



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

John E. Skvarla, III
Secretary

June 2, 2014

Mr. Steve Breitzka, President
Apex Tool Group
14600 York Road, Suite A
Sparks, MD 21152-9396

Re: Site Notification Form
Cooper Tools, LLC
Monroe, Union County, NC
ID# NONCD0002923

Dear Mr. Breitzka:

The North Carolina Inactive Hazardous Sites Branch (IHSB) is waiting on receipt of a Site Notification form for the above-mentioned site. The IHSB received a Phase II-Remedial Investigation Report on August 18, 2011. A Notice of Regulatory Requirements (NORR) for Contaminant Assessment and Cleanup was sent to a representative of your company on February 28, 2013. A copy of this NORR has been attached for your review. As of this date, we have not received a response back or a copy of a completed Site Notification form for this site. Please submit a completed Site Notification form as soon as possible for this site.

A copy of the Site Notification Form as well as instructions can be found on our website at <http://portal.ncdenr.org/web/wm/sf/ihs/sitenotification>. A copy of all site related files can be found at <https://edm.nc.gov/DENR-Portal/>. I have attached instructions for accessing these files. If you have questions, please contact me at (919) 707-8373 or melanie.bartlett@ncdenr.gov.

Sincerely,

Melanie Bartlett, Environmental Engineer
Division of Waste Management, NCDENR

Attachments



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 28, 2013

CERTIFIED MAIL

Jason Reichert
Apex Tools, LLC
1228 Isley Drive
Gastonia, NC 28053

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

Cooper Tools, LLC
Monroe, Union County, NC

Dear Mr. Reichert:

We received your Phase II – Remedial Investigation Report, 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/ih/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:

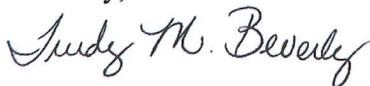
People are often confused by the name of the Inactive Hazardous Sites Response Act and the Branch. By definition, "Inactive Hazardous Sites" are any areas where hazardous substances have come to be located and would include active and inactive facilities and a variety of property types. The term "inactive" 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/ihs/home>.

Submit completed questionnaire to: Trudy Beverly
Inactive Hazardous Sites Branch
610 East Center Ave., 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/ihs/home> for current specifications on electronic document submittal).

If you have additional questions about the requirements that apply to your site, please contact me at (704) 663-1699.

Sincerely,



Trudy Beverly, LG - Trudy.Beverly@ncdenr.gov
Hydrogeologist, Western Region
NCDENR - Division of Waste Management
Superfund Section - Inactive Hazardous Sites Branch
Mooresville Regional Office

Cc: Robert Griffin, Shield Engineering Inc., 4301 Taggart Creek Rd., Charlotte, NC 28208

Cara Online Document System Instructions for the Superfund Section

Please be sure that your web browser is Internet Explorer version 6 or higher. For best results, it is recommended that you use Internet Explorer 9 (or higher) or Google Chrome. In order to view documents from the CARA³ Portal, you will also need Adobe Acrobat Reader on your computer or device. To obtain a free download of Acrobat Reader, go to <http://www.adobe.com/products/reader.html>.

Please read all of the instructions below and then use the following link to the CARA³ Portal:

<https://edm.nc.gov/DENR-Portal/>

To search by **Property criteria** (recommended):

- Enter the facility/site ID # (*no dashes, periods, or commas*) where it reads "Value" in the box to the right of the "ID" criteria (refer to the screenshot below)

OR

- Enter all or a portion of the facility/site name where it reads "Value" in the box to the right of the "Name/Subject" criteria and enter "contains" in the center box.
- Then click **Search**. The documents found will be displayed in the **Content** window. The results can be sorted by the column headers. To view a document, right-click on the document and select **Download**.

Note: If you don't know the facility/site ID #, visit the appropriate Program's webpage below for site lists and additional Program information:

Federal Remediation Branch: [National Priority List Sites](#)

Federal Remediation Branch - Site Evaluation and Removal: [CERCLIS Sites](#)

Inactive Hazardous Waste Program: <http://portal.ncdenr.org/web/wm/sf/ihshome>

Special Remediation Branch: <http://portal.ncdenr.org/web/wm/dsca/remediation>

To search by **General criteria**:

- Use the drop-down menus to narrow your search. For example:
 - o **Division:** Waste Management
 - o **Subdivision:** Superfund
 - o **Document Category:** Facility
 - o **Document Group:** *select the Program*
 - o **Document Type:** *select the document type*
- Then click **Search**. The documents found will be displayed in the **Content** window. The results can be sorted by the column headers. To view a document, right-click on the document and select **Download**.

Note: Each Superfund Section Program has different document types. For a list of the document types for each Program, [click here](#)

The **General criteria** and the **Property criteria** may be used together to further narrow your search. For example, after using **Property criteria** to retrieve documents for a specific facility, the results can be further refined by selecting a specific document type using **General criteria**. A screenshot of the CARA³ Portal with tips is shown on the next page.

Cara Online Document System Instructions for the Superfund Section

CARA³ Portal Screenshot:

The screenshot shows the CARA³ Portal interface. The top navigation bar includes the URL <https://edm.nc.gov/DENR-Portal/>. The main content area is divided into several sections:

- General criteria:** Includes dropdown menus for Division (Waste Management), Subdivision (Superfund), Document Category (Facility), Doc Group (DSCA Remediation (DSCAR)), Document Type (Reports and Data (RPT)), and Full Text Search (Not available for all documents).
- Property criteria:** Includes dropdown menus for ID, Name / Subject, Document Date, Description, and Author, with corresponding operators (contains, after, before) and input fields.
- Content:** A table listing documents with columns for ID, Name / Subject, Doc Group, Doc Type, Doc Date, and Description. The table contains three rows of data.
- Widgets:** A sidebar on the right showing document properties such as Property, Division, Subdivision, Doc Category, Name / Subject, Description, Author, Received Date, Size, and Segment.

Annotations and callouts include:

- A red circle around the General criteria section.
- A red box with text: "Type in facility/site ID (with no dashes, commas, or periods)" pointing to the ID field in the Property criteria section.
- A red box with text: "To view documents, right-click and select **Download**" pointing to the right-click icon in the Content table.
- A red box with text: "To filter select **Document Type**" pointing to the Document Type dropdown in the General criteria section.
- A red box with text: "Click on **Heading Column** to sort" pointing to the Doc Date column header in the Content table.
- A red box with text: "Indicates document has multiple parts" pointing to the Segment field in the Widgets section.
- A red circle around the pagination area at the bottom of the Content table.

Note: Number of pages and items per page will be displayed here. If document you are searching for does not appear in the list, you may need to narrow your search criteria in the general and property criteria sections above. ***A maximum of 1,000 records will be displayed total.