



# Applied Earth Solutions Inc.

268 Lake Avenue  
Metuchen, NJ 08840  
Phone: (732) 548-9050  
Fax: (732) 548-9052  
E-mail: mail@aesnj.com

cc: Planning Bd, Zoning  
Bd. of Adj, DPW, Historic Pres  
Comm, Construction official  
Environ. Comm, Bd. of Health  
January 19, 2018

NJDEP-Bureau of Case Assignment & Initial Notice  
Site Remediation Program  
401-05H  
P.O. Box 420  
Trenton, NJ 08625-0420

Re: **Response Action Outcome (RAO) and Report Documentation**  
Mahwah U-Save, 231 Route 17, Mahwah, NJ 07430  
PI # 007131  
Case # 01-03-20-1609-21, 04-11-19-1215-05, 05-01-10-1358-41

Dear Sir/Madam:

Enclosed, please find the following forms and documents for the above referenced:

- Signed Cover/Certification Form
- Response Action Outcome (RAO) Form
- Copy of RAO Letter

The attached CD contains the forms in an electronic form, the CID with Area of Concern (AOC) map and documents that support this RAO for the site.

If have any questions or comments please do not hesitate to contact me at (732) 548 9050 ext. 158 or rittman@aesnj.com.

Sincerely,  
**Applied Earth Solutions, Inc.**

Roy J. Rittman, P.G., LSRP  
President

Enclosures

Cc: John O'Brien, Motorgas Oil & Refining Corp.



New Jersey Department of Environmental Protection  
Site Remediation Program

RESPONSE ACTION OUTCOME FORM

Date Stamp  
(For Department use only)

SECTION A. SITE

Site Name: Mahwah U-Save

Program Interest (PI) Number(s): 007131

Case Tracking Number(s) for this submission: 05-01-10-1358-41

This form must be attached to the Cover/Certification Form

All Oversight Invoices and Annual Remediation Fees are Paid in Full.

SECTION B. SCOPE OF THE RESPONSE ACTION OUTCOME

1. Indicate the extent of remediation covered by the Response Action Outcome.

Check only 1 box:

- Unrestricted RAO
- Limited Restricted RAO
- Restricted RAO

CCNY

2. Check only 1 box:

- Area(s) of Concern Only
- Entire Site
- ISRA Subject Industrial Establishment (leasehold portion only)

3. Total number of contaminated AOCs associated with the case: 2

4. Total number of contaminated AOCs addressed in this submission: 1

5. Are there any outstanding contaminated AOCs associated with the case where an RAO has not been filed? .....  Yes  No

6. Does this RAO address a discharge/release from a federally regulated UST? .....  Yes  No

SECTION C. RESPONSE ACTION OUTCOME PREPARATION CHECKS

1. Was the RAO issued only to the "Person(s) that conducted the Remediation"? .....  Yes  No

2. Does the language in the issued RAO document conform to the RAO shell document? .....  Yes  No

3. Were all the applicable individuals/agencies noted in the shell document copied on the RAO? .....  Yes  No

4. Are there electronic copies of all remediation related records included with this submission? .....  Yes  No

5. Did the remedial action render the property unusable for future redevelopment or recreation use? .....  Yes  No

6. Have any NJDEP-documented deficiencies been addressed in this or prior submission? .....  Yes  No  N/A

SECTION D. RESPONSE ACTION OUTCOME NOTICES (check all the apply and were used in the RAO document)

1. General Notices

- Well Decommissioning
- Building Interiors Not Addressed (Non-Child Care)
- Building Interiors Addressed

**2. Contamination Remaining Onsite**

- Regional Natural Background Levels (above Direct Contact Standards) of Materials in Soil
- Existing Classification Exception Area or Deed Notice from Prior Remediations
- Soils Only RAO when Ground Water Contamination remains from that Area(s) of Concern or Site
- Ground Water Contamination Not Yet Investigated
- Ground Water Contamination Due to Regional Historic Fill
- Contamination Remaining Onsite Due to Off-site Contamination
- Known Onsite Contamination Source Not Yet Remediated
- Order of Magnitude Change to a Remediation Standard after approval of a Remedial Action Workplan
- Order of Magnitude Change to a Remediation Standard after Approval of a Final Remediation Document

**3. ISRA Specific Notices**

- ISRA Specific – RCRA Situations - Bureau of Case Assignment and Initial Notice Referral
- ISRA Specific – Multi-Tenant Situations - Bureau of Case Assignment and Initial Notice Referral
- ISRA Specific – Landfill Situations - Bureau of Case Assignment and Initial Notice Referral

**4. Additions to Model Document**

- In-Service Railroad Line, Spurs and Sidings Not Remediated
- Known Onsite Contamination Source Not Remediated - Historic Fill (RAO-A)
- Soil Contamination From an Off-Site Source Not Remediated- General
- Soil Contamination From an Off-Site Source Not Remediated - Diffuse Anthropogenic Pollution
- Naturally Occurring Levels of Constituents in Ground Water
- Historically Applied Pesticides not Addressed

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**SECTION E. REMEDIATION FUNDING SOURCE**

1. Has a Remediation Funding Source been posted for this site pursuant to N.J.A.C. 7:26C-5? ....  Yes  No

If "Yes, check a. or b. below as applicable:

a.  This RAO is for the entire site and serves as notice to the NJDEP to return the Remediation Funding Source posted for this site\*.

b.  This RAO is for an Area of Concern only and (check one below):

Serves as notice to the NJDEP to decrease the Remediation Funding Source posted for this site\*.

No adjustments to the Remediation Funding Source are requested at this time.

**Note:** If any box in a. or b. above identified with an asterisk (\*) is checked, be sure to include the completed "Remediation Cost Review and RFS-FA Form" available at <http://nj.gov/dep/srp/srra/forms>.



New Jersey Department of Environmental Protection  
Site Remediation Program

**COVER/CERTIFICATION FORM**

(Submit with Remedial Phase Report, Receptor Evaluation, and CEA Forms)

Date Stamp  
(For Department use only)

**SECTION A. SITE INFORMATION**

Site Name: Mahwah U-Save

AKAs: \_\_\_\_\_

Street Address: 231 Route 17

Municipality: Mahwah (Township, Borough or City)

County: Bergen Zip Code: 07430

Program Interest (PI) Number(s): 007131

Case Tracking Number(s) for this submission: 01-03-20-1609-21, 04-11-19-1215-05, 05-01-10-1358-41

Date Remediation Initiated Pursuant to N.J.A.C. 7:26C-2: \_\_\_\_\_

State Plane Coordinates for a central location at the site: Easting: 587210 Northing: 823480

List current Municipal Block and Lot Numbers of the Site:

Block # 59 Lot #(s) 20.01 Block # \_\_\_\_\_ Lot #(s) \_\_\_\_\_

Block # \_\_\_\_\_ Lot #(s) \_\_\_\_\_ Block # \_\_\_\_\_ Lot #(s) \_\_\_\_\_

Block # \_\_\_\_\_ Lot #(s) \_\_\_\_\_ Block # \_\_\_\_\_ Lot #(s) \_\_\_\_\_

Block # \_\_\_\_\_ Lot #(s) \_\_\_\_\_ Block # \_\_\_\_\_ Lot #(s) \_\_\_\_\_

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**SECTION B. SUBMISSION STATUS**

1. Indicate how the Electronic Data Deliverable (EDD) for this submission is being provided to the NJDEP:

Via Email at [srpedd@dep.state.nj.us](mailto:srpedd@dep.state.nj.us) (attach NJDEP confirmation email); or


CD (attach to this submission)

Not Applicable – No EDD

2. Complete the following Submission and Permit Status Table:

Remedial Phase Documents	N/A	Included in this Submission	Previously Submitted	Date of Submission	Date of Revised Submission	Date of Previous NJDEP Approval	Date of Document Withdrawal
Preliminary Assessment Report	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	01/19/2018			
Site Investigation Report	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	01/19/2018			
Remedial Investigation Report	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	02/24/2017			
Remedial Action Work Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Remedial Action Report	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	02/24/2017			
Response Action Outcome	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
<b>Other Submissions</b>							
Alternative Soil Remediation Standard and/or Screening level Application Form	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	02/24/2017			
Case Inventory Document		<input checked="" type="checkbox"/>					
Classification Exception Area / Well Restriction Area (CEA/WRA)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	02/24/2017			
Discharge to Ground Water Permit by Rule Authorization Request	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	07/31/2013			

IEC Engineered System Response Action Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Immediate Environmental Concern Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
LNAPL Interim Remedial Measure Report	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	02/29/2012			
Public Notification	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	02/24/2017			
Receptor Evaluation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	02/24/2017			
Technical Impracticability Determination	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Vapor Concern Mitigation Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Permit Application – list:	<input checked="" type="checkbox"/>						
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				
Radionuclide Remedial Action Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Radionuclide Remedial Action Workplan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Radionuclide Remedial Investigation Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Radionuclide Remedial Investigation Workplan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

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**SECTION C. SITE USE**

**Current Site Use:** (check all that apply)

- Industrial
- Residential
- Commercial
- School or child care
- Other: \_\_\_\_\_
- Agricultural
- Park or recreational use
- Vacant
- Government

**Intended Future Site Use, if known:** (check all that apply)

- Industrial
- Residential
- Commercial
- School or child care
- Other: \_\_\_\_\_
- Park or recreational use
- Vacant
- Government
- Future site use unknown

**SECTION D. CASE TYPE:** (check all that apply)

- Administrative Consent Order (ACO)
- Brownfield Development Area (BDA)
- Child Care Facility
- Chrome Site (Chromate chemical production waste)
- Coal Gas
- Due Diligence with RAO
- Hazardous Discharge Remediation Fund (HDSRF) Grant/Loan
- ISRA
- Landfill (SRP subject only)
- Regulated Underground Storage Tank (UST)
- Remediation Agreement (RA)/Remediation Certification
- School Development Authority (SDA)
- School facility
- Spill Act Defense – Government Entity
- Spill Act Discharge
- UST Grant/Loan
- Other: \_\_\_\_\_

**Federal Case** (check all that apply)

- RCRA GPRA 2020
- CERCLA/NPL
- USDOD
- USDOE

1. Is the party conducting remediation a government entity? .....  Yes  No  
 If "Yes," check one:  Federal  State  Municipal  County

**SECTION E. PUBLIC FUNDS**

Did the remediation utilize public funds? .....  Yes  No

If "Yes," check applicable:

- UST Grant
- HDSRF Grant
- Spill Fund
- UST Loan
- HDSRF Loan
- Schools Development Authority
- Brownfield Reimbursement Program
- Landfill Reimbursement Program
- Environmental Infrastructure Trust

**SECTION F. PERSON RESPONSIBLE FOR CONDUCTING THE REMEDIATION INFORMATION AND CERTIFICATION**

Full Legal Name of the Person Responsible for Conducting the Remediation: Motorgas Oil & Refining Corp.

Representative First Name: Kathleen Representative Last Name: O'Brien

Title: President

Phone Number: (201) 857-2025 Ext: \_\_\_\_\_ Fax: (201) 857-2084

Mailing Address: 700 Godwin Avenue, Suite 320

City/Town: Midland Park State: NJ Zip Code: 07432

Email Address: jpobrien65@hotmail.com

This certification shall be signed by the person responsible for conducting the remediation who is submitting this notification in accordance with Administrative Requirements for the Remediation of Contaminated Sites rule at N.J.A.C. 7:26C-1.5(a).

*I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, including all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.*

Signature: Kathleen S. O'Brien Date: 2/11/2018

Name/Title: Kathleen S. O'Brien/ President

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**For CEA Submissions:**

Check this box if the person above is also the property owner of the site or their representative. If this person is not the site property owner, please ensure the site property owner's name and address is in the first line of the table in Section E.2 of the Classification Exception Area / Well Restriction Area (CEAWRA) Fact Sheet Form.

**SECTION G. LICENSED SITE REMEDIATION PROFESSIONAL INFORMATION AND STATEMENT**

LSRP ID Number: 575598  
First Name: Roy Last Name: Rittman  
Phone Number: (732) 548-9050 Ext: 158 Fax: (732) 548-9052  
Mailing Address: 268 Lake Avenue  
City/Town: Metuchen State: NJ Zip Code: 08840  
Email Address: rrittman@aesnj.com

This statement shall be signed by the LSRP who is submitting this notification in accordance with section 14 of P.L.2009 c.60 (N.J.S.A. 58:10C-14), and paragraphs (1) and (2) of subsection b. of section 30 of P.L.2009 c.60 (N.J.S.A. 58:10B=1.3b(1) and (2)).

*I certify that I am a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey. As the Licensed Site Remediation Professional of record for this remediation, I:*

**[SELECT ONE OR BOTH OF THE FOLLOWING AS APPLICABLE]:**


- directly oversaw and supervised all of the referenced remediation, and/or*
- personally reviewed and accepted all of the referenced remediation presented herein.*

*I believe that the information contained herein, and including all attached documents, is true, accurate and complete.*

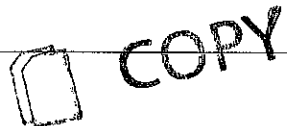
*It is my independent professional judgment and opinion that the remediation conducted at this site, as reflected in this submission to the Department, conforms to, and is consistent with, the remediation requirements in N.J.S.A. 58:10C-14.*

*My conduct and decisions in this matter were made upon the exercise of reasonable care and diligence, and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals practicing in good standing, in accordance with N.J.S.A. 58:10C-16, in the State of New Jersey at the time I performed these professional services.*

*I am aware pursuant to N.J.S.A. 58:10C-17 that for purposely, knowingly or recklessly submitting false statement, representation or certification in any document or information submitted to the board or Department, etc., that there are significant civil, administrative and criminal penalties, including license revocation or suspension, fines and being punished by imprisonment for conviction of a crime of the third degree.*

LSRP Signature:   
LSRP Name/Title: Roy J. Rittman, PG/ President  
Company Name: Applied Earth Solutions, Inc.

Date: 1-17-18



Completed forms should be sent to:  
Bureau of Case Assignment & Initial Notice  
Site Remediation Program  
NJ Department of Environmental Protection  
401-05H  
PO Box 420  
Trenton, NJ 08625-0420



# Applied Earth Solutions Inc.

268 Lake Avenue  
Metuchen, NJ 08840  
Phone: (732) 548-9050  
Fax: (732) 548-9052  
E-mail: mail@aesnj.com

January 19, 2018

Motorgas Oil & Refining Corp.  
Attn. Kathleen O'Brien  
700 Godwin Avenue, Suite 320  
Midland Park, NJ 07432

## Re: Response Action Outcome

**Remedial Action Type:** *Unrestricted Use*

**Scope of Remediation:** *Entire Site*

**Case Name:** Mahwah U-Save

**Address:** 231 Route 17

**Municipality:** Mahwah, NJ 07430

**County:** Bergen

**Block:** 59 **Lot:** 20.01

**Preferred ID:** 007131

**Communication Center #** 01-03-20-1609-21, 04-11-19-1215-05, 05-01-10-1358-41

**UST Registration #** 007131

**UST Closure #** N11-7627

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Dear Kathleen O'Brien:

As a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey, I hereby issue this Response Action Outcome for the remediation of the site specifically referenced above. I personally reviewed and accepted all of the referenced remediation, and based upon this work, it is my professional opinion that this remediation has been completed in compliance with the Administrative Requirements for the Remediation of Contaminated Sites (N.J.A.C. 7:26C), that is protective of public health, safety and the environment. Also, full payment has been made for all Department fees and oversight costs pursuant to N.J.A.C. 7:26C-4.

This remediation includes the completion of a Preliminary Assessment, Site Investigation, Remedial Investigation and Remedial Action as defined pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E).

My decision in this matter is made upon the exercise of reasonable care and diligence and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals in good standing practicing in the State at the time these professional services are performed.



As required pursuant to N.J.A.C. 7:26C-6.2(b)2ii, a copy of all records related to the remediation that occurred at this location is being simultaneously filed with the New Jersey Department of Environmental Protection (Department). These records contain all information upon which I based my decision to issue this Response Action Outcome.

By operation of law a Covenant Not to Sue pursuant to N.J.S.A. 58:10B -13.2 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 Response Action Outcome.

## CONDITIONS

Pursuant to N.J.S.A. 58:10B-12o, Motorgas Oil & Refining Corp. and any other person who is liable for the cleanup and removal costs, and remains liable pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. shall inform the Department in writing, on a form available from the Department, within 14 calendar days after its name or address changes. Any notices you submit pursuant to this paragraph shall reference the above case numbers and shall be sent to:

New Jersey Department of Environmental Protection  
Bureau of Case Assignment and Initial Notice  
Mail Code 401-05H  
401 East State Street, 5th floor  
PO Box 420  
Trenton, New Jersey 08625-0420

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## NOTICES

### Well Decommissioning

Pursuant to N.J.A.C. 7:9D-3 any wells installed as part of this remediation that will no longer be used for remediation have been properly decommissioned. If any wells have been properly decommissioned, the well driller's well decommissioning report has been submitted to the Bureau of Water Allocation and Well Permitting. Pursuant to N.J.S.A. 58:4A, any monitoring wells remaining onsite shall be properly decommissioned prior to the termination of the applicable remedial action permit. A New Jersey licensed well driller shall decommission the well(s) in accordance with the requirements of N.J.A.C. 7:9D-3 and submit the decommissioning report on your behalf to the Bureau of Water Allocation and Well Permitting. More information about regulations regarding the maintenance and decommissioning of wells in New Jersey can be found at [www.nj.gov/dep/watersupply](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.state.nj.us](mailto:wellpermitting@dep.state.nj.us).

Soils Only Response Action Outcome when Ground Water Contamination remains from that Area(s) of Concern or Site

This Response Action Outcome only applies to the soils at the referenced location. By issuing this Response Action Outcome, I have relied on both the implementation of the remedial action for soil and on the ground water data to support the determination that soil contamination is no longer affecting ground water. Please be advised that if changes in future ground water data no longer support this conclusion, additional soil remediation may be necessary. Also, any redevelopment on this site should take into consideration the potential for vapor intrusion from the ground water contamination. Please note that you may have an affirmative obligation, pursuant to the Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-1.3, to remediate the remaining contamination, within specific regulatory and mandatory timeframes and within the statutory timeframe specified at N.J.S.A. 58:10C-27.

In concluding that this remediation has been completed, I am offering no opinions concerning whether either primary restoration (restoring natural resources to their pre-discharge condition) or compensatory restoration (compensating the citizens of New Jersey for the lost interim value of the natural resources) has been completed.

Pursuant to N.J.S.A. 58:10C-25, the Department may audit this Response Action Outcome and associated documentation up to three years following issuance. Based on a finding by the Department that a Response Action Outcome is not protective of public health, safety and the environment, the Department can invalidate the Response Action Outcome. Other justifications for the Department's invalidation of this Response Action Outcome are listed in the Administrative Requirements for the Remediation of Contaminated Sites at N.J.A.C. 7:26C-6, including, but not limited to, a Department audit following issuance of this document may be initiated at any time if: a) undiscovered contamination is found that was not addressed by the Response Action Outcome, b) if the Site Remediation Professional Licensing Board conducts an investigation of the Licensed Site Remediation Professional issuing the Response Action Outcome or, c) if the license of that person is suspended or revoked.

Thank you for your attention to these matters. If you have any questions, please contact me at (732) 548-9050.

Sincerely,



Roy J. Rittman, P.G.

Licensed Site Remediation Professional # 575598

c: Mahwah Twp. Clerk  
Mahwah Twp. Health Dept.  
Bergen County Clerk  
Bergen County Health Dept.  
NJDEP Bureau of Case Assignment and Initial Notice  
A.D.P.P. Enterprises, Inc. (200 State Hwy. 17 #215, Mahwah, NJ 07430)