

# The Waiver Rule

March 22, 2013

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We write to let you know about an important decision from the Appellate Division that will impact New Jersey developers and other businesses. On March 21, 2013, the Appellate Division rejected a challenge to the so-called Waiver Rule (N.J.A.C. 7:1B-1.1, et seq.), which allows the New Jersey Department of Environmental Protection ("DEP") to waive certain environmental regulations on a case-by-case basis.