*1070IHSSF3084*

DocumentID NONCD0002881

Site Name ARDEE/TRANSLITE

DocumentType Correspondence (C)

RptSegment

DocDate 5/15/2013

DocRcvd 5/15/2013

Box SF3084

AccessLevel PUBLIC

Division WASTE MANAGEMENT

Section SUPERFUND

Program IHS (IHS)

DocCat FACILITY

## DeCarlo, Donna M

**From:** Oliphant, Dave <DAVE.OLIPHANT@aecom.com>
**Sent:** Wednesday, May 15, 2013 5:16 PM
**To:** DeCarlo, Donna M
**Cc:** Oliphant, Dave
**Subject:** RE: REC- program

Yes, we got the letter. And the RP is in process of applying. The final CA has been written; I am an approved RSM and have been to Raleigh to attend Kim Caulk's training session. Client is current getting the CA signed.

Thanks.

Dave Oliphant
AECOM, Consultant for Genlyte Thomas Group

---

**From:** DeCarlo, Donna M [mailto:Donna.DeCarlo@ncdenr.gov]
**Sent:** Wednesday, May 15, 2013 5:09 PM
**To:** Oliphant, Dave
**Subject:** REC- program

I have found a REC eligibility letter for this site dated Jan 29, 2013 in our electronic file but have not been able to confirm it was sent. Did you get it, and if so Have you applied?

Donna M. DeCarlo
North Carolina Dept. of Environment & Natural Resources
Division of Waste Management / Inactive Hazardous Sites
610 E. Center Ave., Suite 301
Mooresville, NC 28115
Phone: (704) 663-1699 Fax: (704) 663-6040

**********
E-mail correspondence to and from this address may be subject to the
North Carolina Public Records Law and may be disclosed to third parties.
**********

**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.

1. Article Addressed to:

Mr. Jesse Overgood
Corporate Contact
Genlyte Thomas Group, LLC
PO Box 88
Lock Haven, PA 17745

1-29-13 1HW-DD

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature
X Jessica Quick ☐ Agent ☐ Addressee

B. Received by (Printed Name) Jessica Quick
C. Date of Delivery 2.4.13

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☑ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

(Transfer from service label) 7007 0710 0005 2882 2858

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

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

DENR DWM
610 E. Center Ave., Ste. 301
Mooresville NC 28115

1HW-DD

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FEB 6 2013
NCDENR MRO IHSB

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CERTIFIED MAIL™ RECEIPT
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OFFICIAL USE

Postage $
Certified Fee
Return Receipt Fee (Endorsement Required)
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MOORESVILLE, NC 28115 JAN 2013 USPS
Postmark Here

7007 0710 0005 2882 2858

Mr. Jesse Overgood
Corporate Contact
Genlyte Thomas Group, LLC
PO Box 88
Lock Haven, PA 17745

1HW-DD

PS Form 3800, August 2006 See Reverse for Instructions

NCDENR
North Carolina Department of Environment and Natural Resources
Division of Waste Management
Dexter R. Matthews
Director

Pat McCrory
Governor

John E. Skvarla, III
Secretary

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

January 29, 2013

Mr. Jesse Overgord, Corporate Contact, Genlyte Thomas Group, LLC
PO Box 88
Lock Haven, PA 17745

Re: **NOTICE OF REC PROGRAM ELIGIBILITY**
Ardee Translite
639 Washburn Switch Road
Shelby, Cleveland County, NC
NONCD00002881

Dear Mr. Overgord:

Thank you for submitting the Site Cleanup Questionnaire (Questionnaire), sampling results, and additional information for the above subject site (Site) on behalf of Genlite Thomas Group LLC. The Branch has completed review of the Questionnaire and the other information provided, 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. 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").

Under the IHSRA, to receive approval of the assessment and cleanup 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 (REC-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) 707-8350 or visit the REC Program website at http://portal.ncdenr.org/web/wm/sf/ihs/recprogram.

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 N.C.G.S. 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.

If you have additional questions about the requirements that apply to your site, please contact me at (704) 235-2166 or email me at donna.decarlo@ncdenr.gov

Sincerely,

Donna M. DeCarlo, Hydrogeologist
Inactive Hazardous Sites Branch
Superfund Section

Enclosure: REC-AA Procedures

cc: Mr. David R. Oliphant, CHMM
AECOM Technical Services, Inc.
10 Patewood Drive, Suite 500
Greenville, South Carolina 29615

RECEIVED
FEB 20 2012
NCDENR MRO/HSB

## Site Cleanup Questionnaire

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

NCDENR Site Name, City and County **Ardee/Translite, Shelby, Cleveland County**

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. Adjacent

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? Unknown

9. What is the distance to the nearest downstream surface water intake? Unknown

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 forAssessment and Cleanup" at http://portal.ncdenr.org/web/wm/sf/sfavailabledocs)? ☐ 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, Michael L. Manning, 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.

(Signature of Remediating Party Representative) 2/15/12 (Date)

Michael L. Manning, Vice President and General Counsel

(Printed Name and Title of Remediating Party Representative)

Genlyte Thomas Group LLC

(Printed Name of Company)

STATE OF Massachusetts

COUNTY OF Middlesex

I, Kathleen P. Silveri, a Notary Public of said County and State, do hereby certify that Michael L. Manning, VP Legal Counsel personally appeared before me this day, produced proper identification in the form of MA 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 15 day of February, 2012.

Kathleen P. Silveri
Notary Public (signature)

My commission expires: KATHLEEN P. SILVERI Notary Public COMMONWEALTH OF MASSACHUSETTS My Commission Expires January 23, 2015

(OFFICIAL SEAL)

## Environmental Consultant Certification Statement

After first being duly sworn or affirmed, I, David R. Oliphant, 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.

David R Oliphant — 2-17-12

(Signature) (Date)

David R. Oliphant, CHMM

(Printed Name)

AECOM Technical Services, Inc.

(Printed Name of Environmental Consultant)

STATE OF South Carolina

COUNTY OF Greenville

I, Donna H. Eidson, a Notary Public of said County and State, do hereby certify that David R. Oliphant personally appeared before me this day, produced proper identification in the form of SC 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 17th day of February, 2012

Donna H Eidson

Notary Public (signature)

(OFFICIAL SEAL)

My commission expires: 8/31/19

Addendum to Site Cleanup Questionnaire

Ardee/Translite, 639 Washburn Switch Road, Shelby, NC

February 2012

Question 1: The Ardee/Translite site is located immediately adjacent to the residential property owned by Rosa M. Jamerson, heirs (see Attachments 1A and 1B).

Question 2: See answer to Question 1. According to a site drive by in January 2012, there are painted markings on the pavement curbs at most (if not all) of the parcels near to the Ardee/Translite property, indicating city water hookup (see Attachment 2).

Question 3: The site is not surrounded by a locked fence. Security measures include locking the building after work hours, security cameras, and visitor sign in and sign out.

Question 4: A Phase II Environmental Site Assessment (ESA) was conducted in 2011 at this site. During the Phase II ESA, no surface soil contamination was found (see excerpt from report included as Attachment 3). Additional on-site soil sampling was performed in mid-January 2012. The data should be available by mid-February. After those data are reviewed, the answer to this question will be updated if needed.

Question 5: A Phase II ESA was conducted in 2011 at this site. During the Phase II ESA, exceedences of the North Carolina 2L standards were found in two of the samples analyzed. The summary table from Section 4.2 of the Phase II ESA Report (included as Attachment 4) identifies the constituents exceeding the 2L standards. It should be noted that no VOCs were detected in the two groundwater samples collected nearest to the property boundaries (at sampling points TW-1 and TW-5).

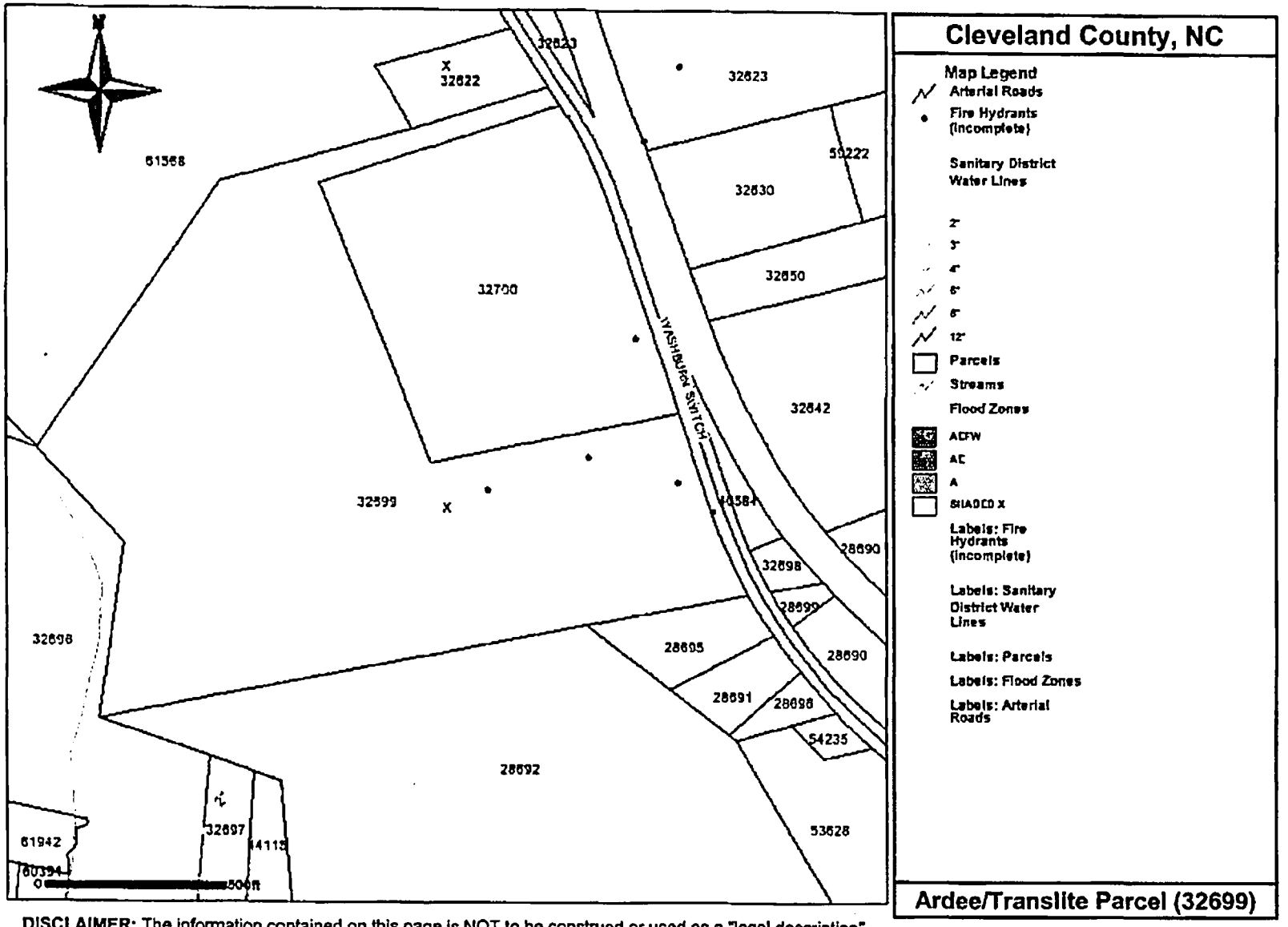
Question 8: The distance to the nearest drinking water well is unknown. A January 2012 drive by of the parcels along Washburn Switch Road topographically downgradient of the Ardee/Translite site indicated that most (if not all) of the parcels had paint markings along the curb (see Attachment 2), indicating hook ups to a public water supply.

Question 9: The distance to the nearest surface water intake is unknown, but based on the size of the creek in the downgradient (southwest) direction of the site (see creek location in Attachment 1A), no surface water intake is known to be close to the Ardee/Translite site.

Question 11: A Phase II ESA was conducted in 2011 at this site. No VOCs were detected in the two groundwater samples collected nearest to the property boundaries (see Attachment 4). Permanent groundwater monitoring wells were installed on site in mid-January 2012; groundwater data should be available by the end of February. After those data are reviewed, the answer to this question will be updated if needed.

**ATTACHMENT 1A**

**CLEVELAND COUNTY WEB SITE INFORMATION REGARDING THE ARDEE/TRANSLITE PARCEL**




**DISCLAIMER:** The information contained on this page is NOT to be construed or used as a "legal description". Map information is believed to be accurate but accuracy is not guaranteed.

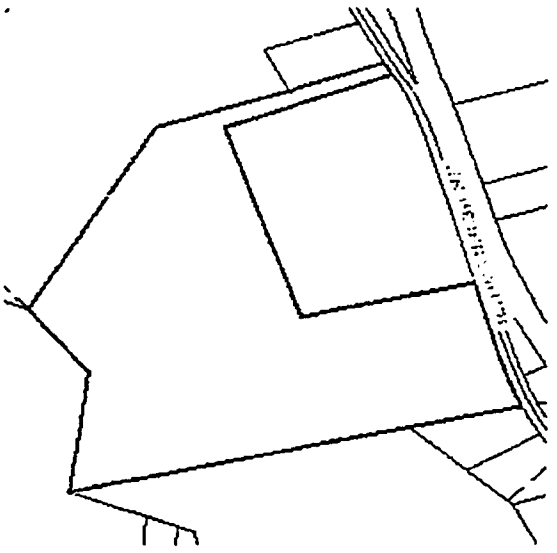
http://www.webgis.net Anderson & Associates, Inc. http://www.andersoc.com

WebGIS.net

quicksearch Cleveland County, North Carolina

**Parcels: Record Details**

| | |
|---|---|
| **GIS Owner:** | JJI LIGHTING GROUP INC |
| **GIS Owner2:** | T/A SPECIALTY LIGHTING |
| **GIS Deed Reference:** | 0 0 |
| **GIS Deeded Acres:** | 36.97200000000 |
| **Calculated Acres:** | 36.35087944340 |
| **Parcel No.:** | 32699 |
| **Parcel Address:** | 639 WASHBURN SWITCH |
| **Owner Name 1:** | JJI LIGHTING GROUP I |
| **Owner Name 2:** | T/A SPECIALTY LIGHTING |
| **Owner Address:** | 639 WASHBURN SW RD |
| **Owner City:** | SHELBY |
| **Owner State:** | NC |
| **Zip:** | 28150 |
| **Map Number:** | 3294 |
| **Block:** | 1 |
| **Lot:** | 49 |
| **Acres:** | 36.972000000000001 |
| **D.B.:** | 0 |
| **Pg.:** | 0 |
| **Building Value:** | 2565999 |
| **Land Value:** | 456931 |
| **Total Value:** | 3022930 |
| **Tax Year:** | 2012 |



**Disclaimer:**

The information contained on this site is furnished by government and private industry sources and is believed to be accurate but accuracy is not guaranteed. Mapping information is a representation of various data sources and is not a subsitute for information that would result from an accurate land survey. The information contained hereon does not replace information that may be obtained by consulting the information's official source. In no event shall Cleveland County, NC or the consultants of Cleveland County, NC be liable for any damages, direct or consequential, from the use of the information contained on this site.

**ATTACHMENT 1B**

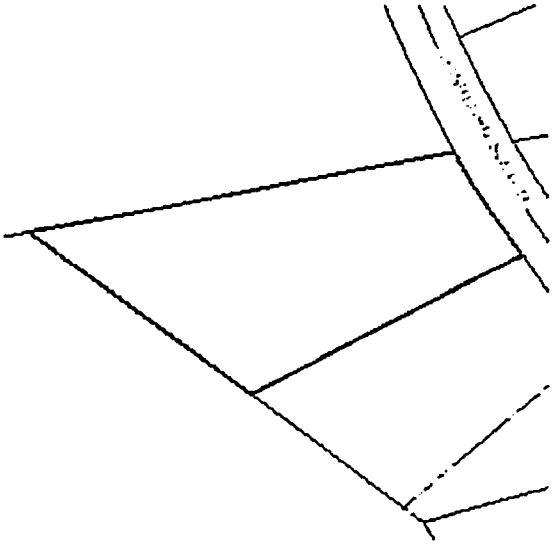
**CLEVELAND COUNTY WEB SITE INFORMATION REGARDING THE PARCEL ADJACENT TO ARDEE/TRANSLITE**

# WebGIS.net

quicksearch *Cleveland County, North Carolina*

**Parcels: Record Details**

| | |
|---|---|
| **GIS Owner:** | JAMERSON ROSA M HEIRS |
| **GIS Owner2:** | % CHARLES E JAMERSON |
| **GIS Deed Reference:** | 13V 503 |
| **GIS Deeded Acres:** | 1.70000000000 |
| **Calculated Acres:** | 1.65922211239 |
| **Parcel No.:** | 28695 |
| **Parcel Address:** | 635 WASHBURN SWITCH |
| **Owner Name 1:** | JAMERSON ROSA M HEI |
| **Owner Name 2:** | % CHARLES E JAMERSON |
| **Owner Address:** | 831 N MORGAN ST |
| **Owner City:** | SHELBY |
| **Owner State:** | NC |
| **Zip:** | 28150 |
| **Map Number:** | 6-99 |
| **Block:** | 1 |
| **Lot:** | 10 |
| **Acres:** | 1.7 |
| **D.B.:** | 13V |
| **Pg.:** | 503 |
| **Building Value:** | 17832 |
| **Land Value:** | 24549 |
| **Total Value:** | 42381 |
| **Tax Year:** | 2012 |



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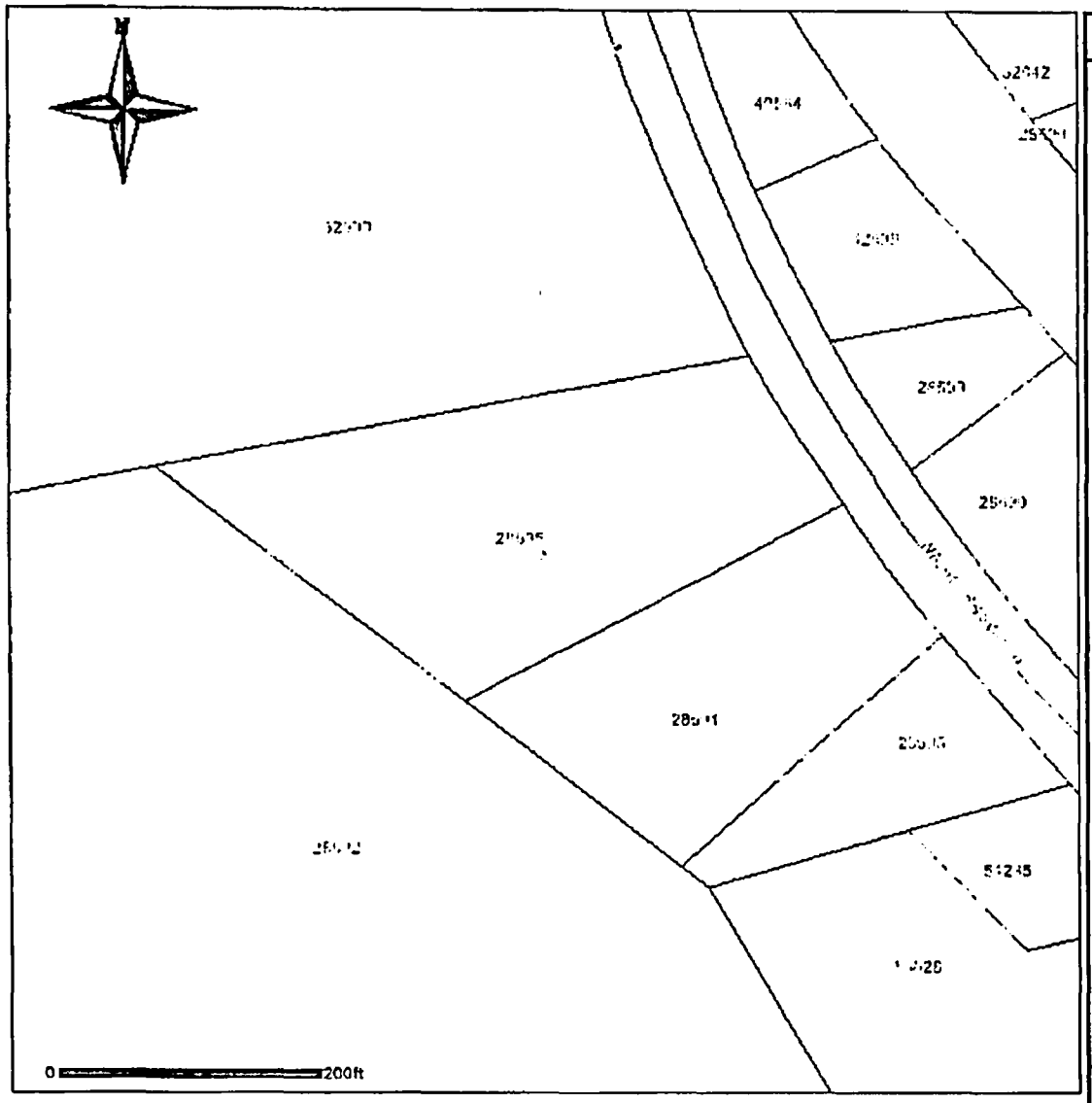


## Cleveland County, NC

Map Legend
Arterial Roads
Fire Hydrants (Incomplete)

Sanitary District Water Lines

Parcels
Streams
Flood Zones
AE
AL
A
SHADED X

Labels: Fire Hydrants (Incomplete)

Labels: Sanitary District Water Lines

Labels: Parcels

Labels: Flood Zones

Labels: Arterial Roads

**Rosa Jamerson Heirs Parcel (28695)**

**DISCLAIMER:** The information contained on this page is NOT to be construed or used as a "legal description". Map information is believed to be accurate but accuracy is not guaranteed.

Anderson & Associates, Inc.

**ATTACHMENT 2**

**FIELD REPORT REGARDING DRIVE BY OF NEARBY PARCELS: JANUARY 2012**

## Oliphant, Dave

**Subject:** FW: Cleveland County info link

**From:** Law, Mciver
**Sent:** Wednesday, January 11, 2012 7:30 PM
**To:** Oliphant, Dave
**Subject:** Cleveland county info links for well survey

Dave

Also, I drove around the area today and noticed that most (if not all) of the properties had the white or blue water lines marked on the road ways (by the county) where the municipal water lines enter the properties. So, it looks like everyone is on municipal water.

Here's the link to the Cleveland county GIS system http://arcims2.webgis.net/nc/cleveland/ which you can zoom into the site area and click on properties within the one mile area around the site to get their addresses.

**ATTACHMENT 3**

**SOIL SUMMARY TABLE FROM PHASE II ESA REPORT, 2011**

# 4.0 Investigation Results

## 4.1 Soil Analytical Results

A summary of the field and laboratory analytical results for the soil samples submitted for laboratory analysis are presented below. A copy of the laboratory report is included in Appendix C.

**Summary of Organic Vapor (Field Screening) and VOC (Laboratory) Soil Results Samples Collected on August 25, 2011**

| Boring/Sample ID | Soil sample ID and sample depth | Maximum organic vapor concentrations (ppm), field result | Concentrations of Detected VOCs (µg/kg) |
|---|---|---|---|
| SB-1 | SB-1, 6 - 8 feet bgs, SB-1MS, SB-1MSD (QA/QC samples) | 0.7 | No VOCs detected |
| SB-2 | SB-2, 8 - 10 feet bgs | 32.5 | 4-methyl-2-pentanone (5.7BJ/B/K) |
| SB-3 | No sample collected for lab analysis | 0.5 | No sample collected for lab analysis |
| SB-4 | No sample collected for lab analysis | 0.0 | No sample collected for lab analysis |
| SB-5 | No sample collected for lab analysis | 0.0 | No sample collected for lab analysis |

**Notes:**
ppm – parts per million
µg/kg – micrograms per kilogram
B – constituent detected in the laboratory method blank and therefore deemed to be a laboratory artifact
J –estimated concentration, less than practical quantitation limit (PQL) but greater than or equal to method detection limit (MDL)
K – detected in the sample at a concentration less than or equal to five times the concentration detected in the associated method blank; professional judgment must be used to determine if the detection is site-related

As indicated above, only two soil samples were collected for laboratory analysis. At boring SB-2, the maximum organic vapor concentration of 32 ppm exceeded the threshold vapor concentration of 5 ppm, so a soil sample was collected at the depth interval with the highest

**ATTACHMENT 4**

**GROUNDWATER SUMMARY TABLE FROM PHASE II ESA REPORT, 2011**

**Summary of VOC (Laboratory) Groundwater Results**
**Samples Collected on August 25-26, 2011**

| Temporary Well ID | Groundwater sample ID and well screen depth | Concentrations of Detected VOCs (µg/L) | North Carolina 2L Groundwater Standard (µg/L) | Exceeds the 2L Standard? |
|---|---|---|---|---|
| TW-1 | TW-1, 22 – 27 feet bgs, TW-1MS, TW-1MSD (QA/QC samples) | chloromethane (methyl chloride) (0.51J) | 3 | No |
| TW-2 | TW-2, 27 – 37 feet bgs | Benzene (0.26J);<br>chloroform (13);<br>1,1-DCA (4.4J);<br>1,2-DCA (2.0J);<br>1,1-DCE (250);<br>cis-1,2-DCE (1.2J),<br>PCE (19);<br>1,1,1-TCA (0.36J);<br>TCE (5.5); | 1<br>70<br>6<br>0.4<br>7<br>70<br>0.7<br>200<br>3 | No<br>No<br>No<br>Yes<br>Yes<br>No<br>Yes<br>No<br>Yes |
| TW-3 | TW-3, 22 - 25 feet bgs | PCE (6.0); | 0.7 | Yes |
| TW-4 | Well dry, not sampled | No sample collected for lab analysis | | |
| TW-5 | TW-5, 15 - 21 feet bgs | No VOCs detected | | |

**Notes:**
µg/L – micrograms per liter
J – estimated concentration, less than practical quantitation limit (PQL) but greater than or equal to method detection limit (MDL)
DCA – dichloroethane
DCE – dichloroethene
PCE – tetrachloroethene (perchloroethene)
TCA – trichloroethane
TCE – trichloroethene

The analytical results were compared with the North Carolina 2L groundwater standards (15A NCAC 2L.0202). As indicated above, the only samples in which the 2L standards were exceeded were those collected from wells TW-2 and TW-3. The primary constituent detected was PCE and its degradation products of TCE; 1,1-DCE; and cis-1,2-DCE (Montgomery and Welkom, 1990). PCE was detected slightly above the 2L standard in groundwater from both the TW-2 and TW-3 monitoring wells. The secondary constituent detected was 1,1,1-TCA and its degradation products of 1,1-DCA, 1,2-DCA, and 1,1-DCE (Montgomery and Welkom, 1990). For the TW-2 groundwater sample, the 2L standards

FILE

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

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

December 8, 20011

Jesse J. Overgord, Senior Project Manager
American Color & Chemical, LLC
1 Mount Vernon Street
PO Box 88
Lock Haven, PA 17745

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

**Ardee/Translite**
**639 Washburn Switch Road**
**Shelby, Cleveland County, NC**
**IHSB # Pending**

Dear Mr. Overgord:

We have received the "Notification of an Inactive Hazardous Substance or Waste Disposal Site" form with cover letter and two attachments, which reports that your site has been contaminated by one or more hazardous substances. Depending on the contaminants involved and whether the contaminants have impacted or may impact groundwater quality, you will be required to assess and cleanup the contamination under one or more cleanup authorities. Regulatory oversight for the assessment and cleanup under all applicable authorities will be provided by the Division of Waste Management through its Superfund Section, Inactive Hazardous Sites Branch ("Branch").

Based on information provided to date, the Inactive Hazardous Sites Response Act ("IHSRA"), codified under N.C. Gen. Stat. § 130A-310, et seq., applies to your site. In addition, initial immediate actions may be required under 15A NCAC 2L, Groundwater Classifications and Standards.

## I. ACTIONS REQUIRED AT THIS TIME:

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

**Take Initial Abatement Actions Required Under 15A NCAC 2L.**
If you have not already done so, you must take the initial abatement actions required under 15A NCAC 2L. Pursuant to 15A NCAC 2L .0106(b), any person conducting or controlling an activity which results in the discharge of a waste or hazardous substance to the groundwaters of the State, or in proximity thereto, shall take immediate action to terminate and control the discharge, and mitigate any hazards resulting from exposure to the pollutants. Pursuant to 15A NCAC 2L .0106(c), if groundwater standards have been exceeded, you must take immediate action to eliminate the source or sources of contamination. Beyond initial abatement actions, all assessment and remediation will be done through the IHSRA.

## II. FUTURE ASSESSMENT AND CLEANUP ACTIVITIES:

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

## III. VOLUNTARY CLEANUP PROGRAM:

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

**Agreement to Conduct Assessment and Remediation Through the Registered Environmental Consultant Program.**
The Branch has a privatized oversight arm of the voluntary cleanup program known as the Registered Environmental Consultant ("REC") program. Based on the responses provided on the questionnaire

(degree of hazard and public interest in the site), the Branch will determine whether a staff person or an REC will perform the oversight and approval of your assessment and cleanup action. Please note that having one or more of the conditions identified on the questionnaire does not necessarily preclude the site for qualifying for an REC-directed cleanup action.

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

## 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 N.C. Gen. Stat. § 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://portal.ncdenr.org/web/wm/sf/ihshome.

Submit completed questionnaire to: Donna DeCarlo
Inactive Hazardous Sites Branch
610 East Center Avenue, Suite 301
Mooresville, NC 28115

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/ihshome for current specifications on electronic document submittal).

Per our phone discussion this morning, you will arrange to have a hard copy and electronic copy of the Phase II report submitted to this office as described above. If you have any questions about the requirements that apply to your site, please contact me at (704) 663-1699, or email me at donna.decarlo@ncdenr.gov

Sincerely,

Donna Marie DeCarlo, Hydrogeologist
Inactive Hazardous Sites Branch
Superfund Section

cc: Michael Manning
Genlyte Thomas Group LLC
3 Burlington Woods Drive
Burlington MA 01803