



North Carolina Department of Environment and Natural Resources

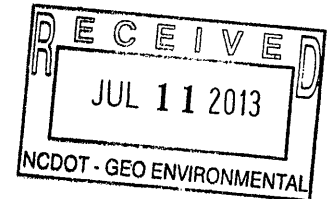
Pat McCrory, Governor

Division of Waste Management  
UST Section

John E. Skvarla, III, Secretary  
Dexter R. Matthews, Director

July 8, 2013

Mr. Hyman Brody  
Brody Properties, LLC  
530 SE Greenville Boulevard  
Suite 200  
Greenville, North Carolina 27858



Re: **Notice of No Further Action**  
15A NCAC 2L .0407(d)  
Risk-based Assessment and Corrective Action  
for Petroleum Underground Storage Tanks

**Brody Property**  
**Starbucks Parcel 107**  
100 E. 10<sup>th</sup> St., Greenville  
Pitt County  
Incident Number: **38384**  
Risk Classification: Low  
Ranking: LOR

Dear Mr. Brody:

The Underground Storage Tank Section, Washington Regional Office is in receipt of correspondence dated May 29, 2013 submitted by Ward & Smith P.A. on behalf of Brody Properties, LLC regarding the above referenced property. On May 8, 2013 the UST section issued a Notice of Regulatory Requirements requesting that an additional soil sample be collected and analyzed for MADEP VPH/EPH analysis. The Preliminary Site Assessment Report previously submitted by Catlin on behalf of NCDOT for Project U-3315 did not include all required analytical methods during the original investigation. However, based on additional information provided in your correspondence and a review of previous incident files involving adjacent properties, the UST Section has determined that additional assessment will not be required. Please note that if contamination is discovered during NCDOT roadway construction activities, the incident may be reopened and additional assessment may be required.

The UST Section determines that no further action is warranted for this incident. This determination shall apply unless the UST Section later finds that the discharge or release poses an unacceptable risk or a potentially unacceptable risk to human health or the environment. Pursuant to Title 15A NCAC 2L .0407(a) you have a continuing obligation to notify the Department of any changes that might affect the risk or land use classifications that have been assigned.

This No Further Action determination applies only to the subject incident; for any other incidents at the subject site, the responsible party must continue to address contamination as required.

If you have any questions regarding this notice, please contact me at the address or telephone number listed below.

Sincerely,



Carrie Stone  
Environmental Senior Technician  
Washington Regional Office

cc: Amy Wang, Ward and Smith, P.A., Post Office Box 867, New Bern, NC 28563  
✓Gordon Box, NCDOT, Geotechnical Engineering Unit, GeoEnvironmental Section, 1589 Mail  
Service Center, Raleigh, NC 27699  
Pitt County Health Department  
WaRO

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