



New Jersey Department of Environmental Protection Site Remediation Program

INSTRUCTIONS FOR THE GROUND WATER REMEDIAL ACTION PROTECTIVENESS/BIENNIAL CERTIFICATION FORM

General Instructions

1. **Applicability.** Use this form to submit a Remedial Action Protectiveness/Biennial Certification Report for Ground Water to the New Jersey Department of Environmental Protection (NJDEP). This form shall be used by all persons who have obtained a Ground Water Remedial Action Permit (RAP).

Businesses and individuals who have received a NJDEP-issued Limited Restricted or Restricted Use No Further Action (NFA) letter prior to May 7, 2012 are obligated to apply for and receive the required Ground Water RAP, pursuant to 58:10C-19b. Links to DataMiner compliance reports and steps on how to come into compliance, along with the associated fees, are outlined here https://www.nj.gov/dep/srp/enforcement/post_nfa_compliance_notice.pdf. Failure to do so may subject you to enforcement action including penalties.

It is recommended that a cover letter be submitted with the form that summarizes/discusses any significant findings or changes (i.e., sentinel well impacts, additional delineation, new releases at the site, etc.) related to the ground water remedial action protectiveness evaluation for the site, if applicable.

Please note that any reference to “since the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form” also means since the Ground Water RAP was issued in the situation where a Ground Water Remedial Action Protectiveness/Biennial Certification Form has not been submitted yet.

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 with primary responsibility for permit compliance/person responsible for monitoring the protectiveness of the remedial action and the Licensed Site Remediation Professional (LSRP) responsible for completion of the form and attached documents.
4. Completed forms should be emailed to srp_submissions@dep.nj.gov*

* All Ground Water Remedial Action Protectiveness/Biennial Certification forms associated with a Post-NFA Case must continue to be submitted on a CD by mail with the accompanying fee to the following address:

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, Location, and Information

- **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 L 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, town, 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).
- **Ground Water RAP Number:** Provide the Ground Water RAP Number for the site.

Section B. Fees

Sites with a Ground Water RAP – If you are submitting this form for a site with an effective Ground Water RAP, then there is no fee as the cost of review is covered by the Ground Water RAP annual fee. Indicate if all outstanding Ground Water RAP annual fees have been paid.

Post-No Further Action (NFA) Cases (Sites without a Ground Water RAP) – For cases where the NJDEP has issued a Restricted Use or Limited Restricted Use NFA Letter *and* a Ground Water RAP has not yet been obtained, include a check in the amount as indicated on the form and in the link below. A Ground Water RAP Application is required to be submitted with this form. Please see the Compliance Notice: Post-NFA cases requiring remedial action permits, which includes the fee breakdown: https://www.nj.gov/dep/srp/enforcement/post_nfa_compliance_notice.pdf.

Note: The State Fiscal Year runs from July 1 to June 30. A document must be postmarked by June 30 of each calendar year to apply that fiscal year's fee. Documents submitted on or after July 1 of each calendar year will be required to apply the subsequent fiscal year's fee. Checks shall be made payable to "Treasurer State of New Jersey". Please include your Program Interest (PI) Number on the check.

Section C. Fee Billing Contact Person

Complete this section for the fee billing contact person. The Annual Ground Water RAP Fee Invoice will be mailed to this person. Indicate if this person has changed since last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form and provide the date of RAP Contact Information Change Form Submission.

Section D. Person(s) Responsible for Conducting the Remediation

1. Indicate if the mailing address has changed for the Person(s) Responsible for Conducting the Remediation (PRCR) that is currently listed on the Ground Water RAP for the site. If "Yes", provide the date of the Ground Water RAP Modification Application submission.
2. Indicate if the contact person/information for the PRCR(s) has changed since the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form. If "Yes", provide the date of the RAP Contact Information Change Form submission.

Section E. Current Owner(s) of the Site

1. Indicate if the property owner(s) has changed from what is currently listed on the Ground Water RAP for the site. If "Yes", provide the date of the RAP Transfer/Change of Property Ownership Application submission.

Note: Property owner information 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 L below and provide additional documentation as necessary.

2. Indicate if the mailing address has changed for the property owner(s) that is currently listed on the Ground Water RAP for the site. If "Yes", provide the date of the Ground Water RAP Modification Application submission.
3. Indicate if the contact person/information for the property owner(s) has changed since the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form. If "Yes", provide the date of the RAP Contact Information Change Form submission.

Section F. Attached Documents

Attach electronic copies of the following documents in an email to srp_submissions@dep.nj.gov:

**See instructions above for how to handle submissions associated with a Post-NFA Case.*

- The Ground Water Remedial Action Protectiveness/Biennial Certification Form using the current form on the NJDEP Website (Required).
- A summary of the ground water sampling results by monitoring well in tabular format to this form, including all historical ground water sampling data associated with the Ground Water RAP (Required).

- The last four ground water contour maps completed for the site, which includes the extent of the CEA/WRA, monitoring well and AOC locations on it, and the direction of ground water flow at the site (Required).
- All well inspection reports/logs that have been completed since the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form (Required).
- The results of the required updated well search to this form, including a scaled map and a table indicating which wells were previously evaluated (Required).
- The field sampling sheets since the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form (Required).
- A table summarizing the monitoring well construction details (below ground surface (bgs)) for all the monitoring wells associated with the Ground Water RAP (Required).
- A contaminant concentration table that compares the GWQS changes and order of magnitude analysis associated with the Ground Water RAP (Required).
- The contaminants of emerging concern (CECs) evaluation completed associated with the Ground Water RAP (Required).
- A summary of the Technical Impracticability (TI) Determination and a 5-year evaluation, if applicable.
- A current Tax Map of the property if the block and lot has changed for the CEA/WRA, if applicable.
- A table with the vapor intrusion sampling results and a scaled site map indicating the location of all structures investigated for vapor intrusion, if applicable.
- Any vapor intrusion sampling results as required from the OMM Plan for the vapor intrusion engineering control(s)/mitigation system(s) for the permit, including the NJDEP Vapor Intrusion Mitigation Monitoring and Maintenance Checklist.
- Any vapor intrusion sampling results as required from the Vapor Intrusion Long-Term Monitoring Plan for the permit, if applicable.
- The summary of the inspection and a scale site map clearly identifying the buildings with Indeterminate Vapor Intrusion Pathway status, including the address and block/lot of each building, if applicable.
- The completed Remediation Cost Review and RFS/FA Form with a detailed cost estimate, if applicable.
- The homeowner or condominium association's annual budget that includes funds for the operation, maintenance, and monitoring of the engineering control(s) associated with the Ground Water RAP, if applicable.
- The annual statements confirming the value of the Financial Assurance Instrument, if applicable.

Section G. Remedial Action and CEA/WRA Information

1. Type of Ground Water Remediation

Check either the box for Monitored Natural Attenuation (MNA) or Active Remediation to identify the type of Remedial Action implemented at the site.

a. Monitored Natural Attenuation

If you checked MNA complete questions a1 through a7 underneath the check box as indicated below:

- 1) Indicate if ground water sampling has been conducted at the site since the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form. If **"Yes"**, attach a summary of the ground water sampling results by monitoring well in tabular format to this form, including all historical ground water sampling data for the site.
- 2) Indicate if ground water sampling has been conducted in accordance with the Ground Water Monitoring Plan for the site. If **"No"**, provide justification for deviating from the Ground Water Monitoring Plan and attach additional documentation if needed.
- 3) Indicate if the results of the ground water sampling demonstrate that contaminant concentrations have decreased to or below the applicable Ground Water Quality Standards (GWQS) for two ground water sampling events accounting for seasonal fluctuation at the site pursuant to N.J.A.C. 7:26C-7.9(f). If **"Yes"**, then submit a Ground Water RAP Termination Application and skip the rest of this section. Only answer Not Applicable (N/A) to this question if ground water sampling has not been conducted since the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form.

- 4) Indicate if there still is a decreasing trend of contaminant concentrations in the ground water. If **"No"**, provide the date of Ground Water RAP Modification submission or the justification supporting the protectiveness of the ground water remedial action in Section L. Justification should include evaluation of whether or not all soil contamination in the unsaturated zone has been remediated to the applicable numeric Migration to Ground Water Soil Remediation Standard and all free and/or residual product has been treated or removed for all area(s) of concern associated with this CEA/WRA.
- 5) Indicate if the behavior of the ground water contaminant plume is considered to be shrinking or stable. If **"Yes"**, check off if the ground water contaminant plume is either shrinking or stable. If **"No"**, provide the date of Ground Water RAP Modification submission or the justification supporting the protectiveness of the ground water remedial action in Section L.
- 6) Indicate if the ground water plume is reaching the sentinel wells or sentinel monitoring points. If **"Yes"**, provide the date of Ground Water RAP Modification submission with the required additional ground water delineation data. All Ground Water RAPs are required to have a "clean" sentinel well for the monitoring of the fate and transport of the ground water contaminant plume.
- 7) Indicate if MNA is still the appropriate ground water remedial action for the site. If **"No"**, then provide an explanation.

b. Active Remediation

If you checked Active Remediation, indicate the type of remediation (e.g. Multiple Phase Extraction System, SVE/Air Sparging, Ozone Sparging, Pump & Treat, etc.) and complete questions b1 through b9 as indicated below:

- 1) Indicate if ground water sampling has been conducted at the site since the last submittal of the Remedial Action Protectiveness/Biennial Certification Form. If **"Yes"**, attach a summary of the ground water sampling results by monitoring well in tabular format to this form, including all historical ground water sampling data for the site.
- 2) Indicate if ground water sampling has been conducted in accordance with the Ground Water Monitoring Plan for the site. If **"No"**, provide justification for deviating from the Ground Water Monitoring Plan.
- 3) Indicate if the results of the ground water sampling demonstrate that contaminant concentrations have decreased to or below the applicable GWQS for two ground water sampling events accounting for seasonal fluctuation at the site pursuant to N.J.A.C. 7:26C-7.9(f). If **"Yes"**, then submit a Ground Water RAP Termination Application and skip the rest of this section. Only answer N/A to this question if ground water sampling has not been conducted since the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form.
- 4) Indicate if there still is a decreasing trend of contaminant concentrations in the ground water. If **"No"**, provide the date of Ground Water RAP Modification submission or the justification supporting the protectiveness of the ground water remedial action in Section L. Justification should include evaluation of whether or not all soil contamination in the unsaturated zone has been remediated to the applicable numeric Migration to Ground Water Soil Remediation Standard for all area(s) of concern associated with this CEA/WRA.
- 5) Indicate if the behavior of the ground water contaminant plume is considered to be shrinking or stable. If **"Yes"**, check off if the ground water contaminant plume is either shrinking or stable. If **"No"**, provide the date of Ground Water RAP Modification submission or the justification supporting the protectiveness of the ground water remedial action in Section L.
- 6) Indicate if the ground water plume is reaching the sentinel wells or sentinel monitoring points. If **"Yes"**, provide the date of Ground Water RAP Modification submission with the required additional ground water delineation data. All Ground Water RAPs are required to have a "clean" sentinel well for the monitoring of the fate and transport of the ground water contaminant plume.
- 7) Indicate if the ground water remedial action is performing as designed. If the answer is **"No"** for this question, provide an explanation. Please note that minor modifications ("tweaks") to the active ground water remedial action/system (e.g., change in pumping rate, additional extraction wells) are not considered a modification of the Ground Water RAP; however, any changes to the extent or treatment technology would require the submission of a Ground Water RAP Modification Application (e.g., change in active remedy, GWMP). Please contact the Bureau of Remedial Action Permitting with any questions on this topic (https://www.nj.gov/dep/srp/srra/srra_contacts.htm).
- 8) Indicate if the active ground water treatment system been shutdown for longer than 48-hours since the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form. If **"Yes"**, provide an explanation for the shutdown, including the duration of the shutdown and if the shutdown rendered the

remedial action not protective of public health, safety and of the environment; this should include any shutdowns related to a NJPDES permit as appropriate.

2. Indicate if a Technical Impracticability (TI) Determination has been approved. If **“Yes”**, please provide the date of the TI Approval Letter from the Department and attach a summary of the TI Determination and a 5-year evaluation if applicable.
3. Indicate if any ground water contamination been determined to have migrated onto the site/property from an off-site source that is not included in the Ground Water RAP since the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form. If **“Yes”**, provide the communication center number that was received when called into the Hotline and provides a discussion of the issue.
4. Indicate if the ground water flow direction changed at the site such that the sentinel well(s) is no longer downgradient and protective of all receptors. If **“Yes”**, provide the date of Ground Water RAP Modification submission with the required additional ground water delineation data.
5. Indicate if the CEA/WRA has been revised for any reason that did not require conducting additional remediation. If **“Yes”**, provide the date of Ground Water RAP Modification submission.
6. Indicate if the municipal block and lot numbers for the site have changed since the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form. If **“Yes”**, attach a current tax map of the property, and list the former and new municipal block and lot numbers of the property.
7. Indicate if hard copies of this form have been provided to the municipal and county clerks for each municipality and county in which the CEA/WRA is located; the local, county and regional health department for each municipality and county in which the CEA/WRA is located; each current owner of the site; each current operator of the site; each current property owner within the footprint of the CEA/WRA; the Pinelands Commission or the Highlands Commission, as applicable.
8. Indicate if any monitoring wells associated with the CEA/WRA have been damaged, vandalized, repaired, replaced, could not be located, or decommissioned pursuant to N.J.S.A. 58:4A and N.J.A.C. 7:9D. If **“Yes”**, describe what occurred and attach additional documentation as necessary (i.e., maintenance and evaluation logs for all the monitoring wells, a copy of any Well Abandonment Report(s), construction specifications for each new/replacement well documentation that the Bureau of Water Allocation and Well Permitting was contacted for any monitoring wells that could not be located, etc.). Please contact the Bureau of Water Allocation and Well Permitting at wellpermitting@dep.state.nj.us as it relates to any monitoring wells that could not be located.
9. Indicate if a replacement monitoring well(s) has been installed since the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form. If **“Yes”**, indicate if the replacement well was installed within 10 feet of the former well location. If **“No”**, then provide the justification supporting the protectiveness of the ground water remedial action in Section L below or provide the date of the Ground Water RAP Modification Application submission. Attach the construction specifications for each new well, including Monitoring Well Forms A and B.
10. Since the Ground Water RAP was issued, indicate if the comparison conducted pursuant to N.J.A.C. 7:26C-7.9(b)2 required the submission a Ground Water RAP Modification Application. If **“Yes”**, provide the date of the Ground Water RAP Modification Application submission.
11. Indicate if the comparison conducted above revealed a change in the GWQS.
If **“Yes”**, indicate if the GWQS changed by an order of magnitude. If the GWQS changed by an order of magnitude, indicate if the change required a modification of the Ground Water RAP. If the change required a modification of the Ground Water RAP, then provide the date of the Ground Water RAP Modification Application submission.

Attach a contaminant concentration table that compares the GWQS changes and order of magnitude analysis.

Contaminants of Emerging Concern (CECs): The permittee(s) is required to evaluate whether there is the potential that the compounds listed below may have been manufactured, used, handled, stored, disposed or discharged at the AOC(s) associated with the Ground Water RAP. Evaluation does not mean analysis. Evaluation means using your professional judgement to determine if the compounds are potential contaminants of concern at the site being evaluated. The evaluation of these compounds should be the same as any other compound. Additional information on CECs can be found at <https://www.nj.gov/dep/srp/emerging-contaminants/>. Answer **“No”** to the below questions if the results of the CEC evaluation remain unchanged since the last the submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form.

12. Indicate if 1,4-dioxane is a potential contaminant of concern at the AOC(s) associated with the Ground Water RAP and if it requires further remedial investigation.

13. Indicate if perchlorate is a potential contaminant of concern at the AOC(s) associated with the Ground Water RAP and if it requires further remedial investigation.
14. Indicate if per- and polyfluoroalkyl substances (PFAS), including but not limited to perfluorononanoic acid (PFNA), perfluorooctanoic acid (PFOA), and perfluorooctane sulfonic acid (PFOS) are potential contaminants of concern at the AOC(s) associated with the Ground Water RAP and if it requires further remedial investigation.
15. Indicate if 1,2,3-trichloropropane (1,2,3-TCP) is a potential contaminant of concern at the AOC(s) associated with the Ground Water RAP and if it requires further remedial investigation.

Attach the results of the required emerging CECs evaluation: The results of the CEC evaluation from the last the submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form can be submitted if nothing has changed since then.

If **“Yes”** to any of the questions 12 to 15 above, then provide a discussion how this issue is being addressed.

Section H. Site Use, Changes, and Disturbances

1. Check all box(es) that apply indicating the current site use(s) for the site.
2. Indicate if the site use(s) changed since the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form.
3. Indicate if site use changes or disturbances of the land, such as installation of a detention basin, taken place that has rendered the ground water remedial action not protective of public health, safety and of the environment. If **“Yes”**, provide the date of the submission of a Ground Water RAP Modification Application.

Section I. Current or Planned Water Use Within the Well Search Area

1. Indicate the water use within the CEA/WRA when the CEA/WRA was established.
2. Indicate the current water use within the CEA/WRA boundaries.
3. Indicate if there any planned changes in water use for the aquifers in which the CEA/WRA is located since the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form. Indicate all the sources that were evaluated to determine planned changes in water use.
4. Indicate if any changes in water use altered the areal extent or the duration of the CEA/WRA.
5. Indicate if the required well search identified any wells installed within one mile up-gradient, side-gradient, and down-gradient of the CEA/WRA since the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form. Attach the results of the required updated well search to this form, including a scaled map and a table indicating which wells were previously evaluated. If **“Yes”**, check all that apply and indicate if it was necessary to sample the well pursuant to N.J.A.C. 7:26E-1.14. Additional information about well searches for CEA Biennial Certification can be found at <http://www.state.nj.us/dep/srp/guidance/ceacompliance/tech/>.

Questions regarding well searches should go to the Well Permitting Section of the Bureau of Water Systems and Well Permitting (formerly the Bureau of Water Allocation) at (609) 984-6831.

6. Indicate if the actual or planned changes reported in items 1-5 above render the remedial action that includes the CEA/WRA not protective of public health, safety and of the environment. If **“Yes”**, provide the date of the submission of a Ground Water RAP Modification Application.
7. Indicate if any Point of Entry Treatment (POET) water systems are currently installed at any buildings as a result of this ground water contamination. If a POET water system was installed, but not required for the remediation, check **“No”**. If **“Yes”**, attach the ground water sampling results and provide a discussion of this issue.

Note: A Ground Water RAP Modification Application should be submitted if the POET water system was installed as a result of ground water contamination and it is not included in the Ground Water RAP for the site.

Section J. Vapor Intrusion

1. Indicate if compounds of potential vapor intrusion concern are included in the CEA/WRA. If compounds of potential vapor intrusion concern included, then complete this section; otherwise proceed to the next section.
2. Based on the most recent data available or ground water data collected for the Ground Water Remedial Action Protectiveness/Biennial Certification Form, indicate if there are any contaminants of concern currently above the Vapor Intrusion Ground Water Screening Levels pursuant to N.J.A.C. 7:26E-1.15. If **“Yes”**, attach a table with the

vapor intrusion sampling results, a scaled site map indicating the location of all structures investigated for vapor intrusion, and provide a discussion of those results below or provide a written explanation with the reasons for not evaluating the vapor intrusion pathway. The Vapor Intrusion Ground Water Screening Levels are located on the NJDEP's Vapor Intrusion website at (<http://www.nj.gov/dep/srp/guidance/vaporintrusion>).

Note: The vapor intrusion trigger distances are applied from the edge of the ground water plume based on linear interpolation (not a contaminated monitoring well) when determining which buildings should be investigated.

3. Indicate if there any changes in property use for the site or surrounding properties that required a vapor intrusion investigation pursuant to N.J.A.C. 7:26C-7.9(b)7. If **"Yes"**, attach a table with the vapor intrusion sampling results, a scaled site map indicating the location of all structures investigated for vapor intrusion, and provide a discussion of those results or provide a written explanation with the reasons for not evaluating the vapor intrusion pathway.
4. Indicate if any vapor intrusion engineering control(s)/mitigation system(s) have been installed as a result of this ground water contamination. If a system was installed, but not required for the remediation (i.e., there is not a complete VI pathway requiring the system), check **"No"**. If **"Yes"**, indicate the type of system installed and attach any vapor intrusion sampling results as required from the OMM Plan for the vapor intrusion engineering control(s)/mitigation system(s) for the permit, including the NJDEP Vapor Intrusion Mitigation Monitoring and Maintenance Checklist. Provide a scaled site map that clearly identifies the building(s) and/or structure(s) with the vapor intrusion engineering control(s)/mitigation system(s) in place, including the address and block and lot of each impacted property. Refer to the NJDEP's Vapor Intrusion Technical Guidance Document at <http://www.nj.gov/dep/srp/guidance/index.html#vi>.

Note: A Ground Water RAP Modification Application should be submitted if the vapor intrusion engineering controls/mitigation systems is not included in the Ground Water RAP for the site.

5. Indicate if there is soil gas contamination above the Soil Gas Screening Levels beneath any buildings that require long-term monitoring. If **"Yes"**, attach documentation of building inspections and/or any vapor intrusion sampling results as required from the Vapor Intrusion Long-Term Monitoring Plan.

Note: A Ground Water RAP Modification Application should be submitted if the Vapor Intrusion Long-Term Monitoring Plan is not included in the Ground Water RAP for the site.

6. Indicate if there are any building(s) that have an Indeterminate Vapor Intrusion Pathway status. If **"Yes"**, indicate if the required annual inspections have been completed to determine the change in use and attach a summary of the inspections and a scale site map clearly identifying the buildings with Indeterminate Vapor Intrusion Pathway status, including the address and block/lot of each building. For more information on Indeterminate Vapor Intrusion Pathway, see Section 3.5.2 of the Vapor Intrusion Technical Guidance document dated January 2018.

Note: A Ground Water RAP Modification Application should be submitted if the Indeterminate Vapor Intrusion Pathway status is not included in the Ground Water RAP for the site.

Section K. Financial Assurance

1. Indicate if the remedial action includes a ground water or vapor intrusion 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 ground water containment system including, without limitation, a slurry wall and a ground water pumping system.

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

2. Indicate if FA is required for the site. If **"Yes"**, attach a completed Remediation Cost Review and RFS/FA Form with a detailed cost estimate.
3. If the FA Instrument is a Line of Credit, Remediation Trust Fund, Surety Bond, or Environmental Insurance Policy, indicate if annual statements confirming the value of the FA Instrument have been submitted pursuant to the permit schedule. If **"No"**, attach the annual statements confirming the value of the FA Instrument.
4. If the current owner of the site is either a homeowner association or a condominium association, indicate if copies of the annual budget that includes funds for the operation, maintenance, and monitoring of the engineering control(s) at the site have been submitted pursuant to the permit schedule. If **"No"**, attach copies of the association's annual budget that includes funds for the operation, maintenance, and monitoring of the engineering control(s) at the site.

Section L. Other Information Provided

List any other pertinent information to support the Ground Water Remedial Action Protectiveness/Biennial Certification Form. This section should include a discussion of any new information or ground water data as it relates to the protectiveness of the ground water remedial action for the site. This section can also be used for professional judgement justification, variances from rules/guidance, etc.

Section M. Person with Primary Responsibility for Permit Compliance/Person Responsible for Monitoring the Protectiveness of the Remedial Action

The certification in this section shall be signed and dated by the person with primary responsibility for permit compliance/person responsible for monitoring the protectiveness of the remedial action. 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 organization for the person with primary responsibility for permit compliance/person responsible for monitoring the protectiveness of the remedial action;
 - Provide the full name of the representative of the person with primary responsibility for permit compliance/person responsible for monitoring the protectiveness of the remedial action, pursuant to N.J.A.C. 7:26C-1. Enter "Same" if the representative is the same person as the person with primary responsibility for permit compliance/person responsible for monitoring the protectiveness of the remedial action;
 - Provide the title of the representative of the person with primary responsibility for permit compliance/person responsible for monitoring the protectiveness of the remedial action;
 - Provide the telephone number, extension number, and fax number of the representative of the person with primary responsibility for permit compliance/person responsible for monitoring the protectiveness of the remedial action;
 - Provide the mailing address, including the city/town, state, and zip code of the representative of the person with primary responsibility for permit compliance/person responsible for monitoring the protectiveness of the remedial action;
 - Provide the email address of the representative of the person with primary responsibility for permit compliance/person responsible for monitoring the protectiveness of the remedial action;
 - The representative for the person with primary responsibility for permit compliance/person responsible for monitoring the protectiveness of the remedial action shall provide:
 - ❖ His/her signature where indicated;
 - ❖ His/her name and title (i.e., President, CEO); and
 - ❖ The date when the signing occurred.

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.