From: Walch, John
To: "kevin.p.garon@usadupont.com";
cc: Jesneck, Charlotte; Caulk, Kim;
Subject: Clayton Farms
Date: Wednesday, January 25, 2012 10:44:00 AM

Mr. Garon-

I am writing in response to your January 16, 21012 letter to Charlotte Jesneck that was forwarded to me. As you know, in March 2008, DuPont notified the Inactive Hazardous Sites Branch (Branch) of pesticides detected at the Site. In response, Sue Robbins of my staff issued a Notice of Regulatory Requirements (NORR) letter on April 17, 2008. DuPont subsequently submitted the completed Site Cleanup Questionnaire (SCQ). After reviewing the information in the SCQ, the Branch notified DuPont that the site was eligible for participation in the Branch's Registered Environmental Consultant (REC) Program.

The status of this Site under the Branch remains unchanged. To receive Branch approval for remedial activities you should enter the REC Program as previously advised. Please contact Kim Caulk at 919-707-8350, regarding participation in the REC Program. If you feel that the Site is eligible for a No Further Action (NFA) reclassification (i.e. an adequate investigation has been performed and the Site meets all applicable remedial goals), please refer to the procedures outlined on the Branch's website at http://portal.ncdenr.org/web/wm/sf/ihs/ra/nfa. The current fee for a No Further Action review is $500.00. This payment should accompany your written NFA review request.

In your letter you also refer to the Brownfields Program. Please be advised that cleanup activities conducted under the oversight of the Brownfields Program, may not meet Branch requirements. The Brownfields Program provides liability relief for prospective purchasers/developers and requires that a site be made safe for its intended reuse. A site's participation in the Brownfields Program does not ensure that an assessment or cleanup meeting Branch requirements has or will occur and does not relieve a responsible party of their obligations to remediate a site.

Regarding the December 13, 2011 SPL letter that you received. In response to calls that we received in July about the Site's SPL score, the SPL ranking was reviewed. An error was discovered in the original scoring and the ranking subsequently revised. The revised ranking was not completed before the 2011 SPL list was finalized for the Branch's annual report to the NC General Assembly. The Site's revised score is 47.38 which would rank it 82nd on the 2011 SPL. This new score will be reflected in the 2012 SPL list. The Site will remain on the SPL until DuPont

formally enters the REC Program, by signing an Administrative Agreement, or a No Further Action is issued for this Site.

Please call me at 919-707-8356 if you have any questions.

John W. Walch
Eastern Unit Supervisor
Inactive Hazardous Sites Branch
NC Division of Waste Management
Superfund Section
(919) 707-8356

Effective October 24, 2011 my new contact information is:

Green Square Complex DENR Office Building
217 W. Jones Street
Raleigh, NC 27603

Mailing Address:
1646 Mail Service Center
Raleigh, NC 27699

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.