

## Site Remediation Reform Act (SRRA) Listserv Archives

### April 30, 2012 - Processing of Unregulated Heating Oil Tanks (UHOTs) after May 7, 2012

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**Date & Time:** 4/30/2012 12:13 PM

**Subject** Processing of Unregulated Heating Oil Tanks (UHOTs) after May 7, 2012

Processing of Unregulated Heating Oil Tanks (UHOTs) after May 7, 2012

Effective May 7, 2012, a licensed site remediation professional (LSRP) may no longer issue a response action outcome (RAO) for cases where the only area of concern (AOC) being addressed is a discharge from an unregulated heating oil tank system (UHOT). In those instances, the case must be processed through the UHOT program and the Department will issue a No Further Action (NFA) letter. However, for those cases where a discharge from a UHOT and discharge(s) from AOCs other than the UHOT exist and are being addressed by an LSRP, the LSRP must issue an RAO that covers discharges from all AOCs, including the discharge from the UHOT.

The reason for this is that on May 7, 2012, the Administrative Requirements for the Remediation of Contaminated Sites (ARRCS) rules at N.J.A.C. 7:26C-13 will be amended, and these amendments will change how unregulated heating oil cases will be handled by the Department. The ARRCS rules at N.J.A.C. 7:26C-13.4(b) are being amended to state that only the Department will issue a NFA letter to the person responsible for conducting the remediation of a discharge from a UHOT, and to delete the provision that allows the LSRP to issue an RAO to the person responsible for conducting the remediation, where the UHOT is the only AOC at the site.

In addition, the person responsible for conducting the remediation may continue to use an LSRP to address unregulated heating oil systems but is not required to submit an LSRP Notification of Retention or Dismissal form unless they are addressing AOCs other than an unregulated heating oil system.

For additional information regarding UHOTs and ARRCS, please go to:

<https://www.nj.gov/dep/srp/unregulatedtanks/>

<https://www.nj.gov/dep/srp/regs/arrcs/>

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SRP Site Remediation Reform Act (SRRA) Web site:

<https://www.nj.gov/dep/srp/srra/>