



New Jersey Department of Environmental Protection Site Remediation Program

INSTRUCTIONS FOR THE REMEDIAL ACTION PERMIT APPLICATION – SOIL

- 1. Applicability.** Use this form to apply for a permit for a soil remedial action that includes an engineering and/or institutional control that require long-term monitoring, maintenance and evaluation requirements pursuant to N.J.A.C. 7:26C-7.
- 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. Signatures.** This form must be signed by the person responsible for conducting the remediation.

Please make sure you check the appropriate box as it pertains to the current status of the case, i.e., non-LSRP (existing cases) – cases that have been with the Department prior to November 3, 2009 and are NOT regulated underground storage tanks(USTS); LSRP – cases that have come into the Department on or after November 3, 2009 or have an approved Request To Proceed Without Department Pre-Approvals Form; or Subsurface Evaluator – for existing regulated UST cases and cases with unregulated heating oil tanks (UHOT) where you are an NJDEP certified Subsurface Evaluator. These check boxes correspond to the signatory requirements included in Section J of this form.

Be advised that the Non-LSRP option will only be available until May 7, 2012. Also, the Subsurface Evaluator option will only be available on forms specific to the UHOT Program after May 7, 2012.
- 4. 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.). If this is a Soil Remedial Action Permit Modification, or Termination, include your permit number.

Section B. Permit Type and Fees

Permit Type and Fee – Check the appropriate box for the application and fee that will accompany this permit application form. Checks shall be made payable to “Treasurer State of New Jersey.” Include your Program Interest ID and Permit (modification/transfer or termination applications only) number on your check.

Fee Billing Contact – provide the Name/Business Name and Address where the annual permit fee invoice should be mailed.

Section C. Person Responsible For Conducting the Remediation – Co-Permittee.

Complete this section for the person responsible for conducting the remediation. If there is more than one person, complete the Addendum for the additional person(s).

Section D. Owner of the Site – Co-Permittee.

Complete this section for the current owner of the real property at the site for the permit.

Section E. Deed Notice Information

1. Attach a copy of the Deed Notice and all attachments/exhibits. The copy should be the document that was filed with the recording officer responsible for recording deeds for each county in which the property is located.
 - 1b. Exhibit A includes the maps of the vicinity of the property and the site's property boundaries. Paper and PDF version of the Property and Property Vicinity Maps should accompany the Soil Permit Application Form.
 - 1c. Exhibit B includes the Restricted Area Map and data tables. Paper and PDF version of the Restricted Area Maps should accompany the Soil Permit Application Form. GIS compatible map must be produced in conformance with guidance at <http://www.nj.gov/dep/srp/gis> and sent by email only to srpgis_dn@dep.state.nj.us
2. The filing date is the date stamped on the Deed Notice by the county recording officer.
3. The name of the county or counties where the deed notice was filed.
4. The Book Number and page number stamped on the deed notice by the county recording officer and the first and last pages of the book where the Deed Notice is filed.
5. The total number of pages filed in the Deed Notice
6. Include the Block(s) and Lot(s) of the restricted area(s).
7. Indicate if the entire site is contained within the Deed Notice. If "No" is checked, include the percentage of the site that is covered in the Deed Notice.

Section F. Engineering Control and Financial Assurance

1. **An engineering control** means any physical mechanism to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, without limitation, caps, covers, dikes, trenches, signs, fences, physical access controls.

Based on the above, if the remedial action, along with the filed Deed Notice or Declaration of Environmental Restriction, contains an engineering control, answer "Yes." Complete section E. **If "Yes," financial assurance must be obtained prior to filing this application. Refer to N.J.A.C. 7:26C-5 to complete the financial assurance requirements** <http://www.nj.gov/dep/srp/enforcement/rfs.htm>.

If "No," financial assurance is not required. Skip the rest of this section and go to Section H.

2. The Administrative Requirements for the Remediation of Contaminated Sites, specifically N.J.A.C. 7:26C-7.7(b) defines certain entities that are exempt from establishing financial assurance. Check all that qualifies you to be exempted and skip the rest of this section and go to Section G.
3. Indicate whether the current owner of the site is either a homeowner association or a condominium association by including "X" in the appropriate box. If a homeowner association or a condominium association is the only permittee identified in Section C and D of this Permit Application, attach a copy of the association's annual budget that includes funds for monitoring and maintenance of the engineering control. Skip questions 4 through 9 and go to Section G.
4. Include a cost estimate for the maintenance and monitoring of the engineering control. Guidance for acceptable cost estimates can be found in the Remedial Action Permit Document at <http://www.nj.gov/dep/srp/guidance/srra/>.
5. Attach the details of the cost estimate.
6. If an engineering control will be used, identify the form as one or a combination of the following: 1. Remediation Trust Fund, 2. Environmental Insurance Policy, 3. Line of Credit, 4. Letter of Credit. Enter in the amount for the duration that the engineering control will be in place.

The following is guidance on acceptable financial assurance mechanisms for engineering controls.

Financial Assurance Mechanism	Acceptable as Financial Assurance for an Engineering Control?
1. A remediation trust fund agreement in accordance with N.J.A.C. 7:26C-5.4	Yes
2. An environmental insurance policy in accordance with N.J.A.C. 7:26C-5.5	Yes
3. A line of credit agreement in accordance with N.J.A.C. 7:26C-5.6	Yes
4. A letter of credit in accordance with N.J.A.C. 7:26C-5.7	Yes
5. A self-guarantee in accordance with N.J.A.C. 7:26C-5.8	No

7. Enter the dollar amount of the financial assurance.
8. Provide the name, address, and phone number of the contact at the financial institution for the financial assurance.
9. Attach the original financial assurance instrument.

Section G. Engineering Control

1. Identify all site use for the area where the engineering control exists.
- 2 & 3. These questions relate to Presumptive Remedy requirements. For further information refer to http://www.nj.gov/dep/srp/guidance/srra/presumptive_remedy_guidance_DRAFT.pdf.
4. This date should be the date construction of the engineering control was completed.
5. This table summarizes the information contained in Exhibit C of the filed Deed Notice. The fields should be completed as follows:

Area: A description identifying the area of the site where the engineering control is located.

Engineering Control Description: Is a dropdown list of common engineering controls. Choose from the list the type of engineering control utilized. If the dropdown does not contain the control implemented, choose other & describe the engineering control in the area below the table *Other, describe: _____”

Thickness: The value here should be a number describing the thickness of a cap or the height of a fence. If thickness is not applicable to the particular engineering control utilized it is acceptable to leave blank.

Units: Feet, inches, etc.

6. Fill the table in with the following information:

Contaminant: List all contaminants above the applicable Remediation Standard N.J.A.C. 7:26D;

Concentration: List the maximum concentration for each contaminant in micrograms per kilogram (mg/kg);

Depth: List the depth (in feet) where these contaminant was been detected

Residential Direct Contact Remediation Standard: Standards can be obtained at http://www.nj.gov/dep/srp/regs/rs/rs_rule.pdf. The Residential direct contact soil remediation standards are located in Appendix 1, Table 1A of Remediation Standards rule, N.J.A.C. 7:26D.

Nonresidential Direct Contact Remediation Standard: Standards can be obtained at http://www.nj.gov/dep/srp/regs/rs/rs_rule.pdf. The Residential direct contact soil remediation standards are located in Appendix 1, Table 1B of Remediation Standards rule, N.J.A.C. 7:26D.

Section H. Other Remediation Permits

Identify if any other remedial action permits are being applied for or obtained. List the Permit Type, Permit Number and Effective Date for each permit.

Section I. 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.
 - 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 J. Based on the current case status i.e., non-LSRP (Existing Cases), LSRP and Subsurface Evaluator, please complete the appropriate signature requirements below:

Non-LSRP Site Remediation Professional Statement

- Provide the name, phone number, email and mailing address (city/town, state, zip code) of the Site Remediation Professional (Consultant).
- The statement shall be signed and dated by the Site Remediation Professional.
- The Non-LSRP Site Remediation Professional should indicate by placing an "X" in the box if there have been no changes since the last submittal.

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 since the last submittal.

Subsurface Evaluator UST Report Certification Form

- 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 since the last submittal.