

4-26-11  
NFA



North Carolina Department of Environment and Natural Resources

Beverly Eaves Perdue, Governor

Division of Waste Management  
UST Section

Dee Freeman, Secretary  
Dexter R. Matthews, Director

April 26, 2011

Eckerd Corporation  
30 Hunter Hill Lane  
Camp Hill, PA 17011  
Attention: John Lombardo

Re: **Notice of No Further Action**  
**15A NCAC 2L .0407(d)**  
**Risk-based Assessment and Corrective Action for**  
**Petroleum Underground Storage Tanks**

12 x USTs removed - 2004  
4 x USTs removed - 1990

**Eckerd Distribution Center**  
1776 Statesville Ave  
Mecklenburg County  
Incident Number: 7617  
Risk Classification: Low

Mr. Lombardo:

The Limited Site Assessment Report was received on November 19, 2010 and has been reviewed. The UST Section determines that no further action is warranted for this incident. This determination shall apply unless the UST Section later finds that the discharge or release poses an unacceptable risk or a potentially unacceptable risk to human health or the environment. Pursuant to Title 15A NCAC 2L .0407(a) you have a continuing obligation to notify the Department of any changes that might affect the risk or land use classifications that have been assigned.

Be advised that as groundwater contamination exceeds the groundwater quality standards established in Title 15A NCAC 2L .0202; groundwater within the area of contamination or within the area where groundwater contamination is expected to migrate is not suitable for use as a water supply. Be advised that as soil contamination exceeds the residential MSCCs, the property containing the contamination is suitable only for commercial use or restricted residential use (The term "residential is inclusive of, but not limited to, private houses, apartment complexes, schools, nursing homes, parks, recreation areas and day care centers).

As groundwater contamination exceeds the groundwater quality standards established in Title 15A NCAC 2L .0202 and soil contamination exceeds the residential MSCCs, pursuant to NCGS 143B-279.9 and 143B-279.11, you must file an approved Notice of Residual Petroleum with the Register of Deeds in the county in which the release is located and submit a certified copy to the UST Section within 30 days of receipt of this letter. This 'No Further Action' determination will not become valid until the UST Section receives a certified copy of the Notice of Residual Petroleum, which is to be filed with the Register of Deeds.

The Notice must be prepared in accordance with instructions and format found at <http://portal.ncdenr.org/web/wm/ust/guidance>. It must contain a legal description of the property containing the source of contamination and legal descriptions of any other properties which you own (or control) which are contaminated by the release. The Notice must also include appropriate land use restrictions for these properties. In addition, the Notice must identify all other properties (adjacent, adjoining, downgradient, etc.) on which contamination is known to exist at the time the Notice is prepared.

The NORP must be sent to this regional office of the UST Section within 30 days of the date of this letter for approval and notarization. The approved and notarized will be sent to you and the Notice must then be filed with the Register of Deeds. A certified copy of the filed Notice must be submitted to this office within 30 days of its return to you.

As groundwater contamination exceeds the groundwater quality standards established in Title 15A NCAC 2L .0202 and soil contamination exceeds residential MSCCs, public notice in accordance with 15A NCAC 2L .0409(b) also is required.

Thus, within 30 days of receipt of this letter, a copy of the letter must be provided by certified mail, or by posting in a prominent place, if certified mail is impractical, to:

- The local health director
- The chief administrative officer of each political jurisdiction in which the contamination occurs
- All property owners and occupants within or contiguous to the area containing contamination
- All property owners and occupants within or contiguous to the area where the contamination is expected to migrate.

Within 60 days of receiving this no further action letter, this office must be provided with proof of receipt of the copy of the letter or of refusal by the addressee to accept delivery of the copy of the letter or with a description of the manner in which the letter was posted. This No Further Action determination will not become valid until public notice requirements are completed. Interested parties may examine the No Further Action Request by contacting this regional office and may submit comments on the site to the regional office at the address or telephone number listed below. **Please note that this NFA only applies to the petroleum UST release (7617) at the site.** If you have any questions regarding this notice, please contact me at the address or telephone number listed below.

Sincerely,



Daniel Bowser, PG  
Hydrogeologist  
Mooresville Regional Office  
(704) 235-2172  
[dan.bowser@ncdenr.gov](mailto:dan.bowser@ncdenr.gov)

CC: Shawna Caldwell, LUESA- Mecklenburg County Health Department

**Eckerd Distribution Center  
1776 Statesville Ave  
Charlotte, NC 28206  
Attention: Robert Miceli**

**HEI**  
**HOFFMAN ENGINEERING, INC.**

July 21, 2011

Mr. Dan Bowser, PG  
NCDENR, UST Section  
919 North Main Street  
Mooresville, North Carolina 28115

Re: No Further Action Notification Receipt Letter  
15A NCAC 2L.0407(d)  
Risk-based Assessment and Corrective Action  
For Petroleum Underground Storage Tanks  
Eckerd Charlotte Distribution Center  
1776 Statesville Avenue  
Mecklenburg County, North Carolina  
Incident Number: 7617

Dear Mr. Bowser:

At the request of Eckerd Corporation, HEI has completed the public notification in accordance with 15A NCAC 2L .0409(b). Enclosed is the documentation of the public notification made with respect to the referenced Notice of No Further Action. Copies of the notification are certified mail receipts are included in Appendix I of this letter.

- Mr. Harry L. Jones, Sr., County Manager, was notified as the chief administrative officer
- Mr. E. Winters Mabry, MD, Health Director, was notified as the local health director
- Mr. Curt Walton, City Manager, was notified as the local city manager

In addition ten Certified NFA letters were mailed to owners of adjoining properties including one to the subject property. Receipts from 6 of those letters were returned to HEI with copies of the notification and certified receipts provided in Appendix I.

There were 4 certified receipts that were not returned. They were the following:

- o IRAMCO, Inc. (Parcel ID 79-02-111)
- o TDC Greenville, LLC (Parcel ID 78-44-101)
- o Hebrew Cemetery Association (Parcel ID 75-106-11)
- o Hebrew Benevolent Society (Parcel ID 75-106-13)

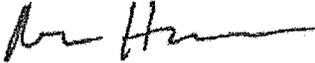
Copies of the certified notices are provided in Appendix I.

A copy of the NFA letter is provided in Appendix II. A summary table of the adjoining properties with owner information and addresses as well as a tax map showing the Parcel ID Numbers is also provided in Appendix III. Copies of the notification letters to adjoining property owners are provided in Appendix IV.

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On behalf of Eckerd Corporation, HEI requests that the NFA be validated. Please feel free to call if you have any questions or concerns.

Thank you,  
Hoffman Engineering, Inc.



Robert L. Hoffman, P.E.  
President

Attachments: App I: Certified Mail Receipts  
App II: Copy of NFA dated April 26, 2011  
App III: Adjoining Property Owner Info, Tax Map  
App IV: Copies of Notification Letters