



## REGION 2

NEW YORK, N.Y. 10007

**April 10, 2024**

**Via Electronic Mail To:** [vfc@cardinaleenterprises.com](mailto:vfc@cardinaleenterprises.com)

Mr. Vito Cardinale  
Owner  
Adventure Crossing  
Monmouth Road  
Jackson Township, NJ 08527

**Re: OVERDUE NOTICE**  
**Administrative Compliance Order**  
**Docket No. CWA-02-2025-3006**  
**Adventure Crossing, Jackson Township, NJ**  
**NPDES Permit Numbers: NJG0280518 (Adventure Crossing), NJG0303313 (Phase 1),**  
**NJG031994 (Phase 2), NJG0325091 (Phase 3), and NJG0344745 (Phase 4)**

Dear Mr. Cardinale:

On March 17, 2025, the United States Environmental Protection Agency ("EPA"), Region 2, issued an Administrative Compliance Order ("AO"), CWA-02-2025-3006 requiring Adventure Crossing to comply with a set of Ordered Provisions that, among other things, requires Adventure Crossing to take corrective actions to return the site to compliance with the Clean Water Act and its New Jersey Pollutant Discharge Elimination System Permits.

On March 27, 2025, Adventure Crossing satisfied the first Ordered Provision by submitting a signed acknowledgment of receipt of the AO.

The second Ordered Provision of the AO requires Adventure Crossing to submit a current response to the seven (7) items listed in EPA's Request for Information ("RFI"), CWA-IR-24-003, which was initially transmitted on 10/31/2023.

On March 28, 2025, Adventure Crossing submitted a copy of the updated Soil Erosion and Sediment Control ("SESC") Plans for Phases 3 and 4 to EPA via email. Adventure Crossing stated that the updated SESC plans were submitted to the Ocean County Soil Conservation District along with a new application for the project re-design from its original approved usage to residential townhouse units with special needs affordable housing units.

Adventure Crossing has yet to submit all the information required by items 2 – 7 in the RFI which are:

2. Documentation of weekly inspections being conducted on all four (4) phases of the Site over the past three (3) years, consistent with Part I.E.5 of the Permit;

3. A projected schedule of work and completion for all four (4) phases of the Site;
4. All corrective action forms for all four (4) phases of the Site over the past three (3) years, consistent with Part I.E.5.a and Part I.F.2.a.v of the permit, which cites New Jersey Administrative Code 7:14A-6.2(a)5 & 11;
5. All Stop Work Orders issued by the SCD, including a detailed description (and photographs where necessary) of the Site's response to each Stop Work Order received by the SCD, for all four (4) phases of the Site over the past three (3) years;
6. All Notice of Violations ("NOV") issued by the NJDEP or the SCD, including a detailed description (and photographs where necessary) of the Site's response to each NOV received, for all four (4) phases of the Site over the past three (3) years;
7. Relative to the unauthorized discharges associated with the sinkholes surrounding the retention basin outlet and stormwater inlets in Phase 3, provide the following:
  - a. Copies of all Notifications of Non-Compliance sent to NJDEP related to unpermitted discharges and erosion and sediment control, consistent with Part 1.F.2.d.iii of the NJPDES Permit which cites New Jersey Administrative Code 7:14A-6.10 & 6.8(h);
  - b. Written certification that all unpermitted discharges will be reported to NJDEP;
  - c. The status of compliance with all of the Facility's NJPDES Permits, including the number of times in the past three (3) years that there were unpermitted discharges;
  - d. Certification that all aspects of the retention basin, including but not limited to, the walls and outlet, in Phase 3 were properly designed and constructed;
  - e. Provide a detailed plan for preventing, monitoring and reporting unpermitted discharges that includes:
    - i. The Facility's protocols including the frequency of inspections to determine whether unpermitted discharges are occurring, especially during wet weather;
    - ii. Maintenance protocols;
    - iii. Installation of Best Management Practices ("BMPs") to prevent unpermitted discharges. Include documentation of these BMPs in Adventure Crossing's Stormwater Pollution Prevention Plan and submit the revised SPPP; and
    - iv. An update providing the status of obtaining permit coverage for unpermitted outfalls or eliminating discharges.

Within **six (6) calendar days** of receipt of this letter, Adventure Crossing must submit all missing documents for Ordered Provision #2 pursuant to Section 308(a) of the CWA, 33 U.S.C. §1318(a), to EPA. Failure to provide the required information may subject the facility to civil/criminal penalties pursuant to Section 309 of the CWA.

Please also note that the Ordered Provisions #3 and #4 associated with the AO, CWA-02-2025-3006, have deadlines on the same day - April 16, 2025.

Failure to comply with the Order shall also subject the facility to ineligibility for participation in work associated with Federal contracts, grants or loans.

If you have any questions regarding the Order, please feel free to contact Nicholas Ferreira of my staff via phone at (212) 637-4248 or via email at [ferreira.nicholas.k@epa.gov](mailto:ferreira.nicholas.k@epa.gov)

Sincerely,



Digitally signed by JUSTINE  
MODIGLIANI  
Date: 2025.04.10 23:05:46  
-04'00'

Justine Modigliani, Supervisor  
Clean Water Act Compliance Branch

cc: Daniel Lockward, NJDEP, [Daniel.lockward@dep.nj.gov](mailto:Daniel.lockward@dep.nj.gov)  
Sean Yeats, Ocean County Soil Conservation District, [syeats@soildistrict.org](mailto:syeats@soildistrict.org)  
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