



New Jersey Department of Environmental Protection
Contaminated Site Remediation & Redevelopment

**SOIL REMEDIAL ACTION PROTECTIVENESS/
BIENNIAL CERTIFICATION FORM**

Date Stamp
(For Department use only)

SECTION A. SITE NAME AND LOCATION

Site Name: _____
List all AKAs: _____
Street Address: _____
Municipality: _____ (Township, Borough or City)
County: _____ Zip Code: _____
Program Interest (PI) Number(s): _____
Soil Remedial Action Permit (RAP) Number: _____

SECTION B. FEES

- ☐ Soil Remedial Action Protectiveness/Biennial Certification Form for a Soil RAP (No Fee)
Have all outstanding Soil RAP annual fees been paid?..... ☐ Yes ☐ No
☐ Post-NFA Cases (Sites without a Soil RAP): Soil Remedial Action Protectiveness/Biennial Certification Form:

Note: A Soil RAP Initial 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.

	Effective on or Before June 30, 2024	Effective July 1, 2024
Without engineering control	\$5,770	\$6,295
With engineering control	\$5,880	\$6,405

SECTION C. FEE BILLING CONTACT PERSON

- ☐ Changed Since Last Submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form

Date of RAP Contact Information Change Form Submission: _____

Business Name: _____
First Name of Contact: _____ Last Name of Contact: _____
Title: _____
Phone Number: _____ Ext.: _____ Fax: _____
Mailing Address: _____
Municipality: _____ State: _____ Zip Code: _____
Email Address: _____

SECTION D. PERSON(S) RESPONSIBLE FOR CONDUCTING THE REMEDIATION

- Has the mailing address changed for the Person Responsible for Conducting the Remediation that is currently listed on the Soil RAP for the site?..... ☐ Yes ☐ No
If "Yes", provide the date of the Soil RAP Modification Application submission:
- Has the Contact Person/Information changed since the last submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form?..... ☐ Yes ☐ No
If "Yes", provide the date of the RAP Contact Information Change Form submission:

SECTION E. CURRENT OWNER(S) OF THE SITE

1. Has the Property Owner changed from what is currently listed on the Soil RAP for the site? ☐ Yes ☐ No
If "Yes", provide the date of the RAP Transfer/Change of Property
Ownership Application submission: _____
2. Has the mailing address changed for the Property Owner that is currently listed
on the Soil RAP for the site? ☐ Yes ☐ No
If "Yes", provide the date of the Soil RAP Modification Application submission: _____
3. Has the Contact Person/Information changed since the last submittal of the
Soil Remedial Action Protectiveness/Biennial Certification Form? ☐ Yes ☐ No
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*: (Check all that apply)

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

- ☐ The Soil Remedial Action Protectiveness/Biennial Certification Form using the current form on the NJDEP Website (Required).
- ☐ All inspection reports/logs that have been completed since the last submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form (Required).
- ☐ A contaminant concentration table that compares Soil Remediation Standard changes and order of magnitude analysis associated with the Soil RAP (Required).
- ☐ The Contaminants of Emerging Concern (CECs) evaluation completed associated with the Soil RAP (Required).
- ☐ A current Tax Map of the property if the block and lot has changed since the Deed Notice was filed, 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 Soil RAP, if applicable.
- ☐ The annual statements confirming the value of the Financial Assurance Instrument, if applicable.

SECTION G. DEED NOTICE/DECLARATION OF ENVIRONMENTAL RESTRICTION (DER)/NOTICE IN-LIEU OF DEED NOTICE INFORMATION

1. Provide the filing date of the current Deed Notice/DER or the issuance of the Notice In-Lieu of DN: _____
2. For the current Deed Notice/DER, provide the Book and Page numbers in which the
Deed Notice/DER was filed at the county recording office:
Book and Page Numbers: _____
3. Since the Deed Notice/DER was filed, did the Municipal
Block and Lot number(s) of the Deed Notice/DER change? ☐ Yes ☐ No
If "Yes", attach a current Tax Map of the property and list the former and new
Municipal Block and Lot numbers of the Deed Notice/DER below:
Former Municipal Block and Lot Number(s): _____
New Municipal Block and Lot Number(s): _____
4. Did you provide copies of this form 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; the
Pinelands Commission as applicable; and the Highlands Commission as applicable? ☐ Yes ☐ No

SECTION H. SITE USE, CHANGES, AND DISTURBANCES

1. Indicate current site use:

- | | | | |
|--------------------------------------|--|---|---------------------------------------|
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Child Care Facility | <input type="checkbox"/> Park or Recreational Use | <input type="checkbox"/> Solar Panels |
| <input type="checkbox"/> Residential | <input type="checkbox"/> Hospital | <input type="checkbox"/> Vacant | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Landfill | <input type="checkbox"/> Government Facility | |
| <input type="checkbox"/> School | <input type="checkbox"/> Agricultural | <input type="checkbox"/> Road/Right of Way | |

2. Has the site use(s) changed since the most recent Deed Notice/DER was filed or the issuance of the Notice In-Lieu of DN that would require the submission of a Soil RAP Modification Application? ☐ Yes ☐ No

If **"Yes"**, indicate what the change was and the date of the submission of a Soil RAP Modification Application:

Site Use Change: _____

Date of Soil RAP Modification Application Submission: _____

Note: Pursuant to N.J.A.C. 7:26E- 5.3, a Presumptive or Alternative Remedy is required for Schools, Child Care Centers, and Residences.

3. Have periodic inspections been conducted pursuant to Attachment A of the Soil RAP for the site to determine if disturbances of the remedial action/engineering control(s) have taken place since the last submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form? ☐ Yes ☐ No

If **"Yes"**, attach all inspection reports/logs that have been completed since the last submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form.

4. Have disturbances of the remedial action/engineering control(s) taken place since the last submittal of the Soil Remedial Action Protectiveness/Biennial Certification Form? ☐ Yes ☐ No

If **"Yes"**, provide the following information:

a) Date of Disturbance: _____ Duration of Disturbance: Months _____ Days _____

Describe the disturbance:

b) Was the remedial action/engineering control(s) restored to the conditions stated in the Deed Notice/DER/Notice In-Lieu of DN? ☐ Yes ☐ No

If **"No"**, briefly describe below the reasons why and indicate what measures are being taken to ensure the protectiveness of public health and safety and of the environment:

Approximate Date of Expected Engineering Control(s) Disturbance Repair*: _____

* Note that the engineering control(s) disturbance should be repaired within 60 days of the disturbance and that a Soil RAP Modification Application is required for any permanent change to the engineering control(s) for the site.

5. Since the Soil RAP was issued, did the comparison conducted pursuant to N.J.A.C. 7:26C-7.8(b)3 require the submission of a Soil RAP Modification Application? ☐ Yes ☐ No
If **"Yes"**, Provide the date of Soil RAP Modification Application Submission:
6. Did the comparison conducted above reveal a change in the Soil Remediation Standards? ☐ Yes ☐ No
If **"Yes"**, did the Soil Remediation Standards change by an order of magnitude? ☐ Yes ☐ No
If **"Yes"**, does the change require a modification of the institutional or engineering control? ☐ Yes ☐ No
If **"Yes"**, provide the date of Soil RAP Modification Application Submission:

Attach a contaminant concentration table that compares Soil Remediation Standard 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 Soil RAP. Evaluation does not mean analysis. Evaluation means using your professional judgement to determine if the compounds are potential contaminants of concern at the AOC(s) associated with the Soil RAP. 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/>.

7. Is 1,4-dioxane a potential contaminant of concern at the AOC(s) associated with the Soil RAP and does it require further remedial investigation? ☐ Yes ☐ No
8. Is perchlorate a potential contaminant of concern at the AOC(s) associated with the Soil RAP and does it require further remedial investigation? ☐ Yes ☐ No
9. Are per- and polyfluoroalkyl substances (PFAS), including but not limited to perfluorononanoic acid (PFNA), perfluorooctanoic acid (PFOA), and perfluorooctane sulfonic acid (PFOS) potential contaminants of concern at the AOC(s) associated with the Soil RAP and does it require further remedial investigation? ☐ Yes ☐ No
10. Is 1,2,3-trichloropropane (1,2,3-TCP) a potential contaminant of concern at the AOC(s) associated with the Soil RAP and does it require further remedial investigation? ☐ Yes ☐ No

Attach the results of the required emerging CECs evaluation:

If **"Yes"** to any of the questions 7 to 10 above, then provide a discussion of how this issue is being addressed:

SECTION I. VAPOR INTRUSION

1. Are compounds of potential vapor intrusion concern included in the Deed Notice/DER/Notice In-Lieu of DN? ☐ Yes ☐ No
If **"Yes"**, then complete this section; otherwise proceed to the next section.

2. Based on the most recent soil data available, do any contaminants of concern currently require a vapor intrusion investigation pursuant to N.J.A.C. 7:26E-1.15?..... ☐ Yes ☐ No

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.

3. Were there any changes in property use for the site or surrounding properties that required a vapor intrusion investigation from this soil contamination?..... ☐ Yes ☐ No

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:

4. Have any vapor intrusion engineering controls/mitigation systems been installed as a result of this soil 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"**) ☐ Yes ☐ No

If **"Yes"**, indicate the type of engineering control that was implemented: *(check all that apply)*

- ☐ Subsurface Depressurization System
- ☐ Subsurface Ventilation System
- ☐ Soil Vapor Extraction System
- ☐ HVAC Positive Pressure
- ☐ Other (specify): _____

Attach any vapor intrusion sampling results as required from the Vapor Intrusion Monitoring Plan 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 (e.g., active or passive), including the address and block and lot of each impacted property.

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

5. Is there sub-slab soil gas (SSSG) contamination above the NJDEP's Soil Gas Screening Levels (SGSLs) beneath any buildings that require a VI Long-Term Monitoring (LTM) Plan or a VI Change in Use Evaluation Plan, or both as a result of this soil contamination? ☐ Yes ☐ No

If "Yes", check all that apply and answer the question below:

- ☐ SSSG > SGSL and $\leq 10X$ NJDEP SGSL (VI LTM Plan pursuant to Table 6-2 of the VIT Guidance)
☐ SSSG > $10X$ NJDEP SGSL (VI LTM Plan pursuant to Table 6-2 of the VIT Guidance)
☐ SSSG > NJDEP Residential SGSL for Non-Residential Structure (VI Change in Use Evaluation Plan)

Have annual inspections been completed to determine if building conditions have changed and/or there has been a change in the use? ☐ Yes ☐ No

Attach a summary of the building inspections and/or any vapor intrusion sampling results as required from the VI LTM Plan or the VI Change in Use Evaluation Plan for the permit. Provide a scaled site map that clearly identifies the building(s) and/or structure(s) with the VI LTM Plan or the VI Change in Use Evaluation Plan, including the address and block and lot of each impacted property.

Note: A Soil RAP Modification Application should be submitted if the VI LTM Plan or the VI Change in Use Evaluation Plan is not included in the Soil RAP for the site.

6. Are there any buildings with an Indeterminate Vapor Intrusion Pathway status as a result of this soil contamination? ☐ Yes ☐ No

If "Yes", have annual inspection been completed to determine if there has been a change in the use? ☐ Yes ☐ No

Attach a 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.

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

SECTION J. FINANCIAL ASSURANCE

1. Does the Soil RAP/Deed Notice/DER/Notice In-Lieu of DN include an engineering control? ☐ Yes ☐ No

If "No", proceed to the next section.

2. Is Financial Assurance required for the site? ☐ Yes ☐ No

If "Yes", attach a completed Remediation Cost Review and RFS/FA Form with a detailed cost estimate.

3. If the Financial Assurance Instrument is a Line of Credit, Remediation Trust Fund, Surety Bond, or Environmental Insurance Policy, have annual statements confirming the value of the Financial Assurance Instrument been submitted pursuant to the permit schedule? ☐ Yes ☐ No

If "No", attach the annual statements confirming the value of the Financial Assurance Instrument.

4. If the current owner of the site is either a homeowner association or a condominium association, have copies of the annual budget that includes funds for the operation, maintenance, and monitoring of the engineering control(s) at the site been submitted pursuant to the permit schedule? ☐ Yes ☐ No

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 K. OTHER INFORMATION PROVIDED

List any other pertinent information to support the Soil Remedial Action Protectiveness/Biennial Certification Form. This section should include a discussion of any new information or soil data as it relates to the protectiveness of the soil remedial action for the site.

SECTION L. PERSON WITH PRIMARY CONTACT FOR PERMIT COMPLIANCE/PERSON RESPONSIBLE FOR MONITORING THE PROTECTIVENESS OF THE REMEDIAL ACTION INFORMATION AND CERTIFICATION

Affiliation/Name of Organization: _____

Representative First Name: _____ Representative Last Name: _____

Title: _____

Phone Number: _____ Ext.: _____ Fax: _____

Mailing Address: _____

Municipality: _____ State: _____ Zip Code: _____

Email Address: _____

Relationship to the Site (check all that apply)

- ☐ I am the Person Responsible for Conducting Remediation
- ☐ I am the current Owner
- ☐ I am the current Operator
- ☐ I am the current Lessee

This certification shall be signed by the person with primary contact for permit compliance/person responsible for monitoring the protectiveness of the remedial action in accordance with the Administrative Requirements for the Remediation of Contaminated Sites rule at N.J.A.C. 7:26C-1.5(a).

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, including all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

I also understand that engineering and institutional controls must be evaluated and maintained to ensure they remain protective of public health and safety and the environment.

Based upon the information provided herein, I hereby certify that the remedial action(s) implemented at the site that includes engineering and/or institutional controls remains protective of public health and safety and the environment.

Signature: _____ Date: _____

Name/Title: _____

Completed forms should be emailed to srp_submissions@dep.nj.gov.*

*All Soil 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
Contaminated Site Remediation & Redevelopment
NJ Department of Environmental Protection
401-05H
PO Box 420
Trenton, NJ 08625-0420

SECTION M. LICENSED SITE REMEDIATION PROFESSIONAL INFORMATION AND STATEMENT

LSRP ID Number: _____

First Name: _____ Last Name: _____

Phone Numbers: _____ Ext.: _____ Fax: _____

Mailing Address: _____

Municipality: _____ State: _____ Zip Code: _____

Email Address: _____

This statement shall be signed by the LSRP who is submitting this notification in accordance with N.J.S.A. 58:10C-14, and N.J.S.A. 58:10B-1.3b(1) and (2).

(1) *I certify, as a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C-1 et seq. to conduct business in New Jersey, that for the remediation described in this submission, and all attachments included in this submission, I personally: Managed, supervised, or performed the remediation conducted at this site that is described in this submission, and all attachments included in this submission; and/or periodically reviewed and evaluated the work performed by other persons that forms the basis for the information in this submission; and/or completed the work of another site remediation professional, licensed or not, after having: (1) reviewed all available documentation on which I relied; (2) conducted a site visit and observed the then-current conditions and verified the status of as much of the work as was reasonably observable; and (3) concluded, in the exercise of my independent professional judgment, that there was sufficient information upon which to complete any additional phase of remediation and prepare workplans and reports related thereto.*

(2) *I certify:*

- *That I have read this submission and all attachments to this submission;*
- *That in performing the professional services as the licensed site remediation professional for the entire site or each area of concern, I adhered to the professional conduct standards and requirements governing licensed site remediation professionals provided in N.J.S.A. 58:10C-16;*
- *That the remediation conducted at the entire site or each area of concern, that is described in this submission and all attachments to this submission, was conducted pursuant to and in compliance with the remediation requirements in N.J.S.A. 58:10C-14.c;*
- *That the remediation described in this submission, and all attachments to this submission, was conducted pursuant to and in compliance with the regulations of the Site Remediation Professional Licensing Board at N.J.A.C. 7:26I; and*
- *That the information contained in this submission and all attachments to this submission is true, accurate, and complete.*

(3) *I certify, when this submission includes a response action outcome, that the entire site or each area of concern has been remediated in compliance with all applicable statutes, rules, and regulations and is protective of public health and safety and the environment.*

(4) *I certify that no other person is authorized or able to use any password, encryption method, or electronic signature that the Board or the Department have provided to me.*

(5) *I certify that I understand and acknowledge that:*

- *If I knowingly make a false statement, representation, or certification in any document or information I submit to the Department I may be subject to civil and administrative enforcement pursuant to N.J.S.A. 58:10C-17.a.1(a) through (f) by the Board, including but not limited to license suspension, revocation, or denial of renewal; and*
- *If I purposely, knowingly, or recklessly make a false statement, representation, or certification in any application, form, record, document or other information submitted to the Department or required to be maintained pursuant to the Site Remediation Reform Act, I shall be guilty, upon conviction, of a crime of the third degree and shall, notwithstanding the provisions of subsection b. of N.J.S.2C:43-3, be subject to a fine of not less than \$5,000 nor more than \$75,000 per day of violation, or by imprisonment, or both.*

(6) *I certify that I have read this certification prior to signing, certifying, and making this submission.*

LSRP Signature: _____

Date: _____

LSRP Name: _____

Company Name: _____