




New Jersey's LSRP Program

Facilitating Real Progress Toward Site Cleanup

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Site Remediation Reform Act (SRRA): Why is it Needed



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Critical Mass of Contaminated Sites

20,000*	250*
Active SRP Sites in 2009	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

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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

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Contaminated "Legacy" Sites



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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"


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Benefits of the SRRA

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

“ Lets 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

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LSRP Program: An Overview




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Roles and Responsibilities under the LSRP Program

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



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Obligations of Responsible Parties

RPs 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



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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

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Investigations and Cleanups Progressing




Streamlined approach to go from investigation to remediation





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Valued Partnership: NJDEP and Regulatory Community



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LSRP Program Participants

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

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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

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Metrics Show Record of Success




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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

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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 \leq 4.5 Months (*Not Years as in the Past*)

★ Numbers reflect data collected as of May 2016

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Questions?



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