

282IHSSF3040



DocumentID NONCD0002846

Site Name HICKORY WIRE (AKA MOSER PROPERTY)

DocumentType Correspondence (C)

RptSegment 2

DocDate 2/6/2009

DocRcvd 2/6/2009

Box SF3040

AccessLevel PUBLIC

Division WASTE MANAGEMENT

Section SUPERFUND

Program IHS (IHS)

DocCat FACILITY

Subject: Re: Longview Refuse Dump NONCD0000219
From: George Adams <george.adams@ncmail.net>
Date: Fri, 06 Feb 2009 09:19:54 -0500
To: Bruce Lefler <Bruce.Lefler@ncmail.net>

That helps a great deal. Have a good weekend.

Bruce Lefler wrote:

Hi George,

Yes, this landfill meets the eligibility requirements to be addressed under SB 1492.

Bruce

George Adams wrote:

Bruce,

Do you think this landfill become part of the new program (1492?) or will it stay with the IHSE? Its adjacent to several sites we have in Hickory (Catawba County), thanks--George

--

George Adams - George.Adams@ncmail.net
North Carolina Dept. of Environment & Natural Resources
Div. of Waste Mgt. - Superfund Section - Inactive Hazardous Sites Branch
610 E. Center Ave., Suite 301
Mooresville, NC 28115
Ph: (704) 663-1699 Fax: (704) 663-6040

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.

HICKORY WIRE, INC.

MANUFACTURERS OF SOLID • STRANDED BARE COPPER WIRE

11/13/08

RECEIVED

NOV 17 2008

Mr. Adams:

NCDENR MRO IHSB

Please find enclosed the "Site
Clean Up Questionnaire" as
completed by Mr. Ron Banister
of Engineering and Environmental
Services, and the notarized
signatures by both he and I.
Thank you for your direction
and assistance to our effort.

Sincerely,

Robert DeGra

President Hickory Wire Inc.

HICKORY WIRE, INC.

ROBERT P. MOSER
PRESIDENT

P.O. Box 3526
Hickory, NC 28603
Tel. 828-322-9473

1711 11th Avenue SW
Hickory, NC 28602
Fax: 828-322-3648

Email: rmoser@charter.net

Site Cleanup Questionnaire

Remediating parties interested in volunteering should prepare this form with the assistance of an environmental consultant. All cooperative parties are eligible for Branch-approved remedial actions. Answer all questions, based on current information, and provide written descriptions where needed.

NCDENR Site Name, City and County SHARON K. MOSER / HICKORY WIRE SITE

1. Is the site located on or immediately adjacent to residential property, schools, day-care centers or other sensitive populations? Y N
If yes, please explain on a separate page.
2. What is the distance (from site property line) to the nearest residence, school or day-care center? Please attach a map showing the site and nearest residence, school or day-care center. 200 FEET
3. Is the site completely surrounded by a locked fence? Y N
If no, please explain security measures at the site on a separate page.
4. Are site surface soils known to be contaminated? Y N
If yes, or unknown, describe briefly on a separate page.
5. Is site groundwater known to be contaminated? Y N
If yes, or unknown, describe briefly on a separate page.
6. Is site sediment or surface water known to be contaminated? Y N
If yes, or unknown, describe briefly on a separate page.
7. Has groundwater contamination affected any drinking water wells? Y N
If yes, or unknown, please explain on a separate page.
8. What is the distance to the nearest downgradient drinking water well? 1500 FEET +
9. What is the distance to the nearest downstream surface water intake? 1500 FEET +
10. Are hazardous vapors, air emissions or contaminated dust migrating into occupied residential, commercial or industrial areas? Y N
If yes, or unknown, please explain on a separate page.
11. Have hazardous substances known to have migrated off property at concentrations in excess of Branch unrestricted-use remediation goals? Y N
If yes, or unknown, please explain on a separate page.
12. Has the local community expressed concerns about contamination at the site? Y N
If yes, or unknown, please explain on a separate page.
13. Based on current information, are there any sensitive environments located on the property (sensitive environments are identified in the Remedial Investigation Work Plans section of the IHSB "Guidelines for Assessment and Cleanup" at www.wastenotnc.org/sfhome/stateleadguidance.pdf)? Y N
If yes, or unknown, please explain on a separate page.

RECEIVED

NOV 17 2008

NCDENR MRO IHSB

14. Based on current information, has contamination from the site migrated into any sensitive environments? Y N

If yes, or unknown, please explain on a separate page.

15. Do site contaminants include radioactive or mixed radioactive and chemical wastes? Y N

If yes, or unknown, please explain on a separate page.

Remediating Party Certification Statement

After first being duly sworn or affirmed, I, _____, hereby state that: I am over the age of eighteen, I am competent to make this certification based upon my own personal knowledge and belief, and, to the best of my knowledge and belief, after thorough investigation, the information contained herein is accurate and complete. I am aware that there are significant penalties for wilfully submitting false, inaccurate or incomplete information.

Robert P. Moser _____ *11/12/08*
(Signature of Remediating Party Representative) (Date)

ROBERT P. MOSER *ROBERT P. MOSER PRESIDENT*
(Printed Name and Title of Remediating Party Representative)

HICKORY WIRE *HICKORY WIRE INC.*
(Printed Name of Company)

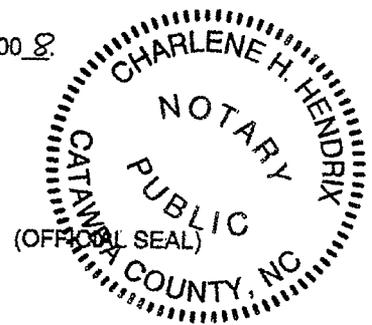
STATE OF *North Carolina*
COUNTY OF *Catawba*

I, *Charlene H. Hendrix*, a Notary Public of said County and State, do hereby certify that *Robert P. Moser* personally appeared before me this day, produced proper identification in the form of *N.C. Drivers License*, was duly sworn and/or affirmed, and declared that he or she is 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 accurate and complete, and he or she then signed this Certification in my presence.

WITNESS my hand and official seal the: *12th* day of *November*, 200*8*.

Charlene H. Hendrix
Notary Public (signature)
Charlene H. Hendrix

My commission expires: *6.5.2010*



Environmental Consultant Certification Statement

After first being duly sworn or affirmed, I, RONALD T. BANNISTER, hereby state that: I am over the age of eighteen, I am competent to make this certification based upon my own personal knowledge and belief, and, to the best of my knowledge and belief, after thorough investigation, the information contained herein is accurate and complete. I am aware that there are significant penalties for willfully submitting false, inaccurate or incomplete information.

Ronald T. Bannister
(Signature)

11/10/08

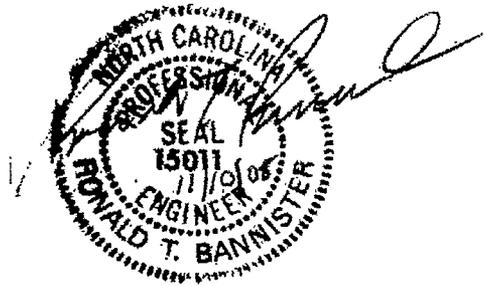
(Date)

RONALD T. BANNISTER

(Printed Name)

ENGINEERING & ENVIRONMENTAL SERVICES, PLLC

(Printed Name of Environmental Consultant)



STATE OF

No. Carolina

COUNTY OF

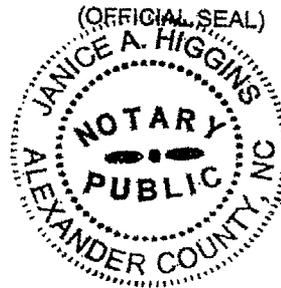
Alexander

I, Janice A. Higgins, a Notary Public of said County and State, do hereby certify that Ronald T. Bannister personally appeared before me this day, produced proper identification in the form of North Carolina license, was duly sworn and/or affirmed, and declared that he or she is an environmental consultant for 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 accurate and complete, and he or she then signed this Certification in my presence.

WITNESS my hand and official seal the 10th day of November 2008

Janice A. Higgins
Notary Public (signature)

My commission expires: 6/23/10



EXPLANATIONS FOR SITE QUESTIONNAIRE QUESTIONS:

Question #1:

Several adjoining properties to the north and east are residences. The closest residence is approximately 300 feet to the east. All of the adjoining residences to the north and east are up-gradient from the subject site.

Question #2:

The distance to the closest residence is 300 feet to the east of the subject site.

Question #5:

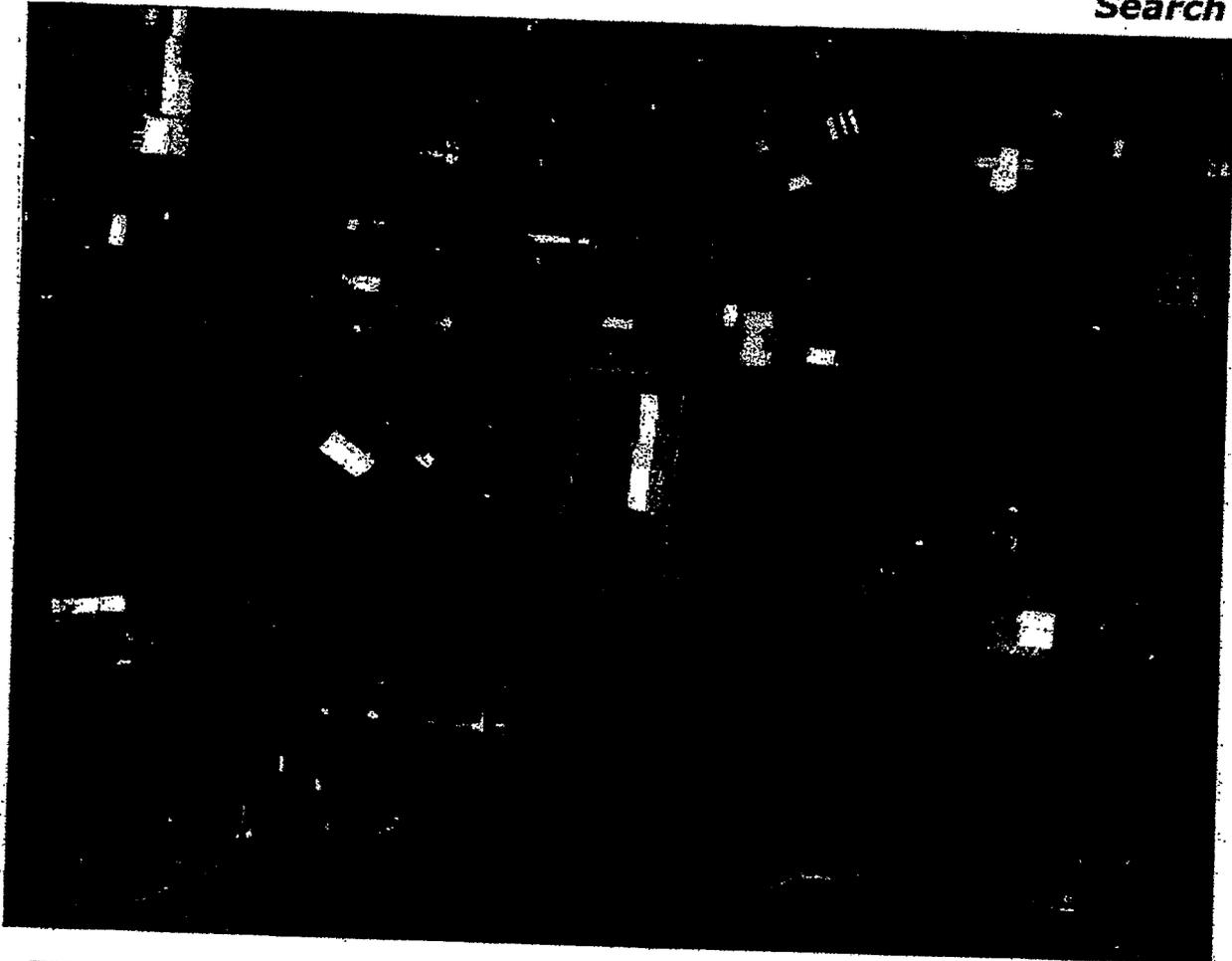
The source for the groundwater contamination identified on the subject site is unknown.

Question #6:

The source for the contamination identified in the stream to the west of the subject site is unknown.

GEOSPATIAL INFORMATION SERVICES
CATAWBA COUNTY, NC

Real Estate Search



Parcel Summary		Printed Map Scale 1 inch = 671ft	
Parcel ID: 279211656333	Parcel Address: 1711 11TH AV SW, HICKORY		
Owner: MOSER SHARON K	Address: PO BOX 3526	City: HICKORY	
Owner2:	Address2:	State/Zip: NC, 28603-3526	
Building(s) Value: \$686,400	Land Value: \$179,700	Total Value: \$866,100	

DISCLAIMER: This map/report product was prepared from the Catawba County, NC Geospatial Information Services. Catawba County has made substantial efforts to ensure the accuracy of location and labelling information contained on this map or data on this report. Catawba County promotes and recommends the independent verification of any data contained on this map/report product by the user. The County of Catawba, its employees, agents, and personnel, disclaim, and shall not be held liable for any and all damages, loss or liability, whether direct, indirect or consequential which arises or may arise from this map/report product or the use thereof by any person or entity.

AVE

HICKORY

RESIDENCE

WATER AVAILABLE IN THESE HOODS WITH

DELORME

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www.delorme.com

Scale 1 : 7,200

1" = 600 ft



Subject: Long View Refuse Dump NONCD0000219
From: George Adams <george.adams@ncmail.net>
Date: Mon, 03 Nov 2008 07:49:09 -0500
To: Bruce Lefler <Bruce.Lefler@ncmail.net>

Bruce,

The information that I dropped off for Hickory Wire Site pertains to the north adjacent Long View Refuse Dump NONCD0000219. These sites are in Hickory (Catawba County). To my knowledge the monitor wells at Hickory Wire are Type II and will be maintained. Thanks--George

--

George Adams - George.Adams@ncmail.net
North Carolina Dept. of Environment & Natural Resources
Div. of Waste Mgt. - Superfund Section - Inactive Hazardous Sites
610 E. Center Ave., Suite 301
Mooresville, NC 28115
Ph: (704) 663-1699 Fax: (704) 663-6040

Subject: [Fwd: Re: Hickory Wire]
From: George Adams <george.adams@ncmail.net>
Date: Mon, 27 Oct 2008 15:02:13 -0400
To: rtbannister@charter.net

Ron,

The deed lists Sharon K. Moser (wife) as the current owner. Generally, we would send this letter to her. Address I have from GIS is:

Sharon K. Moser
P.O. Box ~~3256~~ 3526
Hickory, North Carolina 28602

We will need a completed Site Cleanup Questionnaire from her, which you can complete on her behalf. It's something similar to a site notification form.

--
George Adams - George.Adams@ncmail.net
North Carolina Dept. of Environment & Natural Resources
Div. of Waste Mgt. - Superfund Section - Inactive Hazardous Sites
610 E. Center Ave., Suite 301
Mooresville, NC 28115
Ph: (704) 663-1699 Fax: (704) 663-6040

Subject: Re: Hickory Wire
From: George Adams <george.adams@ncmail.net>
Date: Mon, 27 Oct 2008 13:24:16 -0400
To: rtbannister <rtbannister@charter.net>

A letter is going out today. If you have questions, please contact me.
rtbannister wrote:

George,

How are we looking? Thanks.

Ron

--
George Adams - George.Adams@ncmail.net
North Carolina Dept. of Environment & Natural Resources
Div. of Waste Mgt. - Superfund Section - Inactive Hazardous Sites
610 E. Center Ave., Suite 301
Mooresville, NC 28115
Ph: (704) 663-1699 Fax: (704) 663-6040

Re: Hickory Wire.eml

Content-Type: message/rfc822
Content-Encoding: 7bit

COPY



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

October 27, 2008

Sharon K. Moser
Post Office Box 3526
Hickory, North Carolina 28602

Re: **NOTICE OF REGULATORY REQUIREMENTS FOR CONTAMINANT ASSESSMENT AND CLEANUP**

Hickory Wire Site
1711 11th Avenue Southwest
Hickory, Catawba County, North Carolina
IHSB # Pending

Dear Mr. Moser:

I have received the August 2008 "Phase II Environmental Site Assessment" by Delta Consultants and the October 2008 "Site Assessment by Engineering and Environmental Services, PLLC" that indicate groundwater at the Hickory Wire Site has been impacted by one or more hazardous substances. Regulatory oversight for the assessment and cleanup under all applicable authorities will be provided by the Division of Waste Management through its Superfund Section, Inactive Hazardous Sites Branch ("Branch").

Based on information provided to date, the Inactive Hazardous Sites Response Act ("IHSRA"), codified under North Carolina General Statute (NCGS) § 130A-310, et seq., applies to your site. In addition, initial immediate actions may be required under Title 15A of Subchapter 2L of the North Carolina Administrative Code (NCAC), Groundwater Classifications and Standards.

A responsible party is defined as any person who is liable pursuant to NCGS § 130A-310.7. At the present time, the information reported to the "Branch" suggests that your facility is not the primary source of the groundwater contamination, and you have not been identified as a responsible party.

As an owner or operator of a facility that has been impacted by one or more hazardous substances, you may be required to provide additional information and access to your site. Further information regarding your requirements and responsibilities may be found within the NCGSs and NCAC.

Assessment and remedial activities of potential sources related to petroleum contamination are regulated by the Division of Waste Management's, Underground Storage Tank (UST) Section. The aforementioned information will be made available to the UST Section for their review.

I. ACTIONS REQUIRED AT THIS TIME:

Complete the Site Cleanup Questionnaire.

To comply with the requirements of State law, a Site Cleanup Questionnaire, available on the website noted at the end of this letter, must be completed and returned to this office. The information you provide will be reviewed along with other information to prioritize the site, so please make certain that the information you provide is complete and accurate. Please note that your failure to inform the Branch of any nearby potable wells or other high risk conditions may adversely affect the Branch's ability to identify this site as a higher-risk site.

Take Initial Abatement Actions Required Under 15A NCAC 2L.

If you have not already done so, you must take the initial abatement actions required under 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 groundwaters 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, you must take immediate action to eliminate the source or sources of contamination. Beyond initial abatement actions, all assessment and remediation will be done through the IHSRA.

II. FUTURE ASSESSMENT AND CLEANUP ACTIVITIES:

All correspondence regarding this site should be sent to the Branch. Future assessment and cleanup activities (activities conducted after the initial abatement steps required in 15A NCAC 2L) may be conducted through the Voluntary Cleanup Program (discussed below) or pursuant to an Order issued under N.C. Gen. Stat. § 130A-310.3. In addition, if you choose not to conduct a cleanup through the Voluntary Cleanup Program, the site may be referred to the United States Environmental Protection Agency ("EPA"). If so referred, EPA will screen the site for Federal enforcement action under the Federal Superfund Program, established under the Comprehensive Environmental Responsibility, Compensation, and Liability Act ("CERCLA").

III. VOLUNTARY CLEANUP PROGRAM:

Under the IHSRA, persons who move forward to assess and remediate contamination, without being compelled to do so through formal legal action filed against them, are called "volunteers." To participate in the voluntary cleanup program, you will be required to enter into an administrative agreement with the Branch. The voluntary cleanup will proceed through the Registered Environmental Consultant Program or under direct oversight by the Branch Staff, as discussed below:

Agreement to Conduct Assessment and Remediation Through the Registered Environmental Consultant Program.

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://www.wastenotnc.org/sfhome/recprog.htm>. If you have any questions specific to the REC Program, including how to participate, please contact the REC Program Manager, Kim Caulk, at (919) 508-8451.

Agreement to Conduct Assessment and Remediation Under State Oversight.

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

IV. FAILURE TO RESPOND:

If we do not receive a completed questionnaire, the Branch will take further action to prioritize the site without your input. Failure to take the initial abatement steps required in 15A NCAC 2L may result in the assessment of a civil penalty against you. 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.

V. ADDITIONAL INFORMATION REGARDING THE IHSRA AND THE BRANCH:

People are often confused by the name of the Inactive Hazardous Sites Response Act and the Branch. By definition, "Inactive Hazardous Sites" are any areas where hazardous substances have come to be located and would include active and inactive facilities and a variety of property types. The term "inactive" simply refers to the fact that cleanup was inactive at large numbers of sites at the time of program enactment. Additional information about the Branch may be found at <http://www.wastenotnc.org/sfhome/ihsbrnch.htm>.

Submit completed questionnaire to: George Adams
NCDENR Mooresville Regional Office
Inactive Hazardous Sites Branch
610 East Center Avenue, Suite 310
Mooresville, North Carolina 28115

Sincerely,



George D. Adams, PG & EI
Environmental Engineer II
Department of Environment and Natural Resources
Division of Waste Management
Superfund Section - Inactive Hazardous Sites Branch

cc: Ron Banister
Engineering and Environmental Services, PLLC

Subject: Hickory Wire

From: "rtbannister" <rtbannister@charter.net>

Date: Wed, 22 Oct 2008 16:06:14 -0400

To: "George Adams" <george.adams@ncmail.net>

George,

How are we looking? Thanks.

Ron

Hickory wire



10-1-08 Rob Banister called and asked if
~1500 he could use 6230D? For volatile
CODA organic compound analyses @ Hickory wire -
I told him that our guidelines request
that he use 8260. I explained that
he would need to check with the lab's
project manager to make sure the
detection limits were low enough. In the
past, it was referred to 8260 "Low Level
detection"

10-10-08 Rob Bannister and asked some
questions about SSLs - etc -
I indicated where he could find
stuff and briefly discussed his
progress to date

10-21-08. Spoke to Rob Bannister several times
→ told him we were still reviewing
the information - he emailed plat

10-22-08 → Told Rob that we were going to
list the site as an orphan.
I was in the process of ~~abandon~~ writing
a letter but my boss has to approve it.
I will check with the landfill dept
and ask if they want to keep the wells when time perm.?
→ please abandon the wells if they become damaged -

- 9-3-08 => Ron Banister -

Hickory Wire

CDH said that a consultant performed phase II @ Hickory Wire. The northern section of the property is part of the Hilderbran Landfill -

- performed soil sample and ground water sampling from temp monitor wells -
- elevated metal concentrations
- elevated perc? concs -

-> wants to enter REC program - referred from Brad Newton -

↓

Hickory Wire

Robert Mosec

P.O. Box 3109

Hickory NC 28603

Ron Banister

Engineering + Environmental Svcs PUC
(828) - 328 - 2991 -

9-5-08 => Left message for Ron Banister -

~ 1100 ↓ need additional data from Delta -

~ 1100 => spoke to Ron - asked him to contact Delta to find about about data -

- with additional data => appears that the site may not be listed -

9-9-08

Hickory Wick

- ~1328 - Talked to Ron Bannister - CDDA
- said the property owner does nothing the site would be listed
 - new data needed to demonstrate no metal contamination, and ~~CVOCs~~^{soils} aren't impacted CVOCs (as a source of groundwater contamination)
 - 3 wells, permanent - one along the property line, one as close to the process area - and one maybe near Tin Bldg / BG-1 -
 - would perform VOCs and metals on groundwater samples
 - need to demonstrate groundwater flow direction
 - would perform soil VOCs and probably all the same metals - 2-5' \Rightarrow could use hand auger - would perform inside and do coring.
 - need site history chemical storage locations process, usage etc - letter report -
 - its ~~hard~~ difficult to make ~~rem~~ recommendation for placement of soil samples -
 - this is not a remedial investigation / work plan -
 - if this is ~~is~~ not listed, we can't issue a NFA, if data is okay, we will issue a letter in receipt of the letter report and that it would appear the property owner would be an unlikely RP -

Subject: Re: Hickory Wire Plat

From: George Adams <george.adams@ncmail.net>

Date: Tue, 21 Oct 2008 15:55:46 -0400

To: rtbannister <rtbannister@charter.net>

CC: Robert P Moser <rmoser@charter.net>

Ron,

Thanks for your help today. I need some time to review everything, but I'll try to contact you tomorrow afternoon. Have a good evening.

rtbannister wrote:

George,

Please find the attached plat. Let me know if you have questions. My cell is 828-320-3762. Thanks.

Ron

--

George Adams - George.Adams@ncmail.net

North Carolina Dept. of Environment & Natural Resources

Div. of Waste Mgt. - Superfund Section - Inactive Hazardous Sites

610 E. Center Ave., Suite 301

Mooresville, NC 28115

Ph: (704) 663-1699

Fax: (704) 663-6040

2013 A 1043

FILED
RUTH MACKIE

*96 DEC 20 PM 3 50
Filed December 20, 1996 at 3:50 P.M. and
REGISTER OF DEEDS
CATAWBA CO., N.C.
recorded in Book 2013 at Page 1043.

Ruth Mackie
RUTH MACKIE - REGISTER OF DEEDS

NO REVENUE

Excise Tax \$0.00

Recording Time, Book and Page

Tax Lot No. _____ Parcel Identifier No. 2792-11-65-6333
Verified by _____ County on the _____ day of _____, 19____
by _____

Mail after recording to Attorney
This instrument was prepared by William H. Sigmon, Sigmon, Clark, Mackie & Hutton, P.A.

029663

Brief Description for the index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this December 17, 1996, by and between

GRANTOR

GRANTEE

ROBERT P. MOSER
a married person
pursuant to N.C.G.S. 39.13-3(c) and (d)

3125 Laurel Ridge Road, N.W.
Hickory, North Carolina 28601

SHARON K. MOSER
Grantor's Spouse

3125 Laurel Ridge Road, N.W.
Hickory, North Carolina 28601

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Hickory, Hickory Township, Catawba County, North Carolina and more particularly described as follows:

BEGINNING at an iron pin set at the southwest corner of the intersection of the 40 foot right of way for 11th Avenue, S.W. with the 50 foot right of way for 17th Street, S.W. in the City of Hickory and running with the western margin of the right of way of 17th Street, S.W. South 6°09'22" West 628.80 feet to an iron pin set; thence, South 80°19'23" East 21.16 feet to an iron pin set in the western line of the lands of Evelyn F. Helton (DB 1365 P. 1) at the southern terminus of the right of way of 17th Street, S.W.; thence with the western line of the lands of Evelyn F. Helton South 4°53'52" West 141.83 feet to an iron pin set at Evelyn F. Helton's southwest corner; thence with Evelyn F. Helton's southern line South 81°32'08" East 124.00 feet to an iron pin set in the course of a creek as the creek passes through a 60" steel underground pipe; thence, South 25°40'52" West 30.00 feet to a point on the eastern bank of said creek; thence crossing said creek South 87°55'34" West 283.32 feet to an iron pin set on the North side of the confluence of two creeks; thence North 83°14'23" West 56.00 feet to an iron pin set; thence with a northern line of the lands of Johnny Lee Propst (DB 1840 P. 707) North 42°38'23" West 330.00 feet to an iron pin set; thence North 13°36'23" West 80.00 feet to a point in a creek; thence up the creek North 30°27'44" East 26.90 feet to a point, the southeast corner of the land of Reeses Properties, Inc. (DB 1661 P. 332); thence continuing up the creek with the eastern line of Reeses Properties, Inc. North 30°27'44" East 64.08 feet to a point; thence North 12°07'48" East 203.73 feet to a point; thence North 1°38'48" East 77.68 feet to a point; thence North 14°54'12" West 238.05 feet to an old iron pin over a culvert through which the creek runs at the western terminus of the right of way of 11th Avenue, S.W.; thence leaving the creek and running with the southern margin of the right of way of 11th Avenue, S.W. South 87°23' East 483.11 feet to the BEGINNING POINT, containing 7.65 acres, more or less.

The foregoing description is taken from a plat of an actual survey entitled Property of Robert P. Moser and wife, Sharon K. Dated May 10, 1995 by Vaughn & Bradshaw Surveying Company which is a composite of the lands

described in Deed Book 854, Page 257, Deed Book 1013, Page 229 and Deed Book 1013, Page 230 in the Catawba County Registry which appears in the Catawba County Tax Maps on Map 68H, Block 4 Lot 23A.

This property is conveyed subject to:

BOOK 2013 PAGE 1044

- (a) a drainage easement along the western boundary line which appears of record in Book 816 at Page 551;
- (b) a twenty-five foot wide sewer line easement which appears of record in Book _____ at Page _____;
- (c) a sanitary sewer line easement which appears of record in Book 1598 at Page 199;
- (d) an easement to Duke Power Company for a transmission line which runs from east to west and crosses the extreme southern tip of the lands above described.

The Draftsman of this instrument has not abstracted nor searched the title to this property; therefore, he makes no certification as to title.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 854, Page 257, Deed Book 1013, Page 229, and Deed Book 1013, Page 230.

A map showing the above described property is recorded in Book _____, Page _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

Subject to all easements, rights of way, and encumbrances of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

(Corporate Name) Robert P. Moore (SEAL)

By: _____ (SEAL)
President

ATTEST: _____ (SEAL)

Secretary (SEAL)
(Corporate Seal)

(Corporate Name)
By: _____

ATTEST: _____
Secretary
(Corporate Seal)



NORTH CAROLINA, Catawba County, I, the undersigned, a Notary Public of _____ County and the State aforesaid, certify that ROBERT P. MOORE, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal on December 30, 1998.

My commission expires: 1-29-2000
Betty S. Lewis Notary Public

The foregoing Certificate of Betty S. Lewis, a Notary Public of Caldwell County, N.C. is certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.
RUTH MACKIE Ruth Mackie REGISTER OF DEEDS FOR Catawba COUNTY
By _____ Register of Deeds.
199

Subject: Hickory Wire

From: "rtbannister" <rtbannister@charter.net>

Date: Tue, 21 Oct 2008 15:21:42 -0400

To: "George Adams" <george.adams@ncmail.net>

CC: "Robert P Moser" <rmoser@charter.net>

George,

Please find the attached deed referring to sewer easement. The easement deed that is referenced is not available on-line. The referenced plat is also not available on-line. If you need copies, I can go to Register of deeds to retrieve. Let me know.

Thanks.

Ron

moser deed.pdf	Content-Type: application/pdf Content-Encoding: base64
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Subject: Re: Hickory Wire
From: George Adams <george.adams@ncmail.net>
Date: Fri, 26 Sep 2008 09:40:20 -0400
To: Robert P Moser <rmoser@charter.net>
CC: rtbannister <rtbannister@charter.net>

Mr. Moser,

We have receive a copy of the August 2008 Phase II Environmental Site Assessment (ESA) of the Hickory Wire Property performed by Delta Consultants. The property is located at 1711 11th Avenue SW in Hickory, North Carolina. I understand that the report suggests soil and groundwater at the property may have been impacted. I also understand that you are proposing additional work to evaluate the potential source of soil and groundwater contamination.

I have performed cursory review of the Phase II ESA and the September 22, 2008 outline of additional work proposed by Engineering and Environmental Services, PLLC. Based upon the review, I offer the following:

- 1). Since I'm not familiar with the site history, manufacturing processes/locations, raw material utilization, or chemical storage, I'm not able to comment on additional soil sample locations or assessment. If the property contains or has contained other areas where materials with volatile organic compounds or Resource Conservation and Recovery Act (RCRA) metals have been stored, used, or disposed, additional soil samples from locations in addition to the process area and proposed monitor wells may need to be evaluated. Please include all soil boring logs and field descriptions/screenings in the final report.
- 2). To evaluate the potential for offsite sources of groundwater contamination, the proposed work would also need to include a demonstration of the direction of groundwater flow. In addition, please include groundwater sampling forms with measured field parameters (ie temperature, specific conductance, pH, and NTU) in the final report.

Please note, you will be required to properly manage and/or dispose of any investigative derived waste or material. In addition, the September 22, 2008 outline does not appear as a remedial investigation work plan and has not been evaluated as such. Additional assessment and site documentation activities may be required.

For guidance on site assessments and protocols consult the following websites.
<http://www.wastenotnc.org/sfhome/ihsguide.htm> <http://www.epa.gov/region4/sesd/fbqstp/> All assessment activities must comply with the Inactive Hazardous Sites Program's "Guidelines for Assessment and Cleanup."

I hope you find this information useful. If you have questions, please contact me at 704-663-1699.
Thanks--George

rtbannister wrote:

George,

Please find the attached for your review and comments,

Ron

--

George Adams - George.Adams@ncmail.net
North Carolina Dept. of Environment & Natural Resources
Div. of Waste Mgt. - Superfund Section - Inactive Hazardous Sites
610 E. Center Ave., Suite 301
Mooresville, NC 28115
Ph: (704) 663-1699 Fax: (704) 663-6040

Re: [Fwd: Hickory Wire draft report]

Subject: Re: [Fwd: Hickory Wire draft report]
From: George Adams <george.adams@ncmail.net>
Date: Tue, 09 Sep 2008 09:53:19 -0400
To: rtbannister@charter.net, rmoser@charter.net

Ron,

Please give me a call, as I've had a chance to review the information you provided--Thanks, George

George,

Please find the attached draft report. Note the comment on groundwater turbidity and metals on page 1 of 1 of the summary (first page of the document). I hope this helps. Please call if you have any questions. Thanks.

Ron

--

George Adams - George.Adams@ncmail.net
North Carolina Dept. of Environment & Natural Resources
Div. of Waste Mgt. - Superfund Section - Inactive Hazardous Sites
610 E. Center Ave., Suite 301
Mooresville, NC 28115
Ph: (704) 663-1699 Fax: (704) 663-6040

Subject: Hickory Wire

From: George Adams <george.adams@ncmail.net>

Date: Wed, 03 Sep 2008 13:18:14 -0400

To: rduffy@deltaenv.com

Rob,

I'm reviewing a report that was submitted to DENR on behalf of Robert Moser of Hickory Wire. The report is titled "Phase II Environmental Site Assessment" August 2008. Within in the report (page 2), the assessment states that "soil samples FUST-1 through FUST-2 were submitted forsemi-volatile organic compounds (SVOCs) by EPA method 8270 and VOCs by EPA Method 8260.

I'm not able to find this soil data, and these tests were requested on the chain-of-custody. I'm also having a similar problem with "PEA-5 through PEA-8." Would check your records and verify that these tests were performed? I'm trying to assist Mr. Moser, and I'm not able to determine if I have a complete copy of the report. Your assistance would be greatly appreciated. Thanks--George

--

George Adams - George.Adams@ncmail.net

North Carolina Dept. of Environment & Natural Resources

Div. of Waste Mgt. - Superfund Section - Inactive Hazardous Sites

610 E. Center Ave., Suite 301

Mooresville, NC 28115

Ph: (704) 663-1699

Fax: (704) 663-6040

Phase II Environmental Site Assessment – Finding Summary
 Hickory Wire site
 1711 11th Avenue SW, Hickory, NC

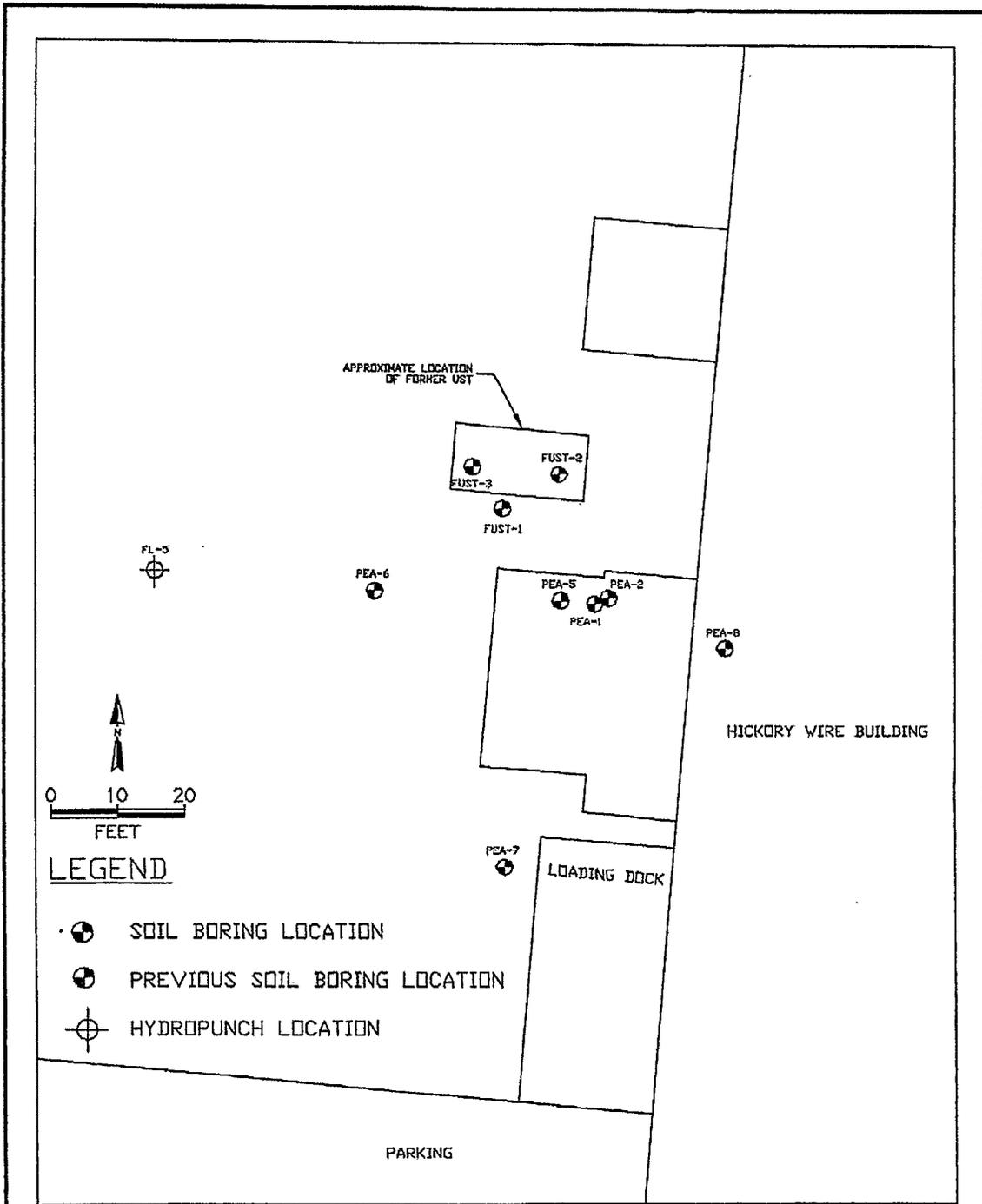
DRAFT

8/6/2008

Finding No.	Finding Type	Finding Summary	Comments/ Further Action	Risk
1	REC	<p>Delineated Total Petroleum Hydrocarbon impact in the Process Equipment Area</p> <p>Used soil borings to further delineate the vertical and horizontal extent of the diesel range contamination present in the soil below the Process Equipment area. The affected area likely totals approximately 850 cubic yards but could extend to 3000 cubic yards.</p>	<p>Limited excavation of area under Process Equipment Area.</p> <p><i>No action to be taken to be taken, although it was to define this</i></p>	Low - Due to the chemical and physical properties of the contaminants.
2	REC	<p>Established that metals are present in the soil in Process Equipment Area.</p> <p>The Process Equipment Area soil samples from underneath the concrete slab have above standard Cadmium and Chromium levels. However, the background sample for metals was also above the standard level.</p>	<p>Additional background samples taken from around the site.</p> <p><i>Rec confirm about was already known</i></p>	Moderate – Due to the elevated metal level in the background sample.
3	REC	<p>Volatile Organic Compounds (VOC) in ground water:</p> <p>Three temporary wells were installed to sample from and determine the ground water elevation and flow direction. The groundwater flow direction is from the north east toward the creek on the west side of the property. Tetrachloroethene and 1,2 Dichloroethane were found in the samples from the north side of the property. The contaminants were likely coming from off-site properties to the north. The Phase I environmental assessment did identify a landfill present to the north of the property. The onsite well did not have any contaminants present in the sample. The water sample from the center of the site did not have any VOCs present.</p>	<p>Monitor additional samples from up-gradient side for contaminants</p> <p><i>The reason for selecting this is to define that as up gradient area was identified from up gradient land fill</i></p>	Moderate – Due to the variance between sample locations.
4	REC	<p>Metals in ground water:</p> <p>In the three temporary wells sampled, the metals results were above the 2L standard for metals in ground water. These readings may be artificially elevated because of the turbidity within the sample. A dissolved metals sample will allow for a more accurate representation of the amount of metals in ground water.</p>	<p>Take additional water samples from the up-gradient side of the site to determine the quality of the ground water entering the site.</p>	Moderate – Due to metals found in the down-gradient sample sites, further characterization is needed to determine the source of the metals.

Notes

¹REC Recognized Environmental Condition is "the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property".

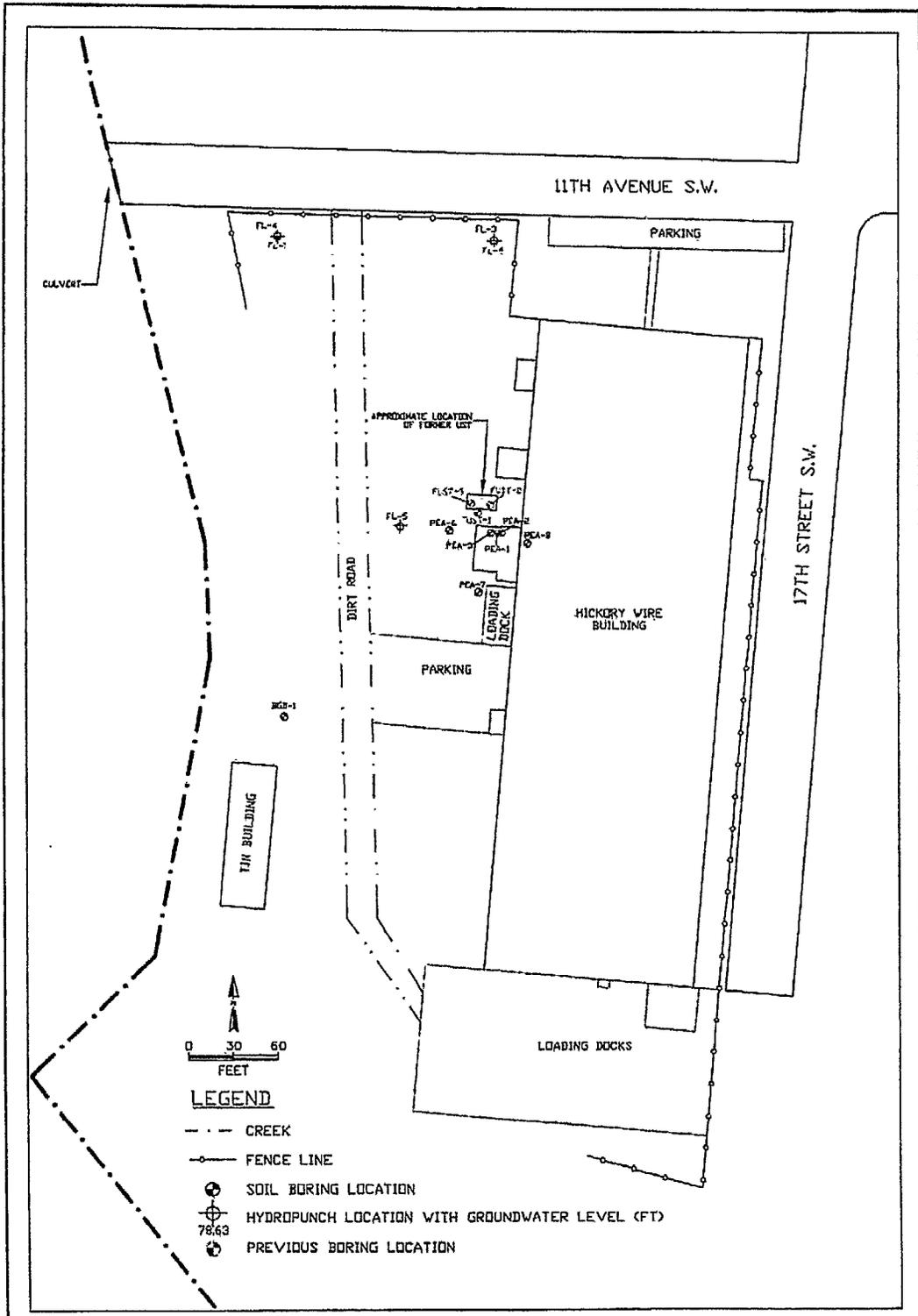


TITLE:
SOIL BORING LOCATION MAP
LIMITED PHASE II INVESTIGATION
(DRAKA ELEVATOR)
HICKORY, NORTH CAROLINA

DWN: NEW
CHKD:
DATE: 06/12/08

DES.:
APPD:
REV.:

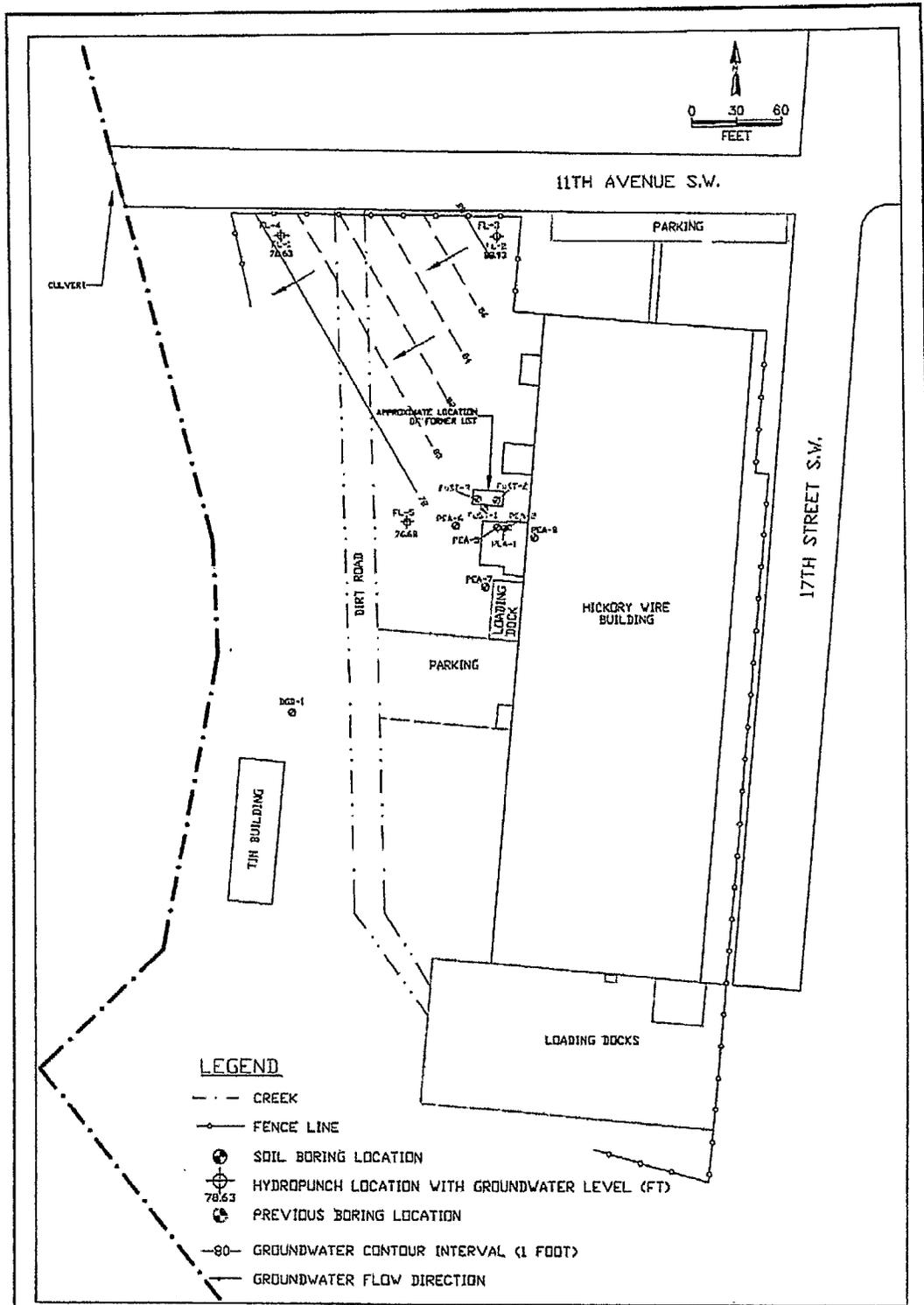
PROJECT NO.:
5E080597P
FIGURE NO.:
2



TITLE:
 SOIL BORING LOCATION MAP
 LIMITED PHASE II INVESTIGATION
 (DRAKA ELEVATOR)
 HICKORY, NORTH CAROLINA

DRWG:	NEW	DES.1	PROJECT NO.:
CHKD:		APPD:	SE080597P
DATE:	06/12/08	REV.2	FIGURE NO.:
			1

PROJECT NO.:	SE080597P
FIGURE NO.:	1



LEGEND

- - - CREEK
- FENCE LINE
- ⊙ SOIL BORING LOCATION
- ⊕ 78.63 HYDROPUNCH LOCATION WITH GROUNDWATER LEVEL (FT)
- ⊙ PREVIOUS BORING LOCATION
- 80- GROUNDWATER CONTOUR INTERVAL (1 FOOT)
- GROUNDWATER FLOW DIRECTION



TITLE:
 GROUNDWATER CONTOUR MAP
 LIMITED PHASE II INVESTIGATION
 (DRAKA ELEVATOR)
 HICKORY, NORTH CAROLINA

DWG:	DES.:
NEW	
CHKD:	APPD:
DATE:	REV.:
06/12/08	

PROJECT NO.:
5E080597P
FIGURE NO.:
3

Table 2
Laboratory Analytical Results Summary

Soil Sample Results

EPA Sampling Method	***Analytes Present Greater Than MDL	Regulatory Limit (mg/kg)	Units	*Soil Sample Results				
				PEA-5	PEA-6	PEA-7	PEA-8	BGD-1
8015-Mod	Diesel Components		mg/kg	<5.7	<6.0	<5.5	<6.6	NA
8015	Gasoline Range		mg/kg	<7.2	<7.2	<7.3	<7.4	NA
9071	Oil and Grease		mg/kg	<189	<200	<184	<219	NA
6010	Arsenic		mg/kg	<0.57	2.4	0.88	<0.38	13.8
6010	Barium		mg/kg	85.7	31.7	90.5	53.1	111
6010	Cadmium		mg/kg	5.9	3.4	6.5	11.9	3.7
6010	Chromium		mg/kg	151.6	27	26.4	38.6	30.1
6010	Lead		mg/kg	17.7	11	11.8	24.1	96.7
7471	Mercury		mg/kg	<0.047	0.045	0.0065	0.057	0.073
8260	Acetone		mg/kg	NA	NA	NA	NA	NA
8260	p-Isopropylfluene		mg/kg	NA	NA	NA	NA	NA

Ground Water Sample Results

EPA Sampling Method	***Analytes Present Greater Than MDL	Regulatory Limit (ug/L)	Units	**Water Sample Results			
				FL-3	FL-4	FL-5	CVT-1
6010	Arsenic		ug/L	31	31.2	14.4	<5.0
6010	Barium		ug/L	217	881	8,710	54
6010	Cadmium		ug/L	<1.0	1.2	193	<1.0
6010	Chromium		ug/L	74.1	217	1130	<5.0
6010	Lead		ug/L	65.2	264	489	<5.0
7471	Mercury		ug/L	<0.20	0.43	<0.20	<0.20
8260	1,2-Dichloroethane		ug/L	1.7	<1.0	<1.0	<1.0
8260	Naphthalene		ug/L	4.9	1.4	<1.0	3.7
8260	Tetrachloroethene		ug/L	<1.0	2.3	<1.0	<1.0
8260	Toluene		ug/L	1.2	<1.0	<1.0	2.1
8260	m,p-Xylene		ug/L	<2.0	<2.0	<2.0	2
8260	Chlorobenzene		ug/L	<1.0	<1.0	1.8	<1.0
8260	1,4-Dichlorobenzene		ug/L	<1.0	<1.0	1.8	<1.0

Definitions

MDL - Minimum Detection Limit. The minimum laboratory detection limit for the subject analyte.

PEA - Process Equipment Area samples

FL - Former Landfill samples

CVT - Culvert Stream Sample

NA - Not Applicable

NE - Not Established

Notes:

*For the FUST and PEA areas, the nature of the source for potential contamination required sampling and analysis of soil

**For the FL area, the nature of the source for potential contamination required sampling and analysis of ground water

***Only those analytes present above the MDL are represented by this table.

Red Text indicates values exceeding the regulatory limits.

1 - Results from EPA Method 8015-Mod greater than 40.0 mg/kg required the running of EPA Method 8270. Method 8270 resulted in all analytes under the MDL, thus no representation in this table.

Table 1
Previous Evaluation Laboratory Analytical Results Summary

Soil Sample Results

EPA Sampling Method	***Analytes Present Greater Than MDL	Regulatory Limit (mg/kg)	Units	*Soil Sample Results				
				FUST-1	FUST-2	FUST-3	PEA-1	PEA-2
8015-Mod	Diesel Components		mg/kg	<5.9	<5.8	<6.2	1800 ¹	166 ¹
8015	Gasoline Range		mg/kg	<6.3	<7.2	<6.1	<6.7	<6.6
9071	Oil and Grease		mg/kg	NA	NA	NA	<219	<226
6010	Arsenic		mg/kg	NA	NA	NA	2.7	1.4
6010	Barium		mg/kg	NA	NA	NA	32.1	35.2
6010	Cadmium		mg/kg	NA	NA	NA	3.2	2.6
6010	Chromium		mg/kg	NA	NA	NA	32.4	20.9
6010	Lead		mg/kg	NA	NA	NA	24.4	26.7
7471	Mercury		mg/kg	NA	NA	NA	0.033	0.022
8260	Acetone		mg/kg	NA	NA	NA	<158	0.209
8260	p-Isopropyltoluene		mg/kg	NA	NA	NA	<7.9	0.0063

Ground Water Sample Results

EPA Sampling Method	***Analytes Present Greater Than MDL	Regulatory Limit (ug/L)	Units	**Water Sample Results	
				FL-1	FL-2
6010	Arsenic		ug/L	9.8	48.8
6010	Barium		ug/L	5,620	1,330
6010	Cadmium		ug/L	32.2	18.9
6010	Chromium		ug/L	424	161
6010	Lead		ug/L	445	391
7471	Mercury		ug/L	29	0.52
8260	1,2-Dichloroethane		ug/L	<1.0	2.0
8260	Naphthalene		ug/L	<1.0	1.3
8260	Tetrachloroethene		ug/L	3.0	<1.0
8260	Toluene		ug/L	<1.0	<1.0
8260	m&p-Xylene		ug/L	<2.0	<2.0
8260	Chlorobenzene		ug/L	<1.0	<1.0
8260	1,4-Dichlorobenzene		ug/L	<1.0	<1.0

Definitions:

MDL - Minimum Detection Limit. The minimum laboratory detection limit for the subject analyte.

FUST - Former Underground Storage Tank samples

PEA - Process Equipment Area samples

FL - Former Landfill samples

NA - Not Applicable

NE - Not Established

Notes:

¹For the FUST and PEA areas, the nature of the source for potential contamination required sampling and analysis of soil.

²For the FL area, the nature of the source for potential contamination required sampling and analysis of ground water.

³Only those analytes present above the MDL are represented by this table

Red Text indicates values exceeding the regulatory limits.

¹ - Results from EPA Method 8015-Mod greater than 40.0 mg/kg required the running of EPA Method 8270. Method 8270 resulted in all analytes under the MDL, thus no representation in this table.

Robert P Moser

From: <sterrett.loyd@draka.com>
To: <rmoser@charter.net>
Cc: <john.chrupcala@draka.com>; <john.moore@draka.com>; <jim.taverner@draka.com>; <carl.pasierbiak@draka.com>; <doug.barbe@draka.com>
Sent: Thursday, August 14, 2008 2:41 PM
Attach: Draka Findings Summary 8-13-08.pdf; Findings Communication Response Assistance 8-13-08.pdf
Subject: Discussion and Status Environmental Matters

Robert,

As you and I just discussed, I attach the response from Delta to your reply regarding their last evaluation Phase II.

They have discussed the "land use restriction" which would lead to a deed restriction. Our position is that you need contact the governing authority, be that the State I presume and get this matter taken care of with them. Once that is done we can proceed with the contracts and completion of acquisition. John Chrupcala has gone to Draka Holding and we have assurance that if we can get this matter resolved Draka Holding is prepared to move forward based on mutually acceptable contractual terms and conditions.

Sterrett

Please find attached our completed findings summary and cost estimate. Also, attached is a text summary to assist in the response to Mr. Moser's concerns. We would like to hold a conference call for discussion of these documents.

We would like to propose 10 AM on Thursday August 14th for the call. Please let us know if this will work for you and if not, please inform us of an alternative time and we will schedule accordingly.

DELTA CONSULTANTS

E-mail address: rduffy@deltaenv.com
GMT-5
Direct phone: +1 (704) 543-3919
Cell phone: (704) 975-8070
Skype: rob.duffy2
USA Toll free: (800) 477-7411
www.deltaenv.com

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www.inogenet.com

Confidentiality Notice: If you are not the intended recipient of this email, please delete it. Thank you.

8/15/2008

Phase II Environmental Site Assessment – Finding Summary (Cost Estimates)
 Hickory Wire site
 1711 11th Avenue SW, Hickory, NC

8/13/2008

Finding No.	Finding Type	Finding Summary	Comments/ Further Action	Probability	Risk	Cost Estimate Low-High
1	REC	<p>Delineated Total Petroleum Hydrocarbon Impact in the Process Equipment Area (PEA)</p> <p>Soil samples were collected from soil borings advanced within the PEA to further delineate the vertical and horizontal extent of the diesel-range Total Petroleum Hydrocarbon (TPH) impact identified in the subsurface soil. Based on the soil analytical results, the potentially impacted area is approximately 850 cubic yards in volume; however, the impacted area could extend to approximately 3,000 cubic yards.</p>	<p>1. Soil contamination of diesel-range TPH was found to be above the North Carolina Action Level beneath the concrete slab within the PEA. Due to the physical location of the impacted soil (i.e. inaccessible and under a permanent structure), pursuant to the Registered Environmental Consultant Program Guidelines (15A NCAC 13C.003), a land use restriction for TPH within the PEA may be proposed as an on-site containment remedy.</p> <p>2. Depending on the approval of the proposed land use restriction, the State may require additional assessment.</p> <p>3. Depending on the approval of the proposed land use restriction, the State may require soil excavation to remove the TPH source area in the PEA.</p>	<p>70%</p> <p>25%</p> <p>5%</p>	<p>Low - Due to the physical location of the impact</p>	<p>\$10,000 - \$150,000</p>
2	REC	<p>Established that metals are present in the soil in the PEA</p> <p>The analytical results indicated concentrations of cadmium and chromium in soil samples collected from underneath the concrete slab in the PEA were above the North Carolina Soil-to-Ground Water Maximum Contaminant Concentration (MCCs). However, the background soil sample analyzed for Resource Conservation and Recovery Act (RCRA) metals also indicated concentrations of arsenic, cadmium, and chromium above MCCs.</p>	<p>1. Collect five additional background soil samples around the site to verify the elevated metal contamination found under the concrete slab within the PEA. Soil samples will be collected at five feet below ground surface (bgs) and ten feet bgs and will be analyzed for the 8 RCRA metals using EPA Method 6010. Depending on the analytical results from the additional background soil samples collected, no further action may be required.</p> <p>2. Based on the analytical results from the additional background soil samples, a land use restriction for metal contamination in soil may be proposed as an on-site containment remedy within the PEA.</p> <p>3. Depending on the approval of the proposed land use restriction, the State may require soil excavation to remove the metal contaminated soil within the PEA.</p>	<p>60%</p> <p>35%</p> <p>5%</p>	<p>Low - Due to the elevated metal levels in the background soil sample</p>	<p>\$10,000-\$25,000</p>
3	REC	<p>Volatile Organic Compounds (VOCs) in ground water</p> <p>Three temporary wells were installed to determine groundwater quality, groundwater elevation, and flow direction. The groundwater flow direction was identified as flow from the northeast toward the creek on the west side of the property. Based on the</p>	<p>1. Based on the analytical information provided, the groundwater flow direction, and the potential of an off-site source, Delta recommends the state be notified to provide documentation that no further action for the VOC contamination in</p>	<p>80%</p>	<p>Low - Due to the low VOC concentrations, groundwater flow direction, and the potential of an off-site source</p>	<p>\$5,000 - \$50,000</p>

PHASE II ESA – FINDINGS SUMMARY
Hickory Wire site
1711 11th Avenue SW, Hickory, NC

8/13/2008

Finding No.	Finding Type	Finding Summary	Comments/ Further Action	Probability	Risk	Cost Estimate Low-High
		analytical results from the two wells sampled on the north end of the property, tetrachloroethene and 1,2-dichloroethane were detected in concentrations above the North Carolina Groundwater Quality Standards (NCGQS). Based on groundwater flow direction and the location of these wells, the contaminants are likely coming from an off-site property to the north. The Phase I environmental assessment did identify a landfill present to the north of the property. In addition, the groundwater sample collected from the well west of the PEA did not exhibit the presence of volatile organic compounds (VOCs) at or above the laboratory method detection limits.	groundwater is necessary. 2 Install two permanent monitoring wells on the northern end of the property to monitor the VOC contamination. Initial groundwater samples collected from these two wells will include analysis of the natural attenuation parameters (methane, total iron, nitrate, sulfate, nitrite, sulfide, chloride, alkalinity, dissolved oxygen), VOCs and Semi-volatile Organic Compounds (SVOCs). Annual monitoring and reporting may continue for a period of five years (~\$6,000 per year).	20%		
4	REC	Metals in ground water In the three temporary wells, groundwater samples were collected and analyzed for the 8 RCRA metals. Based on the analytical results, concentrations of total barium, cadmium, chromium, lead, and mercury in groundwater exceeded the NCGQS.	1 Install up to three permanent monitoring wells throughout the property to monitor the metal contamination in groundwater. Initial groundwater samples from the newly installed monitoring wells include the natural attenuation parameters mentioned above and total and dissolved RCRA metals. 2 Based on the information obtained from the groundwater analytical results, no further action may be required or a land use restriction for metal contamination in groundwater may be proposed as a remedy for the site. 3 Depending on the approval of the proposed groundwater use restriction, further assessment of the metal contamination in groundwater may be required.	70% 20% 10%	Moderate – Due to metals found in the down gradient groundwater sample location, further characterization is needed to determine the source of apparent impact.	\$25,000 – \$75,000

Notes

¹REC. *Recognized Environmental Condition* is "the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property."

²Comments/ Further Action; Probability, and Cost Relationship: The comments/ further action section is broken into from one to three action items. Each of 1 through 3 has a probability associated in the next column that the recommended action will be recommended or required. The estimated cost is provided in a range of low to high. The low is based on the performance of action item one. The outcome of performing that action 1 may lead to items 2 and 3 being performed. The high is based upon the event that action items 2 and 3 are required.

Mr. Moser's concerns are understood, however there is some confusion evident in his communication. In order to assist Draka in communicating to Mr. Moser, Delta is providing this description of the scenarios for each of the REC's identified and provided in the Findings Summary.

Finding 1: Delineated Total Petroleum Hydrocarbon (TPH) impact in the Process Equipment Area (PEA)

Soil contamination due to TPH levels greater than the North Carolina Action Level was located beneath the concrete slab. Due to the location, it is not likely that Mr. Moser or Draka would want to excavate this material. Delta is recommending that a land use restriction be applied for with the State of North Carolina. Should the State grant permission, there is a strong possibility that no further action will be required.

The State does however, have the option of requiring further assessment before making their determination. The likelihood of this is represented in the findings summary as a 25% chance.

The State also reserves the right to insist that the soil be excavated. The likelihood of the State requiring this action is presented in the findings summary as a 5% chance.

Finding 2: Established that metals are present in the soil in the Process Equipment Area (PEA)

The results of the delineation indicated that metals are present in the soil. However, the extent and levels of contamination are not fully delineated at this time. Delta recommends that five background samples be collected from the site and analyzed for metals. If the background samples result in similar findings, no further action may be required.

In the event that the background samples do not correspond with the samples in the Process Equipment Area, Delta is recommending that a land use restriction be applied for with the State of North Carolina. Should the State grant the land use restriction, there is a strong possibility that no further action will be required.

The State does however, have the option of requiring further assessment before making their determination. The likelihood of this is represented in the findings summary as a 5% chance.

Finding 3: Volatile Organic Compounds (VOCs) in groundwater

VOCs were identified in groundwater samples collected at two wells near the northern boundary of the property. However, VOC contamination was not found in a sampling location immediately west of the Process Equipment Area. Given the direction of groundwater flow and the location of the wells, the VOC contamination is likely coming from off-site to the north of the property.

Delta is recommending that the State be notified in order to document that no further action is required.

The State does however, have the option of requiring further assessment before making their determination. The likelihood of this is represented in the findings summary as a 20% chance.

In the event that the State requires additional assessment, Delta recommends that two permanent monitoring wells be installed to monitor the VOC contamination. In this event, the State can require annual monitoring and reporting that can last for as long as five years.

Finding 4: Metals in groundwater

It was determined that total barium, cadmium, chromium, lead, and mercury were found in the groundwater above the North Carolina Groundwater Quality Standards. Due to the direction of groundwater flow and the positive indicators being present in all three of the wells, it is not discernable as to the source of the metal contamination.

Delta is recommending that three monitoring wells be installed throughout the property to monitor the metal contamination in groundwater. Information obtained from the initial groundwater analytical results may possibly indicate that no further action is required.

If the metals are present during the initial groundwater sampling, Delta is recommending that a groundwater use restriction be applied for with the State of North Carolina.

The State does have the option of requiring further assessment before making their determination. The likelihood of this is represented in the findings summary as a 10% chance.

EES

engineering and environmental services, PLLC

Post Office Box 3009, Hickory, NC 28603 Ph: (828) 328-2991 Fx: (828) 322-2268

September 18, 2008

Mr. George Adams
NCDENR-Division of Waste Management
610 East Center Avenue, Suite 301
Mooresville, NC 28115

Re: Hickory Wire site, 1711 11th Avenue SW, Hickory, Catawba County, NC

Dear Mr. Adams:

In the course of performing a Phase I Environmental Assessment and subsequent Phase II Assessments on the referenced property, areas were identified that require further characterization. Based on preliminary sampling and analyses, it appears that the property may have been impacted by metals, VOC, and SVOC contaminants. It seems likely that the chemical contaminants may have migrated from a closed out City of Hickory landfill that adjoins the subject site to the north, but no apparent source for metals impacts have been identified. Since the samples taken in the Phase II Assessment were more of a screening evaluation performed with temporary wells, EES, PLLC recommends the following course of sampling to produce a more refined and reliable site characterization.

EES, PLLC recommends the installation of three two-inch diameter monitoring wells at the locations shown on the attached drawing. The wells shall be purged and sampled according to accepted protocols. The filtered groundwater samples shall be properly preserved and analyzed for total RCRA metals, VOC's and SVOC's. A soil sample shall be taken from the most obviously impacted depth or 5 feet if the soil is not apparently impacted. The soil sample shall be analyzed for the same parameters as the groundwater by the appropriate methods.

Soil samples shall be taken at a depth of 3 - 5 feet or the most impacted depth by hand auger from two locations in the Process area. these samples shall be analyzed for total RCRA metals, since the previous analytical work was adequate to eliminate VOC and SVOC impacts.

Two surface water samples shall be taken from the locations indicated on the drawings. these samples shall be analyzed for the presence of total RCRA metals, VOC, and SVOC.

In addition to the fieldwork outlined above, EES, PLLC will develop and present in the final report a history of the property use, identifying possible sources for confirmed contaminants.

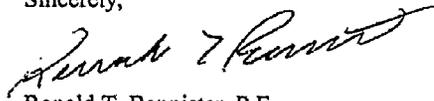
We are submitting this proposal for your review, comments, and suggestions prior to proceeding with the site characterization. As we discussed, the client is

Mr. George Adams
September 16, 2008
Page 2

anxious to complete this evaluation. Any effort that you may make to expedite your review and comments will be appreciated.

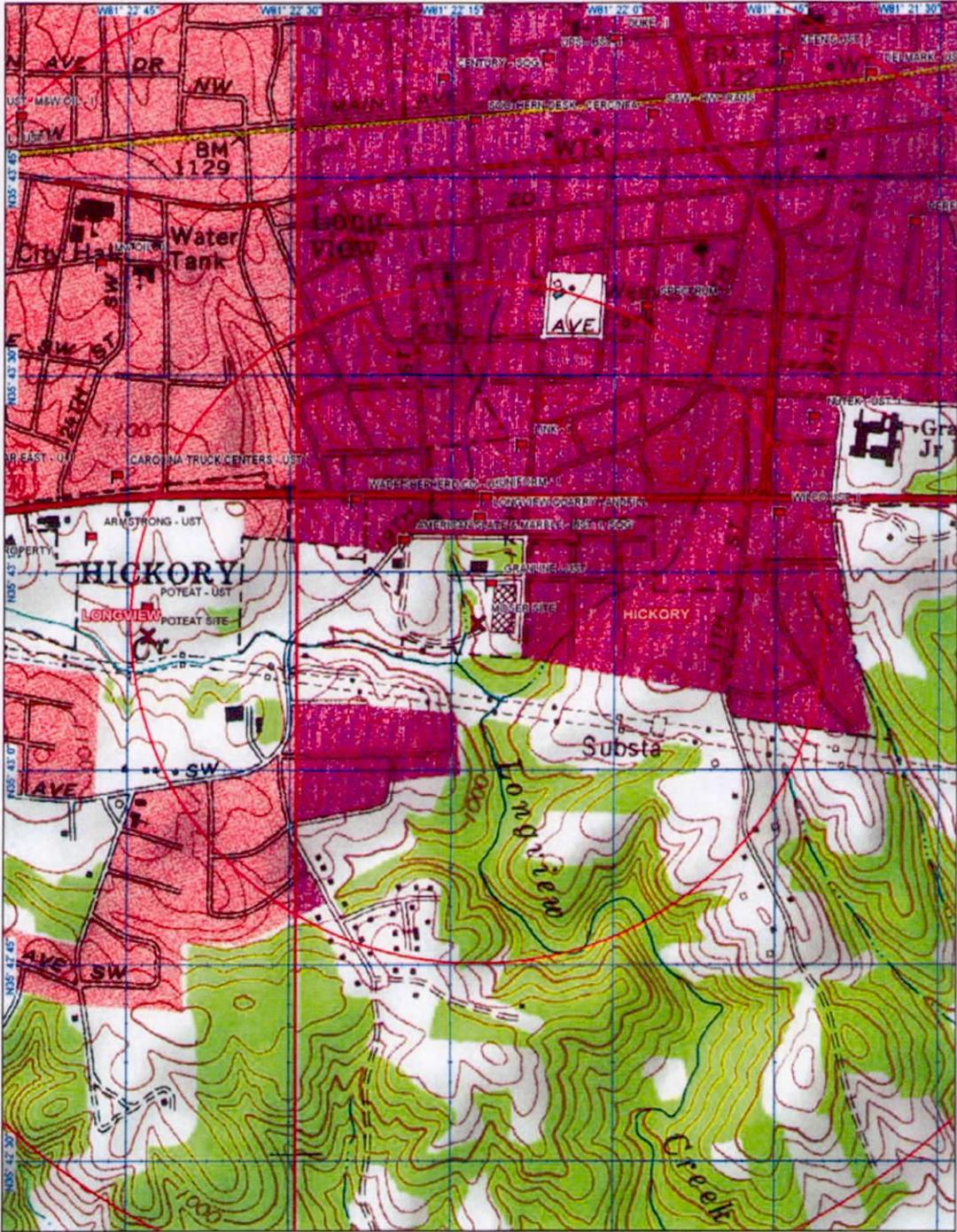
Thank you for your attention to this project. Please contact me at (828)328-2991 if you have any questions or comments.

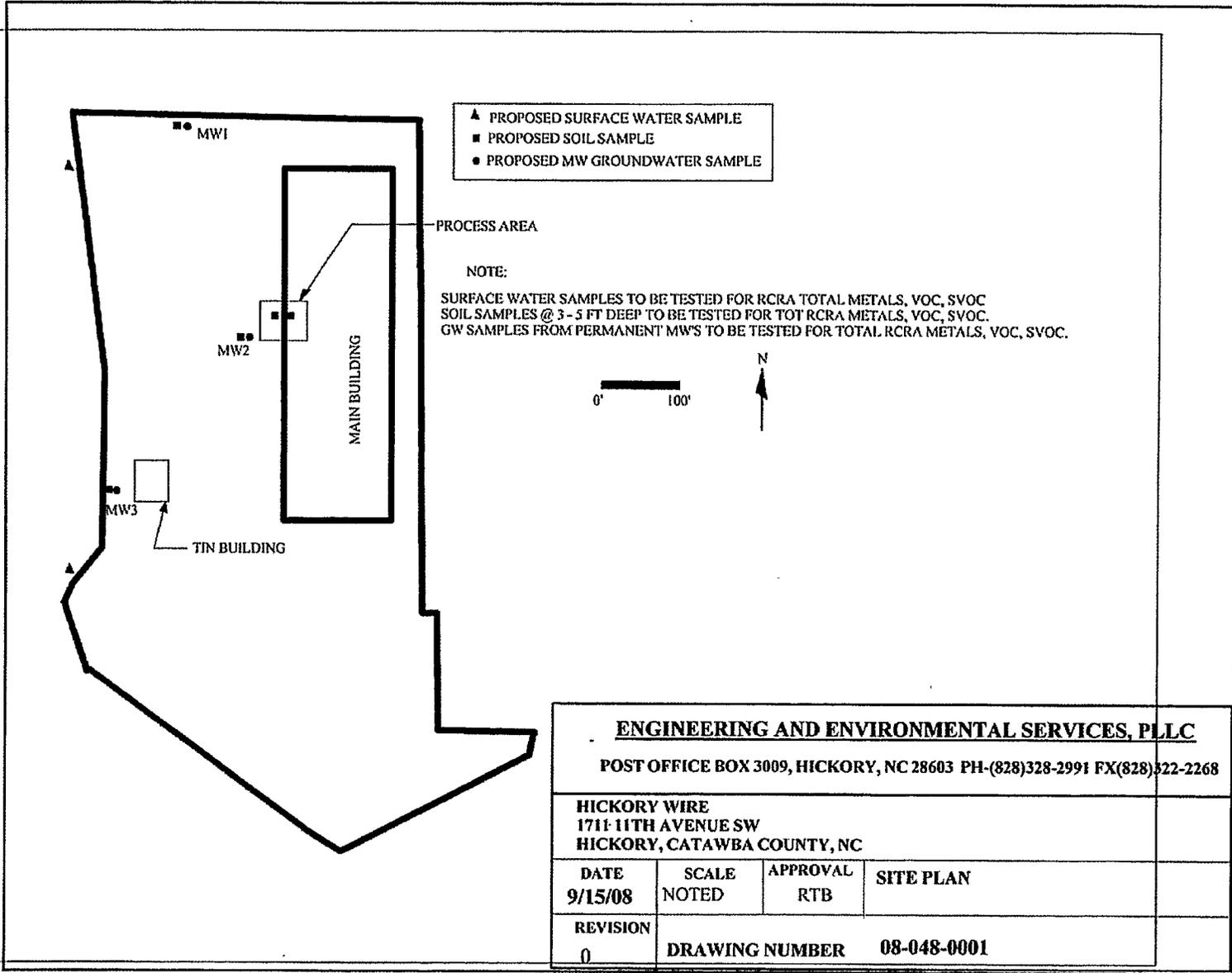
Sincerely,



Ronald T. Bannister, P.E.
Engineering and Environmental Services, PLLC







ENGINEERING AND ENVIRONMENTAL SERVICES, PLLC			
POST OFFICE BOX 3009, HICKORY, NC 28603 PH-(828)328-2991 FX(828)322-2268			
HICKORY WIRE 1711 11TH AVENUE SW HICKORY, CATAWBA COUNTY, NC			
DATE 9/15/08	SCALE NOTED	APPROVAL RTB	SITE PLAN
REVISION 0	DRAWING NUMBER 08-048-0001		

GEOSPATIAL INFORMATION SERVICES
CATAWBA COUNTY, NC

Real Estate Search

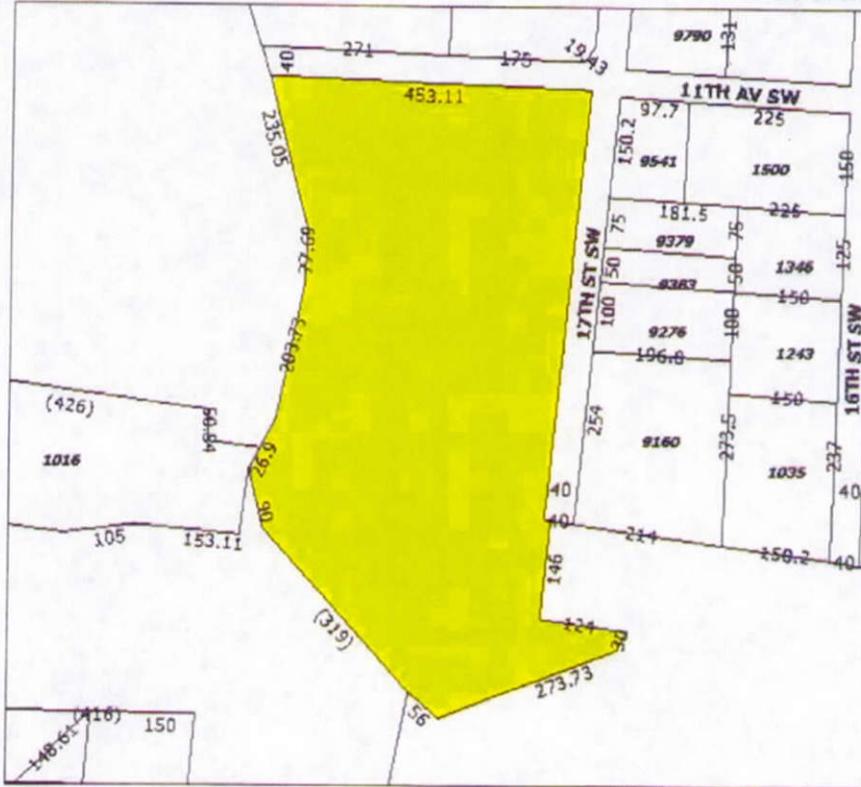


Parcel Summary		Printed Map Scale 1 inch = 178ft	
Parcel ID: 279211656333	Parcel Address: 1711 11TH AV SW, HICKORY		
Owner: MOSER SHARON K	Address: PO BOX 3526	City: HICKORY	
Owner2:	Address2:	State/Zip: NC, 28603-3526	
Building(s) Value: \$686,400	Land Value: \$179,700	Total Value: \$866,100	

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GEOSPATIAL INFORMATION SERVICES
 CATAWBA COUNTY, NC

Real Estate Search



Parcel Summary		Printed Map Scale 1 inch = 175ft	
Parcel ID: 279211656333	Parcel Address: 1711 11TH AV SW, HICKORY		
Owner: MOSER SHARON K	Address: PO BOX 3526	City: HICKORY	
Owner2:	Address2:	State/Zip: NC, 28603-3526	
Building(s) Value: \$686,400	Land Value: \$179,700	Total Value: \$866,100	

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<http://www.gis.catawba.nc.us/website/Parcel/printMapandReport.asp?pinc=279211656333...> 5/7/2008

EES

engineering and environmental services, PLLC

Post Office Box 3009, Hickory, NC 28603 Ph: (828)328-2991 Fax: (828)322-2188

September 22, 2008

Mr. George Adams
NCDENR-Division of Waste Management
610 East Center Avenue, Suite 301
Mooresville, NC 28115

Re: Hickory Wire site, 1711 11th Avenue SW, Hickory, Catawba County, NC

Dear Mr. Adams:

In the course of performing a Phase I Environmental Assessment and subsequent Phase II Assessments on the referenced property, areas were identified that require further characterization. Based on preliminary sampling and analyses, it appears that the property may have been impacted by metals or VOC contaminants. It seems likely that the chemical contaminants may have migrated from a closed out City of Hickory landfill that adjoins the subject site to the north, but no apparent source for metals impacts has been identified. Since the samples taken in the Phase II Assessment were more of a screening evaluation performed with temporary wells, EES, PLLC recommends the following course of sampling to produce a more refined and reliable site characterization.

EES, PLLC recommends the installation of three two-inch diameter monitoring wells at the locations shown on the attached drawing. The wells shall be purged and sampled according to accepted protocols. Filtered and unfiltered groundwater samples shall be taken at each well, properly preserved, and analyzed for total RCRA metals and VOC's. If metals analyses on unfiltered samples are not above NCDNR regulated thresholds, filtered samples shall not be analyzed. A soil sample shall be taken from the most obviously impacted depth or 5 feet if the soil is not apparently impacted. The soil sample shall be analyzed for the same parameters as the groundwater by the appropriate methods.

Soil samples shall be taken at a depth of 3 - 5 feet or the most impacted depth by hand auger from two locations in the Process area. These samples shall be analyzed for total RCRA metals and VOC's.

Two surface water samples shall be taken from the locations indicated on the drawings. These samples shall be analyzed for the presence of total RCRA metals and VOC's.

In addition to the fieldwork outlined above, EES, PLLC will develop and present in the final report a history of the property use, identifying possible sources for confirmed contaminants.

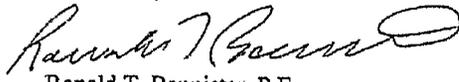
We are submitting this proposal for your review, comments, and suggestions prior to proceeding with the site characterization. As we discussed, the client is

Mr. George Adams
September 22, 2008
Page 2

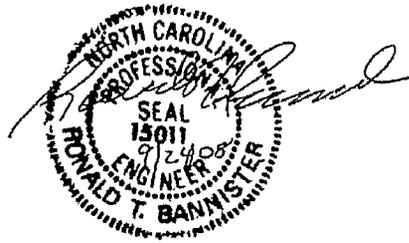
anxious to complete this evaluation. Any effort that you may make to expedite your review and comments will be appreciated.

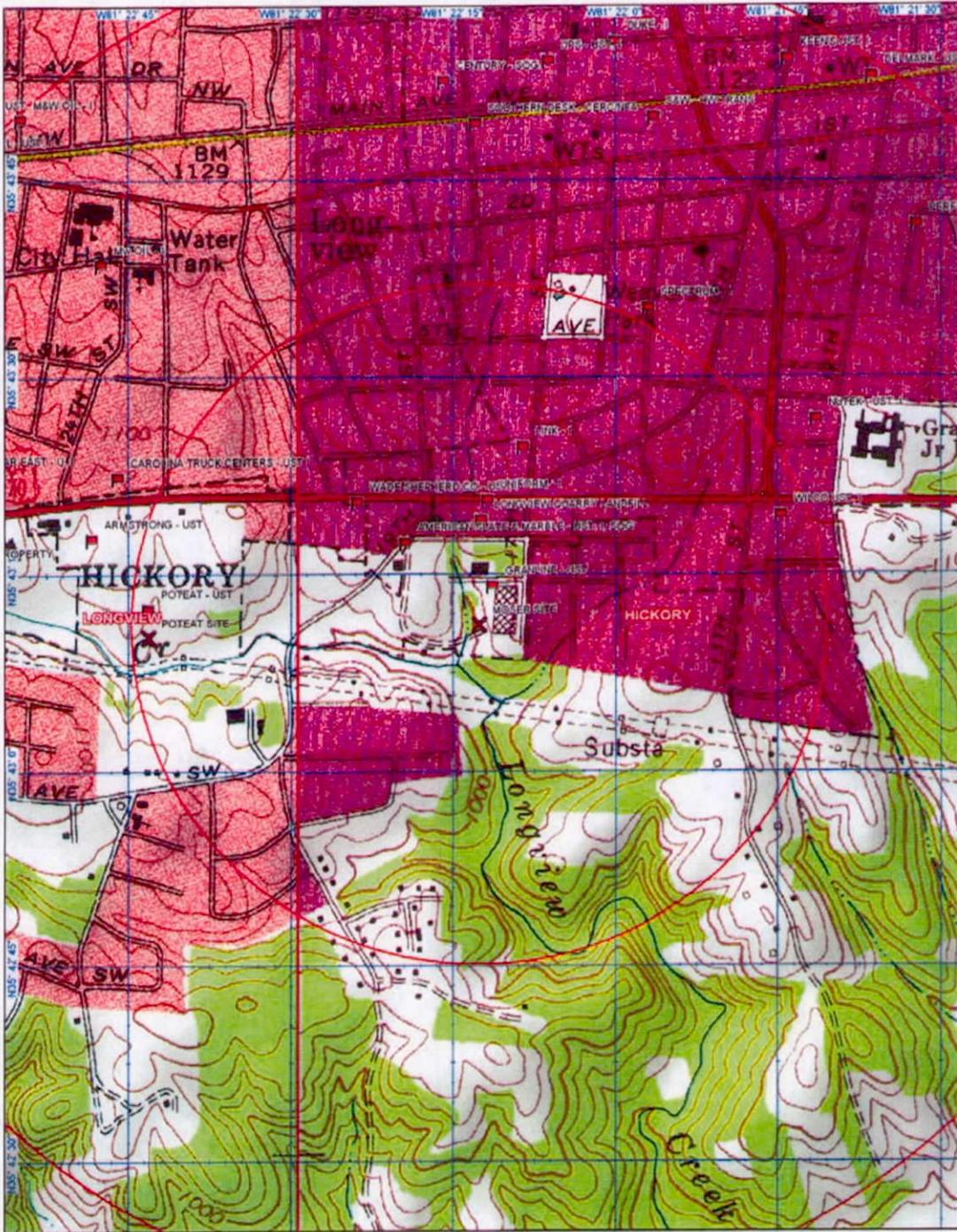
Thank you for your attention to this project. Please contact me at (828)328-2991 if you have any questions or comments.

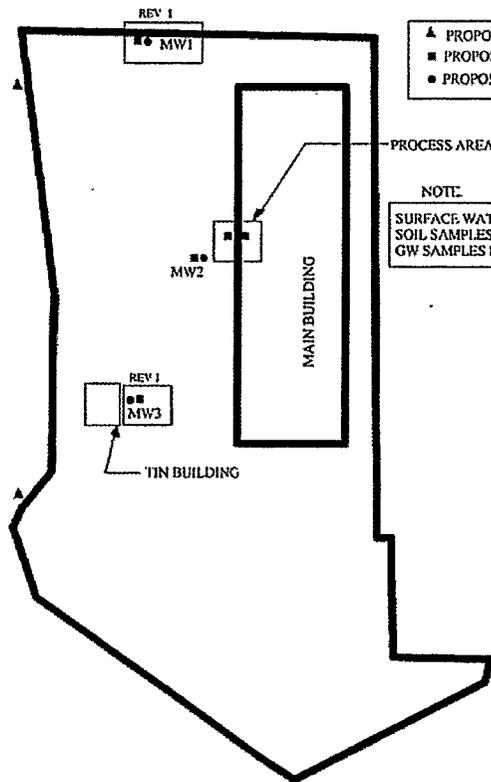
Sincerely,



Ronald T. Bannister, P.E.
Engineering and Environmental Services, PLLC







▲ PROPOSED SURFACE WATER SAMPLE
 ■ PROPOSED SOIL SAMPLE
 ● PROPOSED MW GROUNDWATER SAMPLE

NOTE: SURFACE WATER SAMPLES TO BE TESTED FOR RCRA TOTAL METALS, VOC
 SOIL SAMPLES @ 3 - 5 FT DEEP TO BE TESTED FOR TOT RCRA METALS, VOC
 GW SAMPLES FROM PERMANENT MWS (1 FILTERED, 1 UNFILTERED) TO BE TESTED FOR TOTAL RCRA METALS, VOC

0' 100'



ENGINEERING AND ENVIRONMENTAL SERVICES, PLLC

POST OFFICE BOX 3009, HICKORY, NC 28603 PH-(828)328-2991 FX(828)322-2268

HICKORY WIRE
 1711 11TH AVENUE SW
 HICKORY, CATAWBA COUNTY, NC

DATE 9/15/08	SCALE NOTED	APPROVAL RTB	SITE PLAN
-----------------	----------------	-----------------	-----------

REVISION 0	DRAWING NUMBER 08-048-0001
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REV. #	DATE	# OF REVISIONS
REV. 1	9/22/08	3 REVISIONS

GEOSPATIAL INFORMATION SERVICES
 CATAWBA COUNTY, NC

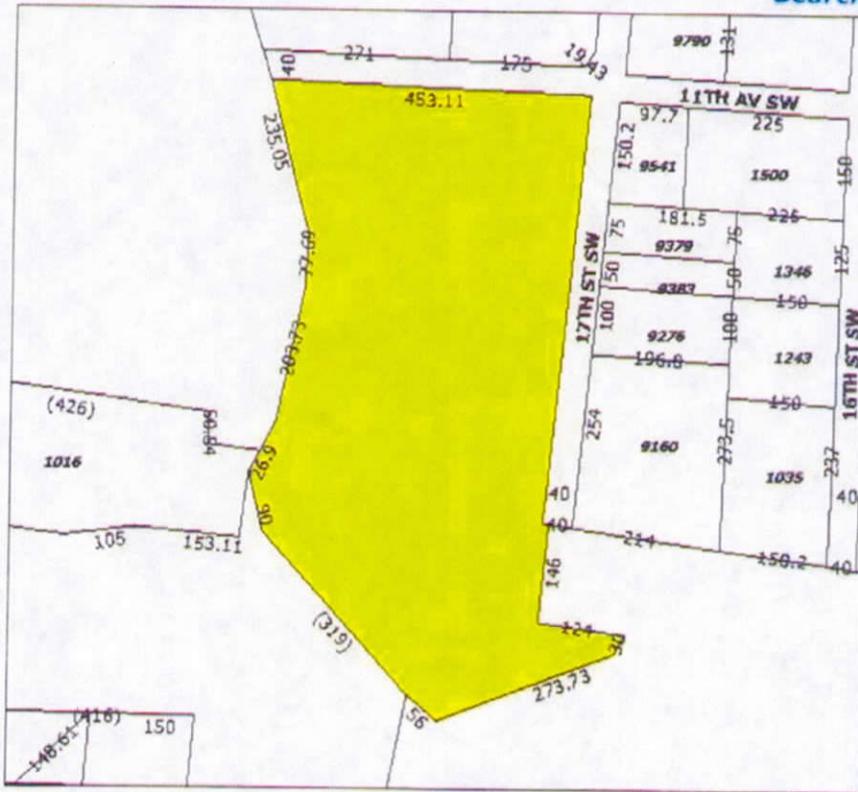
Real Estate Search



Parcel Summary		Printed Map Scale 1 inch = 178ft	
Parcel ID: 279211656333	Parcel Address: 1711 11TH AV SW, HICKORY		
Owner: MOSER SHARON K	Address: PO BOX 3526	City: HICKORY	
Owner2:	Address2:	State/Zip: NC, 28603-3526	
Building(s) Value: \$686,400	Land Value: \$179,700	Total Value: \$866,100	

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GEOSPATIAL INFORMATION SERVICES *Real Estate Search*
 CATAWBA COUNTY, NC



Parcel Summary		Printed Map Scale 1 inch = 175ft	
Parcel ID: 279211656333	Parcel Address: 1711 11TH AV SW, HICKORY		
Owner: MOSER SHARON K	Address: PO BOX 3526	City: HICKORY	
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<http://www.gis.catawba.nc.us/website/Parcel/printMapandReport.asp?pinc=279211656333...> 5/7/2008

GEOSPATIAL INFORMATION SERVICES

CATAWBA COUNTY, NC

Real Estate Search



Parcel Summary		Printed Map Scale 1 inch = 200ft	
Parcel ID: 279211656333		Parcel Address: 1711 11TH AV SW, HICKORY	
Owner: MOSER SHARON K	Address: PO BOX 3526	City: HICKORY	
Owner2:	Address2:	State/Zip: NC, 28603-3526	
Building(s) Value: \$686,400	Land Value: \$179,700	Total Value: \$866,100	

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Latitude/Longitude Report - Catawba County, NC**Decimal Degrees**

35.71943 -81.36953

Degrees Minutes Seconds

35 43' 9.95" -81 22' 10.31"

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Parcel Report - Catawba County, NC

Parcel Information:	Owner Information:
Parcel ID: 279211656333	Name: MOSER SHARON K
Parcel Address: 1711 11TH AV SW	Name2:
City: HICKORY 28602	Address: PO BOX 3526
LRK(REID): 36294	Address2:
Deed Book/Page: 2013/1043 Deed Image	City: HICKORY
Subdivision:	State/Zip: NC 28603-3526
Lots:	
Block:	
Last Sale: \$750,000 on 5/1/1995	
Plat Book/Page: /	School Information:
Calculated Acreage: 7.87	School District: HICKORY
Tax Map: 068H 04023A	Elementary School: SOUTHWEST
State Road:	Middle School: GRANDVIEW
Township: HICKORY	High School: HICKORY
Tax/Value Information: Tax Rates(pdf)	Zoning Information:
Municipal Tax District: HICKORY	Zoning District: HICKORY
Fire District:	Zoning1: I-1
Tax Account Number: 48580000	Zoning2:
Market Building(s) Value: \$686,400	Zoning3:
Market Land Value: \$179,700	Zoning Overlay:
Market Total Value: \$866,100	Small Area:
Year Built/Remodeled: 1966	Split Zoning District 1/2: 0/0
Current Tax Bill	Zoning Agency Phone Numbers
Miscellaneous:	
Voter Precinct: P19	Firm Panel Date: 9/5/2007
Building Code: COMMERCIAL or INDUSTRIAL	Firm Panel #: 3710279200J
Building Permits for this parcel	2010 Census Tract: 011101
WaterShed:	2010 Census Block: 1011
WaterShed Split:	
Parcel Report Data Descriptions	

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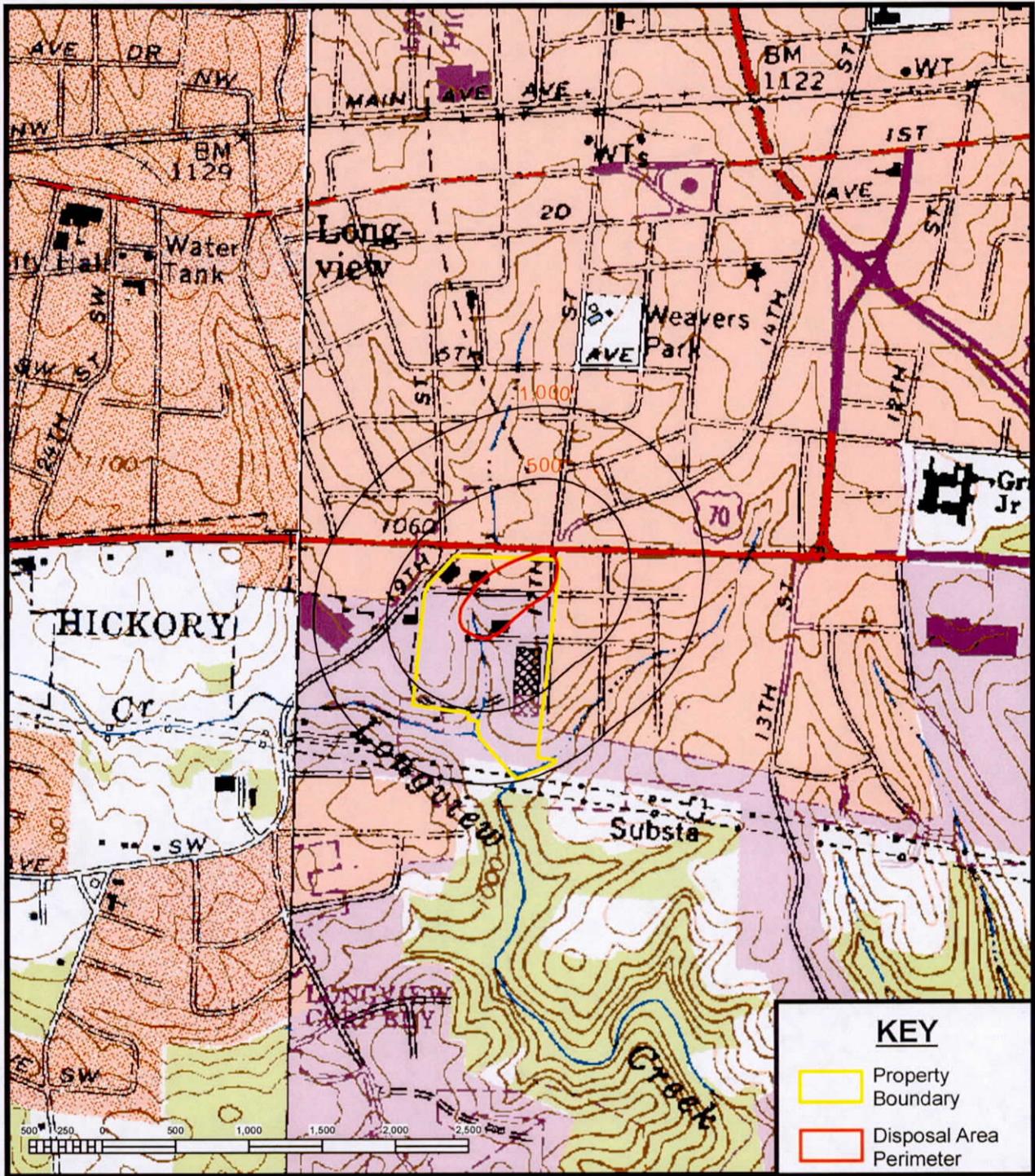


FIGURE 1

NCDENR/OLD UNLINED LANDFILL ASSESSMENTS
 LONG VIEW REFUSE DUMP
 NONCD0000219
 HICKORY, CATAWBA COUNTY,
 NORTH CAROLINA

1 inch equals 1,000 feet

TOPOGRAPHIC MAP

CATAWBA COUNTY
 LONGVIEW &
 HICKORY QUADS



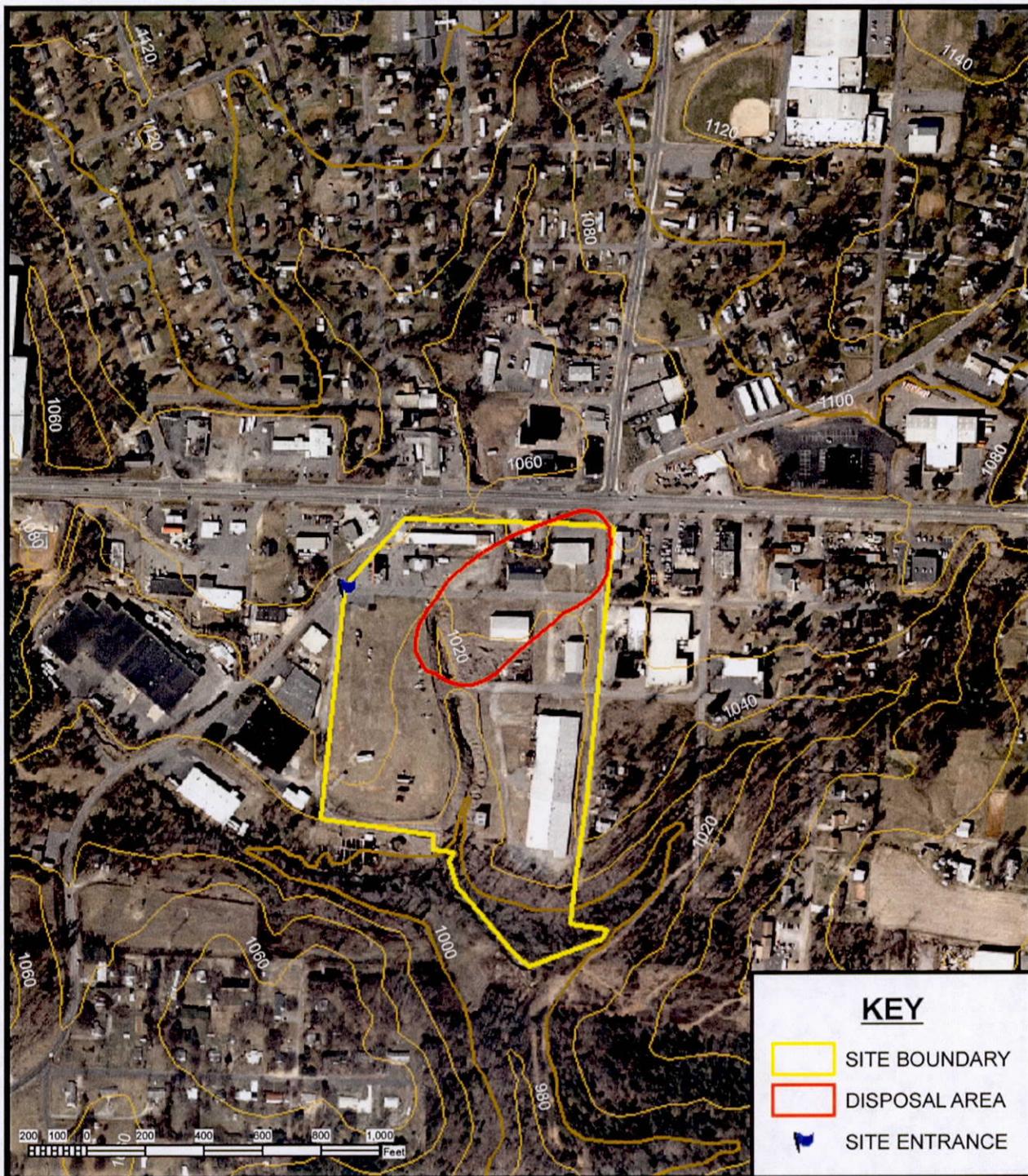
NORTH CAROLINA
 QUADRANGLE LOCATION

Prepared by:



NCUL108 06/2007

SOURCE:
 United States Geological Survey
 7.5" Quadrangles -
 Longview, NC 1970 &
 Hickory, NC 1993, Edited 1995



Contour Inreval = 20 Feet

FIGURE 3

NC DENR/OLD UNLINED LANDFILL ASSESSMENTS
 LONG VIEW REFUSE DUMP
 NONCD0000219
 HICKORY, CATAWBA COUNTY,
 NORTH CAROLINA

1 inch equals 500 feet

VICINITY MAP

CATAWBA COUNTY
 LONGVIEW & HICKORY
 QUADS



NORTH CAROLINA
 QUADRANGLE LOCATION

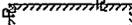
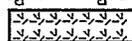
Prepared by:

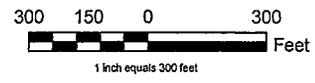
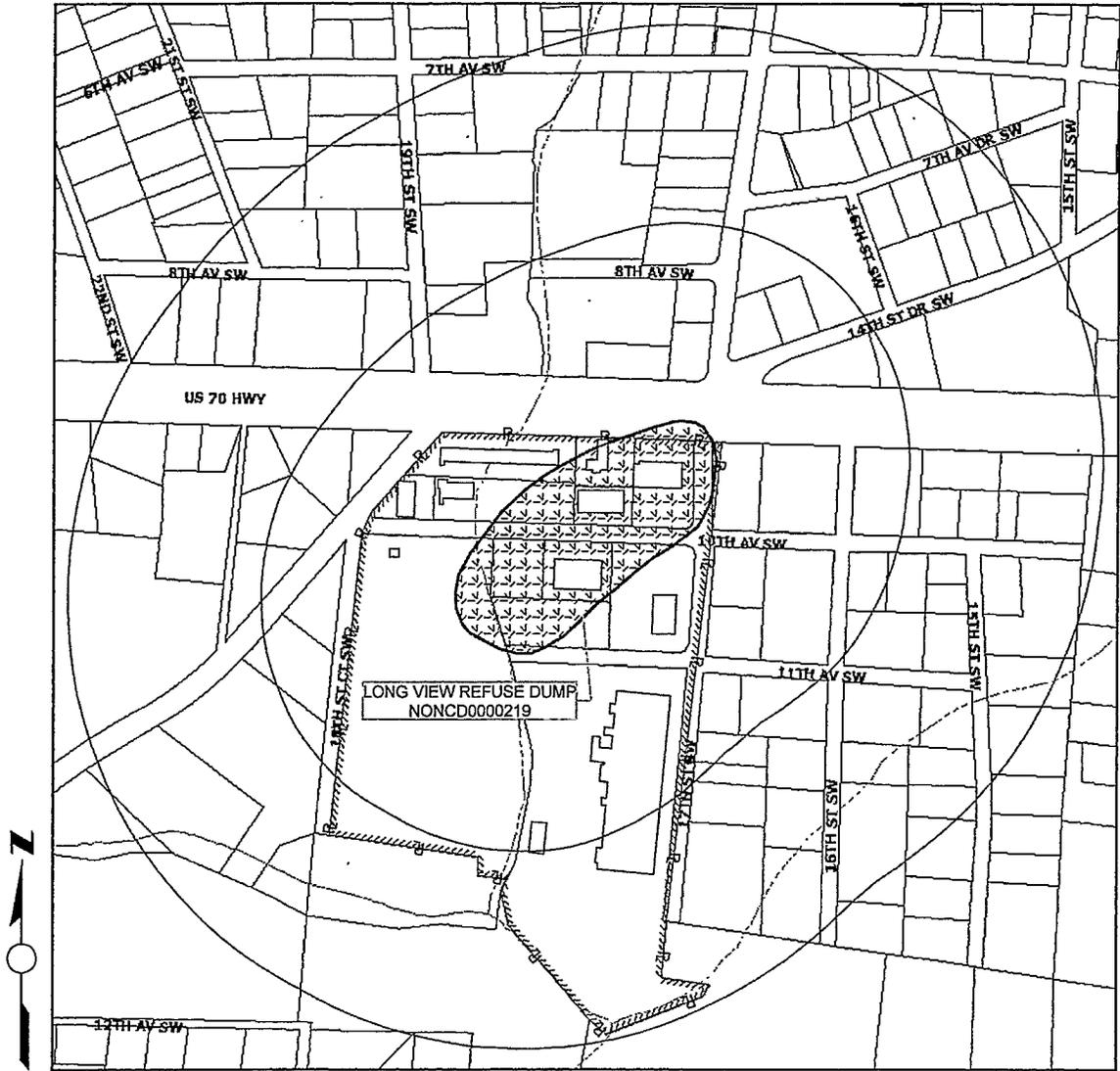


NCUL108 06/2007

SOURCE:
 - Catawba County Geospatial Information
 Services Web-Based Real Estate Search, 2005
 - Topographic data from the North Carolina Department
 of Transportation, Geographical Information
 Systems Unit

WATER WELL LEGEND
 NO WATER SUPPLY WELLS WERE IDENTIFIED
 WITHIN 1,000 FEET OF THE DISPOSAL AREA.

- Legend**
-  EXISTING PROPERTY LINE
 -  SITE BOUNDARY
 -  DISPOSAL AREA
 -  EXISTING ON-SITE STRUCTURE
 -  PERENNIAL STREAM
 -  INTERMITTENT STREAM



 Environmental Sciences & Design, Inc. 2400 W. ... Raleigh, N.C.	
DESIGNED: JAH	NO. DATE
DRAWN: JAH	REVISION
CHECKED: DW	
DATE: 06/15/2007	
SCALE: 1" = 300'	
PROJECT NO.: NCUL108	
FILE NO.: NCUL108	
NCDENR/OJD UNLINED LANDFILLS LONG VIEW REFUSE DUMP NONCD0000219 HICKORY, CATAWBA COUNTY, N.C. PROPERTY/WATER WELL LOCATION MAP	
FIGURE	
2	