

### NJDEP ISSUES NJ SITE REMEDIATION PROGRAM TIMEFRAME EXTENSIONS DUE TO COVID-19 – MAY 2020

The New Jersey Department of Environmental Protection (NJDEP) issued a Compliance Alert addressing any environmental law, rule, regulation, permit or approval by the DEP that may be constrained by circumstances surrounding the COVID-19 Pandemic. The NJDEP is conducting an ongoing assessment of programs to make temporary adjustments as necessary to insure that the regulated community maintains compliance and that public health, safety and the environment remains protected.

One such modification is an extension of Site Remediation Program timeframes communicated in this [Listserv](#) announcing a Temporary Rule Modification/Waiver/Suspension of certain provisions of the Administrative Requirements for the Remediation of Contaminated Sites (ARRCS), N.J.A.C. 7:26C, and the Technical Requirements for Site Remediation (Technical Requirements), N.J.A.C. 7:26E.

These temporary modifications:

- Extend certain timeframes for remediation activities, by ninety (90) days, including regulatory, mandatory and expedited site-specific timeframes for the following remedial phases: preliminary assessment, site investigation and remedial investigation and for regulatory timeframes for remedial actions. The 90-day extension also applies to timeframes identified within the notice that may have been established within an Administrative Consent Order. The 90 day extension applies **only to those timeframes that have been and will be reached during the period which Executive Order 103 is in effect.** The mandatory remedial action timeframe has been excluded from the 90-day extension.
- Allow the NJDEP to waive, suspend, modify or relax any provision of ARRCS, N.J.A.C. 7:26C, or the Technical Requirements, N.J.A.C. 7:26E, with the exception of timeframe extensions provided certain circumstances are met.

This emergency adoption and temporary modification is retroactive to March 9, 2020, the effective date of Executive Order 103, and shall remain in effect until the expiration or revocation of Executive Order 103, unless otherwise revoked or modified by the Department Commissioner McCabe.

To discuss this alert and how it could impact your project, please contact your Langan Project Manager or:

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