



# Regulatory Update Meeting

## May 4, 2017

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**Office of the Assistant Commissioner  
Site Remediation and Waste Management Program**





# Topics

- Metrics
- Program Initiatives
- Technical Guidance Development Update
- Regulatory Update

# Active, New, and Closed Cases (2011-2016)

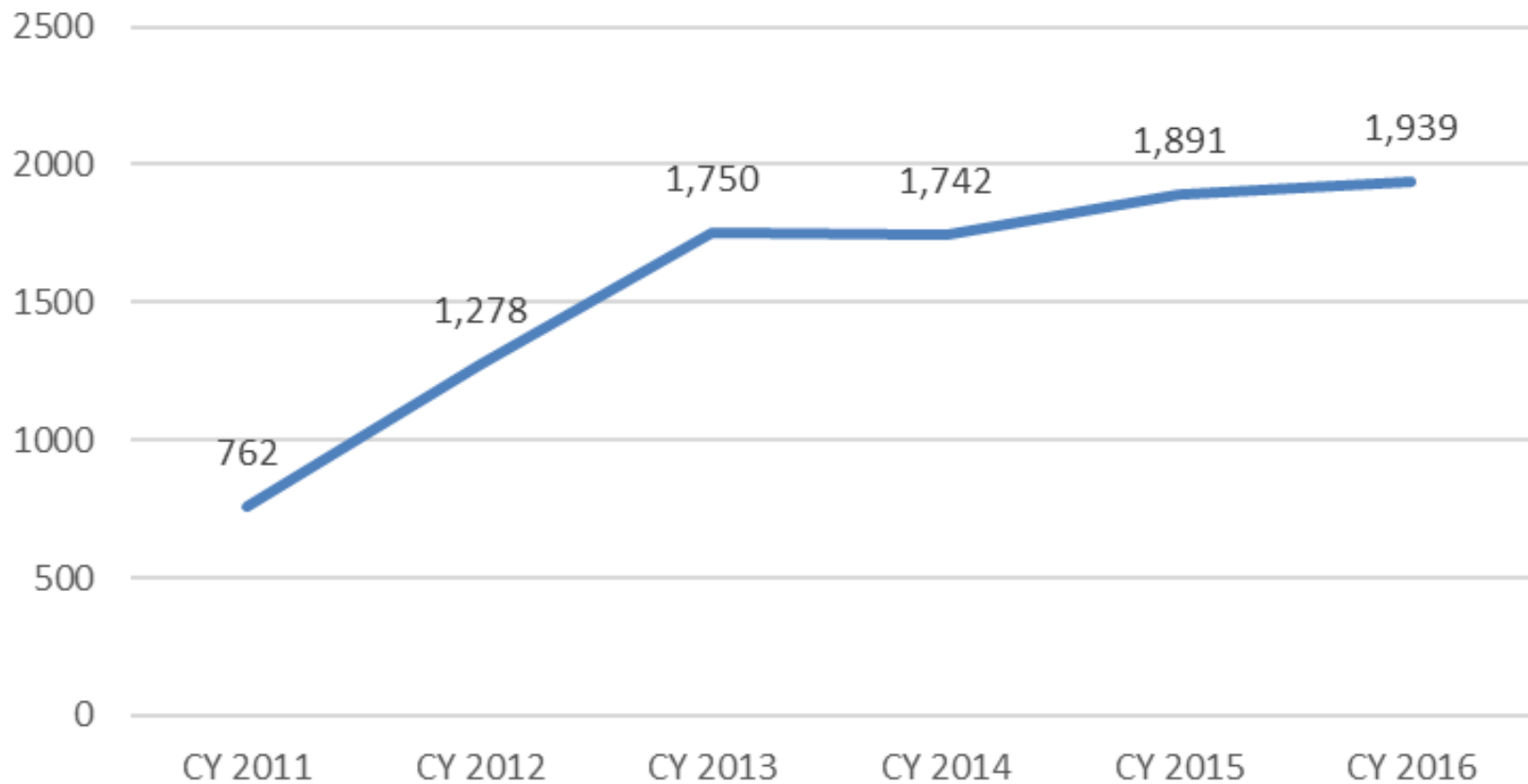


Year	Total Active	Total New	Total Closed
CY 2011	15,065	6,140	4,360
CY 2012	14,369	<u>9,612</u>	<u>4,735</u>
CY 2013	14,577	5,287	4,236
CY 2014	13,795	<b>4,928</b>	<b>5,036</b>
CY 2015	14,245	6,140	4,360
CY 2016	14,357	5,129	4,540

# RAOs (2011-2016)



Total Number of RAOs by Calendar Year



# Comprehensive Report

## First Quarter



Total Number of Active Cases in SRP	14209
Total Number of Active LSRP Cases in SRP	11276
Total Number of Active LSRP Cases with LSRP Retained	9190
Total Number of Active UHOT Cases in SRP	880
Total Number of Active Publicly Funded Cases in SRP	866
Total Number of Active Unknown Source Cases in SRP	271
Total Number of Active Traditional Oversight Cases in SRP	325



# IECs and VCs

	<b>Apr-17</b>
Active IECs/VCs Cases	486
Active LSRP Cases	206
Active PF Cases	252
Active Traditional Oversight Cases	28
Closed IEC/VCs Cases	691
Closed LSRP Cases	462
Closed PF Cases	228
Closed Traditional Oversight Cases	1

# Vapor Control Remediation

IEC Unit – 609-530-2461





# Direct Oversight

- Remediate as DEP directs, using an LSRP
- Do a feasibility study
- Implement remedy the DEP selects
- Submit public participation plan- 30 days
- Submit remediation cost review- 60 days
- Establish Remediation Trust Fund- 90 days
- DEP must approve disbursements
- Pay RFS surcharge

Duty Officer of the Bureau of Enforcement and Investigations can be reached at (609) 633-1480.





# Direct Oversight Adjustments

- A party can earn certain adjustments to Direct Oversight.
  - Must be willing to remediate
  - Comply with the Direct Oversight requirements
  - Settle violations with payment of penalty
- Pre-purchaser ACOs

Duty Officer of the Bureau of Enforcement and Investigations can be reached at (609) 633-1480.

# Compliance Assistance & Enforcement



- Compliance Assistance
  - Over 81,000 phone calls and emails (2009 to present)
  - 5,889 cases processed
    - 1,144 progressed to Enforcement
- Traditional Enforcement
  - 497 cases brought into compliance w/o enforcement action
  - 140 Enforcement Actions issued
  - Over \$5.8 Million in penalties assessed

(as of March 31, 2017)



# Municipal Ticketing Program

- If a remediation deadline is missed:
  - A compliance officer files a summons
  - Municipal court issues the summons and sets a court appearance date.
  - DAG sends a letter to the defendant offering to settle the violation
  - If a settlement cannot be reached, the case goes to trial in municipal court.



# Enforcement Initiatives

COURT ID: [ ] PREM: [ ] COMPLAINT NUMBER: [ ]

**The State of New Jersey**  
**Steven Point vs.**  
Defendant's Name: First Initial Last  
Address City  
State Zip Code Telephone  
Birth Date Mo. Day Yr. Sex Eyes Weight Height Restrictions  
Driver's Lic. No. Exp. Date State  
STATE OF NEW JERSEY } ss:  
COUNTY OF

Complaining Witness: \_\_\_\_\_  
of \_\_\_\_\_ (Identify Dept./Agency Represented) (Badge No.)  
Residing at \_\_\_\_\_  
by certification or on oath, says that to the best of his/her knowledge or information and belief, the named defendant on or about the \_\_\_\_\_ Month \_\_\_\_\_ Day \_\_\_\_\_ Year \_\_\_\_\_ Time \_\_\_\_\_ in the \_\_\_\_\_ COUNTY OF \_\_\_\_\_ NJ did commit the following offense:  
in violation of (see charge only) \_\_\_\_\_ (Statute, Regulation or Ordinance Number)  
LOCATION OF OFFENSE \_\_\_\_\_ Describe Location  
OATH: Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ yr. \_\_\_\_\_ CERTIFICATION: I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.  
(Signature of Complaining Witness) OR (Date)  
(Signature of Person Administering Oath) (Signature of Complaining Witness)

**PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS:**  
COURT USE ONLY LAW/CODE ENFORCEMENT USE ONLY  
Probable cause is found for the issuance of this Complaint-Summons.  The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.  
 (Signature of Judicial Officer)  (Signature of Judge)

**YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT. IF YOU FAIL TO APPEAR ON THE DATE AND AT THE TIME STATED, A WARRANT MAY BE ISSUED FOR YOUR ARREST.**

**NOTICE TO APPEAR**  
 COURT APPEARANCE REQUIRED COURT DATE: \_\_\_\_\_ Month \_\_\_\_\_ Day \_\_\_\_\_ Year \_\_\_\_\_ Time \_\_\_\_\_ AM/PM

(Date Summons Issued) \_\_\_\_\_ (Signature of Person Issuing Summons) \_\_\_\_\_  
Court's Copy SF (September, 200

- Ticketing
  - 59 Issued, at 41 sites
  - \$175,950 in penalties
- Batch NOVs- Automating the process
- Roll into ticketing initiative

(as of March 31, 2017)

# Round II Technical Guidance Committees



	Committee Start	Draft Issued Comment Period Start	Comment Period End	Final Doc posted	Training Date
<b>Capping</b>	Sept. 2012	3/11/2014	4/22/2014	7/14/2014	11/20/2014
<b>Catastrophic Events</b>	Jan. 2014	12/29/2015	2/9/2016	6/2016	6/14/2016
<b>Child Care Centers</b>	April 2013	6/17/2015	7/29/2015	2/2017	3/1/2017
<b>Commingled Plume</b>	Sept. 2012	7/13/2016	8/24/2016	4/2017	May 16!
<b>GW Discharge to SW</b>	Sept. 2012	6/9/2015	7/21/2015	1/19/2016	2/23/2016
<b>Off-Site Source</b>	Sept. 2012	9/17/2014	10/29/2014	4/28/2015	6/2/2015
<b>Historically Applied Pesticides</b>	Sept. 2012	7/16/2014	8/27/2014	12/2015 Ver. 2.0 8/2016	3/3/2016
<b>Performance Monitoring</b>	Sept. 2012	9/22/2016	11/3/2016	Summer 2017	Summer 2017



# Regulatory Update

- New Chapter 26F: Heating Oil Tank System Remediation Rules
- Amendments to ARRCS, Tech Regs, NJPDES and UST rules related to Chapter 26F
- Legacy Landfill Law – Proposal published in register August 15, 2016; Adoption by August 2017



# Questions?

SRP Website: [www.nj.gov/dep/srp/](http://www.nj.gov/dep/srp/)

SRPL Board: [www.nj.gov/l srpboard/](http://www.nj.gov/l srpboard/)