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*Clerk*  
cc: Admin  
DPW

**State of New Jersey**

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF LAND USE REGULATION

P.O. BOX 439

Trenton, NJ 08625-0439

www.state.nj.us/dep/landuse

CHRIS CHRISTIE  
Governor

BOB MARTIN  
Acting Commissioner

KIM GUADAGNO  
Lt. Governor

MAR 09 2010

Mr. Tim Quinn, Director of Public Works  
Mount Olive Township  
P.O. Box 450  
Budd Lake, NJ 07828

Re: Emergency Highlands Preservation Area Approval for Turkey Brook Park Well 2  
DLUR File No.: 1427-07-0005.1 (SHR 090001)  
BWA File No.: 5103  
BWSWP File No: PWSID No. NJ1427002  
Mount Olive Township, Morris County  
Block: 7600; Lot: 71

Dear Mr. Quinn:

This letter is in response to the February 1, 2010 letter from Patrick Cole of CMX sent on behalf of the Township of Mount Olive. An Emergency Highlands Preservation Area Approval (Emergency Approval) was issued by the Division of Land Use Regulation (Division) on March 24, 2009 to allow emergency use of Turkey Brook Park Well 2 (Well ID 25-60607) to supply water to existing homes typically served by the Goldmine Water System. The February 1, 2010 letter requests reissuance of that Emergency Approval as the existing Goldmine Wells 1 and 2 are no longer operable, and an alternate source of supply has not been approved or constructed.

As you know, Turkey Brook Park Well 2 was drilled by a Journeyman well driller and designated as an irrigation well. It is located in the Highlands Preservation Area and a municipal park. Further, the water treatment plant and ancillary piping which were reported to have been constructed at the site were constructed without required permits from the Bureau of Water Systems and Well Permitting, and the well is not included in your Water Allocation Permit as a Community Water Supply Well.


Documentation submitted by the Township has demonstrated that the water quality from Turkey Brook Park Well 2 meets primary acute (Total Coliform and Nitrates) drinking water standards and the well will be put on a monitoring schedule to include all primary and secondary drinking water standards. Given the emergency situation, the Department of Environmental Protection (Department) hereby agrees to the limited operation of Turkey Brook Park Well 2 subject to the following conditions:

1. Mount Olive Township has submitted an application for a Highlands Preservation Area Approval (HPAA) with a Health and Safety Waiver, which includes water allocation and water supply elements. That application proposes interconnection of the Goldmine Water System with the Tinc Farm, Lynwood, and Morris Chase systems, and the use of Turkey Brook Park Well 2 as a back-up potable well. The Division requested additional information and revisions to that application on December 10, 2010. The Township shall respond to the Division's December 10, 2010 deficiency letter within 30 days of the date of this letter. The Water Allocation Element of the HPAA shall be resubmitted in accordance with the September 23, 2009 Administratively Incomplete letter. In addition, the Township shall respond within 30 days of any additional Department requests for information or revisions relating to this application.
2. The water allocation element of the HPAA application to use Turkey Brook Well 2 as a back-up water supply must be submitted within 60 days of completion of the required aquifer testing.
3. Mount Olive Township has completed the interconnection between the Goldmine Water System and the Morris Chase Public Community Water System storage tank in accordance with the Highlands Applicability Determination issued on May 15, 2009, the Clarification of Highlands Applicability Determination issued on July 13, 2009, and an Interconnection Construct Only Permit (WCP080006) issued on September 18, 2009. With this interconnection completed, aquifer testing of Turkey Brook Well 2 shall commence no later than 60 days from the date of this letter.
4. The emergency use of Turkey Brook Park Well 2 as the primary water source for the Goldmine Development is permitted until the interconnection between the Goldmine Water System and the Tinc, Lynwood, and/or Morris Chase Water System has been approved by the Department and constructed, or until the Department directs the Township to stop its use of the well, but in no case beyond March 9, 2011.
5. Mandatory water use restrictions including a total outside water use ban shall be in effect and enforced until the Department has determined that a water supply emergency no longer exists.
6. Turkey Brook Park Well 2 shall be monitored in accordance with the Safe Drinking Water Act, N.J.S.A. 58:12A-1 et seq., the Safe Drinking Water Act regulations, N.J.A.C. 7:10-1 et seq., the Water Supply Management Act, N.J.S.A 58:1A-1 et seq., and the Water Supply Management Act regulations, N.J.A.C. 7:19-1 et seq.
7. Mount Olive Township is subject to the requirements contained in any Emergency Well Approval issued by the Division of Water Supply.

If Mount Olive Township fails to comply with any of the above items, the Township will no longer have the agreement of the Department for emergency operation of Turkey Brook Park Well 2. Please note that nothing in this letter shall be construed as being the Department's intent that the Well will be ultimately approved for emergency use as a back-up Community Water Supply Well, as a modification or relaxation of the conditions of the Water Use Registration regulating Turkey Brook Park Well 2, or as relieving Mount Olive Township of any liability for having constructed or modified facilities without a permit, as required by N.J.A.C. 7:10-11.5(a). Other correspondence from the Division of Water Supply may address measures which need to be taken for overall system source, storage and reliability so that the Township's water supply needs are met without further emergency measures or approvals.

Should you have any questions, please contact Susan Michniewski at (609) 777-0454 of the Division of Land Use Regulation or Wade Wertman of the Bureau of Water Systems and Well Permitting at (609) 984-6831.

Sincerely,



Richard C. Reilly, Manager  
Bureau of Inland Regulation

cc: Patrick Cole, CMX (200 State Highway 9, P.O. Box 900, Manalapan, NJ 07726-0900)  
Highlands Council (100 North Road, Route 513, Chester, NJ 07930)  
Mount Olive Township Clerk  
Bryan Sharrock, Northern Bureau of Water Compliance and Enforcement  
Eugene Buczynski, CMX (20 Waterview Boulevard, P.O. Box 5245, Parsippany, NJ 07054-6245)  
John Fields, Bureau of Water Systems and Well Permitting  
Wade Wertman, Bureau of Water Systems and Well Permitting  
Jan Gheen, Water Allocation  
Robert Rodriguez, Green Acres  
Terry Pilawski, Division of Watershed Management  
Matthew Maffie, Bureau of Safe Drinking Water Implementation  
Daniel Bello, Division of Land Use Regulation  
Susan Michniewski, Division of Land Use Regulation