



New Jersey Department of Environmental Protection Site Remediation Program

LSRP NOTIFICATION OF RETENTION OR DISMISSAL INSTRUCTIONS

General Instructions

1. **Applicability.** Use this form for the following:
 - a. **Notice of LSRP Retention.** This notification is required for the initial retention of a LSRP and all subsequent new retentions of a LSRP to conduct remediation at this site.
 - b. **Notice of LSRP Dismissal.** This notification is required whenever a LSRP is released as the LSRP, whether the release is initiated by the person responsible for conducting remediation or the LSRP. If the release is initiated by the LSRP, only the LSRP must sign the form. The dismissal notification is only required if it occurs prior to the issuance of the response action outcome for the site by the LSRP. Do not submit notification of a simultaneous dismissal and retention on the same form. Since these two actions involve separate LSRPs they must be submitted separately. The dismissal notification is only required if it occurs prior to the issuance of the response action outcome for the site by the LSRP.
 - c. **“Opt In” Request.** This certification is required by any person who initiated remediation prior to 11/4/09, in accordance with N.J.A.C. 7:26C-2.2(a), and who elects to perform remediation pursuant to N.J.A.C. 7:26C-2.4
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. **Timeframe.** Notification to the NJDEP must occur within 15 calendar days after every LSRP retention, and within 45 days after any of the events listed at N.J.A.C 7:26C-2.4(a)2, and within 15 calendar days after every LSRP dismissal except as noted in 1b. above.
4. **Signature.** If this form is being submitted for retention of a LSRP, this form must be signed by the person responsible for conducting the remediation and by the LSRP. If this form is being submitted due to a dismissal that has been initiated by the person responsible for conducting the remediation, both the LSRP that has been released and the person responsible for conducting the remediation must sign this form. If this form is being submitted due to a dismissal initiated by the LSRP, only the LSRP must sign the form.

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 NJDEP 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.);

Section B. Retention Information

Complete this section unless you are submitting this form to notify the NJDEP of a dismissal. The retention date is the date the contract between the LSRP and the person responsible for conducting the remediation was signed.

Section C. Release Information

The release date is the date that a written notice was sent to either party advising them of the release. Skip Section C whenever Section B has been completed.

Section D. Licensed Site Remediation Professional Information and Statement

Complete this section to provide contact and license information concerning the LSRP. The LSRP that has been retained/released must sign and date the certification.

- LSRP ID Number: The LSRP License Number
- First and Last Name: Name of the LSRP
- Phone and Fax Number: The phone and Fax number for the LSRP
- Mailing Address: The business address for the LSRP
- Email Address: The email address for the LSRP
- The certification, if applicable, shall be signed and dated by the LSRP
- The Licensed Site Remediation Professional should note by placing an "X" in the box if there have been no changes in this section since the last submittal.

Section E. 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 NJDEP 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 NJDEP 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 i.e., ABC Corporation;
- Provide the full name of the representative of the person responsible for conducting the remediation, pursuant to N.J.A.C. 7:26C-1;
- 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;

1. Indicate if you do not yet own the property and are conducting remediation to meet due diligence requirements.
2. Indicate if the scope of remediation is only to address one or more unregulated heating oil tanks at the site.
3. If you maintain that you meet one of the statutory criteria that establish a defense to Spill Act liability indicate the appropriate category. Note that checking this box does not imply that the NJDEP is in agreement with the indicated

defense. If such defense does not exist, regardless of how this form is completed, the affirmative obligation to complete remediation in compliance with applicable timeframes applies.

4. Indicate if you are conducting remediation in order to meet licensing requirements for a child care facility. If you answer "Yes," indicate whether you are a tenant or the property owner.
5. If you are taking over remediation from the NJDEP or another party. Indicate the name of the party that was previously conducting remediation and whether that party agreed that you will conduct remediation. Note that if a new party takes over remediation. The certification at Section F is not needed since the party assuming responsibility for conducting remediation must proceed pursuant to N.J.A.C. 7:26C-2 .4
6. Indicate the total number of contaminated AOC(s) on site known at this time. To determine what qualifies as a contaminated AOC please refer to the definitions of "area of concern" and "contamination" in the Tech Rule N.J.A.C. 7:26E-1.8. A copy of the Tech Rule is available at: <http://www.nj.gov/dep/srp/regs/techrule/techrule.pdf>
7. Indicate the scope of the retention. A LSRP can be retained to address the entire site based upon a PA/SI (completed or yet to be completed), specific known contaminated AOCs, or regulated tank closure(s).

If the LSRP is being retained to address specific known contaminated AOC(s), indicate the total number of AOCs to be addressed by this LSRP and the total number of contaminated AOCs associated with your site (individually – do not combine).

- 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.

Section F. "Opt In" Request

A person who initiated remediation prior to 11/4/09, who has continuously conducted remediation, and who elects to perform remediation in accordance with N.J.A.C. 7:26C-2.4 without the NJDEP's pre-approvals shall provide his/her signature in Section F. Note that those who have not yet made any submittals do not have to sign this section. Also note that if a new party takes over remediation, the certification at Section F is not needed since the party assuming responsibility for conducting remediation must proceed pursuant to N.J.A.C. 7:26C-2.4.

In order to sign the certification the person must first be sure that remediation funding source and related surcharge requirements have been met if applicable, and that all invoiced costs have been paid. If you have not received an oversight cost invoice from the NJDEP within 3 months from the date you intend to submit this form, request an invoice by contacting the Office of Direct Billing & Cost Recovery at (609) 633-0701. You may sign the certification if the NJDEP has approved a payment plan for outstanding costs.

Submission of this certification results in automatic NJDEP approval. The NJDEP will not be issuing a separate approval. The person certifying may proceed upon submittal of the certified form. Please note that this form must be submitted before a LSRP may make disbursement requests from the remediation funding source pursuant to N.J.A.C. 7:26C-15.12.

Please note that the following Federal Facility case types are ineligible to proceed without the NJDEP's pre-approval: Department of Energy sites, Department of Defense sites, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) sites (commonly known as Superfund sites), and Resource Conservation and Recovery Act (RCRA) Government Priority Remedial Action Sites listed at <http://www.epa.gov/epawaste/hazard/correctiveaction/pdfs/2020scc.pdf>. If you have any questions please contact the Bureau of Case Management at 609-633-1455.

Indicate whether a case manager is assigned and if "Yes," provide the Case Manager's name.

The representative for the person responsible for conducting the remediation shall provide his/her name, title (i.e. President, CEO), signature, and the date when signing occurred. See N.J.A.C. 7:26C-1 to determine who can sign the form.