

Service ID: 1902034
Facility Name: WOODBINE BORO
Reporting Period: January 1, 2024 through December 31, 2024
NJPDES Permit #: NJG0149721
Activity ID: DST230001

Contacts

Name: Bruce Graham
Title: BORO ENGINEER
Contact Type: Stormwater Coordinator
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Organization Type: Municipal
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Uploaded Attachments

Attachment Name	Attachment Description	File Name
2024 Incidents of Non-Compl	Non compliance narrative	2024 Incidents of Non Compliance.pdf
Supplemental questionnaire	Tier A Supplement	supplemental-master-form-updated.pdf

Annual Report Details - Part A

Municipality Information

Team member responsible for completing the report:	Bruce S Graham
Team member email address:	zoning@boroughofwoodbine.net

Stormwater Pollution Prevention Plan

1. Has the municipality revised its Stormwater Pollution Prevention Plan during the last calendar year?	No
2. Date of the last revised SPPP:	

Public Notice

1. Is the municipality complying with applicable State and local public notice requirements when providing for public participation in the ongoing development and implementation of the stormwater program?	Yes
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Report Details - Part B

Post-Construction Stormwater Management in New Development and Redevelopment

1. Is the municipality reviewing and approving major development residential projects in accordance with the Residential Site Improvement Standards (RSIS)?	Yes
2. Did the municipality adopt a municipal stormwater management plan?	Yes
3. Most recent date of adopted municipal stormwater management plan:	01/12/2006
4. Status of this plan (if not adopted):	
5. Did the municipality adopt the municipal stormwater control ordinance provided by NJDEP without change?	Yes
6. Most recent date the municipality adopted a municipal stormwater control ordinance:	05/02/2024
7. What is the current status of the ordinance?	
8. Did the municipality submit the adopted municipal stormwater management plan to the appropriate county review agency for approval?	Yes
9. Most recent date the adopted Municipal Stormwater Management Plan was submitted to the appropriate county review agency for approval:	06/20/2006
10. If yes, did the municipality send the adopted municipal stormwater control ordinance to the appropriate county review agency for approval?	Yes
11. Most recent date the adopted Municipal Stormwater Control Ordinance was submitted to the appropriate county review agency for approval:	05/03/2024
12. Status of county review:	Approved - review agency failed to act within 60 days

13. Did the municipality adopt the review agency's required amendments and resubmit to the county review agency?	
14. Is the Stormwater Control Ordinance in effect?	Yes
15. Most recent effective date of Stormwater Control Ordinance:	05/02/2024
16. Ordinance Number(s):	624-2024
17. What is the current status of the adopted plan and ordinance?	
18. Are you reviewing projects as part of your site plan and sub-division approval process to ensure that they comply with your municipality's effective municipal stormwater control ordinance(s)?	Yes
19. How many projects that were subject to either the municipal stormwater control ordinance or the stormwater provisions of RSIS did the municipality approve?	2
20. Does the municipal stormwater management plan contain a mitigation plan?	Yes
21. Has the municipality granted any variances or exemptions from the design and performance standards for stormwater management measures set forth in the approved municipal stormwater management plan and stormwater control ordinance(s)?	No
22. If yes, how many variances or exemptions from the design and performance standards has the municipality granted?	

23. If granted any variances or exemptions, did you submit a written report to the county review agency describing the variance or exemption and the required mitigation?	
24. Does the municipality's plan review evaluate storm drain inlet protection for solids and floatables in accordance with Attachment C of the permit?	Yes
25. Does the municipality require plans for long-term operation and maintenance for stormwater BMPs?	Yes
26. Are you ensuring that adequate long-term operation and maintenance of stormwater BMPs is being performed on property that you do not own or operate? Please keep an inventory of stormwater BMPs indicating type, function and location in a format provided by the Department onsite and available for inspection or upon request.	Yes
27. Briefly indicate how this is being accomplished (e.g., ordinance requiring operation and maintenance by private entity; operation and maintenance by you or other governmental entity):	Ordinance requiring assumption of inspection/maintenance program by Municipality, County, Public Utility or Association.
28. Is the municipality's stormwater management plan re-examined at each re-examination of the master plan in accordance with N.J.A.C. 7:8-4?	Yes
29. Date re-examination report was last adopted:	10/19/2019

Report Details - Part C

Local Public Education Program and Outreach

1. Has the municipality developed a Local Public Education Program?	Yes
2. Has the municipality conducted educational activities that total the minimum number of points required by the permit?	Yes

Storm Drain Inlet Labeling

1. Has the municipality established a storm drain inlet labeling program?	Yes
2. Indicate the percentage labeled to date:	100%
3. Other Amount:	
4. Is your municipality maintaining the labels (i.e. replacing and/or repainting)?	Yes

Community Wide Ordinances

Have you adopted and are you enforcing a regulatory mechanism for:

1. Pet Waste Ordinance:	No
2. Date adopted:	
3. Litter Ordinance/State Litter Statute:	Litter Ordinance
4. Date adopted:	03/15/1990
5. Improper Disposal of Waste Ordinance:	No
6. Date adopted:	
7. Wildlife Feeding Ordinance:	Yes
8. Date adopted:	09/02/2010
9. Containerized Yard Waste Ordinance / Yard Waste Collection Program Ordinance:	Neither
10. Date adopted:	
11. Illicit Connection Ordinance:	No
12. Date adopted:	
13. Refuse Container/Dumpster Ordinance:	No
14. Date adopted:	
15. Private Storm Drain Inlet Retrofitting Ordinance:	No
16. Date adopted:	
17. Status of these ordinances (if not adopted):	The Borough is in the process of evaluating the model ordinances prior to proceeding with adoption of any new ordinances.
18. Method(s) of enforcement (e.g., summons, warnings, additional signs, etc.):	Warnings and summons where applicable.
19. Are you distributing the Pet Waste Information Sheets with pet licenses?	No

MS4 Outfall Pipe Mapping

1. Has the municipality completed the mapping of the MS4 outfall pipes?	No
2. Date completed:	
3. Number of outfall pipes that you operate in the municipality:	0
4. How many MS4 outfall pipes are mapped?	0

Illicit Connection Elimination Program

1. Does the municipality have an ongoing program to detect and eliminate illicit connections to municipally owned or operated outfall pipes?	No
2. How many outfall pipes were inspected during the past calendar year?	0
3. Number of illicit connections detected during the past calendar year:	0
4. Number of illicit connections eliminated during the past calendar year:	0

Street Sweeping Program

1. In the past calendar year, were all required streets swept?	No
2. What was the total number of miles swept?	1

List the amount of materials collected for each month in 2024.

3. Units:	Cubic yards
4. January:	0
5. February:	0
6. March:	0
7. April:	0
8. May:	0
9. June:	0
10. July:	0
11. August:	0
12. September:	0
13. October:	0
14. November:	0
15. December:	0
16. Total (Note: 1.053 cubic yards = 1 ton):	0
17. Explain the reason if reporting zero (0) for a month above:	The Borough does not have a street sweeper. The Borough also appealed the determination to move from a Tier B to a Tier A community under the MS4 permit program.

Storm Drain Inlet Retrofitting

1. Has the municipality completed repaving, repairing, reconstruction, or alterations on any road surfaces in direct contact with municipally owned or operated storm drain inlets?	Yes
2. Approximately what percentage of storm drains within the municipality currently meet the standard?	0

Stormwater Facility Maintenance

Stormwater facilities include, but are not limited to, catch basins, extended detention basins, low flow bypasses, underground detention, dry wells, manufactured treatment devices, pervious paving buffers, infiltration basins/trenches, sand filters, constructed wetlands, wet ponds, bioretention, rooftop vegetated cover, vegetative filters, and stormwater conveyance systems. Stormwater facility inventories that indicate the type, function, and location of the facility must be kept onsite and available for inspection or upon request in a format provided by the Department. The format is available as SPPP Form 13 at: http://www.nj.gov/dep/dwq/pdf/Tier_A/A%20-%20pdf%206.pdf.

1. Have you developed a Stormwater Facility Maintenance Program?

No

Other Stormwater Facilities

1. Were all stormwater facilities that you operate inspected?

2. Were any found to be in need of cleaning or repair in order to function properly?

3. During the past calendar year, were any stormwater facilities (excluding catch basins) cleaned?

4. Were repairs made?

5. Describe repair(s) or if repairs have not yet been made, provide a schedule for the repair(s):

Catch Basins

1. Total number of catch basins that the municipality operates:

2. Total number of catch basins inspected:

3. Total number of catch basins cleaned:

4. Amount of materials removed from catch basins, in tons, during the past calendar year:

5. Units:

Report Details - Part E

Outfall Pipe Stream Scouring Remediation

For all outfall pipes undergoing remediation through a scour remediation program, attach additional page(s) as necessary indicating the location of the outfall pipe (including the alphanumeric identifier), the repair start date, and the repair completion date.

1. Has the municipality developed a prioritized list of outfall pipes requiring outfall pipe stream scouring remediation?

N/A - we do not have any outfall pipes

De-icing Material and Sand Storage

1. Does the municipality have a permanent structure for all de-icing material storage?

N/A - we do not store de-icing materials

2. If sand is being stored outside, is it set back 50 feet from storm sewer inlets, ditches or other stormwater conveyance channels, and surface water bodies?

N/A - no sand stored outdoors

Fueling Operations

1. Is the municipality implementing Best Management Practices for vehicle fueling and receiving of bulk fuel deliveries at maintenance yard operations in accordance with Attachment E of the permit?

N/A - no fueling

Vehicle Maintenance

1. Is the municipality implementing Best Management Practices for vehicle maintenance and repair activities at maintenance yard operations in accordance with Attachment E of the permit?

Yes

Good Housekeeping Practices

1. Is the municipality implementing Good Housekeeping Practices for all materials or machinery listed in the Inventory Requirements for Municipal Maintenance Yard Operations (including maintenance activities and ancillary operations) in accordance with Attachment E of the permit?

Yes

Equipment and Vehicle Washing

1. Has the municipality implemented measures to properly handle the discharge of equipment and vehicle wash wastewater from municipal maintenance yard operations?	Yes
2. Please indicate which option you implemented to eliminate the unpermitted discharge:	Ceased the discharge (no longer wash onsite)
3. Date the management measure was implemented:	01/01/2009
4. What is the NJPDES permit number that authorizes the discharge of vehicle and equipment wash wastewater?	
5. Is the municipality maintaining records of vehicle and equipment washing?	N/A - we do not wash our vehicles

Annual Employee Training

1. Did the municipality conduct training for employees on stormwater related topics as required under the MS4 permit (e.g., police officers trained on ordinances)?	No
2. List date(s) of employee training:	

Report Details - Part F

Sharing of Responsibilities

Does the municipality share services with another entity to satisfy a permit requirement?	No
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Incidents of Non-compliance

Based on the answers you provided above, the Department has identified the following possible permit compliance issues. Please complete the Incidents of Non-compliance section and identify steps being taken to correct these deficiencies.

- Your municipality has not revised your Stormwater Pollution Prevention Plan to incorporate changes required by the renewal permit.
- Your municipality did not adopt a Pet Waste Ordinance.
- Your municipality did not adopt an Improper Disposal of Waste Ordinance.
- Your municipality did not adopt a Containerized Yard Waste Ordinance / Yard Waste Collection Program Ordinance.
- Your municipality did not adopt an Illicit Connection Ordinance.
- Your municipality did not adopt a Private Storm Drain Inlet Retrofitting Ordinance.
- Your municipality is not distributing the Pet Waste Information Sheets with pet licenses.

- Your municipality has not completed the MS4 outfall pipes mapping.
- Your municipality has not completed an illicit connection inspection for all outfalls.
- Your municipality has not swept all required streets.
- Your municipality did not develop a Stormwater Facility Maintenance Program.
- Your municipality did not conduct an annual employee training.

1. Did your municipality have any incidents of non-compliance?	Yes
2. Identify the steps being taken to remedy the noncompliance and to prevent such incidents from recurring. (If the text box is not large enough to complete this section, please provide your report as an attachment and upload it on the next screen. Please reference the attachment in the textbox.)	See the attached list of responses for incidents of non-compliance.

Certification

Certifier: Bruce Graham
Certifier ID: BRUCESGRAHAM
Challenge/Response Question: What is your all-time favorite sports team?
Challenge/Response Answer: *****
Certification PIN: *****
Date/Time of Certification: 04/29/2025 17:27

"I certify under penalty of law that this Annual Report and Certification and all attached documents were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate this information. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering this information, the information in this Annual Report and Certification and all attached documents is, to the best of my knowledge and belief, true, accurate and complete.

"I certify that the municipality is in compliance with its stormwater program, Stormwater Pollution Prevention Plan (SPPP) and the NJPDES Tier A Municipal Stormwater General Permit No. NJG0149721 except for any incidents of non-compliance which are identified herein. For any incidents of non-compliance, the Annual Report identifies the steps being taken to remedy the non-compliance and to prevent such incidents from recurring.

"I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for purposely, knowingly, recklessly, or negligently submitting false information."

Please note, no changes will be allowed to be made to this report upon its certification. If you need to correct or modify the report after certification, please contact your case manager at (609) 633-7021 so they may enable that function.

Bruce Graham
General

04/29/2025
Date

Borough of Woodbine
Response to Incidents of Non-compliance
2024 Annual Stormwater Report

As the Department is aware, the Borough was notified of a redesignation from a Tier B to a Tier A community under the MS4 General Stormwater Permit Program in July 2022. The Borough filed an Appeal and Stay request from this determination and thereafter agreed to seek alternate dispute resolution through the Office of Administrative Hearing and Dispute Resolution. An initial meeting was held on April 26, 2023 and after some exchange of information, Richard Tonetta, Esq., the Borough Solicitor, submitted a position letter with attachments (being 46 pages in total) on October 11, 2023. On April 3, 2024, Mr. Tonetta received an email response to the October 11th letter basically stating that the Tier reassignment decision has not changed. Since no specific responses to the points contained in the Solicitor's letter were provided, a more detailed response from the Department was requested by him and we were advised that a detailed response from the Department would be forthcoming. Furthermore, Mr. Tonetta, in an email dated April 9, 2024, reached out to Daniel Kuti of the Department, advising that until such time as we receive and can review the Department's detailed response, the Borough cannot make an informed decision regarding the matter, and he requested a further stay on compliance deadlines pending completion of the appeal process. We subsequently received NJDEP's response to our position letter on August 9, 2024, which included a suggestion that the Borough should consider applying for an individual NJPDES permit as an alternative to the MS4 Tier A permit. The Borough thereafter requested a meeting with NJDEP to discuss the individual permit option which was held on March 25, 2025. During that meeting, NJDEP indicated that they would be willing to undertake the mapping of the Borough's storm sewer system to address that specific requirement and thereafter a further evaluation would be made of other permit requirements that they feel need to be addressed. The meeting was congenial, and both parties were in agreement that we should have further discussions on this matter after the storm sewer mapping is completed. The Borough did however state at that time, that regardless of the final resolution, additional time will be needed to address any permit requirements agreed upon, beyond the current Tier A compliance schedule.

While the Borough continues to disagree with the reassignment decision, we have listened to the arguments and been cooperating with the Department to the extent feasible throughout the appeal process. In that regard and without prejudicing any of the Borough's rights to continue to pursue the appeal, the 2024 Tier A Annual Report is being filed and responses provided to the best of our ability at this time. As noted in the report, there are 12 different identified permit compliance issues which are summarized as follows:

1. Your municipality has not revised your Stormwater Pollution Prevention Plan to incorporate changes required by the renewal permit.
2. Your municipality did not adopt a Pet Waste Ordinance.
3. Your municipality did not adopt an Improper Disposal of Waste Ordinance.
4. Your municipality did not adopt a Containerized Yard Waste Ordinance / Yard Waste Collection Program Ordinance.
5. Your municipality did not adopt an Illicit Connection Ordinance.

6. Your municipality did not adopt a Private Storm Drain Inlet Retrofitting Ordinance.
7. Your municipality is not distributing the Pet Waste Information Sheets with pet licenses.
8. Your municipality has not completed the MS4 outfall pipes mapping.
9. Your municipality has not completed an illicit connection inspection for all outfalls.
10. Your municipality has not swept all required streets.
11. Your municipality did not develop a Stormwater Facility Maintenance Program.
12. Your municipality did not conduct annual employee training.

The Borough continues to evaluate the impact of complying with the above noted items including the timing and affordability of implementing the steps needed to comply. As noted above, the Borough is cooperating with NJDEP to initiate the storm sewer mapping which will help the Department & the Borough to evaluate what other permit requirements might be applicable and whether the Borough should pursue an individual NJPDES permit. At the current time, the Borough has provided NJDEP with some background information on the storm sewer system which will assist the Department in performing the mapping. An exact schedule for this mapping has not been set but it is anticipated that it will be undertaken in May or June of this year.

In addition to the above, there are several questions in the annual report where a specific integer number was required to be entered but the Borough is unable to accurately determine that number at this time. Specifically, these are noted as follows:

Part D

MS4 Outfall Pipe Mapping

Question 3 is noted as 0 but the actual number is undetermined at this time because the mapping has not been completed. At this time and based on the definition of an outfall as specified in the Tier A permit, the Borough is of the opinion that there are no outfall pipes. This will be reviewed further once NJDEP completes the storm sewer mapping as mentioned above.

Street Sweeping Program

Question 2 was answered as 1 mile swept but is actually 0 miles. The system would not allow an entry of 0. It is also noted that the Borough does not own a street sweeper and the purchase or even rental of one to comply is not a budgeted expense, nor is it one that the Borough can afford.

Storm Drain Inlet Retrofitting

Question 2 was answered as 0% of inlets meeting the standard. The exact percentage of inlets that are in compliance is "unknown" at this time, but the system would not allow the use of the term "unknown". The Borough does address bringing inlets into compliance when roadway reconstruction work is undertaken, however, without an overall map of the system, the actual percentage in compliance is unknown at this time.

MS4 Tier A Permit Annual Report - Supplemental Questionnaire

Instructions for Saving and Submitting the

Tier A Permit Annual Report - Supplemental Questionnaire

1. Once opened, please save the Questionnaire to your computer, using the "Save As" function. This can be done by going to FILE > then Save As... or Shift + Ctrl + S. Name the document Supplemental_Questionnaire_TOWN NAME
2. Complete the Questionnaire.
3. Once you have completed the Questionnaire, use the "Save" function to save your answers to the Questionnaire to your computer. This can be done by going to FILE > then Save or Ctrl + S.
4. The completed and saved Questionnaire must then be uploaded as an attachment, in Part 7, to your Annual Report before the Annual Report is submitted to the Department.
5. To access the Annual Report, open the link to "NJDEP Online Portal" at http://www.nj.gov/dep/dwq/tier_a.htm. In Part 7, you will be asked to complete information regarding the file(s) to be uploaded. Navigate to your saved Questionnaire and then hit the "Upload" button in the lower right section of Part 7. The Annual Report will indicate if the Questionnaire was successfully uploaded. Then click on the "Continue" button and proceed with finalizing your Annual Report.

Your Annual Report will be considered incomplete if the Supplemental Questionnaire is not attached. If you experience any difficulty in this process, please contact your municipal case manager at 609-633- 7021.

Please note that use of Adobe Acrobat Reader DC is recommended. This free software is available for download at <http://get.adobe.com/reader/> . If you have an earlier version of Adobe Reader, please go to the Adobe website at <http://tv.adobe.com/watch/acrobat-x-tips-tricks/quick-tip-how-to-save-form-data-in-adobe-reader/> for detailed instructions on how to save your completed Questionnaire.

MS4 Tier A Permit Annual Report - Supplemental Questionnaire

General Information

A. Municipal Information

Submission Date:	Reporting Year:
Municipality:	County:
Stormwater Coordinator:	
Phone:	Email:

Public Involvement and Participation

Provide direct link for the following (not the general web address for the municipality website):

Current Stormwater Pollution Prevention Plan (SPPP):
Municipal Stormwater Management Plan:
Town's Stormwater Webpage:

Local Public Education and Outreach

Report the number of points obtained in each public education and outreach category:

General Public Outreach:	Watershed/Regional Collaboration:
Targeted Audiences Outreach:	Community Involvement Activities:
School/Youth Education and Activities:	

Has the municipality advertised public education and outreach activities on the municipalities website?:	Yes	No
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Post Construction Stormwater Management

Note: This portion of the annual report should be completed by a person knowledgeable in post-construction stormwater management project review and approvals.

Name of person completing this section:
Affiliation of person completing this section:

Please fill out the attached major development project list for all major developments approved in the last calendar year.

MS4 Tier A Permit Annual Report - Supplemental Questionnaire

Community Wide Ordinances

Does the municipality maintain a database to track all instances of community wide ordinance violations?:

Yes No

Provide the web address for each ordinance and report the entity responsible for the enforcement of each ordinance as well as the number of warnings and violations issued for each in the past calendar year:

Pet Waste Ordinance

Entity: Warnings/Violations:

Wildlife Feeding Ordinance

Entity: Warnings/Violations:

Litter Control Ordinance

Entity: Warnings/Violations:

Improper Disposal of Waste Ordinance

Entity: Warnings/Violations:

Privately-Owned Salt Storage Ordinance

Entity: Warnings/Violations:

Tree Removal-Replacement Ordinance

Entity: Warnings/Violations:

Containerized Yard Waste/Yard Waste Collection Program Ordinance

Entity: Warnings/Violations:

Private Storm Drain Inlet Retrofitting Ordinance

Entity: Warnings/Violations:

Illicit Connection Ordinance

Entity: Warnings/Violations:

Stormwater Control Ordinance

Entity: Warnings/Violations:

Municipal Maintenance Yard and Other Ancillary Operations

Does the municipality maintain a list of all materials and machinery located at each municipal maintenance yard and ancillary operation which could be a source of pollutants in a stormwater discharge?: Yes No

Has the municipality implemented Best Management Practices as described in Part IV.F.5 for all applicable activities at each municipal maintenance yard and ancillary operation owned or operated by the municipality?: Yes No

Does the municipality maintain an inspection log detailing conditions requiring attention and remedial actions taken at municipal maintenance yards and other ancillary operations?: Yes No

Does the municipality have an underground vehicle wash water storage tank? Yes No

MS4 Tier A Permit Annual Report - Supplemental Questionnaire

Employee Training

Does the municipality maintain records of employee training including sign in sheets, dates of training, and training agendas?:
Yes No

Does the municipality maintain a list of the names and dates of the Stormwater Permitting Coordinator's attendance to the mandatory SPC training? : Yes No

Does the municipality maintain a list of the names and dates of the municipal board and governing body members that review and approve applications for development and redevelopment projects who have completed the "Asking the Right Questions in Stormwater Review" training tool?: Yes No

Does the municipality maintain a list of the names and dates of individuals that review development and redevelopment projects for compliance with NJAC 7:8 on behalf of the municipality who have completed the Department approved stormwater management training once every 5 years?: Yes No

Did the municipality maintain a list of the names and dates of individuals that have completed the mandatory Rule Amendment training?: Yes No

MS4 Mapping

Have you completed your infrastructure map?: Yes No

Does the municipality update their maps annually?: Yes No

Does the municipality's map identify outfalls that do not discharge to surface waters?: Yes No

Stormwater Facilities Maintenance

Does the municipality keep up to date stormwater facility maintenance logs and inspection records for stormwater facilities owned or operated by the municipality?: Yes No

How does the municipality ensure adequate long-term cleaning, operation, and maintenance of stormwater facilities not owned or operated by the municipality?:

Does the municipality keep up-to-date stormwater facility maintenance logs and inspection records for stormwater facilities not owned or operated by the municipality?: Yes No

MS4 Tier A Permit Annual Report - Supplemental

Total Maximum Daily Load (TMDL)

Has the municipality reviewed TMDL reports to identify those which are relevant to the municipality's water bodies?:

Yes No

How many TMDLs were found to be applicable to the municipality?:

How has the municipality used TMDL information to assist in the prioritization of stormwater facility maintenance?:

Has the municipality updated its SPPP to include TMDL information?: Yes No

Has the municipality incorporated any additional or optional measures? If so, please elaborate:

Stream Scouring

How many outfalls did the municipality inspect for stream scouring in the past calendar year?:

How many instances of stream scouring were found during those inspections?:

How many instances of stream scouring were remediated in the past calendar year?:

Were at least 20% of outfalls inspected for stream scouring this year?: Yes No

Major Development Project List

Provide the following information for each approved development or redevelopment project that is regulated by the Tier A MS4 NJPDES Permit, and not exempted under N.J.A.C. 7:8-1.6(b).

[illegible]

Major Development Project List

Provide the following information for each approved development or redevelopment project that is regulated by the Tier A MS4 NJPDES Permit, and not exempted under N.J.A.C. 7:8-1.6(b).

[illegible]