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cc: Admin  
Plan  
Eng.

# 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

JON S. CORZINE  
Governor



May 28, 2008

Eugene Torres  
118 Waterloo Road  
Budd Lake, NJ 07828

## NOTICE OF DEFICIENCY

Re: Remedial Action Report (RAR) for 29 Fire Tower Road  
29 Fire Tower Road, Mount Olive, Morris County  
PI # 447668  
Incident # 07-05-02-1100-16  
File # 14-27-245

Dear Mr. Torres :

The New Jersey Department of Environmental Protection (Department) acknowledges receipt on September 13, 2007 of the Remedial Action Report (RAR) submitted pursuant to the Memorandum of Agreement effective on September 7, 2007 and the Technical Requirements for Site Remediation at N.J.A.C. 7:26E.

### Deficiencies

The Department has determined that the RAR reflects the following deficiencies:

1. 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.
2. 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. Comply with rule/regulation within 60 days after receipt of this notice as indicated below. [N.J.A.C. 7:26C-3.3(a)3iii]
2. The Department is requiring that the potable well be sampled. This is based on the close proximity of the excavation to the potable well, the amount of contaminated soil removed, and the type of the soils encountered.

A licensed pump installer or well driller must be present to open the well. Pump installers and well drillers are trained in the proper chlorination of potable wells after the sampling event is completed.

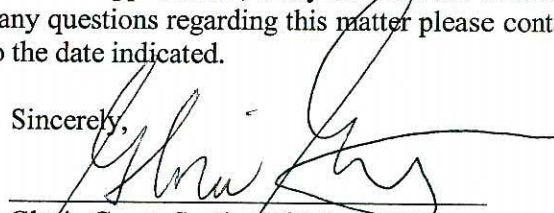
A groundwater sample should be collected via clear bailer from the top of the water table within the potable well, without purging. The water should be visually checked for sheen, product and odors. Information regarding the presence of sheen, product and odors shall be submitted. The samples shall be analyzed for volatile organic compounds and base neutral organic compounds via methods 524.2 and 625 with full data deliverables. Please ensure that the laboratory utilizes method detection limits that meet the Ground Water Quality Standards.

In addition, the Department is requiring that construction details of the potable well be submitted. Construction details of the potable well may be available from the local Building Department or through the Division of Water Supply, Bureau of Water Systems & Well Permitting. The Bureau of Water Systems & Well Permitting can be reached at (609) 984-6831. Comply with the requirement within 60 days after receipt of this notice. [N.J.A.C. 7:26E-4.4(b)]

Please address the noted corrective actions by completing the required investigation and submitting an addendum to the RAR within 60 days after receipt of this letter. Note that deficiencies included herein which are not addressed to the Department's satisfaction within the specified time period will be subject to the provisions of N.J.A.C. 7:26C-3.3(c)2-4 and N.J.A.C. 7:26C-10. To determine whether the uncorrected deficiencies will be minor with a period of time to correct or non-minor subject to penalties or MOA termination, as applicable, refer to the table at N.J.A.C. 7:26C-10.4(c).

If you require copies of Departmental Guidance Documents or applications, many of these are available on the internet at [www.state.nj.us/dep/srp](http://www.state.nj.us/dep/srp). If you have any questions regarding this matter please contact Amy DaSilva, Case Manager, at (973) 656-4433 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
- CORE Environmental Services, LLC  
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- David Norrie & Associates, Esq.  
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- Ms. Denise Torres  
24 Mulberry Lane  
Mount Arlington, NJ 07856
- Current Residents  
29 Fire Tower Road  
Budd Lake, NJ 07828
- File # 14-27-245