



New Jersey Department of Environmental Protection
Site Remediation Program

EXEMPTION FROM SPILL ACT LIABILITY CERTIFICATION FORM

Date Stamp (For Department use only)

SECTION A. SITE NAME AND LOCATION

Site Name:
List all AKAs:
Street Address:
Municipality: (Township, Borough or City)
County: Zip Code:
Program Interest (PI) Number(s): Case Tracking Number(s):
Municipal Block(s) and Lot(s):
Block # Lot # Block # Lot #
Block # Lot # Block # Lot #
Block # Lot # Block # Lot #
Block # Lot # Block # Lot #

SECTION B. PROPERTY OWNER

Are you the current owner of the property identified in Section A above? Yes No

If "Yes,"

Provide the date of property acquisition:

If "No,"

1. Have you ever owned the property identified in Section A above? Yes No

If "Yes," provide the date of transfer:

2. Identify the current owner of the property below:

Name of Owner:

Firm Name:

Mailing Address:

City: State: Zip Code:

Email Address:

Telephone Number:

SECTION C. DESCRIPTION OF CONDITIONS THAT ALLOW AN EXEMPTION FROM SPILL ACT LIABILITY

A federal, state, or local governmental entity can determine whether it is responsible for the contamination at a property by reviewing the Spill Compensation and Control Act at N.J.S.A. 58:10-23.11g.d(4) and reporting that finding to the NJDEP.

1. Select either a. or b. below:

a.) The governmental entity is exempt from joint and several liability because it acquired the property by virtue of its function as sovereign through:

- Bankruptcy Abandonment Condemnation
Tax delinquency Escheat Eminent domain

b.) The governmental entity is exempt from joint and several liability because the governmental entity acquired the property by any means for the purpose of promoting the redevelopment of that property.

2. Have you conducted remediation work within the last year? Yes No
3. Will you be conducting remediation work within the next year?..... Yes No

SECTION D. INFORMATION CONCERNING PARTIES RESPONSIBLE FOR CONTAMINANTS DISCHARGED AT THE SITE

Please include any information that you may have regarding individuals and/or corporate entities that are or may be responsible for contaminants discharged at the site.

Select One

- I do **not** have information regarding individuals and/or corporate entities that are or may be responsible for contaminants discharged at the site
- I have information regarding individuals and/or corporate entities that are or may be responsible for contaminants discharged at the site (Attach all pertinent information to this form).

SECTION E. PERSON AUTHORIZED TO CERTIFY FOR THE GOVERNMENTAL ENTITY INFORMATION AND CERTIFICATION

Full Legal Name of the Person Authorized to Certify for governmental entity: _____

Title: _____

Phone Number: _____ Ext: _____ Fax: _____

Mailing Address: _____

City/Town: _____ State: _____ Zip Code: _____

Email Address: _____

This certification shall be signed by the person authorized to certify for the governmental entity.

I certify that the governmental entity:

- a. *Has not discharged, at the Site, any hazardous substance as defined pursuant to N.J.S.A. 58:10-23.11b, hazardous waste as defined pursuant to N.J.S.A. 13:1E-38, or pollutant defined pursuant to N.J.S.A. 58:10A-3;*
- b. *Has not been in any way responsible, pursuant to any law, for any contaminant at or emanating from the Site, or contamination that has emanated from the Site, other than by acquiring ownership of the Site, if applicable, after all of the discharges occurred at the Site;*
- c. *Has not aggravated or contributed to contamination at or emanating from the Site, or contamination that has emanated from the Site;*
- d. *Has not, as a holder of a security interest in a facility or underground storage tank facility, actively participated in the management of a facility or underground storage tank facility at the Site, as those terms are defined in N.J.S.A. 58:10-23.11a et seq.;*
- e. *Has not negligently caused a new discharge at the Site, after the date of [insert name of person]'s foreclosure on a security interest in the Site, pursuant to N.J.S.A. 58:10-23.11g.6.e(1); and*
- f. *Is not at the time of this certification, and has never been, an owner or operator of an industrial establishment at the Site pursuant to the Industrial Site Recovery Act, N.J.S.A. 13:1K-6 et seq.*
- g. *Did not acquire the property when the property was being remediated in a timely manner by another party (if the municipality acquired ownership of the property by condemnation or eminent domain).*

I further certify, on behalf of the governmental entity, that I am authorized to make this binding Certification, am familiar with the Site and with all matters addressed in this Certification, and that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signature: _____ Date: _____

Name/Title: _____

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