

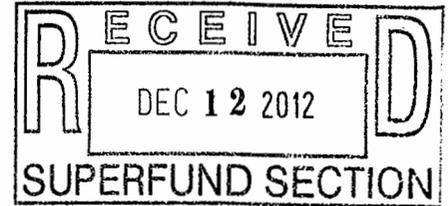


FROEHLING & ROBERTSON, INC.

Engineering Stability Since 1881

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October 11, 2012



Sue Robbins
Inactive Hazardous Sites Branch
Superfund Section – DWM
Wilmington Regional Office
127 Cardinal Street Ext.
Wilmington, NC 28405

RE: NONCD0002888 - 1400 Point Harbor Road, Wilmington, NC (the "Property")

Dear Ms. Robbins:

This letter is on behalf of James B. Angell, Trustee for the Bankruptcy Estate of Jimmy K. Alderman (Case No. 09-05982-8-JRL), which currently owns the Property, to request that the Department of Environment and Natural Resources evaluate the Property for a No Further Action letter.

In accordance with your January 19, 2012 letter to Mr. Rudd, a former prospective purchaser of the Property, enclosed please find a review fee check in the amount of \$500.00 payable to DENR Division of Waste Management, and a completed Certification of Attainment of Cleanup Levels and No Further Action Required form.

Please address the No Further Action letter to:

James B. Angell, Trustee for Jimmie K. Alderman Bankruptcy Estate
Howard, Stallings, From & Hutson, P.A.
5410 Trinity Road
Raleigh, NC 27607

Please do not hesitate to contact me if you have any questions regarding the information submitted. Thank you in advance for your prompt consideration of this matter.

Sincerely,

Michael W. Minett, REM

cc: Timothy P. Sullivan

Owner and Environmental Consultant for Owner Certification:

After first being duly sworn or affirmed, we [the owner and the owner's designated environmental consultant] each separately state that: I am over the age of eighteen, I am competent to make this certification based on my own knowledge and belief, and to the best of my knowledge and belief, after thorough investigation, the information contained herein is true and accurate.

Owner Signature: [Signature]
Name of Signatory and Title: James B. Angell, Trustee for Jimmie K. Alderman Bankruptcy Estate
Company: Howard, Stallings, From & Hutson, P.A.
Date: 12/7/12

STATE OF NORTH CAROLINA
COUNTY OF Wake

I, Jennifer L. McInnes, a Notary Public, do hereby certify that James B. Angell, Trustee personally appeared before me this day, produced proper identification in the form of personally known to me, was duly sworn or affirmed, and declared that he or she is either the owner of the property referenced above or is a duly authorized agent of said owner and that, to the best of his or her knowledge and belief, after thorough investigation, the information contained in the above certification is true and accurate, and he or she then signed this Certification in my presence.

WITNESS my hand and official seal this 7th day of December, 20012

[Signature]
My Commission expires: 10-11-2014

Notary Public



[SEAL]

Environmental Consultant Signature: [Signature] REM

Name of Signatory and Title: Michael W. Minett, REM / Environmental Group Manager, Charlotte Branch
Company: Froehling & Robertson, Inc.
Date:

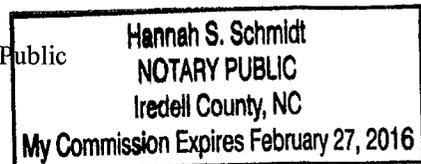
STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

I, Hannah S. Schmidt, a Notary Public, do hereby certify that Michael W. Minett personally appeared before me this day, produced proper identification in the form of NC DL, was duly sworn or affirmed, and declared that he or she is the duly authorized environmental consultant of the owner of the property referenced above and that, to the best of his or her knowledge and belief, after thorough investigation, the information contained in the above certification is true and accurate, and he or she then signed this Certification in my presence.

WITNESS my hand and official seal this 11 day of Oct, 20012

[Signature]
My Commission expires: 02/27/2016

Notary Public



[SEAL]

Certification of Attainment of Cleanup Levels and No Further Action Required

Site Name: Alderman Property (former) Point Harbor

City: Wilmington

Street Address: 1400 Point Harbor Road, Wilmington NC, 28401

County: New Hanover

Site Inactive Hazardous Sites ID#: NONCD0002888

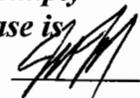
For purposes of this certification, the "site" is defined as the above identified property and any additional area which has become contaminated as a result of hazardous substances or other non-petroleum, non-biological contaminants disposed at that property.

Initial each of the following statements.

I have reviewed all the available environmental records for this site.



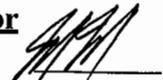
All known and suspect areas of hazardous substance contamination and any other non-petroleum, non-biological contamination at the Site have been tested in accordance with Appendices A and B of the Inactive Hazardous Sites Program Guidelines for Assessment and Cleanup. For purposes of this certification, "suspect area" means any area of concern that has evidence of a release of contaminants including verbal or written information or records, knowledge of employees or other persons, visual observations, instrument readings, laboratory data, measured product inventory loss information, breached vessels and other forms of evidence. (Note: "Suspect areas: do not include areas that are simply storage areas, tanks, or chemical facilities where no evidence or indication of a release is known.)



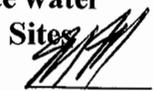
The Inactive Hazardous Sites Branch protection of groundwater criteria for soils (reference section 4.1.1.2 of the Inactive Hazardous Sites Program Guidelines for Assessment and Cleanup) have been met.



The Inactive Hazardous Sites Branch remediation goals for direct contact for soils (reference section 4.1.1.1 of the Inactive Hazardous Sites Program Guidelines for Assessment and Cleanup) have been met.



The Inactive Hazardous Sites Branch remediation goals for groundwater, surface water and sediment (reference sections 4.1.2, 4.1.3, and 4.1.4 of the Inactive Hazardous Sites Program Guidelines for Assessment and Cleanup) have been met.



I certify that, to the best of my knowledge, after thorough investigation, the information contained in this certification is true and accurate.

