



State of North Carolina  
Department of Environment, Health, and Natural Resources  
Winston-Salem Regional Office

James B. Hunt, Jr., Governor

Jonathan B. Howes, Secretary

DIVISION OF ENVIRONMENTAL MANAGEMENT  
GROUNDWATER SECTION

NOTICE OF VIOLATION OF N.C.A.C. TITLE 15A SUBCHAPTER 2L  
CLASSIFICATIONS AND WATER QUALITY STANDARDS  
APPLICABLE TO THE GROUNDWATERS OF NORTH CAROLINA

January 19, 1993

CERTIFIED MAIL NUMBER P 409 335 719  
RETURN RECEIPT REQUESTED

Exxon Company, USA  
Attn: James F. Medlin  
P.O. Box 30451  
Charlotte, NC 28230-0451

Subject: Exxon Company, USA RAS # 43998, 4701 W. Market St.,  
Greensboro, Guilford County, NC

Dear Mr. Medlin:

Chapter 143, North Carolina General Statutes, authorizes and directs the Environmental Management Commission of the Department of Environment, Health, and Natural Resources to protect and preserve the water and air resources of the State. The Division of Environmental Management has the delegated authority to enforce adopted pollution control rules and regulations.

The purpose of N.C.A.C. Title 15A Subchapter 2L is to maintain and preserve the quality of the groundwaters, prevent and abate pollution and contamination of the waters of the State, protect public health, and permit management of the groundwaters for their best usage by the citizens of North Carolina.

On December 28, 1992 this office received confirmation of NCAC 2L violations in the form of groundwater sample analysis. The following results exceed the 2L Standards:

<u>Parameter</u>	<u>Concentration Present</u>	<u>2L Standard</u>
1,2-Dichloroethane	400 ppb	0.38 ppb
1,1,2,2-Tetrachloroethane	110 ppb	NA
Benzene	11,000 ppb	1 ppb
Toluene	41,000 ppb	1000 ppb
Ethylbenzene	4800 ppb	29 ppb
Xylene	28,000 ppb	400 ppb
Napthalene	189 ppb	NA
1,2,3,4-Tetramethylbenzene	14 ppb	NA
1,2,3,5-Tetramethylbenzene	15 ppb	NA
1,2,3-Trimethylbenzene	450 ppb	NA
1,3,5-Trimethylbenzene	130 ppb	NA
1-Ethyl-2-methylbenzene	400 ppb	NA
1-Ethyl-3-methylbenzene	180 ppb	NA
1-Ethyl-4-methylbenzene	190 ppb	NA
1-Methyl-2-propylbenzene	38 ppb	NA
1-Methyl-3-propylbenzene	110 ppb	NA
2,3-Dihydro-4-methylindene	25 ppb	NA
4-Ethyl-1,2-dimethylbenzene	81 ppb	NA
Diethylbenzene	58 ppb	NA
Etenyl-2-methylbenzene	100 ppb	NA
Ethyl-1,2,4-trimethylbenzene	11 ppb	NA
Ethyl-1,3-dimethylbenzene	140 ppb	NA
Isopropylbenzene	42 ppb	NA
Propylbenzene	110 ppb	NA

NA = not allowed in limits above detection level

These contaminate concentrations exceed the maximum allowable concentrations for such substances as specified in N.C.A.C. Title 15A 2L .0202. Therefore, they are in violation of the water quality standards for the groundwaters of the State. Please reference the following excerpt from Subchapter 2L which specifies corrective action as follows:

**N.C.A.C. Title 15A 2L .0106 Corrective Action**

- (a) The goal of actions taken to restore groundwater quality shall be restoration to the level of the standards, or as close thereto as is economically and technologically feasible.
- (b) Any person conducting or controlling an activity which results in the discharge of a waste or hazardous substance or oil to the groundwaters of the state or in proximity thereto, shall take immediate action to terminate and control the discharge, mitigate any hazards resulting from exposure to the pollutants and notify the Department of the discharge.

(c) Any person conducting or controlling an activity which results in an increase in the concentration of a substance in excess of the groundwater standard:

- (1) as the result of activities, other than agricultural operations, not permitted by the state, shall assess the cause, significance and extent of the violation; submit a plan for eliminating the source of contamination and for restoration of groundwater quality; and implement an approved plan in accordance with a schedule established by the Director. In establishing a schedule, the Director shall consider any reasonable schedule proposed by the person submitting the plan.

It is our understanding that you and/or your firm are responsible for the aforementioned violations. Subsequently, you are considered as the party responsible for eliminating the source of contamination and restoring groundwater quality.

You are required to submit a comprehensive site assessment which describes the full vertical and horizontal extent of the contamination. An adequate report must be received by this office on or before March 19, 1993. A corrective action plan (remedial action plan) should be submitted to this office within sixty (60) days after submitting a comprehensive site assessment.

It is requested that within fifteen (15) days, you submit a written response describing your plans to achieve compliance. Should you dispute our assessment of responsibility, please include documentation of your position in your response.

Failure to submit the report required or failure to expeditiously eliminate the contaminate source and restore groundwater quality in the affected area may result in the recommendation of enforcement action including: (1) the issuance of a special order against you under the authority of G.S. 143-215.2, (2) a request to the Attorney General to institute an action for injunctive relief, (3) a civil penalty of up to \$10,000 per day in accordance with G.S. 143-215.6 and (4) referral of your site to the Federal Trust Fund Group. Please note that should the Federal Trust Fund take charge of your site, they will seek cost recovery, from responsible parties, for any and all expenses incurred.

Submittal of the above referenced report(s) does not relieve you of the responsibility for continued investigation and cleanup at this site.

Please do not hesitate to contact the Groundwater Section between the hours of 9:00 and 10:00 a.m. or 1:30 and 2:30 p.m. regarding any questions you may have about this matter.

Sincerely,

*Larry D. Coble*

Larry D. Coble  
Regional Supervisor

LDC/skc/ahl

Enclosure

cc: Office of Attorney General  
Incident Management Unit  
Guilford County Emergency Services  
Guilford County Emergency Management  
WSRO

P 409 335 719

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PS Form 3800, June 1991

2L NOV / EXXON # 43998 / W. Market St.

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Exxon Co. USA  
Attn: James F. Medlin  
P.O. Box 30451  
Charlotte, NC 28230-0451

4a. Article Number  
P. 409.335-719

4b. Service Type  
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PS Form 3811, December 1991 ☆ U.S.G.P.O. : 1992-307-530 **DOMESTIC RETURN RECEIPT**

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