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SMITH LICENSED SITE PROFESSIONALS BILL APPROVED BY FULL SENATE

Measure Would Break Backlog Of Site Remediation Projects By Allowing Professional Review, Approval

TRENTON – A bill sponsored by Senator Bob Smith, Chairman of the Senate Environment Committee, which would establish a licensed site remediation professional program in New Jersey to speed up the clean-up of contaminated sites around the State was approved by the full Senate today by a vote of 34-4, receiving final legislative approval.

“Right now, New Jersey has a backlog of over 20,000 known contaminated sites in the State that are not being cleaned up fast enough,” said Senator Smith, D-Middlesex and Somerset. “These sites are a blight on our neighborhoods, a major public health hazard, and an impediment to the environmentally-sound redevelopment of our aging urban and suburban industrial communities. If we’re going to overcome the backlog, ensure the public health and transform these sites into useful, viable property, we need to change how we handle the site remediation approval process in the Garden State.”

The bill, S-1897, would create a licensed site remediation professional program, similar to one adopted in Massachusetts, to cut down on the State’s backlog of site remediation cases and jump-start site redevelopment. The bill would require the State to establish a site remediation professional licensing program, to give private-practice professionals who have met standards established by an advisory board the authority to certify that clean-up projects have met all State approvals. Under the bill, the State Department of Environmental Protection (DEP) would be required to provide random review and audits to ensure that site professionals are acting in good faith in their review of remediation projects.

“Despite the best efforts of DEP to cut into the backlog of site remediation cases, the State does not have the resources to make an impact,” said Senator Smith. “Every year, we report more and more sites as contaminated, and while we have an obligation to ensure that those sites are cleaned up appropriately, we need to do a better job getting those sites appropriate review. By establishing a licensed site remediation professional program, we can get more clean-up projects underway, while giving the professionals at DEP the oversight to guarantee that the clean-ups will be performed to the standards required by law.”

Senator Smith noted that the bill contains safeguards against abuse of the program, to ensure that consultants are acting in the public interest. The bill would require that consultants meet rigorous licensing standards and adhere to a strict code of conduct to protect against conflicts of interest. The bill would also create an independent licensing board which would be given strong enforcement authority over conduct and ethics standards. And finally, the bill would ensure that the most polluted sites would remain subject to DEP approval only, and would not fall under the provisions of the licensed site remediation professional program.

“Desperate times call for unprecedented measures, and as New Jersey continues to try to do more with less in the volatile economic climate in which we live, we need to think outside the box to accomplish the core mission of government,” said Senator Smith. “By establishing a licensed site remediation professional program, we can bring in the best and brightest consultants to jump-start site clean-up, under thorough DEP review and oversight. Rather than continue to face a massive and ever-growing backlog of sites in need of remediation, we

can begin to transform contaminated property into viable land, and encourage redevelopment in keeping with the State's environmental interests."

The bill was approved by the Assembly earlier in the day, by a vote of 75-2, with 2 abstentions. It now goes to the Governor to be signed into law.