

CVP/SRAG-SRP MEETING
May 14, 2013
ACTION ITEM RESPONSES

1. Petroleum spills less than 100 gallons

Issue: What is status of report for Data Miner and what is the process to find information on these types of spills after hotline is called? How is the incident closed on the Department's database and how is that reflected in Data Miner?

Response: A Data Miner report is being developed that will be listed under the "Case Tracking Tool" category (http://datamine2.state.nj.us/DEP_OPRA/OpraMain/categories?category=Case+Tracking) under SRP's Data Miner Reports (http://datamine2.state.nj.us/dep/DEP_OPRA/index2.html#sr). Before the report is posted, SRP is working to make the terms used in the report understandable to responsible parties, LSRPs, and the general public. SRP anticipates this new report to be posted by late summer.

In addition, the Site Remediation Program met with the NJDEP County Environmental Health Agencies (CEHA) liaison. At this meeting it was determined that the current contracts with the various CEHA agencies do not include referring these discharge events/incidents to the CEHA, nor do they include funding for CEHA to conduct these activities. In the future, SRP will notify CEHA of these discharge events/incidents. The Department is currently developing a process for how these discharge events/incidents will be investigated and closed.

2. Mineral oil spills from transformers

Issue: Is the Department adding anything about mineral oil spills to the rule proposal?

Response: The Department is including an amendment to N.J.A.C. 7:26C-1.4(e) to exempt from the requirement to use the services of an LSRP or to submit documents to the Department persons who are remediating small spills of mineral oil from transformers. This amendment is a part of the rule proposal which is currently under review by the Department's Office of Legal Affairs.

3. Collections/Billing

a) **Issue:** Why is a company called FAMS contacting Responsible Parties regarding past due fees?

Response: The State recently hired a new collection agency, Financial Asset Management Systems Inc. (FAMS). This agency is actively going after debt across various Department programs including SRP. As part of the FAMS process, they are sending one page notices about the debt owed with information on the amount in question, how to pay it, and how to contact FAMS if you have questions. It is not easily apparent on the notice what case the bill is for. To determine the DEP Case ID or Program Interest number, go to the box in the

notice called 'Creditor Acct. Number.' This box has two numbers separated by a slash (e.g., 12345 / 678900). The second number (the number after the slash) is the Department Case ID or Program Interest number.

In general, once unpaid invoices have been referred to a collection agency, the responsible party (RP) is required to contact that collection agency via the information provided on the agency's notice and work with the collection agency to resolve the debt. If the RP needs additional information regarding the amount owed or a copy of the old invoice, they are to request that information from the collection agency; if the agency does not have the information, the agency will contact the Department for the information.

b) Issue: Is there a report on Data Miner to find information on outstanding fees?

Response: Yes there is a Financial Obligation Report on Data Miner that displays all current and past fees and oversight costs. In accordance with the Administrative Requirements for the Remediation of Contaminated Sites (ARRCS), a Response Action Outcome (RAO) cannot be issued unless all SRP fees and past costs have been paid at the site (see N.J.A.C. 7:26C-6.2(a)3).. SRP has made a report available to the public to determine if monies for fees or old oversight costs are owed. The link to the Data Miner report is below. There is an Instruction Tab at the bottom of the report detailing how to navigate this report.

Link to Financial Obligations report:

http://datamine2.state.nj.us/DEP_OPRA/OpraMain/categories?category=SRRA

Click on "Financial Obligations Summary Report" and then type in the PI number, and then click on the "OK" button. This will show you if a bill has been paid or if it is still unpaid (displayed as 'Open Pending Payment'). This report will also show if a bill has been sent to a collection agency with a status of Open (Pending Payment through Collections).

Please note that it make take more than one attempt to successfully run this report.

For other general questions relating to fees, please go the "Fee Guidance Document," available at

http://www.state.nj.us/dep/srp/guidance/srra/fee_guidance_document.pdf.

c) Issue: How do LSRPs enter fee information for cases where there are multiple RPs and/or LSRPs?

Response: The Annual Remediation Fee DEP Online Service has been developed for filing the fee information as it pertains to the entire contaminated site/case, not just for specific contaminated areas of concern and media being overseen by individual LSRPs. Fees are a requirement of the person conducting the remediation and need to reflect the total number of contaminated areas of concern and media for the entire case. For cases where multiple LSRPs are involved, the fee category and media fee need to reflect the entire case, not just the portion for which the particular LSRP is responsible. The responsible party and the

LSRPs must communicate and ensure that the correct number of contaminated areas of concern and media are reflected through a single filing using the Annual Remediation Fee service. The instructions for the Annual Remediation Fee service are being updated to clarify this point.

4. GPRA 2020

Issue: How does the May 2014 remedial investigation complete deadline effect RCRA GPRA 2020 cases?

Response: The RCRA GPRA universe is comprised of 11 Federal-lead facilities and 106 State-lead facilities. The Federal-lead facilities are under Federal RCRA Orders and will follow the timeframes established in the federal orders and permits and therefore are *not subject* to the State deadlines.

State-lead RCRA GPRA 2020 facilities *are required* to hire an LSRP and comply with all State timeframes. DEP Case Managers are assigned to all State-lead facilities. All of the LSRPs assigned to these facilities with outstanding RI requirements have been contacted by the NJDEP case managers to discuss the outstanding requirements and to provide technical and administrative assistance toward meeting the deadline. The RI reports must be certified using the form at http://www.nj.gov/dep/srp/srra/forms/tradional_oversight_report.pdf.

For additional information, please refer to the guidance provided in the document “RCRA, CERCLA and Federal Facility Sites - Process for SRRA Implementation,” found at http://www.nj.gov/dep/srp/srra/training/matrix/quick_ref/rcra_cercla_fed_facility_sites.pdf.