

Cleanups by 3rd Parties and Municipal Entities

Panelists:

Jeffrey Dey, *Resource Renewal*

Wayne Howitz, *NJDEP-ROE (Remedial Action Permits only)*

Steve Jaffe, *BCONE*

Wanda Monahan, *Sedita, Campisano & Campisano, LLC (Remedial Action Permits only)*

Kirstin Pointin-Hahn, *NJDEP-BCAIN (Administrative issues only)*

John Scagnelli, *Scarinci Hollenbeck*

Discussion Topics:

– **Municipal Environmental Cases:**

Differences, obligations, and exemptions from Spill Act liability, timeframes, etc.

– **Developers' Perspective:**

Permits and long-term liabilities attached to permits.

– **NJDEP Perspective:**

Permit issues, handling of innocent purchaser cases, managing annual fees, definition of “actively remediating,” and other related issues.

– **LSRP Perspective:**

The process and how it varies from a traditional SRP case.

– **Innocent Purchaser “Defense”:**

What is it? Due diligence issues and Phase I vs. PA.

Records Request

Panelists:

Matt Coefer, *NJDEP-ORA*

Elaine Dewan, *NJDEP-BIS*

John Engdahl, *Speedway*

Rodger Ferguson, *PennJersey Environmental Consulting*

Kirstin Pointin-Hahn, *NJDEP-BCAIN (e-submittals only)*

Franklin Riesenburger, *Flaster Greenberg*

John Scagnelli, *Scarinci Hollenbeck*

Rick Shoyer, *BCONE*

OPRA Requests - Discussion Topics:

– **LSRP Perspective:**

The importance of receiving complete files

– **Legal perspective:**

Being able to obtain complete information

– **Municipal Perspective:**

Differences in record keeping and request wording between DEP and Municipalities

– **RP perspective:**

Response to public notification inquiries and as they pertain to ARRCS

– **DEP perspective:**

Number of responses processed, how requests are handled and the complexities, suggested OPRA wording on requests, Proactive changes NJDEP is making including electronic files, faster upload to GIS and Deed & CEA files, CIDs, etc.

– **BCAIN interaction/involvement in the DEP record keeping process**