



WILLIAMS MULLEN

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April 5, 2012



BY FACSIMILE – ORIGINAL BY FIRST CLASS MAIL

Sue Murphy
Inactive Hazardous Sites Branch
Superfund Section, Division of Waste Management
North Carolina Department of Environment and Natural Resources
1646 Mail Service Center
Raleigh, North Carolina 27699-1646

Re: Request for Remedial Investigation at Former Annedeem Hosiery Building Located at 717 North Park Avenue, Burlington, NC (Site No. NONCD 002885)

Dear Ms. Murphy:

As you know, this firm represents OE Enterprises, Inc. (“OE” or the “Company”) regarding the former Annedeem Hosiery Building located at 717 N. Park Avenue in Burlington, North Carolina (the “Property”). I am in receipt of your March 14, 2012 letter to Mr. Roger Francis reiterating your request that OE conduct a Remedial Investigation at the Property.

OE is a not-for-profit corporation that provides job training and community rehabilitation services for handicapped individuals in central North Carolina. The Company intends to redevelop the Property in order to expand the job training and rehabilitation services it provides in Burlington.

OE has never possessed, used, stored, generated or maintained perchloroethylene (the contaminant identified in the groundwater) at the Property.¹ Therefore, the Company could not have discharged or deposited perchloroethylene at the Property nor could it have accepted, or arranged for, the discharge or deposition of perchloroethylene at the Property. Accordingly, OE is not a “responsible party” within the meaning of N.C.G.S. § 130A-310.7(a).

In order to facilitate redevelopment of the Property, OE will enroll it in the North Carolina Brownfields Program (“NCBP”). To the extent necessary to make the Property safe for OE’s planned redevelopment, NCBP will require OE to investigate the scope of the contamination and, if necessary, take steps to abate it. Performing a Remedial Investigation of the Property in accordance with the Inactive Hazardous Sites Branch’s (“IHSSB”) procedures

¹ The other contaminants present in the groundwater at the Property are daughter products of perchloroethylene that result from its natural degradation in the environment.

A Professional Corporation

would be duplicative of the work that NCBP will require and would go well beyond what is necessary for OE to ensure that the Property safe for reuse. OE will be happy to provide you with copies of any investigative reports it submits to NCBP during the brownfields process, if you wish.

If you have any questions or would like to discuss the matter further, please contact me at (919) 981-4312.

Sincerely,

A handwritten signature in black ink, appearing to read "S. M. Sullivan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Sean M. Sullivan

cc: Roger Francis, OE Enterprises, Inc.
Tad M. vanDusen, Esq., Williams Mullen