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). The NJDEP will use the information presented in the form to update site information and determine the priority of the case and level of review, if necessary.

   This form shall be used by all persons who have obtained a Ground Water Remedial Action Permit and for those sites which have previously established a Classification Exception Area/Well Restriction Area (CEA/WRA) under a No Further Action Letter.

   Sites with a No Further Action Letter should submit a Ground Water Remedial Action Permit Application along with the Ground Water Remedial Action Protectiveness/Biennial Certification Form at the time the next biennial certification is due in accordance with N.J.A.C. 7:26C-7.6, ‘Remedial action permit application schedule’. All CEAs/WRAs should have a permit in place no later than May 7, 2014.

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/](http://www.nj.gov/dep/srp/srra/forms/).

3. **Signatures.** This form must be signed by the Person Responsible for Monitoring the Protectiveness of the Remedial Action and the Licensed Site Remediation Professional (LSRP) or the NJDEP licensed Subsurface Evaluator responsible for completion of the form and attached Exhibits.

   **LSRP vs. Subsurface Evaluator**

   Please make sure you check the appropriate box at the top of the form to indicate if a Licensed Site Remediation Professional (LSRP) or a Subsurface Evaluator is certifying the form. Ensure that the corresponding signature page is included with the form.

   The Subsurface Evaluator option is only for unregulated heating oil tanks (UHOT) where you are a NJDEP licensed Subsurface Evaluator and the remediation is for unregulated heating oil tank system(s) and no other areas of concern.

4. **Completed forms should be sent to:**
   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);
- **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;
- **Municipality:** Provide the name of the municipality(ies) where 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) Numbers:** The PI Number is assigned by the NJDEP and can be obtained via the web at [http://www.nj.gov/dep/srp/](http://www.nj.gov/dep/srp/) (DEP DATA MINER REPORTS).
• **Case Tracking Numbers:** Provide all NJDEP generated site identification numbers (Hotline incident numbers, UST Notice of Intent to Close numbers, ISRA numbers, etc.);

• **Municipal Block and Lot Numbers:** Provide the municipal block and lot numbers for the entire site (not just the municipal block and lot numbers of the CEA/WRA).

**Section B. Fees**

**Sites with a Ground Water Remedial Action Permit (RAP)** – If you are submitting this form for a site with an effective RAP, there is no fee. The cost of review is covered by the Annual Permit Fee.

**Sites without a Ground Water RAP** – For cases where the NJDEP has issued a Restricted Use or Limited Restricted Use No Further Action Letter and the NJDEP has not yet issued a permit, include a check in the amount of $375.00. Checks shall be made payable to “Treasurer State of New Jersey”. Please include your Program Interest (PI) Number on the check. Pursuant to N.J.A.C. 7:26C-7.6, this submission must also include an application to obtain a Ground Water RAP.

**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. Current Owner of the Site**

Complete this section for the current owner of the site. If the property owner of the site has changed since the last submission to the NJDEP, check the box, provide the date the change became effective, and complete this section. If the property owner has changed, as described above, and a Remedial Action Permit has been issued for this site pursuant to N.J.A.C. 7:26C-7, and the owner listed in the permit is not the same as the owner indicated in this form, submit a Remedial Action Permit Transfer/Change of Ownership Application, available from the NJDEP at [http://www.nj.gov/dep/srp/forms](http://www.nj.gov/dep/srp/forms). That application is needed because the new property owner must sign on as a co-permittee, and if applicable, provide financial assurance, before the former owner will be removed from the permit.

You are not required to complete this section if the current owner has not changed and is also the Person Responsible for Monitoring the Protectiveness of the Remedial Action; only check the box and go to the next section.

**Section E. Current Operator of the Site**

Complete this section for the current operator of the site. If the operator of the site has changed since the last submission to the NJDEP, check the box, provide the date the change became effective, and complete this section. You are not required to complete this section if the current operator is also the Person Responsible for Monitoring the Protectiveness of the Remedial Action; only check the box and go to the next section.

**Section F. Current Lessee of the Site**

Complete this section for the current lessee of the site. If the lessee of the site has changed since the last submission to the NJDEP, check the box, provide the date the change became effective, and complete this section. You are not required to complete this section if the current lessee of the site is also the Person Responsible for Monitoring the Protectiveness of the Remedial Action; only check the box and go to the next section.

**Section G. Remedial Action and CEA/WRA Information**

1. **Type of Ground Water Remediation**

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

   a. **Monitored Natural Attenuation**

      If you checked Monitored Natural Attenuation complete questions 1 through 6 underneath the check box as indicated below:

      1) Indicate if ground water sampling has been conducted at the site since the CEA/WRA was established or the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form, whichever is most recent. If “Yes,” attach a summary of the ground water sampling results to this form, including all historical ground water sampling data for the site.

      2) Indicate if the results of the ground water sampling demonstrate that contaminant concentrations have decreased to or below the applicable Ground Water Quality Standards for two consecutive sampling events accounting for seasonal fluctuation. If “Yes,” then submit a Ground Water Remedial Action Permit Application
for a termination or a request for a CEA/WRA lift for sites that do not currently have a Ground Water Remedial Action Permit 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 CEA/WRA was established or the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form, whichever is most recent.

3) Indicate if there is a decreasing trend of contaminant concentrations in the ground water. If the answer is “No” for this question, indicate if the ground water plume is considered stable. If “No,” then the permittee/co-permittee shall modify the Remedial Action and apply for a modification of the Ground Water Remedial Action Permit as necessary pursuant to N.J.A.C. 7:26C-7.9(d)2.

A ground water plume is considered stable if the concentration trends remain the same over time and the sentinel well concentration remains below the Ground Water Quality Standards. Evidence of a decreasing trend of contaminant concentrations in the ground water or a stable plume is required for Monitored Natural Attenuation to be considered as a remedy.

4) Indicate if the ground water plume is reaching the sentinel wells. All Ground Water Remedial Action Permits are required to have a “clean” sentinel well for the monitoring of the fate and transport of the ground water contaminant plume. If “Yes,” then the permittee/co-permittee shall complete additional delineation of the ground water contamination and modify the Remedial Action and apply for a modification of the Ground Water Remedial Action Permit as necessary pursuant to N.J.A.C. 7:26C-7.9(d)2.

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 1 through 7 as indicated below:

1) Indicate if ground water sampling has been conducted at the site since the CEA/WRA was established or the last submittal of the Remedial Action Protectiveness/Biennial Certification Form, whichever is most recent. If “Yes,” attach a summary of the ground water sampling results to this form, including all historical ground water sampling data for the site.

2) Indicate if the results of the ground water sampling demonstrate that contaminant concentrations have decreased to or below the applicable Ground Water Quality Standards for two consecutive sampling events accounting for seasonal fluctuation. If “Yes,” then submit a Ground Water Remedial Action Permit Application for a termination or a request for a CEA/WRA lift for sites that do not currently have a Ground Water Remedial Action Permit and skip the rest of this section. Only answer N/A to this question if ground water sampling has not been conducted since the CEA/WRA was established or the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form, whichever is most recent.

3) Indicate if there is a decreasing trend of contaminant concentrations in the ground water. If the answer is “No” for this question, indicate if the ground water plume is considered stable. If “No,” then the permittee/co-permittee shall modify the Remedial Action and apply for a modification of the Ground Water Remedial Action Permit as necessary pursuant to N.J.A.C. 7:26C-7.9(d)2.

A ground water plume is considered stable if the concentration trends remain the same over time and the sentinel well concentration remains below the Ground Water Quality Standards. Evidence of a decreasing trend of contaminant concentrations in the ground water or a stable plume is required for Monitored Natural Attenuation to be considered as a remedy.

4) Indicate if the ground water plume is reaching the sentinel wells. All Ground Water Remedial Action Permits are required to have a “clean” sentinel well for the monitoring of the fate and transport of the ground water contaminant plume. If “Yes,” then the permittee/co-permittee shall complete additional delineation of the ground water contamination and modify the Remedial Action and apply for a modification of the Ground Water Remedial Action Permit as necessary pursuant to N.J.A.C. 7:26C-7.9(d)2.

5) Indicate if the ground water plume is migrating horizontally or vertically into an uncontaminated aquifer zone below and adjacent to the contaminant plume.
6) Indicate if the ground water Remedial Action is performing as designed. If the answer is “No” for this question, provide an explanation.

7) Indicate if the active ground water treatment system been shutdown for longer than 24-hours since the CEA/WRA was established or the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form, whichever is more recent. If “Yes”, provide an explanation for the shutdown, including the duration of the shutdown and whether or not the shutdown rendered the Remedial Action not protective of public health, safety and of the environment.

8) Indicate the expected duration of the active remediation in whole years.

2. Indicate if a Technical Impracticability (TI) Determination has been submitted. If “Yes,” please provide the date of the TI Determination and attach a summary of the TI Determination and a 5-year evaluation if applicable.

3. Check the ground water monitoring schedule that is currently being applied for the site.

4. CEA/WRA Specific Information: Provide the date that the CEA/WRA was established, the expected expiration date of the CEA/WRA, the name of the impacted aquifer, the ground water classification, the ground water flow direction, the horizontal extent of the CEA/WRA in acres, and the vertical depth of the CEA/WRA. Attach a scaled site map with the extent of the CEA/WRA on it and all the monitoring wells associated with the CEA/WRA.

5. Indicate if the municipal block and lot numbers for the site have changed since the CEA/WRA was established or the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form, whichever is more recent. If “Yes,” attach a current tax map of the property, and list the former and new municipal block and lot numbers of the property.

6. Indicate if this form being submitted pursuant to a Ground Water Remedial Action Permit. If not, this submission must also include an application to obtain a Ground Water RAP.

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 site is located; the local, county and regional health department for each municipality and county in which the site is located; each current owner of the site; each current operator of the site; the Pinelands Commission as applicable; and the Highlands Commission as applicable.

8. Indicate if copies of this form and its attachments have been submitted to the NJDEP in both in paper and electronically on a CD in Adobe PDF format.

9. Indicate if monitoring wells associated with the CEA/WRA have been damaged, vandalized, repaired, replaced, or decommissioned pursuant to N.J.S.A. 58:4A and N.J.A.C. 7:9D. If “Yes,” attach a description of what occurred and, if applicable, a copy of the Well Abandonment Report for each well that has been damaged, vandalized, repaired, replaced, or decommissioned, and the construction specifications for each new/replacement well. Attach the maintenance and evaluation logs for all the monitoring wells associated with the CEA/WRA.

10. Indicate if additional monitoring wells have been installed since the CEA/WRA was established or the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form, whichever is more recent. If “Yes”, attach the construction specifications for each new well.

11. Indicate if the CEA/WRA has been revisited for any reason that did not require conducting additional remediation. If “Yes,” attach a new CEA/WRA Fact Sheet Form with all Exhibits and indicate which major CEA/WRA component(s) have been revised.

12. Indicate if you evaluated the Ground Water Quality Standards and other regulations and guidance relevant to the CEA/WRA and any resulting vapor intrusion risk, that have been modified after the establishment of the CEA/WRA or the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form, whichever is more recent.

13. Indicate if the CEA/WRA has been mapped and accurately depicts the CEA boundary on NJ-GeoWeb. If not, then submit a GIS compatible map, produced in conformance with guidance at [http://www.nj.gov/dep/srp/gis](http://www.nj.gov/dep/srp/gis), of the CEA/WRA by email to srpgis_cea@dep.state.nj.us.

**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 CEA boundary should be mapped as a DWG **Polygon** and the record(s) that depict the extent of the CEA boundary must be named “CEA_Boundary” in the Layer field. Do not name annotation, graphics or any other map element in this way.
Section H. Land Use, Changes, and Disturbances

1. – 3. Check all that apply indicating the land use(s) for the site.

4. Describe the current site operations and the status of any planned future land use(s) for the site.

5. Indicate if the property use for the site has changed to residential, school, and/or licensed child care facility since the CEA/WRA was established or the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form, whichever is most recent. If it has, indicate if you implemented a Presumptive Remedy, Alternate Remedy pre-approved by the NJDEP, or an unrestricted use remedy.

   If you implemented a Presumptive Remedy pursuant to the NJDEP's Presumptive Remedies for Soil Contamination at Schools, Child Care Centers, and Residences (N.J.A.C. 7:26E-5.3) briefly describe the presumptive remedy.

   If you implemented an Alternate Remedy attach a copy of the NJDEP's pre-approval letter.

6. Indicate if disturbances of the land, such as installation of a detention basin, have taken place.

   If “Yes”:
   a) Indicate the type of and the approximate date of the disturbance(s).
   b) Indicate if these disturbances resulted in a contaminated discharge to surface water that rendered the Remedial Action not protective of public health, safety and of the environment.
   c) Indicate if these disturbances intercept the water table within the CEA/WRA area in such a way that ground water sampling was needed to determine if the ground water contaminant plume could discharge to surface water. If “Yes,” indicate if the ground water meets the more stringent of either the New Jersey Surface Water Quality Criteria, N.J.A.C. 7:9B or the Federal Surface Water Quality Criteria, CFR Part 131.

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. Attach the results of the required updated well search to this form, including a scaled site map. Additional information about well searches for CEA Biennial Certification can be found at [http://www.state.nj.us/dep/srp/guidance/ceacompliance/tech/](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.

4. Indicate if the water use has changed within the well search area since the CEA/WRA was established or the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form, whichever is more recent. If “Yes,” briefly describe.

5. Indicate if any changes in water use altered the areal extent and/or the duration of the CEA/WRA.

6. Indicate if any of the following wells have been installed within one mile up-gradient, side-gradient, and down-gradient of the CEA/WRA since the CEA/WRA was established or the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form, whichever is more recent. 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.

7. Indicate if there are any planned changes in water use for the aquifers in which the CEA/WRA is located since the CEA/WRA was established or the last submittal of the Ground Water Remedial Action Protectiveness/Biennial Certification Form, whichever is more recent. Responses to this question should be based on municipal and water purveyor planning data. Users should not contact the NJDEP (i.e., New Jersey Geological Survey or Division of Water Supply and Geoscience) for information concerning ground water use planning horizons.

   Check all the sources that were evaluated to determine planned changes in water use.

8. Indicate if the actual or planned changes reported in items 1-7 above render the Remedial Action that includes the CEA/WRA not protective of public health, safety and of the environment. If “Yes,” then the permittee/co-permittee
shall modify the Remedial Action and apply for a modification of the Ground Water Remedial Action Permit as necessary pursuant to N.J.A.C. 7:26C-7.9(d2).

Section J. Vapor Intrusion

1. Indicate if volatile organic compounds are included in the CEA/WRA. If volatile organic compounds are included complete this section, otherwise proceed to the next section.

2. Based on the most recent data available, indicate if any of the contaminants in the CEA/WRA exceed the current Ground Water Screening Levels in the NJDEP’s Vapor Intrusion Technical Guidance Document (http://www.nj.gov/dep/srp/guidance/index.html#vi).

3. Indicate if it was necessary to re-evaluate the fate and transport of the ground water contaminant plume or the contaminants in the CEA/WRA with regard to vapor intrusion.

4. Indicate if there were any changes in property use that increased the risk of vapor intrusion.

5. Indicate if you investigated the vapor intrusion pathway.

   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.

   If you investigated the vapor intrusion pathway:
   a). Attach a scaled site map indicating the location of all structures investigated for vapor intrusion.
   b). Indicate if the investigation revealed that an Immediate Environmental Concern (IEC) condition exists. If “Yes,” provide the date of IEC Contaminant Source Control Report.
   c). Indicate if the investigation revealed that a Vapor Concern (VC) condition exists. If “Yes,” provide the date of VC Mitigation Response Action Report.
   d). Indicate if public notification was conducted to notify all applicable parties of the increased vapor intrusion risk.

6. Provide a written explanation of either how the vapor intrusion pathway was investigated or the reasons for not evaluating the vapor intrusion pathway.

7. Indicate if any vapor intrusion engineering control(s)/mitigation system(s) have been installed as a result of this ground water contamination.

   If “Yes,” indicate the type of system installed and attach the Operation, Maintenance, and Monitoring (OMM) Plan for the vapor intrusion engineering control(s)/mitigation system(s) both in paper and electronically (in “MS Word” file format). 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 the NJDEP’s Vapor Intrusion Technical Guidance Document at http://www.nj.gov/dep/srp/guidance/index.html#vi.

Section K. Financial Assurance

1. Indicate if the Remedial Action 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 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, than Financial Assurance (FA) is not required for the permit, skip the rest of this section and go to the next section. Note: Permits for Monitored Natural Attenuation do not require FA.

2. Indicate if both the “Person Responsible for Conducting the Remediation” and the current property owner are exempt from establishing FA pursuant to N.J.A.C. 7:26C-7.10(c). The Administrative Requirements for the Remediation of Contaminated Sites, specifically N.J.A.C. 7:26C-7.10(c), defines certain entities that are exempt from filing FA. Check all that qualifies the co-permittees to be exempted and skip the rest of this section and go to the next section.

   If either entity is not exempt, then establishment of the full amount of the FA is required by the non-exempt permittee(s) - attach a completed Remediation Cost Review and RFS/FA Form.

3. Indicate whether the current owner of the site is either a homeowner association or a condominium association. If a homeowner association or a condominium association is identified in Section D of this form, attach a copy of the association’s annual budget that includes funds for the operation, maintenance, and monitoring of the engineering
control(s) at the site. If the association identified in Section D of this form 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).

Section L. Person Responsible for Monitoring the Protectiveness of the Remedial Action

The certification in this section shall be signed and dated by the 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 person responsible for monitoring the protectiveness of the remedial action;
- Provide the full name of the representative of the 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 responsible for monitoring the protectiveness of the remedial action;
- Provide the title of the representative of the 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 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 responsible for monitoring the protectiveness of the remedial action;
- The representative for the 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 M. Complete the appropriate signature page.

The Subsurface Evaluator option is only for cases associated with unregulated heating oil tanks (UHOT) where you are a NJDEP licensed Subsurface Evaluator and the remediation is for unregulated heating oil tank system(s) and no other areas of concern.

Licensed Site Remediation Professional Information and Statement

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

**Subsurface Evaluator UST Report Certification Form**

• The certification in this section shall be signed and dated by the Subsurface Evaluator. Include the evaluator’s name, UST certification number, the firm’s name, the firm’s UST certification number, address (city/town, state, zip code), telephone number, and email address.