NCDENR
North Carolina Department of Environment and Natural Resources
Division of Waste Management
Beverly Eaves Perdue
Governor
Dexter R. Matthews
Director
Dee Freeman
Secretary

November 28, 2012

Mr. James McFarland
East Coast Development & Brokerage, Inc.
Post Office Box 2277
Wilmington, NC 28402

Re: Inactive Hazardous Waste Sites Priority List
Prime Equipment Company
Wilmington, New Hanover County

Dear Mr. McFarland:

The site listed above has been included on the October 2012 Inactive Hazardous Waste Sites Priority List (Priority List) in accordance with North Carolina General Statutes Section 130A-310.2. The Priority List is a list of sites where uncontrolled disposal, spills, or releases of hazardous substances have been identified. A special priority system (North Carolina Administrative Code Title 15A Subchapter 13C Section 0.200) is used to rank the sites in decreasing order of danger to public health and the environment.

This letter is being sent to you to fulfill our statutory duty to notify those who own and those who at present are known to be responsible for each site on the Priority List. A copy of the Priority List with each site's rank appearing in the right-hand column is available at http://portal.ncdenr.org/web/wm/sf/sfavailabledocs under the Site Inventory heading. This list is in alphabetical order by site name to make it easier for you to locate your score.

Any responsible party that has not already done so, must take the initial abatement actions required under North Carolina groundwater quality regulations (15A NCAC 2L). Pursuant to 15A NCAC 2L .0106(b), any person conducting or controlling an activity which results in the discharge of a waste or hazardous substance to the groundwater of the State, or in proximity thereto, shall take immediate action to terminate and control the discharge, and mitigate any hazards resulting from exposure to the pollutants. Pursuant to 15A NCAC 2L .0106(c), if groundwater standards have been exceeded, a responsible party must take immediate action to eliminate the source or sources of contamination. Beyond initial abatement actions, all assessment and cleanup will be done through the Inactive Hazardous Sites Response Act (N.C.G.S. 130A-310) authority.

Under the Inactive Hazardous Sites Response Act, persons who move forward to assess and clean up contamination, without being compelled to do so through formal legal action filed against them, are called "volunteers." To participate in the Inactive Hazardous Sites Branch's voluntary cleanup program, you will be required to enter into an administrative agreement with the Branch. If a responsible party or owner wishes to voluntarily perform a site cleanup, they should first complete a Site Cleanup Questionnaire available at http://portal.ncdenr.org/web/wm/sf/sfavailabledocs under the Forms heading. The voluntary cleanup will proceed through the Registered Environmental Consultant Program or under direct oversight by the Branch Staff, as discussed below.

The Branch has a privatized oversight arm of the voluntary cleanup program known as the Registered Environmental Consultant ("REC") program. Based on the responses provided on the questionnaire (degree of hazard and public interest in the site), the Branch will determine whether a staff person or an REC will perform the oversight and approval of your assessment and cleanup action. Please note that having one or more of the conditions identified on the questionnaire does not necessarily preclude the site for qualifying for an REC-directed cleanup action.

Under the REC program, the volunteer hires an environmental consulting firm, which the State has approved as having met certain qualifications, to implement a cleanup and certify that the work is being performed in compliance with regulations. In other words, the REC's certifications of compliance are in place of direct oversight by the Branch. Details of the REC program can be found at http://portal.ncdenr.org/web/wm/sf/ihs/recprogram. If you have any questions specific to the REC Program, including how to participate, please contact the REC Program Manager, Kim Caulk, at (919) 707-8350.

If the Branch determines that the site should be assessed and cleaned up with direct State oversight, it will not be eligible for a REC-directed cleanup. Rather, the cleanup action will receive direct oversight by Branch staff.

Failure of a responsible party to take the initial abatement steps required in 15A NCAC 2L may result in the assessment of a civil penalty against that responsible party. In addition, the Branch may seek an injunction compelling compliance with the initial abatement steps required in 15A NCAC 2L. For future work beyond the initial abatement steps required pursuant to 15A NCAC 2L, a unilateral Order may be issued pursuant to N.C.G.S. 130A-310.3 to compel assessment and cleanup.

If you have any questions, you may contact Bruce Parris, Western Regional Supervisor at (704) 235-2185, John Walch, Eastern Regional Supervisor at (919) 707-8356 or me at (919) 707-8327. You can view a Branch regional map at http://portal.ncdenr.org/web/wm/sf/ihs/ihsregmap to determine if your site lies in the western or eastern region. Those who are interested in reviewing the Superfund Section's files on any of these sites may contact Scott Ross at (919) 707-8272, to schedule an appointment. You may also contact Mr. Ross if you do not have access to the internet and would like to request a copy of the Priority List be mailed to you.

Sincerely,

Charlotte V. Jesnek

Charlotte V. Jesnek, Head
Inactive Hazardous Site Branch
Superfund Section

CVJ/slbb(SPLMERGELTR_2012.DOCX)

NCDENR
North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
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December 13, 2011

Mr. James McFarland
East Coast Development & Brokerage, Inc.
Post Office Box 2277
Wilmington, NC 28402

Re: Inactive Hazardous Waste Sites Priority List
Prime Equipment Company
Wilmington, New Hanover County

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If you have any questions, you may contact Bruce Parris, Western Regional Supervisor at (704) 235-2185, John Walch, Eastern Regional Supervisor at (919) 707-8356 or me at (919) 707-8327. You can view a Branch regional map at http://portal.ncdenr.org/web/wm/sf/ihs/ihsregmap to determine if your site lies in the western or eastern region. Those who are interested in reviewing the Superfund Section's files on any of these sites may contact Scott Ross at (919) 707-8272, to schedule an appointment. You may also contact Mr. Ross if you do not have access to the internet and would like to request a copy of the Priority List be mailed to you.

Sincerely,

Charlotte V. Jesneck

Charlotte V. Jesneck, Head
Inactive Hazardous Site Branch
Superfund Section

CVJ/slbb(SPLMERGELTR_2011.DOCX)

NCDENR
North Carolina Department of Environment and Natural Resources
Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
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July 27, 2011

Mr. James McFarland
East Coast Development & Brokerage, Inc.
Post Office Box 2277
Wilmington, NC 28402

Re: Inactive Hazardous Waste Sites Priority List
Prime Equipment Company
Wilmington, New Hanover County

Dear Mr. McFarland:

The site listed above has been included on the October 2010 Inactive Hazardous Waste Sites Priority List (Priority List) in accordance with North Carolina General Statutes Section 130A-310.2. The Priority List is a list of sites where uncontrolled disposal, spills, or releases of hazardous substances have been identified. A special priority system (North Carolina Administrative Code Title 15A Subchapter 13C Section 0.200) is used to rank the sites in decreasing order of danger to public health and the environment.

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If the Branch determines that the site should be assessed and cleaned up with direct State oversight, it will not be eligible for a REC-directed cleanup. Rather, the cleanup action will receive direct oversight by Branch staff.

Failure of a responsible party to take the initial abatement steps required in 15A NCAC 2L may result in the assessment of a civil penalty against that responsible party. In addition, the Branch may seek an injunction compelling compliance with the initial abatement steps required in 15A NCAC 2L. For future work beyond the initial abatement steps required pursuant to 15A NCAC 2L, a unilateral Order may be issued pursuant to § 130A-310.3 to compel assessment and cleanup.

If you have any questions, you may contact Bruce Parris, Western Regional Supervisor at (704) 235-2185, John Walch, Eastern Regional Supervisor at (919) 508-8485 or me at (919) 508-8460. You can view a Branch regional map at http://portal.ncdenr.org/web/wm/sf/ihs/ihsregmap to determine if your site lies in the western or eastern region. Those who are interested in reviewing the Superfund Section's files on any of these sites may contact Scott Ross at (919) 508-8475, to schedule an appointment. You may also contact Mr. Ross if you do not have access to the internet and would like to request a copy of the Priority List be mailed to you.

Sincerely,

Charlotte V Jesneck

Charlotte V. Jesneck, Head
Inactive Hazardous Site Branch
Superfund Section

CVJ/slbb(SPLMERGELTR_2010.DOCX)