

## NOTICE OF ADMINISTRATIVE AGREEMENT

Engineered Controls International  
Elon, Alamance County, North Carolina

The North Carolina Division of Waste Management (Division) is soliciting public comment on an Administrative Agreement (Agreement) that the Division intends to enter into with Engineered Controls International, LLC (the Remediator). The Remediator plans to conduct a voluntary cleanup of hazardous substances at the Engineered Controls International, LLC Site, located at 100 Rego Drive, Elon in Alamance County, North Carolina. This voluntary remedial action will be conducted pursuant to N.C.G.S. 130A-310.9(b) and -310.9(c). Voluntary remedial actions implemented pursuant to N.C.G.S. 130A-310.9(c) are directed by Department-designated "Registered Environmental Consultants" in place of state oversight.

The complete file and a copy of the Agreement can be viewed at the following location:

NC Division of Waste Management  
217 West Jones Street  
Raleigh, North Carolina 27603

Hours (by appointment only):  
Monday - Friday 8:00 am - 5:00 pm  
To schedule an appointment, contact Mr. Scott Ross  
at (919) 707-8272

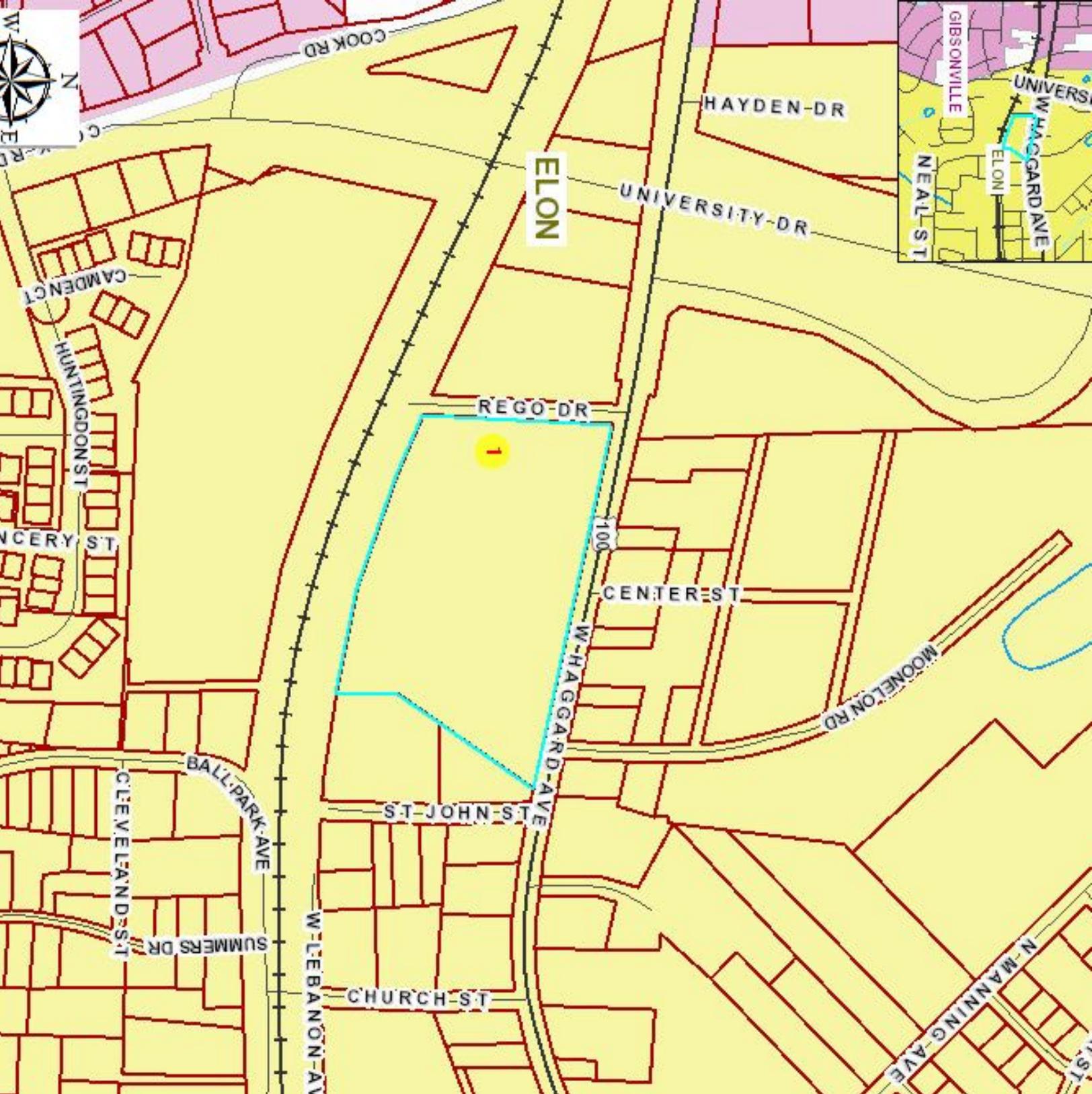
To receive an electronic copy of the draft Agreement or to provide comments or questions regarding the draft Agreement or the role of the Registered Environmental Consultant for this site, contact:

MR. KIM T. CAULK  
REC PROGRAM  
SUPERFUND SECTION  
NORTH CAROLINA DIVISION OF WASTE MANAGEMENT  
217 WEST JONES STREET  
RALEIGH, NC 27603  
(919) 707-8200  
[Kim.Caulk@ncdenr.gov](mailto:Kim.Caulk@ncdenr.gov)  
<http://portal.ncdenr.org/web/wm/sf/ihs/recprogram>

This Notice has been prepared for parties in the general area that may be interested in the cleanup activities at the Site. All comments on the draft Agreement must be received no later than January 18, 2013.

**ENGINEERED CONTROLS INTERNATIONAL  
100 REGO DRIVE  
ELON, ALAMANCE COUNTY, NORTH CAROLINA**

<b>Name</b>	<b>Street Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
KIM T. CAULK NCDENR	217 WEST JONES STREET	RALEIGH	NC	27603-1336
PETE CAPPONI	3343 PEACHTREE ROAD SUITE M20A	ATLANTA	GA	30326
BARRY BASS HEALTH DIRECTOR	319B N GRAHAM HOPEDALE ROAD	BURLINGTON	NC	27217
MIKE DULA TOWN MANAGER	104 S WILLIAMSON AVE PO BOX 595	ELON	NC	27244
FBD LLC C/O ELIZABETH D LANDIS	1147 S EDMONT AVE	GASTONIA	NC	28054
800 WEST MINI STORAGE LLC	100 E LAKE DRIVE	GREENSBORO	NC	27403
SONOCO PRODUCTS CO	1N 2ND STREET	HARTSVILLE	SC	29550
TERRANCE LEON COVINGTON	PO BOX 411	ELON	NC	27244
ENTERPRISES	6805 PALOMINO RIDGE CT	SUMMERFIELD	NC	27358
VILLANE INC	136 EUGENE ST	GIBSONVILLE	NC	27249
SUSIE F ADKINS	516 W HAGGARD AVENUE	ELON	NC	27244
ELON COLLEGE EXCHANGE CLUB	600 W HAGGARD AVENUE	ELON	NC	27244
DORIS P BYRD	602 W HAGGARD AVENUE	ELON	NC	27244
ELON UNIVERSITY	100 CAMPUS DRIVE 2285 CAMPUS BOX	ELON	NC	27244
LARRY D CUMMINGS	12 WOODLEA RIDGE CT	GREENSBORO	NC	27406
WILLIAM B SLADE AND LAWANDA COOPER	102 LEGACY CT UNIT B	ELIZABETHTOWN	KY	42701
ANNIE P SLADE	BOX 824	ELON	NC	27244
KENNETH AND PATRICIA COX	104 WESTGATE DRIVE	ELON	NC	27244
DEBORAH M MILES	706 W HAGGARD AVE	ELON	NC	27244



- Tax Address
- Preliminary Address

**Streets**

- Roads
- Preliminary Roads
- Private Roads

**Floodplain**

- 100 Year Floodway with BFEs (ae)
- 100 Year Floodway (aetw)
- 500 Year Floodplain (x)

**Hydrology**

- Dam or Weir
- Intermittent Streams
- Permanent Streams

**Watershed**

- BOW
- RCD
- WCA

## Caulk, Kim

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**From:** Caulk, Kim  
**Sent:** Wednesday, December 12, 2012 1:43 PM  
**To:** Jones, Anna  
**Subject:** FW: Draft REC-AA Request for Engineered Controls International, Elon, Alamance County (NONCD0002904)  
**Attachments:** image001.jpg; image002.jpg; CHAR2 - 1467600v1 - Properties bordering 100 Rego Dr., Elon, NC.DOCX.DOCX

Forwarding public notice info.

Kim T. Caulk, P.G.  
Phone: (919) 707-8350  
<http://portal.ncdenr.org/web/wm/sf/ihs/recprogram>

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

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**From:** Peter McGrath [mailto:petermcgrath@mvalaw.com]  
**Sent:** Wednesday, December 12, 2012 1:22 PM  
**To:** Caulk, Kim  
**Subject:** RE: Draft REC-AA Request for Engineered Controls International, Elon, Alamance County (NONCD0002904)

Kim:

Hope all is well with you. I have attached to this message a chart showing the names and addresses of owners of property that adjoins the Engineered Controls property in Elon, and of property across W. Haggard Rd as well.

Hope this is helpful. Please let me know if you have any questions, or would like additional information.

Regards,  
Peter

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**From:** Caulk, Kim [mailto:kim.caulk@ncdenr.gov]  
**Sent:** Tuesday, November 27, 2012 2:25 PM  
**To:** Peter McGrath  
**Subject:** RE: Draft REC-AA Request for Engineered Controls International, Elon, Alamance County (NONCD0002904)

Thanks for the update. I was about to contact you regarding the status. I will place all correspondence in the file and wait for the public notice information.

Regards,  
Kim

Kim T. Caulk, P.G.  
Phone: (919) 707-8350  
<http://portal.ncdenr.org/web/wm/sf/ihs/recprogram>

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**From:** Peter McGrath [<mailto:petermcgrath@mvalaw.com>]

**Sent:** Tuesday, November 27, 2012 10:18 AM

**To:** Caulk, Kim

**Cc:** Jones, Anna

**Subject:** RE: Draft REC-AA Request for Engineered Controls International, Elon, Alamance County (NONCD0002904)

Ms. Caulk:

I write to inform you that Engineered Controls International is satisfied with the terms of the draft Administrative Agreement the Branch has proposed for the referenced Site. We will provide you with a surrounding property map and mailing addresses of each surrounding property owner so you may begin the public notice and comment period. We will also forward you a check payable to the Division of Waste Management in the amount of \$2,500 to cover the initial annual administrative fee. In the meantime, please let me know if you have any questions, or would like to discuss this further.

We appreciate your assistance with this matter.

Regards,

Peter

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**From:** Caulk, Kim [<mailto:kim.caulk@ncdenr.gov>]

**Sent:** Tuesday, August 28, 2012 8:24 AM

**To:** Peter McGrath

**Cc:** Chun, Toby ([toby.chun@kirkland.com](mailto:toby.chun@kirkland.com)); Hughes, Michael J. ([MHughes@ngelaw.com](mailto:MHughes@ngelaw.com)); 'Pete Capponi' ([pcapponi@gaiatech.com](mailto:pcapponi@gaiatech.com)); Jones, Anna

**Subject:** RE: Draft REC-AA Request for Engineered Controls International, Elon, Alamance County (NONCD0002904)

Attached is a **draft** Administrative Agreement (AA) for a Registered Environmental Consultant (REC)-directed assessment and remedial action for the above Site (Site). **Note that the REC-AA is a standard document prepared with the assistance of the attorney general's office. The majority of the AA comes from the REC Rules and the Inactive Hazardous Sites Response Act and, therefore, most of the contents cannot be changed.** The Remediating Party and REC should carefully review this document to make sure the information on the front page is correct and contact me to let me know if you are satisfied with the draft document or if there are any questions regarding the contents and procedures. **PLEASE DO NOT SIGN THE DRAFT AA AND MAIL IT TO THE INACTIVE HAZARDOUS SITES BRANCH (Branch).** If you are satisfied with the terms specified in the agreement, the Branch will prepare a final AA, assign a docket number, and mail it to you for signature.

Section III of the AA specifies the work to be performed. Note that for any site that enters the REC Program, the RP along with its designated RSM must make sure that all requirements for a particular phase of work specified in the REC Rules [see .0306(b)(5)] such as a remedial investigation work plan, remedial investigation report, remedial action plan, etc. have been completed **for all media** and the document components required by the REC Rules have been addressed. Procedures for preparing these documents are described in the REC Program Implementation Guidance (Guidance) which can be found on our web site at <http://portal.ncdenr.org/web/wm/sf/ihs/ihsguide>. As indicated in Section III of the AA, for any requirement that has already been completed, the RP and REC can specify the location within the document(s) on file with the Superfund Section that indicates the requirement has already been met. Also be aware that all future work plans, report documents, and work phase completion statements that are submitted must be certified in accordance with .0306(b). If you believe unique circumstances exist regarding any of the required work phases and documents or the procedures described in the Guidance, please contact me.

By law the Department of Environment and Natural Resources must allow a 30-day public comment period for the proposed AA prior to its execution. Therefore, the RP and/or the REC will need to provide the Branch with a surrounding property map, such as a tax record map, and the mailing addresses of each of the surrounding property owners. I can begin the public notice while we are finalizing the AA.

In order to participate in the REC Program, an annual administrative fee that is used by the state to offset the costs for auditing REC

sites is required. The initial fee, which is due upon entering the REC Program, is \$2,500.00 and must be received by the Branch before the AA can be executed. Checks should be made payable to NC Division of Waste Management and referenced to the REC Trust Fund. Note that there will be a similar fee each year until the remediation at the Site is complete. The annual fee is based on the number of sites in the REC Program each year and the state's projected costs for overseeing the REC Program.

Thanks for your interest in the REC Program. If you have any questions, please contact me.

Thanks,  
Kim

Kim T. Caulk, P.G.  
Phone: (919) 707-8350  
<http://portal.ncdenr.org/web/wm/sf/ihs/recprogram>

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**From:** Caulk, Kim  
**Sent:** Thursday, August 23, 2012 8:11 AM  
**To:** Peter McGrath  
**Cc:** Chun, Toby ([toby.chun@kirkland.com](mailto:toby.chun@kirkland.com)); Hughes, Michael J. ([MHughes@ngelaw.com](mailto:MHughes@ngelaw.com)); 'Pete Capponi' ([pcapponi@gaiatech.com](mailto:pcapponi@gaiatech.com)); Jones, Anna  
**Subject:** Draft REC-AA Request for Engineered Controls International, Elon, Alamance County (NONCD0002904)

Thanks. We will forward a Draft REC-AA as soon as possible. In order for the required public notice to begin, the information in Item 4 of the Procedures for Obtaining a Registered Environmental Consultant Administrative Agreement is needed. The public notice can be performed by the Branch while the AA is being reviewed/finalized. If you do not have the procedures, let me know.

If you have any questions, please contact me.

Regards,

Kim T. Caulk, P.G.  
Phone: (919) 707-8350  
<http://portal.ncdenr.org/web/wm/sf/ihs/recprogram>

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

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**From:** Peter McGrath (<mailto:petermcgrath@mvalaw.com>)  
**Sent:** Wednesday, August 22, 2012 3:38 PM  
**To:** Caulk, Kim  
**Cc:** Chun, Toby ([toby.chun@kirkland.com](mailto:toby.chun@kirkland.com)); Hughes, Michael J. ([MHughes@ngelaw.com](mailto:MHughes@ngelaw.com)); 'Pete Capponi' ([pcapponi@gaiatech.com](mailto:pcapponi@gaiatech.com))  
**Subject:** RE: Engineered Controls International, LLC/100 Rego Drive, Elon, Alamance County

Kim:

I believe the attachment may have been omitted from my previous message. The proper attachment accompanies this message.

I apologize for any confusion.

Peter

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**From:** Peter McGrath  
**Sent:** Wednesday, August 22, 2012 3:32 PM  
**To:** 'Kim.Caulk@NCDENR.gov'  
**Cc:** Chun, Toby ([toby.chun@kirkland.com](mailto:toby.chun@kirkland.com)); Hughes, Michael J. ([MHughes@ngelaw.com](mailto:MHughes@ngelaw.com)); 'Pete Capponi' ([pcapponi@gaiatech.com](mailto:pcapponi@gaiatech.com))  
**Subject:** Engineered Controls International, LLC/100 Rego Drive, Elon, Alamance County

Kim:

This firm represents Engineered Controls International, LLC ("ECI"). We have received correspondence dated July 27, 2012 from the Inactive Hazardous Sites Branch indicating that the above-referenced site (the "Site") can be cleaned up through the Registered Environmental Consultant ("REC") program without Branch oversight. (A copy of that correspondence is attached for your reference.) As the Branch requested in July 27 correspondence, we write now to notify the Branch that ECI does intend to remediate the Site through the REC program and to request that the Branch prepare an appropriate Administrative Agreement. In that regard, we provide the following information requested in the Branch's July 27 letter to assist in preparation of the Administrative Agreement,

1. Site Name, Street Address,/Location, City and County:

Engineered Controls International, LLC  
100 Rego Drive,  
Elon, Alamance County, NC 27244

2. Exact Name of Remediator:

Engineered Controls International, LLC

3. Name, title, telephone number, e-mail address and mailing address of the highest ranking official of the remediating party having day-to-day responsibility for the performance of the remedial response action:

Gary L. Boone  
Chief Executive Officer  
Engineered Controls International, LLC  
Phone: (336) 449-7707  
E-mail: [gboone@regoproducts.com](mailto:gboone@regoproducts.com)  
Mail: 100 Rego Drive,  
Elon, Alamance County, NC 27244

4. (A) Name title, telephone number, e-mail address and mailing address of any other contact person for the remedial response action

n/a

(B) Name, title, telephone number, e-mail address and mailing address of the proposed REC for the remedial response action:

GaiaTech  
Attention: Pete Capponi  
Phone: 404.812.0001 x235  
Email: [pcapponi@gaiatech.com](mailto:pcapponi@gaiatech.com)

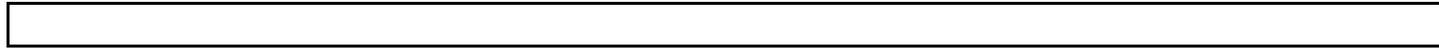
Mail: 3343 Peachtree Road, Suite M20A  
Atlanta, Georgia 30326

5. Current property owner of the site:

Engineered Controls International, LLC

We appreciate your assistance with this project. Please let me know if you have any questions, or would like to discuss this further.

Regards,  
Peter



Peter J. McGrath, Jr. | Attorney at Law | [petermcgrath@mvalaw.com](mailto:petermcgrath@mvalaw.com) | 704.331.1081 | Fax: 704.378.2081  
Moore & Van Allen PLLC | Suite 4700 | 100 North Tryon Street | Charlotte, NC 28202  
[Bio](#)



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**Addresses of properties “adjoining” the Engineered Controls facility in  
Elon, in Alamance County (100 Rego Dr. in Elon, Parcel ID: 109268)**

Counter clockwise, starting with property directly to the left (on Alamance County GIS)

<b><u>Parcel ID</u></b>	<b><u>Address</u></b>	<b><u>Owner</u></b>
108967	803 W Haggard Ave	FBD LLC
108958	212 Cook Road	Sonoco Products Co
109255	505 Ball Park Ave.	Covington, Terrance Leon
109279	1000 St. John St.	Stewart Wimberley Enterprises
109280	511 W. Haggard Dr.	Villane Inc.
109281	516 W. Haggard Ave.	Adkins, Susie F
109275	600 Haggard Ave.	Elon College Exchange Club
109274	602 W. Haggard Ave.	Byrd, Doris P.
109285	400 Moonelon Dr.	Elon University
109273	NC 100 Hwy	Cummings, Larry D.
109272	W Haggard Ave.	Cummings, Larry Douglas
109269	700 W. Haggard Ave.	Slade, William B.
109266	702 W. Haggard Ave.	Slade, Annie P.
109267	704 W. Haggard Ave.	Cox, Kenneth E.
108969	706 W. Haggard Ave.	Miles, Deborah M.
108968	830 W. Haggard Ave.	800 West Mini Storage LLC

\*\* All of this information was taken directly from the Alamance County GIS:

<http://www.alamance-nc.com/d/gis.html>

\*\*This is a comprehensive list of properties that definitely and likely border 100 Rego Dr.