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November 16, 2009

Mr. Bruce E. Lefler, Jr.
Hydrogeologist
NCDENR-Inactive Hazardous Sites Branch
Superfund Section
1646 Mail Service Center
Raleigh, North Carolina 27699

Re: *Guess Road Dump (No State ID Assigned)*
Task Order 41B
Durham County, North Carolina
Contractor's Contract No. N06010S
MM&A Project No.: NCUL141-02

Dear Mr. Lefler:

On behalf of the North Carolina Department of Environment and Natural Resources (NCDENR), Division of Waste Management, Inactive Hazardous Sites Branch, Superfund Section, Marshall Miller & Associates, Inc. (MM&A) performed investigations of old landfill sites located in Durham County, North Carolina. During the course of these ongoing investigations, NCDENR received a complaint on June 29, 2009, that debris was observed in the bank of Warren Creek near its intersection with Guess Road (SR-1003), north of the City of Durham, on property owned by Signet Realty Associates (Parcel ID: 201236). NCDENR subsequently contracted MM&A to investigate this Site, which MM&A has referred to as the Guess Road Dump (No State ID Assigned). Preliminary investigation of this Site has revealed two historical dumps on other properties in the vicinity; however, neither dump falls within the scope of the Old Unlined Landfill Assessments. As such, additional work under the Inactive Hazardous Sites Branch, Old Unlined Landfill Program is not necessary. For your records, the following is a synopsis of the information collected to date.

No historical dumping was identified on the Signet Realty Associates property. No documentation was located indicating dumping operations nor did any local long-term residents

recall a municipal dump on the property. Interviews did, however, indicate that stumps and organic debris had been placed on the property by the owner, but was subsequently removed. Though no dumping was identified on the property as reported, two additional dumps were identified in the vicinity.

A map titled *Sanitary Landfill Facilities*, dated October 19, 1972, and filed at the NCDENR, Division of Solid Waste office in Raleigh, North Carolina, demonstrated final elevation contours for a facility located on the eastern portion of a North Carolina Department of Correction correctional unit (**Attachment A**). This correctional unit was subsequently identified as the Durham County Correctional Center located at 4000 Guess Road. Review of historical aerial photography revealed substantial disturbance in the area identified on the *Sanitary Landfill Facilities* map which suggested that dumping had, indeed, occurred at this location. However, interviews with local long-term residents revealed little additional information and employees of the correctional center knew of no dumping operations having occurred at this location.

Local residents reported that dumping operations had occurred on the adjacent parcel to the south, currently owned by the Liberty Free Will Baptist Church. Communication with Pastor Jack Cox confirmed that the church property had been used by a grading company for the disposal of grading debris prior to its purchase by the church. Interviews with various local residents likewise indicate that church property had been used as a dump for grading debris, though some additional debris may have been placed in the dump by unauthorized individuals. *Records of Communication* are included as **Attachment B**.

Prior to erecting structures on the Liberty Free Will Baptist Church property, a Phase I Environmental Site Assessment (Phase I) was prepared by OMNI Environmental Services, Inc. (OMNI), in 1989. This document identified both the dump on the property owned by the church as well as the dump on the Durham County Correctional Center property to the north. The Phase I indicated that the dump on the Correctional Center property was, in fact, accepting household type wastes, however, the Phase I did not indicate the origins of the waste, and interviews with local long-term residents indicated the dump accepted only waste generated at the correctional facility. The Phase I stated that “this disposal area has been active for about 20 years,”



indicating that the dump was still operational in 1989, well beyond the January 1, 1983 cut-off date for Old Unlined Landfill Assessment activities.

Though the Phase I identified discarded doors, ranges, and gas and oil cans on the Liberty Free Will Baptist Church property, it is reported that unauthorized dumping was occurring at the dump. It is therefore interpreted that non-grading related debris may have been placed on the church property illegally. The Phase I also indicated that the dump on the church property did not close until the “mid-1980’s.” The Phase I is included as **Attachment C**.

Due to the closure dates of these dumps, reported to be later than January 1, 1983, and the nature of the waste accepted, as reported by local-long term residents and the Phase I performed by OMNI, no further investigation will be performed on the Guess Road Dump and it is recommended that this Site not be added to the Old Unlined Landfill Inventory. A *Vicinity Map* included as **Attachment D** shows the locations of the identified dumps and the Signet Realty Associates property.

Please let us know if you have any questions or comments.

Sincerely,

MARSHALL MILLER & ASSOCIATES, INC.



Jacob Hodges
Project Manager



Lawrence M. George, P.G.
Program Manager

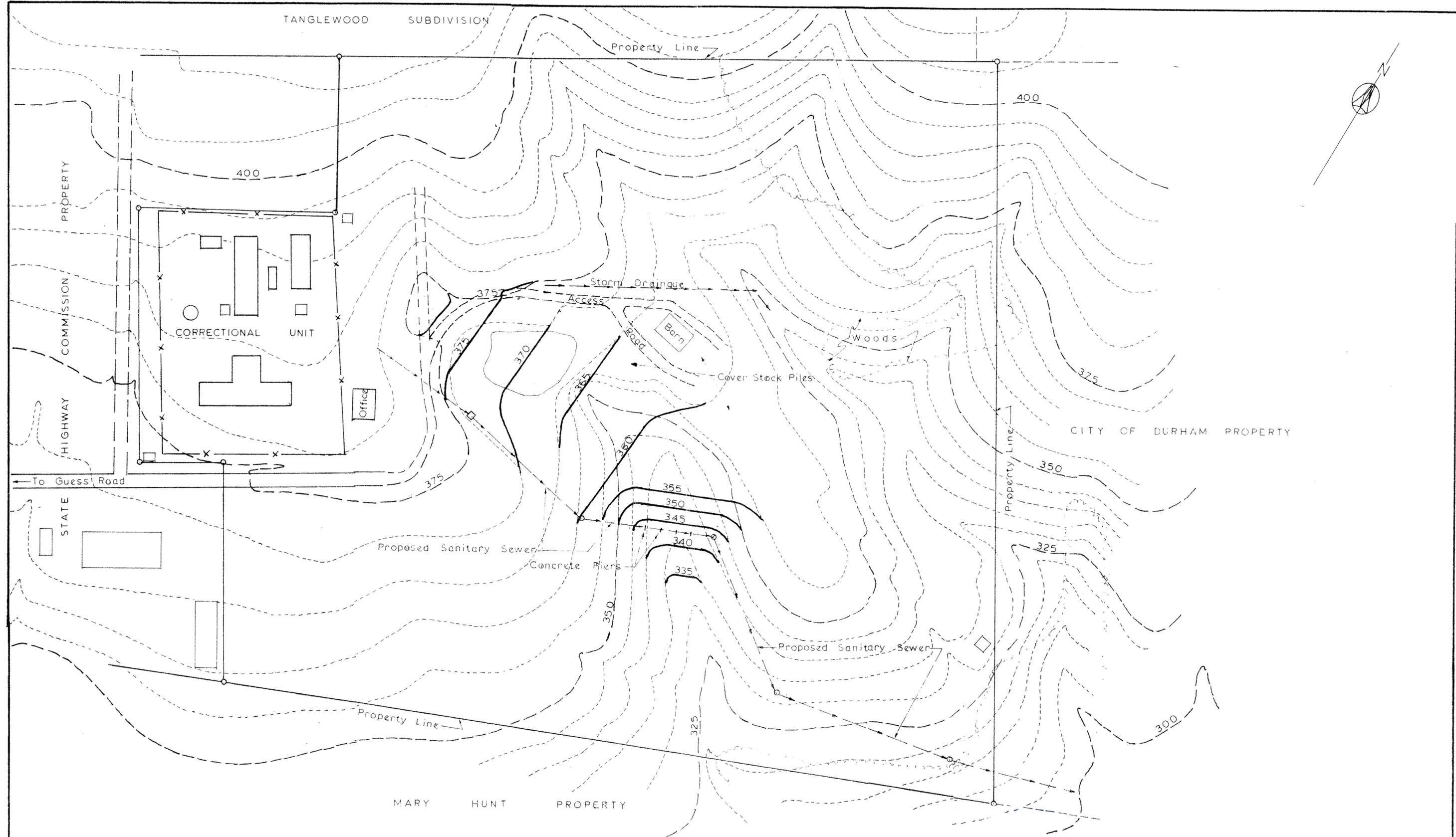
cc: File NCDENR/NCUL141-02

Attachments



ATTACHMENT A
Sanitary Landfill Facilities Map, October 19, 1972





--- Existing Contours
 ——— New Contours



REVISIONS	

SANITARY LANDFILL FACILITIES STATE OF N. C. DEPARTMENT OF CORRECTION DURHAM COUNTY, NORTH CAROLINA			
DATE: 10-19-72	SITE PLAN		SCALE: 1" = 100'
DRAWN BY: J. A. M.	JAMES A. McNEILL Engineering-Surveying Raleigh N. C.		SHEET NO. 1
FILE NO.:			OF 1

ATTACHMENT B
Records of Communication



Communication Log

Landfill Name:	Guess Road Dump	ID: Unassigned
Contact Name:	William Tillman (Durham Correction Fac., Asst. Superintendent)	Phone: (919) 477-2314
Address:	3900 Guess Road	
	<i>Street Address</i>	<i>Alternate Number</i>
	Durham	NC
	<i>City</i>	<i>State</i>
		27705 <i>Zip Code</i>

Date	Time	Notes
06/29/2009	9:30	Mr. Tillman stated that NCDOT is also located next to the prison facility and they may have used a portion of the property for dumping refuse. Mr. Tillman suggested I call NCDOT and ask them. The parcel of land is owned by the State of North Carolina. (Parcel ID 177599, PIN# 0824-18-12-6771, deed refernce 134/65) -MS

Owner of property:





Communication Log

Landfill Name:	Guess Road Dump	ID:	unassigned
Contact Name:	Tasha Johnson (NCDOT District County Engineer)	Phone:	(919)220-4750
Address:			
	<i>Street Address</i>	<i>Alternate Number</i>	
	Durham	NC	27705
	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Date	Time	Notes
06/29/2009	9:40	Ms. Johnson stated that she thought it used to be a dumping area but wasn't sure. Ms. Johnson said we would have to coordinate a site inspection through the director of the correctional facility and that she would have them get in contact with me. -MS
06/30/2009	16:15	Received a message from Ms. Johnson stating the point of contact for site access to the Guess Road Dump will be Mr. William Tillman who is the assistant supervisor of the Durham County Correctional Facility. Mr. Tillman is filling in as supervisor while Mr. Cates is on vacation. -MS
09/09/2009	13:00	Ms. Johnson stated that there are no records anywhere indicating the existence of any landfills on the property. Also, Ms. Johnson did some asking around with state personnel and nobody has ever heard of any landfills on that parcel of land. -MS

Owner of property:





Communication Log

Landfill Name:	Guess Road Dump	ID: Unassigned
Contact Name:	William Mckee	Phone: (919) 477-1851
Address:	4306 Thames Avenue	
	<i>Street Address</i>	<i>Alternate Number</i>
	Durham	NC 27704
	<i>City</i>	<i>State</i> <i>Zip Code</i>

Date	Time	Notes
08/17/2009	10:45	Mr. Mckee has lived and owned over 50 acres of land adjacent to the suspected dumping area his entire life, (66 years old). Mr. Mckee explained that there was an old dump, (separate from the Prison Dump) located across Warren Creek from his land. He stated that the area is a mess; that everything from old cars to municipal waste was dumped there and is still visible today. The property in question was owned by Mr. Mckee's grandmother Mary L. Hunt who, when she passed, willed it to Sam Hunt, who then sold it to the current owner Liberty Free Will Baptist Church of Durham Inc. (Parcel ID 177596) (PIN 0824-18-22-0036). Sam Hunt is the son of Mary Hunt; during the time of operation (sometime in the 1960s) Sam Hunt was responsible for dumping operations. Mr. Mckee further explained that Paul Roberts of Roberts Construction Company used to dump construction materials at a 3rd dumping location located on the former Horton Land. Mr. Mckee doesn't know who the current owner of the land is but it is located near the Guess & Horton Road intersection, east of the Food Lion on the south side of the creek. Mr. Mckee said he would be more than happy to escort us around the area and show us the dumping areas. -MS
09/03/2009	15:00	Mr. McKee Stated that he was not aware of dumping on the State property, but that he knew Proctor had dumped on the property to the south, now owned by Liberty Church. He stated that he believes dumping had occurred in the 1960's and 1970's, but is not sure, and that household waste, batteries, and oil had been dumped and pushed into the stream on the edge of the property. the disposal area is said to have extended from the state property line to the creek. Mr. McKee again stated that the Roberts Construction Company had dumped in the vicinity, but stated that the debris consisted entirely of stumps and limb debris and that Roberts had been required to remove the debris. -JH
09/09/2009	16:00	Mr. Mckee stated that Mr. Proctor used to dump all types of garbage on the property because he didnt want to pay to dispose of it. Mr. Mckee was not aware of any other landfills in the area but is 100% confident that a large amount of garbage was dumped on the Free Will Baptist Churches property and it's still visible today, he referred to the disposal area as the "mountain of garbage". -MS

Owner of property:





Communication Log

Landfill Name:	Guess Road Dump	ID:	Unassigned
Contact Name:	Dr. Jack Cox, Pastor, Liberty Free Will Baptist Church	Phone:	(919) 471-5522
Address:	3864 Guess Road		
	<i>Street Address</i>		<i>Alternate Number</i>
	Durham	NC	27705
	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Date	Time	Notes
08/17/2009	16:15	Mr. Cox stated that Proctor Grading Company of Durham had used the property approximately 25-35 years ago for dumping organic material from grading and had ceased by 1985. Mr. Cox stated that no municipal waste or anything like that had been dumped there; strickly organic debris. The old disposal area is currently being graded for a ball field. -MS
09/21/2009	9:45	Dr. Cox is out of town. Receptionist indicated that he would be in tomorrow (Tuesday, 9/22) and she would have him contact MM&A. -JH
09/22/2009	16:30	No answer.
09/23/2009	8:35	Pastor Cox stated that the area that had been used for disposal of inert debris is currently being graded for a ball field by a volunteer contractor. The church has added some soil to the surface in order to level the ground. Pastor Cox indicated that he had been familiar with the property back to about 1985 and the church purchased the land in 1980 or 1981. Pastor Cox stated that the Site had never accepted household refuse, only stumps and limbs. Prior to purchase of the site, the church's lending agent required an assessment of the property, possibly a Phase I Site Assessment. Pastor Cox will look for the report and have a copy for MM&A personnel upon the Site visit. Pastor Cox granted permission for MM&A personnel to access the property and requested that the site visit be scheduled with Mr. Gary Neil, Church Maintenance. -JH

Owner of property:





Communication Log

Landfill Name:	Guess Road Dump	ID:	Unassigned
Contact Name:	Bobby Hunt	Phone:	(919) 489-8022
Address:	5330 Ephesus Church Road		
	<i>Street Address</i>	<i>Alternate Number</i>	
	Durham	NC	27707
	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Date	Time	Notes
08/17/2009	16:40	Mr. Hunt stated that Proctor Grading Company had used the land now owned by the church to dispose of soil, stump, woody material. Mr. Hunt was unaware of any other landfills in the area. -MS
09/09/2009	15:30	Bobby Hunt stated that his father, Mr. Sam Hunt, owned the land and allowed Proctor Grading Company to dump organic material there. Bobby Hunt stated Mr. Proctor was very strict about only dumping organic material in this landfill. Mr. Bobby Hunt also stated that he worked for the State maintenance department driving a dump truck from 1969-1972 and never saw any dumping on the prison or D.O.T property. Furthermore, Mr. Bobby Hunt stated that he is 61 years old and lived in the area his entire life. He has never known dumps or landfills used for municipal waste in the area. Also, a branch of Warren Creek runs through his property and he has never seen any garbage in it. -MS

Owner of property:





Communication Log		
Landfill Name: Guess Road Dump		ID: Unassigned
Contact Name: David Cates (Correctional Facility Superintendant)		Phone: (919) 477-2314
Address: 3900 Guess Road		
<i>Street Address</i>		<i>Alternate Number</i>
Durham		NC
<i>City</i>		<i>State</i>
		27705
		<i>Zip Code</i>
Date	Time	Notes
08/18/2009	13:15	Mr. Cates stated that he has worked at the prison on Guess Road for 9 years and has never known of any dumping taking place since he's been there. Mr. Cates stated that he has been there the longest and doesn't think anyone on his staff would know of dumping activities. He recommended contacting the DOT office that the prison shares a parcel of land with. Also, Mr. Cates requested coordinating any site visits through Mr. Jerry Carrol (Head of Prison Facility Services) and the Assistant Superintendant of the prison Mr. William Tillman since Mr. Cates is retiring next week. -MS

Owner of property:





Hurricane Recovery Act of 2005
State of North Carolina

Communication Log		
Landfill Name: Guess Road Dump		ID: Unassigned
Contact Name: Charles B. Bonham		Phone: (919) 477-0919
Address: 2405 Landis Drive		<i>Alternate Number</i>
<i>Street Address</i>		<i>Alternate Number</i>
Durham		NC
<i>City</i>		<i>State</i>
		27705
		<i>Zip Code</i>
Date	Time	Notes
09/04/2009	11:45	Left Message for Mr. Charles Bonham (Local long-term resident). -JH
09/08/2009	16:40	Mr. Bonham stated that he had been contacted prior regarding the Guess Road Dump and that he has no information to share. -MS

Owner of property:





Hurricane Recovery Act of 2005
State of North Carolina

Communication Log		
Landfill Name: Guess Road Dump		ID: Unassigned
Contact Name: Thomas V. Elmore, Sr.		Phone: (919) 477-8256
Address: 2501 Landis Drive		<i>Alternate Number</i>
<i>Street Address</i>		<i>Alternate Number</i>
Durham		NC
<i>City</i>		<i>State</i>
		27705
		<i>Zip Code</i>
Date	Time	Notes
09/04/2009	11:55	Left Message for Mr. Thomas Elmore (Local long-term resident). -JH
09/08/2009	11:45	Mr. Elmore stated that he and his wife have lived at their residence since 1970 and remember dump trucks driving by carrying stumps and other organic material. However, Mr. Elmore didn't know any dates of operation or any information on other landfills in the area. -MS

Owner of property:





Communication Log

Landfill Name:	Guess Road Dump	ID:	Unassigned
Contact Name:	Raefer Griffin	Phone:	(919) 477-8745
Address:	2404 Landis Drive		
	<i>Street Address</i>		<i>Alternate Number</i>
	Durham	NC	27705
	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Date	Time	Notes
09/09/2009	10:00	Mr. Griffin has lived in the area most of his life. Mr. Griffin stated that the City of Durham dumps organic material on a parcel of land located next to his that is owned by the city. Mr. Griffin said the waste is only trees and bushes and things. Mr. Griffin suggested calling his neighbor W.O. Crabtree "who used to work for the state and would know all about it". 919-477-8155 -MS

Owner of property:





Communication Log

Landfill Name:	Guess Road Dump	ID: Unassigned
Contact Name:	Walter O. Crabtree	Phone: (919) 477-8155
Address:	2517 Landis Drive	
	<i>Street Address</i>	<i>Alternate Number</i>
	Durham	NC
	<i>City</i>	<i>State</i>
		27705 <i>Zip Code</i>

Date	Time	Notes
09/09/2009	10:30	Mr. Crabtree stated that he worked for the D.O.T office located next to the prison on Guess Road but had never heard of any landfills on the property or in the area. -MS

Owner of property:





Communication Log

Landfill Name:	Guess Road Dump	ID:	Unassigned
Contact Name:	Gary Neil, Grounds, Liberty Free Will Baptist Church	Phone:	(919) 471-5522
Address:	3864 Guess Road		(919) 697-3771
	<i>Street Address</i>		<i>Alternate Number</i>
	Durham	NC	27705
	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Date	Time	Notes
10/26/2009	16:00	Mr. Neil stated that Thursday, October 29, is ok for site visit. Mr. Neil suggested avoiding ingress or egress between 07:15 and 08:30 as the church is also a school. Mr. Neil requested personnel call on the way in and he would meet personnel at the Site. -JH
10/29/2009	9:15	Mr. Neil met MMA personnel on-site and provided a copy of a Phase I ESA completed prior to construction of the buildings on-site. Mr. Neil stated that debris had been observed during the Phase I, but that it was primarily near the entrance and that it had been left illegally, not by the grading company which had been dumping soil on the property and that all non-grading debris had been removed prior to construction of any buildings. -JH

Owner of property:



ATTACHMENT C
Phase I Site Assessment, Liberty Free Will Baptist Church



**Phase I Site Assessment
Liberty Free Will Baptist Church**

Prepared For:

Liberty Free Will Baptist Church
P.O. Box 1186
Durham, NC 27703

Prepared By:

OMNI Environmental Services, Inc.
P.O. Box 14001
Research Triangle Park, NC 27709

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FIGURES

1. Assessed Site Location
2. Assessed Site Layout
3. Environmentally Significant Sites Near Assessed Property
4. HNu Screening Locations

PHOTOS

APPENDICES

- A. Contacts Made

Environmental Site Assessment For Property Transfer

INTRODUCTION

OMNI Environmental Services, Inc. (OMNI) has prepared the following Phase I Environmental Site Assessment (ESA) for Liberty Free Will Baptist Church of Durham, North Carolina. The purpose of conducting an ESA is to identify the general environmental condition of the site and to evaluate the potential for contamination resulting from on-site activities and potential off-site contamination sources. The scope of work was designed to assess the potential for contamination associated with present and historical uses of the site by performing a site inspection, a historical review, and a regulatory file search. In addition, a preliminary screening of select locations at the property was performed to identify gross organic contamination.

The site was inspected by Ms. Tina Patel, Project Engineer, on Monday, December 18, 1989. A summary of the persons contacted in the process of conducting a historical review and regulatory search is provided in Appendix A. The following assessment is based only on the information available at the time of writing this report.

SITE LOCATION

The property is located at 3828 Guess Road in North Durham, North Carolina. Figure 1 shows the site location.

Bordering the property are the following: Department of Transportation (DOT) vehicle maintenance and traffic service facilities and a Department of Correction (Prison) facility to the north; Warren Creek, a tributary to Eno River, and Eno River Park, to the east; open land to the south; and scattered residences, and Guess Road to the west. The area within a one mile radius of the site is primarily composed of residences, strip shopping centers, and open land.

SITE DESCRIPTION & HISTORY

The property consists of approximately 28 acres of wooded and filled land. A significant portion of the property is reported to be filled with grading debris (e.g., tree stumps, concrete) and topped with about 3 feet of soil. During the site inspection, garbage (mainly household items, e.g., ranges, doors, fuel cans) was noted throughout the site. There are no building structures or known septic systems on the property. A layout of the property and adjacent areas is shown in Figure 2.

Since the 1930's, the property was used as a farm. For the past 35 years, the eastern portion of the property was used as a dump by grading companies, W.D. Proctor Grading Company and Earl J. Latta Corporation. This area was reported to be swampy prior to initiating dumping (filling) activities at the site. From the 1970's to the mid-1980's, only W.D. Proctor Grading Company had authorization to dump at the site.

Bill Proctor of W.D. Proctor Grading Company and Sam Hunt, a long time owner of the property being assessed, state that only rock, tree stumps, brush, and concrete from primarily residential, recreational, and undeveloped properties was disposed of at the site by the grading company. However, Mr. Bill Proctor indicated that Proctor Grading may have put some grading residual soils from automotive garages at the site. Reportedly, no soils from industrial facilities were placed on the site.

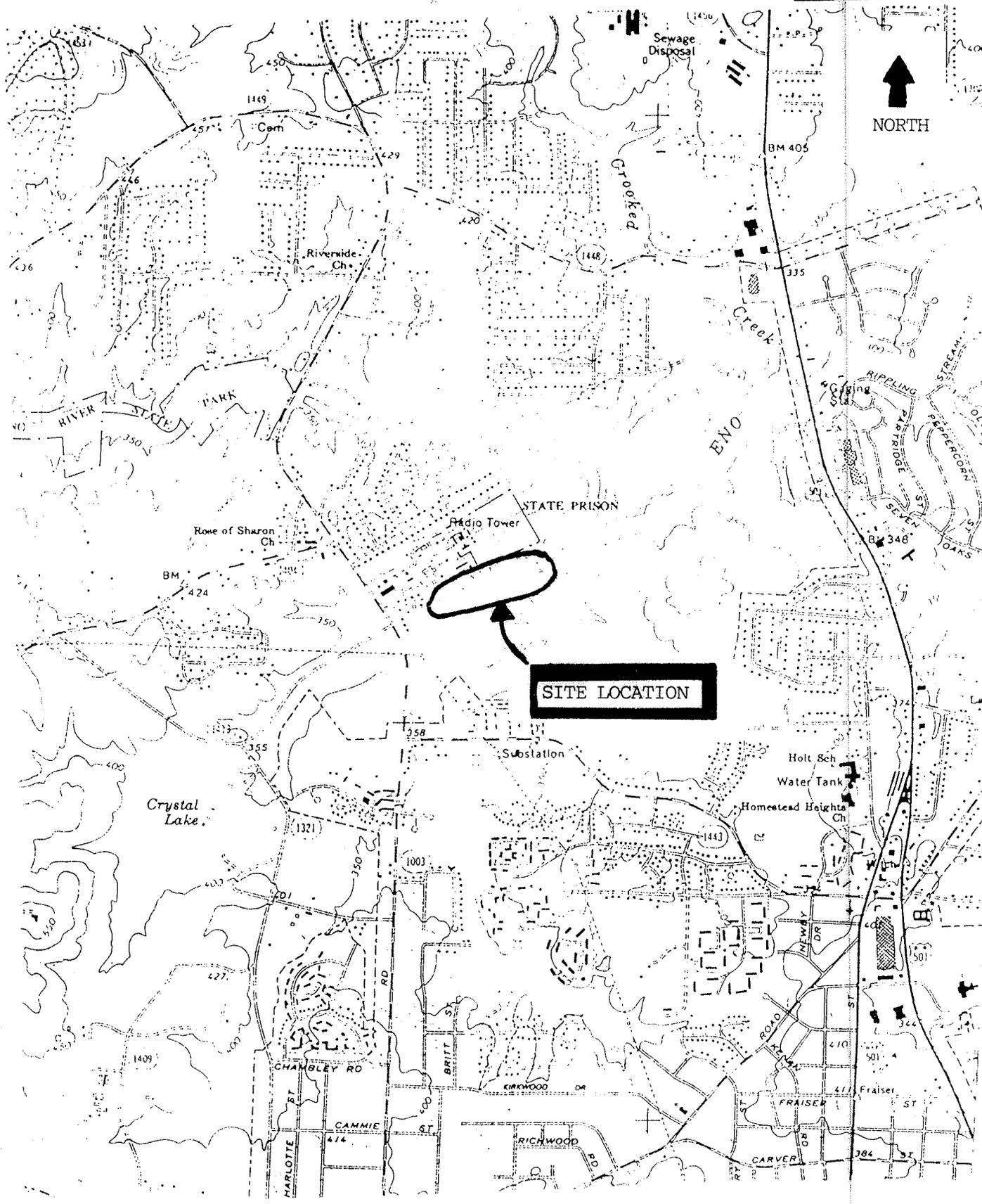


FIGURE 1. ASSESSED SITE LOCATION
LIBERTY CHURCH, GUESS ROAD, DURHAM, NORTH CAROLINA

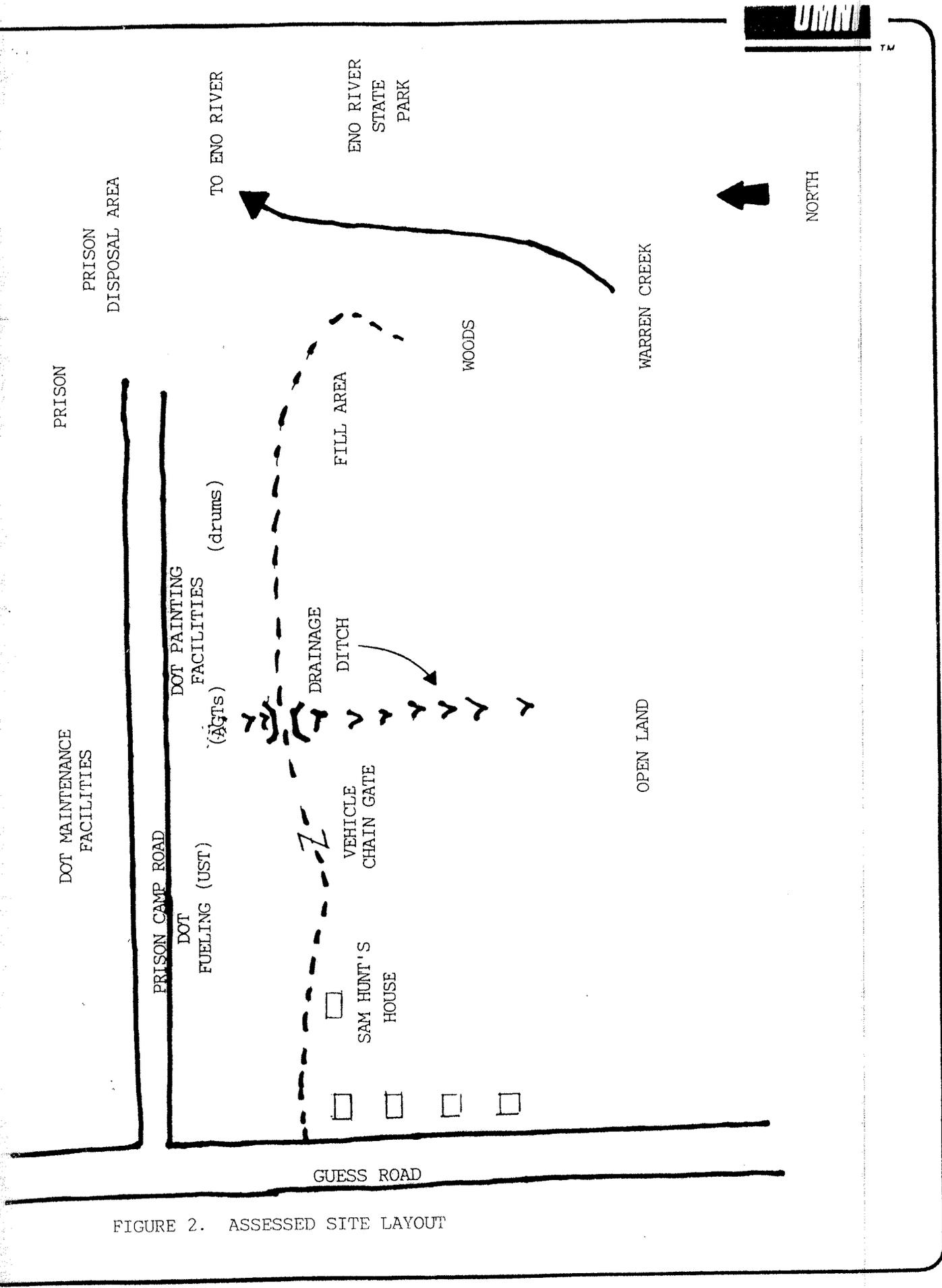


FIGURE 2. ASSESSED SITE LAYOUT

Mr. Proctor indicated that Earl J. Latta's activities at the Guess Road site were fairly similar to those of Proctor Grading Company. He had no recollection of drum or tank handling by either company at the Guess Road property; such items were either not handled or were taken directly to the municipal landfill. Mr. Proctor also stated that although access to the dump location at the Guess Road property was somewhat restricted by a vehicle chain gate along the road leading to the dump and by monitoring by Sam Hunt who lives next to the property, miscellaneous household garbage was periodically noted at the site. On such incidents, the garbage was often picked up and shipped to the city landfill.

During the site walkthrough, OMNI noted signs of unauthorized dumping at the site. There was miscellaneous garbage (e.g., wood, ranges, gasoline cans) throughout the site. In addition, during the site walkthrough, OMNI personnel encountered a dump truck on the assessed property. The truck driver stated he was only disposing of wood chips at the site. Subsequent investigation found that the truck driver had no authorization to dispose of any material at the site. There are no known asbestos or formaldehyde related activities at the site.

Drinking water for area residents is provided by the city water system or residential wells. The nearest resident, Sam Hunt, who is located directly west of the property, presently obtains his drinking water from the city water system. Mr. Sam Hunt indicated that the residents located directly west of the assessed property have wells or springs. Mr. Hunt connected onto the city water system when it was extended to the area. He reports that he had not experienced any signs of well water contamination when he was using his well.

A regulatory records search found that a number of residents located about 1.5 miles south-east and 1.5 miles northwest of the assessed property were required to discontinue use of their residential wells for drinking water purposes and connect onto the city water system due to area groundwater contamination. These locations are discussed in greater detail under the EPA Workplan Site section of this report.

Information on the groundwater flow patterns and hydrogeology in the immediate vicinity of the assessed property was not available. OMNI found no local hydrogeological or surface water quality studies performed in the immediate vicinity of the assessed property to confirm or deny the possibility of groundwater contamination at the property.

POTENTIAL FOR OFF-SITE CONTAMINATION TO AFFECT PROPERTY

Activities of environmental interest off of the assessed property and within one mile of the site include: fuel tank storage at local gas stations, residences, and the adjacent DOT facility; vehicle maintenance and sign painting activities at the adjacent DOT facility; and the land disposal of waste material on the adjacent prison facility.

A review of regulatory files found that there are three EPA Wastelan (CERCLIS-ERRIS) sites between the one and two mile radii from the assessed property. (There were no such sites within one mile of the property.) These sites are identified as: One-Hour Koretizing near the 4400 block of Roxboro; Durham Animal Clinic near the 4300 block of Roxboro Road; and Riverdale Homes near 400 Riverdale Drive.

Figure 3 shows the locations of the sites mentioned above. A detailed discussion of these locations is provided below.

Fuel Tank Storage

There are numerous service stations with underground gasoline storage in the vicinity of the subject property. The closest underground fuel storage is the

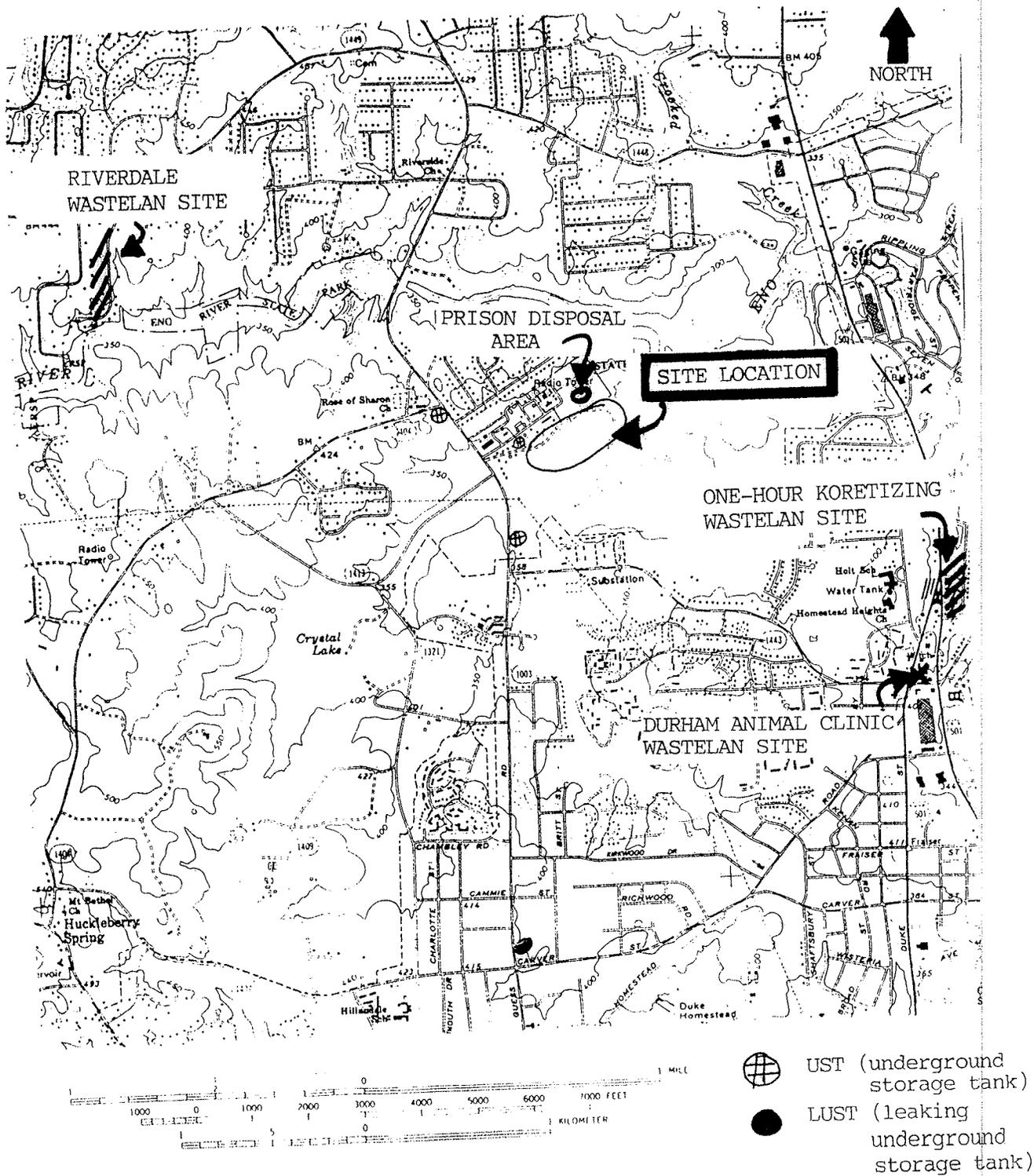


FIGURE 3. ENVIRONMENTALLY SIGNIFICANT SITES NEAR LIBERTY CHURCH PROPERTY ON GUESS ROAD, DURHAM, NORTH CAROLINA

DOT facility directly northwest of the site. Discussions with regulatory officials indicated no knowledge of leakage or spills from these tanks. Regulatory officials, however, did indicate that the DOT fueling facility has been in existence for a long time, so there is a possibility of leakage from the tanks, unless the tanks have been upgraded. Regulatory officials also stated that a leaking underground tank has been reported about 1.5 miles south of the subject property on Guess Road.

Selected area residences also have fuel storage on their property. These fuel storage activities consist mainly of aboveground heating fuel storage. The regulatory records review found that no spills have been reported at residential locations in the immediate vicinity of the assessed site.

Department of Transportation Operations

The adjacent DOT facility performs vehicle fueling, vehicle maintenance, and traffic sign painting among other things. The following DOT activities are located along the northern boundary of the assessed property: vehicle fueling (mentioned in the previous section); and traffic sign painting. (The vehicle maintenance operations are located slightly farther north inside the DOT property.) There are significant quantities of aboveground tank storage and paint drum storage along the property boundary. (See photo) One of the aboveground tanks was labelled as containing "VARSOL"; the remaining aboveground tanks were not labelled. Drums in this area contained paint; the chemical composition of the paint was not noted on the drum.

Regulatory inquiries regarding the DOT facility found that the facility is presently listed as a Small Quantity Generator (SQG) of hazardous waste such as varsol, methyl ethyl ketone, and 1, 1, 1-trichloroethane. The facility reportedly generates about one 30-gallon container of waste traffic paint and solvent per month. There have been no spills reported nor are formal environmental regulatory enforcement activities pending against the DOT facility.

A visual inspection of DOT paint drum and solvent tank storage areas revealed poor paint handling practices that may adversely affect the underlying ground and adjacent assessed property, depending upon the types of and quantities of materials spilled and local hydrogeology. In addition, a man-made drainage ditch near this area flows through the assessed property. Rain runoff from the traffic sign painting and solvent tank storage may flow down this ditch and onto the assessed property. It is not certain whether other lines discharge into this ditch. A preliminary screening was performed in this area using a photoionization detector to detect gross organic contamination. Organic vapors were detected at 3 inch and 18 inch depths in the ditch sediments.

Department of Correction (Prison) Facility

The adjacent Prison facility has a miscellaneous waste disposal area located directly north of the assessed fill area. The Prison superintendent indicated that only miscellaneous "household" type waste, equipment, and concrete were disposed of in that area; no liquids were disposed of there. This disposal area has been active for about 20 years.

Assuming that the facility has been properly managed and that the above mentioned information provided by the Prison official is accurate, then it seems unlikely that these disposal activities are adversely affecting the assessed property.

EPA Wastelan Sites Within a 2 Mile Radius of Property

The One-Hour Koretizing and Durham Animal Clinic are located within blocks of each other near the 4400 block of Roxboro Road. Both sites had assessments performed by state and federal agencies in 1984. Both sites reported tetrachloroethylene in the groundwater supply.

The Riverdale Homes site is located near the 400 block of Riverdale Drive. The environmental agency assessment of the site, which was also performed in 1984, detected chlordane in eight residential drinking water wells in levels that pose "an unacceptable health risk."

At all the above mentioned Wastelan sites, the identified sources of contamination were removed and all groundwater users in the affected areas were connected to the city water supply. Available information implies that groundwater contamination at these areas was localized and generally did not impact on the assessed property, at the time of the 1984 assessments. It is unknown whether groundwater patterns have since directed the contamination toward the assessed property.

POTENTIAL FOR ON-SITE CONTAMINATION FROM SITE ACTIVITIES

A site inspection of the assessed property found the site to be vegetated with brush, dead vines, grass, and trees. (Photo) The brush over the dump/fill area was about five feet high. Miscellaneous household garbage was noted at various locations throughout the property. The garbage mainly consisted of doors, ranges, and gas and oil cans. (Photo) No chemical drums were seen at the site at the time of the site visit on December 18, 1989.

OMNI also inspected accessible areas along the base of the dump/fill area to identify any leaching from the dump/fill area. Some standing water located in the wooded area at the southern base of the fill area had a layer of scum on it (photo). It could not be determined whether this scum resulted from contaminants leaching from the fill area or degradation of fall foliage. A visual inspection of accessible areas of the creek located directly east and downgradient of the fill area did not show a similar scum or sheens. (Photo) No odors or other apparent signs of potential contamination were evident during the site visit.

A walk-through of the property found a drainage ditch originating near the adjacent DOT facility. Preliminary organic vapor screening analyses was performed in this area. Results of this analysis is provided in the following section.

During the site walkthrough, OMNI encountered a dump truck labelled "Tree Service" on the assessed property. Discussions with the driver, Charles Hudson, revealed that the truck was disposing of some wood chips on the fill area. Charles Hudson implied that he had authorization to be on the site and claimed to be a family relation to Sam Hunt, the former owner of the property. Subsequent discussions with Sam Hunt revealed that Sam Hunt did not know of anyone called "Charles Hudson." It should also be noted that the truck had obtained to the assessed property from an access other than the chain gate access mentioned previously.

PRELIMINARY ORGANIC SCREENING RESULTS

A cursory screening of select locations on the assessed property was performed to identify gross organic contamination. The screening was performed using a photoionization detector/analyzer (HNU). The HNU analyzer detects total organic vapors from only select organic compounds. It does not detect methane, inorganic compounds, and other possible contaminants.

This screening effort was focused around the drainage ditch originating from the adjacent DOT facility. A soil sample from the fill area was also analyzed. Figure 4 shows the locations where Hnu screening was performed. Table 1 summarizes the sample results and observations.

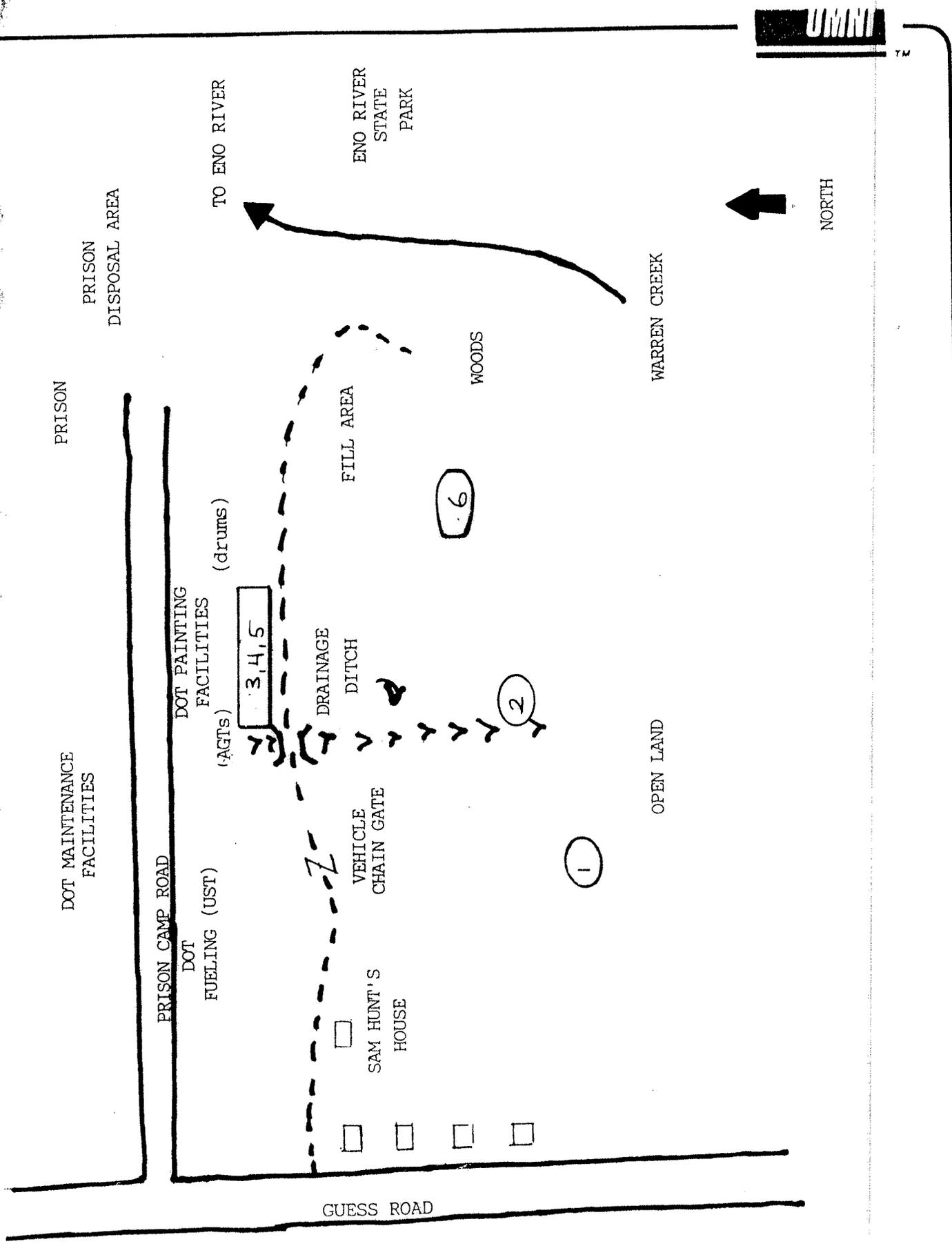


FIGURE 4. HNU SCREENING LOCATIONS

TABLE 1. PRELIMINARY HNu SCREENING RESULTS

Sample Number	Sample Location	HNu Reading* (ppm)	Observations
1	SW Property. Swampy Area West of Drainage Ditch. Surface Sample.	4 - 14	Sample Very Moist.
2	SW Property. From Drainage Ditch Bank, near swampy area. 6" Depth.	10 - 15	Sample Very Moist.
3	N Property. 30 ft from DOT fence line. Surface Sample.	15	Strong Solvent Smell. Sample Mostly Sand and Water.
4	N Property. Drainage Ditch Bank near DOT fence line. 3" Depth.	65 - 90	Strong Solvent-like Smell.
5	N Property. Drainage Ditch Bank near DOT fence line. (Same location as 4) 18" Depth.	150 - 200	Strong Solvent-like Smell. Sample black and tarry.
6	E Property. Bank of Fill Area. 30" Depth.	11	Loosely compacted soil.

* Moisture in Sample can cause a random fluctuation in HNu reading by up to 15 ppm.

Based on these preliminary results, it appears that there are significant levels of organic vapors in the drainage ditch sediments near the DOT facility. As the DOT facility appears to use solvents near the assessed property boundary, it is most likely that the organic contamination originates from the DOT facility and extends southerly along the drainage creek. Based on the preliminary screening performed, the areal extent and depth of contamination can not be determined at this time.

The screening sample taken from the bank of the fill area did not have detectable amounts of organic vapors. The lack of detection, however, does not discount the possible presence of contamination in the fill area. The sample is representative of the environmental condition only at the sample location. In addition, the Hnu analyzer only detects select organic compounds; it cannot detect possible contamination resulting from other organic compounds (e.g., methane) and inorganic compounds.

RECORDS SEARCH

Local Environmental agencies had no files or records of incidents at the assessed property.

As mentioned earlier, the North Carolina Division of Environmental Management has stated that there is known groundwater contamination within a two mile radius of the property; its impact on the assessed property however has not been evaluated. The North Carolina Resource Conservation and Recovery Act (RCRA) files revealed that the adjacent DOT facility is a small quantity hazardous waste generator that handles solvents and paints. There have been no enforcement measures taken against the DOT facility. Spill files at the State Enforcement and Spill Response Department revealed that in May 1989 a tanker truck had deliberately dumped its contents into the Eno River at Guess Road, within a mile of the assessed property. Details about the dumping were not available.

A summary of regulatory agencies contacted in the course of performing this environmental site assessment is provided in Appendix A.

CONCLUSIONS AND RECOMMENDATIONS

OMNI Environmental Services, Inc., after conducting a Phase I Environmental Site Assessment through site inspection, historical review, and regulatory contacts has identified the following as areas of potential environmental impact at/on the assessed property:

- * The adjacent DOT facilities and activities, especially the underground fuel tanks and the drainage onto the assessed property. Preliminary organic vapor screening efforts indicate that there are significant levels of organic vapors in the drainage ditch sediments located on the assessed property.
- * Known groundwater contamination from EPA Wastelan sites located within two miles of the site.
- * Deliberate dumping performed by unauthorized people on the assessed property. Although the person encountered at the site was dumping "only wood chips from trees" which does not pose any significant environmental problems, the fact that unauthorized personnel can dump materials on the property without restriction is cause for concern. This concern is further supported by: (1) the existence of miscellaneous garbage presently on the property; and (2) the May 1989 deliberate dumping report to the State Spill Response Department regarding a tanker truck dumping its contents into the Eno River within a mile of the subject property.

* The possibility of contaminant leaching from the filling area as may be evident from the scum noted in some standing water located at the base of the fill area.

There are many factors that pose potential environmental concern/impact to the assessed property, OMNI recommends the following actions:

Conduct an additional study of the property to further characterize environmental conditions. This study should include soil sampling downgradient of the DOT underground tanks, drainage ditch, and fill area under a professionally prepared work plan. Additional sampling should be performed, particularly if additional unauthorized dumping is done at the property.

Restrict access to the site and prevent unauthorized dumping on the property in the future.

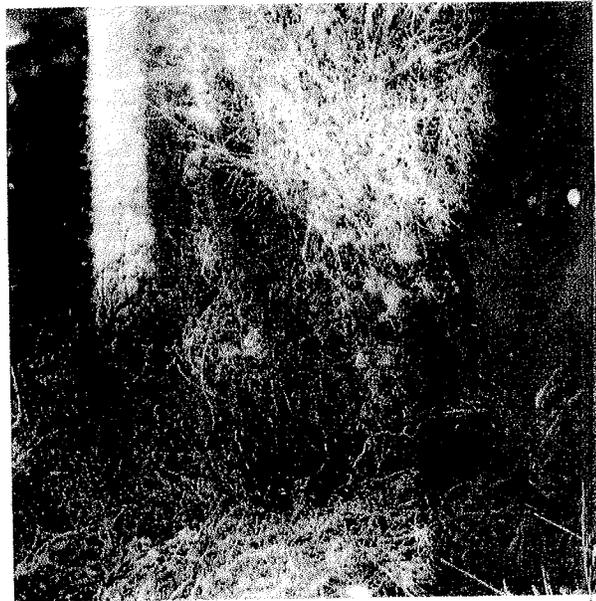
Monitor soil moving activities at or near the toll area to identify potential environmental concerns not detected from this or subsequent studies, as most of the grading related dump material is located at least three feet below the fill area surface.

The conclusions presented here, however, are based only on our investigation and analysis. They should not be construed as a complete assessment of the soil and water quality at the site. As a result, our analysis can only provide our professional judgement as to the environmental character of the site in gross terms, and in no way guarantees that a regulatory agency (e.g. EPA, NCDEM) or its staff will reach the same conclusions as OMNI Environmental Services, Inc., has reached.

This report has been prepared for the exclusive use of Rev. Jack Cox of Liberty Free Will Baptist Church and its respective financial institution. It is not intended to be submitted to any regulatory agency for the fulfillment of any regulatory requirement including but not limited to hazardous release reports, site investigations, and preliminary assessments associated with state and national law.

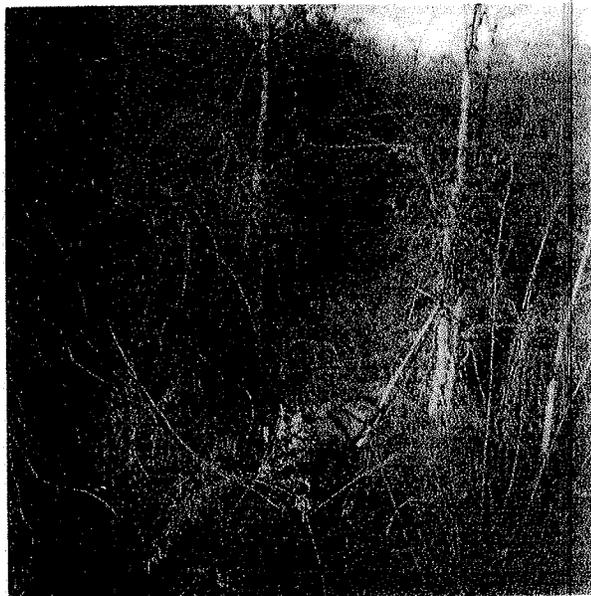
PHOTOS

LIBERTY FREE WILL CHURCH PROPERTY
DURHAM, NORTH CAROLINA



SAMPLE LOCATION #1
EDGE OF PROPERTY

SAMPLE LOCATION #2
DITCH - ABOUT 300' FROM DOT FENCE



SAMPLE LOCATION #3, 4, 5
NEAR DOT FENCE

SAMPLE LOCATION #6
PILL AREA BASE

PHOTOS
LIBERTY FREE WILL CHURCH PROPERTY
DURHAM, NORTH CAROLINA



... ON PROPERTY

GARBAGE ON PROPERTY



...FACE SCUM ON STANDING WATER
... SOUTHERN BASE OF FILL AREA

VIEW OF ADJACENT DOT FACILITIES
FROM ASSESSED PROPERTY

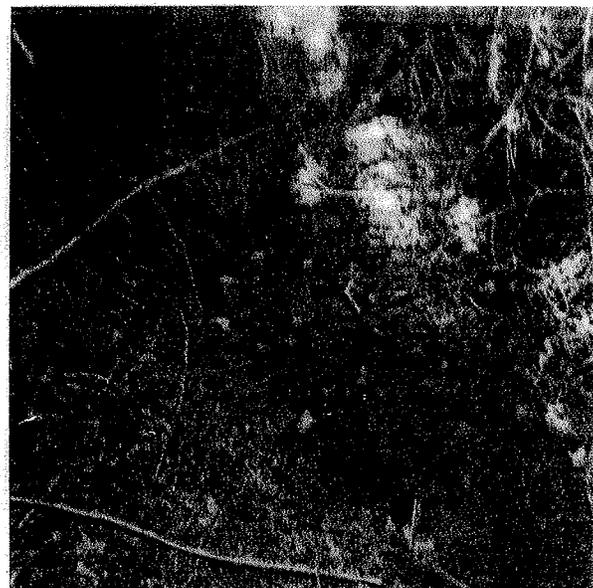
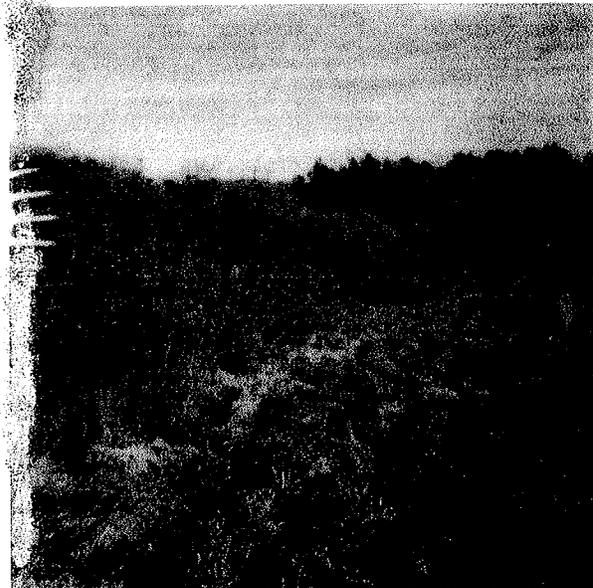
PHOTOS

LIBERTY FREE WILL CHURCH PROPERTY
DURHAM, NORTH CAROLINA



AREA / GRADING DUMP

SOUTH PORTION OF PROPERTY



AREA BASE

SURFACE WATERS EAST OF PROPERTY

APPENDIX A. CONTACTS MADE

Non-Environmental Agency Contacts

Former Owner of Assessed Property, Sam Hunt
W.D. Proctor Grading Corporation
North Carolina Department of Corrections
North Carolina Department of Transportation (DOT)
Select Area Residents

State Environmental Agency Contacts

Water Quality Division
Solid Waste Division
Hazardous Waste Division
CERLIS/WASTELAN Division
Groundwater Division
Spill and Enforcement Division

ATTACHMENT D

Vicinity Map



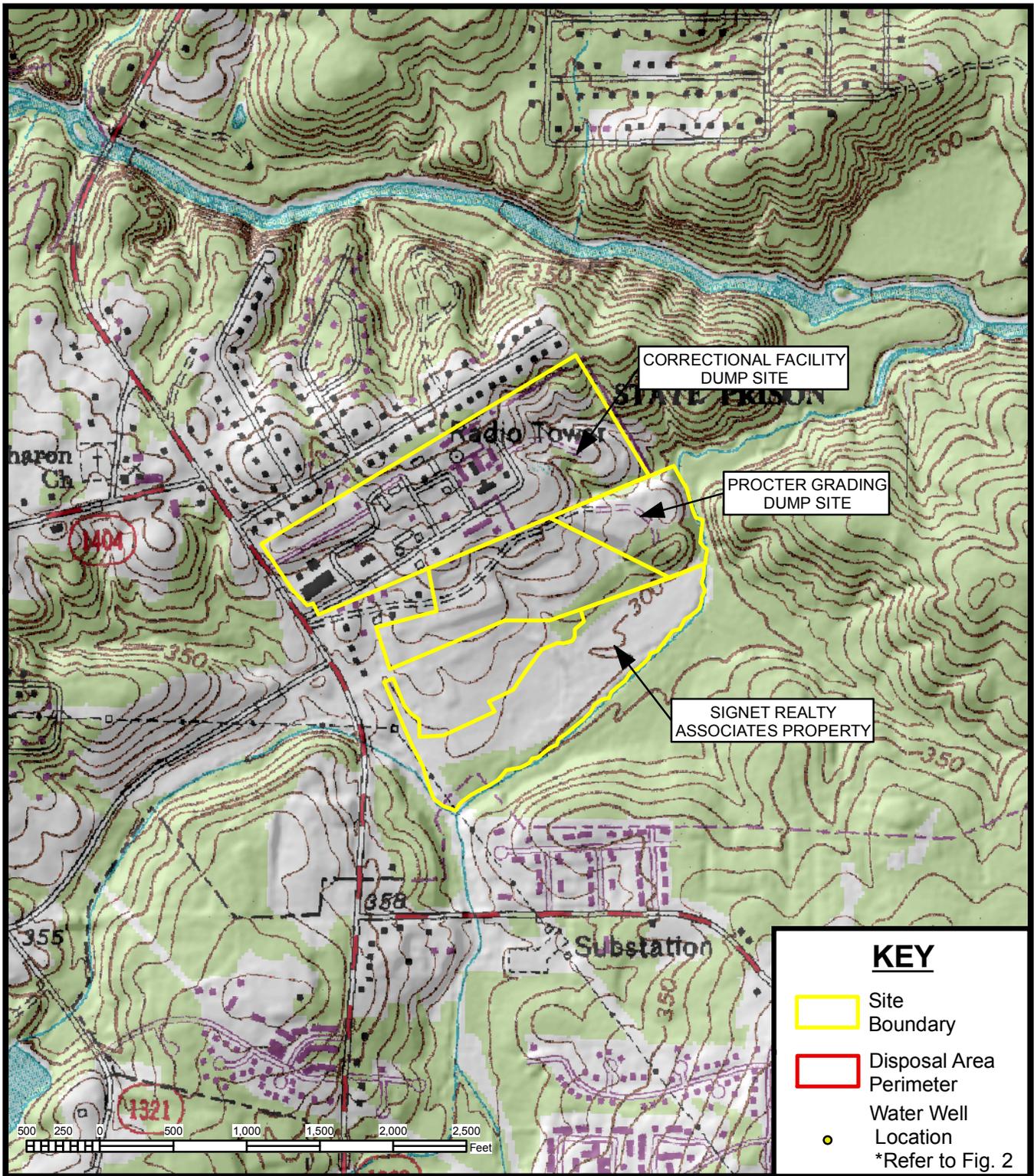


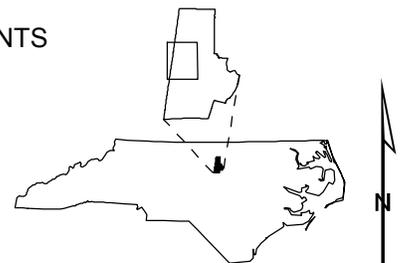
FIGURE 1

NCDENR/OLD UNLINED LANDFILL ASSESSMENTS
 GUESS ROAD DUMP
 NO STATE ID ASSIGNED
 DURHAM, DURHAM COUNTY,
 NORTH CAROLINA

1 inch = 1,000 feet

VICINITY MAP

DURHAM COUNTY
 NORTHWEST DURHAM QUAD



NORTH CAROLINA
 QUADRANGLE LOCATION

Prepared by:



NCUL141-02 11/2009

SOURCE:
 - North Carolina Department of Transportation
 LiDAR Data, 2007
 - United States Geological Survey
 7.5" Quadrangle -
 Northwest Durham, NC 1973 Photorevised 1987