

**CVP/SRAG - SRP MEETING**  
**APRIL 1, 2014**  
**ACTION ITEM RESPONSES**

1. **Issue:** Can there be a phase-in for new/updated guidance?  
**Response:** The Department understands the issue and has developed language to provide a six (6) month grace period for using new or updated technical guidance. This language will be included in Section 1 (“Intended Use of Guidance Document”), of all new and revised Technical Guidances.
2. **Issue:** Three (3) invalidated RAOs - have any been resubmitted?  
**Response:** All three cases have hired new LSRPs. However, RAOs have not been submitted for any of the cases.
3. **Issue:** Metrics - can the Department include metrics regarding remedial action permits?  
**Response:** Yes, the Department will include metrics regarding remedial action permits in the future.
4. **Issue:** Metrics - Does the Department track non-LSRP cases?  
**Response:** Although the Department tracks metrics for non-LSRP cases, the information is not included in the metrics distributed at the CVP/SRAG meetings.
5. **Issue:** Metrics - Does the Department have the number of remedial investigation reports submitted/received in relation to the May 2014 deadline?  
**Response:** The Department will report out on the number of remedial investigation reports submitted/received in relation to the May 2014 deadline at the June 4, 2014 CVP/SRAG meeting.
6. **Issue:** What is regulatory/statutory citation to require current property owners to sign remedial action permit applications?  
**Response:** One of the regulatory bases for this requirement is ARRCS, N.J.A.C. 7:26C-7.4, which states that each person subject to N.J.A.C. 7:26C-2.2 and a statutory permittee is required to comply with N.J.A.C. 7:26C-7.5 through 7.13. N.J.A.C. 7:26C-7.4 also states that if more than one person is responsible for compliance, then each such person is jointly and severally liable for that compliance. A person who owns property that is contaminated as a result of a discharge on someone else's property has no Spill Act liability and therefore does not have any obligation to conduct any remediation, or comply with a remedial action permit.