



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

Pat McCrory
Governor

Dexter R. Matthews
Director

John E. Skvarla, III
Secretary

February 15, 2013

Ms. Shaun F. Fellers
United Scrap, Inc.
3600 Primrose Avenue
Charlotte, NC 280208

Re: **REVIEW OF SITE CLEANUP QUESTIONNAIRE & ADDITIONAL INFORMATION REQUEST**

United Scrap, Inc.
3600 Primrose Avenue
Charlotte, Mecklenburg County, North Carolina
IHSB Inventory No.: NONCD0002895

Dear Ms. Feller:

The Division of Waste Management through its Superfund Section, Inactive Hazardous Sites Branch ("Branch") received your March 27, 2012 Site Cleanup Questionnaire (SCQ) in response to our NORR letter, dated March 16, 2012, for the United Scrap, Inc., located at the subject address. Based review of the SCQ and our files, additional information should be provided that would allow the Branch to make a final determination on how to further proceed with this Site.

Please complete and submit an additional round of confirmatory groundwater monitoring well sampling data for all site monitoring wells. Conduct a comprehensive 1500 feet radius water supply usage survey, confirm their current usage status and sample any potable wells found. All active supply wells within the radius should be sampled to demonstrate they have not been impacted by any contaminants of concern. Provide three surface water and three sediment analytical data points for stream flowing through the property. For the minimum technical and administrative procedures for site assessments and site cleanups conducted pursuant to the Inactive Hazardous Sites Response Act of 1987 (N.C.G.S. 130A-310 et.seq.), please refer to the Branch's Guidelines for Assessment and Cleanup (August 2011) which can be found at: <http://portal.ncdenr.org/web/wm/sf/ihs/ihsguide>.

After review of the requested information and sample results, the Branch will be better able to determine if full assessment and remedial investigation should be conducted through the Branch's Registered Environmental Consultant Program or under direct oversight by the Branch Staff. 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 determine if your site presents a higher risk to human health and the environment.

Additional information on future cleanup activities are detailed in the NORR letter dated November 16, 2011, and are summarized below:

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").

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://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.

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.

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 N.C. Gen. Stat. § 130A-310.3 to compel assessment and cleanup.

All documents submitted to the Division in relation to this work must be provided in both paper and in an electronic format designated by the Division (see the Inactive Hazardous Sites Branch website located at <http://portal.ncdenr.org/web/wm/sf/ihs/home> for current specifications on electronic document submittal).

Please submit completed questionnaire and additional reports to:

Miguel A. Alvalle
Inactive Hazardous Sites Branch
610 East Center Avenue, Suite 301
Mooresville, North Carolina 28117

If you have additional questions about the requirements that apply to this site or the suggested additional abatement and investigations outlined in this letter, please contact me at (704) 663-1699 or by email at miguel.alvalle@ncdenr.gov.

Sincerely,



Miguel A. Alvalle,
Hydrogeologist
Department of Environment and Natural Resources
Division of Waste Management
Superfund Section - Inactive Hazardous Sites Branch

Cc: Gary K. Sawyer, PG, RSM - EnviroAssessments, 9307 Monroe Road, Suite K, Charlotte, NC 28270

Handwritten signature or scribble.