

13: 1D-110

LEGISLATIVE HISTORY CHECKLIST  
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(DEP-Permit Applications)

NJSA: 13:1D-110

LAWS OF: 1991 CHAPTER: 418

BILL NO: A4513

SPONSOR(S) Salmon & Mecca

DATE INTRODUCED: March 4, 1991

COMMITTEE: ASSEMBLY: Energy & Environment  
SENATE: Land Use

AMENDED DURING PASSAGE: Yes Amendments during passage denoted by asterisks

DATE OF PASSAGE: ASSEMBLY: June 20, 1991  
SENATE: January 6, 1992

DATE OF APPROVAL: January 17, 1992

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

See newspaper clippings--attached

KBG/bas

[FIRST REPRINT]  
ASSEMBLY, No. 4513

STATE OF NEW JERSEY

INTRODUCED MARCH 4, 1991

By Assemblymen BATTEN, MECCA, and Assemblywoman Cooper

1 AN ACT concerning <sup>1</sup>[the evaluation of certain professionals  
2 submitting permit applications and other documentation to]  
3 certain permit applications filed with<sup>1</sup> the Department of  
4 Environmental Protection, and supplementing Title 13 of the  
5 Revised Statutes.

6  
7 BE IT ENACTED by the Senate and General Assembly of the  
8 State of New Jersey:

9 1. <sup>1</sup>[a.]<sup>1</sup> The Department of Environmental Protection shall,  
10 within <sup>1</sup>[20] 30<sup>1</sup> days of receipt <sup>1</sup>of a permit application<sup>1</sup>,  
11 evaluate each <sup>1</sup>[permit]<sup>1</sup> application and supporting  
12 documentation thereon <sup>1</sup>[received from persons licensed or  
13 certified by a board that is subject to R.S.45:1-1 et seq.]<sup>1</sup>, <sup>1</sup>to  
14 determine whether the <sup>1</sup>[permit]<sup>1</sup> application <sup>1</sup>[or] , and<sup>1</sup>  
15 supporting documentation <sup>1</sup>[are complete as defined pursuant to  
16 P.L. , c. (C. ) (pending in the Legislature as Senate Bill  
17 No. of 1991 or Assembly Bill No. 4516 of 1991)] constitute a  
18 completed application for the purpose of commencing a technical  
19 review of the application<sup>1</sup>. The evaluation shall identify the  
20 specific deficiencies in the permit application <sup>1</sup>, if any. Written  
21 notice of the specific deficiencies shall be provided within the  
22 30-day period to the applicant and, if other than the applicant, to  
23 the person or persons having prepared the incomplete submission<sup>1</sup>.

24 <sup>1</sup>[b. The department shall maintain a record of the number of  
25 permit applications and supporting documentation thereon  
26 received from each person licensed or certified pursuant to  
27 R.S.45:1-1 et seq., and a record of the evaluation of each permit  
28 application or supporting documentation conducted pursuant to  
29 this act for each such person . The department shall forward  
30 copies of these records quarterly to the professional licensing  
31 board that licensed or certified the person making the submittals  
32 to the department, and shall specifically identify those persons  
33 who fail to meet the the standards for completeness established  
34 pursuant to P.L. , c. (C. ) (pending in the Legislature as  
35 Senate Bill No. of 1991 or Assembly Bill No. 4516 of 1991).

36 c. For the purposes of this act, a determination of  
37 completeness shall not be based on the absence of information or

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the  
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Assembly AEE committee amendments adopted June 10, 1991.

1 documentation related to questions of professional judgment upon  
2 which the department and the applicant disagree.]

3 For purposes of this section:

4 "Applicant" means the person in whose name the permit is to  
5 be issued.

6 "Completed application" means the submission of all of the  
7 information designated on the checklist, adopted pursuant to  
8 section 1 of P.L. , C. (C. ) (pending in the  
9 Legislature as Assembly Bill No. 4516), for the class or category  
10 of permit for which application is made.

11 "Permit" has the same meaning as defined in section 1 of  
12 P.L. , c. (C. ) (pending in the Legislature as Assembly  
13 Bill No. 4516).<sup>1</sup>

14 2. This act shall take effect 120 days after enactment but  
15 shall remain inoperative pending the enactment of P.L. , c.  
16 (C. ) (pending in the Legislature as Senate Bill No. of 1991 or  
17 Assembly Bill No. 4514 of 1991); P.L. , c. (C. ) (pending in  
18 the Legislature as Senate Bill No. of 1991 or Assembly Bill No.  
19 4515 of 1991); and P.L. , c. (C. ) (pending in the Legislature  
20 as Senate Bill No. of 1991 or Assembly Bill No. 4516 of 1991).

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#### ENVIRONMENT

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25 Requires DEP to identify and report permit application  
26 deficiencies to applicants and preparers.

ASSEMBLY, No. 4513

STATE OF NEW JERSEY

INTRODUCED MARCH 4, 1991

By Assemblymen SALMON and MECCA

1 AN ACT concerning the evaluation of certain professionals  
2 submitting permit applications and other documentation to the  
3 Department of Environmental Protection, and supplementing  
4 Title 13 of the Revised Statutes.

5

6 BE IT ENACTED *by the Senate and General Assembly of the*  
7 *State of New Jersey:*

8 1. a. The Department of Environmental Protection shall,  
9 within 20 days of receipt, evaluate each permit application and  
10 supporting documentation thereon received from persons licensed  
11 or certified by a board that is subject to R.S.45:1-1 et seq. to  
12 determine whether the permit application or supporting  
13 documentation are complete as defined pursuant to P.L. , c.  
14 (C. ) (pending in the Legislature as Senate Bill No. of 1991 or  
15 Assembly Bill No. 4516 of 1991). The evaluation shall identify  
16 the specific deficiencies in the permit application.

17 b. The department shall maintain a record of the number of  
18 permit applications and supporting documentation thereon  
19 received from each person licensed or certified pursuant to  
20 R.S.45:1-1 et seq., and a record of the evaluation of each permit  
21 application or supporting documentation conducted pursuant to  
22 this act for each such person. The department shall forward  
23 copies of these records quarterly to the professional licensing  
24 board that licensed or certified the person making the submittals  
25 to the department, and shall specifically identify those persons  
26 that fail to meet the standards for completeness established  
27 pursuant to P.L. , c. (C. ) (pending in the Legislature as  
28 Senate Bill No. of 1991 or Assembly Bill No. 4516 of 1991).

29 c. For the purposes of this act, a determination of  
30 completeness shall not be based on the absence of information or  
31 documentation related to questions of professional judgment upon  
32 which the department and the applicant disagree.

33 2. This act shall take effect 120 days after enactment but  
34 shall remain inoperative pending the enactment of P.L. , c.  
35 (C. ) (pending in the Legislature as Senate Bill No. of 1991 or  
36 Assembly Bill No. 4514 of 1991); P.L. , c. (C. ) (pending in  
37 the Legislature as Senate Bill No. of 1991 or Assembly Bill No.  
38 4515 of 1991); and P.L. , c. (C. ) (pending in the Legislature  
39 as Senate Bill No. of 1991 or Assembly Bill No. 4516 of 1991).

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STATEMENT

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43 This bill would require the Department of Environmental  
44 Protection to evaluate each permit application or supporting

1 documentation thereon for completeness and maintain a record of  
2 the compliance of each professional submitting a permit  
3 application with the completeness requirements established  
4 pursuant to companion legislation. In addition, the department  
5 would maintain records of the number of submittals made by each  
6 person. The evaluation and submittal records would be forwarded  
7 to the professional licensing boards that licensed or certified the  
8 person submitting the application or documentation. This  
9 information would also be made available to the public upon  
10 request.

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13 ENVIRONMENT

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15 Requires DEP evaluation and recording of permit applications for  
16 completeness and submittal of same to professional licensing  
17 boards.

ASSEMBLY ENERGY AND ENVIRONMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 4513**

with committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 10, 1991

Assembly Bill No. 4513, with committee amendments, is reported favorably by the Assembly Energy and Environment Committee.

This bill requires the Department of Environmental Protection to evaluate for completeness each permit application filed with the department, including any supporting documentation required in conjunction therewith. If a permit application is found to be incomplete, DEP shall, in writing, inform both the applicant in whose name the permit is to be issued, and, if other than the applicant, the person or persons preparing the incomplete submission.

The committee amendments delete the requirement that DEP report any application deficiencies by a member of a regulated profession to the appropriate regulatory board, and, instead, require DEP to notify the applicant and the preparer, if other than the applicant, of the deficiencies.

SENATE LAND USE MANAGEMENT  
AND REGIONAL AFFAIRS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 4513

STATE OF NEW JERSEY

DATED: DECEMBER 12, 1991

The Senate Land Use Management and Regional Affairs Committee favorably reports Assembly Bill No. 4513 (1R).

This bill would require the Department of Environmental Protection to evaluate for completeness each permit application filed with the department, including any supporting documentation required in conjunction therewith. If a permit application is found to be incomplete, DEP shall, in writing, inform both the applicant in whose name the permit is to be issued, and, if other than the applicant, the person or persons preparing the incomplete submission.

This bill is identical to Senate Bill No. 3628.