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cc: Amin

JON S. CORZINE
Governor

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Brownfields Remediation and Reuse
Northern Bureau of Field Operations
7 Ridgedale Avenue
Cedar Knolls, NJ 07927-1112
973-631-6401



March 25, 2009

Samuel Gaccione, Jr.
24 Kenmar Road
Budd Lake, NJ 07828

NOTICE OF DEFICIENCY

Re: Remedial Action Report / Remedial Action Workplan (RAR/RAW) for
24 Kenmar Road, Mount Olive, Morris County
PI # 456667
Incident # 06-07-28-1104-48
File # 14-27-256

Dear Mr. Gaccione, Jr. :

The New Jersey Department of Environmental Protection (Department) acknowledges receipt on February 18, 2008 of the Remedial Action Report / Remedial Action Workplan (RAR/RAW) submitted pursuant to Spill Compensation & Control Act at N.J.S.A. 58:10-23.11 et seq. (Spill Act) and the Technical Requirements for Site Remediation at N.J.A.C. 7:26E.

Deficiencies

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

1. Description of Deficiency: Pursuant to N.J.A.C. 7:26E-4.4(b), failure to provide information necessary to support a position that ground water sampling is not necessary.

Corrective Actions

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

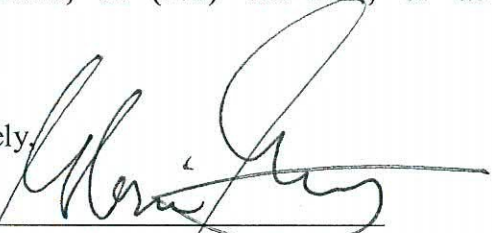
1. Although ground water was not encountered within two feet of the contaminated soils, the property is located within a potable well area. The Department is requiring submittal of a map, which includes the subject property, and its bordering properties, which depict all potable wells located on these properties. Submit information required by the Department within 30 days after receipt of this notice, which includes the required information to support the position that ground water sampling is not necessary. [N.J.A.C. 7:26E-4.4(b)]

Please address the noted corrective actions by completing the required investigation and submitting a potable well location map within 30 days after receipt of this letter. The RAW for in-situ treatment will be reevaluated pending receipt of the required information.

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 at <http://www.state.nj.us/dep/srp>. If you have any questions regarding this matter contact your **Case Manager, Amy DaSilva, at (973) 656-4433, or at amy.dasilva@dep.state.nj.us**, prior to the date indicated.

Sincerely,



Gloria Grant, Section Chief
Northern Bureau of Field Operations

c: Mount Olive Municipal Clerk
204 Flanders-Drakestown Road, PO Box 450
Budd Lake, NJ 07828
Mount Olive Health Department
204 Flanders-Drakestown Road, PO Box 450
Budd Lake, NJ 07828
Care Environmental Remediation Services, Inc.
1248 Sussex Turnpike, Bldg. A, Unit 6
Randolph, NJ 07869
Brian Crisafulli, BGWPA
Gloria Grant, BNFO
File # 14-27-256

