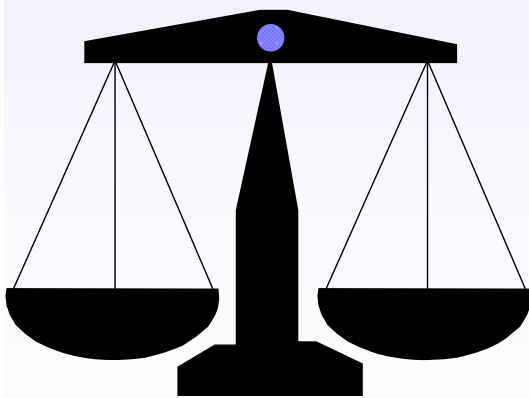
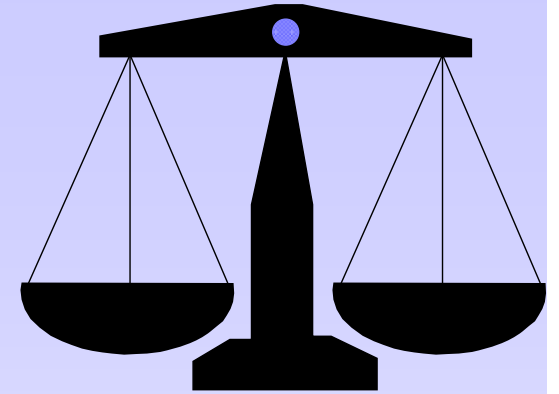


REGULATORY AND MANDATORY TIMEFRAMES

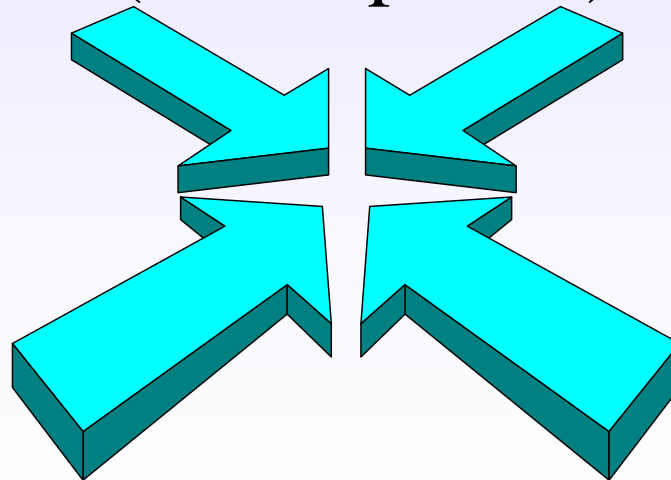


March 30, 2010

4/6/2010

Regulatory Timeframes

- Are those timeframes provided in the Regulations that have been determined to be appropriate to complete the specific requirement. (Grace period)



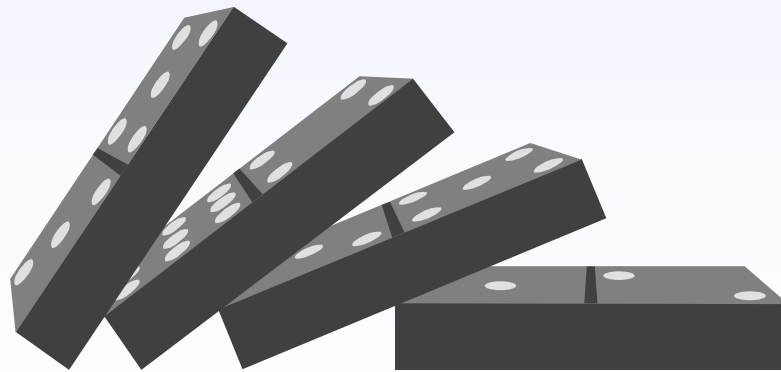
Mandatory Timeframes

- Are those timeframes provided in the ARRCS rule that have been determined by the Department to be inappropriate to exceed (for certain specific requirements) with out appropriate justification.

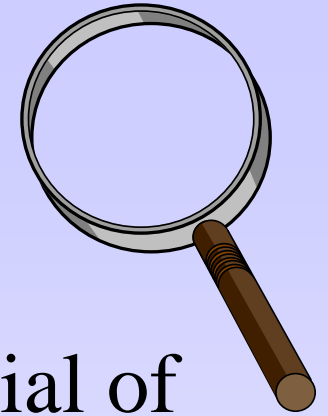


Consequences

- Violation of Regulatory timeframes exposes responsible entity to enforcement actions and penalty exposure.
- Violation of Mandatory timeframes exposes responsible entity to “Direct Oversight.”



Direct Oversight

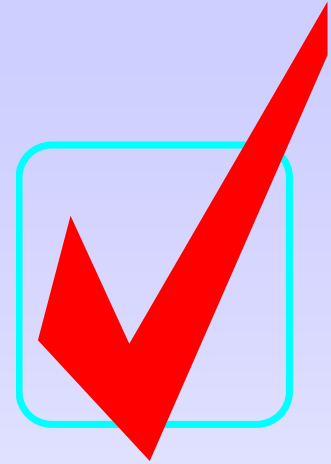


- Requires Department approval or denial of all documents
- Feasibility Study
- Remedial Action selected by Department
- Remediation Trust Fund
- Department controls disbursements
- Simultaneous submissions to Department and RP

Initial Notifications

- Immediately- from knowledge of a Discharge or as required by UST call Hotline
- 5 days- from ISRA Trigger or Discharge, submit GIN or Confirm Discharge Notification Form
- 45 days- from trigger above submit LSRP Notification of Retention or Dismissal Form

Trigger dates

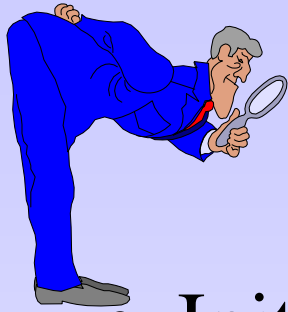


- Timeframe starts 03/01/10 OR,
- (1) Discovery of a discharge
- (2) LNAPL discovery
- (3) ISRA requirement for PA/SI, UST requirement for SI, or specific DEP directive, which ever is later. OR
- IEC condition confirmed

Comparison

	Regulatory Timeframe	Mandatory Timeframe
• Receptor Evaluation	9 months	1 year
• IEC source control	9 months	1 year
• LNAPL	9 months	1 year
• PA/SI or UST SIR*	9 months	1 year

* no known discharge



Receptor Evaluation Timeframes

- Initiate upon knowledge of a Discharge
- Complete- 9 months or 11/26/10 which ever is later - Initial RE
- GW: 3 months -well search
4 months - sample
2 weeks- if <standard, submit
(from receipt of results)
2 weeks - if >standard (IEC)

Receptor Evaluation Timeframes Cont.

- VI: 2 months - ID structures
5 months - sample
2 weeks - if <standard, submit data
(DEP and DHSS)
2 weeks - if >standard (IEC)
Step out



Receptor Evaluation Timeframes Cont.

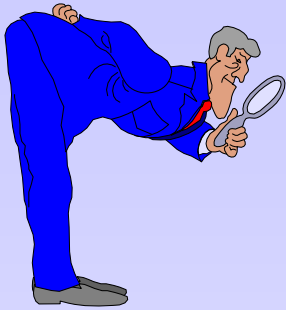
- Any sampling $>$ standard or screening criteria follow IEC Regulation and Guidance, and
- 14 days- Step out delineation and/or sampling



LNAPL

- 2 months- after March 1, 2010 or from Id, which ever is later, initiate recovery and notify(form)
- 9 months- complete source delineation and submit report and form





PA/SI and SIR

- Timing of submittal per licensing requirements for child care
- 3 months or 6/1/10 whichever is later -
Clean PA
- 9 months or 11/26/10 whichever is later -
PA/SI or SIR



Regulatory Timeframes

“The rest of the story”

UST

- 9 months or November 26, 2010, whichever is later.
- SIR - 9 months from, Unk Source, tank conversion, or initiation of closure,
- SIR&RIR- 9 months after discharge in Wellhead areas.
- RIR - due 9 months from discharge from UST no SI required.

Regulatory Timeframes

“The rest of the story”

ISRA

- GIN- Due 5 days from trigger
- Clean PA- 3 months or June 1, 2010
whichever is later
- PA/SI - 9 months or November 26, 2010
whichever is later
- RIWP - same as PA/SI



Extension of Mandatory and Regulatory Timeframes

- Mandatory “shalls” in statute
- Some regulatory will be deemed approved if you certify you meet specific conditions in rule
- Extensions for regulatory can not result in non-compliance with Mandatory Timeframes
- DEP can always deny the extension
- Others need DEP prior approval

