

# Environmental ALERT

## Public Outreach Requirements for Sites Undergoing Cleanup being Enhanced by NJDEP

**O**n September 3, 2008, the New Jersey Department of Environmental Protection (NJDEP) released information regarding the implementation of a new requirement which addresses enhanced public outreach for sites undergoing environmental remedial investigations and cleanup. The new directive requires the entity responsible for the cleanup operations to distribute notification letters or to post signs to inform local residents of the work progress at the site.

The outreach actions are to be taken no less than two weeks prior to the initiation of particular phases of investigation/cleanup activities at a site. For sites where these activities are already in progress, the party responsible for the cleanup has one year from the effective date of the new rule to make the appropriate notification. The new notification requirements include an option of posting signs or distributing notification letters.

Specific requirements regarding the size, placement and wording of the signs and letters is provided by NJDEP to ensure that the neighborhood is provided all necessary information.

The new rules require the party responsible for the remediation to identify sensitive populations, such as residences, schools, day care facilities, playgrounds/parks, surface water, drinking water wells and priority well head protection areas, within 200 feet of the site. Checklists provided by the NJDEP assist in evaluating risks to the sensitive populations.

In the event that contamination is identified to have migrated off-site, the party conducting the remediation will then be required to distribute a fact sheet to the community and to publish the fact sheet in a local newspaper.

The following are exempt from

the new public notification requirements: remediation projects for leaking heating oil tanks involving one to four residential units and emergency response actions.

While all new cleanup projects require the public notification activities to take place no later than two weeks prior to initiation of field activities, sites which have ongoing activities which started before September 2, 2008 will have until September 2, 2009 to complete their notification requirements.

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