

SRPL BOARD BULLETIN

Keeping LSRPs Informed

Quarterly Newsletter – 2024-Q4



What's Inside this Quarter's Newsletter?

Financial Clarity – Update on the FY 2025 Board Budget and changes to the Annual License Fee

Important Reminders from CSRR – Get the latest news and updated information

REAL Regulations – Where to find the Rule Proposal – comments due November 3, 2024

Who is Meredith Marcus? Welcome new Board staff

Linear Construction – Information to help LSRPs with linear construction projects

Responsibility to Notify if a Timeframe May Be Missed – Reminders about this important requirement

Important Dates in 2025 – Open Public Meeting Dates and the date of the Licensing Exam

FINANCIAL CLARITY: UNDERSTANDING THE SRPL BOARD BUDGET AND FEES

On September 9, 2024, the Board voted to accept the FY 2025 Budget and CY 2025 Fee Report.



Click here to view these documents posted on the Board website at <https://www.nj.gov/lrspboard/finance/>. The following is a brief explanation of how the fees are calculated in accordance with the Site Remediation Reform Act and SRPL Board Rules.

To calculate the Application Fee, the Board multiplies the average number of hours to review an application (based on FY 2023 and FY 2024 data) by the projected hourly salary and overhead of Staff reviewing applications. The figures were 5.81 x \$98.36 which yielded \$571.47, which represents the Application Fee calculated in accordance with NJAC 7:26I-3.3. However, the Board decided that the Application Fee should not be increased to avoid discouraging new applicants. Therefore, the Application Fee will remain \$366.

To calculate the Renewal Fee, the Board multiplies the average number of hours to review a renewal application (based on FY 2023 and FY 2024 data) by the projected hourly salary and overhead of Staff reviewing applications. The figures were 1.88 x \$101.47 which yielded \$190.76, which represents the Renewal Fee calculated in accordance with NJAC 7:26I-3.4. However, the Board decided that the Renewal Fee should not be increased to minimize the financial burden on LSRPs renewing licenses. Therefore, the Renewal Fee will remain at \$150.

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Financial Clarity: Understanding the SRPL BOARD Budget and Fees - *Continued*

To calculate the Annual License Fee, the Board subtracts the projected revenue from Application and Renewal Fees from the total estimated costs based on the Board Budget and divides the remaining costs by the current number of LSRPs. The figures were \$366 x 65, which is the projected number of new applications, yielding a total of \$23,790, and \$150 x 217, which is the projected number of renewal applications, yielding a total of \$32,550.

The total projected revenue is the sum of the Application Fee collections (\$23,790) and Renewal Fee collections (\$32,550) which equals \$56,340. The total estimated costs based on the FY 2025 Budget are \$785,074.62. Subtracting \$56,340 from \$785,074.62 equals \$728,734.62. Dividing this figure by 695, the current number of LSRPs equals \$1,048.54.

The Board decided that, although the calculations indicate that the Annual License Fee should be \$1,048.54, to mitigate the cost to LSRPs the Board decided to limit the increase in the annual license fee to 10% of the current \$900 fee. Therefore, the CY 2025 Annual License Fee will be \$990. This is the first time that the Annual License Fee has been increased since the inception of the Board. As the Board is required by the Site Remediation Reform Act to be self-supporting, the fee increase is necessary to ensure that the Board's operations are sustained in a fiscally responsible manner.

IMPORTANT REMINDERS FROM NJDEP CONTAMINATED SITE REMEDIATION & REDEVELOPMENT (CSRR) IN CASE YOU MISSED IT ...

CSRR posted two new fact sheets regarding the sampling of contaminants of emerging concern:

[Per- and Polyfluoroalkyl Substances \(PFAS\) Sampling Fact Sheet](#) and [1,4-Dioxane Sampling Fact Sheet](#). These fact sheets supplement [Chapter 3](#) of the Field Sampling Procedures Manual. Check out version 3.0 of the [Technical Guidance for the Attainment of Remediation Standards and Site-Specific Criteria](#). You'll find new sections on addressing historic fill and the development of functional areas in conjunction with an alternate remediation standard, a consistent approach to addressing non-detect values in data sets where compliance averaging is applied, and [much more](#).

If you are about to submit an Initial UST Facility Registration, an Annual Renewal/Modification of UST Facility Registration, or a Financial Assurance Mechanism Update remember to use the online portal because its use becomes [mandatory on December 2, 2024](#).

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Reminders From NJ DEP Contaminated Site Remediation & Redevelopment (CSRR) - In Case You Missed It *Continued*

The latest on remedial action permitting:

- The [Instructions for the Prioritized Initial RAP Application Addendum](#) are now available. The [Addendum form](#) was posted previously on June 29, 2023.
- The [Instructions for the LSRP Supplemental Certification for Initial Soil RAP Application](#) and the [Instructions for the LSRP Supplemental Certification for Initial Ground Water RAP Application for Monitored Natural Attenuation \(MNA\)](#) were recently posted to supplement their [respective certifications](#).



Sunsets Are a Time of Reflection...

Email your picture of the sunset while you were in the field to

SRPLBoardContact@dep.nj.gov

and it may be featured in the next quarterly newsletter.

REAL REGULATIONS

The Department is proposing rules to support Resilient Environments and Landscapes in the face of sea-level rise, extreme weather, frequent flooding and other impacts of the changing climate. More information, and a copy of the Rule Proposal, may be found on the Department website at <https://dep.nj.gov/njreal/>

Comments on the Rule Proposal are due by November 3, 2024.



WELCOME NEW BOARD STAFF



The Board welcomes attorney *Meredith Marcus*, who joined the Board as a Regulatory Officer on Monday, September 9, 2024. Meredith is experienced in land use, environmental and insurance law, and served as member and chairperson of the zoning board of Morristown, NJ. Meredith will be assisting Executive Director Dana Haymes and Project Specialist Victoria Glean with all Site Remediation Professional Licensing Board functions.

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LINEAR CONSTRUCTION PROJECT APPLICABILITY

By Charles Stebbins, LSRP

The Linear Construction Technical Guidance Document (January 2012) was developed for New Jersey transportation and utility projects involving the creation, maintenance, or alteration of a roadway, railroad, or utility by a “linear construction entity” (LCE) such as a public agency or utility company/sewer authority conducting a linear construction project.

The criteria for entering the NJDEP Site Remediation Program as a linear construction project (LCP) are that:

1. The project includes one or more contaminated properties on or adjacent to the project corridor; and
2. The project will generate more than 200 cubic yards of contaminated soil for fill or disposal over the duration of the LCP.

The project corridor can include property and/or easements owned by the LCE, and/or land and/or easement acquisitions by the LCE for the project.

The linear construction guidance applies to LCEs that are not subject to the New Jersey Spill Compensation and Control Act (N.J.S.A. 58:10-23.11 et seq.) or the New Jersey Underground Storage of Hazardous Substances Act (N.J.S.A. 58:10A-21 et seq.). However, the LCE must not have caused a discharge of hazardous substances or be in any other way responsible for the discharge (N.J.S.A. 58:10-23.11g10). If the LCE causes a discharge or chooses to take over a remediation for a responsible party, then the remediation must be conducted in accordance with the Technical Requirements for Site Remediation (TRSR) and Administrative Requirements for the Remediation of Contaminated Sites (ARRCS) Rules (N.J.A.C. 7:26E and N.J.A.C. 7:26C, respectively).

The linear construction guidance does not apply to contractors per se; however, contractors are often retained by LCEs to construct the LCPs following this guidance, and Licensed Site Remediation Professionals (LSRPs) who oversee LCPs can be hired by the LCE or the contractor working for the LCE, if agreed to by the LCE.

Finally, it is important to note that if a discharge occurs during the LCP, or if LCP-related excavation activities uncover an underground storage tank or tanks, buried drums, or any other source of subsurface contamination, immediate action must be taken by the contractor and LCE to stop or contain the discharge, and the incident must be reported to the NJDEP Spill Hotline for remediation activities

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LINEAR CONSTRUCTION PROJECT APPLICABILITY – *Continued*

to be initiated/taken by the responsible party, if known, or the LCE itself in full compliance with N.J.A.C. 7:26E and N.J.A.C. 7:26C. These “discharge sites” located within the limits of the LCP become their own distinct Site Remediation Program cases handled separately from the LCP.

For more information on LCPs and the guidance used to implement them, please visit the NJDEP’s guidance library at [NJDEP| Contaminated Site Remediation & Redevelopment Program | Guidance](#).

RESPONSIBILITY TO NOTIFY IF A TIMEFRAME MAY BE MISSED

The Board rules that govern the conduct of LSRPs require that notifications be made if a timeframe deadline is likely to be missed. The requirement to make these notifications is never waived, regardless of circumstances. This requirement is described in the SRPL Board Rules at NJAC 7:26I-6.8(b) and (c).

Simply stated, the rules require that:

1. The client shall be notified if an LSRP expects to miss a **regulatory** timeframe.
2. The client **and** the NJDEP shall be notified if an LSRP expects to miss a **mandatory or** expedited timeframe.
3. All notifications shall be made in writing.

The Department has developed a form to make this notification. It can be found at https://dep.nj.gov/wp-content/uploads/srp/notice_to_comply_form.pdf?version=1.0

There may be occasions in which an LSRP has been in discussions with Department personnel regarding timeframes, particularly when an Administrative Consent Order is being negotiated. The LSRP may believe that since some Department personnel are aware that timeframes are unlikely to be met that the notification requirement is waived. THAT IS NOT CORRECT. Notifications that timeframes may be missed, whether regulatory timeframes, mandatory timeframes, expedited timeframes or new timeframes set by fully executed Administrative Consent Orders, are required by NJAC 7:26I-6.8(b) and (c). Such notifications must always be made, and are never waived, regardless of circumstances.



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INFORMATION FOR PROSPECTIVE LSRPs

The next LSRP Licensure Examination is scheduled for Wednesday, April 9, 2025.

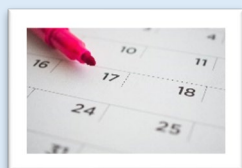
The Board will accept applications January 6, 2025 through January 31, 2025.

Applicants should register for Case Study Training (2019-098) to be held January 14 and 15, 2025.

<https://cpe.rutgers.edu/environmental/lrsp-case-study-next-generation>

If you have any questions, contact the NJ SRPL Board - click here to send an email.

IMPORTANT DATES in 2025 for your calendar...



The Board invites all LSRPs and interested members of the public to attend the Open Public SRPL Board meetings. The schedule for 2025 is listed below. Meetings are usually on the first and third Monday of each month with the exception of a few Tuesdays.

NOTE: The 2nd (second) meeting of the month is often cancelled, so please check the Board website for the most up to date schedule. Meetings may be joined using the link available on the Board website.

[Click here to visit the Board Website for Open Public SRPL Board Meeting Information.](#)

January 6
(Tuesday) January 21
February 3
(Tuesday) February 18
March 3
March 17
April 7
April 21
May 5
May 19
June 2
June 16
July 14
August 4
September 8
October 6
October 20
November 3
November 17
December 1
December 15

