



Waste Management
ENVIRONMENTAL QUALITY

PAT MCCRORY
Governor

DONALD R. VAN DER VAART
Secretary

LINDA CULPEPPER
Director

CERTIFIED MAIL
Return Receipt Requested

February 19, 2016

Mr. Chris Bates
Cataloochee Ski Resort
1080 Ski Lodge Road
Maggie Valley, NC 28751

RE: Fie Top Rd Salt Pile
1080 Ski Lodge Road
Maggie Valley, Haywood County
ID# NONCD0002956

Dear Mr. Bates:

This letter is written to solicit your cooperation in monitoring, testing, analyzing and reporting on a site located on 1080 Ski Lodge Road in Maggie Valley, North Carolina (the Site). The North Carolina Department of Environmental Quality's Division of Waste Management (Division) has determined that there is a release into the environment of a hazardous substance from the Site. Based on groundwater data collected and discussions with you and the Division of Water Resources (DWR), the Division considers the Site to be a high priority for assessment.

As we previously discussed, we request that you conduct a remedial investigation under the supervision of the Division's Inactive Hazardous Sites Branch. Within ninety (90) days of your receipt of this letter, please submit a draft Remedial Investigation Plan (Plan) that complies with the current *Inactive Hazardous Sites Branch Guidelines for Assessment and Cleanup* available at portal.ncdenr.org/web/wm/sf/ihs/home.

Please note that this investigation will be completed in phases, the first phase will primarily include cataloguing contaminants, defining the site and conditions, and identifying sensitive receptors. The second phase will include the assessment and mitigation of the immediate health risks associated with nearby water supply wells. Subsequent phases will include the vertical and horizontal delineation of the contamination as well as identifying subsurface conditions conveying contaminant migration.

We recognize that road salt was also applied in other nearby areas, so our goal is to identify and address only contamination that can be associated with your application of the road salt. Additionally, some of the items in the following list of plan objectives will not be applicable to this site, so we will work together with you to modify the list to satisfy the site objectives.

The draft Plan must be organized in sections corresponding to the following items and include:

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, stormwater conduit, underground utilities, storage vessels, and existing on-site wells.
5. Inventory and map of all wells, springs, and surface-water intakes used as sources of water within on-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.
- 6.a. Identification of environmentally sensitive areas on all properties constituting the Site and on all adjacent property 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
- 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 Times
State Lands Designated for Wildlife or Game Management
Wetlands

- 6.b. An evaluation of the Site and all adjacent property areas that likely serve as a natural area attractive to terrestrial ecological receptors.
- 6.c. An evaluation of the Site for the existence of any 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. 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 environmental permits, past and present, issued to or within Cataloochee Ski Resort's custody or control. Cataloochee Ski Resort 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 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. A description of equipment and personnel decontamination procedures.
16. A proposed schedule for site activities and reporting.
17. Any other information requested by the Division or considered relevant by the remediating party.
19. A signed and notarized certification by a representative of the remediating party 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. 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."

21. Any work that would constitute the “practice of engineering” as defined by N.C.G.S. § 89C shall be performed under the responsible charge of, and signed and sealed by a professional engineer registered in the state of North Carolina. Any work that would constitute the “public practice of geology” as defined by N.C.G.S. § 89E, shall be under the responsible charge of, and signed and sealed by, a geologist licensed in the state of North Carolina.

The Division will notify Cataloochee Ski Resort of any changes needed in the Plan and of the time within which the changes must be made. Cataloochee Ski Resort 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. Cataloochee Ski Resort must notify the Division no less than ten (10) days prior to any field activity.

Following completion of the remedial investigation, Cataloochee Ski Resort must provide a Remedial Investigation Report (Report) documenting implementation of the approved Plan. The Report must be organized in sections corresponding to the following items and include:

1. A narrative description of how the remedial investigation was conducted, including a discussion of any variances from the approved Plan.
2. A 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. A map, drawn to scale that shows all locations where soil, surface water and sediment were sampled. Also, include all monitoring well locations on the map. In all cases show each location’s 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. A professional land surveyor must conduct all surveying.
4. A description of all laboratory quality assurance and quality control procedures followed during the remedial investigation.
5. A description of procedures used to manage drill cuttings, purge water and decontamination water.
6. A summary of Site geologic conditions, including a description of soils and vadose zone characteristics.
7. A description of Site hydrogeologic conditions (if groundwater assessment is determined to be necessary), that includes 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.
8. Tabulation of analytical results for all sampling (include sampling dates and soil sampling depths) and copies of all laboratory reports (including QA/QC support data referenced to specific samples). A summary of the nature of any TICs eliminated from future analysis and reporting should be provided in the remedial investigation report including reasons for discounting the constituent.

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 Branch 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 on-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 representative of the remediating party 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. Any work that would constitute the "practice of engineering" as defined by N.C.G.S. § 89C shall be performed under the responsible charge of, and signed and sealed by a professional engineer registered in the state of North Carolina. Any work that would constitute the "public practice of geology" as defined by N.C.G.S. § 89E, shall be under the responsible charge of, and signed and sealed by, a geologist licensed in the state of North Carolina.

The Division will notify Cataloochee Ski Resort of any changes needed in the remedial investigation or the Report due to any hazard posed by the Site or discrepancies with the approved Remedial Investigation Plan, and of the time within which changes must be made. When the Division determines that the remedial investigation is complete, the Division will notify Cataloochee Ski Resort in writing.

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) and sent to:

Catherine Jacobs, Sr. Hydrogeologist
Inactive Hazardous Sites Branch
North Carolina Department of Environmental Quality
450 W. Hanes Mill Road, Ste 300
Winston-Salem, NC 27105

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 remedial investigation 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 the 30th day following your receipt of this letter, so please notify the Division, in writing, if Cataloochee Ski Resort intends to comply with our request. If you have any questions, concerning this remedial investigation request, please contact me at (336) 776-9677.

Sincerely,

A handwritten signature in black ink that reads "C. Jacobs". The signature is written in a cursive style with a large initial "C" and a small "J".

Catherine Jacobs, Project Manager
Inactive Hazardous Sites Branch