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Blog. Health Fire 10/5/15

State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

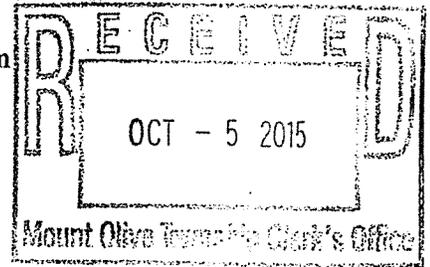
BOB MARTIN  
Commissioner

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

September 29, 2015

Kirk Allison  
1185 Avenue of the Americas - 18th Floor  
New York, NY 10036

Re: Area of Concern: One 1500 gallon #2 Heating Oil Underground Storage Tank System  
Unrestricted Use - No Further Action Letter and Covenant Not to Sue  
Block 5300, Lot 9  
60 Flanders Drakestown Road  
Mount Olive Township, Morris County  
Program Interest #:706217, Activity Number: CSP150001  
Communications Center Number: 14-05-23-1149-35



Dear Mr. Allison:

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 July 31, 2014. 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 Michael Cowan at (609)984-1731.

Sincerely,



Yacoub Yacoub, Bureau Chief  
Unregulated Heating Oil Tank Program

c: Municipal Clerk, Mount Olive Township  
Mt. Olive Township Health Department  
Marksmen Enterprises LLC  
Morris County Office of Health Management  
Mark Gruzlovic, NJDEP/Unregulated Heating Oil Tank Program  
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