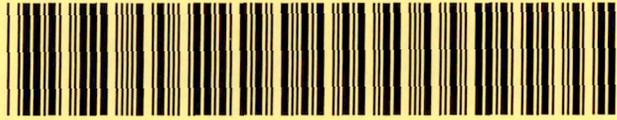


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DocumentID NONCD0002728

Site Name WILLIAMS, E. W. FACILITY

DocumentType Correspondence (C)

RptSegment 1

DocDate 11/28/2012

DocRcvd 11/28/2012

Box SF2081

AccessLevel PUBLIC

Division WASTE MANAGEMENT

Section SUPERFUND

Program IHS (IHS)

DocCat FACILITY



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. Tyson M. Williams, President  
E W Williams Construction Company, Inc.  
3105 Ward Street  
Raleigh, NC 27603

Re: Inactive Hazardous Waste Sites Priority List  
Williams, E W Facility  
Raleigh, Wake County

Dear Mr. Williams:

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.

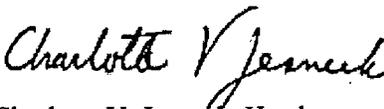
Under the REC program, the volunteer hires an environmental consulting firm, which the State has approved as having met certain qualifications, to implement a cleanup and certify that the work is being performed in compliance with regulations. In other words, the REC's certifications of compliance are 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. Jesneck, Head  
Inactive Hazardous Site Branch  
Superfund Section



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

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

December 13, 2011

Mr. Tyson M. Williams, President  
E W Williams Construction Company, Inc.  
3105 Ward Street  
Raleigh, NC 27603

Re: Inactive Hazardous Waste Sites Priority List  
Williams, E W Facility  
Raleigh, Wake County

Dear Mr. Williams:

The site listed above has been included on the October 2011 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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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.

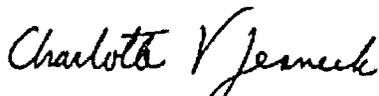
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If the Branch determines that the site should be assessed and cleaned up with direct State oversight, it will not be eligible for a REC-directed cleanup. Rather, the cleanup action will receive direct oversight by Branch staff.

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 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. Jesneck, Head  
Inactive Hazardous Site Branch  
Superfund Section

CVJ/slbb(SPLMERGELTR\_2011.DOCX)



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

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

July 27, 2011

Mr. Tyson M. Williams, President  
E W Williams Construction Company, Inc.  
3105 Ward Street  
Raleigh, NC 27603

Re: Inactive Hazardous Waste Sites Priority List  
Williams, E W Facility  
Raleigh, Wake County

Dear Mr. Williams:

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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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.

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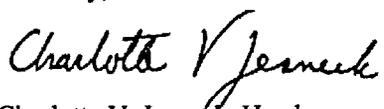
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If the Branch determines that the site should be assessed and cleaned up with direct State oversight, it will not be eligible for a REC-directed cleanup. Rather, the cleanup action will receive direct oversight by Branch staff.

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, Head  
Inactive Hazardous Site Branch  
Superfund Section

CVJ/slbb(SPLMERGELTR\_2010.DOCX)



## North Carolina Department of Environment and Natural Resources

Division of Waste Management

Beverly Eaves Perdue  
GovernorDexter R. Matthews  
DirectorDee Freeman  
Secretary

February 14, 2011

Mr. Tyson M. Williams, President  
Registered Agent  
E. W. Williams Construction Co., Inc.  
3105 Ward Street  
Raleigh, N.C. 27609Re: Response to REC Eligibility Letter  
E.W. Williams Construction Co., Inc.  
Raleigh, Wake County, NC  
NONCD 0002728

Dear Mr. Williams:

The Inactive Hazardous Sites Branch (the Branch) is in receipt of the Engineering & Environmental Science Company letter dated February 10, 2011. The letter indicated a Brownfields Application has been submitted for the E.W. Williams Construction site. The letter requests a delay in either taking the reference project into the REC Program or any enforcement action until it is determined if the site is eligible for the Brownfields Program. The Branch agrees to delay any enforcement actions until either the project has been accepted into the Brownfields Program or May 18, 2011, whichever, comes first.

If you have additional questions about the requirements that apply to your site, please contact me at (919) 508-8469.

Sincerely,

S. Wade Kirby, PE, PG, Environmental Engineer II  
Inactive Hazardous Sites Branch  
Superfund Section

cc: T. Patrick Shillington, PE – E2S

E<sup>2</sup>S

ENGINEERING & ENVIRONMENTAL SCIENCE COMPANY

3008 ANDERSON DRIVE, SUITE 102

RALEIGH, NC 27609

(919) 781-7798

STATE FILE

February 10, 2011

Mr. S. Wade Kirby, P.E., P.G.  
Environmental Engineer II  
Inactive Hazardous Site Branch  
1646 Mail Service Center  
Raleigh, NC 27699-1646

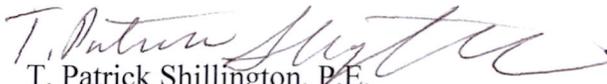
RE: E. W. Williams Construction Co., Inc.  
8200 Fayetteville Road  
Raleigh, Wake County NC  
NONCD 0002728

Mr. Kirby:

On behalf of E. W. Williams Construction Company, Inc., we are informing you that a Brownsfields eligibility application has been submitted for the EW Williams construction Co., Inc. Site. We request that entrance of the site into the REC program and or other enforcement actions be delayed until eligibility of the site is determined by the Brownsfields program. Once eligibility is determined EW Williams Construction Co, Inc. will notify the Inactive Hazardous Sites Branch of the proposed actions to be taken at the site.

If you have any questions, please contact me at (919) 539-8582 or Mr. Tyson Williams at (919) 760-3134.

Sincerely,

  
T. Patrick Shillington, P.E.  
President



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

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

**CERTIFIED MAIL**

December 6, 2010

Mr. Tyson M. Williams, President  
Registered Agent  
E. W. Williams Construction Co., Inc.  
3105 Ward Street  
Raleigh, N.C. 27609

Re: **NOTICE OF REC PROGRAM ELIGIBILITY**  
E.W. Williams Construction Co., Inc.  
Raleigh, Wake County, NC  
NONCD 0002728

Dear Mr. Williams:

E.W. Williams Construction Co., Inc (E.W. Williams) is the Responsible Party (RP) for the E.W. Williams Construction Co., Inc. site (the Site) on Fayetteville Road in Raleigh. This letter is being sent to you as the Registered Agent soliciting E.W. Williams' cooperation in entering the Site into the Registered Environmental Consultant (REC) Program.

On September 29, 2008, the Inactive Hazardous Sites Branch (the Branch) received a Site Cleanup Questionnaire (Questionnaire) for the Site. Based on the Questionnaire, the Branch determined the Site could be cleaned up through the REC Program, and a REC eligibility notification was sent to Mr. Henry Sink on October 15, 2008. Mr. Patrick Shillington with Engineering & Environmental Science Company responded to the notification on December 15, 2008 indicating the Site was being considered for the Brownfields Program and, if that was not a viable option, the Site would be entered into the REC Program.

Since the Site has not been entered into either the Brownfields Program or the REC Program, the Branch sent a Site Assessment Request (SAR) to Mr. Sink on February 22, 2010 because of failure to respond appropriately to the October 15, 2008 REC eligibility notification. Since E. W. Williams failed to response to the SAR, a notification that a Remedial Investigation Order was being considered was sent to you on September 15, 2010. E.W. Williams also failed to respond to this notification.

As documented in the June 2, 2008 Comprehensive Site Assessment, the onsite water supply well has been abandoned, which has helped to lower the Site's priority. However, under the law and as mentioned further below, prompt action still must be taken. Acknowledging E.W. Williams has undergone changes in company officers and contacts, the Branch again solicits E.W. Williams' cooperation in entering the Site into the REC Program.

Note that, if E.W. Williams has not already done so, it must take the initial abatement actions required under 15A NCAC 2L. Pursuant to 15A NCAC 2L .0106(b), any person (including corporations) 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, E.W. Williams must take

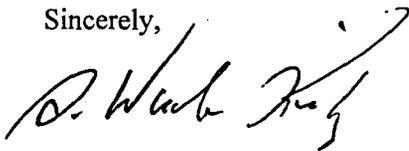
immediate action to eliminate the source or sources of contamination. Beyond initial abatement actions, all assessment and remediation will be done through the Inactive Hazardous Sites Response Act ("IHSRA").

Under the IHSRA, to receive approval of the assessment and clean up at the Site, E.W. Williams must enter into an administrative agreement with the Branch. Since the Branch has determined that the Site can be cleaned up through the REC Program, execution of a REC-Administrative Agreement (AA) is required. The procedures for entering into a REC-AA are attached. If you have any questions regarding these procedures or the REC Program, please contact the REC Program Manager, Kim Caulk, at (919) 508-8451 or visit the REC Program website at <http://portal.ncdenr.org/web/wm/sf/ihs/recprogram>.

If a response from E.W. Williams is not received by February 10, 2011 indicating its willingness to enter an REC-AA, the Branch will take further action to prioritize the Site. Failure to take the initial abatement steps required in 15A NCAC 2L may result in the assessment of a civil penalty against E. W. Williams. 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, an unilateral Order may be issued pursuant to § 130A-310.3 to compel assessment and cleanup. In addition, if E.W. Williams chooses not to conduct a cleanup voluntarily, 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").

In closing, please also be advised that a site's participation in a Brownfields Program (which requires that program's terms and conditions for admission into it be met) does not eliminate a responsible party's obligation to cleanup contamination at a Site. If you have additional questions about the requirements that apply to your site, please contact me at (919) 508-8469.

Sincerely,



S. Wade Kirby, PE, PG, Environmental Engineer II  
Inactive Hazardous Sites Branch  
Superfund Section

Enclosure: REC-AA Procedures

cc: Mr. Henry Sink, Sink & Potter



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

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

**MEMORANDUM**

**Date:** November 2, 2010

**To:** files

**From:** Wade Kirby – NCDENR/DWM/SF/IHSB

**RE:** E.W. Williams, Wake County – NONCD 0002728

EW Williams passed away on January 21, 2008.

The CSA is dated June 2, 2008.

The files do not contain any of the DWQ correspondences or previous reports. Apparently this site was discovered during a real estate transaction. Liebherr had an environmental assessment done prior to buying the parcel with the building. The EA is not in the files. 1,2-DCA was found in the onsite water supply well. Two areas of concerns were identified, three aboveground storage tanks and the wash pad. 264.19 tons of contaminated soil was removed.

The onsite water supply well was abandoned in March 2008 according to the CSA.

Public water is available to the area but nobody has done any survey to see who is connected. The CSA indicated there were numerous private water supply wells within the 1,500 foot radius.

The CSA was never approved, it fell between time period of project transfer. It does not appear that the contamination in groundwater or soil had been delineated and that is why we issued a Site Assessment request letter.

Henry Sink was apparently the attorney for the estate and previous coordination had been through him. Sue Robbins had requested the Site Cleanup Questionnaire and then notified Mr. Sink the site was eligible for the REC Program on October 15, 2008. The environmental consultant (E2S) replied on December 15, 2008 of the desire to take the site into the Brownsfield Program and if this was not possible, they would go into the REC Program.

Sue Robbins ranked the site on January 22, 2009 (score at 35.29). I sent the SAR to Henry Sink on February 22, 2010 since we never heard back on whether they were intending to go into the REC Program.

Environmental consultant representing Liebherr Construction called on July 14, 2010 to get a status of the property and whether we had gotten a response from the SAR sent out on February 22, 2010. He said his client was interested in purchasing the property and use it for parking. They own the adjacent property with the building. He said they would

Since we did not get a response from the SAR, I sent a letter to Tyson Williams (Mr. Williams' son) indicating we were considering issuing a RI Order for the site and gave him until October 18, 2010 to reply. We never heard back from him.

Soil had 7 SVOCs exceeding SG  
Chromium above SG at SB-3 and SB-4B

SOSID: 0162430  
Date Filed: 1/14/2010 8:45:00 AM  
Elaine F. Marshall  
North Carolina Secretary of State  
C201000800109

STATE OF NORTH CAROLINA  
DEPARTMENT OF THE SECRETARY OF STATE

STATEMENT OF CHANGE OF REGISTERED  
OFFICE AND/OR REGISTERED AGENT

Pursuant to §55D-31 of the General Statutes of North Carolina, the undersigned entity submits the following for the purpose of changing its registered office and/or registered agent in the State of North Carolina.

INFORMATION CURRENTLY ON FILE

The name of the entity is: E. W. Williams Construction Co., Inc.

Entity Type:  Corporation,  Foreign Corporation,  Nonprofit Corporation,  Foreign Nonprofit Corporation,  
 Limited Liability Company,  Foreign Limited Liability Company  Limited Partnership,  Foreign Limited Partnership,  
 Limited Liability Partnership,  Foreign Limited Liability Partnership

The street address and county of the entity's registered office currently on file is:

Number and Street: 1022 Washington Street

City, State, Zip Code: Raleigh, North Carolina 27605 County: Wake

The mailing address *if different from the street address* of the registered office currently on file is:  
3105 Ward Street, Raleigh, North Carolina 27609

The name of the current registered agent is: Henry H. Sink, Jr.

NEW INFORMATION

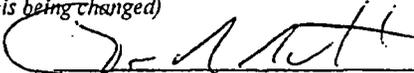
1. The street address and county of the new registered office of the entity is:  
*(complete this item only if the address of the registered office is being changed)*

Number and Street: 3105 Ward Street

City, State, Zip Code: Raleigh, N.C. 27603 County: Wake

2. The mailing address *if different from the street address* of the new registered office is:  
*(complete this item only if the address of the registered office is being changed)*  
3105 Ward Street, Raleigh, N. C. 27603

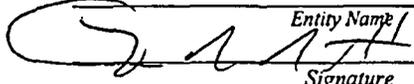
3. The name of the new registered agent and the new agent's consent to appointment appears below:  
*(complete this item only if the name of the registered agent is being changed)*

TYSON M. WILLIAMS   
*Type or Print Name of New Agent* *\* Signature & Title*

4. The address of the entity's registered office and the address of the business office of its registered agent, as changed, will be identical.

5. This statement will be effective upon filing, unless a date and/or time is specified: \_\_\_\_\_

This is the 8 day of January, 2010.

E. W. Williams Construction Co., Inc.  
  
*Entity Name* *Signature*  
TYSON M. WILLIAMS, PRESIDENT  
*Type or Print Name and Title*



North Carolina Department of Environment and Natural Resources

Division of Waste Management

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

**CERTIFIED MAIL**  
**Return Receipt Requested**

September 15, 2010

Mr. Tyson Williams  
E. W. Williams Construction Co., Inc.  
3105 Ward Street  
Raleigh, NC 27603

RE: E.W. Williams Construction Co., Inc.  
Raleigh, Wake County, NC  
NONCD 0002728

Dear Mr. Williams:

On February 22, 2010, the Inactive Hazardous Sites Branch ("the Branch") sent a letter to Mr. Henry Sink soliciting E.W. Williams' cooperation in monitoring, testing, analyzing and reporting on a site located on and adjacent to Fayetteville Road in Raleigh, North Carolina. The letter offered E.W. Williams 30 days to consider the request before the Branch would issue a *Remedial Investigation Order Pursuant To North Carolina General Statute 130A-310.1(c)* ("Remedial Investigation Order"). The 30 day offer period has expired and no written response has been received.

The Branch understands the registered agent for E.W. Williams has changed; therefore, the purpose of this letter is to warn you that the Branch is considering proceeding with issuing an Order to conduct a Remedial Investigation (as attached). Please respond to the Branch by October 18, 2010 with E. W. Williams' intentions to addressing the Remedial Investigation Request.

If you have any questions, please contact me at (919) 508-8469.

Sincerely,

S. Wade Kirby, PE, PG, Environmental Engineer II  
Inactive Hazardous Sites Branch  
Superfund Section

Attached

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Docket # \_\_\_\_-SF-\_\_\_\_

**NORTH CAROLINA DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES  
DIVISION OF WASTE MANAGEMENT  
SUPERFUND SECTION**

**IN RE: E.W.WILLIAMS CONSTRUCTION  
CO., INC.  
FAYETTEVILLE ROAD  
RALEIGH, NORTH CAROLINA  
WAKE COUNTY  
NONCD0002728**

**ORDER TO CONDUCT A  
REMEDIAL INVESTIGATION  
PURSUANT TO  
NORTH CAROLINA GENERAL  
STATUTE § 130A-310.1(c)  
DOCKET NUMBER \_\_-SF-\_\_**

## **I. JURISDICTION**

This Order is issued to E. W. Williams Construction Co., Inc. ("E. W. Williams") under authority vested in the Secretary of the North Carolina Department of Environment and Natural Resources (Department) by North Carolina's Inactive Hazardous Sites Response Act of 1987 (the Act), which constitutes Part 3, Article 9 of Chapter 130A of the North Carolina General Statutes (N.C.G.S.) §§ 130A-310 *et seq.* This authority has been delegated to the Chief of the Superfund Section (Chief) of the North Carolina Division of Waste Management (Division).

## **II. STATEMENT OF PURPOSE**

This Order is issued to E. W. Williams to cause such monitoring, testing, analysis and reporting as the Division deems reasonable and necessary to ascertain the nature and extent of any hazard posed by the inactive hazardous substance or waste disposal site (the Site) defined in Subsection III. A. of the Order.

## **III. FINDINGS OF FACT**

- A. The Site is the property currently owned by E. W. Williams on Fayetteville Road, the property formerly owned by E.W. Williams at 8200 Fayetteville Road, and any additional area which has become contaminated as a result of hazardous substances or waste disposed at that property.
- B. E. W. Williams conducted a Comprehensive Site Assessment (CSA) at the Site from March 2008 through June 2008. This effort included installation of soil borings for the collection of subsurface soil samples and monitoring wells for the collection of groundwater samples.
- C. Soil sampling conducted as part of the CSA revealed the presence of chromium, benzo(b)fluoranthene, benzo(a)anthracene, benzo(a)pyrene, chrysene, and

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dibenzo(a,h)anthracene exceeding the Branch's protection of groundwater soil remedial goals. Soil sampling in February 2006 also detected benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, dibenz(a,h)anthracene, indeno(1,2,3-cd)pyrene, and naphthalene exceeding the soil to groundwater standards.

- D. Groundwater sampling conducted as part of the CSA revealed the presence of arsenic, cadmium, chromium, lead, mercury, benzene, 1,2-dichloroethane, naphthalene, and bis (2-ethylhexyl) phthalate at concentrations exceeding the 15A NCAC 2L Groundwater Standards.
- E. The substances identified in Subsections C and D above are hazardous substances as defined in the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)/Superfund Amendments and Reauthorization Act (SARA), 42 U.S.C. §§ 9601 *et seq.*, and are thus such substances within the meaning of N.C.G.S. § 130A-310.1(c) pursuant to N.C.G.S. § 130A-310(2).
- F. The Site is an inactive hazardous substance or waste disposal site within the meaning of N.C.G.S. § 130A-310.1(c) pursuant to N.C.G.S. § 130A-310(3).
- G. There is or has been a release as defined in CERCLA/SARA, or substantial threat of a release, into the environment of the above-cited hazardous substances from the Site, and thus there is or has been such a release or threat of a release within the meaning of N.C.G.S. § 130A-310.1(c) pursuant to N.C.G.S. § 130A-310(6).
- H. E. W. Williams is a responsible party in relation to the Site within the meaning of N.C.G.S. § 130A-310.1(c) pursuant to N.C.G.S. §§ 130A-310(9) and 130A-310.7.
- I. Within the meaning of N.C.G.S. § 130A-310.1(c), the monitoring, testing, analysis and reporting required by this Order are reasonable and necessary to ascertain the nature and extent of any hazard posed by the Site.
- J. On August 6, 2008, the Inactive Hazardous Sites Branch ("the Branch") sent out a Notice of Regulatory Requirements for Contaminant Assessment and Cleanup (NORR) to notify E. W. Williams of reorganization and that the Site was transferred from the Division of Water Quality to the Branch. The NORR also requested completion of the *Site Cleanup Questionnaire* to determine whether the site could be entered into the Registered Environmental Consultant (REC) Program. The completed Site Cleanup Questionnaire was received on September 29, 2008.
- K. On October 15, 2008, the Branch notified E.W. Williams that the Site could be cleaned up through the REC Program and requested a response within 60 days of receipt. A response was received on December 15, 2008 indicating E.W. Williams

was interested in entering the REC Program if it was determined the Brownfields program was not an option for the Site.

- L. On February 22, 2010, the Branch issued a Site Assessment Request (SAR) letter to E. W. Williams. This letter solicited E.W. Williams' cooperation in monitoring, testing, analyzing and reporting on site. The Branch never received a response to the SAR letter.
- M. The cooperation of E.W. Williams has been solicited within the meaning of N.C.G.S. § 130A-310.1(c).
- N. The Secretary of the Department, and by delegation the Chief, is authorized to issue this Order pursuant to N.C.G.S. § 130A-310.1(c).

#### IV. ORDER

Based upon the foregoing Findings of Fact and Declarations, **IT IS HEREBY ORDERED** that:

- A. By **December 14, 2010**, E. W. Williams shall submit to the Division a proposed Remedial Investigation Plan (Plan) which complies with the current Inactive Hazardous Sites Program Guidelines for Assessment and Cleanup and the current U.S. Environmental Protection Agency (EPA) Region IV Environmental Investigations Standard Operating Procedures and Quality Assurance Manual (SOP). Exact references (by document and page number) to specific procedures in the SOP may be provided instead of a procedural narrative. The Plan shall be organized in sections corresponding to the following items and include at least:
  - 1. Site location information including site street address, longitude and latitude, and identification of owners and use of the Site and all surrounding property.
  - 2. A summary of all management practices employed at the Site for hazardous wastes and any wastes that may have contained hazardous substances, including a list of types and amounts of waste generated, treatment and storage methods, and ultimate disposition of wastes; a description of the facility's past and current RCRA status; the location and condition of any vessels currently or previously used to store any chemical products, hazardous substances or hazardous wastes; and a summary of the nature of all on-site contaminant releases, including one-time disposals or spills.
  - 3. United States Geological Survey topographic maps sufficient to display topography within a one-mile radius of the Site.

4. A site map drawn to scale including scale; north arrow; and locations of property boundaries, buildings, structures, all perennial and non-perennial surface water features, drainage ditches, dense vegetation, known and suspected spill or disposal areas, sumps, septic systems, stormwater conduit, underground utilities, storage vessels, and existing on-site wells.
5. Identification of environmentally sensitive areas on all properties that make up the Site and on all properties adjacent to the Site including:
  - State Parks
  - Areas Important to Maintenance of Unique Natural Communities
  - Sensitive Areas Identified Under the National Estuary Program
  - Designated State Natural Areas
  - State Seashore, Lakeshore and River Recreational Areas
  - Rare species (state and federal Threatened and Endangered)
  - Sensitive Aquatic Habitat
  - State Wild and Scenic Rivers
  - National Seashore, Lakeshore and River Recreational Areas
  - National Parks or Monuments
  - Federal Designated Scenic or Wild Rivers
  - Designated and Proposed Federal Wilderness and Natural Areas
  - National Preserves and Forests
  - Federal Land designated for the protection of Natural Ecosystems
  - Critical Areas Identified Under the Clean Lakes Program
  - State-Designated Areas for Protection or Maintenance of Aquatic Life
  - State Preserves and Forests
  - Terrestrial Areas Utilized for Breeding by Large or Dense Aggregations of Animals
  - National or State Wildlife Refuges
  - Marine Sanctuaries
  - National and State Historical Sites
  - Areas Identified Under Coastal Protection Legislation
  - Coastal Barriers or Units of a Coastal Barrier Resources System
  - Spawning Areas Critical for the Maintenance of Fish/Shellfish Species within River, Lake or Coastal Tidal Waters
  - Migratory Pathways and Feeding Areas Critical for Maintenance of Anadromous Fish Species within River Reaches or Areas in Lakes or Coastal Tidal Waters in which such Fish Spend Extended Periods of Time
  - State Lands Designated for Wildlife or Game Management
  - Wetlands
  - Natural Areas Attracting Ecological Receptors
  - Areas of Stressed Vegetation or Stressed Wildlife
6. A chronological listing of all previous owners and each period of ownership since the Site was originally developed from pristine land.
7. Available operational history with aerial photographs and Sanborne Fire Insurance maps to support land-use history.
8. Site environmental permit history, including all federal, state, and local

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environmental permits, past and present, issued to E. W. Williams or within E. W. Williams's custody or control. E. W. Williams shall provide copies of any such permits upon request by the Division.

9. A summary of all previous and ongoing environmental investigations and environmental regulatory involvement with the Site, and copies of all associated reports and laboratory data.
10. Proposed procedures for characterizing site geologic and hydrogeologic conditions and identifying and delineating each contamination source as to each affected environmental medium, including any plan for special assessment such as a geophysical survey.
11. Proposed methods, locations, depths of, and justification for, all sample collection points for all media sampled, including monitoring well locations and anticipated screened intervals.
12. Proposed field and laboratory procedures for quality assurance/quality control.
13. Proposed analytical parameters and analytical methods for all samples.
14. A contact name, address and telephone number for the principal consultant and laboratory, and qualifications and certifications of all consultants, laboratories and contractors expected to perform work in relation to this work plan. Any laboratory retained must currently be either certified to analyze applicable certifiable parameters under Title 15A of the North Carolina Administrative Code, Subchapter 2H, Section .0800, or be a contract laboratory under the EPA Contract Laboratory Program.
15. Equipment and personnel decontamination procedures.
16. A proposed schedule for site activities and reporting.
17. Any other information considered relevant by the remediating party.
18. A signed and notarized certification by a company official with the express authority to bind the company stating: "I certify that, to the best of my knowledge, after thorough investigation, the information contained in or accompanying this certification is true, accurate, and complete."
19. A signed and notarized certification by the consultant responsible for the day to day remedial activities stating: "I certify that, to the best of my knowledge, after thorough investigation, the information contained in or accompanying this certification is true, accurate, and complete."

20. If the Plan includes any work that would constitute the "practice of engineering" as defined by N.C.G.S. § 89C, the signature and seal of a professional engineer must be included. If the Plan includes any work that would constitute the "public practice of geology" as defined by N.C.G.S. § 89E, the signature and seal of a licensed geologist is required.
- B. Within thirty (30) days of receiving notice from the Division of any deficiency in the Plan, E. W. Williams shall submit to the Division information or material sufficient to correct such deficiency.
- C. E. W. Williams shall begin the Remedial Investigation no sooner than receiving written approval of the Plan from the Division, nor later than thirty (30) days thereafter.
- D. E. W. Williams shall notify the Division no less than ten (10) days prior to any field activity.
- E. Within the time provided in the approved Plan's schedule, E. W. Williams shall submit to the Division a Remedial Investigation Report documenting implementation of the approved Plan, organized in sections corresponding to the following items, and including at least:
1. A narrative description of how the investigation was conducted, including a discussion of any variances from the approved work plan.
  2. A description of groundwater monitoring well design and installation procedures, including drilling methods used, completed drilling logs, "as built" drawings of all monitoring wells, well construction techniques and materials, geologic logs, and copies of all well installation permits.
  3. A map, drawn to scale, showing all soil, surface water and sediment sample locations and monitoring well locations in relation to known disposal areas or other sources of contamination. Monitoring wells must be surveyed to a known benchmark. Soil sample locations must be surveyed to a known benchmark or flagged with a secure marker until after the remedial action is completed. Monitoring well locations and elevations must be surveyed by a Professional Land Surveyor.
  4. A description of all laboratory quality control and quality assurance procedures followed during the Remedial Investigation.
  5. A description of procedures used to manage drill cuttings, purge water and decontamination water.

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6. A summary of site geologic conditions, including a description of soils and vadose zone characteristics.
7. A description of site hydrogeologic conditions (if hazardous substances have been detected in groundwater), including current uses of groundwater, notable aquifer characteristics, a water table elevation contour map with groundwater flow patterns depicted, tabulated groundwater elevation data, and a description of procedures for measuring water levels.
8. Tabulation of analytical results for all sampling (including sampling dates and soil sampling depths) and copies of all laboratory reports (including QA/QC support data referenced to specific samples).
9. Soil, groundwater, surface water and sediment contaminant delineation maps and cross sections, including scale and sampling points with contaminant concentrations.
10. A description of procedures and the results of any special assessments such as geophysical surveys, immunoassay testing (EPA SW-846 4000 series methods), soil gas surveys, or test pit excavations.
11. Copies of all field logs and notes, and, where available, color copies of site photographs.
12. A demonstration, supported by sampling data, that the areal and vertical extent of hazardous substance contamination in each affected medium has been delineated to the satisfaction of the Division in accordance with the current version of the Division's *Inactive Hazardous Sites Program Guidelines for Assessment and Cleanup*.
13. If groundwater contamination exists at the Site, an inventory and map of all wells, springs, and surface-water intakes used as sources of water within a one-half mile radius of the center of the Site. If the Site is greater than one hundred (100) acres in size, the inventory and map must cover a one-mile radius from the center of each source area.
14. Any other information considered relevant by the remediating party.
15. A signed and notarized certification by a company official with the express authority to bind the company stating: "I certify that, to the best of my knowledge, after thorough investigation, the information contained in or accompanying this certification is true, accurate, and complete."
16. A signed and notarized certification by the consultant responsible for the day to day remedial activities stating: "I certify that, to the best of my knowledge,

after thorough investigation, the information contained in or accompanying this certification is true, accurate, and complete."

17. If the Remedial Investigation Report includes any work that would constitute the "practice of engineering" as defined by N.C.G.S. § 89C, the signature and seal of a professional engineer must be included. If the Remedial Investigation Report includes any work that would constitute the "public practice of geology" as defined by N.C.G.S. § 89E, the signature and seal of a licensed geologist is required.
- F. Within thirty (30) days of receiving notice from the Division of any deficiency in the Remedial Investigation Report, E. W. Williams shall submit to the Division information or material sufficient to correct such deficiency. When the Division determines that the Remedial Investigation is complete, the Division will notify E. W. Williams in writing.
- G. Should additional Remedial Investigation work phases be necessary, E. W. Williams shall submit the subsequent work phase investigation plan within thirty (30) days of receiving notice from the Division of the additional work phase required.
- H. If the Division determines that hazardous substances or waste disposed at the Site have affected any drinking water wells, E. W. Williams shall, by a deadline established by the Division, provide an alternate drinking water source for users of those wells.

## V. ADDITIONAL PROVISIONS

- A. All documents submitted to the Division pursuant to this Order shall be sent to:

S. Wade Kirby, PE, PG  
Inactive Hazardous Sites Branch  
North Carolina Department of Environment and Natural Resources  
401 Oberlin Road – Suite 150  
Raleigh, NC 27605-1350

All work plans and reports shall be submitted in both paper and in an electronic format designated by the Division. Currently, electronic copies shall be submitted in PDF/A format with a minimum resolution of 300 dpi.

- B. E. W. Williams shall provide a copy of this Order to each contractor or other person or entity retained to perform any work under this Order within seven (7) days after the effective date of this Order or the date of retaining their services, whichever is later. E. W. Williams shall condition any such contracts upon satisfactory compliance with this Order. Notwithstanding the terms of any contract, E. W. Williams is responsible for compliance with this Order and for ensuring that such

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contractors, or other persons or entities comply with this Order.

- C. In the event the Division determines E. W. Williams is in violation of this Order or requirements established pursuant thereto, the Division may: order E. W. Williams to remedy the violation(s) or temporarily or permanently halt implementation of this Order; conduct part or all of the assessment and any necessary remediation itself and seek cost recovery; and/or take any other action it deems appropriate within the Division's authority regarding inactive hazardous substance or waste disposal sites.
- D. If conditions so require, the Division may order a temporary or permanent halt to implementation of this Order, or order actions within its authority regarding inactive hazardous substance or waste disposal sites in addition to or other than those required hereunder.
- E. All actions required pursuant to this Order shall be in accordance with applicable local, state and federal laws and regulations, unless an exemption regarding particular state or local laws or regulations is specifically provided in this Order now or later.
- F. E. W. Williams shall preserve, for at least six (6) years after termination of this Order, all records and documents in its possession or in the possession of its divisions, employees, agents, accountants, contractors or attorneys which relate in any way to this Order. After this six (6)-year period, E. W. Williams shall notify the Division at least thirty (30) days prior to the destruction of any such records and documents. E. W. Williams shall comply with any written request by the Division, prior to the day set for destruction, to continue to preserve such records and documents or to provide them to the Division. E. W. Williams may assert any available right to keep particular records and documents, other than analytical data, confidential.
- G. Nothing herein shall constitute a satisfaction of, or release from, liability for any claim arising as a result of operation, ownership or use of the Site by E. W. Williams its agents, contractors, lessees, successors or assigns.
- H. While this Order is in effect, Division personnel and their representatives may, in addition to exercising any related legal rights, enter the Site without notice at all times, and, while present: review the progress of activities required by this Order; conduct such tests as the Division deems necessary; verify the data submitted to the Division by E. W. Williams; inspect and copy any and all records, files, photographs, operating logs, contracts, sampling and monitoring data, and other documents relating in any way to this Order; and otherwise assess E. W. Williams's compliance with this Order. All parties with access to the Site pursuant to this Order shall comply with all approved health and safety plans.
- I. Except for obligations under Subsection F above, this Order shall terminate when E. W. Williams receives written notice from the Division that all activities required

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pursuant to this Order have been performed to the Division's satisfaction.

**VI. OPPORTUNITY TO REQUEST A HEARING**

E. W. Williams has the right to request an administrative hearing to contest this Declaration and Order. To exercise this right, E. W. Williams must file a written petition with the Office of Administrative Hearings in accordance with N.C.G.S. § 150B within sixty (60) days of receipt of this Declaration and Order. A copy of the petition must also be served on Mary Penny Thompson, General Counsel, Department of Environment and Natural Resources, 1601 Mail Service Center, Raleigh, North Carolina 27699-1601.

**VIII. INFORMAL CONFERENCE**

Whether or not E. W. Williams requests an administrative hearing, E. W. Williams may request an informal conference with the Division to discuss this matter and provide additional information. If E. W. Williams desires an informal conference, please contact:

S. Wade Kirby, PE, PG  
Inactive Hazardous Sites Branch  
North Carolina Department of Environment and Natural Resources  
401 Oberlin Road – Suite 150  
Raleigh, NC 27605-1350  
Telephone: (919) 508-8469

Note: The scheduling of an informal conference will not relieve E.W. Williams of the need to file a written petition for a contested case hearing with the Office of Administrative Hearings within sixty (60) days of receipt of this Declaration and Order, if an appeal is desired.

**SO ORDERED** this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BY: \_\_\_\_\_  
Jack Butler, PE  
Superfund Section Chief  
Division of Waste Management  
North Carolina Department of Environment  
and Natural Resources

SOSID: 0162430  
Date Filed: 1/14/2010 8:45:00 AM  
Elaine F. Marshall  
North Carolina Secretary of State  
C201000800109

STATE OF NORTH CAROLINA  
DEPARTMENT OF THE SECRETARY OF STATE

STATEMENT OF CHANGE OF REGISTERED  
OFFICE AND/OR REGISTERED AGENT

Pursuant to §55D-31 of the General Statutes of North Carolina, the undersigned entity submits the following for the purpose of changing its registered office and/or registered agent in the State of North Carolina.

INFORMATION CURRENTLY ON FILE

The name of the entity is: E. W. Williams Construction Co., Inc.

Entity Type:  Corporation,  Foreign Corporation,  Nonprofit Corporation,  Foreign Nonprofit Corporation,  
 Limited Liability Company,  Foreign Limited Liability Company  Limited Partnership,  Foreign Limited Partnership,  
 Limited Liability Partnership,  Foreign Limited Liability Partnership

The street address and county of the entity's registered office currently on file is:

Number and Street: 1022 Washington Street

City, State, Zip Code: Raleigh, North Carolina 27605 County: Wake

The mailing address *if different from the street address* of the registered office currently on file is:  
3105 Ward Street, Raleigh, North Carolina 27609

The name of the current registered agent is: Henry H. Sink, Jr.

NEW INFORMATION

1. The street address and county of the new registered office of the entity is:  
*(complete this item only if the address of the registered office is being changed)*

Number and Street: 3105 Ward Street

City, State, Zip Code: Raleigh, N.C. 27603 County: Wake

2. The mailing address *if different from the street address* of the new registered office is:  
*(complete this item only if the address of the registered office is being changed)*

3105 Ward Street, Raleigh, N. C. 27603

3. The name of the new registered agent and the new agent's consent to appointment appears below:  
*(complete this item only if the name of the registered agent is being changed)*

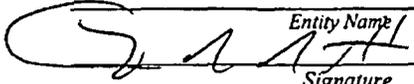
TYSON M. WILLIAMS  
*Type or Print Name of New Agent*

  
*\* Signature & Title*

4. The address of the entity's registered office and the address of the business office of its registered agent, as changed, will be identical.

5. This statement will be effective upon filing, unless a date and/or time is specified: \_\_\_\_\_

This is the 8 day of January, 2010.

E. W. Williams Construction Co., Inc.  
*Entity Name*  
  
*Signature*  
TYSON M. WILLIAMS, PRESIDENT  
*Type or Print Name and Title*



[Home](#)

**Wake County Real Estate Data  
Ownership History**

[iMaps](#)  
[Tax Bills](#)

Real Estate ID 0354735 PIN # 0689862418

**WAKE  
COUNTY**

Location Address  
8200 FAYETTEVILLE  
RD

Property Description  
LO1 PROP OF E W WILLIAMS CONSTRUCTIO CO  
BM2007-00295

Account  
Search

[Pin/Parcel History](#) [Search Results](#) [New Search](#)

NORTH CAROLINA [Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)



Owner Name	Type	% Own	Stamps	Book	Page	Date
Current LIEBHERR MINING & CONSTRUCTION EQUI		ALL	2400.00	12397	2262	02-13-2007
1 Back E W WILLIAMS CONSTRUCTION CO INC		ALL	.00	03119	0302	05-11-1983

For questions regarding the information displayed on this site, please contact the Revenue Department at [RevHelp@wakegov.com](mailto:RevHelp@wakegov.com) or call 919-856-5400.

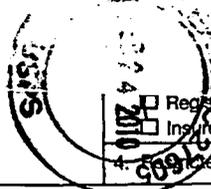
**SENDER: COMPLETE THIS SECTION**

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature x <i>B S McLamb</i>		<input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name) <i>B S McLamb</i>	C. Date of Delivery	
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If yes, print delivery address below: <input type="checkbox"/> No		

MR. HENRY SINK  
E.W. WILLIAMS CONSTRUCTION CO., INC.  
P.O. BOX 1471  
RALEIGH, NC 27602



<input type="checkbox"/> Registered Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Restricted Delivery? (Extra Fee)	<input type="checkbox"/> C.O.D.

2. Article Number (Transfer from service label) **7006 0100 0000 8340 5633**

UNITED STATES POSTAL SERVICE

NC 27605

24 FEB 2010

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. 640

• Sender: Please print your name, address, and ZIP+4 in this box •

RECEIVED  
FEB 25 2010  
SUPERFUND SECTION

S. WADE KIRBY, PE, PG. ENVIRONMENTAL ENGINEER II  
INACTIVE HAZARDOUS SITE BRANCH SUPERFUND SECTION  
NCDENR  
401 OBERLIN ROAD STE. 150  
RALEIGH, NC 27605

150





North Carolina Department of Environment and Natural Resources

Division of Waste Management

Dexter R. Matthews

Director

Beverly Eaves Perdue  
Governor

Dee Freeman  
Secretary

**CERTIFIED MAIL**

**Return Receipt Requested**

February 22, 2010

Mr. Henry Sink

E. W. Williams Construction Co., Inc

P.O. Box 1471

Raleigh, NC 27602

RE: E. W. Williams Construction Co., Inc  
8200 Fayetteville Road  
Raleigh, Wake County, NC  
NONCD 0002728

Dear Mr. Sink:

This letter is written to solicit your cooperation in monitoring, testing, analyzing and reporting on the E.W. Williams Construction Co, Inc. Site located at 8200 Fayetteville Road, Raleigh, North Carolina (the "Site").

The Division of Waste Management (the "Division") has determined that there is a release, or substantial threat of a release into the environment of a hazardous substance from the Site. Based on information on the release the Division considers the Site to be a high priority for assessment.

Based on the review of the Comprehensive Site Assessment dated June 8, 2008, contaminants including benzene, 1, 2-dichloroethane, naphthalene and hazardous substance list metals have been detected in groundwater at the Site. Additional groundwater assessment is necessary to delineate the extent of contamination and identify the sources before an effective remedial action program can be implemented.

In light of these facts, the Division requests that you conduct additional groundwater assessment under the supervision of the Inactive Hazardous Sites Branch. By May 28, 2010, please submit a draft Site Assessment Plan (Plan) that complies with the current *Inactive Hazardous Sites Branch Guidelines for Assessment and Cleanup* <http://portal.ncdenr.org/web/wm/sf/ihs/ihsguide>). The draft Plan must include the following items:

1. Site location information including site street address, longitude and latitude, and site and surrounding property land use.
2. Site survey plat (prepared and certified by a Professional Land surveyor) including scale; benchmarks; north arrow; locations of property boundaries, buildings, structures, all perennial and non-perennial surface water features, drainage ditches, dense vegetation, known and suspected spill or

disposal areas, underground utilities, storage vessels, existing on-site wells; and identification of all adjacent property owners and land usage.

3. Summary of all previous and ongoing environmental investigations and environmental regulatory involvement with the Site, and copies of all associated reports and laboratory data.
4. Proposed procedures for characterizing site geologic and hydrogeologic conditions and identifying and delineating each contamination source as to each affected environmental medium, including any plan for special assessment such as a geophysical survey.
5. Proposed methods, locations, depths of, and justification for, all sample collection points for all media sampled, including monitoring well locations and anticipated screened intervals.
6. Proposed location of background well and samples.
7. Proposed field and laboratory procedures for quality assurance/quality control.
8. Proposed analytical parameters and analytical methods for all samples.
9. Contact name, address and telephone number for the principal consultant and laboratory, and qualifications and certifications of all consultants, laboratories and contractors expected to perform work in relation to this Plan. Any laboratory retained must currently be either certified to analyze applicable certifiable parameters under Title 15A of the North Carolina Administrative Code, Subchapter 2H, Section .0800, or be a contract laboratory under the EPA Contract Laboratory Program.
10. Equipment and personnel decontamination procedures.
11. Proposed schedule for site activities and reporting.
12. Any other information considered relevant by the remediating party.
13. Signed and notarized certification by a corporate official in charge of a principal business function for businesses stating: "I certify that, to the best of my knowledge, after thorough investigation, the information contained in or accompanying this certification is true, accurate, and complete."
14. Signed and notarized certification by the consultant responsible for the day to day remedial activities stating: "I certify that, to the best of my knowledge, after thorough investigation, the information contained in or accompanying this certification is true, accurate, and complete."
15. If the Plan includes any work that would constitute the "practice of engineering" as defined by N.C.G.S. 89C, the signature and seal of a professional engineer is required. If the Plan includes any work that would constitute the "public practice of geology" as defined by N.C.G.S. 89E, the signature and seal of a licensed geologist is required.

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

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

1. Narrative description of how the assessment was conducted, including a discussion of any variances from the approved Plan.
2. Description of groundwater monitoring well design and installation procedures, including well drilling methods used, completed drilling logs, "as built" drawings of all monitoring wells, well construction techniques and materials, geologic logs, and copies of all well installation permits.
3. Undated map, drawn to scale, showing all soil, surface water and sediment sample locations and monitoring well locations in relation to known disposal areas or other sources of contamination. Monitoring wells must be surveyed to a known benchmark. Soil sample locations must be surveyed to a known benchmark or flagged with a secure marker until after the remedial action is completed. Monitoring well locations and elevations must be surveyed by a Professional Land Surveyor.
4. Description of all laboratory quality assurance and quality control procedures followed during the remedial investigation.
5. Description of procedures used to manage drill cuttings, purge water and decontamination water.
6. Descriptions of site hydrogeologic conditions (if hazardous substances have been detected in groundwater), including current uses of groundwater, notable aquifer characteristics, a water table elevation contour map with groundwater flow patterns depicted, tabulated groundwater elevation data, and a description of procedures used for measuring water levels.
7. Tabulation of analytical results for all sampling (including sampling dates and soil sampling depths) and copies of all laboratory reports (including QA/QC support data referenced to specific samples).
8. Soil, groundwater, surface water and sediment contaminant delineation maps and cross sections, including scale and sampling points with contaminant concentrations.
9. Description of procedures and the results of any special assessments such as geophysical surveys, immunoassay testing (EPA SW-846 4000 series methods), soil gas surveys, or test pit excavations.
10. Copies of all field logs and notes, and, where available, color copies of site photographs.
11. Demonstration, supported by sampling data, that the areal and vertical extent of hazardous substance contamination in each affected medium has been delineated to the satisfaction of the Division in accordance with the current version of the Division's *Inactive Hazardous Sites Branch Guidelines for Assessment and Cleanup*.
12. Any other information considered relevant by the remediating party.
13. Signed and notarized certification by a corporate official in charge of a principal business function stating: "I certify that, to the best of my knowledge, after thorough investigation, the information contained in or accompanying this certification is true, accurate, and complete."
14. Signed and notarized certification by the consultant responsible for the day to day remedial activities stating: "I certify that, to the best of my knowledge, after thorough investigation, the information contained in or accompanying this certification is true, accurate, and complete."
15. If the Plan includes any work that would constitute the "practice of engineering" as defined by N.C.G.S. 89C, the signature and seal of a professional engineer is required. If the Plan includes any work that would constitute the "public practice of geology" as defined by N.C.G.S. 89E, the signature and seal of a licensed geologist is required.

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

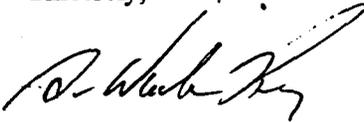
All documents submitted to the Division in relation to this work must be sent to:

S. Wade Kirby, PE, PG  
Inactive Hazardous Sites Branch  
Superfund Section  
NC Division of Waste Management  
401 Oberlin Road – Suite 150  
Raleigh, NC 27605-1350

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

This offer shall expire at the close of business on March 29, 2010, so please notify the Division, in writing, if E. W. Williams intends to comply with our request. If you have any questions, concerning this assessment request, please contact me at (919) 508-8469.

Sincerely,



S. Wade Kirby, PE, PG, Environmental Engineer II  
Inactive Hazardous Sites Branch  
Superfund Section

SAR-11/04/09



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

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

December 9, 2009

Mr. Henry Sink, Secretary  
E W Williams Construction Company, Inc.  
Post Office Box 1471  
Raleigh, NC 27605

Re: Inactive Hazardous Waste Sites Priority List  
Williams, E W Facility  
Raleigh, Wake County

Dear Mr. Sink:

The site listed above has been included on the October 2009 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 attached. 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://www.wastenotnc.org/sfhome/SiteCleanupQuestionnaire.htm>. 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.

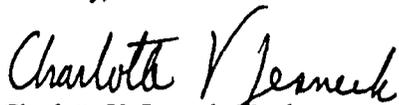
Under the REC program, the volunteer hires an environmental consulting firm, which the State has approved as having met certain qualifications, to implement a cleanup and certify that the work is being performed in compliance with regulations. In other words, the REC's certifications of compliance are in place of direct oversight by the Branch. Details of the REC program can be found at <http://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.

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://www.wastenotnc.org/sfhome/IHSB\\_RegionalMap.htm](http://www.wastenotnc.org/sfhome/IHSB_RegionalMap.htm) 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.

Sincerely,



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

CVJ/slb(SPLMERGELTR\_2009.WPD)

Enclosure

E<sup>2</sup>S

ENGINEERING & ENVIRONMENTAL SCIENCE COMPANY

3008 ANDERSON DRIVE, SUITE 102

RALEIGH, NC 27609

(919) 781-7798

STATE FILE



December 15, 2008

Inactive Hazardous Sites Branch  
Attn: Sue Robbins  
127 Cardinal Drive Ext.  
Wilmington, North Carolina 28405

Re: NORR for Contaminant Assessment and Cleanup  
E. W. Williams Construction Company  
Raleigh, Wake County, NC  
NONCD0002728

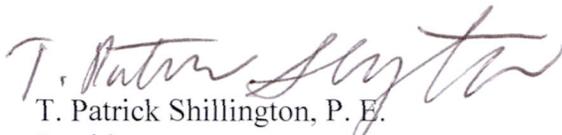
Dear Ms. Robbins:

According to a letter from you, dated October 15, 2008 explaining the requirements for the above referenced site. The site is currently being considered for the Brownfields Initiative, which requires agreements outlining activities needed to make the site suitable for reuse.

Additionally, regarding potential receptors, the down gradient well located adjacent to the property will likely be appropriately abandoned. This action further reduces the risk to public as a result of contamination located at the above referenced site.

Please consider this letter as notification that we intend on entering the REC Program if the Brownfields program is not determined to be a viable option for this site.

Sincerely,

  
T. Patrick Shillington, P. E.  
President



STATE FILE

North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

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

**CERTIFIED MAIL**

**7007 0220 0000 8225 1578**

October 15, 2008

Mr. Henry Sink  
E.W. Williams Construction Co., Inc.  
PO Box 1471  
Raleigh, NC 27602

Re: **NOTICE OF REGULATORY REQUIREMENTS FOR CONTAMINANT ASSESSMENT AND CLEANUP**  
**E.W. Williams Construction Company**  
**Raleigh, Wake County, NC**  
**NONCD0002728**

Dear Mr. Sink:

Thank you for submitting the Site Cleanup Checklist/Questionnaire (Questionnaire) for the above subject site (Site). The Branch has completed its review of the Questionnaire and determined that the Site can be cleaned up through the REC ("Registered Environmental Consultant") Program without direct oversight by Branch Staff.

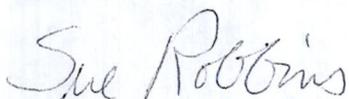
Note that, if you have not already done so, you must take the initial abatement actions required under 15A NCAC 2L, Groundwater Classifications and Standards. Pursuant to 15A NCAC 2L .0106(b), any person conducting or controlling an activity which results in the discharge of a waste or hazardous substance 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 Inactive Hazardous Sites Response Act ("IHSRA"), codified under N.C. Gen. Stat. § 130A-310.

Under the IHSRA, to receive approval of the assessment and clean up at the Site, you must enter into an administrative agreement with the Branch. Since the Branch has determined that the Site can be cleaned up through the REC Program, execution of an REC-Administrative Agreement (AA) is required. The procedures for entering into an REC-AA are attached. If you have any questions regarding these procedures or the REC Program, please contact the REC Program Manager, Kim Caulk, at (919)508-8451 or visit the REC Program website at <http://www.wastenotnc.org/SFHOME/recprog.htm>.

If we do not receive a response from you within the next 60 days indicating your willingness to enter an REC-AA, the Branch will take further action to prioritize the Site. 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. In addition, if you choose not to conduct a cleanup voluntarily, 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").

If you have additional questions about the requirements that apply to your site, please contact me at (910) 796-7411.

Sincerely,



Sue Robbins  
Hydrogeologist  
Inactive Hazardous Sites Branch  
Superfund Section

Enclosure: REC-AA Procedures

CC: Patrick Shillington, Engineering & Environmental Science Company, 3008 Anderson Drive, suite 102, Raleigh, NC 27609  
IHSB Files

Benzo ( b) fluoranthene - above SG in SB-2A  
Benzo (a) pyrene - above SG in SB-2A  
Dibenzo (a,h) anthracene - above SG in SB-2A

#### Groundwater

Cadmium and Chromium above Class GA Groundwater Standard in NW-5, NW-6 and NW-7  
Lead exceedance in NW-1, NW-5, NW-6, and NW-7 and former onsite water supply well  
Arsenic exceedance in NW-5  
Benzene in NW-7  
1,2-Dichloroethane in MW-1  
Lead exceedance in NW-6, NW-7 and NW-9  
Mercury in NW-6 and NW-7  
Benzene in MW-1  
Naphthalene in MW-1  
Bis (2-ethylhexyl) phthalate in NW-6 and DCW-1

1,2 DCA was detected in the onsite water supply well and MW-1 during a July 2003 sampling event. The water supply well was resampled in May 2006 and 1,2-DCA was not detected then. Lead was detected in the water supply well and the detections was above 2L. 1,2-DCA was not detected in MW-1 during a March 2008 sampling event, but benzene and naphthalene were detected above 2L standards. This monitoring well is upgradient from the site and neare the intersection of Gelder Road and US 401.

Site Cleanup Questionnaire

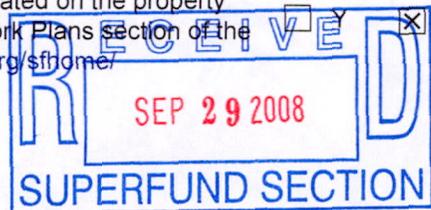
STATE FILE

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 writtendescriptions where needed.

NO INC 0002728

NCDENR Site Name, City and County E. W. Williams Facility Raleigh, Wake County, North Carolina

- 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 daycare center. 75.39
- 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? 208.48
- 9. What is the distance to the nearest downstream surface water intake? + 1/2 mile
- 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/sfrhome/stateleadguidance.pdf](http://www.wastenotnc.org/sfrhome/stateleadguidance.pdf))?  Y  N  
If yes, or unknown, please explain on a separate page.



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, Henry H. Sink, Jr., Secretary of E.W. Williams Construction Co., Inc. 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.

Henry H. Sink, Jr., Secretary  
(Signature of Remediating Party Representative)

September 9 2008  
(Date)

Henry H. Sink, Jr., Secretary  
(Printed Name and Title of Remediating Party Representative)

E.W. Williams Construction Co., Inc.  
(Printed Name of Company)

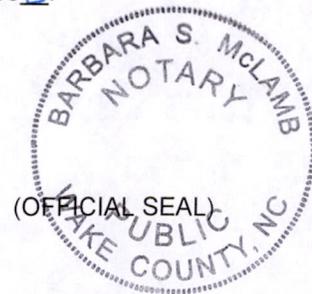
STATE OF North Carolina

COUNTY OF Wake

I, Barbara S. McLamb, a Notary Public of said County and State, do hereby certify that Henry H. Sink, Jr., Secretary of E.W. Williams Construction Co., Inc. 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 9 day of September, 2008.

Barbara S. McLamb  
Notary Public (signature)



My commission expires: 10-23-2012

**Environmental Consultant Certification Statement**

After first being duly sworn or affirmed, I, T. Patrick Shillington, 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.

T. Patrick Shillington

(Signature)

9 Sept 08

(Date)

T. Patrick Shillington, P. E.

(Printed Name)

Engineering & Environmental Science Company

(Printed Name of Environmental Consultant)

STATE OF North Carolina

COUNTY OF Wake

I, Barbara S. McLamb, a Notary Public of said County and State, do hereby certify that T. Patrick Shillington personally appeared before me this day, produced proper identification in the form of NC drivers 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 9 day of September, 2008.

Barbara S McLamb

Notary Public (signature)



My commission expires: 10-23-2012

## **Site Cleanup Questionnaire**

### **E. W. Williams Facility Raleigh, Wake County, North Carolina**

#### **General Site History and Nature of Release:**

Since the beginning of the site evaluation work the subject site has been subdivided into three parcels (see Attached Map, Book of Maps 2007, Page 295 Wake County Registry copy attached), Liehberr Equipment owns Parcel 1, WR & DC Willis owns Parcel 2 and E. W. Williams Estate owns Parcel 3. At the Liehberr site, initial site investigations revealed a release primarily from three (3) above ground storage tanks (AST's) and a concrete wash pad that were located on the west side or directly behind the facility building. The AST's contained motor oil, hydraulic fluid, and used motor oil. The wash pad was used for cleaning equipment prior to repair. Approximately 264.19 tons of contaminated soils were removed from the former AST and former wash pad area, and disposed at Soil Works, Inc. in Johnson County, NC on April 26, 2005. Other than the AST and wash pad area, not other soil contamination was detected.

Groundwater analytical test results indicated detection of lead and 1,2-Dichloroethane compounds in the on-site water supply well. 1,2-Dichloroethane was also detected upgradient of the site at MW-1. The compound was detected above the Class GA Groundwater Standards. Soil sampling to include upslope of the site did not detect this contaminant. This contaminant is likely from an off site source. Lead was detected in the water supply well and in NW-1, however soil contamination in the area of the warehouse facility did not indicate lead contamination.

Lot 1 generally meets the soil and groundwater standards, it is requested that this parcel of the property be excluded from the Inactive Hazardous Waste Site determination. The majority of the property is enclosed with a fence. The on-site water supply well has been closed and the facility is connected to the water supply system.

Additional site investigations revealed a second release having occurred on the site on Lot 3 per BM 2007, 295.. The release was detected in the former equipment maintenance, staging and storage area south of the building. This area is also known to have various fill materials or buried debris, including metal, such as minor railroad track, railroad ties, concrete and asphalt. No abatement measures have occurred in the second release area. This property is owned by E. W. Williams Construction Co., Inc..

Soil and Groundwater contamination exists on the subject property (as shown in the attached Tables excerpted from the Comprehensive Site Assessment). Concentrations exceeding the Class GA Groundwater Standards were noted in groundwater at the site. Concentrations exceeding the Soil-to-Groundwater Standards were noted in soils at the site. Metal contaminants appear to be of a higher impact from the onsite releases to the subject property than any other compounds.

1. Properties located to the south and east of the subject property are residential. The property located immediately to the south west of the subject property contains a residence.
2. See attached map
3. Security measures include: a portion of the property is fenced along the facility, and the remainder of the property is covered with stone.
4. Soil contamination exceeding the Soil-to-Groundwater standard for seven (7) semi-Volatile Organic Compounds (sVOC's) was detected at Test Pit TP-3. Chromium was indicated at levels above the Soil-to-Groundwater standard in SB-3, SB-4B, and SB-6, Benzo (b) fluoranthene was indicated at levels above the Soil-to-Groundwater standard in SB-2A. Benzo (a) anthracene was indicated at levels above the Soil-to-Groundwater standard in SB-2A. Benzo(a) pyrene was indicated at levels above the Soil-to-Groundwater Standard in SB-2A. Dibenzo (a,h) anthracene was indicated at levels above the Soil-to-Groundwater standard in SB-2A.
5. Groundwater analytical test results from 2008 sampling indicated chromium exceeding the Class GA Groundwater Standard at NW-7. Results indicated lead exceeding the Class GA Groundwater Standard at NW-6, NW-7, and NW-9. Results indicated mercury exceeding the Class GA Groundwater Standard at NW-6 and NW-7. Results indicated benzene exceeding the Class GA Groundwater Standard at MW-1. Results indicated bis (2-Ethylhexyl)phthalate exceeding the Class GA Groundwater Standard at MW-1. Metals contaminants appear to be of higher impact from the onsite releases to the subject property than any other compounds. The indicated presence of bis(2-Ethylhexyl)phthalate exceeding the Class GA Groundwater Standard at NW-6 and DCW-1 is believed to be a component of PVC breakdown or a laboratory artifact. It is unlikely that this compound is present as a result of a release. Contaminants indicated in MW-1 are likely attributed to an off-site release. MW-1 is located up-gradient from releases on the subject property, and groundwater flow direction data indicate that groundwater flow at the subject property is southwesterly, this contaminants associate with the on-site release are unlikely to have impacted MW-1. Lead contaminants exceeding the groundwater standards were detected in an off-site monitoring well (MW-9). Groundwater flow does not indicate that Lead contaminants in groundwater from the on-site release may be impacting the adjacent property.
6. n/a
7. Groundwater investigations indicated the presence of lead and chlorinated compounds at the on-site water supply well. The well was subsequently closed, and the facility was attached to public water. Water Supply Well sampling conducted in 2008 on the southwestern adjacent property indicated no compounds exceeding the standards.
8. n/a
9. n/a
10. n/a
11. n/a

12. n/a
13. n/a
14. n/a
15. n/a

**CSA Table 4 page 1: 2003 Soil Sampling Information**

Sample ID	Date & Time	Matrix	Depth, ft.	Collection Method	Test
SS-2	7/24/03 12:00	Soil		Grab	TPH 5030/3550/9071

**CSA Table 4 page 2: 2003 & 2004 Soil Sampling Results**

Sample ID	Total Petroleum Hydrocarbon (TPH) Content, ppm		
	5030, as gasoline	3550, as diesel	9071, as oil and grease
SS-2	<1.00	<10.00	397

**CSA Table No. 6: 2006 Investigation Soil Sampling Information**

Sample ID	Date & Time	Matrix	Sample Depth, ft.	Collection Method	Test
TP-1F	2/8/06 9:30	Soil	N/A	Composite	8260, 8270
TP-1V	2/8/06 9:35	Soil	12-15	Grab, handauger	8260, 8270
TP-2F	2/8/06 12:00	Soil	N/A	Composite	8260, 8270
TP-2V	2/8/06 9:40	Soil	12-15	Grab, handauger	8260, 8270
TP-3F	2/8/06 12:50	Soil	N/A	Composite	8260, 8270
TP-4F	2/8/06 13:10	Soil	N/A	Composite	8260, 8270
TP-5F	2/8/06 13:20	Soil	N/A	Composite	8260, 8270
TP-6F	2/8/06 13:25	Soil	N/A	Composite	8260, 8270
TP-7F	2/8/06 13:30	Soil	N/A	Composite	8260, 8270
TP-8F	2/8/06 13:40	Soil	N/A	Composite	8260, 8270
TP-8V	2/8/06 14:00	Soil	22-25	Grab, handauger	8260, 8270

CSA Table No. 7: 2006 Investigation Soil Sampling Results

Page 1

Analytical Method		8260	8260	8260	8260	8270	8270	8270	8270	8270	8270	8270	8270
Contaminant of Concern →		Acetone	Benzene	2-Butanone	MTBE	Acenaphthene	Acenaphthylene	Anthracene	Benzo (a) anthracene	Benzo (a) pyrene	Benzo (b) fluoranthene	Benzo (g,h,i) perylene	Benzo (k) fluoranthene
Sample ID	Sample Depth, ft												
TP-1F	N/A	0.143	<0.00176	<0.0439	<0.00176	<0.332	<0.332	<0.332	<0.332	<0.332	<0.332	<0.332	<0.332
TP-1V	12-15	0.0977	<0.00164	<0.0411	<0.00164	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331
TP-2F	N/A	0.145	<0.00184	<0.0460	<0.00184	<0.325	<0.325	<0.325	0.419	0.438	0.423	<0.325	0.383
TP-2V	12-15	<0.0417	<0.00167	<0.0417	<0.00167	<0.333	<0.333	<0.333	<0.333	<0.333	<0.333	<0.333	<0.333
TP-3F	N/A	0.205	0.00173	<0.0429	<0.00172	1.98	0.69	6.5	17.1	15.5	13.6	8.46	12.3
TP-4F	N/A	0.144	<0.00162	<0.0405	0.0118	<0.324	<0.324	<0.324	<0.324	<0.324	<0.324	<0.324	<0.324
TP-5F	N/A	0.175	<0.00166	<0.0416	<0.00166	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331
TP-6F	N/A	0.226	<0.00163	<0.0408	0.00262	<0.322	<0.322	<0.322	<0.322	<0.322	<0.322	<0.322	<0.322
TP-7F	N/A	0.142	<0.00172	<0.0430	<0.00172	<0.327	<0.327	<0.327	<0.327	<0.327	<0.327	<0.327	<0.327
TP-8F	N/A	0.391	<0.00193	0.0782	<0.00193	<0.326	<0.326	<0.326	<0.326	<0.326	<0.326	<0.326	<0.326
TP-8V	22-25	0.0547	<0.00170	<0.0426	<0.00170	<0.328	<0.328	<0.328	<0.328	<0.328	<0.328	<0.328	<0.328
Soil-to-Groundwater Standard, ppm		3	0.0056	0.7	0.92	8	11	995	0.34	0.091	1	6720	12

**Bold** values exceed Soil-to-Groundwater Standard Concentrations  
 No standard available or calculable for Carbazole.

**CSA Table No. 7: 2006 Investigation Soil Sampling Results**

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Analytical Method		8270	8270	8270	8270	8270	8270	8270	8270	8270	8270	8270
Contaminant of Concern →		Carbazole	Chrysene	Dibenz (a,h) anthracene	Dibenzofuran	Fluoranthene	Fluorene	Indeno (1,2,3-cd) pyrene	2-Methylnaphthalene	Naphthalene	Phenanthrene	Pyrene
Sample ID	Sample Depth, ft											
TP-1F	N/A	<0.332	<0.332	<0.332	<0.332	<0.332	<0.332	<0.332	<0.332	<0.332	<0.332	<0.332
TP-1V	12-15	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331
TP-2F	N/A	<0.325	<b>0.424</b>	<0.325	<0.325	<b>0.841</b>	<0.325	<0.325	<0.325	<0.325	<b>0.437</b>	<b>0.723</b>
TP-2V	12-15	<0.333	<0.333	<0.333	<0.333	<0.333	<0.333	<0.333	<0.333	<0.333	<0.333	<0.333
TP-3F	N/A	<b>2.74</b>	<b>16</b>	<b>3.59</b>	<b>1.37</b>	<b>37.6</b>	<b>2.66</b>	<b>8.18</b>	<b>0.388</b>	<b>0.589</b>	<b>20.4</b>	<b>28.7</b>
TP-4F	N/A	<0.324	<0.324	<0.324	<0.324	<0.324	<0.324	<0.324	<0.324	<0.324	<0.324	<0.324
TP-5F	N/A	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331	<0.331
TP-6F	N/A	<0.322	<0.322	<0.322	<0.322	<0.322	<0.322	<0.322	<0.322	<0.322	<0.322	<0.322
TP-7F	N/A	<0.327	<0.327	<0.327	<0.327	<0.327	<0.327	<0.327	<0.327	<0.327	<0.327	<0.327
TP-8F	N/A	<0.326	<0.326	<0.326	<0.326	<0.326	<0.326	<0.326	<0.326	<0.326	<0.326	<0.326
TP-8V	22-25	<0.328	<0.328	<0.328	<0.328	<0.328	<0.328	<0.328	<0.328	<0.328	<0.328	<0.328
Soil-to-Groundwater Standard, ppm		NS	38	0.17	4.7	276	44	3	3	0.58	60	286

**Bold** values exceed Soil-to-Groundwater Standard Concentrations  
 No standard available or calculable for Carbazole.

**CSA Table No. 8: 2008 Soil Sampling Information**

Sample ID	Date & Time	Matrix	Sample Depth, ft.	Collection Method	Test
NW-8	3/14/08 12:00	Soil	2.0' BGS	Grab	8260, 8270, PCB, Total RCRA Metals, Pesticides, Herhicides
NW-9	3/14/08 15:00	Soil	4.0' BGS	Grab	8260, 8270, PCB, Total RCRA Metals, Pesticides, Herhicides
NW-10	3/14/08 16:00	Soil	8.0' BGS	Grab	8260, 8270, PCB, Total RCRA Metals, Pesticides, Herhicides
SB-1	3/14/08 16:30	Soil	8.0' BGS	Grab	8260, 8270, PCB, Total RCRA Metals, Pesticides, Herhicides
SB-2A	3/18/08 9:00	Soil	6.0 ' BGS	Grab	8260, 8270, PCB, Total RCRA Metals, Pesticides, Herhicides
SB-2B	3/18/08 9:30	Soil	12.0' BGS	Grab	8260, 8270, PCB, Total RCRA Metals, Pesticides, Herhicides
SB-3	3/18/08 10:30	Soil	8.0' BGS	Grab	8260, 8270, PCB, Total RCRA Metals, Pesticides, Herhicides
SB-4A	3/18/08 11:30	Soil	6.0' BGS	Grab	8260, 8270, PCB, Total RCRA Metals, Pesticides, Herhicides
SB-4B	3/18/08 12:00	Soil	12.0' BGS	Grab	8260, 8270, PCB, Total RCRA Metals, Pesticides, Herhicides
SB-5A	3/18/08 10:30	Soil	4.0' BGS	Grab	8260, 8270, PCB, Total RCRA Metals, Pesticides, Herhicides
SB-5B	3/18/08 11:00	Soil	12.0' BGS	Grab	8260, 8270, PCB, Total RCRA Metals, Pesticides, Herhicides
SB-6	3/18/08 12:00	Soil	8.0' BGS	Grab	8260, 8270, PCB, Total RCRA Metals, Pesticides, Herhicides

**CSA Table 11: 2006 Groundwater Sampling Information**

Sample ID	Date & Time	Matrix	Depth, ft.	Collection Method	Test
NW-5	5/5/06 15:50	Ground Water	N/A	Grab, bailer	Total RCRA Metals, 601, 602, 625
NW-6	5/5/06 15:20	Ground Water	N/A	Grab, bailer	Total RCRA Metals, 601, 602, 625
NW-7	5/5/06 14:30	Ground Water	N/A	Grab, bailer	Total RCRA Metals, 601, 602, 625
WSW-1	5/5/06 12:20	Drinking Water	N/A	Grab, bailer	3030C Total Lead & Chromium

CSA Table No. 9: Soils VOC's and SVOC's

Analytical Method →		8270	8270	8270	8270	8270	8270	8270	8270	8270	8270
Contaminant of Concern →		Acenaphthene	Anthracene	Benzo (b) fluoranthene	Benzo (a) anthracene	Benzo (k) flouranthene	Benzo (a) pyrene	Benzo (g,h,i) perylene	bis (2-Ethylhexyl) phthalate	Chrysene	Dibenzo (a,h)anthracene
Sample ID	Sampled Date										
NW-8	3/14/2008	<0.2	<0.2	<0.2	<0.2	<0.2	<0.1	<0.2	<0.2	<0.2	<0.2
NW-9	3/14/2008	<0.2	<0.2	<0.2	<0.2	<0.2	<0.1	<0.2	<0.2	<0.2	<0.2
NW-10	3/14/2008	<0.2	<0.2	<0.2	<0.2	<0.2	<0.1	<0.2	<0.2	<0.2	<0.2
SB-1	3/14/2008	<0.2	<0.2	<0.2	<0.2	<0.2	<0.1	<0.2	<0.2	<0.2	<0.2
SB-2A	3/17/2008	<b>0.3</b>	<b>0.5</b>	<b>1.3</b>	<b>1.3</b>	<b>1.3</b>	<b>1</b>	<b>0.4</b>	<0.2	<b>1.3</b>	<b>0.2</b>
SB-2B	3/17/2008	<0.2	<0.2	<0.2	<0.2	<0.2	<0.1	<0.2	<b>0.4</b>	<0.2	<0.2
SB-3	3/17/2008	<0.2	<0.2	<0.2	<0.2	<0.2	<0.1	<0.2	<0.2	<0.2	<0.2
SB-4A	3/17/2008	<0.2	<0.2	<0.2	<0.2	<0.2	<0.1	<0.2	<b>0.4</b>	<0.2	<0.2
SB-4B	3/17/2008	<0.2	<0.2	<0.2	<0.2	<0.2	<0.1	<0.2	<0.2	<0.2	<0.2
SB-5A	3/18/2008	<0.2	<0.2	<0.2	<0.2	<0.2	<0.1	<0.2	<0.2	<0.2	<0.2
SB-5B	3/18/2008	<0.2	<0.2	<0.2	<0.2	<0.2	<0.1	<0.2	<0.2	<0.2	<0.2
SB-6	3/18/2008	<0.2	<0.2	<0.2	<0.2	<0.2	<0.1	<0.2	<b>0.5</b>	<0.2	<0.2
Soil-to-Groundwater MSCC, ppm →		<b>8.2</b>	<b>1000</b>	<b>1.2</b>	<b>0.34</b>	<b>12</b>	<b>0.091</b>	<b>6700</b>	<b>5.6</b>	<b>38</b>	<b>0.17</b>
Residential MSCC, ppm →		<b>940</b>	<b>4600</b>	<b>0.88</b>	<b>0.88</b>	<b>9</b>	<b>0.088</b>	<b>469</b>	<b>46</b>	<b>88</b>	<b>0.088</b>

Bold values exceed 2L Standard Concentrations  
 No values exceed GCL Standard Concentrations  
 Highlighted values indicated a result above Reporting Limits

CSA Table No. 9: Soils VOC's and SVOC's

2

Analytical Method →		8270	8270	8270	8270	8270
Contaminant of Concern →						
Sample ID	Sampled Date					
		Fluoranthene	Fluorene	Indeno (1,2,3-cd) pyrene	Phenanthrene	Pyrene
NW-8	3/14/2008	<0.2	<0.2	<0.2	<0.2	<0.2
NW-9	3/14/2008	<0.2	<0.2	<0.2	<0.2	<0.2
NW-10	3/14/2008	<0.2	<0.2	<0.2	<0.2	<0.2
SB-1	3/14/2008	<0.2	<0.2	<0.2	<0.2	<0.2
SB-2A	3/17/2008	2.7	0.2	0.4	1.9	1.9
SB-2B	3/17/2008	<0.2	<0.2	<0.2	<0.2	<0.2
SB-3	3/17/2008	0.3	<0.2	<0.2	<0.2	0.2
SB-4A	3/17/2008	<0.2	<0.2	<0.2	<0.2	<0.2
SB-4B	3/17/2008	<0.2	<0.2	<0.2	<0.2	<0.2
SB-5A	3/18/2008	0.2	<0.2	<0.2	<0.2	0.2
SB-5B	3/18/2008	<0.2	<0.2	<0.2	<0.2	<0.2
SB-6	3/18/2008	<0.2	<0.2	<0.2	<0.2	<0.2
Soil-to-Groundwater MSCC, ppm →		280	44	3.3	60	290
Residential MSCC, ppm →		620	620	0.88	469	469

Bold values exceed 2L Standard Concentrations  
 No values exceed GCL Standard Concentrations  
 Highlighted values indicated a result above Reporting Limits

**CSA Table No. 9: 2008 Soils Metals & PCBS Results**

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Analytical Method →			6010	8260	6010	6010	6010	7470	6010	6010	8082
Contaminant of Concern →			Arsenic	Barium	Cadmium	Chromium	Lead	Mercury	Selenium	Silver	PCB
Sample ID	Date Sampled	Sample Depth, ft.									
NW-8	3/14/2008 12:00	2.0' BGS	< 2.5	8.4	< 0.5	5.1	< 5	< 0.2	< 20	< 2.5	< 0.2
NW-9	3/14/2008 15:00	4.0' BGS	< 2.5	26	< 0.5	5.5	6.2	< 0.2	< 20	< 2.5	< 0.2
NW-10	3/14/2008 16:00	8.0' BGS	< 2.5	13	< 0.5	24	< 5	< 0.2	< 20	< 2.5	< 0.2
SB-1	3/14/2008 16:30	8.0' BGS	3.4	44	< 0.5	20	18	< 0.2	< 20	< 2.5	< 0.2
SB-2A	3/18/2008 9:00	6.0' BGS	< 2.5	140	< 0.5	10	59	< 0.2	< 20	< 2.5	< 0.2
SB-2B	3/18/2008 9:30	12.0' BGS	< 2.5	16	< 0.5	5.5	5.5	< 0.2	< 2.5	< 2.5	< 0.2
SB-3	3/18/2008 10:30	8.0' BGS	5.2	42	< 0.5	53	8.4	< 0.2	< 20	< 2.5	< 0.2
SB-4A	3/18/2008 11:30	6.0' BGS	3.6	67	< 0.5	17	91	< 0.2	< 20	< 2.5	< 0.2
SB-4B	3/18/2008 12:00	12.0' BGS	3.5	11	< 0.5	34	< 5	< 0.2	< 20	< 2.5	< 0.2
SB-5A	3/18/2008 10:30	4.0' BGS	< 2.5	58	< 0.5	15	110	< 0.2	< 10	< 2.5	< 0.2
SB-5B	3/18/2008 11:00	12.0' BGS	2.7	8	< 0.5	21	< 5	< 0.2	< 10	< 2.5	< 0.2
SB-6	3/18/2008 12:00	8.0' BGS	9.7	16	< 0.5	48	< 5	< 0.2	< 10	< 2.5	< 0.2
Soil-to-Groundwater MSCC, ppm →				848	N/A	27	270	N/A	N/A	N/A	N/A
Residential MSCC, ppm →				1095	N/A	47	400	N/A	N/A	N/A	N/A

**Bold** values exceed 2 Standard Concentrations.

No values exceed GCL Standard Concentrations.

Highlighted values indicated a result above Reporting Limits

**CSA Table 12: 2006 Groundwater Analytical Test Results**

ANALYTICAL METHOD →		6010	6010	6010	6010	6010	7470	6210	6210
Contaminant of Concern →		Arsenic	Barium	Cadmium	Chromium	Lead	Mercury	Benzene	MTBE
Sample ID	Date Sampled								
NW-5	5/5/06	73.7	948	14.0	308	828	<0.200	<0.500	0.690
NW-6	5/5/06	<100	1400	11.0	757	921	<0.200	<0.500	2.58
NW-7	5/5/06	27.5	374	7.0	337	166	0.209	8.48	26.2
WSW-1	5/5/06	---	---	---	<5.0	24.7	---	---	---
<b>2L Standard, ppb →</b>		50	2000	5	50	15	1.1	1	200
<b>GCL, ppb →</b>		NS	2000000	NS	50000	15000	NS	5000	200000

**Red values exceed 2L Standard Concentrations.  
No values exceed GCL Standard Concentrations.**

**CSA Table 13: 2008 Groundwater Sample Information**

<b>Sample ID</b>	<b>Date &amp; Time</b>	<b>Matrix</b>	<b>Sample Depth, ft.</b>	<b>Collection Method</b>	<b>Test</b>
NW-6	3/19/08 12:30	Ground Water	---	Grab	8260, 8270, PCB, Total RCRA Metals, Pesticides, Hericides
NW-7	3/19/08 14:00	Ground Water	---	Grab	8260, 8270, PCB, Total RCRA Metals, Pesticides, Hericides
NW-8	3/17/08 16:00	Ground Water	---	Grab	PCB, EPA 601, EPA 602, EPA 625, Total Metals
NW-9	3/17/08 14:30	Ground Water	---	Grab	PCB, EPA 601, EPA 602, EPA 625, Total Metals
NW-10	3/17/08 15:15	Ground Water	---	Grab	PCB, EPA 601, EPA 602, EPA 625, Total Metals
DCW-1	3/17/08 16:00	Ground Water	---	Grab	PCB, EPA 601, EPA 602, EPA 625, Total Metals
WSW-1	3/17/08 15:30	Drinking Water	---	Grab	PCB, EPA 601, EPA 602, EPA 625, Total Metals

CSA Table No. 14: VOC's SVOC's Groundwater Analytical Results

Analytical Method →		624	624	624	625	625
Contaminant of Concern →		Benzene	Ethylbenzene	Toluene	bis (2-Ethylhexyl) phthalate	Naphthalene
Sample ID	Sampled Date					
DCW-1	3/18/2008	<2.5	<2.5	<2.5	<b>100</b>	<10.0
NW-6	3/19/2008	<2.5	<2.5	<2.5	<b>100</b>	<10.0
NW-7	3/19/2008	<2.5	<2.5	<2.5	<10.0	<10.0
NW-8	3/17/2008	<5.0	<5.0	<5.0	<10.0	<10.0
NW-9	3/17/2008	<5.0	<5.0	<5.0	<10.0	<10.0
NW-10	3/17/2008	<5.0	<5.0	<5.0	<10.0	<10.0
WSW-1	3/17/2008	<5.0	<5.0	<5.0	<10.0	<10.0
<b>2L Standard, ppb →</b>		<b>1</b>	550	1000	2.5	21
<b>GCL, ppb →</b>		<b>5000</b>	84500	25200	2500	15500

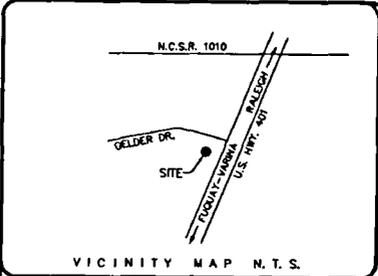
Bold values exceed 2L Standard Concentrations  
 No values exceed GCL Standard Concentrations  
 Highlighted values indicated a result above Reporting Limits

**CSA Table No. 14: 2008 & 2006 Metals & PCB Groundwater Analytical Results**

Page 1

Analytical Method →			6010	8260	6010	6010	6010	7470	6010	6010	8082
Contaminant of Concern →			Arsenic	Barium	Cadmium	Chromium	Lead	Mercury	Selenium	Silver	PCB
Sample	Date	Sample									
ID	Sampled	Depth, ft.									
DCW-1	3/18/2008	N/A	<20.0	<40.0	<5.0	<20.0	<15.0	<0.2	<20.0	<20.0	<1.0
NW-6	3/19/2008	N/A	<b>25</b>	<b>260</b>	<5.0	<b>35</b>	<b>69</b>	<b>3.6</b>	<20.0	<20.0	<1.0
	5/5/2006	N/A	<100.0	<b>1400</b>	<b>11</b>	<b>757</b>	<b>921</b>	<0.2	---	---	---
NW-7	3/19/2008	N/A	<20.0	<b>210</b>	<5.0	<b>180</b>	<b>64</b>	<b>1.4</b>	<50.0	<4.0	<1.0
	5/5/2006	N/A	<b>27.5</b>	<b>374</b>	<b>7</b>	<b>337</b>	<b>166</b>	<b>0.209</b>	---	---	---
NW-8	3/17/2008	N/A	<4.0	<100.0	<1.0	<4.0	<4.0	<0.2	<20.0	<4.0	<1.0
NW-9	3/17/2008	N/A	<20.0	<b>270</b>	<5.0	<50.0	<b>42</b>	<0.2	<50.0	<20.0	<1.0
NW-10	3/17/2008	N/A	<4.0	<100.0	<1.0	<4.0	<4.0	<0.2	<20.0	<4.0	<1.0
WSW-1	3/17/2008	N/A	<4.0	<100.0	<1.0	<4.0	<4.0	<0.2	<20.0	<4.0	<1.0
<b>2L Standard, ppb →</b>			<b>50</b>	<b>2000</b>	<b>5</b>	<b>50</b>	<b>15</b>	<b>1.1</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>GCL, ppb →</b>			<b>NS</b>	<b>2000000</b>	<b>NS</b>	<b>50000</b>	<b>15000</b>	<b>NS</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

**Bold** values exceed 2 Standard Concentrations.  
 No values exceed GCL Standard Concentrations.  
 Highlighted values indicated a result above Reporting Limits



- LEGEND**
- LINES SURVEYED
  - LINES NOT SURVEYED
  - E.I.P. --- EXISTING IRON PIPE
  - I.P.S. --- IRON PIPE SET
  - C.M.S. --- CONCRETE MONUMENT SET
  - E.C.M. --- EXISTING CONCRETE MONUMENT
  - P.K.S. --- P.I.C. NAIL SET
  - E.P.K. --- EXISTING P.I.C. NAIL
  - R/W --- RIGHT OF WAY
  - D.B. --- DEED BOOK
  - P.P. --- POWER POLE
  - O.H.P. --- OVER HEAD POWER
  - R.R.S. --- RAILROAD SPIKE (1234)
  - ADDRESSES

26 c. This survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.  
 O b. This survey is located in a portion of a county or municipality that is unincorporated or to an ordinance that regulates parcels of land.  
 O c. Anyone of the following:  
 1. That the survey is of an existing parcel or parcels of land and does not create a new street or change an existing street;  
 2. That the survey is of an existing building or other structure, or natural feature, such as a watercourse; or  
 3. That the survey is of a control survey.  
 O d. This survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision.  
 O e. The information available to the surveyor is such that the surveyor is unable to make a determination to the best of the surveyor's professional ability as to provisions contained in (a) through (d) above.

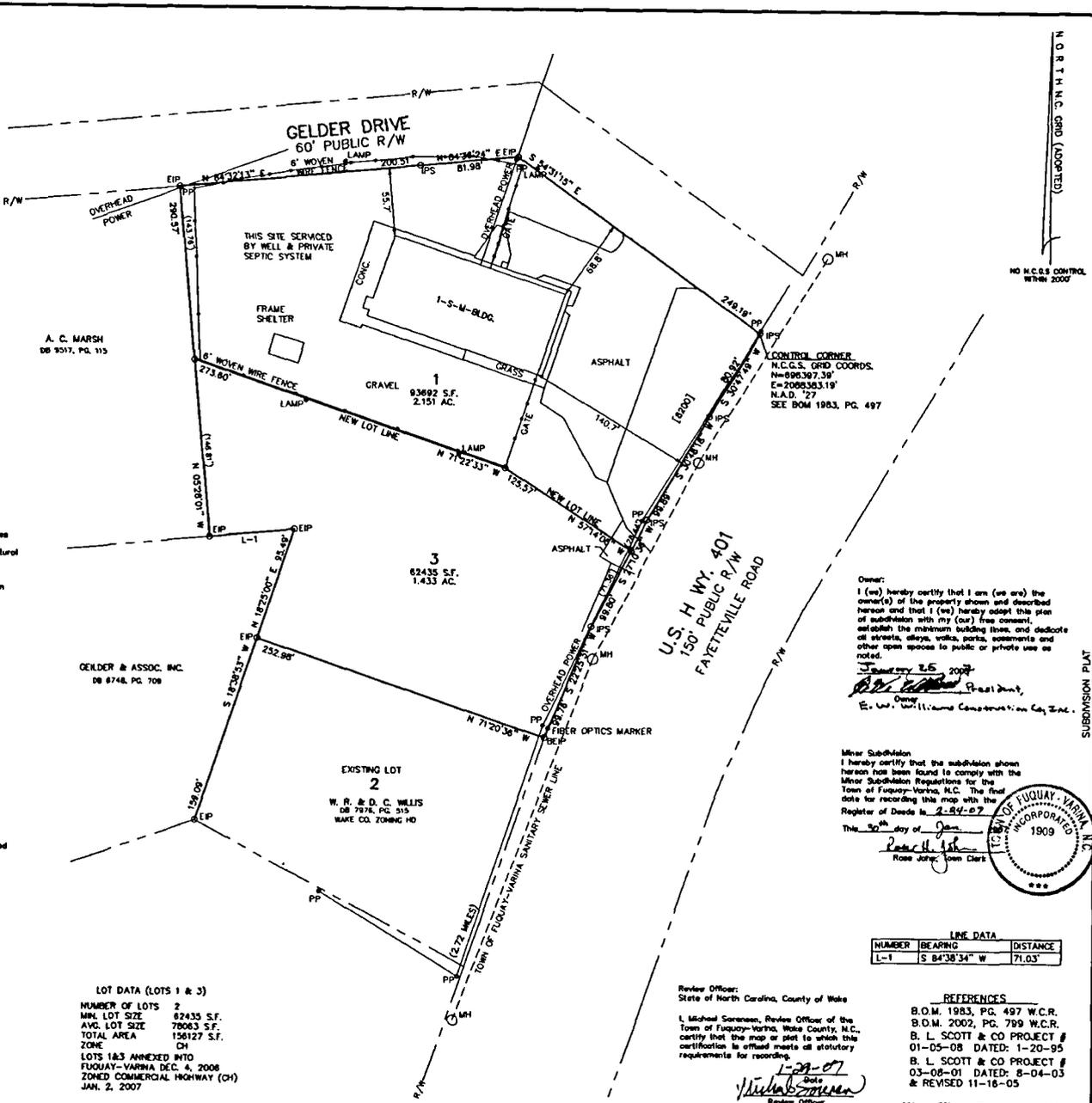
*[Signature]*  
 Professional Land Surveyor

This parcel is located in the Fuquay-Varina Planning Jurisdiction.

NORTH CAROLINA  
 WAKE COUNTY  
 I, Barry L. Scott, certify that this plat was drawn under my supervision from (an actual survey made under my supervision) (said description recorded in Book \_\_\_\_\_, page \_\_\_\_\_, etc.) (where) that the ratios of precision as calculated by latitude and departures is 1/10,000, that the boundaries not surveyed are shown as broken lines plotted from information found in Book \_\_\_\_\_, page \_\_\_\_\_ that this plat was prepared in accordance with the G.S. 47-30 as amended. Witness my original signature, registration number and seal this 21st day of February, A.D. 2007.



WAKE COUNTY, NC 27685  
 LAURA H RIDDICK  
 REGISTER OF DEEDS  
 PRESENTED & RECORDED ON  
 02/02/2007 AT 13:47:30



**LOT DATA (LOTS 1 & 3)**  
 NUMBER OF LOTS 2  
 MIN. LOT SIZE 62435 S.F.  
 AVG. LOT SIZE 78063 S.F.  
 TOTAL AREA 156127 S.F.  
 ZONE CH  
 LOTS 1&3 ANNEXED INTO  
 FUQUAY-VARINA DEC. 4, 2008  
 ZONED COMMERCIAL HIGHWAY (CH)  
 JAN. 2, 2007

LOT 1 PROPERTY OF E. W. WILLIAMS CONSTRUCTION CO., INC. AS RECORDED IN B.O.M. 1983, PG. 497 W.C.R.

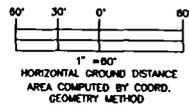
Owner:  
 I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building lines, and dedicate all streets, alleys, walks, parks, easements and other open spaces to public or private use as noted.  
 January 25, 2007  
*[Signature]*  
 Owner  
 E. W. Williams Construction Co., Inc.

Minor Subdivision  
 I hereby certify that the subdivision shown hereon has been found to comply with the Minor Subdivision Regulations for the Town of Fuquay-Varina, N.C. The final date for recording this map with the Register of Deeds is 2-24-07.  
 This 30th day of Jan  
*[Signature]*  
 Rose Johr, Town Clerk



NUMBER	BEARING	DISTANCE
L-1	S 84°38'34" W	71.03'

- REFERENCES**
- B.O.M. 1983, PG. 497 W.C.R.
  - B.O.M. 2002, PG. 799 W.C.R.
  - B. L. SCOTT & CO PROJECT # 01-05-08 DATED: 1-20-95
  - B. L. SCOTT & CO PROJECT # 03-08-01 DATED: 8-04-03 & REVISED 11-16-05



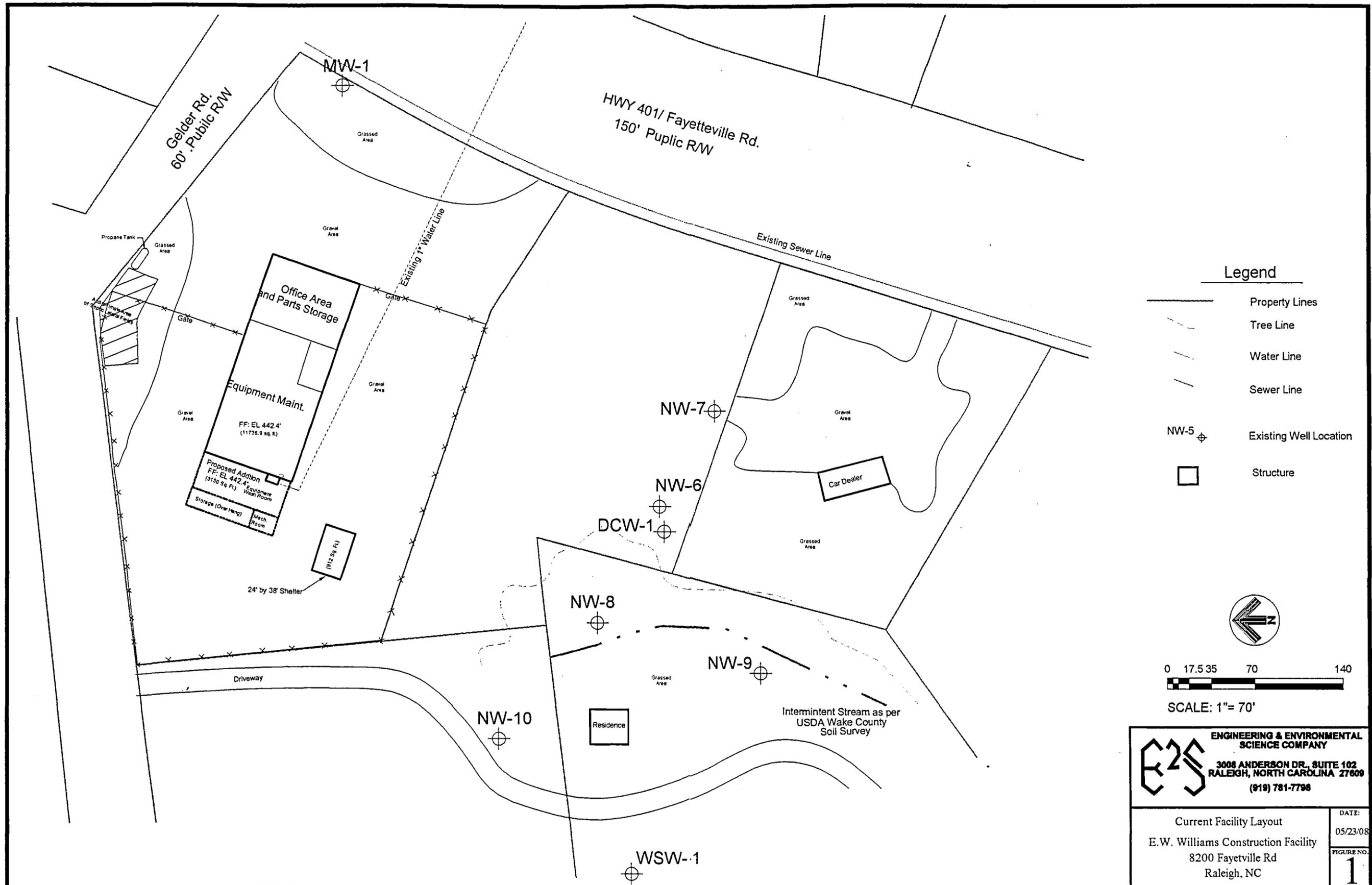
Review Officer:  
 State of North Carolina, County of Wake  
 I, Michael Sorenson, Review Officer of the Town of Fuquay-Varina, Wake County, N.C., certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.  
 1-29-07  
*[Signature]*  
 Review Officer

**B.L. SCOTT & CO.**  
 PROFESSIONAL LAND SURVEYORS  
 1100 W. STATE ST. SUITE 2000  
 RALEIGH, NC 27601-1008  
 JOB NO.: 05-11-09

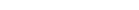
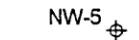
**E. W. WILLIAMS CONSTRUCTION CO., INC.**  
 8200 FAYETTEVILLE ROAD--RALEIGH, N.C.  
 PIN(S): 06802 06 1493  
 STATE OF NORTH CAROLINA, U.S.A.

PROPERTY OF  
 SUBMISSION PLAT  
 COUNTY: WAKE  
 TAX MAP: SHIFT CREEK  
 ZONED: HD  
 TOWNSHIP: WAKE

DATE: 11-21-05  
 FIELD ORIGIN: 15/05  
 SURVEYED BY: DS  
 REVISED  
 DATE: 01-17-07  
 DATE: 01-23-07



**Legend**

-  Property Lines
-  Tree Line
-  Water Line
-  Sewer Line
-  Existing Well Location
-  Structure



0 17.5 35 70 140



SCALE: 1" = 70'

**E2S ENGINEERING & ENVIRONMENTAL SCIENCE COMPANY**  
 3008 ANDERSON DR., SUITE 102  
 RALEIGH, NORTH CAROLINA 27609  
 (919) 781-7798

Current Facility Layout  
 E.W. Williams Construction Facility  
 8200 Fayetteville Rd  
 Raleigh, NC

DATE:  
05/23/08  
FIGURE NO.  
**1**

7007 0220 0000 8225 1578

<b>U.S. Postal Service™</b>		<b>CERTIFIED MAIL™ RECEIPT</b>	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>			
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>			
RALEIGH, NC 27602		<b>OFFICIAL USE</b>	
Postage	\$ 1.42	0400	
Certified Fee	2.70	22	
Return Receipt Fee (Endorsement Required)	2.20	Postmark Here	
Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 5.32		10/15/2008 Attn: Sue Janet
Sent To: Mr. Henry Sink, E.W. Williams Construction			
Street, Apt. No., or PO Box No.: P.O. Box 1471			
City, State, ZIP+4: Raleigh, NC 27602			
PS Form 3800, August 2006		See Reverse for Instructions	

<p><b>SENDER: COMPLETE THIS SECTION</b></p> <ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> <p>1. Article Addressed to:</p> <p>Mr. Henry Sink E.W. Williams Construction Co. P.O. Box 1471 Raleigh, NC 27602</p> <p>2. Article Number (Transfer from service label) <b>7007 0220 0000 8225 1578</b></p>	<p><b>COMPLETE THIS SECTION ON DELIVERY</b></p> <p>A. Signature x/ [Signature] <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p> <p>D. Is the delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, enter delivery address below: _____</p> <p>3. Service Type: <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery (Extra Fee) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
--	--

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**DENR – Wilmington Regional Office**  
Division of Water Quality  
127 Cardinal Drive Extension  
Wilmington, NC 28405

*Attn: Sue/Janet*





STATE FILE

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

August 6, 2008

E.W. Williams Construction Co., Inc.  
c/o Mr. Henry Sink  
P.O. Box 1471  
Raleigh, NC 27602

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

E.W. Williams Construction Company  
8200 Fayetteville Road  
Raleigh, Wake County, NC

Dear Mr. Sink:

It is our understanding that you have provided information about the above-referenced site and may have been performing assessment and cleanup activities under the supervision of the Division of Water Quality Aquifer Protection Section ("APS"). Regulatory oversight for the assessment and cleanup of this site has been transferred from APS to the Division of Waste Management. Future oversight at this site will be the responsibility of the Division of Waste Management's Superfund Section, Inactive Hazardous Sites Branch ("Branch").

Based on information provided to date, we understand that this site has been contaminated by one or more hazardous substances. The Inactive Hazardous Sites Response Act ("IHSRA"), codified under N.C. Gen. Stat. § 130A-310, *et seq.*, applies to the site. In addition, 15A NCAC 2L, Groundwater Classifications and Standards, applies to this site.

The change in oversight responsibility is designed to achieve consistency by addressing all contaminated media at the site with one approval process. The APS dealt with primarily enforcing 15A NCAC 2L, which requires that all contaminants in groundwater, or in soils to the extent that they could contaminate groundwater, be addressed. The cleanup requirements under IHSRA are broader. Under IHSRA all contaminated media must be addressed. In addition to requiring cleanup for the protection of groundwater and surface water, IHSRA requires that soils and sediment be remediated to meet direct contact levels protective of public health and ecological receptors. Consolidating all the contaminant remediation authorities will provide for one comprehensive cleanup, eliminating the need to work with multiple Divisions in resolving the various contaminated media at the site.

Additional information regarding the reorganization may be found on the Branch's web site located at <http://wastenotnc.org/sfhome/ihsbrnch.htm>.

## **I. ACTIONS REQUIRED AT THIS TIME:**

### **Complete the Site Cleanup Questionnaire.**

To comply with the requirements of State law, a Site Cleanup Questionnaire, available at the above website address, 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").

Please note, you are not expected to repeat work. However, if there are known or suspected areas of concern, contaminated media, or contaminants that were not investigated in the previous work, those items would need to be addressed. This would include any media, areas or contaminants to which there is evidence (such as, but not limited to, allegations or indications of spills, visual observations, field instrument readings, laboratory data, and chemical odors) of releases of contaminants or materials likely to contain contaminants. You and your consultant should evaluate whether there are additional items that are required to be addressed. PLEASE NOTE: If you have an approved corrective action plan, please complete the Site Cleanup Questionnaire, note that you have a corrective action plan prominently at the top of the Questionnaire, and staff will be in contact with you with further instructions.

## **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.

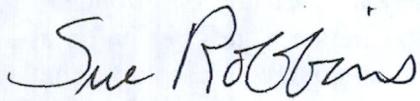
**V. ADDITIONAL INFORMATION REGARDING THE IHSRA AND THE BRANCH:**

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: Sue Robbins  
Inactive Hazardous Sites Branch  
127 Cardinal Drive Extension  
Wilmington, NC 28405

If you have additional questions about the requirements that apply to your site, please contact me at (910) 796-7411.

Sincerely,

A handwritten signature in black ink that reads "Sue Robbins". The signature is written in a cursive, flowing style.

Sue Robbins  
Hydrogeologist  
Inactive Hazardous Sites Branch  
Superfund Section  
Division of Waste Management

cc: Patrick Shillington, Engineering & environmental Science Company, 3008 Anderson Drive, Suite 102, Raleigh, NC 27609  
[IHSB Files](#)