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Kropp: Reforming toxic cleanup procedures

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Many contaminated sites continue to sit for years with little or no action, allowing pollution to remain unaddressed or, worse, to spread.

I TESTIFIED recently at a legislative hearing on ways to reform the state's toxic site cleanup program. Since then, there has been a great deal of discussion and some misunderstanding about the Department of Environmental Protection's proposal to start a program to license environmental consultants who conduct contaminated-site cleanups in New Jersey.

Some have claimed that such a program is tantamount to outsourcing our work and that it will result in the DEP delegating our oversight authority.

This is not the case. We are not abrogating our authority, nor are we compromising our tough cleanup standards.

We already know that the system we have today does not work efficiently. Too many contaminated sites languish far too long in the queue with little environmental progress.

Today, there are more than 20,000 contaminated sites in New Jersey. Most of these cases involve multiple phases of approvals, and each phase presents an opportunity for DEP staff and privately paid consultants to get caught in a seemingly endless loop of paperwork. There are submissions, revisions, discussions and comments ... but no cleanup. That means many contaminated sites continue to sit for years with little or no action, allowing pollution to remain unaddressed or, worse, to spread.

Bad for environment, economy

Not only is this bad for the environment, it hurts the economy. Sites that should be cleaned and put into productive use remain blighted and fallow, in no position to produce tax revenues or jobs.

The key to streamlining our business processes is requiring consultants who are hired by polluters and developers to take more responsibility for their work.

While the DEP currently has a certification program for consultants involved in underground storage tank cases, it lacks any authority to enforce training and performance standards on consultants who work on the most complex contaminated-site cleanup cases.

Under my proposal, no cleanup consultant could work in New Jersey without first being licensed and responsible to the DEP.

DEP will continue to provide oversight of the remediation of all cases. And the DEP will continue to make the final determinations on the disposition of each and every site. The degree of DEP oversight will vary based on the relative risk associated with the site. A leaky residential heating oil tank will not get the same amount of oversight as an abandoned factory.

Key to making this work will be a tough auditing and enforcement program that will ensure consultants are doing their work properly. We will require environmental consultants to meet strict educational, experience and performance standards. When consultants do not perform up to standards, we will take action, such as suspending or revoking licenses. We will post disciplinary actions on our Web site.

Details remain

This is how we will loosen the reins between consultants and the people who currently employ them.

We recognize that we still have details to work out, and we will do so working closely with the Legislature and with stakeholder groups that include environmentalists, redevelopers and business groups.

All of us have a vested interest in seeing this process succeed. We owe it to New Jersey's residents and to our future.

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