



C

State of New Jersey

Department of Environmental Protection

Jon S. Corzine
Governor



Bureau of Underground Storage Tanks
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P.O. Box 433
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Phone #: 609-292-8761
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OCT 29 2009

cc: Adm.
DPL
PLEN.
Bldg.

Attn: Fred Mond
Bartley Chester Road, Inc.
P.O. Box 173
Flanders, NJ 07836

NOTICE OF DEFICIENCY

Re: Laidlaw Transit, Inc
Bartley Chester Road Rd
Mount Olive Township, Morris County
SRP PI# 012131
Activity Number Reference: USR000001
Case #: 88-11-21-0100 BUST C2
SEC #: 5
Preliminary Assessment Report Dated: May 2009

Dear Mr. Mond:

The New Jersey Department of Environmental Protection (Department) acknowledges receipt on May 27, 2009, of the Preliminary Assessment (PA) Report which was submitted in regard to the above referenced site. The PA was submitted pursuant to the Underground Storage Tank regulations at N.J.A.C. 7:14B (UST Rule) and the Technical Requirements for Site Remediation at N.J.A.C. 7:26E (Tech Rule).

A. Deficiencies

The Department has completed its review of your submittal and identified the following deficiencies:

1. *Failure to remediate a discharge pursuant to N.J.A.C. 7:26E.* Specifically, the PA Report which was submitted for the site did not include the required review fee nor did it include adequate recommendations, as stipulated below.

- a. *Failure to submit the payment of applicable fixed cost fee.* Specifically, the required fee was not included with the PA Report. As stipulated in N.J.A.C. 7:26C, and as indicated in email correspondence dated 4/09/09 between the Department and Bob Fenz of Betts Environmental, a PA review fee is required to be submitted with the report.
- b. *Failure to include an adequate recommendation for each area of concern in the Preliminary Assessment Report.* Specifically, several of the Areas of Concern (AOCs) which were identified in the PA are required to be investigated via the site investigation (SI) requirements stipulated in N.J.A.C. 7:26E. The recommendation of closure of the identified AOCs with limited post-excavation sampling in lieu of an adequate SI is not acceptable.

B. Corrective Actions

To correct these deficiencies please take the following actions or make the required submittals within the timeframes indicated:

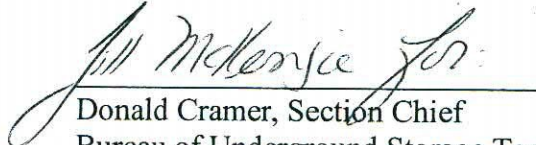
- 1. Within **60 days** of receipt of this correspondence, submit a PA Report Addendum which includes the following items:
 - a. Submit the required PA review fee as stipulated in N.J.A.C. 726C.
 - b. Submit recommendations that include conducting a SI for each AOC which was identified as requiring either further evaluation or remediation. This shall include, but not necessarily be limited to, conducting the required SI at the historic septic systems which serviced the garage building; the dry well which accepted discharges from the oil/water separator; the floor drain collection system; the remaining piping associated with the heating oil UST which runs beneath the building; the oil/water separator; and any other AOC at which it was determined that a discharge may have occurred or at which a no further action status will be requested. Specific comments on the proposed workplan which was submitted with the PA will be commented on under separate cover.

Note that if deficiencies included herein are not addressed to the Department's satisfaction within the specified time period the Department will consider them to be violations and may assess penalties pursuant to N.J.A.C. 7:26C-10.

If you require copies of Department Guidance Documents or applications, many of these are available on the internet <http://www.state.nj.us/dep/srp>. If you have any questions

regarding this matter contact Jill McKenzie, Case Manager, at (609) 292-1993 prior to the date indicated.

Sincerely,


Donald Cramer, Section Chief
Bureau of Underground Storage Tanks

cc: Jill McKenzie, BUST
Robert Fenz, Betts Environmental
Mary Mazzocchi, NJ Bus Company
Municipal Clerk, Mount Olive Township
Health Officer, Mount Olive Township