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March 17, 2011

Ms. Dianne Thomas  
**State of North Carolina**  
**Department of Environment and Natural Resources**  
**Division of Waste Management, Superfund Section**  
401 Oberlin Road, Suite 150  
Raleigh, North Carolina 27605

**RE: Risk Management Plan**  
Soapy Bubbles  
1916 Poplar Street  
Aberdeen, Moore County, North Carolina  
ATC Project No. 45.34341.6304  
DSCA Site Identification #63-0004

Dear Ms. Thomas:

ATC Associates of North Carolina, P.C. (ATC) is pleased to submit the enclosed Risk Management Plan (RMP) for the above referenced site. The results of a previous Tier 1 Risk Assessment indicated that contaminant concentrations at the site do not pose an unacceptable risk. The primary purpose of this RMP is to ensure that the assumptions made during the risk assessment remain valid in the future. Based on the documentation outlined in this report, ATC recommends issuance of a No Further Action letter for the site.

If you have questions or require additional information, please do not hesitate to contact us at (919) 871-0999.

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

Gabriel Araos, P.E.  
Senior Project Manager

Genna K. Olson, P.G.  
Program Manager

**RISK MANAGEMENT PLAN  
SOAPY BUBBLES  
1916 NORTH POPLAR STREET  
ABERDEEN, MOORE COUNTY, NORTH CAROLINA  
ATC PROJECT NO. 45.34341.6304  
DSCA SITE IDENTIFICATION NO. 63-0004  
MARCH 17, 2011**

**Risk Management Plan**

**Soapy Bubbles**

1916 North Aberdeen Street  
Aberdeen, Moore County, North Carolina  
ATC Project No. 45.34341.6304  
DSCA Site Identification No. 63-0004

**Prepared By:**

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Project Manager  
N.C. Professional Engineer #22569

**Submitted To:**

**North Carolina Department of Environment  
and Natural Resources  
Division of Waste Management  
Superfund Section – DSCA Program**  
401 Oberlin Road, Suite 150  
Raleigh, North Carolina 27605

**Prepared By:**

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March 17, 2011

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## **1.0 INTRODUCTION**

ATC Associates of North Carolina, P.C. (ATC) has prepared this Risk Management Plan (RMP) for the Soapy Bubbles dba American Cleaners site (DSCA Site #63-0004) on behalf of the North Carolina Department of Environment and Natural Resources (NCDENR) Drycleaning Solvent Cleanup Act (DSCA) Program. The Soapy Bubbles site (herein referred to as the “site”) is located at 1916 North Poplar Street in Aberdeen, Moore County, North Carolina. Site assessment activities have confirmed that groundwater contamination extends onto the next downgradient property, which is occupied by the Blue’s Crossing apartment complex (herein referred to as the “apartment complex property”). The apartment complex property encompasses multiple addresses, but the primary address is 700 Rays Mill Road, Aberdeen, North Carolina. This RMP is intended to comply with the requirements of the DSCA (N.C.G.S. 143-215.104A *et seqs*) and promulgated rules and follows the outline provided in the DSCA Program’s risk-based corrective action (RBCA) guidance.

## **2.0 OBJECTIVES OF RMP**

ATC completed assessment activities at the site which indicated that tetrachloroethylene (PCE) is present in soil above unrestricted land use standards on the site property and PCE is present in groundwater above Title 15A NCAC 2L .0202 Groundwater Standards (2L Standards) on the site property and the adjacent apartment complex property. ATC completed a Tier 1 Risk Assessment for the Soapy Bubbles site on March 11, 2011. The results of the Risk Assessment indicated that there are on and off-site risks that do exceed target risk levels. However, the risks will be managed based on site-specific land use conditions that have been selected as part of the evaluation and which require an RMP. Thus, the objective of the RMP is to ensure that those site-specific land use conditions remain valid in the future.

## **3.0 SUMMARY OF APPROVED RISK ASSESSMENT REPORT**

Based on soil and groundwater impacts above unrestricted use standards, ATC completed a Tier 1 Risk Assessment report for the site and apartment complex property on March 11, 2011. This

section summarizes the final risk assessment, which resulted in the recommendation for no further action status for the site and apartment complex property.

The first step in the risk assessment process consisted of development of an exposure model. Three exposure units were assigned, an “on-site unit” encompassing the site property, an “off-site unit #1” encompassing the area of the off-site apartment complex building determined to be at greatest risk for possible vapor intrusion located adjacent to the site to the east, and an “off-site unit #2” encompassing the remainder of the apartment complex property overlying the plume adjacent to the site to the south. The exposure model evaluation indicated the following complete exposure pathways for each unit:

- On-site future resident – surficial soil combined pathway and indoor and outdoor inhalation of vapor emissions from soil and groundwater;
- On-site current and future non-residential worker - surficial soil combined pathway and indoor and outdoor inhalation of vapor emissions from soil and groundwater;
- On-site construction worker – combined pathways for soil up to depth of construction and outdoor inhalation of vapor emissions from groundwater;
- Off-site unit #1 current and future resident – indoor and outdoor inhalation of vapor emissions from groundwater;
- Off-site unit #1 future non-residential worker – indoor and outdoor inhalation of vapor emissions from groundwater; and
- Off-site unit #1 construction worker – outdoor inhalation of vapor emissions from groundwater.
- Off-site unit #2 current and future resident – indoor and outdoor inhalation of vapor emissions from groundwater;
- Off-site unit #2 future non-residential worker – indoor and outdoor inhalation of vapor emissions from groundwater; and
- Off-site unit #2 construction worker – outdoor inhalation of vapor emissions from groundwater.

Note that the site property is currently non-residential and the apartment complex property is currently residential. The future land use for these properties is not expected to change. However, ATC evaluated both residential and non-residential land use in the Risk Assessment to evaluate potential land use restrictions needed at the time of closure.

The results of the Tier 1 for the On-Site Exposure Unit indicated PCE concentrations in soil gas above the current Tier 1 levels used by the DSCA Program, which are the Vapor Intrusion Screening Levels (VISLs) established by the NCDENR Inactive Hazardous Sites Branch (IHSB). PCE concentrations exceeded both residential and industrial/commercial IHSB VISLs. However, the risk assessment for the on-site exposure unit is complicated by the presence of an active drycleaning drop-off/pick-up facility. Freshly drycleaned clothing in these types of facilities may emit vapors that result in constituent detections in indoor air. The DSCA Program only covers assessment and remediation of drycleaning solvent contamination resulting from releases as defined in G.S. 143-215.104B(b)24. Because of the potential vapor emissions from day-to-day operations of the active drop-off/pick-up drycleaning operation, no further risk evaluation was completed for the Soapy Bubbles facility building. However, the risk to future users of the building should be evaluated by re-testing the indoor air after the dry-cleaning business vacates the structure and prior to occupancy by subsequent tenants. ATC recommends that this be addressed in a land use restriction (LUR) for the site. In addition, since soil gas concentrations exist in the subsurface that exceed the IHSB VISLs and could create a vapor intrusion risk for future structures, ATC recommends a LUR specifying that no activities that cause or create a vapor intrusion risk may occur on the site property without prior approval of NCDENR. LURs proposed for the site are further discussed in detail in Section 6.0.

For off-site exposure unit #1, ATC evaluated the inhalation pathways using soil gas data collected adjacent to the building determined to be at highest risk for possible vapor intrusion. This data was collected near the slab for the apartment complex building located directly east of the site. For off-site exposure unit #2, ATC evaluated the inhalation pathways using groundwater data. The results of the Risk Assessment based on this data indicated no exceedences of Tier 1 levels for residential and non-residential land use in off-site exposure units #1 and #2.

In addition to the above referenced pathways for the on-site and off-site exposure units, ATC also evaluated the protection of groundwater use pathway. For this evaluation, ATC assumed that the nearest potential point-of-exposure (POE) for groundwater use was at the downgradient edge of the apartment complex property. Note that modeling under this scenario assumes that LUR will be implemented for both the site property and the apartment complex property limiting groundwater use. The results of the Tier 1 indicated no exceedences of Tier 1 Risk Based Screening Levels (RBSLs) for protection of groundwater use. Note that the nearest surface water body is located 1,200 feet downgradient of the subject site. Based on this distance and the size of the plume associated with the subject site, the surface water pathway was deemed incomplete.

The Tier 1 Risk Assessment concluded that risks associated with the contamination could be managed through implementation of LURs for the site property and the apartment complex property, as detailed in this RMP. Therefore, the Risk Assessment recommended risk-based closure for the site.

## **4.0 RAP COMPONENTS**

### **4.1 Summary of Prior Assessment and Interim Actions**

From 1998 through 2000, Dry Clean Express operated an active drycleaning operation on-site. From December 27, 2001 through the present, American Cleaners has operated a coin activated laundry and drop-off/pick-up location for drycleaning on-site. A Preliminary Environmental Assessment was completed by Clark Environmental Services, P.C. (CES) in June 2002. During the assessment, monitoring well MW-1 was installed and soil boring SB-1 was advanced. Samples collected during the assessment indicated the presence of chlorinated drycleaning solvent constituents in groundwater and soil above corresponding State standards. In September 2002, a Petition for Certification was filed by the property owner, Soapy Bubbles, LLC, for the inclusion of the site in the DSCA Program.

In May 2005, a Prioritization Assessment Report (PAR) was completed by CES. During PAR activities, CES installed monitoring wells MW-2 and MW-3 and sampled wells MW-1 through MW-3. CES also advanced soil boring SB-2 inside the building and identified a water supply

well on the adjacent apartment complex property. (Note that ATC later confirmed that this well was abandoned and the apartment complex property is currently connected to the public water service.) The groundwater sample collected from MW-1 contained a PCE concentration above the 2L Standard.

Shield Engineering, Inc. (Shield) completed a PAR and Prioritization Ranking Form in February 2006. As part of the PAR, Shield installed monitoring wells MW-4 through MW-7; collected groundwater samples from wells MW-1, MW-2, and MW-4 through MW-7; and collected one soil samples from the boring for well MW-5. The results of the PAR indicated the presence of PCE in certain groundwater samples. The extent of impacted groundwater was not delineated during the PAR.

ATC completed an Assessment Report in June 2008. As part of the investigation, ATC installed monitoring wells MW-7D and MW-8 through MW-12 and conducted two groundwater sampling events. ATC then completed a second Assessment Report in July 2009. As part of the additional assessment investigation, ATC installed monitoring wells MW-13 and MW-14, conducted three groundwater sampling events, and collected surficial soil samples from soil borings SB-3 through SB-6. The results of these assessment activities indicated PCE concentrations in soil above unrestricted land use standards on the site property and PCE concentrations in groundwater above 2L Standards on the site property and the adjacent apartment complex property. However, the extent of impacted soil and groundwater appeared adequately delineated.

ATC submitted an Annual Groundwater Monitoring Report in February 2010. The report documented groundwater sampling events conducted in February 2009, May 2009, August 2009, and November 2009. The results of the sampling events indicated that the PCE plume in groundwater is stable and adequately defined.

ATC completed sub-slab soil gas sampling in two locations in the Soapy Bubbles facility building (SGMP-1 and SGMP-2) in January 2010. The results of the sub-slab soil gas sample analyses indicated elevated levels of PCE. In April 2010, ATC collected indoor and outdoor air samples from the Soapy Bubbles facility building (Radiello #1 through Radiello #4). The results

of the indoor air sample analyses indicated elevated levels of PCE. However, as discussed in Section 3.0, the active drop-off/pickup drycleaning operation may be contributing to indoor air impacts. The DSCA Program only covers assessment and remediation of drycleaning solvent contamination resulting from releases as defined in G.S. 143-215.104B(b)24. Based on the results of the indoor air sampling, the LURs for the site specify that prior to using the Soapy Bubbles facility building for any purpose other than drycleaning operations, the property owner must demonstrate to the satisfaction of NCDENR that the indoor air of the structure does not pose an unacceptable risk to occupants.

As part of the April 2010 sampling, soil gas monitoring points SGMP-3 through SGMP-6 were also installed around the exterior of the Soapy Bubbles facility building. The results of the exterior soil gas sample analyses indicated levels of PCE above IHSB VISLs in the northern and eastern directions. There are no buildings in close proximity to the north and this direction is upgradient of the direction of plume migration. Therefore, no further investigation was deemed warranted to the north. To the east, the property is bordered by the adjacent apartment complex property. To evaluate the potential for vapor intrusion on the apartment complex property, soil gas monitoring points SGMP-7 and SGMP-8 were installed in July 2010 adjacent to the building in closest proximity to the east. The results of the soil gas sampling indicated no exceedences of IHSB VISLs for residential or non-residential land use. Therefore, no further vapor intrusion investigation was considered warranted for the apartment complex property. The results of the on-site and off-site vapor intrusion evaluations were documented in a Vapor Intrusion Assessment Report dated November 8, 2010.

ATC completed a Tier 1 Risk Assessment for the site on March 11, 2011. As discussed in detail in Section 3.0, the Risk Assessment concluded that risks associated with the contamination could be managed through implementation of LURs for the site property and the apartment complex property, as detailed in this RMP. Therefore, the Risk Assessment recommended risk-based closure for the site.

## 4.2 Remedial Action

According to the DSCA Program's RBCA guidance, no remedial action is necessary if four site conditions are met. Each of these conditions and their applicability to the subject site are addressed below.

*Condition 1: The dissolved plume is stable or decreasing.*

Periodic groundwater monitoring has been conducted at the site since 2002. Eight groundwater sampling events have been completed for the source area monitoring wells. Four groundwater sampling events have been completed for the most downgradient monitoring wells. Constituents of concern (COCs) detected at the site historically include benzene, chloroform, cis-1,2-dichloroethylene, methyl tertiary butyl ether, naphthalene, PCE, toluene, trichloroethylene, total xylenes, acetone, methylene chloride, chloromethane, 2-butanone, and diisopropyl ether. Of these constituents, only PCE and chloromethane have been detected at concentrations exceeding 2L Standards. Chloromethane is not a constituent of drycleaning solvent and was detected above the 2L Standard during only one sampling event. Based on this data, ATC focused on the compound PCE for evaluation of plume stability.

ATC prepared concentration versus distance and concentration versus time graphs for sampling events conducted at the site for PCE. The concentration versus time graph shows an overall decreasing trend in PCE concentrations in the source area over the past eight years. The concentration versus distance graph shows that concentrations reduce downgradient of the source and the plume extent appears stable. Documentation of the plume stability evaluation, including a figure showing monitoring well locations, a table showing historical groundwater analytical data, a PCE concentration versus distance graph, and a PCE concentration versus time graph are included in *Appendix A*.

*Condition 2: The maximum concentration within the exposure domain for every complete exposure pathway of any COC is less than ten times the representative concentration of that COC.*

ATC evaluated the representative concentrations calculated during the Tier 1 and found that this condition has been met for all COCs and exposure pathways.

*Condition 3: Adequate assurance is provided that the land use assumptions used in the DSCA Program's RBCA process are not violated for current or future conditions.*

LURs will be implemented for the site property and the apartment complex property to ensure the assumptions made in the Risk Assessment remain valid in the future. Refer to Section 6.0 for additional details regarding the proposed LURs for the site.

*Condition 4: There are no ecological concerns at the site.*

ATC completed a Level 1 Ecological Risk Assessment for the site in accordance with the DSCA Program's RBCA guidance. The results of the evaluation indicate that the release does not pose an unacceptable ecological risk. The completed Level 1 Ecological Risk Assessment Checklists A and B and associated attachments are included in **Appendix B**.

The site's compliance with the four above referenced conditions confirms that the contaminant concentrations are not likely to pose an unacceptable risk either at present or in the future. The plume is expected to naturally attenuate over time and the appropriate remedial action is to implement LUR on the properties overlying the plume.

## **5.0 DATA COLLECTED DURING RMP IMPLEMENTATION**

No further sampling or other data collection activities are proposed for the site, assuming the assumptions detailed in the LUR remain valid. As such, this section is not applicable.

## **6.0 LAND USE RESTRICTIONS (LUR)**

As discussed in detail in Section 3.0, the Risk Assessment for the site was based on the following assumptions:

- Prior to using the Soapy Bubbles facility building for any purpose other than drycleaning operations, the property owner will demonstrate to the satisfaction of NCDENR that the indoor air of the structure does not pose an unacceptable risk to occupants;
- Land use on the site property will be limited to non-residential;
- No activities that cause or create a vapor intrusion risk (for example, construction of sub-grade structures that encounter contaminated soil or construction that places building users in close proximity to contaminated groundwater) will occur on the site property without prior approval of NCDENR; and
- Groundwater will not be utilized on the site property or the adjacent apartment complex property.

LURs will be implemented for the site property and the apartment complex property to ensure that land use conditions are maintained and monitored until the LURs are no longer required for the site. Notices of Dry-cleaning Solvent Remediation (NDCSR) were prepared for the site property and the adjacent apartment complex property to comply with the LUR requirement. The on-site NDCSR is included in *Appendix C* and the off-site NDCSR is included in *Appendix D*. Refer to the NDCSR for the specific language to be incorporated to address each of the risk assessment assumptions detailed above. A plat showing the locations and types of drycleaning solvent contamination on the property is included as an exhibit to each NDCSR. The locations of drycleaning solvent contamination are where contaminants have been detected above unrestricted use standards.

## **7.0 LONG-TERM STEWARDSHIP PLAN**

The NDCSR contains a clause which requires that the owner of the site submit notarized “Annual Certification of Land Use Restrictions” to NCDENR on an annual basis certifying that the NDCSR remains recorded with the Register of Deeds and that land use conditions have not changed. An example of such a certification is included in *Appendix E*.

## **8.0 RMP IMPLEMENTATION SCHEDULE**

Since the contamination is stable and confined to the site property and apartment complex property, and possible exposure to the contamination is managed through the NDCSRs and LURs, no additional site remediation activities are required to implement the RMP. A 30-day public comment period will be held to allow the community an opportunity to comment on the proposed strategy. *Appendix F* includes example documents used to announce the public comment period in the local newspaper and to inform local officials, nearby property owners, and interested parties. As such, upon completion of the public comment period and final approval of the RMP, the NDCSR will be filed with the Moore County Register of Deeds and will complete the RMP schedule.

## **9.0 CRITERIA FOR DEMONSTRATING RMP SUCCESS**

The RMP will be successfully implemented once the required LURs have been executed and recorded with the Moore County Register of Deeds. The NDCSR may, at the request of the owner of the site property or apartment complex property, be canceled by NCDENR after the risk to public health and the environment associated with the drycleaning solvent contamination and any other contaminants included in the drycleaning solvent assessment and remediation agreement has been eliminated as a result of remediation of the properties. If NCDENR is notified of a change in site conditions, per the notification requirements detailed in the NDCSR, the RMP will be reviewed to determine if the site conditions have impacted the requirements set forth in the NDCSR and LUR and if changes are required. Enforcement of the RMP will be maintained through receipt of the “Annual DSCA Land use Restrictions Certification” from the property owner as part of the NDCSR and LUR requirements.

## **10.0 CONTINGENCY PLAN IF RMP FAILS**

As discussed above, unless the DSCA Program is notified of a change in land use conditions at the site, per the notification requirements detailed in this plan, the RMP will remain in effect until the RMP has met its objectives and is considered a success. Pursuant to N.C.G.S. 143-

215.104K, if any of the LURs set out in the NDCSR are violated, the owner of the site property at the time the LURs are violated, the owner's successors and assigns, and the owner's agents who directed or contracted for alteration of the site in violation of the LURs, shall be held liable for the remediation of all contaminants to unrestricted use standards.

## **11.0 CONCLUSIONS AND RECOMMENDATIONS**

ATC has prepared this RMP for the Soapy Bubbles site on behalf of the NC DSCA Program. The results of a Tier 1 Risk Assessment indicated that contaminant concentrations at the site do not pose an unacceptable risk. The contaminant plume associated with the site appears stable or decreasing. This RMP specifies that the NDCSR and LUR requirements provide notification that land use conditions observed during the risk assessment evaluation remain valid in the future. Based on the documentation contained in this report, ATC recommends issuance of a "No Further Action" letter.

**APPENDIX A**

**DOCUMENTATION OF PLUME STABILITY EVALUATION**

LEGEND

- PROPERTY BOUNDARY
- ⊕ MONITORING WELL (TYPE II)
- ⊙ MONITORING WELL (TYPE III)(DEEP)



NOTES:

TITLE  
 SITE MAP  
 SOAPY BUBBLES dba AMERICAN CLEANERS  
 1916 NORTH POPLAR STREET  
 ABERDEEN, NORTH CAROLINA

CAD FILE  
 1253431.DWG

DSCA ID  
 63-0004

PREP. BY  
 AW

REV. BY  
 GA

SCALE  
 1" = 50'

DATE  
 11-08-2010

PROJECT NO.  
 45.34341.6304



ATC Associates of North Carolina, P.C.  
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**Table 1: Analytical Data for Groundwater**

**DSCA ID No.: 63-0004**

Groundwater Sampling Point	Sampling Date (mm/dd/yy)	Benzene	Chloroform	cis-1,2-Dichloroethylene	Methyl tert-butyl ether (MTBE)	Naphthalene	Tetrachloroethylene	Toluene	Trichloroethylene	Xylenes (total)	Acetone	Methylene Chloride	Chloromethane	2-Butanone	Diisopropyl ether
		[mg/L]													
MW-1	03/01/02	<0.010	<0.010	<0.010	<0.010	<0.010	<b>0.7</b>	<0.010	<0.010	<0.020	NA	<0.100	<0.010	NA	<0.010
	11/19/04	<0.001	<0.001	<0.001	<0.001	<0.001	<b>0.0363</b>	<0.001	<0.001	<0.002	<0.025	<0.005	<0.001	<0.025	<0.001
	01/17/06	<0.001	<0.001	<0.001	<0.001	0.0028	<b>0.011</b>	<0.001	<0.001	<0.001	NA	<0.005	<0.001	NA	<0.001
	05/02/08	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<b>0.0035</b>	0.0012J	<0.0005	0.00051J	0.085	<0.005	<0.005	<0.01	<0.005
	09/30/08	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<b>0.0076</b>	<0.0005	<0.0005	<0.0005	<0.050	<0.005	<0.005	<0.01	<0.005
	02/11/09	<0.001	<0.001	<0.001	<0.001	<0.001	<b>0.0036</b>	<0.001	<0.001	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001
	05/06/09	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<b>0.0055</b>	<0.0005	<0.0005	<0.0005	<0.050	<0.005	<0.005	0.001J	<0.01
11/12/09	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<b>0.004</b>	<0.0005	<0.0028	<0.0005	<0.050	<0.005	<0.005	<0.005	<0.010	<0.005
MW-2	11/19/04	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.002	0.0369	<0.005	<0.001	<0.025	<0.001
	01/17/06	<0.001	<0.001	<0.001	<0.001	0.003	<0.001	<0.001	<0.001	0.001	NA	<0.002	<0.001	NA	<0.001
	06/20/07	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0007	<0.0005	<0.0005	<0.005	<0.010	<0.005	<0.005	<0.01	<0.005
	10/01/08	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0007	<0.0005	<0.0005	<0.005	0.0056J	<0.005	<0.005	<0.01	<0.005
MW-3	11/19/04	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.025	<0.005	<0.001	<0.025	<0.001
MW-4	01/18/06	<0.001	<0.001	<0.001	0.0016	<0.001	<b>0.0072</b>	<0.001	<0.001	<0.001	NA	<0.002	<0.001	NA	<0.001
	06/19/07	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<b>0.014</b>	<0.0005	<0.0005	<0.005	<0.010	<0.005	<0.005	<0.01	<0.005
	10/01/08	<0.0005	<0.0005	<0.0005	0.0017J	<0.0005	<b>0.012</b>	<0.0005	<0.0005	<0.005	<0.050	<0.005	<0.005	<0.01	<0.005
	02/11/09	<0.001	<0.001	<0.001	0.00038J	<0.001	<b>0.0054</b>	<0.001	<0.001	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001
	05/05/09	<0.0005	0.0005J	<0.0005	0.00084J	<0.0005	<b>0.0055</b>	<0.0005	<0.0005	<0.005	<0.050	<0.005	0.00078J	<0.01	<0.005
	08/13/09	<0.0005	0.0003J	<0.0005	0.0006J	<0.0005	<b>0.0054</b>	<0.0005	<0.0028	<0.0005	0.0096J	<0.005	<b>0.0054</b>	<0.01	<0.005
	11/10/09	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	0.00051J	<0.0005	<0.0028	<0.0005	<0.050	<0.005	<0.005	<0.010	<0.005
MW-5	01/18/06	<0.001	<0.001	<0.001	<0.001	<0.001	<b>0.013</b>	<0.001	<0.001	<0.001	NA	<0.002	<0.001	NA	<0.001
	06/19/07	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<b>0.048</b>	<0.0005	<0.0005	<0.005	<0.010	<0.005	<0.005	<0.01	<0.005
	05/02/08	0.00059	0.0082	<0.0005	<0.0005	<0.0005	<b>0.0041</b>	0.0015J	<0.0005	<0.005	0.037	<0.005	<0.005	<0.01	<0.005
	02/11/09	<0.001	0.00053J	<0.001	<0.001	<0.001	<b>0.0018</b>	<0.001	<0.001	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001
	05/06/09	<0.0005	0.0011J	<0.0005	<0.0005	<0.0005	<b>0.0054</b>	<0.0005	<0.0005	<0.005	<0.050	<0.005	0.00067J	<0.01	<0.005
	08/13/09	<0.0005	0.00099J	<0.0005	<0.0005	<0.0005	<b>0.0032</b>	<0.0005	<0.0028	<0.0005	0.007J	<0.005	<b>0.0053</b>	<0.01	<0.005
	11/11/09	<0.0005	0.00098J	<0.0005	<0.0005	<0.0005	<b>0.0058</b>	<0.0005	<0.0028	<0.0005	<0.050	<0.005	<0.005	<0.010	<0.005
MW-6	01/17/06	<0.001	<0.001	<0.001	<0.001	<0.001	<b>0.0062</b>	<0.001	<0.001	<0.001	NA	<0.002	<0.001	NA	<0.001
	06/20/07	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<b>0.0028</b>	<0.0005	<0.0005	<0.005	<0.01	<0.005	<0.005	<0.01	<0.005
	01/18/06	<0.001	<0.001	<0.001	<0.001	0.0029	<b>0.017</b>	<0.001	<0.001	<0.001	NA	<0.002	<0.001	NA	<0.001
MW-7	06/19/07	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<b>0.069</b>	<0.0005	<0.0005	<0.005	<0.010	<0.005	<0.005	<0.01	<0.005
	05/02/08	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<b>0.049</b>	<0.0005	<0.0005	<0.005	<0.010	<0.005	<0.005	<0.01	<0.005
	10/01/08	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<b>0.023</b>	<0.0005	<0.0005	<0.005	<0.050	<0.005	<0.005	<0.01	<0.005
	02/12/09	<0.001	<0.001	<0.001	<0.001	<0.001	<b>0.014</b>	<0.001	<0.001	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001
	05/06/09	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<b>0.016</b>	<0.0005	<0.0005	<0.005	<0.050	<0.005	0.0016J	<0.01	<0.005
	08/13/09	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<b>0.0068</b>	<0.0005	<0.0028	<0.0005	0.083	<0.005	<b>0.0057</b>	<0.01	<0.005
	11/12/09	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<b>0.022</b>	<0.0005	<0.0028	<0.0005	<0.050	<0.005	<0.005	<0.010	<0.005
MW-7D	04/30/08	<0.0005	0.0078	<0.0005	<0.0005	<0.0005	<0.0007	<0.0005	<0.0005	<0.005	<0.010	<0.005	<0.005	<0.01	<0.005
	10/01/08	<0.0005	0.00078J	<0.0005	<0.0005	<0.0005	<0.0007	<0.0005	<0.0005	<0.005	<0.050	<0.005	<0.005	<0.01	<0.005
	02/11/09	<0.001	<0.001	<0.001	<0.001	<0.001	<0.0007	<0.001	<0.001	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001
	05/06/09	<0.0005	0.0004J	<0.0005	<0.0005	0.00054J	<0.0007	<0.0005	<0.0005	<0.005	<0.050	<0.005	<0.005	0.0012J	<0.005
	08/11/09	<0.0005	0.0003J	<0.0005	<0.0005	<0.0005	<0.0007	<0.0005	<0.0028	<0.0005	<0.05	<0.005	<0.005	<0.01	<0.005
11/12/09	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005	<0.0007	<0.0005	<0.0028	<0.0005	<0.050	<0.005	<0.005	<0.010	<0.005	

**Table 1: Analytical Data for Groundwater**

DSCA ID No.: 63-0004															
Groundwater Sampling Point	Sampling Date (mm/dd/yy)	Benzene	Chloroform	cis-1,2-Dichloroethylene	Methyl tert-butyl ether (MTBE)	Naphthalene	Tetrachloroethylene	Toluene	Trichloroethylene	Xylenes (total)	Acetone	Methylene Chloride	Chloromethane	2-Butanone	Diisopropyl ether
		[mg/L]													
MW-8	04/30/08	<0.0005	0.0079	<0.005	0.0083	<0.005	<b>0.0066</b>	<0.005	<0.005	<0.005	<0.010	0.0013J	<0.005	<0.01	<0.005
	10/01/08	<0.0005	0.00052J	<0.005	0.0022J	<0.005	<b>0.0075</b>	<0.005	<0.005	<0.005	<0.050	<0.005	<0.005	<0.01	<0.005
	02/11/09	<0.001	<0.001	<0.001	0.0013	<0.001	<b>0.0051</b>	<0.001	<0.001	<0.001	<0.005	<0.001	0.0004J	<0.001	<0.001
	05/05/09	<0.0005	0.00045J	<0.005	0.0019J	<0.005	<b>0.005</b>	<0.005	<0.005	<0.005	<0.050	<0.005	0.00057J	<0.01	<0.005
	08/11/09	<0.0005	0.00036J	<0.005	0.0012J	<0.005	<b>0.003</b>	<0.005	<0.0028	<0.005	<0.05	<0.005	0.00088J	<0.01	<0.005
11/10/09	<0.0005	<0.005	<0.005	0.0011J	<0.005	<b>0.0046</b>	<0.005	<0.0028	<0.005	<0.050	<0.005	<0.005	<0.010	<0.005	
MW-9	04/30/08	<0.0005	0.0082	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.005	<0.010	<0.005	<0.005	<0.01	<0.005
	09/30/08	<0.0005	0.0015J	0.00064J	<0.005	<0.005	<b>0.00086</b>	<0.005	<0.005	<0.005	<0.050	<0.005	<0.005	<0.01	<0.005
	02/12/09	<0.001	0.00089J	0.00016J	<0.001	<0.001	0.00065J	<0.001	<0.001	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001
	05/05/09	<0.0005	0.0011J	<0.005	<0.005	<0.005	0.00068J	<0.005	<0.005	<0.005	<0.050	<0.005	0.0008J	<0.01	<0.005
	08/13/09	<0.0005	0.0011J	<0.005	<0.005	<0.005	<b>0.00089</b>	<0.005	<0.0028	<0.005	0.017J	<0.005	<b>0.0054</b>	<0.01	<0.005
11/11/09	<0.0005	0.0012J	0.00043J	<0.005	<0.005	<b>0.00086</b>	<0.005	<0.0028	<0.005	<0.050	<0.005	<0.005	<0.010	<0.005	
MW-10	04/30/08	<0.0005	<0.005	0.0077	<0.005	<0.005	<b>0.002</b>	<0.005	<0.005	<0.005	<0.010	<0.005	<0.005	<0.01	<0.005
	09/30/08	<0.0005	0.0015J	0.0014J	<0.005	<0.005	<b>0.0013</b>	<0.005	0.0006J	<0.005	<0.050	<0.005	<0.005	<0.01	<0.005
	02/12/09	<0.001	0.00097J	0.00082J	<0.001	<0.001	0.00012J	<0.001	0.00022J	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001
	05/06/09	<0.0005	0.0012J	0.00081J	<0.005	<0.005	0.00032J	<0.005	<0.005	<0.005	<0.050	<0.005	0.001J	<0.01	<0.005
	08/13/09	0.00032J	0.0014J	0.00072	0.00031J	<0.005	<b>0.00072</b>	<0.005	<0.0028	<0.005	<0.05	<0.005	<b>0.006</b>	<0.01	<0.005
11/12/09	<0.0005	0.0016J	0.0011J	<0.005	<0.005	0.00068J	<0.005	0.00051J	<0.005	<0.050	<0.005	<0.005	<0.010	<0.005	
MW-11	05/01/08	<0.0005	0.008	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.005	<0.010	<0.005	<0.005	<0.01	<0.005
	10/01/08	<0.0005	0.00092J	0.0012J	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.005	0.0075J	<0.005	<0.005	<0.01	<0.005
	02/12/09	<0.001	0.00053J	0.00083J	<0.001	<0.001	<0.0007	<0.001	0.00011J	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001
	05/05/09	<0.0005	0.00092J	0.00091J	<0.005	<0.005	0.00041J	<0.005	<0.005	<0.005	<0.050	<0.005	0.0011J	<0.01	<0.005
	08/12/09	0.00036J	0.00054J	0.0005J	0.00059J	<0.005	<0.0007	0.00063J	<0.0028	0.00036J	<0.05	<0.005	0.00067J	<0.01	<0.005
11/10/09	<0.0005	0.001J	0.00086J	<0.005	<0.005	<0.0007	<0.005	<0.0028	<0.005	<0.050	<0.005	<0.005	<0.010	<0.005	
MW-12	05/01/08	<0.0005	0.008	<0.005	<0.005	<0.005	<b>0.0057</b>	<0.005	<0.005	<0.005	<0.010	<0.005	<0.005	<0.01	<0.005
	10/01/08	<0.0005	0.00083J	<0.005	<0.005	<0.005	<b>0.0098</b>	<0.005	<0.005	<0.005	<0.050	<0.005	<0.005	<0.01	<0.005
	02/12/09	<0.001	0.00043J	<0.001	<0.001	<0.001	<b>0.0065</b>	<0.001	<0.001	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001
	05/05/09	<0.0005	0.00099J	<0.005	<0.005	<0.005	<b>0.011</b>	<0.005	<0.005	<0.005	<0.050	<0.005	0.0011J	<0.01	<0.005
	08/12/09	<0.0005	0.00069J	<0.005	<0.005	<0.005	<b>0.0044</b>	<0.005	<0.0028	<0.005	<0.05	<0.005	0.0011J	<0.01	<0.005
11/10/09	<0.0005	0.00084J	<0.005	<0.005	<0.005	<b>0.0065</b>	<0.005	<0.0028	<0.005	<0.050	<0.005	0.00059J	<0.010	<0.005	
MW-13	02/12/09	<0.001	0.00014J	<0.001	0.0014	<0.001	0.00037J	<0.001	<0.001	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001
	05/06/09	<0.0005	0.00062J	<0.005	0.0022J	<0.005	<b>0.001</b>	<0.005	<0.005	<0.005	<0.050	<0.005	0.00095J	<0.01	<0.005
	08/11/09	<0.0005	0.00054J	<0.005	0.00093J	<0.005	0.00044J	<0.005	<0.0028	<0.005	<0.05	<0.005	0.00073J	<0.01	<0.005
	11/10/09	<0.0005	<0.005	<0.005	0.00066J	<0.005	<0.0007	<0.005	<0.0028	<0.005	<0.050	<0.005	0.00072J	<0.010	<0.005
MW-14	02/12/09	<0.001	0.00013J	<0.001	0.0038	<0.001	0.00028J	<0.001	<0.001	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001
	05/05/09	<0.0005	0.00041J	<0.005	0.0035J	<0.005	<b>0.00072</b>	<0.005	<0.005	<0.005	<0.050	<0.005	0.0016J	<0.01	0.00026J
	08/11/09	<0.0005	<0.005	<0.005	0.00078J	<0.005	<b>0.00078</b>	<0.005	<0.0028	<0.005	<0.05	<0.005	0.00051J	<0.01	<0.005
	11/10/09	<0.0005	<0.005	<0.005	<0.005	<0.005	0.00054J	<0.005	<0.0028	<0.005	<0.050	<0.005	0.00045J	<0.010	<0.005
NC 2L Standard		0.001	0.07	0.07	0.02	0.006	0.0007	0.6	0.003	0.5	6	0.005	0.003	4	0.07

**APPENDIX B**

**LEVEL 1 ECOLOGICAL RISK ASSESSMENT CHECKLISTS**

## **Appendix A**

### **Ecological Risk Assessment – Level 1**

Soapy Bubbles dba American Cleaners

1916 Poplar Street

Aberdeen, Moore County, NC

ATC Project Number: 45.34341.63004

DSCA Site Identification #63-0004

### **Checklist A**

1. Are there navigable water bodies or tributaries to a navigable water body on or within the 0.5 mile of the site?

Based on the Southern Pines Quadrangle Topographic map and the United States Fish and Wildlife Service (USFWS), a tributary is located approximately 1,200 feet east of the site that flows south to the Bear Ford Swamp (located approximately 0.75 mile downstream). See the topographic map in **Attachment 1** and the USFWS Ecos map in **Attachment 2**.

2. Are there any water bodies anywhere on or within the 0.5 mile of the site?

Based on the Southern Pines Quadrangle Topographic map and the USFWS, a tributary is located approximately 1,200 feet east of the site flows south to the Bear Ford Swamp (located approximately 0.75 mile downstream).

3. Are there any wetland areas such as marshes or swamps on or within 0.5 mile of the site?

Based on the USFWS, the tributary is not considered a wetland or swamp area. No marshes or swamps are located within 0.5 mile of the site.

4. Are there any sensitive environmental areas on or within 0.5 mile of the site?

Based on a review of the USFWS online database, no critical habitats or sensitive environments are located within 0.5 mile of the site.

5. Are there any areas on or within 0.5 mile of the site owned or used by local tribes?

Based on site observations and historical research, no tribal artifacts or lands have been identified on or within 0.5 mile of the site.

6. Are there any habitat, foraging area or refuge by rare, threatened, endangered, candidate and/or proposed species (plants or animals), or any otherwise protected species on or within 0.5 mile of the site?

Based on the USFWS online databases, there are no critical habitats, wilderness areas or wildlife refuges within 0.5 mile of the site.

7. Are there any breeding, roosting or feeding areas by migratory bird species on or within 0.5 mile of the site?

The Migratory Bird Treaty Act was developed to help reduce potential migratory bird strikes with aircraft, wind turbines and towers. Many species of birds are protected that are common to the United States, Canada, and Mexico. Therefore, many species of birds in Moore County (e.g., Bald Eagle, Canadian Goose, Mourning Dove) are likely to be within 0.5 mile of the site.

8. Are there any ecologically, recreationally, or commercially important species on or within 0.5 mile of the site?

Based on site observations and desktop review, ecological important species (migratory birds) may be found within 0.5 mile of the site near the small tributary located approximately 1,200 feet east of the site. However, no recreational or commercially important species are likely to be within 0.5 mile of the site.

9. Are there any threatened and/or endangered species (plant or animal) on or within 0.5 mile of the site?

ATC reviewed the USFWS online species list for federally listed species. The following species were identified within Moore County:

- *Notropis mekistocholas* – Cape Fear Shiner: Endangered
- *Picoides borealis* – Red-cockaded Woodpecker: Endangered
- *Schwalbea Americana* – American Chaffseed: Endangered
- *Rhus michauxii* – Michaux's Sumac: Endangered

ATC also reviewed the North Carolina Heritage online quadrangle species list for state listed species. The following species were identified in the Southern Pines Quadrangle:

- *Eupatorium resinosum* – Pine Barren Boneset: Threatened-species of concern
- *Lilium pyrophilum* - Sandhills Lily: Endangered-species of concern
- *Pyxidantha brevifolia* – Sandhills Pyxie-moss: Endangered
- *Picoides borealis* – Red-cockaded Woodpecker: Endangered

However, none of the endangered or threatened species listed above are likely to be found within 0.5 mile of the site.

## Checklist B

1A. Can chemicals associated with the site leach, dissolve, or otherwise migrate to groundwater?

Yes. The primary constituent of concern is tetrachloroethylene (PCE). Based on published references (EPA, 2006), PCE is leachable to groundwater and is slightly soluble in groundwater. Furthermore, impacted groundwater has been confirmed at the site.

1B. Are chemicals associated with the site mobile in groundwater?

Yes. Chemical mobility is primarily influenced by the chemical solubility and soil-water partition coefficient. Based on these values, PCE is classified as moderately mobile (Fetter, 1988).

1C. Does groundwater from the site discharge to an ecological receptor habitat?

The primary ecological receptor habitat identified in the site vicinity is a tributary located approximately 1,200 feet east of the site that flows south to the Bear Ford Swamp. The plume has been delineated, is stable, and does not reach this habitat. As such, the impacted groundwater does not appear likely to discharge to this ecological receptor habitats.

**1. Could chemicals associated with the site reach ecological receptors through groundwater?**

**No. As discussed above, the nearest ecological receptor habitat is the tributary to the east and the plume does not reach this tributary.**

2A. Are chemicals present in surface soils on the site?

Yes. Surficial soils have been impacted at the site. PCE has been detected at a maximum concentration of 0.09 milligrams per kilogram (mg/kg) in surficial soil. However, this concentration is below the lowest Tier 1 Risk-Based Screening Level (RBSL) for surficial soil established by the DSCA Program of 0.898 mg/kg.

2B. Can chemicals be leached from or be transported by erosion of surface soil on the site?

No. The surficial soils impacted at the site are capped by an asphalt parking lot. Severe erosion and transport of impacted surficial soils from the site does not appear likely.

**2. Could chemicals associated with the site reach ecological receptors through runoff or erosion?**

**No. Concentrations of PCE in surficial soil are below Tier 1 RBSLs for surficial soil and are capped by asphalt.**

3A. Are chemicals present in the surface soil or on the surface of the ground?

Yes. Impacted surficial soils have been documented at the site, but the impacted soil concentrations are below Tier 1 RBSLs for surficial soil and are capped by an asphalt parking lot.

3B. Are potential ecological receptors on the site.

No. Ecological receptors are unlikely to be present on the site property. Some bird and plant species were identified that may be associated with surface water or wetland areas, but the site is an active commercial property and surrounded by commercial and residential properties so these species appear unlikely to be present on the site.

**3. Could chemicals associated with the site reach ecological receptors through direct contact?**

**No. Surficial impacted soils have been identified, but they are capped by an asphalt parking lot and concentrations are below Tier 1 RBSLs for surficial soil. The site property is an active commercial property and is surrounded by commercial and residential properties, therefore ecological receptors are unlikely to be present in the area.**

4A. Are chemicals on the site volatile?

Yes. Chlorinated solvents are considered volatile organic compounds.

4B. Could chemicals on the site be transported in air as dust or particulate matter?

No. Impacted surficial soils are capped by an asphalt parking lot. As such, generation of dust or particulate matter does not appear likely.

**4. Could chemicals associated with the site reach ecological receptors through inhalation of volatilized chemicals or adhered chemicals to dust in ambient air or in subsurface burrows?**

**No. Ecological receptors are unlikely to be present on the site property. Some bird and plant species were identified that may be associated with surface water or wetland areas, but the site is an active commercial property and surrounded by commercial and residential properties so these species appear unlikely to be present on the site.**

5A. Is Non-Aqueous Phase Liquid (NAPL) present at the site?

No. NAPL has not been encountered at the site.

5B. Is NAPL migrating?

No. NAPL has not been encountered at the site.

5C. Could NAPL discharge occur where ecological receptors are found?

No. NAPL has not been encountered at the site.

**5. Could chemicals associated with the site reach ecological receptors through migration of NAPL?**

**No. NAPL has not been encountered at the site.**

6A. Are chemicals present in surface and shallow subsurface soils or on the surface of the ground?

Yes. Impacted surficial soils have been documented at the site. However, concentrations are below Tier 1 RBSLs for surficial soil.

6B. Are chemicals found in the soil on the site taken up by plants growing on the site?

No. The impacted surficial soil is currently capped by an asphalt parking lot.

6C. Do potential ecological receptors on or near the site feed on plants (e.g., grasses, shrubs, forbs, trees, etc.) found on the site?

It is possible that migratory birds feed on the plants at the site. However, as discussed above, impacted surficial soils are capped by asphalt so significant chemical concentrations in plants are unlikely to be present. Furthermore, the site is an active commercial property and significant ecological receptors are unlikely to be present.

6D. Do chemicals found on the site bioaccumulate?

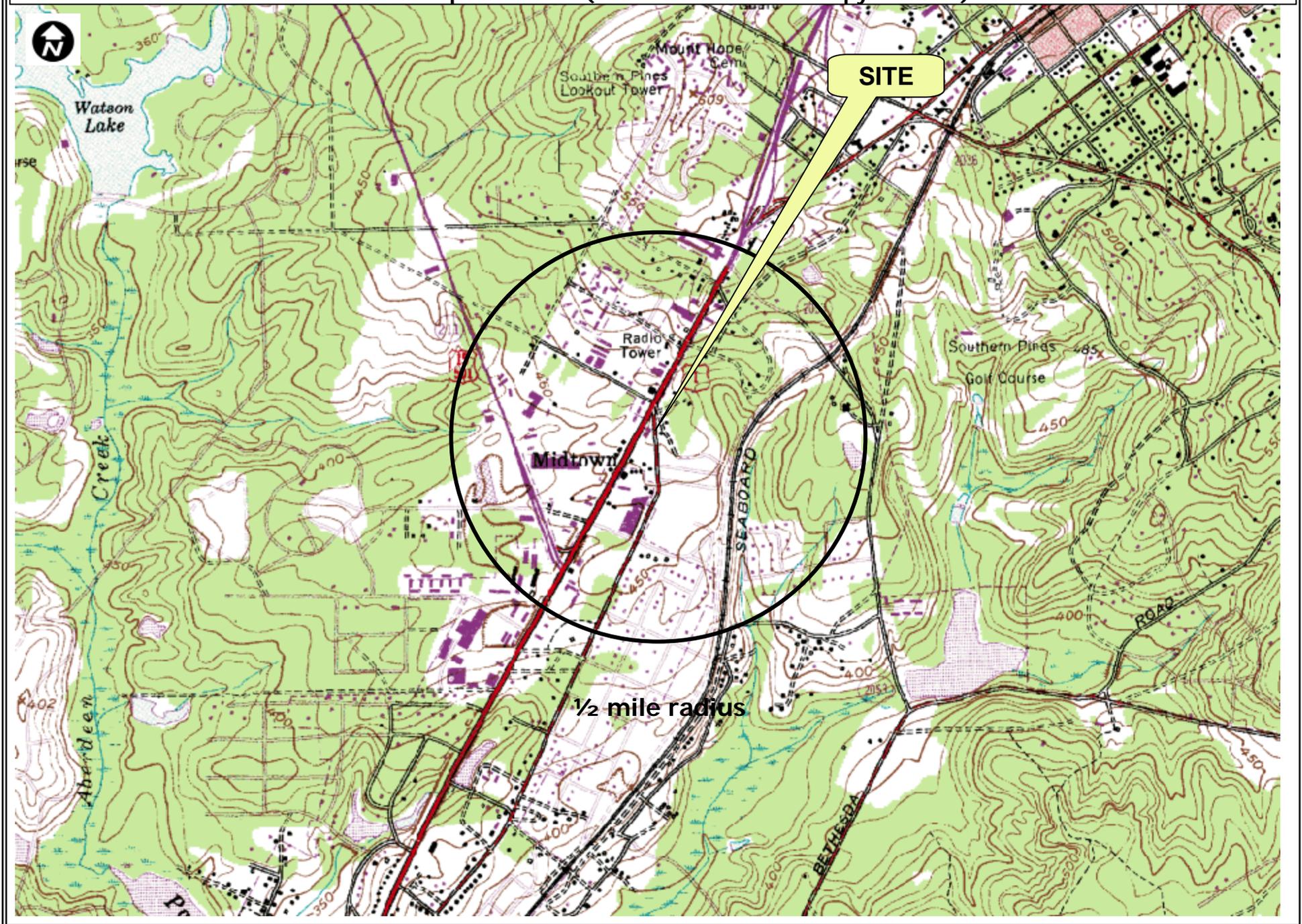
No. Based on published references (U.S. Agency for Toxic Substances and Disease Registry, 1997), PCE does not significantly bioaccumulate.

**6. Could chemicals associated with the site reach ecological receptors through direct ingestion of soil, plants, animals, or contaminants?**

**No. Impacted surficial soils are capped by asphalt and concentrations are below Tier 1 RBSLs for surficial soil. Furthermore, the site is an active commercial property and significant ecological receptors are unlikely to be present.**

Attachment 1: USGS Southern Pines Quadrangle, Moore County, NC (Not to Scale).

Source: Topozone.com (DSCA Site 63-0004 Soapy Bubbles)





**APPENDIX C**

**ON-SITE NOTICE OF DRYCLEANING SOLVENT REMEDIATION**

## NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

Property Owner: Soapy Bubbles, LLC  
Recorded in Book \_\_\_\_\_, Page \_\_\_\_\_  
Associated plat recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_

**This documentary component of a Notice of Dry-Cleaning Solvent Remediation (hereinafter “Notice”) is hereby recorded on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Soapy Bubbles, LLC (hereinafter “Property Owner”). The survey plat component of the Notice is being recorded concurrently with this documentary component. The real property (hereinafter “Property”) which is the subject of this Notice is located at 1916 North Poplar Street, Aberdeen, Moore County, North Carolina, Parcel Identification Number (PIN) 857119627291.**

**The Property is contaminated with dry-cleaning solvent, as defined at North Carolina General Statutes (hereinafter “N.C.G.S.”), Section (hereinafter “§”) 143-215.104B(b)(9) and other contaminants, and is one of two parcels that make up the dry-cleaning solvent contamination site (hereinafter “Contamination Site”). This Notice has been approved by the North Carolina Department of Environment and Natural Resources, or its successor in function (hereinafter “DENR”) under the authority of the Dry-Cleaning Solvent Cleanup Act of 1997, as amended, N.C.G.S. § 143-215.104A *et seq.* (hereinafter “DSCA”), and is required to be filed in the Register of Deeds' Office in the county or counties in which the land is located, pursuant to NCGS § 143-215.104M. A Notice will be recorded separately in each chain of title of the Contamination Site.**

Soil and groundwater at the Property are contaminated with dry-cleaning solvents associated with the former dry-cleaning operations at Soapy Bubbles, dba American Cleaners (DSCA Site 63-0004) located at 1916 North Poplar Street, Aberdeen. Dry-cleaning operations were conducted on the Property from approximately 1998 to 2000. The Property is currently used for drop-off dry-cleaning services.

Pursuant to N.C.G.S. § 143-215.104M, this Notice is being filed in order to reduce or eliminate the danger to public health or the environment posed by the Property. Attached hereto

as **Exhibit A** is a reduction, to 8 1/2" x 11", of the survey plat component of the Notice required by N.C.G.S. § 143-215.104M. The survey plat has been prepared and certified by a professional land surveyor and meets the requirements of G.S. 47-30, and contains the following information required by N.C.G.S. § 143-215.104M:

- (1) A description of the location and dimensions of the areas of potential environmental concern with respect to permanently surveyed benchmarks; and
- (2) The type, location and quantity of regulated dry-cleaning solvent contamination and other contaminants known to exist on the Property.

Attached hereto as **Exhibit B**, is a legal description of the Property that would be sufficient as a description in an instrument of conveyance.

Pursuant to NCGS § 143-215.104M, a certified copy of this Notice must be filed within 15 days of receipt of DENR's approval of the Notice or the effective date of the dry-cleaning solvent remediation agreement, whichever is later. Pursuant to NCGS § 143-215.104M, the copy of the Notice certified by DENR must be recorded in the grantor index under the names of the owners of the land.

### **LAND-USE RESTRICTIONS**

**NCGS § 143-215.104M requires that the Notice identify any restrictions on the current and future use of the Property that are necessary or useful to maintain the level of protection appropriate for the designated current or future use of the Property and that are designated in the dry-cleaning remediation agreement. The restrictions shall remain in force in perpetuity unless canceled by the Secretary of DENR, or his/her designee, after the hazards have been eliminated, pursuant to NCGS §143-215.104M. Those restrictions are hereby imposed on the Property, and are as follows:**

- 1. The Property shall be used exclusively for retail, commercial or industrial purposes and related amenities (parking, landscape areas and walkways), and all other uses of the Property are prohibited except as approved in writing by DENR.**
- 2. Without prior written approval from DENR, the Property shall not be used for:**
  - a. child care centers or schools; or**
  - b. mining or extraction of coal, oil, gas or any mineral or non-mineral substances.**
- 3. No activities that encounter, expose, remove or use groundwater (for example, installation of water supply wells, fountains, ponds, lakes or swimming pools that use groundwater, or construction or excavation activities that encounter or expose groundwater) may occur on the Property without prior approval of DENR.**
- 4. No activities that cause or create a vapor intrusion risk (for example, construction of sub-grade structures that encounter contaminated soil or construction that places building users in close proximity to contaminated groundwater) may occur on the Property without prior approval of DENR.**

5. **Prior to using the Soapy Bubbles dba American Cleaners facility building, as identified in Exhibit A, for any purpose other than drycleaning operations or drop-off drycleaning services, the property owner must demonstrate to the satisfaction of DENR that the indoor air of the structure does not pose an unacceptable risk to occupants.**
6. **No person conducting environmental assessment or remediation at the Property or involved in determining compliance with applicable land-use restrictions, at the direction of, or pursuant to a permit or order issued by DENR may be denied access to the Property for the purpose of conducting such activities.**
7. **The owner of any portion of the Property shall cause the instrument of any sale, lease, grant, or other transfer of any interest in the property to include a provision expressly requiring the lessee, grantee, or transferee to comply with this Notice. The failure to include such a provision shall not affect the validity or applicability of any land-use restriction in this Notice.**
8. **In January of each year, on or before January 31<sup>st</sup>, the owner of any portion of the Property shall submit a notarized Annual DSCA Land-Use Restrictions Certification to DENR certifying that this Notice remains recorded at the Register of Deeds' office, and that the Land-Use Restrictions are being complied with.**

#### **EASEMENT (RIGHT OF ENTRY)**

The property owner grants and conveys to DENR, its agents, contractors, and employees, and any person performing pollution remediation activities under the direction of DENR, access at reasonable times and under reasonable security requirements to the Property to determine and monitor compliance with the land-use restrictions set forth in this Notice. Such investigations and actions are necessary by DENR to ensure that use, occupancy, and activities of and at the Property are consistent with the land-use restrictions and to ensure that the structural integrity and continued effectiveness of any engineering controls (if appropriate) described in the Notice are maintained. Whenever possible, at least 48 hours advance notice will be given to the Property Owner prior to entry. Advance notice may not always be possible due to conditions such as response time to complaints and emergency situations.

#### **REPRESENTATIONS AND WARRANTIES**

The Property Owner hereby represents and warrants to the other signatories hereto:

- i) that the Property Owner is the sole owner of the Property; **or** that the Property Owner has provided to DENR the names of all other persons that own an interest in or hold an encumbrance on the Property and have notified such persons of the Property Owner's intention to enter into this Notice;

- ii) that the Property Owner has the power and authority to enter into this Notice, to grant the rights and interests herein provided and to carry out all obligations hereunder; and
- iii) that this Notice will not materially violate or contravene or constitute a material default under any other agreement, document or instrument to which the Property Owner is a party or by which the Property Owner may be bound or affected.

### **ENFORCEMENT**

The above land-use restrictions shall be enforceable without regard to lack of privity of estate or contract, lack of benefit to particular land, or lack of any property interest in particular land. The land-use restrictions shall be enforced by any owner of the Property. The land-use restrictions may also be enforced by DENR through the remedies provided in NCGS § 143-215.104P or by means of a civil action; by any unit of local government having jurisdiction over any part of the Property; and by any person eligible for liability protection under the DSCA who will lose liability protection if the restrictions are violated. Any attempt to cancel any or all of this Declaration without the approval of the Secretary of DENR (or its successor in function), or his/her delegate, shall be subject to enforcement by DENR to the full extent of the law. Failure by any party required-or authorized to enforce any of the above restrictions shall in no event be deemed a waiver of the right to do so thereafter as to the same violation or as to one occurring prior or subsequent thereto.

If a land-use restriction set out in this Notice required under NCGS § 143-215.104.M is violated, the owner of the Property at the time the land-use restriction is violated, the owner's successors and assigns, and the owner's agents who direct or contract for alteration of the contamination site in violation of a land-use restriction shall be liable for remediation of all contaminants to unrestricted use standards.

### **FUTURE SALES, LEASES, CONVEYANCES AND TRANSFERS**

When any portion of the Property is sold, leased, conveyed or transferred, pursuant to NCGS § 143-215.104M the deed or other instrument of transfer shall contain in the description section, in no smaller type than that used in the body of the deed or instrument, a statement that the Property has been contaminated with dry-cleaning solvent and, if appropriate, cleaned up under the DSCA.

The Property Owner shall notify DENR at least fourteen (14) calendar days before the effective date of any conveyance, grant, gift, or other transfer, whole or in part, of the Owner's interest in the property, but such notification requirement does not apply with regard to the Property Owner's execution of a lease of any portion of the Property. This Notice shall include the name, business address and phone number of the transferee and the expected date of transfer.

**PROPERTY OWNER SIGNATURE**

IN WITNESS WHEREOF, Property Owner has caused this instrument to be duly executed this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Soapy Bubbles, LLC

By:

\_\_\_\_\_  
Name of contact

NORTH CAROLINA  
\_\_\_\_\_ COUNTY

I, \_\_\_\_\_, a Notary Public of the county and state aforesaid, certify that \_\_\_\_\_ personally came before me this day and acknowledged that he/she is a Member of Soapy Bubbles, LLC, a North Carolina limited liability corporation, and its Manager, and that by authority duly given and as the act of the company, the foregoing Notice of Dry-Cleaning Solvent Remediation was signed in its name by him.

WITNESS my hand and official stamp or seal, this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Name typed or printed  
Notary Public

My Commission expires: \_\_\_\_\_  
[Stamp/Seal]

**APPROVAL AND CERTIFICATION**

The foregoing Notice of Dry-Cleaning Solvent Remediation is hereby approved and certified.

North Carolina Department of Environment and Natural Resources

By: \_\_\_\_\_  
Jack Butler, Chief  
Superfund Section  
Division of Waste Management

\_\_\_\_\_  
Date

**LIMITED POWER OF ATTORNEY**

I \_\_\_\_\_ “Property Owner”, do hereby grant a limited power of attorney to DENR and to DENR’s independent contractors, as follows:

**DENR and DENR’s independent contractors shall have the limited power of attorney to record this Notice, including its documentary and survey plat components, in accordance with N.C.G.S. § 143-215.104M on my “Property Owner” behalf. This limited power of attorney shall terminate upon completion of the recordation of the Notice.**

Signature of Property Owner \_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public, do hereby certify that \_\_\_\_\_ personally appeared before me this day and signed this “Limited Power of Attorney”.

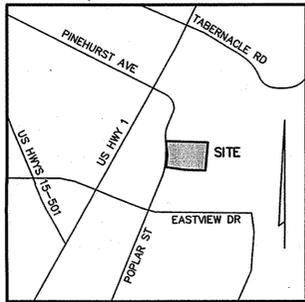
WITNESS my hand and official stamp or seal, this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Name typed or printed  
Notary Public

My Commission expires: \_\_\_\_\_  
[Stamp/Seal]



**EXHIBIT A**  
**REDUCTION OF SURVEY PLAT**  
**SOAPY BUBBLES, LLC**



VICINITY MAP NOT TO SCALE

**FLOOD CERTIFICATION:**

THIS IS TO CERTIFY THAT THE A PORTION OF THE PROPERTY SHOWN ON THIS PLAT IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, COMMUNITY NUMBER 371085-7100-1.

**VRS SURVEY TIE**

ALL BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE LOCALIZED (GROUND) NAD 83 (2007 ADJUSTMENT) HORIZONTAL INFORMATION (UNLESS NOTED OTHERWISE), BASED UPON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, WITH NGVD29 ELEVATIONS, THE N.C. STATE PLANE COORDINATES FOR CONTROL POINTS #136, & 1001, SHOWN HEREON WERE ESTABLISHED UTILIZING GROUND POSITIONING SYSTEMS (GPS) IN CONJUNCTION WITH THE NORTH CAROLINA GEODETIC SURVEY'S VIRTUAL REFERENCE SYSTEM (VRS), WHICH IS BASED UPON THE CONTINUALLY OPERATING REFERENCE STATIONS (CORS). THE VRS SURVEY TIE WAS PERFORMED ON NOVEMBER 17, 2010. ALL MEASUREMENTS SHOWN HEREON ARE REPORTED IN U.S. SURVEY FEET UNLESS NOTED OTHERWISE.

**SOIL BORINGS**

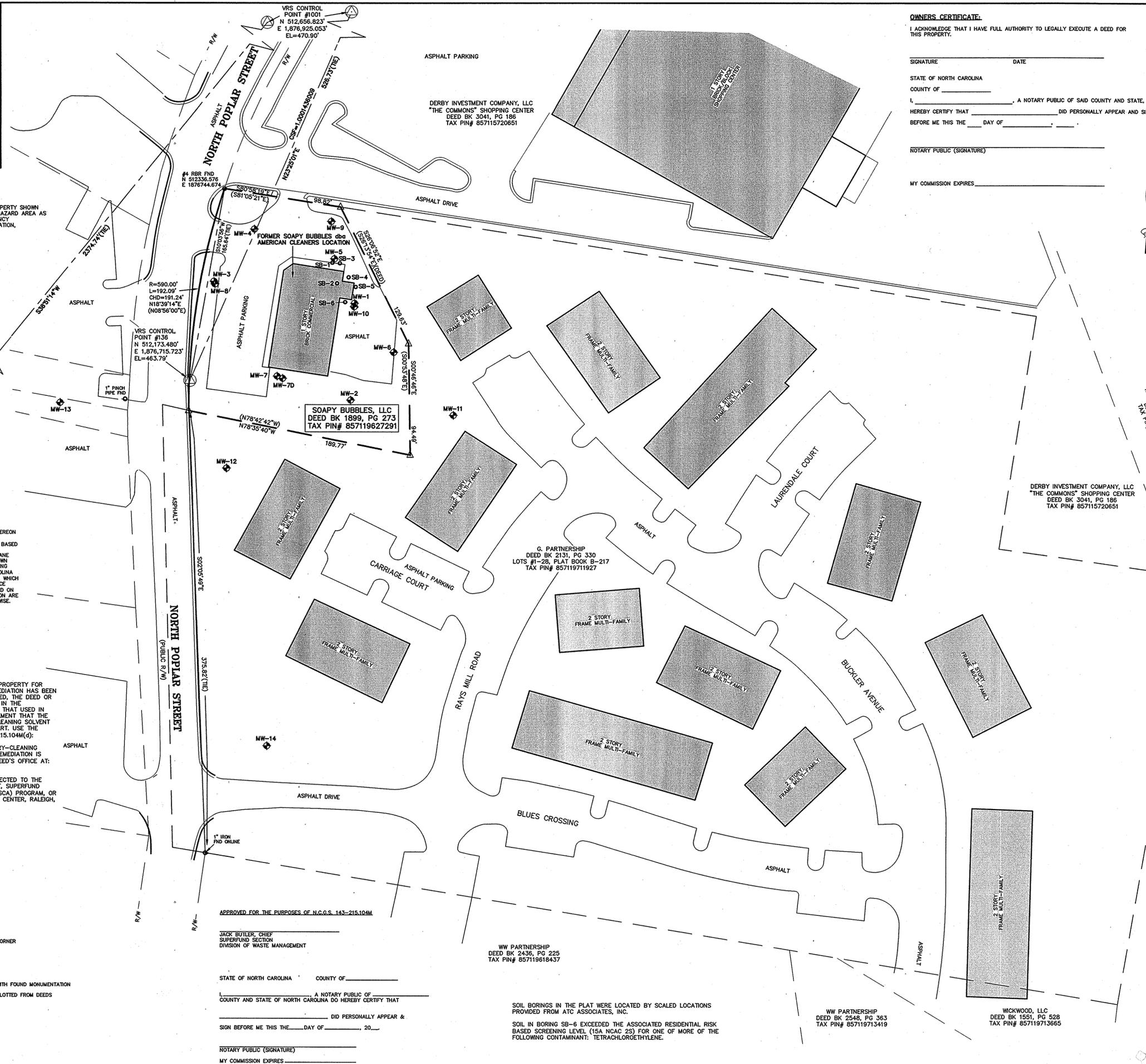
"N.C.G.S. 143-215.104M(d) REQUIRES THAT WHEN PROPERTY FOR WHICH A NOTICE OF DRY-CLEANING SOLVENT REMEDIATION HAS BEEN FILED IS SOLD, LEASED, CONVEYED OR TRANSFERRED, THE DEED OR OTHER INSTRUMENT OF TRANSFER SHALL CONTAIN IN THE DESCRIPTION SECTION IN NO SMALLER TYPE THAN THAT USED IN THE BODY OF THE DEED OR INSTRUMENT, A STATEMENT THAT THE PROPERTY HAS BEEN CONTAMINATED WITH DRY-CLEANING SOLVENT AND, IF APPROPRIATE, CLEANED UP UNDER THIS PART. USE THE FOLLOWING STATEMENT TO SATISFY N.C.G.S. 143-215.104M(d):

THIS PROPERTY HAS BEEN CONTAMINATED WITH DRY-CLEANING SOLVENT. A NOTICE OF DRY-CLEANING SOLVENT REMEDIATION IS RECORDED IN THE MOORE COUNTY REGISTER OF DEEDS' OFFICE AT: BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

QUESTIONS CONCERNING THIS MATTER MAY BE DIRECTED TO THE NORTH CAROLINA DIVISION OF WASTE MANAGEMENT, SUPERFUND SECTION, DRY-CLEANING SOLVENT CLEANUP ACT (DSCA) PROGRAM, OR ITS SUCCESSOR IN FUNCTION, 1646 MAIL SERVICE CENTER, RALEIGH, NC 27699-1646.

**LEGEND:**

- R/W RIGHT OF WAY
- N.T.S. NOT TO SCALE
- CSF COMBINED SCALE FACTOR
- E/P EDGE OF PAVEMENT
- MW MONITORING WELL(MW)
- N NORTHING
- E EASTING
- TOC TOP OF CASING
- TOW TOP OF WELL MANHOLE
- ▲ CALCULATED PROPERTY CORNER
- ▲ DATUM CONTROL POINT
- N/F NOW OR FORMERLY
- MW MONITORING WELL
- SUBJECT PARCEL LINES WITH FOUND MONUMENTATION
- SUBJECT PARCEL LINES PLOTTED FROM DEEDS
- ADJOINER PARCEL LINES
- RIGHT OF WAY LINE
- CONTROL TIE LINES
- RBR REBAR
- D DEEP
- SB SOIL BORING



**OWNERS CERTIFICATE:**

I ACKNOWLEDGE THAT I HAVE FULL AUTHORITY TO LEGALLY EXECUTE A DEED FOR THIS PROPERTY.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, A NOTARY PUBLIC OF SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT \_\_\_\_\_ DID PERSONALLY APPEAR AND SIGN BEFORE ME THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC (SIGNATURE) \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

THE DOCUMENTARY COMPONENT OF THIS NOTICE OF DRY-CLEANING SOLVENT REMEDIATION WHICH IDENTIFIES CONTROL POINTS OR LIMITATIONS ON THE USE OF THIS PROPERTY IS RECORDED AT:

DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ AND \_\_\_\_\_

**SURVEY NOTES:**

- 1) THE SUBJECT PROPERTY FOR THIS SURVEY IS IDENTIFIED BY MOORE COUNTY PARCEL IDENTIFICATION NUMBER(PIN) #857119627291. THE PURPOSE OF THIS PLAT IS TO DISPLAY (1) THE LOCATIONS OF MONITORING WELLS LOCATED ON THE SUBJECT PROPERTY WITH RESPECT TO SURVEYED BENCHMARKS AND (2) THE TYPE, LOCATION AND QUANTITY OF RELATED SUBSTANCES AND CONTAMINANTS KNOWN TO EXIST ON THIS NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (NCDENR) DRY-CLEANING SOLVENT CLEANUP ACT (DSCA) PROGRAM SITE.
- 2) THE AREAS AND TYPE OF CONTAMINATION DEPICTED UPON THE MAP ARE APPROXIMATIONS DERIVED FROM THE BEST AVAILABLE INFORMATION AT THE TIME OF FILING.
- 3) ALL BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE BASED UPON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83 (NSRS 2007), WITH NGVD29 (GEOD 03) ELEVATIONS. PER A GPS SURVEY PERFORMED BY THE ISAACS GROUP, ON NOVEMBER 17, 2010, THE N.C. STATE PLANE COORDINATES SHOWN FOR CONTROL POINT #136 AND #1001 WERE ESTABLISHED UTILIZING A TRIMBLE R8 GLOBAL POSITIONING SYSTEM (GPS) UNIT IN CONJUNCTION WITH THE NORTH CAROLINA GEODETIC SURVEY'S VIRTUAL REFERENCE SYSTEM (VRS), WHICH IS BASED UPON THE CONTINUALLY OPERATING REFERENCE STATIONS (CORS). ALL MEASUREMENTS SHOWN HEREON ARE REPORTED IN U.S. SURVEY FEET (UNLESS NOTED OTHERWISE).
- 4) THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THE BOUNDARY LINES OF THE SUBJECT PROPERTY WERE PRODUCED FROM THE LEGAL DESCRIPTION FOUND IN DEED 1899, PAGE 273. THE GEOMETRY OF THAT LEGAL DESCRIPTION HAS NOT BEEN ALTERED IN ANY WAY, BUT HAVE BEEN HELD ON THE NORTHWEST CORNER OF THE PROPERTY DESCRIBED IN DEED BOOK 1899, PAGE 273 (A FOUND #4 REBAR), AND ROTATED TO A FOUND 1" IRON ONLINE AT THE RIGHT-OF-WAY OF NORTH POPLAR STREET, A POINT NEAR THE SOUTHWEST CORNER OF THE PROPERTY DESCRIBED IN DEED BOOK 2191, PAGE 130. NON-MONUMENTED SUBJECT PARCEL LINES ARE BASED ON THAT LEGAL DESCRIPTION.
- 5) SOME INFORMATION SUCH AS BUILDING FOOTPRINTS, SOME PROPERTY LINES, AND CURB LINES/EDGE OF PAVEMENT, HAVE BEEN TAKEN FROM MOORE COUNTY GIS DATABASE INFORMATION, AND THIS INFORMATION IS SHOWN FOR REFERENCE PURPOSES ONLY. NO ACCURACY OR POSITIONAL TOLERANCE IS GUARANTEED BY THIS SURVEY AS TO HOW THE SURVEYED FEATURES RELATE TO THE GIS INFORMATION SHOWN.
- 6) PROPERTY OWNER INFORMATION WAS OBTAINED ONLINE FROM MOORE COUNTY RECORDS.
- 7) THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS COVENANTS AND RESTRICTIONS, APPURTENANCES OF RECORD, HOWEVER RECORDED AND/OR IMPLIED.
- 8) REFERENCE COORDINATE SYSTEM FOR VERTICAL DATUM: NGVD29, COMBINED GROUND SCALE FACTOR: 1.0001436009.
- 9) THE FOLLOWING WAS USED TO PERFORM THE GPS SURVEY INFORMATION SHOWN:
  - (1) CLASS "A" SURVEY;
  - (2) POSITIONAL ACCURACY IS WITHIN A 95 PERCENT CONFIDENCE LEVEL;
  - (3) REAL-TIME KINEMATIC GPS FIELD PROCEDURE;
  - (4) SURVEY PERFORMED NOVEMBER 17, 2010;
  - (5) VERTICAL DATUM BASED ON NGVD29;
  - (6) TIED TO N.C. STATE PLANE COORDINATES AS SHOWN;
  - (7) GEOD "03" MODEL;
  - (8) COMBINED GRID FACTOR: 1.0001436009;
  - (9) UNITS ARE IN U.S. FEET.
- 10) WELL INFORMATION AND TABLE PROVIDED BY A PREVIOUS SURVEY OF THE SUBJECT PROPERTY BY TAYLOR, WISSEMAN, & TAYLOR IN FEBRUARY 2009. THE ISAACS GROUP CONFIRMED THE LOCATIONS OF CONTROL POINTS AND SEVERAL MONITORING WELLS.

**WELL TABLE**

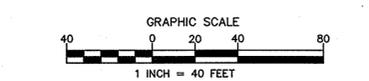
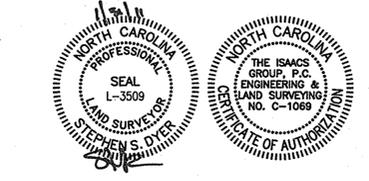
WELL ID	NORTHING	EASTING	TOP CASE ELEVATION	GROUND ELEVATION
MW-1	512235.10	1876853.85	465.33	465.81
MW-2	512157.04	1876850.42	464.63	464.92
MW-3	512257.80	1876735.72	465.73	465.99
MW-4	512302.18	1876769.70	466.40	466.76
MW-5	512276.87	1876836.83	466.31	466.50
MW-6	512197.43	1876868.74	465.20	465.11
MW-7	512177.14	1876798.74	465.64	466.14
MW-7a	512175.35	1876793.26	465.71	466.21
MW-9	512256.70	1876736.81	465.43	465.81
MW-9a	512305.74	1876854.31	467.00	467.36
MW-10	512197.43	1876853.85	465.20	465.99
MW-11	512144.03	1876936.83	463.44	463.91
MW-12	512099.11	1876746.37	462.01	462.43
MW-13	512154.30	1876906.47	460.83	460.94
MW-14	511863.09	1876780.04	457.03	457.50

GROUNDWATER IN WELLS MW-1, MW-4, MW-5, MW-6, MW-7, MW-8, MW-9, MW-10, MW-12, MW-13, AND MW-14, EXCEEDED THE APPLICABLE 2L WATER QUALITY STANDARDS (15A NCAC 2L.0200) FOR TETRACHLOROETHYLENE.

**SURVEYORS CERTIFICATE [G.S. 47-30]**

I, STEPHEN S. DYER, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DASHED LINES, DRAWN FROM INFORMATION REFERENCE ON THE FACE OF THIS PLAT; THAT THE RATIO OF PRECISION AS CALCULATED EXCEEDS 1:10,000; THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; WITNESS MY ORIGINAL SIGNATURE REGISTRATION NUMBER AND SEAL THIS 30TH DAY OF NOVEMBER, 2010.

STEPHEN S. DYER, PLS L-3509



**SURVEY PLAT - EXHIBIT "A"**  
TO THE NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

**SOAPY BUBBLES, LLC:**  
PARCEL #857119627291

**SOAPY BUBBLES-DSCA #83-0004**  
#1916 N. POPLAR ST., ABERDEEN, MOORE COUNTY, N.C. 28315

File #: 10228-DSCA-2 | Date: 01-31-2011 | Project P.L.S.: SSD  
 Surveyed By: RV  
 Drawn By: MWJ  
 Scale: 1"=40'

**THE ISAACS GROUP, P.C.**  
CIVIL ENGINEERING DESIGN AND LAND SURVEYING

8720 RED OAK BLVD., SUITE 420  
CHARLOTTE, N.C. 28217  
PHONE (704) 527-3440 FAX (704) 527-8335

SHEET 2 OF 2

SOIL BORINGS IN THE PLAT WERE LOCATED BY SCALED LOCATIONS PROVIDED FROM ATC ASSOCIATES, INC.

SOIL IN BORING SB-6 EXCEEDED THE ASSOCIATED RESIDENTIAL RISK BASED SCREENING LEVEL (15A NCAC 2S) FOR ONE OF MORE OF THE FOLLOWING CONTAMINANT: TETRACHLOROETHYLENE.

WW PARTNERSHIP  
DEED BK 2548, PG 363  
TAX PIN# 857119713419

WCKWOOD, LLC  
DEED BK 1551, PG 528  
TAX PIN# 857119713685

APPROVED FOR THE PURPOSES OF N.C.G.S. 143-215.104M

JACK BUTLER, CHIEF SUPERFUND SECTION DIVISION OF WASTE MANAGEMENT

STATE OF NORTH CAROLINA COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, A NOTARY PUBLIC OF COUNTY AND STATE OF NORTH CAROLINA DO HEREBY CERTIFY THAT

\_\_\_\_\_ DID PERSONALLY APPEAR & SIGN BEFORE ME THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC (SIGNATURE) \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

**EXHIBIT B**  
**PROPERTY LEGAL DESCRIPTION**  
**SOAPY BUBBLES, LLC**

EXHIBIT A

BEING in Aberdeen, Sandhill Township, Moore County, North Carolina, and situated on the east side of SR 2055, Poplar Street, on the north and west sides of the Tilley Cleaners, Inc. land and on the south side of the Phoenix Mutual Life Insurance Company land, and more particularly described as follows:

BEGINNING at an iron rod, the same being common with the Phoenix Mutual Life Insurance Company land and in the right of way boundary of SR 2055, Poplar Street; thence along a curve to the left having a radius of 590.00 feet and an arc length of 192.09 feet, being subtended by a chord of S 08°56'00" W for a distance of 191.24 feet with the right of way boundary of said SR 2055 to an iron pipe, the same being common with the Tilley Cleaners, Inc. land and in the right of way boundary of said SR 2055; thence S 78°42'42" E for a distance of 189.77 feet with the Tilley Cleaners, Inc. land to an iron pipe, the same being common with the Tilley Cleaners, Inc. land; thence N 00°53'48" W for a distance of 94.49 feet with the Tilley Cleaners, Inc. land to an iron pipe, the same being common with the Tilley Cleaners, Inc. land; thence N 26°13'54" W for a distance of 129.63 feet with the Tilley Cleaners, Inc. land to a concrete monument, the same being common with the Tilley Cleaners, Inc. and Phoenix Mutual Life Insurance Company lands; thence N 81°05'21" W for a distance of 98.82 feet with the Phoenix Mutual Life Insurance Company land to the BEGINNING, containing 0.73 acre, more or less, as computed by the Coordinate Method, and being all of those certain three tracts described in Deed Book 262, at Page 36 less and excepting the property conveyed in Deed Book 465, at Page 864 and Deed Book 548, at Page 385.

**APPENDIX D**

**OFF-SITE NOTICE OF DRYCLEANING SOLVENT REMEDIATION**

## NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

Property Owner: G Partnership

Recorded in Book \_\_\_\_\_, Page \_\_\_\_\_

Associated plat recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_

This documentary component of a Notice of Dry-Cleaning Solvent Remediation (hereinafter "Notice") is hereby recorded on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The survey plat component of the Notice is being recorded concurrently with this documentary component. The real property (hereinafter "Property") which is the subject of this Notice is located at 700 Rays Mill Road, Aberdeen, Moore County, North Carolina, Parcel Identification Number (PIN) 857119711927.

The Property is contaminated with dry-cleaning solvent, as defined at North Carolina General Statutes (hereinafter "N.C.G.S."), Section (hereinafter "§") 143-215.104B(b)(9), and other contaminants and is one of two parcels that make up the dry-cleaning solvent contamination site (hereinafter "Contamination Site"). This Notice has been approved by the North Carolina Department of Environment and Natural Resources, or its successor in function (hereinafter "DENR") under the authority of the Dry-Cleaning Solvent Cleanup Act of 1997, as amended, N.C.G.S. § 143-215.104A *et seq.* (hereinafter "DSCA"), and is required to be filed in the Register of Deeds' Office in the county or counties in which the land is located, pursuant to NCGS § 143-215.104I. A Notice will be recorded separately in each chain of title of the Contamination Site.

Groundwater under the Property is contaminated with dry-cleaning solvents associated with former dry-cleaning operations at Soapy Bubbles dba American Cleaners (DSCA Site 63-0004) located at 1916 North Poplar Street, Aberdeen.

Pursuant to N.C.G.S. § 143-215.104I, this Notice is being filed in order to reduce or eliminate the danger to public health or the environment posed by the Property. Attached hereto as **Exhibit A** is a reduction, to 8 1/2" x 11", of the survey plat component of the Notice required by N.C.G.S. § 143-215.104M. The survey plat has been prepared and certified by a professional land surveyor and meets the requirements of G.S. 47-30, and contains the following information required by N.C.G.S. § 143-215.104M:

- (1) A description of the location and dimensions of the areas of potential environmental concern with respect to permanently surveyed benchmarks; and
- (2) The type, location and quantity of regulated dry-cleaning solvent contamination and other contaminants known to exist on the Property.

Attached hereto as **Exhibit B** is a legal description of the Property that would be sufficient as a description in an instrument of conveyance.

### **USE OF GROUNDWATER PROHIBITED BY STATE AND LOCAL REGULATIONS**

**Groundwater on this property contains contaminants that exceed unrestricted use standards. Pursuant to 15A North Carolina Administrative Code 02C .0107(b)(1), “(t)he source of water for any water supply well shall not be from a water bearing zone or aquifer that is contaminated.” Therefore, state law prohibits construction of a water supply well on this property unless it can be demonstrated that the water pumped from the well is not contaminated. Further, pursuant to North Carolina General Statute 87-88(c) and 15A North Carolina Administrative Code 02C .0112(a), no well may be constructed or maintained in a manner whereby it could be a source or channel of contamination of the groundwater supply or any aquifer.**

### **FUTURE SALES, LEASES, CONVEYANCES AND TRANSFERS**

When any portion of the Property is sold, leased, conveyed or transferred, pursuant to NCGS § 143-215.104M the deed or other instrument of transfer shall contain in the description section, in no smaller type than that used in the body of the deed or instrument, a statement that the Property has been contaminated with dry-cleaning solvent and, if appropriate, cleaned up under the DSCA.

### **CANCELLATION OF THE NOTICE**

The Notice may, at the request of the Property Owner, be canceled by DENR after the risk to public health and the environment associated with the dry-cleaning solvent contamination and any other contaminants included in the DSCA Remediation Agreement have been eliminated as a result of remediation of the Property to unrestricted use standards.

**APPROVAL AND CERTIFICATION OF NORTH CAROLINA DEPARTMENT OF  
ENVIRONMENT AND NATURAL RESOURCES**

The foregoing Notice of Dry-Cleaning Solvent Remediation is hereby approved and certified.

North Carolina Department of Environment and Natural Resources

By:

\_\_\_\_\_  
Jack Butler, Chief  
Superfund Section  
Division of Waste Management

\_\_\_\_\_  
Date

**CERTIFICATION OF REGISTER OF DEEDS**

The foregoing documentary component of the Notice of Dry-Cleaning Solvent Remediation, and the associated plat, are certified to be duly recorded at the date and time, and in the Books and Pages, shown on the first page hereof.

Register of Deeds for Moore County

By: \_\_\_\_\_

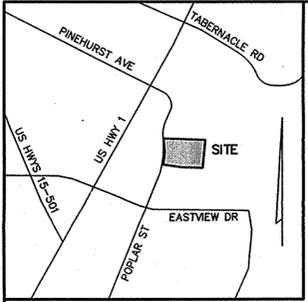
Name typed or printed: \_\_\_\_\_

Deputy/Assistant Register of Deeds

\_\_\_\_\_

Date

**EXHIBIT A**  
**SURVEY PLAT REDUCTION**  
**G PARTNERSHIP**



VICINITY MAP  
NOT TO SCALE

**FLOOD CERTIFICATION:**  
THIS IS TO CERTIFY THAT THE PORTION OF THE PROPERTY SHOWN ON THIS PLAT IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, COMMUNITY NUMBER 371085-7100-J.

**VRS CONTROL POINT #1001**  
N 512,656.823'  
E 1,876,925.053'  
EL=470.90'

**VRS CONTROL POINT #136**  
N 512,173.480'  
E 1,876,715.723'  
EL=463.79'

**VRS CONTROL POINT #135**  
N 510,807.493'  
E 1,875,435.292'  
EL=436.67'

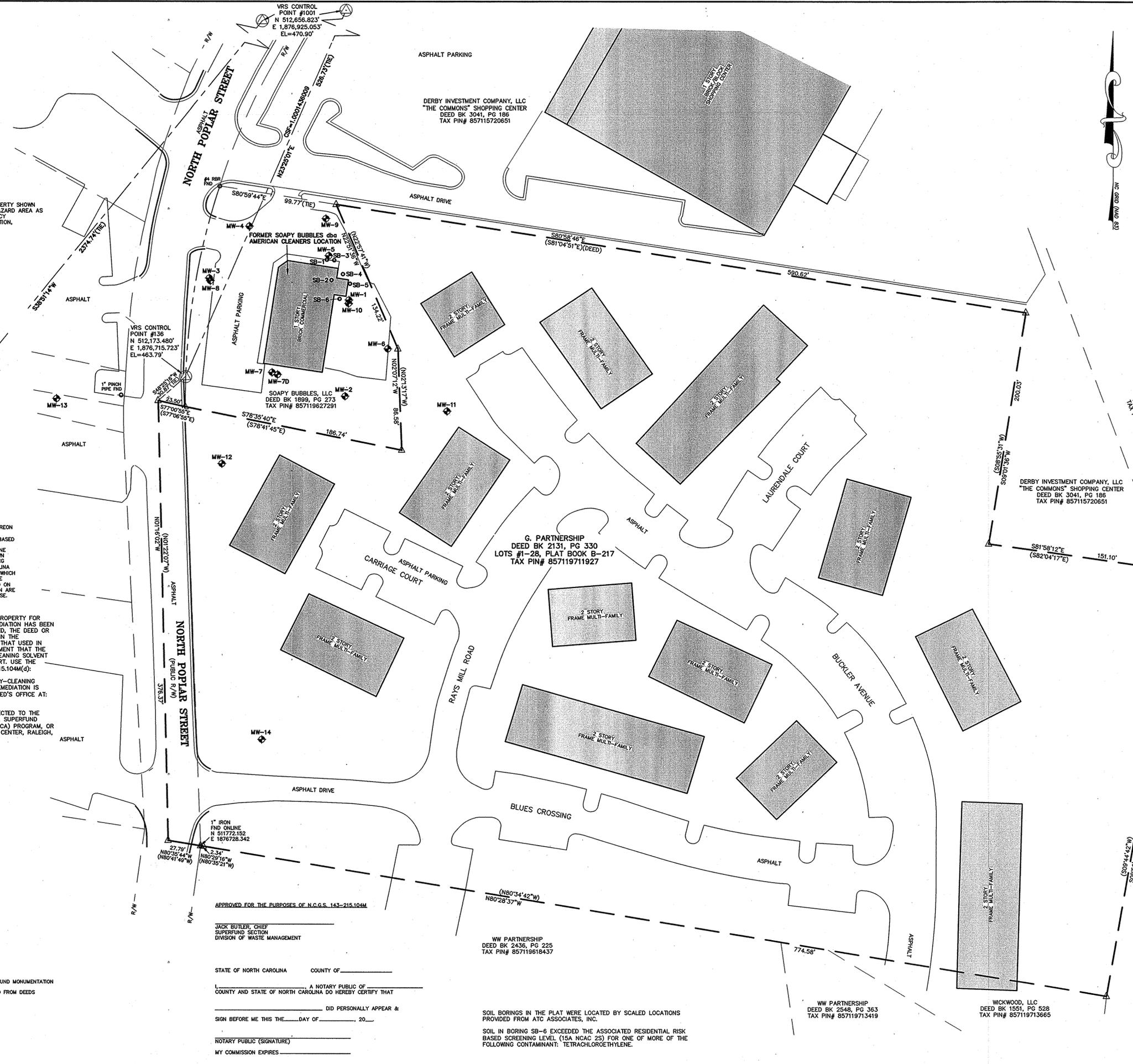
**VRS SURVEY TIE:**  
ALL BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE LOCALIZED (GROUND) AND 83 (2007 ADJUSTMENT) HORIZONTAL INFORMATION (UNLESS NOTED OTHERWISE), BASED UPON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, WITH NGVD29 ELEVATIONS. THE N.C. STATE PLANE COORDINATES FOR CONTROL POINTS #136 & 1001, SHOWN HEREON WERE ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS (GPS) IN CONJUNCTION WITH THE NORTH CAROLINA GEODETIC SURVEYS VIRTUAL REFERENCE SYSTEM (VRS), WHICH IS BASED UPON THE CONTINUALLY OPERATING REFERENCE STATIONS (CORS). THE VRS SURVEY TIE WAS PERFORMED ON NOVEMBER 17, 2010. ALL MEASUREMENTS SHOWN HEREON ARE REPORTED IN U.S. SURVEY FEET UNLESS NOTED OTHERWISE.

"N.C.G.S. 143-215.104M(d) REQUIRES THAT WHEN PROPERTY FOR WHICH A NOTICE OF DRY-CLEANING SOLVENT REMEDIATION HAS BEEN FILED IS SOLD, LEASED, CONVEYED OR TRANSFERRED, THE DEED OR OTHER INSTRUMENT OF TRANSFER SHALL CONTAIN IN THE DESCRIPTION SECTION, IN NO SMALLER TYPE THAN THAT USED IN THE BODY OF THE DEED OR INSTRUMENT, A STATEMENT THAT THE PROPERTY HAS BEEN CONTAMINATED WITH DRY-CLEANING SOLVENT AND, IF APPROPRIATE, CLEANED UP UNDER THIS PART. USE THE FOLLOWING STATEMENT TO SATISFY N.C.G.S. 143-215.104M(d):

THIS PROPERTY HAS BEEN CONTAMINATED WITH DRY-CLEANING SOLVENT. A NOTICE OF DRY-CLEANING SOLVENT REMEDIATION IS RECORDED IN THE MOORE COUNTY REGISTER OF DEEDS' OFFICE AT: BOOK \_\_\_\_\_, PAGE \_\_\_\_\_.

QUESTIONS CONCERNING THIS MATTER MAY BE DIRECTED TO THE NORTH CAROLINA DIVISION OF WASTE MANAGEMENT, SUPERFUND SECTION, DRY-CLEANING SOLVENT CLEANUP ACT (DSCA) PROGRAM, OR ITS SUCCESSOR IN FUNCTION, 1646 MAIL SERVICE CENTER, RALEIGH, NC 27699-1646.

- LEGEND:**
- R/W RIGHT OF WAY
  - N.T.S. NOT TO SCALE
  - CSF COMBINED SCALE FACTOR
  - E/P EDGE OF PAVEMENT
  - MW MONITORING WELL (MW)
  - N NORTHING
  - E EASTING
  - TOC TOP OF CASING
  - TOW TOP OF WELL MANHOLE
  - ▲ CALCULATED PROPERTY CORNER
  - ▲ DATUM CONTROL POINT
  - N/F NOW OR FORMERLY
  - MW MONITORING WELL
  - SUBJECT PARCEL LINES WITH FOUND MONUMENTATION
  - SUBJECT PARCEL LINES PLOTTED FROM DEEDS
  - ADJOINER PARCEL LINES
  - RIGHT OF WAY LINE
  - CONTROL TIE LINES
  - RBR REBAR
  - D DEEP
  - SB SOIL BORING



THE DOCUMENTARY COMPONENT OF THIS NOTICE OF DRY-CLEANING SOLVENT REMEDIATION WHICH IDENTIFIES, CONTROLS OR LIMITATIONS ON THE USE OF THIS PROPERTY IS RECORDED AT:  
DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
AND \_\_\_\_\_

- SURVEY NOTES:**
- 1) THE SUBJECT PROPERTY FOR THIS SURVEY IS IDENTIFIED BY MOORE COUNTY PARCEL IDENTIFICATION NUMBER (PIN) #8571911927. THE PURPOSE OF THIS PLAT IS TO DISPLAY (1) THE LOCATIONS OF MONITORING WELLS LOCATED ON THE SUBJECT PROPERTY AND (2) THE TYPE, LOCATION AND QUANTITY OF REGULATED SUBSTANCES AND CONTAMINANTS KNOWN TO EXIST ON THIS NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (NCEM) DRY-CLEANING SOLVENT CLEANUP ACT (DSCA) PROGRAM SITE.
  - 2) THE AREAS AND TYPE OF CONTAMINATION DEPICTED UPON THE MAP ARE APPROXIMATIONS DERIVED FROM THE BEST AVAILABLE INFORMATION AT THE TIME OF FILING.
  - 3) ALL BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE BASED UPON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83 (NRS 2007), WITH NGVD29 (GEOID 03) ELEVATIONS. PER A GPS SURVEY PERFORMED BY THE ISAACS GROUP, ON NOVEMBER 17, 2010 THE N.C. STATE PLANE COORDINATES SHOWN FOR CONTROL POINT #136 AND #1001 WERE ESTABLISHED UTILIZING A TRIMBLE RB GLOBAL POSITIONING SYSTEMS (GPS) UNIT IN CONJUNCTION WITH THE NORTH CAROLINA GEODETIC SURVEYS VIRTUAL REFERENCE SYSTEM (VRS), WHICH IS BASED UPON THE CONTINUALLY OPERATING REFERENCE STATIONS (CORS). ALL MEASUREMENTS SHOWN HEREON ARE REPORTED IN U.S. SURVEY FEET (UNLESS NOTED OTHERWISE).
  - 4) THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THE BOUNDARY LINES OF THE SUBJECT PROPERTY WERE PRODUCED FROM THE LEGAL DESCRIPTION FOUND IN DEED 2131, PAGE 330. THE GEOMETRY OF THAT LEGAL DESCRIPTION HAS NOT BEEN ALTERED IN ANY WAY, BUT HAS BEEN HELD ON THE NORTHWEST CORNER OF THE PROPERTY DESCRIBED IN DEED BOOK 1899, PAGE 273 (A FOUND #4 REBAR), AND ROTATED TO A FOUND 1" IRON ONLINE AT THE RIGHT-OF-WAY OF NORTH POPLAR STREET. A POINT NEAR THE SOUTHWEST CORNER OF THE PROPERTY DESCRIBED IN DEED BOOK 2131, PAGE 330, NON-MONUMENTED SUBJECT PARCEL LINES ARE BASED ON THAT LEGAL DESCRIPTION.
  - 5) SOME INFORMATION SUCH AS BUILDING FOOTPRINTS, SOME PROPERTY LINES, AND CURB LINES/EDGE OF PAVEMENTS, HAVE BEEN TAKEN FROM MOORE COUNTY GIS DATABASE INFORMATION, AND THIS INFORMATION IS SHOWN FOR REFERENCE PURPOSES ONLY. NO ACCURACY OR POSITIONAL TOLERANCE IS GUARANTEED BY THIS SURVEY AS TO HOW THE SURVEYED FEATURES RELATE TO THE GIS INFORMATION SHOWN.
  - 6) PROPERTY OWNER INFORMATION WAS OBTAINED ONLINE FROM MOORE COUNTY RECORDS.
  - 7) THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS COVENANTS AND RESTRICTIONS, APPURTENANCES OF RECORD, HOWEVER RECORDED AND/OR IMPLIED.
  - 8) REFERENCE COORDINATE SYSTEM FOR VERTICAL DATUM: NGVD29. COMBINED GROUND SCALE FACTOR: 1.0001436009
  - 9) THE FOLLOWING WAS USED TO PERFORM THE GPS SURVEY INFORMATION SHOWN:  
(1) CLASS "A" SURVEY  
(2) POSITIONAL ACCURACY IS WITHIN A 95 PERCENT CONFIDENCE LEVEL;  
(3) REAL-TIME KINEMATIC GPS FIELD PROCEDURE;  
(4) SURVEY PERFORMED NOVEMBER 17, 2010;  
(5) VERTICAL DATUM BASED ON NGVD29;  
(6) TIED TO N.C. STATE PLANE COORDINATES AS SHOWN;  
(7) GEOID "03" MODEL;  
(8) COMBINED GRID FACTOR: 1.0001436009;  
(9) UNITS ARE IN U.S. FEET.
  - 10) WELL INFORMATION AND TABLE PROVIDED BY A PREVIOUS SURVEY OF THE SUBJECT PROPERTY BY TAYLOR, WESMAN, & TAYLOR IN FEBRUARY, 2008. THE ISAACS GROUP CONFIRMED THE LOCATIONS OF CONTROL POINTS AND SEVERAL MONITORING WELLS.

**WELL TABLE**

WELL ID	NORTHING	EASTING	TOP CASE ELEVATION	GROUND ELEVATION
MW-1	512238.18	1876883.85	465.33	465.81
MW-2	512167.04	1876850.42	464.63	464.92
MW-3	512257.80	1876735.72	465.73	465.99
MW-4	512332.18	1876769.70	466.40	466.76
MW-5	512278.87	1876939.83	466.51	466.50
MW-6	512197.45	1876886.74	465.20	465.71
MW-7	512177.14	1876788.74	466.64	466.14
MW-8	512175.35	1876793.26	465.71	466.21
MW-9	512225.73	1876739.81	465.43	465.81
MW-10	512338.74	1876834.35	467.00	467.38
MW-11	512238.26	1876883.51	465.54	465.86
MW-12	512144.03	1876936.83	463.44	463.91
MW-13	512099.11	1876746.37	462.01	462.43
MW-14	512154.30	1876926.47	460.83	460.94
MW-15	511863.09	1876760.04	457.03	457.50

GROUNDWATER IN WELLS MW-1, MW-4, MW-5, MW-6, MW-7, MW-8, MW-9, MW-10, MW-12, MW-13, AND MW-14, EXCEEDED THE APPLICABLE 2L WATER QUALITY STANDARDS (15A NCAC 2L.0200) FOR TETRACHLOROETHYLENE.

**SURVEYORS CERTIFICATE [G.S. 47-30]**  
I, STEPHEN S. DYER, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DASHED LINES; DRAWN FROM INFORMATION REFERENCED ON THE FACE OF THIS PLAT; THAT THE RATIO OF PRECISION AS CALCULATED EXCEEDS 1:10,000; THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 30TH DAY OF NOVEMBER, 2010.

STEPHEN S. DYER, PLS L-3509

DERBY INVESTMENT COMPANY, LLC  
"THE COMMONS" SHOPPING CENTER  
DEED BK 3041, PG 186  
TAX PIN# 857115720651

THE ISAACS GROUP, P.C.  
ENGINEERING & LAND SURVEYING  
NO. C-1089

GRAPHIC SCALE  
1 INCH = 40 FEET

**SURVEY PLAT - EXHIBIT "A"**  
TO THE NOTICE OF DRY-CLEANING SOLVENT REMEDIATION  
G PARTNERSHIP, A N.C. GENERAL PARTNERSHIP:  
PARCEL #8571911927  
ABERDEEN, MOORE COUNTY, NORTH CAROLINA, 28315  
CONTAMINATION SOURCE: SOAPY BUBBLES-DSCA #83-0004  
#1916 N. POPLAR STREET,  
TOWN OF ABERDEEN, MOORE COUNTY, NORTH CAROLINA, 28315

File #: 10228-DSCA | Date: 01-31-2011 | Project P.L.S.: SSD  
Surveyed By: RV  
Drawn By: MWJ  
Scale: 1"=40'

**ISAACS**  
CIVIL ENGINEERING DESIGN AND LAND SURVEYING

8720 RED OAK BLVD. SUITE 420  
CHARLOTTE, N.C. 28217  
PHONE (704) 527-3440 FAX (704) 527-8355

SHEET 1 OF 2

**EXHIBIT B**  
**LEGAL DESCRIPTION FOR PROPERTY**  
**G PARTNERSHIP**

EXHIBIT A

BEGINNING at a PK nail located in the center line of Poplar Street, said nail being 0.1 miles, more or less, from the south side of US Highway #1, and being the southwest corner of the property of Richard Hemms as extended (Deed Book 1134, at page 535); thence along and with the south property line of Richard Hemms South 77 deg. 06' 55" E. 23.50 feet; thence South 78 deg. 41' 45" East 186.74 feet to an iron pin; thence north along and with the eastern property line of Richard Hemms North 02 deg 13' 17" West 86.58 feet to an iron pin; thence continuing along and with the eastern property line of said Hemms Property North 22 deg. 57' 41" West 134.22 feet to an iron pin in the southern property line of Phoenix Home Life Mutual Insurance Company (Deed Book 569, at page 255); thence along and with the southern property line of said Phoenix Home Life Mutual Insurance Company South 81 deg. 04' 51" East 590.62 feet to an iron pin; thence South 08 deg. 55' 31" West 200.03 feet to an iron pin; thence South 82 deg 04' 17" East 151.10 feet to an iron pin; thence South 19 deg. 52' 43" E. 26.58 feet; thence South 09 deg. 44' 42" West 346.17 feet to an iron pin, corner of the Grantee; thence along Grantee's line N. 80 deg. 34' 42" W. 774.58 feet to an iron pin; thence, North 80 deg. 35' 21" W. 2.34 feet to a stake; thence, North 80 deg. 41' 49" W. 27.79 feet to a stake in the centerline of Poplar Street; thence with the centerline of Poplar Street North 01 deg. 22' 07" West 376.37 feet to an existing PK Nail, being the point and place of beginning, all as shown on a map dated September 16, 1999, prepared by Blue: Land, Water, Infrastructure, P.A., entitled "Westwood".

And being the same property conveyed to Tilley Cleaners, Inc. by Deed recorded in Book 479, page 732, Moore County Registry.

This conveyance is made subject to the easement for Poplar Street and also subject to a utility easement in favor of the Town of Aberdeen.

**APPENDIX E**

**EXAMPLE OF ANNUAL CERTIFICATION OF LAND USE RESTRICTIONS**

**Site Name:** Soapy Bubbles  
**Site Address:** 1916 North Poplar Street, Aberdeen, Moore County, NC  
**DSCA ID No:** 63-0004

**ANNUAL CERTIFICATION of LAND-USE RESTRICTIONS**

Pursuant to Condition #8 in the Notice of Dry-Cleaning Solvent Remediation (Notice) signed by Soapy Bubbles, LLC and recorded in Deed Book \_\_\_\_, Page \_\_\_\_ on <date> at the Moore County Register of Deeds Office, Soapy Bubbles, LLC, hereby certifies, as an owner of at least part of the property that is the subject of the Notice, that the Notice remains recorded at the Moore County Register of Deeds office and the land-use restrictions therein are being complied with.

Duly executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Soapy Bubbles, LLC

By: \_\_\_\_\_  
Name typed or printed:

NORTH CAROLINA  
\_\_\_\_\_ COUNTY

I, \_\_\_\_\_, a Notary Public of the county and state aforesaid, certify that \_\_\_\_\_ personally came before me this day and acknowledged that he/she is a Member of Soapy Bubbles, LLC, a North Carolina limited liability corporation, and its Manager, and that by authority duly given and as the act of the corporation, the foregoing certification was signed in its name by him/her.

WITNESS my hand and official stamp or seal, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Name typed or printed:  
Notary Public

My Commission expires: \_\_\_\_\_  
[Stamp/Seal]

**APPENDIX F**

**EXAMPLE DOCUMENTS ANNOUNCING THE PUBLIC COMMENT PERIOD**



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

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

<Date>

Bill Zell  
Aberdeen Town Manager  
115 N. Poplar Street  
P.O. Box 785  
Aberdeen, NC 28315

Subj: Remediation of Dry-Cleaning Solvent Contamination  
DSCA Site # 63-0004  
Soapy Bubbles, 1916 North Poplar Street, Aberdeen

Dear Mr. Zell:

The Dry-Cleaning Solvent Cleanup Act of 1997 (DSCA), North Carolina General Statutes (N.C.G.S.) Sections 143-215.104A through 143-215.104U, provides for the assessment and remediation of properties that may have been or were contaminated by chlorinated solvents. To satisfy the requirements of N.C.G.S. 143-215.104L, this letter serves as the **Notice of Intent to Remediate a Dry-Cleaning Solvent Facility or Abandoned Site** (NOI) approved by the North Carolina Department of Environment and Natural Resources (DENR).

The NOI must provide, to the extent known, a legal description of the location of the DSCA Site, a map showing the location of the DSCA Site, a description of the contaminants involved and their concentrations in the media of the DSCA Site, a description of the intended future use of the DSCA Site, any proposed investigation and remediation, and a proposed Notice of Dry-Cleaning Solvent Remediation (NDCSR) prepared in accordance with N.C.G.S. Section 143-215.104M. The required components of the NOI are included in the attached Risk Management Plan, and are available on our website at [www.ncdscs.org](http://www.ncdscs.org), under "Public Notices" during the public comment period.

The DSCA Program is providing a copy of the NOI to all local governments having jurisdiction over the DSCA Site. A 30-day public comment period is being held from <date>, until <date>. Written comments may be submitted to DENR no later than <date>. Written requests for a public meeting may be submitted to DENR no later than <date>. All such comments and requests should be sent to:

Dianne Thomas, DSCA Remediation Unit  
Division of Waste Management, NC DENR  
1646 Mail Service Center  
Raleigh, North Carolina 27699-1646

Remediation of Dry-Cleaning Solvent Contamination  
DSCA Site # 63-0004  
Soapy Bubbles, 1916 N. Poplar Street, Aberdeen  
Page 2

<date>

A Summary of the NOI is being published in the The Pilot, copies are being sent to owners of property within and contiguous with the area of contamination, and a copy of the Summary will be conspicuously posted at the Site during the public comment period.

If you have any questions, please feel free to contact me at (919)508-8483.

Sincerely,

Dianne Thomas, Project Manager  
DSCA Remediation Unit  
[dianne.thomas@ncdenr.gov](mailto:dianne.thomas@ncdenr.gov)

Attachments: Risk Management Plan

Cc: DSCA Site # 63-0004 File



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

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

<Date>

Robert Wittmann, MPH  
County Health Director  
P.O. Box 279  
705 Pinehurst Avenue  
Carthage, NC 28327

Subj: Remediation of Dry-Cleaning Solvent Contamination  
DSCA Site # 63-0004  
Soapy Bubbles, 1916 North Poplar Street, Aberdeen

Dear Mr. Wittmann:

The Dry-Cleaning Solvent Cleanup Act of 1997 (DSCA), North Carolina General Statutes (N.C.G.S.) Sections 143-215.104A through 143-215.104U, provides for the assessment and remediation of properties that may have been or were contaminated by chlorinated solvents. To satisfy the requirements of N.C.G.S. 143-215.104L, this letter serves as the **Notice of Intent to Remediate a Dry-Cleaning Solvent Facility or Abandoned Site** (NOI) approved by the North Carolina Department of Environment and Natural Resources (DENR).

The NOI must provide, to the extent known, a legal description of the location of the DSCA Site, a map showing the location of the DSCA Site, a description of the contaminants involved and their concentrations in the media of the DSCA Site, a description of the intended future use of the DSCA Site, any proposed investigation and remediation, and a proposed Notice of Dry-Cleaning Solvent Remediation (NDCSR) prepared in accordance with N.C.G.S. Section 143-215.104M. The required components of the NOI are included in the attached Risk Management Plan, and are available on our website at [www.ncdscs.org](http://www.ncdscs.org), under "Public Notices" during the public comment period.

The DSCA Program is providing a copy of the NOI to all local governments having jurisdiction over the DSCA Site. A 30-day public comment period is being held from <date>, until <date>. Written comments may be submitted to DENR no later than <date>. Written requests for a public meeting may be submitted to DENR no later than <date>. All such comments and requests should be sent to:

Dianne Thomas, DSCA Remediation Unit  
Division of Waste Management, NC DENR  
1646 Mail Service Center  
Raleigh, North Carolina 27699-1646

Remediation of Dry-Cleaning Solvent Contamination  
DSCA Site # 63-0004  
Soapy Bubbles, 1916 N. Poplar Street, Aberdeen  
Page 2

<date>

A Summary of the NOI is being published in the The Pilot, copies are being sent to owners of property within and contiguous with the area of contamination, and a copy of the Summary will be conspicuously posted at the Site during the public comment period.

If you have any questions, please feel free to contact me at (919)508-8483.

Sincerely,

Dianne Thomas, Project Manager  
DSCA Remediation Unit  
[dianne.thomas@ncdenr.gov](mailto:dianne.thomas@ncdenr.gov)

Attachments: Risk Management Plan

Cc: DSCA Site # 63-0004 File

**Public Notice**

**SUMMARY OF NOTICE OF INTENT TO REMEDIATE A DRY-CLEANING SOLVENT FACILITY OR ABANDONED SITE**

Soapy Bubbles  
DSCA Site # 63-0004

Pursuant to N.C.G.S. §143-215.104L, on behalf of Soapy Bubbles, LLC, the North Carolina Department of Environment and Natural Resources' (DENR's) private contractor has prepared a Notice of Intent to Remediate a Dry-Cleaning Solvent Facility or Abandoned Site (NOI). The purpose of this Summary of the NOI is to notify the community of the proposed remedy for the contamination site and invite comment on the proposed remedy.

Soapy Bubbles formerly conducted dry-cleaning operations at 1916 North Poplar Street in Aberdeen, North Carolina under the name American Cleaners. Dry-cleaning solvent contamination in soil and/or ground water has been identified at the following parcel(s):

American Cleaners, 1916 North Poplar Street, in Aberdeen; Parcel No. 857119627291  
Blue's Crossing Apartments, 700 Rays Mill Road, in Aberdeen; Parcel No. 857119711927

An investigation of the extent of contamination has been completed. A risk assessment of the contaminated properties concluded that the contamination poses no unacceptable risks at any of the properties. A Risk Management Plan has been prepared which proposes using land-use controls to prevent current and future risks at the affected properties.

The elements of the complete NOI are included in the Risk Management Plan (RMP) which is available online at [www.ncdsca.org](http://www.ncdsca.org), under "Public Notices".

***The public comment period begins \_\_\_\_\_, 20\_\_, and ends \_\_\_\_\_, 20\_\_.***

Comments must be in writing and submitted to DENR no later than \_\_\_\_\_, 20\_\_. Written requests for a public meeting may be submitted to DENR no later than \_\_\_\_\_, 20\_\_. Requests for additional information should be directed to Dianne Thomas at (919)508-8483.

All comments and requests should be sent to:

Dianne Thomas, DSCA Remediation Unit  
Division of Waste Management, NC DENR  
1646 Mail Service Center  
Raleigh, North Carolina 27699-1646



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

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

<Date>

G Partnership  
1400 Battleground Avenue  
Greensboro, North Carolina 27408

Subj: Dry-Cleaning Solvent Contamination  
1916 North Poplar Street, Aberdeen, NC

Dear G Partnership:

The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the Soapy Bubbles at 1916 North Poplar Street in Aberdeen. The property is currently occupied by American Cleaners. The DSCA Program has prepared a remedial strategy to address the site contamination, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed strategy.

You are receiving this letter because your property lies within an area where dry-cleaning solvents have been detected in groundwater. An evaluation of the risks concluded that the contamination poses no unacceptable risks for the current use of your property. However, because groundwater under your property is contaminated, state regulations and local regulations prohibit the installation of a water supply well on this property. If the proposed remedy is implemented, a notice will be recorded on the property deed indicating that groundwater is contaminated with dry-cleaning solvents and that regulations prohibit installation of a water supply well on the property.

In accordance with our program's statutes, the community has an opportunity to review and comment on the proposed remedial strategy. The attached Summary of the Notice of Intent to Remediate a Dry-Cleaning Solvent Facility or Abandoned Site (NOI) provides a brief description of the proposed remedy, a web link to the complete NOI, and the dates and procedures for commenting on the proposed remedy. We ask that you review these documents. If you do not have access to the internet, we ask that you contact us to request a hard copy of the complete NOI.

Dry-Cleaning Solvent Contamination  
1916 N. Poplar Street, Aberdeen, NC  
DSCA Site # 63-0004  
Page 2

<date>

If you have questions, please contact me at (919) 508-8483, or Pete Doorn at (919) 508-8578.

Sincerely,

Dianne Thomas, Project Manager  
DSCA Remediation Unit  
dianne.thomas@ncdenr.gov

Attachments: Summary of the NOI

Cc: DSCA Site # 63-0004 File



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

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

<Date>

Derby Investment Company, LLC  
1930 N Poplar Street, Suite 18  
Southern Pines, North Carolina 28387

Subj: Dry-Cleaning Solvent Contamination  
1916 North Poplar Street, Aberdeen, NC

Dear Derby Investment Company, LLC:

The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the Soapy Bubbles at 1916 North Poplar Street in Aberdeen. The property is currently occupied by the American Cleaners. The DSCA Program has prepared a remedial strategy to address the site contamination, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed strategy. You are receiving this letter because your properties are adjacent to the area contaminated with dry-cleaning solvents.

The attached Summary of the Notice of Intent to Remediate a Dry-Cleaning Solvent Facility or Abandoned Site (NOI) provides a brief description of the proposed remedy, a web link to the complete NOI, and the dates and procedures for commenting on the proposed remedy. If you do not have access to the internet, we ask that you contact us to request a hard copy of the complete NOI.

If you have questions, please contact me at (919) 508-8483, or Pete Doorn at (919) 508-8578.

Sincerely,

Dianne Thomas, Project Manager  
DSCA Remediation Unit  
dianne.thomas@ncdenr.gov

Attachments: Summary of the NOI

Cc: DSCA Site # 63-0004 File



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

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

<Date>

W W Leasing Partners, LLC  
P.O. Box 71  
Aberdeen, North Carolina 28315

Subj: Dry-Cleaning Solvent Contamination  
1916 North Poplar Street, Aberdeen, NC

Dear W W Leasing Partners, LLC:

The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the Soapy Bubbles at 1916 North Poplar Street in Aberdeen. The property is currently occupied by the American Cleaners. The DSCA Program has prepared a remedial strategy to address the site contamination, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed strategy. You are receiving this letter because your properties are adjacent to the area contaminated with dry-cleaning solvents.

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<Date>

WW Partnership  
P. O. Drawer 9515  
1400 Battle Ground Avenue, Suite 210  
Greensboro, North Carolina 27429

Subj: Dry-Cleaning Solvent Contamination  
1916 North Poplar Street, Aberdeen, NC

Dear WW Partnership:

The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the Soapy Bubbles at 1916 North Poplar Street in Aberdeen. The property is currently occupied by the American Cleaners. The DSCA Program has prepared a remedial strategy to address the site contamination, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed strategy. You are receiving this letter because your properties are adjacent to the area contaminated with dry-cleaning solvents.

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<Date>

Quality Oil Company, LLC  
1540 Silas Creek Parkway  
Winston-Salem, North Carolina 27127

Subj: Dry-Cleaning Solvent Contamination  
1916 North Poplar Street, Aberdeen, NC

Dear Quality Oil Company, LLC:

The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the Soapy Bubbles at 1916 North Poplar Street in Aberdeen. The property is currently occupied by the American Cleaners. The DSCA Program has prepared a remedial strategy to address the site contamination, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed strategy. You are receiving this letter because your property is adjacent to the area contaminated with dry-cleaning solvents.

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Dexter R. Matthews  
Director

Dee Freeman  
Secretary

<Date>

David Zell Trustee  
141 Greens Road  
Hollywood, Florida 33021

Subj: Dry-Cleaning Solvent Contamination  
1916 North Poplar Street, Aberdeen, NC

Dear Mr. Zell:

The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the Soapy Bubbles at 1916 North Poplar Street in Aberdeen. The property is currently occupied by the American Cleaners. The DSCA Program has prepared a remedial strategy to address the site contamination, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed strategy. You are receiving this letter because your property is adjacent to the area contaminated with dry-cleaning solvents.

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Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

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Secretary

<Date>

Long Leaf Leasing Partners  
c/o W W Leasing & Longleaf Ptng  
100 National Drive  
Pinehurst, North Carolina 28374

Subj: Dry-Cleaning Solvent Contamination  
1916 North Poplar Street, Aberdeen, NC

Dear Long Leaf Leasing Partners:

The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the Soapy Bubbles at 1916 North Poplar Street in Aberdeen. The property is currently occupied by the American Cleaners. The DSCA Program has prepared a remedial strategy to address the site contamination, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed strategy. You are receiving this letter because your property is adjacent to the area contaminated with dry-cleaning solvents.

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<Date>

Wickwood, LLC  
P.O. Drawer 9515  
Greensboro, North Carolina 27429

Subj: Dry-Cleaning Solvent Contamination  
1916 North Poplar Street, Aberdeen, NC

Dear Wickwood, LLC:

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