

# MANKO | GOLD | KATCHER | FOX<sub>LLP</sub>

AN ENVIRONMENTAL AND ENERGY LAW PRACTICE

## SITE REMEDIATION REFORM ACT UPDATE

### Industrial Site Recovery Act (ISRA – N.J.A.C. 7:26B)

- **Remediation Agreements** - Elimination of the remediation agreement process and replacement with an equivalent LSRP remediation certification process
- **Remediation Funding Surcharge** – Expansion of the surcharge mechanisms to include a letter of credit
- **De Minimis Quantity Exemption** – New requirements and limitations on sites that can qualify for this ISRA exemption for industrial establishments that utilize less than 500 pounds or 55 gallons of hazardous substances at any one time.
- **Alternate Compliance Options** – Limits cases to which the expedited review and limited site review options will be available.
- **Remediation Procedures** – New time frames are established for submission of ISRA reports.
- **Substitution of RAO for Negative Declarations Approved by NJDEP** – Negative declaration approval by NJDEP at the conclusion of an ISRA case will only be available for cases where GINs were submitted prior to the effective date of regulations. New cases will obtain an LSRP-issued RAO.