(C)

11/12/15 CC: Bldg. 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

November 6, 2015

Robert and Jennifer Nugent
4 Delbar Drive
Budd Lake, NJ 07828

RECEIVED
NOV 12 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 3601, Lot 22
4 Delbar Drive
Mount Olive Township, Morris County
Program Interest #694020, Activity Number: CSP150001
Communications Center Number: 13-08-16-1119-23

Dear Mr. and Mrs. Nugent:

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 May 20, 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.

Well Decommissioning

Pursuant to N.J.S.A. 58:4A, you shall properly decommission all monitoring wells installed as part of a remediation that will no longer be used for ground water monitoring. A New Jersey licensed well driller shall decommission the wells in accordance with the requirements of N.J.A.C. 7:9D-3.1 (et seq.). After the well has been decommissioned by a New Jersey licensed well driller, the well driller is required to submit a copy of the decommissioning report on your behalf to the Bureau of Water Systems and Well Permitting. Please note that only a New Jersey licensed well driller may perform this work.

More information about regulations regarding the maintenance and decommissioning of wells in New Jersey can be found at "http://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.nj.gov".

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 Marty Goodwin at (609)292-0543.

Sincerely,

Yacoub Yacoub, Bureau Chief
Unregulated Heating Oil Tank Program

c: Municipal Clerk, Mount Olive Township
Robert Oestreich, Applied Service Corp
Morris County Health Department
Mount Olive Health Department
Mark Gruzlovic, NJDEP/Unregulated Heating Oil Tank Program
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