

# **AIR, LAND & SEA**

## ***Environmental Management Services, Inc.***

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**Z. JOHN ZINGIS, Jr., LSRP #594621**  
Principal Environmental Consultant  
(732) 600-2700

### **STATEMENT OF QUALIFICATIONS**

#### **EDUCATION**

Stockton State College, B.S., Environmental Sciences, 1983  
Colorado State University, Graduate Studies, 1986  
Ocean County College, Civil Engineering Curriculum, 1990

#### **EMPLOYMENT HISTORY**

1997 – Present	Air, Land & Sea Environmental Management Services, Inc.
1992 - 1997	Brinkerhoff Environmental Services, Inc.
1989 - 1992	Maser Sosinski & Associates
1986 - 1989	Township of Toms River, Conservation Officer
1983 - 1986	Civil Engineering Firms – Environmental Scientist

#### **LICENSES / CERTIFICATIONS / REGISTRATIONS**

- New Jersey Licensed Site Remediation Professional #594621
- Member New Jersey Licensed Site Remediation Professionals Association
- Environmental Instructor, Rutgers University Continuing Education Program
- Qualified Expert on Dunes, Wetlands, Hydrology, Subaquatic Vegetation and General Environmental Consulting Practices associated with the NJDEP Office of Administrative Law
- Qualified Wetlands Expert, Ocean County Superior Court, Monmouth County Superior Court, and Ocean County Board of Tax Appeals
- Qualified Expert in Environmental Land Use in Tax Court of NJ and Monmouth County Superior Court
- Qualified Environmental Expert witness before Municipal Planning Boards and Environmental Commissions
- 40 Hr. OSHA HAZWOPPER
- Habitat Evaluation Procedures, U.S. Fish & Wildlife Service
- PADI Society - SCUBA Certified
- Former United States Coast Guard Licensed Captain
- Red Cross Adult CPR & Standard First Aid

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### **NJDEP – Licensed Site Remediation Professional (LSRP)**

Mr. Zingis gained his permanent LSRP status in February 2013, and recently renewed through February 2022. He earned his license by demonstrating significant experience in the disciplines of working with the NJDEP's Site Remediation Program, including the complex set of environmental regulations implemented by the Site Remediation Program. In order to achieve the LSRP license, Mr. Zingis documented over 15 years of professional management experience in the field of site remediation. Mr. Zingis has logged well over 5,000 hours of supervision and environmental oversight of Site Remediation Program Projects. His license culminated with passing an arduous proficiency examination. Moreover, Mr. Zingis has successfully passed a NJDEP audit of his LSRP projects and is in good standing with NJDEP.

Having the LSRP license ensures that Mr. Zingis is qualified to supervise and administer the environmental regulations recognized by the NJDEP's Site Remediation Program. The Site Remediation Program oversees regulated underground storage tanks (USTs) and unregulated homeowner heating oil tanks (UHOT), the Industrial Site Recovery Act (ISRA, formerly ECRA), Preliminary Assessments for potential discharges of hazardous substances to the environment, and follow up environmental site investigation and actions required to comply with the NJDEP's rules and regulations. Effectively, Mr. Zingis is qualified and licensed to perform services that were formerly overseen by the NJDEP and his responsibility now is to "step into the shoes of the NJDEP." The LSRP license allows Mr. Zingis to ultimately issue a Response Action Outcome, which is the equivalent of the former "No Further Action" letter issued by the NJDEP to close open cases.

### **NJDEP Preliminary Site Assessment – Phase I & II– Environmental Site Assessments**

Since 1989, Mr. Zingis has performed over 500 Phase I & II – Environmental Site Assessments (Phase I ESA), Environmental Site Assessment Checklists and NJDEP Preliminary Assessments. His services were provided for many lending institutions, real estate investors and environmental attorneys. These assessments are intended to complete a due diligent inquiry of properties and determine the potential presence of environmental conditions that may pose a liability to the property owner. The Phase II ESA includes further soil and groundwater investigations.

However, since 2009, the NJDEP recognizes a "due diligent inquiry" in the form of a Preliminary Assessment (PA). The NJDEP does not recognize the Phase I ESA as a due diligent inquiry for an "innocent purchaser's defense." The procedures to complete a PA are enumerated within the NJDEP's *Technical Requirements for Site Remediation* (NJAC 7:26E et. seq.), also referred to as the "Tech Rules." The purpose of the PA is to identify potential Areas of Concern (AOC) that may pose an environmental liability to the property owner and perhaps the lending institution. Should an AOC be identified, Mr. Zingis is well qualified to further any investigation in the form of a Site Investigation.

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### **NJDEP Site Investigations & Remedial Investigations**

As an experienced LSRP, Mr. Zingis has successfully arranged his resources of attorneys, engineers, surveyors, laboratories and drilling contractors to perform various levels of environmental investigations associated with the assessment and remediation of hazardous discharges to the environment. These investigations are performed in strict compliance with the NJDEP's Tech Rules. The aforementioned investigations, when implemented properly, will lead to the timely development of a Remedial Action Workplan to address all AOCs. The end result of the environmental investigations and actions will lead to the promulgation of a Response Action Outcome (RAO). The RAO replaces the former "No Further Action" letters issued by the NJDEP and effectively brings closure to the case.

### **Underground Storage Tank (UST) Management**

Mr. Zingis has over 20 years of experience and supervision in the closure of underground storage tanks (USTs). These services are also guided by the LSRP program and the myriad of complementing NJDEP rules and regulations. The path of UST closure involves the Closure Plan, Health & Safety Plan and Site Investigation. Should a discharge or release of hazardous contaminants occur, Mr. Zingis will follow the NJDEP requirements to conduct the Remedial Investigation and develop an appropriate Remedial Action Workplan that will lead towards the promulgation of the RAO.

### **Brownfield Property Re-development**

EPA and NJDEP have offered Brownfield Re-development initiatives. Contaminated property restoration is becoming an integral part of industrial/commercial investment opportunities. Mr. Zingis has participated in all levels of environmental investigations, including the assessment of soil and/or groundwater contamination, characterizing ground water contaminants and flow direction, assessment of sensitive environmental receptors, and have successfully developed Remedial Action Workplans, on a case by case basis, with the EPA and NJDEP. His expertise has specifically been called upon to redevelop municipal landfills, garages and junkyards. Mr. Zingis has also received NJDEP approvals to implement natural attenuation and bioremediation technologies to treat contaminated properties, while adhering to NJDEP regulations.

### **Land Use Development – Environmental Permitting**

Land Use Development in New Jersey, when pursuing subdivisions or site plans, usually involves governmental interaction for environmental review and permitting. This may be in the form of: 1) Interaction with the NJDEP in their Land Use Regulation program; 2) environmental review by the Pinelands

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Commission or Highlands Commission; 3) even at the Federal level with the Army Corps of Engineers and 4) local government land use review, including Environmental Impact Statements.

As a Project Manager, with over 30 years experience in land development, Mr. Zingis has completed over 2,000 applications with the NJDEP - Land Use Regulation Program (LURP). Experience includes numerous Freshwater Wetland applications (transition area waivers, buffer averaging, Individual and General Permits), wetland boundary verifications with the Letters of Interpretation (LOI), Coastal Area Facility Review Act (CAFRA), and Environmental Impact Statements demonstrating compliance with regulations. Mr. Zingis has assisted real estate investors, engineers, surveyors and attorneys in procuring other environmental permits from the New Jersey Pinelands Commission and United States Army Corps of Engineers. His expertise has been recognized in courts of law and before land use boards.

### **Waterfront Development – Coastal Zone Management Special Areas**

Since Mr. Zingis obtained his PADI – SCUBA Certification and a United States Coast Guard Captain's License, Mr. Zingis has actively participated in performing detailed studies to ascertain development impacts to the various Coastal Zone Management Special Areas. These areas include Subaquatic Vegetation and Habitat Inventories, Mapped Tidal Wetlands, Freshwater Wetlands, Dunes, Coastal Bluffs and Threatened and Endangered (T&E) Species Studies. His ability to collect, organize and present data have resulted in countless approvals from governmental agencies.

Mr. Zingis has authored expert reports on Subaquatic Vegetation, Shellfish Habitat, Wetland Hydrology, Freshwater Wetland Compliance, Bald Eagle, Foraging Shore Birds, Pine Barrens Tree Frogs, Pine Snakes and Barred Owls. These disciplines are an integral part of the NJDEP Permitting processes for docks, dredging and land development under the Coastal Area Facility Review Act, Freshwater Wetlands Protection Act, Waterfront Development Act and Pinelands Comprehensive Management Plan.

### **Expert Testimony – Environmental Planning and Permitting**

Mr. Zingis has been qualified as an "expert witness" before numerous municipal land use boards and has offered testimony under oath in all of the aforementioned environmental disciplines. His extensive experience with these disciplines has provided him detailed credibility in addressing complicated environmental conditions, potential impacts to environmental resources, and the management of "smart growth development" whereas, his advice on development design demonstrates compliance with the environmental permitting community thereby resulting in approvals of permit applications.

In matters that arise to Courts of Law, Mr. Zingis has been qualified as an expert in environmental planning, habitat evaluation and assessment procedures, wetlands, coastal

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development under the CAFRA rules, and waterfront development projects that include environmentally sensitive areas. Mr. Zingis has also offered his expert opinions regarding how environmental regulations influence the "fair market value" of real estate assessment. His opinions and testimony were considered in decisions rendered by Tax Assessors, County Boards of Tax Appeals and State Tax Court.

### **Governmental Consultant – Environmental Matters**

Mr. Zingis has served as a Special Environmental Consultant for several municipalities throughout the State of New Jersey. To cite a few projects of his professional services, he was retained by the Borough of Point Pleasant and Spring Lake Heights to address remediation services under the LSRP program. He also was appointed in 1997 by Ocean Township (Waretown), to characterize the Southern Ocean Landfill; appointed by Jackson Township, to assess existing junk yards, publish a Children's version of the Township's Natural Resource Inventory and monitor the Legler Landfill (former EPA Superfund Site); appointed by the Boroughs of Avon and Bradley Beach to assess their inland lakes; appointed by Woodbridge Township to prepare a Natural Resource Inventory; and appointed by the Borough of Helmetta to perform a Remedial Investigation and prepare a Remedial Action Workplan to remediate a widespread lead discharge from a sandblasting operation of lead based paint.

### **Transportation Projects – Environmental Matters**

Mr. Zingis has worked closely with numerous large scale, heavy construction firms in New Jersey to implement transportation projects. Some of his work included developing a Health & Safety Plan (HASP) for OSHA compliance and supervised the remediation of gasoline contaminated soils for the extension of Route 295 near Duck Island, Trenton, NJ; developed and implemented a HASP for the NJ Transit Kearny Connection project in Kearny, NJ; Montclair Connection – Contract 1 – Little Falls; Montclair Connection Contract 2 - Bay Street Station; Wayne Train Station & Park and Ride and most recently assisted with the evaluation of construction activities and their impacts to Piping Plovers (Endangered Shorebirds) for the NJDOT reconstruction of the Atlantic Highlands Bridge, Atlantic Highlands, NJ.

Mr. Zingis also participated in a Bald Eagle monitoring program whereas he authored a Baseline Assessment and Impact Analysis that resulted in the continuation of construction during the reproductive season for the NJDOT Route 9 bridge at Nacote Creek. The field monitoring program was continuous over a two month period. His published work was reviewed and approved by the NJDEP Endangered & Threatened Species Program as well as the NJ Fish & Wildlife Service.