

# Site Remediation Reform Act (SRRA) Listserv Archives

## November 26, 2012 - [SRRA] Calling all RPs and LSRPs! Know Your Role Regarding Public Inquiries

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**To:** srra@listserv.state.nj.us

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**Subject** [SRRA] Calling all RPs and LSRPs! Know Your Role Regarding Public Inquiries

[SRRA] Calling all RPs and LSRPs! Know Your Role Regarding Public Inquiries

RPs and LSRPs: Please be aware of the current rules regarding notification and responding to public inquiries about your sites.

Now that the New Jersey Department of Environmental Protection (DEP) no longer has the latest information on the statuses of environmental investigations and cleanups, the responsibility for responding to public inquiries about these sites has shifted to the remediating parties (RPs) and their licensed site remediation professional (LSRP).

As required by the Administrative Requirements for the Remediation of Contaminated Sites (ARRCS, May 2012; N.J.A.C. 7:26C), all public notification signs, letters, fact sheets and updates must include contact information for the person responsible for conducting the remediation (the "RP") and the LSRP of record for the site. Signs must be updated immediately to delete contact information for the NJDEP Office of Community Relations and replace it with LSRP contact information. Contact information must be updated in notification letters and/or fact sheets at the time the next update letter and/or fact sheet is required to be sent.

New in ARRCS is the requirement for RPs to respond to public inquiries received by them or referred to them by DEP. However, since the LSRP is typically responsible for the day to day remedial activities, he or she is likely more capable of responding to inquiries about a remediation than the RP. Therefore, unless the RP has not delegated the responsibility for responding to inquiries to their LSRP or directed DEP otherwise, DEP will direct questions from the public, press and elected officials to the LSRP of record for the site. Please see N.J.A.C. 7:26C-1.7(o) for more information.

When a public inquiry concerning a site is received, DEP will call and/or e-mail the RP/LSRP and direct that person to respond to the inquiry. If the RP/LSRP does not respond to the inquiry, or does not provide an appropriate response, DEP will call the RP/LSRP to encourage compliance.

If these measures do not result in an appropriate response to the public inquiry, DEP will send a letter to the RP noting the failure to respond to the inquiry. The letter will include a warning that failure to conduct public outreach when required pursuant to N.J.A.C. 7:26C-1.7(o) is a minor violation and can result in a base penalty of \$10,000 (see N.J.A.C. 7:26C-9.5(b)).

Also, if an RP has notified its LSRP that he or she must respond to a public inquiry and the LSRP does not respond appropriately, the LSRP may be referred to the Site Remediation Professional Licensing Board for a code of conduct violation.

DEP has updated the public notification guidance at [https://www.nj.gov/dep/srp/guidance/public\\_notification/](https://www.nj.gov/dep/srp/guidance/public_notification/) and will be offering training on community relations and public outreach to the regulated community in early 2013.

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SRP Site Remediation Reform Act (SRRA) Web site:  
<https://www.nj.gov/dep/srp/srra/>

