



Brilliant Environmental Services, LLC (*Brilliant*) is a full-service environmental consulting and contracting firm, integrating today's technologies for tomorrow's solutions. Headquartered in New Jersey, *Brilliant* specializes in investigation, remediation, brownfields redevelopment, and underground storage tank services. *Brilliant* is the underground storage tank compliance expert.



Are You Ready to Meet the May 7, 2019 Regulatory Deadline for Remedial Action

Responsible parties have an affirmative obligation to remediate contaminated sites pursuant to New Jersey's Site Remediation Reform Act (SRRA), enacted in 2009. For sites where the discharge was discovered prior to May 7, 1999, the initial deadline under SRRA to complete remedial investigation was May 7, 2014. Subsequent amendments to SRRA afforded a two (2) year extension of the remedial investigation deadline to responsible parties that applied to the New Jersey Department of Environmental Protection (NJDEP) for such an extension. A responsible party that either (a) did not obtain an extension of this deadline or (b) completed the remedial investigation, including submission of the remedial investigation report on or before May 7, 2014, must complete the remedial action by May 7, 2019, as set forth in New Jersey's Technical Requirements for Site Remediation at N.J.A.C. 7:26E-5.8(b).

A responsible party's failure to meet the remedial action regulatory deadline of May 7, 2019 may expose the site to Direct Oversight requirements, whereby NJDEP resumes pre-SRRA control of the remediation case, including the timing and funding of the remedial action. In addition to needing NJDEP approval for submissions and expenditures, a responsible party in Direct Oversight will be

required to establish a remediation trust fund in the full amount of the estimated cleanup, among other burdensome requirements.

For sites that will use institutional or engineering controls and require remedial action permits as part of the remedial action, NJDEP has **advised** that remediating parties should submit remedial action permit applications at least 90 days prior to the deadline (on or before Wednesday, February 6, 2019). In our experience, it is taking NJDEP longer than 3 months to process these permit applications, and extension requests will be necessary where NJDEP has not issued necessary remedial action permit(s) prior to May 7, 2019.

Responsible parties that are concerned about meeting the May 7, 2019 regulatory deadline for remedial action should apply for an extension at least 30 days prior on or before Friday April 5, 2019. **Only the LSRP retained (NJDEP must be notified of this retention) for the contaminated site can submit the extension request and specific requirements must be met.**

Contact Brilliant today to discuss your specific site conditions and the retention of one of our LSRPs. Brilliant's LSRPs are site remediation experts with over 60 years of combined experience. For more information [email](#) or call (732) 818-3380.



New Jersey Underground Storage Tank Owner and Operator Requirements Reminders to Contractors too

The modifications to the UST Rules in 2018 (NJAC 7:14B) placed specific requirements for notification and reporting on Tank Owners, Operators and their Contractors. The following are reminders recently provided by NJDEP:

1. A 14 Day Notice is required for the following:
 - a. Installation
 - b. Closure
 - c. Any work requiring a sub - mod
 - d. Air testing
 - e. Within 72 hours of any Air Test Failure
 - f. Decommissioning - before and after (including checklist and testing).

The most common oversight has been with Air Testing and Air Testing Failure

notification within 72 hours. Included in the Notification should be:

1. PI#
2. Site Name
3. Site Address
4. Site Contact
5. Contractor Contact
6. Nature of Work being done.
7. Date of work commencement - If date changes, you need to send a follow up email.

You can send notifications for each site, or a spread sheet for the entire month of testing. Notifications to be emailed to: 14dayUSTnotice@dep.nj.gov

Also,

1. When decommissioning is being done, the site needs to be shut down - no Pumping - and the PVV off.
2. NJDEP is comparing the monitoring system certifications to the alarm history. If a monitoring system cert was done and there are no corresponding alarms for sensors, high level alarms, etc., the NJDEP will require the cert to be redone.

For more information contact [Jenna Dinuzzo](#) at NJDEP. You may also always contact Brilliant's UST compliance experts at [email](#) or call (732) 818-3380.

Where to Find *Brilliant*?

Jonathan Libourel, LSRP of *Brilliant* is the new Chairperson of Affiliate Committee of Nexus, the newly formed association representing the Ocean County Board of Realtors and the Burlington County Board of Realtors. Look out for programs and events.

Philip Brilliant, LSRP of *Brilliant* will be one of the instructors of the [NJ Underground Storage Tank Rules Course](#) presented by [Continuing Professional Education Services, LLC](#) to be held on Friday, February 8, 2019 at Montclair State University.

Philip Brilliant, LSRP of *Brilliant* will be a presenter at the Annual Environmental Law for Attorneys and LSRPs at Rutgers University on Wednesday, February 20, 2019.

Brian Babcock, LSRP and Philip Brilliant, LSRP of *Brilliant* will be instructors of the [Investigating Child Care Centers & Educational Facilities in NJ: An Environmental Professionals Obligation to Assist License Application, Renewal and Compliance](#) presented by [Continuing Professional Education Services, LLC](#) to be held on Friday, February 22, 2019 at Montclair State University.

BRILLIANT CAN ASSIST YOU!

Brilliant is your advocate in identifying all of the

options available to you...not just what's on the surface; affording you high-quality, personalized service without the high cost. We remain available and mobile to address any size project and prepared to meet with you to discuss your environmental needs. Call us today at (732) 818-3380 or [email us](#).



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