

GROUNDWORK, INC.

166 BLOOMFIELD AVENUE
VERONA, NEW JERSEY 07044
973-857-5033 FAX: 973-857-7033

WEBSITE: WWW.GROUNDWORKENVIRONMENTAL.COM
E-MAIL: ANDREW@GROUNDWORKENVIRONMENTAL.COM

March 2012

To: All Responsible Parties Under the New Licensed Site Remediation Professional (LSRP) Program

Re: Required Actions & Time Frames Mandated Under the new LSRP Program

Dear Client:

This correspondence serves to inform you of the steps required under the new Licensed Site Remediation (LSRP) Program. As you may be aware, the New Jersey Dept. of Environmental Protection (DEP) has recently made sweeping changes, under the Site Remediation Reform Act (SRRA), to the manner in which contaminated sites are managed.

While, the details are daunting indeed; they have been briefly discussed herein to provide an understandable, regulatory path your site will take after entering the new program. We have written this letter in an attempt to increase your knowledge of the steps, time frames and regulatory fees now established under State law. All existing cases will be moved into the LSRP program automatically as of May 7, 2012.

We will require you, or a duly authorized representative familiar with the case, to read this document and sign and return the acknowledgement page (page 2) to us. We will require this acknowledgement prior to moving forward. The following briefly describes the critical time frame aspects of the new law:

1. An LSRP must be retained before immediately. This is accomplished by completing and submitting an LSRP Retention Form. We will provide the appropriate form upon your request.
2. All past regulatory fees and penalties must be paid.
3. An initial Receptor Evaluation must be submitted by March 1, 2012. This form documents known site information, responsible parties, affected media (soil, groundwater, vapor intrusion), and the LSRP managing the case. In most cases, this will require a complete file review, which can take up to 30 days.
4. Two (2) critical time frames have been adopted as part of the new rules:

Regulatory time frames are the time periods specified in the Department's Technical Requirements rules within which all persons responsible for conducting remediation must complete specified remedial activities. The DEP requires notification of a number of milestones during the remediation process. The appropriate forms must be submitted according to set time frames.

- The DEP must be notified of a discharge immediately (15 minutes).
- A Confirmed Discharge Notification Form must be submitted within five (5) days of discovery.
- Initial Remediation documents (SIR, RIR, RIW, RAW), Case Inventory Document (CID), and a varying number of applicable forms and fees must be submitted no later than 270 days after opting into the LSRP program or the discovery of a release. Regulatory fees are listed below.
- Naturally, a case closure document ((Remedial Action Report RAR) and the Response Action Outcome (RAO)) can be submitted within the 270-day time frame.

In a nutshell, significant progress must be made and properly documented within 270 days after entering the new LSRP program. Penalties and significant fines can be levied by the DEP for failure to adhere to applicable time frames.

Mandatory time frames are the time periods specified in the Department’s ARRCS rules, N.J.A.C. 7:26C-3.3 within which all persons responsible for conducting remediation must complete certain remedial activities. The first critical Mandatory Time Frame is two (2) years. Significant penalties can be issued by the DEP if a responsible party fails to comply with the requirements for a period of two (2) years or more. The DEP can undertake direct oversight of a remediation in severe cases of non-compliance.

5. Annual remediation reporting fees apply, based on the number and type of Area of Concern (AOC), until the RAO is submitted. Below is a list of applicable regulatory fees

<u>Category</u>	<u>Quantity of AOCs</u>	<u>Annual Fee</u>
• Category 1	0 to1 AOC	\$450.00
• Category 2	2 to10 AOCs	\$900.00
• Category 3	11to 20 AOCs	\$5,000.00
• Category 4	> 20 AOCs	\$9,500.00

Note: Regulated USTs where remediation is not fully completed and/or regulated heating oil systems are in Category 2.

Annual fees for contaminated are below:

<u>Medium</u>	<u>Annual Fee</u>
Ground Water Contamination	\$1,400.00
Surface Water/Sediment Contamination	\$1,400.00
Ground Water Unpermitted Discharge to Surface Water	\$1,400.00

In conclusion, new and existing cases must be moved rapidly towards closure; as there are strict financial penalties for non-compliance. While the new rules at the NJDEP have been designed to speed up the remediation process and reduce caseload; they are tied to strict time frames, established regulatory fees and severe penalties for inaction. It is absolutely critical that you, as the owner of a contaminated site in the State of New Jersey, clearly understand your responsibilities under the law.

Please sign, date and return this page below where indicated to acknowledge your understanding of the crucial meaning of this notice. As always, feel free to contact us should you have any questions.

Sincerely,

Andrew W. Robinson
Groundwork, Inc.

Typed Name

Signature

Date