



State of New Jersey  
SITE REMEDIATION PROFESSIONAL LICENSING BOARD

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January 6, 2022

**Board Determination and Offer of Settlement**

By Email

Robert Blauvelt  
GEI Consultants, Inc.  
300 Broadacres Drive, Suite 100  
Bloomfield, NJ 07003

RE: In the matter of LSRP Robert Blauvelt, LSRP 575013  
SRPL Board Complaint 002-2019

Dear Mr. Blauvelt:

This letter is to advise you that the New Jersey Site Remediation Professional Licensing Board (“Board”) has reviewed information concerning your conduct in connection with Complaint 002-2019, initiated by the New Jersey Department of Environmental Protection based on the remediation work you conducted at PI 295562. Information reviewed includes correspondence from you following the Board’s issuance of a Board Determination and Offer of Settlement dated May 20, 2021.

The Board hereby rescinds the Board Determination and Offer of Settlement dated May 20, 2021 and issues this Board Determination and Offer of Settlement in its place.

Board Determination

The Board has determined that you violated the following provisions of the New Jersey Site Remediation Professional Licensing Board Rules:

N.J.A.C. 7:26I-6.3(a): An LSRP shall know and apply the applicable statutes, rules, regulations, and appropriate technical guidance concerning the remediation of contaminated sites including, but not limited to, the remediation requirements set forth at N.J.S.A. 58:10C-14.c...

N.J.A.C. 7:26I-6.3(b): An LSRP shall apply any available and appropriate technical guidance concerning site remediation as issued by the Department.

The Board's finding of violation is based on the following facts:

On February 1, 2016 you submitted an application for a Remedial Action Permit and combined Remedial Investigation Report and Remedial Action Report, which you withdrew on July 7, 2016, and resubmitted on February 8, 2018. The Department issued two Notices of Technical Deficiency, one for the original documents on July 7, 2016, and one for the resubmitted documents on July 2, 2018. In the documents submitted to the Department you did not properly document and report how you used, or deviated from, specific guidance and protocol and you did not correct deficiencies in the documents despite receiving two Notices of Technical Deficiency, the first on the original submittal, and the second on the resubmittal of the same documents without having addressed the deficiencies in the original Notice of Technical Deficiency.

#### Penalties

The Board finds that the violation of N.J.A.C. 7:26I-6.3(a) and violation of N.J.A.C. 7:26I-6.3(b) are each a first violation of "Medium" conduct and "High" severity, as evaluated pursuant to the Board's "Guidance to Determine Conduct and Severity of a Violation when Assessing Civil Administrative Penalties," and intends to assess a civil administrative penalty in the amount of \$7,000.00 for each violation, totaling \$14,000.00. The conduct is assessed as Medium because it was unintentional but foreseeable that not conducting the remediation in accordance with the Technical Requirements for Site Remediation or guidance would result in violations of the standards of professional conduct for LSRPs. The severity is assessed as High because not conducting required Vapor Intrusion investigation had the potential to impact public health.

#### Offer of Settlement

As a result of the foregoing, the Board will pursue formal disciplinary proceedings against you for the above referenced violations to assess the above referenced penalties for these violations. Notwithstanding this decision, the Board has determined that it will first offer you an opportunity to settle these violations before instituting formal disciplinary proceedings if you consent to the following terms:

Agree to pay a civil administrative penalty in the amount of \$7,000.00. Payment should be by certified check or money order payable to "Treasurer, State of New Jersey," and mailed to Janine MacGregor, Executive Director at the address above.

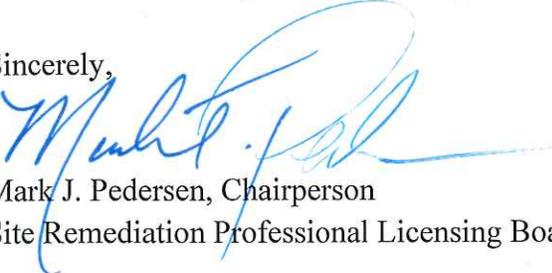
The Board makes this offer of settlement in the interest of resolving this matter and based on the specific facts of this case, including consideration of your ongoing performance.

If we are unwilling or unable to settle this matter, the Board will pursue formal disciplinary proceedings for these violations pursuant to N.J.S.A. 58:10C-17.f. to assess the above referenced penalties and you will be afforded an opportunity to request a hearing regarding this matter at that time. In that event, the Board, pursuant to N.J.S.A. 58:10C-17.f., may also enter an order assessing and requiring you to pay the costs for the investigation which led to the establishment of the violations, and its costs for successfully enforcing its penalty action against you. In addition, pursuant to N.J.S.A. 58:10C-17.e., any person who violates the Site Remediation Reform Act or any rule, regulation or order of the Board, or who fails to pay a civil administrative penalty assessed by the Board, shall be subject, upon order of the Superior Court, to pay a civil penalty of not more than \$10,000.00 for the first violation and not more than \$20,000.00 for every subsequent violation. The Board reserves its right to amend its findings and conclusions based on further review or investigation if this matter is not settled.

If you elect to settle this matter, you must sign the attached Acknowledgement and Acceptance of Board Offer of Settlement and return it along with payment to the Board within thirty (30) days following your receipt of this Board Determination and Offer of Settlement. Here, and throughout this document, the beginning date to calculate this 30-day time period is the date of delivery as indicated on the return receipt of this document. If the Board receives no response from you within thirty (30) days, the Board's settlement offer shall be considered withdrawn and the Board will pursue formal disciplinary proceedings.

Should you have any questions concerning this Board Determination and Offer of Settlement or the Acknowledgement and Acceptance of Board Offer of Settlement, you may contact Executive Director Janine MacGregor at 609-984-3424 or [SRPLBoardContact@dep.nj.gov](mailto:SRPLBoardContact@dep.nj.gov) or seek the advice of your legal counsel. This Board Determination and Offer of Settlement does not constitute a formal enforcement order, a final agency action or a final legal determination that may be appealed or contested. Please note that the Board Determination and Offer of Settlement and this Acknowledgement and Acceptance of Board Offer of Settlement are public documents.

Sincerely,



Mark J. Pedersen, Chairperson  
Site Remediation Professional Licensing Board

Enc: Acknowledgement  
cc: Steven Senior, Esq.

**ACKNOWLEDGEMENT and ACCEPTANCE OF BOARD OFFER OF SETTLEMENT**

I, Robert Blauvelt, hereby acknowledge that I have reviewed the attached January 6, 2022 Board Determination and Offer of Settlement and the settlement offer of the Board set forth therein.

I accept the settlement offer of the Board and agree to the following to settle the violations addressed in the January 6, 2022 Board Determination and Offer of Settlement pursuant to the following terms:

Immediate payment of a civil administrative penalty of \$7,000.00; or

Payment according to the following schedule:

\$1,000.00 to be submitted to the Board by January 28, 2022

\$2,000.00 to be submitted to the Board by February 25, 2022

\$2,000.00 to be submitted to the Board by March 25, 2022

\$2,000.00 to be submitted to the Board by April 29, 2022

I acknowledge that if I fail to perform any of the foregoing settlement terms the Board may terminate or enforce this settlement agreement upon 30 days prior written notice to me.

I am aware that by signing this Acknowledgement and Acceptance of Board Offer of Settlement I have entered into a binding settlement agreement and I am waiving any rights I may have to an administrative hearing for the matters addressed in the Board Determination and Offer of Settlement and this Acknowledgement and Acceptance of Board Offer of Settlement. I am aware that the findings of the Board in connection with this matter are a matter of public record and that this Board Determination and Offer of Settlement and this Acknowledgement and Acceptance of Board Offer of Settlement are public documents.

My execution of this Acknowledgement and Acceptance of Board Offer of Settlement and payment of the civil administrative penalty does not constitute an admission of any findings or determinations of the Board and shall not constitute or be interpreted or used as an admission of fault, liability, law, or fact, nor shall it be admissible in any proceeding, except a proceeding to enforce this Acknowledgement and Acceptance of Board Offer of Settlement.

Dated: 01-25-2022

  
Robert Blauvelt, LSRP 575013