

1. Provide better information to the person responsible for conducting the remediation

The Department has amended the initial letter that is sent to the person responsible for conducting the remediation, to include a link to the main Site Remediation web page. This will allow the person responsible to educate themselves about the Site Remediation Reform Act and the Licensed Site Remediation Professional program.

2. Process for notifying the person responsible for conducting the remediation of administrative issues with a submission

If there are administrative issues with a submission that **is not** submitted through the NJDEP Online Portal, then the person responsible for conducting the remediation is notified by issuance of a Notice of Administrative Deficiency letter. The Notice of Administrative Deficiency is sent to the person responsible for conducting the remediation via both regular mail and email, and to the licensed site remediation professional (LSRP) via email. The person responsible for conducting the remediation has 30 days to respond to the noted deficiencies.

If a submission that **is** submitted through the NJDEP Online Service Portal and required uploads are bypassed, then an acknowledgment letter is generated by the service that will advise the person responsible for conducting the remediation that the items were bypassed, and a table is provided with the due date for each required submittal bypassed.

3. Process for notifying the person responsible for conducting the remediation of technical issues with a submissionRemedial Phase Documents

When technical issues are identified, an email is sent to both the person responsible for conducting the remediation and LSRP. However, for minor issues (such as a typographical error or an incorrect street address), only the LSRP is contacted. The email will explain what the technical issues are, and inform the person responsible for conducting the remediation that if a response is required the response is required within 30 days.

In circumstances where the deficiency affects the protectiveness of a Response Action Outcome (RAO), the person responsible for conducting the remediation and the LSRP are notified via email that the LSRP should withdraw the RAO. If the Department does not receive a response within seven (7) days, the Department will send a letter stating that the Department will invalidate the RAO. This letter is sent to both the person responsible for conducting the remediation and the LSRP.

For other key document submissions, the Department will send an email to the person responsible for conducting the remediation and the LSRP. If there are concerns regarding deficiencies and the protectiveness of the remediation, the Department may recommend that the LSRP withdraw the document in question.

Remedial Action Permit Documents

A Notice of Technical Deficiency is issued to the person responsible for conducting the remediation and the LSRP. The Notice of Technical Deficiency requires a response within 30 days. If the technical deficiencies in a remedial action permit application are either not addressed at all or not properly addressed within 30 days, then the application can be considered incomplete and the remedial action permit not issued. An example of a common deficiency is a monitored natural attenuation remedial action without a sentinel well or without an uncontaminated sentinel well.

4. Information typically included in an active ground water remediation remedial action permit

The language included in ground water remedial action permits is standardized to the greatest extent possible. Both active and natural attenuation ground water remedial action permits contain a ground water monitoring plan. A ground water monitoring plan is required to be submitted with all ground water permit applications and it must address the requirements found in the Administrative Requirements for the Remediation of Contamination Sites at N.J.A.C. 7:26C-7.5.

One of the differences between a monitored natural attenuation ground water remedial action permit and an active system ground water remedial action permit is the exact details of the active ground water remediation system are not included in the active ground water remedial action permit. The Remedial Action Workplan includes the details of the active ground water remediation system and the Remedial Action Report includes documentation that the selected remedial action is protective.

The active ground water remedial action permit contains no language or timeframe for turning off the active system. The person responsible for conducting the remediation and the LSRP must document the justification for modifying or shutting down an active system within the biannual remedial action protectiveness certification and demonstrate through ground water monitoring that there is no rebounding of contaminants and contaminants continue to attenuate. In addition, if there is a remaining dissolved plume, then the person responsible for conducting the remediation and LSRP should be monitoring ground water to demonstrate that natural attenuation is occurring and the contaminants are completely degrading. A remedial action permit modification to change from an active to a monitored natural attenuation ground water remedy would be required at the time that it can be demonstrated through sufficient ground water sampling that monitored natural attenuation is occurring. Another difference is that the active ground water remedial action permit will include language regarding financial assurance (unless the applicant is exempt from the requirement to post financial assurance).

5. Extractable Petroleum Hydrocarbons (EPH) Study

As part of the current stakeholder effort to revise the Extractable Petroleum Hydrocarbon (EPH) Protocol into Technical Guidance, the EPH Technical Guidance Committee is conducting a study of a centrifuge analytical method for possible use in developing a site-specific alternative

concentration that indicates the presence of product, instead of using the default concentrations currently found in the EPH Protocol. By centrifuging a soil core containing concentrations of EPH in exceedance of the current default product numbers, an assessment can be made regarding EPH mobility based on grain size distribution and total EPH concentration. The Committee is soliciting licensed site remediation professionals (LSRPs) to volunteer to collect soil cores from various types of soils contaminated with Category 2 EPH at concentrations ranging from near the current EPH default product concentration (17,000 mg/kg) to much greater concentrations. It is preferred that the cores be targeted to mostly older, more highly weathered EPH discharges, but some cores should also be representative of more recent EPH discharges. It is also preferred that cores be selected initially from locations above the ground water table, but cores at or below the ground water table can also be selected. The Department is looking for a combined total of six (6) samples, collected from various soil types:

Soil Type	# of Samples needed for study
Medium to coarse Sand EPH Default NJDEP Vapor Intrusion: Loamy Sand Brost & DeVaul Table 2 Line 8	2
Fine to Medium sand NJDEP Vapor Intrusion: Sandy Loam Brost & DeVaul Table 2 Line 9	2
Silt to Fine sand NJDEP Vapor Intrusion: Loam soil Brost & DeVaul Table 2 Line 10	2
Totals	6

For LSRPs volunteering to participate in this effort, please contact John Donohue, Special Projects Coordinator for the Fuel Merchants Association of New Jersey:

John F. Donohue
jdonohuells@gmail.com

Mr. Donohue will provide additional detail regarding procedures for collection of EPH soil cores and soil samples for grain size analysis, and he will coordinate the sample labeling and shipping between the site of collection and the analytical laboratories. Mr. Donohue will also maintain the accounting of EPH core/grain size samples with respect to the study. Please note that the samples submitted for the study will not be used to make remediation decisions at the sites of sample collection; the samples are confidential and will be used solely for the purposes of this study.