

[Corrected Copy]

**SENATE, No. 2199**

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**STATE OF NEW JERSEY**  
**212th LEGISLATURE**

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INTRODUCED SEPTEMBER 25, 2006

**Sponsored by:**  
**Senator BARBARA BUONO**  
**District 18 (Middlesex)**

**SYNOPSIS**

Requires written notice to be provided to county health departments and certified local health agencies concerning contaminated sites.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning contaminated sites, and amending P.L.2006,  
2 c.65.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. Section 1 of P.L.2006, c.65 (C.58:10B-24.1) is amended to  
8 read as follows:

9 1. a. **【Upon】** Prior to the initiation of the remedial action phase  
10 of the remediation of a contaminated site, any person who is  
11 responsible for conducting a remediation of the contaminated site,  
12 including the Department of Environmental Protection when it  
13 conducts a remediation of a contaminated site using public monies,  
14 shall provide written notification describing the activities that are to  
15 take place at the contaminated site to the clerk of the municipality  
16 and to the county health department and the certified local health  
17 agency wherein the site is located. The written notice shall include  
18 notice of the location of the contaminated site, including address  
19 and the lot and block number of the contaminated site. The written  
20 notice shall also inform the municipality, county health department,  
21 and certified local health agency that **【it】** they may receive a copy  
22 of the remedial action workplan and any updates or status reports ,  
23 and a copy of the site health and safety plan, from the responsible  
24 party, upon request. For any remediation of a contaminated site  
25 that will take longer than two years to complete, notification shall  
26 be provided every two years until remediation is complete.

27 b. Notice required pursuant to this section shall not be required  
28 when the remediation of a contaminated site is caused by a leaking  
29 residential underground storage tank used to store heating oil for  
30 on-site consumption in a one to four family residential building or  
31 an emergency response action.  
32 (cf: P.L.2006, c.65, s.1)

33  
34 2. Section 2 of P.L.2006, c.65 (C.58:10B-24.2) is amended to  
35 read as follows:

36 2. Upon request of a municipality, any person who is  
37 responsible for conducting a remediation of a contaminated site  
38 shall submit a copy of a remedial action workplan and any updates  
39 or status reports pursuant to the “Industrial Site Recovery Act,”  
40 P.L.1983, c.330 (C.13:1K-6 et seq.), the “Brownfield and  
41 Contaminated Site Remediation Act,” P.L.1997, c.278 (C.58:10B-  
42 1.1 et al.), or the “Spill Compensation and Control Act,” P.L.1976,  
43 c.141 (C.58:10-23.11 et seq.) , and a copy of the site health and  
44 safety plan, to the clerk of the municipality wherein the  
45 contaminated site is located at the same time as the workplan is

**EXPLANATION** – Matter enclosed in bold-faced brackets **【thus】** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 submitted to the Department of Environmental Protection. Upon  
2 request of a county health department or a certified local health  
3 agency, the person who is responsible for conducting a remediation  
4 of a contaminated site shall also submit a copy of the remedial  
5 action workplan and any updates or status reports, and a copy of the  
6 site health and safety plan, to the county health department or  
7 certified local health agency, respectively.

8 (cf: P.L.2006, c.65, s.2)

9  
10 3. Section 4 of P.L.2006, c.65 (C.58:10B-24.4) is amended to  
11 read as follows:

12 4. For the purposes of P.L.2006, c.65 (C.58:10B-24.1 et seq.):

13 “Certified local health agency” means a “certified local health  
14 agency” as defined in section 3 of P.L.1977, c.443 (C.26:3A2-23).

15 【“Person responsible for conducting the remediation” means any  
16 person who executes or is otherwise subject to an oversight  
17 document.】

18 “Oversight document” means any document the Department of  
19 Environmental Protection or a court issues to define the role of a  
20 person participating in the remediation of a contaminated site or are  
21 of concern, and may include, without limitation, an administrative  
22 order, administrative consent order, court order, memorandum of  
23 understanding, memorandum of agreement, or remediation  
24 agreement.

25 “Person who is responsible for conducting a remediation” means  
26 any person who executes or is otherwise subject to an oversight  
27 document.

28 “Site health and safety plan” means a plan that specifies the on-  
29 site emergency actions to be taken and a delineation of local  
30 emergency services that would be required from police, fire,  
31 emergency, medical services, and public health response teams.

32 (cf: P.L.2006, c.65, s.4)

33  
34 4. Section 5 of P.L.2006, c.65 (C.58:10B-24.5) is amended to  
35 read as follows:

36 5. Within 30 days after the date of enactment of this act, the  
37 Department of Environmental Protection shall notify the governing  
38 body of each municipality in the State and each county health  
39 department and certified local health agency of the existence of the  
40 New Jersey master list of known hazardous discharge sites prepared  
41 pursuant to P.L.1982, c.202 (C.58:10-23.15 et seq.). The  
42 department shall notify the governing body of each municipality in  
43 the State and each county health department and certified local  
44 health agency that this list is also made available to the public on

1 the Internet website maintained by the Department of  
2 Environmental Protection.  
3 (cf: P.L.2006, c.65, s.5)  
4

5 5. This act shall take effect immediately.  
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8 **STATEMENT**  
9

10 This bill would amend current law to require any person who  
11 performs a remediation of a contaminated site, including the  
12 Department of Environmental Protection when it conducts a  
13 remediation of a contaminated site using public monies, to provide  
14 to the county health department and certified local health agency of  
15 the county in which the contaminated site is located, a written  
16 notice of the location of the contaminated site. The bill would  
17 amend current law to require any person who is responsible for  
18 conducting a remediation of a contaminated site to submit a copy of  
19 a remedial action workplan and a copy of the site health and safety  
20 plan to the county health department and certified local health  
21 agency. The bill would also amend current law to require the  
22 Department of Environmental Protection to notify each county  
23 health department and certified local health agency of the existence  
24 of the New Jersey master list of known hazardous discharge sites.  
25 As defined in this act, a site health and safety plan means a plan that  
26 specifies the on-site emergency actions to be taken and a  
27 delineation of local emergency services that would be required from  
28 police, fire, emergency, medical services, and public health  
29 response teams.

30 Current law requires any person who performs a remediation of a  
31 contaminated site to provide to the clerk of each municipality in  
32 which the contaminated site is located, a written notice of the  
33 location of the contaminated site. Current law also requires any  
34 person who is responsible for conducting a remediation of a  
35 contaminated site to submit, upon request, a copy of a remedial  
36 action workplan to the clerk of the municipality wherein the site is  
37 located. In addition, current law also requires the Department of  
38 Environmental Protection to notify the governing body of each  
39 municipality of the existence of the New Jersey master list of  
40 known hazardous discharge sites.