

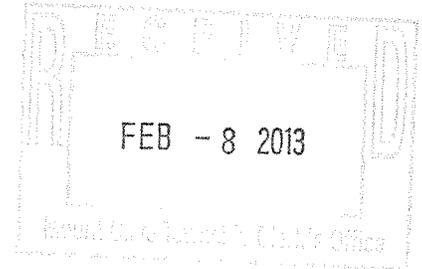


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cc: Adm.
Health
DPLW

February 1, 2013

Rich Rodack
ExxonMobil Environmental Services Company
600 Billingsport Road, Room 8-233
Paulsboro, New Jersey 08066



Re: Response Action Outcome

Remedial Action Type: Unrestricted Use

Scope of Remediation: Area(s) of Concern: (AOC-1) One Former Hydraulic Lift; (AOC-2) MTBE in Groundwater in MW-2; and no other areas

Case Name: Former Exxon Facility #3-2544 Flanders (aka Exxon R/S #32544; Exxon PMG 8144)

Address: 257 Route 206

Municipality: Flanders (Mount Olive Twp)

County: Morris

Block: 5401 **Lot:** 17

Preferred ID: 008136

Communication Center #: 03-09-10-1323-57 and 08-02-28-1251-32

Dear Mr. Rodack:

As a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey, I hereby issue this Response Action Outcome for the remediation of the Areas of Concern specifically referenced above. I personally reviewed and accepted all of the referenced remediation and based upon this work, it is my professional opinion that this remediation has been completed in compliance with the Administrative Requirements for the Remediation of Contaminated Sites (N.J.A.C. 7:26C), that is protective of public health, safety and the environment. Also, full payment has been made for all New Jersey Department of Environmental Protection (Department) fees and oversight costs pursuant to N.J.A.C. 7:26C-4.

This remediation includes the completion of a Remedial Investigation as defined pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E).

My decision in this matter is made upon the exercise of reasonable care and diligence and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals in good standing practicing in the State at the time these professional services are performed.

As required pursuant to N.J.A.C. 7:26C-6.2(b)2ii, a copy of all records related to the remediation that occurred at this location is being simultaneously filed with the Department. These records contain all information upon which I based my decision to issue this Response Action Outcome.

By operation of law a Covenant Not to Sue pursuant to N.J.S.A. 58:10B -13.2 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 Response Action Outcome.

CONDITIONS

Pursuant to N.J.S.A. 58:10B-12o, ExxonMobil Environmental Services Company and any other person who is liable for the cleanup and removal costs, and remains liable pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. shall inform the Department in writing, on a form available from the Department, within 14 calendar days after its name or address changes. Any notices you submit pursuant to this paragraph shall reference the above case numbers and shall be sent to:

New Jersey Department of Environmental Protection
Bureau of Case Assignment and Initial Notice
Mail Code 401-05H
401 East State Street, 5th floor
PO Box 420
Trenton, New Jersey 08625-0420

NOTICES

Well Decommissioning

Pursuant to N.J.A.C. 7:9D-3 any wells installed as part of this remediation that will no longer be used for remediation have been properly decommissioned. If any wells have been properly decommissioned, the well driller's well decommissioning report has been submitted to the Bureau of Water Allocation and Well Permitting. Pursuant to N.J.S.A. 58:4A, any monitoring wells remaining onsite shall be properly decommissioned prior to the termination of the applicable remedial action permit. A New Jersey licensed well driller shall decommission the well(s) in accordance with the requirements of N.J.A.C. 7:9D-3 and submit the decommissioning report on your behalf to the Bureau of Water Allocation and Well Permitting. More information about regulations regarding the maintenance and decommissioning of wells in New Jersey can be found at www.nj.gov/dep/watersupply. For a list of New Jersey licensed well drillers, click on the "reports" button in the left column and select "access the well permit reports." Questions can be emailed to wellpermitting@dep.state.nj.us.

Building Interiors Not Addressed (Non-Child Care)

Please be advised that the remediation that is covered by this Response Action Outcome does not address the remediation of hazardous substances that may exist in building interiors or equipment, including, but not limited to, radon, asbestos and lead. As a result, any risks to human health presented by any building interior or equipment remains. A complete building interior evaluation should be completed before any change in use or re-occupancy is considered.

In concluding that this remediation has been completed, I am offering no opinions concerning whether either primary restoration (restoring natural resources to their pre-discharge condition) or compensatory restoration (compensating the citizens of New Jersey for the lost interim value of the natural resources) has been completed.



Pursuant to N.J.S.A. 58:10C-25, the Department may audit this Response Action Outcome and associated documentation up to three years following issuance. Based on a finding by the Department that a Response Action Outcome is not protective of public health, safety and the environment, the Department can invalidate the Response Action Outcome. Other justifications for the Department's invalidation of this Response Action Outcome are listed in the Administrative Requirements for the Remediation of Contaminated Sites at N.J.A.C. 7:26C-6, including, but not limited to, a Department audit following issuance of this document may be initiated at any time if: a) undiscovered contamination is found that was not addressed by the Response Action Outcome, b) if the Licensed Site Remediation Professional Board conducts an investigation of the Licensed Site Remediation Professional issuing the Response Action Outcome or, c) if the license of that person is suspended or revoked.

Thank you for your attention to these matters. If you have any questions, please contact me at (609) 584-5271.

Sincerely,
Kleinfelder East, Inc.

John E. Bracken, LSRP
Project Manager
Licensed Site Remediation Professional # 574421

Attachments (RAO Form and CD w/electronic files)

Ref.: 32544 FLANDERS RAO_JANUARY 2013/HAM13R0102

cc: New Jersey Department of Environmental Protection (NJDEP), Bureau of Case Assignment and Initial Notice, Mail Code 401-05H, 401 East State Street, 5th floor, PO Box 420, Trenton, New Jersey, 08625-0420

NJDEP-Bureau of Water Systems and Well Permitting, Mail Code 401-03, 401 East State Street, P.O. Box 420, Trenton, New Jersey 08625-0420 (RAO and RAO Form Only)

New Jersey Highlands Council, 100 North Road (Route 513), Chester, New Jersey 07930 (RAO and RAO Form Only)

Morris County, Office of Health Management, 1 Hall of Records, Court Street – PO Box 900, Morristown, NJ 07963-0900. Attention: Carlos Perez, Jr., MPA, Health Officer (RAO and RAO Form Only)

Mount Olive Township Health Department, PO Box 450, 204 Flanders Drakestown Road, Budd Lake, NJ 07828. Attention: Frank Wilpert, Director – Health, Welfare & Sanitation (RAO and RAO Form Only)



Mount Olive Township Clerk, PO Box 450, 204 Flanders Drakestown Road, Budd Lake, NJ
07828. Attention: Lisa Lashway (RAO and RAO Form Only)

Petroleum Marketing Group, Inc./ E&C Enterprises, Inc., 12680 Darby Brooke Court,
Woodbridge, VA 22192. Attn: Jeff Bucaro (RAO and RAO Form Only)

File



New Jersey Department of Environmental Protection
Site Remediation Program

RESPONSE ACTION OUTCOME FORM

Date Stamp
(For Department use only)

SECTION A. SITE NAME AND LOCATION

Site Name: Former Exxon #3-2544 Flanders

List All AKAs: _____

Street Address: 257 Route 206

Municipality: Flanders (Mount Olive Twp) (Township, Borough or City)

County: Morris Zip Code: 07836

Program Interest (PI) Number(s): 008136 Case Tracking Number(s): 106316

Date Remediation Initiated Pursuant to N.J.A.C. 7:26C-2: 09/09/2003

State Plane Coordinates for a central location at the site: Easting: 434284 Northing: 729868

Municipal Block(s) and Lot(s):

Block #:	<u>5401</u>	Lot #:	<u>17</u>	Block #:	_____	Lot #:	_____
Block #:	_____	Lot #:	_____	Block #:	_____	Lot #:	_____
Block #:	_____	Lot #:	_____	Block #:	_____	Lot #:	_____
Block #:	_____	Lot #:	_____	Block #:	_____	Lot #:	_____

SECTION B. SUBMITTAL STATUS

	Not Applicable	Included in This Submission	Previously Submitted	Date of Submission	Date of Revised Submission	Date of Document Withdrawal
Public Notification Form	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	09/01/2011		
Immediate Environmental Concern Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
IEC Engineered System Response Action Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Vapor Concern Mitigation Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
LNAPL Interim Remedial Measure Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Preliminary Assessment Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Receptor Evaluation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	07/27/2010	11/08/2012	
Site Investigation Report	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	07/19/2009		
Remedial Investigation/Remedial Action Work Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11/08/2012		
Remedial Action Report	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	05/07/2012		08/21/2012
Response Action Outcome	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	05/07/2012		08/21/2012
Alternative Soil Remediation Standard and/or Screening level Application Form	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Case Inventory Document	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	05/07/2012	11/08/2012	08/21/2012
Permit Application – list:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Radionuclide Remedial Investigation Workplan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Radionuclide Remedial Investigation Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Radionuclide Remedial Action Workplan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Radionuclide Remedial Action Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			

SECTION C. SITE USE

Current Site Use (check all that apply)

- Industrial
- Residential
- Commercial
- School/Childcare
- Other: _____
- Agricultural
- Park or recreational use
- Vacant
- Government

Intended Future Use (check all that apply)

- Industrial
- Residential
- Commercial
- School/Childcare
- Park or recreational use
- Vacant
- Government
- Future site use unknown

SECTION D. PUBLIC FUNDS

Did the remediation utilize public funds? Yes No

- If "Yes," check applicable:
- UST Grant
 - HDSRF Grant
 - Spill Fund
 - UST Loan
 - HDSRF Loan
 - Schools Development Authority
 - Brownfield Reimbursement Program
 - Landfill Reimbursement Program

SECTION E. SCOPE OF THE RESPONSE ACTION OUTCOME

1. Check only 1 box

- Area(s) of Concern Only
- Entire Site
- Entire Site – Child Care Center Facility License
- Lease Hold Portion Only – Child Care Center Facility (Refer to RAO Guidance Document for license details)
- ISRA Subject Industrial Establishment (leasehold portion only)

2. Total number of contaminated AOCs associated with the site: 2

3. Total number of contaminated AOCs addressed in this submittal: 2

4. Are there any outstanding contaminated AOCs associated with the case where an RAO has not been filed? Yes No

SECTION F. FEES

- Child Care Center RAO \$450.00
- All Oversight Invoices and Annual Remediation Fees are Paid in Full.

SECTION G. EXTENT OF REMEDIATION COVERED BY THE RESPONSE ACTION OUTCOME (check only 1 box)

- Unrestricted RAO
- Limited Restricted RAO
- Restricted RAO

SECTION H. RESPONSE ACTION OUTCOME PREPARATION CHECKS

- 1. Was the RAO issued only to the "Person(s) that conducted the Remediation"? Yes No
- 2. Does the language in the issued RAO document conform to the RAO shell document? Yes No
- 3. Were all the applicable individuals/agencies noted in the shell document copied on the RAO? Yes No
- 4. Are there electronic copies of all remediation related records included with this submittal? Yes No
- 5. Have all Department fees and outstanding oversight costs been paid? Yes No
- 6. Have any identified deficiencies been addressed in this or prior submittal? Yes No N/A
- 7. Did the remedial action render the property unusable for future redevelopment or recreation use? Yes No

SECTION I. APPLICABLE REMEDIATION STANDARDS

1. Were Default Remediation Standards used for all compounds? Yes No
(If "Yes," check all that apply)

- Direct Contact
- Impact to Ground Water Soil Screening Levels
- Ecological Screening Levels

2. Has compliance averaging been utilized to determine compliance with the Inhalation Pathway? Yes No

3. Has a compliance option been utilized to determine compliance with the Impact to Ground Water Pathway? (If "Yes," check all that apply) Yes No
- Immobile Compounds
 - Data evaluation for metals and semi-volatiles
 - Data evaluation for volatile organics derived from discharges of petroleum mixtures
4. Were Alternate Remediation Standards used for the Ingestion/Dermal Pathway? Yes No
5. Were Alternate Remediation Standards used for the Inhalation Pathway? Yes No
6. Were Site Specific Standards used for the Impact to Ground Water Pathway? Yes No
(If "Yes," check all that apply)
- Soil-Water Partitioning Equation SPLP Sesoil Sesoil/AT123D
 - DAF Modification Immobile Chemicals List
 - Soil and Ground Water Analytical Data Evaluation
7. Were site specific Ecological Remediation Goals used? Yes No
8. What is the ground water classification for this site as per N.J.A.C. 7:9C? (check all that apply)
- Class I-A Class II-A
 - Class I-PL Pinelands Protection Area Class III-A
 - Class I-PL Pinelands Preservation Area Class III-B

SECTION J. MEDIA IMPACTED/REMIATED

- 1. Soil Remediation Types (check all that apply):**
- No remedial action required Excavation
 - Capping / other engineering controls Treatment
 - Institutional Control Other _____
- 2. Ground Water**
- Have the Ground Water Quality Standards been met? Yes No
- Do groundwater concentrations remain above the Ground Water Quality Standards but concentrations are low and non-decreasing? Yes No N/A
- 3. Ground Water Remediation Types (check all that apply):**
- No remedial action required Physical Containment Pump & Treat
 - In-Situ Hydraulic Control Institutional Control
 - Monitored Natural Attenuation Other _____
- 4. Ecological**
- Was wetlands mitigation/restoration required? Yes No
- Was a wetlands mitigation/restoration plan approved by NJDEP? Yes No
- Do contaminant levels currently meet ecological screening levels or ecological remediation goals?
- Surface water Yes No N/A
- Sediment Yes No N/A
- 5. Wetland Remediation Types (check all that apply):**
- No remedial action required Capping
 - Excavation Other _____
- 6. Sediment Remediation Types (check all that apply):**
- No remedial action required Capping
 - Excavation Other _____
- 7. General**
- Has radionuclide contamination been addressed in any media? Yes No N/A

SECTION K. ALTERNATIVE STANDARD / VARIANCES

Alternative remediation standard / screening level

If proposing an alternative remediation standard pursuant to N.J.A.C. 7:26D-7.4, or alternate vapor intrusion screening level, check here and attach the Alternative Soil Remediation Standard and/or Screening Level Application Form as an addendum.

A site-specific screening level was developed for the evaluation of the VI pathway..... Yes No

Variance from regulations

If the Licensed Site Remediation Professional has varied from the Technical Rules, provide the citation(s) from which the remediation varied and the page(s) in the attached document where the rationale for the variance is provided.

N.J.A.C. 7:26E- _____ Page _____
N.J.A.C. 7:26E- _____ Page _____
N.J.A.C. 7:26E- _____ Page _____

SECTION L. RESPONSE ACTION OUTCOME NOTICES (check all the apply and were used in the RAO document)

1. General Notices

- Well Decommissioning
- Building Interiors Not Addressed

2. Child Care Center Notices

- Child Care Center Notices (Use this notice in all Child Care Center RAOs)
- Child Care Center Specific-Multi-Tenant Situations

3. Contamination Remaining Onsite

- Regional Natural Background Levels of Contamination
- Existing CEA or Deed Notice
- Soils Only RAO
- Ground Water Contamination Not Yet investigated
- Ground Water Contamination Due to Regional Historic Fill
- Contamination Remaining Onsite Due to Migration from Off-site Source
- Known Onsite Contamination Source Not Yet Remediated
- Less than an Order of Magnitude Remediation Standard Change For A Site With An Approved RAW Prior To A New Remediation Standard
- Less than an Order of Magnitude Remediation Standard Change For A Site With A Final Remediation Document Prior to A New Remediation Standard

4. ISRA Specific Notices

- ISRA Specific – RCRA Situations
- ISRA Specific – Multi-Tenant Situations
- ISRA Specific – Landfill Situations

SECTION M. REMEDIATION FUNDING SOURCE

1. Has a Remediation Funding Source been posted for this site pursuant to N.J.A.C. 7:26C-5? ... Yes No
(If No, skip to Section L. below)

2. Check a. or b. below as applicable:

- a. This RAO is for the entire site and serves as notice to the Department to return the Remediation Funding Source posted for this site*.
- b. This RAO is for an Area of Concern only and (check one below):
 - serves as notice to the Department to decrease the Remediation Funding Source posted for this site*.
 - no adjustments to the Remediation Funding Source are requested at this time.

Note: If any box in 2. above identified with an asterisk (*) is checked, be sure to include the completed "Remediation Cost Review and RFS-FA Form" available at <http://nj.gov/dep/srp/srra/forms>

SECTION N. PERSON RESPONSIBLE FOR CONDUCTING THE REMEDIATION INFORMATION AND CERTIFICATION

Full Legal Name of the Person Responsible for Conducting the Remediation: ExxonMobil Environmental Services Co.

Representative First Name: Rich Representative Last Name: Rodack

Title: Lead Project Manager - NJ

Phone Number: (856) 224-2340 Ext: _____ Fax: (856) 224-3672

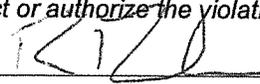
Mailing Address: 600 Billingsport Road, Room 8-233

City/Town: Paulsboro State: NJ Zip Code: 08066

Email Address: rich.rodack@exxonmobil.com

This certification shall be signed by the person responsible for conducting the remediation who is submitting this notification in accordance with Administrative Requirements for the Remediation of Contaminated Sites rule at N.J.A.C. 7:26C-1.5(a).

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, including all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

Signature:  Date: 2/1/13

Name/Title: Rich Rodack / Lead Project Manager **No Changes Since Last Submittal**

Company Name: ExxonMobil Environmental Services Company

SECTION O. LICENSED SITE REMEDIATION PROFESSIONAL INFORMATION AND STATEMENT

LSRP ID Number: 574421
First Name: John Last Name: Bracken
Phone Number: (609) 584-5271 Ext: 332 Fax: (609) 584-7498
Mailing Address: 3 AAA Drive, First Floor
City/Town: Hamilton State: NJ Zip Code: 08691
Email Address: jbracken@kleinfelder.com

This statement shall be signed by the LSRP who is submitting this notification in accordance with SRRRA Section 16 d. and Section 30 b.2.

I certify that I am a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey. As the Licensed Site Remediation Professional of record for this remediation, I:

[SELECT ONE OR BOTH OF THE FOLLOWING AS APPLICABLE]:

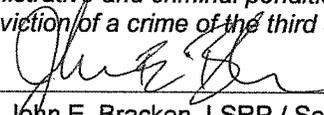
- directly oversaw and supervised all of the referenced remediation, and/or*
- personally reviewed and accepted all of the referenced remediation presented herein.*

I believe that the information contained herein, and including all attached documents, is true, accurate and complete.

It is my independent professional judgment and opinion that the remediation conducted at this site, as reflected in this submission to the Department, conforms to, and is consistent with, the remediation requirements in N.J.S.A. 58:10C-14.

My conduct and decisions in this matter were made upon the exercise of reasonable care and diligence, and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals practicing in good standing, in accordance with N.J.S.A. 58:10C-16, in the State of New Jersey at the time I performed these professional services.

I am aware pursuant to N.J.S.A. 58:10C-17 that for purposely, knowingly or recklessly submitting false statement, representation or certification in any document or information submitted to the board or Department, etc., that there are significant civil, administrative and criminal penalties, including license revocation or suspension, fines and being punished by imprisonment for conviction of a crime of the third degree.

LSRP Signature:  Date: 2/1/13
LSRP Name/Title: John E. Bracken, LSRP / Senior PM No Changes Since Last Submittal
Company Name: Kleinfelder

Completed forms should be sent to:

Bureau of Case Assignment & Initial Notice
Site Remediation Program
NJ Department of Environmental Protection
401-05H
PO Box 420
Trenton, NJ 08625-0420