

Site Remediation Reform Act (SRRA) Listserv Archives

February 8, 2021 - [EXTERNAL]: Notice of Rule Waiver/Modification/Suspension

- further extension of certain timeframes for remediation activities

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Date & Time: 2/8/2021 6:15:00 PM

Subject [EXTERNAL]: Notice of Rule Waiver/Modification/Suspension - further extension of certain timeframes for remediation activities

[EXTERNAL]: Notice of Rule Waiver/Modification/Suspension - further extension of certain timeframes for remediation activities

On February 1, 2021, the New Jersey Department of Environmental Protection (DEP) issued a Notice of Rule Waiver/Modification/Suspension pursuant to Executive Order No. 103, extending certain remediation timeframes:

For remediations that **were not** subject to the statutory timeframes set forth in the Site Remediation Reform Act (SRRA) at N.J.S.A. 58:10C-27 and 27.1 to complete the remedial investigation by either May 7, 2014 or May 7, 2016, this Notice further extends certain timeframes for remediation activities, for a total of 455 days, inclusive of the prior 270-day extension allowed by the [April 24, 2020](#) and [August 17, 2020](#) Notices of Rule Waiver/Modification/Suspension. This Notice also extends all subsequent timeframes (for example, if the remedial investigation regulatory timeframe for a remediation with impacted ground water is extended from March 9, 2020 to June 7, 2021, the remedial investigation mandatory timeframe is extended to June 7, 2023, the remedial action regulatory timeframe is extended to June 7, 2026, and the remedial action mandatory timeframe is extended to June 7, 2028).

For remediations that **were** subject to the statutory timeframes set forth in the SRRA at N.J.S.A. 58:10C-27 and 27.1 to complete the remedial investigation by either May 7, 2014 or May 7, 2016, including where the timeframes are set forth in an Administrative Consent Order, and the timeframe to complete the remedial action (whether regulatory or mandatory) has not yet passed, this Notice extends the timeframe to complete the remedial action from May 6, 2021 to May 6, 2022.

It should be noted that in order to qualify for either of the above noted extensions under this Notice of Rule Waiver, the person responsible for conducting the remediation must have retained a licensed site remediation professional pursuant to the Administrative Requirements for the Remediation of Contaminated Sites (ARRCS) at N.J.A.C. 7:26C-2.3.

It also should be noted that nothing in any of the Notices of Rule Waiver/Modification/Suspension affects a party's response to known or suspected receptors and immediate environmental concerns.

For more information and to view a courtesy copy of this notice, please visit: <https://www.nj.gov/dep/covid19regulatorycompliance/docs/srp-remedial-timeframes-20210201.pdf>.

For a list of compliance advisories issued by various DEP programs during the COVID-19 State of Emergency, please visit: <https://www.nj.gov/dep/covid19regulatorycompliance/>.

Persons responsible for conducting remediation and licensed site remediation professionals should be aware that the DEP will not review extension requests submitted pursuant to the ARRCS, N.J.A.C. 7:26C-3.3 and 3.5, for timeframes subject to this Notice.

The DEP will be updating DataMiner to reflect the above noted extensions. Questions regarding this Notice or remediation timeframes should be directed to the Bureau of Case Assignment and Initial Notice at 609-292-2943.

Celebrating its 50th anniversary in 2020, the New Jersey Department of Environmental Protection is dedicated to protecting New Jersey's environment and public health. The agency prioritizes addressing climate change, protecting New Jersey's water, revitalizing its communities and managing and promoting its natural and historic resources.

For the most recent information about the DEP, follow its Twitter feed at [@NewJerseyDEP](https://twitter.com/NewJerseyDEP) or visit www.nj.gov/dep.

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