



cc: Admin

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JON S. CORZINE
Governor

LISA P. JACKSON
Commissioner



September 12, 2008

Dear Municipal Clerk:

In recent years, local officials have raised concerns with the Department of Environmental Protection about the availability of information regarding contaminated sites within their jurisdiction. In response, the department has significantly expanded public access to information about these sites on our Web site. Recently, the department has also adopted new rules for public notification and outreach when certain work is conducted at these sites. Included in these rules is a requirement to notify municipal clerks about such work.

Under the new rules, the person responsible for conducting site remediation work is required to provide municipal clerks and local health officials with written notice of work being conducted at a contaminated site within their town along with 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. In addition, they must either provide written notification to owners and tenants within 200 feet of the site or post a clearly visible sign at the site with contact information, and provide the local clerk and health official with documentation of having met this requirement. These steps must be taken at least two weeks before certain phases of testing or remediation 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.

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 underground storage tanks used to store heating oil for one-to-four family residences. 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.state.nj.us/dep/srp/community/public.htm. As you receive these notifications, you may wish to share them with your planning officials and engineering and construction staff, as well as your local elected officials.

These new requirements are the result of a dialogue between the department, regulated parties, local officials and community representatives. With their adoption, local officials and residents are now guaranteed a process by which they can learn and engage in a dialogue about site remediation work within their communities. It reflects the department's commitment to expanding public access to information and partnerships with local officials in the pursuit of environmental protection within our communities.

The Site Remediation Program's Office of Community Relations has begun a major effort to inform local officials about these new rules and provide you with the opportunity to learn more about their implementation. Organizations interested in scheduling a presentation or individuals with questions about the new rules can contact me at (609) 777-1971.

Sincerely,

Karen Kloo, Acting Manager
Office of Community Relations