



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

**INSTRUCTIONS FOR THE REMEDIAL ACTION PERMIT TERMINATION
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 termination of a Soil RAP pursuant to N.J.A.C. 7:26C-7.13, include a Filed Deed Notice Termination document, which was previously approved by the NJDEP and subsequently filed with the appropriate county. To obtain a Deed Notice Termination document approved by the NJDEP, submit the Termination of Deed Notice Form. Once the Deed Notice Termination document approved by the NJDEP has been received, then file the Original (Signed/Notarized) Deed Notice Termination document with the appropriate county.

1. **Applicability.** Use this form to apply for termination of an existing Soil RAP pursuant to N.J.A.C. 7:26C-7.13. This form should be submitted for each Soil RAP obtained from the NJDEP that is intended to be terminated.
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 H 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 BICAIN prior to permit application in order to determine if new PI Numbers are needed. Contact BICAIN 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 Termination Application

Note: This Soil RAP Termination Application will not be processed until all RAP annual fees, including any past due fees, have been paid in full, and all previously required RAP Applications (Modifications and/or Transfer/Change of Property Ownership) have been submitted. Please see the Compliance Notice: Post-NFA cases requiring remedial action permits which can be found at: https://www.nj.gov/dep/srp/enforcement/post_nfa_compliance_notice.pdf.

1. Indicate the reason for the Soil RAP Termination Application by checking one of the following selections:
 - **Site Remediated to applicable Soil Remediation Standards**
 - **Subdivision of an existing Soil RAP**

If this Soil RAP Termination Application is due to a subdivision of a restricted area already under a Soil RAP, indicate if the new Initial Soil RAP Applications have also been submitted for the sub-divided parcels.

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. 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).

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

Section D. 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 H below. 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 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 the box if this entity is the “Primary Contact for Permit Compliance” (i.e., will be performing cap inspections, submitting Soil Remedial Action Protectiveness/Biennial Certification Forms, submitting Soil RAP Applications). This box should not be checked off in both Section D and Section E.

Section E. Attached Documents

Attach the following documents with the Soil RAP Termination Application:

Note: All electronic copies should be provided in Adobe PDF file format on a compact disc (CD).

- Hard copy and electronic copy of the completed Soil RAP Termination Application using the current form on the NJDEP Website (<http://www.nj.gov/dep/srp/srra/forms/>).
- Hard copy **and** electronic copy of the cover letter explaining the reason(s) for the Soil RAP Termination Application.
- Electronic copy of the NJDEP approved Filed Deed Notice Termination document. 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.

Section F. Deed Notice Information

1. Provide the filing date that is stamped on the Deed Notice Termination document by the county recording officer.
2. Provide the name of the county or counties where the Deed Notice Termination document was filed.
3. Provide the book and page numbers (first page to last page) stamped on the Deed Notice Termination document by the county recording officer.
4. Indicate the total number of pages filed in the Deed Notice Termination document.
5. Provide the Instrument/Control/File Number(s) stamped on the Deed Notice Termination document by the county recording officer. Note that some counties only use an instrument number. In this case, leave the book and page numbers blank.

Section G. Financial Assurance

Indicate if Financial Assurance was posted for this Soil RAP.

Section H. Other Information Provided

List any other pertinent information to support the Soil RAP Termination 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 I. 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.

Note: There may be circumstances where the person responsible for conducting the remediation signature cannot be obtained. In these situations, a copy of the completed permit application excluding the person responsible for conducting the remediation signature should be provided to the person responsible for conducting the remediation. To document that the person responsible for conducting the remediation 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 J. 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 K. 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.