



New Jersey Department of Environmental Protection Site Remediation Program

INSTRUCTIONS FOR THE ALTERNATIVE REMEDY APPLICATION FORM

General Instructions

1. **Applicability:** Use this form to Request Department pre-approval for the proposal of an alternative remedy for any remediation initiated after May 7, 2010, when new construction of, or a change in use to, a residence, a school, or child care center will occur.
2. **Updates:** The Department 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 Department Website: <http://nj.gov/dep/srp/srra/forms/>.
3. **Signature:** The form must be signed by both the representative of the person responsible for conducting the remediation and the licensed site remediation professional. See N.J.A.C. 7:26C-1 to determine who can sign the form.
4. **Filing:** It is **not** required to submit this form in duplicate.
5. **Submittal:** This form may be submitted to the Department at any time, either as a stand-alone document or as part of a remedial action workplan. If submitted as a stand-alone document, the person responsible for conducting the remediation shall ensure that all required supporting information and documentation are included for the Department to determine the acceptability of the proposed alternative remedy.

Be advised that only a LSRP is allowed to submit this form. There is no option for either a Non-LSRP or a Subsurface Evaluator.

Completed forms should be sent to:

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

Section A. Site Name and Location

- **Site Name:** provide the name of the site (i.e., ABC Corporation);
- **List all AKAs:** Provide all other known names for the site;
- **Street Address:** Provide the street address for the site NOTE: This should be the physical location of the site – not be the mailing address;
- **Municipality:** Provide the name of the municipality and indicate if it is a township, a borough, or a city. NOTE: This should be the name of the municipality and not the local name;
- **County:** Provide the name of the county where the site is located;
- **Zip code:** self explanatory
- **Program Interest (PI) Numbers:** The PI Number is assigned by the Department and can be obtained via the web at <http://www.nj.gov/dep/srp/> (DEP DATA MINER REPORTS). If this is a new site with no previous SRP involvement, leave blank.
- **Case Tracking Numbers:** Provide all NJDEP generated site identification numbers (Hotline incident numbers, UST Notice of Intent to Close numbers, ISRA numbers, etc.);
- **Date Remediation Initiated:** Provide the Date Remediation Initiated: A person initiates remediation when:
 - 1) The date a person discovers or becomes liable in any way for a discharge;
 - 2) The date the owner or operator of a regulated tank system:
 - i) Determines there has been a known or suspected discharge from the regulated tank system, pursuant to N.J.A.C. 7:14B; or
 - ii) Closes a regulated tank system pursuant to N.J.A.C. 7:14B-8.1(a)6, 9.1(d) and N.J.A.C. 7:14B-9.2I;

- 3) The date the owner or operator of an ISRA industrial establishment files their General Information Notice (GIN) with the NJDEP provided that the GIN is filed pursuant to the timeframes set forth in ISRA;
 - 4) The person submits a document to the NJDEP concerning a site for which the NJDEP has rescinded a no further action letter or has invalidated a response action outcome, prior to the submission of the document; or
 - 5) When additional remediation or other activities would result in the need to file a new deed notice or replace a declaration of environmental restrictions, associated with the real property.
- **State Plane Coordinates:** The (X,Y) coordinates are computed by projecting latitudes and longitudes from a mathematical approximation of the earth (i.e., NAD 83) onto a surface that can be laid out flat. Additional information can be found at <http://www.state.nj.us/dep/njgs/geodata/dgs03-1usrqd.htm?Return3=Top>.
 - **Municipal Block(s) and lot(s):** Provide all lot and block numbers for the site.

Section B. General

1. Presumptive remedies are required for any remediation initiated after May 7, 2010, at a site or AOC where new construction is proposed for residential purposes; for use as a licensed child care center; or as a public school, private school, or charter school; or where there will be a change in the use of the site to residential, child care, or public school, private school, or charter school purposes. The phrase "initiate remediation" refers to the start of all necessary actions to investigate and cleanup or responds to any known, suspected, or threatened discharge, including, as necessary, the preliminary assessment, site investigation, remedial investigation and remedial action.
2. An alternative remedy can only be proposed when a presumptive remedy or unrestricted use remedy is required.
3. When developing an alternative remedy that is equally protective over time, consider the four components of the presumptive remedy, barrier, buffer, demarcation and monitoring.
4. When developing an alternative remedy because the unrestricted use remedy or the presumptive remedy is impractical due to conditions at the site, consider all of the reasons that led to the determination.
5. The alternative remedy proposal can be proposed for either the entire site or an area(s) of concern.
6. An alternative remedy proposal should include a written analysis explaining: (1) why the presumptive remedy is impractical due to site conditions or (2) how the alternative remedy would be equally protective over time as the presumptive remedy. A detailed description of the alternative remedy including specifications for engineering and institutional controls and a plan for monitoring and maintenance of such controls pursuant to N.J.A.C. 7:26E and N.J.A.C. 7:26C; and a written discussion of how the alternative remedy is protective of human health, safety and the environment.

Section C. Person Responsible For Conducting the Remediation Information and Certification

The certification in this section shall be signed and dated by the person responsible for conducting the remediation. The certification in this section shall **not** be signed by the licensed site remediation professional or law firm hired to assist the owner or operator with their compliance obligations. The certification required in this section shall be executed as follows:

1. For a corporation or limited liability company, by a principal executive officer of at least the level of vice president; or
2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
3. For a municipality, state, Federal or other public agency, by either a principal executive officer or ranking elected official; or
4. By a duly authorized representative of the corporation, partnership, sole proprietorship, municipality, state or Federal or other public agency, as applicable. A person is deemed to be a duly authorized representative if the person is authorized in writing by an individual described in 1, 2 or 3 above and the authorization meets the following criteria:
 - i. The authorization specifies either an individual or a position having responsibility for the overall operation of the industrial establishment or activity, such as the position of plant manager, or a superintendent or person of equivalent responsibility (a duly authorized representative may thus be either a named individual or any individual occupying a named position);
 - ii. The written authorization is submitted to the Department along with the certification; and
 - iii. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the industrial establishment or activity, a new authorization satisfying the requirements of this section shall be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
 - Provide the full legal name of the person responsible for conducting the remediation;

- Provide the full name of the representative of the person responsible for conducting the remediation, pursuant to N.J.A.C. 7:26C-1. Enter "Same" if the representative is the same person as the person responsible for conducting the remediation;
- Provide the title of the representative of the person responsible for conducting the remediation;
- Provide the telephone number, extension number, and fax number of the representative of the person responsible for conducting the remediation;
- Provide the mailing address, including the city/town, state, and zip code of the representative of the person responsible for conducting the remediation;
- Provide the email address of the representative of the person responsible for conducting the remediation;
- The representative for the person responsible for conducting the remediation shall provide:
 - ❖ His/her signature where indicated;
 - ❖ His/her name and title (i.e., President, CEO); and
 - ❖ The date when the signing occurred. See N.J.A.C. 7:26C-1 to determine who can sign the form.
- The person responsible for conducting the remediation should note by placing an X in the box if there have been no changes since the last submittal.

Section D. This form can only be submitted by an LSRP

Licensed Site Remediation Professional Information and Statement

- LSRP ID Number: Note 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 note 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 note by placing an "X" in the box if there have been no changes since the last submittal.