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DocumentType Correspondence (C)

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DocDate 6/7/2007

DocRcvd 6/7/2007

Box SF1112

AccessLevel PUBLIC

Division WASTE MANAGEMENT

Section SUPERFUND

Program IHS (IHS)

DocCat FACILITY

Subject: Re: Synopsis of Activities at Former OMC/BRP in Yancey County

From: "Jack Garrison" <jack@bandgenvironmental.com>

Date: Thu, 7 Jun 2007 08:51:20 -0400

To: "Meg Howard" <Meg.Howard@ncmail.net>

CC: "Cheryl Marks" <cheryl.marks@ncmail.net>

Thanks Meg,

I discussed this with Cheryl Marks and forwarded a copy to her to keep her informed. Hope you don't mind.

Jack Garrison

----- Original Message ----- From: "Meg Howard" <Meg.Howard@ncmail.net>
To: <jack@bandgenvironmental.com>
Sent: Wednesday, June 06, 2007 9:59 AM
Subject: Synopsis of Activities at Former OMC/BRP in Yancey County

Hi Jack - per our telephone conversation today, the following is a synopsis of the activities/correspondence for the subject site. Please keep in mind I have not done any project management on this site (formerly Landon's site), so this is just what I have gleaned from a quick file review. It would be best if you need details to come and make copies of the file here in the Asheville RO.

Based on results of an Environmental Site Assessment, apparently (though not seen in the file) an Oil Spill NOV was sent asking for further assessment and remediation of soil issues discovered at the site. The main contaminants of concern in soils were Diesel-range TPH and Oil and Grease.

7/11/05 - ALTAMONT submitted a CSA on this date on behalf of Yancey County which showed trichloroethene in temporary well TW-2 located inside the main building at 16 and 22 ppb (sampled twice). Petroleum contamination in soils appears to be the predominant issue at the site. Soil source for the chlorinated solvents not identified. Well TW-2 was drilled using hollow-stem auger to 60 feet below land surface - neither the transition zone nor bedrock was encountered.

2/6/06 - DWQ, Aquifer Protection Section issues a 2L NOV to BRP based on CSA results.

2/10/06 - DWQ, Aquifer Protection issues a letter to the RP asking for additional assessment work prior to CSA approval with requested work outlined in the letter. This included additional wells and groundwater samples to look for chlorinated solvents at other, suspicious and probable "problem" areas at the site.

8/30/06 - CSA addendum received by DWQ, APS. Deep well MW-2D was drilled next to TW-2 (now MW-2 as finished as a permanent well) to delineate vertical extent of trichloroethene. Well screened at top of bedrock and drilled using hollow-stem auger to a depth of 85 feet. Found trichloroethene at 4.7 ppb. Neither chlorinated solvents nor other VOC's were identified above 2L in the other requested wells.

10/17/06 - DWQ, APS approves the CSA with the caveat that the RP must install additional wells downgradient of well MW-2 and 2D either prior to or concurrent with CAP preparation to further assess full extent of trichloroethene.

11/28/06 - Letter from Bombardier confirming their request for an extension for CAP submittal with a deadline of March 15, 2007. Likely

granted verbally.

According to our mail log, we have not received a CAP for this site.

Jack - as I stated, I will be sending a letter to the RP asking for a response on where they stand with the CAP since it is now close to 3 months overdue. Feel free to contact me with any further questions.

Regards,

Meg E. Howard

--

Meg Howard - Meg.Howard@ncmail.net
North Carolina Dept. of Environment and Natural Resources
Asheville Regional Office
Division of Waste Management - UST Section
2090 U.S. 70 Highway
Swannanoa, NC 28778
Tel: 828-296-4500
Fax: 828-299-7043

Nelson Mullins

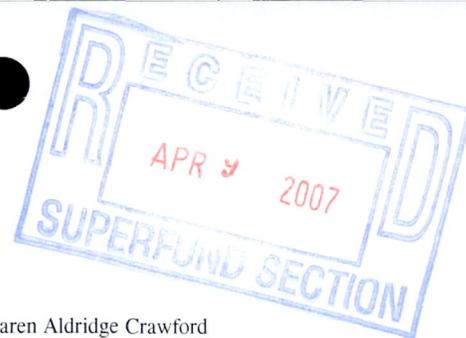
Nelson Mullins Riley & Scarborough LLP

Attorneys and Counselors at Law

1320 Main Street / 17th Floor / Columbia, SC 29201

Tel: 803.799.2000 Fax: 803.256.7500

www.nelsonmullins.com



Karen Aldridge Crawford

(Admitted in SC PA & DC)

Tel: 803.255.9442

karen.crawford@nelsonmullins.com

April 5, 2007

Via EMAIL

KIM CAULK, HYDROGEOLOGIST
NCDENR

Division of Waste Management
DWM Central Office
1646 Mail Service Center
Raleigh, NC 27699-1646

RE: Former OMC Facility, Yancey County

Dear Kim:

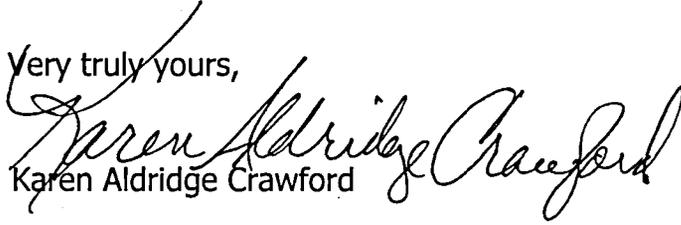
As we discussed on the telephone last week, our firm represents BRP US Inc. (BRP), formerly known as Bombardier Motor Corporation of America, which purchased the subject facility from OMC out of bankruptcy. Former owner and operator, OMC, ceased operating at the facility in December, 2000. BRP acquired the assets of OMC, not the stock or liability, and was expressly protected by order of the bankruptcy court from assertion of those liabilities, including environmental liabilities. See language quoted from the court's order in footnote 1. of the Yancey County letter dated March 23, 2006, attachment A.

After parts in process were completed and removal of equipment from the facility, the facility sat vacant until BRP sold the facility to Yancey County in January of 2004. Yancey County indemnified BRP for all environmental liability associated with the facility in that purchase agreement, then commenced to perform environmental assessment and monitoring at the facility, including any assessment needed to promote redevelopment of the facility. Subsequently, Yancey County has sold the facility to another company, Trittico Investments, and that company is working with NCDENR on environmental assessment and possible monitoring and/or corrective action to be required at this site. BRP has not been a party to those communications with NCDENR, but understands from the new owner's attorney, Billy Clark, that a checklist and subsequent Corrective Action Plan are to be submitted to you by Trittico Investments.

Kim Caulk, Hydrogeologist
April 5, 2007
Page 2

BRP's only remaining concern is that NCDENR's Division of Water Quality issued a NOV to BRP on February 6, 2006 (attachment B) which has never been rescinded or closed. Even though the then-owner, Yancey County requested that the NOV be rescinded or reissued and the new, current owners have accepted responsibility for performance of environmental work required at the site, the NOV is still on record. Therefore, given that the agency's reorganization and means of addressing such sites has moved this site from the jurisdiction of the Division of Water Quality to Inactive Hazardous Waste Branch of NCDENR, we request that the agency simply address the matter of the outstanding NOV by filing this response from BRP in the current file. Once the new owner completes its submittals of the checklist and Corrective Action Plan and agrees to take agency approved action on the site, as we discussed, BRP would appreciate written acknowledgement that this NOV is no longer outstanding or is satisfied by this action.

Very truly yours,


Karen Aldridge Crawford

Subject: 4-06-07 Letter w/Attachments ON BEHALF OF KAREN CRAWFORD
From: "Tara Lang" <Tara.Lang@nelsonmullins.com>
Date: Tue, 10 Apr 2007 11:43:46 -0400
To: "kim.caulk@ncmail.net" <'kim.caulk@ncmail.net'>
CC: "Karen Crawford" <karen.crawford@nelsonmullins.com>

Dear Mr. Caulk:

Attached please find the April 6, 2007 letter with attachments.

Thank you.

Tara D. Lang
Administrative Assistant to
Karen A. Crawford &
Stacy K. Taylor
Nelson Mullins Riley & Scarborough, LLP
1320 Main Street, 17th Floor Meridian
Columbia, South Carolina 29201

Telephone 803.255.9341
Facsimile 803.256-7500

=====

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to another party any transaction or tax-related matter[s].
To provide you with a communication that could be used to
avoid penalties under the Internal Revenue Code will
necessarily entail additional investigations, analysis and
conclusions on our part.

KAC000.PDF	Content-Description: KAC000.PDF Content-Type: application/octet-stream Content-Encoding: base64
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**ROBERTS
&
STEVENS**

ATTORNEYS AT LAW

JOHN S. STEVENS
JAMES W. WILLIAMS
CARL W. LOFTIN
JOHN W. MASON
MARC RUDDOW
SHERYL H. WILLIAMS
WILLIAM CLARKE
VINCENT D. CHILDORESS, JR.
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REBECCA JOHNSTON REINHARDT
K. DEAN SHATLEY, II

OF COUNSEL
LANDON ROBERTS
WALTER L. CURRIE

FRANK P. GRAHAM
(1948-2003)

March 23, 2006

G. Landon Davidson, L.G.
Aquifer Protection Section Regional
Supervisor
2090 US Highway 70
Swannanoa, NC 28778

Re: *Yancey County / Former OMC Facility*

Dear Mr. Davidson:

This firm represents Yancey County with respect to environmental matters at the former Outboard Marine Corporation ("OMC") facility in Yancey County, North Carolina. On behalf of the County, we are responding to your letters of February 10, 2006 and February 6, 2006.

As you are aware, in January of 2004, Yancey County purchased the former OMC facility (the "Building") from BRP US Inc. ("BRP"), formerly Bombardier Motor Corporation of America ("Bombardier"). OMC ceased operating at the facility in December, 2000. Bombardier acquired the Building along with other assets from the bankrupt estate of OMC in March, 2001. Bombardier did not acquire the stock of OMC nor did it take on any of OMC's liabilities, including with respect to any environmental matters¹. Bombardier conducted a limited operation at the Building of some but not all processes. The purpose of the operation was just to finish some parts that were in process at the time OMC ceased operations. Bombardier began

¹ In the court order approving the sale of OMC assets to Bombardier, Judge Katz ruled:

"7. . . all persons and entities, including, but not limited to, all debt security holders, equity security holders, governmental, tax, and other regulatory authorities, lenders, trade and other creditors holding interests (including but not limited to any claims under any applicable revenue, pension, ERISA, tax, labor, environmental or natural resource law, rule or regulation, or any products liability law) of any kind or nature whatsoever against or in the Debtors or the Acquired Assets (whether legal or equitable, secured or unsecured, matured or unmatured, contingent or non-contingent, liquidated or unliquidated, senior or subordinated), arising under or out of, in connection with, or in any way relating to, the Debtors, the Acquired Assets, the operation of the Debtor's businesses prior to the Closing Date of the Sale of such Acquired Assets, or the transfer of such Acquired Assets to the applicable Purchaser, hereby are forever barred, estopped, and permanently enjoined from asserting against the Purchasers, their successors or assigns (to the extent allowed by law), their property, their officers, directors and shareholders or the Acquired Assets, such persons' or entities' interests."

disassembling and moving processes and equipment out of the Building in April, 2001. After removal of equipment, the Building was vacant until the purchase by the County.

Based on the foregoing, it is the County's position and BRP's that BRP is not responsible for the contamination at the site, and that a Notice of Violation should not have been issued to BRP for the site. As you are aware, the County and other prospective developers of the property are interested in a possible redevelopment of the property under the North Carolina Brownfields Program.

Yancey County is committed, under the terms of its agreement with BRP, and as a local government, to addressing environmental issues at the Building and protecting the public health. Altamont Environmental, the County's environmental consultant, has discussed with you additional assessment work to be done at the facility. To facilitate the additional assessment and the redevelopment of the Building under the Brownfields Program, the County would request that the Notice of Violation letter be rescinded and/or reissued to OMC and that additional assessment and redevelopment of the property be allowed to proceed under the Brownfields Program with appropriate input into the additional assessment from the Aquifer Protection Section.

Your cooperation and assistance in this matter are most appreciated. Please let me know if you have questions. Representatives of the County and BRP would be glad to meet with you to discuss this matter.

Sincerely,

ROBERTS & STEVENS, PA

William Clarke
William Clarke *by [signature]*

WC/sc

cc: Ms. Michele Lawhern, Yancey County Manager
Mr. Michael Schroeder, BRP US Inc.
Mr. Jim McElduff, Altamont Environmental



RECEIVED
FEB 10 2006
BRP LEGAL

Michael F. Easley
Governor
William G. Ross, Jr., Secretary
North Carolina Department of Environment and Natural Resources
Alan W. Klimek, P.E., Director
Division of Water Quality
Asheville Regional Office

AQUIFER PROTECTION SECTION
February 6, 2006

CERTIFIED MAIL 7004 0750 0000 2593 8602
RETURN RECEIPT REQUESTED

Mr. Mike Schroeder
BRP US Inc.
10101 Science Drive
Sturtevant, Wisconsin 53177

Subject: **Notice of Violation: 15A NCAC 2L Classifications and Water Quality Standards Applicable to the Groundwater Former OMC / BRP Facility**
185 Altec Road
Burnsville, Yancey County, North Carolina
Site Priority Rank: 000/B
Incident Number: 87267.

Dear Mr. Schroeder:

Chapter 143, North Carolina General Statutes, authorizes and directs the Environmental Management Commission of the Department of Environment and Natural Resources to protect and preserve the water and air resources of the State. The Division of Water Quality (Division) has the delegated authority to enforce adopted pollution control rules. This letter is a standard notification and is intended to advise you of the legal requirements under North Carolina law. This notice documents a violation of the North Carolina groundwater standards as identified in analytical results received by this office on July 13, 2005.

Specific violations of 15A NCAC 2L .0103(d) - No person shall conduct or cause to be conducted any activity which causes the concentration of any substance to exceed that specified in 15A NCAC 2L .0202 - are as follows:

Constituent	Concentration*	2l Standard*
Trichloroethene	22	2.8

*Concentration in ug/l (parts per billion).

You are responsible for causing, contributing to or allowing the continuing violation of the groundwater quality standards because you are the owner and operator of the facility.

15A NCAC 2L .0106(b) states that any person conducting or controlling an activity which results in the discharge of a waste, hazardous substance or oil to the groundwater, or in proximity thereto, shall take immediate action to terminate and control the discharge, mitigate any hazards resulting from exposure to the pollutants and notify the department of the discharge.



OMC/BRP Former
Yancey Co.
February 6, 2006
Page 2 of 2

According to 15A NCAC 2L .0106(c), you are required to assess the cause, significance and extent of the violation, submit a plan and schedule for eliminating the source and for restoration of the groundwater, and implement an approved plan in accordance with a schedule established by the director. In establishing a schedule, the director shall consider any reasonable schedule proposed by the person submitting the plan. According to 15A NCAC 2L .0111, you are required to submit a report of these activities in such detail as the director of the division requires.

To achieve compliance with the above-cited laws or rules, you are required to submit a site assessment report in accordance with 15A NCAC 2L .0106(c)(3) and .0106(g). A report entitled Comprehensive Site Assessment (CSA), Former Outboard Marine Corporation/Bombardier Recreational Products US, Inc. Facility was received on July 13, 2005. Based upon a review of the CSA, the Division has outlined regulatory requirements necessary to bring you into compliance with North Carolina environmental law. These requirements including additional assessment are stated in a separate, forthcoming correspondence.

All site assessment data will be used for preparing and submitting a corrective action plan which will be due within sixty (60) days after the comprehensive site assessment report is submitted and approved by this Office. In addition, you must submit a summary of the site assessment report to the local Health Director and the local Chief Administrative Officer in accordance with 15A NCAC 2L .0114. That report should be submitted no later than five working days after submittal of the comprehensive site assessment report to this office.

Please note that all site activities should be conducted in accordance with the *Groundwater Section Guidelines for the Remediation of Soil and Groundwater* (July 2000) and *Groundwater Section Guidelines for the Investigation of Soil and Groundwater Contamination: Chlorinated Solvents and Other Dense Non-Aqueous Phase* (July 2003). In addition, all site assessment activities must be conducted under the direct supervision of a North Carolina Licensed Geologist or Professional Engineer.

You should be aware that any violation of 15A NCAC 2L may subject you to a civil penalty assessment under the authority of G.S. 143-215.6A. Your response and/or questions should be directed to Landon Davidson of the Asheville Regional Office at (828) 296-4680.

Sincerely,



G. Landon Davidson, L.G.

Aquifer Protection Section Regional Supervisor

cc: ARO Files
William Clarke - Roberts and Stevens
BB&T Building
One West Pack Square. STE. 1100 28801
Michelle Lawhern - Yancey County Manager
Room 11, Courthouse
Bumsville, North Carolina 28714
James McElduff - Altamount Environmental, Inc.
50 College St.
Asheville, North Carolina 28801
Tracy Wahl - DWM Brownfields
Sandra Moore - DWM Brownfields

Subject: RE: Possibly spam: OMC Bombardier Site in Yancey County
From: "Billy Clarke" <BClarke@roberts-stevens.com>
Date: Tue, 6 Mar 2007 11:12:18 -0500
To: "Kim T. Caulk" <Kim.Caulk@ncmail.net>
CC: "Donny Laws" <d.laws@trccomputing.com>, "Jim McElduff" <jmcelduff@altamontenvironmental.com>

We should have the checklist to you by the end of this week. This will also confirm that we will not need to do the Corrective Action Plan at this time but will wait to see how the site is ranked based on the checklist. Again, thank you for your help and cooperation on this matter.

From: Kim T. Caulk [mailto:Kim.Caulk@ncmail.net]
Sent: Tuesday, March 06, 2007 11:08 AM
To: Billy Clarke
Cc: Donny Laws; Jim McElduff
Subject: Re: Possibly spam: OMC Bombardier Site in Yancey County

Mr. Clarke:

Per our telephone conversation, it will take a few weeks to execute an REC Administrative Agreement for most of these sites new to the IHSB (i.e., review the checklists for numerous sites, submit draft/final versions of the AA for signature, complete the required public notice before the AA is executed, etc.). If possible, it would be beneficial for someone to complete the checklist based on the information currently on file and submit it so the process of screening the site for REC Program eligibility can begin.

Please contact me if you have any questions.

Kim T. Caulk, P.G.
Inactive Hazardous Sites Branch - REC Program
NCDENR - Division of Waste Management
401 Oberlin Road, Suite 150
Raleigh, North Carolina 27605
Phone: (919) 508-8451
Fax: (919) 733-4811
e-mail: kim.caulk@ncmail.net

Billy Clarke wrote:

Dear Mr. Caulk,

Thank you for talking with me about this site this morning. As we discussed, the current owner will submit the checklist for participation in the Voluntary Cleanup Program. Based on my knowledge of the site, I am confident it will be eligible. The principal from Altamont Environmental whom the owner plans to use is going to be out of the office for several weeks so I would appreciate it if we could submit the checklist at the end of this month or in early April. Thank you for your help, and I look forward to working with you on this site.

Billy Clarke

ROBERTS
&
STEVENS

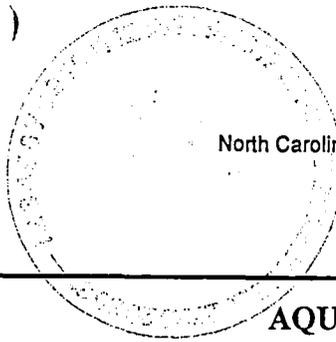
Billy Clarke
(828) 258-6919 (Voice)
(828) 210-6526 (Fax)

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Combarrier
PH 19063-05-100
Correspondence

Michael F. Easley
Governor

North Carolina Department of Environment and Natural Resources

William G. Ross, Jr., Secretary

Alan W. Klimek, P.E., Director
Division of Water Quality

Asheville Regional Office

AQUIFER PROTECTION SECTION

February 6, 2006

CERTIFIED MAIL 7004 0750 0000 2593 8602

RETURN RECEIPT REQUESTED

Mr. Mike Schroeder
BRP US Inc.
10101 Science Drive
Sturtevant, Wisconsin 53177

Subject: **Notice of Violation: 15A NCAC 2L Classifications and Water Quality Standards Applicable to the Groundwater Former OMC / BRP Facility**
185 Altec Road
Burnsville, Yancey County, North Carolina
Site Priority Rank: 000/B
Incident Number: 87267

Dear Mr. Schroeder:

Chapter 143, North Carolina General Statutes, authorizes and directs the Environmental Management Commission of the Department of Environment and Natural Resources to protect and preserve the water and air resources of the State. The Division of Water Quality (Division) has the delegated authority to enforce adopted pollution control rules. This letter is a standard notification and is intended to advise you of the legal requirements under North Carolina law. This notice documents a violation of the North Carolina groundwater standards as identified in analytical results received by this office on July 13, 2005.

Specific violations of 15A NCAC 2L .0103(d) - No person shall conduct or cause to be conducted any activity which causes the concentration of any substance to exceed that specified in 15A NCAC 2L .0202 - are as follows:

Constituent	Concentration*	2l Standard*
Trichloroethene	22	2.8

*Concentration in ug/l (parts per billion).

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According to 15A NCAC 2L .0106(c), you are required to assess the cause, significance and extent of the violation, submit a plan and schedule for eliminating the source and for restoration of the groundwater, and implement an approved plan in accordance with a schedule established by the director. In establishing a schedule, the director shall consider any reasonable schedule proposed by the person submitting the plan. According to 15A NCAC 2L .0111, you are required to submit a report of these activities in such detail as the director of the division requires.

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Please note that all site activities should be conducted in accordance with the *Groundwater Section Guidelines for the Remediation of Soil and Groundwater* (July 2000) and *Groundwater Section Guidelines for the Investigation of Soil and Groundwater Contamination: Chlorinated Solvents and Other Dense Non-Aqueous Phase* (July 2003). In addition, all site assessment activities must be conducted under the direct supervision of a North Carolina Licensed Geologist or Professional Engineer.

You should be aware that any violation of 15A NCAC 2L may subject you to a civil penalty assessment under the authority of G.S. 143-215.6A. Your response and/or questions should be directed to Landon Davidson of the Asheville Regional Office at (828) 296-4680.

Sincerely,



G. Landon Davidson, L.G.

Aquifer Protection Section Regional Supervisor

cc: ARO Files
William Clarke - Roberts and Stevens
BB&T Building
One West Pack Square. STE. 1100 28801
Michelle Lawhern - Yancey County Manager
Room 11, Courthouse
Burnsville, North Carolina 28714
James McElduff- Altamont Environmental, Inc.
50 College St.
Asheville, North Carolina 28801
Tracy Wahl - DWM Brownfields
Sandra Moore - DWM Brownfields

Subject: Internal Courtesy Brownfields Notice - Former Bombardier Facility

From: Tracy Wahl <tracy.wahl@ncmail.net>

Date: Wed, 14 Dec 2005 12:09:56 -0500

To: Ted.bush@ncmail.net, andrew.pitner@ncmail.net, Bud.McCarty@ncmail.net, Charlotte.Jesneck@ncmail.net, Coleen.Sullins@ncmail.net, David.lown@ncmail.net, doug.holyfield@ncmail.net, Elizabeth.Cannon@ncmail.net, Grover.Nicholson@ncmail.net, Helen.Cotton@ncmail.net, jack.butler@ncmail.net, james.bateson@ncmail.net, James.C.Coffey@ncmail.net, jesse.wells@ncmail.net, Mike.Williford@ncmail.net, rob.krebs@ncmail.net, Steve.Bograd@ncmail.net, Rick Shiver <Rick.Shiver@ncmail.net>, Patrick.Grogan@ncmail.net, Mark Poindexter <mark.poindexter@ncmail.net>, Ethan Brown <ethan.brown@ncmail.net>, Dexter.Matthews@ncmail.net, linda.culpepper@ncmail.net, Landon Davidson <Landon.Davidson@ncmail.net>

CC: Bruce Nicholson <Bruce.Nicholson@ncmail.net>, Shirley Liggins <Shirley.Liggins@ncmail.net>, David Bowers <David.Bowers@JRVannoy.com>

To DENR Cleanup Programs:

This is an internal courtesy notice to inform your program that the DENR Brownfields Program is in receipt of a Letter of Intent (LOI), submitted by **Jemsite Development, LLC** as prospective developer (PD), seeking entry into the brownfields program for the following property:

Site Name: Former Bombardier Facility

Address: 185 Altec Drive

City/County: Burnsville, Yancey County

AKA: Formerly Bombardier Recreational Products US, Inc., prior to which it was Outboard Marine Corporation (OMC).

Known Identifying Numbers (put "none" if none):

NCD#: None Known

GW Incident #: 86338, 87267

Others? UST Incident # AS-2648 for OMC Burnsville.

We are now evaluating Jemsite Development, LLC and the subject property for eligibility for entry into the Brownfields Program. Under the Brownfields Property Reuse Act, only entities that did not cause or contribute to the contamination at the property are eligible to enter the program. The applicant PD below has asserted that 1) it has not caused or contributed to the contamination at the property, and 2) that it has substantially complied with laws, regulations, and rules for the protection of the environment. If you have any information to suggest otherwise, please provide that information to me (via the contact information at the bottom of this notice) by **December 30, 2005**.

Information regarding the applicant PD, including the primary PD contact person, is as follows:

David Bowers

Jemsite Development, LLC

1608 Hwy. 221 North

Jefferson, NC 28640

336-846-7191 ext. 269

It is important to note that a Brownfields Agreement (BFA) has no legal effect on your agency's authority to regulate or enforce against any and all parties who caused or contributed to the contamination at the property. Therefore DENR cleanup programs are free to pursue any and all parties who caused or contributed to the existing contamination at the site. A BFA only provides liability protection to a non-causative redeveloper of the property. In fact, the BFA will require the developer to provide access to the property to any party doing work under another DENR program, and the Brownfields Program has numerous sites where another program is enforcing against a responsible party while we are working with the developer on brownfields actions. The developer will only be required to make the property safe for its intended re-use. That will not include cleanup to unrestricted use standards, unless that is consistent with the developer's proposed use of the property.

Furthermore, the brownfields agreement will not change the prospective developer's responsibility to obtain any and all DENR permits (e.g. stormwater, sediment control, NPDES, etc.) required for its operations or activities on site from the appropriate DENR agencies, as required under applicable law.

The Program does not desire to inundate all regulatory entities with additional email notices unless you request it. *So, if you would like to be notified when this project is deemed eligible to pursue a brownfields agreement, please let me know. Otherwise, you will not be notified until the point that there has been adequate assessment to determine that the site can be made safe for the intended reuse.*

If you have any questions, please don't hesitate to contact me. As always thank you for your time and any insight you may have.

Tracy

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The North Carolina Brownfields Program - Come Clean Up With Us
Redevelopment and Land Recycling for a Sustainable Future
www.ncbrownfields.org

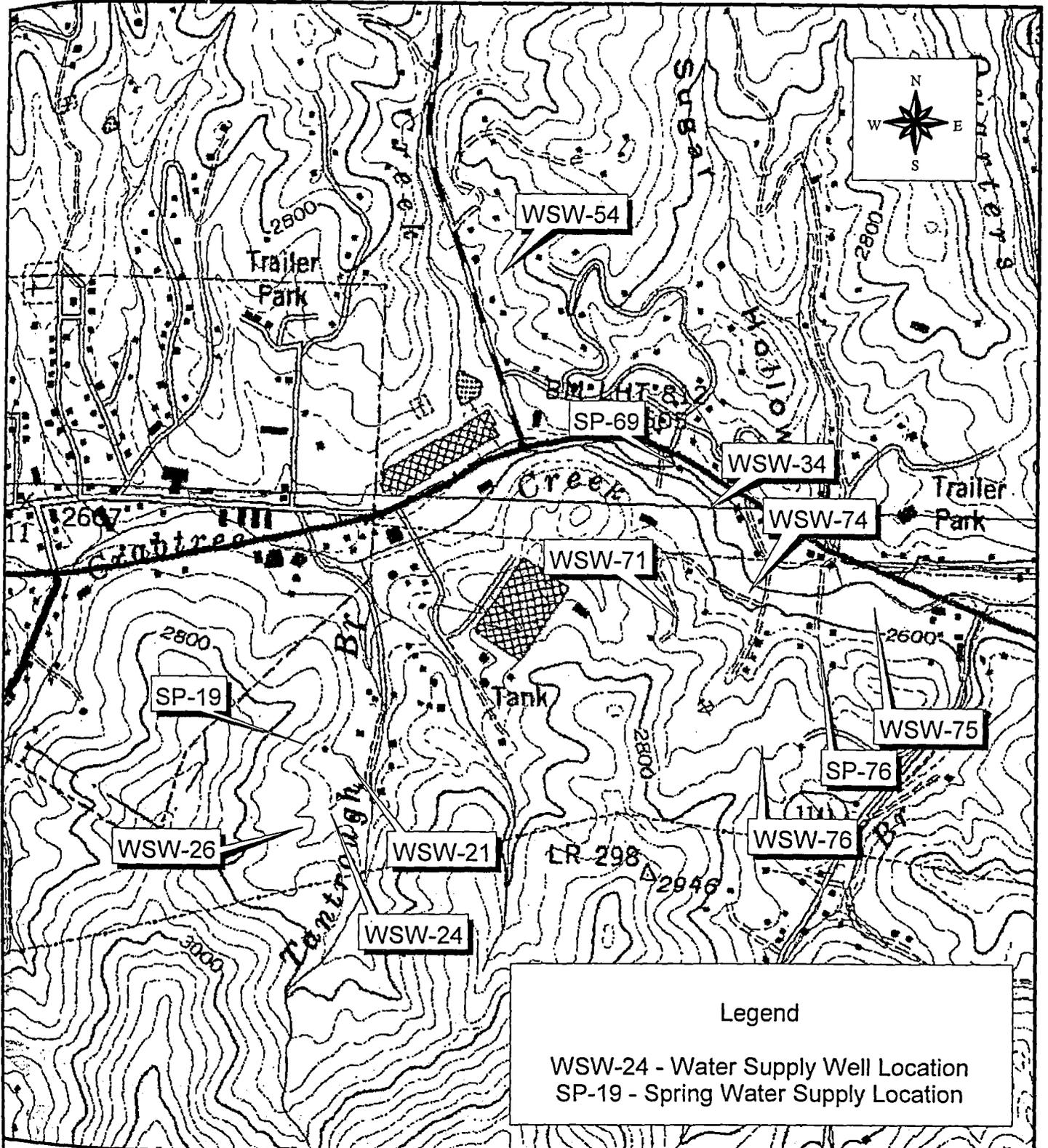


Figure 2
Receptor Survey Map
 1" = 1000'
Former BRP/OMC Facility
Yancey County, North Carolina
April 1, 2005

F:\Yancey-Remediation\Remediation\Reports\2005 CSA Report\Figures\Figure 2

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