TIMEFRAMES



Summary of Regulatory and Mandatory Timeframes for Remediation



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
- TT Auick Dafaranca Cuidas

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.
- 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.

Case Tracking Tool By PI Number

PI Number Entered

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.

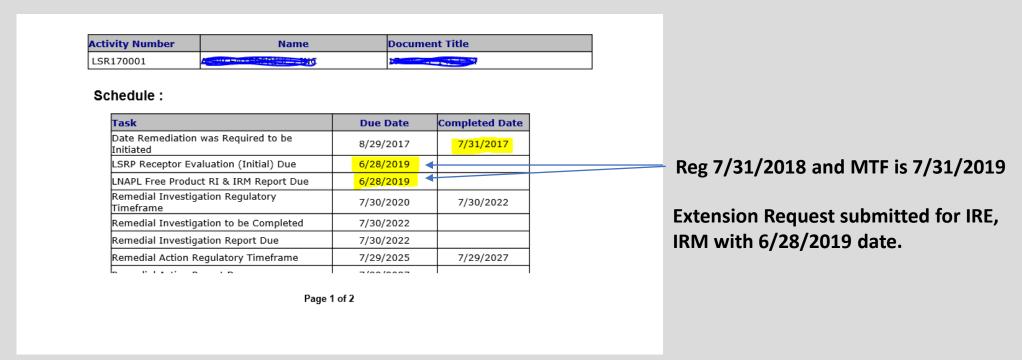
PI Name	County	Municipality
r	Union	Elizabeth City

Activity Number	Name	Document Title
LSR120001	· oblic school » 10)	

Schedule: HIGHLIGHTED DUE DATES FOR SPECIFIED TASKS MAY BE INCORRECT

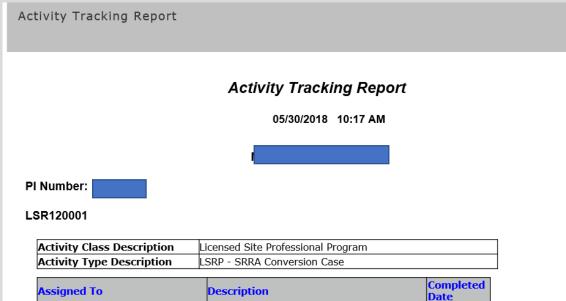
Task	Due Date	Completed Date	DI DEG T	IMEFRAME-RI MTF 3/1/2017
Date Remediation was Required to be Initiated	6/3/2013	9/30/1999	NI NEG I	IIVIEFRAIVIE-RI IVITF 3/1/2017
Remedial Investigation Regulatory Timeframe	3/1/2015	3/1/2015	- DA DEG T	IMEFRAME – RA MTF 3/1/2020
Remedial Action Regulatory Timeframe	2/28/2018	3/1/2018	MA REG I	IIVILFRAIVIL - RA IVITF 3/1/2020
Remedial Action Report Due	3/1/2019		4 VD EVT CD	ANITED
Remedial Action to be Completed for All CAOCs	3/1/2019		— 1 YR EXT GR	ANTED

- 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:



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

SITE SEARCH REPORT



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

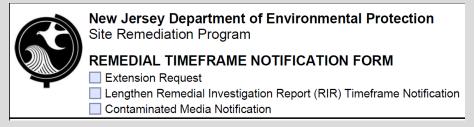
- The Remedial Timeframe Notification forms must be submitted at **least 60 days prior** to the Mandatory Timeframe
- Complete section (C) of the form and provide a justification for the extension
 - The justification must be reasonable, specify why timeframe will not be met and steps taken to minimize 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 NOTIFICATON FORM HELPFUL HINTS

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



- 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 NOTIFICATON FORM

• 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 <u>or</u> a dense non-aqueous phase liquid exists in ground water.				
	Ground water contamination exists in more than one aquifer <u>or</u> 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).