

SRPL BOARD COMPLAINT 011-2017

DISPOSITION

Based on its investigation and findings, the Site Remediation Professional Licensing Board (“Board”) voted to resolve the complaint with a finding that the subject of the complaint did not violate the provision of the Site Remediation Reform Act (N.J.S.A. 58:10C-1 et seq.) alleged in the complaint and referenced below.

ISSUES

This complaint was a referral from the Audit Committee of the Board. During the audit of the LSRP that is the subject of the complaint, the Audit Committee identified four RAOs that were issued prior to fees being paid, according to the Department of Environmental Protection (“Department”) database and letters of administrative deficiency, in violation of N.J.S.A. 58:10C-17.a.(1)(e) and N.J.A.C. 7:26C-6.2(a)3.

INVESTIGATION

The Complaint Review Team (“CRT”) asked the LSRP to review each of the RAOs, and provide an explanation as to why they were issued without fees being paid.

The LSRP responded that at the time the RAOs were issued there were no outstanding fees that had not been paid.

The CRT reviewed the Financial Obligations Summary Report for each case, and noted that in each instance, there was no amount due and no unbilled charges on the date that the RAO was issued, although additional charges were billed after the RAO was issued, which triggered the issuance of administrative deficiency letters. Therefore, the LSRP was correct that at the time that each of the RAOs were issued there no outstanding fees that had not been paid.

FINDINGS

The Board found that the LSRP did take the necessary steps to determine whether fees were due prior to issuing the RAOs, and at the time the RAOs were issued correctly certified that payment had been made in each of the cases.