NJ Licensed Site Remediation Professionals Association

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LSRPA Future Events

• Dec. 5 – Business Practice Seminar
  LSRP Liability, Insurance & Contract Language
  Holiday Inn, East Windsor, Exit 8 of NJTPK
• Jan. 3 – LSRPA Exam Review Course
• Jan. 17 – 4th LSRP Exam
• Jan. 10 – LSRPA Annual Meeting
• Planning Technical Courses for LSRP credit in 2013
  Laboratory Analytical Process
  Using GIS
Thank you for your support!
Child Care/Educational Facilities
Site Remediation Reform Act

Diane M. Pupa, M.A., CHMM
609-292-8602
diane.pupa@dep.state.nj.us
Thank You For Attending!
We Know it’s long overdue.. :) 

Discussions Points Today

- New World Order & the Role of LSRP – CC/Schools
- Roles of Various State Agencies
- How new process differs from the rest of SRP
- Updates on Existing Information
- Case Studies
How 1 Child Care Center Transformed the Site Remediation Program
Kiddie Kollege-Franklin Township NJ
Governor Created Inter-Agency Task Force

*Included extensive self examination of:*

- Department of Environmental Protection (DEP)
- Department of Children & Families (DCF)
- Department of Health (DOH)
- Department of Community Affairs (DCA)

**Task force recommendations lead to:**

- Legislative Reforms
- Inter-Agency Changes
- DEP-SRP Programmatic Changes
Legislative Reforms

Madden Law (N.J.S.A. 52:27D-130.4) required:

- Most CCC & Educational Facilities to obtain an RAO (formerly NFA) PRIOR TO issuance of CO and/or Construction Permit, and

- DOH to adopt regulations for evaluation of Indoor Air and set standards (MCLs) for Building Interiors

Site Remediation Reform Act (SRRA) 5/09

- Licensed Site Remediation Professional (LSRP)
Amendments to Existing Rules

Department of Children and Families

- Child Care Licensing Rules
  - CCC must have DEP & DOH approvals before obtaining license to operate

Department of Environmental Protection

- Remedy Selection
- Expanded Public Notification
- Sensitive Populations
- Brownfields
- ISRA
- UST
Who’s Involved & When?
Department of Children & Families

Who?

- Department of Children & Families - Lead Agency

What’s their role?

- To conduct inspections and issue licenses to operate

When do they get involved in the process?

When applying for:

- New Construction of CCC
- Renewal or Relocation of CCC
Who’s Involved and When?
NJDEP/Site Remediation Program

Who?
- NJDEP/Site Remediation Program

What’s their role?
- To perform comprehensive reviews of **ALL** child care/educational facility RAOs & supporting documentation
- To conduct field inspection of LSRP work

When do they get involved in the process?
- After RAO is written & submitted
Who’s Involved & When?
Department of Health

Who?
- Department of Health (Ancillary Agency)

What’s their role?
- To review Indoor Environmental Health Assessments (IEHA) & determine what sampling is necessary, (i.e., radon, asbestos, lead paint, indoor air, etc.)
- To issue “Clearance” letter to be used as part of DCF license

When do they get involved in the process?
- **After** RAO is written & **before** DCF license issued
Who’s Involved & When?
Department of Community Affairs

Who?

 Dept. of Community Affairs (Ancillary Agency)

What’s their role?

 To oversee implementation of Uniform Construction Code (UCC) laws and standards by local municipal officials

When do they get involved in the process?

 On an “as needed” basis
Who’s Involved & When?
Department of Education

Who?

- Department of Education - Lead Agency under specific circumstances

What’s their role?

- Madden subject schools (N.J.A.C. 6A:26-3) Capital Project Review
- Land Acquisition for new schools (N.J.A.C. 6A:26-7)
  - Implementation of Executive Order 215 for new construction using State Funds >1 Million Dollars;
  
- Works in conjunction with DEP’s Office of Permit Coordination

When do they get involved in the process?
- When specific school criteria is triggered
Who’s Involved & When?
School Development Authority

Who?
- School Development Authority

What’s their role?
- Lead Agency for construction in certain school districts (formerly referred to as Abbott Districts)

When do they get involved in the process?
- When specific criteria are met
Madden in a Nutshell
...to keep kids safe

Applies to:

- Buildings slated for use as a CCC or School
- New construction
- Renovation (increased square footage) and/or change in use
- Contaminated sites:
  - ISRA,
  - BUST
  - Specific Uniform Construction Codes (UCC)
- **Suspected** contamination (i.e., former Agricultural use)
Madden in a Nutshell (cont’d)

Applicable Uniform Construction Codes:
- S (Storage)
- H (High Hazard)
- F (Factory)
- M (Gas Station)
- B (Dry cleaner and Nail Salon)

Requires *Entire Site* RAO *prior* to issuance of Certificate of Occupancy or Construction Permit
Key Points that came out of Kiddie/Kollege and Madden Law

Child Care Center Sites:

- Are handled only by DEP’s Child Care Unit (1st in Nation)

- Are regulated by DEP, DOH, DCF, DCA, DOE, and coordinated through Inter-Agency Child Care Coordination Meetings

- Must receive environmental clearances through RAO and IEH letters for new construction, renewal applications
Key Points that came out of Kiddie/Kollege and Madden Law

Child Care Center Sites:

- Must perform a Preliminary Assessment of entire property (N.J.A.C. 7:26E)

- Require special emphasis on play areas & drinking water quality

- LSRPs Issue RAOs (Entire Site or Leasehold)
  - no longer receive NFA letter from NJDEP
Child Care Center Sites vs. SRP Sites

Child Care Center Sites:

- The CCC/School site is the Receptor
  - Must perform radius search around property for any site that could impact center (e.g., auto paint shop, contaminated site, dry cleaner, nail salon, car demolition, etc.)

- Submit PA/SI/RI/RA and RAO along with supporting documents in One Package to DEP

- Must include child care inserts in the RAO

- Remediation usually <1 year and obtaining a license to operate is incentive to remediate
Environmental Requirements
Outdoor

Include:

- Preliminary Assessment of ENTIRE PROPERTY; not just leasehold portion
- ALL Areas of Concern on property not just leasehold portion
- Play Area
  - Sample w/in top 6” of soil
  - Include naturally occurring contaminants (Arsenic, Vanadium, etc.)
- Former Agricultural sites – require sampling
Environmental Requirements
Indoor, regulated by DOH

Indoor Environmental Health Assessment (IEHA)

- Evaluation/Analysis of:
  - Lead paint
  - Radon
  - Mold
  - Asbestos
  - VOCs

- DOH clearance letter
Drinking Water Requirements

Drinking Water must meet MCLs
*(SOCs & Secondary Monitoring no longer required)*

- **Public Water System**
  - Include PWSID#
  - Water bill must match CCC address

- **Private wells**
  - Include sampling for specific parameters based on location and prior use (naturally occurring contaminants – e.g., As, gross alpha)
  - Must Obtain Certification Letter from Bureau of Safe Drinking Water
  - Must re-sample during each 3-year license renewal
Types of Public Water Systems

- **Public Water Systems**: A system that serves water to at least 25 individuals 60 days a year.
  - **Community Water Systems**: Residential. (e.g., municipality, subdivisions, mobile home park)
  - **Non-Community Water Systems**: Nonresidential. (e.g., schools, factories, rest stops)
- **Non-Transient Non-Community Water Systems**: Stable population. (e.g., schools, factories)
- **Transient Non-Community Water Systems**: Changing population. (e.g., rest stops, gas stations, restaurants)

Common Issues Affecting Child Care Center Sites

- Historic Fill (PAHs, metals) – Must obtain Deed Notice/RA Permit for the property

- Naturally Occurring Contaminants (As, Vanadium, etc.) must eliminate direct contact exposure (i.e., cap play area)

- AOCs in play area; sample for appropriate parameters & frequency

- Former Agriculture Use - considered suspected contamination therefore sampling should be conducted
When is a Licensed Site Remediation Professional (LSRP) needed?

• An LSRP is needed to conduct an environmental evaluation for new or relocating child care centers when:
  – Site Subject to the Madden Bill
    ➢ Known or suspected contaminated sites:
      ➢ ISRA,
      ➢ BUST
      ➢ Specific Uniform Construction Codes (UCC)

• LSRP oversees remediation

• LSRP issues a Response Action Outcome (RAO)
When is an LSRP not needed?

• If the site is not subject to the Madden Bill
  – As determined by a preliminary assessment (PA)

• If the Department’s Child Care Unit previously issued a No Further Action letter (NFA) or Child Care Approval letter
  – Including certification that nothing has changed at the site
RESPONSE ACTION OUTCOME (RAO)

- If CCC owns property:
  - An Entire Site RAO is required for licensing purposes

- If CCC leases property:
  - A Leasehold RAO is required for licensing purposes
A **Comprehensive Review** will be performed on **ALL** RAOs issued for all CCCs and schools (sensitive populations)

- LSRP does not need prior DEP approval (except for permits). The remediation process should not stop

- DEP-BNFO/BSFO will conduct field inspections of all CCCs once an RAO is reviewed
Common Mistakes with Submittals & RAOs

- Incorrect or missing PI#
  - PI# issued when Retention Form or Confirmed Discharge Form is submitted- available on Data Miner

- Incorrect Scope of Remediation
  - Entire Site vs. Leasehold

- RAO issued to developer, NOT CCC owner

- Child Care “Notices” language missing

- RAO w/o CCC inserts **cannot** be used for license
Common Mistakes with Submittals & RAOs

- RAO lacks the current features (As-Builts)
  - DCF can’t issue license on “proposed work”

- RAOs issued w/o play areas
  - Must have play area for NEW CCCs (consult DCF first before issuing RAO)

- Play area description too vague
  - Bad description – “back of property”
  - Good description – “NW corner, constructed of pour-in-place surface, size is 75 ft. by 100 ft.”
Common Mistakes with Submittals & RAOs (continued)

- Site map lacks detail and/or inaccurate
  - Hand drawn, not to scale, missing AOCs

- Inconsistencies between forms and documents

- Case Inventory Document (CID)
  - Incomplete, must include ALL AOCs identified at the property
  - CID is missing figure

http://www.state.nj.us/dep/srp/guidance/srra/cid_guidance.pdf
Common Mistakes with Submittals & RAOs (continued)

- Inconsistencies between forms and documents

- Case Inventory Document (CID)
  - Incomplete, must include ALL AOCs identified at the property
  - CID is missing figure

http://www.state.nj.us/dep/srp/guidance/srra/cid_guidance.pdf
Child Care/School Updates

Grant Reimbursement Program (HDSRF)

- Available for PA Report for CCCs
- Application, Instructions and FAQs are being revised

Website under construction (Coming Soon!)

- Sign up for SRP listserv to receive announcements
- CCC/School FAQs will be posted on new website
BEFORE YOU LEAVE…

REMEMBER…

➤ You are the stewards of NJ’s Environment (air, soil, water, etc.)

➤ You are now stewards of children’s health and well being…

➤ Choose (remediation) wisely!!!
Resource Information

Department of Children & Families
Office of Licensing PO Box 717
Trenton, NJ 08625-0717
1-877-667-9845
http://www.state.nj.us/dcf/families/childcare/

NJDEP – Site Remediation Program
Child Care/Educational Facilities Unit
PO Box 420
Trenton, NJ 08625-0717
609-633-1479
http://www.nj.gov/dep/srp/
Resource Information

Department of Health
Indoor Environments Program
Trenton, NJ 08625
609-826-4950
http://www.state.nj.us/health/iep/index.shtml

Department of Community Affairs
Office of Local Code Enforcement
Trenton, NJ 08625-0500
609-292-7899
http://www.state.nj.us/dca/divisions/codes/offices/localcode.html
Resource Information

Department of Education
Office of School Facilities
P.O Box 500
Trenton, NJ 08625-0500
609-943-3270
http://www.state.nj.us/education/facilities/

School Development Authority
School Projects
PO Box 991
Trenton, NJ 08625-0991
609-943-5955
www.njsda.gov
Resource Information

Drinking Water Requirements
http://www.nj.gov/dep/watersupply/pw_child.html

SRP Listserv
http://www.nj.gov/dep/srp/

Quick Reference Guides for Regulatory and Mandatory Time Frames
Questions?
Division of Children and Families

Joslyn Bjsoreth
Assistant Bureau Chief
877-667-9845
www.nj.us/dcf/families/childcare/
LSRP Evaluation of Child Care Centers/Schools

Philip I. Brilliant, CHMM, LSRP
Brilliant Environmental Services, LLC
#1 Priority - Protectiveness
What has changed since May 7, 2012?

- RAO – Initial license only
- Preliminary Assessment – NOTHING!
- Site Investigation – NOTHING!
- DOH Indoor Environmental Health Assessment (IEHA) – EVERYTHING!
  - LSRPs cannot complete IEHA; they are completed by Indoor Environmental Consultant
### Why IEHA?

**STATE OF NEW JERSEY, DEPARTMENT OF CHILDREN AND FAMILIES, OFFICE OF LICENSING**

Child Care Center ID#: 15 CON00012

<table>
<thead>
<tr>
<th>Violation #</th>
<th>Date Cited</th>
<th>Date Abated</th>
<th>Inspection/Violation Report Attachment</th>
</tr>
</thead>
<tbody>
<tr>
<td>180</td>
<td>5/7/10</td>
<td>5/26/10</td>
<td>Complete and submit a DCF Renewal Attestation Form with the center's previous DEP approval letter attached and any other environmental documents if applicable.</td>
</tr>
<tr>
<td>181</td>
<td>5/7/10</td>
<td></td>
<td>Submit a current Child Care Facility Approval letter from the DEP Child Care Unit.</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>Submit a current letter or other approval from the DHSS, Indoor Environments Program, for centers:  a) co-located with a dry cleaner or nail salon; b) with one of the prior uses: F, H, S, B (dry cleaner, nail salon), A (funeral home) or M (gas station); or c) located in a building built in 1978 or earlier; or d) located near a known hazardous area. <strong>Contact DHSS prior to taking action</strong> to confirm what is needed for your center. Call DHSS at (609) 826-4923 or email DHSS using the link at <a href="http://www.state.nj.us/health/eho/tsrp/iep/ccicieha.shtml">www.state.nj.us/health/eho/tsrp/iep/ccicieha.shtml</a></td>
</tr>
</tbody>
</table>
Cost for Child Care Evaluations

- Preliminary Assessment and Report
- Site Investigation and Report
- Response Action Outcome
- Indoor Environmental Health Assessment
- Depends!!!
Role of LSRP

First and foremost determine:

- What type of Child Care ownership
  - Own property
  - Leasehold
- Freestanding or Multi-tenant building
- Adjacent to High Hazard Sites
- RAO
  - Scope of Remediation
  - Permit
Evaluate all Potential Concerns
Evaluate All Concerns
Case Study #1
Stafford Township, Ocean County

Preliminary Assessment Observations

- Free standing building
- Wooded and undeveloped lot
- Areas of Concern:
  - Floor drains in rest rooms – connected to public sewer
  - Detention basin – site only, parking area only
  - Boiler Room – natural gas only
  - Irrigation well – 145 feet deep
  - Public water for drinking
August 25, 2010

The Learning Experience
PO Box 688
Forked River, NJ 08731

Re: Response Action Outcome
Remedial Action Type: Unrestricted Use
Scope of Remediation: Entire Site – Child Care Facility
Case Name: The Learning Experience
Address: 1600 Route 72 West
Municipality: Stafford Township
County: Ocean
Block: 44.127 Lot: 3
Preferred ID: Not Assigned
Child Care License # Initial License

Dear Mr. Geffner:

As a Licensed Site Remediation Professional (LSRP) authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey, I hereby issue this Response Action Outcome (RAO) for the remediation of the child care facility (Site) specifically referenced above. I personally reviewed and accepted all of the referenced remediation and based upon this work, it is my professional opinion that this remediation has been completed in compliance with the Administrative Requirements for the Remediation of Contaminated Sites - N.J.A.C. 7:26C-6.2(c), that is protective of public health, safety and the environment and full payment has been made for all Department fees and oversight costs pursuant to N.J.A.C. 7:26C-4.

This remediation includes the completion of a Preliminary Assessment as defined pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E).

My decision in this matter is made upon the exercise of reasonable care and diligence and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals in good standing practicing in the State at the time these professional services are performed.

As required pursuant to N.J.A.C. 7:26C, three electronic copies of all records related to the remediation activities that occurred at this location is being simultaneously filed with the New Jersey Department of Environmental Protection (Department). These records contain all information upon which the decision was based to issue this RAO.
RAO

Page 2
Response Action Outcome
The Learning Experience
1800 Route 72 West
Stafford Township, Ocean County, NJ
August 25, 2010
BLES Project Number 441PIB10

By operation of law, a Covenant Not to Sue, pursuant to N.J.S.A. 58:10B-13.2, applies to this remediation. The Covenant Not to Sue is subject to any conditions and limitations contained herein. The Covenant Not to Sue remains effective only as long as the real property referenced above continues to meet the conditions of this RAO.

CONDITIONS

Pursuant to N.J.S.A. 58:10B-12o, The Learning Experience and any other person who is liable for the cleanup and removal costs, and remains liable pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. shall inform the Department in writing, on a form available from the Department, within 14 calendar days of when its name or address changes. Any notices you submit pursuant to this paragraph shall reference the above case numbers and shall be sent to: New Jersey Department of Environmental Protection, Bureau of Case Assignment and Initial Notice – Case Assignment Section, P.O. Box 434, Trenton, N.J. 08625.

NOTICES

Building Interiors Not Addressed

Please be advised that the remediation that is covered by this RAO does not address the remediation of hazardous substances that may exist in building interiors or equipment, including, but not limited to, radon, asbestos and lead. As a result, any risks to human health presented by any building interior or equipment remains. A complete building interior evaluation should be completed before any change in use or re-occupancy is considered. To meet the requirements in the Department of Children and Families (DCF) licensing regulation, the Department of Health and Senior Services (DHSS), Indoor Environments Program, should be contacted to determine what steps, if any, are necessary to address the risks posed by the prior historical use. The DHSS, Indoor Environments Program, can be reached at 608-831-8749. DHSS Guidance can be found on the DHSS web site at www.nj.gov/health/eho/tsr.

Child Care Center Potable Water Notice

I certify that the Child Care Center is connected to a public community water system.

Child Care Center Play Area

The outdoor play area is located on-site, and is adjacent to the east side of The Learning Experience child care center building. The outdoor play area is 3,978 square feet, entirely fenced in, and lined with wood mulch.

Child Care Center Notice

Be advised that any relocation and/or expansion of the existing licensed child care center into other portions of the building or play areas, on or off-site, requires a new RAO Letter.
In concluding that this remediation has been completed, I am offering no opinions concerning whether either primary restoration (restoring natural resources to their pre-discharge condition) or compensatory restoration (compensating the citizens of New Jersey for the lost interim value of the natural resources) has been completed.

Pursuant to N.J.S.A. 58:10C-25, the Department may audit this RAO and associated documentation up to three years following issuance. Based on a finding by the Department that an RAO is not protective of public health, safety and the environment, the Department can invalidate the RAO. In addition, a Department audit following issuance of this document may be initiated at any time if: a) undiscovered contamination is found that should have been addressed by the RAO, b) if the LSRP Board conducts an investigation of the LSRP issuing the RAO or, c) if the license of that person is suspended or revoked.

Thank you for your attention to these matters. If you have any questions, please contact me at (732) 818-3380, extension 110.

Sincerely,

Philip I. Brilliant, CHMM, LSRP
Owner/Principal Environmental Scientist
Licensed Site Remediation Professional # 506285

Enclosure(s): Child Care Center map

c: Ocean County Health Department
   John McMenamin, Mayor, Stafford Township
   Municipal Clerk, Stafford Township
   NJDEP Bureau of Case Assignment and Initial Notice
   NJDEP Bureau of Enforcement and Investigations
   NJ Department of Children and Families (NJDCF) – Office of Licensing
   NJ Department of Health and Senior Services
Case Study #2
Point Pleasant, Ocean County

- 10 AOCs identified
- Heating oil tank area investigated
- RAO issued by LSRP but NJDEP concerned about pesticides in play area
  - RAO withdrawn
- New SI completed to evaluate pesticides in play area
  - New RAO issued
October 12, 2012

Ms. Beverly Mahde
Good Shepherd Nursery School
708 Ocean Road
Point Pleasant, New Jersey 08742

Re: Response Action Outcome
Remedial Action Type: Unrestricted Use
Scope of Remediation: Entire Site
Case Name: Good Shepherd Nursery School
Address: 708 Ocean Road
Municipality: Borough of Point Pleasant
County: Ocean
Block: 143 Lot: 17
Preferred ID: 567966
Child Care Center License #: Initial

Dear Ms. Mahde:

As a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey, I hereby issue this Response Action Outcome for the remediation of the site specifically referenced above. I personally reviewed and accepted all of the referenced remediation and based upon this work, it is my professional opinion that this remediation has been completed in compliance with the Administrative Requirements for the Remediation of Contaminated Sites (N.J.A.C. 7:26C), that is protective of public health, safety and the environment. Also, full payment has been made for all Department fees and oversight costs pursuant to N.J.A.C. 7:26C-4.

This remediation includes the completion of Preliminary Assessment and Site Investigation as defined pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E).

My decision in this matter is made upon the exercise of reasonable care and diligence and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals in good standing practicing in the State at the time these professional services are performed.

As required pursuant to N.J.A.C. 7:26C-6.2(b)2ii, a copy of all records related to the remediation that occurred at this location is being simultaneously filed with the New Jersey Department of Environmental Protection (Department). These records contain all information upon which I based my decision to issue this Response Action Outcome.
Response Action Outcome
Ms. Beverly Mahde
Good Shepherd Nursery School
October 12, 2012

By operation of law a Covenant Not to Sue pursuant to N.J.S.A. 58:10B-13.2 applies to this remediation. The Covenant Not to Sue is subject to any conditions and limitations contained herein. The Covenant Not to Sue remains effective only as long as the real property referenced above continues to meet the conditions of this Response Action Outcome.

CONDITIONS

Pursuant to N.J.S.A. 58:10B-12o, Good Shepherd Nursery School and any other person who is liable for the cleanup and removal costs, and remains liable pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. shall inform the Department in writing, on a form available from the Department, within 14 calendar days after its name or address changes. Any notices you submit pursuant to this paragraph shall reference the above case numbers and shall be sent to:

New Jersey Department of Environmental Protection
Bureau of Case Assignment and Initial Notice
Mail Code 401-05H
401 East State Street, 5th floor
PO Box 420
Trenton, New Jersey 08625-0420

NOTICES

Child Care Building Interiors Not Addressed

Please be advised that this Response Action Outcome does not address the remediation of hazardous substances that may exist in building interiors or equipment, including, but not limited to, radon, asbestos and lead. As a result, any risks to human health presented by any building interior or equipment remains. The requirements in the Department of Children and Families licensing regulation requires you to contact the Department of Health and Senior Services, Indoor Environments Program to determine what steps, if any, are necessary to address the risks posed by the prior historical use. The Department of Health and Senior Services, Indoor Environments Program can be reached at 609-631-6749. Department of Health and Senior Services guidance can be found at www.nj.gov/health/ehoh/tsrp.

Child Care Center Notices

I certify that the Child Care Center is connected to a public community water system.

This RAO is based on my determination that there is no impact to this Child Care Center from offsite contamination.

The outdoor play area is located on-site, and is north of the childcare building and adjacent to the Good Shepherd Lutheran Church building. The outdoor play area is approximately 2,500 square feet and its’ boundary is defined by buildings to the south and west and fence to the north and east. The outdoor play area will have natural vegetation ground surface.
Be advised that any relocation and/or expansion of the existing licensed Child Care Center into other portions of the building or play areas, on or off-site, requires a new RAO Letter.

In concluding that this remediation has been completed, I am offering no opinions concerning whether either primary restoration (restoring natural resources to their pre-discharge condition) or compensatory restoration (compensating the citizens of New Jersey for the lost interim value of the natural resources) has been completed.

Pursuant to N.J.S.A. 58:10C-25, the Department may audit this Response Action Outcome and associated documentation up to three years following issuance. Based on a finding by the Department that a Response Action Outcome is not protective of public health, safety and the environment, the Department can invalidate the Response Action Outcome. Other justifications for the Department's invalidation of this Response Action Outcome are listed in the Administrative Requirements for the Remediation of Contaminated Sites at N.J.A.C. 7:26C-6, including, but not limited to, a Department audit following issuance of this document may be initiated at any time if: a) undiscovered contamination is found that was not addressed by the Response Action Outcome, b) if the Licensed Site Remediation Professional Board conducts an investigation of the Licensed Site Remediation Professional issuing the Response Action Outcome or, c) if the license of that person is suspended or revoked.

Thank you for your attention to these matters. If you have any questions, please contact me at (732) 818-3380.

Sincerely,

BRILLIANT ENVIRONMENTAL SERVICES, LLC

Philip L. Brilliant, CHMM, LSRP
Owner/Principal Environmental Scientist
Licensed Site Remediation Professional # 573768

Enclosure(s): Child Care Center Map

c: Ocean County Environmental Health Act Agency and Regional Health Department(s)
Mayor/Clerk/Town Council, Borough of Point Pleasant
NJDEP Bureau of Case Assignment and Initial Notice
NJDEP Bureau of Enforcement and Investigations
NJ Department of Children and Families (NJDCF)
NJ Department of Health and Senior Services (NJDHSS)
Case Study #3
Jersey City, Hudson County

- Free standing building
- 1 AOC
  - Historic Fill by NJDEP mapping and confirmed with borings
  - Excavation and deed notice for play area

#1 Obligation is to be **Protective!!**
Don’t forget...

- Use all available resources (NJDEP tools and mapping)

- Keep in mind...
  - Facilities will open or be constructed upon issuance of RAO
  - NJDEP document inspection may be after construction
  - LSRP liability
  - Don’t forget IEHA

http://www.state.nj.us/health/iep/ccc_ieha_submission.shtml
Thank You
Questions