



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHRIS CHRISTIE  
Governor

BOB MARTIN  
Commissioner

KIM GUADAGNO  
Lt. Governor

Unregulated Heating Oil Tank Program  
401 East State Street, 5th floor  
P.O. Box 420  
Mail Code 401-05  
Trenton, NJ 08625-0420  
Phone #: 609-633-0544  
Fax #: 609-984-6004



February 8, 2012

Sin Yuen Chan  
400 2nd Avenue – 19D  
NY, NY 10010

Re: Area of Concern: One 1,000-gallon #2 Heating Oil Underground Storage Tank System  
Unrestricted Use - No Further Action Letter and Covenant Not to Sue  
Block 4400, Lot 50  
Lucky Garden Chinese Rest Incorporated - 3 Mount Olive Road  
Program Interest #: 568861, Activity Number: CSP110001  
Communications Center Number: 11-06-09-1112-20

Dear Mr. Chan:

Pursuant to N.J.S.A. 58:10B-13.1 and N.J.A.C. 7:26C, the New Jersey Department of Environmental Protection (Department) makes a determination that no further action is necessary for the remediation of the area of concern specifically referenced above, except as noted below, so long as you did not withhold any information from the Department. This action is based upon information in the Department's case file and your final certified report dated December 22, 2011. In issuing this No Further Action Determination and Covenant Not to Sue, the Department has relied upon the certified representations and information provided to the Department.

By issuance of this No Further Action Determination, the Department acknowledges the completion of a Remedial Investigation and Remedial Action pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E) for the area of concern specifically referenced above and no other areas.

NO FURTHER ACTION CONDITIONS

As a condition of this No Further Action Determination pursuant to N.J.S.A. 58:10B-12o, you and any other person who was liable for the cleanup and removal costs, and remains liable pursuant to the Spill Act, shall inform the Department in writing within 14 calendar days whenever your name or address changes. Any notices submitted pursuant to this paragraph shall reference the above case numbers and shall be sent to: Site Remediation Program, P.O. Box 420, Trenton, NJ 08625.

By operation of law a Covenant Not to Sue pursuant to N.J.S.A. 58:10B-13.1 applies to this remediation. The Covenant Not to Sue is subject to any conditions and limitations contained herein. The Covenant Not to Sue remains effective only as long as the real property referenced above continues to meet the conditions of this Conditional No Further Action Letter.

Thank you for your attention to these matters. If you have any questions, please contact Gary Sanderson, Program Coordinator, at (609)633-0544.

Sincerely,



George King, Chief  
Bureau of Southern Field Operations

c: Municipal Clerk, Mount Olive Township  
Mark Annis, Anco Environmental Services  
Mount Olive Township Health Department  
Morris County Office of Health Management  
Gary Sanderson, NJDEP/Unregulated Heating Oil Tank Program