

cc: Planning Bd, Zoning Bd. of Adj.,  
DPW, Board of Health, Construction  
Official, Envr. Comm, Historic  
State of New Jersey Pres. Comm.

CHRIS CHRISTIE  
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION -

BOB MARTIN  
Commissioner

KIM GUADAGNO  
Lt. Governor

Bureau of Northern Field Operations  
7 Ridgedale Avenue  
Cedar Knolls, NJ 07927  
Phone #: 973-631-6401  
Fax #: 973-656-4440

Entire document  
on file in  
Clerk's Office  
for review.

August 11, 2017

Mahmood Reza Hashemi  
49 Carrell Road  
Randolph, NJ 07869



Re: Deed Notice Requirements  
Block 136 Lot 1  
E Elwood & E Francis Moore aka Moore Brothers Fuel Oil (now Comfort Suites)  
220 Rte 17 (formerly known as 33 Ridge Rd)  
Mahwah/Bergen County  
SRP PI# 006482

### NON-COMPLIANCE NOTIFICATION

Dear Mr. Hashemi:

The New Jersey Department of Environmental Protection (Department) is providing notification that the above property last known to be owned by Sharp Tenaflly, LLC is currently **out of compliance** with the requirements for restricted use of the property. A Deed Notice was recorded for Block 136, Lot 1 August 17, 1994 with the Bergen County Clerk which restricts the use of a portion of the property and requires the maintenance of engineering controls to limit contact on the property with remaining soil contamination. A copy of the Deed Notice with map of the restricted area is enclosed for your information. The Deed Notice and its requirements to maintain the engineering controls remains in full force to date.

The Department requires that you verify the continued protectiveness of the engineering controls by submitting a Biennial Certification Form every 2 years from the date the Deed Notice was recorded for the site. As of the writing of this notice, the last Biennial Certification was completed in July 2013. Additionally, since the original deed notice and cap was recorded, the property was redeveloped and a hotel with parking has been constructed on the property. Neither the Deed Notice nor the accompanying engineering control description or maps have been updated and/or re-recorded with the Bergen County Clerk to reflect the current cap construction.

RECD MUNICIPAL CLERK  
AUG 17 '17 FWL:16

Therefore, Sharp Tenafly, LLC shall immediately bring this matter into compliance with the Department's regulations by completing the following:

- 1) Hire a Licensed Site Remediation Professional (LSRP);
- 2) File a Biennial Certification Form;
- 3) Pay any outstanding fees; and,
- 4) Obtain a Soil Remedial Action Permit.

Forms for these items can be found at: <http://www.nj.gov/dep/srp/srra/forms/>

Please note that a Licensed Site Remediation Professional (LSRP) is required to submit these forms and applications on your behalf to the Department. There is no LSRP of record currently linked to the site. Consequently, you must hire an LSRP to address the specific Deed Notice related issues noted in this correspondence. The LSRP you hire will be required to inspect the engineering controls and certify that the past remedy remains protective today prior to completing the required forms. You may locate and find the contact information for an LSRP through the following link: [http://www.nj.gov/dep/srp/srra/lrsp/lrsp\\_list.htm](http://www.nj.gov/dep/srp/srra/lrsp/lrsp_list.htm)

The Biennial Certification Monitoring Report Form and the Soil Remedial Action Permit application, completed by an LSRP specifically engaged to do so, are due **within 30 days of the date of this letter**. Therefore, please give this matter your utmost & immediate attention. Failure to comply with the above requirements may result in future enforcement action. If you have any questions regarding this matter, please contact, Gloria Grant at 973-631-6401.

Sincerely,



David Oster  
Bureau of Northern Field Operations

Attached: Recorded Deed Notices

c: Health Department  
Municipal Clerk, Mahwah  
TAPAH LLC  
Bureau of Remedial Action Permitting (BRAP)  
Bureau of Enforcement & Investigations (BEI)