



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Enforcement and Information Support Element
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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

July 23, 2012

Compliance Assistance Alert – Underground Storage Tank Registration Certificates

Re:

Dear Registered Facility Operator,

This letter is sent to provide you with some very important information regarding compliance with the Site Remediation Reform Act (SRRA) and the operation of your Underground Storage Tank (UST) system(s).

With the passage of the SRRA on May 7, 2009, the Department was required to promulgate rules*, which went into effect on May 7, 2012. These rules reinforce that remediation of past or future discharges from your UST system is a responsibility of the UST owner and operator that is directly linked to the ability to keep and renew a Registration Certificate necessary to receive product deliveries and operate the UST system(s). As of May 7, 2012, SRRA requires that a Licensed Site Remediation Professional (LSRP) must be hired to oversee remediation at all regulated UST sites (including those that owe tank closure reports). Department data management systems tracking compliance with the SRRA will be routinely cross-checked with the Department's UST Registration Database.

The shift to better UST system management has reduced but not eliminated the number of new UST releases reported to the Department. Also, some UST facilities have not complied with requirements to remediate past discharges. Failing to remediate new or past discharges jeopardizes New Jersey's water resources and has created situations where harmful vapors can migrate into nearby structures.

If a regulated UST owner or operator is in violation of remediation requirements, including failing to hire an LSRP to conduct the required remediation, the Department may take action to deny or revoke the UST Registration Certificate, assess penalties and require other applicable corrective actions.

By encouraging compliance, the Department is hoping that it will not be put in the position of denying or revoking an UST registration and taking other actions. The outcome is up to you.

The universe of regulated UST systems in New Jersey, which once totaled more than 102,292, has decreased over the years. This decline represents significant progress in protecting the environment, as leaking and bare steel UST systems have been closed. Today, roughly 14,769 active USTs are better constructed (i.e., secondarily contained, corrosion protected, etc.) and are monitored regularly for releases, and the UST owners or operators maintain financial responsibility in case a discharge occurs. Remaining in full compliance with all Underground Storage Tank Regulations (N.J.A.C. 7:14B) is an obligation of being able to operate your tank system.

Please note that New Jersey has a very active tank inspection and compliance assistance program designed to help insure your facility remains in compliance. Remaining in full compliance helps protect your business investment and the environment. If you have any UST operational questions or otherwise require technical/regulatory assistance, please contact either Mr. John Olko, Northern Regional Supervisor of the Department's Bureau of Hazardous Waste & UST Compliance and Enforcement Program, at (609) 851-7989, or Mr. Leonard Lipman, Southern Regional Supervisor, at (609) 221-3996.

Should you have questions regarding your UST Registration, please contact Nancy O'Dennis or Sarah Mihalik at (609) 292-2943.

Should you need information regarding the SRRA, please visit www.nj.gov/dep/srp, contact the on-duty Site Remediation Program Compliance Assistance Manager at (609) 633-1464, or contact an LSRP. A list of current LSRPs can be found at http://www.nj.gov/dep/srp/srra/l srp/temporary_lsrp_list.htm.

Sincerely,



Kevin F. Kratina, Acting Assistant Director
Enforcement and Information Support Element

→ *Note: Amendments to N.J.A.C. 7:14B-5.5 of the UST rule require the UST owner or operator to have a Release Response Plan that identifies a Licensed Site Remediation Professional as a contact, among other responders, should a future release occur. The Release Response Plan shall be made available for onsite inspection.