(c)

cc: Bldg Fire 6/24/15 file

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

April 29, 2015

David Levitt
Dixon Brothers, Inc.
100 Pocono Road
Mountain Lakes, NJ 07046

RECEIVED
JUN 24 2015
Mount Olive Township Clerk's Office

Re: Area of Concern: Discharge from a 275-gallon #2 Heating Oil Aboveground Storage Tank System
Unrestricted Use - No Further Action Letter and Covenant Not to Sue
Block 7801, Lot 4
5 Tudor Place
Mount Olive Township, Morris County
Program Interest #G000022684, Activity Number: CSP150001
Communications Center Number: 14-01-15-1735-13

Dear Mr. Levitt:

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 April 16, 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 Marty Goodwin at (609)292-0543.

Sincerely,

Yacoub Yacoub, Bureau Chief
Unregulated Heating Oil Tank Program

c: Municipal Clerk, Mount Olive Township
David Socks, Response Environmental
Morris County Health
Mount Olive Health
Mark Gruzlovic, NJDEP/Unregulated Heating Oil Tank Program
File Copy