

INDUSTRIAL SITE RECOVERY ACT

Limited Site Review Application and Instructions N.J.A.C. 7:26B-5.5

This application is intended to simplify the procedures to apply for and obtain an approval for a Limited Site Review pursuant to the Industrial Site Recovery Act (ISRA), N.J.S.A. 13:1K-11.3 and N.J.A.C. 7:26B-5.5. Please read the directions completely before completing the application. Check the appropriate space for each question. Do NOT leave any question unanswered. Your application will automatically be found deficient if any question has not been answered.

In summary, N.J.A.C. 7:26B-5.5 allows an applicant to reinvestigate an industrial establishment without Department oversight and certify that there has been no discharges at the industrial establishment except in one area of environmental concern subsequent to the issuance of the most recent no-further-action approval. Upon approval of the certification, the applicant will only be required to address the one new area where a discharge has occurred rather than the entire industrial establishment.

Because the Department is only required to review a report for a single area of environmental concern, the Department's timeframes for review and approval of the completed application can be very short. All applications are processed on a first in first out basis without exception therefore, schedule your closing appropriately.

Submit (1) original signed copy of this application and the Limited Site Review Application fee, along with the completed General Information Notice (see attached fee submittal form). **Note: Applications received without the required review fee will not be assigned to a case manager and review will not commence until the review fee is received.**

If the Remedial Action Report for the single area of environmental concern where a discharge has occurred is included with this application and the applicant is proposing no-further-action, then a completed Negative Declaration Affidavit should be included with the report to expedite processing of the case.

The Department will accept mimeograph copies or computer-generated copies of this application provided the copies are legible, all questions on this form are included and no changes are made to the wording contained herein.

The paragraphs below correspond to the question numbers on the application.

1. The information provided herein must be identical to the information provided on the General Information Notice (GIN). See question 1.A on the GIN to ensure the correct information is provided. Note: the ISRA Trigger can be a multiple answer such as Cessation of Operations/Sale of Property. If the industrial establishment is a leasehold space in a much larger facility indicate (Leasehold Space) as part of the address.
2. The case number will be assigned upon receipt of a complete GIN and Initial Notice fee. If submitting this application with the completed GIN, then this question may be completed as pending, unknown or simply left blank. If submitting this application in response to a deficiency letter or subsequent to the filing of the GIN, please provide the ISRA Case number to ensure expeditious processing of your application.

3. Check the appropriate statement that applies and provide a copy of the most recent no-further-action approval or equivalent approval, which applies to the site, which is subject to this application.
4. N.J.A.C. 7:26B-5.5 requires the applicant to complete remediation activities, defined as the completion of a preliminary assessment, and if necessary a site investigation, in accordance with Department regulations (i.e. the Technical Requirements for Site Remediation) to confirm there have been no discharges at the industrial establishment since the issuance of the most recent no-further-action or equivalent approval other than at the one identified area of environmental concern.

N.J.S.A. 58:10B-13e. authorizes the Department to require additional remediation of the industrial establishment if the remediation standards in effect at the time of the most recent no-further-action approval have decreased by more than an order of magnitude. Therefore, to ensure protection of human health and the environment, the Department will require the applicant to complete an evaluation of the final cleanup levels previously achieved at the referenced industrial establishment to ensure additional remediation or the incorporation of institutional controls pursuant to N.J.S.A. 58:10B-13a. is not necessary.

Please include all attachments requested by this section including either an implementation schedule or a Remedial Action Report.

5. Self-explanatory.
6. Self-explanatory. Note: It is presumed that non-regulated underground storage tanks have been addressed by the completion of question #4.

The Certification must be signed and notarized.

Should you encounter any difficulties in completing this form, we recommend you discuss the matter with a representative of the Department. Submitting incorrect or incomplete information may cause processing delays and possible postponement of your transaction.

Please call (609) 633-0708 between the hours of 8:00 a.m. and 4:30 p.m. to request assistance in completing this application. 10/97

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF CASE ASSIGNMENT & INITIAL NOTICE -ISRA INITIAL NOTICE
P.O. BOX 435
401 EAST STATE STREET
TRENTON, NJ 08625-0435

INDUSTRIAL SITE RECOVERY ACT

LIMITED SITE REVIEW APPLICATION

The purpose of this Affidavit is to obtain the New Jersey Department of Environmental Protection's approval of a LIMITED SITE REVIEW pursuant to the Industrial Site Recovery Act, N.J.A.C. 7:26B-5.5. The Department may require the applicant to submit additional information and documentation to support the applicant's certifications contained in this application.

PLEASE TYPE OR PRINT

Date _____

1. Industrial Establishment

Name _____

Street Address _____

Municipality _____ County _____

Tax Block(s) _____ Tax Lot(s) _____

2. Has a General Information Notice (GIN) been filed for this transaction?

If yes, ISRA Case Number _____

If no, attach a completed GIN to this application.

3. I hereby state that: (check the appropriate statement)

A remedial action workplan has previously been implemented and a no further action letter or equivalent approval has been issued by the Department for the designated tax block(s) and tax lots(s) listed above as evidenced by the attached no further action letter or equivalent approval; or

A negative declaration has been previously approved by the Department for the designated tax block(s) and tax lot(s) listed above as evidenced by the attached negative declaration approval, no further action letter or equivalent approval; or

The Department or the United States Environmental Protection Agency has previously approved an equivalent remediation of the designated tax block(s) and tax lot(s) listed above pursuant to the Resource Conservation and Recovery Act 42 U.S.C. §6901, et seq., the Comprehensive Environmental Response, Compensation and Liability Act 42 U.S.C. §9601 et seq. or any other applicable state or federal law as evidenced by the attached no further action letter or equivalent approval;

4. I hereby state that since the issuance of a no further action letter, negative declaration approval, or equivalent remediation approval listed in 3 above, a preliminary assessment report and site investigation report, as applicable, have been completed at the industrial establishment in accordance with the Technical Requirements for Site Remediation, N.J.A.C. 7:26E. I also state that the order of magnitude analysis required pursuant to N.J.A.C. 7:26E-3.2(a)5 has been completed to determine whether any contaminants remain, at the industrial establishment, which exceed the current cleanup criteria by more than an order of magnitude.

Based on the preliminary assessment report and site investigation report, and the order of magnitude analysis as applicable, (check the appropriate statement)

A Subsequent to the issuance of the no further action letter, or equivalent approval listed in 3 above; a discharge of a hazardous substance or hazardous waste has occurred at the Industrial Establishment at the location identified on the attached site map which has not been remediated in accordance with procedures established by the Department; or

B Subsequent to the issuance of the no further action letter, or equivalent approval listed in 3 above; a discharge of a hazardous substance or hazardous waste has occurred and has been remediated at the Industrial Establishment at the location identified on the attached site map; the remediation of which has not been approved by the Department; and

I state that with the exception of the discharge listed above, no levels of contamination remain at the Industrial Establishment, which exceed the current cleanup criteria by more than an order of magnitude.

Note: If you have checked 4A above, then please include a schedule of implementation to complete the remediation of the area of environmental concern in accordance with N.J.A.C. 7:26B-3.3(a)10.

Be advised, soil remedial actions that will take longer than 5 years, and remedial actions involving ground water and/or surface water require Department approval prior to implementation.

If you have checked 4B above, then attach a copy of the Preliminary Assessment/Site Investigation Report and as applicable, a Remedial Action Report prepared in accordance with N.J.A.C. 7:26E-3.13 and 6.6 documenting the remediation efforts undertaken to remediate the discharge identified above. If the results of the Remedial Action Report confirm that all post remediation sample results are below the most restrictive cleanup criteria in effect at the time that this application is made, then the applicant should also include a completed ISRA Negative Declaration Affidavit with the Remedial Action Report to expedite processing of the application.

Please list any other information you are submitting:

Description	Attachment #
_____	_____
_____	_____
_____	_____
_____	_____

5. I hereby state that other than the discharge referenced in 4 above, there have been no other discharges of a hazardous substance or hazardous waste at the Industrial Establishment.

6. I hereby state that: (check the appropriate statement)

- There are no underground storage tank systems covered by the provisions of N.J.S.A. 58:10A-21 et seq. and N.J.A.C. 7:14B located at the industrial establishment listed above; or
- I am in compliance with the provisions of N.J.S.A. 58:10A-21 et seq. and N.J.A.C. 7:14B for any underground storage tank system covered by the provisions of N.J.S.A 58:10A-21 et seq. and N.J.A.C 7:14B located at the industrial establishment listed above.

CERTIFICATION:

The following certification shall be signed pursuant to the requirements of N.J.A.C. 7:26B-1.6(e).

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of N.J.S.A. 13:1K-6 et seq., I am personally liable for the penalties set forth at N.J.S.A. 13:1K-13.

Typed/Printed Name _____ Title _____

Signature _____ Date _____

Sworn to and Subscribed Before Me

on this _____ day of _____ 19 _____

Notary

8/2007

**Division of Responsible Party Site Remediation
Industrial Site Recovery Act**

INITIAL NOTICE FEE SUBMITTAL FORM

Case # (if known) _____

Case Name (Active Case) _____

Check drawn from the account of _____ Check/M.O. # _____

Amount Enclosed _____

Please circle the appropriate payment location(s)

- | | | | |
|----|-------------------------------|----------|------------|
| 1. | General Information Notice | \$150.00 | |
| 2. | Preliminary Assessment Report | \$375.00 | |
| 3. | Site Investigation Report | \$750.00 | |
| 4. | Negative Declaration Review | \$150.00 | |
| 5. | Expedited Review Application | \$225.00 | (see note) |

Note: This fee is not intended to “expedite” the review of a Preliminary Assessment or Site Investigation Report. All reports are reviewed in the order received by the department.

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|-----|---|------------|--|
| 6. | Remediation in Progress Waiver Application | \$225.00 | |
| 7. | Regulated Underground Storage Tank Waiver Application | \$600.00 | |
| 8. | Area of Concern Waiver Application | \$150.00 | |
| 9. | Limited Site Review Application | \$525.00 | |
| 10. | Applicability Determination Application | \$300.00 | |
| 11. | De minimis Quantity Exemption Application | \$300.00 | |
| 12. | Limited Conveyance Application | \$600.00 | |
| 13. | Remediation Agreement Application | \$1,500.00 | |
| | Remediation Agreement Amendment Application | \$750.00 | |
| 14. | Confidentiality Claim | \$375.00 | |
| 15. | Remedial Action Workplan Deferral Application | \$975.00 | |

Note: All applicable fees are due with the submission of each document. Each document requires a separate review fee. Review fees are for a single review. The submission of a revised document in response to deficient submission will require a separate review fee. Fees are not transferable or refundable once a requested review has been completed or written a determination has been made by the Department.