



# Site Remediation Reform

## **The “New World Order” for New Jersey’s Cleanup Program**

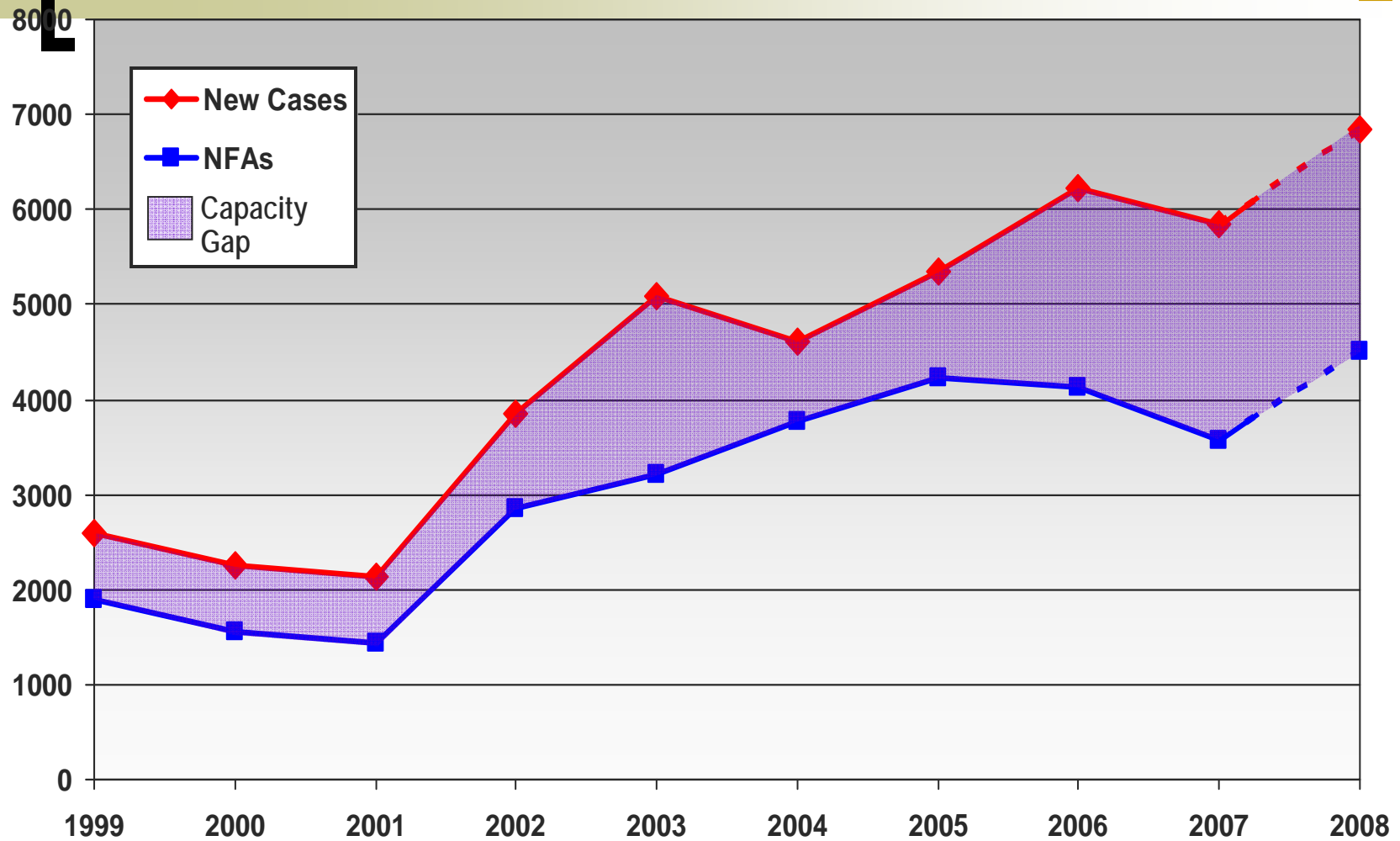
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# [ NJDEP's Path to Reform ]

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- New Commissioner and AC
  - Extensive experience in the field
  - Eye toward re-engineering and use of IT
  - Desire to work with stakeholders
- W. R. Grace
- Ford +Trenton school and RCA
- Kiddie Kollege

# Number of New Cases Versus NFAs Per Year



# [ Process to Achieve Reform ]

- Legislative Sessions
- Stakeholders - Business, Developers, Mayors, Lawyers, DEP staff, Environmentalists, Legislative staff
- Monthly meetings:
- Eleven White papers
- Internal Re-engineering Process: Policy, Regulatory, Statutory recommendations

# [Components of Reform]

- Licensed Site Remediation Professional program
  - LSRP Board issues licenses oversees conduct
  - LSRP mandatory after May 2012
  - LSRP must certify all work under standards, regs and guidance per SRRA
  - LSRP issues **Response Action Outcome** in lieu of NJDEP No Further Action letter

# [Components of Reform]

- Plus new authority for NJDEP
  - Affirmative obligation to remediate
  - Mandatory timeframes for remediation
  - Remedy Selection - ability to disapprove remedies for residential, schools, childcare
  - Presumptive remedies for same sensitive populations
  - No single family homes, childcare or schools on landfills
  - No rendering a property “unusable” for redevelopment or recreation

# [ NJDEP's role going forward ]

- 2 programs between now and 5/2012
- “inspections” of all documents
- “further reviews” based on our priorities
- Invalidate RAO if remedy is unprotective; Product not Process
- Field Presence
- NFA vs RAO

# [ Compliance Assistance ]

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- Success is our goal
- Hand holding for all new cases and those opting in.
- Existing cases – status quo
- Work out the kinks in process, forms, guidance documents
- Selection of staff as “reviewers”.



# [ Technical Assistance ]

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- Guidance documents vs. regulations
- Stakeholder process to develop documents
- Stakeholder process to improve regulations
- Ongoing support from the scientists to LSRPs

# [Where we are today]

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- Regs – 11/4/09
- Temporary Licenses –
- Final rules
- Minor Statutory amendments
- Huge support from most stakeholders
- Huge commitment from managers and many staff

# [Change Management]

- Where we are now is undesirable
- Where we want to be is much better
- Why is the future view is better
- How do we get there

# [Then and Now]

- More cases than we can handle
- Unassigned cases; un-reviewed documents
- Cases not assigned based on priorities
- Cases that had Immediate Environmental Concern impacts and unknown sources that are not being worked on
- Some poor consultants; no authority for action
- Many poor submittals; no authority for action
- No mandatory timeframes, (Now there are)
- No authority for remedy selection
- No enhanced remedies for sensitive populations

# [The Future]

- Same Goals ..... Different Roles
- More cases than we can handle
- Every document is screened
- Cases audited or assigned based on priorities
- Greater emphasis focus on publicly funded and unknown sources cases
- Poor consultants; authority for action by DEP, LSPs, Clients, General Public
- Poor submittals; authority for action
- Greater enforcement for RP's
- Mandatory timeframes
- Remedy selection authority
- Enhanced remedies for sensitive populations

# [Response from staff]

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- First survey
- Training
- Volunteers
- New groups
- New survey

# [ So far to date..... ]

- Temporary LSRPs – 360 (as of April 30, 2010)

Case statistics \*(as of April 30, 2010)

- “New” cases using LSRPs – 358
- Cases requesting to opt in – 66
- Total new cases '10 – 1296
- Total NFAs in '10 – 1690
- Documents submitted by an LSRP:
  - PA/SI – 51
  - RAO – 55
  - RAR – 8