

# Effective Collaborative Communications Committee (ECCC)

Julian Pozzi, Chair, ECCC

Bureau of Remedial Action Permitting

# ECCC Members

- Department Members
  - Julian Pozzi, Chair
  - Christopher Blake
  - Kendrick Brown
  - Rachel Farro
  - Dominik Hudyka
  - Lynne Mitchell
- Site Remediation Industry Network (SRIN) Members
  - Maureen Forlenza
  - Elenor Siebring
- LSRPs
  - Rob Fisler
  - Marlene Lindhart
  - Amy Murphy
  - Michelle Tomaszewski

# ECCC's Purpose

- The purpose of this committee was to focus on the Remedial Action Permit applications that receive Notices of Technical Deficiencies (NTDs) but are ultimately still issued a permit
- These deficient applications are contributing to the current BRAP backlog due to the back-and-forth communication required to correct the deficiencies
  - The current metrics for Remedial Action Permits which are based on applications processed from July 1, 2021, through July 1, 2022
    - Approximately 6% of initial applications were issued without receiving any NTD (less than 1% of initial soil applications and 12% of all initial GW applications)
    - Approximately 58% of initial applications were issued after receiving an NTD (79% of initial soil, 37% of initial GW)
    - Approximately 36% of initial applications were withdrawn/rejected (21% of initial soil, 63% of initial GW)

# ECCC's Process

The process this committee used was simply having Department members present PowerPoints that show the types of deficiencies that are most commonly holding up the process of issuing a permit

The PowerPoints focused on the following topics:

- Door-to-Door Well Search Surveys
- Common Deficiencies Related to Soil RAP Applications
- Remedial Action Report Presentation/Documentation
- Department Review Process for RAP Applications

# Example of a Common Deficiency Related to Soil RAPs

- When Financial Assurance is required, an RFS/FA Form needs to be submitted with the original Financial Assurance Mechanism. Specifically, Letters & Lines of Credit from the **correct model document**
- Using the wrong model document from the RFS Guidance page will cause a delay in the issuance of a RAP/RAO

## What are acceptable RFS and Financial Assurance (FA) mechanisms?

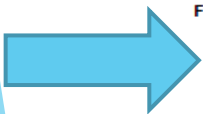
All RFS and FA mechanisms must comport with the format and language of the model documents found at the links below.

### Remediation Funding Source (RFS)

- [Remediation Trust Fund Agreement](#) - Please see [N.J.A.C. 7:26C-5.4](#) for specific requirements.
- [Line of Credit Agreement](#) - Please see [N.J.A.C. 7:26C-5.6](#) for specific requirements.
- [Letter of Credit](#) - Please see [N.J.A.C. 7:26C-5.7](#) for specific requirements.
- Environmental Insurance Policy - Please see DEP's regulatory requirements at [N.J.A.C. 7:26C-5.5](#).
- [Self Guarantee Application](#) - Please see the Self Guarantee Application Instructions for more information and [N.J.A.C. 7:26C-5.8](#) for specific requirements. **(Not for use as Financial Assurance.)**
- Loan or Grant from the [Hazardous Discharge Remediation Fund](#) - Please see [N.J.A.C. 7:26C-5.2](#) for specific requirements.
- [Surety Bond](#) - Please see N.J.S.A. 58:10B-3.i for specific requirements.

### Financial Assurance (FA) - *(To be used for Remedial Action Permits only)*

- [Remediation Trust Fund Agreement for FA](#) - Please see [N.J.A.C. 7:26C-5.4](#) for specific requirements.
- [Line of Credit Agreement for FA](#) - Please see [N.J.A.C. 7:26C-5.6](#) for specific requirements.
- [Letter of Credit for FA](#) - Please see [N.J.A.C. 7:26C-5.7](#) for specific requirements.
- Environmental Insurance Policy - Please see DEP's regulatory requirements at [N.J.A.C. 7:26C-5.5](#).
- [Surety Bond](#) - Please see N.J.S.A. 58:10B-3.i for specific requirements.



# Frequently Asked Questions (FAQ) Document

Based on LSRP member experiences with other helpful FAQ documents, the committee decided to create an FAQ document as a helpful tool in addressing the high deficiency rates being seen in RAP submittals.

The document includes questions and answers to the following areas related to Remedial Action Permit Submittals:

- Requirements and helpful hints for completing a Remedial Action Report
- Helpful hints for documenting professional judgment when using variances/deviations from technical requirements/Department Guidance
- Requirements and helpful hints for completing RAP Applications
- Requirements and helpful hints for completing Financial Assurance documentation
- Helpful hints for completing a proper door-to-door survey
- Communicating with the Department

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# Questions?