



North Carolina Department of Environment and Natural Resources

Pat McCrory  
Governor

Donald R. van der Vaart  
Secretary

March 17, 2015

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**  
7012 2210 0002 4887 4152

Vincent Peele Properties, LLC  
138 Square Drive  
Winterville, NC 28390

Re: Notice of Violation of 15A NCAC 2L .0400  
Risk-based Assessment and Corrective Action for  
Petroleum Underground Storage Tanks

Vincent Peele Property  
Parcel 105  
111 W. 10<sup>th</sup> St., Greenville  
Pitt County  
Incident Number: 38380  
Risk Classification: Undetermined  
Ranking: Undetermined

Dear Sirs:

Information received by this office of the UST Section, Division of Waste Management, on December 6, 2012 confirms a release or discharge from a petroleum underground storage tank (UST) system at the above-referenced location. Records indicate that you are the owner or operator of this UST system. This letter explains the violation(s) and associated corrective action(s) you must take as a result of the release or discharge in accordance with North Carolina statutes and rules. The UST Section, Division of Waste Management, administers the state's rules for USTs and the required response for petroleum releases. Those rules are located in Title 15A, Subchapter 2L and Title 15A, Subchapter 2N of the North Carolina Administrative Code (NCAC).

**VIOLATION 1:**

Failure to submit a Limited Site Assessment Report in accordance with Title 15A NCAC 2L .0405 to the UST Section within 120 days of discovery of a discharge or a release.

**REQUIRED CORRECTIVE ACTION:**

Please submit a Limited Site Assessment Report in accordance with Title 15A NCAC 2L .0405 and the most recent version of the *Guidelines for Assessment and Corrective Action for UST Releases* containing information needed by the Department to classify the level of risk to human health and the environment posed by the discharge or release. The Limited Site Assessment Report must be received by this office within 30 days of receipt of this notice. Based on a review of the information submitted in the Limited Site Assessment, the Department will classify the risk of the discharge or release as high, intermediate, or low. At that time, the Department will also classify the land use of the site as either residential or industrial/commercial. You will be notified of the risk and land use classifications once review of your Limited Site Assessment Report is completed.

Please take the corrective action(s) for the above violation(s) as necessary to bring the site into compliance. Corrective actions must be taken and reported to the Washington Regional Office, within 30 days from the date of this notice, unless otherwise noted in the above corrective actions, to avoid recommendation of civil penalties for continuing violations.

Penalties may be assessed for the violation(s) described within this Notice of Violation. Your prompt attention to the items described herein is required. Failure to comply with the State's rules, in the manner and time specified, may result in the assessment of additional civil penalties and/or the use of other enforcement mechanisms available to the State. Each day that a violation continues may be considered a separate violation.

Please note that performing assessment and cleanup work that is not required under 15A NCAC 2L .0400 is not reimbursable from the Commercial or Noncommercial Leaking Petroleum Underground Storage Tank Cleanup Funds.

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. If you have any questions regarding trust fund eligibility or reimbursement, please contact the UST Section Trust Fund Branch at (919) 707-8171.

Sincerely,



Scott Bullock, L.G.

Regional Supervisor

Washington Regional Office

UST Section, Division of Waste Management, NCDENR

cc: Pitt County Health Department  
Catlin Engineers and Scientists- P.O Box 10279 Wilmington, NC 28404-0279  
Jay W. King, 1646 Mil Service Center, Raleigh, NC 27699-1646

UST Regional Offices

**Asheville (ARO)** – 2090 US Highway 70, Swannanoa, NC 28778 (828) 296-4500

**Fayetteville (FAY)** – 225 Green Street, Suite 714, Systel Building, Fayetteville, NC 28301 (910) 433-3300

**Mooresville (MOR)** – 610 East Center Avenue, Suite 301, Mooresville, NC 28115 (704) 663-1699

**Raleigh (RRO)** – 1628 Mail Service Center, Raleigh, NC 27699 (919) 791-4200

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

**Wilmington (WIL)** – 127 Cardinal Drive Extension, Wilmington, NC 28405 (910) 796-7215

**Winston-Salem (WS)** – 450 West Hanes Mill Road, Suite 300, Winston-Salem, NC 27105, (336) 776-9800

**Guilford County Environmental Health**, 400 West Market Street, Suite 300, Greensboro, NC 27401, (336) 641-3771