors installed over entrance step shall not interfere with the operation of the service door. A means shall be provided to secure the trap door in an open position when the entrance door is opened.

16:53-4.4 Emergency equipment

Fire extinguisher shall be installed in a manner to be available for operation under all operating conditions.

16:53-4.5 Special installations

(a) The installation of auxiliary engines, generators, microwave ovens, refrigerators, televisions, etc., shall be installed according to manufacturer's specifications and comply with Federal and State regulations.

16:53-4.6 Driver's partition

A partition shall be provided as required in N.J.A.C. 16:53-3.5. In no case shall a door or similar device completely separate the driver from the interior of the bus.

16:53-4.7 Passenger signal

Passenger signals are not required.

SUBCHAPTER [3.] 5. CERTIFICATES

[14:11-3.1] 16:53-5.1 Statutory fee payment for issuance

(a) No Certificate of Compliance, as required by law and the rules and regulations of the [Board] Department, shall be issued to any person owning an autobus, small bus, van, or limousine, unless the statutory fee therefor, has been paid to the [Board] Department.

(b) No Certificate of Inspection, as required by [Subchapter 2 (Autobus Specifications) of this Chapter,] N.J.A.C. 16:53-3 (Autobus Specifications), shall be issued to any person owning an autobus, small bus, van, or limousine, unless the statutory fee therefor has been paid to the [Board] Department.

(c) No Certificate of Inspection or Compliance shall be issued if payment of a statutory fee remains outstanding to the Department.

[14:11-3.2 Display

All autobuses subject to the Board's jurisdiction shall display an unexpired certificate of inspection issued by the Board, which shall be visible from the exterior. The certificate shall be valid for a

period not exceeding six months. However, the Board may, after investigation and order, in lieu of a certificate of the Board, authorize the display on autobuses engaged in the interstate transportation of passengers operated within this State, of a certificate of inspection, issued within six months by a regulatory body of another state, having safety standards determined by the Board not to be substantially lower than prescribed by the Board. In no event shall this authorization apply to the regulatory body of any state not extending reciprocal authorizations as to autobuses bearing a certificate of inspection issued by the Board.]

SUBCHAPTER 6. AUTOBUS SPECIFICATIONS FOR SMALL BUS

FOREWORD

Note the following references:

- FMCSR - Federal Motor Carrier Safety Regulations
- FMVSS No.217 - Federal Motor Vehicle Safety Standard No. 217
- GVW - Gross Vehicle Weight (Weight of Unloaded Vehicle)
- GVAW - Gross Vehicle Axle Weight
- GVWR - Gross Vehicle Weight Rated (Weight of Vehicle including load)
- SMALL BUS - A Vehicle having a seating capacity of 16 to 24 adult passengers, not including driver

16:53-6.1 Scope

(a) The New Jersey Department of Transportation hereby adopts the rules and regulations relating to the safety of equipment as promulgated by the United States Department of Transportation (formerly ICC Motor Carriers Safety Regulations), presently set forth in Part 393, except as otherwise herein stated, entitled "Parts and Accessories Necessary for Safe Operation", as amended. A copy of these regulations entitled "Department of Transportation Federal Motor Carriers Safety Regulations", may be obtained from the Superintendent of Documents, Washington, D.C. 20423.

(b) Any small bus now in operation or acquired prior to January 2, 1983 and for which this Department has issued a Certificate of Compliance may continue in service as presently designed, constructed and equipped.

(c) The following specifications apply to all vehicles described herein in interstate or intrastate common carriers service subject to the Department's jurisdiction and for which a Certificate of Compliance of this Department is required.

(d) For purposes of this subchapter, a small bus shall be defined as a motor vehicle used in the transportation for hire having a seating capacity of 16 to 24 adult passengers, not including driver.

16:53-6.2 Dimensions

(a) The overall length of the vehicle, including bumpers, shall not exceed 30 feet.

(b) No autobus with an outside width in excess of 96 inches will be approved unless request for approval is accompanied by a certificate of the Division of Motor Vehicles in the Department of Law and Public Safety, that the proposed width is not unsafe for use on the highways in this State and the Department of Transportation that the proposed width, if in excess of 96 inches, is not in conflict with the requirements of any agency of the United States having jurisdiction over the National Systems of Interstate and Defense Highways authorized by law. No outside width so prescribed shall be valid if the allowance or use of same would disqualify the State of New Jersey or any department, agency or governmental subdivision thereof for the purpose of receiving Federal highway funds.

16:53-6.3 Chassis and body construction

(a) The chassis and body construction shall be of sufficient size and strength to safely support the Gross Vehicle Weight (GVW) and the allowable payload, as recommended by the chassis manufacturer.

(b) Axles, springs, tires and suspension assemblies shall be of sufficient capacity to support the manufacturer's maximum GVWR.

(c) The GVWR certified by the manufacturer and the Gross Vehicle Axle Weight (GVAW) shall be indicated on a data plate affixed to the vehicle, readily visible. At no time shall the GVWR be exceeded.

(d) The body shall be mounted on an appropriate chassis and shall be free from sharp or jagged edges.

(e) Front and rear bumper shall be provided, attached to the main chassis frame of sufficient size and strength to permit the vehicle to be pushed or pulled without permanent distortion to bumper or chassis.

16:53-6.4 Equipment unit

(a) The vehicle shall be of the single unit type with the motive power and passenger compartment mounted as one unit.

(b) Trailers of any type are prohibited.

16:53-6.5 Interior

(a) Interior shall be free of all unnecessary projections. Body panels, seats, flooring and all other component parts of the body shall be installed in a workmanlike manner and be free from sharp or jagged edges, protruding nails, screws or similar objects.

(b) Interior shall be equipped with inner linings on ceilings and side walls covering all body bows and body supports.

16:53-6.6 Aisle

The center aisle of a "small bus" shall be not less than 14 inches wide and 68 inches high.

16:53-6.7 Seating

(a) A transverse seat width of not less than 15 inches shall be provided for each passenger on seats having multiple seating positions. Single seats shall provide a seat width of not less than 19 inches. Seats shall have unobstructed knee room of not less than seven inches across full width of seat.

(b) Seats shall be of substantial construction and securely mounted to the floor and/or sides. Perimeter seating is permitted when two stanchions are provided evenly spaced on each side of the aisle.

(c) Portable seats and seats not securely and permanently mounted to the floor are prohibited.

(d) Total number of passengers shall not exceed the seated capacity of the vehicle as specified by the manufacturer or the Department's rated seating capacity as designed on the Department's Certificate of Compliance.

(e) Wheelchair positions may be rear, longitudinal, diagonal or forward-facing.

16:53-6.8 Glazing

All glazing shall be of an approved type in accordance with the New Jersey Division of Motor Vehicles regulations.

16:53-6.9 Lights: reflectors

(a) Interior lighting shall be under control of the driver and sufficient in number to give adequate illumination.

(b) Exterior lights shall meet all applicable New Jersey and Federal requirements.

(c) Vehicles shall be equipped with approved rear reflectors on each side. Reflectors shall be mounted not over 60 inches nor less than 24 inches measured from the reflector center level to the ground.

(d) At least one step light shall be provided at each service door.

(e) Stop lights shall be separate and independent from all other rear lights.

16:53-6.10 Mirrors

(a) Interior and exterior mirrors shall be provided to insure a clear view of the vehicle interior and of the exterior sides to the rear.

(b) Exterior left and right side mirrors shall be of the junior west coast type, low mount, firmly supported and easily adjustable.

16:53-6.11 Brakes

(a) Brakes shall conform to the manufacturer's specifications applicable to the GVWR.

(b) Hydraulic service brake system shall be of the dual (SPLIT) type.

(c) Service brake shall be power-actuated and shall operate on all wheels.

(d) Service brakes shall be constructed and maintained to stop the vehicle in 25 feet or less from a speed of 20 miles per hour.

(e) Vehicles shall be equipped with two independent brake systems having two sets of controls and able to be actuated independently of each other.

(f) Emergency brakes shall be constructed and maintained to stop the vehicle in 66 feet or less from a speed of 20 miles per hour.

(g) Brakes stopping distances shall be measured by means of an instrument or machine of the decelerometer type capable of being read in feet.

(h) Brake drums and rotors shall be permanently and plainly marked and shall clearly indicate the maximum safe diameter of the drum or the minimum safe thickness of the rotor as determined by the manufacturer of the drum or rotor. A drum or rotor worn beyond the maximum safe diameter or minimum safe thickness as prescribed by industry standard shall be discarded.

(i) When emergency brake is activated by loss of system to main service brakes, driver without leaving seat, must be able to override emergency brake a minimum of three times. Control to operate override shall be of a "DEAD MAN" type, necessitating constant driver effort to use. All buses manufactured after March, 1975 and equipped with an air brake system must comply with FMVSS No. 121, pertaining to split system and emergency application.

(j) Any system source to activate emergency brake shall be separate and independent of main service brake system supply source.

(k) The braking distance will ordinarily be measured by means of an instrument or machine of the decelerometer type capable of being read in feet.

(l) Brake systems actuated by compressed air pressure or vacuum power shall be constructed to afford the following results:

1. Compressed air brake systems shall be equipped with an air compressor of sufficient size to fully charge the reservoir to its rated operating pressure in three minutes or less.

2. Reservoir capacity shall be sufficient to maintain 60 PSI after four full brake applications. This shall be accomplished with engine and compressor shut down.

3. Compressed air reservoirs system shall be equipped with a safety valve that shall vent to the atmosphere. Safety valve setting shall not be in excess of 1-1/2 times the maximum air compressor governed pressure setting. The safety valve shall be tested at intervals of not greater than six months.

4. Vacuum reservoirs shall have a volume of not less than 1,000 cubic inches and shall be used for braking purposes only.

5. Vacuum brake systems shall develop a minimum of 14 inches of reservoir vacuum within the following times:

- i. Intake manifold of engine one minute; and
- ii. Vacuum pump, two minutes.

(m) Brake systems shall be equipped with pressure or power gauge, indicating pounds per square inch located in clear view of the driver and illuminated during the period running lights are required.

(n) Buses equipped with brake systems actuated by compressed air or vacuum power shall be equipped with an audible or visible signal, within hearing or full view of the driver to indicate that air or vacuum pressure is dangerously low.

16:53-6.12 Tires and wheels

(a) Vehicles shall be equipped with tires and wheels of sufficient size and construction as recommended by the manufacturer to meet the GVWR.

(b) Vehicles shall not be operated on any tire having exposed fabric (liner) on tread or sidewall.

(c) Front tires shall have a minimum tread groove of 4/32 inches. Rear tires shall have a minimum tread groove of 2/32 inches. Measurements to be made at any point on a major tread groove except where tie bars, humps or fillets are located.

(d) Vehicle shall not be operated with regrooved, recapped or retread tires on any wheel, except on axles having dual wheels.

(e) Vehicle shall be equipped with tires that are matched in size designation, construction and profile. Radial tires are not to be mixed with other types on same axle.

16:53-6.13 Heating and ventilation

(a) An adequate heating system capable of heating the passenger section to a temperature of at least 50 degrees Fahrenheit, whenever required, shall be provided.

(b) Heating systems using exhaust gas to heat air carried within the passenger section or exhaust gas passing through conductors within the passenger section are prohibited.

(c) Heating devices using gasoline or other fuel shall be of a type approved by a recognized Underwriter's Laboratory and conform with FMCSR Part 393.77 and shall be located outside of the passenger section.

(d) Every autobus shall be equipped with a system of ventilation capable of distributing an adequate supply of fresh air throughout the passenger section.

(e) Every autobus equipped with at least 90 percent non-operational sash shall be equipped with a suitable air conditioner in good operating condition and shall be in operating condition during the months between June 1 and September 15 of each year.

(f) The above requirements shall pertain to all autobuses, not withstanding N.J.A.C. 16:53-3.1(c).

16:53-6.14 Fuel tanks and fuel systems

(a) Fuel tanks and systems shall meet all applicable Federal requirements as set forth in Part 301 of the Federal Motor Vehicle Safety Standard.

(b) Fuel tanks and filler pipes shall be located wholly outside of the body, to the rear of the line of the windshield and/or front axle as physical conditions may indicate and be properly insulated to prevent danger of fire.

(c) Fuel tanks shall be so constructed and located in a manner that will permit filling and draining from the outside of the vehicle only.

(d) Filler pipe caps shall fit snugly to prevent fuel leakage.

(e) Fuel and any other combustible materials and compressed gases, except fire extinguishers, shall not be carried or stored in the passenger compartment.

16:53-6.15 Exhaust system

(a) Exhaust system shall be free of leaks and securely installed and entirely outside of the vehicle body and equipped with an

appropriate muffler. Flexible pipe or tubing shall be prohibited in exhaust systems.

(b) Exhaust system shall vent to the rear of the rear wheels.

(c) The engine shall be maintained in good operating conditions so as to prevent emission of unnecessary smoke or vapor. Vehicles shall meet the New Jersey Department of Environmental Protection Motor Vehicle Emission Inspection Standard applicable to type of engine installed.

(d) No portion of the exhaust system shall be located in a manner which could result in the burning or otherwise damaging electric wiring, fuel system components or any combustible part of the vehicle.

(e) Engine covers shall be properly sealed and shall not permit any engine compartment vapors to enter the passenger compartment.

16:53-6.16 Windshield wipers and washers

(a) Vehicles shall be equipped with at least two windshield wipers and washers, sufficient in size and power and maintained so as to provide the driver with a clear forward vision. Windshield wipers shall be located on each side of the windshield center line.

(b) Windshield wipers shall be of variable speed and electrically operated.

16:53-6.17 Steps

(a) The first step at the entrance area shall not be less than 10 inches nor more than 16 inches from the ground when the vehicle is unloaded.

(b) Surface of all steps shall be of a skid-resistant material.

(c) Steps shall not extend beyond body limits to a degree which could possibly result in bodily injury or property damage.

16:53-6.18 Sun visor

Vehicles shall be equipped with an adequate interior sun visor for driver use.

16:53-6.19 Baggage racks and compartments

(a) Exterior baggage racks shall be constructed so that all baggage will be held in a secure, safe manner under all conditions of operation.

(b) Ladders or any other similar means of reaching the exterior baggage racks shall be prohibited unless protection is provided that will prevent the possibility of ride hitching.

(c) Interior baggage area will be separated from the passenger compartment by a plexiglass or similar material partition of at least 3/8 inches thick or of rigid plastic of the approved type - AS-4 through 13, or a metal grill of sufficient strength and construction properly installed in a workmanlike manner to safely separate the areas. Interior baggage shall be carried in a manner so as not to interfere with any passenger seat, safety or comfort.

16:53-6.20 Identification

(a) No autobus shall be operated unless it displays on each side of its exterior, in clearly visible letters the exact name of the operator, at least three inches in height.

(b) Every autobus shall be assigned an identifying number by the utility. This number must be displayed on the exterior front, and the front, rear and both sides of the exterior. Interior and exterior numbers shall be at least three inches in height and of a sharply contrasting color from the background.

(c) Each autobus shall have displayed on the righthand side thereof, the number of the Department's Certificate of Compliance in letters and figures three inches high in the following style: NJDOT 12345.

16:53-6.21 Inspection and Certificate of Inspection

(a) All autobuses for which Certificates of Compliance have

been issued by the Department shall be inspected at least twice annually. Nothing contained herein shall limit the Department's authority to require more frequent inspection of such autobuses when, in its opinion, the safety of the public so requires.

(b) No autobus shall be operated unless it prominently displays an unexpired Certificate of Inspection issued by the Department, visible from the exterior, on the lower right corner of the right-hand windshield.

(c) All autobuses operating in the State shall be subject to periodic road and terminal checks. These shall be conducted at the Department's option as to location and frequency.

16:53-6.22 Drive shaft

Any drive shaft extending lengthwise under the floor of the passenger compartment of a bus except buses having a seating capacity of eight or less passengers, shall be protected by means of at least one guard or bracket at the end of the shaft which is provided with a sliding connection (splines or other such device) to prevent the whipping of the shaft in the event of failure thereof or of any of its component parts. A shaft contained within a torque tube shall not require any such device.

16:53-6.23 Signs

(a) An illuminated sign indicating route where applicable, and destination shall be provided so designed and located that it may be read by day or night. This sign must not interfere with the driver's view or produce an annoying glare.

(b) The requirement for destination sign may be omitted in certain instances provided the operator receives written approval from the Department.

(c) A sign shall be provided indicating that smoking on autobuses is prohibited by law.

16:53-6.24 Overhang of body

(a) The maximum overhang of body to rear of the rear axle shall not be in excess of one-third of the total length of the vehicle.

(b) Vehicle measurements are to be taken from the extreme front to the extreme rear of the vehicle, not including bumpers.

(c) Overhang measurements are to be taken from the center of the rear axle to the extreme rear end of the bus, not including rear bumper.

16:53-6.25 Speedometers

Each autobus shall be equipped with a suitable speedometer which shall be operative with reasonable accuracy in miles per hour and readily visible to the driver.

16:53-6.26 Signaling device

Each autobus shall be equipped with a horn or other signaling device to give reasonable warning to other users of the highway of the approach of the vehicle.

16:53-6.27 Grounding device

Each autobus, unless otherwise designed to eliminate static electric charge buildup, shall be equipped with a suitable grounding device.

16:53-6.28 Partition and curtain

All autobuses shall be equipped with a partition of wood or metal and wire glass or safety glass or plexiglass at least three-eighths inches thick or rigid plastic of the approved type – AS-4 through 13, and located to the rear of the driver's seat with a suitable curtain, or tinting, if necessary to shield the driver from the glare of inside lights.

16:53-6.29 Bumpers

(a) Each autobus shall be equipped with a front and rear bumper attached to the main frame supporting the body.

(b) The rear bumper shall extend at least four inches beyond the body limits and be shielded on the top to prevent toehold.

16:53-6.30 Maintenance

(a) The body, chassis, engine and all equipment shall be maintained in proper adjustment and safe operating condition.

(b) A maintenance record shall be kept showing the vehicle identification, date of breakdowns, defects reported and corrective measures taken. These records shall be retained by the utility for at least three months and shall be available for review by the Department.

(c) Each utility shall make a complete inspection of each motor vehicle at regular time or mileage intervals for mechanical or structural defects and all necessary repairs shall be made before the motor vehicle is returned to service. An itemized record of each inspection, showing the date, vehicle identification, lubrication record, repairs and adjustments and signed by the person making such inspection shall be retained at the local office, garage or repair shop where such inspection is made, for at least three months and shall be available for review by the Department.

(d) The maintenance facilities of each utility shall be adequate and shall include either a suitable pit or lift, or an arrangement for the use of such facilities.

(e) The entire vehicle shall be kept clean and sanitary.

16:53-6.31 Special equipment

Special equipment used to transport passengers in wheelchairs must comply with N.J.A.C. 16:53-3.7

SUBCHAPTER 7. SPECIFICATIONS FOR SPECIAL AUTOBUS TYPE RECREATIONAL VEHICLES

16:53-7.1 Scope

(a) The following specifications apply to all vehicles described herein, subject to the Department's jurisdiction, and for which a Certificate of Compliance of this Department is required.

(b) For purposes of this subchapter, a special autobus type recreational vehicle is defined as a motor vehicle used in resort areas or areas of public interest on public streets.

(c) Any vehicle now in operation or acquired prior to January 2, 1983, and for which this Department has issued a Certificate of Compliance may continue in service as presently designed, constructed and equipped.

(d) For purposes of this subchapter, while carrying passengers, said vehicle shall have an operable device which restricts the maximum speed (Governor) of the vehicle to 25 miles per hour.

16:53-7.2 Dimensions

(a) The overall length of the vehicle, including bumpers, shall not exceed 30 feet.

(b) No autobus with an outside width in excess of 96 inches will be approved unless request for approval is accompanied by a certificate of the Division of Motor Vehicles in the Department of Law and Public Safety, that the proposed width is not unsafe for use on the highways in this State and of the Department of Transportation that the proposed width, if in excess of 96 inches, is not in conflict with the requirements of any agency of the United States having jurisdiction over the National Systems of Interstate and Defense Highways authorized by law. No outside width so prescribed shall be valid if the allowance or use of same would disqualify the State of New Jersey or any Department, agency or governmental subdivision thereof for the purpose of receiving Federal highway funds.

16:53-7.3 Chassis and body construction

(a) The chassis and body construction shall be of sufficient size and strength to safely support the gross vehicle weight (GVW)

and the allowable payload, as recommended by the chassis manufacturer.

(b) Axles, springs, tire and suspension assemblies shall be of sufficient capacity to support the manufacturer's maximum GVWR.

(c) The GVWR certified by the manufacturer and the gross vehicle axle weight (GVAW) shall be indicated on a data plate affixed to the vehicle, readily visible. At no time shall the GVWR be exceeded.

(d) The body shall be mounted on an appropriate chassis and shall be free from sharp or jagged edges.

16:53-7.4 Equipment unit

(a) The vehicle shall be of the single unit type with the motive power and passenger compartment mounted as one unit.

(b) Trailers of any type are prohibited.

16:53-7.5 Interior

Interior shall be free of all unnecessary projections. Body panels, seats, flooring and all other component parts of the body shall be installed in a workmanlike manner and be free from sharp or jagged edges, protruding nails, screws or similar objects.

16:53-7.6 Aisle

The center aisle of a "recreational type vehicle" shall not be less than 14 inches wide and 68 inches high.

16:53-7.7 Seating

(a) A transverse seat space of not less than 15 inches shall be provided for each passenger on seats having multiple seating positions. Single seats shall provide a seat space of not less than 19 inches. Seats shall have unobstructed knee room of not less than seven inches across full width of seat.

(b) Seats shall be of substantial construction and securely mounted to the floor and/or sides.

(c) Portable seats and seats not securely and permanently mounted to the floor are prohibited.

(d) Total number of passengers shall not exceed the capacity of the vehicle as specified by the manufacturer or the Department's rated capacity as designated on the Department's Certificate of Compliance.

16:53-7.8 Glazing

All glazing shall be of an approved type in accordance with the New Jersey Division of Motor Vehicle regulations.

16:53-7.9 Lights: reflectors

(a) Interior lighting shall be under control of the driver and sufficient in number to give adequate illumination.

(b) Exterior lights shall meet all applicable New Jersey and Federal requirements.

(c) Vehicles shall be equipped with approved rear reflectors on each side. Reflectors shall be mounted not over 60 inches nor less than 24 inches measured from the reflector center level to the ground.

(d) At least one step light shall be provided at each service door.

16:53-7.10 Mirrors

Interior and exterior mirrors shall be provided to insure a clear view of the vehicle interior and of the exterior sides to the rear.

16:53-7.11 Brakes

(a) Brakes shall conform to the manufacturer's specifications applicable to the GVWR.

(b) Hydraulic service brake system shall be of the dual (SPLIT) type.

(c) Service brake shall be power-actuated and shall operate on all wheels.

(d) Service brakes shall be constructed and maintained to stop the vehicle in 25 feet or less from a speed of 20 miles per hour.

(e) Vehicle shall be equipped with two independent brake systems having two sets of controls and able to be actuated independently of each other.

(f) Emergency brakes shall be constructed and maintained to stop the vehicle in 66 feet or less from a speed of 20 miles per hour.

(g) Brakes stopping distances shall be measured by means of an instrument or machine of the decelerometer type capable of being read in feet.

(h) Brake drums and rotors shall be permanently and plainly marked and shall clearly indicate the maximum safe diameter of the drum or the minimum safe thickness of the rotor as determined by the manufacturer of the drum or rotor. A drum or rotor worn beyond the maximum safe diameter of minimum safe thickness as prescribed by industry standard shall be discarded.

(i) When emergency brake is activated by loss of system to main service brakes, driver without leaving seat, must be able to override emergency brake a minimum of three times. Control to operate override shall be of a "DEAD MAN" type, necessitating constant driver effort to use. All buses manufactured after March, 1975 equipped with an air brake system must comply with FMVSS 121, pertaining to split system and emergency application.

(j) Any systems source to activate emergency brake shall be separate and independent of main service brake system supply source.

(k) The braking distance will ordinarily be measured by means of an instrument or machine of the decelerometer type capable of being read in feet.

(l) Brake systems actuated by compressed air pressure or vacuum power shall be constructed to afford the following results:

1. Compressed air brake systems shall be equipped with an air compressor of sufficient size to fully charge the reservoir to its rated operating pressure in three minutes or less.

2. Reservoir capacity shall be sufficient to maintain 60 PSI after four full brake applications. This shall be accomplished with engine and compressor shut down.

3. Compressed air reservoirs system shall be equipped with a safety valve that shall vent to the atmosphere. Safety valve setting shall not be in excess of 1-1/2 times the maximum air compressor governed pressure setting. The safety valve shall be tested at intervals of not greater than six months.

4. Vacuum reservoirs shall have a volume of not less than 1,000 cubic inches and shall be used for braking purposes only.

5. Vacuum brake systems shall develop a minimum of 14 inches of reservoir vacuum within the following times:

i. Intake manifold of engine one minute; and

ii. Vacuum pump, two minutes.

(m) Brake systems shall be equipped with pressure or power gauge, indicating pounds per square inch located in clear view of the driver and illuminated during the period when running lights are required.

(n) Buses equipped with brake systems actuated by compressed air or vacuum power shall be equipped with an audible or visible signal, within hearing or full view of the driver to indicate that air or vacuum pressure is dangerously low.

16:53-7.12 Tires and wheels

(a) Vehicles shall be equipped with tires and wheels of sufficient size and construction as recommended by the manufacturer to meet the GVWR.

(b) Vehicles shall not be operated on any tire having exposed fabric (liner) on tread or sidewall.

(c) Front tires shall have a minimum tread groove of 4/32 inches. Rear tires shall have a minimum tread groove of 2/32 inches. Measurements to be made at any point on a major tread groove except where tie bars, humps or fillets are located.

(d) Vehicles shall not be operated with regrooved, recapped or retread tires on any wheel, except on axles having dual wheels.

(e) Vehicles shall be equipped with tires that are matched in size designation, construction and profile. Radial tires are not to be mixed with other types on same axle.

16:53-7.13 Fuel tanks and fuel systems

(a) Fuel tanks and filler pipes shall be located wholly outside of the body, to the rear of the line of the windshield and/or front axle as physical conditions may indicate and be properly insulated to prevent danger of fire.

(b) Fuel tanks shall be so constructed and located in a manner that will permit filling and draining from the outside of the vehicle only.

(c) Filler pipe caps shall be attached and fit snugly to prevent fuel leakage.

(d) Fuel and any other combustible materials and compressed gases, except fire extinguishers, shall not be carried or stored in the passenger compartment.

16:53-7.14 Exhaust system

(a) Exhaust system shall be free of leaks and securely installed and entirely outside of the vehicle body and equipped with an appropriate muffler. Flexible pipe or tubing shall be prohibited in exhaust systems.

(b) Exhaust system shall vent to the rear of the rear wheels.

(c) The engine shall be maintained in good operating condition so as to prevent emission of unnecessary smoke or vapor. Vehicles shall meet the New Jersey Department of Environmental Protection Motor Vehicle emission inspection standard applicable to type of engine installed.

(d) No portion of the exhaust system shall be located in a manner which could result in the burning or otherwise damaging electric wiring, fuel system components or any combustible part of the vehicle.

(e) Engine covers shall be properly sealed and shall not permit any engine compartment vapors to enter the passenger compartment.

16:53-7.15 Windshield wipers

(a) Vehicles shall be equipped with at least two windshield wipers sufficient in size and power and maintained so as to provide the driver with a clear forward vision. Windshield wipers shall be located on each side of the windshield center line.

(b) Windshield wipers shall be of variable speed and electrically operated.

16:53-7.16 Steps

(a) The first step at the entrance area shall not be less than 10 inches nor more than 16 inches from the ground when the vehicle is unloaded.

(b) Surface of all steps shall be of a skid-resistant material.

(c) Steps shall not extend beyond body limits to a degree which could possibly result in bodily injury or property damage.

16:53-7.17 Inspection and Certificate of Inspection

(a) All vehicles for which Certificates of Compliance have been issued by the Department shall be inspected at least twice annually. Nothing contained herein shall limit the Department's authority to require more frequent inspection of such vehicles when, in its opinion, the safety of the public so requires.

(b) No vehicle shall be operated unless it prominently displays

an unexpired Certificate of Inspection issued by the Department, visible from the exterior, on the lower right corner of the right-hand windshield.

(c) All vehicles operating in the State shall be subject to road and terminal checks. These shall be conducted at the Department's option as to location and frequency.

16:53-7.18 Drive shaft

Any drive shaft extending lengthwise under the floor of the passenger compartment of a vehicle shall be protected by means of at least one guard or bracket at the end of the shaft which is provided with a sliding connection (splines or other such device) to prevent the whipping of the shaft in the event of failure thereof or of any of its component parts. A shaft contained within a torque tube shall not require any such device.

16:53-7.19 Overhang of body

(a) The maximum overhang of body to rear of the rear axle shall not be in excess of one-third of the total length of the vehicle.

(b) Vehicle measurements are to be taken from the extreme front to the extreme rear of the vehicle, not including bumpers.

(c) Overhang measurements are to be taken from the center of the rear axle to the extreme rear end of the vehicle, not including the rear bumper.

16:53-7.20 Speedometer

Each vehicle shall be equipped with a suitable speedometer which shall be operative with reasonable accuracy in miles per hour and readily visible to the driver.

16:53-7.21 Signaling device

Each vehicle shall be equipped with a horn or other signaling device to give reasonable warning to other users of the highway of the approach of the vehicle.

16:53-7.22 Grounding device

Each vehicle, unless otherwise designed to eliminate static electric charge buildup, shall be equipped with a suitable grounding device.

16:53-7.23 Maintenance

(a) The body, chassis, engine and all equipment shall be maintained in proper adjustment and safe operating condition.

(b) A maintenance record shall be kept showing the vehicle identification, date of breakdowns, defects reported and corrective measures taken. These records shall be retained by the utility for at least three months and shall be available for review by the Department.

(c) Each utility shall make a complete inspection of each motor vehicle at regular time or mileage intervals for mechanical or structural defects and all necessary repairs shall be made before the motor vehicle is returned to service. An itemized record of each inspection, showing the date, vehicle identification, lubrication record, repairs and adjustments and signed by the person making such inspection shall be retained at the local office, garage or repair shop where such inspection is made, for at least three months and shall be available for review by the Department.

(d) The maintenance facilities of each utility shall be adequate and shall include either a suitable pit or lift, or an arrangement for the use of such facilities.

(e) The entire vehicle shall be kept clean and sanitary.

16:53-7.24 Identification

(a) No autobus shall be operated unless it displays on each side of its exterior, the exact name of the operator in clearly visible letters at least three inches in height.

(b) Every autobus shall be assigned an identifying number by the utility. This number must be displayed on the interior front and the front, rear and both sides of the exterior. Interior and exterior numbers shall be at least three inches in height and of a sharply contrasting color from the background.

(c) Each autobus shall have displayed on the right-hand side thereof, the number of the Department's Certificate of Compliance in letters and figures three inches high in the following style: NJDOT 12345.

SUBCHAPTER 8. SPECIFICATIONS FOR SEDAN-TYPE AUTOBUSES

16:53-8.1 Scope

(a) The following specifications apply to sedan-type autobuses in interstate or intrastate common carrier service subject to the New Jersey Department of Transportation's jurisdiction:

(b) The Department of Transportation hereby adopts the rules and regulations relating to the safety of equipment as promulgated by the United States Department of Transportation, presently set forth in Part 393, except as otherwise stated herein entitled "Parts and Accessories Necessary for Safe Operation", as amended. A copy of these regulations entitled "Department of Transportation Federal Motor Carrier Safety Regulations", may be obtained from the Superintendent of Documents, Washington, D.C. 20423.

(c) Any sedan-type autobus now in operation or acquired prior to January 2, 1983, and for which this Department has issued a Certificate of Compliance, may continue in service as presently designed, constructed and equipped.

16:53-8.2 Definition

Sedan-type autobus means a motor vehicle having a capacity of 12 or less passengers, including the driver, with seats extending across the body and having a door at each side of vehicle at each row of seats having construction characteristics commonly referred to as a sedan.

16:53-8.3 Dimensions

(a) The overall length of vehicle, including bumpers, shall not exceed 300 inches.

(b) The overall width of vehicle shall not exceed 84 inches measured at the widest point of the body, excluding mirrors, fender moldings and other similar accessories which shall not be included in determining body width.

16:53-8.4 Seating

(a) A transverse seat space of not less than 15 inches shall be provided for each passenger.

(b) No portable seat or seats, not securely fastened to the floor, shall be permitted.

(c) The front seat shall not be occupied by more than one passenger besides the driver.

(d) No passengers in excess of seated capacity shall be transported.

16:53-8.5 Doors

(a) A door must be provided on each side of the vehicle at each cross seat.

(b) Doors located to the rear of the driver, on vehicles having altered the standard chassis, shall be equipped with an audible or visible signal indicating to the driver when the door is not completely closed.

(c) All doors shall be so constructed and maintained in such condition as to be readily opened from both inside and outside of the vehicle.

16:53-8.6 Fire extinguisher

(a) All vehicles shall be equipped with at least one fire

extinguisher and shall have an approved Underwriter's Laboratories rating of 5BC or more, as provided in Part 393.95. The use of vaporizing liquid type fire extinguisher is prohibited.

(b) Fire extinguishers are to be located in the passenger compartment.

16:53-8.7 Lights

(a) Interior lights, under control of the driver, shall be sufficient in number to give adequate illumination at each row of seats.

(b) Each vehicle shall be equipped with front and rear running lights and stop lights located and maintained in accordance with current Federal and New Jersey Division of Motor Vehicles requirements.

(c) Each vehicle shall be equipped with at least two rear red reflectors of an approved type, at least one at each side.

16:53-8.8 Chassis and body

(a) The chassis and body or complete unit shall be so designed and constructed that it will properly and safely support the gross weight of the vehicle, including the capacity passenger load. The GVWR shall not exceed 10,000 pounds.

(b) No extensions of the manufacturer's standard chassis frame will be permitted except as set forth in (c) below.

(c) Altering of the wheelbase or the standard chassis frame in any manner shall be permitted when work is performed by the chassis or unit manufacturer or by others on a Certification of Approval by the original manufacturer. Such certification is to contain a detailed description of the extension. An extension may be installed at the rear end of the original chassis frame by the chassis manufacturer or on the chassis manufacturer's Certificate of Approval of such extension.

(d) The GVWR certified by the manufacturer and the gross vehicle axle weight (GVAW) shall be indicated on a data plate affixed to the vehicle, readily visible. At no time shall the GVWR be exceeded.

(e) Each vehicle shall be equipped with bumpers, front and rear, attached to the main frame of the chassis.

16:53-8.9 Brakes

(a) Each vehicle shall be equipped with two independent brake systems, operating independently of each other and conforming to the following standards of construction and maintenance:

1. Service (foot) brakes shall be power-actuated and shall operate on all wheels;

2. Service (foot) brakes equipped with a hydraulic system shall be of a dual type, split to the front and rear wheels;

3. Service (foot) brakes shall be constructed and maintained to stop the vehicle in 25 feet or less from a speed of 20 miles per hour;

4. Emergency brakes shall be constructed and maintained to stop the vehicle in 66 feet or less from a speed of 20 miles per hour;

5. The braking distance shall be measured by means of an instrument or machine of the decelerometer type capable of being read in feet; and

6. Brake drums and rotors shall be permanently and plainly marked and shall clearly indicate the maximum safe diameter of the drum or the minimum safe thickness of the rotor as determined by the manufacturer of the drum or rotor. A drum or rotor worn beyond the maximum safe diameter of minimum safe thickness as prescribed by industry standards shall be discarded.

16:53-8.10 Mirrors

Inside and outside mirrors shall be provided to insure clear vision of traffic to the sides and rear of the vehicle.

16:53-8.11 Tires and wheels

(a) Each vehicle shall be equipped with tires and wheels of proper size and construction, as recommended by the manufacturer to meet the GVWR, in accordance with Federal regulations.

(b) Vehicle shall not be operated on any tire having exposed fabric on tread or sidewall.

(c) Recapped, regrooved or retreaded tires shall not be permitted.

(d) Front and rear tires shall have a minimum tread groove of 2/32 inches. Measurements to be made at any point on a major tread groove except where tie bars, humps or fillets are located.

(e) Vehicles shall be equipped with tires that are matched in size designation, construction and profile. Radial tires are not to be mixed with other types on same axle.

16:53-8.12 Windshield wipers and washers

(a) Each vehicle shall be equipped with at least two windshield wipers and washers, sufficient in size and power to provide the driver with clear forward vision. Windshield wipers shall be located on each side of the windshield center line.

(b) Each vehicle shall be equipped with a suitable windshield defrosting device.

16:53-8.13 Heaters and defrosters

(a) Each vehicle shall be equipped with a suitable and efficient heating and defrosting system maintained in proper operating condition.

(b) Exhaust gases shall not be used to heat the air within the passenger compartment.

(c) Heating devices using gasoline or other fuel must be approved by the Underwriter's Laboratories and must be located entirely outside of the passenger compartment.

16:53-8.14 Fuel tanks and fuel systems

(a) Fuel tanks and filler pipes shall be located wholly outside of the body and in rear of the line of the windshield and shall be properly insulated to prevent danger of fire.

(b) Fuel tanks shall be so constructed and located that they can be filled and drained only from the outside of the vehicle.

(c) Filler caps shall be attached and fit snugly to prevent leakage of fuel.

(d) Fuel and any other liquid combustible material and compressed gases (except fire extinguisher) shall not be carried or stored in the passenger compartment.

16:53-8.15 Exhaust systems

(a) Exhaust system shall vent to the rear of the rear wheels.

(b) All parts of the exhaust system shall be securely installed entirely outside of the body. No flexible pipe or tubing will be permitted in exhaust system.

(c) The engine shall be maintained in good operating condition so as to prevent discharge of unnecessary fumes or gases. Vehicles shall meet the New Jersey Department of Environmental Protection Motor Vehicle Emission Inspection Standards, applicable to type of engine installed.

(d) No portion of the exhaust system shall be located in a manner which could result in the burning or otherwise damaging electric wiring, fuel system components, or any combustible part of the vehicle.

(e) Engine covers shall be properly sealed and shall not permit any engine compartment vapors to enter the passenger compartment.

16:53-8.16 Drive shaft

Any drive shaft extending lengthwise under the floor of the passenger compartment of a limousine except limousines having a seating capacity of five or less passengers, shall be

protected by means of at least one guard or bracket at that end of the shaft which is provided with a sliding connection (spline or other such device) to prevent the whipping of the shaft in the event of failure thereof or of any of its component parts. A shaft contained within a torque tube shall not require any such device.

16:53-8.17 Glass

All glazing shall be of a type approved by the New Jersey Division of Motor Vehicles.

16:53-8.18 Directional signals

Each vehicle shall be equipped with directional signals of a type approved by the New Jersey Division of Motor Vehicles.

16:53-8.19 Signaling device

Each vehicle shall be equipped with a horn or other signaling device to give reasonable warning to other users of the highway of the approach of the vehicle.

16:53-8.20 Speedometers

Each vehicle shall be equipped with a suitable speedometer which shall be operative with reasonable accuracy in miles per hour and readily visible to the driver.

16:53-8.21 Identification

(a) Sedan-type vehicles will be identified by PUC-LIM license plates furnished by the New Jersey Division of Motor Vehicles after approval of the New Jersey Department of Transportation.

(b) Limousine operators, at their discretion, may further identify themselves in the following manner:

1. The exact name of the operator on each side of its exterior in clearly visible letters.

(c) No vehicle shall be operated unless it displays under the hood on the right front wheel well, an identifying number and the New Jersey Department of Transportation's Certificate of Compliance number in the following style: NJDOT L123.

16:53-8.22 Inspection certificate

No vehicle shall be operated unless it prominently displays on the lower right-hand corner of the windshield, visible from the exterior, an unexpired Certificate of Inspection issued by this Department.

16:53-8.23 Trailers

The use of any type of trailer is prohibited.

16:53-8.24 Baggage racks

(a) Exterior baggage racks will be permitted only if they are constructed so that all baggage will be held in a secure, safe manner.

16:53-8.25 Maintenance

(a) The body, chassis, engine and all equipment shall be maintained in good repair and safe operating condition.

(b) A maintenance record shall be kept showing the vehicle identification, date of breakdowns, any defects reported and corrective measures taken.

(c) Each utility shall make a complete inspection of each motor vehicle at regular time or mileage intervals for mechanical or structural defects and all necessary repairs shall be made before the motor vehicle is returned to service. An itemized record of each inspection showing date, vehicle identification, lubrication record and any adjustments shall be kept.

(d) The records referred to in (b) and (c) above shall be retained by the utility for at least three months after the date of the matter recorded and shall be made available during that period to the duly authorized representative of the Department on his request.

(e) The maintenance facilities of such utility shall be adequate and shall include either a suitable pit, or hoist or an arrangement for the use of such facilities.

(f) The entire vehicle shall be kept clean and sanitary.

16:53-8.26 Inspection and Certificate of Inspection

(a) All vehicles for which Certificates of Compliance have been issued by the Department shall be inspected at least twice annually. Nothing contained herein shall limit the Department's authority to require more frequent inspection of such autobuses when, in its opinion, the safety of the public so requires.

(b) No vehicle shall be operated unless it prominently displays an unexpired Certificate of Inspection issued by the Department visible from the exterior, on the lower right corner of the right-hand windshield.

(c) On vehicles where the chassis has been altered, they shall be subject to quarterly inspection.

(d) All vehicles operating in the State shall be subject to periodic road and terminal checks. These shall be conducted at the Department's option as to location and frequency.

SUBCHAPTER [2.] 9. PUBLIC LIABILITY INSURANCE

[14:4-2.1] 16:53-9.1 Certificate of insurance or evidence of self-insurance

(a) Any person operating motor vehicles carrying passengers for hire in accordance with the applicable statutes shall file with the [Board] Department [two] three copies of a certificate of insurance or evidence of self-insurance, which shall be in a form prescribed by the [Board] Department.

(b) Said certificate or evidence shall be signed by the issuing insurance company, or in the case of self-insurer, by an officer or agent thereof, and shall state that autobuses [enumerated thereon] are insured in compliance with N.J.S.A. 48:4-19 and 48:4-35 through 48:4-55. [inclusive, under the standard form of insurance policy adopted by the Board and in addition thereto, they shall furnish the following information:

(1) Name and address of operating company corporation or individual;

(2) Number, manufacture, year and rated seating capacity of each autobus together with the motor and chassis numbers.]

(c) Every certificate of insurance shall contain a provision for continuing liability and shall provide that cancellation thereof shall not be effective unless at least 30 days' notice in writing of intention to cancel has been delivered to this Department.

(d) Termination by replacement: Certificates of insurance which have been accepted by the Commissioner of Transportation under this section may be replaced by other certificates of insurance. The liability of the retiring insurer under such certificates of insurance shall be considered as having been terminated as of the effective date of the replacement certificate of insurance, provided the certificate meets all of the following conditions:

1. It must be acceptable to the Commissioner under this Part;

2. It must be accompanied by a letter of authorization, in duplicate, signed by the motor carrier involved or an authorized employee of such motor carrier, authorizing such replacement and verifying the effective date thereof; and

3. Its effective date must coincide with the effective date specified in the letter of authorization and the said date may not be more than 30 days' prior to the date of receipt of the letter of authorization and replacement certificate by the Commissioner.

(e) Certificate of insurance shall contain a provision for a continuing liability notwithstanding any recovery thereunder.

(f) Every certificate of insurance shall provide that cancellation thereof shall not be effective until at least 30 days' notice in writing of intention to cancel has been delivered to the

Commissioner; such cancellation notice shall be in the form set forth in (i) below, designated "Form K - Uniform Notice of Cancellation of Motor Carrier Insurance Policies". If such cancelled insurance policy is reinstated, a new certificate, in form provided by this section, shall be filed with the Commissioner except there shall be typed or printed thereon, in capital letters, the words "REINSTATEMENT OF INSURANCE POLICY".

(g) Certificates of insurance shall be in accordance with the forms set forth in (i) below, designated "Form E - Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance."

(h) When a certificate of insurance is filed as provided in (i) below, there shall be attached to the original policy of insurance, an endorsement marked "Form F - Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement".

(i) All insurance filings under N.J.S.A. 48:4-19 and 48:4-35 through 48:4-55 shall be made at the New Jersey Department of Transportation, Motor Carrier Inspection, 1035 Parkway Avenue, Trenton, New Jersey 08625, on the specified forms:

1. Form E - "Bodily Injury and Property Damage Liability"; together with;

2. Form F - "Endorsement";

3. Form K - "Notice of Cancellation of Motor Carrier Insurance Policies".

(j) The Commissioner will consider applications for permission to establish insurance funds in lieu of filing certificates of insurance. Until such authority is granted, certificates evidencing insurance, must be filed. Until otherwise ordered, all orders and certificates of the Commissioner authorizing or directing bus lines and street railway corporations operating buses to establish and maintain self-insurance funds shall continue in full force and effect insofar as said orders or certificates authorize the carriers therein named to be self-insurers. Every person, firm, association and corporation which maintains a self-insurance fund pursuant to authority granted by the Commissioner shall procure, maintain and file with the Commissioner a policy of insurance to cover the difference between the amounts such carrier is authorized to self-insure and the amounts herein prescribed.

(k) No certificate of insurance shall be filed with the Commissioner unless a direct contractual relationship exists between the motor carrier and the insurance company making the filing.

(l) All filings shall be executed in triplicate on the proper form as specified above. The Commissioner may, at any time, refuse to accept a certificate of insurance if in his judgment it does not provide adequate protection for the public.

(m) No certificate of public convenience and necessity shall be issued nor shall any previously issued certificate remain in force, unless all of the foregoing provisions are complied with.

OFFICE OF ADMINISTRATIVE LAW NOTE: Forms E, F, K, and Insurance Card (MC 1629a) were also filed with this rule, but are not reproduced herein. Information on such forms may be obtained from the New Jersey Department of Transportation, Motor Carrier Inspection, 1035 Parkway Avenue, Trenton, New Jersey 08625, or may be inspected at Office of Administrative Law, 88 East State Street, Trenton, New Jersey 08625.

[14:4-2.2] 16:53-9.2 Autobuses

(a)-(b) (No change.)

[14:4-2.3 Binder insurance

Binder insurance coverage shall not be accepted unless it originates at the home office of the issuing insurance company.]

OTHER AGENCIES

(a)

CASINO CONTROL COMMISSION

Casino Hotel Alcoholic Beverage Licenses Fees

Proposed Amendment: N.J.A.C. 19:41-9.7

Authorized By: Casino Control Commission, Theron G. Schmidt, Executive Secretary.
Authority: N.J.S.A. 5:12-63(c), 5:12-70(e), 5:12-141 and P.L.1982, c.148.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before January 5, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Scott N. Silver
Deputy Senior Assistant Counsel
License Division
Casino Control Commission
Boardwalk at Tennessee Avenue
Atlantic City, NJ 08401

The Casino Control Commission thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-501.

The agency proposal follows:

Summary

Recent amendments to Section 103 of the Casino Control Act (P.L. 1982, c.148), when effective, will authorize the Commission to issue one casino hotel alcoholic beverage license to each casino hotel facility, rather than several as presently required. Under the present scheme of licensing, each room or series of rooms in which alcoholic beverages are dispensed is separately licensed and assessed a separate license fee. Under the proposed amendment, a separate fee will be assessed for each location included as part of the one license. The amendment substantially perpetuates the existing fee schedule, but gives the Commission the flexibility to consider more than one storage area to be a single location for fee assessment purposes.

Social Impact

This proposed amendment will simply conform the present casino hotel alcoholic license fee structure to recent amendments to the licensing provisions of the Casino Control Act. No significant social impact is anticipated.

Economic Impact

It is anticipated that the annual alcoholic beverage license fee paid by each casino hotel will be reduced from five to 10 percent.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

19:41-9.7 Casino hotel alcoholic beverage licenses

Under Section 103 of the Act, no business may expose for sale, solicit or promote the sale of, possess with intent to sell, give, dispense, or otherwise transfer or dispose of alcoholic beverages in, on or about any portion of the premises of a casino hotel, unless

said business possesses an appropriate Casino Hotel Alcoholic Beverage License. Such licenses shall be issued for one year and are renewable annually. [The fee for issuance of such license shall be \$5,000 and the fee for annual renewal shall be \$5,000.] **The fee for the issuance or annual renewal of a Casino Hotel Alcoholic Beverage License shall be \$5,000 for each location within the casino hotel approved by the Commission for any or all of the activities listed in section 103 of the Act. All storage areas within a facility shall be deemed a single licensable location for the purposes of this section. If a Casino Hotel Alcoholic Beverage License is amended to add additional locations after the issuance or annual renewal of that license, the fee for each such additional location approved by the Commission for any or all of the activities listed in section 103 of the Act shall be \$5,000 reduced on a pro rata basis in accordance with the number of full calendar months which have expired during the term of the license to which the additional location is added.**

RULE ADOPTIONS

COMMUNITY AFFAIRS

(a)

DIVISION OF HOUSING

Rooming and Boarding Houses Accessory Buildings

Adopted Amendments: N.J.A.C. 5:27-1.6 and 2.1

Proposed: October 4, 1982 at 14 N.J.R. 1075(a).
Adopted: November 15, 1982 by John P. Renna,
Commissioner, Department of Community Affairs.
Filed: November 17, 1982 as R.1982 d.422, **with**
substantive changes not requiring additional public
notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 55:13B-4(a).

Effective Date: December 6, 1982.

Summary of Public Comments and Agency Responses:
No comments received.

Full text of the change between proposal and adoption follows
(additions to proposal shown in boldface with asterisks ***thus***).

5:27-1.6 Licenses

(a)-(c) (No change from proposal.)

(d) The licensee shall specify whether the licensee is licensed as
an operator or as an owner and shall identify the property or
properties, **including *occupied* accessory buildings**, operated
or owned by the licensee. **A separate endorsement shall be**
required for each building occupied by residents which is not
an accessory building.

(e)-(i) (No change from proposal.)

ENVIRONMENTAL PROTECTION

(b)

DIVISION OF COASTAL RESOURCES

Shore Protection Program Procedural Rules

Adopted New Rule: N.J.A.C. 7:7F

Proposed: August 16, 1982 at 14 N.J.R. 865(b).
Adopted: November 4, 1982 by Robert E. Hughey,
Commissioner, Department of Environmental
Protection.
Filed: November 16, 1982 as R.1982 d.421, **without**
change.

Authority: N.J.S.A. 13:1D-9, P.L.1978, c.157, section
10.

Effective Date: December 6, 1982.
DEP Docket No. 032-82-07.

Summary of Public Comments and Agency Responses:
No comments received.

(c)

DIVISION OF WATER RESOURCES

Flood Hazard Area Delineations Flood Delineations along the Robins Branch No. 15 and Robinson's Branch No. 15-1

Adopted Amendment: N.J.A.C. 7:13-1.11

Proposed: August 16, 1982 at 14 N.J.R. 870(a).
Adopted: November 17, 1982 by Robert E. Hughey,
Commissioner, Department of Environmental
Protection.
Filed: November 18, 1982 as R.1982 d.428, **without**
change.

Authority: N.J.S.A. 13:1D-1 et seq. and 58:16A-50 et
seq.

Effective Date: December 6, 1982.

Summary of Public Comments and Agency Response:

The Department of Environmental Protection held a public
hearing on September 3, 1982 in the Westfield Municipal Building,
Westfield, New Jersey. Only one person gave testimony at the
hearing. The person spoke in favor of adoption of the amended
delineation of Robinson's Branches No. 15 and No. 15-1. No
objections were presented.

No written comments were received in response to the Notice of
Hearing dated August 16, 1982 which specified that comments
would be received until September 15, 1982.

(d)

DIVISION OF WATER RESOURCES

Flood Hazard Area Delineations Flood Delineations along the Chamberlain Factory and Webbs Mill Branch of the Cedar Creek

Adopted Amendment: N.J.A.C. 7:13-1.11

Proposed: July 6, 1982 at 14 N.J.R. 683(a).

Adopted: November 17, 1982 by Robert E. Hughey,
Commissioner, Department of Environmental Protection.
Filed: November 18, 1982 as R.1982 d.430, **without
change**.

Authority: N.J.S.A. 13:1D-1 et seq. and 58:16A-50 et
seq.

Effective Date: December 6, 1982.

Summary of Public Comments and Agency Response:
No comments received.

(a)

DIVISION OF WATER RESOURCES

**Flood Hazard Area Delineations
Flood Delineations along the Big Timber
Creek, South Branch Big Timber Creek,
Mantua Creek, Edward Run, Duffield Run,
Woodbury Creek and its tributaries**

Adopted Amendment: N.J.A.C. 7:13-1.11

Proposed: June 7, 1982 at 14 N.J.R. 505(a).
Adopted: November 17, 1982 by Robert E. Hughey,
Commissioner, Department of Environmental
Protection.
Filed: November 18, 1982 as R.1982 d.431, **without
change**.

Authority: N.J.S.A. 13:1D-1 et seq. and 58:16A-50 et
seq.

Effective Date: December 6, 1982.

Summary of Public Comments and Agency Response:
No comments received.

(b)

DIVISION OF WATER RESOURCES

**Flood Hazard Area Delineations
Flood Delineations along the Pond Run and
the North Branch of Pond Run**

Adopted Amendment: N.J.A.C. 7:13-1.11

Proposed: June 7, 1982 at 14 N.J.R. 506(a).
Adopted: November 17, 1982 by Robert E. Hughey,
Commissioner, Department of Environmental
Protection.
Filed: November 18, 1982 as R.1982 d.432, **without
change**.

Authority: N.J.S.A. 13:1D-1 et seq. and 58:16A-50 et
seq.

Effective Date: December 6, 1982.

Summary of Public Comments and Agency Response:

The Department of Environmental Protection held a public
hearing on June 25, 1982 at the offices of the Division of Water
Resources in Trenton, New Jersey.

Participation by the public was limited to Mr. Steve Golembuski,
Assistant Engineer for Hamilton Township.

Mr. Golembuski stated that he was attending the public hearing
to determine that the plates proposed for adoption amending the
floodway and flood hazard area limit of Pond Run and its North
Branch were in agreement with preliminary plates in the possession
of the Hamilton Township. He stated that the two sets of plates were
in agreement.

No written comments were received in response to the Notice of
Hearing dated June 7, 1982.

(c)

**DIVISION OF FISH, GAME AND
WILDLIFE**

**Fish and Game Council
1983 Fish Code**

Adopted Amendment: N.J.A.C. 7:25-6

Proposed: August 16, 1982 at 14 N.J.R. 872(a).
Adopted: September 14, 1982 by Anthony DiGiovanni,
Chairman, Fish and Game Council.
Filed: November 18, 1982 as R.1982 d.429, **with
substantive changes** not requiring additional public
notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 13:1B-30 et seq. and 23:1 et seq.

Effective Date: December 6, 1982.
Operative Date: January 1, 1983.
DEP Docket No. 026-82-06.

Summary of Public Comments and Agency Responses:

A total of 96 letters were received prior to the hearing and four
persons presented oral statements at the public hearing before the
New Jersey Fish and Game Council. Consideration was given to all
public comment.

Public comment related to only two of the proposed revisions in
the Code. These were the proposal to create a "Natural Trout
Fishing Area" on the Big Flat Brook and the proposal to impose
more restrictive regulations for the taking of brown trout and
rainbow trout at Round Valley Reservoir to promote its "holdover"
trout fishery (i.e. trophy trout) to the maximum.

A total of 86 letters and two oral statements relating to the Big
Flat Brook proposal were presented. All of the oral statements and
79 of the letters were in opposition to the proposal. There were three
points of the dispute: (1) opposition to the removal of the "fly-
fishing only" regulations; (2) opposition to the use of treble-hooked
lures; and (3) opposition to the cessation of stocking.

In its effort to efficiently regulate recreational fishing in New
Jersey, the Council and the Department of Environmental
Protection believed the proposed rules for management of trout
fishing in the Big Flat Brook to be a better method of control.
However, it is also the purpose of the Council and the Department
to provide the services which New Jersey fishers desire. The strong
public resistance to the Big Flat Brook management approach
makes it clear that such regulations should not be adopted at this
time. Therefore, the decision of the adopting body, the New Jersey
Fish and Game Council, with the consent of the Division, was that

the proposed changes in the regulations for the Big Flat Brook be rejected and that the existing regulations be continued.

A total of 10 letters and an oral comment relating to the Round Valley Reservoir "Trophy Trout" proposal were presented. The oral statement and eight of the letters were in favor of the proposal. The objections to the proposal either doubted the effectiveness of the proposed regulations in achieving the desired goals or opposed the entire concept. The letters in opposition were opinion, unsupported by fact. The Division and the Council view the opinion of each angler as valid, but recognize that such opinions vary from angler to angler. Therefore, in view of the support voiced for the proposal, particularly from the Round Valley Trout Anglers Association (the organization most affected by the proposal), and in view of the fact that it is a proposal based upon biologically sound scientific determinations, the Council determined to proceed to adopt the proposal.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks ***thus***; deletions from proposal shown in brackets with asterisks ***[thus]***).

7:25-6.3 Fly-fishing waters

Authority: N.J.S.A. 13:1B-31, 23:5-10, 23:5-11, 23:5-1.

(a) From and after 5:00 A.M. on Monday April [19, 1982] **18, 1983** to and including November 30, [1982] **1983** the following stretches are open to fly-fishing only, and closed to all fishing from 5:00 A.M. to 5:00 P.M. on the days listed for stocking:

1. Big Flat Brook, Sussex County - from the concrete bridge on Route 206 downstream to the [Roy Bridge on Mountain Road, a distance of approximately four miles, except that portion known as the Blewett Tract, regulated below (see (b)1 below)] ***[Polegate, the upstream terminus of the Big Flat Brook Natural Trout Fishing Area clearly defined by markers.]*** ***Roy Bridge on Mountain Road a distance of approximately four miles, except that portion known as the Blewett Tract, regulated in (b)1 below.***

2. (No change from proposal).

***(b)Beginning January 1, 1983 to midnight March 20, 1983 and from 8:00 A.M. on April 9, 1983 to midnight, March 18, 1984, the following stretch is open to fly-fishing only, but is closed to all fishing from 5:00 A.M. to 5:00 P.M. on the days listed for stocking:**

1. Big Flat Brook, Sussex County - that portion known as the Blewett Tract, which extends from the Three Bridges Road to a point immediately upstream of the junction of the Big Flatbrook and the Little Flatbrook, a distance of approximately 0.5 miles, this stretch being clearly defined by markers.*

[(c)]*[(b)]* ***(c)*** (No change in text from proposal.)

[(d)]*[(c)]* ***(d)*** (No change in text from proposal.)

7:25-6.4 Natural Trout Fishing Areas

Authority: N.J.S.A. 23:5-10, 23:5-1, 23:5-17, 13:1B-31.

(a) The following unstocked stretches of waters are hereby designated as Natural Trout Fishing Areas:

1. (No change from proposal.)

2. (No change from proposal.)

[3. Big Flat Brook, Sussex County - the stretch of water, clearly defined by markers, extending the Polegate Area downstream to Three Bridges a distance of approximately 1.5 miles.]

(b) The following regulations apply to the above-designated Natural Trout Fishing Areas:

1. Mulhockaway Creek [is] ***[and Big Flat Brook are]*** ***is*** closed to fishing from midnight March [21, 1982] **20, 1983** to 8:00 A.M. April [10, 1982] **9, 1983** ***[and in the case of the Big Flat Brook from 5:00 A.M. to 5:00 P.M. on those days listed for stocking]***. Van Campens Brook is open to fishing year-round.

Authority: N.J.S.A. 23:5-1.

2. (No change from proposal.)

3. (No change from proposal.)

4. No person shall kill or have in possession while fishing any trout less than 12 inches in total length on the Mulhockaway Creek [Natural Trout Fishing Area] ***[and Big Flat Brook Natural Trout Fishing Areas]*** ***Natural Trout Fishing Area*** and less than 10 inches in total length on the Van Campens Brook Natural Trout Fishing Area.

Authority: N.J.S.A. 23:5-7.

5. (No change from proposal.)

***[7:25-6.16** Tributaries of the Delaware River between Trenton Falls and Birch Creek where tide ebbs and flows

(a) Except for striped bass, the seasons, size, and bag limits established for the taking of fish in the tributaries of the Delaware River between Trenton Falls and Birch Creek shall be the same as those previously outlined for all waters of the State, other than those for the Delaware River between New Jersey and Pennsylvania, Round Valley Reservoir, and Greenwood Lake, where special regulations apply. (Note: Birch Creek is located in Gloucester County approximately one mile north of the Salem County line).

Authority: N.J.S.A. 23:9-30; 23:9-31; 23:9-34.

(b) The minimum length on striped bass (*Morone saxatilis*) shall be 14 inches. There shall be no maximum or minimum weight.

Authority: N.J.S.A. 23:9-34.]*

[7:25-6.17] ***7:25-6.16*** (No change in text from proposal.)

[7:25-6.17] ***[7:25-6.18]*** ***7:25-6.17*** (No change in text from proposal.)

(a)

DIVISION OF WASTE MANAGEMENT

Hazardous Waste Management

Adopted Amendments: N.J.A.C. 7:26-1.1, 1.4, 1.7, 2.14, 3.8, 5.5, 7.6, 8.16, 9.1, 9.5, 9.9

Proposed: October 18, 1982 at 14 N.J.R. 1138(a).

Adopted: November 18, 1982 by Robert E. Hughey, Commissioner, Department of Environmental Protection.

Filed: November 19, 1982 as R.1982 d.433, **with substantive and technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 13:1E-1 et seq.

Effective Date: December 6, 1982.

DEP Docket No. 045-82-09.

Summary of Public Comments and Agency Responses:

Though the Department of Environmental Protection felt that these proposed rules were of too minor a nature to interest the public at large, certain industrial representatives were offered an opportunity to meet and informally discuss the proposal with Department staff. Two commentators were present at the meeting on November 8, 1982 and identified the following issues;

The purpose of definitional change to the term "container" in N.J.A.C. 7:26-1.4 was unclear, in light of the discussion in the rule notice of October 18. Though the description of the nature of the change in the definition was misleading, the purpose and desirability of the change, itself, was not in issue. Both commentators accepted that the rule should be amended, as proposed.

The second issue concerned the change to the "leachate" definition, also in N.J.A.C. 7:26-1.4. This rule change removes the requirement that a liquid flowing from disposed waste must be known to contain "dissolved or suspended materials from that waste" before it can be considered "leachate". The Commentors were concerned that, by removing the above language, the Department might be able to place responsibility for violation of leachate control rules on a person or company where the violation is not the result of the waste handling activities of that person or company. The change in the "leachate" definition does not remove the responsibility of the Department to prove the cause-and-effect relationship between the violator's action (or inaction) and an alleged violation. Whether or not one calls a contaminated liquid "leachate" has no impact upon the necessity to identify the source of pollution before responsibility is assessed. To the extent that the Department requires control of liquids migrating from waste containment areas, it is our clear purpose that such control be undertaken, regardless of whether or not the liquid is actually contaminated by the waste. Therefore, the Department believes that the rule amendment is appropriate and should be adopted.

One written comment was received by the Department which suggested that the revision to the groundwater monitoring requirement in N.J.A.C. 7:26-9.5 did not take into consideration the fact that compliance by hazardous waste facilities not regulated by the United States Environmental Protection Agency would not be possible by the effective date of the rule amendment. The commentor further suggested that the groundwater monitoring system should be implemented as part of the New Jersey pollutant discharge elimination system permitting program (NJPDDES). The Department agrees that, for hazardous waste facilities not regulated by the Federal rules, delay in the compliance date is appropriate. Accordingly, 180 days are not provided within which compliance must occur. Since the program here concerned is the hazardous waste facility permitting program, the Department does not accept that it is appropriate to schedule compliance by the NJPDDES program.

One final comment was received from the United States Environmental Protection Agency. It is their opinion that the proposed amendment to the hazardous waste facility groundwater monitoring requirements in N.J.A.C. 7:26-9.5(a) remains somewhat unclear and that a minor language change could remove the ambiguity. We agree, and the rule has been revised to contain the change suggested by the USEPA.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks ***thus***; deletions from proposal shown in brackets with asterisks ***[thus]***).

7:26-1.1 Scope of rules

(a)-(b) (No change.)

(c) The regulations in this *[subchapter]* **section are not applicable to activities associated with hazardous waste. See N.J.A.C. 7:26-7, 8, 9, 10, 11 and 12 to find the hazardous waste rules.**

7:26-5.5 Penalties and rebates

(a)-(d) (No change.)

(e) The regulations in *[the subchapter]* **this section are not applicable to Code violations associated with hazardous waste activities. See N.J.A.C. 7:26-7, 8, 9, 10, 11 and 12 to find the hazardous waste rules.**

7:26-9.5 Groundwater monitoring system

(a) **[The] By the effective date of this rule amendment, the owner or operator shall [design, construct and implement] have designed, constructed and implemented a groundwater monitoring system [when required] in accordance with N.J.A.C. 7:14A-6 (Rules of the Division of Water Resources)[.] unless the owner or operator can demonstrate to the Department that all**

or part of the groundwater monitoring requirements may be waived, pursuant to 40 CFR 265.90 **(c). **[No waiver may be granted by any rules other than as set forth in 40 CFR 265.90]****

**** The Department may, in its discretion, only grant waivers which satisfy the requirements of 40 CFR 265.90(c). N.J.A.C. 7:14A-6.1(a)3 shall not be available to owners and operators of hazardous waste facilities to narrow or limit any requirement found in N.J.A.C. 7:14A-6. In no case shall all of the groundwater monitoring requirements for a hazardous waste management facility or an industrial waste management facility be waived.***

(b) Hazardous waste facilities which are excluded from the groundwater monitoring requirements of the United States Environmental Protection Agency shall have 180 days from the effective date of this rule amendment to comply with the requirements of this section.*

(a)

DIVISION OF WASTE MANAGEMENT

BOARD OF PUBLIC UTILITIES

Joint Adoption: Interdistrict and Intradistrict Solid Waste Flow

Adopted New Rule: N.J.A.C. 7:26-6

Adopted Repeal: N.J.A.C. 7:26-6

Proposed: September 20, 1982 at 14 N.J.R. 1027(b).

Adopted: November 17, 1982 by Robert E. Hughey, Commissioner, Department of Environmental Protection, and November 18, 1982 by Barbara Curran, President, Board of Public Utilities.

Filed: November 18, 1982 as R.1982 d.434, **with substantive changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 13:1E-1 et seq. and 48:13A-1 et seq.

Effective Date: December 6, 1982.

DEP Docket No. 037-82-08.

Summary of Public Comments and Agency Responses:

The Department of Environmental Protection and the Board of Public Utilities (DOE) held a joint hearing on these rules (Interdistrict and Intradistrict Solid Waste Flow) on October 5, 1982, and received written comments until October 20, 1982. Eighteen persons provided comments at the hearing; 30 written comments were received.

Comments received may be separated into two groups: the more general comments on the concept of waste flow control, its efficacy, its overall economic and environmental impact and the statutory basis therefor; and more specific comments dealing with particular inter or intra district waste flows as proposed in the original publication.

Summary of General Comments

A number of commentors, notably the Public Advocate, expressed support for the actions taken here. Commentors recognized the validity of the waste flow control concept, and noted its importance in their own particular situations. In addition, while several representatives of local governments commented negatively on the proposal, their relatively small number, when one recognizes

the fact that these controls affect all municipalities in New Jersey, is understood by the two agencies as an expression of support and understanding regarding the need to address waste management in a coordinated way.

Control over the flow of solid waste is a key element in both the district solid waste management plans, and the Statewide Solid Waste Management Plan, called for by the New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.). The New Jersey Supreme Court, the districts, DEP and the BPU have found that the need to predict the closure of existing facilities, rationally manage those facility closures, plan for new facilities, and ensure their economic viability all require some measure of waste stream control.

It is the opinion of the Department and the Board of Public Utilities that this control is used to best advantage if it is applied on a specific basis—that is, when wastes from each municipality (or unincorporated area) are directed to specific disposal facilities. Such directions will ensure just and reasonable rates and tend to stabilize rates over a period of time; ensure that landfills operate in an environmentally sound manner; and foster implementation of resource recovery as a primary disposal option.

The waste flows designed in the original proposal of these rules (see 14 N.J.R. 1027(b)) were developed with several key principles in mind, which principles were also utilized in responding to concerns regarding specific waste flow designations raised in the hearing and comment period. We have repeated these principles here because the individual responses did not restate them fully in each case.

1. Facilities should not suffer a loss of business: Except where critical shortages in disposal capacity or other similar factors required otherwise, the approved plans generally maintained waste loadings at individual facilities equivalent to their reported receipts prior to Plan development, and upon which tariff rates are predicted.

2. Facilities should not be overloaded: Truck access over local roads to the facility generally, and to the working face specifically, present practical limitations on the amount of waste a facility can accept. Overloading of facilities causes lengthy and costly delays while vehicles wait to enter and discharge their contents.

3. Transportation distances should be minimized: Transportation costs are a major component of waste disposal costs, and minimizing these costs, balanced by the other considerations noted here, was a primary concern.

4. Wastes should be disposed of within the District of generation: This strategy was seen as a key feature of the Solid Waste Management Act and was adhered to where possible. The Act required each District to find "sufficient available suitable sites" within the District, when possible, to treat and dispose of the District's wastes for at least a 10-year period. This strategy facilitates enforcement of waste flow controls and simplified planning and implementation by County agencies.

5. Solutions should provide long-term stability: Landfills in New Jersey are located in widely separate areas, and have various remaining lifetimes. Thus, in order to avoid situations where one landfill closure resulted in the overloading and early closure of the next closest landfill, and so on in a disruptive cascading pattern, DEP assigned waste loadings over a larger number of facilities. In this way, the impact on any one landfill was smaller, and consequently, fewer and less frequent redirections were necessary. In some cases, this meant that wastes were not directed to the closest facility. DEP believes that this long-term strategy provides corresponding public benefits. While such redistribution of waste loadings may have resulted in short-term increases in costs to some landfill users, in the long run, the resulting stability frequently provides overall cost savings.

The adopted rules designate specific facilities which will serve as the ultimate destinations for New Jersey waste streams. These rules do not grant franchises or property rights, but are flexible planning tools. They are modifiable in response to district planning

decisions and to emergencies. The DEP and the BPU must approve all changes in waste flows.

Several changes have been made to these rules since their original proposal. In several instances, commentors brought information to the agencies attention regarding situations where the original proposal would have directed wastes to facilities not authorized by the BPU or DEP to accept such wastes. These situations have been addressed. Further, one situation in which a facility stood to lose a substantial volume of business as a result of these rules was modified by the agencies to prevent this occurrence. Additionally, a large volume of information on specific waste flow situations was provided to the agencies which will be useful in forming the agencies enforcement agenda pertaining to waste flows.

Many other concerns were raised by commentors. These ranged from procedural questions relating to the type of hearing required to consider these waste flows, to broad questions regarding the type of economic regulation currently utilized. More specifically, questions focused on the proper distribution of costs of waste management, the practicalities of contract and tariff amendment, the proper geographic areas for use in waste management, and the role of county government and district solid waste management plans, in light of the new rules.

Specific Comments: Since the specific comments received by the DEP and the BPU covered a wide range of concerns relative to individual facilities, municipalities, collector/haulers, and agency policy, the full text of the Department's and Board's responses is extremely lengthy and is not reproduced here. A **copy** of the entire response document including all comments received and the DEP's and Board's responses may be obtained from the following persons:

Mr. Robin O'Malley, Staff Assistant
Department of Environmental Protection
Division of Waste Management
32 East Hanover Street
Trenton, NJ 08625; or

Mr. Eugene Byrne
Board of Public Utilities
110 Raymond Boulevard
Newark, NJ 07102

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks ***thus***; deletions from proposal shown in brackets with asterisks ***[thus]***).

SUBCHAPTER 6. INTERDISTRICT AND INTRADISTRICT SOLID WASTE FLOW

7:26-6.1 General provisions

This subchapter is ***[proposed]*** ***promulgated*** pursuant to the policies set forth in and the authority delegated to the Department ***of Environmental Protection*** by the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. ***[I]**, including among others N.J.S.A. 13:1E-6(a)2, which authorizes the Department to formulate and promulgate rules and regulations concerning solid waste collection and solid waste disposal; N.J.S.A. 13:1E-6(a)3, which empowers the Department to develop, formulate, promulgate, and review a statewide solid waste management plan; N.J.S.A. 13:1E-6(b)1, which authorizes the Department to order any District to develop a joint program and to cooperate and plan with other solid waste management districts in the development of a combined approach to solid waste management in and affecting northeastern New Jersey; N.J.S.A. 13:1E-24, which provides for departmental review, modification, rejection, or approval of solid waste management plans developed pursuant to the Act; N.J.S.A. 13:1E-2, which sets forth the legislative objective and policies of the Act, including the orderly preparation and evaluation of solid waste management plans among the solid waste management districts and on a state-wide basis; and such further authority in the Act which authorizes the Department to act pursuant to such objectives and

policies.]* **and to the Board of Public Utilities (BPU) pursuant to the Solid Waste Utility Control Act, N.J.S.A. 48:13A-1 et seq.***

7:26-6.2 Purpose

The New Jersey Department of Environmental Protection has reviewed and approved the adopted waste management plans for all 22 of the solid waste management districts in New Jersey. Based on these plans, it is evident that, at least for the short term, interdistrict solutions to planning issues are required. *[The subchapter below is intended to set forth required steps which must be or have been taken by solid waste management districts to effect regional and statewide solutions to solid waste management problems. The subchapter establishes the basis upon which interdistrict solid waste management planning is to be developed and implemented among the districts and also set forth as part of the statewide solid waste plan required by the Solid Waste Management Act.]* ***Further, the Board of Public Utilities has determined that the public interest requires the designation of specific disposal facilities to serve as the ultimate destination of certain waste streams. This subchapter sets forth the designations by the Department, of interdistrict waste flows, and by the Board of Public Utilities, of specific waste flows, designating specific facilities to serve specific geographic areas.***

7:26-6.3 Types of wastes covered

This subchapter shall apply to all solid wastes, as defined in N.J.A.C. 7:26-2.13, with the exception of liquid wastes, sewage sludge, septage, hazardous wastes, oil spill clean-up waste, infectious waste, and all non-hazardous materials *[recovered for sale or reuse from the waste stream (including materials that are)]* separated *[and recovered]* at the point of generation***]* *for sale or reuse*.**

7:26-6.4 Informational requirements

Any person registered with the Department for the collection, transportation, and/or disposal of solid wastes affected by this subchapter shall, upon request by the Department, submit, in such form as the Department may deem appropriate, information concerning the sources of wastes collected, and his or her transportation and disposal patterns.

7:26-6.5 District waste flow planning requirements ***and disposal facility designations***

Due to the lack of adequate disposal capacity within certain solid waste districts, ***and pursuant to a finding by the BPU that the public interest will be best served by designating specific disposal facilities as the ultimate destination of specific waste streams,*** it is necessary to direct *[interdistrict]* waste flows, as described in this section.

(a) Atlantic County ***facilities*:** *[Atlantic County shall accept certain waste flows from Cape May and Burlington Counties (q.v.)]*

***1. Buena Borough:** All waste types 10, 13, 23, 25, and 27 generated from within the Atlantic County municipality of Buena shall be disposed of at the Buena Borough Sanitary Landfill, facility number 0104A, located in Buena Borough, Atlantic County, New Jersey.

i. Upon closure of the Buena Borough Sanitary Landfill, facility number 0104A, wastes going to this facility shall be disposed of at the Buena Vista Township Sanitary Landfill, facility number 0105C, located in Buena Vista Township, Atlantic County, New Jersey.

2. Buena Vista Township: All waste types 10, 13, and 23 generated from within the Atlantic County municipality of Buena Vista shall be disposed of at the Buena Vista Township Sanitary Landfill, facility number 0105C, located in Buena Vista Township, Atlantic County, New Jersey.

i. All waste types 25 and 27 generated from within Buena Vista Township shall be disposed of at the Lee's Gravel Pit landfill, facility number 0108B, located in Egg Harbor Township, Atlantic County, New Jersey.

3. Egg Harbor City: All waste types 10, 13, and 23 generated from within the Atlantic County municipality of Egg Harbor City shall be disposed of at the Egg Harbor City Sanitary Landfill, facility number 0107A, located in Egg Harbor City, Atlantic County, New Jersey.

i. All waste types 25 and 27 generated from within Egg Harbor City shall be disposed of at the Lee's Gravel Pit landfill, facility number 0108B.

ii. Upon closure of the Egg Harbor City Sanitary Landfill, facility number 107A, wastes going to this facility shall be disposed of at the Galloway-Oak Avenue landfill, facility number 0111B, located in Galloway Township, Atlantic County, New Jersey.

4. Lee's Gravel Pit: All waste types 10, 13, 23, 25, and 27 generated from within the Atlantic County municipalities of Absecon, Atlantic City, Brigantine, Egg Harbor Township, Linwood, Longfort, Margate, Northfield, Pleasantville, Somers Point, and Ventnor shall be disposed of at the Lee's Gravel Pit landfill, facility number 0108B, located in Egg Harbor Township, Atlantic County, New Jersey. Upon closure of the Lee's Gravel Pit landfill, facility number 0108B, wastes going to this facility shall be disposed of at the proposed regional County landfill.

5. Estell Manor: All waste type 10 generated from within the Atlantic County municipalities of Corbin City and Estell Manor shall be disposed of at the Estell Manor Sanitary Landfill, facility number 0109A, located in Estell Manor City, Atlantic County, New Jersey.

i. All waste types 13, 23, 25, and 27 generated from within Corbin City and Estell Manor shall be disposed of at the Lee's Gravel Pit landfill, facility number 0108B, located in Egg Harbor Township, Atlantic County, New Jersey.

6. Folsom Borough: All waste types 10, 13, 23 and 27 generated from within the Atlantic County municipality of Folsom shall be disposed of at the Folsom Borough Sanitary Landfill, facility number 0110A, located in Folsom Borough.

i. All waste types 25 generated from within Folsom Borough shall be disposed of at the Lee's Gravel Pit landfill, facility number 0108B.

ii. Upon closure of the Folsom Borough Sanitary Landfill, facility number 0110A, wastes going to this facility shall be disposed of at the Hammonton Municipal Landfill, facility number 0113A, located in Hammonton Town, Atlantic County, New Jersey.

7. Galloway Township-Oak Avenue-Hershel: All waste types 10, 13, and 23 generated from within the Atlantic County municipality of Galloway shall be disposed of at the Galloway Township-Oak Avenue landfill, facility number 0111B, or the Galloway Township-Hershel landfill, facility number 0111D, both located in Galloway Township, Atlantic County, New Jersey, pending a possible decision to assign wastes to specific solid waste facilities.

i. All waste types 25 and 27 generated from within Galloway Township shall be disposed of at the Lee's Gravel Pit landfill, facility number 0108B, located in Egg Harbor Township, Atlantic County, New Jersey.

8. Hamilton Township-Somers Point Road: All waste types 10, 13, 23, and 25 generated from within the Atlantic County municipality of Hamilton shall be disposed of at the Hamilton Township Sanitary Landfill-Somers Point Road, facility number 0112B, located in Hamilton Township, Atlantic County, New Jersey.

i. All waste type 27 generated from within Hamilton Township shall be disposed of at the Lee's Gravel Pit landfill, facility number 0108B, located in Egg Harbor Township, Atlantic

County, New Jersey.

ii. The Atlantic County Plan adopted by the Board of Chosen Freeholders provides for the Hamilton Township Sanitary Landfill-Somers Point Road, facility number 0112B, to either expand and upgrade or close. The County shall amend its Plan no later than January 1, 1983 providing for either option concerning the Hamilton site.

9. Hammonton: All waste types 10, 13, 23, 25, and 27 generated from within the Atlantic County municipality of Hammonton shall be disposed of at the Hammonton Municipal Landfill, facility number 0113A, located in Hammonton Town, Atlantic County, New Jersey.

10. Mullica Township: All waste types 10, 13, 23, 25, and 27 generated from within the Atlantic County municipality of Mullica Hill shall be disposed of at the Mullica Township Landfill, facility number 0117A, located in Mullica Township, Atlantic County, New Jersey.

i. Upon closure of the Mullica Township Landfill, facility number 0117A, wastes going to this facility shall be disposed of at the Hammonton Municipal Landfill, facility number 0113A, located in Hammonton Town, Atlantic County, New Jersey.

11. Port Republic City: All waste types 10, 13, 23, and 27 generated from within the Atlantic County municipality of Port Republic shall be disposed of at the Port Republic City Landfill, facility number 0120A, located in Port Republic City, Atlantic County, New Jersey.

i. All waste type 25 generated from within Port Republic City shall be disposed of at the Lee's Gravel Pit landfill, facility number 0108B, located in Egg Harbor Township, Atlantic County, New Jersey.

ii. Upon closure of the Port Republic City Landfill, facility number 0120A, wastes going to this facility shall be disposed of at the Galloway Township-Oak Avenue landfill, facility number 0111B, located in Galloway Township, Atlantic County, New Jersey.

12. Weymouth Township: All waste types 10 and 13 generated from within the Atlantic County municipality of Weymouth shall be disposed of at the Weymouth Township Sanitary Landfill, facility number 0123A, located in Weymouth Township, Atlantic County, New Jersey.

i. All waste types 23, 25, and 27 generated from within Weymouth Township shall be disposed of at the Lee's Gravel Pit landfill, facility number 0108B, located in Egg Harbor Township, Atlantic County, New Jersey.

ii. Upon closure of the Weymouth Township Sanitary Landfill, facility number 0123A, wastes going to this facility shall be disposed of at the Estell Manor Sanitary Landfill, facility number 0109A, located in Estell Manor City, Atlantic County, New Jersey.

13. Lee's Gravel Pit:

i. All waste types 10, 13, 23, 25, and 27 generated from within the Cape May County municipality of Ocean City shall be disposed of at the Lee's Gravel Pit landfill, facility number 0108B, located in Egg Harbor Township, Atlantic County until the Cape May County regional landfill becomes operational. This is due to a lack of landfill capacity currently available in Cape May County.

ii. Upon closure of the Bass River Township Sanitary Landfill, facility number 0301A, located in Bass River Township, Burlington County, New Jersey, all waste types 10, 13, 23, 25, and 27 generated from within the Burlington County municipality of Bass River shall be disposed of at the Lee's Gravel Pit landfill, facility number 0108B, located in Egg Harbor Township, Atlantic County, New Jersey due to the transportation difficulties associated with bridge weight limitations in hauling wastes to Burlington County solid waste facilities.

iii. All waste types 10, 13, 23, 25, and 27 generated from within the Burlington County municipality of Washington shall be

disposed of at the Lee's Gravel Pit landfill, facility number 0108B, located in Egg Harbor Township, Atlantic County, New Jersey due to the transportation difficulties associated with bridge weight limitations in hauling wastes to Burlington County solid waste facilities.*

(b) Bergen County *facilities*:

[1. All solid wastes generated from within all of Bergen County with the exception of Westwood shall be exported to disposal facilities operated in, by, or under the authorization of, the Hackensack Meadowlands District (H.M.D.).]

*1. Kingsland Park Extension: All waste types 10, 13, 23, 25, and 27 generated from within all of Bergen County's municipalities, with the exceptions of North Arlington and Westwood, shall be disposed of at the Kingsland Park Sanitary Landfill Extension, facility number 0232C, located in Lyndhurst, Bergen County, New Jersey.

i. Upon the development and operation of the Bergen County Utilities Authority's resource recovery facility, (originally scheduled for operation in 1983, but soon to be rescheduled to a later date), all processable solid wastes generated from within Bergen County, with the exception of North Arlington, shall be disposed of at said resource recovery facility.

ii. Residues and non-processable solid wastes shall be disposed of at a landfill(s) designated in the first two year update.

2. HMDC Baler/Balefill: All waste types 10, 13, 23, 25, and 27 generated from within the Bergen County municipality of North Arlington shall be disposed of at the HMDC Baler/Balefill, facility number 0239C/0232D, located in North Arlington.

3. Westwood: Waste types 10, 13, and 23 generated from within the Bergen County municipality of Westwood shall be disposed of at the Westwood Landfill, facility number 0267A located in Westwood.

i. Waste types 25 and 27 generated from within Westwood shall be disposed of at the Kingsland Park Sanitary Landfill Extension, facility number 0232C, located in Lyndhurst, Bergen County.

ii. When disposal operations cease at the Westwood Landfill, Westwood will utilize the Kingsland Park Sanitary Landfill Extension, facility number 0232C.

4. In addition to the above mentioned waste flows, other modifications, directives and/or resolutions approved and issued by the Department and/or the HMDC may affect the Bergen County waste flow (see (i) below).*

(c) Burlington County *facilities*:

*[1. All solid wastes, generated from within the Burlington County municipality of Washington shall be exported to disposal facilities in Atlantic County.

2. Upon closure of the Bass River Township Sanitary Landfill, facility number 0301A, located in Bass River Township, Burlington County, New Jersey, all solid wastes, generated from within the Burlington County municipality of Bass River shall be exported to disposal facilities in Atlantic County.

3. All solid wastes generated from within the Burlington County municipalities of Cinnaminson, Delran, Moorestown, Palmyra, Riverside and Riverton shall be exported to disposal facilities operated in Camden County until April 28, 1984.

4. Burlington County shall accept certain waste flows from Mercer and Camden Counties (q.v.)]*

1. Bass River Township: All waste types 10, 13, and 23 generated from within the Burlington County municipality of Bass River shall be disposed of at the Bass River Township Sanitary Landfill, facility number 0301A, located in Bass River Township, Burlington County, New Jersey.

i. All type 25 wastes generated from within Bass River Township shall be disposed of at the Parklands Reclamation Project, facility number 0304A, located in Bordentown Township, Burlington County, New Jersey.

ii. All type 27 wastes generated from within Bass River

Township shall be disposed of at the Landfill and Development Company landfill, facility number 0323A.

iii. Upon closure of the Bass River Township Sanitary Landfill, facility number 0301A, wastes going to this facility shall be disposed of at the Lee's Gravel Pit landfill, facility number 0108B, located in Egg Harbor Township, New Jersey due to the transportation difficulties associated with bridge weight limitations in hauling wastes to Burlington County solid waste facilities.

2. Parklands Reclamation Project: All waste types 10, 13, 23, 25 and 27 generated from within the Burlington County municipalities of Bordentown City, Bordentown Township, Chesterfield, Fieldsboro, Florence, North Hanover and Wrightstown shall be disposed of at the Parklands Reclamation Project landfill, facility number 0304A, located in Bordentown Township, Burlington County, New Jersey.

3. Burlington City: All waste types 10 and 23 generated from within the Burlington County municipality of Burlington City, shall be disposed of at the Burlington City Sanitary Landfill, facility number 0305A, located in Burlington City, Burlington County, New Jersey.

i. All waste types 13, 25, 27 generated from within Burlington City shall be disposed of at the Parklands Reclamation Project landfill, facility number 0304A.

4. Evesham Township: All waste types 10 generated from within the Burlington County municipality of Evesham shall be disposed of at the Evesham Township Sanitary Landfill, facility number 0313A, located in Evesham Township, Burlington County, New Jersey.

i. All waste types 13, 23 and 27 generated from within Evesham shall be disposed of at the Landfill and Development Company landfill, facility number 0323A.

ii. All waste type 25 generated from within Evesham Township shall be disposed of at the Parklands Reclamation Project landfill, facility number 0304A.

iii. Upon closure of the Evesham Township Sanitary Landfill, facility number 0313A, wastes going to this facility shall be disposed of at the Landfill and Development Company landfill, facility number 0323A.

5. Lumberton Township: All waste types 10, 13, 23, and 27 generated from within the Burlington County municipality of Lumberton shall be disposed of at the Lumberton Township Sanitary Landfill, facility number 0317A, located in Lumberton Township, Burlington County, New Jersey.

i. All waste types 25 generated from within Lumberton Township shall be disposed of at the Parklands Reclamation Project Landfill, facility number 0304A.

ii. Upon closure of the Lumberton Township Sanitary Landfill, facility number 0317A, wastes going to this facility shall be disposed of at the Landfill and Development Company Landfill, facility number 0323A.

6. Landfill and Development Company: All waste types 10, 13, 23, and 27 generated from within the Burlington County municipalities of Beverly City, Burlington Township, Delanco, Eastampton, Edgewater Park, Mansfield, Maple Shade, Medford, Medford Lakes, Mount Holly, Mount Laurel, New Hanover, Pemberton Borough, Pemberton Township, Riverton, Shamong, Southampton, Springfield, Westampton and Willingboro shall be disposed of at the Landfill and Development Company landfill, facility number 0323A.

i. All type 25 wastes generated from within the Burlington County municipalities of Beverly City, Burlington Township, Delanco, Eastampton, Edgewater Parks, Mansfield, Maple Shade, Medford, Medford Lakes, Mt. Holly, Mt. Laurel, New Hanover, Pemberton Borough, Pemberton Township, Riverton, Shamong, Southampton, Springfield, Westampton and Willingboro shall be disposed of at the Parklands Reclamation Project landfill, facility number 0304A.

7. Tabernacle: All waste types 10, 13, and 23 generated from

within the Burlington County municipality of Tabernacle shall be disposed of at the Tabernacle Sanitary Landfill, facility number 0335A, located in Tabernacle Township, Burlington County, New Jersey.

i. Type 25 wastes generated from within Tabernacle Township shall be disposed of at the Parklands Reclamation Project landfill, facility number 0304A.

ii. Type 27 wastes generated from within Tabernacle shall be disposed of at the Landfill and Development Company landfill, number 0323A.

iii. Upon closure of the Tabernacle Sanitary Landfill, facility number 0335A, wastes going to this facility shall be disposed of at the Landfill and Development Company landfill, facility number 0323A.

8. Woodland Township: All waste types 10, 13, and 23 generated from within the Burlington County Municipality of Woodland shall be disposed of at the Woodland Township Sanitary Landfill, facility number 0339A, located in Woodland Township, Burlington County, New Jersey.

i. Type 25 wastes generated from within Woodland Township shall be disposed of at the Parklands Reclamation Project landfill, facility number 0304A.

ii. Type 27 wastes generated from within Woodland Township shall be disposed of at the Landfill and Development Company landfill.

iii. Upon closure of the Woodland Township Sanitary Landfill, facility number 0339A, wastes going to this facility shall be disposed of at the Landfill and Development Company landfill, facility number 0323A.

9. Lee's Gravel Pit: All waste types 10, 13, 23, 25 and 27 generated from within the Burlington County municipality of Washington shall be disposed of at the Lee's Gravel Pit Landfill, facility number 0108B, located in Egg Harbor Township, Atlantic County, New Jersey, due to the transportation difficulties associated with bridge weight limitations in hauling the wastes to Burlington County solid waste facilities.

10. Pennsauken Township: All waste types 10, 13, 23, and 27 generated from within the Burlington County municipalities of Cinnaminson, Delran, Moorestown, Palmyra, Riverside and Riverton shall be disposed of at the Pennsauken Township landfill, facility number 0427D, located in Pennsauken Township, Camden County, New Jersey until April 28, 1984 as provided for in the Interdistrict Waste Flow agreement between Burlington and Camden Counties subject to the terms and conditions set forth therein.

i. Waste type 25 generated from within the Burlington County municipality of Cinnaminson, Delran, Moorestown, Palmyra, Riverside and Riverton shall be disposed of at the Parklands Reclamation Project landfill, facility number 0304A, located in Bordentown Township, Burlington County, New Jersey.

11. Landfill and Development Company: All waste types 10, 13, 23 and 27 generated from within the Camden County municipalities and Audubon, Lindenwold, Voorhees and that portion of Cherry Hill Township which is collected east of Kings Highway to the municipal line of Mt. Laurel and the Borough of Haddonfield, estimated to be a portion of 20,500 tons per year, shall be disposed of at the Landfill and Development Company landfill, facility number 0323A, located in Mount Holly Township, Burlington County, New Jersey until April 28, 1984 as provided for in the Interdistrict Waste Flow Agreement between Burlington and Camden Counties and subject to the terms and conditions set forth therein.

i. All waste types 25 generated from within the Camden County municipalities of Audubon, Lindenwold, Voorhees and that portion of Cherry Hill Township which is collected east of Kings Highway to the municipal line of Mt. Laurel and the Borough of Haddonfield, estimated to be a portion of the 20,500 tons per year, shall be disposed of at the Kinsley's Landfill, Inc.

landfill, facility number 0802B, located in Deptford Township, Gloucester County, New Jersey.

12. Landfill and Development Company: All waste types 13 generated from within the Camden County municipality of Camden City shall be disposed of at the Landfill and Development Company landfill, facility number 0323A, located in Mount Holly Township, Burlington County, New Jersey.

i. All waste types 10, 23, 25 and 27 generated from within the Camden County municipality of Camden City shall be disposed of at the Kinsley's Landfill, Inc. landfill, facility number 0802B, located in Deptford Township, Gloucester County, New Jersey until April 28, 1984 as provided for in the Interdistrict Waste Flow Agreement between Burlington and Camden Counties and subject to the terms and conditions set forth therein.

13. Parklands Reclamation Project: All waste types 10, 13, 23, 25 and 27 generated from within Mercer County shall be disposed of at the Parklands Reclamation Project landfill, facility number 0304A, located in Bordentown Township, Burlington County, New Jersey, until January 1, 1984 as provided for in the Interdistrict Waste Flow Agreement between Burlington and Mercer Counties and subject to the terms and conditions set forth therein.

14. Burlington County shall accept certain wastes from the City of Philadelphia and 12 Pennsylvania hauling companies pursuant to agreements between Burlington County and these respective parties, subject to the terms and conditions set forth therein.*

(d) Camden County *facilities*:

*[1. 20,500 TPY of solid waste (as referenced in interdistrict waste flow agreement between Camden County and Burlington County) from the Township of Cherry Hill is directed to disposal facilities in Burlington County.

2. All solid wastes generated by the Camden County municipality of Camden shall be exported to disposal facilities in Gloucester County.

3. All solid wastes generated from within the Camden County municipalities of Audobon, Lindenwold and Voorhees shall be exported to disposal facilities in Burlington County until July 6, 1984.

4. All solid wastes generated from within the Camden County municipalities of Audobon Park, Barrington, Bellmawr, Berlin Boro, Berlin Township, Brooklaw, Clementon, Gibbsboro, Gloucester City, Gloucester Township, Haddon Heights, Hi-Nells, Laurel Springs, Lawnside, Magnolia, Mt. Ephraim, Oaklyn, Pine Hill, Pine Valley, Runnemeade, Somerdale, Stratford, and Woodlynne shall be exported to disposal facilities in Gloucester County.]*

*1. Kinsley's Landfill: All waste types 10, 13, 23, 25, and 27 generated from within the Camden County municipalities of Audubon Park, Barrington, Bellmawr, Berlin Borough, Berlin Township, Brooklawn, Clementon, Gibbsboro, Gloucester City, Gloucester Township, Haddon Heights, Hi-Nella, Laurel Springs, Lawnside, Magnolia, Mount Ephraim, Oaklyn, Pine Hill, Pine Valley, Runnemeade, Somerdale, Stratford, and Woodlynne shall be disposed of at the Kinsley's Landfill, Inc., facility number 0802B, located in Deptford Township, Gloucester County, New Jersey.

2. Winslow Township Solid Waste Disposal Area: All waste types 10, 13, 23, 25, and 27 generated from within the Camden County municipalities of Chesilhurst, Waterford Township, and Winslow Township shall be disposed of at the Winslow Township Solid Waste Disposal Area, facility number 0436A, located in Winslow Township, Camden County, New Jersey.

3. Landfill and Development Company: All waste types 10, 13, 23, and 27 generated from within the Camden County municipalities of Audubon, Lindenwold, and Voorhees Township shall be disposed of at the Landfill and Development Company landfill, facility number 0323A, located in Mount

Holly Township, Burlington County, New Jersey until April 28, 1984 as is provided for in the interdistrict waste flow agreement between Burlington and Camden Counties and subject to the terms and conditions set forth herein.

i. All waste type 25 generated from within the Camden County municipalities of Audubon, Lindenwold, and Voorhees Township shall be disposed of at the Kinsley's Landfill, Inc., facility number 0802B, located in Deptford Township, Gloucester County, New Jersey.

4. Pennsauken Township: All waste types 10, 13, 23, and 27 generated from within the Camden County municipality of Cherry Hill Township, with the exception of that portion which is collected east of Kings Highway to the municipal line of Mt. Laurel, and the Borough of Haddonfield (estimated to be a portion of 20,500 tons per year) shall be disposed of at the Pennsauken Township Sanitary Landfill, facility number 0427D, located in Pennsauken Township, Camden County, New Jersey.

i. The 20,500 tons per year of waste type 10, 13, 23, and 27 generated and collected from the service area described above shall be disposed of at the Landfill and Development Company landfill, facility number 0323A, located in Mount Holly Township, Burlington County, New Jersey, until April 28, 1984 as provided for in the interdistrict waste flow agreement between Burlington and Camden Counties and subject to the terms and conditions set forth therein.

ii. All waste type 25 generated from within the Camden County municipality of Cherry Hill Township shall be disposed of at the Kinsley's Landfill, Inc., facility number 0802B, located in Deptford Township, Gloucester County, New Jersey.

5. Kinsley's Landfill: All waste types 10, 23, 25, and 27 generated from within the Camden County municipality of Camden City shall be disposed of at the Kinsley's Landfill, Inc., facility number 0802B, located in Deptford Township, Gloucester County, New Jersey.

i. All waste type 13 generated from within the Camden County municipality of Camden City shall be disposed of at the Landfill and Development Company landfill, facility number 0323A, located in Mount Holly Township, Burlington County, New Jersey, until April 28, 1984 as provided for in the interdistrict waste flow agreement between Burlington and Camden Counties and subject to the terms and conditions set forth therein.

6. Pennsauken Township: All waste types 10, 13, 23, and 27 generated from within the Camden County municipalities of Collingswood, Haddon Township, Merchantville Township, Pennsauken, and Tavistock shall be disposed of at the Pennsauken Township Sanitary Landfill, facility number 0427D, located in Pennsauken Township, Camden County.

i. All waste type 25 generated from within the Camden County municipalities of Collingswood, Haddon Township, Merchantville Township, Pennsauken, and Tavistock shall be disposed of at the Kinsley's Landfill, Inc., facility number 0802B, Deptford Township, Gloucester County, New Jersey.

7. Pennsauken Township: All waste types 10, 13, 23, and 27 generated from within the Burlington County municipalities of Cinnaminson, Delran, Moorestown, Palmyra, Riverside, and Riverton shall be disposed of at the Pennsauken Township Sanitary Landfill, facility number 0427D, located in Pennsauken Township, Camden County, New Jersey until April 28, 1984 as provided for in the interdistrict waste flow agreement between Burlington and Camden Counties and subject to the conditions set forth therein.

i. All waste type 25 generated from within the Burlington County municipalities of Cinnaminson, Delran, Moorestown, Palmyra, Riverside, and Riverton shall be disposed of at the Parklands Reclamation Project Landfill, facility number 0304A, located in Bordentown Township, Burlington County, New Jersey.

8. When the Camden County resource recovery facility becomes operational, processable solid waste generated in all of Camden County's municipalities with the exception of Chesilhurst, Waterford Township, and Winslow Township shall be disposed of at this facility. Residue and non-processable solid wastes shall be disposed of at a landfill(s) designated in the first two-year update of the District Plan.*

(e) Cape May County *facilities*:

[1. All solid wastes generated from within the Cape May County municipality of Ocean City shall be exported to disposal facilities in Atlantic County.]

*1. Foundation and Structures landfill: All waste types 10, 13, 23, 25, and 27 generated from within Cape May County municipalities of Avalon, Sea Isle City and Woodbine shall be disposed of at the Foundation and Structures, Inc. landfill, facility number 0516B, located in Woodbine Boro, Cape May County, New Jersey.

2. Dennis Township-Belleplain-South Seaville: All waste types 10, 13, 23, 25 and 27 generated from within the Cape May County municipality of Dennis Township shall be disposed of at the Dennis Township Belleplain Landfill, facility number 0504B, located in Dennis Township, Cape May County, New Jersey, or the Dennis Township South Seaville Landfill, facility number 0504C located in Dennis Township, Cape May County, New Jersey.

3. Mar-Tee Middle Township: All waste types 10, 13, 23, 25, and 27 generated from within the Cape May County municipalities of Lower, Middle, North Wildwood, Stone Harbor, West Wildwood and Wildwood City shall be disposed of at the Mar-Tee Middle Township Sanitary Landfill, facility number 0506C, located in Middle Township, Cape May County, New Jersey.

4. Smith's Landfill: All waste type 10 generated from within the Cape May County municipalities of Cape May City, Cape May Point Boro, West Cape May, and Wildwood Crest Boro shall be disposed of at the Smith's Landfill, facility number 0505D, located in Lower Township, Cape May County, New Jersey.

i. All waste type 13, 23, 25 and 27 generated from within the Cape May municipalities of Cape May City, Cape May Point Boro, West Cape May, and Wildwood Crest Boro shall be disposed of at the Mar-Tee Middle Township Sanitary Landfill, facility number 0506C, located in Middle Township, Cape May County, New Jersey.

5. Upper Township: All waste type 10, 23, and 27 generated from within the Cape May County municipality of Upper shall be disposed of at the Upper Township Sanitary Landfill, facility number 0511A, located in Upper Township, Cape May County, New Jersey.

i. All waste type 13 and 25 generated from within the Cape May County municipality of Upper shall be disposed of at the Foundation and Structures, Inc. Landfill, facility number 0516B, located in Woodbine Boro, Cape May County, New Jersey.

6. Lee's Gravel Pit: All waste type 10, 13, 23, 25, and 27 generated from within the Cape May County municipality of Ocean City shall be disposed of at the Lee's Gravel Pit landfill, facility number 0108B, located in Egg Harbor Township, Atlantic County, New Jersey until the Cape May County regional landfill becomes operational.

7. When the Cape May County regional landfill becomes operational, all waste types (10, 13, 23, 25 and 27) generated within the Cape May County municipalities of Avalon, Cape May City, Cape May Point Boro, Dennis, Lower, Middle, North Wildwood, Ocean City, Sea Isle City, Stone Harbor, Upper, West Cape May, West Wildwood, Wildwood, Wildwood Crest and Woodbine shall be disposed of at this facility.*

(f) Cumberland County * facilities*: *[Cumberland County shall

accept certain waste flows from Gloucester County (q.v.)]*

*1. Bridgeton City: All waste types 10, 13, 23, 25, and 27 generated from within the Cumberland County municipality of Bridgeton shall be disposed of at the Bridgeton City landfill, facility number 0601A, located in Bridgeton City, Cumberland County, New Jersey.

2. Commercial Township: All waste types 10, 13, and 23 generated from within the Cumberland County municipality of Commercial Township shall be disposed of at the Commercial Township landfill, facility number 0602A, located in Commercial Township, Cumberland County, New Jersey.

i. All waste types 25 and 27 generated from within the Cumberland County municipality of Commercial Township shall be disposed of at the Millville City landfill, facility number 0610A, located in Millville City, Cumberland County, New Jersey.

3. Deerfield Township: All waste types 10, 13, and 23 generated from within the Cumberland County municipality of Deerfield Township shall be disposed of at the Deerfield Township landfill, facility number 0603A, located in Deerfield Township, Cumberland County, New Jersey.

i. All waste type 25 generated from within the Cumberland County municipality of Deerfield Township shall be disposed of at the Vineland City landfill, facility number 0614B, located in Vineland City, Cumberland County, New Jersey.

ii. All waste type 27 generated from within the Cumberland County municipality of Deerfield Township shall be disposed of at the Millville City landfill, facility number 0601A, located in Millville City, Cumberland County, New Jersey.

4. Downe Township: All waste types 10, 13, and 23 generated from within the Cumberland County municipality of Downe Township shall be disposed of at the Downe Township landfill, facility number 0604B, located in Downe Township, Cumberland County, New Jersey.

i. All waste type 25 generated from within the Cumberland County municipality of Downe Township shall be disposed of at the Vineland City landfill, facility number 0614B, located in Vineland City, Cumberland County, New Jersey.

ii. All waste type 27 generated from within the Cumberland County municipality of Downe Township shall be disposed of at the Millville City landfill, facility number 0610A, located in Millville City, Cumberland County, New Jersey.

5. Fairfield Township: All waste types 10, 13, 23 generated from within the Cumberland County municipality of Fairfield Township shall be disposed of at the Fairfield Township landfill, facility number 0605A, located in Fairfield Township, Cumberland County, New Jersey.

i. All waste types 25 and 27 generated from within the Cumberland County municipality of Fairfield Township shall be disposed of at the Bridgeton City landfill, facility number 0601A, located in Bridgeton City, Cumberland County, New Jersey.

6. Hopewell Township: All waste types 10, 13, and 23 generated from within the Cumberland County municipalities of Hopewell Township and Greenwich Township shall be disposed of at the Hopewell Township landfill, facility number 0607A, located in Hopewell Township, Cumberland County, New Jersey.

i. All waste types 25 and 27 generated from within the Cumberland County municipalities of Hopewell Township and Greenwich Township shall be disposed of at the Bridgeton City landfill, facility number 0601A, located in Bridgeton City, Cumberland County, New Jersey.

7. Lawrence Township: All waste types 10, 13 and 23 generated from within the Cumberland County municipality of Lawrence Township shall be disposed of at the Lawrence Township landfill, facility number 0608C, located in Lawrence Township, Cumberland County, New Jersey.

i. All waste type 25 generated from within the Cumberland

County municipality of Lawrence Township shall be disposed of at the Vineland City landfill, facility number 0614B, located in Vineland City, Cumberland County, New Jersey.

ii. All waste type 27 generated from within the Cumberland County municipality of Lawrence Township shall be disposed of at the Millville City landfill, facility number 0610A, located in Millville City, Cumberland County, New Jersey.

8. Maurice River Township: All waste types 10, 13, 23, and 25 generated from within the Cumberland County municipality of Maurice River Township shall be disposed of at the Maurice River Township landfill, facility number 0609B, located in Maurice River Township, Cumberland County, New Jersey, or the Maurice River Township landfill, facility number 0609C (for municipal, type 10, bulky, type 13, and vegetative, type 23 wastes only), located in Maurice River Township, Cumberland County, New Jersey.

i. All waste type 27 generated from within the Cumberland County municipality of Maurice River Township shall be disposed of at the Millville City landfill, facility number 0610A, located in Millville City, Cumberland County, New Jersey.

9. Millville City: All waste types 10, 13, 23, and 27 generated from within the Cumberland County municipality of Millville City shall be disposed of at the Millville City landfill, facility number 0610A, located in Millville City, Cumberland County, New Jersey.

i. All waste type 25 generated from within the Cumberland County municipality of Millville City shall be disposed of at the Vineland City landfill, facility number 0614B, located in Vineland City, Cumberland County, New Jersey.

10. Stow Creek Township: All waste types 10, 13, and 23 generated from within the Cumberland County municipalities of Stow Creek Township and Shiloh Borough shall be disposed of at the Stow Creek Township landfill, facility number, 0612A, located in Stow Creek Township, Cumberland County, New Jersey.

i. All waste types 25 and 27 generated from within the Cumberland County municipalities of Stow Creek Township and Shiloh Borough shall be disposed of at the Bridgeton City landfill, facility number 0601A, located in Bridgeton City, Cumberland County, New Jersey.

11. Upper Deerfield Township: All waste types 10 and 23 generated from within the Cumberland County municipality of Upper Deerfield Township shall be disposed of at the Upper Deerfield Township landfill, facility number 0613A, located in Upper Deerfield Township, Cumberland County, New Jersey.

i. All waste types 13, 25, and 27 generated from within the Cumberland County municipality of Deerfield Township shall be disposed of at the Bridgeton City landfill, facility number 0601A, located in Bridgeton City, Cumberland County, New Jersey.

ii. Upon closure of the Upper Deerfield Township landfill, facility number 0613A, all waste types directed to this landfill shall be disposed of at the Bridgeton City landfill, facility number 0601A, located in Bridgeton City, Cumberland County, New Jersey.

12. Vineland City: All waste types 10, 13, 23, and 25 generated from within the Cumberland County municipality of Vineland City shall be disposed of at the Vineland City landfill, facility number 0614B, located in Vineland City, Cumberland County, New Jersey.

i. All waste type 27 generated from within the Cumberland County municipality of Vineland City shall be disposed of at the Millville City landfill, facility number 0601A, located in Millville City, Cumberland County, New Jersey.

13. Vineland City: According to Section D.2(a) of the approved Cumberland County District Solid Waste Management Plan and Section D.1.(d) of the approved Gloucester County District Solid Waste Management Plan, all waste types 10, 13, 23, 25, and 27 generated from the

Gloucester County municipality of Newfield Borough shall be disposed of at the Vineland City landfill, facility number 0614B, located in Vineland City, Cumberland County, New Jersey.

14. When the Cumberland County regional landfill(s) become operational, all waste types 10, 13, 25, and 27 generated from within the Cumberland County municipalities of Bridgeton, Commercial, Deerfield, Downe, Fairfield, Greenwich, Hopewell, Lawrence, Maurice River, Millville, Stow Creek, Shiloh, Upper Deerfield, and Vineland shall be disposed of at these facilities.*

(g) Essex County:

[1. All solid wastes generated from within all of Essex County shall be exported to disposal facilities operated in, by, or under authorization of the H.M.D.]

*1. According to the March 2, 1982 Consent Judgement issued by the Honorable John A. Murzulli, J.S.C., all waste types 10, 13, 23, 25, and 27 generated from within all of Essex County's municipalities shall be disposed of at facilities located in the Hackensack Meadowlands Development Commission for a period not to exceed 6 1/2 years from the date of issuance of the judgement. At the end of this 6 1/2 year period, Essex County will have completed the construction of and have operational its resource recovery facility. The HMDC will assume no responsibility for the acceptance of Essex County's waste beyond the 6 1/2 year period except for resource recovery residuals, non-processable wastes, and back up capacity for the resource recovery facility.

i. This waste flow will be handled principally by a new Baler/Balefill facility to be constructed by the HMDC and expected to be operating between September 1983 and December 31, 1983. The location of the Baler/Balefill has not yet been announced by the HMDC. However, it will be located in the Hackensack Meadowlands District. In the interim, all Essex County waste will continue to be disposed of at the MSLA 1-C site, facility number 0907B, located in Kearny, which has recently reopened upon the closure of the MSLA 1-D, facility number 0907C, also located in Kearny. The MSLA 1-C site is expected to close before the end of 1982 at which time the HMDC plans to reopen the MSLA 1-A site, facility number 0907A, located in Kearny.

ii. In addition to the above consent judgement, other modification, directives, and/or resolutions approved and issued by the Department and/or the HMDC may effect the Essex County waste flow (see (i) below).*

(h) Gloucester County *facilities*:

[1. All solid wastes generated from within the Gloucester County municipality of Newfield Borough shall be exported to disposal facilities in Cumberland County.]

*1. Kinsley's Landfill: All waste types 10, 13, 23, 25, and 27 generated from within the Gloucester County municipalities of Clayton Borough, Deptford Township, East Greenwich, Franklin Township, Glassboro Township, Harrison Township, Logan Township, Mantua Township, Monroe Township, National Park, Paulsboro, Pitman, South Harrison Township, Swedesboro, Washington Borough, Wenonah, Woodbury, West Deptford, Westville, Woodbury Heights, and Woolrich Township shall be disposed of at the Kinsley's Landfill, Inc., facility number 0802B, located in Deptford Township, Gloucester County, New Jersey.

2. Vineland City: All waste types 10, 13, 23, 25, and 27 generated from within the Gloucester County municipality of Newfield Borough shall be disposed of at the Vineland City Sanitary Landfill, facility number 0614B, located in Vineland City, Cumberland County, New Jersey.

3. Elk Township: All waste types 10, 13, and 23 generated from within the Gloucester County municipality of Elk Township shall be disposed of at the Elk Township Landfill, facility number 0804A, located in Elk Township.

i. All waste types 25 and 27 generated from within the

Gloucester County municipality of Elk Township shall be disposed of at the Kinsley's Landfill, Inc., facility number 0802B, located in Deptford Township, Gloucester County, New Jersey.

ii. Upon closure of the Elk Township landfill, all waste types generated from within the Gloucester County municipality of Elk Township shall be disposed of at the Kinsley's Landfill, Inc., facility number 0802B, located in Deptford Township, Gloucester County, New Jersey.

4. Greenwich Township: All waste types 10, 13, and 23 generated from within the Gloucester County municipality of Greenwich Township shall be disposed of at the Greenwich Township Sanitary Landfill, facility number 0807B, located in Greenwich Township, Gloucester County, New Jersey.

i. All waste types 25 and 27 generated from within the Gloucester County municipality of Greenwich Township shall be disposed of at the Kinsley's Landfill, Inc., facility number 0802B, located in Deptford Township, Gloucester County, New Jersey.

ii. Upon closure of the Greenwich Township Sanitary Landfill, facility number 0807B, all waste types going to this facility shall be disposed of at the Kinsley's Landfill, Inc., facility number 0802B, located in Deptford Township, Gloucester County, New Jersey.

5. Kinsley's Landfill:

i. All waste types 10, 13, 23, 25, and 27 generated from within the Camden County municipalities of Audubon Park, Barrington, Bellmawr, Berlin Boro, Berlin Township, Brooklawn Township, Clementon, Gibbsboro, Gloucester City, Gloucester Township, Haddon Heights, Hi-Nella, Laurel Springs, Lawnside, Magnolia, Mt. Ephraim, Oaklyn, Pine Hill, Pine Valley, Runnemede, Somerdale, Stratford, and Woodlynne shall be disposed of at the Kinsley's Landfill, Inc., facility number 0802B, located in Deptford Township, Gloucester County, New Jersey as directed by Section D.2a and c of the approved Gloucester County District Solid Waste Management Plan and Section C.1 of the approved Camden County District Solid Waste Management Plan.

ii. All waste types 10, 23, 25, and 27 generated from within the Camden County municipality of Camden City shall be disposed of at the Kinsley's Landfill, Inc., facility number 0802B, located in Deptford Township, Gloucester County, New Jersey.

iii. All waste type 25 generated from within the Camden County municipalities of Audubon, Cherry Hill Township, Collingswood, Haddonfield, Haddon Township, Lindenwold, Merchantville Township, Pennsauken, Tavistock and Voorhees Township shall be disposed of at the Kinsley's Landfill, Inc., facility number 0802B, located in Deptford Township, Gloucester County, New Jersey.

6. Gloucester County is directed by Section D.26 of the approved Gloucester County District Solid Waste Management Plan to develop and implement interdistrict agreements with out-of-state generators and/or collector haulers.

7. When the Gloucester County resource recovery facility becomes operational, processable solid wastes generated in all of Gloucester County's municipalities, with the exception of Newfield Borough, shall be directed to the energy recovery facility. Residue and non-processable solid wastes shall be disposed of at a landfill(s) designated in the first two-year update of the District Plan.

i. All solid wastes, generated from within Newfield, shall continue to be disposed of at the Vineland City Sanitary Landfill, facility number 0614B, located in Vineland City, Cumberland County, New Jersey.

(i) Hackensack Meadowlands District *[shall accept certain waste flows from Bergen, Essex, Hudson, Passaic and Union Counties.]*
.

*1. The Hackensack Meadowlands Development Commission shall accept certain waste flow from Bergen, Essex, Hudson,

Passaic and Union Counties as described in (b) and (g) above, and (j), (q) and (u) below.

2. In addition to these approved waste flows, the following interdistrict waste flow changes that have been made as a result of modifications, directives and/or the Department and/or the HMDC shall be incorporated into the affected district plans:

i. July 28, 1981: The HMDC directed (Resolution No. 81-62) that certain recycling facilities known as Envirogetics, Inc. of Hoboken, V. Ponte and Sons, Inc. of Jersey City, Consolidated Carting Company (t/a Tri-Compaction Sales) of Lyndhurst and Barretti Carting (t/a Hoboken Recycling Corp.) of Hoboken shall dispose of their unrecycled residues at such disposal facility as is designated for Essex County Solid Waste.

ii. August 25, 1981: The HMDC adopted an emergency amendment (Resolution No. 81-65) to its Solid Waste Management Plan, subsequently approved by DEP, which authorized the temporary diversion of Kearny town residential solid waste to the MSLA 1-D landfill, or such facility designated for Essex County waste.

iii. October 27, 1981: The HMDC adopted an emergency amendment (Resolution No. 81-77) to its Solid Waste Management Plan, subsequently approved by DEP, which authorized the temporary diversion of residues from the V. Ponte and Sons recycling plant in Jersey City to the HMDC Baler and a like amount of the Jersey City Incinerator Authority residential waste from the HMDC Baler to the Essex County disposal facility. This emergency action also temporarily diverts certain wastes collected by V & L Contracting and Equipment Co., Inc. from the HMDC Baler to the Essex County disposal facility.

iv. November 10, 1981: A DEP directive of this date directed solid waste generated in Essex County municipality of Essex Fells from the closed Combe-Fill Corporation Landfill in Morris County to the MSLA 1-D facility in Kearny, New Jersey, thus incorporating Essex Fells as part of the Essex County waste flow.

v. November 25, 1981: A temporary waste flow modification was issued by DEP which directed that certain residential solid waste from the City of Elizabeth in Union County may be redirected from the Industrial Land Reclaiming and Global landfills in Middlesex County to the MSLA 1-D site in Kearny during times when the Middlesex County facilities are closed or as otherwise specified by that directive. See the November 25, 1981 directive for specific details.

vi. January 15, 1982: DEP interprets the Certification of Approval with Modification of the Bergen County and the Hackensack Meadowlands District Solid Waste Management Plans such that they designate the Bergen County Utilities Authority as the agency responsible for the implementation of the proposed resource recovery facility for the disposal of waste generated in Bergen County.

vii. March 2, 1982: A consent judgement filed with the Superior Court of New Jersey, Law Division-Essex County Ordered that the HMDC shall develop, construct and operate a baler facility within the Hackensack Meadowlands District for all solid waste generated from within Essex County. Said facility, in conjunction with other interim disposal facilities shall accommodate all Essex County solid waste for a period of 6 1/2 years from the date of the consent judgement. Thereafter, all Essex County solid waste must be accommodated by Essex County at a resource recovery facility (or an appropriate interim facility) to be constructed and operated by Essex County, in Essex County. (See Consent Order of March 2, 1982 for additional details.)

viii. April 12, 1982: Position statement by the HMDC requests that, at the time DEP directs the amendment of the HMDC, Essex and Union County district plans, DEP require Union County to ready alternate disposal facilities to accept the wastes generated by Union and Springfield no later than 6 1/2 years from March 2, 1982 consistent with the Essex County

agreement of that date.

ix. **September 9, 1982:** The HMDC adopted an emergency amendment by resolution to the Solid Waste Management Plan which directs all solid waste utilizing the MSLA 1-D landfill to the MSLA 1-C landfill until October 26, 1982. The purpose of this action was to provide continued landfill space for Essex County waste until the designated interim disposal facility for Essex County has been prepared.*

(j) Hudson County *facilities*:

*[1. All solid waste generated from within all of Hudson County with the exception of Bayonne shall be exported to disposal facilities operated in, by, or under the authorization of, the H.M.D. until 1985.

2. All solid waste generated from the municipality of Bayonne shall be exported to disposal facilities operated in, by, or under the authorization of, the H.M.D. upon closure of the Bayonne City landfill.]*

*1. **Hackensack Meadowlands:** All waste types 10, 13, 23, 25, and 27 generated from within all of Hudson County's municipalities with the exception of Bayonne, shall be disposed of at the Hackensack Meadowlands Development Commission Baler/Balerfill, facility number 0239C/0232D, located in North Arlington, Bergen County, New Jersey. When the Hudson County resource recovery facility scheduled to be on line by January 1, 1985 becomes operational, these processable solid wastes shall be directed to said facility. Residues and non-processable solid wastes shall be disposed of at a landfill(s) designated in the first two-year update of the Hackensack Meadowlands District Solid Waste Management Plan.

2. **Bayonne:** All waste types 10, 13, 23, and 25 generated from within the Hudson County municipality of Bayonne shall be disposed of at the Bayonne Sanitary Landfill, facility number 0901A, located in the City of Bayonne.

i. All waste type 27 generated from within Bayonne shall be disposed of at the HMDC Baler/Balefill, facility number 0239C/0232D, located in North Arlington, Bergen County.

ii. Upon closure of the Bayonne Sanitary Landfill, scheduled to close on April 1, 1983, all solid waste generated from within Bayonne shall be directed to the HMDC Baler/Balefill. When the Hudson County resource recovery facility scheduled to be on line by January 1, 1985 becomes operational, this waste stream shall be redirected to said facility. Residues and non-processable solid waste shall be disposed of at a landfill(s) designated in the first two-year update of the Hackensack Meadowlands District Solid Waste Management Plan.

3. In addition to the above mentioned waste flows, other modifications, directives, and/or resolutions approved and issued by the Department and/or the HMDC may effect the Hudson County waste flow (see (i) above).*

(k) Hunterdon County *facilities*:

[1. All solid wastes generated from within the Hunterdon County municipalities of Alexandria, Bethlehem, Bloomsbury, Califon, Clinton, Clinton Township, Delaware, East Amwell, Flemington, Franklin, Frenchtown, Glen Gardner, Hampton, High Bridge, Holland, Kingwood, Lambertville, Lebanon Boro, Lebanon Township, Milford, Raritan, Readington, Stockton Township, Union and West Amwell shall be exported to disposal facilities in Warren County.]

*1. **High Point Sanitary Landfill:** All solid waste types 10, 13, 23, 25, and 27 generated from within the Hunterdon County municipalities of Alexandria, Bethlehem, Bloomsbury, Califon, Clinton Town, Franklin, Glen Gardner, Hampton, High Bridge, Holland, Lambertville, Lebanon Boro, Lebanon Township, Milford, Union and West Amwell shall be disposed of at High Point Sanitary Landfill, facility number 2105A, located in Franklin Township, Warren County, New Jersey.

2. All solid waste types 10, 13, 23, 25 and 27 generated from within the Hunterdon County municipalities of Stockton and Frenchtown are given the option of utilizing disposal facilities

in Pennsylvania. If this disposal option is not used, then Stockton and Frenchtown shall utilize High Point Sanitary Landfill, facility number 2105A, located in Franklin Township, Warren County, New Jersey.

3. **Edgeboro Disposal:** All solid waste types 10, 13, 23, 25, and 27 generated from within the Hunterdon County municipalities of Clinton Township, Delaware, East Amwell, Flemington, Kingwood, Raritan, Readington and Tewksbury shall be disposed of at Edgeboro Disposal Landfill, facility number 1204A, located in East Brunswick until the expiration of the interdistrict agreement. At such time, all solid waste from these municipalities shall be disposed of at High Point Sanitary Landfill, facility number 2105A, located in Franklin Township, Warren County, New Jersey.

(l) Mercer County:

[1. All solid wastes generated from within Mercer County shall be exported to disposal facilities in Burlington County until January 1, 1984, except as otherwise provided in the Solid Waste Agreement between Burlington County and Mercer County, dated July 31, 1981.]

1. All waste types 10, 13, 23, 25, and 27 generated from within Mercer County shall be disposed of at the Parklands Reclamation Project landfill, facility number 0304A, located in Bordentown Township, Burlington County, New Jersey until January 1, 1984 as provided for in the Interdistrict Waste Flow Agreement between Burlington and Mercer Counties and subject to the terms and conditions set forth therein.

(m) Middlesex County *facilities*: *[Middlesex County shall accept certain waste flows from Morris, Somerset and Union Counties (q.v.).]*

*1. **In-County Wastes:**

i. **Industrial Land Reclaiming landfill:** All solid waste types 10, 13, 23, 25, and 27 generated from within the Middlesex County municipalities of Middlesex, Dunellen, Piscataway and South Plainfield, shall be disposed of at the Industrial Land Reclaiming Inc. landfill, facility number 1205C, located in Edison Township, Middlesex County, New Jersey. Upon closure of this facility, said solid wastes will be directed to another solid waste facility(ies).

ii. **Edison Disposal Area:** All solid waste types 10, 13, 23, 25, and 27 generated from within the Middlesex County municipalities of Edison, Metuchen and Highland Park, shall be disposed of at the Edison Disposal Area landfill, facility number 1205A, located in Edison Township, Middlesex County, New Jersey. Upon closure of this facility said solid wastes will be redirected to another alternate facility(ies).

(1) Those solid wastes including leaves, branches, tree trunks, tires, and pallets from Metuchen and Highland Park are permitted to be disposed at the Industrial Land Reclaiming landfill (1205C) in Edison Township in the event the Edison Disposal Area landfill refuses to accept these waste types.

iii. **Edgeboro Disposal landfill:** All solid waste types 10, 13, 23, 25, and 27 generated from within the Middlesex County municipalities of New Brunswick, North Brunswick, Plainsboro, Cranbury, East Brunswick, Milltown, South River, Spotswood, and Helmetta, shall be disposed of at the Edgeboro Disposal Inc. landfill, facility number 1204A, located in East Brunswick, Middlesex County, New Jersey.

iv. **South Brunswick:** All solid waste types 10, 13, 23, 25, and 27 generated from within the Middlesex County municipalities of South Brunswick shall be disposed of at the South Brunswick municipal landfill, facility number 1221B, located in South Brunswick, Middlesex County, New Jersey. Upon closure of this facility said solid waste will be redirected to another alternate facility(ies).

v. **Global Landfill:** All solid waste types 10, 13, 23, 25, and 27 generated from within the Middlesex County municipalities of Carteret, Woodbridge, Perth Amboy, South Amboy, Sayreville, Old Bridge, Monroe, and Jamesburg, shall be

disposed at the Global Landfill Reclaiming Corp. landfill, facility number 1209A, located in Old Bridge Township, Middlesex County, New Jersey. Upon closure of this facility, said solid wastes will be redirected to another alternate facility(ies).

(1) Litigation between Carteret and the State Attorney Generals Office indicates that the Carteret Landfill has no legal right to operate. However, at the time of this rulemaking, the Superior Court, Chancery Division, has permitted the Carteret Landfill to continue operating until final closure in March 1983.

vi. All solid waste types 10, 13, 23, 25, and 27 generated within Middlesex County municipalities shall be disposed of at the proposed Landfill No. 1 and No. 2 in Middlesex County as designated upon closure of existing landfills which are currently accepting solid wastes generated in those municipalities.

vii. Upon development and operation of the Middlesex County resource recovery facility, all processable/non-processable solid wastes generated within all municipalities in Middlesex County shall be disposed of at said facility. Residue and non-processable/non-recyclable solid wastes shall be disposed of at designated landfills.

2. Out-of-County Wastes:

i. Edgeboro Disposal landfill: All solid waste types 10, 13, 23, 25, and 27 generated from within the Hunterdon County municipalities of Clinton Township, Delaware, East Amwell, Flemington, Kingwood, Raritan, Readington, and Tewksbury shall be disposed of at the Edgeboro Disposal landfill, facility number 1204A, located in East Brunswick until the expiration of the interdistrict agreement. At such time, all solid waste from these municipalities shall be disposed of at High Point Sanitary Landfill, facility number 2105A, located in Franklin Township, Warren County, New Jersey.

ii. Industrial Land Reclaiming landfill: All solid waste types 10, 13, 23, 25, and 27 generated from within the Union County municipalities of Berkeley Heights, Fanwood, Hillside, Plainfield, Roselle Park, Scotch Plains, Mountainside, Westfield, Winfield, Garwood, Cranford, and Clark shall be disposed of at the Industrial Land Reclaiming Inc. landfill (ILR), facility number 1205C, located in Edison Township, Middlesex County, New Jersey. Upon closure of this facility, said solid wastes will be redirected to another designated solid waste facility(ies).

iii. Industrial Land Reclaiming landfill: All solid waste types 10, 13, 23, and 25 generated from within the Union County municipalities of Elizabeth, Roselle, and Kenilworth shall be disposed of at the Industrial Land Reclaiming Inc. landfill (ILR), facility number 1205C, located in Edison Township, Middlesex County, New Jersey. Upon closure of this facility, said solid waste will be redirected to another designated solid waste facility(ies).

(1) All type 27 solid wastes generated from within the Union County municipalities of Kenilworth and Roselle shall be disposed of at the Edgeboro Disposal Inc. landfill, facility number 1204A, East Brunswick, Middlesex County, New Jersey.

(2) All type 27 solid wastes generated from within Elizabeth shall be disposed of at the Global Landfill Reclaiming Corp. landfill, facility number 1209A, Old Bridge Township, Middlesex County, New Jersey. Upon closure of this facility, said solid wastes will be redirected to another designated solid waste facility(ies).

(3) Exceptions to the Elizabeth waste flows shall include the following: a maximum of four City of Elizabeth trucks (only) per day that are unable to finish their routes by 2:00 P.M. are permitted to dispose of their solid waste at facilities operated in, by, or under the authorization of the Hackensack Meadowlands District; and any single load of solid waste from Elizabeth consisting solely of tree stumps, tires, or concrete will be permitted to be disposed of at facilities operated in, by, or under

the authorization of the Hackensack Meadowlands District.

iv. Edgeboro Disposal landfill: All solid waste types 10, 13, 23, 25, and 27 generated from within the Union County municipalities of New Providence, Rahway, and Summit shall be disposed of at the Edgeboro Disposal Inc. landfill, facility number 1204A, East Brunswick, Middlesex County, New Jersey.

v. Edgeboro Disposal landfill: All solid waste types 25 and 27 generated in Linden City shall be disposed of at Edgeboro Disposal Inc. landfill, facility number 1204A, East Brunswick, Middlesex County, New Jersey.

vi. Edgeboro Disposal landfill: All solid waste type 25 generated from within the Morris County municipalities of Boonton Township, Butler, Denville, Dover, Jefferson, Kinnelon, Lincoln Park, Mine Hill, Montville, Mountain Lakes, Mount Olive, Netcong, Pequannock, Riverdale, Rockaway Borough, Roxbury, Victory Gardens, and Wharton shall be disposed of at Edgeboro Disposal Inc. landfill, facility number 1204A, located in East Brunswick, Middlesex County, New Jersey.

vii. Edgeboro Disposal landfill: All waste types 25 and 27 generated within the Morris County municipality of Mount Arlington shall be disposed of at Edgeboro Disposal Inc. Landfill, facility number 1204A, located in East Brunswick, Middlesex County, New Jersey.

viii. Edgeboro Disposal landfill: Upon closure of the Somerville landfill, facility number 1818A, located in Somerville Borough, Somerset County, New Jersey, all solid waste types 10, 13, 23 and 27 generated from within the Somerset County municipalities of Raritan and Somerville will be disposed of at the Edgeboro Disposal Inc. landfill, facility number 1204A, located in East Brunswick, Middlesex County, New Jersey.

ix. Edgeboro Disposal landfill: Solid waste type 25 generated from within the Somerset County municipalities of Raritan and Somerville shall be disposed of at the Edgeboro Disposal Inc. landfill, facility number 1204A, located in East Brunswick, Middlesex County, New Jersey.

x. Industrial Land Reclaiming landfill: All solid waste types 10, 13, 23, 25, and 27 generated from within the Somerset County municipalities of Branchburg, Bridgewater, Green Brook, North Plainfield, Warren, and Watchung shall be disposed of at the Industrial Land Reclaiming Inc. landfill, facility number 1205C, located in Edison Township, Middlesex County, New Jersey. Upon closure of this facility, said solid wastes will be redirected to another designated solid waste facility(ies).

xi. Edgeboro Disposal landfill: All solid waste types 10, 13, 23, 25, and 27 generated from within the Somerset County municipalities of Bedminster, Bernards, Bernardsville, Bound Brook, Far Hills, Franklin, Hillsborough, Millstone, Montgomery, Peapack-Gladstone, Rocky Hill, and South Bound Brook shall be disposed of at the Edgeboro Disposal Inc. landfill, facility number 1204A, located in East Brunswick Township, Middlesex County, New Jersey.

xii. Edgeboro Disposal landfill: All solid wastes generated in the Somerset County municipality of Manville which are collected by private collector/haulers, including type 25 solid wastes, shall be disposed at the Edgeboro Disposal Inc. landfill, facility number 1204A, located in East Brunswick Township, Middlesex County, New Jersey.

xiii. Edgeboro Disposal landfill: All solid waste type 25 generated from within the Sussex County municipalities of Andover Borough, Andover Township, Branchville, Byram, Frankford, Franklin, Fredon, Green, Hamburg, Hampton, Lafayette, Montague, Newton, Ogdensburg, Sandyston, Stanhope, Sussex, Vernon, Walpack, Stillwater, Hardyston, Hopatcong, Sparta and Wantage shall be disposed at Edgeboro Disposal Inc. landfill, facility number 1204A, located in East Brunswick Township, Middlesex County, New Jersey.*

(n) Monmouth County *facilities*: *[Monmouth County shall neither import or export solid waste.]*

*1. Englishtown Disposal Area: All waste type 13 generated from within the Monmouth County municipality of Englishtown shall be disposed of at the Englishtown Disposal Area, facility number 1312A, located in Englishtown Borough, Monmouth County, New Jersey.

i. All waste types 10, 23, 25, and 27 generated from within Englishtown Borough shall be disposed of at the Monmouth County Reclamation Center landfill and shredder, facility numbers 1336B and 1336D, located in Tinton Falls Borough, Monmouth County, New Jersey.

ii. Upon closure of the Englishtown Disposal Area, facility number 1312A, all wastes going to this facility shall be disposed of at the Monmouth County Reclamation Center landfill and shredder, facility numbers 1336B and 1336D.

2. Waste Disposal Landfill: All waste types 10, 13, 23 and 27 generated from within the Monmouth County municipalities of Allentown, Asbury Park, Brielle, Farmingdale, Howell, Manasquan, Millstone, Roosevelt, Upper Freehold, Wall, and that portion of Freehold Township south of Route 524 shall be disposed of at the Waste Disposal, Inc. landfill, facility number 1319B, located in Howell Township, Monmouth County, New Jersey.

i. All waste type 25 generated from within the Monmouth County municipalities of Allentown, Asbury Park, Brielle, Farmingdale, Howell, Manasquan, Millstone, Roosevelt, Upper Freehold, Wall, and that portion of Freehold Township south of Route 524 shall be disposed of at the Monmouth County Reclamation Center landfill and shredder, facility number 1336B and 1336D, located in Tinton Falls Borough, Monmouth County, New Jersey.

ii. Upon closure of the Waste Disposal Inc. landfill, facility number 1319B, wastes going to this facility shall be disposed of at the Monmouth County Reclamation Center landfill and shredder, facility numbers 1336B and 1336D.

3. Monmouth County Reclamation Center: All waste types 10, 13, 23, 25, and 27 generated from within the Monmouth County municipalities of Aberdeen, Allenhurst, Atlantic Highlands, Avon, Belmar, Bradley Beach, Colts Neck, Deal, Eatontown, Fair Haven, Freehold Borough, that portion of Freehold Township north of Route 524, Hazlet, Highlands, Holmdel, Interlaken, Keansburg, Keyport, Little Silver, Loch Arbour, Long Branch, Manalapan, Marlboro, Matawan, Middletown, Monmouth Beach, Neptune City, Neptune Township, Ocean, Oceanport, Rumson, Sea Bright, Sea Girt, Shrewsbury Borough, Shrewsbury Township, South Belmar, Sping Lake, Spring Lake Heights, Tinton Falls, and West Long Branch shall be disposed of at the Monmouth County Reclamation Center landfill and shredder, facility number 1336B and 1336D, located in Tinton Falls Borough, Monmouth County, New Jersey.

4. Red Bank: All waste types 13, 23, 27 generated from within the Monmouth County municipality of Red Bank shall be disposed of at the Red Bank Sanitary Landfill, facility number 1340A, located in Red Bank Borough, Monmouth County, New Jersey.

i. All waste types 10 and 25 generated from within Red Bank Borough shall be disposed of at the Monmouth County Reclamation Center, facility numbers 1336B and 1336D, located in Tinton Falls Borough, Monmouth County, New Jersey.

ii. Upon closure of the Red Bank Sanitary Landfill, facility number 1340A, waste going to this facility shall be disposed of at the Monmouth County Reclamation Center, facility numbers 1336B and 1336D.*

(o) Morris County *facilities*:

*[1. All solid wastes generated from within the Morris County municipality of Chatham Boro, Bhatam Township, Chester Boro,

Chester Township, East Hanover, Florham Park, Hanover, Harding, Madison, Medham Boro, Medham Township, Morris, Morris Plains, Morristown, Parsippany-Troy Hills, Passaic Township, and Randolph shall be exported to disposal facilities in Middlesex County.]*

2. All solid wastes with the exception of those noted in Section 6.4, generated from within Morris County municipalities of Booton, Booton Township, Butler, Denville, Dover, Jefferson, Kinnelon, Lincoln Park, Mine Hill, Montville, Mountain Lakes, Mt. Olive, Netcong, Pequannock, Riverdale, Rockaway Township, Roxbury, Victory Gardens, and Wharton shall be exported to disposal facilities in Sussex County.

3. All solid wastes generated from within the Morris County municipality of Washington Township shall be exported to disposal facilities in Warren County.]*

*1. Hamm's Sanitary Landfill: All solid waste types 10, 13, 23, and 27 generated from within the Morris County municipalities of Boonton, Boonton Township, Butler, Denville, Dover, Jefferson, Kinnelon, Lincoln Park, Mine Hill, Montville, Mountain Lakes, Mount Olive, Netcong, Pequannock, Riverdale, Rockaway Borough, Roxbury, Victory Gardens, and Wharton shall be disposed of at Hamm's Sanitary Landfill, facility number 1913A, located in Lafayette Township, Sussex County, New Jersey.

2. Industrial Land Reclaiming Landfill: All solid waste type 25 generated from within the Morris County municipalities of Boonton, Boonton Township, Butler, Denville, Dover, Jefferson, Kinnelon, Lincoln Park, Mine Hill, Montville, Mountain Lakes, Mount Olive, Netcong, Pequannock, Riverdale, Rockaway Borough, Roxbury, Victory Gardens, and Wharton shall be disposed of at Industrial Land Reclaiming Landfill, facility number 1205C, located in Edison Township, Middlesex County, New Jersey.

3. Edgeboro Disposal landfill: All solid waste types 10, 13, 23, 25, and 27 generated from within the Morris County municipalities of Chatham Borough, Chatham Township, Chester Borough, Chester Township, East Hanover, Florham Park, Hanover, Harding, Madison, Madham Township, Morris Township, Morris Plains, Morristown, Parsippany-Troy Hill Township, Passaic Township, and Randolph shall be disposed of at Edgeboro Disposal landfill, facility number 1204A, located in East Brunswick, Middlesex County, New Jersey.

4. Mount Arlington Borough: All waste types 10, 13, and 23 generated from within the Morris County municipality of Mount Arlington shall be disposed of at Mount Arlington Borough landfill, facility number 1426A, located in Mount Arlington Borough, Morris County, New Jersey.

5. Industrial Land Reclaiming Landfill: All waste types 25 and 27 generated from within Morris County municipality of Mount Arlington shall be disposed of at Industrial Land Reclaiming Landfill, facility number 1205C, located in Edison Township, Middlesex County, New Jersey.

6. Edgeboro Disposal landfill: All waste types 10, 25, and 27 generated from within the Morris County municipality of Mendham Borough shall be disposed of at Edgeboro Disposal landfill, facility number 1204A, located in East Brunswick, New Jersey.

7. Mendham Borough: All waste types 13 and 23 generated from within the Morris County municipality of Mendham Borough shall be disposed of at Mendham Borough Landfill, facility number 1418A, located in Mendham Borough, Morris County, New Jersey.

8. Hamm's Sanitary Landfill: All waste types 10 and 27 generated from within the Morris County municipality of Rockaway Township shall be disposed of at Hamm's Sanitary Landfill, facility number 1913A, located in Lafayette Township, Sussex County, New Jersey.

9. Rockaway Township: All waste types 13 and 23 generated

from within the Morris County municipality of Rockaway Township shall be disposed of at the Rockaway Township Landfill, facility number 1435A, located in Rockaway Township, Morris County, New Jersey.

10. Industrial Land Reclaiming Landfill: All waste type 25 generated from within the Morris County municipality of Rockaway Township shall be disposed of at Industrial Land Reclaiming Landfill, facility number 1205C, located in Edison Township, Middlesex County, New Jersey.

11. High Point Sanitary Landfill: All waste types 10, 13, 23, 25, and 27 generated from within the Morris County municipality of Washington Township shall be disposed of at High Point Sanitary Landfill, facility number 2105A, located in Franklin Township, Warren County, New Jersey.

12. Carrino's Landfill: Currently, the municipalities of Boonton, Boonton Township, Butler, Lincoln Park, Montville, Mountain Lakes, Pequannock, and Riverdale are utilizing the disposal facilities previously indicated. This waste flow, upon review and approval by the Board of Public Utilities, will be directed to Carrino Contracting and Trucking Company Sanitary Landfill, facility number 1605A, if and when it is permitted to open following the resolution of the litigation with Montclair State College. This waste flow resulted from consultations with the representatives from both Morris and Passaic Counties and was derived due to limited existing disposal capacity and transportation difficulties to the currently utilized disposal facilities.

i. It is necessary for the Board of Chosen Freeholders of Morris and Passaic Counties to formally propose and adopt for inclusion in the respective District Solid Waste Management Plans, a waste flow which directs approximately 75,000 tons per year of solid waste (type 10, 13, 23, and dead animals) to Carrino's Landfill for a two-year period. This waste flow may be the same as the waste flow designated by the Department. It should be noted that the waste flow designated by the Boards of Chosen Freeholders must be included in interdistrict agreements between the two counties.*

(p) Ocean County *facilities*: *[Ocean County shall neither import or export solid waste.]*

*1. Beachwood: All waste types 10, 13 and 23 generated from within the Ocean County municipality of Beachwood shall be disposed of at the Beachwood Landfill, facility number 1504A, located in Beachwood Borough, Ocean County, New Jersey.

i. All waste types 25 and 27 generated from within Beachwood Borough shall be disposed of at the Southern Ocean Landfill, Inc. landfill, facility number 1520A, located in Ocean Township, Ocean County, New Jersey.

ii. Upon closure of the Beachwood Landfill, facility number 1504A, wastes going to this facility shall be disposed of at the Southern Ocean Landfill, Inc. landfill, facility number 1520A.

2. James H. James landfill: All waste types 10, 13 and 23 generated from within the Ocean County municipalities of Lavallette, Mantoloking, Point Pleasant and Point Pleasant Beach shall be disposed of at the James H. James, Inc. landfill, facility number 1506A, located in Brick Township, Ocean County, New Jersey.

i. All waste types 25 and 27 generated from within the Boroughs of Lavallette, Mantoloking, Point Pleasant and Point Pleasant Beach shall be disposed of at the Ocean County Landfill Corporation landfill, facility number 1518B, located in Manchester Township, Ocean County, New Jersey.

ii. Upon closure of the James H. James, Inc. landfill, facility number 1506A, waste going to this facility shall be disposed of at the Ocean County Landfill Corporation landfill, facility number 1518B.

3. Lakewood Township: All waste types 10, 13, 23, 25, and 27 generated from within the municipalities of Bay Head, Island Heights, and Lakewood shall be disposed of at the Lakewood

Township Landfill, facility number 1514A, located in Lakewood Township, Ocean County, New Jersey.

i. Upon closure of the Lakewood Township Landfill, facility number 1514A, wastes going to this facility shall be disposed of at the Ocean County Landfill Corporation landfill, facility number 1518B, located in Manchester Township, Ocean County, New Jersey.

4. Manchester Township: All waste types 13 and 23 generated from within the Ocean County municipality of Manchester shall be disposed of at the Manchester Township Municipal Sanitary Landfill, facility number 1518A, located in Manchester Township, Ocean County, New Jersey.

i. All waste types 10, 25, and 27 generated from within Manchester Township shall be disposed of at the Ocean County Landfill Corporation landfill, facility number 1518B, located in Manchester Township, Ocean County, New Jersey.

ii. Upon closure of the Manchester Township Municipal Sanitary Landfill, facility number 1518A, wastes going to this facility shall be disposed of at the Ocean County Landfill Corporation landfill, facility number 1518B. The Manchester Township Municipal Sanitary Landfill, facility number 1518A, was inadvertently left out of the Proposed Solid Waste laws for Ocean County Solid Waste Management District (August 1982) even though it is currently operating. Therefore, a waste flow is given to the Manchester Township Municipal Sanitary Landfill.

5. Ocean County Landfill: All waste types 10, 13, 23, 25, and 27 generated from within the Ocean County municipalities of Brick, Dover, Jackson, Lakehurst, Plumsted, Seaside Heights, Seaside Park and those portions of Berkeley Township in Holiday City, Silver Ridge Park and South Seaside Park shall be disposed of at the Ocean County Landfill Corporation landfill, facility number 1518B, located in Manchester Township, Ocean County, New Jersey.

6. Southern Ocean Landfill: All waste types 10, 13, 23, 25, and 27 generated from within the Ocean County municipalities of Barnegat, Barnegat Light, Beach Haven, Eagleswood, Harvey Cedars, Lacey, Ocean Gate, Pine Beach and those portions of Berkeley Township not in Holiday City, Silver Ridge Park and South Seaside Park shall be disposed of at the Southern Ocean Landfill, Inc. landfill, facility number 1520A, located in Ocean Township, Ocean County, New Jersey.

7. South Toms River: All waste types 10, 13, and 23 generated from within the Ocean County municipality of South Toms River shall be disposed of at the South Toms River Sanitary Landfill, facility number 1529A, located in South Toms River, Ocean County, New Jersey.

i. All waste types 25 and 27 generated from within South Toms River shall be disposed of at the Southern Ocean Landfill, Inc. landfill, facility number 1520A, located in Ocean Township, Ocean County, New Jersey.

ii. Upon closure of the South Toms River Sanitary Landfill, facility number 1529A, wastes going to this facility shall be disposed of at the Southern Ocean Landfill, Inc. landfill, facility number 1520A.

8. Stafford Township Landfill: All waste types 10, 13, and 23 generated from within the Ocean County municipalities of Little Egg Harbor, Long Beach, Ship Bottom, Stafford, Surf City and Tuckerton shall be disposed of at the Stafford Township Landfill, facility number 1530A, located in Stafford Township, Ocean County, New Jersey.

i. All waste types 25 and 27 generated from within Little Egg Harbor, Long Beach, Ship Bottom, Stafford, Surf City, and Tuckerton shall be disposed of at the Southern Ocean Landfill, Inc. landfill, facility number 1520A, located in Ocean Township, Ocean County, New Jersey.

ii. Upon closure of the Stafford Township Landfill, facility number 1530A, waste going to this landfill shall be disposed of at the Southern Ocean Landfill, Inc. landfill, facility number

1520A.

(q) Passaic County *facilities*:

*[1. All solid wastes generated from within the Passaic County municipalities of Bloomingdale, Pompton Lakes, Ringwood, Wanaque and West Milford shall be exported to disposal facilities in Sussex County.

2. All solid wastes generated from within the Passaic County municipalities of Clifton, Haledon, Hawthorne, Little Falls, North Haledon, Passaic, Paterson, Prospect Park, Totowa, Wayne, and West Paterson shall be exported to disposal facilities operated in, by, or under the authorization of, the H.M.D.]*

*1. The Lakeland Regional Solid Waste Management Authority comprised of six municipalities, Pompton Lakes, Ringwood, and Bloomingdale within Passaic County and Butler, Kinnelon and Pequannock within Morris County, completed a solid waste management plan in July of 1978. The plan recommends the construction of a resource recovery facility with a capacity of 240 tons per day to accommodate wastes generated by its six member municipalities. Both the adopted Passaic and Morris County Solid Waste Management Plans acknowledge the planning efforts accomplished by the Lakeland Authority and have recommended that the resource recovery facility be on line by 1983. The Department is in agreement with these recommendations.

i. Assuming that the Lakeland Authority has its resource recovery facility in operation on or about July 1, 1983, all processable solid waste generated from within the aforementioned municipalities shall be disposed of at this facility. Residues and nonprocessable solid wastes shall be disposed of at landfills designated in the first two-year update of the Passaic County Solid Waste Management Plan. In the event that the Lakeland Authority's proposed resource recovery facility does not come on line as scheduled, the aforementioned Passaic County municipalities shall dispose of their wastes in accordance with (q) 4 below.

2. Hamm's Sanitary Landfill: All waste types 10, 13, 23, and 27 generated from within the Passaic County municipalities of Bloomingdale, Pompton Lakes, Ringwood, Wanaque, and West Milford shall be disposed of at the Hamm's Sanitation Inc. landfill, facility number 1913A, located in Lafayette, Sussex County, New Jersey.

i. All waste type 25 generated from within the Passaic County municipalities of Bloomingdale, Pompton Lakes, Ringwood, Wanaque and West Milford shall be disposed of at the Edgeboro Disposal Inc. landfill, facility number 1204A, located in East Brunswick, Middlesex County, New Jersey. The redirection of the waste stream identified in this section will be evaluated by the Department upon the completion of Passaic County's landfill siting study.

3. HMDC Baler/Balefill: All waste types 10, 13, 23, 25, and 27 generated from within the Passaic County municipalities of Clifton, Haledon, Hawthorne, Little Falls, North Haledon, Passaic, Paterson, Totowa, Wayne, and West Paterson shall be disposed of at the HMDC Baler/Balefill, facility number 0239C/0232D located in North Arlington, Bergen County, New Jersey.

4. When the Passaic County resource recovery facility scheduled to be on line by January 1, 1985 becomes operational, all processable solid waste generated from within all of Passaic County's municipalities shall be directed to the resource recovery facility. Residue and nonprocessable solid waste shall be disposed of at a disposal facility(ies) designated in the first two-year update of the Passaic County Solid Waste Management Plan.

5. Carrino's Landfill: Currently, the municipality of Little Falls is utilizing the disposal facility previously indicated. This waste flow, upon review and approval by the Board of Public Utilities, will be directed to Carrino Contracting and Trucking Company Sanitary Landfill, facility number 1605A, if and when it is permitted to open following the resolution of the

litigation with Montclair State College. This waste flow resulted from consultations with representatives from Passaic County and was derived due to limited existing disposal capacity and transportation difficulties to the currently utilized disposed facilities.

i. It is necessary for the Board of Chosen Freeholders of Passaic County to formally propose and adopt for inclusion in their District Solid Waste Management Plan, a waste flow which directs solid waste (type 10, 13, 23, and dead animals) to Carrino's Landfill for a two-year period. This waste flow may be the same as the waste flow designated by the Department.

6. In addition to the above mentioned waste flows, other modifications, directives, and/or resolutions approved and issued by the Department and/or the HMDC may effect the Passaic County waste flow (see (i) above).*

(r) Salem County *facilities*:

*[1. In the event that no commercial disposal facility is available in Salem County, all solid wastes generated from within the Salem County municipality of Elmer shall be exported to disposal facilities operated in Gloucester County.

2. In the event that no commercial disposal facility is available in Salem County, all non-chemical industrial (type No. 27) solid wastes generated by the Salem County municipalities of Elsinboro Township, Lower Alloways Creek Township, Mannington Township, and Quinton Township shall be exported to disposal facilities operated in Gloucester County.

3. In the event that no commercial disposal facility is available in Salem County, all animal and food processing (type No. 25) solid wastes generated by the Salem County municipalities of Alloway Township, Carney's Point Township, Elsinboro Township, Lower Alloways Creek Township, Mannington Township, Oldmans Township, Pennsville Township, Pilesgrove Township, Pittsgrove Township, Quinton Township, Upper Pittsgrove Township, and Woodstown Borough, shall be exported to disposal facilities operated in Gloucester County.]*

*1. Alloway Township: All waste types 10, 13, and 23 generated from within the Salem County municipality of Alloway Township shall be disposed of at the Alloway Township landfill, facility number 1701A, located in Alloway Township, Salem County, New Jersey.

i. All waste type 25, generated from within the Salem County municipality of Alloway Township shall be disposed of at the Q.T. Landfill, facility number 1711B, located in Quinton Township, Salem County, New Jersey.

ii. All waste type 27 generated from within the Salem County municipality of Alloway Township shall be disposed of at the Clemente Landfill, facility number 1713A, located in Carney's Point Township, Salem County, New Jersey.

2. Clemente Landfill: All waste types 10, 13, 23, and 27 generated from within the Salem County municipality of Carney's Point Township shall be disposed of at the Clemente Landfill, facility number 1713A, located in Carney's Point Township, Salem County, New Jersey.

i. All waste type 25 generated from within the Salem County municipality of Carney's Point Township shall be disposed of at the Q.T. Landfill, facility number 1711B, located in Quinton Township, Salem County, New Jersey.

3. Q.T. Landfill: All waste types 10, 13, 23, and 25 generated from within the Salem County municipalities of Elmer Borough, Elsinboro Township, and Mannington Township shall be disposed of at the Q.T. Landfill, facility number 1711B, located in Quinton Township, Salem County, New Jersey.

i. All waste type 27 generated from within the Salem County municipalities of Elmer Borough, Elsinboro Township, and Mannington Township shall be disposed of at the Clemente Landfill, facility number 1713A, located in Carney's Point Township, Salem County, New Jersey.

4. Q.T. Landfill: All waste types 10, 13, 23, and 25 generated

from within the Salem County municipality of Lower Alloways Creek Township shall be disposed of at the Q.T. Landfill, facility number 1711B, located in Quinton Township, Salem County, New Jersey; or (waste type 10 only) resident hauling their own wastes may use the Lower Alloways Creek Township Landfill, facility number 1704A, located in Lower Alloways Creek Township, Salem County, New Jersey.

i. All waste type 27 generated from within the Salem County municipality of Lower Alloways Creek Township shall be disposed of at the Clemente Landfill, facility number 1713A, located in Carney's Point Township, Salem County, New Jersey.

5. Oldmans Township: All waste types 10, 13, 23 and 27 generated from within the Salem County municipality of Oldmans Township shall be disposed of at the Oldmans Township Landfill, facility number 1706A, located in Oldmans Township, Salem County, New Jersey.

i. All waste type 25 generated from within the Salem County municipality of Oldmans Township shall be disposed of at the Q.T. Landfill, facility number 1711B, located in Quinton Township, Salem County, New Jersey.

6. Pennsville Township: All waste types 10, 13, 23, and 27 generated from within the Salem County municipality of Pennsville Township shall be disposed of at the Pennsville Township Landfill, facility number 1708A, located in Pennsville Township, Salem County, New Jersey.

i. All waste type 25 generated from within the Salem County municipality of Pennsville Township shall be disposed of at the Q.T. Landfill, facility number 1711B, located in Quinton Township, Salem County, New Jersey.

7. Eckert Landfill: All waste types 10, 13, 23, and 25 generated from within the Salem County municipality of Penns Grove Borough shall be disposed of at the Eckert Landfill, facility number 1705B, located in Oldmans Township, Salem County, New Jersey.

i. All waste type 27 generated from within the Salem County municipality of Penns Grove Borough shall be disposed of at the Clemente Landfill, facility number 1713A, located in Carney's Point, Salem County, New Jersey.

8. Woodstown-Pilesgrove Landfill: All waste types 10, 13, and 23 generated from within the Salem County municipalities of Pilesgrove Township and Woodstown Borough shall be disposed of at the Woodstown-Pilesgrove Landfill, facility number 1709A, located in Pilesgrove Township, Salem County, New Jersey.

i. All waste type 25 generated from within the Salem County municipalities of Pilesgrove Township and Woodstown Borough shall be disposed of at the Q.T. Landfill, facility number 1711B, located in Quinton Township, Salem County, New Jersey.

ii. All waste type 27 generated from within the Salem County municipalities of Pilesgrove and Woodstown Borough shall be disposed of at the Clemente Landfill, facility number 1713A, located in Carney's Point Township, Salem County, New Jersey.

9. Pittsgrove Landfill: All waste types 10, 13, and 23 generated from within the Salem County municipality of Pittsgrove Township shall be disposed of at the Pittsgrove Landfill, facility number 1701A, located in Pittsgrove Township, Salem County, New Jersey.

i. All waste type 25 generated from within the Salem County municipality of Pittsgrove Township shall be disposed of at the Q.T. Landfill, facility number 1711B, located in Quinton Township, Salem County, New Jersey.

ii. All waste type 27 generated from within the Salem County municipality of Pittsgrove shall be disposed of at the Clemente Landfill, facility number 1713A, located in Carney's Point Township, Salem County, New Jersey.

10. Q.T. Landfill: All waste types 10, 13, 23, and 26 generated

from within the Salem County municipality of Quinton Township shall be disposed of at the Q.T. Landfill, facility number 1711B, located in Quinton Township, Salem County, New Jersey; or (waste type 10, 13, and 23 only) residents hauling their own wastes may use the Quinton Township Landfill, facility number 1711A, located in Quinton Township, Salem County, New Jersey.

i. All waste type 27 generated from within the Salem County municipality of Quinton Township shall be disposed of at the Clemente Landfill, facility number 1713A, located in Carney's Point Township, Salem County, New Jersey.

11. Salem City: All waste types 10, 13, 23, 25, and 27 generated from within the Salem County municipality of Salem City shall be disposed of at the Salem City Landfill, facility number 1712A, located in Salem City, Salem County, New Jersey.

12. Upper Pittsgrove Landfill: All waste types 10, 13, and 23 generated from within the Salem County municipality of Upper Pittsgrove Township shall be disposed of at the Upper Pittsgrove Landfill, facility number 1710A, located in Pittsgrove Township, Salem County, New Jersey.

i. All waste type 25 generated from within the Salem County municipality of Upper Pittsgrove Township shall be disposed of at the Q.T. Landfill, facility number 1711B, located in Quinton Township, Salem County, New Jersey.

ii. All waste type 27 generated from within the Salem County municipality of Upper Pittsgrove shall be disposed of at the Clemente Landfill, facility number 1713A, located in Carney's Point Township, Salem County, New Jersey.

13. When the Salem County regional landfill becomes operational, all waste types (10, 13, 23, 25, and 27) generated from within the Salem County municipalities of Alloway, Carney's Point, Elmer, Elsinboro, Lower Alloways Creek, Mannington, Oldmans, Pennsville, Penns Grove, Pilesgrove, Pittsgrove, Quinton, Salem City, Upper Pittsgrove and Woodstown shall be disposed of at this facility.*

(s) Somerset County *facilities*:

[1. All solid wastes generated from within the Somerset County municipalities of Bedminster, Bernards, Bernardsville, Bound Brook, Branchburg, Bridgewater, Edgewater, Far Hills, Franklin, Green Brook, Hillsborough, Millstone, Montgomery, North Plainfield, Peapack-Gladstone, Rocky Hill, South Bound Brook, Warren, and Watchung, shall be exported to disposal facilities in Middlesex County until April 1, 1983.]

*1. Somerville Borough: All solid waste types 10, 13, 23, and 27 generated from within the Somerset County municipalities of Raritan and Somerville shall be disposed of at the Somerville Borough landfill, facility number 1818A, located in Somerville Borough, Somerset County, New Jersey.

i. Upon closure of the Somerville landfill, all solid waste identified above and generated from within Raritan and Somerville will be disposed of at the Edgeboro Disposal Inc. landfill, facility number 1204A, located in East Brunswick Township, Middlesex County, New Jersey.

ii. Solid waste type 25 generated from within the Somerset County municipalities of Raritan and Somerville shall be disposed of at the Edgeboro Disposal Inc. landfill, facility number 1204A, located in East Brunswick, Middlesex County, New Jersey.

2. Industrial Land Reclaiming landfill: All solid waste types 10, 13, 23, 25, and 27 generated from within the Somerset County municipalities of Branchburg, Bridgewater, Green Brook, North Plainfield, Warren, and Watchung shall be disposed of at the Industrial Land Reclaiming Inc. landfill, facility number 1205C, located in Edison Township, Middlesex County, New Jersey. Upon closure of this facility, said solid wastes will be redirected to another designated solid waste facility(ies).

3. Edgeboro Disposal landfill: All solid waste types 10, 13, 23,

25 and 27 generated from within the Somerset County municipalities of Bedminster, Bernards, Bernardsville, Bound Brook, Far Hills, Franklin, Hillsborough, Millstone, Montgomery, Peapack-Gladstone, Rocky Hill, and South Bound Brook shall be disposed of at the Edgeboro Disposal Inc. landfill, facility number 1204A, located in East Brunswick Township, Middlesex County, New Jersey.

4. Johns-Manville landfill: All solid waste types 10, 13, 23, and 27 generated from within the Somerset County municipality of Manville, and collected by Manville municipal vehicles, shall be disposed of at the Johns-Manville Sales Corp. landfill, facility number 1811A, located in Manville Borough, Somerset County. Upon closure of this facility, said solid wastes will be redirected to another designated solid waste facility(ies).

i. All other solid wastes generated in Manville which are collected by private collector/haulers, including type 25 solid wastes, shall be disposed at the Edgeboro Disposal Inc. landfill, facility number 1204A, located in East Brunswick Township, Middlesex County, New Jersey.

5. All solid waste types 10, 13, 23, 25, and 27 generated in every municipality in Somerset County, with the exception of solid wastes collected by Manville Borough, shall be disposed of at the new Somerset County landfill planned for April 1, 1983.

6. The new County landfill will continue to be utilized for disposal of said wastes until the proposed resource recovery facility(ies) are on line. At such time, all designated processable, non-recycled solid wastes shall be redirected to designated resource recovery facility(ies). All residue from the resource recovery facility(ies) and non-processable, non-recyclable solid wastes shall be disposed of at the new County landfill*.

(t) Sussex County *Facilities*: *[Sussex County shall accept certain waste flows from Morris and Passaic Counties (q.v.).]*

*1. Hamm's Sanitary Landfill: All solid waste types 10, 13, 23 and 27 generated from within the Sussex County municipalities of Andover Borough, Andover Township, Branchville, Byram, Frankford, Franklin, Fredon, Green, Hanburg, Hampton, Lafayette, Montague, Newton, Ogdensburg, Sandston, Stanhope, Sussex, Vernon, Walpack, and Wantage shall be disposed of at Hamm's Sanitary Landfill, facility number 1913A, located in Lafayette Township, Sussex County, New Jersey.

2. Edgeboro Disposal landfill: All solid waste type 25 generated from within the Sussex County municipalities of Andover Borough, Andover Township, Branchville, Byram, Frankford, Franklin, Fredon, Green, Hamburg, Hampton, Lafayette, Montague, Newton, Ogdensburg, Sandyston, Stanhope, Sussex, Vernon, Walpack, and Wantage shall be disposed at Edgeboro landfill, facility number 1204A, located in East Brunswick Township, Middlesex County, New Jersey.

3. Stillwater Township: All solid waste type 10 generated from within the Sussex County municipality of Stillwater shall be disposed of at Stillwater Township Sanitary Landfill, facility number 1920A, located in Stillwater Township, Sussex County, New Jersey. Upon closure of this facility all solid waste type 10 generated from within Stillwater Township shall be disposed of at the new Sussex County regional disposal facility.

4. Edgeboro Disposal landfill: All solid waste type 25 generated from within the Sussex County municipality of Stillwater shall be disposed of at Edgeboro landfill, facility number 1204A, located in East Brunswick Township, Middlesex County, New Jersey.

5. Hamm's Sanitary Landfill: All solid waste types 13, 23, and 27 generated from within the Sussex County municipality of Stillwater shall be disposed of at Hamm's Sanitary Landfill, facility number 1913A, located in Lafayette Township, Sussex County, New Jersey.

6. Hardyston Township: All solid waste types 10 and 23

generated from with the Sussex County municipality of Hardyston shall be disposed of at Hardyston Township Sanitary Landfill, facility number 1911A, located in Hardyston Township, Sussex County, New Jersey.

i. Upon closure of this facility, pursuant to the Administrative Consent Order, all waste types 10 and 23 shall be disposed of at Hamm's Sanitary Landfill, facility number 1913A, located in Lafayette Township, Sussex County, New Jersey.

7. Hamm's Sanitary Landfill: All solid waste types 12 and 27 generated from within the Sussex County municipality of Hardyston shall be disposed of at Hamm's Sanitary Landfill, facility number 1913A, located in Lafayette Township, Sussex County, New Jersey.

8. Edgeboro Disposal landfill: All solid waste type 25 generated from within the Sussex County municipality of Hardyston shall be disposed of at Edgeboro landfill, facility number 1204A, located in East Brunswick Township, Middlesex County, New Jersey.

9. Hopatcong: All solid waste types 10, 13, and 23 generated from within the Sussex County municipality of Hopatcong shall be disposed of at Hopatcong Sanitary Landfill, facility number 1912A, located in Hopatcong Borough, Sussex County, New Jersey.

i. Upon closure of this facility, all solid waste types 10, 13, and 23 generated from the Sussex County municipality of Hopatcong Borough shall be disposed of at the new Sussex County regional disposal facility.

10. Hamm's Sanitary Landfill: All solid waste type 27 generated from within the Sussex County municipality of Hopatcong shall be disposed of at Hamm's Sanitary Landfill, facility number 1913A, located in Lafayette Township, Sussex County, New Jersey.

11. Edgeboro Disposal landfill: All solid waste type 25 generated from within the Sussex County municipality of Hopatcong shall be disposed of at Edgeboro landfill, facility number 1204A, located in East Brunswick Township, Middlesex County, New Jersey.

12. Sparta Township: All solid waste types 10, 13, and 23 generated from within the Sussex County municipality of Sparta shall be disposed of at the Sparta Township Sanitary Landfill, facility number 1918A, located in Sparta Township, Sussex County, New Jersey.

i. Upon closure of this facility all waste types 10, 13, and 23 generated from within Sparta Township shall be disposed of at Hamm's Sanitary Landfill, facility number 1912A, located in Lafayette Township, Sussex County, New Jersey.

13. Edgeboro Disposal landfill: All solid waste type 25 generated from within the Sussex County municipality of Sparta shall be disposed of at Edgeboro landfill, facility number 1204A, located in East Brunswick Township, Middlesex County, New Jersey.

14. Hamm's Sanitary Landfill: All solid waste type 27 generated from within the Sussex County municipality of Sparta shall be disposed of at Hamm's Sanitary Landfill, facility number 1913A, located in Lafayette Township, Sussex County, New Jersey.

15. Hamm's Sanitary Landfill:

i. All solid waste types 10, 13, 23, and 27 generated from within the Passaic County municipalities of Bloomingdale, Pompton Lakes, Ringwood, Wayne, and West Milford shall be disposed of at Hamm's Sanitary Landfill, facility number 1913A, located in Lafayette Township, Sussex County, New Jersey.

ii. All solid waste types 10, 13, 23, and 27 generated from within the Morris County municipalities of Boonton, Boonton Township, Butler, Denville, Dover, Jefferson, Kinnelon, Lincoln Park, Mine Hill, Montville, Mountain Lakes, Mount Olive, Netcong, Pequannock, Riverdale, Rockaway Borough, Roxbury, Victory Gardens, and Wharton shall be disposed of

at Hamm's Sanitary Landfill, facility number 1913A, located in Lafayette Township, Sussex County, New Jersey.

(u) Union County *facilities*:

*[1. All solid wastes generated from within the Union County municipalities of Berkeley Heights, Clark, Cranford, Elizabeth, Fanwood, Garwood, Hillside, Kenilworth, Mountainside, New Providence, Plainfield, Rahway, Roselle, Roselle Park, Scotch Plains, Summit, Westfield and Winfield, shall be exported to disposal facilities in Middlesex County until January 1, 1984, except that Elizabeth may export waste to disposal facilities operated in, by, or under the authorization of, the H.M.D. as provided in paragraph 4 of this subsection.

2. All solid wastes, generated from within the Union County municipalities of Springfield and Union shall be exported to disposal facilities operated in, by, or under the authorization of, the H.M.D.

3. All solid wastes generated from within the Union County municipality of Linden, except residential solid wastes, shall be exported to disposal facilities in Middlesex County.

4. The exceptions to the Elizabeth waste flows shall be as follows:

i. A maximum of four City of Elizabeth trucks (only) per day that are unable to finish their routes by 2:00 p.m. are permitted to dispose of their solid waste at facilities located within the H.M.D.

ii. Any single load of solid waste from Elizabeth consisting solely of tree stumps, tires or concrete will be permitted to be disposed at facilities located within the H.M.D.]*

*1. Industrial Land Reclaiming landfill: All solid waste types 10, 13, 23, 25 and 27 generated within the Union County municipalities of Berkeley Heights, Fanwood, Hillside, Plainfield, Roselle Park, Scotch Plains, Mountainside, Westfield, Garwood, Cranford, and Clark shall be disposed of at the Industrial Land Reclaiming Inc. landfill (I.L.R.), facility number 1205C, located in Edison Township, Middlesex County, New Jersey. Upon closure of this facility, said solid wastes will be redirected to another designated solid waste facility(ies).

2. Industrial Land Reclaiming landfill: All solid waste types 10, 13, 23, and 25 generated from within the Union County municipalities of Elizabeth, Roselle and Kenilworth shall be disposed of at the Industrial Land Reclaiming Inc. landfill (I.L.R.), facility number 1205C, located in Edison Township, Middlesex County, New Jersey. Upon closure of this facility, said solid waste will be redirected to another designated solid waste facility(ies).

i. All type 27 solid wastes generated from within the Union County municipalities of Kenilworth and Roselle shall be disposed of at the Edgeboro Disposal Inc., landfill, facility number 1204A, East Brunswick, Middlesex County, New Jersey.

ii. All type 27 solid wastes generated from within Elizabeth shall be disposed of at the Global Landfill Reclaiming Corp. landfill, facility 1209A, Old Bridge Township, Middlesex County, New Jersey. Upon closure of this facility, said solid wastes will be redirected to another designated solid waste facility(ies).

iii. Exceptions to the Elizabeth waste flows shall include the following: a maximum of four City of Elizabeth trucks (only) per day that are unable to finish their routes by 2:00 P.M. are permitted to dispose of their solid waste at facilities operated in, by, or under the authorization of HMD; and any single load of solid waste from Elizabeth consisting solely of tree stumps, tires or concrete will be permitted to be disposed at facilities operated in, by, or under the authorization of the Hackensack Meadowlands District.

3. Edgeboro Disposal landfill: All solid waste types 10, 13, 23, 25 and 27 generated from within the Union County municipalities of New Providence, Rahway and Summit shall be disposed of at the Edgeboro Disposal Inc., landfill, facility number 1204A, East Brunswick, Middlesex County, New

Jersey.

4. Hackensack Meadowlands: All solid waste types 10, 13, 23, 25 and 27 generated from within the Union County municipalities of Springfield and Union shall be disposed of at facilities operated in, by, or under the authorization of the Hackensack Meadowlands District designated for Essex County for no later than 6 1/2 years from March 2, 1982 consistent with the Essex County/HMDC agreement of that date. At that time, solid wastes generated in Union and Springfield shall be disposed at a facility designated for Union County wastes other than the HMDC facilities.

5. City of Linden: All solid waste types 10, 13, and 23 generated from within the Union County municipality of Linden and solid wastes generated from the Exxon Corp. under agreement with the City of Linden facility number 2009A, located in Linden City, Union County, New Jersey.

i. All solid waste types 25 and 27 generated in Linden City shall be disposed of at the Edgeboro Disposal Inc. landfill, facility number 1204A, East Brunswick, Middlesex County, New Jersey.

6. When the Union County resource recovery facility becomes operational, processable non-recyclable solid wastes generated from designated Union County municipalities shall be redirected to the energy recovery facility. Residues from the resource recovery facility shall be disposed of at the Linden landfill, pending approval of the Linden landfill upgrading and expansion application by the Division of Waste Management. Non-processable non-recyclable solid wastes from said municipalities shall continue to be disposed of at designated solid waste facilities.*

(v) Warren County *facilities*: *[Warren County shall accept certain waste flows from Hunterdon and Morris Counties (q.v.).]*

*1. High Point Sanitary Landfill: All solid waste types 10, 13, 23, 25 and 27 generated from within the Warren County municipalities of Allmunchy, Alpha Blairstown, Freelinghuysen, Hackettstown, Hardwick, Knowlton, Liberty, Mansfield, Oxford, Pahaquarry, Phillipsburg, Washington Boro, Washington Township shall be disposed of at High Point Sanitary Landfill, facility number 2015, located in Franklin Township, Warren County, New Jersey.

2. Out-of-state: All solid waste types 10, 13, 23, 25 and 27 generated from within the Warren County municipalities of Franklin, Greenwich, Harmong, Lopatcong and Pohatcong are permitted to utilize disposal facilities in Philadelphia, so long as these municipalities or any collector/hauler which services these municipalities are able pursuant to Pennsylvania law. In the event that any of these municipalities are unable to continue disposal of the solid waste at Pennsylvania, the waste types 10, 13, 23, 25 and 27 shall be directed to High Point Sanitary Landfill, facility number 2105A, located in Franklin Township, Warren County, New Jersey.

3. Hope Township: All solid waste types 10, 13, and 23 generated from within the Warren County municipality of Hope Township shall be disposed of at Hope Township Landfill, 2111A, located in Hope Township, Warren County, New Jersey.

i. Upon closure of the Hope Township Landfill, waste types 10, 13, and 23 generated from within Hope Township shall be disposed of at High Point Sanitary Landfill, facility number 2105A, located in Franklin Township, Warren County, New Jersey.

4. High Point Sanitary Landfill: All solid waste types 25 and 27 generated from within the Warren County municipality of Hope Township shall be disposed of at High Point Sanitary Landfill, facility number 2105A, located in Franklin Township, Warren County, New Jersey.

5. Independence Township: All solid waste types 10, 13, and 23 generated from within the Warren County municipality of Independence Township shall be disposed of at Independence

Township Sanitary Landfill, facility number 2112B, located in Independence Township, Warren County, New Jersey.

i. Upon closure of this facility, all waste types 10, 13, and 23 generated from within Independence Township shall be disposed of at High Point Sanitary Landfill, facility number 2105A, located in Franklin Township, Warren County, New Jersey.

6. High Point Sanitary Landfill: All solid waste types 25 and 27 generated from within the Warren County municipality of Independence Township shall be disposed of at High Point Sanitary Landfill, facility number 2105A, located in Franklin Township, Warren County, New Jersey.

7. Belvidere-White Landfill: All solid waste types 13 and 23 generated from within the Warren County municipalities of Belvidere and White shall be disposed of at Belvidere-White Landfill, facility number 2123A, located in White Township, Warren County, New Jersey.

i. Upon closure of the Belvidere-White Landfill, waste types 13 and 23 shall be disposed of at High Point Sanitary Landfill, facility number 2105A, located in Franklin Township, Warren County, New Jersey.

8. High Point Sanitary Landfill: All solid waste types 10, 25, and 27 generated from within the Warren County municipalities of Belvidere and White shall be disposed of at High Point Sanitary Landfill, facility number 2105A, located in Franklin Township, Warren County, New Jersey.

9. High Point Sanitary Landfill:

i. All solid waste types 10, 13, 23, 25, and 27 generated from within the Morris County municipality of Washington Township shall be disposed of at High Point Sanitary Landfill, facility number 2105A, located in Franklin Township, Warren County, New Jersey.

ii. All solid waste types 10, 13, 23, 25 and 27 generated from within the Hunterdon County municipalities of Alexandria, Bethlehem, Bloomsbury, Califon, Clinton Town, Franklin, Glen Gardner, Hampton, High Bridge, Holland, Lambertville, Lebanon Boro, Lebanon Township, Milford, Union and West Amwell shall be disposed of at High Point Sanitary Landfill, facility number 2105A, located in Franklin Township, Warren County, New Jersey*.

7:26-6.6 Procedure for modification of waste flows pursuant to an amendment to a District Solid Waste Management Plan

(a) This section shall govern the procedures to be followed in the event that a Board of Chosen Freeholders or the Hackensack Commission adopts a plan amendment, in accordance with N.J.S.A. 13:1E-23, which provides for the modification of existing waste flows.

(b) Upon a determination by the Department that such a plan amendment is complete and acceptable for review, ***which determination shall be made within 30 days of receipt by the Department,*** the Department shall forward a copy of that amendment to the Board of Public Utilities (Board).

1. Amendments found not acceptable shall be returned to the district, with an explanation of the reasons for such determination.

(c) The Department and the Board shall, after notice pursuant to N.J.S.A. 52:14B-4 and N.J.A.C. 1:30, conduct a public hearing at least 15 days following publication of the proposed waste flow modification in the New Jersey Register.

(d) Within ***[45]* *30*** days after publication of the notice of the public hearing, the Board shall submit its recommendations to the Department on the proposed waste flow modification.

(e) The Department may *** , concurrent with, or following approval by the Commissioner of the relevant portions of the plan amendment,*** ***[thereafter]*** adopt the proposed waste flow modification pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.A.C. 1:30.

7:26-6.7 Procedure for emergency direction or redirection of solid waste flow

(a) Upon a determination by the Department that an emergency condition, including but not limited to the unanticipated closure of a disposal facility or restricted access thereto, requires the redirection of waste flows, the Department may, after approval by the Board, order such redirection.

(b) ***[Upon a determination by the Department that the emergency condition is of a permanent nature, the Department shall direct the affected districts to submit a plan amendment which provides for the modification of existing waste flows.]* *The Department shall, within 20 days of such redirection, determine the likely duration of the redirection.**

1. If the expected duration is 90 days, the Department's redirection shall remain in effect.

2. If the expected duration is greater than 90 days but not more than 180 days, the Department and the Board shall, by public notice, request written comment for a 30-day period. The Department and the Board may modify such waste flow redirections on the basis of comments received.

3. If the expected duration is greater than 180 days, the Department shall order the affected districts to submit a plan amendment which provides for the modification of existing waste flows.*

(a)

OFFICE OF PESTICIDE CONTROL

New Jersey Pesticide Control Code

Adopted Amendments: N.J.A.C. 7:30-1, -2, -4, and -8

Proposed: August 2, 1982 at 14 N.J.R. 787(a).

Adopted: November 17, 1982 by Robert E. Hughey, Commissioner, Department of Environmental Protection.

Filed: November 22, 1982 as R.1982 d.435, **with substantive and technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5) and **with a portion of the proposal not adopted but still pending.**

Authority: N.J.S.A. 13:1F-1 et seq.

Effective Date: December 6, 1982.

Summary of Public Comments and Agency Responses:

On August 19, 20, 23 and September 21, 1982, public hearings were held in Randolph, Lawrenceville, Vineland, and West Trenton, respectively. The end of the period for receipt of written comments was September 21, 1982. The oral and written testimony received on the proposed regulations and the subsequent decisions reached by the Department follows, which addresses four of the total of nine proposed amendments.

Ninety-six witnesses appeared at the public hearings and 406 persons submitted written comments. Testimony was received from a broad spectrum of individuals and interest groups including: concerned citizens, environmental groups, private and commercial applicators, beekeepers, chemical companies, utilities, pesticide dealers and representatives of municipal and State agencies.

Technical and substantive changes were made in the adopted rule. In response to and after evaluation of the comments presented on the proposed pesticide control regulations, the following major revisions have been incorporated into the adopted rules:

Rewording and clarification of definitions for greater consistency with FIFRA and the Act and greater technical accuracy.

Deletion of the requirement to supply general, non-specific information in several sections or the defining of the information required.

Reduction of the proposed \$50.00 product registration fee to \$40.00. Elimination of the proposed \$100.00 late registration fee and reconceptualization to require an additional \$40.00 registration fee when the product is found being sold or offered for sale in the State.

Reduction of the product registration period following discontinuation from five to two years.

Rewording of the section giving employees of the Department authority to enter and sample to include a provision for first notifying the person(s) present.

Provision for the continued sale of a suspended/cancelled pesticide if so provided for in the suspension/cancellation order.

Deletion of the proposed restriction of all pesticide labeled "For professional use only" or similar limited label statement.

A change in the restricted use concentration of Lindane (No. 42) from 10 percent to 20 percent.

A change in the restricted use concentration of Dimethoate (No. 440) from 10 percent to 25 percent.

Clarification of the definitions relating to pesticide dealer businesses.

Addition of a new section to provide for a limited time period for continued sale of general use pesticides reclassified as restricted use pesticides, with limitations, but without having to meet the requirements as a pesticide dealer business.

Addition of the "under the direct supervision" concept to the operation of pesticide dealer businesses. Clarification of the record-keeping responsibility of registered private pesticide applicators.

Also, in response to public comment concerning certain provisions of the proposed regulation, among which are those requiring pre-notification, the Department is hereby adopting a portion of the proposed regulation and is hereby retaining certain portions of those existing regulations which had originally intended to be replaced in total by the regulatory proposal. Those portions to be retained are noted below.

For a complete explanation and full text of the summary of public comments and agency responses, please contact:

Raymond Ferrarin, Chief
Office of Pesticide Control
38 Scotch Road
Trenton, New Jersey 08628

OFFICE OF ADMINISTRATIVE LAW NOTE: The original proposal found at 14 N.J.R. 787(a) deleted in its entirety the current text of N.J.A.C. 7:30 and proposed new rules in its place. The Department of Environmental Protection now adopts subchapters 1, 2, 4 and 8 of the proposed new rules with subchapters 3, 5, 6, 7 and 10 not adopted but still pending. The Department also adopts the repeal of the current text of N.J.A.C. 7:30-1.1 through 1.9 and 3.13 through 3.18. The current text of N.J.A.C. 7:30-1.10 through 1.13, 3.1 through 3.12 and 3.19 through 3.22 has not yet been repealed and remains in effect.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks **thus**; deletions from proposal shown in brackets ***[thus]***).

7:30-1.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Fungi" means all non-chlorophyll-bearing thallophytes (that is, all non-chlorophyll-bearing plants of a lower order than mosses and liverworts) as, for example, rusts, smuts, mildews, molds*[,]* **and*** yeasts*[, and bacteria]*, except those on or in living man or

other living animals, and except those in or on processed food, beverages, or pharmaceuticals.

"Misbranded" means a condition as to a pesticide wherein:

1.-3. (No change from proposal.)

4. The labeling accompanying it does not contain directions for use which are necessary for effecting the purpose for which the product is intended and, if complied with, together with any requirements imposed by FIFRA, are adequate to prevent injury to plants and animals including man, and protect against any ***[unreasonable adverse effects on the environment;]*** ***significant risk of injury or damage;*** or

5.-8. (No change from proposal.)

"Pest" means any insect*[s]*, rodent*[s]*, nematode*[s]*, ***[fungi]*, *fungus* weed*[s]*,*[and]* ***or any*** other form*[s]* of terrestrial or aquatic plant or animal life or virus*[es]*, bacteria, or other micro-organism*[s]* (except viruses, ***bacteria or other micro-organisms*** on or in living man or other animals) which ***[are]* ***is* injurious to health or the environment.******

"Pesticide" means and includes any substance*[s]* or mixture of substances labeled, designed*[,]* ***or*** intended for ***[or capable of]*** use in preventing, destroying, repelling*[, sterilizing]* or mitigating any ***[insects, rodents, nematodes, predatory animals, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. The term "pesticide" shall also include]* ***pest, or*** any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator*[,]* ***; provided, that the term "pesticide" shall not include any substance or mixture of substances which EPA does not consider to be a pesticide.*****

*****"Significant risk of injury or damage" means a potential for injury or damage which is not purely remote or highly speculative, but capable of being perceived or recognized based on the location, type and amount of pesticide involved, and available scientific information about the pesticide and its effects on persons, property and the environment.***

["Unreasonable adverse effects" means any risk to man or the environment which exceeds the bound of reason or moderation after a person has taken into account the economic, social and environmental costs and benefits of the use of any pesticide in the specific situation being reviewed.]

7:30-1.3 Registration

(a) No person shall ***hold, use,*** distribute, sell, or offer for sale within this State or deliver for transportation or transport in commerce or between points within this State through any point outside this State any pesticide unless it is currently registered with the Department.

(b) (No change from proposal.)

(c) At the time of registration the registrant shall file a statement with the Department which includes:

1.-2. (No change from proposal.)

[3. Other necessary information required for completion of the application for registration form;]

***[4]*. *3*. A complete copy of the label, which shall contain all statements, words, graphic material and any other information required by FIFRA, and the labeling accompanying the pesticide and a statement of all claims including the directions and precautions for use; and**

***[5.]* *4*. The use classification of the pesticide as required by Federal or State regulations.**

(d) ***[The department when it deems it necessary in the administration of the Act, may require the submission of the complete formula of any pesticide including all active and inert ingredients.]*** *****When deemed appropriate by the Commissioner, the Department may also require, for registration of a pesticide, the submission of the complete**

formula of the pesticide, including all active and inert ingredients, and any other necessary information relating to the pesticide's safe and effective use. The Commissioner shall advise the registrant by mail of what information is needed and the reason thereof and provide a reasonable time for response from the registrant.*

(e) *Information required pursuant to (d) above shall be considered confidential and shall not be made public by the Department unless the Commissioner has first determined that the disclosure is necessary to protect against a significant risk of injury or damage and has notified the registrant of his intent to disclose the information at least 30 days prior to doing so.*

[(e)] *(f)* *The department may require a full description of the tests made and the results thereof which serve as the basis for any claims on any pesticide or on any pesticide on which restrictions are being considered.]* In the case of renewal of registration, the registrant shall be required to furnish only information which is different from that furnished when the pesticide was registered or reregistered during the previous registration year.

[(f)] The department may require other necessary information.]*

(g) Before distributing, selling, or offering for sale any pesticide in this State the applicant or registrant shall pay an annual registration fee of *[\$50.00]* ***\$40.00*** to the Department or its authorized representative for each pesticide to be registered. All such registrations shall expire on December 31 of each calendar year.

(h) (No change from proposal.)

(i) If the renewal of a pesticide registration is not filed prior to January 1 of any one year an additional fee of *[\$100.00]* ***\$40.00 per product*** *shall]* ***may*** be assessed and added to the total registration fee and must be paid by the registrant before the renewal registration for any pesticide(s) shall be issued. The payment of such additional fee shall not preclude any other actions deemed necessary by the Department.

(j) All Federal, State and county agencies or municipalities must register all pesticides ***held, used,*** distributed, sold, or offered for sale by them but shall not be required to pay the registration fee.

(k) Any person who can prove to the satisfaction of the Department that he has not manipulated, distributed, or sold a specific pesticide for at least ***[five]* *two*** years shall not be required to register such pesticide.

(l) (No change from proposal.)

7:30-1.4 Registrations pursuant to the provisions of sections 18 and 24(c) of FIFRA

(a) (No change from proposal.)

(b) The Department may issue a special local needs registration pursuant to the provisions of section 24(c) of FIFRA if:

1.-4. (No change from proposal.)

5. The pesticide will perform its intended function without ***[unreasonable adverse effects on the environment]* *significant risk of inquiry or damage;*** and

6. When used in accordance with widespread and commonly recognized practices the pesticide will not generally cause ***[unreasonable adverse effects on the environment]* *significant risk of injury or damage;*** and

7. (No change from proposal.)

[(c)] Any person who intends to test or use a substance to determine its potential for pesticidal activity under conditions which do not require an experimental use permit from the State or the EPA must notify the department of the name and address of the person testing the substance and the location(s) where the substance will be tested.]*

7:30-1.5 Experimental use permits

(a) (No change from proposal.)

(b) Provided that the State is authorized by the Administrator of EPA to issue experimental use permits and subject to the terms and conditions of such authorization, the Department may:

1. (No change from proposal.)

2. Issue an experimental use permit to any person applying for an experimental use permit if the Department determines that the applicant needs such permit and that the pesticide use under the proposed terms and conditions would not cause ***a* [unreasonable adverse effects on man or the environment]* *significant risk of injury or damage;***

3. (No change from proposal.)

4. Revoke or modify any experimental use permit at any time, if the Department finds that the terms and conditions of the permit are being violated or if the Department finds that the terms and conditions of the permit are inadequate to avoid ***a* [unreasonable adverse effects on man or the environment]* *significant risk of injury or damage;***

(c) Any person who intends to test or use a substance to determine its potential for pesticidal activity under conditions which do not require an experimental use permit from the State or the EPA must notify the Department of the name and address of the person testing the substance and the location(s) where the substance will be tested.

7:30-1.6 Refusal, cancellation, or suspension of a pesticide registration

(a) The Department may refuse to register, or may cancel or suspend the registration of any pesticide distributed, sold, offered for sale or used in the State of New Jersey if it does not appear to the Department that the pesticide warrants the proposed claims or if the pesticide ***[and]* *or*** its labeling and other ***[required]* material *required to be submitted for registration*** do not comply with the provisions of ***FIFRA***, the Act or rules and regulations adopted thereunder; ***[and if]* *provided that*** the Department ***has*** notified the registrant of the manner in which the pesticide, labeling or other required material ***has*** failed to comply ***[with the provisions of the Act;]* and *if the department]* *has*** permitted the registrant to make the necessary corrections and ***[if]* *that***, upon receipt of such notice, the registrant ***[does]* *has*** not ***[make any]* *made all*** required changes.

(b) The Department may issue an Order prohibiting the distribution or use of a pesticide pending the suspension or cancellation of its registration where the Department determines that a situation exists in which the continued use of a pesticide during the time required for suspension or cancellation would likely result in ***a* *unreasonable adverse effects on the environment]* *significant risk of injury or damage;***

(c) (No change from proposal.)

7:30-1.7 Collection of samples

[To determine compliance with the requirements of the Act and rules and regulations promulgated thereunder, the department may, at all reasonable hours, enter into any car, warehouse, store, building, boat, vessel or place supposed to contain pesticides for the purpose of inspection or sampling, and may procure samples for analysis or examination from any lot, package or parcel of pesticide or material supposed to contain a pesticide.]* *To determine compliance with the requirements of the Act or rules or regulations promulgated thereunder, the Department may, at reasonable hours enter any building or place except private residences, for the purpose of inspection or sampling, and may procure samples for analysis or examination from any lot, package or parcel of pesticide or substance suspected to contain a pesticide. If the owner, operator or agent in charge of the place to be inspected is present, officers or employees of the Department shall notify him of their attempt to inspect or sample and inform him of the reason therefore. Having been so notified, no person shall prevent officers or employees of the Department from conducting such inspection or sampling.

7:30-1.8 Records

(a) Any person issued a registration under the provisions of this subchapter must maintain and, upon request by the Department, submit accurate records containing the following information:

1.-3. (No change from proposal.)

[4. Any other information necessary for the enforcement of this subchapter, as prescribed by the department.]

(b) (No change from proposal.)

*[7:30-1.9 Publication of information

The department may publish from time to time, in such form as it may deem proper, information concerning the use, sale or distribution of pesticides as it may consider advisable, and may publish reports of the results of the analyses based on official samples of pesticides collected, provided, that individual distribution information shall not be a public record.]*

[7:30-1.10] *7:30-1.9* General requirements

(a) No person shall ***hold, use,*** distribute, sell, or offer for sale within this State or deliver for transportation or transport in intrastate commerce or between points within this State through any point outside this State:

1. (No change from proposal.)

2. Any pesticide unless it is in the registrant's or the manufacturer's unbroken immediate container and there is affixed to such container—and to the outside container or wrapper of the retail package, if there is one through which the required information on the immediate container cannot be clearly read—a label bearing the following information:

i.-iii. (No change from proposal.)

iv. Directions for use and a warning or caution statement which are necessary and which, if complied with, would be adequate for the protection of health and protection against injury to plants ***[and]* *** animals ***[including man]*** and ***[protection]* *** **the environment; and*** ***[against any unreasonable adverse effects on the environment; and]***

v.-vi. (No change from proposal.)

vii. A statement of the use classification ***, if any,*** under which the product is ***Federally*** registered; and

viii. (No change from proposal.)

3.-5. (No change from proposal.)

(b)-(g) (No change from proposal.)

(h) No person shall ***hold, use,*** distribute, sell, or offer for sale any pesticide if part or all of its registered pesticide label or labeling is missing, obscured, altered, unreadable or otherwise damaged beyond use or recognition.

(i)-(j) (No change from proposal.)

[(k) No person shall sell a formula or information about a method of preparation for a substance which could then be classified and used as a pesticide unless such formula or information has received the prior approval of the department.]

7:30-2.1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

“Pest” means any insect, rodent, nematode, fungus, weed, or any other form of terrestrial or aquatic plant or animal life or virus, bacteria, or other micro-organism (except viruses, bacteria or other micro-organisms on or in living man or other animals) which is injurious to health or the environment.

“Pesticide” means and includes any substance or mixture of substances, labeled, designed~~*,~~ ***or*** intended for ~~*[or capable of]*~~ use in preventing, destroying, repelling~~*,~~ sterilizing~~*,~~ or mitigating any ~~*[insects, rodents, nematodes, predatory animals, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. The term “pesticide” shall also include]*~~ ***pest, or*** any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant or plant regulator~~*,~~ ***** provided, that the term “pesticide” shall not include any substance or mixture of substances which the EPA does not consider to be a pesticide.***

7:30-2.2 Prohibited pesticides

No person shall distribute, sell, offer for sale, purchase, or use any pesticide ~~*[if the label or labeling of the pesticide contains any use or registration]*~~ which has been suspended or cancelled by the EPA. ***, except as provided for in the suspension or cancellation order.***

7:30-2.3 Restricted use pesticides

(a) The following pesticides are restricted use pesticides which can be purchased and/or used only by certified and registered responsible pesticide applicators or persons working under their direct supervision. Unless otherwise provided, all formulations and uses of the following pesticides are restricted use.

[1. Any pesticide meeting the criteria of EPA Toxicity Category I delineated 40 CFR 162.10 which must bear the signal word(s) “Danger” or “Poison”.]

1. Any pesticide if its labeling bears any restriction (such as “For Professional Use Only” or “For Use Only by Service Persons” which would cause any user who was not certified and registered, by virtue of the very fact that he was not certified and registered, to use the pesticide in a manner inconsistent with its labeling.

2.-5. (No change from proposal.)

6. Any herbicides and related materials listed below:

Listed Number	Restricted Pesticides
304	(No change.)
309	(No change.)
310	(No change.)
311	(No change.)
312	2-[4-chloro-6-(ethylamino)-s-triazin-2yl] amino }2-methyl-propionitril*e*-all concentrations above 30%

7. Any insecticides and related materials listed below:

Listed Number	Restricted Pesticides
402	(No change.)
405-408	(No change.)
412	(No change.)
414	(No change.)
416	(No change.)
423	(No change.)
426	(No change.)
427	Lindane (Gamma isomer of benzene hexachloride)-all concentrations above *[10%]* *20%*
433	(No change.)
440	Dimethoate-all concentrations above *[10%]* *25%*
441-455	(No change.)

8. (No change from proposal.)

7:30-4.1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

“Person” means and shall include corporation~~*,~~ companies, association~~*,~~ societies, firms, partnerships, and joint stock companies as well as individuals, and shall also include all political subdivisions of this State or any agencies or instrumentalities thereof.

“Pest” means any insect, rodent nematode, fungus, weed, or any other form of terrestrial or aquatic plant or animal life or virus, bacteria, or other micro-organism (except viruses, bacteria or other micro-organisms on or in living man or other animals) which is injurious to health or the environment.

"Pesticide" means and includes any substance or mixture of substances labeled, designed*[,]* ***or*** intended for *[or capable of]* use in preventing, destroying, repelling*[, sterilizing,]* or mitigating any *[insects, rodents, nematodes, predatory animals, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. The term "pesticide" shall also include]* ***pest, or*** any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator*[,]* ***; provided, that the term "pesticide" shall not include any substance or mixture of substances which the EPA does not consider to be a pesticide.***

7:30-4.2 Registration

(a)-(b) (No change from proposal.)

(c) Each salesperson or agent of a pesticide dealer business ***who conducts transactions, other than those excluded in the definition of a pesticide outlet, out of a location such as his home, which is different from the main location of the business with which he is associated shall be considered to be operating from a separate pesticide outlet which must be registered separately by the pesticide dealer business*** *[operating outside of a pesticide outlet and]* each direct sales representative of an out-of-state distributor who is involved, wholly or in part, with the sale and/or distribution of restricted use pesticides to end users must be registered separately.

(d)-(i) (No change from proposal.)

(j) Any person selling or offering for sale a pesticide which has been reclassified from general to restricted use shall not be required to register as a dealer business to sell such pesticide, provided that all quantities sold had been in stock prior to reclassification and that not more than one year has passed since the time of reclassification.

7:30-4.4 Sale of restricted use pesticides

(a) (No change from proposal.)

(b) No pesticide dealer ***business*** shall distribute or sell a restricted use pesticide for resale only to another dealer or distributor without first informing the purchaser that the pesticide being distributed or sold is a restricted use pesticide.

1.-2. (No change from proposal.)

(c) ***[Each pesticide dealer business shall have present, at the time and place of any]* ***All* transaction*s*** involving the sale or distribution of restricted use pesticides to ***[an]* end user*s* *[,]*, ***shall be conducted by or under the direct supervision of*** a certified and registered pesticide dealer employed ***[by the business.]* ***at the pesticide outlet where the transactions take place.*********

7:30-4.6 Exemption from fees

The following shall be exempt from all fees required under this subchapter: the State or Federal government, employees or agencies thereof, or any political subdivisions of the State, employees or agencies thereof, provided that whenever the word "employee" is used in this section it shall mean any employee engaged in the ***sale and distribution* ***[use and application]* of pesticides solely as is necessary within the scope of his employment.****

7:30-8.1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

***"Pest means any insect, rodent, nematode, fungus, weed or any other form of terrestrial or aquatic plant or animal life or virus, bacteria, or other micro-organism (except viruses, bacteria or other micro-organism on or in living man or other animals) which is injurious to health or the environment.*"**

"Pesticide" means and includes any substance or mixture of

substances labeled, designed*[,]* ***or*** intended for *[or capable of]* use in preventing, destroying, repelling*[, sterilizing]*, or mitigating any *[insects, rodents, nematodes, predatory animals, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. The term "pesticide" shall also include]* ***pest, or*** any substance or mixture of substance labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator*[,]* ***; provided, that the term "pesticide" shall not include any substance or mixture of substances which the EPA does not consider to be a pesticide.***

7:30-8.8 Records

(a) A private pesticide applicator shall keep, for each application of restricted use pesticides may by him*[,]* ***or under his direct supervision*** a record of application containing the following information:

1.-5. (No change from proposal.)

(b)-(c) (No change from proposal.)

HEALTH

(a)

HEALTH ECONOMICS SERVICES

Hospital Rate Setting

Procedural and Methodological Regulations

Adopted Amendment: N.J.A.C. 8:31B-3

Proposed: July 19, 1982 at 14 N.J.R. 737(a).

Adopted: November 17, 1982 by Charles F. Pierce, Jr., Acting Commissioner, Department of Health (with the approval of the HCAB).

Filed: November 18, 1982 as R.1982 d.427, **with substantive changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 26:2H-1 et seq., as amended.

Effective Date: December 6, 1982.

Summary of Public Comments and Department Responses:

Because of the technical nature of the regulations, and the magnitude and specificity of the comments, detailed responses could not be included in this publication. The accepted comments include the following:

1. Same Day Surgery: The definition recognizes the fact that SDS patients would normally have been treated as inpatients if the SDS rate had not been established.

2. Reasonable Direct Costs Per Case: All Commission approved continuous adjustments in 1982 will be included in the 1983 mark-up. At year end final reconciliation, these adjustments will be included in the 1983 mark-up. At year end final reconciliation, these adjustments will be incorporated into the payment rates.

3. Reasonable Indirect Patient Care Costs: The EDR cost center has been eliminated as it should not be part of the calculation. The methodology for calculating 1983 indirect costs was explained in detail.

4. Capital Facilities: Option II of the Capital Facilities Allowance (CFA), which is the prospective year's depreciation and interest expense, will remain as presented in the 1982 regulations.

5. Hospital-Operated Long-Term Care Facilities: This section was eliminated because it was erroneously included in the initial proposed regulations. It has been reclassified as "Reserved."

6. Alternate Methodology: This change clearly explains how the 1983 Class III rates will be calculated as well as the treatment of other financial elements. In determining volume variability for Class III hospitals, the rate year will be 1983 and the base year will be 1981. Thus, the number of years between the base year and the rate year is two years.

7. Adjustment of Charges: For hospitals entering the third 12 months under the Chapter 83 reimbursement system, the tolerance has been increased from the initial proposed five percent to the recommended 20 percent. The adjustment to 20 percent from the initial proposal to adoption, is a minor change from the 25 percent tolerance in effect during the second 12 months. Nevertheless, the Department will continue to review this issue to determine whether an allowable corridor width of this size (40 percent) will cause any adverse effects on cross-subsidization between payors.

8. Notification Appeal and Review: The one percent allowance will be changed to include all direct patient care costs. In addition, the amount will be fixed and included as an indirect cost. Hence, the calculation will be simplified and the amount will be included in the mark-up factor. Not accept hospitals will have a full 60 working days to submit exceptions.

9. Capital Facilities: Appeal of interest expense is limited to the "Conditional Accept" or "Not Accept" options.

10. Schedule of Rates Reconciliation: The tolerance level has been set at 20 percent in the third 12 months under the Chapter 83 reimbursement system. The adjustment to 20 percent, from the initial proposal to adoption, is a minor change from the 25 percent tolerance in effect during the second 12 months. Nevertheless, the Department will continue to review this issue to determine whether an allowable corridor width of this size (40 percent) will cause any adverse effects on cross-subsidization between payors.

11. Volume Variability Adjustment: This revision sets the minimum percentage change in volume/intensity necessary for 100 percent volume variability, at 10 percent regardless of the number of years between the base year and the rate year. Previously, a change of 3.3 percent per year was required for 100 percent volume variability. This is a minor change which simply eliminates the need to calculate a per year volume change. Each example has been revised to reflect the 10 percent tolerance.

The remaining comments were not accepted.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks ***thus***) deletions from proposal shown in brackets with asterisks ***[thus]***).

8:31-3.11 Same Day [Surgical Units] Surgery

Same Day Surgery is considered an alternative mode of health care delivery which the Department of Health considers to be efficient and worthy of encouragement. Same Day Surgery [Units are] is intended to lower the cost of health care delivered to those patients [who are otherwise appropriately classified as inpatients, by providing such care through a more efficient mode of delivery.] *who are otherwise appropriately classified as inpatients.* *These patients, by definition* *[who]* require surgery that is performed in a fully equipped operating room (i.e. one capable of providing general anesthesia), but who are discharged on the same day that the surgery was performed. Hospitals shall report to the Commissioner in writing the existence, removal or other change in status of [such units] **same day surgery programs** and a description of the type of procedures performed [in such units] and a list of the effected DRGs no later than [December 15] **November 15** of the year prior to the issuance of the Proposed Schedule of Rates or Adjusted Rate Order. Hospitals found by the Commissioner to have duly designated [units] **programs** may petition the Commission for an adjustment to their Schedule of Rates in accordance with N.J.A.C. 8:31B-3.51 through 3.62.

8:31B-3.23 Reasonable direct costs per case

(a) Inpatient:

1. (No change from proposal.)

2. **The 1983 rates shall be an adjusted Rate Order and the payment rates in effect, will be adjusted by an Economic Factor. *Commission approved continuous adjustments for 1982 will be included in the mark-up factor during 1983. At year end final reconciliation, all direct patient care Commission approved adjustments for 1983 and continuous adjustments for 1982 will be included in the payment rates.***

(b)-(c) (No change from proposal.)

8:31B-3.24 Reasonable indirect patient care costs

(a)-(b) (No change from proposal.)

(c) For purposes of calculating indirect cost screens the indirect salary costs will be equalized and unequalized similar to the procedure described in N.J.A.C. 8:31B-3.22(c), respectively, for the following labor categories:

1. General services: Includes non-physician salaries reported in * [OGS and] * PLT cost center.

2. Administrative and clerical services: Includes non-physician salaries reported in A&G, *[EDR]*, PCC and FIS cost centers.

(d) (No change from proposal.)

[e] The 1983 indirect costs shall be the approved 1982 indirect costs, including Commission approved continuous adjustments for 1982, adjusted by an Economic Factor.

8:31B-3.27 Capital facilities

(a) (No change from proposal.)

1. (No change from proposal.)

i.-iii. (No change from proposal.)

iv. The yearly Capital Facilities Allowance is computed per information provided by the Uniform Cost Reporting Regulations as [the higher of:] ***the higher of:***

[(1)] ***(1)*** The current yearly amount of capital indebtedness of the hospital, excluding any portion associated with major moveable equipment, plus the deficiency of the Plant Fund (and any funds designated by the hospital's board for the CFFA) against the Fund Target, divided by the adjusted remaining useful life of the hospital[:] ***[.]*****

[(2)] the prospective year's depreciation and interest expense.]

(2) The prospective year's depreciation and interest expense.

[v. For building replacement or major renovations, regardless of which of the above options (a or b) is higher in any given year, the maximum amount reimbursed through the Capital Facilities Allowance shall be the higher of one of the alternatives summed over the applicable number of years. The 1982 rate year is the last year for option 2.]

v. For building replacement or major renovations, regardless of which of the above options (a or b) is higher in any given year, the maximum amount reimbursed through the Capital Facilities Allowance shall be the higher of one of the alternatives summed over the applicable number of years.

2. (No change from proposal.)

8:31B-3.32 [Reserved] ***[Hospital-operated long-term care facilities]* *(Reserved)***

***[(a) Any licensed skilled nursing facility, intermediate care facility, or long-term care facility owned and operated by a hospital (whether a distinct part of the hospital facility, adjacent to the hospital, or free-standing) shall be reimbursed as follows:**

1. A routine services rate shall be established by applying the then-prevailing New Jersey Title XIX nursing home reimbursement methodology to a hypothetical facility assumed to be of 30 beds, operating at 95 percent occupancy, in a median salary region, paying no property taxes, with unit staffing and level of case-mix of SNF:25 percent; ICF-A:65 percent, ICF-B-

10 percent, for which all costs were at or above the appropriate reasonableness limit. The Capital Facilities component of that rate shall be established at the median of such rates in non-hospital facilities.

2. This hypothetical per diem rate, to be called the hospital Long-Term Care rate, shall be included in the Schedule of Rates of any hospital operating such a facility, and shall constitute the charge for routine services for any patient in the facility. Hospitals may bill separately for all ancillary services recognized as separately billable under the New Jersey Title XIX program at the same charges applied to other hospital patients.]*

8:31B-3.33 Alternate methodology

(a) DRG rates will be established for hospitals without adequate 1979 billing data by utilizing the hospital's 1981 actual [case-mix from patient abstracts in the current cost base year, current cost base year cost and revenue information reported to the Department of Health. Payment rates will be established utilizing the Efficiency Standard calculated in accordance with N.J.A.C. 8:31B-3.5. The 1982 unequalized labor market Efficiency Standard will constitute the hospital's payment rate for the DRGs that meet the following criteria:] costs and 1981 actual case-mix from the Uniform Bill Patient summaries. ***The 1983 rates shall be an adjusted Rate Order and the payment rates effective for 1982 based on 1981 actual costs and 1981 actual case mix data, will be adjusted by an Economic Factor.***

- [1. Ten or more cases in the hospital's base year;
2. Statewide Coefficient of Variation of less than .65 for the applicable peer group.]

[(b) For those direct patient care costs not included in the calculation of standards the hospital's actual costs as adjusted by the economic factor will be included in the Preliminary Cost Base. Said payment rates will serve as interim rates until such time that valid UB-PS data is available to determine the hospital's actual cost per case. Adjustment to direct patient care costs will only be made subsequent to the determining and approval of the hospital's actual cost per case. Such review shall be available under either Accept or Not Accept options described in N.J.A.C. 8:31-3.51 through 3.62.]

(b) Reasonable indirect patient care costs will be based on 1979 actual costs and determined in accordance with N.J.A.C. 8:31-3.24.

(c) All other components of the hospitals' schedule of rates will be calculated in accordance with Sections 8:31B-3.25 through 8:31B-3.29.

8:31B-3.43 Adjustment of changes

- (a) (No change from proposal.)
- (b) The hospital may, [at its discretion] **subject to analysis and approval by the Department, adopt [a variance of plus or minus 25 percent applied] the following plus or minus variances applied to its charge to Direct cost ratio for any specific revenue center: 50 percent during the initial 12 months under the Chapter 83 reimbursement system; 25 percent during the second 12 months; * [five percent thereafter]* *20 percent in the third 12 months.*** The hospital must notify the Commissioner of any charges adjusted throughout the rate year which alter overall estimates of net revenue to be collected.
- (c) (No change from proposal.)

8:31B-3.51 Notification appeal and review

***[(a)]* *(b) Notification by hospitals: Within [60] 45 working days of receipt of the Proposed Schedule of Rates issued pursuant to N.J.A.C. 8:31B-3.2 through 3.15, hospitals shall notify both the Commissioner and the Commission, in writing, of their decision to:**

1. Accept: Acceptance is contingent upon approval by the Commission of the Schedule of Rates. Subject to approval, acceptance waives the right of the hospital to appeals set forth under

N.J.A.C. 8:31B-3.53 through 3.54. Following Commission approval, rates accepted shall be implemented as set forth in N.J.A.C. 8:31B-3.42 through 3.45. [Hospitals may appeal the following items:] **Rates accepted shall include an additional one percent of *[the unequalized non-physician standard for each inlier DRG.]* *all direct patient care costs. The amount will be fixed and included as an indirect cost in the mark-up factor.***

OFFICE OF ADMINISTRATIVE LAW NOTE: Subparagraphs i through v erroneously appeared in the proposal at this position. Upon adoption, these subparagraphs appear correctly codified and in full text below (2i through v).

2. Conditional Accept: Conditional acceptance is contingent upon approval by the Commission of the Schedule of Rates. Subject to approval, conditional acceptance waives the right of the hospital to appeals set forth under N.J.A.C. 8:31B-3.53 through 3.54. Following Commission approval, rates conditionally accepted shall be implemented as set forth in N.J.A.C. 8:31B-3.42 through 3.45. Rates conditionally accepted shall not include the additional one percent of *[the unequalized non-physician standard for each inlier DRG.]* *all direct patient care costs.* Hospitals may appeal the following items:

- i. Changes in Scope of Teaching, which is defined as:
 - (1) The case where a hospital did not meet the Department criteria for classification as a Teaching Institution (major, minor) in the current cost base year, but satisfies the criteria for the rate year; or
 - (2) A 20 percent or greater increase in the number of third and fourth year medical students having clinical training in the hospital; or
 - (3) An increase in the number of LCGME or AOA accredited residencies with at least five FTE residents participating in each additional program.

Note: In evaluating appeals brought under ***[(a)1i]* *(b)2i*** above, the Commission shall consider the relative efficiency of the hospital in the Current Cost Base Year, and the degree to which cost increases between the Current Cost Base and rate years in excess of the Economic Factor can reasonably be attributed to the expansion of teaching activities, considering the specific teaching programs involved and the cost centers they affect. The Commission shall also give consideration to the special needs of hospitals operated by medical schools.

ii. Physician Compensation Arrangements which are defined as a change in the method of reimbursement of physicians from/to hospital compensation basis to/from a direct billing basis. Changes in compensation due to salary or fee increases and/or the addition of personnel is not appealable for a hospital which has Accepted its proposed Schedule of Rates. Resident costs associated with a change in teaching status (see ***[(a)1i(2)]* *(b)2i(2)*** above) may be considered in this area.

iii. Approved certificates of need which is defined as capital and patient care costs arising from projects for which a certificate of need has been granted. Adjustments in Patient Care Costs in excess of that which would otherwise be deemed reasonable under N.J.A.C. 8:31B-3.20 through 3.36 shall be permitted by the Commissioner acting under this section only when:

- (1) The hospital's historical level of depreciation on major moveable equipment fails to adequately reflect purchases of equipment subject to the State's Standards and General Criteria for Certificate of Need for regionalized tertiary services; or
- (2) The hospital has no overall disincentive, and no disincentive in the Patient Care Cost Centers most directly affected by the project.

Note: In evaluating appeals for ***[(a)1iii]* *(b)2iii*** above, the Commission shall give emphasis to any cost savings projected by

the hospital in its application for such a Certificate of Need and to any existing debt obligations on existing equipment.

iv. Revenue Adjustments as discussed in N.J.A.C. 8:31B-[3.41] **3.56.**

v. Revisions to payment rates for Same Day Surgical Units as defined in N.J.A.C. 8:31B-3.11.

[2.]3. Not accept:

i. A hospital not accepting the Proposed Schedule of Rates or adjusted Rate Order shall submit exceptions, within [60] ***[45]* * 60*** working days of receipt of the Proposed Schedule of Rates. Any hospital not accepting the Proposed Schedule of Rates **will be issued a Revised Proposed Schedule of Rates based upon the efficiency standard and** will be subject to review the entire Preliminary Cost Base, and thus at risk for all operating costs and revenue adjustments. **Rates not accepted shall not include the additional one percent (1%) of *[the unequalized non-physician standard for each inlier DRG]* *all direct patient care costs.***

[ii.]* *(a) All hospitals within 15 working days of receipt of the Proposed Schedule of Rates, shall notify the Commissioner of any calculation errors in the rate schedule. If upon review it is determined by the Commissioner that the error is of substantive value, a revised rate will be issued to the hospital within five working days. If the discrepancy is determined to be substantive and a revised Schedule of Rates is not issued by the Department within five working days, notification time frames above will not become effective until the hospital receives a revised Schedule of Rates.

8:31B-3.55 Capital facilities

(a)-(c) (No change from proposal.)

(d) Pursuant to N.J.A.C. 8:31B-4.66(e) of the 1983 Financial Elements [at] ***[any time]* *[during the first year of operations under the Chapter 83 reimbursement system,]*** a hospital *** under the 'Conditional Accept' or 'Not Accept' options (N.J.A.C. 8:31B-3.51(b)2,3)*** may petition the Commission for the inclusion in their Preliminary Cost Base of interest expense associated with the purchase of major moveable equipment and/or an adjustment to working capital provided for in N.J.A.C. 8:31B-3.40.

8:31B-3.75 Schedule of Rates Reconciliation

(a) (No change from proposal.)

(b) (No change from proposal.)

1. (No change from proposal.)

2. Hospital gross revenue related to patient care: The hospital's actual rate year charge to Direct Cost ratio shall be calculated for each revenue center. Next, the hospital's ***[approved]* *actual*** rate year total charge to total Direct Cost ratio shall be calculated. Each revenue center ratio will be compared to the total *** [approved]* ratio; adjusted by the discretionary subsidy of plus or minus [50 percent (25 percent after the initial 12 months of the Schedule of Rates)] 50 percent during the initial 12 months under the Chapter 83 Reimbursement System; 25 percent during the second 12 months; and *[five percent thereafter]* *20 percent in the third 12 months***, plus any additional subsidy previously approved by the Commission. Any difference by revenue center (either positive or negative) shall be divided in half and multiplied by total rate year ***[approved net revenue]* *direct cost*** for the revenue center and deemed excess subsidized revenue.

3.-4. (No change from proposal.)

OFFICE OF ADMINISTRATIVE LAW NOTE: Appendix IX was filed, with changes upon adoption, but is not reproduced herein. Copies of this appendix, with changes, can be obtained from:

Health Economic Services
State Department of Health
CN 360, Room 600
Trenton, NJ 08625; or
Office of Administrative Law
Administrative Filings
88 East State Street
CN 301
Trenton, NJ 08625

(a)

DRUG UTILIZATION REVIEW COUNCIL

Interchangeable Drug Products

Adopted Amendment: N.J.A.C. 8:71

Proposed: July 6, 1982 at 14 N.J.R. 690(a).

Adopted: November 12, 1982 by the Drug Utilization Review Council, Robert G. Kowalski, Chairman.

Filed: November 18, 1982 as R.1982 d.426, **with portions of the proposal not adopted and portions not adopted but still pending.**

Authority: N.J.S.A. 24:6E-6b.

Effective Date: December 6, 1982.

Summary of Public Comments and Agency Responses:

Regarding metronidazole:

Searle argued against the inclusion of Lemmon's 250 mg metronidazole and Zenith's 500 mg metronidazole because (1) neither product has labelling with an anaerobic infections indication and (2) the Drug Utilization Review Council doesn't have the authority to "approve new drugs" under Federal or State law, which the Council would be doing if it approved the substitution of those two drugs for Flagyl. In response, the Drug Utilization Review Council agrees it does not have the power to approve new drugs. The Council notes that Zenith has FDA's approval for the anaerobic infections use, and that Lemmon has applied to the FDA for the same use.

Regarding chlorthalidone:

Chelsea laboratories pointed out that the FDA requires that generic chlorthalidones be compared to a reference chlorthalidone solution, not to hygroton per se. The Council acknowledges this fact, but replies that it has the authority to impose more stringent requirements than the FDA's.

Regarding furosemide:

Chelsea maintains that its furosemide, despite being more bioavailable than lasix, is therapeutically equivalent to lasix.

The Council will be considering clinical data before making a final determination on Chelsea's furosemide.

Regarding doxycycline:

Pfizer objected to this product's inclusion in the generic formulary due to an injunction against such products. The Council notes that the injunction expired on August 10, 1982.

Regarding dipyridamole:

Boehringer Ingelheim objected to this proposed product because the manufacturer (Danbury) does not meet FDA's bioavailability requirements. The Council agrees.

The following products and their respective manufacturers were **adopted:**

Acetaminophen/codeine elixir
Aspirin/codeine tab 60 mg

NPC
Chelsea

Butabarbital tabs	Chelsea
Carisoprodol tabs 350 mg	Danbury
Doxycycline Hyclate caps 50, 100 mg	Chelsea, Mylan
Ergoloid mesylates s.l. tabs 0.5, 1.0 mg	Chelsea
Erythromycin stearate tabs 250 mg	Chelsea
Hydrochlorothiazide tabs 100 mg	Chelsea
Hydroxyzine HCL tabs 10, 25, 50 mg	PAR
Hydroxyzine HCL tabs 50 mg	Chelsea
Hydroxyzine pamoate caps 25, 50 mg	Zenith
Imipramine HCl tabs 10 mg	Chelsea
Methychlothiazide tabs 2.5, 5 mg	Bolar
Metronidazole tabs 250 mg	Lemmon
Metronidazole tabs 500 mg	Zenith
Orphenadrine citrate E.R. tabs 100 mg	Bolar
Phenylbutazone tabs 100 mg	Chelsea, Danbury
Potassium chloride for sol'n 20 mEq	Lemmon
Sulfamethoxazole tabs 500 mg	Heather

The following products and their respective manufacturers are still pending:

Chlorthalidone tabs 25, 50 mg	Chelsea
Erythromycin E.C. tab 250 mg	Robins
Furosemide tabs 20, 40 mg	Chelsea
Hydrochlorothiazide tabs 25, 50 mg	Purepac
Isosorbide dinitrate S.L. tabs 10 mg	Chelsea
Isosorbide dinitrate tabs 20 mg	PAR
Procainamide caps 250, 375, 500 mg	Chelsea
Sulfisoxazole tabs 500 mg	Purepac

The following products and their respective manufacturers were not adopted:

Dexamethasone tabs 0.75 mg	Chelsea
Dipyridamole tabs 25 mg	Danbury
Orphenadrine citrate E.R. tabs 100 mg	Cord
Primidone tabs 250 mg	Bolar

HUMAN SERVICES

(a)

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Nurse-Midwifery Services Manual Provider Qualification, Enrollment, Billing Procedures and Fee Schedules

Adopted New Rules: N.J.A.C. 10:58 and 10:54-3

Adopted Amendments: N.J.A.C. 10:49-1.3, 1.4 and 10:52-1.1

Proposed: August 16, 1982 at 14 N.J.R. 889(a).

Adopted: November 3, 1982 by George J. Albanese,
Commissioner, Department of Human Services.

Filed: November 4, 1982 as R.1982 d.415, **with technical and substantive changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 30:4D-6b(16) and 30:4D-7 and 7b.

Effective Date: December 6, 1982.

Operative Date: January 1, 1983.

Summary of Public Comments and Agency Responses:

Three comments were received. The commentators were the New Jersey Department of Health, the New Jersey State Nurses Association, and the New Jersey Chapter of Nurse-Midwives. All three commentators favored the proposal. The Midwifery Association stated they would prefer a higher rate of reimbursement and an extension of the six week limit on post-partum family planning services, but they realized the constraints at this time.

It should be noted that the family planning limitation is a Federal requirement (42 CFR 440.165(c)).

The Administration Manual (10:49-1.3) and the Manual for Hospital Services (10:52-1.1) were amended to indicate nurse-midwifery services are a covered service under the New Jersey Medicaid Program.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks ***thus***; deletions from proposal shown in brackets with asterisks ***[thus]***).

CHAPTER 58 NURSE-MIDWIFERY SERVICES

SUBCHAPTER 1. GENERAL PROVISIONS

10:58-1.1 (No change from proposal.)

10:58-1.2 Definitions

The following words and terms, when used in this chapter ***,*** shall have the following meanings unless the context clearly indicates otherwise.

"Certified nurse-midwife" (C.N.M.) means a registered professional nurse licensed in New Jersey who, by virtue of added knowledge and skill gained through an organized program of study and clinical experience, receives certification by the American College of Nurse-Midwives. A C.N.M. shall be licensed by and registered with the New Jersey Board of Medical Examiners. ***[The C.N.M. manages the care of essentially normal newborns at the time of delivery and essentially normal women during the maternity cycle.]***

[“Nurse-midwifery services” means those services provided within the scope of practice of the nurse-midwifery profession as defined by the laws and regulations of the State of New Jersey.]

Nurse-midwifery services” means those services provided to manage the care of essentially normal newborns at the time of delivery and essentially normal women during the maternity cycle. Nurse-midwifery services must be provided within the scope of practice of the nurse-midwifery profession as defined by the laws and regulations of the State of New Jersey.

"The maternity cycle" (No change from proposal.)

10:58-1.3 Scope of service

(a) (No change from proposal.)

(b) ***[The]* *A* C.N.M.** shall not work alone in an individual or independent practice but shall function within a health care system which provides for consultation, collaborative management and referral with a physician licensed to practice medicine and surgery in the State of New Jersey.

(c) ***[Certified nurse-midwives]* *A certified nurse-midwife*** shall have, by virtue of ***[their]* *her or his*** license, a written agreement(s) with one or more licensed physicians in the State of New Jersey who practice obstetrics and who have hospital privileges in that field. The agreement must conform to the requirements of N.J.A.C. 13:35-9.3(a) through 5 as currently exists or as hereinafter may be amended.

10:58-1.4 Basis of payment

(a) (No change from proposal.)

(b) ***[Separate procedure codes are used for physician obstetrical**

services and nurse-midwifery services]* ***Nurse-midwifery services shall be kept identifiable and distinct from physician obstetrical services by utilization of procedure codes.*** Therefore, the appropriate procedure code(s) should be used depending upon who rendered the service and separate 1500-N.J. claim forms should be filed. Whenever a claim for reimbursement is filed, the claim form must contain the Individual Medicaid Practitioner (IMP) number of the practitioner who performed the service(s).

(c) The New Jersey Medicaid Program shall reimburse for nurse-midwifery services provided*[,]* only when the patient is an eligible Medicaid client at the time services are rendered. Medicaid clients should present verification of current eligibility status at each visit.

1. (No change from proposal.)

10:58-1.5 Provisions for participation

(a) ***[Those certified nurse-midwives]* *The certified nurse-midwife* who *are]* *is* eligible for direct reimbursement from the New Jersey Medicaid Program must be individually approved as a provider and obtain a provider number.**

1. (No change from proposal.)

2. Upon signing and returning the Medicaid Provider Application, the Provider Agreement and other enrollment documents to the Prudential Insurance Company (a fiscal agent for ***the* New Jersey Medicaid *Program***), the C.N.M. will receive written notification of approval or disapproval. If approved, the C.N.M. will be assigned an Individual Medicaid Practitioner (IMP) number and added to the Medicaid Directory of Practitioners. The Prudential Insurance Company will furnish an IMP number, provider number, provider manual and an initial supply of pre-printed claim forms.

(b)-(c) (No change from proposal.)

10:58-1.6 (No change from proposal.)

10:58-1.7 Medication dispensing policy

All New Jersey licensed certified nurse-midwives shall have, by virtue of their license, established written agreement(s)*[,]* with one or more licensed physicians in the State of New Jersey who practice obstetrics and who have hospital privileges. This agreement includes a written protocol setting forth standing orders for approved medications which may be dispensed by the C.N.M.

10:58-1.8 Recordkeeping

***[Certified nurse-midwives]* *The certified nurse-midwife* in all settings *are to]* *shall* keep legible individual records as are necessary to fully disclose the kind *of]* *and* extent of services provided, as well as the medical necessity for those services. Minimum requirements for services performed by the certified nurse-midwife at home, hospital, independent clinic, office or birthing center shall include a progress note in the clinical record for each visit, except where otherwise specified (e.g., initial visit), which supports the procedure code or codes to be claimed. This information must be available upon the request of the New Jersey Medicaid Program or its agents.**

SUBCHAPTER 2. BILLING PROCEDURES

10:58-2.1 (No change from proposal.)

10:58-2.2 General policy

(a) (No change from proposal.)

(b) All claims must be received by the fiscal agent, Prudential Insurance Company, no later than 90 days after the last day the services were rendered and no later than 12 months from ***[any date]* *the earliest date*** of services on the claim form.

(c)-(d) (No change from proposal.)

10:58-2.3 Health Insurance Claim Form

(a) (No change from proposal.)

(b) Instructions for completion of the Health Insurance Claim Form, 1500-N.J., (Exhibit 1) follow:

1.-7. (No change from proposal.)

8. Item 8: Copy the patient's ***[Health Services Program (HSP)]* *HSP (Medicaid)* Case Number and Person Number exactly as it appears on the Validation Form or Medicaid Eligibility Identification Card;**

9.-30. (No change from proposal.)

31. Item 25: Read the Medicaid Provider Certification on the reverse side of the form carefully. The individual practitioner who personally performed or supervised the service(s) represented on the claim must put his or her signature on each claim before submitting for payment. If a claim covers services performed by more than one practitioner, the group member who performed the last procedure should sign the claim;

Note: (1) (No change from proposal.)

(2) If services are provided by more than one ***type of* practitioner**, separate claim forms for each ***[practitioner]* *type*** (e.g. physician or C.N.M.) must be submitted for payment, i.e. C.N.M. procedure codes and physician procedure codes may not be placed on the same claim form;

32.-37. (No change from proposal.)

10:58-2.4 (No change from proposal.)

CHAPTER 54

SUBCHAPTER 3. PROCEDURE CODES

(No change from proposal.)

GENERAL POLICY

(No change from proposal.)

USE OF PROCEDURE CODES

(No change from proposal.)

Procedure Code	Description	Medicaid Dollar Value
4841	Total obstetrical care when given by a certified nurse-midwife and includes:	\$165.20

(1) (No change from proposal.)

NOTE: (No change from proposal.)

NOTE: If medical necessity dictates, corroborated by the record, ***[then]* additional visits above seven ante partum may be reimbursed under procedure code 0009 (routine or follow-up office visit). The claim form should clearly indicate the reason for the medical necessity and date for each code 0009 listed.**

(2) ***[Obstetrical delivery per vagina when performed by a certified nurse-midwife with in-hospital, home, or birthing center postpartum care, whichever applies, and with or without episiotomy.]* *Obstetrical delivery per vagina with or without episiotomy including postpartum care when provided by the certified nurse-midwife in the home, birthing center or in the hospital (inpatient setting).*** This applies to a vaginal delivery at full term or premature

following completion of at least 28 weeks of gestation or if baby lives over 24 hours. This shall also include one visit between the 15th and 42nd postpartum day following delivery and out of the hospital. Include delivery date on the 1500-N.J. claim form.

- 4842 ***[Obstetrical delivery per vagina when performed by a certified nurse-midwife with in-hospital, home, or birthing center postpartum care, whichever applies, and with or without episiotomy.]* Obstetrical delivery per vagina with or without episiotomy including postpartum care when provided by the certified nurse-midwife in the home, birthing center or in the hospital (inpatient setting).*** This applies to a vaginal delivery at full term or premature following completion of at least 28 weeks of gestation or if baby lives over 24 hours. This shall also include one visit between the 15th and 42nd postpartum day following delivery and out of hospital. Include delivery date on the 1500-N.J. claim form.

0009 (No change from proposal.)

4843-4848 (No change from proposal.)

*10:49-1.3 Eligible providers

(a) (No change.)

(b) Providers eligible to participate in the New Jersey Medicaid Program are:

1.-19. (No change.)

20. Certified nurse-midwives.

(c)-(e) (No change.)*

*10:49-1.4 Authorized services for covered persons

(a) The items and services provided to covered persons will not normally be limited in duration or amount. Any limitation imposed will be consistent with the Medical necessity of the patient's condition, as determined by the attending physician or other practitioner, in accordance with standards generally recognized by health professionals and promulgated through the New Jersey Medicaid Program. The following items and services more specifically defined in subsequent sections of the Provider Manual, are authorized under the Program:

1.-7. (No change.)

8. Services of licensed other practitioners.

i.-iv. (No change.)

v. Certified nurse-midwives (CNM): Nurse-midwifery services provided in managing the care of essentially normal women during the maternity cycle and essentially normal newborn at the time of delivery. CNM services may be provided in a hospital, inpatient and/or outpatient, independent clinic, birthing center, office or patient's home. The New Jersey Medicaid Program will reimburse only New Jersey licensed/certified nurse-midwives for nurse-midwifery services performed in New Jersey.

(1) The maternity cycle means a period limited to pregnancy, labor, birth and the immediate six week postpartum period.*

*10:52-1.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Approved hospital" (No change.)

"Inpatient" (No change.)

"Inpatient hospital services" means:

1. Those items and services ordinarily furnished by an approved hospital for the care and treatment of inpatients, which are provided under the direction of a physician, [or] dentist **or certified nurse-midwife** licensed pursuant to the laws of the State of New Jersey

in an institution maintained primarily for treatment and care of patients with disorders other than tuberculosis or mental diseases:

i. Exception: For inpatient psychiatric services provided in an approved private psychiatric hospital, see [Section 3 of this Subchapter] **N.J.A.C. 10:52-1.14.**

2. (No change.)

"Nontherapeutic sterilization" (No change.)

"Outpatient" (No change.)

"Qualified physical therapist" (No change.)*

(a)

DIVISION OF PUBLIC WELFARE

Public Assistance Manual

Voluntary Restricted Payments

Adopted Amendment: N.J.A.C. 10:81-4.5 through 4.11, 4.13, 4.14, 4.16, 4.18 and 4.19

Proposed: September 20, 1982 at 14 N.J.R. 1034(a).

Adopted: November 17, 1982 by George J. Albanese, Commissioner, Department of Human Services.

Filed: November 18, 1982 as R.1982 d.424, **with technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 44:7-6 and 44:10-3; and 45 CFR 234.60.

Effective Date: December 6, 1982.

Summary of Public Comments and Agency Responses: No comments received.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks ***thus***; deletions from proposal shown in brackets with asterisks ***[thus]***).

10:81-4.5 Payees in AFDC[-C]

(a)-(b) (No change from proposal.)

(c) (No change from proposal.)

1. (No change from proposal.)

2. The restricted payment will be discontinued promptly upon completion and submittal by recipient who initiated such * [NEW]* payment, of Form PA-59B, Request to Discontinue Voluntary Restricted Payment, which must be retained in the case file.

10:81-4.7 Temporary payee in an emergency situation

(a)-(b) (No change from proposal.)

(c) **Change of parent-person (transfer):** When a new permanent plan is necessary and a qualified parent-person [is] ***in*** another county is willing to provide care on a continuing basis, a normal procedure calls for "transfer" of responsibility to the receiving county (see **N.J.A.C. 10:81-3.27(b)1, (b)2, (b)3**). Such transfer will be effected without interruption in aid. If it is necessary to provide assistance for the child's maintenance pending referral to and acceptance of responsibility by the receiving county, the qualified parent-person may be treated as a "temporary payee". It will be incumbent upon the receiving county to accept responsibility within the two-month limitation. Timely and adequate notice (see **N.J.A.C. 10:81-7.1**) is required.

(d) (No change from proposal.)

10:81-4.9 Protective payee

(a) When it is determined by the CWA that the use of funds by the parent or relative is not in the best interest of the child(ren), assistance shall be paid, whenever possible, to a protective payee. A protective payee is not authorized to receive, hold or admini*[n]*ster any other property, real or personal, of the recipient nor to act as representative of the recipient in any other manner whatsoever. [Money payments made by this method will be Federally matched as applicable.] **Such a decision shall be subject to the following criteria:**

1.-10. (No change from proposal.)

10:81-4.10 Selection of a protective payee

(a) (No change from proposal.)

(b) A protective payee shall be selected, so far as possible, with the participation **and consent** of the recipient or of someone responsible for acti*[o]*ng on his or her behalf.

(c)-(d) (No change from proposal.)

10:81-4.11 Appointment of protective payee

(a) (No change from proposal.)

(b) The person designated as protective payee shall sign a statement in duplicate accepting the appointment. This statement shall contain an agreement to maintain a record of receipts and expenditures; to render an account when requested by the CW[B]A director or the recipient, but at least annually or upon termination of assistance payments or termination of service by the protective payee; and to assist in rendering services to the recipient which will enhance his or her ability to mana*[n]*ge money and improve his or her capacity for self-care. A copy of this statement and a copy of all accounts rendered shall be filed in the case record.

10:81-4.13 Change in protective payee

(a)-(b) (No change from proposal.)

[(c)](b) A protective payee who wishes to be released from his or her responsibilities shall give the CW[B]A director at least 10 days notice in writing. In the event of an emergency which makes it impossible for him or her to fulfill his or her responsibiliti*[i]*es for a period of time, he or she shall confer with the CW[B]A director or a duly designated representative immediately so that other arrangements can be made to assure continued assistance to the recipient.

(d) (No change from proposal.)

[(c)](c) (No change from proposal.)

10:81-4.19 Criteria for **and** limitations on appointments of representative payee

(a) The major personal criterion for selection of a [protective or] representative payee is an interest in being of service to the recipient. Appropriate sources of recruitment include: the immediate family and other relatives and friends; a person previously appointed to act on behalf of the client by another State or Federal benefit paying agency; and staff members ***of*** voluntary agencies.

(b)-(d) (No change from proposal.)

(a)

DIVISION OF PUBLIC WELFARE

Public Assistance Manual
Lost or Stolen Assistance ChecksAdopted Amendments: N.J.A.C. 10:81-6.17
and 7.18

Proposed: April 19, 1982 at 14 N.J.R. 373(a).

Adopted: November 8, 1982 by George J. Albanese, Commissioner, Department of Human Services.
Filed: November 8, 1982 as R.1982 d.419, **with substantive and technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 44:7-6 and 44:10-3.

Effective Date: December 6, 1982.

Summary of Public Comments and Agency Responses:

Timely comments were received from four county welfare agencies. Comments from three county welfare agencies objected to the five day time frame for the issuance of a replacement check. These agencies did not consider the five-day frame sufficient to complete a full investigation of the circumstances surrounding a suspicious report of a lost or stolen check.

Comment from one county welfare agency requested the inclusion (in addition to members of the New Jersey State Police) of other persons qualified to present expert testimony in handwriting analysis.

The aforementioned comments were reviewed and discussed by the Division of Public Welfare's Manual Policy Committee. Members of the committee, which includes representation from county welfare agencies, voted however to recommend adoption of the proposed rule with only minor modifications.

Changes subsequent to proposal include elimination of the requirement that the client sign an affidavit that his or her ID card has not been lost or stolen and the addition of language to reflect current regulations regarding treatment of fraudulent receipt of assistance, recovery of overpayments and lump-sum income.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks ***thus***; deletions from proposal shown in brackets with asterisks *[thus]*).

10:81-7.18 Lost or stolen assistance checks

[The county welfare agency will issue a duplicate check within five working days of receipt of notification from the client that his or her assistance check has been lost or stolen, unless extraordinary circumstances are present and a longer period of time is approved by the Division of Public Welfare. The client shall complete an affidavit stating that he/she did not receive or endorse the check. The agency shall file a stop payment order with the bank.]

(a) **Upon notification from a client that his*[/*]or* her assistance check has been lost or stolen, the CWA will immediately secure the *[clients']**client's* affidavit of the facts and circumstances and will file a stop payment order with the bank. Within five working days the CWA will either issue a duplicate check or provide written notice that the check will not be replaced. The notice must be in the format of an adverse *action* notice including information about both regular and emergency fair hearing rights and setting forth the reason(s) for the action. (See N.J.A.C. 10:81-6.2 and 6.17.)**

(b) The CWA may decline to issue a replacement check when any of the following exists:

1.-2. (No change from proposal.)

3. **The endorsement on the original check is certified to be that of the payee by a *[member of the N.J. State Police, the Attorney General or county prosecutor]**person* qualified to present expert testimony in handwriting analysis before the New Jersey courts. *Such expertise may be available through or from the New Jersey State Police, the Office of the Attorney General, a county prosecutor, a member of the American Society of Questioned Document Examiners or a member of the National Association of Document Examiners*.**

4. **The identification of the person cashing the original check as the payee or*[a]* representative of the payee is convincingly**

established by one or more mechanical or procedural methods such as a photograph, a videotape, or the recording *at the time of the transaction* of the number of an ID card *[at time of transaction provided the payee executes an affidavit attesting to the fact that his/her ID card]**which* has not been *reported* lost or stolen *[and remains in his/her possession].*

*(c) In any situation in which an original check is later returned bearing the true endorsement of the intended payee, the agency will honor the check even though a stop payment order may have interfered with its negotiation provided 10 days prior to honoring the check the intended payee is afforded advance written notice and an opportunity to contest the intended action. The agency will refuse to honor an original check which is returned without the true endorsement of the intended payee, the effectiveness of a stop payment order notwithstanding.

(d) In any situation in which the issuance of a duplicate check in accordance with (a) above produces a payment in excess of authorized amounts, the agency will observe N.J.A.C. 10:81-7.40, 10:82-2.19 and/or 10:82-4.15 as appropriate.*

(a)

DIVISION OF PUBLIC WELFARE

Public Assistance Manual Submittal of Form ED-6

Adopted Amendment: N.J.A.C. 10:81-7.13

Proposed: September 7, 1982 at 14 N.J.R. 947(b).
Adopted: November 8, 1982 by George J. Albanese,
Commissioner, Department of Human Services.
Filed: November 8, 1982 as R.1982 d.417, **without change.**

Authority: N.J.S.A. 44:7-6 and 44:10-3.

Effective Date: December 6, 1982.

Summary of Public Comments and Agency Responses:
No comments received.

(b)

DIVISION OF PUBLIC WELFARE

Public Assistance Manual Refugee Resettlement Program, Cuban/ Haitian Entrant Program

Adopted New Rule: N.J.A.C. 10:81-10 Adopted Repeal: N.J.A.C. 10:81 Appendix A

Proposed: September 7, 1982 at 14 N.J.R. 948(a).
Adopted: November 17, 1982 by George J. Albanese,
Commissioner, Department of Human Services.
Filed: November 18, 1982 as R.1982 d.425, **with substantive and technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 44:7-6 and 44:10-3; Public Law 96-212 (Refugee Act of 1980); and 45 CFR Parts 400 and 401.

Effective Date: December 6, 1982.

Summary of Public Comments and Agency Responses:
No comments received.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks *thus*; deletions from proposal shown in brackets with asterisks *[thus]*).

10:81-10.4 Resettlement

(a) (No change from proposal.)

(b) Verification with sponsors: When a sponsor no longer provides adequate financial aid for the refugee or entrant, the refugee or entrant may turn to a CWA for assistance. As part of its regular verification process, the CWA shall contact the sponsor and inquire as to what, if any, assistance the sponsor may still be providing to the refugee *[/*] *or* entrant*; **and whether the refugee or entrant has refused an offer of employment or has voluntarily quit a job without good cause***. The CWA shall also request that such sponsor notify the resettlement agency of *[this]* ***these*** change*s* in circumstance. ***The CWA shall also promptly notify the resettlement agency that the refugee or entrant has applied for assistance.*** In addition, the refugee's sponsor or resettlement agency shall be contacted to verify the possible existence of any matching grant assistance being provided to the refugee (see N.J.A.C. 10:81-10.7(c)1). Meanwhile the CWA shall grant assistance to eligible refugees. Any cash assistance to the client from the sponsor or resettlement agency shall be treated as unearned income (see N.J.A.C. 10:82-4.13(c)). All contacts with the sponsor and/or resettlement agency shall be recorded in the case record (see N.J.A.C. 10:81-10.7(c)).

10:81-10.5 Termination of RRP/CHEP eligibility: Continued eligibility for assistance

(a)-(b) (No change from proposal.)

(c) Race codes: Race codes (RCs) must be changed for all cases (C, F, N, L and K). For CODES purposes, change the RC in block 519/BM, and/or 13/QE of CODES Form 105 for C, F and L type cases from "R" or "H" to the appropriate racial/ethnic code. For MSF purposes, the race code (field 17 on Form MAP-1) must be changed from "7" or "9" to that which is appropriate for all C, F, N, K and L type cases. Note, for those CWAs "live" on the CODES Medicaid Interface, submission of a MAP-1 form will not be necessary to make such change on the MSF for C, F, and L type cases on the CODES system, as this will be done automatically.

1. Note: When AFDC-N and K type RRP and CHP cases must be entered into the CODES system for public assistance purposes and are currently on the CODES system for food stamp (FS) purposes only, attention must be given to the FS portion of the case to assure that all information, e.g., RCs, is properly updated.

10:81-10.7 Eligibility

(a) No United States citizen is eligible for RRP or CHP (exception: see (a)2 and 3 below) and a refugee or entrant may be eligible only if he or she meets the appropriate definition and INS status in N.J.A.C. 10:81-10.1 through 10.3. In addition, all refugees and entrants who have ***either* been in the United States for three years *or were released into the community and received parole status three years prior*** will cease to be eligible for cash and medical assistance under RRP and CHP (see (b) below). Such ineligible refugees and entrants who are still in need shall, as appropriate, be assisted under AFDC-N or referred to the municipal welfare department via Form PA-14, "Referral for Services", giving the reason for referral.

1.-3. (No change from proposal.)

(b)-(d) (No change from proposal.)

(e) Work and training requirements: Refugees and entrants who are under the -C or -F segment of the AFDC program are subject to the work and training requirements governing that program.

1. (No change from proposal.)

2. Refugee and entrant cases that are under the N segment of the AFDC program and those considered GA type cases are subject to the work and training requirements detailed in (c)2i through iii below:

i. Work registration: All refugees and entrants who are not exempt from the work requirements (see (i) below) must register with the Job Service Office of the New Jersey Employment Service (NJES) using Form NJES-511F, "New Jersey Division of Employment Services Self-Registration Application", and identifying RRP or CHEP on that form. *[However, this requirement shall not be applied during the first 60 days following a refugee's/entrant's date of entry (as specified on Form I-94) into the U.S.]*

ii.-iii. (No change from proposal.)

(f) Rules on refugees and entrants attending school are as follows:

1. (No change from proposal.)

2. A refugee or entrant of any age who is otherwise eligible shall not be denied cash assistance while enrolled and participating in a ***full-time*** training program which is approved by the welfare agency and intended to have a definite short-term (less than one year) employment objective.

(g)-(h) (No change from proposal.)

(i) Exemptions from employment or training requirements: The inability to communicate in English does not make the refugee or entrant "unemployable".

1. The following refugees and entrants are exempt from the employment or training requirements given in (e) above:

i.-v. (No change from proposal.)

vi. ***[Any individual working 30 or more hours per week.]* *The person is enrolled full-time in training approved by the welfare agency or its designee as part of an approved employability plan.***

(j) (No change from proposal.)

10:81-10.8 Medical assistance and medical expense spend-down

(a)-(c) (No change from proposal.)

(d) Rules concerning eligibility criteria are as follows:

1. Income: The CWA shall determine the refugee's or entrant's income according to the procedure for establishing initial eligibility (see N.J.A.C. 10:81-10.7(c) and (c)1 above and N.J.A.C. 10:82-4). However, the \$[40.00]* ***\$30.00*** and one-third disregard of earned income does not apply.

i. (No change from proposal.)

2. (No change from proposal.)

(c) (No change from proposal.)

(a)

DIVISION OF PUBLIC WELFARE

General Assistance Manual

Verification of Unemployment/Disability Benefits

Adopted Amendment: N.J.A.C. 10:85-3.2

Proposed: September 7, 1982 at 14 N.J.R. 956(a).

Adopted: November 8, 1982 by George J. Albanese, Commissioner, Department of Human Services.

Filed: November 8, 1982 as R.1982 d.418, **without change.**

Authority: N.J.S.A. 44:8-111(d).

Effective Date: December 6, 1982.

Summary of Public Comments and Agency Responses:
No comments received.

INSURANCE

(b)

DIVISION OF ADMINISTRATION

Insurance Group Readable Policies

Notice of Correction: N.J.A.C. 11:2-18.4

An error appeared in the November 15, 1982 issue of the New Jersey Register at 14 N.J.R. 1308 concerning minimum readability standards. N.J.A.C. 11:2-18.4(c) should have appeared as follows (deletions shown in brackets with asterisks *[thus]*):

11:2-18.4(c) A policy shall be printed in not less than 10 point type, one point leading. This rule shall not apply to schedules and tables; specification or declaration pages; or applications *[not required to be signed by the applicant]*.

(c)

DIVISION OF ADMINISTRATION

Commercial Lines Insurance

Adopted New Rule: N.J.A.C. 11:13

Proposed: September 20, 1982 at 14 N.J.R. 1045(a).

Adopted: November 17, 1982 by Joseph F. Murphy, Commissioner, Department of Insurance.

Filed: November 18, 1982, as R.1982 d.423, **with technical changes** not requiring additional public notice and comments (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 17:1-8.1, 17:1C-6(e) and the Commercial Insurance Deregulation Act of 1982, P.L. 1982 c.114, N.J.S.A. 17:29AA-1 et seq.

Effective Date: December 6, 1982.

Summary of Public Comments and Agency Responses:

The Department has received comments concerning the proposed new rule on commercial lines insurance (N.J.A.C. 11:13) from three interested persons and organizations. This proposal provides rules for the implementation of the Commercial Insurance Deregulation Act of 1982 (N.J.S.A. 17:29AA-1 et seq.). In response to the comments and suggestions received, the Department has made certain modifications in the rule as adopted.

For the most part, these comments focused on provisions of the rule pertaining to categories of commercial risks defined under section 3.k. of the Commercial Insurance Deregulation Act as "special risks". With certain exceptions, special risks are exempted under the Act from most rate and policy form filing requirements.

Concerning one category of special risks, commercial inland marine coverages, a commenter suggested that the regulation be amended to provide a more specific description of the term. Because of the status under the Act of "special risks" a concern was expressed that insurers might inappropriately designate risks as inland marine in order to avoid rate and policy form filing requirements.

It was noted that the Department has adopted the Nation-wide Marine Definition (1976 Revision adopted by the National Association of Insurance Commissioners). This definition describes, although not exclusively, those risks which can be classified as inland marine. Accordingly, it was suggested the rule specify that only those things defined as inland marine pursuant to the Nation-wide Marine Definition may be written as inland marine. The Department has incorporated into the adopted rule reference to the Nation-wide Marine Definition and insurers should be guided accordingly (see N.J.A.C. 11:13-1.3 - Definition of "Special Risks"). However, since the Nation-wide Marine Definition does not provide an exclusive listing of inland marine coverages, the scope of inland marine coverages in the rule has not been specifically limited as suggested.

Comments were also received on "special risks", which are defined under the Act as "commercial lines insurance risks which produce minimum annual premium in excess of \$10,000." A more specific delineation of this category is provided in subchapter 4 of the rule. In connection with the \$10,000 threshold, clarification was requested on the following: (1) whether the \$10,000 threshold may be met on an account basis, in addition to a per risk basis; (2) whether premiums generated by other special risks categories, such as inland marine, may be used to meet the \$10,000 threshold; and (3) whether the \$10,000 threshold figure is based upon manual premium, rather than the actual premium charge.

With respect to items 1 and 2 above, N.J.S.A. 11:13-4.1(a)4iii provides that a "risk written under a single policy covering more than one risk which **policy** generates a minimum annual premium in excess of \$10,000" qualifies as a "special risk" under paragraph 4 (emphasis added). The rule clearly indicates that, subject to the specific requirements of the section, a single risk need not generate the \$10,000 premium in order to achieve eligibility. It must be noted that only premiums generated by coverages which are subject to the Commercial Insurance Deregulation Act (including other types of "special risks" as well as other commercial lines risks generally) may be used to meet the \$10,000 threshold.

With respect to item 3 above, both the Commercial Insurance Deregulation Act and the implementing rule, characterize risks meeting the \$10,000 threshold in terms of those "which produce" such a minimum annual premium. While a risk may develop a certain manual premium, the premium which is actually charged can reflect the application of certain debits or credits. The later premium would appear to reflect the premium actually produced by the risk. We have not, therefore, restricted eligibility for "special risk" status based upon the \$10,000 premium threshold to manual premiums.

Another commenter suggested that a new section be added to the rule in order to clarify the intent of the Commercial Insurance Deregulation Act in regard to "special risks". Specifically, it was noted that although rate filings are not required for "special risks", rates utilized by insurers with respect to such risks must comply with section 10 of the Act. This section states: "Rates shall not be excessive, inadequate or unfairly discriminatory". In addition, policy forms used by insurers in connection with special risks must comply with the standards set forth under section 11 of the Act. In order to provide this clarification, the Department has incorporated appropriate provisions under subchapter 1 of the adopted rule (see N.J.A.C. 11:13-1.4). This section is applicable to all commercial lines subject to the Act, including special risks.

Finally, a comment was received concerning the term "risk" as used in subchapter 4 of the rule. It was noted that the meaning of "risk" may vary depending on context. The Department

acknowledges that the focus of this term may vary; however, its use in the rule is consistent with the definition of "Risk" set forth under section 3.j. of the Commercial Insurance Deregulation Act.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks ***thus***; deletions from proposal shown in brackets with asterisks ***[thus]***).

11:13-1.1 Purpose

The Commercial Insurance Deregulation Act of 1982 ***N.J.S.A. 17:29AA-1 et seq.*** establishes a separate rating law for commercial lines insurance and exempts such lines from the provisions of N.J.S.A. 17:29A-1 et seq. except as provided by the Act. This chapter provides rules for the implementation of the Act.

11:13-1.3 Definitions

The following words and terms, when used in this chapter, have the following meanings unless the context clearly indicates otherwise.

"Special Risks" means:

1. (No change from proposal.)

2. Inland marine insurance, other than personal lines ***(The 1976 Revision of the Nation-wide Marine Definition, adopted by the National Association of Insurance Commissioners, has been adopted by the State of New Jersey. This instrument describes, although not exclusively, the kinds of risks which may be classified or identified as inland marine insurance.)***;

3.-4. (No change from proposal.)

*11:13-1.4 Rate and policy form requirements

(a) Pursuant to N.J.S.A. 17:29AA-10, rates shall not be made or used which are excessive, inadequate or unfairly discriminatory.

(b) Pursuant to N.J.S.A. 17:29AA-11, policy forms shall not be unfair, inequitable, misleading or contrary to law, nor shall they produce rates, which are excessive, inadequate or unfairly discriminatory.*

[11:13-1.4] *11:13-1.5* Separability

(No change in text.)

11:13-2.1 Filing of rates, supplementary rate information, and policies

(a) (No change from proposal.)

(b) Pursuant to *[section 5 of the Commercial Insurance Deregulation Act of 1982]* ***N.J.S.A. 17:29AA-5***, every insurer and rating organization shall file with the Commissioner all rates and supplementary rate information and all changes and amendments thereof not later than 30 days after becoming effective.

(c) Pursuant to *[section 6 of the Commercial Insurance Deregulation Act of 1982]* ***N.J.S.A. 17:29AA-6***, insurers shall file copies of all policy forms for approval with the Commissioner at least 30 days prior to becoming effective.

(d) (No change from proposal.)

11:13-2.5 Filing questionnaires

(a)-(b) (No change from proposal.)

(c) Every insurer submitting policy forms for approval shall complete and submit with the filing the Commercial Lines Insurance-General Questionnaire and Affidavit of Compliance shown in Exhibit A and the Commercial Lines Insurance-Policy Approval Questionnaire shown in Exhibit C.

1. Pursuant to *[section 6 of the Commercial Insurance Deregulation Act of 1982]* ***N.J.S.A. 17:29AA-6***, only a policy form filing which is accompanied by a properly completed General Questionnaire, Affidavit of Compliance and Policy Approval Questionnaire, shall be deemed approved by the Commissioner as

of its effective date unless disapproved by the Commissioner prior to that date.

11:13-3.1 Expense experience

- (a) (No change from proposal.)
- (b) The following are modifications to the rule referenced in (a) above:

1. Reference to N.J.S.A. 17:29A-5 contained in N.J.A.C. 11:4-10.1(a) is deleted and replaced with *["section 16 of the Commercial Insurance Deregulation Act of 1982"]* **N.J.S.A. 17:29AA-16.***

SUBCHAPTER 5. PROCEDURE FOR THE REGULATION OF CONSENT TO HIGHER RATE FILINGS

11:13-5.1 *Higher rate filings*

- (a) (No change from proposal.)
- (b) The following are modifications to the rule referenced in (a) above:

1. Reference to N.J.S.A. 17:29A-22 contained in N.J.A.C. 11:4-7.1(b)11 is deleted and replaced with *["section 26 of the Commercial Insurance Deregulation Act of 1982"]* **N.J.S.A. 17:29AA-26.***

OFFICE OF ADMINISTRATIVE LAW NOTE: As part of the proposal concerning the Commercial Lines Insurance rule, the Department of Insurance held a public hearing to determine various categories of commercial lines risks. As a result of that public hearing, the Department of Insurance has compiled a list of Special Risks and an Exportables List as required by section 3.K of the Commercial Insurance Deregulation Act of 1982 and N.J.A.C. 11:13-4.1. For informational purposes, these lists can be found in the Miscellaneous Notices section of this Register. Copies of the list will be available from the Department of Insurance.

LAW AND PUBLIC SAFETY

(a)

BOARD OF MEDICAL EXAMINERS

Certified Nurse-Midwife and Lay Midwife Standards of Practice

Adopted Amendment: N.J.A.C. 13:35-9

Proposed: June 21, 1982 at 14 N.J.R. 632(b).

Adopted: September 8, 1982 by Board of Medical Examiners, Edwin H. Albano, President

Filed: November 5, 1982 as R. 1982 d.416, **with substantive changes** not requiring additional public notice and comment.

Authority: N.J.S.A. 45:9-2, 45:9-21 and 45:10-1 et seq.

Effective Date: December 6, 1982.

Summary of Public Comments and Agency Responses:

This rule substitutes the current text of N.J.A.C. 13:35-9; it deletes the former text and replaces it with more expansive CNM-practice privileges and distinguishes them from the very restricted privileges accorded lay midwives which remain unchanged.

In addition to publication in the Register, some 40 Notices of the

proposal were sent to three newspapers as well as to numerous medical and nurse-midwife organizations, schools, the Department of Health and the Public Advocate, the Board of Nursing and many physicians, CNM's, and other individuals who had expressed an interest in it.

Comments were received from Shirley Mayer, M.D., Commissioner of the Department of Health; Chairperson Diegmann of the New Jersey Chapter of the American College of Nurse-Midwives; from Southern New Jersey Health Systems Agency, Inc.; from a CNM and a physician team at JFK Memorial Hospital; from Teresa Marsico, Director of the Division of Nurse-Midwifery at UMDNJ; from Harold Kaminetsky, M.D., Professor and Chairman of the Department of OB-GYN at UMDNJ; from CNM's Buchbinder, Whitley, Manson, Cosgrove and MacManus; and from Nadine Taub, Esq.

Following are some of the more significant comments received and the agency's response: Many persons suggested changing the occasional word "obstetrician" to "physician" for uniformity. This change was in part accepted.

A suggestion deleting the requirement for the physician to review the chart of a high-risk patient prior to the patient's being discharged during prenatal care visits was rejected, not only because the extra time the patient must wait is negligible in the circumstances, but most importantly the CNM has no authority by law to manage the care of a high-risk patient independently. Since the Board will permit such care only in a collaborative management setting, such collaboration must not be nominal only. It is the CNM's responsibility in such cases to be sure that the patient does not depart until the medical evaluator is assured that no new or increased risk has developed since the date of the last visit which may require prompt attention while the patient is still readily available. This requirement is especially important since chart entries may sometimes be in error or incomplete, or may present separate factors which, to the plenary licensed physician, may signal a concern that warrants further action.

Another writer urged deletion of the requirement that a physician be in the hospital during a high-risk delivery or, alternatively, that the birth not be required to take place in a hospital having 24 hour per day obstetrician coverage. This suggestion was adopted in part. For example, the physician with full obstetrical privileges who is affiliated with that CNM (or a comparable physician substitute) must be notified to be available at the time of labor and delivery and must be on the hospital premises.

Commissioner of Health suggested permitting prenatal care in a licensed ambulatory care clinic; this was accepted. She also suggested an additional provision stating that when a physician who is caring for a high-risk patient finds that she no longer needs to be categorized as such, she can return to CNM management. While this concept was implicit in the prior proposal, the suggestion is accepted for the purpose of clarification. The Commissioner also suggested requiring transfer to hospital not only of infants demonstrating abnormalities but also their mothers, and further, that the transfer must preferably be to a Level II facility. As the pertinent section deals only with infant symptoms, the Board will not include reference to transfer of mothers. Moreover, as the suggestion implies abnormality during or after delivery, it is sufficiently covered in N.J.A.C. 13:35-9.6. While the Board shares the Commissioner's goal of seeking optimum infant care, it was deemed unnecessary to specify in a disciplinary setting the particular type of hospital which must be sought, as the first priority must be to secure aid to stabilize the patient(s). The CNM should be expected to be sufficiently familiar with the hospital facilities within reach so that the most appropriate can be chosen in the circumstances.

One writer suggested omitting certain prenatal and intrapartum criteria now mandating physician collaboration or consultation. Those suggestions are rejected, as the Board is satisfied that extended delay between membrane rupture and onset of labor in a current pregnancy, or having had significant postpartum

hemorrhaging in a prior pregnancy are both factors requiring prompt physician availability at the times indicated in the rule.

Finally, several writers requested authority for CNM's to repair second degree lacerations, on the basis that such repair "uses the same sequence of suture stitches as does repair of episiotomy." Clearly, use of the same sequence mechanically is not the point; greater skill is needed for the latter procedure. Not stressed by the writers were the adjoining lines in the text they cited: "However, they (second degree lacerations) often are jagged wounds with ragged edges, making approximation of tissues more difficult. Care must also be taken to place all stitches in accord with the angle of the wound, recognizing that the angle may change in a jagged tear." Varney, Nurse-Midwifery. This problem may be significant, as many nurse-midwives profess to make less use of episiotomies (a controlled surgical cut), thus increasing those occasions when a woman will be subjected to a second degree uncontrolled tear. Furthermore, the difficulties of haste, and of maintaining a sterile field for the injection of anesthetic and for the repair will be greater, particularly if the birth is not in a hospital. For the immediate future, therefore, the Board declines to change this provision.

One other non-substantive type of change has been made. As several commentators expressed the view that the codification system required by the Office of Administrative Law was difficult to understand because of the complexity of this rule, a special revision of format has been made for the sole purpose of allowing the reader to more easily distinguish sections from subsections.

As none of the changes which the Board authorized imposed any greater burden on the licensed class, no republication of the rule was deemed necessary.

Full text of the changes in the rule between proposal and adoption follows (additions to proposal indicated in boldface with asterisks ***thus***; deletions from proposal indicated in brackets with asterisks ***[thus]***).

13:35-9.2 Qualifications

(a) (No change from proposal.)

(b) The requirements of (a) ***[notwithstanding]*** ***notwithstanding***, a midwife certified by the American College of Nurse-Midwives and licensed as a midwife in the State of New Jersey and licensed as a registered professional nurse in the State of New Jersey on the effective date of this rule shall be eligible to register as a Certified Nurse-Midwife.

13:35-9.3 ***[Minimal]*** ***Minimum*** conditions of practice

(a) The C.N.M. shall establish written agreement(s) with one or more licensed physicians in the State of New Jersey who practice obstetrics and who have hospital privileges. The agreement shall include a written protocol setting forth:

1. Criteria for ineligibility for patient care solely by the C.N.M., which shall exclude patients defined as high-risk in N.J.A.C. ***[13:35-9.4(e) and (f) and 9.5]*** ***13:35-9.4(c) and (h), 9.6(h) and (i), and 9.7(a)***;

2.-5. (No change from proposal.)

(b) (No change from proposal.)

(c) The lay midwife, functioning within the more limited scope of such practice as set forth in N.J.S.A. 45:20-1 **et seq.**, shall file with the board a notice listing the name and address of a physician(s) who has agreed to serve as backup for the purposes set forth in N.J.S.A. 45:10-8 ***[and 9]***.

13:35-9.4 ***[Minimal]*** ***Minimum*** standards of C.N.M. and lay midwife practice during prenatal stages

[(a)]* (e) A lay midwife shall not manage the care of high-risk patients under any circumstances.

[(b)]* (a) The C.N.M. shall take the patient's history; perform a physical examination; order laboratory tests; recommend non-prescription medication as necessary; dispense medications in accordance with the standing orders of the physician and maintain

written patient records of findings and evaluation. Pre-signed prescriptions should not be utilized.

[(c)]* (b) A C.N.M. may participate in the management of high-risk patients only under the circumstances set forth in N.J.A.C. 13:35-9.5, and may also perform all services within the scope of practice of a registered professional nurse acting at the direction and under the supervision of a licensed physician.

[(d)]* (f) Except as permitted in N.J.A.C. 13:35-9.5, the C.N.M. and the lay midwife shall promptly refer the patient to the physician at such time as any abnormal condition appears.

[(c)]* (c) The criteria establishing high-risk include, but are not limited to, the following:

[1.]* 6 Demographic indices:

i. Chronological age under 16 in primigravida at the time of last menstrual period;

ii. Chronological age of 35 or over in primigravida at the time of last menstrual period;

iii. Chronological age of 40 and over in multigravida at the time of last menstrual period.

[(1)]* (d) Notwithstanding the provisions of ***[(e)]i, ii and iii above***, the C.N.M. may participate in the management of patients in those categories with ***[an obstetrician under]*** ***an affiliated physician who has full hospital obstetrical privileges, in*** the following circumstances:

[(A)]* 1. The patient shall be examined by ***[a licensed obstetrician]*** ***the physician*** during the first trimester or second visit and again during the third trimester to confirm satisfactory status under C.N.M. management;

[(B)]** A licensed obstetrician *** 2. The physician is on the premises and available for consultation when these patients are examined during prenatal management;

[(C)]* 3. Delivery shall take place in a licensed hospital ***[having a licensed obstetrician on the premises 24 hours/day]***.

*** 4. The C.N.M.'s affiliated physician(s), who shall have full privileges in obstetrics in that hospital, shall be available on the premises for supervision and/or management throughout the time of labor and delivery.***

[2.]* (c). Documented problems in maternal medical history:

i. Cardiovascular: Acute and/or chronic hypertension defined as diastolic over 90 on ***any*** two separate occasions ***during the pregnancy***; congenital and/or acquired heart disease; history of thrombophlebitis within one year of pregnancy or two episodes; history of pulmonary emboli;

ii.-vi. (No change from proposal.)

[3]* 2. Documented problems in maternal obstetrical history:

i.-ix. (No change from proposal.)

[4]* 3. Documented problems in previous infants:

i. (No change from proposal.)

[5]* 4. Findings on physical examination of pregnant patient:

i.-vi. (No change from proposal.)

[6]* 5. Findings as a result of laboratory or radiologic studies:

i.-iv. (No change from proposal.)

*** (g) The physician(s) shall decide when a patient no longer fills the criteria requiring exclusive physician management. At that time, prenatal care may be resumed by the C.N.M. or lay midwife, as appropriate.***

[(f)]* (h) Conditions requiring antepartal referral to the physician shall include but are not limited to the following:

1.-12. (No change from proposal.)

13:35-9.5 Management by a physician-C.N.M. team for high-risk patients

(a) Notwithstanding any of the limitations set forth in N.J.A.C. 13:35-9.4, a C.N.M. may render nurse-midwife services to high risk patients as part of a physician-C.N.M. team under the following circumstances:

1. The high-risk patient shall receive all scheduled prenatal care in:

i. (No change from proposal.)

ii. *[In a]* ***A*** licensed hospital clinic. Labor and delivery shall take place in a licensed hospital; *[and]* ***or***

iii. A licensed ambulatory care clinic. Labor and delivery shall take place in a licensed hospital; and

2. A licensed physician(s) ***having full hospital obstetrical privileges*** has assumed responsibility for the patient; and

3.-6. (No change from proposal.)

13:35-9.6 Intrapartum management

(a)-(b) (No change from proposal.)

(c) The C.N.M. may administer medications according to the protocol, may perform an episiotomy and repair it and may use local or pudendal block anesthesia provided that labor and delivery take place in a licensed health care facility which may include a birth center located within the vicinity of a hospital or within a reasonable distance thereof, which:

1. Has ***[an obstetrician-gynecologist licensed]*** ***a licensed physician with full hospital obstetrical privileges*** in the State of New Jersey who is designated as responsible for backup care and, pursuant to an established protocol, is available on call; and

2. (No change from proposal.)

(d)-(i) (No change from proposal.)

Filed: October 29, 1982 as R.1982 d.414, **without change.**

Authority: N.J.S.A. 27:1A-5, 27:1A-6, 39:4-6 and 39:4-140.

Effective Date: December 6, 1982.

Summary of Public Comments and Agency Responses:
No comments received.

TRANSPORTATION

(a)

TRANSPORTATION OPERATIONS

Restricted Parking and Stopping Route 1 and 9

Adopted Amendment: N.J.A.C. 16:28A-1.2

Proposed: September 20, 1982 at 14 N.J.R. 1049(a).

Adopted: November 4, 1982 by David W. Gwynn, Chief Engineer, Transportation Operations and Local Aid.

Filed: November 10, 1982 as R.1982 d.420, **without change.**

Authority: N.J.S.A. 27:1A-5, 27:1A-6, 39:4-138.1 and 39:4-139.

Effective Date: December 6, 1982.

Summary of Public Comments and Agency Responses:
No comments received.

(b)

TRANSPORTATION OPERATIONS

Miscellaneous Traffic Rules Stop and Yield Intersection Rising Sun Square Road and Old Yorke Road

Readopted Amendment: N.J.A.C. 16:30-2.6

Proposed: September 7, 1982 at 14 N.J.R. 990(a).

Adopted: October 26, 1982 by David W. Gwynn, Chief Engineer, Transportation Operations and Local Aid.

MISCELLANEOUS NOTICES

ENVIRONMENTAL PROTECTION

(a)

DIVISION OF COASTAL RESOURCES

Wetlands Management

Notice of Correction: N.J.A.C. 7:7A-1.13

Take notice that certain wetlands map numbers (six individual maps) were inadvertently omitted from the list published in the New Jersey Administrative Code at 7:7A-1.13(a)5. These maps apply to portions of Atlantic County and were properly adopted as R.1973 d.364 at 6 N.J.R. 6(c). The omitted map numbers are as follows:

xxi. 175-1980
xxii. 175-1986
xxiii. 175-1992
xxiv. 175-1998
xxv. 175-2004
xxvi. 175-2010

The maps now codified as xxi through cl will be recodified as xxvii through clvi. **Copies** of all the maps are on file with the Atlantic County Recording Officer in Mays Landing, New Jersey.

This Notice is published as a matter of public information.

(b)

DIVISION OF WATER RESOURCES

Amendments to the Monmouth County and Ocean County Water Quality Management Plans

Public Notice

Take notice that the Manasquan River Regional Sewerage Authority (MRRSA) has applied to the New Jersey Department of Environmental Protection (NJDEP) and the Ocean County Water Quality Management (WQM) Program for amendments to the Monmouth County and Ocean County WQM Plans. MRRSA has requested that the flow from its entire service area be directed to Ocean County Utility Authority's (OCUA) northern treatment facility and therefore eliminate the need for a regional treatment facility in Monmouth County. The OCUA northern treatment plant will have sufficient capacity for present and future flows in its own area as well as in the MRRSA area. The MRRSA will continue to be the Sewerage Facility Planning Agency under the authority of the Federal "Clean Water Act" (33 U.S.C. 466 et seq.) for the purpose of providing comprehensive sewerage facilities planning.

This notice is being given to inform the public that the NJDEP and the Ocean County WQM Program have prepared amendments to the Monmouth County WQM Plan and the Ocean County WQM Plan, respectively. Those plans were adopted pursuant to the Water Quality Planning Act, (N.J.S.A. 58:11A-1 et seq.) and the Clean

Water Act. These amendments change the treatment facility that will treat wastewater from MRRSA from a proposed regional facility in Monmouth County to OCUA's northern facility in Ocean County.

All information dealing with the aforesaid water quality plans and the Water Quality Planning Act is located at the office of NJDEP, Division of Water Resources, Bureau of Planning and Standards located at 25 Arctic Parkway in the Township of Ewing, Mercer County, telephone: (609)633-7021. It is available for inspection between 8:30 A.M. and 4:00 P.M., Monday through Friday. This information is also available at the office of Ocean County WQM Planning located at Courthouse Square in the Township of Dover, Ocean County, telephone: (201)244-2121. It is available for inspection between 9:00 A.M. and 4:00 P.M., Monday through Friday.

Interested persons may submit written comments on the amendment to George Horzempa, Chief, Bureau of Planning and Standards, at the NJDEP address cited above or to Alan W. Avery, Jr., Principal Planner, at the Ocean County WQM Planning address cited above. All comments must be submitted within 30 days of the date of this public notice. All comments submitted by interested persons in response to this notice, within the time limit, shall be considered by NJDEP and Ocean County WQM Planning with respect to the amendment request.

Any interested person may request in writing that NJDEP or Ocean County WQM Planning hold a nonadversarial public hearing on the amendments. This request must state the nature of the issues to be raised at the proposed hearing and must be submitted within 30 days of the date of this public notice to Mr. Horzempa at the NJDEP address cited above or Mr. Avery at the Ocean County WQM Planning address cited above. If a public hearing is held, the public comment period in this notice shall automatically be extended to the close of the public hearing.

INSURANCE

(c)

THE COMMISSIONER

Exportables List

Public Notice

Joseph F. Murphy, Commissioner of Insurance, pursuant to authority delegated to him at N.J.S.A. 17:22-6.43, after notice and a hearing on October 19, 1982, finds no reasonable or adequate market among authorized insurers for the following 48 classes of insurance coverage or risk and rules them eligible for export effective November 1, 1982.

1. Amusement Devices for Adults and Kiddies
2. Amusement Parks and Carnivals Liability
3. Animal Mortality, Horses Only
4. Armored Cars
5. Automobile-Race Tracks Liability
6. Auto Races
7. Aviation, Crop dusters
8. Bowling Alleys

9. Burglary and Robbery, Check Cashing, Money Exchange, and Installment Sales Houses Only
10. Business Interruption—Valued Per Diem Form Only
11. Cleaners' and Dyers' Bailee Coverage in Municipalities Over 100,000 Population
12. Differences in Condition (parasol)
13. Environmental Impairment Liability Insurance
14. Auto Physical Damage (value over \$30,000)
15. Excess of First Loss Insurance
16. Excess Liability Insurance
17. Excess Loss and Excess Aggregate for Self-Insurers' Public Liability and Workers' Compensation
18. Excess Property Insurance
19. False Arrest and Other Personal Injury Liability Classes
20. Fine Arts Dealers
21. Fire and Allied Lines on Buildings Occupied as Auction Markets, Farmers Markets and Contents of Such Buildings
22. Fireworks Display
23. First Loss Insurance
24. Golf Driving Range
25. Hole-in-One
26. House Movers and Building Demolition
27. International Movers Insurance Plan
28. Kidnapping Insurance
29. Liquor Law Liability
30. Manufacturers and Contractors Liability for Floor Waxers, Building Maintenance People, Window Washers and Exterminators
31. Motorcycle Physical Damage Insurance
32. Personal Articles Floaters Only
33. Picnics/Excursions
34. Police Professional Errors and Omissions
35. Pony Rides/Riding Academies
36. Products Liability and Products Recall Coverage
37. Professional Liability (Malpractice) Policies for Chiropractors, Clinical Laboratories, Psychologists, Veterinarians, Massage and Reducing Salons and Divorce Mediation
38. Rain Insurance
39. Retrospective Penalty Indemnity
40. Short-term (not over 30 days) Drive-away Auto Insurance with \$15,000/\$30,000 Bodily Injury and \$15,000 Property Damage Limits on Vehicles Owned and Operated by Military Personnel Except for Vehicles Registered in New Jersey
41. Short-term Entertainment Events/Rock Festivals
42. Short-term Association Meetings and Conventions
43. Skating Rinks, Roller and Ice; Skateboard Parks
44. Sporting Events (casual)
45. Swim Clubs/Swim Pools
46. Truck Physical Damage Coverages for Non-fleet (one to five) Trucks Over 7,800 Pounds, Including Trailers and/or Trailer Interchange
47. Vacant Buildings—Fire, Extended Coverage and Vandalism
48. Warehouseman's Legal Liability

OFFICE OF ADMINISTRATIVE LAW NOTE: This Public Notice concerning an Exportables List is related to the adoption of the Commercial Lines insurance rule which can be found at 14 N.J.R. 1398(c).

(a)

THE COMMISSIONER

List of Special Risks

Public Notice

Joseph F. Murphy, Commissioner of Insurance, pursuant to the authority delegated under section 3.k. of the Commercial Insurance Deregulation Act of 1982 (N.J.S.A. 17:29AA-1 et seq.), after notice and a hearing on October 19, 1982, hereby promulgates the list of special risks described in section 3.k.(1) of that Act.

Take notice that effective November 20, 1982, the following commercial lines insurance risks are specified as special risks in accordance with section 3.k.(1) of the Commercial Insurance Deregulation Act of 1982:

1. Risks which are written on an excess or umbrella basis;
2. Risks which are eligible for export as contained on any current list of exportables promulgated by the Commissioner under N.J.S.A. 17:22-6.43; or
3. Risks which are of an unusual nature or high loss hazard or are difficult to place or rate. Those commercial lines insurance risks, or portions thereof which: (a) do not appear in any of the following manuals, rating plans or schedules below; (b) are excepted below from such manuals, rating plans or schedules; or (c) are specifically designated special risks below, are declared to be special risks which are of an unusual nature or high loss hazard or are difficult to place or rate.

I. RATING ORGANIZATION MANUALS, RATING PLANS, OR SCHEDULES AND EXCEPTIONS

A. INSURANCE SERVICES OFFICE

1. COMMERCIAL LINES MANUAL (including Commercial Automobile Supplementary Rating Procedures)

Except risks which are designated as:

- a) "a" rated
- b) "refer to company" either exclusively or in the alternative
- c) "submit to company"
- d) Property owned by the Federal government
- e) Railroad property
- f) Computer fraud risks
- g) Extortion risks

2. COMMERCIAL AUTOMOBILE SUPPLEMENTARY RATING PROCEDURES

B. MUTUAL SERVICE OFFICE SPECIAL MULTI PERIL MANUAL, BURGLARY AND THEFT MANUAL, FIRE AND ALLIED LINES MANUAL

Except risks designated as:

1. "a" rated
2. "refer to company" either exclusively or in the alternative
3. "submit to company"

C. CROP-HAIL INSURANCE ACTUARIAL ASSOCIATION MANUAL

D. AMERICAN ASSOCIATION OF INSURANCE SERVICES GENERAL LIABILITY MANUAL

Except risks designated as:

1. "a" rated
2. "refer to company" either exclusively or in the alternative
3. "submit to company"

E. MILL AND ELEVATOR RATING BUREAU MANUAL

II. SPECIFICALLY DESIGNATED SPECIAL RISKS

A. INSURANCE SERVICES OFFICE

1. Risks rated under any of the following schedules are special risks:

- a) Petroleum properties
- b) Petrochemicals plants
- c) Electric generating stations
- d) Natural gas pumping stations

- e) Coal, oil and water gas plants
- f) Electric traction properties
- 2. Risks insured under the provisions of the Highly Protected Risks Rating Plan are special risks.
- B. Preferred risk properties insured and rated as shown in the rules and rating schedules of the FACTORY MUTUAL SERVICE BUREAU are special risks.
- C. All commercial insurance aviation risks (including those rated from the AVIATION INSURANCE RATING BUREAU Schedule of Rates) are special risks.
- D. All nuclear insurance risks are special risks.
- E. All Animal Mortality risks are special risks.
- F. All Credit Insurance risks are special risks.
- G. All Boiler and Machinery risks are special risks.

OFFICE OF ADMINISTRATIVE LAW NOTE: This Public Notice concerning a list of Special Risks is related to the adoption of the Commercial Lines Insurance rule which can be found at 14 N.J.R. 1398(c).

LAW AND PUBLIC SAFETY

(a)

DIVISION OF MOTOR VEHICLES

Bulk Commodities Application

Public Notice

Take notice that Clifford W. Snedeker, Director, Division of Motor Vehicles pursuant to the authority of N.J.S.A. 39:5-E.11, hereby lists the names and addresses of applicants who have filed an application for a common carrier's certificate of public convenience and necessity and/or a contract carrier permit to engage in the business of transporting bulk commodities in intrastate commerce.

COMMON CARRIER (NON-GRANDFATHER)

Danchris, Inc.
100 Ridgedale Ave.
Morristown, NJ 07960

S & A Trucking, Inc.
445 Fourth Ave.
Elizabeth, NJ 07206

Richard Scott Good
Church Rd.
Vincetown, NJ 08088

Any or all the above applications may be inspected in full by interested parties at the office of the Division of Motor Vehicles, Bureau of Motor Carriers, 25 S. Montgomery Street, Trenton, New Jersey 08666, on business days between 9:00 A.M. and 4:00 P.M.

Protests in writing and verified under oath may be presented by interested parties to the Director of Motor Vehicles within 20 days following the publication date of an application.

OTHER AGENCIES

(b)

CASINO CONTROL COMMISSION

Petition Prohibiting Pre-Recorded Music Agency Response to Petition for Rulemaking (N.J.S.A. 52:14B-4(f))

Petitioner: Atlantic City Musician's Association

Authority: N.J.S.A. 5:12-69(c), 52:14B-4(f) and N.J.A.C. 1:30-3.6.

The Casino Control Commission, at its public meeting of November 3, 1982, heard oral arguments concerning the petition filed by the Atlantic City Musician's Association seeking to prohibit the use of pre-recorded music in Atlantic City casinos. Pursuant to N.J.S.A. 1:30-3.6, a notice of petition for a rule was published in the August 2, 1982 Register at 14 N.J.R. 840(c).

The Commission deferred action on this issue because the regulation proposed in the petition was found to be too restrictive. If adopted, it would have banned the use of all pre-recorded music. The petitioner withdrew the existing petition and represented that a new petition would be resubmitted which would address the ambiguities posed at the public meeting concerning the question of limited use of pre-recorded music.

INDEX OF ADOPTED RULES

The *Index of Adopted Rules* contains rules which have been promulgated subsequent to the most recent update of the New Jersey Administrative Code. Rules which are being promulgated in this Register, and which appear in the *Table of Rules* in this issue, do not appear in this index. These rules will appear in next month's *Index of Adopted Rules*.

The rules in this index are listed in order of their N.J.A.C. citations. Accompanying the N.J.A.C. citation for each rule is a brief description of the rule's content, the Register citation for its proposal notice, its Office of Administrative Law (OAL) document citation (which should be used if ordering a copy of the rule from OAL), and the Register citation for its adoption.

An N.J.A.C. citation which includes a **section** number, such as 1:30-1.1, means that only that section has been modified. An N.J.A.C. citation which includes a **subchapter** number, such as 5:23-3, *but no section designation*, or which includes only title and **chapter**, such as 1:30, means that there have been extensive changes involving all or most sections of that subchapter or chapter.

At the bottom of the listing for each Title is the date of the most recent Code update for that Title.

The *Index of Adopted Rules* appears in the first Register of each month, complementing the *Index of Proposed Rules* which appears in the second Register of each month. Together, these indices make available to a Code and Register subscriber all legally effective rules, and enable the subscriber to keep track of all State agency rulemaking activities from the initial proposal through final promulgation.

For any rule not yet published in a Code update, the full text of the proposal notice as published in the Register, plus the full text of any changes published with the adoption notice in the Register, constitute an official copy of the promulgated rule. If the full text of either the proposed rule or any changes does not appear in the Register, it is available for a fee from:

Administrative Filings
CN 301

Trenton, New Jersey 08625

To be certain that you have a copy of each proposed rule which may have been adopted but which does not yet appear in the most recent Code update, you should retain each Register beginning with July 5, 1979.

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
ADMINISTRATIVE LAW—TITLE 1				
1:1-1.1	Applicability of OAL rules	13 N.J.R. 60(a)	R. 1981 d. 118	13 N.J.R. 254(a)
1:1-1.1	Uncontested cases	14 N.J.R. 2(a)	R. 1982 d. 87	14 N.J.R. 335(a)
1:1-1.5	Nature of a contested case	13 N.J.R. 2(a)	R. 1981 d. 116	13 N.J.R. 254(b)
1:1-3.3	Pre-hearing conferences and tape-recording	14 N.J.R. 606(a)	R. 1982 d. 297	14 N.J.R. 975(a)
1:1-3.5	Attorneys obstruction	13 N.J.R. 254(c)	R. 1981 d. 443	13 N.J.R. 842(a)
1:1-3.7	Appearances and representation in contested cases	13 N.J.R. 2(b)	R. 1981 d. 442	13 N.J.R. 842(b)
1:1-3.8	Agency litigation staff and final decisions	14 N.J.R. 4(a)	R. 1982 d. 150	14 N.J.R. 471(a)
1:1-3.10	Interpreters	13 N.J.R. 3(a)	R. 1981 d. 441	13 N.J.R. 842(c)
1:1-3.11	Succession of parties in contested cases	14 N.J.R. 606(b)	R. 1982 d. 295	14 N.J.R. 975(b)
1:1-9.1	Relief motions	14 N.J.R. 2(a)	R. 1982 d. 87	14 N.J.R. 335(a)
1:1-9.7, 11.2, 11.3	Finality of procedural decisions	13 N.J.R. 3(b)	R. 1981 d. 55	13 N.J.R. 114(a)
1:1-11.5	Time for discovery	13 N.J.R. 470(a)	R. 1981 d. 444	13 N.J.R. 842(d)
1:1-12.3	Standards for intervention in administrative hearings	13 N.J.R. 61(a)	R. 1981 d. 119	13 N.J.R. 255(a)
1:1-12.4	Finality of procedural decisions	13 N.J.R. 3(b)	R. 1981 d. 55	13 N.J.R. 114(a)
1:1-12.6	Participation	14 N.J.R. 2(a)	R. 1982 d. 87	14 N.J.R. 335(a)
1:1-14.1	Motions to consolidate	12 N.J.R. 626(b)	R. 1981 d. 120	13 N.J.R. 255(b)
1:1-14.1	Consolidation of cases	14 N.J.R. 674(b)	R. 1982 d. 296	14 N.J.R. 975(c)
1:1-14.1, 14.2	Motions to consolidate	13 N.J.R. 4(a)	R. 1981 d. 117	13 N.J.R. 255(c)
1:1-14.3, 15.2	Finality of procedural decisions	13 N.J.R. 3(b)	R. 1981 d. 55	13 N.J.R. 114(a)
1:1-16.3	Record inventories	14 N.J.R. 2(a)	R. 1982 d. 87	14 N.J.R. 335(a)
1:1-16.5	Substantiation of final decisions	14 N.J.R. 608(a)	R. 1982 d. 292	14 N.J.R. 975(d)
1:1-17.1, 17.2	Settlement by consent; withdrawal of cases	14 N.J.R. 4(b)	R. 1982 d. 86	14 N.J.R. 335(b)
1:1-17.2	Correction: Withdrawal of cases	14 N.J.R. 4(b)	R. 1982 d. 86	14 N.J.R. 383(a)
1:30	Rules of agency rulemaking	Emergency	R. 1981 d. 83	13 N.J.R. 171(a)
1:30-1.2	Correction: Agency rulemaking	13 N.J.R. 171(a)	R. 1981 d. 83	13 N.J.R. 255(d)
1:31	Organization of OAL	Organizational	R. 1982 d. 291	14 N.J.R. 976(a)
15:15-8.1, 8.2	Repeal rules on Register and Code	14 N.J.R. 366(a)	R. 1982 d. 339	14 N.J.R. 1163(b)
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AGRICULTURE—TITLE 2				
2:2-2.1, 2.6, 2.10, 2.13, 2.14, 2.15, 2.17, 2.18	Swine brucellosis control	14 N.J.R. 487(b)	R. 1982 d. 237	14 N.J.R. 833(a)
2:2-2.2	Official calfhood brucella vaccination	13 N.J.R. 114(b)	R. 1981 d. 173	13 N.J.R. 318(a)
2:2-2.3	Vaccination of female bovines	13 N.J.R. 256(a)	R. 1981 d. 288	13 N.J.R. 471(a)
2:2-2.3	Calfhood brucellosis vaccination	14 N.J.R. 487(a)	R. 1982 d. 234	14 N.J.R. 833(b)
2:2-2.16	Slaughtering of market cattle and goats	13 N.J.R. 5(a)	R. 1981 d. 40	13 N.J.R. 115(b)
2:2-2.19	Brucellosis testing for intrastate movement	14 N.J.R. 865(a)	R. 1982 d. 360	14 N.J.R. 1154(a)
2:3-2.3, 2.4	Brucellosis and tuberculosis tests for cattle	13 N.J.R. 4(b)	R. 1981 d. 39	13 N.J.R. 115(a)
2:3-3.7	Swine brucellosis control	14 N.J.R. 487(b)	R. 1982 d. 237	14 N.J.R. 833(a)
2:3-4.1	Movement of livestock	13 N.J.R. 5(b)	R. 1981 d. 41	13 N.J.R. 115(c)

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2:3-6.2	Goats for exhibition: Disease testing	14 N.J.R. 489(a)	R. 1982 d. 235	14 N.J.R. 833(c)
2:5-1	Repeal hog cholera quarantines	13 N.J.R. 5(c)	R. 1981 d. 42	13 N.J.R. 115(d)
2:22-2	Mediterranean fruit fly control	13 N.J.R. 550(a)	R. 1981 d. 508	14 N.J.R. 101(a)
2:48-5.1	Use of coupons in milk promotion	13 N.J.R. 181(b)	R. 1981 d. 166	13 N.J.R. 318(b)
2:50-1.1	Dairy farmers and relief from notice of intent	14 N.J.R. 489(b)	R. 1982 d. 238	14 N.J.R. 833(d)
2:54-1.1	Milk marketing order	13 N.J.R. 551(a)	R. 1981 d. 416	13 N.J.R. 753(a)
2:54-1.1, 2.1	Milk Marketing Order 57-3 and Order 63-1	13 N.J.R. 798(a)	R. 1981 d. 512	14 N.J.R. 101(b)
2:69-1.6	Slow-release nitrogen products	14 N.J.R. 258(a)	R. 1982 d. 159	14 N.J.R. 471(b)
2:69-1.11	Commercial values of primary plant nutrients	13 N.J.R. 114(c)	R. 1981 d. 172	13 N.J.R. 318(c)
2:69-1.11	Commercial values of fertilizers	14 N.J.R. 402(a)	R. 1982 d. 236	14 N.J.R. 833(e)
2:71-2.28, 2.29, 2.31	Farm products inspection and grading fees	14 N.J.R. 66(a)	R. 1982 d. 75	14 N.J.R. 277(a)

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3:1-1.1	Interest rates	Emergency	R. 1981 d. 429	13 N.J.R. 753(b)
3:1-1.1	Readoption: Interest rates on mortgages	13 N.J.R. 753(b)	R. 1981 d. 511	14 N.J.R. 101(c)
3:1-1.1	Correction: Interest rates on mortgages	13 N.J.R. 753(b)	R. 1981 d. 511	14 N.J.R. 205(a)
3:1-2	Procedural rules	13 N.J.R. 182(a)	R. 1981 d. 258	13 N.J.R. 382(b)
3:1-10.1	Real property transactions: Executive officer defined	14 N.J.R. 490(a)	R. 1982 d. 242	14 N.J.R. 834(a)
3:1-11	"Executive officer" and affiliated persons	14 N.J.R. 490(b)	R. 1982 d. 243	14 N.J.R. 834(b)
3:2-2	Repealed: Plain language review of contracts	14 N.J.R. 454(a)	R. 1982 d. 213	14 N.J.R. 755(a)
3:2-2.1-2.3	Plain language in consumer contracts	13 N.J.R. 184(a)	R. 1981 d. 259	13 N.J.R. 383(a)
3:6-1.1	Savings bank parity rule	13 N.J.R. 383(b)	R. 1981 d. 352	13 N.J.R. 551(b)
3:6-3	Standardization of executive officer classification	14 N.J.R. 491(a)	R. 1982 d. 244	14 N.J.R. 834(c)
3:6-7, -9	Class II and Small Business Loans	14 N.J.R. 182(a)	R. 1982 d. 126	14 N.J.R. 383(b)
3:6-7.1-7.8	Mutual savings banks: Investment restatement accounting	14 N.J.R. 676(a)	R. 1982 d. 307	14 N.J.R. 988(a)
3:6-12.1	Commercial bank parity	13 N.J.R. 383(c)	R. 1981 d. 351	13 N.J.R. 552(a)
3:7-5, 5.1-5.5	Statement of interest: Officers defined	14 N.J.R. 492(a)	R. 1982 d. 245	14 N.J.R. 834(d)
3:8-3, -4	Nonmember commercial bank reserves	14 N.J.R. 183(a)	R. 1982 d. 125	14 N.J.R. 383(c)
3:11-2.1	Commercial bank lending: Approved subsidiaries	13 N.J.R. 799(a)	R. 1981 d. 516	14 N.J.R. 101(d)
3:11-7.7	Time deposit balances and 10 percent limitation	14 N.J.R. 608(b)	R. 1982 d. 263	14 N.J.R. 909(a)
3:11-10.1, 10.2	Savings banks participation in credit card operations	13 N.J.R. 61(b)	R. 1981 d. 91	13 N.J.R. 185(b)
3:17-4.4, -7	Small loan licensees	13 N.J.R. 115(e)	R. 1981 d. 257	13 N.J.R. 384(a)
3:17-7.1, 7.3	Permits to small loan licensees	13 N.J.R. 471(b)	R. 1981 d. 430	13 N.J.R. 754(a)
3:19-2	Energy rules on home repair financing	Emergency	R. 1981 d. 29	13 N.J.R. 116(a)
3:21-2	State chartered credit unions	13 N.J.R. 522(b)	R. 1981 d. 414	13 N.J.R. 754(b)
3:23	License fees for credit sales and loan businesses	Emergency	R. 1982 d. 76	14 N.J.R. 277(b)
3:23	Readoption: License fees for credit and lending	14 N.J.R. 277(b)	R. 1982 d. 158	14 N.J.R. 471(c)
3:26-4.1	Parity with federally-chartered savings and loan	13 N.J.R. 634(a)	R. 1981 d. 506	14 N.J.R. 40(a)
3:27-6	Repealed: Variable rate mortgage rules	13 N.J.R. 715(a)	R. 1981 d. 507	14 N.J.R. 40(b)
3:28-5.1-5.7	Mutual savings and loan: Investment restatement accounting	14 N.J.R. 678(a)	R. 1982 d. 306	14 N.J.R. 989(a)
3:30-2.1	Reserve requirements	13 N.J.R. 61(c)	R. 1981 d. 90	13 N.J.R. 185(a)
3:38-1	Licensing of mortgage bankers and brokers	Emergency	R. 1981 d. 165	14 N.J.R. 571(a)
3:38-1	Licensing of mortgage bankers and brokers	14 N.J.R. 571(a)	R. 1982 d. 302	14 N.J.R. 977(a)
3:38-1.1	Mortgage bankers and brokers license fees	13 N.J.R. 256(c)	R. 1981 d. 260	13 N.J.R. 384(b)
3:38-2, 3, 4, 5, 6	Mortgage bankers and brokers: Rules of operation	14 N.J.R. 493(a)	R. 1982 d. 303	14 N.J.R. 977(b)

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CIVIL SERVICE—TITLE 4

4:1	CSPM into Title 4	13 N.J.R. 556(b)	R. 1981 d. 458	13 N.J.R. 885(a)
4:1-1.10	Petitions from interested persons	13 N.J.R. 384(c)	R. 1981 d. 413	13 N.J.R. 754(c)
4:1-2.1	Employee Advisory Service	13 N.J.R. 63(a)	R. 1981 d. 233	13 N.J.R. 385(a)
4:1-2.1	"Base salary" defined	14 N.J.R. 679(a)	R. 1982 d. 331	14 N.J.R. 1089(a)
4:1-5.17	Determining back pay awards	13 N.J.R. 715(b)	R. 1982 d. 35	14 N.J.R. 205(b)
4:1-6.5, 6.5A	Classifications and appeals	14 N.J.R. 5(a)	R. 1982 d. 152	14 N.J.R. 471(d)
4:1-8.6	Promotional examinations	13 N.J.R. 6(b)	R. 1981 d. 92	13 N.J.R. 186(c)
4:1-8.8A	Residency standards	13 N.J.R. 552(c)	R. 1981 d. 501	14 N.J.R. 40(c)
4:1-8.8B	Veterans' age reduction	14 N.J.R. 455(a)	R. 1982 d. 326	14 N.J.R. 1089(b)
4:1-8.11	Time and place of examinations	13 N.J.R. 554(a)	R. 1981 d. 461	13 N.J.R. 885(c)
4:1-8.11	Cancellation of examinations	13 N.J.R. 716(a)	R. 1981 d. 500	14 N.J.R. 40(d)
4:1-8.21	Make-up examinations and test security	14 N.J.R. 259(a)	R. 1982 d. 178	14 N.J.R. 573(a)
4:1-8.22, 8.23	Handicapped testing	Emergency	R. 1981 d. 401	13 N.J.R. 754(d)
4:1-8.22, 8.23	Readoption: Handicapped testing	13 N.J.R. 754(d)	R. 1981 d. 499	14 N.J.R. 41(a)
4:1-12.8	Certification of veterans and nonveterans	14 N.J.R. 114(a)	R. 1982 d. 107	14 N.J.R. 335(c)
4:1-12.15	Extension of certification list	13 N.J.R. 117(a)	R. 1981 d. 127	13 N.J.R. 257(a)
4:1-13.4	Police and firefighters: Working test periods	14 N.J.R. 115(a)	R. 1982 d. 204	14 N.J.R. 709(a)
4:1-16.7	Suspension, fines and demotions	13 N.J.R. 63(b)	R. 1981 d. 107	13 N.J.R. 257(b)
4:1-16.13	Reemployment and retirees	14 N.J.R. 260(a)	R. 1982 d. 179	14 N.J.R. 573(b)

4:1-16.15	Benefit information to next of kin	14 N.J.R. 117(a)	R. 1982 d.153	14 N.J.R. 472(a)
4:1-17.16	Advancing of sick leave (State)	14 N.J.R. 299(a)	R. 1982 d.300	14 N.J.R. 978(a)
4:1-20.2, 20.3	Employee Advisory Service	13 N.J.R. 63(a)	R. 1981 d.233	13 N.J.R. 385(a)
4:1-20.3	Performance evaluations	13 N.J.R. 555(a)	R. 1981 d.485	13 N.J.R. 943(a)
4:1-20.4	Inspection of evaluations	13 N.J.R. 556(a)	R. 1981 d.459	13 N.J.R. 885(b)
4:1-20.8	Employee Advisory Service	13 N.J.R. 63(a)	R. 1981 d.233	13 N.J.R. 385(a)
4:1-24.2	Pre-layoff actions (proposed as 4:1-16.1A)	13 N.J.R. 862(a)	R. 1982 d.88	14 N.J.R. 335(d)
4:2	CSPM into Title 4	13 N.J.R. 556(b)	R. 1981 d.458	13 N.J.R. 885(a)
4:2-2.1	Repealed: Veterans' age reduction	14 N.J.R. 455(a)	R. 1982 d.326	14 N.J.R. 1089(b)
4:2-6.4	Repealed: Classifications and appeals	14 N.J.R. 5(a)	R. 1982 d.152	14 N.J.R. 471(d)
4:2-7.1	Repealed: See 4:1-5.17	13 N.J.R. 715(b)	R. 1982 d.35	14 N.J.R. 205(b)
4:2-7.1A, 7.2-7.7 7.9	Compensation plans; anniversary dates	14 N.J.R. 68(a)	R. 1982 d.91	14 N.J.R. 336(a)
4:2-12.4	Certification of veterans and nonveterans	14 N.J.R. 114(a)	R. 1982 d.107	14 N.J.R. 335(c)
4:2-16.3	Repealed: Job Bank program	14 N.J.R. 117(b)	R. 1982 d.108	14 N.J.R. 336(b)
4:2-16.7	Benefit information to next of kin	14 N.J.R. 117(a)	R. 1982 d.153	14 N.J.R. 472(a)
4:2-17.14	Repealed: Sick leave advance	14 N.J.R. 299(a)	R. 1982 d.300	14 N.J.R. 978(a)
4:2-20.2	Performance evaluations	13 N.J.R. 555(a)	R. 1981 d.485	13 N.J.R. 943(a)
4:2-20.11	Employee Advisory Service	13 N.J.R. 386(d)	R. 1981 d.504	14 N.J.R. 41(b)
4:3	CSPM into Title 4	13 N.J.R. 556(b)	R. 1981 d.458	13 N.J.R. 885(a)
4:3-2.1	Repealed: Veterans' age reduction	14 N.J.R. 455(a)	R. 1982 d.326	14 N.J.R. 1089(b)
4:3-6.6	Repealed: Classifications and appeals	14 N.J.R. 5(a)	R. 1982 d.152	14 N.J.R. 471(d)
4:3-8.12	Residency standards	13 N.J.R. 552(c)	R. 1981 d.501	14 N.J.R. 40(c)
4:3-12.5	Certifications of veterans and nonveterans	14 N.J.R. 114(a)	R. 1982 d.107	14 N.J.R. 335(c)
4:3-13.1	Repealed: Formerly CSPM (Local) 13-4.101	14 N.J.R. 115(a)	R. 1982 d.204	14 N.J.R. 709(a)
4:3-17.6	Repealed: Sick leave advance	14 N.J.R. 299(a)	R. 1982 d.300	14 N.J.R. 978(a)
4:4, 5, 6	CSPM into Title 4	13 N.J.R. 556(b)	R. 1981 d.458	13 N.J.R. 885(a)

(Title 4, Transmittal 15 dated November 10, 1980)**COMMUNITY AFFAIRS-TITLE 5**

5:10-1.3, 2.2	Hotels and multiple dwellings	13 N.J.R. 387(b)	R. 1981 d.363	13 N.J.R. 704(a)
5:10-1.17	Hotel and multiple dwelling inspection fees	Emergency	R. 1982 d.259	14 N.J.R. 909(b)
5:10-1.17	Readopted: Hotel and multiple dwelling inspection fees	14 N.J.R. 909(b)	R. 1982 d.334	14 N.J.R. 1089(c)
5:10-2.2, 25.3	Standards for hotels and multiple dwellings	14 N.J.R. 119(a)	R. 1982 d.253	14 N.J.R. 910(a)
5:10-25.3	Hotels and multiple dwellings	13 N.J.R. 387(b)	R. 1981 d.363	13 N.J.R. 704(a)
5:11-3.2	Duplicate rental assistance	14 N.J.R. 72(a)	R. 1982 d.71	14 N.J.R. 278(a)
5:11-9.2	Relocation assistance hearings	13 N.J.R. 186(d)	R. 1981 d.183	13 N.J.R. 332(a)
5:12	Repeal State aid for urban renewal projects	13 N.J.R. 187(a)	R. 1981 d.180	13 N.J.R. 333(a)
5:12	Plain language review of residential leases	13 N.J.R. 473(a)	R. 1981 d.424	13 N.J.R. 782(b)
5:12	Repealed: Plain language review of leases	14 N.J.R. 222(a)	R. 1982 d.139	14 N.J.R. 426(a)
5:17	Expiration date for retirement community disclosure	13 N.J.R. 560(d)	R. 1981 d.425	13 N.J.R. 782(c)
5:21	Repealed: Uniform standards for mobile homes	13 N.J.R. 717(a)	R. 1982 d.7	14 N.J.R. 142(a)
5:22-2.6	Multiple dwelling exemptions and tax list designations (joint adoption, see 18:12-6A.8)	14 N.J.R. 72(b)	R. 1982 d.78	14 N.J.R. 278(b)
5:23-1.4	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.7	14 N.J.R. 142(a)
5:23-1.4, -2	Uniform Construction Code	13 N.J.R. 119(a)	R. 1981 d.134	13 N.J.R. 258(b)
5:23-2.5	Uniform Construction Code	13 N.J.R. 120(a)	R. 1981 d.133	13 N.J.R. 258(c)
5:23-2.5	Uniform Construction Code	13 N.J.R. 390(a)	R. 1981 d.462	13 N.J.R. 885(d)
5:23-2.6	Uniform Construction Code inspections	13 N.J.R. 187(b)	R. 1981 d.182	13 N.J.R. 333(b)
5:23-2.8	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.7	14 N.J.R. 142(a)
5:23-3	Uniform Construction Code	13 N.J.R. 121(a)	R. 1981 d.132	13 N.J.R. 258(d)
5:23-3.2	Uniform Construction Code	13 N.J.R. 120(a)	R. 1981 d.133	13 N.J.R. 258(c)
5:23-3.3	Uniform Construction Code interpretations	13 N.J.R. 561(a)	R. 1981 d.454	13 N.J.R. 886(a)
5:23-3.3	Uniform Construction Code: Casino hotels	13 N.J.R. 561(b)	R. 1981 d.455	13 N.J.R. 886(b)
5:23-3.9	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.7	14 N.J.R. 142(a)
5:23-4.3	Temporary appointments of municipal code officials	13 N.J.R. 863(a)	R. 1982 d.23	14 N.J.R. 142(b)
5:23-4.6	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.7	14 N.J.R. 142(a)
5:23-4.8	Uniform Construction Code	13 N.J.R. 120(a)	R. 1981 d.133	13 N.J.R. 258(c)
5:23-4.8	Interlocal Construction Code enforcement (recodified as 5:23-4.17(d))	14 N.J.R. 495(a)	R. 1982 d.401	14 N.J.R. 1300(a)
5:23-4.8(c)	Now codified as 5:23-4.19	14 N.J.R. 456(a)	R. 1982 d.220	14 N.J.R. 755(b)
5:23-4.8, 4.10	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.7	14 N.J.R. 142(a)
5:23-4.10A	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.42	14 N.J.R. 233(a)
5:23-4.10A	Recodified as 5:23-4.25A	14 N.J.R. 496(a)	R. 1982 d.232	14 N.J.R. 834(e)
5:23-4.17, 4.20	UCC enforcing agency fees	14 N.J.R. 943(a)	R. 1982 d.402	14 N.J.R. 1300(b)
5:23-4.19	Remitting of UCC training fees	14 N.J.R. 456(a)	R. 1982 d.220	14 N.J.R. 755(b)
5:23-4.25A	Manufactured homes standards	14 N.J.R. 496(a)	R. 1982 d.232	14 N.J.R. 834(e)
5:23-5.2	Uniform Construction Code	13 N.J.R. 119(a)	R. 1981 d.134	13 N.J.R. 258(b)
5:23-5.3, 5.5	Uniform Construction Code	13 N.J.R. 390(a)	R. 1981 d.462	13 N.J.R. 885(d)

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5:23-5.5	Uniform Construction Code	13 N.J.R. 635(a)	R. 1981 d.463	13 N.J.R. 886(c)
5:23-5.5	Licensing of Code officials	13 N.J.R. 801(a)	R. 1982 d.10	14 N.J.R. 143(b)
5:23-5.5	Fire subcode officials and construction licensing	14 N.J.R. 8(a)	R. 1982 d.56	14 N.J.R. 234(a)
5:23-5.5, 5.6, 5.7	Code enforcement (provisional) licensees	13 N.J.R. 799(b)	R. 1982 d.8	14 N.J.R. 143(a)
5:23-5.8, 5.9	Licensing of Code officials	13 N.J.R. 801(a)	R. 1982 d.10	14 N.J.R. 143(b)
5:23-5.11	Code enforcement (provisional) licensees	13 N.J.R. 799(b)	R. 1982 d.8	14 N.J.R. 143(a)
5:23-5.11	Uniform Construction Code	13 N.J.R. 119(a)	R. 1981 d.134	13 N.J.R. 258(b)
5:24-1.3	Condominium and cooperative conversion	13 N.J.R. 70(a)	R. 1981 d.131	13 N.J.R. 258(e)
5:24-1.3	Correction: Condominium and cooperative conversion	13 N.J.R. 70(a)	R. 1981 d.131	13 N.J.R. 333(c)
5:24-1.4, 1.5, 1.12	Condominium and cooperative conversion	13 N.J.R. 392(a)	R. 1981 d.354	13 N.J.R. 562(a)
5:24-2	Protected tenancy for disabled and seniors	13 N.J.R. 802(a)	R. 1982 d.9	14 N.J.R. 144(a)
5:25-2.8	Restoration of builders' registrations	14 N.J.R. 9(a)	R. 1982 d.55	14 N.J.R. 234(b)
5:25-3.1	New home warranty and mixed use property	13 N.J.R. 863(b)	R. 1982 d.22	14 N.J.R. 145(a)
5:25-5.5	New home warranties and builders' registration	13 N.J.R. 187(c)	R. 1981 d.181	13 N.J.R. 333(d)
5:25-5.5	Warranty coverage claims	14 N.J.R. 944(a)	R. 1982 d.386	14 N.J.R. 1210(a)
5:26	Planned real estate development full disclosure	12 N.J.R. 631(b)	R. 1981 d.130	13 N.J.R. 259(a)
5:26-2.4	Registration fees for planned developments	14 N.J.R. 609(a)	R. 1982 d.260	14 N.J.R. 912(a)
5:26-2.4, 3.1, 10.5	Planned real estate development full disclosure	13 N.J.R. 474(a)	R. 1981 d.365	13 N.J.R. 704(b)
5:27	Rooming and boarding houses	13 N.J.R. 393(a)	R. 1981 d.359	13 N.J.R. 704(c)
5:27-1.6, 3.2	Rooming and boarding houses and discrimination	13 N.J.R. 562(b)	R. 1981 d.435	13 N.J.R. 842(e)
5:27-2.1, 4.8, 5.1-5.3, 5.8, 5.9	Fire safety in boarding house; safety improvement loans	14 N.J.R. 496(b)	R. 1982 d.378	14 N.J.R. 1210(b)
5:27-3.5, 10.6	Boarding houses: Non-ambulatory residents; self-administration of medicine	14 N.J.R. 499(a)	R. 1982 d.379	14 N.J.R. 1211(a)
5:27-5.3	Correction: Fire safety in boarding houses	14 N.J.R. 496(b)	R. 1982 d.378	14 N.J.R. 1300(c)
5:27-12	Safety improvement loans	14 N.J.R. 496(b)	R. 1982 d.378	14 N.J.R. 1210(b)
5:29	Petitions for rules	13 N.J.R. 259(b)	R. 1981 d.242	13 N.J.R. 395(a)
5:30-1.11	Realized revenue analysis report	13 N.J.R. 475(a)	R. 1981 d.381	13 N.J.R. 755(a)
5:30-3.3	"Dedication by rider" to local budgets	14 N.J.R. 301(a)	R. 1982 d.186	14 N.J.R. 654(a)
5:30-3.4	Filing of municipal budget amendments	13 N.J.R. 188(a)	R. 1981 d.216	13 N.J.R. 395(b)
5:30-9.2	Form of tax collection record	13 N.J.R. 121(b)	R. 1981 d.122	13 N.J.R. 260(a)
5:30-9.3	Tax collector examination	13 N.J.R. 70(d)	R. 1981 d.121	13 N.J.R. 260(b)
5:70	Congregate Housing Services Program	14 N.J.R. 609(b)	R. 1982 d.272	14 N.J.R. 912(b)
5:71	County offices on aging	13 N.J.R. 395(c)	R. 1981 d.356	13 N.J.R. 563(a)
5:80-4.1	NJHFA: Debarment and suspension	12 N.J.R. 385(a)	R. 1981 d.255	13 N.J.R. 397(a)
5:90	Repealed: Urban Loan Authority rules	14 N.J.R. 558(a)	R. 1982 d.288	14 N.J.R. 983(a)
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EDUCATION--TITLE 6				
6:2-1.1, 1.2, 1.7-1.19	Filing appeals before State Board	14 N.J.R. 261(a)	R. 1982 d.268	14 N.J.R. 913(a)
6:11-3.3	Teacher certification fees	13 N.J.R. 8(b)	R. 1981 d.82	13 N.J.R. 191(a)
6:11-3.7	Revocation of teaching certificate	14 N.J.R. 73(a)	R. 1982 d.122	14 N.J.R. 383(d)
6:11-3.18	Teacher education and academic credentials	12 N.J.R. 452(e)	R. 1981 d.22	13 N.J.R. 123(b)
6:11-7	Repealed existing subchapter	14 N.J.R. 456(b)	R. 1982 d.269	14 N.J.R. 914(a)
6:11-7.1	State Approval of Teacher Education	14 N.J.R. 456(b)	R. 1982 d.269	14 N.J.R. 914(a)
6:20-2.3	Budget and cost distribution records	13 N.J.R. 333(e)	R. 1981 d.353	13 N.J.R. 563(b)
6:20-2.3	Program-oriented budgeting format	14 N.J.R. 309(a)	R. 1982 d.194	14 N.J.R. 654(b)
6:20-3.1	Building use charge by receiving districts	14 N.J.R. 499(b)	R. 1982 d.270	14 N.J.R. 914(b)
6:20-3.1	Correction: Operative date of building use charge	14 N.J.R. 499(b)	R. 1982 d.270	14 N.J.R. 978(b)
6:21-10.4	Private auto use for pupil transportation	13 N.J.R. 914(a)	R. 1982 d.121	14 N.J.R. 384(a)
6:22-1.14, 1.19	Inspection fees for school facilities	14 N.J.R. 74(a)	R. 1982 d.119	14 N.J.R. 384(b)
6:24-1.3	Format of petition for controversies and disputes	13 N.J.R. 190(a)	R. 1981 d.265	13 N.J.R. 397(b)
6:24-1.3	Correction: Petition format	13 N.J.R. 190(a)	R. 1981 d.265	13 N.J.R. 481(a)
6:28-5.10, 5.11, 6.10, 6.11	Approval of auxiliary services for private school students	14 N.J.R. 617(a)	R. 1982 d.316	14 N.J.R. 1054(a)
6:29-4.2	Tuberculosis testing	13 N.J.R. 914(b)	R. 1982 d.120	14 N.J.R. 385(a)
6:29-8.1, 8.2	Hearing screening of pupils	14 N.J.R. 108(a)	R. 1982 d.195	14 N.J.R. 654(c)
6:30	Adult diploma requirements	13 N.J.R. 721(a)	R. 1982 d.39	14 N.J.R. 205(c)
6:44-6,-7	Recodified as 6:30	13 N.J.R. 721(a)	R. 1982 d.39	14 N.J.R. 205(c)
6:46-1.1	"Technical education" in local area districts	14 N.J.R. 9(b)	R. 1982 d.118	14 N.J.R. 385(b)
6:46-1.1-1.5	Local area vocational school districts	13 N.J.R. 635(b)	R. 1981 d.495	14 N.J.R. 41(c)
6:53	Vocational education safety standards	14 N.J.R. 619(a)	R. 1982 d.368	14 N.J.R. 1154(b)
6:66	Archives and history records management	13 N.J.R. 190(b)	R. 1981 d.202	13 N.J.R. 397(c)
(Title 6, Transmittal 17 dated November 10, 1980)				
ENVIRONMENTAL PROTECTION--TITLE 7				
7:1-3	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:1-4	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
7:1A	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:1A	Water Supply Bond Act loans	14 N.J.R. 10(a)	R. 1982 d.167	14 N.J.R. 573(c)
7:1A	Extension of application closing date	Public Notice	R. 1982 d.167	14 N.J.R. 1172(a)
7:1A-2.5, 2.12, 2.13	Water Supply Bond Act loans	14 N.J.R. 499(c)	R. 1982 d.281	14 N.J.R. 915(a)
7:1C-1.5	Fees for 90-day construction permits	13 N.J.R. 123(c)	R. 1981 d.187	13 N.J.R. 334(b)
7:1C-1.5	Maximum fees for waterfront development permits	13 N.J.R. 564(a)	R. 1981 d.473	13 N.J.R. 943(b)
7:1C-1.13	90-day construction permits	Procedural	R. 1981 d.48	13 N.J.R. 128(b)
7:1D	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:1G	Pinelands Comprehensive Management Plan	12 N.J.R. 309(a)	R. 1980 d.370	12 N.J.R. 575(c)
7:1G	Drought crisis	Emergency	R. 1981 d.93	13 N.J.R. 195(c)
7:1G	Water rationing plan	Emergency	R. 1981 d.203	13 N.J.R. 397(d)
7:1G-3.1	Drought crisis	Emergency	R. 1981 d.147	13 N.J.R. 334(c)
7:1G-3.3	Drought emergency	Emergency	R. 1981 d.105	13 N.J.R. 204(a)
7:1G-3.7, 3.8	Rules of Drought Coordinator	Emergency	R. 1981 d.222	13 N.J.R. 399(a)
7:1G-3.8	Water rationing plan	Emergency	R. 1981 d.266	13 N.J.R. 400(a)
7:1G-4.1	Use of fresh water for horticulture	Emergency	R. 1981 d.159	13 N.J.R. 335(a)
7:1G-5.4-5.7	Drought crisis	Emergency	R. 1981 d.147	13 N.J.R. 334(c)
7:1G-5.8	Landlord/tenant: Excess use charges	Emergency	R. 1981 d.217	13 N.J.R. 400(b)
7:1H	County environmental health services	11 N.J.R. 616(a)	R. 1980 d.362	12 N.J.R. 514(a)
7:2-11.22	Swimming River Natural Area map	12 N.J.R. 505(d)	R. 1981 d.4	13 N.J.R. 91(a)
7:7	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:7-2	Waterfront and coastal resource development	12 N.J.R. 252(a)	R. 1980 d.375	12 N.J.R. 576(a)
7:7-2	Waterfront development permits	13 N.J.R. 73(c)	R. 1981 d.355	13 N.J.R. 564(b)
7:7D-2.3, 2.5, 2.8	CAFRA procedural rules	13 N.J.R. 75(a)	R. 1981 d.267	13 N.J.R. 401(b)
7:7E	Waterfront and coastal resource development	12 N.J.R. 252(a)	R. 1980 d.375	12 N.J.R. 576(a)
7:7E	Coastal resource and development policies	13 N.J.R. 76(a)	R. 1981 d.186	13 N.J.R. 338(a)
7:7E-3.10, 3.30, 3.33, 3.37, 4.10, 4.11, 5.5	Coastal resources and development policies	13 N.J.R. 565(a)	R. 1982 d.114	14 N.J.R. 385(c)
7:7E-5.5	Correction: Coastal resources and development	13 N.J.R. 565(a)	R. 1982 d.114	14 N.J.R. 1155(a)
7:7E-7.2	Affordable housing and coastal development	13 N.J.R. 864(a)	R. 1982 d.31	14 N.J.R. 206(a)
7:7E-8.7, 8.16, 8.17	Coastal resources and development policies	13 N.J.R. 565(a)	R. 1982 d.114	14 N.J.R. 385(c)
7:8	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:9-3	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:9-4, -5, -6	Water quality standards	12 N.J.R. 108(c)	R. 1981 d.80	13 N.J.R. 194(b)
7:9-10.2, 10.3, 10.9	Pinelands and coastal area sewerage approval	14 N.J.R. 504(a)	R. 1982 d.298	14 N.J.R. 979(a)
7:9-10.4, 10.5, 10.6	One-year suspension of rules	14 N.J.R. 504(a)	R. 1982 d.298	14 N.J.R. 979(a)
7:9-13.3, 13.5, 13.6	Sewer extension ban	12 N.J.R. 639(b)	R. 1981 d.224	13 N.J.R. 402(a)
7:9-15	Grants for restoring publicly owned freshwater lakes	12 N.J.R. 310(a)	R. 1980 d.374	12 N.J.R. 575(e)
7:10-8	Repealed: See 7:18	13 N.J.R. 260(d)	R. 1981 d.279	13 N.J.R. 481(c)
7:12-1.1, 1.3,	Condemnation of certain shellfish beds	13 N.J.R. 191(b)	R. 1981 d.190	13 N.J.R. 339(b)
7:12-1.2-1.5	Shellfish beds: Reclassification	14 N.J.R. 310(a)	R. 1982 d.182	14 N.J.R. 655(a)
7:12-1.3	Condemnation of certain shellfish areas	13 N.J.R. 566(a)	R. 1981 d.431	13 N.J.R. 755(b)
7:12-2	Shellfish waters condemnation	13 N.J.R. 191(b)	R. 1981 d.190	13 N.J.R. 339(b)
7:13-1.11	Flood plain delineation along Mullica River	12 N.J.R. 69(a)	R. 1981 d.8	13 N.J.R. 91(c)
7:13-1.11	Flood plain delineation along Cedar Creek	12 N.J.R. 70(a)	R. 1981 d.9	13 N.J.R. 91(d)
7:13-1.11	Flood plain delineation of Great Egg Harbor River	12 N.J.R. 506(a)	R. 1981 d.88	13 N.J.R. 194(d)
7:13-1.11	Flood plain delineation of Mullica River and tributaries	12 N.J.R. 506(b)	R. 1981 d.89	13 N.J.R. 194(e)
7:13-1.11	Flood hazard area delineations	12 N.J.R. 640(b)	R. 1981 d.144	13 N.J.R. 339(c)
7:13-1.11	Flood hazard area delineations	12 N.J.R. 640(a)	R. 1981 d.145	13 N.J.R. 340(a)
7:13-1.11	Delaware Basin floodway delineations	13 N.J.R. 805(a)	R. 1982 d.154	14 N.J.R. 472(b)
7:13-1.11	Floodway delineations along Tuckahoe River	13 N.J.R. 921(a)	R. 1982 d.155	14 N.J.R. 473(a)
7:13-1.11	Floodway delineations in Hackensack basin	14 N.J.R. 19(a)	R. 1982 d.156	14 N.J.R. 473(b)
7:13-1.11	Floodway delineations: Woodbridge and Rahway rivers	13 N.J.R. 920(a)	R. 1982 d.157	14 N.J.R. 473(c)
7:13-1.11	Delineated streams along Upper Mullica River	14 N.J.R. 367(b)	R. 1982 d.209	14 N.J.R. 755(c)
7:13-1.11	Delineated streams in Somerset County	14 N.J.R. 367(a)	R. 1982 d.392	14 N.J.R. 1211(b)
7:14	Pollutant discharge and waste management	12 N.J.R. 569(f)	R. 1981 d.84	13 N.J.R. 194(c)
7:14-1.4	New definition of "treatment works"	12 N.J.R. 311(b)	R. 1980 d.424	12 N.J.R. 642(b)
7:14-2	Construction of wastewater treatment facilities	14 N.J.R. 75(a)	R. 1982 d.338	14 N.J.R. 1155(b)
7:14-5, App. A	Statewide septage management	13 N.J.R. 124(a)	R. 1982 d.82	14 N.J.R. 336(c)
7:14A	Conditions for users of DTW	12 N.J.R. 569(f)	R. 1981 d.84	13 N.J.R. 194(c)
7:14A-4	Industrial waste management facilities	12 N.J.R. 569(f)	R. 1981 d.373	13 N.J.R. 705(a)
7:14A-4.3	"Wastewater treatment unit" defined	14 N.J.R. 506(b)	R. 1982 d.310	14 N.J.R. 1054(b)
7:14A-11, 13.1	Hazardous waste management	13 N.J.R. 724(a)	R. 1982 d.97	14 N.J.R. 338(a)
7:14A-13.4	Pollutant discharge and waste management	13 N.J.R. 89(a)	R. 1981 d.214	13 N.J.R. 403(a)
7:15	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:17	Hard clam depuration pilot plant program	12 N.J.R. 253(a)	R. 1981 d.56	13 N.J.R. 194(a)
7:18	Laboratory certification and standards of performance	13 N.J.R. 260(d)	R. 1981 d.279	13 N.J.R. 481(c)

7:19	Water diversion and water supply allocation permits	13 N.J.R. 639(a)	R. 1981 d. 488	14 N.J.R. 42(a)
7:19-3	Water diversion fees for non-growing use	14 N.J.R. 459(a)	R. 1982 d. 239	14 N.J.R. 834(f)
7:21	Water policy and supply council	Organizational	R. 1981 d. 366	13 N.J.R. 705(b)
7:22	Natural Resources Bond Fund	13 N.J.R. 481(d)	R. 1981 d. 456	13 N.J.R. 886(d)
7:23-2	Flood control bond grants	13 N.J.R. 192(a)	R. 1981 d. 223	13 N.J.R. 403(b)
7:24	Dam restoration grants	13 N.J.R. 9(a)	R. 1981 d. 104	13 N.J.R. 195(b)
7:25-1.7	Penalties for shellfish law violations	12 N.J.R. 456(a)	R. 1980 d. 395	12 N.J.R. 576(d)
7:25-4.6	Nongame and exotic wildlife inspection	13 N.J.R. 806(a)	R. 1981 d. 513	14 N.J.R. 102(a)
7:25-4.8	Potentially dangerous species	12 N.J.R. 390(a)	R. 1980 d. 448	12 N.J.R. 643(b)
7:25-5	Game Code	13 N.J.R. 262(a)	R. 1981 d. 253	13 N.J.R. 403(c)
7:25-5	1982-83 Game Code	14 N.J.R. 402(b)	R. 1982 d. 212	14 N.J.R. 755(d)
7:25-5.13, 5.28, 5.29	1982-83 Game Code changes	14 N.J.R. 871(a)	R. 1982 d. 351	14 N.J.R. 1158(a)
7:25-6	1981 Fish Code	12 N.J.R. 457(a)	R. 1980 d. 400	12 N.J.R. 577(a)
7:25-6	1982-1983 Fish Code	13 N.J.R. 483(a)	R. 1981 d. 470	13 N.J.R. 887(a)
7:25-7.2	Oyster seed beds recodification	13 N.J.R. 193(a)	R. 1981 d. 189	13 N.J.R. 340(b)
7:25-7.3	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d. 433	12 N.J.R. 643(a)
7:25-7.4	Repeal rules prohibiting oyster dredging	Emergency	R. 1980 d. 369	12 N.J.R. 575(b)
7:25-7.10	Taking of oysters	13 N.J.R. 125(a)	R. 1981 d. 199	13 N.J.R. 403(d)
7:25-7.10	Senior citizen's oyster license	14 N.J.R. 629(a)	R. 1982 d. 337	14 N.J.R. 1158(b)
7:25-7.13	Crab dredging	12 N.J.R. 457(b)	R. 1980 d. 396	12 N.J.R. 576(e)
7:25-7.13	Crab dredging	13 N.J.R. 125(b)	R. 1981 d. 200	13 N.J.R. 404(a)
7:25-9.2	Penalties for shellfish law violations	12 N.J.R. 456(a)	R. 1980 d. 395	12 N.J.R. 576(d)
7:25-9.2	Hard clam harvest penalties	13 N.J.R. 404(b)	R. 1981 d. 362	13 N.J.R. 706(a)
7:25-9.4	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d. 433	12 N.J.R. 643(a)
7:25-9.4	Bay scallops	13 N.J.R. 126(a)	R. 1981 d. 256	13 N.J.R. 404(c)
7:25-10	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d. 433	12 N.J.R. 643(a)
7:25-12.1	Preservation of clam resource	12 N.J.R. 641(a)	R. 1980 d. 521	13 N.J.R. 11(b)
7:25-12.1	Sea clam harvesting (emergency adoption)	Emergency	R. 1981 d. 448	13 N.J.R. 843(a)
7:25-12.1	Harvest of sea clams	13 N.J.R. 643(a)	R. 1981 d. 486	13 N.J.R. 943(c)
7:25-12.1	1982 sea clam harvest limits	Emergency	R. 1982 d. 80	14 N.J.R. 288(a)
7:25-12.1	Sea clam harvest	14 N.J.R. 881(a)	R. 1982 d. 393	14 N.J.R. 1213(a)
7:25-14	Atlantic Coast crabbing	13 N.J.R. 262(b)	R. 1981 d. 299	13 N.J.R. 546(a)
7:25-14.8-14.10	Crab harvesting	13 N.J.R. 645(a)	R. 1982 d. 169	14 N.J.R. 578(a)
7:25-14.9	Penalties for shellfish law violations	12 N.J.R. 456(a)	R. 1980 d. 395	12 N.J.R. 576(d)
7:25-15.1	Hard clam relay program	13 N.J.R. 645(b)	R. 1982 d. 117	14 N.J.R. 387(a)
7:25-15.1	Relay of hard clams	Emergency	R. 1982 d. 309	14 N.J.R. 1055(a)
7:25-15.1	Readopted: Relay of hard clams	14 N.J.R. 1055(a)	R. 1982 d. 411	14 N.J.R. 1300(d)
7:25-16.1	Upstream line revisions	13 N.J.R. 484(a)	R. 1981 d. 469	13 N.J.R. 887(b)
7:25-18	Marine fisheries	12 N.J.R. 312(a)	R. 1980 d. 394	12 N.J.R. 576(c)
7:25-19.1	Atlantic Coast harvest season	12 N.J.R. 312(b)	R. 1980 d. 373	12 N.J.R. 575(d)
7:25-20.1	List of nongame wildlife species of New Jersey	12 N.J.R. 390(b)	R. 1980 d. 390	12 N.J.R. 576(b)
7:25-21	Terrapin	13 N.J.R. 126(b)	R. 1981 d. 198	13 N.J.R. 405(a)
7:25A-1.1	Emergency: Oyster dredging license moratorium	Emergency	R. 1981 d. 94	13 N.J.R. 195(a)
7:25A-1.1, 1.2	Oyster dredging licenses	13 N.J.R. 192(b)	R. 1981 d. 188	13 N.J.R. 340(c)
7:25A-2.1-2.7	Oyster management in Delaware Bay	13 N.J.R. 192(c)	R. 1981 d. 197	13 N.J.R. 405(b)
7:25A-3.1	Oyster seed beds recodification	13 N.J.R. 193(a)	R. 1981 d. 189	13 N.J.R. 340(b)
7:25A-3.1	1982 seed oyster season	14 N.J.R. 264(a)	R. 1982 d. 148	14 N.J.R. 426(b)
7:26-1	Solid waste administration	12 N.J.R. 511(a)	R. 1981 d. 281	13 N.J.R. 484(b)
7:26-1	Hazardous waste management	12 N.J.R. 511(a)	R. 1981 d. 370	13 N.J.R. 706(b)
7:26-1.1	Pollutant discharge and waste management	12 N.J.R. 569(f)	R. 1981 d. 84	13 N.J.R. 194(c)
7:26-1.4	Hazardous waste management	13 N.J.R. 567(a)	R. 1982 d. 324	14 N.J.R. 1089(d)
7:26-1.8	Hazardous waste management	13 N.J.R. 724(a)	R. 1982 d. 97	14 N.J.R. 338(a)
7:26-3.2, 4.7	Solid waste collection and haulage	Procedural	R. 1981 d. 49	13 N.J.R. 129(a)
7:26-4.7	Registration of hazardous waste collector/haulers	14 N.J.R. 368(a)	R. 1982 d. 289	14 N.J.R. 979(b)
7:26-5.4	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d. 433	12 N.J.R. 643(a)
7:26-7, -8	Solid waste administration	12 N.J.R. 511(a)	R. 1981 d. 281	13 N.J.R. 484(b)
7:26-7.4	Hazardous waste management	13 N.J.R. 567(a)	R. 1982 d. 324	14 N.J.R. 1089(d)
7:26-9	Hazardous waste management	12 N.J.R. 511(a)	R. 1981 d. 370	13 N.J.R. 706(b)
7:26-9.1, 9.2, 9.4,-10, 11.2, 11.3, 11.5, 11.7, 12.1, 12.2	Hazardous waste management	13 N.J.R. 567(a)	R. 1982 d. 324	14 N.J.R. 1089(d)
7:26-11	Resource recovery grants	13 N.J.R. 9(a)	R. 1981 d. 184	13 N.J.R. 340(d)
7:26-11, -12	Hazardous waste management	12 N.J.R. 511(a)	R. 1981 d. 370	13 N.J.R. 706(b)
7:26-12.2	Hazardous waste management	13 N.J.R. 724(a)	R. 1982 d. 97	14 N.J.R. 338(a)
7:26-15	Recycling of municipal solid waste (joint adoption, see 14A:3-15)	13 N.J.R. 865(a)	R. 1982 d. 32	14 N.J.R. 206(b)
7:27-2	Control and prohibition of open burning	12 N.J.R. 690(a)	R. 1981 d. 135	13 N.J.R. 264(a)

7:27-10	Sulfur in coal	12 N.J.R. 571(a)	R. 1981 d. 185	13 N.J.R. 341(a)
7:27-16	Air pollution control: Volatile organic substances	13 N.J.R. 127(a)	R. 1982 d. 3	14 N.J.R. 145(b)
7:27A-1.4	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d. 433	12 N.J.R. 643(a)
7:28-41	Mercury vapor lamps	13 N.J.R. 9(b)	R. 1981 d. 464	13 N.J.R. 887(c)
7:29B	Noise measurement	13 N.J.R. 127(b)	R. 1982 d. 81	14 N.J.R. 339(a)
7:36-2.2, 3.2, 5.5, 6.4	Green Acres Program	12 N.J.R. 512(a)	R. 1981 d. 7	13 N.J.R. 91(b)
7:36-3.1	Green Acres reimbursement	14 N.J.R. 461(a)	R. 1982 d. 231	14 N.J.R. 835(a)
7:38	Wild and scenic rivers	12 N.J.R. 458(a)	R. 1980 d. 401	12 N.J.R. 577(b)
7:38-1.17	Wild and scenic rivers addition	13 N.J.R. 568(a)	R. 1982 d. 2	14 N.J.R. 147(a)
7:50	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d. 433	12 N.J.R. 643(a)
7:50	Pinelands Comprehensive Management Plan	12 N.J.R. 513(b)	R. 1981 d. 13	13 N.J.R. 91(e)
7:50	Pinelands management	13 N.J.R. 569(a)	R. 1982 d. 131	14 N.J.R. 388(a)
7:50	Pinelands Comprehensive Management Plan and Sunset Provision	Public Notice	R. 1981 d. 13	14 N.J.R. 1102(b)

(Title 7, Transmittal 15 dated July 17, 1980)

HEALTH-TITLE 8

8:13-2.1, 2.3, 2.4, 2.7-2.9, 2.11, 2.13-2.15	Soft-shell clam depuration	14 N.J.R. 415(a)	R. 1982 d. 241	14 N.J.R. 835(b)
8:21-3.23	Legal animal repellants	14 N.J.R. 79(a)	R. 1982 d. 123	14 N.J.R. 389(a)
8:21-10	Designated fluid milk products	12 N.J.R. 643(c)	R. 1980 d. 539	13 N.J.R. 13(f)
8:22-1	State Sanitary Code—Campgrounds	13 N.J.R. 130(a)	R. 1981 d. 161	13 N.J.R. 342(a)
8:22-2	Repeal mobile home park rules	12 N.J.R. 577(d)	R. 1980 d. 499	13 N.J.R. 13(c)
8:30	Expiration date	13 N.J.R. 265(a)	R. 1981 d. 283	13 N.J.R. 485(b)
8:30	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d. 205	14 N.J.R. 709(b)
8:31-22.1	Doctors' offices in medical facilities	13 N.J.R. 807(a)	R. 1982 d. 273	14 N.J.R. 915(b)
8:31-23.1	Parking garage standards	13 N.J.R. 807(b)	R. 1982 d. 274	14 N.J.R. 916(a)
8:31-24.1	Hospital personnel housing	13 N.J.R. 808(a)	R. 1982 d. 275	14 N.J.R. 916(b)
8:31-26.4	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 342(b)
8:31-26.4	Correction: Child abuse reporting	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 756(a)
8:31-27	Megavoltage radiation (recodified as 8:33I)	13 N.J.R. 406(b)	R. 1981 d. 406	13 N.J.R. 756(b)
8:31-28.1, 28.3	Need and designation of regional services	12 N.J.R. 515(a)	R. 1980 d. 528	13 N.J.R. 13(d)
8:31-30.1	Plan Review Fee multiplier	13 N.J.R. 265(b)	R. 1981 d. 284	13 N.J.R. 486(a)
8:31A-7	1982 SHARE regulations	13 N.J.R. 266(a)	R. 1981 d. 325	13 N.J.R. 571(c)
8:31A-9.2	Correction to Code: SHARE Manual	10 N.J.R. 534(c)	R. 1979 d. 25	14 N.J.R. 44(a)
8:31A-10.1	Mobile unit rate guidelines	13 N.J.R. 647(a)	R. 1982 d. 38	14 N.J.R. 208(a)
8:31B-2.2, 2.4	Uniform Bill-Patient Summary (Inpatient)	13 N.J.R. 410(a)	R. 1981 d. 404	13 N.J.R. 756(c)
8:31B-3	Hospital procedural and methodological regulations	12 N.J.R. 515(b)	R. 1980 d. 455	12 N.J.R. 645(c)
8:31B-3	Procedural and methodological regulations	13 N.J.R. 486(b)	R. 1981 d. 494	14 N.J.R. 45(a)
8:31B-3.20D	Rate of return: For-profit hospitals	13 N.J.R. 266(b)	R. 1981 d. 290	13 N.J.R. 486(c)
8:31B-4	Hospital financial elements and reporting regulations	12 N.J.R. 516(a)	R. 1980 d. 453	12 N.J.R. 645(a)
8:31B-4.62	Excluded health care services	12 N.J.R. 643(d)	R. 1981 d. 10	13 N.J.R. 92(a)
8:31B-5.1, 5.2, 5.3	Diagnostic related groups	13 N.J.R. 726(b)	R. 1982 d. 27	14 N.J.R. 147(b)
8:31B-6.1-6.5	Mobile unit rate guidelines	13 N.J.R. 647(a)	R. 1982 d. 38	14 N.J.R. 208(a)
8:33	Certificate of Need application changes	13 N.J.R. 267(a)	R. 1981 d. 296	13 N.J.R. 487(b)
8:33D-1.3	Regional hemophilia care centers	13 N.J.R. 727(a)	R. 1982 d. 26	14 N.J.R. 147(c)
8:33E-1.1	Cardiac diagnostic facilities	13 N.J.R. 649(a)	R. 1982 d. 24	14 N.J.R. 147(d)
8:33E-2.2	Cardiac surgical centers	13 N.J.R. 651(a)	R. 1982 d. 25	14 N.J.R. 147(e)
8:33F-1.1-1.4, 1.6, 1.7	Regional end-stage renal services	13 N.J.R. 922(b)	R. 1982 d. 143	14 N.J.R. 426(c)
8:33G	Certificate of Need reviews: CT scanners	13 N.J.R. 487(c)	R. 1981 d. 472	13 N.J.R. 944(a)
8:33H-3.3	Medicare and Medicaid beds in long-term care	14 N.J.R. 191(a)	R. 1982 d. 180	14 N.J.R. 578(b)
8:33I	Megavoltage radiation units (recodified from 8:31-27)	13 N.J.R. 406(b)	R. 1981 d. 406	13 N.J.R. 756(b)
8:37	Expiration date	13 N.J.R. 265(a)	R. 1981 d. 283	13 N.J.R. 485(b)
8:37	Intermediate care facilities	14 N.J.R. 417(a)	R. 1982 d. 205	14 N.J.R. 709(b)
8:39-Foreword	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d. 205	14 N.J.R. 709(b)
8:39-1	Foreword: Amend operational dates	13 N.J.R. 265(a)	R. 1981 d. 283	13 N.J.R. 485(b)
8:39-1.1	Long term care standards	13 N.J.R. 268(a)	R. 1981 d. 285	13 N.J.R. 495(a)
8:39-1.1, 1.16-1.21	Long-term care facilities: Licensure standards	14 N.J.R. 193(a)	R. 1982 d. 146	14 N.J.R. 427(a)
8:39-1.33	LTC facilities: Construction standards	13 N.J.R. 809(a)	R. 1982 d. 276	14 N.J.R. 916(c)
8:39-1.34	LTC facilities: Additional standards	13 N.J.R. 809(b)	R. 1982 d. 277	14 N.J.R. 916(d)
8:39-1.35	Operational dates	13 N.J.R. 265(a)	R. 1981 d. 283	13 N.J.R. 485(b)
8:39-1.35	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d. 205	14 N.J.R. 709(b)
8:42-1.8	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 342(b)
8:42-2	Readopted: Inpatient drug treatment facilities	14 N.J.R. 812(a)	R. 1982 d. 391	14 N.J.R. 1214(a)
8:42A	Alcoholism treatment facilities	13 N.J.R. 217(b)	R. 1981 d. 236	13 N.J.R. 411(a)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
8:43-2.13	Licensure of Residential Health Care Facilities	12 N.J.R. 644(a)	R.1980 d.529	13 N.J.R. 13(e)
8:43-3.3, 3.20, 3.22	Residential health care standards	13 N.J.R. 268(b)	R.1981 d.297	13 N.J.R. 495(b)
8:43-3.22	Residential health care: Fire protection	13 N.J.R. 495(c)	R.1981 d.402	13 N.J.R. 756(d)
8:43-3.22	Fire safety in residential care homes	14 N.J.R. 194(a)	R.1982 d.145	14 N.J.R. 427(b)
8:43-4.13, 4.14	Residential health care standards	13 N.J.R. 268(b)	R.1981 d.297	13 N.J.R. 495(b)
8:43-6.9	Licensure of Residential Health Care Facilities	12 N.J.R. 644(a)	R.1980 d.529	13 N.J.R. 13(e)
8:43A-2.1, 2.2	Ambulatory care facilities: Construction standards	13 N.J.R. 810(a)	R.1982 d.278	14 N.J.R. 916(e)
8:43A-3.1	Child abuse and neglect	13 N.J.R. 12(a)	R.1981 d.157	13 N.J.R. 342(b)
8:43A-9.4, 9.7, 9.11	Drug abuse treatment centers	14 N.J.R. 529(a)	R.1982 d.390	14 N.J.R. 1214(b)
8:43B-1.13	Child abuse and neglect	13 N.J.R. 12(a)	R.1981 d.157	13 N.J.R. 342(b)
8:43B-3.1, 3.1A	Hospital construction standards	13 N.J.R. 811(a)	R.1982 d.279	14 N.J.R. 916(f)
8:43B-15.12, 15.12A	Renal dialysis services: Construction standards	13 N.J.R. 812(a)	R.1982 d.280	14 N.J.R. 917(a)
8:45-1.3	Licensure of clinical laboratories	13 N.J.R. 653(a)	R.1981 d.493	14 N.J.R. 45(b)
8:57-1.1-1.18	Reportable disease rules	12 N.J.R. 577(e)	R.1980 d.498	13 N.J.R. 13(b)
8:57-4.5, 4.10, 4.12, 4.13, 4.15, 4.16	Immunization of pupils in school	13 N.J.R. 738(a)	R.1981 d.502	14 N.J.R. 45(c)
8:65-7.8	CDS prescription filling requirements	13 N.J.R. 130(b)	R.1981 d.452	13 N.J.R. 845(a)
8:65-7.10	CDS: Prescriptions in LTCF's	13 N.J.R. 130(c)	R.1981 d.453	13 N.J.R. 845(b)
8:65-7.14, 7.18	Controlled dangerous substances	14 N.J.R. 195(a)	R.1982 d.124	14 N.J.R. 389(b)
8:65-8.7	Controlled dangerous substances	13 N.J.R. 131(a)	R.1981 d.238	13 N.J.R. 411(b)
8:65-10.1, 10.2	Controlled dangerous substances	Emergency	R.1981 d.50	13 N.J.R. 132(b)
8:65-10.1, 10.3, 10.4	Controlled dangerous substances	14 N.J.R. 195(a)	R.1982 d.124	14 N.J.R. 389(b)
8:65-10.4, 10.8	Controlled dangerous substances	Emergency	R.1981 d.50	13 N.J.R. 132(b)
8:71	Interchangeable drug products	12 N.J.R. 465(a)	R.1980 d.454	12 N.J.R. 645(b)
8:71	Interchangeable drug products	12 N.J.R. 516(b)	R.1981 d.25	13 N.J.R. 131(b)
8:71	Interchangeable drug products	12 N.J.R. 465(b)	R.1981 d.26	13 N.J.R. 131(c)
8:71	Interchangeable drug products	Emergency	R.1981 d.27	13 N.J.R. 132(a)
8:71	Interchangeable drug products	12 N.J.R. 644(b)	R.1981 d.81	13 N.J.R. 217(d)
8:71	Interchangeable drug product list	13 N.J.R. 269(a)	R.1981 d.364	13 N.J.R. 706(c)
8:71	Interchangeable drug list	12 N.J.R. 644(b)	R.1981 d.405	13 N.J.R. 757(a)
8:71	List of interchangeable drugs	13 N.J.R. 354(a)	R.1981 d.403	13 N.J.R. 757(b)
8:71	Interchangeable drug products	13 N.J.R. 654(a)	R.1981 d.503	14 N.J.R. 45(d)
8:71	Correction: Generic drug list	13 N.J.R. 654(a)	R.1981 d.503	14 N.J.R. 102(b)
8:71	Generic drug list additions	13 N.J.R. 217(c)	R.1982 d.58	14 N.J.R. 235(a)
8:71	Amitriptyline addition	14 N.J.R. 22(b)	R.1982 d.106	14 N.J.R. 342(a)
8:71	Generic drug list additions	14 N.J.R. 22(a)	R.1982 d.115	14 N.J.R. 389(c)
8:71	Additions to generic drug list	14 N.J.R. 22(a)	R.1982 d.197	14 N.J.R. 655(b)
8:71	Additions to generic drug list	14 N.J.R. 369(a)	R.1982 d.240	14 N.J.R. 836(a)
8:71	Correction: Generic drug list	14 N.J.R. 369(a)	R.1982 d.240	14 N.J.R. 980(a)
8:71	Generic drug list changes	14 N.J.R. 22(a)	R.1982 d.371	14 N.J.R. 1159(a)
8:71	Generic drug list changes	13 N.J.R. 645(a)	R.1982 d.372	14 N.J.R. 1159(b)
8:71	Generic drug list changes	14 N.J.R. 369(a)	R.1982 d.373	14 N.J.R. 1160(a)
8:71	Generic drug list changes	14 N.J.R. 690(a)	R.1982 d.374	14 N.J.R. 1160(b)

(Title 8, Transmittal 14 dated September 18, 1980)

HIGHER EDUCATION--TITLE 9

9:1-4.6	Post-master's level programs	13 N.J.R. 411(c)	R.1981 d.392	13 N.J.R. 757(c)
9:1-6.1, 6.4	Petitions from out-of-state institutions	14 N.J.R. 372(a)	R.1982 d.219	14 N.J.R. 756(a)
9:2-2.12	Faculty promotion at four-year colleges	14 N.J.R. 121(b)	R.1982 d.130	14 N.J.R. 390(a)
9:2-4.1	Eligibility for Alternate Benefit Program	14 N.J.R. 261(a)	R.1982 d.128	14 N.J.R. 390(b)
9:2-11.7	Veteran's Tuition Credit Program	13 N.J.R. 572(a)	R.1981 d.449	13 N.J.R. 845(c)
9:2-12.1-12.4	Teacher preparation (proposed as 9:1-7.1-7.4)	14 N.J.R. 24(a)	R.1982 d.99	14 N.J.R. 342(b)
9:4-1.2	Establishment of a community college	13 N.J.R. 495(d)	R.1981 d.391	13 N.J.R. 758(a)
9:4-1.4, 1.5, 1.12, 2.4, 2.13, -3	Accounting standards for county colleges	14 N.J.R. 26(b)	R.1982 d.100	14 N.J.R. 343(a)
9:4-1.5	County colleges: Chargebacks to sending counties	14 N.J.R. 690(b)	R.1982 d.335	14 N.J.R. 1099(a)
9:4-3.1, 3.10	County college annual audit	14 N.J.R. 318(a)	R.1982 d.218	14 N.J.R. 757(a)
9:4-3.57	County college work load data	13 N.J.R. 218(a)	R.1981 d.215	13 N.J.R. 412(a)
9:4-3.61	State aid to county colleges	13 N.J.R. 271(a)	R.1981 d.271	13 N.J.R. 496(a)
9:7-2	Student assistance	13 N.J.R. 218(b)	R.1981 d.232	13 N.J.R. 412(b)
9:7-3.1	Tuition Aid Grant Program	13 N.J.R. 572(b)	R.1981 d.415	13 N.J.R. 758(b)
9:7-3.1	Tuition Aid: 1982-83 Award Table	14 N.J.R. 122(a)	R.1982 d.129	14 N.J.R. 390(c)
9:7-5	Public Tuition Benefits Program	14 N.J.R. 28(a)	R.1982 d.127	14 N.J.R. 390(d)
9:9-1.3	Guaranteed student loan program	13 N.J.R. 355(a)	R.1981 d.275	13 N.J.R. 496(b)
9:11-1	Educational Opportunity Fund Program	14 N.J.R. 691(a)	R.1982 d.385	14 N.J.R. 1214(c)
9:12-1, -2	Educational Opportunity Fund Program	14 N.J.R. 691(a)	R.1982 d.385	14 N.J.R. 1214(c)

(Title 9, Transmittal 16 dated March 19, 1981)

HUMAN SERVICES--TITLE 10

10:38	Interim Assistance Procedures Manual	13 N.J.R. 220(d)	R. 1981 d.225	13 N.J.R. 412(c)
10:49-1.2	Amend recipient controls	12 N.J.R. 274(a)	R. 1980 d.549	13 N.J.R. 100(c)
10:49-1.2	Medicaid ID: Special Status Card	14 N.J.R. 418(a)	R. 1982 d.261	14 N.J.R. 917(b)
10:49-1.3	Provider participation	13 N.J.R. 496(c)	R. 1981 d.393	13 N.J.R. 758(c)
10:49-1.5	Amend recipient controls	12 N.J.R. 274(a)	R. 1980 d.549	13 N.J.R. 100(c)
10:49-1.5	Record keeping by providers	12 N.J.R. 520(b)	R. 1981 d.329	13 N.J.R. 574(b)
10:49-1.7	Utilization of insurance benefits	12 N.J.R. 187(c)	R. 1981 d.123	13 N.J.R. 272(a)
10:49-1.9	Out-of-State hospital care	13 N.J.R. 654(b)	R. 1982 d.52	14 N.J.R. 235(b)
10:49-1.13, 1.14	Providers using management agencies	13 N.J.R. 272(b)	R. 1981 d.246	13 N.J.R. 412(d)
10:49-1.17	Suspension of provider from Medicaid program	12 N.J.R. 581(a)	R. 1980 d.501	13 N.J.R. 17(a)
10:49-1.17	Suspended providers	13 N.J.R. 222(a)	R. 1981 d.315	13 N.J.R. 574(c)
10:49-1.17	Provider participation	13 N.J.R. 496(c)	R. 1981 d.393	13 N.J.R. 758(c)
10:49-1.26	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:49-1.27	Final audits	13 N.J.R. 133(c)	R. 1981 d.114	13 N.J.R. 273(a)
10:49-5.3, 5.4	Recipient fair hearings	12 N.J.R. 581(b)	R. 1980 d.512	13 N.J.R. 17(f)
10:49-5.6	Recipient fair hearings	12 N.J.R. 581(b)	R. 1980 d.512	13 N.J.R. 17(f)
10:49-6.5	Medicaid: Payment recovery from estates	14 N.J.R. 80(a)	R. 1982 d.147	14 N.J.R. 427(c)
10:49-6.8	Compromising claims	12 N.J.R. 582(a)	R. 1980 d.502	13 N.J.R. 17(b)
10:50	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:50-2.7	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:51	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:51-1.13, 1.14	Emergency amend "Less than effective" drugs	Emergency	R. 1981 d.476	13 N.J.R. 945(a)
10:51-1.13, 1.14	"Less than effective" drugs: Reimbursement	13 N.J.R. 873(a)	R. 1982 d.28	14 N.J.R. 158(a)
10:51-1.17	Legend drug dispensing fee	13 N.J.R. 575(c)	R. 1981 d.411	13 N.J.R. 757(d)
10:51-1.19	Emergency amendment: "Less than effective" drugs	Emergency	R. 1981 d.476	13 N.J.R. 945(a)
10:51-1.19	"Less than effective" drugs: Reimbursement	13 N.J.R. 873(a)	R. 1982 d.28	14 N.J.R. 158(a)
10:51-1(App. B, D)	Pharmaceutical Services Manual	13 N.J.R. 134(a)	R. 1981 d.124	13 N.J.R. 274(a)
10:51-1(App. B, D)	Non-legend drugs and legend services	13 N.J.R. 739(a)	R. 1981 d.505	14 N.J.R. 46(a)
10:51-1(App. E)	Pharmacy Manual: Protein replacements	14 N.J.R. 418(b)	R. 1982 d.211	14 N.J.R. 757(b)
10:51-2	Pharmacy Manual billing procedures	13 N.J.R. 274(b)	R. 1981 d.247	13 N.J.R. 415(a)
10:51-2.6	Reporting chemotherapy injectable drugs	14 N.J.R. 813(a)	R. 1982 d.340	14 N.J.R. 1161(a)
10:51-3	Pharmaceutical services in LTC facilities	13 N.J.R. 415(b)	R. 1981 d.344	13 N.J.R. 577(a)
10:51-3.15	Capitation of fee for legend drugs dispensed by LTC pharmacy providers	13 N.J.R. 577(b)	R. 1981 d.465	13 N.J.R. 887(d)
10:51-4.5	Repeal payments for pharmaceutical consultants	12 N.J.R. 410(a)	R. 1981 d.101	13 N.J.R. 228(c)
10:51-5.16, 5.19	"Less than effective" drugs: Reimbursement	13 N.J.R. 873(a)	R. 1982 d.28	14 N.J.R. 158(a)
10:51-5.28-5.33	Pharmaceutical Assistance to the Aged	13 N.J.R. 289(a)	R. 1981 d.248	13 N.J.R. 415(c)
10:52	Hospital and special hospital manuals	13 N.J.R. 416(a)	R. 1981 d.327	13 N.J.R. 578(a)
10:52-1.1	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:52-1.3	Non-covered hospital services	13 N.J.R. 14(d)	R. 1981 d.126	13 N.J.R. 291(a)
10:52-1.3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:52-1.4	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:52-1.9	Out-of-State hospital care	13 N.J.R. 654(b)	R. 1982 d.52	14 N.J.R. 235(b)
10:52-1.17	Out-of-State inpatient hospital services	13 N.J.R. 15(a)	R. 1981 d.162	13 N.J.R. 358(b)
10:52-1.17	Correction: Out-of-State hospital services	13 N.J.R. 15(a)	R. 1981 d.162	13 N.J.R. 416(b)
10:52-1.18	Out-of-State hospital services	13 N.J.R. 359(a)	R. 1981 d.293	13 N.J.R. 497(a)
10:52-2.2	Uniform billing of hospital services	13 N.J.R. 93(a)	R. 1982 d.13	14 N.J.R. 158(b)
10:52-2.8A	Outpatient dental services	13 N.J.R. 416(c)	R. 1981 d.479	13 N.J.R. 946(a)
10:52-2.13	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:52-3.6	Outpatient dental services	13 N.J.R. 416(c)	R. 1981 d.479	13 N.J.R. 946(a)
10:53	Hospital and special hospital manuals	13 N.J.R. 416(a)	R. 1981 d.327	13 N.J.R. 578(a)
10:53-1.1	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:53-1.3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:53-1.4	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:53-2.18	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:54-1	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:54-1.2	Routine chest X rays	13 N.J.R. 94(a)	R. 1981 d.125	13 N.J.R. 292(b)
10:54-1.2	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:54-1.3	Record keeping by providers	12 N.J.R. 520(b)	R. 1981 d.329	13 N.J.R. 574(b)
10:54-1.5	Physicians and Psychologist Manual	12 N.J.R. 662(a)	R. 1981 d.374	13 N.J.R. 706(d)
10:54-1.6	Reimbursement for anesthesia time	12 N.J.R. 413(a)	R. 1981 d.220	13 N.J.R. 417(b)
10:54-1.22	Routine chest X rays	13 N.J.R. 94(a)	R. 1981 d.125	13 N.J.R. 292(b)
10:54-2.1	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:54-2.4, 2.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:54-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:54-3	Procedure Code Manual	12 N.J.R. 520(c)	R. 1980 d.511	13 N.J.R. 17(e)
10:54-3	Physician's Services Manual: Procedure codes	13 N.J.R. 95(a)	R. 1981 d.111	13 N.J.R. 299(a)
10:54-3	Physician's Services Manual: Procedure codes	13 N.J.R. 223(a)	R. 1981 d.211	13 N.J.R. 418(c)

**N.J.A.C.
CITATION**

**PROPOSAL NOTICE
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10:54-3	Procedure codes for pacemakers	13 N.J.R. 297(a)	R. 1981 d.251	13 N.J.R. 430(a)
10:54-3	Procedure codes for physicians services	13 N.J.R. 298(a)	R. 1981 d.305	13 N.J.R. 578(b)
10:54-3	Physician services procedure codes	13 N.J.R. 298(b)	R. 1981 d.314	13 N.J.R. 578(c)
10:54-3	Procedure Code Manual	13 N.J.R. 578(d)	R. 1981 d.475	13 N.J.R. 946(b)
10:54-3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:55	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:56	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:56-1.8, 1.12	Dental Services Manual	12 N.J.R. 700(a)	R. 1981 d.219	13 N.J.R. 430(b)
10:56-1.14, 1.15	Limitations on diagnostic dental services	13 N.J.R. 875(a)	R. 1982 d.403	14 N.J.R. 1301(a)
10:56-3.15	Orthodontics	13 N.J.R. 134(b)	R. 1981 d.113	13 N.J.R. 299(b)
10:57-1.4	Podiatry services	13 N.J.R. 360(a)	R. 1981 d.300	13 N.J.R. 579(a)
10:57-1.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:57-1.9	Podiatry services	13 N.J.R. 360(a)	R. 1981 d.300	13 N.J.R. 579(a)
10:57-1.20, 2.5-2.7	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:57-2.8	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:59	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:59-1.7, 1.8	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:59-1.9	Medical Supplier Manual	13 N.J.R. 430(c)	R. 1981 d.376	13 N.J.R. 707(a)
10:59-1.10	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:59-1.10	IPPB equipment	13 N.J.R. 223(b)	R. 1981 d.328	13 N.J.R. 579(b)
10:59-1.11	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:59-2.6-2.8	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:59-2.11	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:60	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:60-1, 2.1-2.3	Home Health Services Manual revisions	14 N.J.R. 264(b)	R. 1982 d.199	14 N.J.R. 656(a)
10:60-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:61-1.4	Record retention requirements	13 N.J.R. 95(b)	R. 1981 d.110	13 N.J.R. 299(c)
10:61-1.4	Physician orders for laboratory services	13 N.J.R. 430(d)	R. 1981 d.342	13 N.J.R. 579(c)
10:61-2.3	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:61-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:62	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:62-1.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:62-1.7	Procedure codes for ophthalmologists and optometrists	13 N.J.R. 299(d)	R. 1981 d.280	13 N.J.R. 497(b)
10:62-3	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:63-1.2	Rehabilitation in long-term care	14 N.J.R. 420(a)	R. 1982 d.210	14 N.J.R. 757(c)
10:63-1.4	Long Term Care Manual	12 N.J.R. 700(a)	R. 1981 d.219	13 N.J.R. 430(b)
10:63-1.4	Special equipment in long-term care	13 N.J.R. 877(a)	R. 1982 d.110	14 N.J.R. 391(a)
10:63-1.5	Inspection of long-term care	14 N.J.R. 81(a)	R. 1982 d.72	14 N.J.R. 279(a)
10:63-1.6	Level III care in LTC facilities	14 N.J.R. 462(a)	R. 1982 d.264	14 N.J.R. 917(c)
10:63-1.8	Long Term Care Manual	12 N.J.R. 700(a)	R. 1981 d.219	13 N.J.R. 430(b)
10:63-1.8	Clinical records in long-term care facilities	12 N.J.R. 701(a)	R. 1981 d.33	13 N.J.R. 146(c)
10:63-1.11	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:63-1.14	Retention of records in LTC facilities	13 N.J.R. 431(a)	R. 1981 d.345	13 N.J.R. 579(d)
10:63-1.19	LTCISM: Termination of Medicaid eligibility	13 N.J.R. 15(b)	R. 1981 d.62	13 N.J.R. 225(b)
10:63-1.21	Three-year audit cycle	12 N.J.R. 701(a)	R. 1981 d.23	13 N.J.R. 146(a)
10:63-3.1	Reimbursement to Long Term Care Facilities	12 N.J.R. 702(a)	R. 1981 d.87	13 N.J.R. 227(a)
10:63-3.8	LTC's nursing care costs	13 N.J.R. 360(b)	R. 1981 d.326	13 N.J.R. 579(e)
10:63-3.21	Rescission: Long-term care per diem reduction	13 N.J.R. 498(a)	R. 1981 d.375	13 N.J.R. 707(b)
10:64	Hearing Aid Services Manual	14 N.J.R. 413(a)	R. 1982 d.74	14 N.J.R. 279(b)
10:65	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:65-2.1	Medical day care rates	13 N.J.R. 362(a)	R. 1981 d.318	13 N.J.R. 580(a)
10:66	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:66-1.5, 1.6	Mental health partial care services	13 N.J.R. 662(a)	R. 1982 d.19	14 N.J.R. 158(c)
10:66-2.10	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:66-3.1-3.3	Independent clinic services procedure codes	13 N.J.R. 363(a)	R. 1981 d.313	13 N.J.R. 580(b)
10:66-3.3	Procedure codes for Medicaid	12 N.J.R. 662(b)	R. 1981 d.112	13 N.J.R. 299(e)
10:66-3.3	Independent Clinic Services Manual	13 N.J.R. 224(a)	R. 1981 d.212	13 N.J.R. 431(b)
10:66-3.3	Mental health partial care services	13 N.J.R. 662(a)	R. 1982 d.19	14 N.J.R. 158(c)
10:66-3.3	Family planning procedure codes	13 N.J.R. 663(a)	R. 1982 d.84	14 N.J.R. 343(b)
10:67-1.2	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:67-1.8	Physicians and Psychologist Manual	12 N.J.R. 662(a)	R. 1981 d.374	13 N.J.R. 706(d)
10:67-2.5, 2.8	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:67-2.10	Psychological services procedure codes	13 N.J.R. 298(a)	R. 1981 d.305	13 N.J.R. 578(b)
10:68-2.5, 2.7	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:68-2.8	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:69A-2.1	Pharmaceutical Assistance for Aged and Disabled	14 N.J.R. 321(b)	R. 1982 d.198	14 N.J.R. 659(a)
10:69A-5.6	PAA eligibility determinations	13 N.J.R. 432(a)	R. 1981 d.332	13 N.J.R. 580(c)
10:69A-7.1	PAA: Payment recovery from estates	14 N.J.R. 80(a)	R. 1982 d.147	14 N.J.R. 427(c)
10:81	PAM: Federal Omnibus Reconciliation Act of 1981	Emergency	R. 1981 d.397	13 N.J.R. 759(a)

10:81	PAM: Readopted Federal requirements	13 N.J.R. 759(a)	R. 1981 d. 518	14 N.J.R. 102(c)
10:81-1.14	PAM: Welfare board minutes	13 N.J.R. 877(b)	R. 1982 d. 151	14 N.J.R. 473(d)
10:81-2.7	PAM: Deprivation of parental support in AFDC-C	12 N.J.R. 703(a)	R. 1981 d. 28	13 N.J.R. 146(b)
10:81-3.17, 8.22	PAM: Uniformed service absence; rounding	Emergency	R. 1982 d. 366	14 N.J.R. 1168(a)
10:81-3.35	PAM: Legally responsible relatives	14 N.J.R. 814(a)	R. 1982 d. 352	14 N.J.R. 1161(b)
10:81-7.1	AFDC: New or changed income	13 N.J.R. 300(a)	R. 1981 d. 262	13 N.J.R. 432(b)
10:81-7.22	AFDC: Funeral or burial payments for children	13 N.J.R. 580(d)	R. 1981 d. 447	13 N.J.R. 845(d)
10:81-7.22	PAM: Funeral and burial contributions	14 N.J.R. 462(b)	R. 1982 d. 286	14 N.J.R. 980(b)
10:81-7.26	PAM: Veterans' funeral expenses	14 N.J.R. 374(a)	R. 1982 d. 228	14 N.J.R. 836(b)
10:81-7.26, 8.4	PAM: RSDI lump sum benefits	13 N.J.R. 925(a)	R. 1982 d. 90	14 N.J.R. 344(a)
10:81-8.22	PAM: Extension of Medicaid benefits	14 N.J.R. 893(a)	R. 1982 d. 357	14 N.J.R. 1161(c)
10:82	ASH: Federal Omnibus Reconciliation Act of 1981	Emergency	R. 1981 d. 396	13 N.J.R. 763(a)
10:82	ASH: Readopted Federal requirements	13 N.J.R. 763(a)	R. 1981 d. 519	14 N.J.R. 102(d)
10:82-2.1, 2.2, 2.18, 2.20, 5.3, 5.10	ASH: Rounding; prorating; military service absence	Emergency	R. 1982 d. 367	14 N.J.R. 1169(a)
10:82-2.9	Correction: Stepparent's income in AFDC-C	13 N.J.R. 763(a)	R. 1981 d. 519	14 N.J.R. 281(a)
10:82-2.14	ASH: Established monthly earnings	13 N.J.R. 16(a)	R. 1981 d. 47	13 N.J.R. 147(b)
10:82-2.14	AFDC: New or changed income	13 N.J.R. 300(a)	R. 1981 d. 262	13 N.J.R. 432(b)
10:82-3.2	ASH: HUD community development block grant	13 N.J.R. 96(a)	R. 1981 d. 96	13 N.J.R. 227(b)
10:82-3.2, 4.5	Exempt resources and disregard of earned income	13 N.J.R. 224(b)	R. 1981 d. 282	13 N.J.R. 499(a)
10:82-3.8	ASH: Relatives as a resource	14 N.J.R. 814(b)	R. 1982 d. 353	14 N.J.R. 1161(d)
10:82-3.13	Correction: Federal requirement for ASH	13 N.J.R. 763(a)	R. 1981 d. 519	14 N.J.R. 837(a)
10:82-4.9	ASH: Foster care rates	14 N.J.R. 374(b)	R. 1982 d. 208	14 N.J.R. 709(c)
10:82-4.15	Irregular and nonrecurring income in AFDC	13 N.J.R. 224(c)	R. 1981 d. 287	13 N.J.R. 499(b)
10:82-5.3	ASH: Day care rates	13 N.J.R. 134(c)	R. 1981 d. 243	13 N.J.R. 432(c)
10:82-5.3	ASH: Care for unwed mothers	13 N.J.R. 134(c)	R. 1982 d. 43	14 N.J.R. 235(c)
10:82-5.10	ASH: Emergency assistance	12 N.J.R. 584(a)	R. 1980 d. 552	13 N.J.R. 101(a)
10:82-5.10	ASH: Emergency house furnishings allowance	14 N.J.R. 375(a)	R. 1982 d. 207	14 N.J.R. 709(d)
10:82-5.10	ASH: Return of child from foster care placement	14 N.J.R. 698(a)	R. 1982 d. 376	14 N.J.R. 1215(a)
10:85-1.2, 1.5, 2.2	General Assistance and Faulkner Act municipalities	13 N.J.R. 301(a)	R. 1982 d. 61	14 N.J.R. 281(b)
10:85-2.2	GAM: Temporary director of municipal welfare	12 N.J.R. 584(b)	R. 1980 d. 505	13 N.J.R. 17(c)
10:85-2.2	GAM: Local assistance board	13 N.J.R. 96(b)	R. 1981 d. 98	13 N.J.R. 228(b)
10:85-3.1	GAM: Common living quarters	13 N.J.R. 927(a)	R. 1982 d. 102	14 N.J.R. 344(b)
10:85-3.1	GAM: Eligibility of young people	14 N.J.R. 815(a)	R. 1982 d. 355	14 N.J.R. 1162(a)
10:85-3.1	Correction to Code: General Assistance eligibility	—	—	14 N.J.R. 1103(b)
10:85-3.1, 3.2	GAM: Prospective SSI recipients	13 N.J.R. 145(a)	R. 1981 d. 160	13 N.J.R. 363(b)
10:85-3.2	General Assistance application process	12 N.J.R. 584(c)	R. 1980 d. 514	13 N.J.R. 18(a)
10:85-3.2	GAM: Clarification of "unemployable"	13 N.J.R. 927(b)	R. 1982 d. 103	14 N.J.R. 344(c)
10:85-3.2	GAM: Workfare compliance	13 N.J.R. 929(a)	R. 1982 d. 104	14 N.J.R. 344(d)
10:85-3.3	GAM: Recipients in residential health care facilities	12 N.J.R. 662(c)	R. 1980 d. 547	13 N.J.R. 100(a)
10:85-3.3	GAM: Financial eligibility	12 N.J.R. 16(b)	R. 1981 d. 46	13 N.J.R. 147(a)
10:85-3.3	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R. 1981 d. 263	13 N.J.R. 433(a)
10:85-3.3	GAM: Boarding rate for residential care	13 N.J.R. 879(a)	R. 1982 d. 53	14 N.J.R. 235(d)
10:85-3.3	GAM: Hospital shelter time	13 N.J.R. 930(a)	R. 1982 d. 98	14 N.J.R. 345(a)
10:85-3.3	GAM: Cash Contributions	14 N.J.R. 270(a)	R. 1982 d. 185	14 N.J.R. 659(b)
10:85-3.3	GAM: Members of household	14 N.J.R. 893(b)	R. 1982 d. 375	14 N.J.R. 1216(a)
10:85-3.3	GAM: Members of household	14 N.J.R. 983(b)	R. 1982 d. 375	14 N.J.R. 1216(a)
10:85-3.4	GAM: Income and alien sponsorship	14 N.J.R. 122(b)	R. 1982 d. 134	14 N.J.R. 428(a)
10:85-4.6	GAM: Emergency grants	12 N.J.R. 585(a)	R. 1980 d. 538	13 N.J.R. 18(d)
10:85-4.6	GAM: Emergency grants	14 N.J.R. 124(a)	R. 1982 d. 135	14 N.J.R. 428(b)
10:85-4.8	GAM: Funeral and burial contributions	14 N.J.R. 463(a)	R. 1982 d. 287	14 N.J.R. 980(c)
10:85-5.2	GAM: Diagnostic-Related Group payments	12 N.J.R. 585(b)	R. 1980 d. 515	13 N.J.R. 18(b)
10:85-5.2	GAM: Payments for inpatients hospital care	13 N.J.R. 433(b)	R. 1981 d. 394	13 N.J.R. 768(a)
10:85-5.3	Submission of Form GA-18	12 N.J.R. 586(a)	R. 1980 d. 531	13 N.J.R. 18(c)
10:85-5.3	GAM: Recipients in residential health care facilities	12 N.J.R. 662(c)	R. 1980 d. 547	13 N.J.R. 100(a)
10:85-5.3	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R. 1981 d. 263	13 N.J.R. 433(a)
10:85-5.4	GAM: Procedure for payments of medical bills	13 N.J.R. 499(c)	R. 1981 d. 417	13 N.J.R. 768(b)
10:85-5.6, 8.4	GAM: Renal services; child health services	14 N.J.R. 420(b)	R. 1982 d. 377	14 N.J.R. 1217(a)
10:85-6.5	GAM: Repayment by SSI recipients	12 N.J.R. 586(b)	R. 1980 d. 551	13 N.J.R. 100(d)
10:85-6.6	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R. 1981 d. 263	13 N.J.R. 433(a)
10:85-7.2	GAM: Receipt of assistance	12 N.J.R. 535(b)	R. 1981 d. 53	13 N.J.R. 147(d)
10:85-7.3	General Assistance and Faulkner Act municipalities	13 N.J.R. 301(a)	R. 1982 d. 61	14 N.J.R. 281(b)
10:85-8.2	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R. 1981 d. 263	13 N.J.R. 433(a)
10:85-8.2	GAM: Eligibility of refugee groups	14 N.J.R. 815(b)	R. 1982 d. 356	14 N.J.R. 1162(b)
10:85-8.3	GAM: Prospective SSI recipients	13 N.J.R. 145(a)	R. 1981 d. 160	13 N.J.R. 363(b)
10:85-9.1	GAM: Legally responsible relatives	14 N.J.R. 543(a)	R. 1982 d. 284	14 N.J.R. 980(d)
10:85-10.3, 10.6, 10.8	GAM: Workfare compliance	13 N.J.R. 929(a)	R. 1982 d. 104	14 N.J.R. 344(d)

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10:87	Emergency amend Food Stamp Manual	Emergency	R. 1981 d.64 13 N.J.R. 226(b)
10:87	Student participation in Food Stamps	13 N.J.R. 96(c)	R. 1981 d.97 13 N.J.R. 228(a)
10:87	Food Stamp Manual	13 N.J.R. 364(a)	R. 1981 d.316 13 N.J.R. 581(a)
10:87	FSM: Federal Omnibus Reconciliation Act of 1981	Emergency	R. 1981 d.398 13 N.J.R. 769(a)
10:87	FSM: Readopted Federal requirements	13 N.J.R. 769(a)	R. 1981 d.517 14 N.J.R. 103(a)
10:87	Correction: FSM—Federal requirements	13 N.J.R. 769(a)	R. 1981 d.517 14 N.J.R. 208(b)
10:87-12.1, 12.2	Emergency amend Food Stamp Manual	Emergency	R. 1980 d.558 13 N.J.R. 100(e)
10:87-12.1, 12.3, 12.4, 12.6	FSM: Mandated Federal adjustments	Emergency	R. 1982 d.217 14 N.J.R. 757(d)
10:87-12.1, 12.3, 12.4, 12.6	Readopted: Food Stamp Program adjustments	14 N.J.R. 757(d)	R. 1982 d.318 14 N.J.R. 1057(a)
10:87-12.1, 12.2, 12.6	Food Stamp Program: Utility allowance; coupon allotment; rounding	Emergency	R. 1982 d.365 14 N.J.R. 1170(a)
10:87-12.3	Food Stamp Program maximum net income levels	13 N.J.R. 500(a)	R. 1981 d.400 13 N.J.R. 772(a)
10:87-12.3, 12.4	Emergency adoption: Food Stamp income levels	Emergency	R. 1981 d.278 13 N.J.R. 500(a)
10:87-12.4	Emergency amend Food Stamp Manual	Emergency	R. 1980 d.558 13 N.J.R. 100(e)
10:89	Home energy assistance (emergency adoption)	Emergency	R. 1981 d.466 13 N.J.R. 888(a)
10:89	Readopted Home Energy Assistance rules	13 N.J.R. 888(a)	R. 1982 d.62 14 N.J.R. 281(c)
10:89-2.3, 3.1, 3.2, 3.4-3.6, 4.1, 5.2, 5.3	Home Energy Assistance Handbook	Emergency	R. 1982 d.412 14 N.J.R. 1311(a)
10:89-3.6	Emergency rule on Home Energy Assistance	Emergency	R. 1980 d.548 13 N.J.R. 100(b)
10:90	Monthly Reporting Policy Handbook	14 N.J.R. 958(a)	R. 1982 d.399 14 N.J.R. 1302(a)
10:91	Repealed: Services to families and children	14 N.J.R. 744(a)	R. 1982 d.317 14 N.J.R. 1057(b)
10:94-4,-5	Medicaid Only: Income and resource eligibility	12 N.J.R. 663(a)	R. 1981 d.177 13 N.J.R. 364(b)
10:94-5.4, 5.5, 5.6	Medicaid Only computation amounts	Emergency	R. 1981 d.276 13 N.J.R. 501(a)
10:94-5.4, 5.5, 5.6	Readopt Medicaid Only computation amounts	13 N.J.R. 501(a)	R. 1981 d.385 13 N.J.R. 773(a)
10:94-5.4, 5.5, 5.6	Correction: Medicaid Only computation amounts	13 N.J.R. 501(a)	R. 1981 d.385 13 N.J.R. 846(a)
10:94-5.4, 5.5, 5.6	Medicaid Only computation amounts	Emergency	R. 1982 d.216 14 N.J.R. 758(a)
10:94-5.4, 5.5, 5.6	Readopted: Medicaid Only computation amounts	14 N.J.R. 758(a)	R. 1982 d.314 14 N.J.R. 1058(a)
10:94-7.5	Medicaid Only: Burial and funeral expenses	14 N.J.R. 816(a)	R. 1982 d.354 14 N.J.R. 1162(c)
10:94-8	Medicaid Only	12 N.J.R. 663(a)	R. 1981 d.177 13 N.J.R. 364(b)
10:98	State Plan for blind and visually impaired	14 N.J.R. 745(a)	R. 1982 d.311 14 N.J.R. 1058(b)
10:100-1.23	Emergency amend SSI payment levels	Emergency	R. 1981 d.277 13 N.J.R. 502(a)
10:100-1.23	Readopt SSI payment levels	13 N.J.R. 502(a)	R. 1981 d.386 13 N.J.R. 773(b)
10:100-1.23	SSI payment levels	Emergency	R. 1982 d.215 14 N.J.R. 760(a)
10:100-1.23	Readopted: SSI payment levels	14 N.J.R. 760(a)	R. 1982 d.315 14 N.J.R. 1059(a)
10:100-3.6	Special Payments Handbook: Funeral contributions	14 N.J.R. 463(b)	R. 1982 d.285 14 N.J.R. 981(a)
10:109-1	Ruling 11	13 N.J.R. 581(b)	R. 1981 d.445 13 N.J.R. 846(b)
10:109-1.4	Ruling 11: Tuition Aid	14 N.J.R. 375(b)	R. 1982 d.227 14 N.J.R. 837(b)
10:109-3.2, 3.4	Ruling 11—Sick leave and leave without pay	13 N.J.R. 515(a)	R. 1981 d.395 13 N.J.R. 774(a)
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10:109—App. II	County welfare agencies: Salary parity with State	14 N.J.R. 630(a)	R. 1982 d.319 14 N.J.R. 1060(a)
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10:121-5.1	Medical information form	12 N.J.R. 703(c)	R. 1981 d.63 13 N.J.R. 226(a)
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10:122-4.2, 7.1-7.7	Standards for child care centers	14 N.J.R. 82(a)	R. 1982 d.136 14 N.J.R. 428(c)
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10:130	Repealed: Children's shelters manual	14 N.J.R. 125(a)	R. 1982 d.222 14 N.J.R. 761(a)
10:131	Adoption assistance and child welfare	14 N.J.R. 744(a)	R. 1982 d.317 14 N.J.R. 1057(b)
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10A:71-7.7	Notice for preliminary hearings (Title 10A, Transmittal 6 dated November 10, 1980)	13 N.J.R. 101(b)	R. 1981 d. 106	13 N.J.R. 302(a)
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11:1-13	Sale of auto club service contracts	13 N.J.R. 879(b)	R. 1982 d. 177	14 N.J.R. 579(a)
11:1-14	Licenses: Address change; process serving	14 N.J.R. 748(a)	R. 1982 d. 336	14 N.J.R. 1099(b)
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12:15-1.3	Correction: Operative date	13 N.J.R. 602(b)	R. 1981 d. 419	13 N.J.R. 894(b)
12:15-1.3	1983 unemployment and disability benefits	14 N.J.R. 969(a)	R. 1982 d. 383	14 N.J.R. 1218(b)
12:15-1.4	Taxable wage base for unemployment compensation	13 N.J.R. 602(c)	R. 1981 d. 421	13 N.J.R. 777(b)
12:15-1.4	Correction: Operative date	13 N.J.R. 602(c)	R. 1981 d. 421	13 N.J.R. 894(b)
12:15-1.4	1983 wage base for unemployment contributions	14 N.J.R. 970(a)	R. 1982 d. 382	14 N.J.R. 1219(a)
12:15-1.5	Unemployment compensation contribution rates	13 N.J.R. 603(a)	R. 1981 d. 418	13 N.J.R. 777(c)
12:15-1.5	1983 contribution rates for government entities	14 N.J.R. 970(b)	R. 1982 d. 381	14 N.J.R. 1219(b)
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13:19-5.1	Convulsive seizures	12 N.J.R. 606(a)	R. 1981 d. 18	13 N.J.R. 150(b)
13:19-6	Repealed: Delaware motor vehicle reciprocity rule	14 N.J.R. 87(a)	R. 1982 d. 94	14 N.J.R. 346(a)
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13:21-3	Repeal rules on dealer's temporary certificates	12 N.J.R. 607(b)	R. 1981 d. 14	13 N.J.R. 149(c)
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13:28-1.3	Toilet facilities in beauty shops	13 N.J.R. 102(b)	R. 1981 d. 109	13 N.J.R. 308(a)
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13:29-2.2	Examination for registered municipal accountant	13 N.J.R. 39(a)	R.1981 d.67	13 N.J.R. 238(a)
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13:35-6.5	Correction: Responsibility for pronouncement of death	14 N.J.R. 767(a)	R.1982 d.214	14 N.J.R. 918(b)
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13:47A-5.2	Broker-dealer registration	14 N.J.R. 551(a)	R.1982 d.265	14 N.J.R. 919(b)
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13:70-29.48	Racing: Entries and daily double	13 N.J.R. 521(a)	R.1981 d.490	13 N.J.R. 947(a)
13:71	Harness racing regulation	13 N.J.R. 820(a)	R.1982 d.109	14 N.J.R. 347(a)
13:75-1.7	Violent crimes funeral compensation	13 N.J.R. 743(a)	R.1982 d.37	14 N.J.R. 208(c)

(Title 13, Transmittal 17 dated January 14, 1981)

PUBLIC UTILITIES-TITLE 14

14:11-2.2	Auto bus specifications	13 N.J.R. 834(a)	R.1982 d.30	14 N.J.R. 160(b)
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(Title 14, Transmittal 15 dated January 14, 1981)

ENERGY-TITLE 14A

14A:2-5	State set-aside for energy emergency	13 N.J.R. 609(d)	R.1981 d.492	14 N.J.R. 46(c)
14A:3-4.4	Thermal efficiency in new and renovated buildings	13 N.J.R. 835(a)	R.1981 d.514	14 N.J.R. 104(a)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
14A:3-5	Seven-day, day-night thermostats in public buildings	13 N.J.R. 680(a)	R. 1981 d. 468	13 N.J.R. 895(a)
14A:3-11.3, 11.5	Designation of used oil collection sites	13 N.J.R. 681(a)	R. 1982 d. 262	14 N.J.R. 919(d)
14A:3-15	Recycling of municipal solid waste (joint adoption, see 7:26-15)	13 N.J.R. 865(a)	R. 1982 d. 32	14 N.J.R. 206(b)
14A:11-4	Reporting of energy information (retail dealers)	13 N.J.R. 151(a)	R. 1981 d. 379	13 N.J.R. 708(c)
14A:11-5	Reporting of energy information (retail merchants)	13 N.J.R. 152(a)	R. 1981 d. 380	13 N.J.R. 708(d)
14A:13	Energy Conservation Bond Program	13 N.J.R. 43(a)	R. 1981 d. 390	13 N.J.R. 778(a)
14A:21-14.3	Home Energy Savings Program (Title 14A, Transmittal 7 dated January 14, 1981)	13 N.J.R. 238(c)	R. 1981 d. 254	13 N.J.R. 450(a)
STATE-TITLE 15				
15:15-8.1, 8.2	Repeal rules on Register and Code (Title 15, Transmittal 13 dated March 19, 1981)	14 N.J.R. 366(a)	R. 1982 d. 339	14 N.J.R. 1163(b)
PUBLIC ADVOCATE-TITLE 15A (Title 15A, Transmittal 1 dated March 20, 1978)				
TRANSPORTATION-TITLE 16				
16:22-1.1, 1.2, 1.4	Transportation Rehabilitation and Improvement funds	14 N.J.R. 97(a)	R. 1982 d. 68	14 N.J.R. 284(a)
16:26-1.1	Traffic signal information	13 N.J.R. 152(b)	R. 1981 d. 164	13 N.J.R. 372(a)
16:27-1.4	Repeal traffic and parking on NJDOT property	13 N.J.R. 153(a)	R. 1981 d. 165	13 N.J.R. 372(b)
16:28-1.2	Speed limit on Route I-80	13 N.J.R. 153(b)	R. 1981 d. 150	13 N.J.R. 372(c)
16:28-1.15	Speed limits along Route 13	13 N.J.R. 239(a)	R. 1981 d. 152	13 N.J.R. 372(d)
16:28-1.16	Speed rates on I-195	14 N.J.R. 323(a)	R. 1982 d. 172	14 N.J.R. 580(a)
16:28-1.17	Speed limits on Route 147	13 N.J.R. 155(a)	R. 1981 d. 196	13 N.J.R. 451(a)
16:28-1.23	Speed limits along Route 18	13 N.J.R. 744(b)	R. 1981 d. 484	13 N.J.R. 947(d)
16:28-1.41	US 9 and 35 speed changes in Atlantic County	13 N.J.R. 838(a)	R. 1982 d. 11	14 N.J.R. 160(c)
16:28-1.49	Speed limits on Route 35	13 N.J.R. 451(b)	R. 1981 d. 333	13 N.J.R. 612(a)
16:28-1.56	Speed rates on US 40 and 322	14 N.J.R. 323(a)	R. 1982 d. 172	14 N.J.R. 580(a)
16:28-1.69	Speed rates on US 130	14 N.J.R. 323(a)	R. 1982 d. 172	14 N.J.R. 580(a)
16:28-1.69	Speed rates on US 130 in Gloucester County	14 N.J.R. 824(a)	R. 1982 d. 323	14 N.J.R. 1060(d)
16:28-1.72	Speed limits on US 206 and 130 in Bordentown	14 N.J.R. 324(a)	R. 1982 d. 168	14 N.J.R. 580(b)
16:28-1.111	Speed limits for Route 87	13 N.J.R. 452(a)	R. 1981 d. 334	13 N.J.R. 613(a)
16:28A	Parking revisions throughout State	14 N.J.R. 637(a)	R. 1982 d. 283	14 N.J.R. 982(a)
16:28A	Parking revisions throughout State	14 N.J.R. 702(b)	R. 1982 d. 312	14 N.J.R. 1061(c)
16:28A-1.2	Parking on Routes 1 and 9	13 N.J.R. 239(b)	R. 1981 d. 195	13 N.J.R. 452(b)
16:28A-1.3, 1.5	Parking on Routes 3 and 5	14 N.J.R. 552(b)	R. 1982 d. 247	14 N.J.R. 919(e)
16:28A-1.4	Bus stops on Route 4 in Elmwood Park	14 N.J.R. 825(a)	R. 1982 d. 328	14 N.J.R. 1100(b)
16:28A-1.6	Restricted parking along Route 7	13 N.J.R. 522(a)	R. 1981 d. 383	13 N.J.R. 778(b)
16:28A-1.6	Restricted parking on Route 7	13 N.J.R. 745(a)	R. 1981 d. 483	13 N.J.R. 947(b)
16:28A-1.6	Parking on Route 7	14 N.J.R. 424(a)	R. 1982 d. 203	14 N.J.R. 710(a)
16:28A-1.7	Route US 9 parking	13 N.J.R. 154(a)	R. 1981 d. 151	13 N.J.R. 373(a)
16:28A-1.7	Route US 9 parking	13 N.J.R. 157(b)	R. 1981 d. 156	13 N.J.R. 373(b)
16:28A-1.7	Parking on US 9	13 N.J.R. 240(a)	R. 1981 d. 195	13 N.J.R. 453(a)
16:28A-1.7	Parking on US 9	13 N.J.R. 240(a)	R. 1981 d. 191	13 N.J.R. 453(a)
16:28A-1.7	Restricted parking along Route US 9	13 N.J.R. 452(c)	R. 1981 d. 335	13 N.J.R. 613(b)
16:28A-1.7	Restricted parking on US 9	13 N.J.R. 745(b)	R. 1981 d. 487	13 N.J.R. 947(f)
16:28A-1.7	Parking on Routes US9 and 40	13 N.J.R. 932(b)	R. 1982 d. 44	14 N.J.R. 236(a)
16:28A-1.7	Parking on US9	14 N.J.R. 199(a)	R. 1982 d. 116	14 N.J.R. 391(b)
16:28A-1.8	Parking and bus stops on Route 10	14 N.J.R. 464(b)	R. 1982 d. 223	14 N.J.R. 838(a)
16:28A-1.9	Bus stops on Routes 17 and 166	13 N.J.R. 933(a)	R. 1982 d. 45	14 N.J.R. 236(b)
16:28A-1.9	Parking on Rt. 17 in Mahwah	Emergency	R. 1982 d. 132	14 N.J.R. 429(e)
16:28A-1.9	Readopted: Route 17 parking in Mahwah	14 N.J.R. 429(e)	R. 1982 d. 201	14 N.J.R. 710(b)
16:28A-1.13	Parking on US22	14 N.J.R. 199(a)	R. 1982 d. 116	14 N.J.R. 391(b)
16:28A-1.13	Route US 22	13 N.J.R. 154(a)	R. 1981 d. 151	13 N.J.R. 373(a)
16:28A-1.13	Parking on US22	14 N.J.R. 753(a)	R. 1982 d. 313	14 N.J.R. 1061(a)
16:28A-1.14	Restricted parking along Route US 22 alternate	13 N.J.R. 453(b)	R. 1981 d. 336	13 N.J.R. 613(c)
16:28A-1.15	Route 23 parking	13 N.J.R. 154(a)	R. 1981 d. 151	13 N.J.R. 373(a)
16:28A-1.15	Parking on Route 23	13 N.J.R. 241(a)	R. 1981 d. 192	13 N.J.R. 454(b)
16:28A-1.15	Restricted parking along Route 23	13 N.J.R. 454(a)	R. 1981 d. 337	13 N.J.R. 613(d)
16:28A-1.16	Restricted parking along Route 24	13 N.J.R. 455(a)	R. 1981 d. 338	13 N.J.R. 613(e)
16:28A-1.16	Route 24 parking	14 N.J.R. 553(a)	R. 1982 d. 248	14 N.J.R. 919(f)
16:28A-1.18	Restricted parking along Route 27	13 N.J.R. 373(c)	R. 1981 d. 312	13 N.J.R. 613(f)
16:28A-1.18	Route 27 bus stops in Edison	13 N.J.R. 934(a)	R. 1982 d. 46	14 N.J.R. 236(c)
16:28A-1.18	Parking on Route 27	14 N.J.R. 554(a)	R. 1982 d. 249	14 N.J.R. 920(a)
16:28A-1.19	Route 28 parking	13 N.J.R. 155(b)	R. 1981 d. 153	13 N.J.R. 373(d)
16:28A-1.19	Route 28 parking	13 N.J.R. 157(b)	R. 1981 d. 156	13 N.J.R. 373(b)
16:28A-1.19	Parking on Route 28	13 N.J.R. 242(a)	R. 1981 d. 193	13 N.J.R. 455(b)

16:28A-1.19	Parking on Route 28	13 N.J.R. 240(a)	R. 1981 d. 191	13 N.J.R. 453(a)
16:28A-1.19	Route 28 parking in Roselle Park	14 N.J.R. 138(a)	R. 1982 d. 111	14 N.J.R. 391(c)
16:28A-1.20, 1.21	Parking on Routes 29 and US 30	14 N.J.R. 554(b)	R. 1982 d. 250	14 N.J.R. 920(b)
16:28A-1.21	Parking on US30	14 N.J.R. 825(b)	R. 1982 d. 322	14 N.J.R. 1061(b)
16:28A-1.22	Parking on Route 31	14 N.J.R. 555(a)	R. 1982 d. 251	14 N.J.R. 920(c)
16:28A-1.23	Route 33 parking	13 N.J.R. 154(a)	R. 1981 d. 151	13 N.J.R. 373(a)
16:28A-1.23	Route 33 parking	13 N.J.R. 156(a)	R. 1981 d. 154	13 N.J.R. 374(a)
16:28A-1.23	Route 33 parking in Hopewell Township	13 N.J.R. 838(b)	R. 1982 d. 12	14 N.J.R. 161(a)
16:28A-1.23, 1.25	Restricted parking on Routes 33 and 35	13 N.J.R. 746(a)	R. 1981 d. 482	13 N.J.R. 947(c)
16:28A-1.25	Route 35 parking	13 N.J.R. 157(a)	R. 1981 d. 155	13 N.J.R. 374(b)
16:28A-1.25	Parking on Routes 35 and 439	14 N.J.R. 35(a)	R. 1982 d. 60	14 N.J.R. 284(b)
16:28A-1.25	Parking on Route 35	14 N.J.R. 324(b)	R. 1982 d. 173	14 N.J.R. 580(c)
16:28A-1.26	Parking on Route 36	13 N.J.R. 453(a)	R. 1981 d. 191	13 N.J.R. 453(a)
16:28A-1.27	Parking on Route 38	14 N.J.R. 424(a)	R. 1982 d. 203	14 N.J.R. 710(a)
10:28A-1.27	Parking on Route 38	14 N.J.R. 753(a)	R. 1982 d. 313	14 N.J.R. 1061(a)
16:28A-1.28	Restricted parking on US 40 and Route 70	13 N.J.R. 747(a)	R. 1981 d. 481	13 N.J.R. 947(e)
16:28A-1.28	Parking on Routes US9 and 40	13 N.J.R. 932(b)	R. 1982 d. 44	14 N.J.R. 236(a)
16:28A-1.32	Parking on Route US 46	13 N.J.R. 241(a)	R. 1981 d. 192	13 N.J.R. 454(b)
16:28A-1.32	Parking on Route US 46	13 N.J.R. 242(b)	R. 1981 d. 194	13 N.J.R. 455(c)
16:28A-1.32	Restricted parking along Route US 46	13 N.J.R. 522(b)	R. 1981 d. 384	13 N.J.R. 779(a)
16:28A-1.32	Restricted parking on US 46	13 N.J.R. 747(b)	R. 1981 d. 480	13 N.J.R. 948(a)
16:28A-1.32	Parking on Routes US46 and 202 in Morris County	13 N.J.R. 935(a)	R. 1982 d. 47	14 N.J.R. 236(d)
16:28A-1.34	Parking on Route 49	14 N.J.R. 554(a)	R. 1982 d. 249	14 N.J.R. 920(a)
16:28A-1.36, 1.37	Parking on Routes 57 and 70	13 N.J.R. 242(b)	R. 1981 d. 194	13 N.J.R. 455(c)
16:28A-1.37	Restricted parking along Route 70	13 N.J.R. 456(a)	R. 1981 d. 339	13 N.J.R. 614(a)
16:28A-1.38	Parking on Route 71 in Belmar	14 N.J.R. 325(a)	R. 1982 d. 174	14 N.J.R. 580(d)
16:28A-1.41	Parking on Route 77	14 N.J.R. 324(b)	R. 1982 d. 173	14 N.J.R. 580(c)
16:28A-1.43	Restricted parking along Route 82	13 N.J.R. 522(b)	R. 1981 d. 384	13 N.J.R. 779(a)
16:28A-1.44	Route 88 parking	13 N.J.R. 155(b)	R. 1981 d. 153	13 N.J.R. 373(d)
16:28A-1.46	Parking on US 130	13 N.J.R. 746(a)	R. 1981 d. 482	13 N.J.R. 947(c)
16:28A-1.50	Bus stops on Routes 17 and 166	13 N.J.R. 933(a)	R. 1982 d. 45	14 N.J.R. 236(b)
16:28A-1.51	Restricted parking along Route 168	13 N.J.R. 522(b)	R. 1981 d. 384	13 N.J.R. 779(a)
16:28A-1.55	Parking on Routes US46 and 202 in Morris County	13 N.J.R. 935(a)	R. 1982 d. 47	14 N.J.R. 236(d)
16:28A-1.55	Restricted parking on State highways	13 N.J.R. 455(a)	R. 1981 d. 338	13 N.J.R. 613(e)
16:28A-1.56, 1.63	Parking on US 202-206 and 202-31	14 N.J.R. 556(a)	R. 1982 d. 252	14 N.J.R. 920(d)
16:28A-1.57	Route US 206 parking	13 N.J.R. 155(b)	R. 1981 d. 153	13 N.J.R. 373(d)
16:28A-1.57	Route US 206 parking	13 N.J.R. 156(a)	R. 1981 d. 154	13 N.J.R. 374(a)
16:28A-1.57	Parking along US 206	13 N.J.R. 453(b)	R. 1981 d. 336	13 N.J.R. 613(c)
16:28A-1.57	US206 parking in Hamilton Township	14 N.J.R. 139(a)	R. 1982 d. 112	14 N.J.R. 391(d)
16:28A-1.60	Restricted parking on Route US 322-47	13 N.J.R. 523(a)	R. 1981 d. 382	13 N.J.R. 779(b)
16:28A-1.61	Bus stops on US9W in Fort Lee	14 N.J.R. 139(b)	R. 1982 d. 113	14 N.J.R. 391(e)
16:28A-1.61	Bustops and parking on US 9W	14 N.J.R. 465(a)	R. 1982 d. 224	14 N.J.R. 838(b)
16:28A-1.64	Route 41 parking	13 N.J.R. 157(a)	R. 1981 d. 155	13 N.J.R. 374(b)
16:28A-1.64	Parking on Route 41	14 N.J.R. 425(a)	R. 1982 d. 202	14 N.J.R. 710(c)
16:28A-1.65	Route 15 parking	13 N.J.R. 154(a)	R. 1981 d. 151	13 N.J.R. 373(a)
16:28A-1.65	Parking on Route 15	14 N.J.R. 466(a)	R. 1982 d. 226	14 N.J.R. 838(c)
16:28A-1.66	Parking on Route 18	13 N.J.R. 239(b)	R. 1981 d. 195	13 N.J.R. 452(b)
16:28A-1.67	Route 63 parking	13 N.J.R. 157(a)	R. 1981 d. 155	13 N.J.R. 374(b)
16:28A-1.68	Route 93 parking	13 N.J.R. 155(b)	R. 1981 d. 153	13 N.J.R. 373(d)
16:28A-1.68	Parking on Route 93	14 N.J.R. 199(a)	R. 1982 d. 116	14 N.J.R. 391(b)
16:28A-1.69	Parking on Route 124	13 N.J.R. 240(a)	R. 1981 d. 191	13 N.J.R. 453(a)
16:28A-1.70	Parking on Routes 35 and 439	14 N.J.R. 35(a)	R. 1982 d. 60	14 N.J.R. 284(b)
16:28A-1.71	Bus stops on Route 67 in Fort Lee	14 N.J.R. 139(b)	R. 1982 d. 113	14 N.J.R. 391(e)
16:28A-1.72, 1.73	Parking on Routes 31-57 and 32	14 N.J.R. 555(a)	R. 1982 d. 251	14 N.J.R. 920(c)
16:28A-1.95	Parking on Rising Sun Square Road, Bordentown (Emergency)	14 N.J.R. 825(b)	R. 1982 d. 282	14 N.J.R. 982(b)
16:28A-1.95	Readopted: Parking on Rising Sun Square Road	14 N.J.R. 825(b)	R. 1982 d. 322	14 N.J.R. 1061(b)
16:30-2.6	Stop and yield intersection: Old Yorke Road-Rising Sun Square Road Bordentown	Emergency	R. 1982 d. 308	14 N.J.R. 990(a)
16:30-3.4	US 9 bus and HOV lane in Middlesex County	Emergency	R. 1982 d. 200	14 N.J.R. 661(b)
16:30-3.4	Readopted: US9 bus and HOV lane	14 N.J.R. 661(b)	R. 1982 d. 299	14 N.J.R. 982(c)
16:30-3.6	Readopt HOV lanes along Route 444	13 N.J.R. 456(b)	R. 1981 d. 323	14 N.J.R. 614(b)
16:30-3.6	Repeal HOV lanes on Parkway	Emergency	R. 1982 d. 196	14 N.J.R. 662(a)
16:30-3.6	Repealed: HOV lanes on Parkway	14 N.J.R. 662(a)	R. 1982 d. 294	14 N.J.R. 982(d)
16:31-1.10	Turns along Route US 30	13 N.J.R. 457(a)	R. 1981 d. 340	13 N.J.R. 614(c)
16:31-1.16	No left turn along Route 79	13 N.J.R. 614(d)	R. 1981 d. 460	13 N.J.R. 895(b)
16:31-1.17	Left turns on Route 73, Winslow Twp.	14 N.J.R. 466(b)	R. 1982 d. 225	14 N.J.R. 838(d)
16:31-1.18	Turns on Route 31 in Hunterdon County	14 N.J.R. 826(a)	R. 1982 d. 327	14 N.J.R. 1100(c)
16:31-1.19	Turns on Route 33 in Mercer County	14 N.J.R. 973(a)	R. 1982 d. 394	14 N.J.R. 1220(c)

16:31A-1.4, 1.13, 1.17, 1.19, 1.23	Prohibited rights on red: Routes 4, 18, 24, 28, 33	13 N.J.R. 935(b)	R. 1982 d.48	14 N.J.R. 236(e)
16:31A-1.25, 1.35, 1.37, 1.65	Prohibited rights on red: Routes 35, 49, US46, and 206	13 N.J.R. 936(a)	R. 1982 d.49	14 N.J.R. 237(a)
16:31A-1.67	Route 1-280 right-on-red prohibition in Orange	13 N.J.R. 937(a)	R. 1982 d.50	14 N.J.R. 237(b)
16:31A-1.77	Route 181 right-on-red prohibition in Sparta	13 N.J.R. 937(b)	R. 1982 d.51	14 N.J.R. 237(c)
16:41-8.1, 8.4, 8.5, 8.6	Outdoor advertising	13 N.J.R. 615(a)	R. 1981 d.497	14 N.J.R. 46(d)
16:41A-7.1	Outdoor Advertising Tax Act	13 N.J.R. 616(a)	R. 1981 d.496	14 N.J.R. 47(a)
16:51	Recodified as 16:73	13 N.J.R. 881(a)	R. 1982 d.40	14 N.J.R. 209(a)
16:51-4	Repealed: Delegation of powers	13 N.J.R. 881(a)	R. 1982 d.40	14 N.J.R. 209(a)
16:53-2	Autobus specifications	13 N.J.R. 834(a)	R. 1982 d.30	14 N.J.R. 160(b)
16:54	Licensing of aeronautical facilities	12 N.J.R. 289(a)	R. 1981 d.141	13 N.J.R. 374(c)
16:54-1.3	"Commercial purposes" and balloon operations	14 N.J.R. 326(a)	R. 1982 d.175	14 N.J.R. 580(e)
16:56-3	Repeal aircraft registry logs	13 N.J.R. 457(b)	R. 1981 d.341	13 N.J.R. 616(b)
16:65-9	Corporate reorganization of contractors	13 N.J.R. 524(a)	R. 1981 d.399	13 N.J.R. 779(c)
16:72	N.J. Transit procurement policies and procedures	13 N.J.R. 158(a)	R. 1981 d.176	13 N.J.R. 374(d)
16:73	Reduced Fare Transportation Program	13 N.J.R. 881(a)	R. 1982 d.40	14 N.J.R. 209(a)

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TREASURY-GENERAL-TITLE 17

17:1-1.1	Administration and receipt of checks	13 N.J.R. 616(c)	R. 1981 d.427	13 N.J.R. 779(d)
17:1-1.3	Pension reporting	12 N.J.R. 351(a)	R. 1980 d.301	12 N.J.R. 497(c)
17:1-1.14	Annual reports of salary changes	14 N.J.R. 200(a)	R. 1982 d.358	14 N.J.R. 1163(c)
17:1-1.15	Administration	13 N.J.R. 109(a)	R. 1981 d.85	13 N.J.R. 247(c)
17:1-1.15	Credit unions and direct deposit agreements	13 N.J.R. 883(a)	R. 1982 d.20	14 N.J.R. 161(b)
17:1-1.24	Pensioners' Health Plan: Coverage and termination	14 N.J.R. 35(b)	R. 1982 d.59	14 N.J.R. 237(d)
17:1-1.24	Pensioners' Group Health Insurance	14 N.J.R. 328(a)	R. 1982 d.346	14 N.J.R. 1163(d)
17:1-2.2	Alternate Benefit Program	13 N.J.R. 308(b)	R. 1981 d.239	13 N.J.R. 458(a)
17:1-2.6	Amend administration	13 N.J.R. 109(a)	R. 1981 d.85	13 N.J.R. 247(c)
17:1-2.18	Alternate Benefit Program	13 N.J.R. 309(a)	R. 1981 d.240	13 N.J.R. 458(b)
17:1-2.34	Alternate Benefit Program	13 N.J.R. 244(e)	R. 1981 d.213	13 N.J.R. 458(c)
17:1-2.35	Alternate Benefit Program	13 N.J.R. 309(b)	R. 1981 d.241	13 N.J.R. 458(d)
17:1-4.2	Administration	13 N.J.R. 109(a)	R. 1981 d.85	13 N.J.R. 247(c)
17:1-4.11	Purchase terms and employee liability	13 N.J.R. 459(a)	R. 1981 d.343	13 N.J.R. 617(a)
17:1-4.11	Pension purchases and final payments	14 N.J.R. 328(b)	R. 1982 d.347	14 N.J.R. 1163(e)
17:1-4.22	Availability of medical records	13 N.J.R. 110(a)	R. 1981 d.86	13 N.J.R. 247(d)
17:1-4.32	Administration	13 N.J.R. 109(a)	R. 1981 d.85	13 N.J.R. 247(c)
17:1-4.33	Leaves of absence for maternity	13 N.J.R. 617(b)	R. 1981 d.428	13 N.J.R. 779(e)
17:1-7.3	Administrative fees and investment earnings	13 N.J.R. 374(e)	R. 1981 d.291	13 N.J.R. 525(a)
17:1-8.1	Repeal responsibility of director for Social Security	12 N.J.R. 727(e)	R. 1981 d.1	13 N.J.R. 111(c)
17:1-8.3	Emergency rule on Social Security referendum	Emergency	R. 1980 d.467	12 N.J.R. 728(b)
17:1-8.13, 8.14	Administration	13 N.J.R. 109(a)	R. 1981 d.85	13 N.J.R. 247(c)
17:1-11.9	Repeal dental insurance for covered dependents	12 N.J.R. 614(a)	R. 1980 d.487	12 N.J.R. 729(a)
17:1-12.1	Division of Pensions administrative priorities	14 N.J.R. 329(a)	R. 1982 d.350	14 N.J.R. 1164(a)
17:2-2.1, 2.3	Public Employees' Retirement System: Enrollment	12 N.J.R. 554(b)	R. 1981 d.58	13 N.J.R. 247(b)
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17:2-5.1, 6.2	PERS-retirement and purchases	13 N.J.R. 244(f)	R. 1981 d.274	13 N.J.R. 525(b)
17:2-6.4	PERS loan repayments	13 N.J.R. 375(a)	R. 1981 d.303	13 N.J.R. 618(a)
17:2-6.6	PERS revisions	13 N.J.R. 244(f)	R. 1981 d.274	13 N.J.R. 525(b)
17:2-6.26	PERS: Critical disability claims	13 N.J.R. 748(a)	R. 1981 d.515	14 N.J.R. 105(a)
17:3-1.1	Teachers' Pension: Board meetings	14 N.J.R. 201(a)	R. 1982 d.344	14 N.J.R. 1164(c)
17:3-1.4	Teachers' pension member-trustee election	12 N.J.R. 435(b)	R. 1980 d.405	12 N.J.R. 678(a)
17:3-4.1	Creditable salary	12 N.J.R. 675(d)	R. 1981 d.30	13 N.J.R. 162(a)
17:3-5	Teachers' Pension: Purchase and eligible service	13 N.J.R. 618(b)	R. 1981 d.510	14 N.J.R. 105(b)
17:3-6.4	Loan repayments to teachers' fund	13 N.J.R. 748(b)	R. 1982 d.14	14 N.J.R. 161(c)
17:3-6.6	Teachers' Pension: Retirement credit	13 N.J.R. 159(c)	R. 1981 d.140	13 N.J.R. 376(a)
17:3-6.15	Teachers' Pension: Compulsory retirement	13 N.J.R. 620(a)	R. 1981 d.509	14 N.J.R. 105(c)
17:3-6.25	Teacher's fund: Critical disability claims	13 N.J.R. 749(a)	R. 1982 d.15	14 N.J.R. 161(d)
17:4-1.1	Police and firemen's pension board meetings	13 N.J.R. 938(a)	R. 1982 d.64	14 N.J.R. 284(c)
17:4-2.6	Enrollment dates	12 N.J.R. 728(a)	R. 1981 d.57	13 N.J.R. 247(a)
17:4-3.6	Insurance purchases and retirement	13 N.J.R. 310(b)	R. 1981 d.292	13 N.J.R. 525(c)
17:4-5	Police and firemen's purchases and eligible service	13 N.J.R. 682(a)	R. 1982 d.4	14 N.J.R. 161(e)
17:4-5.1, 6.2, 6.6	Insurance purchases and retirement	13 N.J.R. 310(b)	R. 1982 d.292	13 N.J.R. 525(c)
17:4-6.13	Police and firemen's critical disability claims	13 N.J.R. 684(a)	R. 1982 d.5	14 N.J.R. 162(a)
17:4-6.14	Insurance purchases and retirement	13 N.J.R. 310(b)	R. 1982 d.292	13 N.J.R. 525(c)
17:5	Administration, insurance and death benefits, purchases, retirement and transfers	13 N.J.R. 459(b)	R. 1981 d.361	13 N.J.R. 708(e)
17:5-2.5	State Police pension coverage and unpaid leaves	13 N.J.R. 938(b)	R. 1982 d.65	14 N.J.R. 284(d)

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17:5-4.1, 4.2 4.3	State Police pension purchases and eligible service	13 N.J.R. 939(a) R. 1982 d.66 14 N.J.R. 284(e)
17:5-5.2, 5.6, 5.12	Effective dates, retirement credits, disability retirants	13 N.J.R. 461(a) R. 1981 d.360 13 N.J.R. 708(f)
17:5-5.15	State Police: Critical disability claims	13 N.J.R. 939(a) R. 1982 d.67 14 N.J.R. 285(a)
17:6-3.2, 3.6	Police-Firemen's Pension Fund	13 N.J.R. 245(a) R. 1981 d.201 13 N.J.R. 462(a)
17:6-3.9	Consolidated police and firemen's disability	13 N.J.R. 749(b) R. 1982 d.349 14 N.J.R. 1164(d)
17:7-3.2	Prison Officers' Pension Fund	13 N.J.R. 245(b) R. 1981 d.302 13 N.J.R. 620(b)
17:7-3.10	Prison officers' fund: Disability claims	13 N.J.R. 750(a) R. 1982 d.89 14 N.J.R. 347(c)
17:8-1.6	Variable benefit account and withdrawals	12 N.J.R. 675(e) R. 1980 d.530 13 N.J.R. 47(b)
17:8-2.10, 2.11	Repeal Supplemental Annuity reports and remittances	12 N.J.R. 496(e) R. 1980 d.419 12 N.J.R. 678(b)
17:8-3.3	Variable benefit account and withdrawals	12 N.J.R. 675(e) R. 1980 d.530 13 N.J.R. 47(b)
17:8-4	Supplemental Annuity: Voluntary employee contributions	14 N.J.R. 556(b) R. 1982 d.348 14 N.J.R. 1164(e)
17:9-2.16	Policy provisions for State Health Benefits Program	13 N.J.R. 110(b) R. 1981 d.138 13 N.J.R. 376(b)
17:9-5.8	Medicare refunds	13 N.J.R. 110(c) R. 1981 d.139 13 N.J.R. 376(c)
17:9-5.11	Health coverage and 10-month employees	14 N.J.R. 36(a) R. 1982 d.341 14 N.J.R. 1165(a)
17:10-3.2	Judicial Retirement System: Maternity leave	14 N.J.R. 201(b) R. 1982 d.345 14 N.J.R. 1165(b)
17:10-5.3	Judicial Retirement System	13 N.J.R. 331(a) R. 1981 d.244 13 N.J.R. 462(b)
17:10-5.10	Judicial Retirement System: Disability	14 N.J.R. 140(a) R. 1982 d.342 14 N.J.R. 1165(c)
17:16-5.1-5.6	State Investment Council funds	14 N.J.R. 329(b) R. 1982 d.397 14 N.J.R. 1220(d)
17:16-5.5	Classification of funds: Temporary reserve group	13 N.J.R. 620(c) R. 1982 d.188 14 N.J.R. 663(a)
17:16-11.3, 12.2, 12.3	Investment rules	13 N.J.R. 526(b) R. 1982 d.192 14 N.J.R. 663(b)
17:16-27.1	Collateralized Certificates of deposit	13 N.J.R. 528(a) R. 1982 d.191 14 N.J.R. 663(c)
17:16-28.3, 28.4, 29.3	Investment rules	13 N.J.R. 526(b) R. 1982 d.192 14 N.J.R. 663(b)
17:16-31.9, 40.1	Administrative expenses; collateralized securities	13 N.J.R. 528(a) R. 1982 d.191 14 N.J.R. 663(c)
17:16-31.15	Cash Management Fund: Statement correction	14 N.J.R. 899(a) R. 1982 d.363 14 N.J.R. 1166(a)
17:16-41	Cash Management Fund	Procedural R. 1980 d.443 12 N.J.R. 679(a)
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17:16-43.1, 43.2	Mortgage-backed securities	14 N.J.R. 652(a) R. 1982 d.396 14 N.J.R. 1221(a)
17:16-44	State Employees Deferred Compensation Plan	14 N.J.R. 900(a) R. 1982 d.362 14 N.J.R. 1166(b)
17:20-5.10	Emergency amend agent's compensation	Emergency R. 1980 d.460 12 N.J.R. 681(a)
17:21-8.1	Emergency amend unclaimed prize money	Emergency R. 1980 d.459 12 N.J.R. 680(b)
17:21-11	Emergency rules on 10th Anniversary instant lottery	Emergency R. 1981 d.11 13 N.J.R. 112(a)
17:21-11	Emergency adoption: "Baseball" instant lottery	Emergency R. 1981 d.136 13 N.J.R. 312(a)
17:21-11	Readopt "Baseball" instant lottery game	13 N.J.R. 312(a) R. 1981 d.269 13 N.J.R. 529(a)
17:21-11	"Super Bingo" lottery	13 N.J.R. 376(d) R. 1981 d.286 13 N.J.R. 529(b)
17:21-11	Emergency Adoption: "Super Bingo" lottery	Emergency R. 1981 d.171 13 N.J.R. 376(d)
17:21-12.1, 13.1	Emergency amend Pick-It and Pick-4 Lotteries	Emergency R. 1980 d.458 12 N.J.R. 680(a)
17:21-15	Emergency amend Pick-6 (Lotto) lottery	Emergency R. 1980 d.496 12 N.J.R. 730(a)
17:21-16	Emergency rules on Jersey Jackpot Lottery	Emergency R. 1980 d.507 13 N.J.R. 45(a)
17:26-2	Spill compensation tax and Federal Superfund	14 N.J.R. 36(b) R. 1982 d.79 14 N.J.R. 285(b)

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18:5-12.5	Penalty for smuggling unstamped cigarettes	14 N.J.R. 331(a) R. 1982 d.256 14 N.J.R. 920(e)
18:7-1.15	Investment company defined	13 N.J.R. 684(b) R. 1982 d.34 14 N.J.R. 209(b)
18:7-3	Installment payments for corporation tax	13 N.J.R. 688(a) R. 1982 d.6 14 N.J.R. 105(d)
18:7-3.5	Corporation Business tax and short table	14 N.J.R. 826(b) R. 1982 d.395 14 N.J.R. 1221(b)
18:7-3.14	Correction: Installment payments for corporation tax	13 N.J.R. 688(a) R. 1982 d.6 14 N.J.R. 1065(a)
18:7-11.12	Emergency extension for filing corporate return	Emergency R. 1981 d.163 13 N.J.R. 377(a)
18:7-11.12, 13.6, 14.2	Installment payments for corporation tax	13 N.J.R. 688(a) R. 1982 d.6 14 N.J.R. 105(d)
18:12-6A.8	Multiple dwelling exemptions and tax list designations (joint adoption, see 5:22-2.6)	14 N.J.R. 72(b) R. 1982 d.78 14 N.J.R. 278(b)
18:12-7.12	Emergency adoption: Extension of time to file homestead rebate claim	Emergency R. 1981 d.474 13 N.J.R. 948(b)
18:12-7.12	Readopted: Homestead rebate filing extension	13 N.J.R. 948(b) R. 1982 d.41 14 N.J.R. 212(a)
18:12-9	Mobile homes tax moratorium (local property)	13 N.J.R. 162(b) R. 1981 d.207 13 N.J.R. 462(c)
18:12A-1.6	Appeals to county tax boards	14 N.J.R. 231(a) R. 1982 d.176 14 N.J.R. 580(f)
18:12A-1.12	Local property tax	13 N.J.R. 621(a) R. 1981 d.478 13 N.J.R. 948(c)
18:12A-1.20	County boards of taxation	13 N.J.R. 44(d) R. 1981 d.44 13 N.J.R. 165(a)
18:14-1.1, 2.2, 2.3, 2.4, 2.7, 2.8, 2.10, 3.4, 3.6, 3.9, 3.10	Local property tax senior citizens deduction	13 N.J.R. 462(d) R. 1981 d.426 13 N.J.R. 779(f)
18:18-3.6	Distributors and gas jobbers bond ceiling	14 N.J.R. 202(a) R. 1982 d.140 14 N.J.R. 430(a)

18:19-1.1, 2.1, 2.2, 2.6, 2.10, 3.1, 3.3	Gallon and liter pricing of motor fuels	13 N.J.R. 855(a)	R. 1982 d. 77	14 N.J.R. 285(c)
18:19-2.2	Retail gasoline prices display	14 N.J.R. 331(b)	R. 1982 d. 257	14 N.J.R. 921(a)
18:19-2.7	Cash discounts: Motor fuel sales	14 N.J.R. 705(a)	R. 1982 d. 369	14 N.J.R. 1166(c)
18:24-2.3	Sales and Use Tax Act	13 N.J.R. 163(a)	R. 1981 d. 209	13 N.J.R. 465(a)
18:24-2.15	Sales tax recordkeeping standards	13 N.J.R. 751(a)	R. 1982 d. 36	14 N.J.R. 212(b)
18:24-5.7	Capital improvement installations and sales tax	14 N.J.R. 140(b)	R. 1982 d. 141	14 N.J.R. 430(b)
18:24-7.19	Sales and Use Tax Act	13 N.J.R. 163(b)	R. 1981 d. 206	13 N.J.R. 465(b)
18:24-12.4	Sales Tax exemptions	13 N.J.R. 111(a)	R. 1981 d. 210	13 N.J.R. 465(c)
18:24-24.2	Underground gas tanks as real property	13 N.J.R. 883(b)	R. 1982 d. 85	14 N.J.R. 348(a)
18:24-27.1, 27.2	Sales and Use Tax Act	13 N.J.R. 164(a)	R. 1981 d. 208	13 N.J.R. 465(d)
18:24-28	Taxation of purchase or use of race horses	13 N.J.R. 622(a)	R. 1981 d. 436	13 N.J.R. 847(c)
18:26-2.12, 5.9 5.17, 5.19, 6.16, 6.17, 8.6, 8.12	Transfer Inheritance Tax	13 N.J.R. 623(a)	R. 1981 d. 477	13 N.J.R. 948(d)
18:35-1.15	Exclusions from taxable gross income	14 N.J.R. 271(a)	R. 1982 d. 164	14 N.J.R. 581(a)
18:35-1.16	All-savers interest exclusion	14 N.J.R. 332(a)	R. 1982 d. 258	14 N.J.R. 921(b)
18:35-2	Debt liability and tax refunds and rebates	13 N.J.R. 940(a)	R. 1982 d. 161	14 N.J.R. 474(b)

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5:90	Repealed: Urban Loan Authority rules	14 N.J.R. 558(a)	R. 1982 d. 288	14 N.J.R. 983(a)
19:1-1.6	Debarment and suspension from contracting	14 N.J.R. 1050(a)	R. 1982 d. 413	14 N.J.R. 1310(b)
19:1-5	Home improvement loan program	13 N.J.R. 312(b)	R. 1981 d. 268	13 N.J.R. 529(c)
19:4-3.2	Meadowlands zoning exemptions	14 N.J.R. 231(b)	R. 1982 d. 163	14 N.J.R. 581(b)
19:4-4.142	Variances and appeals	13 N.J.R. 529(d)	R. 1981 d. 446	13 N.J.R. 847(d)
19:4-5.17	Meadowlands variances	13 N.J.R. 694(a)	R. 1982 d. 1	14 N.J.R. 162(b)
19:4-6.25	Variances and appeals	13 N.J.R. 529(d)	R. 1981 d. 446	13 N.J.R. 847(d)
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19:4-6.28	District zoning; change in zoning map	13 N.J.R. 624(a)	R. 1981 d. 467	13 N.J.R. 895(c)
19:8-1.2	Speed limits on Garden State Parkway	14 N.J.R. 827(a)	R. 1982 d. 325	14 N.J.R. 1101(a)
19:8-1.9	Autobus length allowable on Parkway	14 N.J.R. 333(a)	R. 1982 d. 116	14 N.J.R. 581(c)
19:8-2.11	Garden State Arts Center	13 N.J.R. 247(e)	R. 1981 d. 169	13 N.J.R. 378(a)
19:8-2.12	Emergency service	13 N.J.R. 165(b)	R. 1981 d. 115	13 N.J.R. 315(a)
19:8-3.1	Tolls on Garden State Parkway	13 N.J.R. 248(a)	R. 1981 d. 170	13 N.J.R. 378(b)
19:8-7.3	State Police motor vehicle accident reports	13 N.J.R. 531(a)	R. 1981 d. 387	13 N.J.R. 780(a)
19:8-9	Off-premise outdoor advertising along Parkway	14 N.J.R. 901(a)	R. 1982 d. 361	14 N.J.R. 1166(d)
19:9-1.9	Out-of-service school buses	13 N.J.R. 751(b)	R. 1981 d. 520	14 N.J.R. 106(a)
19:9-3.1	Towing rates	13 N.J.R. 49(b)	R. 1981 d. 37	13 N.J.R. 165(c)
19:12	PERC: Negotiations and impasse procedures	Organizational	R. 1981 d. 357	13 N.J.R. 625(a)
19:16	Firemen and Police: Negotiations	Organizational	R. 1981 d. 357	13 N.J.R. 625(a)
19:25-8	Financial disclosure by legislative agents	13 N.J.R. 695(a)	R. 1981 d. 471	13 N.J.R. 895(d)
19:25-8	Interpretive statement on disclosure	13 N.J.R. 695(a)	R. 1981 d. 471	14 N.J.R. 392(a)
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19:30-4.4	EDA: Targeting of Authority assistance	13 N.J.R. 165(d)	R. 1981 d. 168	13 N.J.R. 378(c)
19:30-5	Debarment of applicants and contractors	12 N.J.R. 356(a)	R. 1981 d. 167	13 N.J.R. 378(d)

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TITLE 19 SUBTITLE K—CASINO CONTROL COMMISSION

19:40-1.3	Conflicting terms and conditions	14 N.J.R. 558(b)	R. 1982 d. 254	14 N.J.R. 841(a)
19:41-4.3	Employee residency qualifications	14 N.J.R. 37(a)	R. 1982 d. 63	14 N.J.R. 285(d)
19:41-7.14	Personal History Disclosure Form 2A	14 N.J.R. 380(b)	R. 1982 d. 190	14 N.J.R. 664(b)
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19:41-11.1, 11.2, 11.3	Casino licensee agreements	13 N.J.R. 626(a)	R. 1981 d. 439	13 N.J.R. 847(e)
19:41-12.5	Casino assessments	13 N.J.R. 531(b)	R. 1981 d. 367	13 N.J.R. 709(a)
19:42-4.1-4.5	Exclusion of persons: Hearings	14 N.J.R. 904(a)	R. 1982 d. 359	14 N.J.R. 1167(a)
19:43-1.1, 1.2	Casino licensing requirements	13 N.J.R. 627(a)	R. 1981 d. 440	13 N.J.R. 848(a)
19:43-1.3	Service industry applications	14 N.J.R. 827(b)	R. 1982 d. 332	14 N.J.R. 1101(b)
19:43-1.8	Casino service industry licenses	12 N.J.R. 447(a)	R. 1981 d. 273	13 N.J.R. 534(a)
19:44-17.10	Gaming school exterior advertising	13 N.J.R. 841(a)	R. 1982 d. 21	14 N.J.R. 162(c)

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19:45	Accounting and internal controls	13 N.J.R. 534(b)	R. 1981 d. 437	13 N.J.R. 848(b)
19:45-1.3, 1.7	Correction: Annual audit	13 N.J.R. 47(c)	R. 1981 d. 272	13 N.J.R. 628(a)
19:45-1.3, 1.8, 1.24, 1.44	Casino accounting and internal controls	13 N.J.R. 47(c)	R. 1981 d. 272	13 N.J.R. 541(a)
19:45-1.3, 1.24	Internal control; patrons' cash deposits	14 N.J.R. 381(a)	R. 1982 d. 189	14 N.J.R. 664(c)
19:45-1.12	Internal and gaming controls	13 N.J.R. 534(b)	R. 1982 d. 206	14 N.J.R. 710(d)
19:45-1.15	Gaming plaques	14 N.J.R. 708(a)	R. 1982 d. 329	14 N.J.R. 1101(c)
19:45-1.15, 1.34	Gaming control	13 N.J.R. 534(b)	R. 1982 d. 171	14 N.J.R. 582(a)
19:45-1.46	Patron coupon redemption programs	14 N.J.R. 203(a)	R. 1982 d. 170	14 N.J.R. 582(b)
19:45-1.46	Coupon redemption and complimentary cash programs	14 N.J.R. 559(a)	R. 1982 d. 293	14 N.J.R. 983(b)
19:46-1.2	Gaming plaques	14 N.J.R. 708(a)	R. 1982 d. 329	14 N.J.R. 1101(c)
19:46-1.3	Gaming chips	13 N.J.R. 534(b)	R. 1981 d. 408	13 N.J.R. 780(b)
19:46-1.11, 1.26	Craps table and slot machine rules	13 N.J.R. 534(b)	R. 1981 d. 388	13 N.J.R. 780(c)
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19:47-1.2, 1.4	Craps wagering	13 N.J.R. 534(b)	R. 1981 d. 388	13 N.J.R. 780(c)
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19:47-2	Blackjack play and wagering	14 N.J.R. 559(b)	R. 1982 d. 255	14 N.J.R. 841(b)
19:47-2.5	Blackjack shuffle and cut of cards	14 N.J.R. 567	R. 1982 d. 305	14 N.J.R. 991(a)
19:47-2.6	Correction: Blackjack dealing	14 N.J.R. 566	R. 1982 d. 255	14 N.J.R. 983(c)
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