

[\$\$Only Insert Name and address of Person(s) Responsible for Conducting the Remediation \$\$]

[\$\$Date\$\$]

Re: Response Action Outcome

Remedial Action Type: **[\$\$Select One\$\$** *Restricted Use with Permit Requirements* **OR** *Limited Restricted Use with Permit Requirements* **OR** *Unrestricted Use***\$\$]**

Scope of Remediation: **[\$\$Select One\$\$** *Area(s) of Concern:* (followed by a list of the remediated area(s) of concern) *and no other areas* **OR** *Entire Site* **\$\$Note: Entire Site RAO can only be issued if full site PA\SI was completed\$\$** **OR** *Industrial Establishment as defined according to N.J.A.C. 7:26B***\$\$]**

Case Name:

Address:

Municipality :

County:

Block: ____ Lot: ____

Preferred ID: 000000

Child Care License #

KCSL # NJL000000000

Communication Center # 00-00-00-0000-00 **[\$\$List all that apply\$\$], UST**

Registration # 000000, UST Closure #C00-0000

ISRA Transaction: _____, ISRA Case # E00000

Well Permit #

Dear :

As a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey, I hereby issue this Response Action Outcome for the remediation of the **[\$\$Select one: site OR, industrial establishment as defined according to N.J.A.C. 7:26B OR area(s) of concern\$\$]** specifically referenced above. I **[\$\$Select one or both of the following:** directly oversaw and supervised all of the referenced remediation, **AND/OR** personally reviewed and accepted all of the referenced remediation**\$\$]** and based upon this work, it is my professional opinion that this remediation has been completed in compliance with the Administrative Requirements for the Remediation of Contaminated Sites -N.J.A.C. 7:26C-6.2(c), that is protective of public health, safety and the environment and full payment has been made for all Department fees and oversight costs pursuant to N.J.A.C.7:26C-4.

[\$\$Select One: This remediation includes the completion of a **[\$\$Select all that apply: Preliminary Assessment, Site Investigation, Remedial Investigation and Remedial Action\$\$]** as defined pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E), **OR for RAOs involving Child Care Facilities in Support of License Renewal Only:** This Child Care Center has previously been issued a Final Remediation Document or Child Care Approval Letter. This RAO is issued to update the Child Care Center 3-year license renewal. This RAO is based on the "Site Condition Certification Form" and my determination that clean potable water is supplied

to this Child Care Center and there is no impact to this Child Care Center from offsite contamination. **\$\$**]

My decision in this matter is made upon the exercise of reasonable care and diligence and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals in good standing practicing in the State at the time these professional services are performed.

As required pursuant to N.J.A.C. 7:26C - three electronic copies of all records related to the remediation activities that occurred at this location is being simultaneously filed with the New Jersey Department of Environmental Protection (Department). These records contain all information upon which the decision was based to issue this Response Action Outcome.

By operation of law a Covenant Not to Sue pursuant to N.J.S.A. 58:10B-13.2 applies to this remediation. The Covenant Not to Sue is subject to any conditions and limitations contained herein. The Covenant Not to Sue remains effective only as long as the real property referenced above continues to meet the conditions of this Response Action Outcome **\$\$\$Select if Limited Restricted Use or Restricted Use RAO: and applicable permits\$\$**].

CONDITIONS

Pursuant to N.J.S.A. 58:10B-12o, **\$\$\$Insert Name of Person(s) Responsible for Conducting the Remediation \$\$**] and any other person who is liable for the cleanup and removal costs, and remains liable pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. shall inform the Department in writing, on a form available from the Department, within 14 calendar days of when its name or address changes. Any notices you submit pursuant to this paragraph shall reference the above case numbers and shall be sent to: New Jersey Department of Environmental Protection, Bureau of Case Assignment and Initial Notice – Case Assignment Section, P.O. Box 434, Trenton, N.J. 08625.

\$\$\$Select if Limited Restricted Use or Restricted Use RAO: Based on my professional opinion you have obtained all applicable permit(s) and authorization(s) to ensure this remedial action remains protective of public health, safety and the environment into the future provided that you remain in full compliance with the terms and conditions of those permit(s) and authorization(s). The designated remediation permit number(s) is\are **\$\$\$Add Permit Number(s)\$\$\$ effective \$\$\$Date(s)\$\$\$\$**]

NOTICES

\$\$\$START APPLICABLE NOTICES \$\$].

Well Decommissioning

\$\$\$Select One: Pursuant to N.J.A.C. 7:9D-3.1 (et seq.) all wells installed as part of this remediation have been sealed by a New Jersey licensed well driller and the well driller's Response Action Outcome
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well decommissioning report has been submitted to the Bureau of Water Systems and Well Permitting. **OR** Pursuant to N.J.A.C. 7:9D-3.1 (et seq.) any wells installed as part of this remediation that will no longer be used for remediation have been sealed. If any wells have been sealed the well driller's well decommissioning report has been submitted to the Bureau of Water Systems and Well Permitting. Pursuant to N.J.S.A. 58:4A, any monitoring wells remaining onsite shall be properly decommissioned prior to the termination of the applicable remediation permit. A New Jersey licensed well driller shall decommission the well(s) in accordance with the requirements of N.J.A.C. 7:9D-3.1 (et seq.) and submit the decommissioning report on your behalf to the Bureau of Water Systems and Well Permitting. More information about regulations regarding the maintenance and decommissioning of wells in New Jersey can be found at <http://www.nj.gov/dep/watersupply/> For a list of New Jersey licensed well drillers, click on the "reports" button in the left column and select "access the well permit reports." Questions can be emailed to wellpermitting@dep.state.nj.us. **\$\$\$** **[Select if applicable: Please note that **\$\$\$add count of wells to which this applies\$\$\$** well(s) could not be located or abandoned properly. Contact has been made with the Bureau of Water Systems and Well Permitting regarding appropriate steps to document and conclude efforts this regard.**\$\$\$****

Building Interiors Not Addressed

Please be advised that the remediation that is covered by this Response Action Outcome does not address the remediation of hazardous substances that may exist in building interiors or equipment, including, but not limited to, radon, asbestos and lead. As a result, any risks to human health presented by any building interior or equipment remains. **\$\$\$Select if applicable:** The only exception to this building interior exclusion is the release of **\$\$\$specify contaminant\$\$\$** from **\$\$\$specify the AOC\$\$\$** that discharged outside the building.**\$\$\$** A complete building interior evaluation should be completed before any change in use or re-occupancy is considered. **\$\$\$ select for RAOs involving Child Care facilities:** To meet the requirements in the Department of Children and Families (DCF) licensing regulation, the Department of Health and Senior Services (DHSS), Indoor Environments Program, should be contacted to determine what steps, if any, are necessary to address the risks posed by the prior historical use. The DHSS, Indoor Environments Program can be reached at 609-631-6749. DHSS Guidance can be found on the DHSS web site at www.nj.gov/health/eoh/tsrp. **\$\$\$**

Building Interiors Addressed

Site specific: to be developed by licensed site professional in coordination with the Department.

Regional Natural Background Levels of Contaminants

Please be advised that concentrations of **\$\$\$ Insert specific contaminant\$\$\$** were detected in the soil at this site above the Department's **\$\$\$Select: Residential OR Non-residential\$\$\$** Direct Contact Remediation Standards. However, this contamination has been found to be associated with natural background levels of this analyte in soil.

Pursuant to N. J.S.A. 58:10B, remediation beyond natural background levels shall not be required. **\$\$\$Select for RAOs involving Child Care Facilities Only:** However, to minimize potential direct contact at this Child Care Center an impermeable barrier should be installed over the surface of the outdoor play area in its entirety in accordance with Department guidance for presumptive remedies found at www.nj.gov/dep/srp/guidance/srra/presumptive_remedy_guidance_DRAFT.pdf. The barrier should consist of impermeable materials, such as hard surfacing, poured rubber, or rubber matting, etc. The child care center should maintain documentation that provides proof of installation and documentation concerning maintenance of the integrity of the barrier. **\$\$]**

Classification Exception Area Removal

Based upon the improvement in ground water quality, it has been determined that the ground water Classification Exception Area (CEA) and Well Restriction Area (WRA) established in the Department's **\$\$\$ Date of Letter \$\$\$** letter are no longer required for the referenced remediation. Removal of the CEA and WRA is based upon sampling conducted on **\$\$\$ Dates of Sampling \$\$\$** at the above referenced location which demonstrated that ground water has met the Ground Water Remediation Standards specified at N.J.A.C. 7:26D-2.2.

Existing Classification Exception Area or Deed Notice from Prior Remediations

Please be advised that this Response Action Outcome does not address the contamination at this site covered under the **\$\$\$Select if applicable: Classification Exception Area(s) OR Deed Notice(s) OR Classification Exception Area(s) and Deed Notice(s)\$\$\$** for the case(s) covered under Department Program Interest # 00000.

Child Care Center Potable Water Notice

\$\$\$Select one: The potable well at this location has been sampled within the past 3 years and it has been demonstrated that the potable water utilized at the Child Care Center does not contain contaminants above the Maximum Contaminant Levels (MCLs) established for all contaminants required to be tested pursuant to N.J.A.C. 7:10-5.1 et. seq. for nontransient noncommunity water systems or private wells, including radiological contaminants, nitrates and coliform. **OR** I certify that the Child Care Center is connected to a public community water system. **\$\$]**

Child Care Center Specific - Multi-Tenant Situations

Please be advised that this Response Action Outcome is for the leasehold portion of the above referenced site only, including all play areas where the potential for direct contact with soil exists. It does not include the **\$\$\$Specify any known: Area(s) of Concern \$\$\$** located at the above referenced property which service(s) the multi-tenant facility. The leasehold portion is the area defined by **\$\$\$ Define the Area of the leasehold portion \$\$\$** and identified on the enclosed map. Relocation and/or expansion of the

existing licensed Child Care Center into other portions of the multi-tenant facility requires a new Response Action Outcome determination.

Child Care Center Play Area

[\$\$Select ONE for each RAO involving Child Care Facilities: The outdoor play area is located on-site, and is adjacent to/near *(Briefly describe location, size, fence and construction of play area)*. **{Add the following sentence if there is capped play area contamination:** The integrity of the play area shall be maintained at all times. } **OR** The outdoor play area is located off-site. *(Briefly describe size and construction of play area, and provide location identification (park name, etc.), address, block and lot, and ownership with description)*. **{Add the following sentence if the play area is on public land:** This site is not listed on the Department's Known Contaminated Site List (KCSL) as either an active or pending case. } **OR** There is no outdoor play area for this child care center. \$\$]

Child Care Center Notice

Be advised that any relocation and/or expansion of the existing licensed child care center into other portions of the building or play areas, on or off-site, requires a new RAO Letter.

Soils Only RAO when Ground Water Contamination remains from that Area(s) of Concern or Site

This Response Action Outcome only applies to the soils at the referenced remediation. By issuing this Response Action Outcome, I have relied on the completion of remedial activities for soil and on the ground water data to support that soil contamination is no longer affecting ground water. Please be advised that if changes in future ground water data no longer support this conclusion, additional soil remediation and possibly excavation may be necessary. Please note that there is an affirmative obligation to remediate the remaining contamination, within specific regulatory and mandatory timeframes, pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. and the Site Remediation Reform Act, N.J.S.A. 58:10C-1 et seq.

Known Onsite Contamination Source Not Yet Remediated

This Response Action Outcome specifically does not address the **[\$\$Specify any known areas of concern at the site\$\$]** contaminated with **[\$\$Add contaminant type, i.e. lead, benzene, etc.].** This aspect of this site was reported to the Department and assigned the Department's Hotline incident number(s) 00-00-00-0000-00. **[\$\$Select one:** ---Name of LSRP--- is the Licensed Site Remediation Professional hired to address this/these discharge(s). **OR** Pursuant to the Administrative Requirements for Contaminated Sites (N.J.A.C. 7:26) **[\$\$Either list the responsible parties and copy them in the RAO OR select: you]** are required to hire a licensed site remediation professional and remediate this/these discharge(s). **[\$\$]** Please note that there is an affirmative obligation to remediate the remaining contamination, within specific regulatory and mandatory timeframes, pursuant to the Spill Compensation and Control Response Action Outcome

Act, N.J.S.A. 58:10-23.11 et seq. and the Site Remediation Reform Act, N.J.S.A. 58:10C-1 et seq. Please consult <http://nj.gov/dep/srp/srra/> for additional guidance.

Ground Water Contamination not yet Investigated

Ground water contamination (specifically, **[\$\$ identify contaminants \$\$]**) has been detected at this site that has not been investigated. This aspect of the site was reported to the Department and assigned the Department's Hotline incident number 00-00-00-0000-00. Pursuant to the Technical Requirements for Site Remediation – N.J.A.C. 7:26E-4.4(a)1. a remedial investigation of ground water (including a background investigation pursuant to N.J.A.C. 7:26E-3.7(g) if an offsite source is being claimed) is required. In order to identify any onsite areas of concern that may be contributing to the noted contamination a Preliminary Assessment (PA) and Site Investigation (SI) (as applicable), pursuant to N.J.A.C. 7:26E-3 is required. **[\$\$Select one: ---Name of LSRP---** is the Licensed Site Remediation Professional hired to address this contamination. **OR** Pursuant to the Administrative Requirements for Contaminated Sites (N.J.A.C. 7:26) **[\$\$Either List the responsible parties and copy them in the RAO OR select: you]** are required to hire a licensed site remediation professional and investigate and possibly remediate this discharge.**[\$\$]** Please note that there is an affirmative obligation to remediate the contamination, within specific regulatory and mandatory timeframes, not otherwise determined to be from an offsite source, pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. and the Site Remediation Reform Act, N.J.S.A. 58:10C-1 et seq. Please consult <http://nj.gov/dep/srp/srra/> for additional guidance. Be advised that ground water contamination exists above the Ground Water Quality Standards (N.J.A.C. 7:9C-1.7) which may limit ground water use at this site.

Contamination Remains On-Site due to Off-site Contamination

Please be advised that contamination in the ground water at this site exists above the Ground Water Quality Standards (N.J.A.C. 7:9C-1.7) which may limit ground water use at this site. Based on completion of a Preliminary Assessment (PA) and Site Investigation (SI) (as applicable), pursuant to N.J.A.C. 7:26E-3, and completion of a background investigation pursuant to N.J.A.C. 7:26E-3.7(g), there is no onsite contribution to this contamination and I have confirmed the source of this contamination is from offsite. This aspect of the site was reported to the Department and assigned the Department's Hotline incident number 00-00-00-0000-00. **[\$\$Select if applicable: This ground water contamination is being addressed under Department Program Interest #____.[\$\$]**

Order of Magnitude Change to a Remediation Standard after approval of a Remedial Action Workplan

Please be advised that this Response Action Outcome is based on the implementation and completion of the Remedial Action Workplan and any addenda in accordance with the terms of the **[Select\$\$: [\$\$\$date\$\$]** Department approval **OR [\$\$\$date\$\$** Remedial Action Workplan approved by **---Name LSRP---**, Licensed Site Remediation

Professional. Subsequent to the approval of the Remedial Action Workplan, the Department changed applicable remediation standards as such, **[\$\$list contaminants\$\$]** exist on site above the current **[\$\$Select as applicable: soil, groundwater or surface water\$\$]** remediation standards. However, as the standards for these contaminants did not change by an order of magnitude, the Department does not have the authority to require any additional remediation at this time pursuant to N.J.S.A. 58:10B - (12)j.

Order of Magnitude Change to a Remediation Standard after Approval of a Final Remediation Document

Please be advised that this Response Action Outcome is being issued for a site that is subject to a No Further Action Letter issued by the **[Select\$\$: \$\$date\$\$]** Department **OR \$\$date\$\$** Response Action Outcome prepared by **---Name LSRP---**, Licensed Site Remediation Professional. Subsequent to the issuance of that final remediation document, the Department changed applicable remediation standards. **[\$\$list contaminants\$\$]** exist on site above the current **[\$\$Select as applicable: soil, groundwater or surface water\$\$]** remediation standards. However, these contaminant concentrations are within an order of magnitude of the current remediation standards and as a result the Department does not have the authority to require any additional remediation at this time pursuant to N.J.S.A. 58:10B – (13)e.

ISRA Specific - RCRA Situations – Bureau of Case Assignment and Initial Notice Referral

Please be advised that this Response Action Outcome does not cover the **[\$\$ Area(s) of Concern \$\$]** area regulated under the Federal Resource Conservation and Recovery Act (RCRA) and currently being addressed under a RCRA Closure Plan. The environmental impact of this area was not evaluated. This aspect of this site was reported to the Department and assigned the Department’s Hotline incident number(s) 00-00-00-0000-00. **[\$\$Select one: ---Name of LSRP---** is the Licensed Site Remediation Professional hired to address this\these discharge(s). **OR** Pursuant to the Administrative Requirements for the Remediation of Contaminated Sites (N.J.A.C. 7:26C) **[\$\$Either list the responsible parties and CC or select: you]** are required to hire a licensed site remediation professional and remediate this\these discharge(s). **\$\$]** Please note that there is an affirmative obligation to remediate the contamination, within specific mandatory timeframes, associated with the RCRA Unit pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. and the Site Remediation Reform Act, N.J.S.A. 58:10C-1 et seq. Please consult <http://nj.gov/dep/srp/srra/> for additional guidance.

ISRA Specific - Multi-Tenant Situations– Bureau of Case Assignment and Initial Notice Referral

Please be advised that this Response Action Outcome is for the leasehold portion of the above referenced industrial establishment only. It does not include the **[\$\$specify any known Area(s) of Concern \$\$]** located at the above referenced property which

service(s) the multi-tenant facility including non-subject tenants. This aspect of this site was reported to the Department and assigned the Department's Hotline incident number(s) 00-00-00-0000-00. **\$\$\$Select one:** ---Name of LSRP--- is the Licensed Site Remediation Professional hired to address this\these discharge(s). **OR** Pursuant to the Administrative Requirements for Contaminated Sites (N.J.A.C. 7:26) **\$\$\$Either list the responsible parties and CC or select: you** are required to hire a licensed site remediation professional and remediate this\these discharge(s).**\$\$\$** Please note that there is an affirmative obligation to remediate the remaining contamination, within specific mandatory timeframes, pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. and the Site Remediation Reform Act, N.J.S.A. 58:10C-1 et seq. Please consult <http://nj.gov/dep/srp/srra/> for additional guidance.

ISRA Specific - Landfill situations – Bureau of Case Assignment and Initial Notice Referral

Please be advised that this Response Action Outcome does not cover or address the **\$\$\$ Landfill name \$\$\$** sanitary landfill and the environmental impacts of the landfill were not evaluated under this ISRA case. This aspect of this site was reported to the Department and assigned the Department's Hotline incident number(s) 00-00-00-0000-00. **\$\$\$Select one:** ---Name of LSRP--- is the Licensed Site Remediation Professional hired to address this\these discharge(s). **OR** Pursuant to the Administrative Requirements for Contaminated Sites (N.J.A.C. 7:26) **\$\$\$Either list the responsible parties and CC or select: you** are required to hire a licensed site remediation professional and remediate this\these discharge(s).**\$\$\$** Please note that there is an affirmative obligation to remediate any contamination associated with the landfill pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. and the Site Remediation Reform Act, N.J.S.A. 58:10C-1 et seq., including mandatory timeframes. Please consult <http://nj.gov/dep/srp/srra/> for additional guidance.

\$\$\$End APPLICABLE Notices\$\$\$

In concluding that this remediation has been completed, I am offering no opinions concerning whether either primary restoration (restoring natural resources to their pre-discharge condition) or compensatory restoration (compensating the citizens of New Jersey for the lost interim value of the natural resources) has been completed.

Pursuant to N.J.S.A. 58:10C-25, the Department may audit this Response Action Outcome and associated documentation up to three years following issuance. Based on a finding by the Department that a Response Action Outcome is not protective of public health, safety and the environment, the Department can invalidate the Response Action Outcome. In addition, a Department audit following issuance of this document may be initiated at any time if: a) undiscovered contamination is found that should have been addressed by the Response Action Outcome, b) if the Licensed Site Remediation Professional Board conducts an investigation of the Licensed Site Remediation Professional issuing the Response Action Outcome or, c) if the license of that person is suspended or revoked.

Thank you for your attention to these matters. If you have any questions, please contact me at () .

Sincerely,

Name,
Licensed Site Remediation Professional #

Enclosure(s): Child Care Center map (including all play areas) (as applicable for Child Care Centers)

- c: Local, County Environmental Health Act Agency and Regional Health Department(s)**
- Mayor/Clerk/Town Council, City of [\$\$ City \$\$]**
- Municipal Clerk**
- Case Manager (If assigned)**
- ISRA Authorized Agent (as applicable)**
- Highlands Commission (as applicable)**
- Pinelands Commission (as applicable)**
- NJDEP Bureau of Case Assignment and Initial Notice**
- NJDEP Bureau of Enforcement and Investigations – (ACO, Remediation Agreement or Child Care Center Applicable)**
- NJDEP-Bureau of Water Systems and Well Permitting (Applicable to Well Sealing)**
- NJ Department of Children and Families (NJDCF) – Office of Licensing (Child Care Center applicable)**
- NJ Department of Health and Senior Services (NJDHSS) (Child Care Center applicable)**
- Others**