CERTIFIED MAIL
RETURN RECEIPT REQUESTED

September 15, 2000

Mr. Terry Sanford Jr.
Erwin Square, LTD
2200 West Main Street, Suite 900
Durham, North Carolina 27705

Subject: **NOTICE REGARDING THE SUBMITTAL OF A CORRECTIVE ACTION PLAN FORMER BURLINGTON INDUSTRIES TEXTILE MILL DURHAM, NORTH CAROLINA PREVIOUS GROUNDWATER INCIDENT NO. 3331 LAW JOB NO.: 30741-8-3071**

Dear Mr. Sanford:

This letter is provided to inform you that the State's Division of Water Quality is being requested to approve an environmental cleanup activity in your area. In accordance with the North Carolina General Statutes, a set of Groundwater Classifications and Standards has been put in place for the protection of all groundwater in the State. Because you are the owner of record of the property located at 711 Rutherford Street, which is located adjacent to the subject site, the North Carolina Department of Environment and Natural Resources (NCDENR) requires that you be informed of the proposed activities.

Pursuant to the notification requirements of Title 15A of the North Carolina Administrative Code Subchapter 2L (15A NCAC 2L) sections .0114(b) and .0106(l), Law Engineering and Environmental Services, Inc. (LAW) on behalf of Burlington Industries is providing this notice of the request for a Corrective Action Plan (CAP) under 15A NCAC 2L .0106(l). The property for which the corrective action is being proposed is located at 2200 West Main Street, and is currently occupied by the Erwin Square First Union Plaza, associated parking area, and undeveloped land. The site was formerly a Burlington Industries textile mill located northwest of the intersection of Main Street and 9th Street in Durham. The mill was decommissioned and razed in 1988 and 1989.

Some of the constituents found at the above location are typical of waste oil, creosote, and solvents and have been detected beneath this site in concentrations which exceed the Groundwater Quality Standards outlined in 15A NCAC 2L .0202 and the action levels for soil contamination contained in "Groundwater Section Guidelines for the Investigation and Remediation of Soils and Groundwater (July, 2000)". The presence of buried creosote-coated timber from old mill structures, is the likely cause for the detected creosote constituents. LAW believes that if the proposed CAP is approved by the

Division of Water Quality, implementation of the proposed CAP is appropriate based on the following:

1) During the demolition of the former Burlington mill between 1987 and 1989, a substantial amount of contaminated soil (2,750 cubic yards) was excavated and removed from the site for disposal at permitted facilities.

2) Two relatively small areas of buried soil that exhibit the presence of petroleum compounds were identified just east of the First Union Plaza building. However, removal or in-place treatment of these soils does not appear to be justified due to: the lack of associated groundwater contamination in the areas; the absence of completed exposure pathways; and the likelihood that previous sample analysis results reflect the presence of buried creosote coated timber within the material.

3) Subsurface assessment work detailed in the CSA identified generally low concentrations of the volatile organic compound (VOC) 1,1 dichloroethene (1,1 DCE) as the primary groundwater contaminant beneath the site. Results of LAW's assessment work have not indicated the presence of existing soil contamination that would act as an ongoing source of 1,1 DCE in groundwater. Based on review of past soil excavation and confirmation sampling work, and considering the amount of earthwork that took place during the demolition of the former mill and construction of the First Union Plaza, it appears that soils which may once have been a source of groundwater contamination by 1,1 DCE, have since been removed from the site.

4) The horizontal and vertical extents of groundwater contamination have been defined, and occur within the boundaries of the former mill site. The maximum concentration of 1,1 DCE detected in site groundwater is 140 ug/l (~ parts per billion). The rate of groundwater flow and consequent 1,1 DCE migration is very slow at this site. Considering the low rate of groundwater flow, and the distance between the leading edge of the 1,1 DCE plume and the downgradient property line, it does not appear likely that 1,1 DCE will migrate off-site in the foreseeable future (i.e. within the next 100 years).

5) Drinking water has been provided to businesses and residences in the vicinity of the site for many years, and Law did not identify the presence of water-supply wells within 1,500 feet of the site. It is very unlikely that this condition will change in the future, or that water supply wells will be installed within 1,500 feet of the site.

6) The closest downgradient groundwater discharge point is an intermittent tributary to Ellerbe Creek located north of Hillsboro street, and a considerable distance from the leading edge of the 1,1 DCE plume. Given the slow rates of groundwater flow and contaminant migration determined for the site, the presence of 1,1 DCE in site groundwater would not be expected to adversely affect this tributary in the foreseeable future.

7) The overall absence of soil contamination, lack of groundwater receptors, generally low concentrations of contaminants, and slow contaminant migration rates indicate that

the risk to human health or the environment posed by the subsurface contamination at this site is low.

9) In consideration of the low risk associated with this site, and indications of contaminant degradation and slow rates of movement, LAW concludes that natural attenuation and monitoring of that process is the most appropriate corrective action alternative for this site. Pending approval by NCDENR, LAW recommends commencing the program of semi-annual groundwater monitoring and reporting described in the CAP.

If you would like to examine the plan, please contact Mr. Brian Bellis, P.G. at (919) 876-0416. A copy will be mailed to you promptly. In addition, the Raleigh Regional Office has a copy of the proposed CAP, which contain more detailed information, on record for public perusal. You may make copies of the information contained in the files at a charge of 10 cents per page. Any written comments concerning this request should be submitted by October 20, 2000 to Mr. S. Jay Zimmerman, P.G. of the Raleigh Regional Office. Please send written comments and requests to examine the CSA and or CAP to the following address:

Mr. Richard E. Bolich
Department of Environment and Natural Resources
Division of Water Quality
Groundwater Section
3800 Barrett Drive, Suite 109
Raleigh, North Carolina 27609
(919) 571-4700

The Raleigh Regional Office may be contacted during normal weekday business hours to answer questions pertaining to this notice of proposed corrective action. Notification of this proposed corrective action is also being made by certified mail to the Durham City Manager; Mr. P. Lamont Ewell, to the Durham County Health Department Director; Mr. Brian Letourneau, and to the Interim Durham County Manager; Ms. Carolyn Titus.

Sincerely,

LAW ENGINEERING AND ENVIRONMENTAL SERVICES, INC.

Brian J. Bellis, P.G.
Principal Hydrogeologist

Jeffrey A. Mann, E.I.
Project Engineer