

# Linear Construction Projects in Sandy's Aftermath

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## Linear Construction Projects are on the Rise... Do You Have an LSRP Managing Yours?

In the aftermath of Hurricane Sandy, reconstruction of our communities and infrastructure is already being planned or underway. What many people may not be aware of is that the NJDEP has implemented new regulations that mandate that a Licensed Site Remediation Professional (LSRP) be retained in certain circumstances where a Linear Construction Project (LCP) may impact known contaminated areas, or where contamination is found during the LCP.

BSG can help you determine if your planned project would be considered an LCP, comply with the state-mandated requirements, and avoid potential budgetary and construction schedule impacts—as well as avoid costly penalties for non-compliance.

### What is a Linear Construction Project (LCP)?

A Linear Construction Project is one that includes the construction of conduits, substructures, pipelines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment, and associated ancillary facilities. According to the NJDEP, LCPs are defined as: "construction and development activities within an area such as a public or private roadway, railroad, or utility line, and the rights-of-way thereto, that are undertaken to create, maintain or alter the public or private roadway, railroad or utility line that:



- 1) Includes one or more contaminated properties, or parts of properties; and
- 2) Will generate more than 200 cubic yards of contaminated soil or fill or disposal during the duration of the linear construction project."

### Why Should I Retain a Licensed Site Remediation Professional (LSRP)?

Entities engaging in a Linear Construction Project need to ensure that any contamination encountered during the project is managed in a manner that is protective of human health, safety and the environment. Certain protocols should be used to address contamination that is identified during an LCP, and the involvement of an LSRP is crucial.

If an LCP is initiated, the NJDEP allows for construction to commence without prior NJDEP approval, so long as the entity performing the LCP hires an LSRP to oversee the management of contamination encountered during the LCP and complies with all of the necessary timeframe requirements and applicable permits.

### How Do I Know if an LSRP is Required for my Project?

To determine if an LSRP may be required as part of the planning process of a Linear Construction Project, the NJDEP's NJ-GeoWeb, located on the NJDEP's website, may be a valuable tool to help initially identify known, suspected, or potentially contaminated areas through which a proposed LCP may be located. With eight LSRPs on staff, BSG has the regulatory knowledge, practical experience, and project management skills to guide you through this very important regulatory process.

**If you have any questions, or would like BSG to assist you with your LCP, please contact:**

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