New Jersey’s LSRP Program
Facilitating Real Progress Toward Site Cleanup

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Site Remediation Reform Act (SRRA): Why is it Needed
Critical Mass of Contaminated Sites

20,000* Active SRP Sites in 2009

250* NJDEP Case Managers

• “Straw that broke the camel’s back”: Kiddie Kollege, Franklin Township, NJ
  • Mercury Contamination Found at State-Licensed Child Care Facility
    (former Thermometer Factory, 1984-1994)
  • Mercury Vapor 27X Acceptable Indoor Limits
  • 69 Children and 9 Adults Tested (1/3 Required Cont. Monitoring)

• Incident Led to New Reforms in New Jersey
  • Legislation (New & Amendments)
  • NJDEP-SRP Programmatic
  • Inter-Agency Changes

★ Approximately
The Old Paradigm – Before SRRA

• Cases entered NJDEP Site Remediation Program
  • Assigned NJDEP Case Manager
  • Followed the Technical/Oversight Rules
  • Paid oversight costs
  • Submitted periodic reports

• Regulatory review times too lengthy \((Years)\)

• Regulations too prescriptive \((Simon\ Says\ “Do\ This!”)\)

• Result: contaminated “legacy” sites that languished unresolved
Contaminated “Legacy” Sites
Implementing the SRRA N.J.S.A. 58:10C-1 et. seq.

• SRRA Statute – Signed into Law on May 7, 2009
• Responsible Parties – Affirmative Obligation to Remediate
• Regulatory and Mandatory Timeframes
• Establishes Licensed Site Remediation Professional (LSRP) Program and Licensing Board
• Administrative Requirements for the Remediation of Contaminated Sites (ARRCS) Rule, N.J.A.C. 7:26C, enacted May 7, 2012
• Revisions/Amendments to Existing Regulations and Issuance of New Technical Guidance
• NJDEP “Transformation”
Benefits of the SRRA

- Expedites contaminated site cleanups
- Increases flexibility to Responsible Parties
- Allows use of professional judgment by LSRPs

“Let’s approach the problem the way we know we can solve it.”

- Streamlines regulatory process
- Supports more cost-effective solutions
- Promotes faster redevelopment of under-utilized sites
LSRP Program: An Overview
Roles and Responsibilities under the LSRP Program

- NJDEP
- Site Remediation Professional Licensing Board (SRPLB)
- LSRPs
- Responsible Parties (RPs)
Obligations of Responsible Parties

RP s are obligated to:

• Retain an LSRP

• Conduct remediation pursuant to the ARRCS and Technical Rules

• Meet regulatory and mandatory timeframes applicable to the site

• Pay annual remediation fees

• Provide a financial assurance mechanism
Highlights of LSRP Program

- NJDEP Case Managers replaced by LSRPs
- RP can proceed with site cleanup without NJDEP direction and pre-approvals under oversight of LSRP
- Response Action Outcomes (RAOs) issued by LSRPs equivalent to NJDEP No Further Action (NFA) letters
- Sites that violate a mandatory timeframes are subject to Direct Department Oversight
- Remediation Funding Source and Financial Assurance are required to be established and maintained
Investigations and Cleanups Progressing

Streamlined approach to go from investigation to remediation
Valued Partnership: NJDEP and Regulatory Community
LSRP Program Participants

• NJDEP and SRPLB
• RPs (Good Actors)
• LSRPs, Consultants, and Attorneys
• Community and Environmental Groups
• Municipalities and Counties
• Developers (Brownfields)
Stakeholder Groups

- NJ LSRPA, NJ Chemistry Council, NJWEA
- Industry, State/Local Agencies, and Large & Small Utility Companies

- Creation of Technical Guidance Documents for Use by LSRPs (currently a total of 24):
  - Soil and Groundwater SI/RI/RA
  - Historic Fill
  - Vapor Intrusion
  - Off-Site Source Groundwater Investigation

- 23 Administrative Guidance Documents Created for Use by LSRPs
Metrics Show Record of Success
LSRP Program – By the numbers

- Total Number of SRP Cases – 14,235
- Total Number of Active LSRP Cases in SRP – 11,177
- Total Number of Active Other Cases – 3,058
- Total Number of LSRPs – 640
- Total Number of RAO Documents – 8,014
- Total Number of LSRP Cases Closed – 4,947

★ Numbers reflect data collected as of May 2016
LSRP Program – By the numbers (cont.)

- Average Number of Days for LSRP Submission to be deemed Administratively Complete – 22.34
- Average Number of Days for NJDEP to Inspect LSRP Submission – 66.26
- Average Number of Days for NJDEP to Review LSRP Submission – 43.06
- NJDEP Total Average Process Time ≤ 4.5 Months (*Not Years as in the Past*)
Questions?

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