

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

Subject: Omission of regulated underground storage tank site investigation report 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>).

For remediations being conducted pursuant to the Underground Storage of Hazardous Substances Act, N.J.S.A. 58:10A-21 et seq., and Underground Storage Tank rules, N.J.A.C. 7:14B ("regulated underground storage tank remediations"), timeframe extensions for submittal of site investigation reports as required pursuant to the Technical Requirements for Site Remediation at N.J.A.C. 7:26E-3.14(a)2 and N.J.A.C. 7:26E-3.14(b)2 were omitted from the Notice.

- I. For site investigation reports that were due **on or after** March 9, 2020:
 - A. The person responsible for conducting the remediation may request an extension by submitting an extension request to the Department by August 16, 2021 for due dates between March 9, 2020 and August 16, 2021, inclusive, as follows:
 1. Extension request is to be submitted using the Remedial Timeframe Notification form available at https://www.nj.gov/dep/srp/srra/forms/rem_timeframe_notification.pdf?version_1_3,
 2. Extension form is to be submitted pursuant to the Administrative Requirements for the Remediation of Contaminated Sites (ARRCS), N.J.A.C. 7:26C-3.2, by the retained licensed site remediation professional (LSRP).
 3. LSRP should indicate:
 - a. Form is being submitted for the submittal of the site investigation report for the remediation of a regulated underground storage tank, and
 - b. Extension request is for 455 days for that timeframe and all subsequent regulatory and mandatory timeframes.
 - B. For timeframes due on or after August 17, 2021 and until the Notice is no longer in effect, the person responsible for conducting the remediation must submit the extension request timely pursuant to ARRCS (the requirements to submit extension requests 30 and 60 days prior to the timeframe are in effect).
 - C. The Department will:
 1. Approve a 455-day extension if the case falls within the effective dates of the February 1, 2021 Notice, and
 2. Extend all subsequent case specific timeframes listed in the Notice by 455 days.