



Understanding Site Remediation in New Jersey

Welcome

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ASSISTANT COMMISSIONER
Site Remediation Program





Site Remediation Reform Act (SRRRA; N.J.S.A. 58:10C)

- Enacted May 7, 2009
- Established an affirmative obligation to remediate discharges of hazardous substances
- Established temporary Licensed Site Remediation Professionals (LSRPs)
- LSRPs will “step into the Department’s shoes”
- Established the Site Remediation Professional Licensing (SRPL) Board
- Provided a 3 year phase-in





What Prompted the Need to Reform?

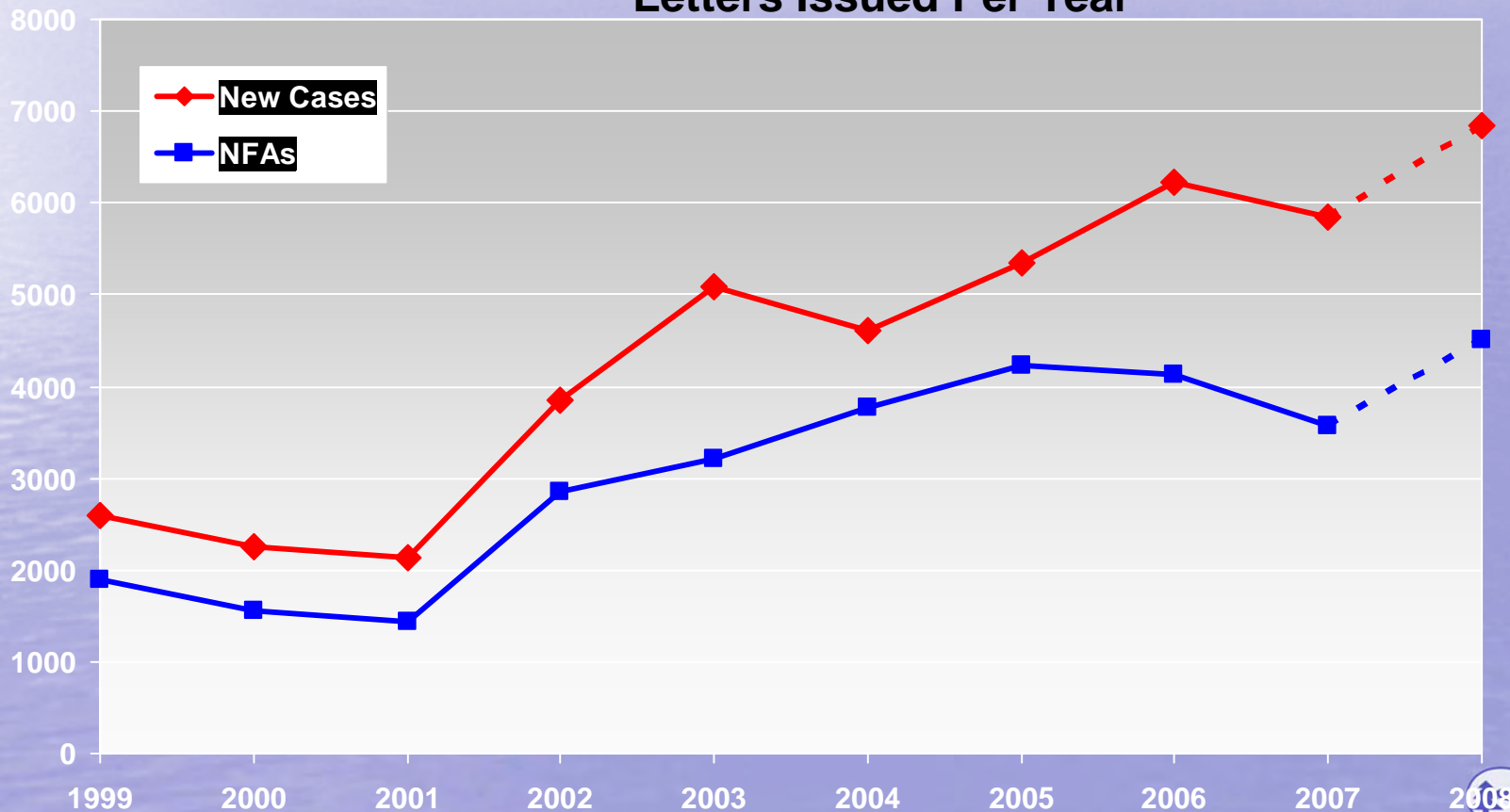
- More cases than DEP could handle
- Unassigned cases; un-reviewed documents
- Cases not assigned based on priorities
- Immediate Environmental Concern cases not being worked on
- Some poor consultants; no authority for action
- No remediation time frames





What Prompted the Need to Reform?

Number of New Cases Versus No Further Action (NFA)
Letters Issued Per Year





SRRA – Set the framework

- Provides incentives (the carrot)
 - More flexibility
 - Lower fees
 - Stakeholder input into developing rules, guidance, figuring out what works and what doesn't
- Enforcement tools (the stick)
 - Grace period violations still apply
 - Mandatory Time Frames
 - Direct Department oversight





We are in Transition

From old SRP command and control

To new results based remediation

We are well on our way to the implementation
of the LSRP Program





MAY 2012 DEADLINE

All remediating parties must retain LSRP to remediate sites under the new LSRP program with two exceptions:

1. Any person conducting due diligence is NOT required to hire an LSRP when the person:
 - Does not own the property in question
 - Conducts a PA/SI for the purpose of conducting all appropriate inquiry into previous ownership and uses of the property
 - Has not discharged a hazardous substance nor is in any way responsible for the discharge
2. Unregulated heating oil tanks (UHOT)





OPTING-IN TO LSRP PROGRAM

- Existing cases are encouraged to opt-in to the LSRP program
- Benefits of opting-in are available on the SRP web site at http://www.nj.gov/dep/srp/srra/l srp/opt_in.htm
- Submit form and pay outstanding oversight bill
- Proceed similar to a new case without DEP prior approval





INSPECTION OF FORMS

- All reports must be accompanied by form
- Forms are designed to provide critical information to help determine if more detailed review is necessary
- Department will inspect all forms submitted by LSRPs instead of conducting detailed review of reports
- No case managers assigned to individual sites





REVIEW OF REPORTS

- Based on the inspection of a form the Department may conduct a more thorough review of a report
- The Department inspectors will determine the level of review needed
 - Component
 - General
 - Comprehensive
- Inspection/Review process
 - Does not stop remediation process
 - LSRP does not need prior DEP approval (except for remediation permits)





RESPONSE ACTION OUTCOME (RAO)

- RAO issued by LSRP, filed with the DEP
- No DEP approval letter provided
- **RAO is equivalent to No Further Action letter**
- Average RAO review time less than 30 days!
- As with NFA Letters, the Department can invalidate RAOs





Time Frames

- Mandatory time frames established in SRRA
- Keep remediation phases on track
- Extensions allowed for good cause
- Exceedance of mandatory time frame will result in direct oversight
- All cases (existing, new, and opt-in) are subject to time frames*

*Except unregulated heating oil tanks (UHOT)





SRP Transformation

Streamline Process

- Case inspection and review/forms
- Billing
- Computer tracking
 - E-submittals
- Reorganization
- Remedial Priority Scoring





Committed to Success

Governor Christie and DEP Commissioner Martin are committed to success of the program

- Essential for New Jersey's economic recovery
- Important for a safe and healthy place to live, work, and play





site remediation program

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Site Remediation Reform Act & Licensed Site Remediation Professionals Program

The Site Remediation Reform Act (SRRRA) provides sweeping changes to the way in which sites are remediated in New Jersey. SRRRA establishes a program for the licensing of Licensed Site Remediation Professionals (LSRPs) who will have responsibility for oversight of environmental investigation and cleanup.

[More information](#)

Get the Overview of the Licensed Site Remediation Professional (LSRP) Program



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What's New

- ▶ LNAPL Guidance for Operational Monitoring & Reporting [pdf] 25 Feb 2011
- ▶ ARRCs Rules 25 Feb 2011



CONTACT INFORMATION

- Names and phone numbers of SRP staff by topic area are available at

http://www.nj.gov/dep/srp/srra/srra_contacts.htm

