

SENATE, No. 691

STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Senator PAUL A. SARLO

District 36 (Bergen, Essex and Passaic)

SYNOPSIS

Changes the scope of public notification regarding contaminated site remediation.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



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1 AN ACT concerning public notification of contaminated site
2 remediation and amending P.L.2006, c.65.

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

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7 1. Section 3 of P.L.2006, c.65 (C.58:10B-24.3) is amended to
8 read as follows:

9 3. a. Any person who is responsible for conducting a
10 remediation of a contaminated site shall be responsible for notifying
11 the public of the remediation of the contaminated site pursuant to
12 rules and regulations adopted by the Department of Environmental
13 Protection pursuant to subsection b. of this section.

14 b. Within six months after the date of enactment of this act, the
15 Department of Environmental Protection shall adopt, pursuant to
16 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
17 seq.), rules and regulations setting forth the notice requirements
18 pursuant to subsection a. of this section. The rules and regulations
19 to be adopted by the department pursuant to this section shall
20 require any person who is responsible for conducting a remediation
21 of a contaminated site to provide written notification to any local
22 property owners and tenants who reside within 200 feet of any area
23 of concern within the contaminated site. The notification shall
24 summarize site conditions and provide information about actions
25 being taken to remediate the site **[and]** . The department may
26 require written public notification or the posting of a sign visible to
27 the public which shall be located on the boundaries of the
28 contaminated site.

29 (cf: P.L.2006, c.65, s.3)

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31 2. This act shall take effect immediately.

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STATEMENT

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36 This bill changes the scope of the public notification required of
37 any person responsible for conducting the remediation of a site that
38 has been contaminated with any hazardous substance, hazardous
39 waste or pollutant. Currently, a person is required to provide
40 written notification, which includes a summary of the site
41 conditions and information about actions being taken to remediate
42 the site, to any local property owners and tenants who reside within
43 200 feet of the contaminated site. This bill changes this provision
44 to require that written notification be made only to local property
45 owners and tenants who reside within 200 feet of any "area of

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.

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1 concern” within the contaminated site. Under the law, “area of
2 concern” is defined as any location where contaminants are or were
3 known or suspected to have been discharged, generated,
4 manufactured, refined, transported, stored, handled, treated, or
5 disposed, or where contaminants have or may have migrated.