

Remediation Process Improvement Initiative (RPII)

June 8, 2023



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Contaminated Site Remediation & Redevelopment

Purpose



- Build upon the success of the LSRP program
- We all recognize that aspects of the remediation process can and should be improved
- Remediation Process Improvement Initiative (RPII) is a collaborative effort between the Department, LSRPs, the regulated community, and other interested stakeholders

RPII- DEP's May 2 letter



- Additional documentation is needed for some submissions
 - Submissions may lack the degree of detail that explains an LSRP's independent professional judgment (IPJ)
 - Record must stand on its own
 - The request for additional information is not a lack of deference to the LSRP's independent professional judgment
 - SRRA does not grant LSRPs independence from the regulating agency
- Inspection and review process- DEP has an obligation to protect public health and the environment

Ensuring reviewers are adequately trained to review permit applications and issue permits



- Adding staff and resources to the Bureau of Remedial Action Permitting.
 - 3 new staff; 1 hourly position
 - Moved administrative tasks to Case Assignment Section
- Permit training
 - In April, we held 3 training sessions for our current and new permit writing staff in an effort to ensure consistency in the process.
- New employee training
 - Starting with easier permits
 - Mentoring with experienced staff

Developing guidance/training for LSRPs on the importance of documentation and the avoidance of common mistakes



- Developing training
 - What to look for when a new LSRP picks up another LSRP's case
- Creating checklists and other tools to help identify the information need in a RAP application

Communicating common errors (and their solutions) found in RAP applications by providing the FAQs produced by the ECCC



- Coming soon!

Providing the flowcharts produced by the ECCC that describe the process for CSRR review of RAP applications and other submissions



- Coming soon!

Comments? Questions?



Evaluating CSRR's current processes and criteria for conducting additional reviews...



- The timing of reviews
 - Should not occur at the end of the process
- Are we over-reviewing?
 - Compiling our list of review triggers and re-evaluating why they are a trigger
 - Evaluating where we can scale back reviews

Developing a formal and transparent process for discussing CSRR comments/deficiency letters



- Notice of Incomplete (NOI) RAP Application- consistency between bureaus in DRM
- Response time will be changed to 60 days (was 30 days)
 - Firm deadline for providing all the information needed to issue the permit
 - If 60 days is not enough, withdraw the application
- Supervisor signature on NOI

Comments? Questions?



Reviewing the Massachusetts and Connecticut programs and how they have changed and responded since they were put in place.



- Meeting with MADEP was held April 21
- Meeting with CTDEEP was held June 5

Comments? Questions?



Considering regulatory amendments, potentially including the establishment of a general permit and/or a permit-by-rule.



- One remedial action permit for all media
- Focused remedial action permits
 1. Soil RAP with deed notice, no engineering control
 2. Soil RAP with using a presumptive remedy when presumptive remedy not needed
 3. Soil RAP with a pre-approved alternative remedy
 4. Soil RAP for historic fill only AOC- only property owner will be on the permit.
 5. GW RAP for MNA where the plume is onsite and no receptors impacted

Other updates



- Technical consultations:

https://www.nj.gov/dep/srp/srra/technical_consultation/

- Lean six sigma

Comments? Questions?



Next Steps



- Work in subgroups on specific issues- Summer 2023
 - Email Sana.Qureshi@dep.nj.gov with your top 2 subgroup topics.
 - E.g., universe of cases that are eligible for a permit by rule
- Next full meeting will be scheduled in October

Additional Q/A



Questions?



Email us at:
remediation.process@dep.nj.gov



Thank you!

