



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

Donald R. van der Vaart
Secretary

April 15, 2015

Ms. Ann Wall,
City of Rocky Mount
P.O. Box 1180
Rocky Mount, NC 27802

Subject: Notice of Noncompliance, N.C.G.S. §130A-310.35(f)
Annual Land Use Restrictions Update
Tobacco Warehouse, #11002-07-33
221-223 NE Main Street, Edgecombe County

Dear Ms. Wall:

Pursuant to the land use restrictions listed in the Notice of Brownfields Property recorded at the Edgecombe County Register of Deeds, all owners of the subject brownfields property are required to submit an annual certification in 1 to maintain liability protection granted by the Brownfields Agreement. Our records indicate that City of Rocky Mount is a current owner of at least part of the subject brownfields property and that the last annual certification from this company was received 1/15/2014.

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

**NC Division of Waste Management
Brownfields Program
1646 Mail Service Center
Raleigh, NC 27699-1646**

Site specific LURU forms are available by visiting <http://portal.ncdenr.org/web/wm/bf-lurus> or you may send a request to me at the contact information provided below.

Should you have any concerns 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 at David.Peacock@ncdenr.gov.

Sincerely,

David Peacock

David Peacock
Brownfields Compliance Coordinator

Cc: Central Files

Ec: Bruce Nicholson, Brownfields Program Manager
Sharon Eckard, Brownfields Project Manager