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

INSTRUCTIONS FOR THE REMEDIAL ACTION PERMIT MODIFICATION APPLICATION – SOIL

Please review the Remedial Action Permits for Soil Quick Reference Guide (https://www.nj.gov/dep/srp/srra/training/matrix/quick_ref/rap_soil.pdf) and the Remedial Action Permits for Soils Guidance (http://www.nj.gov/dep/srp/guidance/index.html#rap_soils) before completing this application.

The New Jersey Department of Environmental Protection (NJDEP) considers the Licensed Site Remediation Professional (LSRP) that submits this Remedial Action Permit (RAP) Application to be the LSRP retained for this RAP after the Response Action Outcome (RAO) is issued. If the LSRP is dismissed or dismisses him/herself for the RAP any time after the issuance of the RAO, the LSRP shall submit the Licensed Site Remediation Professional Notification of Retention or Dismissal Form online and the permittee shall retain another LSRP within 45 days. A permittee that fails to retain a new LSRP within 45 days will be deemed out of compliance and subject to potential enforcement actions.

For a modification(s) to a Soil RAP pursuant to N.J.A.C. 7:26C-7.12, please include the reason(s) for the modification(s) in a cover letter with the application. Please be advised that change of ownership is a permit transfer and not a modification to a permit and should be submitted with the RAP Transfer/Change of Property Ownership Application.

1. **Applicability.** Use this form to apply for a modification of a Soil RAP for a soil remedial action that includes an engineering and/or institutional control that requires long-term monitoring, maintenance and evaluation requirements pursuant to N.J.A.C. 7:26C-7.12. Please be advised that a stand-alone Soil RAP Application should be submitted for each Deed Notice [or Declaration of Environmental Restriction (DER)] filed that has a different property owner for the site.

   It should be noted the Site Remediation Reform Act (SRRA) at N.J.S.A. 58:10C-16k exempts a LSRP from the requirement to contact the NJDEP Hotline when historic fill material is encountered. While SRRA exempts the finding of historic fill material as a reportable discharge, the person responsible for conducting the remediation must still investigate and remediate the historic fill material in accordance with the N.J.A.C. 7:26E; this is initiated by the submission of an LSRP Retention or Dismissal Form to the NJDEP. If a remediating party chooses to obtain a full site Response Action Outcome (RAO), the historic fill must be remediated or addressed through a Soil Remedial Action Permit before the RAO can be issued by the LSRP.

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, the property owner, and the LSRP responsible for completion of the form and attached documents.

4. Completed forms with fee payment should be sent to:

   Bureau of Case Assignment & Initial Notice (BCAIN)
   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) according to DataMiner, which can be obtained at https://www13.state.nj.us/DataMiner/Search/SearchByCategory?isExternal=y&getCategory=y&catName=Site+Remediation;
- **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 the mailing address – and should be consistent with what is in the tax database(s) (e.g., etaxmaps.com and http://tax1.co.monmouth.nj.us/cgi-bin/prc6.cgi?district=1301&ms_user=monm); if not consistent, then indicate why in Section K below;

- **Municipality:** Provide the name of the municipality(ies) in which the site 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) Number(s):** Provide the PI Number assigned by the NJDEP according to DataMiner (see web link above). If this application is being submitted due to a subdivision of the site, please contact BCAIN prior to permit application in order to determine if new PI Numbers are needed. Contact BCAIN by email to SRWM_NJEMS@dep.nj.gov and include the following information along with your request: the subdivided lots, tax maps (current and new), owners of each lot, and the newly designated addresses for the subdivided lots;
- **Case Tracking Number(s):** Provide all NJDEP generated site identification numbers (Hotline incident numbers, UST Notice of Intent to Close numbers, ISRA numbers, etc.). Include the most recent Soil RAP Number obtained;
- **Municipal Block(s) and Lot(s):** Provide the municipal block(s) and lot(s) numbers for the site/property (not just the municipal block(s) and lot(s) numbers of the Deed Notice); this should be consistent with what is in the tax database(s) (e.g., etaxmaps.com and http://tax1.co.monmouth.nj.us/cgi-bin/prc6.cgi?district=1301&ms_user=monm); if not consistent, then provide additional documentation;
- **Federal Case:** Indicate if the site is a federal case. If "Yes", indicate the case type; check all that apply. Please note that the following Federal Facility case types are ineligible to proceed without the NJDEP's pre-approval: US Department of Energy sites, US Department of Defense sites, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) sites (commonly known as NPL/Superfund sites), and Resource Conservation and Recovery Act (RCRA) Government Priority Remedial Action (GPRA) Sites listed at http://www.epa.gov/epawaste/hazard/correctiveaction/pdfs/2020scc.pdf. Additional information regarding the Site Remediation Reform Act (SRRA) implementation process for RCRA, CERCLA and Federal Facility Sites can be found at: http://www.nj.gov/dep/srp/srra/training/matrix/quick_ref/rcra_cercla_fed_facility_sites.pdf.

  If you have any questions, please contact the Bureau of Case Management at 609-633-1455.

Section B. Soil Remedial Action Permit Modification Application

Note: This permit application will not be processed until all past RAP annual fees have been paid in full, and all previously required RAP Transfer/Change of Property Ownership Applications have been applied for.

1. Indicate the reason(s) for the Soil RAP Modification Application by checking off the following selections:
   - **Change in institutional control (Complete All Sections below except Section H)**
   - **Change in engineering control (Complete All Sections below)**
   - **Permittee address change (Complete Sections C, D, E, F, L, M, and N below)**
   - **Adding an Additional Person Responsible for Conducting Remediation to the RAP (Complete Sections C, D, E, F, L, M, and N below)**
   - **Other (provide reason)**
2. You must include the appropriate application fee that is indicated on the form and can also be found in the Fee Guidance Document (https://www.nj.gov/dep/srp/guidance/fees/). Note that the document must be postmarked by June 30 of each fiscal year to apply that year's fee. Documents submitted on or after July 1 of each fiscal year will be required to apply that year's fee. Checks shall be made payable to "Treasurer State of New Jersey." Include your PI Number and Soil RAP Number on your check.

Section C. Fee Billing Contact Person

Complete this section for the fee billing contact person. The Annual Permit Fee Invoice will be mailed to this person.

Section D. Person Responsible for Conducting the Remediation – Co-Permittee.

Complete this section for the Person Responsible for Conducting the Remediation (PRCR). A person's name must be submitted as the contact person, not a title. **All contact information provided in this section should be for the PRCR, not the agent/person with power of attorney to complete/sign this application on behalf of the PRCR. "Care of" (C/O) is not acceptable unless it is for a special circumstance (e.g., condo association, person requiring special assistance); if this is the case, then explain why in Section K below and provide additional documentation as necessary.** If there is more than one person, complete the Addendum A for the additional person(s).

The "Person Responsible for Conducting the Remediation" that is currently identified on a permit can only be changed/modified if the responsible entity no longer exists and documentation is submitted.

Check the box if this entity will have "Primary Responsibility for Permit Compliance" (i.e., will be performing cap inspections, submitting Soil Remedial Action Protectiveness/Biennial Certification Forms). This box should not be checked off in both Section D and Section E.

Section E. Current Owner of the Site – Co-Permittee.

Complete this section for the current owner of the site; this should be consistent with what is in the tax database(s) (e.g., etaxmaps.com and http://tax1.co.monmouth.nj.us/cgi-bin/prc6.cgi?district=1301&ms_user=monm); if not consistent, then indicate why in Section K below. **All contact information provided in this section should be for the current owner, not the agent/person with power of attorney to sign this application on behalf of the current owner. "Care of" (C/O) is not acceptable unless it is for a special circumstance (e.g., condo association, person requiring special assistance); if this is the case, then explain why in Section K below and provide additional documentation as necessary.** If there is more than one person, complete the Addendum B for the additional person(s).

Check box if this entity will have "Primary Responsibility for Permit Compliance" (i.e., will be performing cap inspections, submitting Soil Remedial Action Protectiveness/Biennial Certification Forms). This box should not be checked off in both Section D and Section E.

Section F. Attached Documents

Attach the following documents with the Soil RAP Modification Application: (*Check all that apply)*

Note: All electronic copies should be provided in Adobe PDF file format on a compact disc (CD). All the documents required below can be combined into a single Adobe PDF file with the exception of the filed Deed Notice document, which must be a separate Adobe PDF file.

- Hard copy ***and*** electronic copy of the completed Soil RAP Modification Application using the current form on the NJDEP Website (http://www.nj.gov/dep/srp/srra/forms/). Required for all reasons in Section B above.
- Hard copy ***and*** electronic copy of the cover letter/report explaining the reason(s) for the Soil RAP Modification Application. Required for all reasons in Section B above.
- Electronic copy of the Filed Deed Notice document (must be a separate Adobe PDF file) with book and page numbers, which should include all associated 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. Required for all reasons in Section B above.
- Electronic copy of the completed Remediation Cost Review and RFS/FA form with a detailed cost estimate, if applicable, and only indicate one of the following: if the original Financial Assurance (FA) mechanism (*hard copy*), including any Amendments, is attached to the Soil RAP Application; if the original FA mechanism was already submitted to the NJDEP, including the date it was submitted; or if an electronic copy of the Remediation Funding Source (RFS) mechanism and the amendment to conform to the Financial Assurance format is included if using an existing RFS mechanism as the FA. Required if FA is required for the Soil RAP.
- Electronic copy of the homeowner or condominium association's annual budget that includes funds for the operation, maintenance, and monitoring of the engineering control(s) at the site, if applicable. Required if using a homeowner or condominium association's annual budget to cover OMM costs for the engineering control(s) at the site.

Section G. Deed Notice Information

This section only needs to be completed if there was a change in engineering or institutional control.

1. Provide the filing date that is stamped on the most applicable Deed Notice by the county recording officer.
2. Provide the name of the county or counties where the Deed Notice was filed.
3. Provide the Book Number and page numbers (first page to last page) stamped on the Deed Notice by the county recording officer.
4. Indicate the total number of pages filed in the Deed Notice.
5. Provide the Instrument/Control/File Number(s) stamped on the Deed Notice by the county recording officer. Note that some counties only use an instrument number. In this case, leave the book and page numbers blank.
6. Include the municipal Block(s) and Lot(s) numbers of the restricted area(s). This should be consistent with what is in the tax database(s) (e.g., etaxmaps.com and http://tax1.co.monmouth.nj.us/cgi-bin/prc6.cgi?district=1301&ms_user=monm); if not consistent, then provide additional documentation.

7. Indicate if the restricted area encompasses the entire site/property that is contained within the Deed Notice. If "No" is checked, include the percentage of the site/property that is covered in the Deed Notice.

8. Indicate if this Deed Notice is for Historic Fill material at the site. If "Yes", indicate if the Historic Fill material is impacting the ground water at the site.

   If the historic fill material is impacting ground water, indicate if a CEA/WRA Fact Sheet Form has been submitted to the NJDEP. If "No", attach a completed CEA/WRA Fact Sheet Form to this application.

   If Historic Fill material is not impacting ground water at the site, indicate how it was determined by checking the appropriate box, either "Ground water sampled and below GWQS" or "Ground water not sampled because no trigger in SI/RI".

9. Indicate if the Deed Notice is for Polychlorinated Biphenyl (PCB) soil contamination greater than 1 part per million (ppm) remaining at the site. If "**Yes**", document compliance with the federal Toxic Substances Control Act (TSCA) program in Section K below and attach all supporting documentation. Please see the "Coordination of NJDEP and USEPA PCB Remediation Policies" Webpage located at https://www.nj.gov/dep/srp/guidance/pcbremediation/ for guidance on this issue.

10. Indicate if the Deed Notice restricted area has been mapped and accurately depicts the Deed Notice boundary on NJ-GeoWeb. If not, then submit a GIS compatible map of the Deed Notice restricted area, produced in conformance with guidance at http://www.nj.gov/dep/srp/gis, by email to srpgis_dn@dep.nj.gov and provide the date that the email was sent to the NJDEP. If it was previously submitted, then do not resubmit and just indicate the date the email was sent.

    GIS Deliverables submittal requirements:

    - ESRI ArcMap users are advised that "mdb" (geodatabase) files are no longer accepted via email for security reasons. Attach GIS polygon shape files instead. Shape files need to include the following file extensions: .shp; .shx; .dbf; and .prj.
    - Computer-aided Design (CAD) software users must submit DWG files defined in "model space" NAD 83 State Plane Coordinate feet. The Deed Notice/DER boundary should be mapped as a DWG **Polygon** and the record(s) that depict the extent of the Deed Notice/DER boundary must be named "Deed_Notice_Boundary" in the Layer field. Do not name annotation, graphics or any other map element in this way.
    - Send GIS deliverables **by email only** to srpgis_dn@dep.nj.gov (do not include CAD or shape files on the CD submitted with the form).
    - Please refer to http://www.state.nj.us/dep/srp/gis/ for the Minimum Accuracy Requirements for SRP GIS Submissions.
    - In the body of the email that includes the GIS deliverables, include the Deed Notice information as described in the Administrative Requirements for GIS Deliverables found at http://www.state.nj.us/dep/srp/gis/ .
    - For specifics regarding the Deed Notice attribute information to be included with the GIS submittal please refer to the following: http://www.state.nj.us/dep/srp/gis/
    - GIS questions/comments should be directed to srpgis@dep.nj.gov.

11. List all contaminants still present at the site/property in the table that require the use of a Deed Notice (attach additional pages if needed). For each contaminant indicate the highest concentration at any depth, and the shallowest depth at which a concentration was detected above standards, as measured to include the thickness of the cap. Note that the highest concentration and the shallowest depth can be from two different sampling points. **Do not attach tables from reports**.

    Indicate if historic fill is present. If historic fill is present, indicate whether or not historic fill was assumed to be contaminated but not sampled. If historic fill was sampled, then list concentrations in table.

    Fill the table in with the following information:

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

    Highest Concentration: List the maximum concentration for each contaminant in milligrams per kilogram (mg/kg), and check the box if the highest concentration was the result of a compliance option;

    Shallowest Depth: List the shallowest depth (in feet) where the contaminant was detected as measured to include the thickness of the cap;

    Residential Direct Contact Soil Remediation Standard: The Residential Direct Contact Soil Remediation 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.

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

Impact to Ground Water Pathway Soil Remediation Standard: Complete only if you are addressing the Impact to Ground Water Pathway. The Impact to Ground Water Pathway Soil Remediation Standards can be obtained at https://www.nj.gov/dep/srp/guidance/rs/partition_equation.pdf. The Impact to Ground Water Pathway Soil Remediation Standards are located in Table 1 of the Development of Impact to Ground Water Soil Remediation Standards using the Soil-Water Partition Equation guidance document.

Section H. Engineering Control

1. Identify all land use(s) for the area where the engineering control exists.

2 If school, childcare, or residential was checked in question 1 above, indicate whether a presumptive remedy was implemented. If school, childcare, or residential was checked in question 1 above and a presumptive remedy was ***not*** implemented, provide the date the alternate remedy was approved by the NJDEP. For further information refer to http://www.nj.gov/dep/srp/guidance/#presumptive_alt_remedy.

3. 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. When the cap is in multiple layers (e.g., Presumptive Remedy barrier/buffer/demarcation layers), list each layer on a separate line of the table using the same area name. If the dropdown does not contain the control implemented, choose "Other" and describe the engineering control in the area provided below the table labeled "*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.

   Inspection Frequency: Quarterly, Semi-Annually, Annually, or Biennially.

Section I. Financial Assurance

1. Indicate if the remedial action/Deed Notice includes an engineering control. **"Engineering control"** means any physical mechanism to contain or stabilize contamination or ensure the effectiveness of a remedial action. An engineering control may include, without limitation, a cap, cover, building, dike, trench, leachate collections system, fence, physical access control, and vapor mitigation systems.

   If the proposed soil remedial action **does not** include an engineering control, then FA is not required for the permit, skip the rest of this section and go to the next section.

2. If the remedial action/Deed Notice includes an engineering control, **FA must be obtained prior to filing this application** (unless all permittees are exempt pursuant to N.J.A.C. 7:26C-7.10(c) or if existing RFS is being used as FA).

   The Administrative Requirements for the Remediation of Contaminated Sites, specifically N.J.A.C. 7:26C-10(c) defines certain entities that are exempt from establishing FA. Check all that qualifies you to be exempted. If you are exempt skip the rest of this section and go to the next section.

   In the event that at least one permittee is required to establish FA and one or more of the permittees is exempt from this requirement, the non-exempt permittee(s) shall establish the full amount of the FA required.

   Refer to N.J.A.C. 7:26C-5 for the FA requirements at www.nj.gov/dep/srp/regs/arrcs/index.html.

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 identified in Section E of this RAP Application, an electronic copy of the association's annual budget that includes funds for the operation, monitoring, and maintenance of the engineering control(s) should be attached as indicated in Section F above; skip the rest of this section and go to the next section. If the association identified in Section E of this RAP Application is ever unable to meet this requirement, then the person responsible for conducting the remediation is required to establish the FA for the permit if they are not exempt pursuant to N.J.A.C. 7:26C-7.10(c).

4. Include a cost estimate for the operation, maintenance, and monitoring of the engineering control(s). The amount of funds to operate, maintain, and monitor the engineering control(s) at the site for as long as the control(s) are needed,

up to thirty (30) years (minimum of $30,000 for a 30-year time frame) should be determined. Guidance for acceptable cost estimates can be found in the Remedial Action Permit Guidance Document at http://www.nj.gov/dep/srp/guidance/index.html#rap_soils .

5. Indicate if you are using an existing RFS mechanism as the (FA) for the site. If they are, indicate if ALL THREE of the following criteria have been met:

   a. The amount of funds needed to operate, maintain, and monitor the engineering control(s) at the site for 30 years (minimum of $30,000 for a 30-year time frame).

   b. The amount of the funds in the RFS is equal to the amount of the funds required to be posted for RFS and FA.

   c. The RFS is NOT in the form of a self-guarantee. If the RFS is in the form of a self-guarantee, you cannot use the existing RFS, but must obtain a separate financial mechanism for FA.

   Provide the full amount of the current RFS.

6. Enter the full dollar amount established as the FA. The amount posted can differ from the estimated cost if net present value calculations are used. As indicated in Section F above, an electronic copy of a completed Remediation Cost Review and RFS/FA form with a detailed cost estimate should be attached. This form can be found at http://www.nj.gov/dep/srp/srra/forms. Also, please provide one of the following as indicated in Section F above: attach the original Financial Assurance mechanism (hard copy), including any Amendments, to the Soil RAP Application; the date the original Financial Assurance mechanism was submitted to the NJDEP; or an electronic copy of the existing RFS mechanism that is being used as the Financial Assurance and the amendment to conform to the Financial Assurance format.

   Notes:

   If transitioning from RFS to FA (i.e., if closing out old RFS), then also attach a copy of the amendment to conform with the Financial Assurance model document.

   If there is a change in the FA the NJDEP will not authorize the release of an existing FA instrument until a new FA instrument is established and in place.

7. Identify the FA Mechanism used as one or any combination of the following: a Remediation Trust Fund, an Environmental Insurance Policy, a Line of Credit, Surety Bond, or a Letter of Credit in accordance with N.J.A.C. 7:26C-5. Be advised that although self-guarantee is acceptable as RFS, it is not acceptable as a FA mechanism.

8. Provide the name, address, and phone number of the contact person at the financial institution for the FA.

Section J. Vapor Intrusion Summary

1. Indicate if there are any buildings with an Indeterminate Vapor Intrusion Pathway status. If "Yes", document this issue in Section K below and attach any supporting documentation. Please see the Vapor Intrusion Technical Guidance Document (http://www.nj.gov/dep/srp/guidance/index.html#vi) for the definition of an Indeterminate Vapor Intrusion Pathway status.

   Note: Sub-slab soil gas sampling is required to be conducted in accordance with the Department's Vapor Intrusion Technical Guidance document to remove an Indeterminate Vapor Intrusion Pathway Status for any building(s) from the Soil RAP; the sub-slab soil gas sampling results should be attached to this application or justification provided for the deviation of this sub-slab soil gas sampling requirement in Section K below, if applicable.

2. Indicate if there is soil gas contamination above the Soil Gas Screening Levels (SGSLs) beneath any buildings that require long-term monitoring as a result of this soil contamination and not ground water contamination. Vapor intrusion long-term monitoring as a result of ground water contamination should be included in the Ground Water RAP for the site.

   If "Yes", document this issue in Section K below, and attach an electronic copy of the Vapor Intrusion Long-Term Monitoring Plan and a scaled site map clearly identifying the building(s). Please see the following table from the Vapor Intrusion Technical Guidance for the recommended long-term vapor intrusion monitoring/sampling plan for a Soil RAP with soil gas contamination remaining above the SGSLs beneath a building(s):

Table 6-2
Long-Term Monitoring Sampling Designs

SSSG >10X NJDEP SGSL	SSSG > NJDEP SGSL and ≤10X NJDEP SGSL
First through fifth year Long-Term Monitoring: 1. Annual inspection of building. 2. Annual sampling of IA in heating season* Sixth year Long-Term Monitoring & beyond: 1. Annual inspection of building 2. Sampling IA every five years in heating season*	First year Long-Term Monitoring: 1. Annual inspection of building 2. Sampling of IA during heating season* After first year Long-Term Monitoring: 1. Annual inspections of building 2. Sampling of IA every five years*

** Heating season is from November 1 to March 31 (winter).*

Note: Sub-slab soil gas sampling is required to be conducted in accordance with the Department's Vapor Intrusion Technical Guidance document to remove any long-term vapor intrusion monitoring from any building(s) from the Soil RAP; the sub-slab soil gas sampling results should be attached to this application or justification provided for the deviation of this sub-slab soil gas sampling requirement in Section K below, if applicable.

3. Indicate if any vapor intrusion engineering controls/mitigation systems are currently installed at any buildings as a result of this ground water contamination. Vapor intrusion engineering controls/mitigation systems that have been installed as a result of ground water contamination should be included in the Ground Water RAP for the site.

   If "Yes," indicate the type of vapor intrusion engineering control/mitigation system installed and attach an electronic copy of the OMM Plan for the vapor intrusion engineering control(s)/mitigation system(s). If a preventative system was put in place, check "No". The OMM Plan should identify the building(s) and/or structure(s) and vapor intrusion engineering control(s)/mitigation system(s) that are in place (e.g., active or passive), including the address and block and lot of each impacted property. Refer to *Table 6-1 Vapor Mitigation Verification and M&M Criteria* from the Vapor Intrusion Technical Guidance for the recommended long-term vapor intrusion monitoring/sampling plan for a Ground Water RAP with a vapor mitigation system(s) in place The Vapor Intrusion Technical Guidance Document is available at http://www.nj.gov/dep/srp/guidance/index.html#vi.

   Note: Sub-slab soil gas and indoor air sampling is required to be conducted in accordance with the Department's Vapor Intrusion Technical Guidance document to remove any vapor intrusion engineering control(s)/mitigation system(s) installed at a building(s) from the Soil RAP; the sub-slab soil gas and indoor air sampling results should be attached to this application or justification provided for the deviation of this sub-slab soil gas and indoor air sampling requirement in Section K below, if applicable.

Section K. Other Information Provided

List any other pertinent information to support the Soil RAP Modification Application, including any other Soil or Ground Water RAPs applied for or obtained. This section can also be used for professional judgement justification, compliance averaging, variances from rules/guidance, etc.

Section L. 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 LSRP 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.

Section M. Current Owner of the Site Information and Certification

The certification in this section shall be signed and dated by the person who owns the property. The certification in this section shall ***not*** be signed by the LSRP 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 who owns the property;
- Provide the full name of the representative of the person who owns the property, pursuant to N.J.A.C. 7:26C-1. Enter "Same" if the representative is the same person as the person who owns the property;
- Provide the title of the representative of the person who owns the property;
- Provide the telephone number, extension number, and fax number of the representative of the person who owns the property;
- Provide the mailing address, including the city/town, state, and zip code of the representative of the person who owns the property;
- Provide the email address of the representative of the person who owns the property;
- The representative for the person who owns the property shall provide:

- His/her signature where indicated;
- His/her name and title (i.e., President, CEO); and
- The date when the signing occurred.

Note: There may be circumstances where the current property owner signature cannot be obtained. In these situations, a copy of the completed permit application excluding the current property owner signature should be provided to the property owner. To document that the current property owner was provided a copy of the permit application, a copy of the letter transmitting the permit application needs to be included with the application submitted to the NJDEP.

Section N. Licensed Site Remediation Professional Information and Statement

- Provide the LSRP ID Number.
- Provide the name, phone number, email and mailing address (city/town, state, zip code) of the LSRP.
- The certification in this section shall be signed and dated by the LSRP.