(C)

10/26/15 (cc: Bldg. Health Fire)

State of New Jersey

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BOB MARTIN
Commissioner

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

October 19, 2015

Michael DeVito
20 Hillside Avenue
Flanders, NJ 07836

RECEIVED
OCT 26 2015
Mount Olive Township Clerk's Office

Re: Area of Concern: One – 550 gallon #2 Heating Oil Underground Storage Tank System
Unrestricted Use - No Further Action Letter and Covenant Not to Sue
Block 5601, Lot 5
3 Beaver Lane
Mount Olive Township, Morris County
Program Interest #:706870, Activity Number: CSP150001
Communications Center Number: 15-06-11-0939-52

Dear Mr. DeVito:

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 September 1, 2015. 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 Stephen Tatar at (609) 633-0580.

Sincerely,

Yacoub Yacoub, Bureau Chief
Unregulated Heating Oil Tank Program

c: Frank P. Wilpert, Mt. Olive Township Health Dept.
Carlos Perez, Morris County Office of Health Mgmt.
Municipal Clerk, Mount Olive Township
Gail McKenna, Care Environmental Remediation Services
Mark Gruzlovic, NJDEP/Unregulated Heating Oil Tank Program
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