



North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

CERTIFIED MAIL 7007 0220 0000 8225 1622

Return Receipt Requested

August 12, 2008

Mr. William H. Tomlinson, President
APAC-Atlantic, Inc.
900 Ashwood Parkway, Suite 700
Atlanta, GA 30338

Re: **SITE ASSESSMENT REQUEST**
APAC-Carolina, Inc., Castle Hayne Asphalt Plant
4909 N. College Road
Castle Hayne, New Hanover County, NC

Dear Mr. Tomlinson:

This letter is written to solicit your cooperation in monitoring, testing, analyzing and reporting on a site located at 4909 N. College Road in Castle Hayne, North Carolina (the "Site"). The Division of Waste Management (the "Division") has determined that there is a release, or substantial threat of a release into the environment of a hazardous substance from the Site. Based on the fact that one of the onsite supply wells is contaminated, the nearby residential population and the lack of municipal water to the area, the Division considers the Site to be a high priority for assessment.

In light of these facts, the Division requests that you conduct a site assessment under the supervision of the Inactive Hazardous Sites Branch. Within ninety (90) days of your receipt of this letter, please submit a draft Site Assessment Plan (Plan) that complies with the current *Inactive Hazardous Sites Branch Guidelines for Assessment and Cleanup* (www.wastenotnc.org/sfhome/ihsguide.htm). The draft Plan must be organized in sections corresponding to the following items and include:

1. Site location information including site street address, longitude and latitude, and site and surrounding property land use.
2. A summary of all management practices employed at the Site for hazardous wastes and any wastes that may have contained hazardous substances, including a list of types and amounts of waste generated (with RCRA waste codes), treatment and storage methods, and ultimate disposition of wastes; a description of the facility's past and current RCRA status; the location and condition of any vessels currently or previously used to store any chemical products, hazardous substances or wastes; and a summary of the nature of all on-site hazardous substance releases, including one-time disposals or spills.

3. United States Geological Survey topographic maps sufficient to display topography within a one-mile radius of the Site.
4. A site survey plat (prepared and certified by a Professional Land surveyor) including scale; benchmarks; north arrow; locations of property boundaries, buildings, structures, all perennial and non-perennial surface water features, drainage ditches, dense vegetation, known and suspected spill or disposal areas, underground utilities, storage vessels, existing on-site wells; and identification of all adjacent property owners and land usage.
5. A description of local geologic and hydrogeologic conditions.
6. Inventory and map of all wells, springs, and surface-water intakes used as sources of potable water within on-half mile radius of the center of the Site. If the Site is greater than one hundred (100) acres in size, the inventory and map must cover a one-mile radius from the center of each source area.
7. Identification of environmentally sensitive areas on and adjacent to the Site including:
 - State Parks
 - Areas Important to Maintenance of Unique Natural Communities
 - Sensitive areas Identified Under the National Estuary Program
 - Designated State natural Areas
 - State Seashore, Lakeshore and River Recreational Areas
 - Rare Species (state and federal Threatened and Endangered)
 - Sensitive Aquatic Habitat
 - State Wild and Scenic Rivers
 - National Seashore, Lakeshore and River Recreational Areas
 - National Parks or Monuments
 - Federal Designated Scenic or Wild Rivers
 - Designated and Proposed Federal Wilderness and Natural Areas
 - National Preserves and Forests
 - Federal Land designated for the protection of Natural Ecosystems
 - State-Designated Areas for Protection or Maintenance of Aquatic Life
 - State Preserves and Forests
 - Terrestrial Areas Utilized for Breeding by Large or Dense Aggregations of Animals
 - National or State Wildlife Refuges
 - Marine Sanctuaries
 - National and State Historical Sites
 - Areas Identified Under Coastal Protection Legislation
 - Coastal Barriers or Units of a Coastal Barrier Resources System
 - Spawning Areas Critical for the Maintenance of Fish/Shellfish Species within River, Lake or Coastal Tidal Waters
 - Migratory Pathways and Feeding Areas Critical for Maintenance of Anadromous Fish Species within River Reaches or Areas in Lakes or Coastal Tidal Waters in which such Fish Spend Extended Periods of Times
 - State Lands Designated for Wildlife or Game Management
 - Wetlands
8. A chronological listing of all previous owners and each period of ownership since the Site was originally developed from pristine land.
9. Available operational history with aerial photographs and Sanborne Fire Insurance maps to support land-use history.

10. A list of all hazardous substances which have been used or stored at the Site, and approximate amounts and dates of use or storage as revealed by available written documentation and interviews with a representative number of former and current employees or occupants possessing relevant information.
11. Site environmental permit history, including copies of all federal, state, and local environmental permits, past and present, issued to or within APAC-Atlantic's custody or control.
12. A summary of all previous and ongoing environmental investigations and environmental regulatory involvement with the Site, and copies of all associated reports and laboratory data.
13. Proposed procedures for characterizing site geologic and hydrogeologic conditions and identifying and delineating each contamination source as to each affected environmental medium, including any plan for special assessment such as a geophysical survey.
14. Proposed methods, locations, depths of, and justification for, all sample collection points for all media sampled, including monitoring well locations and anticipated screened intervals.
15. Proposed field and laboratory procedures for quality assurance/quality control.
16. Proposed analytical parameters and analytical methods for all samples.
17. A contact name, address and telephone number for the principal consultant and laboratory, and qualifications and certifications of all consultants, laboratories and contractors expected to perform work in relation to this Plan. Any laboratory retained must currently be either certified to analyze applicable certifiable parameters under Title 15A of the North Carolina Administrative Code, Subchapter 2H, Section .0800, or be a contract laboratory under the EPA Contract Laboratory Program.
18. Equipment and personnel decontamination procedures.
19. A proposed schedule for site activities and reporting.
20. Any other information considered relevant by the remediating party.
21. A signed and notarized certification by a corporate official in charge of a principal business function stating: "I certify that, to the best of my knowledge, after thorough investigation, the information contained in or accompanying this certification is true, accurate, and complete."
22. A signed and notarized certification by the consultant responsible for the day to day remedial activities stating: "I certify that, to the best of my knowledge, after thorough investigation, the information contained in or accompanying this certification is true, accurate, and complete."
23. If the Plan includes any work that would constitute the "practice of engineering" as defined by N.C.G.S. 89C, the signature and seal of a professional engineer is required. If the Plan includes any work that would constitute the "public practice of geology" as defined by N.C.G.S. 89E, the signature and seal of a licensed geologist is required.

The Division will notify APAC-Atlantic of any changes needed in the Plan and of the time within which the changes must be made. APAC-Atlantic may not implement the Plan until it is approved in writing by the Division. Any desired modifications to the approved Plan or work schedule must be approved by the Division prior to implementation. APAC-Atlantic must notify the Division no less than ten (10) days prior to any field activity.

Following completion of the site assessment, APAC-Atlantic must provide a Site Assessment Report (Report) documenting implementation of the approved Plan. The Report must be organized in sections corresponding to the following items and include:

1. A narrative description of how the assessment was conducted, including a discussion of any variances from the approved Plan.
2. A description of groundwater monitoring well design and installation procedures, including well drilling methods used, completed drilling logs, “as built” drawings of all monitoring wells, well construction techniques and materials, geologic logs, and copies of all well installation permits.
3. A map, drawn to scale, showing all soil, surface water and sediment sample locations and monitoring well locations in relation to known disposal areas or other sources of contamination. Monitoring wells must be surveyed to a known benchmark. Soil sample locations must be surveyed to a known benchmark or flagged with a secure marker until after the remedial action is completed. Monitoring well locations and elevations must be surveyed by a Professional Land Surveyor.
4. A description of all laboratory quality assurance and quality control procedures followed during the remedial investigation.
5. A description of procedures used to manage drill cuttings, purge water and decontamination water.
6. A summary of site geologic conditions, including a description of soils and vadose zone characteristics.
7. A descriptions of site hydrogeologic conditions (if hazardous substances have been detected in groundwater), including current uses of groundwater, notable aquifer characteristics, a water table elevation contour map with groundwater flow patterns depicted, tabulated groundwater elevation data, and a description of procedures used for measuring water levels.
8. Tabulation of analytical results for all sampling (including sampling dates and soil sampling depths) and copies of all laboratory reports (including QA/QC support data referenced to specific samples).
9. Soil, groundwater, surface water and sediment contaminant delineation maps and cross sections, including scale and sampling points with contaminant concentrations.
10. A description of procedures and the results of any special assessments such as geophysical surveys, immunoassay testing (EPA SW-846 4000 series methods), soil gas surveys, or test pit excavations.

11. Copies of all field logs and notes, and, where available, color copies of site photographs.
12. A demonstration, supported by sampling data, that the areal and vertical extent of hazardous substance contamination in each affected medium has been delineated to the satisfaction of the Division in accordance with the current version of the Division's *Inactive Hazardous Sites Branch Guidelines for Assessment and Cleanup*.
13. Any other information considered relevant by the remediating party.
14. A signed and notarized certification by a corporate official in charge of a principal business function stating: "I certify that, to the best of my knowledge, after thorough investigation, the information contained in or accompanying this certification is true, accurate, and complete."
15. A signed and notarized certification by the consultant responsible for the day to day remedial activities stating: "I certify that, to the best of my knowledge, after thorough investigation, the information contained in or accompanying this certification is true, accurate, and complete."
16. If the Plan includes any work that would constitute the "practice of engineering" as defined by N.C.G.S. 89C, the signature and seal of a professional engineer is required. If the Plan includes any work that would constitute the "public practice of geology" as defined by N.C.G.S. 89E, the signature and seal of a licensed geologist is required.

The Division will notify APAC-Atlantic of any changes needed in the assessment or the Report due to any hazard posed by the Site or discrepancies with the approved Site Assessment Plan, and of the time within which changes must be made. When the Division determines that the site assessment is complete, the Division will notify APAC-Atlantic in writing.

All documents submitted to the Division in relation to this work must be sent to:

Ginny Henderson
Inactive Hazardous Sites Branch
Superfund Section
NC Division of Waste Management
127 Cardinal Drive Extension
Wilmington, NC 28405

To protect public health and the environment, the Division has the authority under N.C.G.S. 130A-310.1(c) to order any responsible party to conduct such monitoring, testing, analyses and reporting as deemed reasonable and necessary to ascertain the nature and extent of any hazard posed by a Site. However, prior to issuing site assessment orders, the Division sends letters such as this to offer responsible parties the opportunity to work cooperatively with the Division.

This offer shall expire at the close of business on the 30th day following your receipt of this letter, so please notify the Division, in writing, if APAC-Atlantic intends to comply with our request. If you have any questions, concerning this assessment request, please contact me at (910) 796-7340.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Henderson', with a long horizontal line extending to the right.

Genevieve M. Henderson, P.G.
Hydrogeologist II
Inactive Hazardous Sites Branch
Superfund Section

Cc: IHSB WiRO Incident Files
Robert E. Barnhill, Jr., REB Acquisitions, LLC, P.O. Box 1529, Tarboro, NC 27886-1529

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Sandra Holmes</u> C. Date of Delivery <u>8/14/08</u></p>
<p>1. Article Addressed to:</p> <p><u>Mr. William H. Tomlinson - President APAC - Atlantic, Inc. 900 Ashwood Parkway, Suite 700 Atlanta, GA 30338</u></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p><u>7007 0220 0000 8225 1622</u></p>

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Att: Ginny Janet

Sent To
Mr. William H. Tomlinson, APAC - Atlantic, Inc.
Street, Apt. No. or PO Box No. 900 Ashwood Parkway, Suite 700
City, State, ZIP+4 Atlanta, GA 30338

PS Form 3800, August 2006 See Reverse for Instructions

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