

TIMEFRAMES



REGULATORY TIMEFRAMES

- Summary of Regulatory and Mandatory Timeframes for Remediation

site remediation program njdep home

Site Remediation Program

What's New!

- Updated Immediate Environmental Concern (IEC) Technical Guidance available
14 May 2018
- Updated Model Deed Notice/Model Termination of Deed Notice available
8 May 2018
- Updates to the New Jersey Hazardous Discharge Site Remediation Fund
18 April 2018
- March 14, 2018 CVP/SRAG Meeting
11 April 2018

SRP Contacts

- About SRP
- Contaminants of Emerging Concern
- Forms Library
- Guidance Library
- Home Heating Oil Cleanups/UHOT
- Listserv Archives
- Quick References Guide

May 2014 Remedial Investigation Deadline **May 2014 Remedial Investigation Extension** **May 2014 Remedial Investigation Extension Reminders**

The Site Remediation Reform Act set forth sweeping changes to the way in which sites are remediated in New Jersey. SRRA established the affirmative obligation for responsible parties to remediate contaminated sites in a timely manner and created a category of remediation professionals known as Licensed Site Remediation professionals (LSRP). For more information, please see the [Overview of the LSRP Program](#).

May 7, 2012 is the day on which the phase-in period for implementing the [Site Remediation Reform Act, N.J.S.A. 58:10C-1 et seq.](#) (SRRA), and related amendments to the [Brownfield and Contaminated Sites Act](#) (Brownfield Act), the [Spill Compensation and Control Act](#), and the

Quick References Guides

Quick References and Other Guides

I. Important Messages

1. [Affirmative Obligation to Cleanup](#)
2. [Summary of Regulatory and Mandatory Timeframes for Remediation](#)
3. [Varying from Rule and Applying Technical Guidance](#)
4. [June 2014 Revised Remedial Investigation Complete Policy Statement](#)

II. Quick Reference Guides

- http://www.nj.gov/dep/srp/srra/training/matrix/new_responsibilities/timeframe_req.pdf

EXTENSION TO REGULATORY TIMEFRAMES

- Remedial timeframe notification forms must be submitted at least **30 days prior** to the regulatory timeframe
- Complete section (C) of the form and provide a justification for the extension
 - The justification must be reasonable, specify why timeframe will not be met and steps taken to minimize the delay
 - Extension request to a regulatory timeframe can not exceed the mandatory timeframe
 - PA,SI, IRE, LNAPL IRM: 1 yr. max from regulatory timeframe
 - RI, RA: 2YR max from regulatory timeframe

EXTENSIONS TO REGULATORY TIMEFRAMES

- April 4, 2017 Listserve
http://www.nj.gov/dep/srp/srra/listserv_archives/2017/20170404_srra.html
 - Administrative Guidance Regarding Compliance with Remedial Action Report Timeframes
- **Examples of unacceptable justifications:**
- The selection and implementation of a remedial action that cannot achieve the applicable remedial action report submission objectives within the applicable timeframe is not an acceptable justification for an extension request. The selected remedial action must be chosen to meet the applicable remedial action report due date;
- Waiting until the applicable remedial action report submission timeframe is up to determine that the remedial action is not working is not an acceptable justification for an extension request and any such extension request will be denied;
- Waiting until the applicable remedial action report submission timeframe is up to begin the application process for required permits or delays in acquiring a required permit due to submittal of deficient permit applications are not acceptable justifications for extension requests and any such extension requests will be denied. Administratively and technically complete permits applications should be submitted timely to the department
- See guidance for additional examples.

EXTENSIONS TO REGULATORY TIMEFRAMES

- **Example: RA REGULATORY TIMEFRAME 5/7/2017 And MTF 5/7/2019. Remedial Action could take up to 10 years exceeding their Mandatory Timeframe. The original extension request was denied.**

Justification For Extension

1. Describe the cause or causes of the need for additional time to complete the work:

Remedial action started in September 2013 using bioventing to remediate the soils, and manual recovery of free product. The biovent pilot test indicated that the process could take up to 10 years. Additional time is needed in order to complete the remedial actions.

2. Describe in detail the steps taken to minimize the additional time needed to complete the work:

(For any site where access is a cause of the need for additional time to complete the work, detail the steps taken to obtain access)

Active remediation including bioventing and free product recovery is ongoing. Confirmation soil sampling is scheduled for September 2017.

3. Additional information:

Maximum extractable petroleum hydrocarbons concentration was 15,000 ppm in September 2015. Free product is still present.

REGULATORY TIMEFRAMES

Case Tracking Tool By PI Number

PI Number Entered [REDACTED]

This report allows the user to identify incomplete upcoming and past due tasks associated with a case. This report does not capture every regulatory or mandatory timeframe due date established in Site Remediation Rules (i.e. ARRCs, UST, ISRA or Technical Requirements). In some instances, the Department may only become aware of a due date after the due date has passed and for which these timeframes apply.

If data errors are suspected, please contact the compliance assistance duty officer at 609-633-1464.

PI Name	County	Municipality
[REDACTED]	Union	Elizabeth City

Activity Number	Name	Document Title
LSR120001	[REDACTED]	[REDACTED]

Schedule : HIGHLIGHTED DUE DATES FOR SPECIFIED TASKS MAY BE INCORRECT

Task	Due Date	Completed Date
Date Remediation was Required to be Initiated	6/3/2013	9/30/1999
Remedial Investigation Regulatory Timeframe	3/1/2015	3/1/2015
Remedial Action Regulatory Timeframe	2/28/2018	3/1/2018
Remedial Action Report Due	3/1/2019	
Remedial Action to be Completed for All CAOCs	3/1/2019	

RI REG TIMEFRAME-RI MTF 3/1/2017

RA REG TIMEFRAME – RA MTF 3/1/2020

1 YR EXT GRANTED

REGULATORY TIMEFRAMES

- All cases are initially set up reflecting Regulatory Timeframes. However, if extensions are granted the dates in the case tracking tool may not represent the Regulatory Timeframe for specific required submissions.
- Example:

Activity Number	Name	Document Title
LSR170001	[REDACTED]	[REDACTED]

Schedule :

Task	Due Date	Completed Date
Date Remediation was Required to be Initiated	8/29/2017	7/31/2017
LSRP Receptor Evaluation (Initial) Due	6/28/2019	
LNAPL Free Product RI & IRM Report Due	6/28/2019	
Remedial Investigation Regulatory Timeframe	7/30/2020	7/30/2022
Remedial Investigation to be Completed	7/30/2022	
Remedial Investigation Report Due	7/30/2022	
Remedial Action Regulatory Timeframe	7/29/2025	7/29/2027

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Reg 7/31/2018 and MTF is 7/31/2019

Extension Request submitted for IRE, IRM with 6/28/2019 date.

- Extension requests **DO NOT** extend your regulatory Timeframe. The extension requests extend the submission of the required document.

REGULATORY TIMEFRAMES

- SITE SEARCH REPORT

Activity Tracking Report

Activity Tracking Report

05/30/2018 10:17 AM

PI Number: [REDACTED]

LSR120001

Activity Class Description	Licensed Site Professional Program
Activity Type Description	LSRP - SRRA Conversion Case

Assigned To	Description	Completed Date
SRP CLEARING HOUSE, LSRP	Remedial Investigation Regulatory Timeframe	3/1/15
SRP CLEARING HOUSE, LSRP	Remedial Action Workplan Received	3/17/15
SRP CLEARING HOUSE, LSRP	Remedial Investigation Completed	3/17/15
SRP CLEARING HOUSE, LSRP	Remedial Investigation Report Received	3/17/15
SRP CLEARING HOUSE, LSRP	Site Investigation Report Received	3/17/15
SRP CLEARING HOUSE, LSRP	LSRP Retention Form Received	8/7/15
,	LSRP Dismissal Form Received	8/7/15
SRP CLEARING HOUSE, LSRP	Rem. Timeframe Notification Form Rec'd- Extension Request	12/4/17
SRP CLEARING HOUSE, LSRP	Remedial Action Regulatory Timeframe	3/1/18

ALL EXTENSION REQUESTS PROCESSED WILL HAVE A COMPLETED DATE. IF BLANK THEN IT HAS NOT BEEN PROCESSED.



EXTENSION TO MANDATORY TIMEFRAMES


- The Remedial Timeframe Notification forms must be submitted at **least 60 days prior** to the Mandatory Timeframe
- Complete section (C) of the form and provide a justification for the extension
 - The justification must be reasonable, specify why timeframe will not be met and steps taken to minimize the delay
- Extension **request are deemed approved** in the following circumstances
 - Delay by the department in reviewing or granting a permit or required submittal. Must be technically and administratively complete
 - A delay in federal or state funding for remediation. Funding application must be technically and administratively complete.
 - Extension shall equal the actual duration of the delay

EXTENSION TO MANDATORY TIMEFRAMES

- Extension request **may be granted** in the following circumstances
 - Delay in obtaining access to property in accordance with N.J.A.C. 7:26C-8, provided that the person responsible for conducting the remediation demonstrates that good faith efforts have been undertaken to gain access, access has not been granted by the property owner, and, after good faith efforts have been exhausted, a complaint was filed in the superior court to gain access
 - On-going litigation, the outcome of which will have a direct bearing on the person's ability to meet the mandatory remediation or expedited site specific timeframe;
 - The person is an owner of a small business who can demonstrate to the department's satisfaction that he or she does not have sufficient monetary resources to meet the mandatory remediation or expedited site specific timeframe
 - Other circumstances beyond the control of the person responsible for conducting the remediation, such as fire, flood, riot, or strike.

REMEDIAL TIMEFRAME NOTIFICATION FORM HELPFUL HINTS

- Only check off the boxes that apply and complete corresponding section.



New Jersey Department of Environmental Protection
Site Remediation Program

REMEDIAL TIMEFRAME NOTIFICATION FORM

Extension Request

Lengthen Remedial Investigation Report (RIR) Timeframe Notification

Contaminated Media Notification

- If lengthening request only complete section E. Do not complete section C.
- If contaminated media notification only complete section D. Do not complete section C.
- Check the Regulatory Timeframe dates on the data miner case tracking tool report before completing the form. If the dates are incorrect please contact BCAIN before submitting the form.
- **NOTE:** ARFF submission for contaminated media will not update regulatory timeframes. A Remedial Timeframe Notification Form must be submitted. See September 27, 2017 Listserve.

REMEDIAL TIMEFRAME NOTIFICATION FORM

HELPFUL HINTS

- Lengthening request: Section E #2 must be equal to the boxes checked off under #5 that apply.

SECTION E. LENGTHEN RIR TIMEFRAME NOTIFICATION
(Complete this section only if you are lengthening the Remedial Investigation Report Regulatory Timeframe)

1. Is the request for an Industrial Establishment subject to ISRA?..... Yes No

2. Indicate the number of additional years requested beyond the initial Remedial Investigation Report Regulatory Timeframe due date. **Number of Years:** (Maximum of 4 years)

3. The initial Remedial Investigation Report Regulatory Timeframe Due Date:

4. The revised Remedial Investigation Report Regulatory Timeframe Due Date:

5. Justification (check all that apply)

- Access to real property not owned or controlled by the person responsible for conducting the remediation is required, or contamination has impacted an environmentally sensitive natural resource, as defined in N.J.A.C. 7:26E-1.8.
- Ground water contamination exists in a consolidated aquifer or a dense non-aqueous phase liquid exists in ground water.
- Ground water contamination exists in more than one aquifer or there are two or more distinct ground water contaminant plumes.
- The person responsible for conducting the remediation wants a final remediation document for the entire site, the discharge was not discovered prior to May 7, 1999, and the site does not include an industrial establishment that

- Lengthening only applies to the Remedial Investigation phase.
- Lengthening and Media will change all RI and RA tasks (including the Regulatory Timeframe Tasks).