



New Mexico Environment Department Ground Water Quality Bureau

Voluntary Remediation Program Application for Determination of Eligibility

Thank you for your interest in participating in the Voluntary Remediation Program. Eligibility requirements as well as all aspects of the VRP are described in New Mexico's Voluntary Remediation Act (NMSA 1978, Sections 74-4G-1, et seq.) and Regulations (20.6.3 NMAC). Information about the program is also posted on NMED's website:

<http://www.env.nm.gov/gwqb/ros-vrp/>

It is strongly recommended that you contact the VRP staff at 505-827-2900 to discuss your project before submitting an application.

A complete application includes:

- Application Form
- Attachments
 - Vicinity map indicating the site location
 - Site map and legal description
 - Written consent from current site owner, if different from applicant
 - Preliminary Voluntary Remediation Work Plan
 - Current Phase I Environmental Site Assessment Report per ASTM Standard Practice E 1527 (or equivalent)
- Non-refundable Application Fee of \$1000, payable to the New Mexico Environment Department. Please note: when you provide a check as payment, you authorize the State of New Mexico to either use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. *After acceptance into the program, additional oversight fees apply. Governmental entities and non-profit organizations should consult with NMED regarding fees prior to applying.*

Please submit a paper and an electronic copy of your application to:

Voluntary Remediation Program
Ground Water Quality Bureau
New Mexico Environment Department
PO Box 5469
Santa Fe, NM 87502

ros.general@env.nm.gov

If other than U.S. Postal Service:
1190 St. Francis Dr., Suite N-2200
Santa Fe, NM 87505



RESTORE*REVITALIZE
NEW MEXICO BROWNFIELDS

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SECTION I: SITE NAME AND LOCATION

If the site does not have an address, describe the location by road intersections, mile posts, or landmarks, as appropriate. **Attach a vicinity map showing the site location, a site map and a legal description.**

Site Name _____
Address/Location _____
City _____ County _____ Zip _____
Latitude/Longitude _____ Size (acres) _____
Township/Range/Section(s) _____

SECTION II: APPLICANT INFORMATION

An applicant may be a person or an entity (e.g., corporation, partnership, organization, municipality, etc.). If an applicant is an entity, then the name and title of a contact person must be provided. This application must be signed by the applicants or contact persons identified here. The Primary Applicant will serve as NMED's primary point of contact. If there are more than 2 applicants, please identify the additional applicants on a separate sheet.

Primary Applicant _____
Mailing address _____
Contact person _____ Title _____
Telephone number(s) _____
Fax number _____ E-mail address _____
Check at least one: Owner Operator Prospective Owner Prospective Operator

Applicant B _____
Mailing address _____
Contact person _____ Title _____
Telephone number(s) _____
Fax number _____ E-mail address _____
Check at least one: Owner Operator Prospective Owner Prospective Operator

Other Contacts (if applicable), e.g., environmental consultant, attorney.

Entity Name _____
Mailing address _____

Contact person _____ Title _____
Telephone number(s) _____
Fax number _____ E-mail address _____

Entity Name _____
Mailing address _____

Contact person _____ Title _____
Telephone number(s) _____
Fax number _____ E-mail address _____

Applicant Environmental Compliance History.

Please provide the information below for the 10 years immediately preceding the date of submission of this application for each applicant, and for any predecessor, successor, assign, parent, subsidiary, affiliate, officer, director, partner, managing agent or employee of the applicant.

List past, present and pending environmental permits – local, state or federal.	
List any revocation or suspension of an environmental permit.	
List any approved remediation plans in New Mexico and other states.	

SECTION III: ADDITIONAL SITE INFORMATION

Current Site Owner. *If different from the applicant(s), attach written consent from the owner, supporting the proposed voluntary remediation activities and granting access to the property to conduct the remediation activities.*

Owner Name _____

Contact person _____ Title _____

Telephone number(s) _____

E-mail address _____

Current Use of the Site.

Describe the current use of the property, and identify the current operator of any facilities at the site.	
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Historical Use of the Site.

Describe the prior uses of the site. Identify past owners and past operators of any facilities at the site.	
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Environmental Conditions at the Site.

Identify the contaminants of potential concern at the site and the media potentially affected.	
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Attach a current Phase I Environmental Site Assessment Report, which conforms with ASTM Standard Practice E 1527. You may submit an equivalent assessment that at a minimum includes the information listed in 20.6.3.200(B)(3) NMAC, but to avoid delays in processing your application, please first consult with VRP staff as to whether your equivalent will be acceptable.

Regulatory Actions Applicable to the Site.

List past, present, and pending regulatory permits for the site.	
List any pending notice of violation* addressing a contaminant at the site or facility.	

List any pending enforcement action concerning remediation at the site.	
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**The Voluntary Remediation Act defines “enforcement action” to include a written notice, order or judicial action from a state or federal agency requiring or involving the removal or remediation of contaminants described in this application. See Section 74-4G-3 NMSA 1978.*

SECTION IV: PROPOSED REMEDIATION ACTIVITIES

Attach a Preliminary Voluntary Remediation Work Plan that describes the proposed remediation activities as they are currently envisioned. If no additional assessment and/or remediation activities are proposed, make this intention clear in the preliminary work plan. Explain how site conditions already meet the performance standard, and identify intended future submittals.

Recommended Content and Format for the Preliminary Work Plan

- 1.0** Introduction
- 2.0** Background
 - 2.1** Site description and physical setting
 - 2.2** Site history and land use
 - 2.3** Summary of previous assessments and remediation (if applicable)
 - 2.4** Suspected/known contaminants of concern
- 3.0** Proposed Performance Standard (see 20.6.3.10 NMAC)
- 4.0** Summary of Proposed Sampling and Analysis
- 5.0** Summary of Proposed Remediation
- 6.0** How Proposed Activities Will Meet the VRP Performance Standard
- 7.0** References

SECTION V: DECLARATIONS

A. Declaration of Ability and Intent.

I attest under the pains and penalties of perjury that:

- a) I am the applicant or the authorized representative of the applicant, and I am fully authorized to make this attestation of behalf of and to legally bind the applicant;
- b) I have personally examined and am familiar with the requirements of the Voluntary Remediation Act, NMSA 1978 Sections 74-4-1, et seq., and Voluntary Remediation Regulations, 20.6.3 NMAC;
- c) Based upon my inquiry of the person(s) employed or engaged to perform work pursuant to this application, and based upon my understanding and the understanding of said person(s) as to the estimated costs of the proposed voluntary remediation actions, the applicant has the technical, financial, and legal ability and intent to proceed with the proposed voluntary

remediation actions in accordance with the the Voluntary Remediation Act and 20.6.3 NMAC, and other applicable requirements; and

- d) The applicant will notify the NMED upon becoming aware of an inability to proceed with the proposed voluntary remediation actions because such actions are beyond the applicant's technical, financial, or legal ability to perform them.

B. Declaration Regarding Environmental Compliance.

I attest that the applicant within the ten years immediately preceding the date of submission of this application:

- a) has not knowingly misrepresented a material fact in an application for a permit or plan submitted pursuant to any state, federal or local environmental law;
- b) has not refused or failed to disclose any material information required under the Voluntary Remediation Act;
- c) has not exhibited a history of willful disregard for environmental laws of any state or of the United States; and
- d) has not had an environmental permit revoked or permanently suspended for cause pursuant to provisions of environmental laws of any state or of the United States.

Primary Applicant

Applicant Signature (or Authorized Signatory) Date

Printed Name Title

Applicant B

Applicant Signature (or Authorized Signatory) Date

Printed Name Title