

SRPL Board Complaint No. 008-2025

DISPOSITION

Based on its investigation and findings, the Site Remediation Professional Licensing Board (“Board”) voted to resolve the complaint with a finding that the subject of the complaint did not violate the provisions of the Site Remediation Reform Act (N.J.S.A. 58:10C-1 et seq.) or the SRPL Board Rules (N.J.A.C. 7:26I) alleged in the complaint and referenced below.

ISSUE

In conducting the audit of the LSRP the Audit Committee found that the LSRP had failed to make the notification required by N.J.A.C. 7:26I-6.8(c) when he failed to notify the Department of Environmental Protection in writing when a mandatory timeframe referenced in N.J.A.C. 7:26C-3 that occurred after December 1, 2018 was not met. Specifically, there was no record that in two particular cases the LSRP had notified the Department that a Remedial Action Report would not be submitted by the mandatory timeframe of September 14, 2024 and that a Remedial Investigation Report would not be submitted by the mandatory timeframe of June 20, 2023.

INVESTIGATION

The Audit Committee referred this matter to the Professional Conduct Committee (“PCC”) of the Board based on the failure of the LSRP to make the notification required by N.J.A.C. 7:26I-6.8(c) in two instances. During the investigation, the LSRP provided timeframes that were different from the timeframes shown in Dataminer for both cases. The LSRP’s timeframes were calculated for soil and groundwater media whereas the timeframes in Dataminer were calculated for soil only media. The LSRP submitted the Remedial Timeframe Notification Form to include additional media to adjust the timeframes. Following receipt of the Remedial Timeframe Notification, the Department adjusted the timeframes, with the RAR Mandatory Timeframe initially shown to be 9/14/24, adjusted to 8/25/2028 and the RIR Mandatory Timeframe initially shown to be 6/20/23, adjusted to 12/12/2025.

FINDINGS

According to N.J.A.C. 7:26I-6.8(c): “an LSRP shall notify the person responsible for conducting the remediation and the Department in writing when in his or her professional judgment based on site history any one or more applicable mandatory or expedited site-specific timeframes referenced in N.J.A.C. 7:26C-3 is unlikely to be met.” Based on review of the complaint, the Subject LSRP’s response to the complaint, the discussion with the Subject LSRP and review of documents and correspondence in NJEMS, the Audit Committee and PCC recommended no violation of N.J.A.C. 7:26I-6.8(c) since the timeframes were adjusted after media was added so were not missed. At the July 14, 2025 SRPL Board meeting the Board voted to find no violation.