

ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

MICHAEL SCOTT
Director



NORTH CAROLINA
Environmental Quality

July 29, 2024

Day Beacon 9 Homeowner's Association
c/o William Regenthal
Geological Resources, Inc.
113 W. Firetower Road, Suite G
Winterville, North Carolina 28590

Re: Conditional Notice of No Further Action
15A NCAC 02L .0507(f)
Risk-Based Assessment and Corrective Action
for Petroleum Releases from Aboveground
Storage Tanks and other Non-UST Sources

Daybeacon
316 Water Street, Belhaven
Incident Number: 87176
Risk Classification: Low
Ranking: L 55 R

Dear Mr. Regenthal:

A review of information on file with the UST Section, Division of Waste Management, Washington Regional Office and the proposed Notice of Residual Petroleum declaration with confirmation of informed consent from all neighboring property owners impacted by a migrating contaminant plume, as received by this regional office on July 22, 2024, indicates that groundwater contamination meets the cleanup requirements for a low-risk release from an aboveground storage tank (AST) or other source under Title 15A NCAC 2L .0202 and .0500, but contamination exceeds the limits allowed for unrestricted closure of a site.

The UST Section determines the subject incident to be eligible conditionally for no further action status. However, final approval of no further action status is contingent on the filing of the approved Notice of Residual Petroleum (attached) with the Register of Deeds in the county in which the release is located, as verified by the receipt of certified copies of the filed Notice of Residual Petroleum by this office; and upon receipt of confirmation that public notice requirements have been completed, as described in the following paragraphs.

Be advised that, as contamination may exceed the groundwater quality standards established in Title 15A NCAC 2L .0202, groundwater within the area where contamination is present or is expected to migrate is not suitable for use as a water supply.

As groundwater contamination may exceed the groundwater quality standards established in Title 15A NCAC 2L .0202, pursuant to NCGS 143B-279.9 and 143B-279.11, you must file the approved plat and



North Carolina Department of Environmental Quality | Division of Waste Management
Washington Regional Office | 943 Washington Square Mall | Washington, NC 27889 |
(252) 946-6481

declaration for a Notice of Residual Petroleum (attached) with the Register of Deeds in the county in which the release is located and submit a certified copy to the UST Section within 30 days of receipt of this letter.

As groundwater contamination may exceed the groundwater quality standards established in Title 15A NCAC 2L .0202, public notice in accordance with 15A NCAC 02L .0509(b) also is required. Thus, within 30 days of receipt of this letter, a copy of the letter must be provided by certified mail, or by posting in a prominent place, if certified mail is impractical, to the local health director, the chief administrative officer of each political jurisdiction in which the contamination occurs, all property owners and occupants within or contiguous to the area containing contamination, and all property owners and occupants within or contiguous to the area where the contamination is expected to migrate.

Within 60 days of receiving this letter, this office must be provided with proof of receipt of the copy of the letter or of refusal by the addressee to accept delivery of the copy of the letter or with a description of the manner in which the letter was posted. Interested parties may examine the information on file about this site by contacting this regional office and may submit comments on the site to the regional office at the address or telephone number listed below.

This conditional No Further Action determination will not become valid until the UST Section receives certified copies of the Notice of Residual Petroleum that proves it has been filed with the Register of Deeds and until public notice requirements are completed.

If you have any questions regarding the actions that must be taken or the rules mentioned in this letter, please contact Carrie Stone at the address or telephone number listed below.

Sincerely,



Allison Ward
Regional Supervisor
Washington Regional Office
UST Section, Division of Waste Management, NCDEQ

Attachments: Notice of Residual Petroleum

