Table A. Groundwater contaminants in micrograms per liter (the equivalent of parts per billion), the standards for which are contained in Title 15A of the North Carolina Administrative Code, Subchapter 2L, Rule .0202(2L), (April 1, 2013 version):

| Groundwater Contaminant | Sample Location | Date of Sample | Maximum Concentration Exceeding Standard (µg/L) | Date of Most Recent Concentration | Most Recent Concentration (µg/L) | Standard (µg/L) |
|---|---|---|---|---|---|---|
| Benzene | MW-1 | 7/6/2000 | 8 | 10/23/2001 | ND[1] | 1 |
| | MW-4 | 7/6/2000 | 2 | 10/23/2001 | ND | |
| 1,2-DCP[3] | MW-5 | 7/6/2000 | 1 | 7/6/2000 | 1 | 0.6 |
| | MW-6 | 6/27/2013 | 1.0 | 6/27/2013 | 1.0 | |
| | MW-6 Dup | 6/27/2013 | 0.95 | 6/27/2013 | 0.95 | |
| | MW-9 | 6/27/2013 | 1.6 | 6/27/2013 | 1.6 | |
| Nitrate | MW-1 | 2/22/2001 | 110,000 | 10/23/2001 | 44,000 | 10,000 |
| | MW-3 | 8/21/2001 | 26,400 | 10/23/2001 | 2,200 | |
| | MW-4 | 10/23/2001 | 35,200 | 10/23/2001 | 35,200 | |
| | MW-5 | 10/23/2001 | 13,200 | 10/23/2001 | 13,200 | |
| Phosphorus-total | MW-10 | 6/27/2013 | 110 | 6/27/2013 | 110 | NS |

1. ND – Not detected above laboratory reporting limits
2. NS – No standard established
3. 1,2-DCP – 1,2-Dichloropropane

Table B. Soil contaminants in milligrams per kilogram (the equivalent of parts per million), the screening levels for which are derived from the Preliminary Industrial Health-Based Remediation Goals of the Inactive Hazardous Sites Branch of DENR's Superfund Section (July 2013 version):

| Soil Contaminant | Sample Location | Depth (feet) | Date of Sampling | Concentration Exceeding Screening Level (mg/kg) | Industrial Screening Level[1] (mg/kg) |
|---|---|---|---|---|---|
| Arsenic | AOC-1[2] | 0.5-1 | 6/24/2013 | 3.2 | 2.4 |
| | AOC-2 | 0.5-1 | 6/24/2013 | 2.7 | |
| | AOC-3 | 0.5-1 | 6/24/2013 | 3.8 | |
| | AOC-4 | 0.5-1 | 6/24/2013 | 3.8 | |
| | AOC-6 | 0.5-1 | 6/24/2013 | 2.5 | |
| | AOC-6 Dup #2 | 0.5-1 | 6/24/2013 | 2.7 | |
| | AOC-7 | 0.5-1 | 6/24/2013 | 3.5 | |
| | BG | 0.5-1 | 6/25/2013 | 1.8 | |
| | SB-1E | 0.5-1 | 6/24/2013 | 4.6 | |
| | SB-5 | 0.5-1 | 6/24/2013 | 3.8 | |
| 4,4'-DDD[3] | AOC-1 | 0.5-1 | 6/24/2013 | 9.4 | 7.2 |

1. Screening levels displayed for non-carcinogens are for hazard quotient equal to 0.2. Screening levels displayed for carcinogens are for 1.0E-6 lifetime incremental cancer risk target.
2. The AOC-series samples are composite samples comprised of the following sub-samples: AOC-1 (SB-1A, SB-1B, SB-1C, SB-1D), AOC-2 (SB-2A, SB-2B), AOC-3 (SB-3A, SB-3B), AOC-4 (SB-4A, SB-4B,SB-4C), AOC-6 (SB-6A, SB-6B, SB-6C, SB-6D, SB-6E, SB-6F, SB-6G), & AOC-7 (SB-7A, SB-7B, SB-7C, SB-7D, SB-7E).
3. 4,4'DDD – 4,4-dichlorodiphenyldichloroethane

NORTH CAROLINA PROFESSIONAL SEAL L-2609 RZH LAND SURVEYOR RICHARD R. HERRING

Richard R Herring
6-3-2014

STATE OF NORTH CAROLINA
WILSON COUNTY

FILED FOR REGISTRATION AT 2:36 PM
ON THIS 13 DAY OF June 2014 IN THE
WILSON COUNTY REGISTER OF DEEDS
RECORDED IN ____ BOOK 39 PAGE 264

Lisa A. Stith
REGISTER OF DEEDS
by: Stacy M Atkinson Asst.

## LAND USE RESTRICTIONS

NCGS 130A-310.35(a) also requires that the Notice identify any restrictions on the current and future use of the Brownfields Property that are necessary or useful to maintain the level of protection appropriate for the designated current or future use of the Brownfields Property and that are designated in the Brownfields Agreement. **The restrictions shall remain in force in perpetuity unless canceled by the Secretary of DENR (or its successor in function), or his/her designee, after the hazards have been eliminated, pursuant to NCGS § 130A-310.35(e). All references to DENR shall be understood to include any successor in function. The restrictions are hereby imposed on the Brownfields Property, and are as follows:**

**1. No use may be made of the Property other than for a small to medium-sized recycling center for the collection of ferrous scrap materials, nonferrous scrap materials, white goods, cars and certain waste vehicular fluids, automotive lead acid batteries, electric and electronic scrap materials, paper goods including cardboard, potentially plastic and glass, and/or with prior written DENR approval, other non-hazardous scrap materials. For purposes of this restriction, the following definitions apply:**

**a. "Recycling" refers to the derivation of useable materials, or materials suitable for reuse from the collection, sorting, or processing of used or waste materials.**

**b. "Ferrous scrap materials" are defined as those that contain magnetic metals that are predominantly composed of iron, including steel and stainless steel;**

**c. "Nonferrous scrap materials" are defined as those that do not contain iron, but contain other metals such as aluminum, brass, copper, and lead;**

**d. "White goods" are defined as obsolete major appliances such as refrigerators, water heaters and stoves;**

**e. "Waste vehicular fluids" are defined as gasoline, diesel, and used motor oil;**

**f. "Electric and electronic scrap materials" are those derived from consumer electric products such as mercury switches, insulated wires, electric motors, and consumer electronic products such as audio and video recording equipment, digital cameras, computers, copiers, printers and cellular phones;**

**g. "Paper goods" are defined as scrap or waste paper, including stationery, photocopy paper, computer paper, newspaper, magazines, and paper board products;**

**h. "Glass" refers to primarily glass bottles; and**

**i. "Plastic" refers to plastic goods with plastic recycling codes No.1 and No.2.**

**2. Recycling operations that include the draining and collection of waste vehicular fluids, or the storage of scrap materials shall be performed only over asphalt or concrete cap materials and in a manner that prohibits the release of fluids to the ground.**

**3. Groundwater at the Property may not be used for any purpose without the prior written approval of DENR;**

**4. Exposure to surface soil shall be minimized by maintaining a protective cover or cap over the surface of the Property where recycling operations are conducted. The cap shall consist of building foundations, asphalt paving or concrete surface material, or other impervious hardscape material. Landscaped areas may be incorporated into the cover design, but shall be constructed with a minimum of one foot of compacted clean fill or topsoil over native soil, unless sampling demonstrates that the exposed soil is safe for the intended reuse.**

**5. The owner(s) of any portions of the Property containing the cap approved by DENR pursuant to the preceding Land Use Restriction shall be responsible for inspecting on a periodic basis and maintaining such surfaces in good repair so that they retain their integrity and that the infiltration of surface water beneath the cap is minimized, whether or not another party has made a commitment to perform any part of said maintenance.**

**6. No activity that disturbs soil on the Property may occur unless and until DENR states in writing, in advance of the proposed activity, that said activity may occur if carried out along with any measures DENR deems necessary to ensure the Property will be suitable for the uses specified in Land Use Restriction No. 1 above while fully protecting public health and the environment, except: in connection with *de minimis* soil removals to depths not exceeding 18 inches, mowing and pruning of above-ground vegetation; and, for emergency repair of underground infrastructure, provided that DENR shall be given written notice (if only by email) of any such emergency repair no later than the next business day, and that any related assessment and remedial measures required by DENR shall be taken.**

**7. None of the contaminants known to be present in the environmental media at the Property, including those in paragraph 7 of Exhibit A, may be used or stored at the Property without the prior written approval of DENR, except in *de minimis* amounts for cleaning and other routine housekeeping activities, in small quantities properly stored in above ground containers with sufficient secondary containment to prevent release of fluids to the ground and are stored in areas that are separate and distinct from known contaminated areas at the site, and as constituents of automotive fluids present in vehicles in use or temporarily stored at the facility in a manner that prohibits the release of contaminants to the ground.**

**8. The Property may not be used as a park or for contact sports of any kind without the prior written approval of DENR.**

**9. The Property may not be used for agriculture or grazing of animals.**

**10. The Property may not be used as a playground, or for child care centers or schools.**

**11. The Property may not be used for kennels, private animal pens, or horse-riding.**

**12. The owner of any portion of the Property where any existing, or subsequently installed, 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, unless compliance with this Land Use Restriction is waived in writing by DENR in advance.**

**13. Neither DENR, nor any party conducting environmental assessment or remediation at the Property at the direction of, or pursuant to a permit, order or agreement issued or entered into by DENR, may be denied access to the Property for purposes of conducting such assessment or remediation, which is to be conducted using reasonable efforts to minimize interference with authorized uses of the Property.**

**14. During January of each year after the year in which the Notice referenced in paragraph 19 of Exhibit A is recorded, the owner of any part of the Property as of January 1st of that year shall submit a notarized Land Use Restrictions Update ("LURU") to DENR, and to the chief public health and environmental officials of Wilson County, certifying that, as of said January 1st, the Notice of Brownfields Property containing these land use restrictions remains recorded at the Wilson 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 Property during the previous calendar year;**

**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 Property during the previous calendar year; and**

**c. providing copies of records pertaining to the design, construction, inspection, and/or maintenance of the site cap specified in Land Use Restrictions 4 and 5 above during the reporting period.**

**For purposes of the land use restrictions set forth above, the DENR point of contact shall be the DENR official referenced in paragraph 34.a. of Exhibit A hereto, at the address stated therein.**

EXIBIT B to the Notice of
Brownfields Property–Survey Plat
Property of
Sirius Metal Recycling, Inc.
Located In
Wilson Twsp. Wilson Co., NC
June 2014 Scale 1" = 60'

60 0 60 120 180

Herring–Sutton & Associates, P.A.
Firm License #C–2310
2201 Nash Street NW
Wilson, North Carolina 27896
(252) 291–8887



12–M–5006B

Plat Book 39 Page 264

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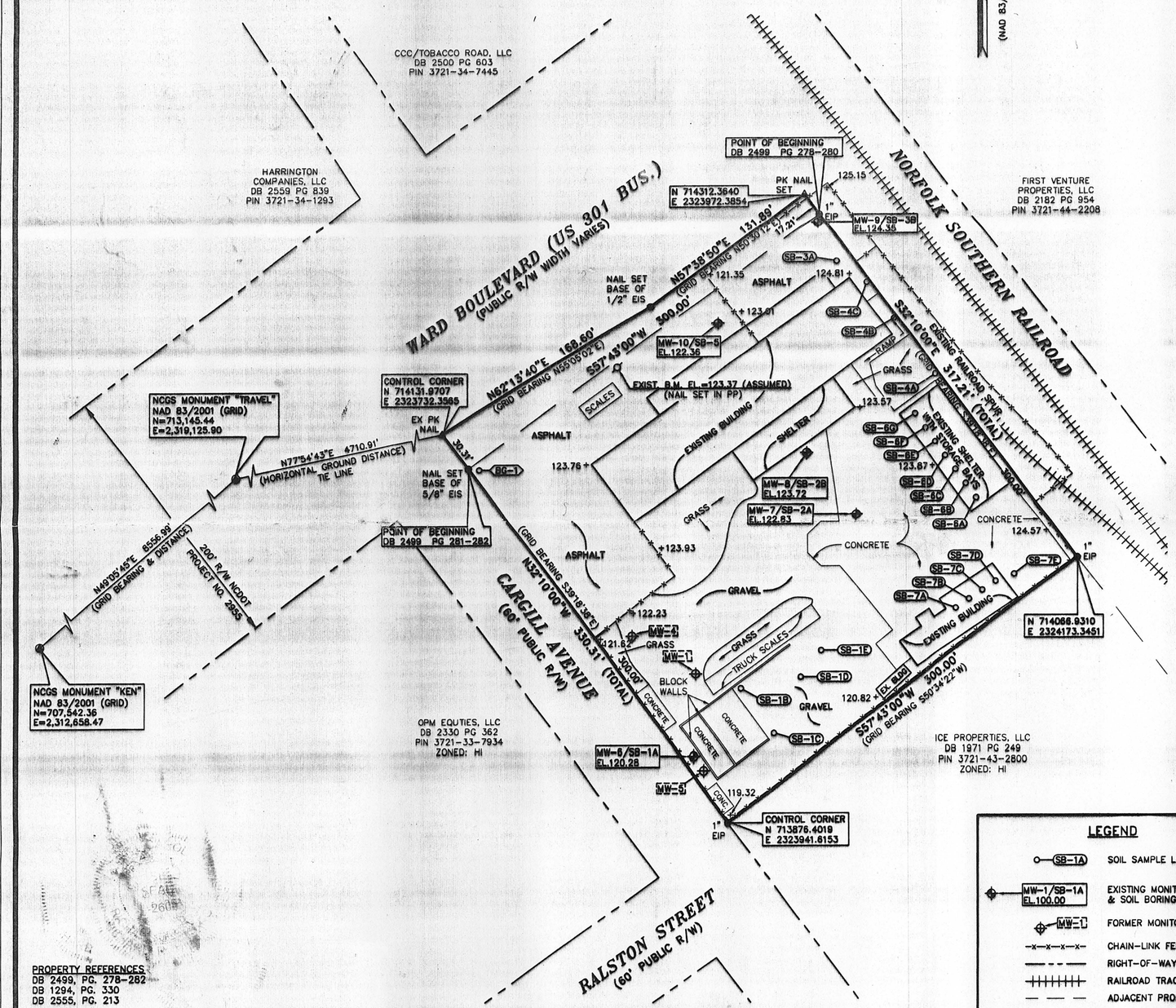
**SURVEY LEGEND**

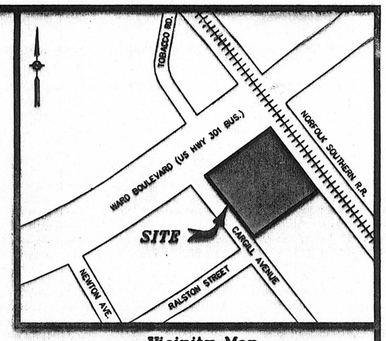
- EXISTING IRON
- NEW IRON SET
- NO POINT SET
- EXISTING CONCRETE MONUMENT
- NEW CONCRETE MONUMENT
- EXISTING PK NAIL
- NEW PK NAIL
- N.C.G.S. MONUMENT
- MONITORING WELL
- NEW RAILROAD SPIKE
- EXISTING SPOT ELEVATION

DB 1294 PG 330
MARCH 1986

N

(NAD 83/2001 GRID BEARING -07° 06' 38")




**Vicinity Map**
**Not to Scale**

**OWNER:**

SIRIUS METAL RECYCLING, INC.
560 OAK CREST DRIVE
CHAPEL HILL, NC 27516

**SITE DATA**

| | |
|---|---|
| TOTAL LOT AREA | 2.21 AC. |
| ZONE | HI (HEAVY INDUSTRIAL) |
| PARCEL ID NUMBERS | 3721-34-9130 & 3721-34-8261 |
| PROPERTY ADDRESS | 6601 WARD BOULEVARD |
| PROPERTY REFERENCE | DB 2499, PG. 278-282<br>DB 1294, PG. 330<br>DB 2555, PG. 213 |

**SETBACK REQUIREMENTS**

NONE

**SUBJECT SITE NOTES:**

THIS PROPERTY IS NOT LOCATED IN A FEMA DESIGNATED FLOOD HAZARD AREA.

THIS PROPERTY IS NOT LOCATED WITHIN ANY DESIGNATED WATERSHED AREA.

THERE ARE NO WETLANDS ON THIS SITE DELINEATED AT THIS TIME.

ALL DISTANCES ARE HORIZONTAL GROUND, UNLESS OTHERWISE NOTED.

COMBINED SCALE FACTOR = 0.99990269 (NCGS 'TRAVEL')

AREA COMPUTED BY COORDINATE METHOD.

AREA COMPUTED TO RIGHT-OF-WAY.

SOME IMPERVIOUS AREAS EXTEND BEYOND PROPERTY LINE BUT WERE NOT SURVEYED OR SHOWN ON THIS MAP.

BEARING ORIENTATION BASED ON DEED BOOK 1294 PAGE 330 PER BROWNFIELDS PROPERTY SURVEY PLAT REQUIREMENT NO.3.

THE AREAS AND TYPES OF CONTAMINATION DEPICTED HEREON ARE APPROXIMATIONS DERIVED FROM THE BEST AVAILABLE INFORMATION AT THE TIME OF FILING.

Approved FOR THE PURPOSES OF N.C.G.S. 130A-310.35

LINDA M. CULPEPPER, DIRECTOR
DIVISION OF WASTE MANAGEMENT
STATE OF NORTH CAROLINA
WAKE COUNTY

June 9, 2014
DATE

**LEGEND**

- SB-1A — SOIL SAMPLE LOCATION
- MW-1/SB-1A EL.100.00 — EXISTING MONITORING WELL & SOIL BORING LOCATION
- MW-1 — FORMER MONITORING WELL LOCATION
- CHAIN-LINK FENCE
- RIGHT-OF-WAY
- RAILROAD TRACKS
- ADJACENT PROPERTY LINE
- BROWNFIELDS PROPERTY LINE

**EXIBIT B to the Notice of Brownfields Property-Survey Plat**

**Property of**

# Sirius Metal Recycling, Inc.

**Located In**

Wilson Twsp. — Wilson Co., NC
June 2014 — Scale 1" = 60'

60 0 60 120 180

## Herring-Sutton & Associates, P.A.

**Firm License #C-2310**
**2201 Nash Street NW**
**Wilson, North Carolina 27896**
**(252) 291-8887**

12-M-5006B

PROPERTY REFERENCES
DB 2499, PG. 278-282
DB 1294, PG. 330
DB 2555, PG. 213

I RICHARD R. HERRING, CERTIFY THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET;

I RICHARD R. HERRING, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTIONS RECORDED IN BOOK 2499, PAGE 278-282; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FROM BOOK N/A, PAGE N/A; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL.

THIS 3RD DAY OF June A.D., 2014

Richard R. Herring
RICHARD R. HERRING P.L.S. L-2609

NORTH CAROLINA PROFESSIONAL SEAL L-2609 LAND SURVEYOR RICHARD R. HERRING

STATE OF NORTH CAROLINA
WILSON COUNTY

FILED FOR REGISTRATION AT 2:36 PM ON THIS 13 DAY OF June 2014 IN THE WILSON COUNTY REGISTER OF DEEDS RECORDED IN 30 BOOK 392 PAGE 263

Lisa A. Stith
REGISTER OF DEEDS
By: Stacy M. Atkinson

STATE OF NORTH CAROLINA
COUNTY OF Wilson

I, Josh Jurius, REVIEW OFFICER OF Wilson COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER — DATE 6/13/2014



P:\12R0A\5006\5006-LZDT\dwg\5006A-Brownfields_Revd_6-3-14.dwg 6/3/2014 4:27:42 PM EDT

Plat Book 30 Page 263