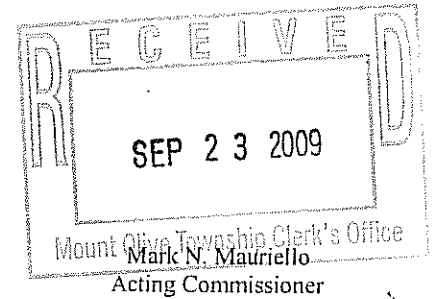




State of New Jersey
Department of Environmental Protection

Jon S. Corzine
Governor



Bureau of Northern Field Operations
7 Ridgedale Avenue
Cedar Knolls, NJ 07927
Phone #: 973-631-6401
Fax #: 973-656-4440

cc: Admin
DPW
Plan
Bldg.

September 18, 2009

Sheila Wilson
11 Locust St
Budd Lake, NJ 07828

NOTICE OF DEFICIENCY

Re: 11 Locust Street, Mount Olive, Morris County
SRP PI# 219914, Activity Number Reference: BFO040001
Communication Center #: 03-04-08-1017-55
BFO File # 14-27-170

Dear Ms. Wilson:

The New Jersey Department of Environmental Protection (Department) has not received a reply to the March 27, 2006 letter (copy attached). The March 27, 2006 letter detailed deficiencies found during review of your Remedial Action Report. These matters must be corrected as required pursuant to your Memorandum of Agreement (MOA) effective on January 22, 2004, the 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 (Tech Rule).

Deficiencies

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

Description of Deficiency: Pursuant to N.J.A.C. 7:26C-3.3(a)3iii, failure to conduct remediation in accordance with N.J.A.C. 7:26E.

Corrective Actions

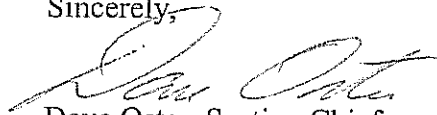
To correct these deficiencies please take the following actions or make the required submittals within the timeframes indicated:

1. Submit a revised report that addresses all of the Department's comments within 120 days after receipt of this notice. [N.J.A.C. 7:26E-7]

Note that if deficiencies included herein are not addressed to the Department's satisfaction within the specified time period the Department may terminate the MOA pursuant to N.J.A.C. 7:26C-3.3(c)2-4. Subsequent to MOA termination the Department may initiate enforcement action pursuant to the Spill Compensation and Control Act.

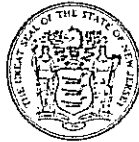
If you require copies of Department Guidance Documents or applications, many of these are available on the internet <http://www.state.nj.us/dep/srp>. If you have any questions regarding this matter contact Deborah Cowell Case Manager, at (973) 656-4429, or at Deborah.Cowell@dep.state.nj.us, prior to the date indicated.

Sincerely,



Dave Oster, Section Chief
Bureau of Northern Field Operations

cc: BFO File Number: 14-27-170
Local, County, Regional Health Department(s)
Clerk/, Mount Olive
Consultant



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Remediation Management and Response
Northern Bureau of Field Operation
7 Ridgedale Avenue
Cedar Knolls, NJ 07927-1112

JON S. CORZINE
Governor

LISA P. JACKSON
Commissioner

March 27, 2006

Sheila Wilson
11 Locust Street
Budd Lake NJ 07828

Re: 11 Locust Street
Mt. Olive / Morris County
Case No. 03-04-08-1017-55

Dear Ms Wilson:

This office has completed review of the Remedial Action Report (Report) prepared by TRC. The Report has been reviewed pursuant to the Memorandum of Agreement (MOA) executed January 22, 2004 between Sheila Wilson and the New Jersey Department of Environmental Protection (Department).

As part of the MOA you have agreed to conduct remedial activities at the site in accordance with N.J.A.C.7:26E et seq., the Technical Requirements for Site Remediation (Technical Requirements). Also, to receive funding through the Underground Storage Tank Remediation, Upgrade and Closure Fund investigations and remediation must be conducted in accordance with the Technical Requirements. The Technical Requirements are the Department's minimum requirements for the investigation and remediation of contaminated sites. Review of the Report indicates that the work completed was not conducted in complete compliance with the Technical Requirements. The following matters need to be addressed:

- 1) Review of the Report indicates that there is a potable well located less than 20 feet from the former underground tank. Due to the proximity of the potable well to the discharge area and the nature of the site geology, this office recommends that the potable well be sampled. The potable well should be opened and inspected for odors and free product on the water surface, then samples should be collected from the well head and analyzed pursuant to N.J.A.C.7:26E Table 2-1 for areas of #2 fuel oil discharges. This data should be submitted to this office for review in full laboratory data deliverables format.
- 2) Review of the Report indicates that the soil sample analyzed for volatile organic compounds was analyzed outside of holding times. The results of this analysis are presumed biased low and may not be used to document compliance with the Department's Unrestricted Use Soil Cleanup Criteria. Therefore this office can not confirm that the site has been adequately remediated. Additional soil sampling may be needed to resolve this matter. Following review of potable well sample data this office will re-evaluate the need for further soil sampling.
- 3) The report did not contain a detail of costs associated with this project as required. This information must be submitted

Once these matters are addressed this office will determine what, if any, additional actions will be required at this site. Should you have any questions concerning this matter please contact me at (973) 656-4429.

Sincerely,

Deborah R. Cowell
Case Manager

c: TRC
Health Department
Allison Filardi, UST Fund
File # 14-27-170