

## **SRPL Board Complaint No. 018-2025**

### **DISPOSITION:**

Based on its investigation, 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 Site Remediation Professional Licensing Board (SRPLB) Rules (N.J.A.C. 7:26I) alleged in the complaint and referenced below.

### **ISSUE:**

This complaint was brought on November 25, 2025 by a member of the public against the Subject LSRP regarding their conduct at the Subject Property.

The Subject Property is a triangular tract of open space, bordered by a state highway and county road. Contaminated soil was spread on the Site as fill and makes up the berm that extends along the state highway side of the tract, which was planted with arborvitae. The surrounding area is urban residential/commercial. The tract is currently undeveloped, mostly wooded, with one historic house.

The municipality plans to redevelop the tract as a public park, including a large athletic field, parking areas, and other play areas. The LSRP’s company has been retained to manage the remediation. A separate engineering company has been retained to manage the redevelopment. A small remnant of the woods would remain undisturbed.

This plan has faced strong opposition from a group of residents, led by the Complainant. The complaint alleges that the Subject LSRP did not exercise independent professional judgment in service of public health and safety and the environment. This includes verifying environmental conditions firsthand, disclosing material information, correcting the record when facts are misstated, and ensuring that the public is not misled.

The complaint further alleges that certain public statements by the LSRP appear inconsistent with written directives from the New Jersey Department of Health (NJDOH) and the New Jersey Department of Environmental Protection (NJDEP), particularly regarding residential soil sampling and the existence and status of wetlands on the site. Combined with questions about the evaluation of remediation alternatives and dust-exposure protections, these inconsistencies raise concerns related to SRRA §16(a), (b), (h), (i), and (v) (corresponding to SRPLB Rules at N.J.A.C. 7:26i – 6.2, 6.3(d), 6.24, 6.8 and 6.21).

### **INVESTIGATION:**

After receiving the complaint on November 25, 2025, the Professional Conduct Committee (“PCC”) of the Board appointed a Complaint Review Team (“CRT”) to investigate the allegations

and response. The CRT met with the Complainant's representatives on February 19, 2026 and with the Subject LSRP on March 12, 2026.

In reviewing all the materials and interviewing both parties, the CRT focused its investigation on the following questions:

1. Whether the LSRP failed to follow NJDOH directives.
2. Whether the LSRP misrepresented wetlands data.
3. Whether public statements made by the LSRP violated SRRA §16(h), §16(i), or §16(v).
4. Whether the LSRP exercised independent professional judgment.
5. Whether the LSRP failed to evaluate alternatives.
6. Whether dust and exposure controls adequately prioritize and protect public health.

## **FINDINGS**

Based on its review of the complaint, the LSRP's written response, interviews with the Complainant's fellow residents and the LSRP, relevant documents, and the recorded November 13, 2025 community meeting, the Board finds no evidence that the LSRP failed to comply with professional standards. Accordingly, the Board concludes that the LSRP's actions during the site remediation did not violate the SRRA or the SRPLB Rules.

The Board determined that the NJDOH correspondence consisted of recommendations—not directives—and that the LSRP properly followed NJDEP regulations. Differences between the LSRP's initial wetlands assessment and NJDEP's findings were not unusual and did not amount to misrepresentation. The LSRP's public statements were accurate and consistent with SRRA and Board requirements.

The LSRP demonstrated independent professional judgment, evaluated multiple remedial alternatives, and planned for suitable dust and exposure controls, including hiring a specialized firm to conduct perimeter air monitoring during soil removal. The NJDEP's Bureau of Solid Waste is the lead bureau and has required removal of all contaminated soil which necessitates removal of the berm. The Board notes that the LSRP was attentive to residents' concerns about the berm and the arborvitae and made efforts to preserve the trees; however, was unable to safely do so. Maintaining or reconstructing the berm or other structure for safety is the responsibility of the municipality as part of redevelopment, while the LSRP's role is limited to addressing site contamination. Overall, the Board finds that the LSRP met all regulatory obligations, communicated effectively with the municipality and the public, and took all necessary steps to protect public health and safety and the environment. Therefore, the Board finds no violation of the SRRA or SRPLB Rules.