

North Carolina Department of Environmental Quality

Pat McCrory
Governor

Donald R. van der Vaart
Secretary

October 27, 2015

Sent Via USPS and email

Mr. Seth Laughlin, Planning Director
Beaufort County
220 North Market Street
Washington, NC 27889
Seth.laughlin@co.beaufort.nc.us

Subject: Letter of Eligibility
Beaufort Marine Park
South Corner of NC Hwy 99 and West Main Street
Belhaven, Beaufort County
Brownfields Project Number 19066-15-007

Dear Mr. Laughlin:

The North Carolina Department of Environmental Quality (DEQ) has reviewed your September 28, 2015 Brownfields Property Application (BPA) as a Prospective Developer seeking a brownfields agreement regarding the subject site. Upon review of the and letters with respect to the requirements of the Brownfields Property Reuse Act of 1997, DEQ has determined that this project is eligible for entry into the North Carolina Brownfields Program (NCBP) and for continued evaluation for a Brownfields Agreement (BFA).

The next step in the BFA process will involve a detailed review of available environmental and other relevant data to determine what is currently known about contamination at the site, and what, if any, information gaps may exist that may require additional assessment. We are in receipt of, or have access to, the following documents submitted with your BPA:

Title	Prepared by	Date of Report
Phase I Environmental Site Assessment Report	ECS Carolinas, LLP	March 30, 2015
Ground Water Monitoring Report	Geological Resources, Inc.	June 12, 2012
Corrective Action Plan	Geological Resources, Inc.	November 8, 2006
Corrective Action Plan	Quible & Associates, P.C.	May 2005
Comprehensive Site Assessment Addendum	Quible & Associates, P.C.	May 2005
Comprehensive Site Assessment	Quible & Associates, P.C.	March 2005
Phase II Environmental Site Assessment	Quible & Associates, P.C.	June 1, 2004
Phase I Environmental Site Assessment	Quible & Associates, P.C.	March 2004

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone: 919-707-8200 \ Internet: www.ncdenr.gov

An Equal Opportunity \ Affirmative Action Employer – Made in part by recycled paper

If available, historical site information from the files of DEQ's Division of Waste Management will also be utilized during the evaluation process. Please forward any additional information or data you may have or can acquire for our evaluation. This should include reports from other DEQ agencies or regional offices. We will contact you regarding any additional assessment that may be necessary to establish that the property is or can be made suitable for the intended reuse, as required by statute.

According to the BPA, the intended redevelopment for the site is rehabilitation of the former marina into a NC Wildlife Resources Commission boat ramp with floating docks and associated parking, general light industrial development, a boardwalk and fishing pier. Because risk management decisions may vary depending on the nature of the redevelopment, it will be important that DEQ review the locations of the various elements. Please forward any maps or drawings indicating these details, even if they are only preliminary or conceptual.

Please note: pending execution of a final BFA, NCBP eligibility is provisional. The protections a BFA offers the Prospective Developer are not in effect, unless and until, the BFA is executed. If you occupy the property or operate or conduct activities at the site that result in a release of regulated substances before a BFA has been finalized for the property, you may be considered to have caused or contributed to contamination at the property. Because an entity that could be considered to have caused or contributed to contamination at the property cannot be a Prospective Developer under the Act, your eligibility for participation in the NCBP would be placed in jeopardy. Consult closely with your Project Manager regarding any planned site activities prior to agreement finalization. You are cautioned to conduct all such operations and activities at the site with great care not to cause a release of regulated substances at the property that could jeopardize your eligibility for participation in the NCBP.

If a party other than the County of Beaufort will own the Brownfields Property at the conclusion of the brownfields process, the final document (which gets recorded at the register of deeds' office) must be signed not only by Prospective Developer, but by that owner. Failure by the Prospective Developer to ensure, by the time the BFA negotiations are complete, the willingness to sign of any such party, and to provide DEQ the exact name, email address, telephone number, and US mail address of the party (along with the signatory/signatory's title in the case of an entity) will delay, and could prevent, the BFA taking effect.

If you have questions about this correspondence or require additional information, please feel free to contact the project manager Samuel P. Watson by phone at 910-796-7408, or by e-mail at samuel.watson@ncdenr.gov.

Sincerely,



Michael E. Scott, Deputy Director
Division of Waste Management

ec: Bruce Nicholson, DEQ
Sam Watson, DEQ-WiRO