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North Carolina Department of Environment and Natural Resources

Dexter Matthews, Director

Division of Waste Management

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Dee Freeman, Secretary

March 30, 2009

Ms. Lynette Sholar
Superfund Emergency Response and Removal Branch
Waste Management Division
US EPA Region IV
61 Forsyth Street, SW
Atlanta, Georgia 30303

SUBJECT: North Carolina Applicable or
Relevant and Appropriate Requirements (ARARs)
Southern Meadows (NCN 000 410 316)
Stokesdale, Guilford County, North Carolina

Dear Ms. Sholar:

The State of North Carolina has reviewed the request from EPA to list the state Applicable or Relevant and Appropriate Requirements (ARARs) specific to the Southern Meadows site in Stokesdale, Guilford County, NC. The following North Carolina ARARs are to be met at this site:

State Action-Specific ARARs:

Surface Water and Wetland Quality (15A NCAC Subchapter 2B.0100 and .0200)
Air Quality (15A NCAC Subchapter 2D and 2Q)
Solid Waste (15A NCAC Subchapter 13B)
NC Solid Waste Management Act (NCGS 130A, Article 9)
Groundwater (15A NCAC 2L)
Water Quality (15A NCAC 2B)
NPDES/Stormwater (15A NCAC 2H)
Hazardous Waste Management (15A NCAC 13A)
Erosion and Sedimentation (15A NCAC 4B)
Asbestos Hazard Management (10A NCAC 41C.0600)
Water and Air Resources Statute (NCGS Chapter 143, Article 21)
Oil Pollution and Hazardous Substances Control Act (NCGS Chapter 143, Article 21A)
Sedimentation Pollution Control Act (NCGS Chapter 113A, Article 4)

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State Location-Specific ARARs:

NC Hazardous Waste Management Rules (15A NCAC 13A .0009 & .0012)
General Solid Waste Location Standard (15A NCAC Chapter 13B)
Discharges to Isolated Wetlands and Isolated Waters (15A NCAC 2H.1301)
NC Recordation of Inactive Hazardous Substance or Waste
Disposal Sites Statute (North Carolina General Statute (30A-310.8)

State Chemical-Specific ARARs:

Groundwater (15A Subchapter 2L)
Water Quality (15A NCAC 2B)
NC Drinking Water Act (North Carolina General Statute 130A 311-327)

Inactive Hazardous Sites Program Guidelines for Assessment and Cleanup are not in themselves considered ARARs, but are designed to meet the requirements of CERCLA/SARA:

<http://www.wastenotnc.org/sfhome/stateleadguidance.pdf>

The NC Superfund Section wishes to encourage and assist EPA ERRB to meet Inactive Hazardous Sites Program Health-Based Soil Remediation Goals, which are based, for the most part, on EPA policy and guidance:

<http://www.wastenotnc.org/soiltable.pdf>

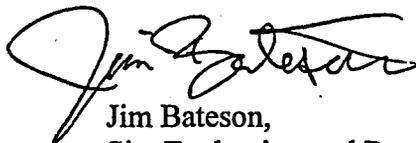
In addition to these health-based goals, soils must also meet protection of groundwater remediation goals. Guidance for meeting these goals is contained in the above listed *Program Guidelines*, section 4.1.1.2 "*Protection of groundwater*" soil remediation goals.

NC Groundwater Quality Standards (15A Subchapter 2L), listed above as an ARAR, can be viewed at the following URL:

<http://h2o.enr.state.nc.us/admin/rules/documents/2Lbook.pdf>

If you have any questions or comments, please call me at 919 508-8447, or, Jeanette Stanley, telephone (919) 508-8453.

Sincerely,



Jim Bateson,
Site Evaluation and Removal Branch Head
Superfund Section

Cc: File
Jack Butler



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960



March 3, 2009

4SFD-ERRB

Mr. Jack Butler
NC Division of Solid Waste Management
North Carolina Department of Environment and Natural Resources
PO Box 27687
Raleigh, NC 27611-7687

**Subject: Request for Identification of State ARARs
Southern Meadows
Stokesdale, Guilford County, North Carolina
CERCLIS ID: NCN000410316**

Dear Mr. Butler:

As the State has been informed, the Superfund removal program of the Environmental Protection Agency (EPA) is considering a removal action at the *Southern Meadows site* (the Site) located in *Stokesdale, Guilford County, North Carolina*. To perform this action, EPA will attempt to comply to the extent practicable with all Applicable or Relevant and Appropriate Requirements (ARARs) of State environmental and facility siting laws. This letter is a request that the State notify the EPA On-Scene Coordinator (OSC) of any State statutes or regulations that the State believes are potential ARARs to the removal site, and contains information on site conditions and proposed actions to assist you in identifying ARARs. I am the OSC for this Site.

EPA requests that a State official notify EPA of any potential State ARARs. The types of ARARs that will be considered fall into the following three categories: chemical, location, and action-specific requirements. Chemical-specific requirements are health, technology, or risk based numeric values that establish the acceptable amount or concentration of a chemical that may be found in, or discharged to, the ambient environment. Location-specific requirements are restrictions placed on the concentration of hazardous substances or the conduct of activities solely because they occur in special locations. For example, the requirement that hazardous waste storage facilities located within the 100-year flood plain must be designed, constructed, operated, and maintained to avoid washout is considered a location-specific requirement. Action-specific requirements are technology or activity based requirements or limitations on actions taken with respect to hazardous waste.

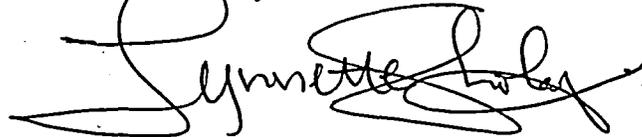
EPA is currently pursuing Potential Responsible Parties (PRP) at this time, however, may move forward as a fund lead removal action. EPA's proposed actions

include the following: additional site characterization, if necessary, excavation of contaminated soils which exceed EPA's RALs, treatment and/or off-site disposal of contaminated soil and debris, and site restoration. In order to adequately consider and comply with any ARARs specified by the *State of North Carolina*, EPA would appreciate a timely response (within 7 days if possible) to this request so that the requirements may be considered for the removal action. Exact references or citations to the statutes or regulations, or copies of pertinent provisions of State requirements, will greatly facilitate our ability to evaluate these requirements as ARARs for the site.

EPA will examine these requirements and determine whether they are applicable or relevant and appropriate to the Site. Pursuant to 40 CFR 300.415(j), fund-financed removal actions shall, to the extent practicable considering the exigencies of the situation, attain ARARs under federal environmental or state environmental or facility siting laws. It is important to clarify, however, that some requirements identified by the State may be determined not to be ARARs, may be determined to be impracticable to meet, or may qualify for a waiver. Please call me at (404) 562-9126, if additional information on the Site is needed for the purpose of completing the ARARs review.

Thank you for your assistance on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynnette Sholar". The signature is fluid and cursive, with a large initial "L" and "S".

Lynnette Sholar
On-Scene Coordinator
Emergency Response and Removal Branch