



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Land Use Regulation  
P.O. Box 439, Trenton, NJ 08625-0439  
Fax # (609) 292-8115  
www.state.nj.us/dep/landuse

JON S. CORZINE  
Governor

cc: Admin  
Mt Olive  
Clerk



MAR 24 2009

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)  
BWSWP File No: PWSID No. NJ1427002  
Mount Olive Township, Morris County  
Block: 7600; Lot: 71

Dear Mr. Quinn:

This letter is in response to your correspondence dated February 27, 2009, requesting 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. Your letter explained that the existing Goldmine Wells 1 and 2 are no longer operable.

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 also a municipal park which received Green Acres monies. 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. Should Mount Olive Township decide to proceed with the pending Highlands Preservation Area Approval (HPAA) to designate Turkey Brook Well 2 as the primary water source for the Goldmine Development, the Township shall respond within 30 days of any Department requests for additional information or revisions relating to that application. The water allocation element of any HPAA application to

use Turkey Brook Well 2 as either a primary or back-up water supply, must be submitted within 60 days of completion of the required aquifer testing. Note that use of Turkey Brook Park Well 2 as the primary water supply to serve the Goldmine Development is considered to be a diversion of parkland. Its permanent use as the primary water supply would require the approval of the Department's Commissioner and the State House Commission through the diversion process.


2. Mount Olive Township has submitted a Highlands Applicability Determination and Water Quality Management Plan Consistency Determination (Highlands Applicability Determination) application for the proposed interconnection of the Tinc Farm and Lynwood Water Systems with the Goldmine Water System. Should the Department determine the proposed interconnection to be "not exempt" under the New Jersey Highlands Water Protection and Planning Act Rules (Highlands Rules), N.J.A.C. 7:38, and the Township decides to pursue the interconnection in addition to permanent, emergency use of Turkey Brook Well 2, the Township shall submit a complete HPA application for the proposed interconnection. That application shall be submitted to the Division of Land Use Regulation within thirty (45) days of the date of the Highlands Applicability Determination.
3. Mount Olive Township has also submitted a Highlands Applicability Determination application for interconnection of the Goldmine Water System with the Morris Chase Public Community Water System (PCWS) storage tank. Should the proposed interconnection be determined "exempt" under the Highlands Rules, the Township shall submit a complete construction application for the interconnection. The complete application shall be submitted to the Bureau of Water Systems and Well Permitting within thirty (30) days of any Highlands Applicability Determination finding of "exempt".
4. Aquifer testing of the Turkey Brook Well 2 shall commence no later than 30 days after the completion of the interconnection to the Morris Chase PCWS storage tank or an approved alternate source of supply is available to meet the Goldmine Water System Demands.
5. The emergency use of Turkey Brook Park Well 2 is permitted until such time as the Department approves all required permits for use of the well as a Community Water Supply Well, or until the Department directs the Township to stop its use of the well, but in no case beyond March 9, 2010.
6. 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.
7. 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.

8. 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 the Turkey Brook 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 permanent use as a 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: 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

NJEMS\Permission to Use TB Well 2