



**New Jersey Department of Environmental Protection
Site Remediation and Waste Management Program**

**INSTRUCTIONS FOR THE ALTERNATIVE REMEDY / REMEDIAL ACTION
PRE-APPROVAL FORM**

FOR RESIDENCES, SCHOOLS, AND CHILD CARE CENTERS

General Instructions

1. **Applicability:** Use this form to obtain New Jersey Department of Environmental Protection (NJDEP) pre-approval of a remedial action for new construction of or change in use to a residence, child care center, or school when the remediation was initiated after May 7, 2010, and:

- NJDEP approval of an Alternative Remedy is required pursuant to 7:26E-5.3 (c), or;
- NJDEP approval of a Remedial Action at an Area of Concern is required pursuant to 7:26E-5.3 (d)

This form may also be submitted for a residence, child care center, or school if you desire voluntary pre-approval from the NJDEP for an Alternative Remedy or remedial action for the specific issues identified in N.J.A.C. 7:26E-5.3(d).

Be Advised: If you submit this form voluntarily, you must comply with all Department's recommendations and modifications to your submittal.

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://nj.gov/dep/srp/srra/forms/>.

3. **Signatures:** This form must be signed by the person responsible for conducting the remediation and the Licensed Site Remediation Professional (LSRP).

4. **Submittal:** Completed forms and a Remedial Action Workplan prepared pursuant N.J.A.C. 7:26E-5.5 to 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(ies) in which the facility is physically located and indicate if it is a township, borough, village, or city. NOTE: This should be the name of the incorporated municipality and not the local name;
- **County:** Provide the name of the county(ies) where the site is located;
- **Zip code:** Enter the five-digit code for the physical location of the site;
- **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.). Attach additional sheets if necessary;
- **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. Remedial Action Workplan

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.

A presumptive remedy is a remedy that can be implemented at a contaminated site without the need for Departmental approval of the required remedial action work plan. A list of presumptive remedies can be found in N.J.A.C. 7:26E-5.3, Table 5-1 Presumptive Remedies for Soil Contamination at Schools, Child Care Centers, and Residences.

An alternative remedy can only be proposed when the presumptive remedy is impractical due to conditions at the site or when the alternative remedy will be equally protective over time. An alternative remedy must be approved by the NJDEP before it can be implemented. Additional information on presumptive and alternative remedies can be found in the NJDEP's Presumptive and Alternative Remedy Technical Guidance at: <http://nj.gov/dep/srp/NEED LINK/>.

NJDEP's pre-approval is also required for any remediation initiated *after* May 7, 2010 at a residence, school, or child care center for any area of concern containing unexploded ordnance, polychlorinated dibenzo-p-dioxins, polychlorinated dibenzofurans, hexavalent chromium, or landfills; or when treatment or removal of free product or residual product is not practicable.

1. Indicate if the remediation is at a residence, school, or child care center.

If you answer "No" to this question then STOP here. This form is not applicable for this remediation. Do not submit this form to the NJDEP.

2. Indicate if the proposed remediation for new construction of, or a change in use to, a residence, school, or child care center *and* remediation was initiated *after* May 7, 2010.
 - If the answer is "Yes," indicate reason the proposed remedial action is required to be approved by the NJDEP by checking the appropriate box.
 - If the answer is "No," you are not required to submit this form. However, you may submit this form if remediation was initiated *before* May 7, 2010 and you desire pre-approval from the NJDEP of your remedial action for a residence, school, or child care center for an alternative remedy or for the following specific issues: containment of free product, unexploded ordnance, chlorinated dioxins and furans, hexavalent chromium, landfills not prohibited by N.J.S.A. 58:10B-12(g), or an alternative remedy.

BE ADVISED: Once you submit this form, you must comply with all Department's recommendations and modifications to your submittal.

Section C. Alternative Remedy

Complete this section if you are proposing an Alternative Remedy.

The alternative remedy can be proposed for either the entire site or for area(s) of concern.

1. Check the appropriate box to indicate if the alternative is being proposed because the presumptive remedy is impractical due to site conditions **or** the alternative remedy would be equally protective over time as the presumptive remedy.
2. Provide the page number in the RAW where the detailed description of the alternative remedy is located.

An alternative remedy proposal should include a written analysis explaining why the presumptive remedy is impractical due to site conditions or how the alternative remedy would be equally protective over time as the presumptive remedy. The detailed description shall include 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. Additional information on alternative remedies can be found in the NJDEP's Presumptive and Alternative Remedy Technical Guidance at: http://www.nj.gov/dep/srp/guidance/#presumptive_alt_remedy.

Section D. 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;
 - 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 E. 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 certification in this section shall be signed and dated by the Licensed Site Remediation Professional.