

Biennial Certification Reviews

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Remedial Action Permitting

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Biennial Certification Review

During the biennial review of effectiveness of permit, if it is determined that site conditions have changed that do not ensure the protectiveness of the remedy, then:

1. Modify permit
2. Withdraw RAR, permit, and RAO
3. Report a new discharge



Permit Modification – N.J.A.C. 7:26C-7.12

1. A change in remedial action pursuant to N.J.A.C. 7:26C-6.4
2. A modification of the engineering or institutional controls, which will result in a change to the exhibits in the deed notice or in the notice in N.J.A.C. 7:26C7.2 (c)2
3. The permittee changes address

A permit modification shall include all supporting documentation



Withdraw

When the information in the biennial certification indicates that remedy is no longer protective and permit modification is not appropriate, then the Remedial Action Report, the permit and the RAO will need to be withdrawn



New Discharge – Notification of DEP Hotline

- New release of similar contamination
- New contaminant of concern not previously investigated (i.e., contaminants of emerging concern)
- Change in order of magnitude of remedial standard (i.e., 1,4- dioxane)

