

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

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary



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GROUNDWATER SECTION

July 17, 1996

Dear Underground Storage Tank Owner/Operator:

The General Assembly of North Carolina introduced legislation during the 1995 Short Session to address the continued solvency of the Leaking Petroleum Underground Storage Tank Cleanup Funds. The Underground Storage Tank (UST) Senate Bill 1317 (SB 1317) was ratified on June 21, 1996. SB 1317 requires the Department of Environment, Health, and Natural Resources (Department) to rank all UST-related contamination incidents according to the Section's revised Site Priority Ranking System which classifies sites as: A, B (highest priority), C, D or E (lower priority). Further, SB 1317 requires the Department to notify the UST owner, operator and/or other responsible party (RP), as applicable, of the ranking of their site. Please find below a statement notifying you of the priority ranking the Department has assigned to your site.

Your Site has been assigned a priority ranking score of:

INCIDENT #10001 COUNTY GU
SITE: EXXON COMPANY USA RAS #43998
PRIORITY RANKING: E 080
OWNER: FRANK MEDLIN
COMPANY: EXXON COMPANY, USA

SB 1317 temporarily suspends the requirement to cleanup a discharge or release from a petroleum UST for lower priority sites (i.e., those ranked C, D, or E). This legislation is effective July 21, 1996. Therefore, costs for site assessment or corrective actions at C, D or E sites which were incurred after July 21, 1996 will not be reimbursed from either the Commercial

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or Noncommercial Trust Fund, except as required by the Code of Federal Regulations (CFR) in 40 CFR 280.50 through 280.53 and 280.60 through 280.64. The suspension of cleanups applies to low priority sites currently being remediated or monitored, including remediation pursuant to 2L .0106(k), (l) and (m). Specific exceptions to the suspension of reimbursement are listed in SB 1317.

These federal regulations basically cover initial containment of the discharge or release, emergency corrective actions to mitigate immediate hazards (e.g., fire, explosion, threat to surface water), initial site characterization, free petroleum product recovery, and reporting (i.e., 24-hour, 20-day and 45-day reports). Therefore, emergency abatement measures and free product recovery are the only corrective actions required for C, D or E sites. While the parties responsible for lower priority incidents (C, D or E) are free to proceed with assessment and corrective actions, as they might choose to do because of third party liability issues or for property transactions, these costs will not be reimbursed.

The Department's Site Priority Ranking System is designed to be compatible with the limited site data typically acquired during the initial site characterization. The Trust Funds will reimburse reasonable and necessary costs associated with the collection of data required by the Department to rank a site's priority. However, full delineation of soil and groundwater contamination will not be required for C, D and E sites.

The Site Priority Ranking System categories are as follows:

CATEGORY A (one or more of the following conditions are present)

1. One or more water supply wells are contaminated and the persons using the wells are not served by an existing public water supply.
2. Petroleum vapors are present in confined areas at levels which pose a human health concern or an explosion hazard.
3. A treated surface water supply is in violation of the drinking water standards set out in rules adopted by the Commission for Health Services under G.S. 130A-315.

CATEGORY B (one or more of the following conditions are present)

1. One or more water supply wells are contaminated but the persons using the wells are served by an existing public water supply.

2. One or more water supply wells are in use within 1500 feet of the discharge, release or known extent of contamination, the wells are not contaminated, and the persons using the wells are not served by an existing public water supply.

3. Petroleum vapors are present in confined areas but do not currently pose a threat to human health or an explosion hazard.

CATEGORY C (both of the following conditions are present)

1. One or more water supply wells are present at a distance greater than 1500 feet of the discharge, release or known extent of contamination, and the persons using the wells are not served by an existing public water supply.

2. None of the identified water supply wells are contaminated.

CATEGORY D (both of the following conditions are present)

1. One or more water supply wells are present within 1500 feet of the discharge, release or known extent of contamination, but the persons using the wells are served by an existing public water supply.

2. None of the identified water supply wells are contaminated.

CATEGORY E (both of the following conditions are present)

1. Water supply well(s) are not present within 1500 feet of the discharge, release or known extent of contamination, and no known water supply well(s) are contaminated.

2. All persons within 1500 feet of the discharge, release or known extent of contamination are served by an existing public water supply.

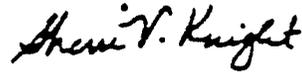
Please note that the present site priority ranking may be based upon preliminary or incomplete information about your site. In addition, the Department has the latitude to upgrade a priority C, D or E site to priority B in situations where the discharge or release is believed to pose an imminent danger to public health, public safety or the environment. Therefore, if you are aware of any information that would change the ranking of your site or you believe that site conditions pose an immediate danger, please contact the appropriate Regional Office.

If you have any questions about this notice please feel free to contact the appropriate staff assigned to your county at (910) 771-4600.

Alamance	-	Waddell Watters	Guilford	-	***
Alleghany	-	Cindy Rintoul	Randolph	-	Stephen Williams
Ashe	-	Stephen Williams	Rockingham	-	Shuying Wang
Caswell	-	Shuying Wang	Stokes	-	Linda Estkowski
Davidson	-	Cindy Rintoul	Surry	-	Cindy Rintoul
Davie	-	Linda Estkowski	Watauga	-	Waddell Watters
Forsyth(A-L)	-	Shuying Wang	Wilkes	-	Stephen Williams
Forsyth(M-Z)	-	Linda Estkowski	Yadkin	-	Waddell Watters

*** If your site is located in Guilford County, please contact the County Environmental Health staff at (910) 373-3771.

Sincerely,



Sherri V. Knight
Regional Groundwater Supervisor

cc: Regional Office Files