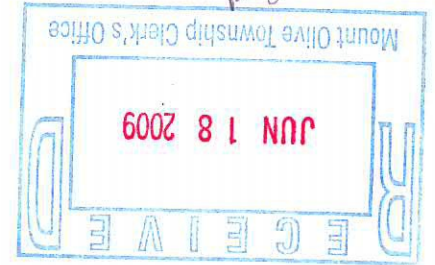




State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bur. of Case Assignment & Initial Notice
401 East State Street
P.O. Box 435
Trenton, NJ 08625-0435
Phone #: 609-292-2943
Fax #: 609-984-6836

JON S. CORZINE
Governor



MARK N. MAURIELLO
Acting Commissioner

B. Franklin Reinauer III
Reinauer Realty Corporation
3 University Plaza, Suite 606
Hackensack, NJ 07061

JUN 15 2009

NOTICE OF DEFICIENCY

Re: Remedial Investigation Report for:
Former Budd Lake Citgo
14 Route 46 West
Budd Lake, Morris County
SRP PI# 009233
Activity Number Reference: USR090001
Case #: 91-08-26-1021-57 INS
Closure # C90-0150, C90-0151

Dear Mr. Reinauer:

The New Jersey Department of Environmental Protection (Department) acknowledges receipt on April 1, 2009 of the Remedial Investigation Report 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).

Deficiencies

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

Failure to conduct a baseline ecological evaluation according to general technical requirements.

Failure to pay the required fee. The review fee for a Remedial Investigation report (RIR) for the removal of an underground storage tank in which a discharge of a hazardous substance has occurred is \$1500.

Corrective Actions

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

Pursuant to N.J.A.C. 7:26E-3.11(a), submit the results of a Baseline Ecological Evaluation within 60 days after receipt of this notice.

Pursuant to N.J.A.C. 7:14B-3, submit the required \$1500 fee within 60 days after receipt of this notice. Please make a check payable to Treasurer, State of New Jersey. The applicable case number and/or SRP PI number should be referenced on the check.

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 Muriel Kiernan Case Manager, at (609) 633-3855 prior to the date indicated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rafael Rivera", written over a horizontal line.

Rafael Rivera, Supervisor
Bur. of Case Assignment & Initial Notice

cc: Muriel Kiernan, Case Manager
Michael McGowan, JMZ Geology
Clerk, Budd Lake