



Summary - Site Remediation Reform Act (SRRA) & LSRPs

On May 7, 2012, the Site Remediation Reform Act (SRRA) was enacted in New Jersey, changing the regulatory process for environmental sites. The most notable change is the major shift of regulatory oversight responsibilities from the NJDEP to private-sector, Licensed Site Remediation Professionals (LSRPs). The goal is to increase the pace and efficiency of site remediation, thus reducing public and environmental exposure to contaminant threats.

As part of the SRRA, there has been a reorganization of the previous Technical Requirements for Site Remediation (Tech Regs), shifting away from prescriptive requirements and direct NJDEP approval to performance-based goals that allow more flexibility and timeliness in addressing contaminated sites by LSRPs.

The newly revised Tech Regs, new NJDEP technical guidance documents and the Administrative Requirements for Remediation of Contaminated Sites

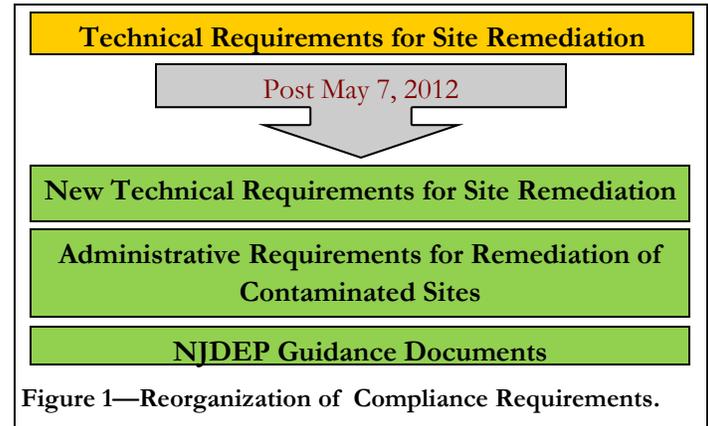


Figure 1—Reorganization of Compliance Requirements.

(ARRCS) are now used by an LSRP to ensure that successful site remediation is achieved within an appropriate time-frame.

Overall, this has increased the administrative efficiency of the site investigation and remediation process, but has resulted in little change of the technical requirements and how a contaminated site is addressed and remediated.

General Process Under SRRA

1. LSRP Retention
2. Notification and Public Outreach
3. Annual Remediation Fee
4. Preliminary Assessment/Site Investigation
5. Receptor Evaluation
6. IEC, VI, if applicable
7. Remedial Investigation/Remedial Action
8. Remediation Permits, if applicable
9. Issuance of Response Action Outcome

Roles and Responsibilities

- **Person Responsible for Conducting Remediation**
 - New “affirmative duty” to clean up the site.
 - Hire LSRP.
 - Subject to mandatory and regulatory time-frames and enforcement through penalties and/or direct oversight by NJDEP, if deficient.
- **Licensed Site Remediation Professional**
 - Oversee cleanups based on administrative and technical regulations, guidance and use of professional judgment without oversight from NJDEP.
 - Submission of forms and reports to NJDEP.
 - Issue Response Action Outcomes (RAOs).
- **NJDEP**
 - Inspect and review submissions of LSRPs.
 - Adopt rules, issue guidance, enforce requirements.
 - Direct oversight of certain cases.

Case Study: Increased Time Efficiency of Environmental Compliance

One of Appalachia's industrial clients required expansion and relocation of its facility for its continuing operations. ISRA compliance was triggered for cessation of operations at the initial facility prior to SRRA. The ISRA process included preliminary assessment (PA), site investigation (SI), remedial investigation (RI) and remedial action (RA) activities. Overall, the timeframe to complete these requirements exceeded a year.

Subsequently, ISRA compliance was triggered for the same operations at the larger industrial facility for sale of business. The challenge imposed by the potential buyer was a more expeditious timeframe to meet the regulatory requirements.

The client opted into the LSRP program (SRRA) as recommended by Appalachia with the expectation of reducing the total timeframe in achieving ISRA compliance and satisfying the buyer's expeditious time frame. The PA revealed similar multiple potential areas of concern as the initial facility and required similar SI, RI and RA activities. A summary report including information and data from the multiple activities was compiled and submitted to the NJDEP

with an unrestricted-use Response Action Outcome (RAO) by the LSRP. The ISRA activities were concluded in approximately two months with an additional three weeks for NJDEP review and approval. The total time frame to complete the ISRA compliance under the LSRP program was about three months. The increased time efficiency of environmental compliance under SRRA is attributed to the NJDEP's confidence in experienced LSRPs (such as those employed by Appalachia), elimination of multiple work-plan submissions and NJDEP's expedited review process under SRRA.

Also noteworthy is the consideration of unrestricted-use versus restricted-use RAOs. In this specific case, soil testing results at an area of concern identified contaminant concentrations within the non-residential, but above the residential-use soil cleanup standards.

Appalachia provided a cost benefit analysis of remediating to residential-use soil cleanup standards, which eliminated the need for institutional controls and future land use restrictions and was adopted as the best course of action by the client. Following completion, Appalachia's client was able to successfully complete their business transaction.

How can we help you?

Appalachia has qualified LSRP personnel that can assist clients by providing both LSRP oversight and site investigation/remediation services. Appalachia can also provide LSRP oversight as a "stand-alone" service. In this case, Appalachia's designated LSRP would oversee an already existing or client-designated environmental contractor that may have inadequate credentials or no LSRP oversight capabilities.

By providing LSRP services, Appalachia assists clients in the following areas:

- [Proper Completion of Regulatory Forms](#)
- [Public Notification and Outreach](#)
- [Assessing Situations of Immediate Environmental Concern](#)
- [Developing Efficient, Effective and Compliant Site Investigation and Remediation Strategies](#)

- [Vapor Intrusion](#)
- [Receptor Evaluation](#)
- [Compliance with Mandatory and Regulatory Timeframes](#)
- [Issuance of Response Action Outcomes](#)

Those with questions regarding LSRP services and environmental compliance are encouraged to contact us for a free consultation. We are happy to discuss your specific situation.

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