



Technical Guidance Overview

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Presentation Overview



- Technical Guidance Program, Committees Document Review Process and Training
- Variance from Rule and Application of Guidance
- Updating Technical Guidance





DEP/SRP and LSRP Program: Laying a foundation for the future

- LSRP Program
- GUIDANCE
- RULES





Technical Guidance Committees

- **Composed of :**
 - DEP Staff and outside Stakeholders
- **Tasks:**
 - Develop Technical Guidance Document
 - Move prescriptive requirements from Tech Rules to Tech Guidance
 - Coordinate with Tech Rule Committee
 - Develop training on Guidance doc.





Stakeholder Input

SRRA requires the Department to involve stakeholders *N.J.S.A. 58:10C -14c(3)*

- But its more than that ...
 - Provides forum for collaboration
 - Creates a process for consensus building
 - Provides more balance to guidance documents
 - Improves working relationships
 - Review process: improves document quality
 - Info exchange – training development





Review Process for Draft Technical Guidance Documents



Internal NJDEP review:

- Distributed to SRP Bureau Chiefs, Assistant Directors and SRP Assistant Commissioners office
- All SRP Staff provided opportunity to review

External Stakeholder Review:

- Distributed to Stakeholders on each of the NJDEP Technical Guidance Committees
- Stakeholders requested to coordinate document review within their respective Stakeholder Groups

Steering Committee "Fatal Flaw Review"

- Distributed to SRRA Steering Committee for "high Level" review.





Technical Guidance Documents

FINALIZED

LNAPL
Receptor Evaluation
Presumptive Remedies
IECs
Alternate Fill / Clean Fill
Historic Fill
Ecological Investigation
Conceptual Site Model
Vapor Intrusion
Linear Construction
Soil Tech Rules [Prelim Assess]

DRAFT

GW Tech Rules
Soil Tech Rules [SI/RI/RA]
Soil Tech Rules [UST/LF]
Monitored Natural Atten.
Analytical Methods
Attainment
Tech. Impracticability





Technical Guidance Training Schedule

- Linear Construction + CSM - Jan 30
- Vapor Intrusion - Feb 13
- PA & SI/RI/RA/Soils - Feb 29
- PA/SI/RI/RA/Groundwater + MNA - Mar 6
- PA/SI/RI for USTs and Landfills - Mar 27
- Technical Impracticability - Apr 10
- QA/QC - TBD
- Attainment - TBD

(dates may change for some sessions)





Rule Variance/Technical Guidance

Policy Paper:

*" Varying from a Rule and Applying
Technical Guidance "* (Nov 2011)

- Posted on DEP Website at:
http://www.nj.gov/dep/srp/srra/training/matrix/important_messages/variance_and_bpj.pdf
- Describes current process for applying for variance and use of Technical Guidance





Variance from Regulation (Current)

Current process outlined in
N.J.A.C. 7:26E-1.7. (Tech Reqs)

In next relevant submittal, must:

- Provide applicable rule citation
- Describe how the variance differs from rule cited
- Document that the variance provides:
 - Verifiable and reproducible results;
 - Achieves the objective of the cited rule; and
 - Furthers attainment of specific remedial phase.





Variance from Regulation (Proposed Rule)

Before work is conducted, must submit:

- A "Variance Form" (new), and
- Info currently required in Rule (see previous slide)

Note:

- Department approval is not required for work to proceed
- Intent is allow the Department the option to observe work
- Since Tech Rules will be more performance based; request for variance considered important





Technical Guidance: Use of Professional Judgment



*LSRPs may use alternate guidance
and/or approaches*

- If there's no DEP Guidance, or it is not considered appropriate or necessary
- However, must explain why, and
- Document decisions are protective
 - complexity of explanation relative to site complexity





Updating Technical Guidance

Documents will be revised in response to

- Changes in Regulations and/or
- advances in Technology

Major changes:

Committee reconvenes to evaluate document revision

Minor changes:

Committee Chair will review





Feedback

It's important to receive feedback on

- Document usability
- Problems encountered
- Suggested updates
- New topics for Guidance



Feedback Link on NJDEP-SRP Website

nj.gov/dep/srp/srra/feedback.htm





Thank You For Your Time



QUESTIONS

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