



Clarification of NJDEP LSRP Fee Due Dates*

Reprint of the June 13, 2012 listserv posting by NJDEP

Opt-in or new cases into LSRP before May 7, 2012

If you were officially registered as an LSRP case at DEP on or before May 7, 2012 (i.e., you came in as new LSRP case or decided to opt-in an existing case) you are subject to the original timeframes in the old interim ARRCS rule. Basically, first annual remediation fees were due with submittal of first report (PA, SI, or first remedial phase document) or no later than 270 days after your trigger date into LSRP. Allowing cases already in LSRP to adhere to the old timeframe discussed above is not specifically addressed in the new rule; however, DEP confirms this as policy.

Many of these new or opted in LSRP cases have already paid their first annual remediation fees. For cases that fail to pay their first annual remediation fees within the timeframes discussed above, an invoice will be generated for their first fee on day 270. These new or existing LSRP cases are not subject to the prorating of their first annual remediation fees.

New cases into LSRP after May 7, 2012

If you come into LSRP as new case after May 7, then you are subject to the new final rule time frames: first annual remediation fees are due with submittal of first report or no later than 45 days after the retention of the LSRP. These types of cases are not subject to prorated annual remediation fees.

Existing cases in DEP that did not opt-in to LSRP by May 7, 2012

There was a group of 2000+ existing cases at DEP (e.g., BUST, ISRA, Spill Act Discharge, etc.) that had not opted in by May 7 so they were automatically converted into the LSRP program. The first annual remediation fees for this subset of cases are now due on June 20 (45 days after May 7). Only this subset of cases is subject to submitting their first annual remediation fees as prorated fees as discussed in the rule. The first fee is submitted based on the county in which the case resides and the prorated amount shown in Table 4-1 of the rule.

First LSRP annual remediation fees for all cases can be submitted using DEP paper forms or the new portal. For all cases discussed above, the DEP will generate invoices for second (or subsequent) annual remediation fees.



* NJDEP released the following information on June 13 to further clarify the LSRP annual dues announced in their June 5, 2012 listserv posting.