



UST
U-3315_052_053_054_057

North Carolina Department of Environment and Natural Resources
Division of Waste Management

Pat McCrory
Governor

UST Section
Dexter R. Matthews
Director

John E. Skvarla, III
Secretary

May 6, 2013

Mr. Bobby R. Bowen, Sr. & Marshall L. Bowen
Post Office Box 7044
Greenville, North Carolina 27835

Re: Notice of Regulatory Requirements
15A NCAC 2L .0405
Risk-based Assessment and Corrective Action
for Petroleum Underground Storage Tanks

Bowen Property (Bobby & Marshall)
Parcels 52, 53, 54, & 57
1310 West 14th Ave., Greenville
Pitt County
Incident Number: **38383**
Ranking: Undetermined

Dear Bobby & Marshall:

The Underground Storage Tank (UST) Section, Washington Regional Office is in receipt of a Preliminary Site Assessment Report submitted on behalf of the North Carolina Department of Transportation. The report documents investigation activities related to NCDOT Project U-3315 (Stantonsburg Road to 10th Street Connector) for Parcels 52, 53, 54, and 57 located at 1310 West 14th Avenue in Greenville, NC. Information in the report confirms a release or discharge of petroleum product at the above-referenced location. Soil and groundwater sample results indicate that contamination is present at levels that exceed NC soil and groundwater standards.

As a responsible party, you must comply with assessment and reporting requirements of Title 15A NCAC 2L .0405, within the timeframes specified in the attached rule.

Specifically:

- Please submit a Limited Site Assessment (LSA) Report within 45 days of the date of this letter.

Based on a review of the LSA report, the Department will assign Risk Classification of high, intermediate or low depending on the risk the release poses to human health and the environment. Please note that in the future, contaminated soil excavation and additional soil / groundwater sampling may be required.

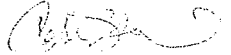
Because a release or discharge has been confirmed, a Licensed Geologist or a Professional Engineer, certified by the State of North Carolina, is required to prepare and certify all reports submitted to the Department in accordance with Title 15A NCAC 2L .0103(e) and 2L .0111(b).

Please note that before you sell, transfer, or request a "No Further Action" determination for a property that has not been remediated to below "unrestricted use" standards, you must file a Notice of Residual Petroleum ("Notice") with the Register of Deeds in the county where the property is located (NCGS 143B-279.9 and 143B-279.11).

Failure to comply with the State's rules in the manner and time specified may result in the assessment of civil penalties and/or the use of other enforcement mechanisms.

If you have any questions regarding the actions that must be taken or the rules mentioned in this letter, please contact me at the address or telephone number listed below.

Sincerely,



Carrie Stone
Environmental Senior Technician
Washington Regional Office

Enclosures: Title 15A NCAC 2L .0405
Environmental Consultant List

cc: ATC, 2725 E. Millbrook Rd., Suite 121, Raleigh, NC 27604
Gordon Box, NCDOT, Geotechnical Engineering Unit, GeoEnvironmental Section, 1589 Mail
Service Center, Raleigh, NC 27699-1589
Pitt County Health Department
WaRO

Washington (WAS) – 943 Washington Square Mall, Washington, NC 27889 (252) 946-6481

ENVIRONMENTAL CONSULTANTS

Allied Environmental Services
402 SW Greenville Blvd., Suite A
Greenville, NC 27834
(252) 758-3311

ATC Associates, Inc.
2725 E. Millbrook Road, Suite 121
Raleigh, NC 27604
(919) 871-0999

Aqua Hydrogeologic Consulting
1803 Rivershore Road
Elizabeth City, NC 27909
(252) 562-4257

Avolis Engineering
PO Box 15564
New Bern, NC 28561
(252) 633-0068

Catlin Engineers & Scientists
220 Old Dairy Road
Wilmington, NC 28405
(910) 452-5861

Eastern Carolina Environmental Services, Inc.
T.J. Benthall
1450 Johnson Drive
Williamston, NC 27892
(252) 508-4903

Eastern Environmental Management
P.O. Box 4030
Rocky Mount, NC 27803
(866) 443-2225

Environmental Services & Solutions, PLLC
P.O. Box 12055
Wilmington, NC 28405
(910) 392-3050

Groundwater Management Associates, Inc.
4300 Sapphire Court, Suite 100
Greenville, NC 27834
(252) 758-3310

Geological Resources, Inc.
113 West Fire Tower Rd., Suite G
Winterville, NC 27834
(252) 367-2617

Geological Resources, Inc.
2301-F Crown Point Executive Dr.
Charlotte, NC 28227
(704) 845-4010 or (888) 870-4133

Marshall Miller & Associates
5825 Triangle Drive
Raleigh, NC 27617
(919) 786-1414

Mineral Springs Environmental, P.C.
4600 Mineral Springs Lane
Raleigh, NC 27616
(919) 261-8186

(Henry) Nemargut Engineering Services
2211 Chestnut Street
Wilmington, NC 28405
(910) 762-5475

P&F Environmental
4352 Old Carriage Road
Rocky Mount, NC 27804
(252) 443-4083

Terraquest Environmental Consultants, P.C.
100 E. Ruffin Street
Mebane, NC 27302
(919) 563-9091

Withers & Ravenel
111 MacKenan Drive
Cary, NC 27511
(919) 469-3340

Please note that this office cannot recommend one consultant over another. We recommend that you contact several to inquire about experience. You may also want to check your local phone book.

15A NCAC 02L .0405 REQUIREMENTS FOR LIMITED SITE ASSESSMENT

If the required showing cannot be made under 15A NCAC 02L .0404 of this Section, submit within 120 days of the discovery of the discharge or release, or within such other greater time limit approved by the Department, a report containing information needed by the Department to classify the level of risk to human health and the environment posed by a discharge or release under 15A NCAC 02L .0406 of this Section. Such report shall include, at a minimum:

120 days

- (1) a location map, based on a USGS topographic map, showing the radius of 1500 feet from the source area of a confirmed release or discharge and depicting all water supply wells and surface waters and designated wellhead protection areas as defined in 42 U.S.C. 300h-7(e) within the 1500-foot radius. For purposes of this Section, source area means point of release or discharge from the underground storage tank system;
- (2) a determination of whether the source area of the discharge or release is within a designated wellhead protection area as defined in 42 U.S.C. 300h-7(e);
- (3) if the discharge or release is in the Coastal Plain physiographic region as designated on a map entitled "Geology of North Carolina" published by the Department in 1985, a determination of whether the source area of the discharge or release is located in an area in which there is recharge to an unconfined or semi-confined deeper aquifer which is being used or may be used as a source of drinking water;
- (4) a determination of whether vapors from the discharge or release pose a threat of explosion due to the accumulation of vapors in a confined space or pose any other serious threat to public health, public safety or the environment;
- (5) scaled site map(s) showing the location of the following which are on or adjacent to the property where the source is located: site boundaries, roads, buildings, basements, floor and storm drains, subsurface utilities, septic tanks and leach fields, underground storage tank systems, monitoring wells, borings and the sampling points;
- (6) the results from a limited site assessment which shall include:
 - (a) the analytical results from soil samples collected during the construction of a monitoring well installed in the source area of each confirmed discharge or release from a noncommercial or commercial underground storage tank and either the analytical results of a groundwater sample collected from the well or, if free product is present in the well, the amount of free product in the well. The soil samples shall be collected every five feet in the unsaturated zone unless a water table is encountered at or greater than a depth of 25 feet from land surface in which case soil samples shall be collected every 10 feet in the unsaturated zone. The soil samples shall be collected from suspected worst-case locations exhibiting visible contamination or elevated levels of volatile organic compounds in the borehole;
 - (b) if any constituent in the groundwater sample from the source area monitoring well installed in accordance with Sub-item (a) of this Item, for a site meeting the high risk classification in 15A NCAC 02L .0406(1), exceeds the standards or interim standards established in 15A NCAC 02L .0202 by a factor of 10 and is a discharge or release from a commercial underground storage tank, the analytical results from a groundwater sample collected from each of three additional monitoring wells or, if free product is present in any of the wells, the amount of free product in such well. The three additional monitoring wells shall be installed as follows: as best as can be determined, one upgradient of the source of contamination and two downgradient of the source of contamination. The monitoring wells installed upgradient and downgradient of the source of contamination must be located such that groundwater flow direction can be determined; and
 - (c) potentiometric data from all required wells;
- (7) the availability of public water supplies and the identification of properties served by the public water supplies within 1500 feet of the source area of a confirmed discharge or release;
- (8) the land use, including zoning if applicable, within 1500 feet of the source area of a confirmed discharge or release;
- (9) a discussion of site specific conditions or possible actions which could result in lowering the risk classification assigned to the release. Such discussion shall be based on information known or required to be obtained under this Paragraph; and
- (10) names and current addresses of all owners and operators of the underground storage tank systems for which a discharge or release is confirmed, the owner(s) of the land upon which such systems are located, and all potentially affected real property owners. When considering a request from a

gw mon well
5 ft sample
< 25 5 ft
2 25 10 ft above
2

responsible party for additional time to submit the report, the Division shall consider the extent to which the request for additional time is due to factors outside of the control of the responsible party, the previous history of the person submitting the report in complying with deadlines established under the Commission's rules, the technical complications associated with assessing the extent of contamination at the site or identifying potential receptors, and the necessity for immediate action to eliminate an imminent threat to public health or the environment.

History Note: Authority G.S. 143-215.2; 143-215.3(a)(1); 143-215.94A; 143-215.94E; 143-215.94T; 143-215.94V; 143B-282; 1995 (Reg. Sess. 1996) c. 648, s. 1; Recodified from 15A NCAC 02L .0115(c)(4); Amended Eff. December 1, 2005.