

Executive Order 103 (2020) - Timeframe extension information (May 21, 2021)

Subject: Omission of remedial action report timeframes set forth in administrative consent orders from the February 1, 2021 Notice of Rule Waiver/Modification/Suspension

The following is a clarification regarding the New Jersey Department of Environmental Protection (Department) February 1, 2021 Notice of Rule Waiver/Modification/Suspension Pursuant to Executive Order No. 103 (2020) ("Notice," available at <https://www.nj.gov/dep/covid19regulatorycompliance/docs/srp-remedial-timeframes-20210201.pdf>).

Timeframe extensions for submittal of remedial action reports, set forth in an Administrative Consent Order (ACO) for remediations subject to the statutory timeframes set forth in the SRRA at N.J.S.A. 58:10C-27 and 27.1 where the timeframe is other than May 6, 2021, were omitted from the Notice.

- I. For remediations that are subject to the statutory timeframes set forth in the SRRA at N.J.S.A. 58:10C-27 and 27.1 to complete the remedial investigation by either May 7, 2014 or May 7, 2016:
 - A. For a timeframe to complete the **remedial action** that is set forth in the ACO and that occurs **after** May 7, 2021, the timeframe is extended for **one year** from the date set forth in the ACO unless the ACO explicitly states the one year extension was already incorporated into the remedial action due date.

No action is required on the part of the person responsible for conducting the remediation or the retained LSRP; the timeframe(s) will automatically be extended by the Department.

For the situation noted above, this extension approval does not correct any past violations that occurred if a previous timeframe was missed and not otherwise extended by a prior extension request.