



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

INSTRUCTIONS FOR ISRA ALTERNATE COMPLIANCE OPTIONS FORM

General Instructions

1. **Applicability.** This form shall be used to apply for a Remediation in Progress Waiver (N.J.A.C. 7:26B-5.4), or a Regulated Underground Storage Tank Waiver (N.J.A.C. 7:26B-5.3). Should you encounter any problems in completing this form, do not hesitate to call (609) 292-2943 between the hours of 8:00 a.m. and 4:30 p.m. and ask for a representative of the ISRA Initial Notice Section. Submitting insufficient data may cause processing delays and possible postponement of your transaction.
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 and the Licensed Site Remediation Professional (LSRP).
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. Industrial Establishment

All applicants must complete 1-3 below, even if the information is identical.

1. Enter the name, address and telephone number of the Industrial Establishment subject to this application. This must be the same as the information provided on the General Information Notice. Enter the ISRA Case Number of the industrial establishment that is requesting the waiver. Enter all of the Block and Lot numbers associated with the Industrial Establishment. Check the appropriate box to indicate if the industrial establishment includes the entire site or a leasehold portion of the block and lots listed above.
2. Provide the name of the business that owns the property, the name of a contact for the property owner and the address and telephone number of the property owner.
3. Provide the name of the business that owns the Industrial Establishment, the name of a contact for the business owner and the address and telephone number of the business owner.
4. If a sale is involved, provide the name, address and telephone number of the purchaser of the business or property.
5. Provide a scaled site map showing the entire property and all current structures located on the blocks and lots listed in Section A above and highlight the portion of the site this application pertains to if the applicant is a leasehold portion of a multi-tenant site.

Section B. Remediation in Progress Waiver

Check the box at the beginning of this section and provide the information/documentation listed below if you are seeking a Remediation in Progress Waiver. Please note, by completing this section and the certifications in section D and E you are certifying that the statements listed on the form in Section B are true and accurate.

1. Provide the case name, case number, and ISRA case number of the active case ongoing at the same blocks and lots occupied by the Industrial Establishment identified in section A.1.
2. Check the appropriate statement. The applicable PA, PA/SI report must have been submitted via NJDEP Online Portal before submission of this form.

Note: If a discharge has occurred, the LSRP must provide a copy of the No Further Action Letter or issue an Area of Concern Response Action Outcome. If an LSRP issues an Area of Concern Response Action Outcome, the Area of Concern Response Action Outcome should not include the ISRA case number(s) and ISRA transaction(s) as stated in the April 2016 Guidance for Issuance of Response Action Outcomes Version 2.0 Section IV. Scope of Remediation

- Item 2. The LSRP submitting the application for a Remediation in Progress Waiver can't issue an Entire Site Response Action Outcome.
3. If a sale is involved, provide documentation that the purchaser was notified via certified mail that the site is subject to an ongoing remediation.

Section C. Regulated Underground Storage Tank Waiver

Check the box at the beginning of this section and provide the information/documentation listed below if you are seeking a Regulated Underground Storage Tank Waiver. Please note, by completing this section and the certifications in section D and E you are certifying that the statements listed on the form in Section C are true and accurate.

1. Check the appropriate statement. The applicable PA, PA/SI report must have been submitted via NJDEP Online Portal before submission of this form.

Note: The owner or operator of an Industrial Establishment where there has been a discharge from the regulated underground storage tank system is considered in compliance with the provisions of N.J.S.A. 58:10A-21 et seq. as it relates to the discharge, if the owner or operator is in compliance with the remediation schedules established in N.J.A.C. 7:26C and N.J.A.C. 7:14B. For the purposes of this section, obtaining a permit to remove a leaking regulated underground storage tank will not qualify the applicant for an ISRA waiver.

2. Provide a copy of the current certificate of Financial Responsibility for the facility.
3. Indicate if a Remediation Certification which has allowed the current transaction to be completed prior to full ISRA compliance has been issued by a License Site Remediation Professional.

Approval of the application closes the ISRA case and requires the application to continue compliance under the applicable underground storage tank laws.

Section D. 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.

Section E. Party 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.