

## **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]

### <u>DRAFT</u>

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
- Vapor Intrusion
- PA & SI/RI/RA/Soils
- PA/SI/RI/RA/Groundwater + MNA
- PA/SI/RI for USTs and Landfills
- Technical Impracticability
- QA/QC
- Attainment

- Jan 30

- Feb 13

- Feb 29

- Mar 6

- Mar 27

- Apr 10

- TBD

- TBD

(dates may change for some sessions)





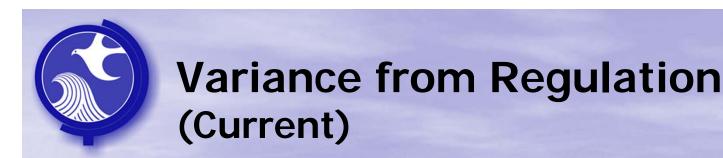
## Rule Variance/Technical Guidance

## **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/import
   ant\_messages/variance\_and\_bpj.pdf
- Describes current process for applying for variance and use of Technical Guidance





## Current process outlined in

N.J.A.C. 7:26E-1.7. (Tech Regs)

#### 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.





### Before work is conducted, must submit:

- A "<u>Variance Form</u>" (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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