Liggins, Shirley

From: Eckard, Sharon
Sent: Thursday, July 07, 2016 10:39 AM
To: Liggins, Shirley
Subject: FW: Grubb Management - 500 W. 5th Street Revitalization
Attachments: 14-131345 5 Phase II BF Workplan.pdf

Shirley – Attached is the latest work plan I received on the 500 W. 5th St. property. Also forwarding to you, my comments to the consultant on this version from 5/31/2016 and earlier comments on the first work plan draft from April 2016.

I do not believe that I received a final work plan that incorporated the edits I asked for, although it was my understanding that they were going to comply with my requests.

Thanks,
Sharon

Sharon Poissant Eckard, PG
Eastern District Supervisor
Division of Waste Management – Brownfields Program
NC Department of Environmental Quality

919.707.8379 direct line & fax
sharon.eckard@ncdenr.gov

217 W. Jones Street
1646 Mail Service Center
Raleigh, NC 27699-1646

Nothing Compares

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Eckard, Sharon
Sent: Tuesday, May 31, 2016 8:56 AM
To: 'Chang, Michael' <MChang@partneresi.com>; Toole, William <WToole@robinsonbradshaw.com>; 'McKenna, Michael' <MMcKenna@partneresi.com>
Cc: Dan Gualtieri (DGualtieri@grubbproperties.com) <DGualtieri@grubbproperties.com>; Irick, Hayley M <hayley.irick@ncdenr.gov>; Frank Tetel <FTetel@grubbproperties.com>
Subject: RE: Grubb Management - 500 W. 5th Street Revitalization

Michael –
We have reviewed the *Sampling and Analysis Work Plan, 500 West 5th Street & 601 West 4th Street, Winston Salem* (Partner Engineering, May 16, 2016), and I have the following comments, which shouldn't take too long to address:

1. My comments from my email dated April 18, 2016 were addressed satisfactorily.

2. Please ensure that the laboratory is aware of reporting limits necessary to be below our soil SRGs or DWM vapor intrusion screening levels (VISL).
3. I am generally comfortable with the number and siting of proposed sample locations; have you shared this specific scope of work with Carin Kromm? If she has approved the use of the soil vapor samples in lieu of soil samples below the tanks to remove the NORP I am OK with that, but I haven't specifically discussed this with her.
4. Regarding soil borings, if soil removed from the boring is obviously contaminated, the soil should not be placed back into the boring to avoid cross contaminating by contaminated soil being placed deeper than its original depth.
5. Regarding the soil gas and sub-slab sampling:
    a. There is no mention of performing this work in accordance with the NC DWM Vapor Intrusion Guidance document issued in April 2014 and its most recent VISL screening tables that were recently updated; soil gas sampling must be in accordance with this document.
    b. The table on page 3 indicates that the depth of the soil gas samples in the north and south surface lot borings will be at 1 ft bgs, but the text later in the document indicates the soil gas samples will be collected at 10 ft bgs; please reconcile this discrepancy
    c. The DWM VI Guidance indicates the following:
        i. Minimum depth of a soil gas sample should be 5 feet; if you're planning 10 ft as per your text you're OK, if 1 ft as per the table, you'll need to collect the sample from a lower depth.
        ii. Leak detection must be employed; standard has become a helium test under a shroud – there is no such discussion in your work plan
        iii. The sample rate nor sampling time is specified; please confirm that you will not be employing a faster rate than 200 ml/min, which for a 1.4L can is roughly 5 min. fill time to ensure remaining vacuum in the canister.
        iv. An indoor building survey for chemicals used in the tenant spaces prior to the sub-slab testing should be performed to evaluate potential interferences especially if indoor air sampling is indicated by the sub-slab results.

Please let me know if you have any questions. Once these comments are addressed satisfactorily I don't see any reason why you couldn't schedule this work, although I do wish to get a final work plan for official approval. Keep me posted of your schedule.

Thanks,
Sharon

Sharon Poissant Eckard, PG
Eastern District Supervisor
Division of Waste Management – Brownfields Program
NC Department of Environmental Quality

919.707.8379 direct line & fax
sharon.eckard@ncdenr.gov

217 W. Jones Street
1646 Mail Service Center
Raleigh, NC 27699-1646

Nothing Compares

Email correspondence to and from this address is subject to the

North Carolina Public Records Law and may be disclosed to third parties.

From: Chang, Michael [mailto:MChang@partneresi.com]
Sent: Monday, May 16, 2016 5:05 PM
To: Eckard, Sharon <sharon.eckard@ncdenr.gov>; Toole, William <WToole@robinsonbradshaw.com>; McKenna, Michael <MMcKenna@partneresi.com>
Cc: Dan Gualtieri (DGualtieri@grubbproperties.com) <DGualtieri@grubbproperties.com>; Frank Tetel <FTetel@grubbproperties.com>
Subject: RE: Grubb Management - 500 W. 5th Street Revitalization

Hi Sharon,

Please find our revised / official work plan for the Brownfield Assessment. We have incorporated the changes you mentioned below and I'd like to highlight a couple items:

- Additional sub-slab samples were added to the retail component of the parking garage. The space is currently configured for a single tenant, however, it is anticipated the space will be subdivided to 3 spaces in the future. We've included 5 samples should the space be further divided.
- The depth of the soil samples has been revised to 10 feet. From discussions with Grubb, the depth of disturbance will likely be about 5 feet should ideal geotechnical conditions be encountered, but that depth could extend to 9 or 10 feet with less favorable conditions (or deeper should worst case scenarios be encountered – and additional samples would be collected at a later date in this unlikely scenario)
- Added additional soil and soil-gas samples in the southern surface parking lot to allow for better coverage across this area.
- The preliminary assessment of the USTs to remove/alter the NORP to allow for residential use has been removed from the Brownfield Scope of work at this time since removal of the tanks isn't feasible until land closing. We've had some recent discussions with Carin Kromm to obtain her buy-in on the most effective route to remove/alter the NORPs to allow for residential use. We are planning soil and soil-gas samples adjacent to the existing/closed UST which we'll present to her directly and will copy you.

We'd appreciate an expeditious review of our proposed scope of work as all parties are anxious to begin the field assessment activities to maintain the timing of the project.

Thanks in advance,

Michael T. Chang
PARTNER ENGINEERING AND SCIENCE, INC.
T: 704-994-8423| C: 980-875-1273

From: Eckard, Sharon [mailto:sharon.eckard@ncdenr.gov]
Sent: Monday, April 18, 2016 9:39 AM
To: Chang, Michael <MChang@partneresi.com>; Toole, William <WToole@robinsonbradshaw.com>; McKenna, Michael <MMcKenna@partneresi.com>
Cc: Dan Gualtieri (DGualtieri@grubbproperties.com) <DGualtieri@grubbproperties.com>
Subject: RE: Grubb Management - 500 W. 5th Street Revitalization

All – I have just left voice mail messages with Bill and Mike McKenna regarding the Proposal for Phase II Subsurface Investigation, 500 West 5th St & 601 W 4th St., Winston-Salem (Partner Engineering, April 12, 2016). I have reviewed the proposal and have several comments. First as I indicated to Mike last week, Brownfields requires a scope of work in a work plan format that addresses the scope of work, the specific methods that will be undertaken and excludes cost information. With regards to the scope of work it does not fully comport with my email of March 16, 2016 in which I noted the specific types of data we require.

This scope of work is not approved. The key excerpt from my email of March 16, 2016, with the areas of yellow highlighting indicating areas of difference between the proposal and BF requirements, followed by my comments:

- *Further BF assessment requirements (most of which we discussed in some form last week):*
  - *BF receptor survey form –*
    - There is no mention of the BF receptor survey in the proposal
  - *Site-Specific Environmental Management Plan for the property (fill-in blank form) –*
    - *There is no mention of the EMP in the proposal – not necessary for assessment, but would be necessary before grading activities begin at the property.*
  - *Soil assessment in the area of the former filling station and Tract 2 within the depth of disturbance only for compound-specific data (8260, 8270, metals) – current data is for samples that are collected too deep and were analyzed for TPH-GRO only at the former filling station site, which is not usable from BFs perspective. Most site data is also quite old and is likely not representative of current conditions. –*
    - *What is the depth of disturbance for soil? Is it 20 feet? If not then why would you drill to 20-25 ft?*
    - *Why would you obtain soil samples below the parking garage at 25 ft depth? It is not necessary from BF perspective. This is not planned for residential so NORP does not need to be removed on this portion of the property;*
    - *OK to add these samples if you wish to demonstrate that the NORP not necessary here also, but you need to justify the depth*
  - *Soil assessment in the S Tower basement elevator pit upon removal of the building and debris. –*
    - OK we agreed this was not necessary based on the type of elevator equipment used in the buildings.
  - *GW is deep (over 40 ft) and we are not requiring further assessment for the BFA; groundwater use will continue to be restricted. –*
    - What is the objective of sampling GW anywhere on the BF property? – not needed for BF purposes
  - *Vapor intrusion assessment in the southern parking lot from the potential from chlorinated solvents that may have been released to the ground at the former filling station NE of the intersection of Poplar St and W 4th St, including chlorinated solvent analyses. –*
    - *Need to expand the vapor sampling to other areas of the parking lot and not just limited to the area of the filling station.*
  - *Vapor intrusion assessment in the commercial/retail strip adjacent to the parking deck, including chlorinated solvent analyses.*
    - *How many separate retail units are there in this strip? Seems that two samples may not be enough along this strip.*
    - *A chemical survey will need to be performed in the units as well in case indoor air sampling needs to also occur; may wish to add a contingency indoor air sampling plan in the event that sub-slab vapor samples exceed non-residential vapor screening levels.*
  - *Phase II assessment soil/vapor for Tract 2 if residential will be constructed on this parcel.*
    - *The locations are fine; again why 20 ft depth for soil samples? Is this the depth of disturbance during grading/construction activities?*

And the following excerpt re: UST NORP from the same email:

- *As discussed last week, the UST Section would require additional data to be collected on soil below the tanks before rescinding the NORP*
- *Most probable scenario would be to remove tanks and analyze soil samples below tanks before NORP could be rescinded or superseded by the BFA. That would best be done with one or both towers are removed, allowing access to the tanks.*
    - *Why are we doing soil sampling beside the tanks instead of under them after removal? Why this depth?*

I am available today to discuss except for a meeting at 11am and at 3pm.

Thanks,
Sharon

Sharon Poissant Eckard, PG
Eastern District Supervisor
Division of Waste Management – Brownfields Program
NC Department of Environmental Quality

919.707.8379 direct line & fax
sharon.eckard@ncdenr.gov

217 W. Jones Street
1646 Mail Service Center
Raleigh, NC 27699-1646

Nothing Compares

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Chang, Michael [mailto:MChang@partneresi.com]
Sent: Tuesday, April 12, 2016 8:38 AM
To: Eckard, Sharon <sharon.eckard@ncdenr.gov>; Toole, William <WToole@robinsonbradshaw.com>
Cc: Dan Gualtieri (DGualtieri@grubbproperties.com) <DGualtieri@grubbproperties.com>
Subject: RE: Grubb Management - 500 W. 5th Street Revitalization

Sharon,

We are just about ready to get started on the field work for this property, but I'd like to run the proposal by you to get your thoughts and make sure that we aren't overlooking anything that you'd like covered. I've included the following documents:

- Our proposal that shows the scope of work
- Figure 1 which shows the sample locations and corresponds to our scope of work
- The NORP that is currently in place and I've highlighted the lot and block numbers that apply to the Brownfield Site
- A Summary table that shows the issues as we discussed and planned course of action which is covered by our proposal. This also includes the lot and block for each parcel so that you can see how each parcel is covered by the NORP.

Thank you in advance for your assistance and please do not hesitate to contact me if you'd like to discuss or if you have any modifications.

Thanks!

Michael T. Chang
PARTNER ENGINEERING AND SCIENCE, INC.
T: 704-994-8423 | C: 980-875-1273

From: Eckard, Sharon [mailto:sharon.eckard@ncdenr.gov]
Sent: Thursday, April 07, 2016 8:07 AM
To: Chang, Michael <MChang@partneresi.com>; Toole, William <WToole@robinsonbradshaw.com>
Cc: Dan Gualtieri (DGualtieri@grubbproperties.com) <DGualtieri@grubbproperties.com>
Subject: RE: Grubb Management - 500 W. 5th Street Revitalization

Hi Michael – I concur. If the elevators were not driven hydraulically, you do not need to assess below them, unless upon removal you find obvious signs of contamination.

Thanks,
Sharon

Sharon Poissant Eckard, PG
Eastern District Supervisor
Division of Waste Management – Brownfields Program
NC Department of Environmental Quality

919.707.8379 direct line & fax
sharon.eckard@ncdenr.gov

217 W. Jones Street
1646 Mail Service Center
Raleigh, NC 27699-1646

Nothing Compares

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Chang, Michael [mailto:MChang@partneresi.com]
Sent: Wednesday, March 30, 2016 5:17 PM
To: Eckard, Sharon <sharon.eckard@ncdenr.gov>; Toole, William <WToole@robinsonbradshaw.com>
Cc: Dan Gualtieri (DGualtieri@grubbproperties.com) <DGualtieri@grubbproperties.com>
Subject: RE: Grubb Management - 500 W. 5th Street Revitalization

Hi Sharon,

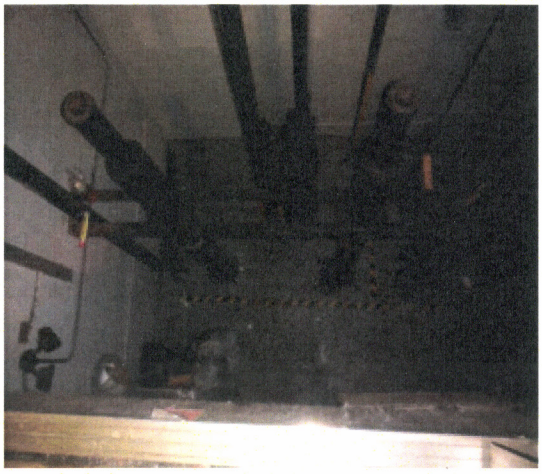
I hope you are well. We are working on putting together a scope of work to address all of your concerns and I wanted to follow-up on the sampling for the elevator pits upon removal of the building(s). All of the elevators associated with the tower buildings are cable driven with no hydraulic elevators. I've included a list of the elevators below along with a couple photos of the elevator pits. Based on the absence of hydraulic pistons in the ground, would their construction remove the need to sample the elevator pits?

Let us know your thoughts.

Thanks!

A summary of the general characteristics of the elevators are identified in the table below:

Elevator Number	Serial Number	Duty	Type	Capacity (lbs.)	Speed (f.p.m.)	Openings Served
#1 (Low Rise)	9313	Passenger	Geared Traction	4000	350	*1 thru 6
#2 (Low Rise)	9314	Passenger	Geared Traction	4000	350	*1 thru 6
#3 (Low Rise)	9315	Passenger	Geared Traction	4000	350	*1 thru 6
#4 (Low Rise)	17790	Passenger	Geared Traction	4000	350	*1 thru 6
#5 (High Rise)	9316	Passenger	Gearless Traction	4000	700	*1, (6 thru 18)
#6 (High Rise)	9317	Passenger	Gearless Traction	4000	700	*1, (6 thru 18)
#7 (High Rise)	9318	Passenger	Gearless Traction	4000	700	*1, (6 thru 18)
#8 (High Rise)	9319	Passenger	Gearless Traction	4000	700	*1, (6 thru 18)
#9 (High Rise)	9320	Passenger	Gearless Traction	4000	700	*1, (6 thru 18)
#10 (Service)	9321	Passenger	Gearless Traction	4000	500	*1 thru 18

	Photo #11 A view of the elevator "walk-in" pit area (low-rise bank)
	**Photo #12** Another view of a typical pit area from above

Michael T. Chang
PARTNER ENGINEERING AND SCIENCE, INC.
T: 704-994-8423| C: 980-875-1273

From: Eckard, Sharon [mailto:sharon.eckard@ncdenr.gov]
Sent: Wednesday, March 16, 2016 1:15 PM
To: Toole, William <WToole@robinsonbradshaw.com>
Cc: Dan Gualtieri (DGualtieri@grubbproperties.com) <DGualtieri@grubbproperties.com>; Chang, Michael <MChang@partneresi.com>
Subject: RE: Grubb Management - 500 W. 5th Street Revitalization

Bill – This serves an a summary of our conference call re: the 500 W 5th St and 601 W 4th St redevelopment that took place on March 9, 2016 and my discussion today with Carin Kromm, Regional Supervisor, DEQ UST Section, Winston-Salem.

Summary of March 9, 2016 Conference Call

During our March 9, 2016 conference call, we discussed the following:

- Conceptual redevelopment plans for the Property (6 parcels), which may change:
  - Scenario I –
    - keep North Tower building (former GMAC facility at 500 W 5th St) commercial/rehab for office use
    - raze the South Tower building and generator building for residential use (approx. 200 apartments)
    - keep Poplar St parking deck/rehab office/retail space (601 W 4th St) (fyi – spelled as Popular on the design drawings you sent)
    - Track 2 – 2nd phase apartments or sell parcel
  - Scenario II – same except that North Tower would also be demolished and replaced with residential apartments.
- There are two Notices of Residual Petroleum (NORPs) on the Property both of which restrict groundwater use and residential use:
  - Incident No. 30480 (500 W 5th St)/ NFA issued 3/1/2006:
    - includes Incident No. 30703 FOR 2k fuel oil tank east side that was removed - combined with Incident No. 30480
    - 4 USTs at the Property:
      - 10K gal diesel UST near Poplar St in service alley – may have been closed in place with residual soil contamination remaining due to structural integrity concerns if UST removed.
      - 2K transformer waste oil (reportedly never used/for emergency transformer oil) – near Spruce St in service alley
      - 2K diesel UST near Spruce St in service alley
      - 12K diesel UST near emergency generator building
      - Unclear if all closed in place or if smaller tanks were removed
  - Incident 8943 (601 W 4th St)
    - Waste oil UST formerly used by Goodyear Tire and Auto Center & 8 hydraulic lifts
    - NFA – 5/10/1999
    - Impacted soil on the property was reportedly excavated prior to construction of the parking deck; however, NORP issued because requested confirmation soil sampling could not be performed under parking deck slab- estricts gw and residential use
    - Remediation using a gw p&t sytem operated Aug. 1992 – 1998
- Further BF assessment requirements (most of which we discussed in some form last week):
  - BF receptor survey form
  - Site-Specific Environmental Management Plan for the property (fill-in blank form)
  - Soil assessment in the area of the former filling station and Tract 2 within the depth of disturbance only for compound-specific data (8260, 8270, metals) – current data is for samples that are collected too deep and were analyzed for TPH-GRO only at the former filling station site, which is not usable from BFs perspective. Most site data is also quite old and is likely not representative of current conditions.
  - Soil assessment in the S Tower basement elevator pit upon removal of the building and debris.
  - GW is deep (over 40 ft) and we are not requiring further assessment for the BFA; groundwater use will continue to be restricted.
  - Vapor intrusion assessment in the southern parking lot from the potential from chlorinated solvents that may have been released to the ground at the former filling station NE of the intersection of Poplar St and W 4th St, including chlorinated solvent analyses.

- Vapor intrusion assessment in the commercial/retail strip adjacent to the parking deck, including chlorinated solvent analyses.
- Phase II assessment soil/vapor for Tract 2 if residential will be constructed on this parcel.

Upon further review of the existing NORPs it seems that:

- Planned redevelopment of the 500 5th St property as residential conflicts with the NORP prohibition on residential use. We discussed that with the demolition of one or both existing structures on this parcel that the existing USTs that were closed in place may be excavated and removed, allowing access to the soil below the tanks to evaluate whether residential restrictions are still appropriate and may be rescinded with additional information.
- Planned redevelopment of the 601 W 4th St parcel is not residential and therefore planned use is not in conflict with the existing NORP. Due to retaining the parking garage and commercial structure there is no reason to attempt to remove the NORP.
- Existing NORPs do not affect Tract 2
- Groundwater use will be prohibited in the BFA so that will not be in conflict with existing NORPs.

Discussion with Carin Kromm, March 16, 2016

The conceptual site plan was provided to Carin Kromm with the UST Section

- As discussed last week, the UST Section would require additional data to be collected on soil below the tanks before rescinding the NORP
- Most probable scenario would be to remove tanks and analyze soil samples below tanks before NORP could be rescinded or superseded by the BFA. That would best be done with one or both towers are removed, allowing access to the tanks.
- Forwarding to you an email from Carin Kromm related to recent inspection information – not sure if this information was captured in the Phase I or II documents recently prepared.

Thanks – please let me know if you have any questions. Please provide a work plan for my review and approval before proceeding with any additional assessment.

Thanks,
sharon

Sharon Poissant Eckard, PG
Eastern District Supervisor
Division of Waste Management – Brownfields Program
NC Department of Environmental Quality

919.707.8379 direct line & fax
sharon.eckard@ncdenr.gov

217 W. Jones Street
1646 Mail Service Center
Raleigh, NC 27699-1646

Nothing Compares

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Toole, William [mailto:WToole@robinsonbradshaw.com]
Sent: Monday, March 14, 2016 2:31 PM
To: Eckard, Sharon <sharon.eckard@ncdenr.gov>
Cc: Dan Gualtieri (DGualtieri@grubbproperties.com) <DGualtieri@grubbproperties.com>; Michael T. Chang (MChang@partneresi.com) <MChang@partneresi.com>
Subject: Grubb Management - 500 W. 5th Street Revitalization

Sharon – Thank you for your time last Thursday. Attached is a conceptual site plan, showing the iteration that would refurbish the North Tower for office uses. As mentioned during our call, there is another plan that would drop the North Tower (as well as the South Tower) and put in place another set of residential units. Therefore, it would be best to proceed with the expectation that both the north and south tower areas will need to meet multi-family residential use criteria.

Grubb is eager to get started, and we look forward to receiving your checklist of the necessary additional assessment as soon as you have had an opportunity to confer with Karen Crom.

Please do not hesitate to contact directly Michael, Dan or me if you need additional information.

Bill

William W. Toole
Robinson, Bradshaw & Hinson, P.A.

t : 704.377.8373 | f : 704.373.3973
101 N. Tryon St., Suite 1900
Charlotte, NC 28246

wtoole@robinsonbradshaw.com
Visit our new website: robinsonbradshaw.com

This email may contain material that is CONFIDENTIAL, PRIVILEGED and/or ATTORNEY WORK PRODUCT for the sole use of the intended recipient. Any review, reliance, distribution or forwarding by others without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.