

NOTICE OF INCOMPLETE (NOI) INITIAL SOIL REMEDIAL ACTION PERMIT (RAP) APPLICATION CHECKLIST

The checked item(s) should be addressed within 60 days of receipt of this checklist. A checked item(s) was determined to be either incorrect or incomplete since sufficient scientific or technical justification were not provided for that item(s).

LSRPs may use these checklists when preparing to submit a RAP Application and Remedial Action Report (RAR) to confirm that sufficient information is included in these documents. The checklist should not be included with the RAP Application or RAR. Ensure that any exceptions that are identified on the checklist are further explained in Section K of the RAP Application or are clearly identified in the RAR.

RAP Application Submittal (N.J.A.C. 7:26C-7.5)

- ☐ Site address provided does not match what is in the tax database (i.e., etaxmaps.com, njpropertyrecords.com, and tax1.co.monmouth.nj.us/cgi-bin/prc6.cgi?district=1301&ms_user=monm) and the discrepancy was not explained
- ☐ Site block and lot provided does not match what is in the tax database and the discrepancy was not explained
- ☐ Person Responsible for Conducting the Remediation (PRCR) identified in Section D of the RAP Application does not match the entity listed on the No Further Action (NFA) Letter (Post-NFA Case), if applicable
See Section IV.4.a. of the Soil RAP Guidance Document for guidance on addressing this issue
- ☐ Property Owner identified in Section E of the RAP Application does not match what is in the tax database
- ☐ Contact information missing for the PRCR
- ☐ Contact information missing for the Property Owner
- ☐ "Care of" (c/o) entity provided for the PRCR or Property Owner is not acceptable
All contact information provided in the Soil RAP Application should be for the PRCR and current property owner, not the agent/person with power of attorney to sign this application on behalf of the PRCR and current property owner. See Section IV.4.c of the Department's Soil RAP Guidance document as it relates to the above issue.
- ☐ Required section(s)/question(s) not completed on the RAP Application
NJDEP Comments – Identify Section(s)/Question(s) left blank:

- ☐ Other Issue(s) or Additional NJDEP Comments:

Deed Notice Submittal (N.J.A.C. 7:26C-7.2)

- ☐ Deed Notice is not legible
NJDEP Comments – Identify portion(s):

- ☐ Deed Notice does not follow Model Document pursuant to Appendix B of N.J.A.C. 7:26C-7.2:
 - ☐ Wording of main body text has been changed
 - ☐ Table of Contaminants that are above the Soil Remediation Standards:
 - ☐ Missing ☐ Incomplete
 - ☐ Maps for Exhibits:
 - ☐ Missing ☐ Incomplete
 - ☐ Restricted Area depicted in Deed Notice:
 - ☐ Missing ☐ Incomplete

- ☐ Engineering Controls:
 - ☐ Missing ☐ Not Described ☐ Incomplete
- ☐ Cross Section of Engineering Controls:
 - ☐ Missing ☐ Incomplete
- ☐ Other Issue or NJDEP Comments:

- ☐ Deed Notice not consistent with RAR:
 - ☐ Remedial Action(s)
 - ☐ Restricted Area(s)
 - ☐ Engineering Control(s)
 - ☐ For the site not included
 - ☐ For an Environmentally Sensitive Natural Resource not included
 - ☐ For Vapor Intrusion/Indoor Air not included
 - ☐ Contaminants over Standards/Criteria not in Deed Notice as required
 - ☐ Other inconsistency(ies)
- NJDEP Comments – Identify inconsistency(ies):

- ☐ Other Issue(s) or Additional NJDEP Comments:

Horizontal and Vertical Delineation (N.J.A.C. 7:26E-4.2(a))

See Section III.1 of the Department's Soil RAP Guidance document as it relates to the below delineation issues.

- ☐ Vertical delineation:
 - ☐ Not conducted/incomplete
 - ☐ Insufficient information has been provided to support vertical delineation (i.e., at or as close as possible to the former Area of Concern (AOC)/source area/excavation area)
- NJDEP Comments – Identify AOC and sample(s)/depth(s):

- ☐ Horizontal delineation not conducted/incomplete:
 - NJDEP Comments – Identify AOC, sample(s)/depth(s), and direction(s):

- ☐ Additional NJDEP Comments – Identify why delineation appears not to be conducted/incomplete:

- ☐ Other Issue(s) or Additional NJDEP Comments:

RAR Submittal (N.J.A.C. 7:26C-7.5(b)4i and N.J.A.C. 7:26E-5)

☐ Engineering Control(s) not implemented as required pursuant to N.J.A.C. 7:26E-5.2(a)4:

☐ Engineering Control(s) for an Environmentally Sensitive Natural Resource

☐ Engineering Control(s) for Vapor Intrusion/Indoor Air

☐ Presumptive Remedy pursuant to N.J.A.C. 7:26E-5.3

☐ Other: _____

☐ Engineering Control(s) not acceptable/protective

NJDEP Comments – List reasons why:

See Section V of the Department's Soil RAP Guidance document as it relates to the above issue.

☐ Product or evidence of product (i.e., sheen, contaminant levels above soil saturation limits) is remaining and is not documented sufficiently/justified

NJDEP Comments – List reasons why:

☐ Extractable Petroleum Hydrocarbons (EPH) is above the applicable Default Product Limit (DPL) and is not documented sufficiently/justified

NJDEP Comments – List reasons why:

See Section III.2 of the Department's Soil RAP Guidance document and the Evaluation of Extractable Petroleum Hydrocarbons in Soil Technical Guidance document as it relates to the above issue.

☐ Polychlorinated Biphenyl (PCB) Self Implementation Plan

☐ Sent to EPA but not sent to NJDEP

☐ Not sent to EPA

☐ PCB Risk-Based Application

☐ Approved by EPA but documentation not sent to NJDEP

☐ Not sent/approved by the EPA

☐ Historic Fill contaminants listed not acceptable/documented sufficiently (e.g., Volatile Organic Compounds (VOCs), Pesticides, Naphthalene, etc.)

NJDEP Comments – Identify contaminant(s):

☐ Classification Exception Area (CEA)/Well Restriction Area (WRA) Fact Sheet Form for Historic Fill CEA not submitted as required

☐ RAR does not meet the general reporting requirements per N.J.A.C. 7:26E-5.7(b) and thus protectiveness cannot be determined

☐ Other Issue(s) or Additional NJDEP Comments:

Migration to Ground Water Exposure Pathway (N.J.A.C. 7:26E-5.1(b)1)

- ☐ Migration to Ground Water (MGW) Exposure Pathway evaluation not documented sufficiently/justified
NJDEP Comments – List reasons why:

- ☐ Low Permeability Cap not demonstrated to be an effective Soil Remedial Action for the site:

See the Department's Technical Guidance on the Capping of Volatile Contaminants for the Impact to Ground Water Pathway (now known as the MGW Exposure Pathway) guidance document as it relates to the below bullets.

- ☐ Capping of VOCs with ground water contamination – Monitored Natural Attenuation (MNA) not documented sufficiently/justified:
- ☐ Ground water data/monitoring plan or a Ground Water RAP Application has not been submitted when ground water contamination present
 - ☐ Stable or increasing contaminant trends
 - ☐ Product or evidence of product (i.e., sheen) remaining
See Section III.1.c of the Department's Ground Water RAP Guidance document as it relates to the above issue.
 - ☐ Insufficient ground water sampling events conducted
See Section III.1.b of the Department's Ground Water RAP Guidance document as it relates to the above issue.
 - ☐ Historic Ground Water Data Table missing or presentation of data unclear
See the Model Table in Appendix 1 of the Ground Water Remedial Action Permit Guidance Document as it relates to the above issue.
 - ☐ Other Issue or NJDEP Comments:

- ☐ Capping of VOCs without ground water contamination – Vapor Intrusion Exposure Pathway not documented sufficiently/justified:

- ☐ Soil gas samples not collected
- ☐ Soil vapor sample concentrations not below the Soil Gas Screening Levels for the Vapor Intrusion Exposure Pathway for the appropriate timeframe
- ☐ Other Issue or NJDEP Comments:

See the Department's Technical Guidance on the Capping of Inorganic and Semi-Volatile Contaminants for the Impact to Ground Water Pathway (now known as the MGW Exposure Pathway) guidance document as it relates to the below bullets.

- ☐ Capping of Inorganics/Semi-Volatile Organic Compounds (SVOCs) with ground water contamination not documented sufficiently/justified:

- ☐ Ground water data/monitoring plan or a Ground Water RAP Application has not been submitted when ground water contamination present
- ☐ Historic Ground Water Data Table establishing baseline missing or presentation of data unclear
See the Model Table in Appendix 1 of the Ground Water Remedial Action Permit Guidance Document as it relates to the above issue.
- ☐ Other Issue or NJDEP Comments:

- ☐ Capping of Inorganics/SVOCs without ground water contamination not documented sufficiently/justified:
- ☐ There is not a minimum 2-foot clean soil buffer above the seasonal high-water table (when ground water contamination is not present)
 - ☐ Other Issue or NJDEP Comments:

☐ Verification of the low permeability cap (i.e., cap integrity) not provided (e.g., geotechnical data)

☐ Other Issue(s) or Additional NJDEP Comments:

Financial Assurance (FA) Submittal (N.J.A.C. 7:26C-7.5(b)1.vi)

- ☐ FA not submitted with Remediation Cost Review and RFS/FA Form as required
- ☐ Other Issue(s) or NJDEP Comments:

Geographic Information System (GIS) Compatible Map of Restricted Area Shape (N.J.A.C. 7:26C-7.2(a)2)

☐ GIS Compatible Map of Restricted Area Shape:

- ☐ Not submitted
- ☐ Not acceptable

NJDEP Comments – List reason(s) why:

☐ Other Issue(s) or Additional NJDEP Comments:

NFA Letter for Post-NFA Case (N.J.A.C. 7:26C-7.5(c)3ii)

- ☐ NFA Letter for the site or AOC issued prior to May 7, 2012, not submitted
- ☐ Other Issue(s) or NJDEP Comments:

Additional NJDEP Comments

In addition to the NJDEP comments listed above, note the following: