

Soil Remedial Action Permit Application Screening Checklist

✓ Completed (or put N/A)	Post-No Further Action (NFA) cases This universe of cases is reflected in data miner as "PFR Post NFA Monitoring" Activities
	1. If applying for an initial Soil Remedial Action Permit (RAP) on a case that received a No Further Action (NFA) determination, provide all the items listed below:
	<p>a. Complete and provide the most current Soil RAP Application form found at www.nj.gov/dep/srp/srra/forms/.</p> <p>Make sure all fields are completed and all applicable certifications signed. If there is pertinent information that is important to the case but not required on the application, please include in the information within the cover letter.</p>
	b. A copy of the NFA letter(s).
	c. A copy of the Remedial Action Report (RAR) that the NFA letter was based on. If the NFA letter can be provided but a copy of the RAR cannot be located, provide a statement to that effect in a cover letter, and state that you will provide the permit bureau with any specific information requirements.
	d. A completed Soil Remedial Protectiveness / Biennial Certification Form found at www.nj.gov/dep/srp/srra/forms/ .
	e. A check for the appropriate fees. Refer to the April 2017 - [SRRA]: Compliance Notice: Post-No Further Action cases requiring remedial action permits located at the following webpage: www.nj.gov/dep/srp/enforcement/compliance.htm .

✓ Completed (or put N/A)	LSR cases This universe of cases is reflected in data miner as "LSR" Activities
	<p>1. Complete and provide the most current Soil Remedial Action Permit (RAP) Application form found at: www.nj.gov/dep/srp/srra/forms/</p> <p>Make sure all applicable fields are completed and all applicable certifications signed. If there is pertinent information that is important to the case but not required on the application, please include in the information within the cover letter. For RAP Modifications, provide the reason for the modification in the cover letter. For all RAP Applications (including RAP Modifications and Transfer/Change of Ownership RAPs) please provide electronic copies of the application and attachments.</p>
	2. Include a check for the appropriate Soil RAP Application fee. In addition, make sure all other outstanding fees are paid (i.e., RAP annual fee, LSR fees, etc.). A fee schedule can be found at: www.nj.gov/dep/srp/fees/

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	3. Submit an RAR which demonstrates that the contamination has been delineated and that the institutional control and engineering control, as needed, addresses the restricted area. As part of the soil RAP application, provide a separate soil delineation map with soil sampling results that indicate a clean zone, or indicate where in the RAR such a map can be located. The RAR must be submitted prior to the Soil RAP Application and through the Department’s online portal at: www.nj.gov/dep/online/
	4. Provide a paper and electronic copy of the deed notice. This should be a copy of the document that was stamped by and filed with the county clerk’s office.
	5. If Financial Assurance (FA) is required for an engineering control, provide the original FA document and a completed Remediation Cost Review / RFS-FA Form found at www.nj.gov/dep/srp/srra/forms/ . For a Remediation Trust Fund, a copy of the trust agreement is sufficient.
	6. Submit a GIS compatible map of the restricted area shape to srpgis_dn@dep.nj.gov .

Soil Remedial Action Permit Application – Helpful Hints

Application

- Always list current Block and Lot numbers, regardless of what is on the deed notice. It may be helpful to list old Block and Lot numbers (label these as “FKA”; “formerly known as”).
- The Person Responsible for Conducting the Remediation (“PRCR,” Section D) is the party on the No Further Action letter or the party to whom the Licensed Site Remediation Professional (LSRP) issues the Response Action Outcome.
- When asked whether historic fill is impacting ground water, there must be ground water data to support a “No” answer.
- Under Contact Information for Financial Assurance (Section G), please provide names of the contacts. Do not enter “Accounts Payable,” “Loan Officer,” or anything similar.
- For the list of restricted areas and contaminants (Section H4 and H5), always fill out completely. Do not say “See Attached.”. For the contaminant list, enter the greatest concentration and the shallowest depth of each contaminant. The depth should be reported as the sample depth plus the thickness of the cap.

PRCR Signature:

The PRCR listed in Section D should be the party signing Section K. However, this may be problematic in cases in which the NFA letter was issued historically and the addressee of the NFA letter cannot currently be located. In these cases, document a good faith effort to locate the addressee of the NFA letter. Use certified letters, business databases, phone logs, etc. If contact information for the addressee of the NFA letter can be found, attempt to obtain that party’s signature. If, after a reasonable time, the PRCR will not sign the application, document the attempts to the Department. The Department will then put them on the permit. If the addressee of the NFA letter is no longer a viable entity, again, provide documentation. Supply bankruptcy dockets, business database printouts, or other documentation. If it is documented that the PRCR is not a viable entity, then the Department will not include them on the permit.

Deed Notices

When drafting the deed notice, you must follow the wording of the model document exactly. When attaching exhibits, provide **legible** maps and site diagrams. Site diagrams may be schematic, indicating which contaminants are located where at the site. Also, large data tables are not preferred, and the number of large tables submitted should be limited. When

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tables are large, if possible, submit one table with a listing of the greatest concentration of each contaminant and the shallowest depth at which it is found.

“Exhibit C (narrative descriptions of the institutional controls and, if applicable, engineering controls) should contain an inspection frequency.”. When a presumptive remedy is employed, this frequency must match the frequency required in N.J.A.C. 7:26E-5. If the inspection frequency of the presumptive remedy does not match the frequency required in N.J.A.C. 7:26E-5, the deed notice will be required to be terminated and a new deed notice filed.