

Immediate Environmental Concern (IEC)¹

Action	When	Forms and other submittals	Other sources of info	N.J.A.C. Rule citations
Call the DEP hotline ^{2,3} and the assigned case manager if there is one, (whether or not the IEC is related to the site)	Immediately after IEC condition ¹ is identified	None	1-877 WARNDEP or 1-877-927-6337	7:26E-1.11(a)
<p>Address IEC impacts:</p> <ul style="list-style-type: none"> • For potable water that exceeds any Class II ground water quality standard – provide bottled water • For vapor intrusion (VI) that exceeds the rapid action level (RAL)– mitigate infiltration of vapors • For soils contaminated above acute levels – restrict access 	<p>With 5 days after identifying the potable water IEC condition</p> <p>Within 14 days after identifying the VI - IEC condition</p> <p>With 5 days after identifying the soil IEC condition</p>	<p>For all three IEC impacts:</p> <p>Provide a copy and explanation of the analytical results to the property owner and occupant (if applicable) within the specified timeframe. For vapor intrusion also provide information to New Jersey Department of Health (NJDOH). Refer to the IEC guidance for how to report to NJDOH.</p>	<p>IEC Guidance</p> <p>Vapor Intrusion Guidance (VIG)</p>	7:25E-1.11(a)2
<p>Submit:</p> <ul style="list-style-type: none"> • IEC Response Action Form and applicable spreadsheet • Map of site, impacted receptors and sample locations 	Within 14 days after identifying IEC condition	<p>Submit by regular mail with a CD to the Bureau of Case Assignment and Initial Notice (BCAIN).</p> <p>NJDEP Bureau of Case Assignment & Initial Notice Mail Code 401-05H 401 East State Street PO Box 420</p>	IEC Guidance	7:26C-1.6(b) 7:26E-1.11(a)3

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<ul style="list-style-type: none"> Provide a copy and explanation of the analytical results to the property owner, occupant (if applicable) and health department 		Trenton, NJ 08625-0420 IEC Response Action Form and applicable Spreadsheet (electronic copies of Spreadsheets must be an Excel document) <ul style="list-style-type: none"> IEC - Direct Contact Spreadsheet IEC - Potable Water Spreadsheet IEC - Vapor Intrusion Spreadsheet 		
Submit all analytical results to the Department with full data deliverables and the form	Within 14 days of receipt of analytical data	Full Laboratory Data Deliverables Form ***The form is to be sent to BCAIN, see address above***	IEC Guidance	7:26E-1.11(a)4
Provide routine updates to the Department	On a schedule set by the Department's IEC case manager	NA	IEC Guidance	7:26E-1.11(a)5
For potable water IECs: <ul style="list-style-type: none"> Provide water treatment or an alternative water supply Identify and sample all potable wells pursuant to N.J.A.C. 7:26E-1.11a(6)⁴ AND Identify and sample all other potable wells at risk ("step out" approach) For vapor intrusion IECs:	Within 60 days after identifying any IEC	NA	IEC Guidance Vapor Intrusion Technical Guidance	7:26E-1.11(a)6 7:26E-1.14

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<ul style="list-style-type: none"> • Install a vapor remedial action system • Identify and sample all buildings within 100 feet of the impacted building AND • Identify all other buildings whose air may be impacted (“step out” approach) <p>For direct contact IECs:</p> <ul style="list-style-type: none"> • Prevent human contact with contaminants 				
<p>Submit Engineered System Response Action Report with:</p> <ul style="list-style-type: none"> • An updated IEC response action form • A description of completed engineered system response actions • A summary of all analytical data related to the IEC • All related IEC maps and figures • An updated spreadsheet • A GIS compatible map of the estimated area of ground water contamination 	<p>Within 120 days after identifying IEC condition</p>	<ul style="list-style-type: none"> • Submit by regular mail with a CD to BCAIN and electronically to the IEC case manager. • <u>IEC Response Action Form</u> • Updated <u>IEC Information Spreadsheet</u> (no hard copy needed, e-mail as an Excel document) • Updated map of site and IEC condition 	<p>IEC Guidance</p> <p>Vapor Intrusion Guidance (VIG)</p> <p>DEP, NJ-GeoWeb Environmental Mapping Tool</p>	<p>7:26C-1.6(b)</p> <p>7:26E-1.11(a)7</p>
<p>Submit IEC Source Control Report with:</p> <ul style="list-style-type: none"> • A description of all contaminant source areas 	<p>Within 1 year after identifying the IEC</p>	<ul style="list-style-type: none"> • Submit by regular mail with a CD to BCAIN and electronically to the IEC case manager. 	<p>IEC Guidance</p>	<p>7:26C-1.6(b)</p> <p>7:26E-1.11(a)8</p>

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<ul style="list-style-type: none"> • A description of the IEC source control activities • An updated IEC Response Action form • A description of completed engineered system response actions • A description of source control measure initiated • An updated IEC information spreadsheet • All related IEC maps and figures • A GIS compatible map of the estimated area of ground water contamination • A Department generated data validation report • A monitoring plan for any engineered response action • A monitoring plan for the wells or buildings that are located near the impacted wells or buildings • An updated receptor evaluation and form 	condition ⁵	<ul style="list-style-type: none"> • IEC Response Action Form • IEC Source Control Report • Updated IEC Information Spreadsheet (no hard copy needed, e-mail as an Excel document) • Updated map of site and IEC condition • Updated Receptor Evaluation Form 		7:26E-1.12(e)

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Provide monitoring and maintenance reports detailing: <ul style="list-style-type: none"> • Monitoring of contaminated properties and receptors • Monitoring conducted for wells and buildings that are located near the impacted wells or buildings 	Annually, until the Department issues a remedial action permit that includes the IEC		IEC Guidance	7:26E-1.11(a)9

Footnotes

1. What conditions constitute an IEC?

Impacted Media	Concentration or Condition
Potable Water	Concentrations above the Class II ground water remediation standards (including the Pinelands and other Class I ground water areas)
Indoor air of a building	A level that exceeds the Department's vapor intrusion rapid action level (RAL)
Occupied or confined space	Contamination in a confined space producing a toxic or harmful atmosphere resulting in an unacceptable human health exposure, or producing an oxygen-deficient atmosphere, or resulting in demonstrated physical damage to essential underground services
Soil	Contamination that exceeds acute health exposure levels in surface soil (top 6 inches or top 2 feet for sensitive receptors) such that dermal contact, ingestion, or inhalation of the contamination could result in an acute human health exposure
Any other condition that poses an immediate threat to public health.	

2. The call to the hotline is critical and will allow the Department to enter the IEC into its computer system, ensure that an IEC case manager is assigned and track the mitigation and remediation of the IEC.

All IEC conditions must be called in. This requirement applies when IEC conditions exist at any case and whether the IEC is identified before or after November 4, 2009. The requirement to call in applies even when the remediating party does not believe that the IEC is related to their site.

3. The Department will assign an IEC case manager for the IEC condition after the IEC Response Action Form, map and spreadsheet are submitted to the Department within 14 days of discovery of the IEC condition. There are no fees associated with IECs. The Department will bill for its oversight costs per N.J.A.C. 7:26C-4.7.
4. The initial potable well sampling must include all potable wells within 500 feet unless the ground water flow direction is known and the sampling may then be limited to 250 feet upgradient, 500 feet side gradient and 500 feet down gradient of the ground water contamination.
5. The regulatory timeframe for this requirement is 1 year after the IEC condition is identified. The corresponding mandatory timeframe is established by the ARRCS rules at N.J.A.C. 7:26C-3.3. The mandatory timeframe to initiate IEC source control is 2 years after the IEC condition is identified. The person responsible for conducting the remediation may request an extension of regulatory or mandatory timeframes, pursuant to N.J.A.C. 7:26C-3.5, for good cause by submitting a [Remediation Timeframe Extension Request Form](#) to the Department.