

CANDIDATE BULLETIN



State of New Jersey Licensed Site Remediation Professional

Prepared By

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INTRODUCTION

This Candidate Bulletin contains information about the NJ Licensed Site Remediation Professional (LSRP) licensing examination administered. Please read it carefully to prepare for the examination. Questions that are unanswered by the Candidate Bulletin should be directed to the New Jersey Site Remediation Professional Licensing Board (SRPL Board) Regulatory Officer, Dana Haymes, Esq. at (609) 984-3424 or SRPLBoardContact@dep.nj.gov.

The information on the SRPL Board web site (www.nj.gov/lrspboard) and the NJDEP Site Remediation and Waste Management Program web site (www.nj.gov/dep/srp) supersedes the information in this bulletin.

THE EXAMINATION

Upon approval of an application for the Site Remediation Professional license, the SRPL Board will notify the applicant that he or she is a candidate for the LSRP licensing examination. This notification will contain information concerning online registration for the next scheduled LSRP licensing examination, including candidate identification number, examination authorization number and the internet address of The Caviart Group's New Jersey LSRP Licensing Examination web site where the candidate must complete the examination registration process.

Upon completing the online registration, candidates will receive, via email, an "authorization to test letter" stating the date, time and location of the LSRP licensing examination. Candidates should verify that all personal information included in the authorization to test letter is correct. Any errors should be immediately communicated to SRPL Board Regulatory Officer, Dana Haymes, Esq. at (609) 984-3424 or SRPLBoardContact@dep.nj.gov.

Candidates are required to present the authorization to test letter, as well as government- issued photo identification to the exam administrator on the day of the licensing examination. The information on the authorization to test letter **MUST** match the information on the government-issued photo identification presented by the candidate at the examination site, otherwise the candidate will be refused entry to the examination.

ABOUT THE LSRP LICENSING EXAMINATION

Format

The LSRP licensing examination is a paper-and-pencil, multiple-choice format examination. Candidates will be presented with a printed examination booklet and a separate printed answer sheet. Candidates will record their answers by using a number 2 pencil to fill in the “bubble” or circle that corresponds to their intended answer. Candidates must take care to ensure that the bubble corresponding to their intended answer is completely filled.

Candidates may indicate only one intended answer for each question. Candidates may change their intended answer by erasing one bubble and filling in another bubble. Candidates must be certain to completely erase unintended answers. If there appear to be two or more intended answers to a question or it is unclear as to the intended answer, the question will be counted as incorrect.

While candidates may make marks or notes in the examination booklet, all answers must be recorded on the answer sheet. Answers marked in the examination booklet will not be counted.

There are 165 multiple-choice items on the examination. Each item presents a question to be answered along with four answer choices. Candidates should read each question carefully, including all of the answer choices options, and then select the answer choice that BEST responds to the question.

All examination items are of equal weight. Examinations are scored based on the number of correct responses and there is no penalty for incorrect answers. Candidates should answer all of the questions presented.

Time

Candidates will be allowed 3.5 hours to complete the examination. Restroom breaks are allowed, but candidates will not be given extra time on the examination to account for any breaks taken.

Examination Content

The examination addresses the knowledge, skills and abilities required to practice site remediation in the State of New Jersey at the level required to protect public health and safety and the environment. The content of the examination was defined through a scientific study known as a Job/Task Analysis (JTA). This process is in accordance with

the accepted testing best practices and accreditation standards. The JTA process is the preferred method of defining appropriate test content in a legally defensible manner.

The JTA process included a panel of experts in site remediation from the State of New Jersey as well as a state-wide survey of LSRPs.

LSRP Licensing Examination Outline

The licensing examination consists of items that address the following domains and sub-domains. Domains are major areas of practice and subdomains are the specific important tasks within that domain.

The percentages indicated for each domain indicate the percentage of questions that will be devoted to that subject.

Define the Objectives of the Project (3% to 7%)

- Ascertain client's business goals and objectives
- Determine the applicable regulatory framework for a project
- Ascertain the contractual relationships and responsibilities of professionals required to perform the project

Information Gathering (25% to 35%)

- Review and evaluate the existing body of evidence and identify information that is pertinent to the required remediation (such as historical site usage, etc.)
- Review and interpret government files
- Review aerial photography of the site
- Review historical documents
- Review and interpret client files
- Identify and interview persons who are knowledgeable about current and previous uses of the site
- Identify regulations that apply to the project
- Perform site inspection to identify characteristics of known or potential areas of concern
- Perform area reconnaissance to determine the extent of area to be investigated or remediated
- Assess visual evidence of areas of concern, potential migration paths, potential receptors, and prior investigations/remediation

- Assess potential off-site sources of contamination
- Assess potential impact of operational processes for releases of hazardous material
- Assess potential locations for sampling
- Evaluate topography, drainage, soil types, etc.
- Identify potential logistical/physical restraints to sampling
- Use geographical information systems
- Use environmental databases (e.g., Equis, etc.)

Perform Initial Analysis (5% to 10%)

- Evaluate site information to identify areas of concern
- Develop an initial conceptual site model including probable type(s) of contamination, its sources, pathways and receptors, and physical properties of contaminants
- Determine areas of concern to investigate
- Determine media to be tested including procedures, locations, depths, quantity, and analytes

Develop Project Plan (5% to 10%)

- Develop a quality assurance project plan (QAPP) including quality assurance procedures
- Develop sampling and analysis plan (such as part of QAPP)
- Develop health and safety protocols (HASP) for project implementation
- Develop implementation schedule

Perform Site/Remedial Investigation (12% to 18%)

- Manage, direct and/or oversee the implementation of the sampling plan
- Evaluate actual field conditions and modify the plan to address unexpected site conditions
- Perform regulatory reporting and public notification when required
- Evaluate usability of field data or existing laboratory data
- Determine if investigation is complete or if additional investigation is required
- Prepare and submit site/remedial investigation report
- Create and/or update a receptor evaluation
- Obtain permits and access agreements for site/remedial investigation

Select Remedial Action (8% to 12%)

- Assess the feasibility of various remedial options
- Determine remedial data required
- Select preferred remedy
- Prepare remedial action work plan
- Develop cost estimate for remediation funding source
- Use statistical methods for compliance and data evaluation

Perform Remedial Action (8% to 12%)

- Obtain permits and access agreements for remedial action
- Manage, direct and/or oversee the implementation of the remedial action
- Assess effectiveness of the remedial action
- Prepare remedial action report and remedial action permit applications (including financial assurance and cost estimate)
- Issue Response Action Outcome (RAO)

Perform Post Closure (3% to 7%)

- Prepare long-term monitoring plan
- Prepare remedial protectiveness certification of the remedy
- Certify financial assurance amount and mechanism

Perform Other Administrative Functions (8% to 12%)

- Ensure appropriate response to public inquiries
- Ensure appropriate response to NJDEP inquiries
- Manage LSRP document retention
- Follow LSRP code of conduct
- Apply independent professional judgment

Examination Sites

The LSRP licensing examination will be administered on specific days at one or more examination sites within the State of New Jersey. The dates and locations of upcoming examinations will be posted on the SRPL Board web site (www.nj.gov/lsrpboard) and on The Caviart Group's examination registration web site.

Special Accommodations

The State of New Jersey and The Caviart Group comply with the Americans with Disabilities Act (ADA), and are dedicated to ensuring that no eligible individual is deprived of the opportunity to take the examination solely by reason of a disability as defined under the ADA, as long as the disability is not one which would render the individual incapable of performing the duties of a licensed site remediation professional.

Applicants needing special accommodations must make a request in writing at least three (3) weeks in advance of the desired examination date. Requests must include documentation of a formally diagnosed ADA-recognized disability from a qualified professional who has provided evaluation or treatment to the applicant within the past year.

ON THE DAY OF THE EXAMINATION

Step 1: Arrive at the Examination Site Early

The authorization to test letter will provide the candidate with the examination starting time and location of the examination site. Candidates should plan travel carefully to arrive at the examination site at least 20 minutes before the scheduled starting time. This time is necessary for candidates to complete the check-in process and for the examination to be distributed before the scheduled starting time. Candidates that arrive at the examination site less than 10 minutes before the scheduled starting time may be denied access to the examination site and considered a “no-show”.

In no case will any candidate be admitted to the examination site after the scheduled examination starting time.

Candidates that are considered “no-shows” will have their registration voided and will be required to submit a new application for the site remediation professional license.

Step 2: Check in and Present Authorization to Test Letter and Valid Government-Issued Photo Identification

Candidates are required to present their authorization to test letter AND a valid, government-issued photo identification at the examination site on the day of the examination. The information on the authorization to test letter MUST match the information on the government-issued photo identification presented by the candidate at the examination site, otherwise the candidate will be refused entry to the examination.

Identification (ID) must:

- Contain the candidate’s name exactly* as provided during the examination registration process (as it appears on the “Authorization to Test” letter);
- Have a permanently affixed photo of the candidate’s face;
- Be current — expired IDs will not be accepted;
- Be an original document — no photocopies will be accepted

Examples of acceptable forms of identification are:

- Government-issued driver’s license (must have photo) or photo ID;
- Passport
- Military ID (except those with chips)
- Permanent resident visa

**This includes suffixes, if applicable. Capitalization within a name does not need to match exactly (i.e. - McDonald and Mcdonald).*

Unacceptable forms of identification include:

- Employee identification or work badge;
- University/college identification

Candidates who do not present acceptable identification will be denied access to the examination site and considered a “no-show”. Candidates that are considered “no-shows” will have their registration voided and will be required to submit a new application for the site remediation professional license.

The exam administrator will verify that the name on the identification matches the name on the examination registration and that the identification photo is of the candidate. Candidates must keep their identification with them at all times during the examination.

Once confirmed, the exam administrator will have the candidate sign the candidate sign-in sheet and will direct the candidate to the examination room.

Step 3: Be Seated in the Testing Room

All Candidates will have pre-assigned seats in the examination room. Candidates must take their pre-assigned seat and may not change seats during the examination.

Each room will be equipped with a clock to gage time. Candidates will be provided with a calculator, Number 2 pencils with erasers and scratch paper.

The LSRP licensing examination is a closed book examination. Candidates are not permitted to bring any unauthorized material with them into the examination room. Note that essential personal items such as purses, wallets or telephones that have been turned off may be brought into the examination room but must be left in the area designated for such items by the exam administrator and may not be accessed during the examination.

Examination personnel, the Site Remediation Professional Licensing Board and The Caviart Group will not be responsible for lost or stolen items.

Unauthorized material includes the following:

- Books, reference material or study aides, except as provided by the exam administrator
- Papers or notes of any kind, except as provided by the exam administrator
- Photographic or image-capturing or copying devices
- Communication devices of any kind, including pagers, cell phones, PDAs, etc.

- Electronic devices of any kind, including calculators, laptops, tablets, smart watches, recording devices, etc.
- Briefcases, backpacks, or other personal items
- Clocks or alarms
- Food or beverages (water will be available in the examination room)

The exam administrator has the right to designate any item brought to the examination as “unauthorized material” and prohibit a candidate from bringing the item into the examination room.

Step 4: Sign the Candidate Agreement

Prior to beginning the examination, the exam administrator will distribute to each candidate a copy of the LSRP Licensing Examination Candidate Agreement. This agreement contains the standards of conduct for candidates before, during and after the examination (see Appendix 2). Before a candidate will be permitted to take the examination he or she must read the LSRP Licensing Examination Candidate Agreement and sign a statement certifying that he or she has read the agreement and agrees to abide by its terms. Any violation of the LSRP Licensing Examination Candidate Agreement at any time before, during or after the LSRP licensing examination constitutes grounds for disciplinary action.

Candidates must sign the LSRP Licensing Examination Candidate Agreement to be allowed to take the examination. Any candidate who does not sign the agreement will not be allowed to take the examination and will be considered a “no-show” even though the candidate appeared at the examination site.

Step 5: Receive Examination Booklet

The exam administrator will pass out an examination booklet to each candidate. Examination booklets are sealed and candidates may not open the examination booklet until instructed to do so by the exam administrator.

Step 6: Follow the Instructions

Candidates should listen carefully to the verbal instructions given by the exam administrator. Candidates should also thoroughly read all written directions provided. Exam administrators may be asked to clarify instructions, but cannot discuss or answer any questions about examination content.

Step 7: Record Answers Carefully

When instructed to do so, candidates should break the seal on the examination booklet and begin the examination. Candidates should record answers carefully on the answer sheet making certain that the answer “bubble” is completely filled for the intended response. Candidates should make certain that any erasures are complete. If more than one answer is selected the item will be graded as incorrect. Candidates may write in the examination booklet but answers MUST be recorded on the answer sheet.

Step 8: Use your Testing Time Wisely

Candidates are encouraged to pace themselves by periodically checking their progress to ensure that they have time to respond to all of the questions on the examination. There are no penalties for answering a question incorrectly, so candidates should answer every question to maximize their score.

Candidates who are uncertain of the correct answer should eliminate as many options as possible, and choose an option from those that remain. Candidates may flag questions they wish to return to, and may go back to review questions and answers at any time until the testing time ends.

Candidates should pay attention to reminders of the time left to finish the examination. The exam administrator will advise candidates when there is 30 minutes remaining, 15 minutes remaining, and when there is 5 minutes remaining in the examination.

When the exam administrator indicates that the testing time is over all candidates must immediately put down their pencils. Any candidate that continues to mark answers after the examination has ended will be disqualified.

Step 9: Check out of the examination room

Candidates that complete the examination before the time is called may check out of the examination room. To do so, candidates should bring the examination booklet, answer sheet and all additional materials provided by the exam administrator to the check-out station. The exam administrator will check that all materials are present and then have the candidate sign out of the examination.

No one will be dismissed from the examination room during the last 15 minutes of the examination. Candidates that complete the examination within the last 15 minutes must wait quietly in their seats until the exam administrator indicates the testing time is over.

Hazardous Weather or Local Emergencies

In the event of extreme weather or other hazardous or emergency conditions which occur or can reasonably be foreseen in advance of the appointed testing time, The Caviart Group will make every reasonable attempt to notify candidates of necessary changes in date, time or location of the examination.

In the event of extreme weather or other hazardous or emergency conditions which occur immediately before or during the examination, The Caviart Group will take appropriate action, as illustrated by the following examples:

- **Major disruption of travel in the vicinity of the examination site (due to weather, accident, or other causes):**
 - » The starting time of the examination may be delayed to allow candidates extra time to arrive.
 - » If the site is inaccessible, the examination will be rescheduled.
- **Localized loss of power during the examination:**
 - » Exam administrators will attempt to find alternate space, and adjust the time allowed for completion of the examination to compensate for time lost for
- **Emergency conditions during the examination:**
 - » If fire or another emergency causes the examination site to be evacuated, candidates will be rescheduled.

Emergency Cancellation

A candidate who encounters a medical or other emergency which makes it impossible for him or her to sit for the examination on the scheduled date should notify the SRPL Board immediately in writing via email at SRPLBoardContact@dep.nj.gov. The candidate must provide a written statement detailing and attesting to the medical or other emergency that prevented him or her from testing.

The SRPL Board will assess the circumstances of the emergency and make a determination as to whether the candidate will be allowed to re-schedule to be tested without additional fees. The decision of the SRPL Board on this matter is final.

Withdrawal

In a non-emergency situation, a candidate who finds that he or she is unprepared or otherwise unable to sit for the examination on the scheduled date should do BOTH of the following:

1. Notify the SRPL Board immediately to request a deferral. Requests must be in writing via email to SRPLBoardContact@dep.nj.gov.
2. Log into your account at The Caviart Group's LSRP registration web site and cancel your examination registration.

If the cancellation is received before the examination registration deadline, the candidate will be allowed to reschedule for the next examination without additional fees pending SRPL Board receipt of an updated "experience" section of the application, proof of compliance with the 8-hour health and safety refresher and the pre-requisite course, and update of any other relevant supporting information outlined by the SRPL Board, all received by the examination registration deadline.

If the cancellation is received after the examination registration deadline, or if the candidate simply fails to appear for the examination without advance notice, the candidate will be required to apply to retest and pay the examination fee again in order to sit for it in the future.

Language of the LSRP Licensing Examination

The LSRP licensing examination is given only in English. The use of translators or translation devices during the examination is not permitted.

Challenging the LSRP Licensing Examination

All examination questions are written and reviewed by qualified subject matter experts. Questions are tested and studied statistically to verify their accuracy and validity; however candidates may challenge any part of the examination, including individual questions.

Challenges must be made before leaving the examination site on a challenge form contained in the examination booklet. All challenges must be in writing in the examination booklet. Challenges will be reviewed by subject matter experts to determine whether any changes should be made to the examination question however candidates will NOT receive any feedback on challenged items.

A candidate may request to have his or her examination score verified through rescoring by hand. This request must be received within 30 days of the date that the candidate receives the score report.

Requests for rescoring should be sent via email to the NJ Site Remediation Professional Licensing Board at: SRPLBoardContact@dep.nj.gov.

Score Reports

After all examinations are scored and results are determined, The Caviart Group will email a notice to each candidate indicating that the candidate's score is available on The Caviart Group's LSRP registration web site.

Candidates will be advised as to whether they passed or failed the examination. Failing candidates will also receive a numeric scaled score and a report telling them on which sections of the examination they need to improve. This report will assist them in preparing to retest.

Examination results will only be supplied via the web site. They will not be supplied via telephone.

Licensing Examination Candidate Agreement

The SRPL Board will provide each candidate that registers for the LSRP licensing examination an LSRP Licensing Examination Candidate Agreement. The LSRP Licensing Examination Candidate Agreement contains the standards of conduct for candidates before, during and after the examination. Before being permitted to take the examination, each candidate must read the LSRP Licensing Examination Candidate Agreement and sign a statement certifying that he or she has read the LSRP Licensing Examination Candidate Agreement and agrees to abide by its terms. A candidate's violation of the LSRP Licensing Examination Candidate Agreement at any time before, during or after the LSRP licensing examination constitutes grounds for commencement of disciplinary action by the SRPL Board. The complete LSRP Licensing Examination Candidate Agreement is provided in Appendix 2.

Significant score increases upon retesting may be investigated to ensure the authenticity of results.

Confidentiality and Release Information

The Caviart Group will not release any information regarding any individual's application or examination performance to any employer, regulatory agency or any other person or entity, except the SRPL Board.

The SRPL Board will maintain and publish an electronic directory of all candidates that pass the examination, as well as all licensed site remediation professionals.

LSRP LICENSURE

The SRPL Board will issue a non-transferable license with a three-year term to each candidate who obtains a passing score on the LSRP licensing examination and pays the annual license fee. The contact information of each LSRP will be published on the SRPL Board website at www.state.nj.us/lrspboard. Each LSRP shall keep the SRPL Board updated on any changes to contact information.

LSRPs will be required to pay an annual license fee and renew their licenses prior to the license expiration date. The requirements for license renewal are available on the SRPLBoard website at www.state.nj.us/lrspboard.

LSRPs are expected to conduct themselves professionally in accordance with the LSRP Standards of Professional Ethics. A reproduction of the Standards of Professional Ethics is attached as Appendix 1. It is the responsibility of every LSRP to become familiar with these standards and incorporate ethical considerations into every decision pertaining to site remediation.

APPENDIX 1

Site Remediation Reform Act: Code of Ethics

C.58:10C-16 Protection of public health, safety, environment highest priority.

16.a. A licensed site remediation professional's highest priority in the performance of professional services shall be the protection of public health and safety and the environment.

b. A licensed site remediation professional shall exercise reasonable care and diligence, and shall apply the knowledge and skill ordinarily exercised by licensed site remediation professionals in good standing practicing in the State at the time the services are performed.

c. A licensed site remediation professional shall not provide professional services outside the areas of professional competency, unless the licensed site remediation professional has relied upon the technical assistance of another professional whom the licensed site remediation professional has reasonably determined to be qualified by education, training, and experience. A licensed site remediation professional shall not perform services that constitute the practice of professional engineering unless the licensed site remediation professional is a professional engineer licensed in the State.

d. A licensed site remediation professional retained by a person responsible for conducting the remediation shall notify the department within 15 calendar days after being retained. In addition, a licensed site remediation professional shall notify the department within 15 calendar days after being released from responsibility for a remediation if the release occurs prior to issuance of the response action outcome for the site by the licensed site remediation professional.

e. A licensed site remediation professional and the person responsible for conducting the remediation shall correct any deficiency the department identifies in a document submitted concerning a remediation. The deficiency shall be corrected in accordance with timeframes established by the department.

f. A licensed site remediation professional may complete any phase of remediation based on remediation work performed under the supervision of another licensed site remediation professional, provided that the licensed site remediation professional: (1) reviews all available documentation on which he relies; (2) conducts a site visit to observe current conditions and to verify the status of as much of the work as is reasonably observable; and (3) concludes, in the exercise of independent professional judgment, that there is sufficient information upon which to complete any additional phase of remediation and prepare workplans and reports related thereto.

g. A licensed site remediation professional who has taken over the responsibility for the remediation of a contaminated site from another licensed site remediation professional shall correct all deficiencies in a document submitted by the previous licensed site remediation professional identified by the department in accordance with timeframes established by the department.

h. A licensed site remediation professional shall not certify any document submitted to the department unless the licensed site remediation professional: (1) believes that the information in the submission is true, accurate, and complete; and (2) has managed, supervised or performed the work that is the basis of the submission, or has periodically reviewed and evaluated the work performed by other persons that forms the basis for the information in the submission, or has completed the work of another licensed site remediation professional and has concluded such work is reliable pursuant to subsection f. of this section. A licensed site remediation professional shall not knowingly make any false statement, representation, or certification in any document or information required to be submitted to the board or the department.

i. A licensed site remediation professional shall exercise independent professional judgment, comply with the requirements and procedures set forth in the provisions of P.L.2009, c.60 (C.58:10C-1 et al.), make a good faith and reasonable effort to identify and obtain the relevant and material facts, data, reports and other information evidencing conditions at a contaminated site for which he is retained that is in possession of the owner of the property, or that is otherwise available, and identify and obtain whatever additional data and other information as the licensed site remediation professional deems necessary. The licensed site remediation professional shall disclose and explain in any document submitted to the department any facts, data, information, qualifications, or limitations known by the licensed site remediation professional that are not supportive of the conclusions reached in the document.

j. If a licensed site remediation professional obtains specific knowledge of a condition that in his independent professional judgment is an immediate environmental concern, then the licensed site remediation professional shall: (1) immediately verbally advise, and confirm in writing to, the person responsible for conducting the remediation of that person's duty to notify the department of the condition, provided the person is known to the licensed site remediation professional; and (2) immediately notify the department of the condition by calling the department's telephone hotline.

k. If a licensed site remediation professional retained to perform remediation at a site or any portion of a site obtains specific knowledge that a discharge has occurred at any location on the site, the licensed site remediation professional shall: (1) notify the person responsible for conducting the remediation of the existence of the discharge; and (2) notify the department of the discharge by calling the department's telephone hotline. The person responsible for conducting the remediation shall also be responsible for notifying the department of the existence of the discharge. The provisions of this subsection shall not apply to a discharge that may be a result of the existence of historic fill material.

l. If a licensed site remediation professional learns of an action or decision by a client that results in a deviation from the remedial action workplan or other report concerning the remediation developed by the licensed site remediation professional, the licensed site remediation professional shall promptly notify the client and the department, in writing, of the deviation.

m. A licensed site remediation professional shall not reveal information obtained in a professional capacity, except as may be authorized or required by law, without the prior consent of the client, if the client has notified the licensed site remediation professional, in writing, that the information is confidential. The provisions of this subsection shall not apply to information that is in the public domain.

n. A licensed site remediation professional who learns of material facts, data or other information subsequent to the completion of a report concerning a phase of remediation, which would result in a report with material differences from the report submitted, shall promptly notify the client and the department in writing of those facts, data, information, and circumstances.

o. A licensed site remediation professional who succeeds another licensed site remediation professional before the issuance of a response action outcome, and who learns of material facts, data or other information concerning a phase of the remediation

for which a report was submitted to the department and the material facts, data or other information were not disclosed in the report, shall promptly notify the client and the department in writing of those facts, data, information, and circumstances.

p. A licensed site remediation professional shall not allow the use of his name by a person, and shall not associate with a person in a business venture, if the licensed site remediation professional knows or should know that the person engages in fraudulent or dishonest business or professional practices regarding the professional responsibilities of a licensed site remediation professional.

q. A licensed site remediation professional shall cooperate in an investigation by the board or the department by promptly furnishing, in response to formal requests, orders or subpoenas, any information the board or the department, or persons duly authorized by the board or the department, deems necessary to perform its duties. In an investigation by the board of a license application or a license suspension or revocation, a licensed site remediation professional shall not:

- (1) knowingly make a false statement of material fact;
- (2) fail to disclose a fact necessary to correct a material misunderstanding known by the licensed site remediation professional to have arisen in the matter;
- (3) knowingly and materially falsify, tamper with, alter, conceal, or destroy any document, data record, remedial system, or monitoring device that is relevant to the investigation, without obtaining the prior approval of the department; or
- (4) knowingly allow or tolerate any employee, agent, or contractor of the licensed site remediation professional to engage in any of the foregoing activities.

r. A licensed site remediation professional shall be jointly responsible for a violation of any provision of this section committed by another licensed site remediation professional whose work he supervises or reviews if:

- (1) the licensed site remediation professional orders, directs, or agrees to the provision of professional services conducted or prepared by another licensed site remediation professional under his supervision;
- (2) the licensed site remediation professional knows that the professional services constitute a violation of this section; and
- (3) the licensed site remediation professional fails to take reasonable steps to avoid or mitigate the violation.

s. A licensed site remediation professional shall comply with all conditions imposed by the board as a result of a license suspension or other disciplinary proceeding conducted by the board.

t. A licensed site remediation professional shall inform a client or prospective client of any relevant and material assumptions, limitations, or qualifications underlying their communication. Evidence that a licensed site remediation professional has provided the client or prospective client with timely written documentation of these assumptions, limitations, or qualifications shall be deemed by the board or the department to have satisfied the requirements of this subsection.

u. A licensed site remediation professional shall not state or imply, as an inducement or a threat to a client or prospective client, an ability to improperly influence a government agency or official.

v. In any description of qualifications, experience, or ability to provide services, a licensed site remediation professional shall not knowingly:

- (1) make a material misrepresentation of fact;
- (2) omit a fact when the omission results in a materially misleading description; or
- (3) make a statement that, in the opinion of the board, is likely to create an unjustified expectation about results the licensed site remediation professional may achieve, or state or imply that the licensed site remediation professional may achieve results by means that violate the provisions of applicable environmental statutes, rules or regulations, including the provisions of P.L.2009, c.60 (C.58:10C-1 et al.).

w. A licensed site remediation professional shall provide any notification to the board or the department required pursuant to this section, even if the licensed site remediation professional is discharged by the client prior to doing so.

x. A licensed site remediation professional shall not accept compensation, financial or otherwise, for professional services pertaining to a contaminated site from two or more persons whose interests are adverse or conflicting unless the circumstances are fully disclosed and agreed to by all clients engaging the licensed site remediation

y. A licensed site remediation professional shall not be a salaried employee of the person responsible for conducting the remediation, or any related entities, for which the licensed site remediation professional is providing remediation services.

z. A licensed site remediation professional shall not allow any ownership interest, compensation, or promise of continued employment, of the licensed site remediation professional or any immediate family member, to affect the professional services provided by the licensed site remediation professional.

aa. Except as provided in subsection d. of section 30 of P.L.2009, c.60 (C.58:10B-1.3), a licensed site remediation professional shall not facilitate, aid, assist, or cooperate with any person in retaining or arranging for the retention of any person who is not a licensed site remediation professional to perform remediation, unless the remediation is managed, supervised, or periodically reviewed and evaluated by a licensed site remediation professional retained for that purpose, and the department has been notified of the retention.

bb. Except as provided in subsection d. of section 30 of P.L.2009, c.60 (C.58:10B-1.3), a licensed site remediation professional shall not manage, supervise, perform, engage, or participate in remediation unless:

(1) the licensed site remediation professional has been retained by a person responsible for conducting the remediation, and the department has been notified of the retention;

or

(2) the remediation is being managed, supervised, or performed by another licensed site remediation professional retained by the person responsible for conducting the remediation, and the department has been notified of the retention of the other licensed site remediation professional.

C.58:10C-16.1. Remediation professionals' obligations relative to unoccupied structure.

16.1. If a licensed site remediation professional obtains specific knowledge of a condition in an unoccupied structure, that, in the licensed site remediation professional's independent professional judgment, constitutes an immediate environmental concern, and the person responsible for conducting the remediation provides to the department a written certification from the property owner that the building (i) is not occupied, (ii) will not be occupied, and (iii) will be demolished, then no further remediation relative to the immediate environmental concern in the unoccupied structure shall be required, provided the conditions of the certification are maintained. Nothing in this section shall be construed to limit the responsibility of a licensed site remediation professional to comply with the notification requirements of subsection j. of section 6 of P.L.2009, c.60 (C.58:10C-16), or the responsibility of a person to report a discharge pursuant to P.L.1976, c.141 (C.58:10-23.11 et seq.). The department shall prescribe the form and manner of the written certification pursuant to this section.

APPENDIX 2

LSRP LICENSING EXAMINATION CANDIDATE AGREEMENT

The SRPL Board will provide each candidate that registers for the LSRP licensing examination an LSRP Licensing Examination Candidate Agreement. The LSRP Licensing Examination Candidate Agreement contains the standards of conduct for candidates before, during and after the examination. Before being permitted to take the examination, each candidate must read the LSRP Licensing Examination Candidate Agreement and sign a statement certifying that he or she has read the LSRP Licensing Examination Candidate Agreement and agrees to abide by its terms. A candidate's violation of the LSRP Licensing Examination Candidate Agreement at any time before, during or after the LSRP licensing examination constitutes grounds for commencement of disciplinary action by the SRPL Board.

The LSRP Licensing Examination Candidate Agreement:

1. Candidates are prohibited from bringing into the examination room and accessing or utilizing during the examination anything that is designated as unauthorized material by the exam administrator including but not limited to books, reference material, study aides, notes, photographic or image-capturing or copying devices, communication devices, or electronic devices. Note that essential personal items such as purses, wallets or telephones that have been turned off may be brought into the examination room but must be left in the area designated for such items by the exam administrator and may not be accessed during the examination.
2. Candidates are prohibited from taking the examination for someone else, or having someone else take the examination for the candidate.
3. Candidates are prohibited from removing notes, reproductions of the examination or any part of the examination, or the actual examination or any part of the examination from the examination center.
4. Candidates are prohibited from seeking or offering help during the examination, with the exception that non-content related questions may be directed to the exam administrator.
5. Candidates are prohibited from copying or attempting to copy examination responses of other candidates.
6. Candidates are prohibited from allowing another candidate to copy his or her examination responses.

7. Candidates are prohibited from disrupting the examination in any way.

8. Candidates are prohibited from disclosing or discussing the contents of the examination with anyone at any time in any form; including, but not limited to, orally, in writing, or via social media sites, or other internet sites, with the exception that candidates may challenge the examination before leaving the examination site on a challenge form contained in the examination booklet.

I certify that I have read and agree to abide by the above requirements. I understand that the LSRP examination is confidential and is protected by law and that it is made available to me, the examinee, solely for the purpose of becoming licensed in the State of New Jersey. I also understand that examination materials are the sole property of the SRPL Board and that I am expressly prohibited from disclosing, publishing, reproducing or transmitting the contents of this examination, in whole or in part, in any form or by any means, verbal or written, electronic or mechanical, for any purpose, without the prior written permission of the SRPL Board. I acknowledge that if I violate this agreement at any time, before, during or after taking the LSRP examination, I will be subject to disciplinary action by the SRPL Board, which may include the revocation of my LSRP license.

Candidate Name (please print): _____

Candidate ID#: _____

Test Location: _____

Candidate Signature: _____

Date: _____

NOTE: A copy of the LSRP Examination Candidate Agreement will be provided at the examination center for the candidate to sign.