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APPENDIX H

Model Public Notice

The model public notice in this appendix contains blanks and matter in brackets []. These blanks shall be replaced with the appropriate information prior to publication in appropriate local newspapers. As provided at N.J.A.C. 7:26E-6.3(c), the wording of this model public notice shall not be otherwise changed or modified.

This notice is being given to inform the public that as part of the remediation of [Site Name] at [street address], Block: _____ Lots: _____, in [Municipality], [_____] County, a proposal has been submitted to the New Jersey Department of Environmental Protection (Department) requesting a permit-by-rule authorization to discharge to ground water in accordance with the provisions of the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., its implementing regulations the New Jersey Pollutant Discharge Elimination system, N.J.A.C. 7:14A; the Ground Water Quality Standards, N.J.A.C. 7:9C; and the Technical Requirements for Site Remediation, N.J.A.C. 7:26E. The NJDEP Site Remediation and Waste Management Program is overseeing the remediation under case #[_____].

Brief description of the proposed discharge: [Include a description of the site including the approved remedial action, type of discharge (e.g. treated ground water or in situ bioremediation), discharge unit (e.g. injection well, overland flow, lagoon, etc.) and treatment proposed and the name and description of the aquifer]. Copies of the plans, which include the proposed discharge to ground water, have been sent to the Mayor, Municipal Clerk, Planning Board, Sewerage Authority, Health Officer, and Environmental Commission of [Municipality, County].

The proposed plan to discharge to ground water is also available as part of the administrative record which is on file at the offices of the Department, Site Remediation and Waste Management Program, located at 401 East State Street, Trenton, Mercer County, New Jersey [or add alternate location]. The file may be reviewed under the New Jersey Open Public Records Act ("OPRA"), N.J.S.A 47:1A-1 et seq. Information regarding the OPRA procedures is available at <http://www.state.nj.us/dep/opra/oprainfo.html>.

Interested persons may submit written comments regarding the discharge to ground water portion of remediation to the Department addressed to [Case Manager, NJDEP, Address] and to the owner or operator of the facility at [name and address of person/contact submitting Plan]. All comments shall be submitted within 30 calendar days of the date of this public notice. All persons who believe that any condition specific to the proposed discharge to ground water within the remedial action workplan is inappropriate, must raise all reasonably ascertainable issues and submit in writing to the Department all reasonably available arguments and factual grounds supporting their position, including all supporting material, by the close of the public comment period. All comments submitted by interested persons that relate to the requirements to be applied to the proposed discharge will be considered by the Department, provided that the Department receives the comments by the close of the public comment period. After the close of the public comment period, the Department will approve or modify the proposed discharge. The Department will respond to all significant and timely comments with its final decision. Each

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person who has submitted written comments will receive notice of the Department's final decision.

Any interested person may request in writing that the Department hold a non-adversarial public hearing on the plan to discharge to ground water. This request shall state the nature of the issues to be raised in the proposed meeting and shall be submitted within 30 calendar days of the date of this public notice to the Case Manager, at the address cited above. A public hearing will be conducted whenever the Department determines that there is a significant degree of public interest in the discharge to ground water decision. If a public hearing is held, the public comment period in this notice shall automatically be extended to the close of the public meeting.

Comments and written requests for a non-adversarial public hearing shall be sent to:

Site Remediation and Waste Management
NJ Department of Environmental Protection
[Name of Case Manager]
[Address of Case manager]
ATTN: Non-adversarial public hearing request

Additional information concerning the proposal may be obtained from [Name of person/contact submitting the proposal, phone #] or the [NJDEP Case Manager, Name of Bureau phone #].