

CVP/SRAG - SRP MEETING
JUNE 4, 2014
ACTION ITEM RESPONSES

1. **Issue:** Soil Remediation Stakeholders Input

Response: The Department provided an update on the Remediation Standards stakeholder process the CVP/SRAG meeting. As part of the discussion, a request was made to have additional “breakout group” meetings regarding specific Remediation Standard topics; these meetings would consist of smaller groups of stakeholders and Department representatives. The Department stated that there would not be breakout groups to discuss specific topics. However, once the Department is done with its presentations, it would be appropriate for stakeholders to identify issues and concerns and provide input to the Department. In order to prepare for such a meeting, the Department requested that the stakeholders submit a list of topics prior to that meeting.

2. **Issue:** SRP Program Metrics. Based upon the current summary of program metrics, stakeholders are again requesting inclusion of additional metrics of interest. Specifically, the number of remediation investigations completed and the timeframe for the Department to process remedial action permit applications.

Response: The Department is evaluating addition of these metrics to the report.

3. **Issue:** Repeat RAO Issue for UST cases. There is a repeat administrative issue for RAOs involving UST cases. Due to differences in incident numbers and databases on cases and incident numbers from pre-2002, there is confusion on ID numbers which create administrative delays in processing the RAO. When will NJDEP be able to generate a new report or provide a listserv to provide steps and education so that this does not occur repeatedly?

Response: SRP continues to work on creating a DataMiner report that will track all incidents and “alternate IDs” associated with a site. The difficulty in creating this report is that this information is currently tracked in multiple locations. SRP is looking into tracking the historical information more efficiently. In the future, when the Confirmed Discharge Notification (CDN) online service is completed, this information will automatically be updated in the Department database.

As discussed at the meeting, persons can contact OPRA to request incidents associated with an address. However, a special service fee may apply if the production of the incidents requires an extraordinary effort.

4. **Issue:** Is it possible to publish a “Top 3” list of issues found with RAO submittals to ensure that lessons learned are shared and these issues are corrected long term?

Response: This information is already discussed at meetings being held between SRP and the LSRPA. A list of issues with RAOs can be provided at each quarterly CVP/SRAG meeting. The following issues were identified by Bureau of Inspection and Review:

1. Soils Only RAOs
2. Reconciling the UST registration records and the subject of the RAO
3. Scope of remediation section of the RAO is insufficiently detailed

5. **Issue:** Request to publish slides utilized by the Department during the meeting.

Response: PDF versions of the presentations given at the June 4, 2014 meeting are available through the SRP web site (http://www.nj.gov/dep/srp/srra/stakeholder/cvp_srag/index.html).

6. **Issue:** On-Site Background and Off-site Sources. The Department shared steps and scenarios on how to proceed with notifications of a suspected on-site background or off-site source that is found during the remedial investigation process. The Department is in the process of clarifying this item for a listserv. When will this listserv be published? What scenarios does it cover and would it be worthwhile to share with a small group of stakeholders for comment on implementation prior to it being published?

Response: This listserv should be finalized in the next few months, and represents Department administrative procedures for reporting contamination from an offsite source. A committee, which includes stakeholders, is working on a technical guidance regarding this topic.

7. **Issue:** Signatures on Site Remediation remedial action permit applications. Consensus was not reached on the topic of the need for the current property owner to sign the remedial action permit applications. What are the next steps? How do we get resolution?

Response: The identification of who is a permittee for a remedial action permit and their responsibilities are clearly stated in N.J.A.C. 7:26C-7.4. The Department has considered the comments provided by attendees during the April 2014 and June 2014 CVP/SRAG meetings. Based on those comments, the Department is revising its policy regarding the current property owner signature requirement for remedial action permits. The intent of this requirement is that the current property owner is aware of the remedial action permit, as well as his/her responsibilities under the remedial action permit.

As an alternative to the property owner having to sign the remedial action permit application, the Department will allow the person applying for the remedial action permit to provide proof to the Department (as part of the remedial action permit application) that the current property owner has received a **complete copy** of the remedial action permit application prior to, or simultaneously with, submission of the remedial action permit application to the Department. The Remedial Action Permit Application Form instructions for both Ground Water and Soil will be updated to reflect this new approach.