



State of New Jersey

SITE REMEDIATION PROFESSIONAL LICENSING BOARD

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*Lt. Governor*

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May 20, 2021

**Board Determination and Offer of Settlement**

By Certified and Regular Mail

Gary Yedman  
Hydroscience Group  
215 Atlantic City Boulevard  
Bayville, NJ 08721

RE: In the matter of Gary Yedman  
SRPL Board Complaint 003-2020

Dear Mr. Yedman:

This letter is to advise you that the New Jersey Site Remediation Professional Licensing Board (“Board”) has reviewed information concerning your conduct in connection with the above captioned matter.

This complaint was initiated by the State of New Jersey Department of Environmental Protection Division of Site Remediation and Waste Management based on your conduct at PI 004109 (the “Site”). According to the complaint, you conducted remediation on behalf of a Person Responsible for Conducting Remediation (“PRCR”) without a Licensed Site Remediation Professional (“LSRP”) providing supervision or oversight. Specifically, after you no longer held an LSRP license and the PRCR did not have another LSRP retained, you continued to provide oversight and direct supervision of remediation. This work included the collection of groundwater samples from four monitoring wells that were on the Site and sending the samples for analysis with the intention that the results inform how you would proceed with the remediation, compiling a receptor evaluation, preparing public notification letters for neighboring property owners, removing contaminated soil, and conducting indoor air sampling as part of the required Vapor Intrusion Investigation. In addition, you also conducted soil remedial action activities, specifically the excavation of soil. The Board has reviewed your conduct at the Site and found as follows.

According to the Site Remediation Reform Act, the remediation work described above is required to be conducted by an LSRP. The Board finds you to be in violation of N.J.A.C. 7:26I-

2.3 for acting as an LSRP by conducting remediation as described above without a license or without oversight of a retained LSRP.

The Board intends to assess penalties as follows:

The violation of N.J.A.C. 7:26I-2.3 is assessed as medium conduct and low severity with a penalty of \$1,250.00, which is at the midpoint of the range of \$500.00 to \$2,000.00 for a medium-low violation.

The Board also hereby admonishes you and directs that you may not perform remediation activities unless the remediation is managed, supervised, or periodically reviewed and evaluated by an LSRP retained by the Person Responsible for Conducting Remediation.

#### Offer of Settlement

As a result of the foregoing, the Board will pursue formal disciplinary proceedings against you for the above referenced violation to assess the above referenced penalty for this violation. Notwithstanding this decision, the Board has determined that it will first offer you an opportunity to settle this violation before instituting formal disciplinary proceedings if you consent to the following terms:

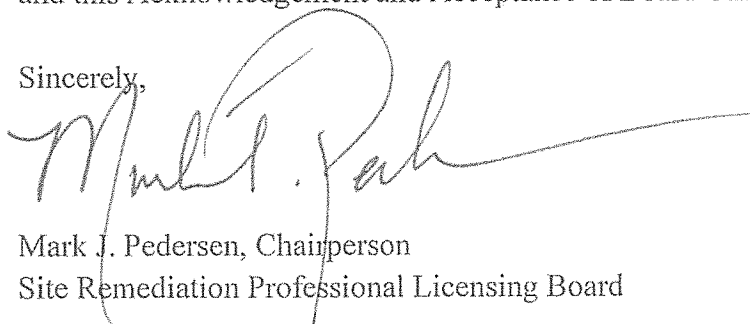
Agree to pay a civil administrative penalty in the amount of \$1,000.00, which is 80% of the civil administrative penalty of \$1,250.00 the Board intends to assess in formal disciplinary proceedings. Payment should be by certified check or money order payable to "Treasurer, State of New Jersey," and mailed to Janine MacGregor, Executive Director at the address above.

If we are unwilling or unable to settle this matter, the Board will pursue formal disciplinary proceedings for this violation pursuant to N.J.S.A. 58:10C-17.f. to assess the above referenced penalties and you will be afforded an opportunity to request a hearing regarding this matter at that time. In that event, the Board, pursuant to N.J.S.A. 58:10C-17.f., may also enter an order assessing and requiring you to pay the costs for the investigation which led to the establishment of the violations, and its costs for successfully enforcing its penalty action against you. In addition, pursuant to N.J.S.A. 58:10C-17.e., any person who violates the Site Remediation Reform Act or any rule, regulation or order of the Board, or who fails to pay a civil administrative penalty assessed by the Board, shall be subject, upon order of the Superior Court, to pay a civil penalty of not more than \$10,000.00 for the first violation and not more than \$20,000.00 for every subsequent violation. The Board reserves its right to amend its findings and conclusions based on further review or investigation if this matter is not settled.

If you elect to settle this matter, you must sign the attached Acknowledgement and Acceptance of Board Offer of Settlement and return it along with payment to the Board within thirty (30) days following your receipt of this Board Determination and Offer of Settlement. Here, and throughout this document, the beginning date to calculate this 30-day time period is the date of delivery as indicated on the return receipt of this document. If the Board receives no response from you within thirty (30) days, the Board's settlement offer shall be considered withdrawn and the Board will pursue formal disciplinary proceedings.

Should you have any questions concerning this Board Determination and Offer of Settlement or the Acknowledgement and Acceptance of Board Offer of Settlement, you may contact Executive Director Janine MacGregor at 609-984-3424 or [SRPLBoardContact@dep.nj.gov](mailto:SRPLBoardContact@dep.nj.gov) or seek the advice of your legal counsel. This Board Determination and Offer of Settlement does not constitute a formal enforcement order, a final agency action or a final legal determination that may be appealed or contested. Please note that the Board Determination and Offer of Settlement and this Acknowledgement and Acceptance of Board Offer of Settlement are public documents.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark J. Pedersen", with a long horizontal flourish extending to the right.

Mark J. Pedersen, Chairperson  
Site Remediation Professional Licensing Board

Enc: Acknowledgement

ACKNOWLEDGEMENT and ACCEPTANCE OF BOARD OFFER OF SETTLEMENT

I, Gary Yedman, hereby acknowledge that I have reviewed the attached May 20, 2021 Board Determination and Offer of Settlement and the settlement offer of the Board set forth therein.

I acknowledge the conduct which has been charged. I accept the settlement offer of the Board and agree to the following to settle the violations addressed in the May 20, 2021 Board Determination and Offer of Settlement pursuant to the following terms:

Immediate payment of a civil administrative penalty of \$1,000.00.


I acknowledge that I may not perform remediation activities unless the remediation is managed, supervised, or periodically reviewed and evaluated by an LSRP retained by the Person Responsible for Conducting Remediation.

I acknowledge that if I fail to perform any of the foregoing settlement terms the Board may terminate or enforce this settlement agreement upon 30 days prior written notice to me.

I am aware that by signing this Acknowledgement and Acceptance of Board Offer of Settlement I have entered into a binding settlement agreement and I am waiving any rights I may have to an administrative hearing for the matters addressed in the Board Determination and Offer of Settlement and this Acknowledgement and Acceptance of Board Offer of Settlement. I am aware that the findings of the Board in connection with this matter are a matter of public record and that this Board Determination and Offer of Settlement and this Acknowledgement and Acceptance of Board Offer of Settlement are public documents.

Dated: \_\_\_\_\_

6/28/21

  
\_\_\_\_\_  
Gary Yedman