



RECEIVED

AUG 22 2016

2512 Independence Blvd.
Suite 200-34
Wilmington, NC 28412
Tel: 919-871-0999
Fax: 919-871-0335
www.atcassociates.com
N.C. Engineering License No. C-1598

August 18, 2016

Brian Alligood, County Manager
Beaufort County
121 W. 3rd Street
Washington, North Carolina 27889

VIA CERTIFIED MAIL 7015 3430 0000 8225 5489

Re: Conditional Notice of No Further Action
Pantry #3198
481 Fifth Street
Washington, Beaufort County, North Carolina
NCDEQ Incident No. 38447

Dear Sir or Madam:

In accordance with 15A NCAC 2L.0407(d), ATC Associates of North Carolina, P.C. (ATC) is submitting the attached Conditional Notice of No Further Action for the Pantry #3198 facility located at 481 Fifth Street, Washington, North Carolina. The North Carolina Department of Environmental Quality (NCDEQ) issued the Conditional Notice of No Further Action on August 12, 2016 and requires that a copy of the Conditional Notice of No Further Action be forwarded to your attention.

If you have any questions or require additional information, please contact our office at (919) 871-0999.

Sincerely,
ATC Associates of North Carolina, P.C.

Maureen A. Jackson, P.G.
Senior Project Manager

cc: Mr. Brent Puzak, Circle K Stores, Inc.



Waste Management
ENVIRONMENTAL QUALITY

PAT MCCRORY
Governor

DONALD R. VAN DER VAART
Secretary

MICHAEL SCOTT
Director

August 12, 2016

Circle K Stores, Inc.
c/o Maureen Jackson
ATC Associates
2512 Independence Blvd., Suite 200-34
Wilmington, NC 28412

Re: **Conditional Notice of No Further Action**
15A NCAC 2L .0407(d)
Risk-based Assessment and Corrective Action
for Petroleum Underground Storage Tanks

Former Pantry Store # 3198
481 Fifth Street
Washington, Beaufort County
Incident Number: 38447
Risk Classification: Low
Rank: L 135 D

Dear Ms. Jackson:

The Notice of Residual Petroleum received on **August 1, 2016** has been reviewed. The review indicates that soil contamination exceeds the residential maximum soil contaminant concentrations (MSCCs) established in Title 15A NCAC 2L .0411 and groundwater contamination meets the cleanup requirements for a low-risk site but exceeds the groundwater quality standards established in Title 15A NCAC 2L .0202.

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 NRP (attached) with the Register of Deeds in the county in which the release is located, verified by the receipt of a certified copy of the filed NRP by this office; and on receipt of confirmation that public notice requirements have been completed, as described in the following paragraphs.**

Be advised that as groundwater contamination exceeds the groundwater quality standards established in Title 15A NCAC 2L .0202, groundwater within the area of contamination or within the area where groundwater contamination is expected to migrate is not suitable for use as a water supply as stipulated in the Notice of Residual Petroleum (attached). Be advised that as soil contamination exceeds the residential MSCCs, the property containing the contamination is suitable only for **industrial/commercial use** as stipulated in the Notice of Residual Petroleum (attached).

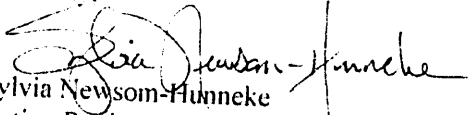
As groundwater contamination exceeds the groundwater quality standards established in Title 15A NCAC 2L .0202, pursuant to NCGS 143B-279.9 and 143B-279.11, you must file the approved Notice of Residual Petroleum (attached) with the Register of Deeds in the county in which the release is located and submit a certified copy to the UST Section within 30 days of receipt of this letter.

As groundwater contamination exceeds the groundwater quality standards established in Title 15A NCAC 2L .0202 and soil contamination exceeds the lower of the soil-to-groundwater or residential MSCCs, public notice in accordance with 15A NCAC 2L .0409(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 Initial Abatement Action Report, UST Closure Report and Limited Site Assessment Report 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 a certified copy of the Notice of Residual Petroleum which is filed with the Register of Deeds and until public notice requirements are completed.

If you have any questions regarding this notice, please contact me at the address or telephone number listed below.

Sincerely,


Sylvia Newsom-Hunneke
Acting Regional UST Supervisor
Washington Regional Office

Attachments: Notice of Residual Petroleum

cc: Mr. Brent Puzak - Circle K Stores, Inc.- 305 Gregson Dr., Cary NC 27511
Washington Regional Office (WaRO) - 943 Washington Square Mall, Washington, NC 27889 (252) 946-6481