

DIVISION OF REMEDIATION SUPPORT

Bureau of Risk Management
Initial Notice and Case Assignment
P.O. Box 028
Trenton, New Jersey 08625-0028

Tel: (609) 633-1464 * Fax: (609) 633-1439

09/28/2004

UST FEE & BILLING CONTACT
NATIONAL WASTE DISPOSAL INC
149A WHITESVILLE RD
JACKSON TWP, NJ 08527

Re: Facility Registration ID: 009150
Registration Activity ID: UST000001

Dear UST FEE & BILLING CONTACT:

A review of Department records indicates your regulated facility currently does not hold a valid Registration Certificate. In accordance with N.J.A.C. 7:14B-2.1 (c) any person that owns or operates an underground storage tank system shall only use such tank upon receipt of a valid Registration Certificate issued by the Department. In addition, in accordance with N.J.A.C. 7:14B-1.8(b), no person or business firm shall introduce hazardous substances into a regulated underground storage tank, which is not properly registered with the Department.

A further review of Department records indicates that your regulated facility may currently have one or more underground storage tank systems that are not in compliance with all of the requirements of the Underground Storage of Hazardous Substances Act (N.J.S.A. 58:10A-21 et seq.) and /or the regulations promulgated thereunder.

Regulations governing the operation and maintenance of underground storage tanks in New Jersey require any person who owns or operates a regulated underground storage tank system to:

Meet the standards for the construction, installation, and operation of new and existing underground storage tank systems, including monitoring and release detection, corrosion protection, spill prevention and overfill protection, and continually maintain mandatory financial responsibility assurance.

December 22, 1998 was the deadline by which owners and operators of all applicable underground storage tank systems were required to either upgrade their existing systems or close and replace the existing sub-standard systems with systems that meet standards. Owners and operators that failed to upgrade or replace their existing sub-standard system(s) were required to permanently close (Remove or properly abandon in place) the existing non-compliant systems.

Those owners and operators that have failed to comply with one of the options listed above by the December 22, 1998 deadline are in violation of N.J.S.A. 58:10A-21 et seq., and N.J.A.C. 7:14B-1.1 et seq. and are subject to substantial fines and penalties. Any use of non-compliant underground storage tank systems is illegal and must cease immediately. All non-compliant tanks must now be closed in accordance with N.J.A.C. 7:14B-9.2 and 9.3.

Attached for your information and review is a UST Summary Table listing all regulated UST's currently registered to your facility showing the current status of each tank. Please review the information provided in the Summary Table to determine whether the information contained in our records is correct.

If any of the information in our records is incorrect, please use the Underground Storage Tank Facility Certification Questionnaire to provide us with the correct information. Upon receipt of the questionnaire we will review the information provided, and, where appropriate, make the necessary corrections to our records and re-evaluate the compliance status of your regulated underground storage tank system(s).

Should you determine that our information is correct, and you are currently operating non-compliant tanks, you must immediately take the tank(s) out of service (no product dispensing or delivery). The tank(s) must be emptied of all hazardous substances and all lines disconnected and capped, except the vent line(s).

An (Underground Storage Tank Facility Certification Questionnaire) available on line at www.state.nj.us/dep/srp/regs/guidance.htm, or by calling this office at (609) 633-0716, must immediately be completed and submitted to the Department showing the date the tank(s) were emptied and taken out-of-service.

Also, upon receipt of this letter, if the information in our database is correct, a Form UST-C13 (Notice of Intent to Close an Underground Storage tank System) which may be downloaded using the Department's website at www.state.nj.us/dep/srp/regs/guidance.htm, or obtained by calling (609) 633-0716, must be completed and submitted to the Department at the address shown below.

Department of Environmental Protection
Division of Remediation Support
Bureau of Risk Management, Initial Notice & Case Assignment
P.O. Box 435
Trenton, New Jersey 08625-0435
Attention: Estavon Posey

Upon receipt of approval from the Department of the Notice of Intent to Close an Underground Storage Tank System the tanks must be permanently closed (removed or properly abandoned in place) in accordance with N.J.A.C. 7:14B-9.2 and 9.3.

Failure to submit the required documentation as requested will result in the Department taking all appropriate enforcement action to obtain compliance. Additionally, please be advised that UST facility inspections have substantially increased in New Jersey. Federal, State and local inspectors will be reviewing registration information for accuracy and conducting field inspections to verify compliance. Falsification of documentation will result in the maximum penalties allowed by law.

If you are required to close and/or remediate a non-compliant Petroleum Underground Storage Tank you may be eligible for financial assistance from the Petroleum Underground Storage Tank Remediation, Upgrade, and Closure Fund. Further information regarding the financial assistance program, including application forms, is available at the Department's website at www.nj.gov/dep/srp/finance/ustfund or by calling (609) 777-0101. Funding applications must be filed prior to June 30, 2005.

Questions concerning the appropriate steps necessary in order to comply with the Department's Underground Storage Tank System closure procedures should be directed to the Duty Officer Initial Notice and Case Assignment at (609) 633-0708.

Questions concerning this letter should be directed to this office at (609) 633-0716.

Sincerely,

Estavon Posey
Administrative Analyst I
Enforcement Unit

C: UST Non-Compliance File