Remediation Process Improvement Initiative (formerly “Independent Professional Judgement”) and Remedial Action Permit Update

Gwen Zervas
Director of the Division of Remediation Management
Gwen.Zervas@dep.nj.gov
Remediation Process Improvement Initiative (RPII)

- Contaminated Site Remediation and Redevelopment (CSRR) is undertaking this initiative to build on successes of SRRA and make improvements
- Collaborative effort between the Department, LSRPs, the regulated community, and other interested stakeholders
- The Department has met with a stakeholder group twice
  - February listening session for stakeholders to provide input to CSRR
  - June 8 meeting - CSRR provided an update on actions taken to date and next steps
February listening session

- Summary of input provided by stakeholders at February listening session -
  - CSRR takes too long to review documents and provides comments long after a document is submitted to CSRR
  - CSRR conducts too many reviews vs. inspections of documents
  - Review and issuance of Remedial Action Permits takes too long, preventing RAOs from being issued
  - CSRR staff request additional work to be conducted based on their preferences, not based on regulations or guidance
May 2\textsuperscript{nd} DEP Letter

- DEP sent a letter to stakeholders on May 2\textsuperscript{nd}
- CSRR recognizes the stakeholders’ concerns and is committed to evaluating and implementing process improvements in collaboration with LSRPs, the regulated community, and other interested stakeholders
- Submissions may lack detail that explains the basis for LSRPs’ decisions
- DEP’s requests for additional information is not a lack of deference to the LSRP’s judgement
June 8th meeting - DEP provided an update on actions taken and future steps

- Bureau of Remedial Action Permitting staffing
  - 3 new staff members added to Bureau of Remedial Action Permitting
  - 3 experienced DEP staff reviewing permit applications part time
  - Hourly employee to start soon
  - In process of getting overtime approved
June 8\textsuperscript{th} meeting summary

- Bureau of Remedial Action Permitting Training
  - Held 3 training sessions for staff in April - training was recorded for future use/consistency
  - New staff will be given easier permit applications to review and will have a mentor to assist them
June 8\textsuperscript{th} meeting summary

- Developing guidance/training for LSRPs
  - Working on a training session to assist LSRPs focusing on what information is needed when a new LSRP takes over a site from another LSRP
    - Similar information is needed when CSRR looks at LSRP submissions
  - Creating checklists and tools to help identify information needed in a RAP application
June 8th meeting summary

- Documents produced by the Effective Collaborative Communication Committee (ECCC) to be issued soon
  - FAQs that address common errors (and their solutions) found in RAP applications
  - Flowcharts that describe the process for CSRR review of RAP applications and other submission
June 8th meeting summary

- Changes communicating CSRR comments
  - Notice of Technical Deficiencies will be replaced by Notice of Incomplete RAP Application/Key Document
  - Response time will be 60 days (was 30)
    - If 60 days is not enough, withdraw the permit application
  - Supervisor signature on NOI
RPII - Next Steps

- Considering regulatory changes including general permits and permits by rule
- One remedial action permit for all media
- Focused remedial action permits
  1. Soil RAP with deed notice, no engineering control
  2. Soil RAP with using a presumptive remedy when presumptive remedy not needed
  3. Soil RAP with a pre-approved alternative remedy
  4. Soil RAP for historic fill only AOC- only property owner will be on the permit
  5. GW RAP for MNA where the plume is onsite, and no receptors impacted
RPII - Next Steps

- Re-evaluating our review process
  - The timing of reviews
  - Not waiting until the RAP phase to conduct reviews

- Are we over-reviewing?
  - Compiling our list of review triggers and re-evaluating why they are a trigger
  - Evaluating where we can scale back reviews
RPII - Next Steps

- Work in subgroups on specific issues - Summer 2023

- Next full meeting will be scheduled in October
RPII email address:
remediation.process@dep.nj.gov