



State of New Jersey

CHRIS CHRISTIE
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Case Assignment and Initial Notice
Mail Code 401-05H
P.O. Box 420
Trenton, NJ 08625-420

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

Regulations Official
Stony Brook Holdings
AKA J. Zuccarelli, Estate
18903 SE Federal Hwy
Tequesta, FL 33469

May 27, 2014

Re: Former National Waste Disposal Inc;
Former Wilenta Bros. Carting Inc
149A Whitesville Road
Jackson Twp., Ocean County
Block 22301, Lots 14 and 15
Case/PI # 0091505

Dear Sir or Madam:

The New Jersey Department of Environmental Protection's (Department) underground storage tank (UST) registration records indicate that there is/are UST(s) (**see enclosed listing of expired UST systems and site map**) at the above referenced property. Various attempts have been made to reach the last known listed UST owner/operator (O/O) of the UST system(s) and based on a lack of response for updated information, the Department considers the UST system(s) to be out of compliance and certain provisions of the Site Remediation Reform Act (SRRA) and the Regulations Implementing the Underground Storage of Hazardous Substances Act (N.J.A.C. 7:14B or "UST Rule") apply.

If the UST system(s) have previously been properly closed in accordance with N.J.A.C. 7:14B please submit the following information to the Department:

- a. An updated UST Facility Certification Questionnaire (FCQ) to delist/close the active UST registration (the FCQ can be found at www.nj.gov/dep/srp/forms/ust/index.html#ust021); and
- b. One or more "Response Action Outcome" (RAO) issued by a Licensed Site Remediation Professional (LSRP) or "No Further Action" (NFA) letter(s) issued by the Department pertaining to all the UST system(s) registered at the site.

If the UST system(s) have previously been removed but you are not in possession of the RAO(s) or NFA(s) for the UST systems(s); OR

If the UST system(s) are still present at this property and the UST system(s) must be closed in accordance N.J.A.C. 7:14B;

you will need to complete the following:

- a. Retain a LSRP in accordance with N.J.A.C. 7:26C (Administrative Requirement for the Remediation of Contaminated Sites or ARRCs Rule);
- b. File an UST Notice of Intent to Close (NOI) with the Department, if not previously submitted; Complete a site investigation (SI) and address any discharges of hazardous substances from the UST system in accordance with N.J.A.C. 7:26E (Technical Requirements for Site Remediation or Tech. Regs.) and the ARRCs Rule; and
- c. Submit an updated FCQ to delist/close the active UST registration.

The LSRP will assure that the UST system(s) are closed and if necessary, any discharges are remediated, in accordance with all prevailing statutes, regulations and guidance. A list of licensed LSRP's can be found at: www.nj.gov/dep/srp/srra/lsrp/lsrp_list.htm.

For details regarding UST closure requirements, please see N.J.A.C. 7:14B-9. The above referenced rules can be found at www.nj.gov/dep/srp/regs.

Failure to comply with the obligations of SRRA carries severe consequences including penalties and the possibility that the Department may undertake direct oversight of the remediation. Once a site is under direct oversight, the responsible parties forfeits all rights in the decision making process regarding the remediation, including remedy selection. Additionally the responsible parties are required to establish a Remediation Trust Fund and the Department will control disbursements.

It is important to note that there are regulatory and mandatory timeframes that started March 1, 2010, which may apply. These timeframes are for completion of an Initial Receptor Evaluation, a Preliminary Assessment/Site Investigation, if required, responding to the presence of petroleum free product (Light Non-Aqueous Phase Liquid or LNAPL) and responding to Immediate Environmental Concern conditions. Please consult the referenced rules and the following links to better understand these timeframes.

www.nj.gov/dep/srp/;
www.nj.gov/dep/srp/guidance/srra/lnapl_guidance.pdf;
www.nj.gov/dep/srp/srra/forms/receptor_evaluation_report.pdf; and
www.nj.gov/dep/srp/guidance/srra/draft_iec_guidance.pdf

Please note that until the status of the UST(s) that are registered at your property are properly resolved, an open environmental issue will remain attached to the property pursuant to the N.J.A.C. 7:14B which could complicate future property and business transactions related to this site.

Should you have any technical and/or administrative questions, please refer to the "Contact List for Questions on LSRP" located at www.nj.gov/dep/srp/srra/srra_contacts.htm. If you have additional questions regarding this letter you may contact me at 609.633.1445 or you may email me at dave.nickerson@dep.state.nj.us

Sincerely,

Providing Unsigned Copy

David A. Nickerson, Supervisor
Bureau of Case Assignment and Initial Notice

Enclosure: Registration listing of expired UST systems and site map