

Spiroflow Systems, Inc.
1609 Airport Road
Monroe, NC 28110
704-246-0997
www.spiroflowsystems.com
cmoore@spiroflowsystems.com

January 30, 2014

Sharon Eckard, PG
NC Department of Environment & Natural Resources
1646 Mail Service Center
Raleigh, NC 27699-1646



Re: Acknowledgement of BFA requirements at 1609 Airport Rd, Monroe, NC 28110

Dear Sharon,

Thank you for the information received on January 2, 2013 from your office to approve discontinuance of Indoor Air Sampling at the former Schrader Bridgeport facility at 1609 Airport Road, Monroe, NC 28110. This letter is to acknowledge that the employees of Spiroflow Systems Inc., the new occupants of the property, are knowledgeable of the land use restrictions in the BFA and how these conditions may affect their work. The chemicals that we use in our manufacturing and testing processes will not violate the terms of the BFA. We will provide an annual confirmation of this knowledge and incorporate the education with any new employees that join our team.

Please feel free to contact me directly if you have any questions.

Best regards,

Cary R. Moore
Chief Operating Officer
704-246-0997
cmoore@spiroflowsystems.com

schedule, for DENR approval and shall implement said plan as approved in writing by DENR. Provided, that mitigation shall be waived if the subject owner submits a risk assessment that DENR determines in writing renders it unnecessary. DENR shall alter or terminate the testing and/or sampling requirement if it conclusively determines that it is not necessary in order for the Brownfields Property to remain suitable for the uses specified in Land Use Restriction 1 above.

In compliance Out of compliance

Remarks: _____

LUR 3: No building may be constructed on the Brownfields Property until DENR has been consulted regarding the proximity of the planned building to the Brownfields Property's volatile contaminant plume. If DENR determines that the footprint of a building proposed to be constructed on the Brownfields Property would fall within one hundred (100) feet of said plume, it may not be constructed without:

- a. a vapor barrier system and/or mechanical or passive vapor barrier mitigation system, or other effective vapor mitigation system approved by DENR, followed, within 30 days after installation of the vapor barrier system and/or mechanical or passive vapor barrier mitigation system, by certification to DENR of proper installation under seal of a professional engineer licensed in North Carolina, as well as photographs illustrating the installation and a brief narrative describing it; or
- b. investigation activities including, without limitation, soil gas samples performed to DENR's written satisfaction, which DENR determines in writing demonstrate that a vapor barrier system and/or mechanical or passive vapor barrier mitigation system, or other effective vapor mitigation system approved by DENR, are not needed in order for the Brownfields Property to be and remain suitable for the uses specified in Land Use Restriction 1 above.

In compliance Out of compliance

Remarks: _____

LUR 4: Surface water and underground water at the Brownfields Property may not be used for any purpose without the prior written approval of DENR.

In compliance Out of compliance _____

Remarks: _____

LUR 5: No activities that encounter, expose, remove or use groundwater (for example, installation of water supply wells, fountains, ponds, lakes or swimming pools, or construction or excavation activities that encounter or expose groundwater) may occur on the Brownfields Property without prior sampling and analysis of groundwater, to the written satisfaction of DENR, in any areas proposed for such activities, and submittal of the analytical results to DENR. If such results disclose to DENR contamination in excess of North Carolina's groundwater quality standards, the proposed activities may not occur without the prior written approval of DENR on such conditions as DENR imposes, including at a minimum compliance with plans and procedures, approved pursuant to applicable law, to protect public health and the environment during the proposed activities.

In compliance Out of compliance _____

Remarks: _____

LUR 6: Soil within the area denominated "Area of Possible Soil Contamination/Soil Vapor Extraction/Air Sparging Area" on the plat component of this Notice may not be exposed without a minimum of seven (7) business days advance written notice to DENR, unless DENR states otherwise in writing in advance. At the time such soil is exposed, DENR may inspect and sample, or require sampling of, the exposed soil for contaminants. If the nature and extent of soil contamination indicates to DENR that the Brownfields Property may be unsuitable for the uses specified in Land Use Restriction 1 above while fully protecting public health and the environment, as much soil as DENR reasonably requires shall be removed and disposed of in accordance with applicable law or, at DENR's discretion, capped to the written satisfaction of DENR.

In compliance Out of compliance _____

Remarks: _____

LUR 7: No mining may be conducted on or under the Brownfields Property, including, without limitation, extraction of coal, oil, gas or any other minerals or non-mineral substances.

In compliance Out of compliance

Remarks: _____

LUR 8: No basements may be constructed on the Brownfields Property unless they are, as determined in writing by DENR, vented in conformance with applicable building codes.

In compliance Out of compliance

Remarks: _____

LUR 9: None of the contaminants known to be present in the environmental media at the Brownfields Property, including those listed in Tables A, B and C of the Notice, may be used or stored at the Brownfields Property without the prior written approval of DENR, except in *de minimis* amounts for cleaning and other routine housekeeping activities.

In compliance Out of compliance

Remarks: _____

LUR 10: Except for occasional recreational use by employees, the Brownfields Property may not be used as a park or for sports of any kind, including, but not limited to, golf, football, soccer and baseball, without the prior written approval of DENR.

In compliance Out of compliance

Remarks: _____

LUR 11: The Brownfields Property may not be used for agriculture, grazing, timbering or timber production.

In compliance Out of compliance

Remarks: _____

LUR 12: The Brownfields Property may not be used as a playground, or for child care centers or schools without the prior written approval of DENR.

In compliance Out of compliance

Remarks: _____

LUR 13: The Brownfields Property may not be used for kennels, private animal pens or horse-riding without the prior written approval of DENR.

In compliance Out of compliance

Remarks: _____

LUR 14: The owner of any portion of the Brownfields Property where any existing or later DENR-approved monitoring well is damaged shall be responsible for repair of any such wells to DENR's written satisfaction and within a time period acceptable to DENR.

In compliance Out of compliance

Remarks: _____

LUR 15: No party conducting environmental assessment or remediation at the Brownfields Property at the direction of, or pursuant to a permit or order issued by, DENR may be denied access to the Brownfields Property for purposes of conducting such assessment or remediation.

In compliance Out of compliance

Remarks: _____

LUR 16: During January of each year after the year in which the Notice is recorded, the then current owner of any part of the Brownfields Property shall submit a notarized Land Use Restrictions Update ("LURU") to DENR certifying that the Notice of Brownfields Property containing these land use restrictions remains recorded at the Union County Register of Deeds office and that the land use restrictions are being complied with, and stating:

- a. the name, mailing address, telephone and facsimile numbers, and contact person's e-mail address of the owner submitting the LURU if said owner acquired any part of the Brownfields Property during the previous calendar year.

Pappa Delta Holdings 1, LLC, 1609 Airport Road, Monroe, NC 28110

P: 704-246-0900 F: 704-291-9594

email: jdudas@spiroflowsystems.com

b. the transferee's name, mailing address, telephone and facsimile numbers, and contact person's e-mail address, if said owner transferred any part of the Brownfields Property during the previous calendar year.

c. whether any changes have occurred to the soil vapor extraction and air sparging remediation systems on the Brownfields Property.

d. whether any vapor barrier and/or mitigation systems installed pursuant to Land Use Restrictions 3.a. and 3.b. above are performing as designed, and whether the uses of the ground floors of any buildings containing such vapor barrier and/or mitigation systems have changed, and, if so, how.

In compliance Out of compliance

Remarks: _____

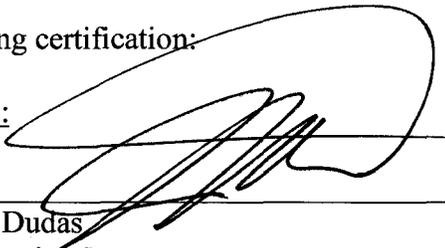
Notarized signing and submittal of this Land Use Restrictions Update constitutes certification that the Notice remains recorded at the Union County Register of Deeds office and that the Land Use Restrictions are being complied with.

This Land Use Restrictions Update is certified by _____, owner of at least part of the Brownfields Property.

Name typed or printed of party making certification:

In the case of owners that are entities:

Signature of individual signing: _____
Name typed or printed: Jeff Dudas
Title: Managing Partner



In the case of all owners:

Date: 1/28/14

[use for LLCs]

[Name of LLC]

By: Jeff Dudas
Name typed or printed:
Member/Manager

NORTH CAROLINA
Union COUNTY

I, Sharon S. Stroud, a Notary Public of the county and state aforesaid, certify that Jeff Dudas personally came before me this day and acknowledged that he/she is a Member of Pappa Delta Holdings, LLC, a NC (state) limited liability company, and its Manager, and that by authority duly given and as the act of the company, the foregoing Land Use Restriction Update was signed in its name by him/her.

WITNESS my hand and official stamp or seal, this 28th day of January, 2014.

Sharon S. Stroud Sharon S. Stroud
Name typed or printed:
Notary Public

My Commission expires: May 24, 2016

