

## Site Remediation Reform Act (SRRA) Listserv Archives

### July 20, 2020 - [EXTERNAL]: Remedial Action Extension Requests and Timeframe Reminders

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**Subject** [EXTERNAL]: Remedial Action Extension Requests and Timeframe Reminders

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The purpose of this listserv is to remind Licensed Site Remediation Professionals (LSRPs) and persons responsible for conducting the remediation (PRCRs) of available guidance regarding Remedial Action timeframes and extension requests.

- In April 2017, the Site Remediation and Waste Management Program (SRWMP) issued "Administrative Guidance Regarding Compliance with Remedial Action Report Timeframes" (Guidance), available at: [https://www.nj.gov/dep/srp/guidance/srra/rar\\_timeframe\\_compliance\\_guidance.pdf](https://www.nj.gov/dep/srp/guidance/srra/rar_timeframe_compliance_guidance.pdf). SRWMP strongly encourages parties preparing a remedial action extension request to review the information in the Guidance before making a submission.
- Pursuant to N.J.A.C. 7:26C-3.5(a), extension requests must include a written rationale that is accompanied by data as justification for the extension. The Guidance was issued so PRCRs and their LSRPs are aware that extension requests are required to be supported with data, showing that attempts were made to meet the established remedial timeframe goals and aggressive timely attempts were made to modify remedial plans to accomplish the establish remedial timeframe requirements. While SRWMP expects that some remedial action timeframe extensions will be justified, the ability to request an extension does not reconcile the failure to implement or modify a remedial action to implement a timely remediation.
- On April 24, 2020, the NJ Department of Environmental Protection (Department) issued a Notice of Rule Waiver/Modification/Suspension pursuant to Executive Order No. 103, allowing for an automatic extension of certain timeframes. See <https://www.nj.gov/dep/covid19regulatorycompliance/docs/srp-remedial-timeframes20200424.pdf> and [https://www.nj.gov/dep/srp/srra/listserv\\_archives/2020/202006\\_01\\_srra.html](https://www.nj.gov/dep/srp/srra/listserv_archives/2020/202006_01_srra.html).
- Mandatory Timeframe requests are required to be submitted no later than 60 days prior to the end of the mandatory remediation timeframe, pursuant to N.J.A.C. 7:26C-3.5(a)1. Regulatory Timeframe extension requests are required to be submitted no later than 30 days prior to the end of the regulatory remediation timeframe in accordance with N.J.A.C. 7:26C-3.2(b)1. The Department requests that no timeframe extension request be submitted more than 6 months prior to the established timeframe. This will allow for the PRCR and LSRP to provide the most current data and status of the remediation to support the timeframe extension submission.

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