LSRP Continuing Education Requirements

36 Continuing Education Credits (CECs) over 3 year LSRP license renewal period:

Minimum no. of CECs must be satisfied in these categories:

- 3 CECs Ethics
- 10 CECs Regulatory
- 14 CECs Technical
- +9 CECs Discretionary

Board can require “CORE” courses
Continuing Ed Credits (CECs)

- One CEC is equivalent to 1 hour of instruction from university, college, DEP, LSRPA & other professional organizations
- Conferences Conventions Workshops 1hr = ½ CEC
  - Up to 8 CECs allowed within 3 year renewal cycle
  - Changes to this policy are up to discretion of LSRP Board
- Webinar and On-Line Courses: CEC is 1:1 but exam is required
- CECs available for presentations, publications but not 1:1 credit

A Look Ahead for Continuing Ed in 2013

- LSRPA Breakfast Roundtable
  - February 26th 7:30 -10 am
  - Register on LSRPA.org (members only)
- Continue LSRP exam preparation courses (May 7th)
- Additional Business Practice Seminars
- Continue Assistance with Guidance Training
- Assist DEP w Practical Applications Course
- Ethics (modified)
- GIS Training
- Laboratory Analytical Process
- Technical Courses from NGWA, Battelle & Others

Thank you for your support!
Public Notification and Outreach

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Benefits of Community Outreach

• Effective Community Outreach
  – Builds trust and credibility with citizens and local officials for remediating party and LSRP
  – Helps prevent roadblocks
  – Assists in gaining access to off-site properties
  – AND...

Public Notification & Outreach Requirements

• Required in Administrative Requirements for the Remediation of Contaminated Sites (NJAC 7:26C-1.7)
• Originally established in the Technical Requirements for Site Remediation in 2008
• Intended to keep the public and local officials informed
• Moved from Tech. Regs. to ARRCs Rules in 2012
**Exemptions**

The following case types are exempt from the requirement to post signs or send periodic notification letters:

- Remediation of an unregulated heating oil tank (UHOT) system
- Emergency response action

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**Overarching Changes**

- Prescriptive requirements removed – *flexibility introduced*
- DEP will no longer have the most current site information in many cases
- LSRPs will be in best position to answer public inquiries
- Contractual/confidentiality issues must be resolved with RPs to be able to respond

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**Overarching Changes**

- Signs, notification letters and fact sheets must include contact information for the remediating party and the LSRP
- Notification signs, letters and fact sheets no longer should include contact information for DEP, Office of Community Relations
**Time Frames**

- Within 14 days prior to commencing field activities associated with the Remedial Action (currently) — will change back to Remedial Investigation with rule amendment package
  - Letters must be sent; or
  - Sign must be posted; and
  - Required documentation must be provided to clerk and health department(s)
- Documentation must be submitted to DEP with the next applicable remedial phase report e.g., PA, SI, RA, RAO

**Sites with Off-Site Contamination**

- Fact Sheet – prepare and distribute within 14 days of determining contamination migrated off-site
- Publish in newspaper within 30 days
- Update, redistribute & republish within 90 days of completed delineation unless:
  - Contamination is limited to GW & CEA is established - follow notification requirements for CEA

**Retail Service Station Policy**

If a release is identified during a regulated UST closure, on-site repair or maintenance activities the following activities are immediately initiated in an efficient single phase:
- Removal of the tank(s) contents
- Excavating the tank system
- Identification of the contamination
- Removal of any associated fill material and contaminated soils

DEP does not require the activity to stop in order for the public notification requirements to be initiated.

DEP established a three week window for public notification and outreach activities to commence for discharges not already known.
Public Inquiries
N.J.A.C. 7:26C-1.7(o)1

RPs are required to conduct additional public outreach if needed due to site-specific circumstances. (not new)

Public Inquiries
N.J.A.C. 7:26C-1.7(o)1

RPs must respond to inquiries (new)
- Received by the RP directly; or
- Received by the Department and referred to RP
  • Since the LSRP is often most familiar with current site conditions and the status of the remediation:
    - DEP will direct telephone inquiries to the LSRP
    - DEP will contact both the LSRP and the RP when a written inquiry is received from the public, media or elected official

Failure to conduct public outreach is a minor violation and can result in a base penalty of $10,000 to the RP

Advice for Responding to Inquiries

• Recognize that subject matter is highly technical and specialized
• Do not use jargon
• OK to sacrifice some technical precision to be understandable
• Caller often does not know exactly what they want
**Words of Advice**

- Be professional but engage caller in dialogue
- Professional and Personable are not mutually exclusive
- OK to have a sense of humor/laugh
- Build rapport

**Words of Advice**

- The caller will expect that you know all the answers
- It is OK to say I don’t know – I’ll find out
- Respond promptly

**Best Management Practices**

Select staff that have the skill set/personality necessary to respond to inquiries:
- Patient
- Ability to summarize with little detail
- Friendly
- Superior phone etiquette
- Courteous
Resources

- Public Notification Guidance Page
  http://www.nj.gov/dep/trp/guidance/public_notification/

- Public Notification Form

- Guidance for Posting Signs

- Guidance for Sending Notification Letters

- Public Notification Guidance for Retail Gasoline Stations

QUESTIONS?

Helpful Hints for Effective Community Outreach

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Most Common Community Outreach Initiatives

- Residential Sampling
- Public Meetings

Residential Sampling

- Potable well testing
- Vapor intrusion testing
- Soil and/or ground water testing

Residential Sampling Outreach Activities

- Arranging sampling appointments
- Collecting Samples
- Reporting Findings
- Facilitating Remedial Actions
Residential Sampling - Primary Concerns

• Possible health effects
• Property values
• Confidentiality/Stigma

Residential Sampling - Obtaining Access

• DEP can no longer help LSRPs obtain access to properties

• Property access template letters (optional) are on SRP’s Vapor Intrusion web page at
  www.nj.gov/dep/srp/guidance/vaporintrusion/templates

Arranging Sampling Appointments

Step 1: Introductory Letter

• Send several weeks before the sampling event
• Explain reason for sampling and provide general information
• For rental properties, send to occupant and owner
• Give local health officer and town clerk a list of individuals contacted
Arranging Sampling Appointments

Step 2: Phone call (or e-mail) to occupant

- Give at least two weeks notice
- Be prepared to discuss sampling details and when they will get their results
- For vapor intrusion testing, review “Instructions for Occupants – Indoor Air Sampling”

Interacting with Owner/Tenant

- Someone should be available to answer the occupants’ questions
- Defer to the property owner’s wishes whenever possible

Reporting Sampling Results

Provide verbal notification if:

- Contaminants of concern are very high (more than 10x the standard or screening level)
- There are high levels of non-site related contaminants
- More than two months have elapsed since sampling occurred
**Written Notification**
*(Required by Tech Rule)*

Written notification must include:

- A cover letter that explains the findings in non-technical terms
- A table that clearly summarizes the analytical results
- Letters must go to:
  - Property Owner
  - Tenant
  - Local Health Officer

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**Template Letters**
*(Optional)*

Template sampling results letters/tables are available on SRP’s web page at:

- **Vapor Intrusion**

- **Potable Well**

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**Public Meetings**

The earlier the better

- Meet as often as needed to ensure timely conclusion of activities

Possible formats:

- Local council meeting
- Formal presentation with question and answer period
- Public information session (also known as an “open house”)
QUESTIONS?

Public Notification and Outreach
NJDEP Seminar
January 24, 2013
Jon Holt, Principal, Holt Public Affairs LLC

Pitfalls of Not Communicating
PCB-Contaminated Demolition Concrete
• local officials surprised
• public and political outcry
• results in DEP public notification requirements
Key To Successful Public Notification
Two-Way Communication
  • no surprises
  • over communicate
  • provide mechanisms for inquiries
    ➢ website
    ➢ toll free number
    ➢ repositories

Public Notification Implementation Case Study 2009
  • Client meetings to review requirements and develop communications plan
  • meet DEP requirements
    ➢ letters vs. signs
  • meet RP corporate requirement
    ➢ key messages
    ➢ stakeholder outreach
    ➢ responsiveness to inquiries

Public Notification Implementation Case Study 2009
  Implementation Planning
  Identify resources
  • Internal
    ➢ project coordination
    ➢ communications support
  • External
    ➢ technical support
    ➢ administrative support
    ➢ translation services
    ➢ fact sheet advertising placement
    ➢ community relations
Public Notification Implementation Case Study 2009

Implementation
- letter to mayors and other stakeholders
- letters to property owners
- newspaper ad placement of fact sheets
- outreach
- toll-free number
- coordinating inquiries with technical team

Public Notification Implementation Case Study 2009

Results
- few inquiries from mayors
- lots of inquiries from neighboring property owners
- confusion over “reports” language:
  (“A copy of reports submitted to the NJDEP related to the environmental investigation for this site will be made available to the <municipality> upon the <municipality> request.”)

2011 Public Notification Implementation

- new set of mayors to communicate with
- second notice to many neighboring property owners
- phone inquiries – fewer
Looking Ahead to 2013

- Ability to propose alternative communications plan
- Need to coordinate RP and LSRP roles
- More verbal responses as opposed to written reports

Lessons Learned, Helpful Hints and Suggested Improvements

Lessons Learned

- Bigger job than expected – start planning early
- People unfamiliar with LSRP concept
- People confused by “A copy of reports submitted to the NJDEP related to the environmental investigation for this site will be made available to the <municipality> upon the <municipality> request.”

Helpful Hints

- Include term “No action on your part is needed” early-on in communications materials—this helps to allay concerns.
Lessons Learned, Helpful Hints and Suggested Improvements

Helpful Hints
- Identify newspapers through New Jersey Press Association website www.njpa.org
  - search by county and municipality
- Set up toll free number that can be directed to company representative or LSRP
  - one point of contact, can be easily directed to appropriate contact
  - example, www.accessline.com

Suggested Improvements
- clarify or remove “A copy of reports submitted to the NJDEP...” language
- allow electronic filing of copies of letters and fact sheets
- allow electronic filing of ad placement invoices and PDFs of newspaper ads
- use of more layman-friendly language (use a cover letter and attach the technical information).
- use of email and websites for notification and handling inquiries

Questions?