



North Carolina Department of Environment and Natural Resources

Beverly Eaves Perdue, Governor
Dee Freeman, Secretary

**Division of Waste Management
Underground Storage Tank Section**

Dexter R. Matthews, Director

February 11, 2009

Mr. Brent Puzak
Director Gasoline Environmental
The Pantry, Incorporated
Post Office Box 1410
Sanford, North Carolina 27330

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

The Pantry #832
501 South Memorial Drive, Greenville
Pitt County
Incident number: **31953**
Risk Classification: Undetermined
Ranking: Undetermined

Dear Mr. Puzak:

The Initial Abatement Action Report/UST Closure Report received by the UST Section, Washington Regional Office on January 26, 2009 has been reviewed. The report indicates that groundwater contamination exceeds the standards or interim standards established in Title 15A NCAC 2L .0202. Therefore, the UST Section hereby confirms that you must comply with assessment and reporting requirements of Title 15A NCAC 2L .0405, within the timeframes specified in the attached rule.

The requirements of Title 15A NCAC 2L .0405 include the preparation and submittal of a **Limited Site Assessment (LSA) Report**, in accordance with the rule and the most recent version of the *UST Section Guidelines for Assessment and Corrective Action*, within 120 days of discovery of the release.

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 trust fund eligibility or reimbursement from the Commercial or Noncommercial Leaking Petroleum Underground Storage Tank Cleanup Funds, please contact the UST Section Trust Fund Branch at (919) 733-8486. 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,



Betty Sandow
Environmental Senior Technician
Washington Regional Office

Enclosures: Title 15A NCAC 2L .0405
A Brief History of North Carolina Session Laws, Rules, and General Statutes...

cc: M D Shaw & Associates, P.C.
Pitt County Health Department
WaRO

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) – 585 Waughtown Street, Winston-Salem, NC 27107 (336) 771-5000

Guilford County Environmental Health, 1203 Maple Street, Greensboro, NC 27405, (336) 641-3771

FTP: LSA request NOR0907.dot