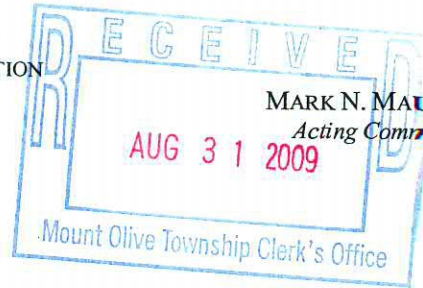




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cc: Admin
Bldg.
Health
Plan

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MARK N. MAURIELLO
Acting Commissioner

JON S. CORZINE
Governor

August 31, 2009

Dear Municipal Clerk:

On September 12, 2008, the Department of Environmental Protection (DEP) sent you correspondence describing enhanced public-outreach rules that require parties responsible for cleaning up contaminated sites to post signs or distribute notification letters informing local residents of remedial progress. The rules, adopted on September 2, 2008, require that notification occur within a year of the effective date for sites already undergoing cleanup. The rules cover both publicly funded cleanups conducted by DEP and remedial actions performed by other parties responsible for the work.

DEP is providing you notice that it is in the process of posting signs at contaminated sites where the department is conducting remedial actions using public funds. The signs are placed in locations that are clearly visible to the public and are two-foot-by-three-foot in size.

The signs include the following wording: "Environmental Investigation/Cleanup in Progress at this Site." The signs further provide contact information and the telephone number for the DEP's Office of Community Relations (OCR). If you would like more information about any of the sites where signs are posted, please feel free to contact OCR at (609) 984-3081.

Under the new rules, the person responsible for conducting site remediation work is required to provide municipal clerks and local health officials with written documentation of compliance with the public notification regulations. In some cases, they are also required to provide an inventory of sensitive populations and community resources such as parks, schools, surface water bodies and drinking water wells within 200 feet of the site. These steps must be taken at least two weeks before certain phases of investigation or cleanup work begins. The rules also require additional public outreach when there is significant public interest or when requested by a local official, and allow a municipality to request copies of all environmental reports regarding the site. You may have already received some of these documents from DEP on publicly-funded site work and other parties on privately funded actions. We encourage you to forward them on to the appropriate parties in your agency.

In certain situations, the person responsible for the work is also required to provide additional information to both the public and local officials. The rules do not apply to emergency response actions or to the remediation of leaking unregulated underground storage tanks used to store heating oil. The new public outreach and notification requirements are detailed in the amended Technical Requirements for Site Remediation and can be found on the department's Web site at www.nj.gov/dep/srp/regs/techrule.

The DEP's OCR will continue its effort to inform local officials about these new rules and provide you with the opportunity to learn more about how they can benefit your community. Organizations interested in scheduling a presentation or individuals with questions about the new rules can contact me at (609) 777-1971.

Sincerely,

Karen Kloo, Manager
Office of Community Relations