

From: Minnich, Carolyn <carolyn.minnich@ncdenr.gov>
Sent: Thursday, January 10, 2013 10:55 AM
To: Franchina, Dave
Cc: randy@rkmresources.com; Walker, Chris
Subject: RE: 1200 South Blvd - Soil Piles

Dave:

Thank you for an update on the soil issues at Charlotte Chemical. The information and scenarios presented below are acceptable. Please forward me copies of the soil disposal manifest or documentation your client gets from the facility.

Carolyn Minnich

Brownfields Project Manager
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From: Franchina, Dave [mailto:Dave.Franchina@klgates.com]
Sent: Tuesday, January 08, 2013 5:17 PM
To: Minnich, Carolyn
Cc: 'Randy Martin'; Walker, Chris
Subject: RE: 1200 South Blvd - Soil Piles

Carolyn,

Following up on our correspondence below, I wanted to confirm that the movement of pile A soils to Environmental Soils, Inc., in Lattimore, NC, for disposal in accordance with that facility's authorizations has been proceeding without incident. As mentioned earlier, PD has been disposing soils in quadrants SP-2 and SP-3 (where soils exceed either residential or industrial SRGs) at Environmental Soils.

PD would like to send the remaining soils in pile A, those in quadrants SP-1 and SP-4 (where no contamination exceeding SRGs has been detected, but where PD is struggling with reporting and detection limits) to landfills for use as cover. Specifically, PD would like to send quadrant SP-1 and SP-4 soils to one or more of the following locations:

Kelly Road Landfill

3015 Kelly Road
Charlotte NC

Piedmont Grading and Wrecking

3652 Beatties Ford Road
Charlotte, NC

Tommy Price Inc.

9421 Albermarle Rd.
Charlotte, NC

Each landfill operator will confirm to PD in writing that they are authorized to accept the soils, that the soils will be used for cover only, and that the soils will not be resold to the general public.

Please confirm that PD's proposed management of the soils as landfill cover at the foregoing properties is acceptable to Brownfields. In the meantime, please email or call with questions.

Thanks,
Dave

David A. Franchina
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From: Minnich, Carolyn [mailto:carolyn.minnich@ncdenr.gov]
Sent: Monday, December 03, 2012 9:23 AM
To: Franchina, Dave
Cc: 'Randy Martin'; 'Matt Ingalls'; 'Bruce Hickman'; Walker, Chris; Nicholson, Bruce
Subject: RE: 1200 South Blvd - Soil Piles

Thanks for the update.

Carolyn Minnich

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From: Franchina, Dave [mailto:Dave.Franchina@klgates.com]
Sent: Saturday, December 01, 2012 11:40 AM
To: Minnich, Carolyn
Cc: 'Randy Martin'; 'Matt Ingalls'; 'Bruce Hickman'; Walker, Chris
Subject: RE: 1200 South Blvd - Soil Piles

Carolyn,

I wanted to give you a quick heads up that the PD has started moving pile A soils to Environmental Soils, Inc., in Lattimore, NC, for disposal in accordance with that facility's authorizations. Specifically, PD is disposing soils in quadrants SP-2 and SP-3 (where soils exceed either residential or industrial SRGs) at Environmental Soils. It plans to dispose ALL soils in those quadrants in order to address Brownfields concerns that it might be difficult to distinguish "clean" portions of those quadrants from "dirty" portions of the quadrants.

PD is still evaluating options for the remaining soils in pile A, those in quadrants SP-1 and SP-4, where no contamination exceeding SRGs has been detected, but where we are struggling with reporting and detection limits. We are still looking for a home for those soils that is cost effective but still acceptable to Brownfields. If such a home cannot be found, those soils may also end up at Environmental Soils. We'll keep you posted.

Please email or call with questions.

Thanks,
Dave

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From: Franchina, Dave
Sent: Tuesday, October 30, 2012 11:09 PM
To: 'Minnich, Carolyn'
Cc: 'Randy Martin'; Matt Ingalls; Bruce Hickman; Walker, Chris
Subject: RE: 1200 South Blvd - Soil Piles

Carolyn,

PD is currently planning on sending soils from pile A that do not exceed residential or industrial SRGs or GWP values to a construction site at 782 Ryan's Place, Fort Mill, SC, where the soils will be used to provide backfill for a retaining wall. Pile A soils that exceed residential or industrial SRGs or GWP values will either be managed as described in the soil management plan or disposed at one of the following facilities:

- Saedacco, Fort Mill, SC
- Environmental Soils, Inc. Lattimore, NC
- Evo Corp Winston-Salem, NC
- Republic Services/BFA Speedway Landfill Concord, NC
- A&D Environmental Services

Hope this helps, Carolyn. PD looks forward to hearing from you.

Regards,
Dave

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From: Minnich, Carolyn [mailto:carolyn.minnich@ncdenr.gov]
Sent: Monday, October 29, 2012 1:39 PM
To: Franchina, Dave
Cc: 'Randy Martin'; Matt Ingalls; Bruce Hickman; Walker, Chris
Subject: RE: 1200 South Blvd - Soil Piles

Another questions for H&H folks. When we spoke a few weeks ago, I suggest compiling a list of potential disposal sites for the fill dirt. How is that list coming along? It will make the review process by DENR if they have some idea where you want to take the soil.

Carolyn Minnich

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From: Franchina, Dave [mailto:Dave.Franchina@klgates.com]
Sent: Monday, October 29, 2012 1:23 PM
To: Minnich, Carolyn
Cc: 'Randy Martin'; Matt Ingalls; Bruce Hickman; Walker, Chris
Subject: RE: 1200 South Blvd - Soil Piles

Thanks, Carolyn. Let me kick that question over to the guys at H+H -- any sense of the approximate current size of pile A?

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From: Minnich, Carolyn [mailto:carolyn.minnich@ncdenr.gov]
Sent: Monday, October 29, 2012 1:21 PM
To: Franchina, Dave
Cc: 'Randy Martin'; Matt Ingalls; Bruce Hickman; Walker, Chris
Subject: RE: 1200 South Blvd - Soil Piles

Thanks Dave. I am reviewing. How big is pile A? Is it still 1000 cubic yards as estimated in earlier correspondence?

Carolyn Minnich

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From: Franchina, Dave [mailto:Dave.Franchina@klgates.com]
Sent: Friday, October 26, 2012 8:07 AM
To: Minnich, Carolyn
Cc: 'Randy Martin'; Matt Ingalls; Bruce Hickman; Walker, Chris
Subject: RE: 1200 South Blvd - Soil Piles

Carolyn,

Following up on our emails and voice mails a couple of weeks back, I wanted to circle back with you on management of the soil piles at 1200 South Boulevard (Charlotte Chemical Laboratories Brownfields Property). As mentioned, the pile A soils left over from utility installation can no longer be used on the property because the site no longer balances, and the prospective purchaser does not want to have additional soils left behind at closing. Thus, PD has been evaluating means in which these soils can be managed off-site. This differs from the soil management plan you previously approved, which authorized their on-site management only.

To support the requests PD will make below, PD recently evaluated the quality of the pile A soils. It went under the assumption that soils that met residential SRGs could be used as clean fill on other properties. It further assumed that

soils that did not meet either industrial or residential SRGs could be used either (1) in the manner described on-site in the soil management plan, or (2) disposed of off-site at an approved disposal facility. For added protectiveness, PD also evaluated whether soils met groundwater protection ("GWP") criteria. It might be easiest if you opened up the pdfs entitled Proposed Water Main Alignment Soil Piles and Soil Table – October 23, 2012 to follow along this discussion. We're enclosing a copy of the lab report so you can verify our analysis.

PD started with the assumption that soils in quadrant SP-1 were clean, as prior test results (from the soil management plan) showed that they met all SRGs and GWP values.

PD next evaluated quadrant SP-2. In putting together the soil management plan, soils in the center of that quadrant exceeded industrial standards. To help manage soils more efficiently, PD undertook sampling of other portions of the quadrant to determine if they were as contaminated as the existing data point. As reflected in the results on the attached table, one of the areas that was sampled exceeded industrial standards (SP-2A), while the other met residential and GWP values.

There's a bit of a story when PD evaluated the remaining two quadrants, SP-3 and SP-4. The sampling in the soil management plan revealed that one of those quadrants was "clean," and the other exceeded residential SRGs. However, during final grading of the area of utility relocation, these quadrants were disturbed -- they were spread out on the property and dirt from the property was added back into the pile. Thus, we viewed the prior sampling results as not being a valid indicator of current site conditions. Consequently, PD evaluated each of these quadrants from scratch. As with its evaluation of SP-2, it "divided" each quadrant into three sections and sampled each of the sections. As reflected in the enclosed materials, one of those sections exceeded industrial SRGs, one exceeded residential SRGs, and the remaining sections were below industrial SRGs, residential SRGs, and GWP values.

On the basis of the foregoing, PD requests the following:

1. That Brownfields authorize PD to manage pile A soils that do not exhibit contamination above industrial or residential SRGs or GWP values by allowing them to be used as clean fill at other properties (sections SP-1, SP-2C, SP-3B, SP-4A, SP-4B, and SP-4C).
2. That Brownfields authorize PD to dispose of soils that exceed either GWP values, residential SRGs, or industrial SRGs at an off-site disposal facility (sections SP-2, SP-2A, SP-3A, and SP-3C).

PD will, of course, provide Brownfields with complete documentation as to the ultimate disposition of all site soils.

And, as a heads up, PD plans to remove from the site the pile B and pile C soils next week. You'll recall that under the soil management plan, those soils were authorized to be used off-site as clean fill. They were "imported" to the Brownfields property from clean fill sites and documented by the PD to be "clean."

Please let me know what you think. I am available to discuss if you'd like.

Regards,

Dave

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From: Minnich, Carolyn [mailto:carolyn.minnich@ncdenr.gov]
Sent: Wednesday, October 03, 2012 10:13 AM
To: Franchina, Dave
Cc: 'Randy Martin'; Matt Ingalls; Bruce Hickman; Walker, Chris
Subject: RE: 1200 South Blvd - Soil Piles

Thanks. I will follow up with you next week.

Carolyn Minnich

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From: Franchina, Dave [mailto:Dave.Franchina@klgates.com]
Sent: Friday, September 28, 2012 12:28 PM
To: Minnich, Carolyn
Cc: 'Randy Martin'; Matt Ingalls; Bruce Hickman; Walker, Chris
Subject: RE: 1200 South Blvd - Soil Piles

Carolyn,

Hey, how's it going? It's been a while. Hope all has been well.

I wanted to touch base with you on recent developments at 1200 South Blvd. The infrastructure improvements being conducted by the PD (utility and roadway realignment) are pretty much done. From a Brownfields standpoint, all that remains is management of the soil that was left over after construction and completion of a report that confirms everything was done according to plan.

There has been one change in proposed soil conditions at the property, and I wanted to bounce a few ideas off you quickly as we think through how to manage them. You might recall that PD's initial plan for the large pile of soil on the property (which we called "pile A") was to place soils exceeding industrial SRGs in a borrow pit beneath two feet of clean fill, and to place the remaining soils on the property, where they'd be managed in accordance with the Brownfields agreement.

As it happens, however, due to changes in the purchaser's design for the property, the site no longer balances. The pile A soils cannot be used on the property, as they'll make the existing imbalance worse. Thus, we are thinking through how we might manage these soils off-site. We assume that any soil that exceeds an SRG -- either residential or industrial -- must be disposed of properly if removed from the property. In other words, they cannot be reused as fill on another site (other than, I suppose, a Brownfields site after receiving authorization from Brownfields). Is that understanding correct? Also, we assume that all soils that are below SRGs can be used as fill off site without restriction. Is that understanding correct too? If you could let us know, it could help us figure out how we will propose managing the soils to you, since we'll need to manage them in a way that you haven't (yet) approved.

Thanks, and best regards,
Dave

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From: Minnich, Carolyn [mailto:carolyn.minnich@ncdenr.gov]
Sent: Monday, July 09, 2012 2:51 PM
To: Bruce Hickman
Cc: Franchina, Dave; 'Randy Martin'; Matt Ingalls
Subject: RE: 1200 South Blvd - Soil Piles

Attached is the approval letter.

Carolyn Minnich

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From: Bruce Hickman [mailto:BHickman@harthickman.com]
Sent: Monday, July 02, 2012 12:42 PM
To: Minnich, Carolyn
Cc: Franchina, Dave; 'Randy Martin'; Matt Ingalls
Subject: 1200 South Blvd - Soil Piles

Carolyn,

I've attached a letter and a report describing soil pile activity at the 1200 South Blvd site. Briefly, the letter requests your approval / concurrence to manage to soil in three piles as summarized in the letter. The report provides greater detail on the same topic.

Please take a look and let us know if you have questions or if we may proceed as recommended in the letter. This site work can be performed as soon as we get your feedback.

Thanks,

Bruce Hickman, PE, Principal Engineer
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