



New DEP Program Accelerates Cleanup Approval Process

Selling your home or business and afraid delays associated with removal of your underground fuel tank will impact your contract?

The Department of Environmental Protection's new Unregulated Heating Oil Tank, or UHOT program, allows fully-remediated, unregulated residential and commercial heating oil tanks to move expeditiously through the DEP review process, facilitating real estate transactions and promoting economic growth.

Under the UHOT program, the DEP relies on environmental professionals holding a Subsurface Evaluator Certification to certify that all cleanup activities associated with a leaking unregulated tank are in accordance with DEP regulations, and that any existing contamination was remediated to the most restrictive cleanup standards.

DEP case managers review a summary of the cleanup activities for all cases coming into the program and identify those that warrant a more in-depth evaluation as part of a rigorous audit program. Audits range from a detailed review of all submitted reports to on-site inspections or to the collection and analysis of environmental samples, as a safeguard to ensure that public health and environmental standards are strictly enforced. DEP will take appropriate enforcement against environmental professionals who fail to comply with DEP standards and regulations. Certifications will be revoked from environmental professionals who are chronically unable to meet the DEP's performance standards, rendering them ineligible for continued participation in the UHOT program.



Since the program's inception in November 2007, more than 800 environmental professionals have been pre-qualified to participate. As of December 31, 2008 these individuals have successfully closed and remediated a total of 1,275 leaking unregulated tanks. In December 2008 alone, the UHOT program processed a record 244 tank closures in one month, up from the 18 submitted and processed just a year ago in December 2007.

Most of the unregulated heating oil tank systems in New Jersey are residential tanks. Generally, the remediation of discharges from these tanks is relatively straightforward, and the discharges pose a low risk to public health and the environment. Historically, these cases have been overseen directly by DEP case managers, and the 4,000 to 5,000 cases represent about 20 percent of the DEP's 20,000 active cases.



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Recently adopted changes to the Underground Storage Tank Rules (N.J.A.C. 7:14B) now require all individuals and businesses engaged in underground tank installation, testing, corrosion protection, investigation and remediation to be certified. As a result of the certification requirements, New Jersey residents can now be assured that contractors hold the necessary credentials to perform these activities for all regulated and unregulated tanks. Environmental professionals interested in seeking certification can obtain information concerning the certification requirements at www.nj.gov/dep/srp/unregulatedtanks/professionals.htm.

For more information on the UHOT program, visit the DEP Web page at www.nj.gov/dep/srp/unregulatedtanks/.