



New Jersey Department of Environmental Protection Site Remediation Program

HAZARDOUS DISCHARGE SITE REMEDIATION FUND INSTRUCTIONS

Hazardous Discharge Site Remediation Fund (HDSRF) grants and loans are available to public entities, private entities, and non-profit organizations (as described in section 501(c)(3) of the federal internal revenue code) that perform a remediation pursuant to NJDEP's Site Remediation Program requirements.

The HDSRF was established in July 1993 to provide funding to public and qualifying private entities for the remediation of a suspected or known discharge of a hazardous substance or hazardous waste. The HDSRF is funded through a constitutionally-dedicated portion of the New Jersey Corporate Business Tax, and is administered through a partnership between the NJDEP and the New Jersey Economic Development Authority (EDA). The NJDEP evaluates an applicant's preliminary eligibility requirements, and the estimated remediation costs. Upon the NJDEP's recommendation for funding, the EDA evaluates an applicant's financial status, determines grant and/or loan eligibility and awards funding.

The instructions below are designed to assist in completing an application for an HDSRF grant or loan. The NJDEP encourages you to review the guidance that has been developed for the HDSRF program at <http://www.nj.gov/dep/srp/finance/hdsrf/>. The NJDEP will review the application and make a determination as to whether an applicant meets the statutory criteria for financial assistance pursuant to N.J.S.A 5810B 4-9 and 25.

General Instructions

- 1. Applicability:** Use this form when you submit an application to the NJDEP for an HDSRF grant or loan to conduct a Preliminary Assessment (PA), Site Investigation (SI), Remedial Investigation (RI) or Remedial Action (RA).
- 2. Updates:** The NJDEP may update this form periodically. Please ensure you are using the latest version of this form. Download the latest version of this form from the NJDEP Website: <http://www.nj.gov/dep/srp/srra/forms/>.
- 3. Signature:** This form must be signed by the person responsible for conducting the remediation or the remediating party, and the Licensed Site Remediation Professional (LSRP) or the NJDEP licensed Subsurface Evaluator responsible for completion of the form and attached Exhibits.

Please make sure you check the appropriate box to indicate if a Licensed Site Remediation Professional (LSRP) or a Subsurface Evaluator is certifying the form. The Subsurface Evaluator option is only for unregulated heating oil tanks (UHOT) where you are a NJDEP licensed Subsurface Evaluator and the remediation is for unregulated heating oil tank system(s) and no other areas of concern. Insure that the corresponding signature page is included with the form.

- 4. Filing: *One original and one copy*** of the HDSRF application must be submitted to the address below.

Bureau of Case Assignment & Initial Notice
Site Remediation Program
NJ Department of Environmental Protection
401-05H
PO Box 420
Trenton, NJ 08625-0420

Specific Instructions

If the applicant has received funding from the HDSRF for the same type of grant on this site, please go to "Instructions for Additional Funding" on page 5.

PART I

Section A. Requested Funding Type and Amount

Indicate the type of financial assistance for which you are applying with an "X" as well as the amount requested. (If applying for multiple grants or a grant **and** a loan, check each type of financial assistance and amount requested for each.)

The following information outlines 1) who is an eligible applicant, and 2) the types of grants and loans for which each eligible applicant can apply.

Eligible Applicants

Eligible applicants include:

- Public entities defined as municipalities, counties, and redevelopment entities authorized to exercise redevelopment powers pursuant to section 4 of P.L.1992, c.79 (C.40A:12A-4), the “Local Redevelopment and Housing Law”.
- Private entities including individuals, corporations, companies, partnerships, firms or other private business entities.
- Non-profit organizations as defined in section 501(c)(3) of the federal internal revenue code.

Types of Funding

Public Entities

- **Brownfield Development Area Grant** is a grant to perform a Preliminary Assessment, Site Investigation, Remedial Investigation or up to 75% of a Remedial Action for a site that is located within a designated “Brownfield Development Area (BDA) Site.” Information regarding designated BDAs can be found at <http://www.nj.gov/dep/srp/brownfields/bda/>.
- **PA/SI/RI Grant** is a grant to perform a Preliminary Assessment, Site Investigation or Remedial Investigation. The public entity must hold a tax sale certificate or own real property (via foreclosure or other similar means) or have passed a resolution to acquire by voluntary conveyance.
- **75% Recreation and Conservation Grant** is a grant for up to 75% of the costs of the remedial action for projects involving the redevelopment of contaminated property for recreation and conservation purposes, provided that the use of the property for recreation and conservation purposes is included in the comprehensive plan for the development of contaminated property.
- **75% Renewable Energy Grant** is a grant for up to 75% of the costs of the remedial action for projects involving the redevelopment of contaminated property for renewable energy generation.
- **50% Affordable Housing Grant** is a grant for up to 50% of the costs of the remedial action for projects involving the redevelopment of contaminated property for affordable housing pursuant to P.L.1985, c.222 (C.52:27D-301 et al.), the “Fair Housing Act”.
- **25% Matching Grant Remedial Action (LR/UR)** is a matching grant for up to 25% of the project costs for the implementation of a limited restricted use remedial action or an unrestricted use remedial action.
- **25% Matching Grant Innovative Technology** is a matching grant for up to 25% of the project costs where a remedial action is proposed that uses an innovative technology.
- **Loan** for the implementation of a Remedial Action, or **Loan** for sites that have been contaminated by a discharge of a hazardous substance or at which there is an imminent and significant threat of a discharge to a drinking water source, human health, or sensitive ecological area.

Private Entities

- **Innocent party grant** is a grant for up to 50% of the costs to qualifying persons that own real property on which there has been a discharge of a hazardous substance or a hazardous waste and that person qualifies as an innocent party.
- **25% Matching Grant Remedial Action (LR/UR)** is a matching grant for up to 25% of the project costs for the implementation of a limited restricted use remedial action or an unrestricted use remedial action.
- **25% Matching Grant Innovative Technology** is a matching grant for up to 25% of the project costs for the implementation of an innovative technology remedial action.
- **Loan** for a private entity for remediation activities at sites that have been contaminated by a discharge of a hazardous substance/hazardous waste or at which there is an imminent and significant threat of a discharge to a drinking water source, human health, or sensitive ecological area; or **Loan** for a private entity, for remediation of real property located in a qualifying municipality as defined in section 1 of P.L. 1978, c.14., the “Fair Housing Act”; or **Loan** for a private entity that owns and plans to remediate an environmental opportunity zone for which an exemption from real property taxes has been granted by the municipal government.

Non-Profit Organization Pilot Program

- **PA/SI/RI Grant** for a 501(c)(3) non-profit organization to perform a Preliminary Assessment, Site Investigation, or Remedial Investigation.

Section B. Applicant information

Provide all requested information for the entity that is the “eligible applicant” for this funding request. Provide Social Security Number if applying as an individual (not a municipality, a corporation, or a non-profit). Provide Tax Identification Number if

applying as a non-profit or corporation. Indicate Standard Industrial Classification (SIC) and North American Industry Classification (NAIC) codes if you are an industrial establishment.

Section C. Contact information

Provide the information for the contact person for this application. For a public entity application, provide a contact in that public entity, e.g., a local official or employee of the public entity that will oversee the HDSRF project. For a private entity application, the contact person can be the applicant or the person who prepares the application.

Section D. Site Ownership Information

Provide the information of the current property owner.

Section E. Site Information

Provide Name of Site and Program Interest (PI) Number as identified on the NJDEP's Known Contaminated Site List (<http://www.nj.gov/dep/srp/kcsnj/>). Provide the size of the property in terms of acreage.

Section F. Existing Case

Check "Yes" if there are ongoing or were previous remediation activities conducted at the site. Check "No" if this is a new site with no ongoing or previous remediation activities conducted at the site.

Section G. Violations, Penalties and Fees

Provide explanation of all non-compliance activities, including outstanding penalties and fees.

Section H. Other Funding Sources

Identify any sources from which you have sought funding to address the contamination at the site. Indicate any pending claims you may have made to your insurance company, even if you are awaiting a decision.

Section I. Work Proposal

Attach a descriptive proposal for all of the work to be completed as part of the funding request. For Site Investigations, Remedial Investigations and Remedial Actions, provide a figure that presents the site in a bird's eye view and depicts all areas of concern, sample locations (existing and proposed) and remedial actions. All proposed tasks must be included.

Section J. Cost Estimate

Submit a detailed cost estimate consistent with any NJDEP cost guidance (such as the current UST Cost Guide at http://www.nj.gov/dep/srp/finance/ustfund/ustf_costguide.htm) for each task in the work proposal.

Section K. Demonstration of Need for Loan Applicants

Applicants must demonstrate that they cannot obtain financial assistance from a commercial lending institution. The EDA requires the submission of two denial letters for funding from commercial lenders. These letters must indicate the amount of funding which was requested as well as the amount which has been denied (if different). The amount requested may not exceed the amount indicated in the cost estimate.

Section L. Financial Information

For private party and non-profit applications EDA requires financial information to be submitted (with the exception of Innocent Party Grant applications). If applying as an individual (generally a homeowner with a leaking tank), three years of tax returns are required. If applying as a private entity or non-profit, you must submit business as well as personal financial statements for the past three years.

Section M. Complete the appropriate signature page

The Subsurface Evaluator option is only for cases associated with unregulated heating oil tanks (UHOT) where you are a NJDEP licensed Subsurface Evaluator and the remediation is for unregulated heating oil tank system(s) and no other areas of concern.

Licensed Site Remediation Professional Information and Statement

- LSRP ID Number: Provide the Licensed Site Remediation Professional ID Number.
- Provide the name, phone number, email and mailing address (city/town, state, zip code) of the Licensed Site Remediation Professional.
- The Licensed Site Remediation Professional should indicate the level of oversight he/she provided by placing an “X” in appropriate box(es).
- The certification in this section shall be signed and dated by the Licensed Site Remediation Professional.
- The Licensed Site Remediation Professional should indicate by placing an “X” in the box if there have been no changes to the contact information since the last submission.

Subsurface Evaluator Information and Statement

- The certification in this section shall be signed and dated by the Subsurface Evaluator. Include the evaluator’s name, UST certification number, the firm’s name, the firm’s UST certification number, address (city/town, state, zip code) and telephone number.
- The Subsurface Evaluator should indicate by placing an “X” in the box if there have been no changes to the contact information since the last submission.

PART II

HDSRF General Certification

This certification is required to be completed by all applicants. It must be signed (with signature notarized) and certified by the appropriate person, as outlined below:

- for a corporation, by a principal executive officer, at least the level of vice president;
- for a partnership, by a general partner;
- for a sole proprietorship, by the proprietor;
- for a public entity, the contact person (administrator, township manager, etc.)
- for other than above (i.e. homeowner/individual), the person with legal responsibility for the site

PART III

Subrogation of Rights

This certification is required to be completed by all applicants. The NJDEP requires the grant applicant to certify that no settlement agreements have been entered into and that the grant applicant is not currently pursuing or planning to pursue a settlement agreement that could potentially impair the rights afforded to the New Jersey Economic Development Authority or the New Jersey Department of Environmental Protection pursuant to N.J.S.A. 58:10B-8.1, the “Conditional grant or financial assistance from the Hazardous Discharge Site Remediation Fund; subrogation of rights”.

PART IV

Innocent Party Grant Certification

This certification is required to be completed by all applicants applying for an innocent party grant.

PART V

25% Matching RA Grant Certification

This certification is required to be completed by all private entity applicants applying for a 25% Matching RA grant for a remedial action using an innovative technology or an unrestricted or limited restricted use remedy.

PART VI

Municipal Questionnaire

This form is required only if the applicant is a Public Entity [i.e. municipality county, or redevelopment entity authorized to exercise redevelopment powers pursuant to section 4 of P.L.1992, c.79 (C.40A:12A-4)], the “Local Redevelopment and Housing Law”.

PART VII

HDSRF Application Checklist

A checklist of supporting documentation is provided for each of the types of funding outlined in Part I. Use this checklist to ensure that all the necessary documents are submitted along with the application.

Instructions for Additional Funding Request (Supplemental Funding Request)

If the applicant has received a prior grant from the HDSRF and requests additional funding from the **same type of grant or loan**, complete only the following information for a subsequent submission:

Public Entities

1. Section A thru E of Part I
2. Work Proposal and Cost Estimate
3. Part II – General Certification
4. Part III – Subrogation of Rights
5. Part VI – Municipal Questionnaire

Private Entity

1. Section A thru E of Part I
2. Work Proposal and Cost Estimate
3. Part II – General Certification
4. Part III – Subrogation of Rights

Non-Profit

1. Section A thru E of Part I
2. Work Proposal and Cost Estimate
3. Part II – General Certification
4. Part III – Subrogation of Rights