**Contaminated Site or Landfill Eligibility Verification Form: Requirements, Instructions, Terms and Conditions**

The following eligibility verification form is intended for the development of community solar or grid supply solar electric power generation facilities that seek conditional certification from the Board of Public Utilities (“Board”) as being located on contaminated sites and landfills, meaning (1) any currently contaminated portion of a property on which industrial or commercial operations were conducted and a discharge occurred, and its associated disturbed areas, where ‘discharge’ means the same as the term is defined in section 23 of P.L.1993, c.139 (C.58:10B-1); or (2) a landfill facility and its associated disturbed areas as defined at N.J.S.A. 48:3-51. **Before completing the attached Eligibility Verification form, please carefully read all of the information below and in sections I, II, and III.**

Before applying: (1) the applicant should complete a “Permit Readiness Checklist” provided by the New Jersey Department of Environmental Protection’s Office (<https://www.nj.gov/dep/pcer/introcklist.htm>) to determine what permits may be required and to identify potential issues. (2) If the applicant proposes a site on a landfill, then the applicant must perform a “landfill assessment” of the properly closed area and its surroundings to determine the environmental controls, maintenance, and monitoring necessary for closure and post-closure care. If a physical investigation of the landfill is needed to complete the assessment then the applicant must obtain a Minor Disruption Approval pursuant to N.J.A.C. 7:26-2A.8 (j). For guidance on installing solar on landfills please review the NJDEP Division of Solid and Hazardous Waste Guidance Document at [www.nj.gov/dep/dshw/swp/solarguidance.pdf](http://www.nj.gov/dep/dshw/swp/solarguidance.pdf).

Additionally, the applicant should review the compliance history at the proposed site and the various operations that were conducted there. Satisfaction of all outstanding NJDEP regulatory compliance obligations is required prior to obtaining final certification. The applicant should identify if there are any outstanding compliance and enforcement issues associated with the property on which the proposed project is to be sited as early in the process as possible, and resolve accordingly, before submitting the Post Construction NJDEP Compliance Form.

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| **I. Minimum Qualification Requirements** |

Only those forms for projects proposed to be located on sites meeting the definition of a contaminated site or landfill, pursuant to N.J.S.A. 48:3-51, and which meet all the statutory requirements under either the Competitive Solar Incentive Program or the Community Solar Energy Program*,* will be considered as “connected to the transmission or distribution system” for purposes of SREC-II eligibility.

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| **II. Instructions for Completing the Verification Form** |

1. Each solar electric power generation facility seeking certification via the CSI program requires the submission of an individual verification form. Do not apply for more than one solar facility project per verification form. However, if certification of a single facility under more than one of the two designations specified in (1) is sought – for example, certification of a project as being located in part on a landfill and in part on a contaminated site is sought for one facility – a separate form is not required for each type of certification. The applicant shall specify in the relevant questionnaires below and on the required site maps delineating the location of the solar array(s) which portions of the site qualify for which designation. The applicant cannot state that a given portion of the site qualifies for more than one designation.
2. Complete sections A through G contained in this form, and affix the attachments required in the questions contained in section G below.
3. Original signatures on all forms and the certification contained in section H of this form are required. The certification contained in section H must also be notarized.

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| **III. Important Terms and Conditions** |

1. The “applicant” is defined as the entity that submits the eligibility verification form (i.e., an applicant may be a project developer, property owner, contractor, installer, land speculator, or agent of any thereof).
2. The applicant must demonstrate that the project meets the requirements to participate in the Successor Solar Incentive Program. Specifically:
   1. The project has received a conditional SREC-II award under the “Contaminated Sites and Landfills” tranche (Tranche 3) of the Competitive Solar Incentive Program; or
   2. The project meets all of the eligibility requirements for the Community Solar Energy Program.
3. The applicant must provide evidence that the contaminated or landfill portion of the property and its associated disturbed areas cover or exceed the area targeted for solar development. Associated disturbed areas will include areas, which may themselves not have been contaminated, but are clearly associated with contaminated areas or landfills. Examples include access roads, lay-down areas and former building sites that were previously part of an industrial or landfill complex. The associated disturbed areas cannot exceed 10% of the total land area targeted for solar development.
4. The applicant, by executing the verification form and certification, acknowledges on behalf of all project participants that full certification pursuant to the Successor Solar Incentive Program (“SuSI”) is a condition of SREC-II eligibility, but that it does not obviate the need for compliance with the SuSI Program registration requirements and the need to meet all relevant local, state and federal laws. In review of a verification from, the Board may attach specific conditions, including, but not limited to, setting the effective date of the project’s qualification life.
5. The applicant may be required to supplement the initial information provided during the verification process.
6. By submitting a verification form, the applicant acknowledges notice on behalf of all project participants that the information included in the verification form is subject to disclosure under the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. Aggregated information will be used by the Board and/or other state, federal, county, regional, or local agencies in reports and evaluations, and the geographic location may be used to update Geographic Information System mapping. Verification forms will be reviewed and decisions will be made by the Board, in consultation with NJDEP.
7. Amendments or supplements to the verification form will be provided via the Board website at www.nj.gov/bpu and NJCEP website at [www.njcleanenergy.com](file:///C:\Users\hunterb\AppData\Local\Microsoft\Windows\Temporary%20Internet%20Files\Content.Outlook\NHLCZUNU\www.njcleanenergy.com). This verification form may be modified at any time without prior notification.
8. Projects certified via the contaminated site or landfill eligibility verification process must also comply with all appropriate provisions of the Renewable Portfolio Standards rules, such as the SuSI Program rules at N.J.A.C. 14:8-11. The conditions for certification by the Board include the submission of a SuSI Program registration within fourteen days of an Order granting conditional certification, and compliance with all applicable local, state, and federal laws, permit requirements, and regulations.

**Verification forms submitted via US postal mail or fax will not be accepted. Submit verification forms electronically to the Secretary of the New Jersey Board of Public Utilities via** [board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov). **Community solar projects must also submit this for with their CSEP application.**

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| **A: Applicant Contact Information** |

Applicant Company Name (if applicable):

First Name: Last Name:

Daytime Phone: Email:

Applicant Mailing Address:

City: State: Zip Code:

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| **B: Applicant Role (Indicate the nature of the applicant, being sure to check all that apply)** |

Applicant is:  Solar Facility Installer/Developer  Solar Facility Owner  Property Owner

Agent (*if agent, what role is represented*)

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| **C: Property Owner Contact Information** |

Property Owner Company Name (if applicable):

First Name: Last Name:

Daytime Phone: Email:

Property Owner Mailing Address:

City: State: Zip Code:

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| **D: Solar Facility Owner (Who will own the Facility?)**  ***Complete if known. Duplicate data contained in A or C above, if applicable.*** |

Solar Facility Owner Company Name (if applicable):

Contact Person:

First Name: Last Name:

Daytime Phone: Email:

Solar Facility Owner Mailing Address:

City: State: Zip Code:

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| **E: Contractor / Solar Installer / Developer (Who will construct the Facility?)**  ***Complete if known. Duplicate data contained in A, C or D above, if applicable.*** |

Company Name (if applicable):

First Name: Last Name:

Daytime Phone: Email:

Mailing Address:

City: State: Zip Code:

Federal Tax I.D. Number:

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| **F: Proposed Solar Facility Characteristics; Size, Location, Point of Interconnection**  ***Complete if known.*** |

Solar Facility Size: MW ac MW dc total acreage of solar facility

Solar Facility Location (Address):

Solar Facility Block and Lot Number(s):

Solar Facility Municipality:

Solar Facility Zip Code:

Electric Distribution Company accommodating facility interconnection: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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| **G: Certification Questionnaire** |

What permits and/or approvals, if any, have you received from the NJDEP (e.g., Land Use, Air Quality, NJPDES, Solid Waste) directly related to the installation and operation of the solar facility on this property? Please list all permits and/or approvals and attach copies. Attach additional pages if necessary.

|  |  |  |  |
| --- | --- | --- | --- |
| **Permit**  **Description** | **Permit**  **Number** | **Date Permit**  **Issued** | **Copy**  **Attached** |
|  |  |  | Yes  No |
|  |  |  | Yes  No |
|  |  |  | Yes  No |
|  |  |  | Yes  No |
|  |  |  | Yes  No |
|  |  |  | Yes  No |

What other permits and/or approvals, if any, have you received from the NJDEP (e.g., Land Use, Air Quality, NJPDES) for the property relevant to the project? Please list all permits and/or approvals and attach copies. Attach additional pages if necessary.

|  |  |  |  |
| --- | --- | --- | --- |
| **Permit**  **Description** | **Permit**  **Number** | **Date Permit**  **Issued** | **Copy**  **Attached** |
|  |  |  | Yes  No |
|  |  |  | Yes  No |
|  |  |  | Yes  No |
|  |  |  | Yes  No |
|  |  |  | Yes  No |
|  |  |  | Yes  No |

Is the proposed facility located in the Pinelands National Reserve? ……………………………………...  Yes  No

If “Yes,” please attach any correspondence/approvals with the Pinelands Commission relating to the requirements under the Comprehensive Management Plan (“CMP”), available at www.nj.gov/pinelands/cmp.

Yes, I have attached the requested materials.

No, please explain below:

Are there any use restrictions at the site?   Yes  No

If “Yes,” explain the use restriction below and provide documentation that the proposed solar project is not prohibited.

Will the use restriction be required to be modified?  Yes  No

If “Yes,” explain the modification below.

**Describe how this project will be funded. Include not only the construction and interconnection of the solar array, but also any costs associated with the remediation of the site or closure of the landfill, including, but not limited to, costs associated with the completion of any investigations/assessments, document preparation, applications for any required permits/approvals, and construction and implementation of any remedy or closure plan.**

**Complete the questionnaire below** that corresponds to the category under which you are applying for certification:

1 – Landfills; 2 – Contaminated Sites. If applying for certification for more than one or both of the categories, the applicant must complete each applicable subsection. As noted above, if applying for more than one of the categories, the applicant must specify which portions of the site qualify for which category. If an applicant is seeking approval for more than one category, a map(s) shall be submitted that clearly delineates each land classification by block and lot.

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| **1 – Landfill Facility Questionnaire** |

*For guidance on installing solar on landfills please review the NJDEP Division of Solid and Hazardous Waste Guidance Document* at [www.nj.gov/dep/dshw/swp/solarguidance.pdf](file:///C:\Users\hunterb\AppData\Local\Microsoft\Windows\Temporary%20Internet%20Files\Content.Outlook\NHLCZUNU\www.nj.gov\dep\dshw\swp\solarguidance.pdf)

1. Name of the landfill facility as identified in NJDEP’s database of New Jersey landfills, available at [www.nj.gov/dep/dshw/lrm/landfill.htm](file:///C:\Users\hunterb\AppData\Local\Microsoft\Windows\Temporary%20Internet%20Files\Content.Outlook\NHLCZUNU\www.nj.gov\dep\dshw\lrm\landfill.htm). If the landfill is not listed in the database, provide your own name:

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1. NJDEP Site Remediation Program Interest Number, NJDEP Incident Number, Environmental Protection Agency (“EPA”) Identification Number, and/or NJDEP Known Contaminated Site List Number (located at [www.nj.gov/dep/srp/kcsnj/](http://www.nj.gov/dep/srp/kcsnj/). Please provide all identifying numbers applicable to the property:
2. NJDEP Solid Waste Program Interest (“SW PI”) Number or New Jersey Solid Waste Identification Number:

1. Owner of the landfill facility:

1. I have attached a **single map** detailing the property, the site plan for the solar array, the delineation and identification of the landfill waste footprint and other associated structures and equipment, & the official tax map with the parcels block and lot ………………….………………….………………….……………  Yes  No
2. A single map cannot clearly identify the block, lot, landfill waste footprint and solar array location. I have submitted separate maps for each block and lot …………………….………………….  Yes  No
3. I have attached documentation, such as a solid waste facility permit, closure and post-closure plan, or report of a landfill disruption, that provides a basis for the delineation of the landfill and other associated structures and equipment……………………………………………………………………………….  Yes  No
4. Date that the landfill facility ceased operations:
5. Indicate below the operating/closure status of the landfill:

A currently operating landfill with a solid waste facility permit under N.J.A.C. 7:26-2 with portions of the landfill terminated or closed.

A terminated landfill with an approved closure and post-closure plan and a professional engineer certification of closure as required by N.J.A.C. 7:26-2A.9.

A terminated landfill with an approved closure and post-closure plan, but no professional engineer certification of closure as required by N.J.A.C. 7:26-2A.9.

A terminated landfill with no approved closure and post-closure plan, but an assessment, or equivalent, has been conducted in accordance with N.J.A.C. 7:26-2A.9(e)3.

A terminated landfill where the closure status is unknown and no assessment, or equivalent, has been conducted as required by N.J.A.C. 7:26-2A.9(e)3.

Other. Provide description:

1. I have attached a copy of the permit, approval, report, certification and other documentation related to the status chosen in #7 above…………………………………………………………………….  Yes  N

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| **2 – Contaminated Sites Questionnaire** |

1. Name of Property:
2. NJDEP Site Remediation Program Interest Number, NJDEP Incident Number, Environmental Protection Agency (“EPA”) Identification Number, and/or NJDEP Known Contaminated Site List Number (located at [www.nj.gov/dep/srp/kcsnj/](file:///C:\Users\hunterb\AppData\Local\Microsoft\Windows\Temporary%20Internet%20Files\Content.Outlook\NHLCZUNU\www.nj.gov\dep\srp\kcsnj\)). Please provide all identifying numbers applicable to the property:
3. I have attached a **single** map detailing the property, the site plan of the solar array, all currently contaminated areas of concern (AOC)[[1]](#footnote-2), associated disturbed areas & the official tax map with the parcel’s block and lot...................... Yes  No
4. A single map cannot clearly identify the block, lot, solar array location and delineation of the contamination. I have submitted a separate map for each block and lot …………………………………… Yes  No
5. I have attached additional information and documentation to explain why a certain area is designated as an “associated disturbed area”. ……………………………………………………………………… Yes  No
6. I have attached a list of currently contaminated areas of concern with remediation status of each AOC.

………………………………………...………………………………………...…………………… Yes  No

1. Indicate the history of ownership and/or operatorship and provide a description of the nature of the operations at the property in the tables below. Provide sufficient history regarding the nature of the operations to facilitate the determination of whether the property was/is a commercial or industrial site. Attach additional sheets if necessary.

|  |  |  |
| --- | --- | --- |
| **Name of Property Owner** | **From** | **To** |
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|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Name of Operator** | **Nature of Operations** | **From** | **To** |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
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|  |  |  |  |

1. Does this site appear on the Active Site Report of the Known Contaminated Site List (<https://www.nj.gov/dep/srp/kcsnj/>)? Yes  No
2. Have you retained a Licensed Site Remediation Professional (“LSRP”) to conduct remediation at this site?  Yes  No

If “Yes,” provide the Name and License # of LSRP.

Name: License #:

If “No,” explain below:

1. Indicate below what remedial phases were conducted.

A preliminary assessment (“PA”) has been performed pursuant to the Technical Requirements for Site Remediation, N.J.A.C. 7:26E-3 and a copy of the report is attached.

A site investigation (“SI”) has been performed pursuant to the Technical Requirements for Site Remediation, N.J.A.C. 7:26E-3 and a copy of the report is attached.

A remedial investigation (“RI”) has been performed pursuant to the Technical Requirements for Site Remediation, N.J.A.C. 7:26E-4 and a copy of the report is attached.

A remedial action work plan (“RAWP”) has been approved by the NJDEP or certified by a Licensed Site Remediation Professional and a copy of the report is attached.

A remedial action report (“RAR”) has been approved by the NJDEP or certified by a Licensed Site Remediation Professional and a copy of the report is attached.

1. Has a final remediation document been issued for the property?  Yes  No

If “Yes,” submit a copy of the Response Action Outcome (“RAO”) issued by the LSRP  
or the No Further Action (“NFA”) letter issued by the NJDEP.

1. Will a soil or ground water remedial action permit be required for the property? Yes  No

|  |  |
| --- | --- |
| **Type of Remedial Action Permit Needed** | **Check all that apply** |
| Soil without engineering control |  |
| Soil with engineering control |  |
| Ground water natural attenuation |  |
| Ground water other than natural attenuation |  |

Has a soil or ground water remedial action permit been issued for the property?  Yes  No

If “Yes,” list the permit number for the appropriate remedial action permit(s) issued  
for the property and attach a copy.

|  |  |
| --- | --- |
| **Type of Remedial Action Permit** | **Permit Number** |
| Soil without engineering control |  |
| Soil with engineering control |  |
| Ground water natural attenuation |  |
| Ground water other than natural attenuation |  |

1. Is the portion of the property on which the solar facility is proposed to be located within the boundary of the area covered by the proposed/issued remedial action permit? Check all that apply:

|  |  |
| --- | --- |
| **Type of Remedial Action Permit** | **Solar facility located with boundary of area covered by Remedial Action Permit** |
| Soil without engineering control | Yes  No |
| Soil with engineering control | Yes  No |
| Ground water natural attenuation | Yes  No |
| Ground water other than natural attenuation | Yes  No |

1. List any existing remedial action permits that will be required to be modified as part of the solar project.

|  |  |
| --- | --- |
| **Type of Remedial Action Permit Requiring Modification** | **Permit Number** |
| Soil without engineering control |  |
| Soil with engineering control |  |
| Ground water natural attenuation |  |
| Ground water other than natural attenuation |  |

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| **H: Certifications** |

**Applicant/Project Installer/Developer Certification**

The undersigned warrants, certifies, and represents that:

1) The information provided in this verification package has been personally examined, is true, accurate, complete, and correct to the best of the undersigned’s knowledge, based on personal knowledge or on inquiry of individuals with such knowledge; and

2) The system proposed in the verification form will be constructed, installed, and operated as described in the verification form and in accordance with all Board rules and applicable laws;

3) The system proposed in the verification form will be constructed, installed, and operated in accordance with all Board policies and procedures for the Successor Solar Incentive Program;

4) All signing parties understand that certain information in this verification form is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq.; and

5) All signing parties acknowledge that **submission of false information may be grounds for denial of eligibility for participating in the Successor Solar Incentive Program, and if any of the** **foregoing statements are willfully false, they are subject to punishment to the full extent of the law, including the possibility of fine and imprisonment.**

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed and sworn to before me on this \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name

**Proposed Facility Owner (if known)**

The undersigned warrants, certifies, and represents that:

1) The information provided in this verification package has been personally examined, is true, accurate, complete, and correct to the best of the undersigned’s knowledge, based on personal knowledge or on inquiry of individuals with such knowledge; and

2) The system proposed in the verification form will be constructed, installed, and operated as described in the verification form and in accordance with all Board rules and applicable laws;

3) The system proposed in the verification form will be constructed, installed, and operated in accordance with all Board policies and procedures for the Successor Solar Incentive Program;

4) All signing parties understand that certain information in this verification form is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq.; and

5) All signing parties acknowledge that **submission of false information may be grounds for denial of eligibility for participation in the Successor Solar Incentive Program, and if any of the** **foregoing statements are willfully false, they are subject to punishment to the full extent of the law, including the possibility of fine and imprisonment.**

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed and sworn to before me on this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name

**Property Owner**

The undersigned warrants, certifies, and represents that:

1) The information provided in this verification package has been personally examined, is true, accurate, complete, and correct to the best of the undersigned’s knowledge, based on personal knowledge or on inquiry of individuals with such knowledge; and

2) The system proposed in the verification form will be constructed, installed, and operated as described in the verification form and in accordance with all Board rules and applicable laws;

3) The system proposed in the verification form will be constructed, installed, and operated in accordance with all Board policies and procedures for the Successor Solar Incentive Program;

4) All signing parties understand that certain information in this verification form is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq.; and

5) All signing parties acknowledge that **submission of false information may be grounds for denial of eligibility for participation in the Successor Solar Incentive Program, and if any of the** **foregoing statements are willfully false, they are subject to punishment to the full extent of the law, including the possibility of fine and imprisonment.**

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed and sworn to before me on this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name

1. The definition of area of concern (“AOC”) can be found in N.J.A.C. 7:26E TECHNICAL REQUIREMENTS FOR SITE REMEDIATION [↑](#footnote-ref-2)