

Brownfields Program
File Room Document Transmittal Sheet

23

Your Name: Shirley Liggins
Project ID: 0501301011
Facility Name: Fishburne Equipment
Document Group: Land Use Restriction Updates (LURU)
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North Carolina Department of Environment and Natural Resources
Division of Waste Management

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Director

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Secretary

August 23, 2011

CERTIFIED MAIL RETURN RECEIPT

Ms. Pamela Van Praaq
OVP Holdings, LLC
25 Bradley Branch Road, Suite 1
Arden, NC 28704

Subject: Notice of Noncompliance, N.C.G.S. §130A-310.35(f)
Annual Land Use Restrictions Update
Fishburne Equipment
25 Bradley Branch Rd
Buncombe County, Brownfields Project Number: 05013-01-11

Dear Ms. Van Praaq:

Pursuant to the land use restrictions listed in the Notice of Brownfields Property recorded at the Buncombe County Register of Deeds, all owners of the brownfields property are required to submit an annual certification to maintain liability protection granted by the Brownfields Agreement for the subject property. Our records indicate that OVP Holdings, LLC is a current owner of at least part of the subject brownfields property and that an annual certification from this company has not been received.

To minimize the chance of an assessment and/or cleanup order, and/or civil penalties, OVP Holdings, LLC or its authorized agent should immediately complete, sign, notarize, and submit the attached Land Use Restrictions Update ("LURU") form to the following address:

NC Brownfields Program
Land Use Restrictions Update
Mail Service Center 1646
Raleigh, NC 27699-1646

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone: 919-508-8400 \ FAX: 919-715-4061 \ Internet: www.wastenotnc.org

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Please retain a copy of the attached form for future LURU submittals or you may request an electronic version by e-mailing me at David.Peacock@ncdenr.gov.

Should you have any questions or have information showing that you have not owned any part of the brownfields property since the Notice of Brownfields Property was recorded, please contact me by telephone at (910) 796-7401 or by e-mail.

Sincerely,



David Peacock
Brownfields Compliance Coordinator

W/Enclosures

Cc: Central Files
Ec: Bruce Nicholson, NCDENR
Rob Gelblum, Special Deputy Atty. General

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Sent To Pamela Van Praag
Street, Apt. No. or PO Box No. OVP Holdings LLC 25 Bradley Branch Rd
City, State, ZIP+4 Arden NC 28704