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June 23, 2011

Mr. Al Chapman
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
Former Medlin-Davis Cleaners
1207 Kildaire Farm Road
Cary, Wake County, North Carolina
DSCA Site Identification #92-0004
ATC Project # 45.34341.9204

Dear Mr. Chapman:

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 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 Genna Olson at (919) 871-0999.

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

Genna K. Olson, P.G. for
Program Manager

Enclosure: Risk Management Plan

Risk Management Plan
Former Medlin-Davis Cleaners
1207 Kildaire Farm Road
Cary, Wake County, North Carolina
DSCA Site Identification #92-0004
ATC Project # 45.34341.9204

Prepared By:

Submitted To:

North Carolina Department of Environment and Natural Resources
Division of Waste Management
Superfund Section – DSCA Program
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June 23, 2011

RISK MANAGEMENT PLAN
FORMER MEDLIN-DAVIS CLEANERS
1207 KILDAIRE FARM ROAD
CARY, WAKE COUNTY, NORTH CAROLINA
ATC PROJECT NO. 45.34341.9204
DSCA SITE IDENTIFICATION NO. 92-0004
JUNE 23, 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 former Medlin-Davis Cleaners site on behalf of the North Carolina Department of Environment and Natural Resources (NCDENR) Dry-cleaning Solvent Cleanup Act (DSCA) Program. The site is located at 1207 Kildaire Farm Road in Cary, Wake County, 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), trichloroethylene (TCE), cis-1,2-dichloroethylene (cis-1,2-DCE), and/or vinyl chloride (VC) are present in soil above unrestricted use standards and in groundwater above Title 15A NCAC 2L .0202 Groundwater Standards (2L Standards) on the site property. ATC completed a Risk Assessment for the former Medlin-Davis Cleaners site on March 15, 2011. The results of the Risk Assessment indicated that there are on-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 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 and 2 Risk Assessment report for the site on March 15, 2011. This section summarizes the final risk assessment, which resulted in the recommendation for no further action status for the site.

The first step in the risk assessment process consisted of development of an exposure model. Two exposure units were assigned, one "on-site unit" encompassing the area in the immediate vicinity of the former drycleaner, and a second "off-site unit" encompassing the remainder of the

contaminant plume. The exposure model evaluation indicated the following complete exposure pathways for the site:

- On-site resident (future conditions only) - surficial soil combined pathway, indoor and outdoor inhalation of vapors from subsurface soil, and indoor and outdoor inhalation of vapors from groundwater.
- On-site non-residential worker (current and future conditions) - surficial soil combined pathway, indoor and outdoor inhalation of vapors from subsurface soil, and indoor and outdoor inhalation of vapors from groundwater.
- On-site construction worker - combined pathways for soil up to depth of construction and outdoor inhalation of vapors from groundwater.
- Off-site resident (future conditions only) - surficial soil combined pathway, indoor and outdoor inhalation of vapors from subsurface soil, and indoor and outdoor inhalation of vapors from groundwater.
- Off-site non-residential worker (current and future conditions) - surficial soil combined pathway, indoor and outdoor inhalation of vapors from subsurface soil, and indoor and outdoor inhalation of vapors from groundwater.
- Off-site construction worker - combined pathways for soil up to depth of construction and outdoor inhalation of vapors from groundwater.

Note that the site property is currently non-residential and residential land-use in the future is not expected. However, ATC evaluated both residential and non-residential land-use in the Risk Assessment to evaluate potential land-use restrictions (LURs) needed at the time of closure.

Indoor air data are available for the on-site exposure unit and were therefore utilized during the risk assessment for evaluation of indoor inhalation pathways. No indoor air data are available for the off-site exposure unit, and therefore soil and groundwater data were used. The results of the Tier 1 indicated concentrations of PCE in indoor air in the on-site exposure unit above the Tier 1 levels for indoor inhalation by a resident or non-residential worker. Concentrations of TCE in indoor air also exceeded Tier 1 levels for indoor inhalation by a resident. Note that the Tier 1 levels currently used by the DSCA Program are the Regional Screening Levels (RSLs)

established by the Environmental Protection Agency (EPA). For the off-site exposure unit, no exceedences of Tier 1 Risk Based Screening Levels (RBSLs) were identified. Based on the results of the Tier 1, a Tier 2 evaluation was performed for the on-site exposure unit.

A Tier 2 evaluation was performed for the on-site exposure unit by modeling the cumulative risk posed by the complete exposure pathways. The indoor inhalation pathway was modeled using the DSCA Program's Indoor Air Risk Calculator. The surficial soil and outdoor inhalation pathways were modeled using the RBCA software developed by the RAM Group. The results of the Tier 2 indicated no exceedences of the allowable risk levels established by the DSCA Program for a future resident or a non-residential worker. However, the risk for a future resident was very close to the allowable level (cumulative carcinogenic risk of 7.78E-06 versus a limit of 1.00E-05). Due to the potential for variation in indoor air concentrations, ATC recommends implementation of a LUR limiting land-use to non-residential.

In addition to the above referenced pathways, ATC also evaluated the protection of groundwater use pathway and the protection of surface water pathway. The source area is located between monitoring wells MW-1 and MW-2. For the protection of groundwater use pathway, the nearest potential point-of-exposure (POE) for groundwater use was defined at the downgradient property boundary, which is located approximately 45 feet away. The results of the Tier 1 evaluation indicated that concentrations of PCE, TCE, and VC in source soil and/or groundwater exceed Tier 1 RBSLs for the protection of groundwater use pathway. ATC therefore performed a Tier 2 evaluation for this pathway. The results of the Tier 2 also indicated that concentrations of PCE, TCE, and VC in source soil and/or groundwater exceed Tier 2 Site Specific Target Levels (SSTLs) for the groundwater protection pathway. However, analytical data is available confirming that the plume is confined to the site property and has not moved beyond the POE. As such, the Tier 2 model results appear overly conservative and analytical data confirms that this pathway does not pose a significant concern, assuming that a LUR limiting groundwater use can be implemented for the site property.

For the protection of surface water pathway, the POE was defined at the nearest surface water body, which is an unnamed tributary to Long Branch Creek approximately 275 feet from the

source area. The surface water pathway was evaluated in a Tier 2. The results of the Tier 2 indicated no exceedences of Tier 2 SSTLs for the surface water pathway.

Note that one of the objectives of the Risk Assessment was focused on evaluation of indoor inhalation pathways for existing buildings. However, additional evaluation may be warranted if future buildings are constructed or significant construction renovations are performed. To address the potential for vapor intrusion into future structures, ATC recommends a LUR for the site specifying that 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 site property without prior approval of NCDENR.

The final Risk Assessment report for the site dated March 15, 2011, concluded that the risks associated with the contamination could be managed through implementation of LURs for the site 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

The former Medlin-Davis Cleaners operated on the north side of the shopping center currently known as the Kildaire Plaza Shopping Center from 1981 through 2000. Mid-Atlantic Associates, PA (Mid-Atlantic) completed a Soil and Groundwater Assessment Report in September 2000. Six soil borings (SB-1 through SB-6) were advanced in the former dry-cleaning machine locations, former still bottom drum storage area, former condensate discharge piping outfall, near the sanitary sewer, and in visibly stained areas. PCE and TCE were detected in the soil at concentrations exceeding the DSCA Program's Tier 1 RBSLs.

The dry-cleaning business owner, Medlin-Davis, Inc., petitioned for certification of the site into the DSCA Program on April 21, 2003. The site was subsequently certified into the program on April 29, 2003.

In June 2005, Engineering Consulting Services, Ltd (ECS) conducted additional site assessment activities on behalf of a potential lender for the property. Three soil borings (S-101, S-103 and S-104) and five groundwater monitoring wells (MW-1 through MW-5) were installed as part of the investigation. The results of the soil sampling showed PCE, TCE, and VC concentrations exceeding the DSCA Program's Tier 1 RBSLs. The results of the groundwater sampling showed PCE, TCE and VC concentrations exceeding 2L Standards.

A Prioritization Assessment Report was prepared by Mid-Atlantic on December 8, 2005, for submittal to the DSCA Program. The scope of work included reporting of historical assessment data and completion of a receptor survey. The receptor survey indicated no public or private water supply wells within 1,500 feet of the site.

In January 2008, additional assessment activities were completed by ATC under contract to the DSCA Program. As part of this assessment, three monitoring wells were installed (MW-6D, MW-7 and MW-8) and additional soil samples (GP-1 through GP-4) were collected via direct-push and hollow-stem auger drilling. Groundwater samples collected from the new and existing monitoring wells indicated PCE, TCE, cis-1,2-DCE, and VC at concentrations above 2L Standards. ATC also completed an initial Tier 1 and 2 Risk Assessment in accordance with the DSCA Program's risk-based rules. The results of the investigation were documented in a Risk Assessment Report dated February 4, 2009. Note that the risk assessment was later updated in accordance with changes to the DSCA Program's risk-based rules and the Risk Assessment Report dated March 15, 2011, contains more current risk assessment data.

Groundwater monitoring events were performed by ATC in August and November 2008 and February and April 2009 in order to evaluate whether the contaminant plume was stable. PCE and TCE were consistently detected in monitoring wells MW-1 and MW-2 at concentrations above 2L Standards. However, the detections did not exhibit an increasing trend and the plume

did not appear to be migrating off-site. As such, ATC concluded that the plume was stable. The results of the monitoring events were documented in an Annual Groundwater Monitoring Report dated May 26, 2009. No interim remedial actions have been conducted at the site to date.

In order to further confirm the extent of the contaminant plume, ATC conducted an additional assessment on August 27, 2009. Three direct-push borings (GP-1 through GP-3) were advanced and groundwater samples were collected. PCE was detected in boring GP-1 at a concentration exceeding the 2L Standard. This boring was located near the boundary of the site property. Borings GP-2 and GP-3 were located off-site and contained no constituents of concern at concentrations above 2L Standards. Based on the results of the assessment, ATC concluded that the groundwater contaminant plume did not appear to extend onto off-site properties and recommended implementation of LURs and site closure. This investigation was documented in a Groundwater Investigation Report dated September 28, 2009.

Per the DSCA Program's Policy to Evaluate Indoor Air at PCE DSCA Sites, ATC also completed sub-slab soil gas and indoor air sampling in the former dry-cleaning tenant space in December 2009. This tenant space is currently occupied by a restaurant. The results of the sampling indicated detectable concentrations of PCE and other constituents in the sub-slab and indoor air samples. An evaluation of the cumulative risk posed by the indoor air concentrations was conducted in accordance with the DSCA Program's indoor air risk evaluation process. The results of the evaluation indicated a cumulative carcinogenic of risk of less than 10^{-5} and hazard index of less than 1, which are considered acceptable. The results of the sampling and risk evaluation were documented in a Soil Gas and Air Sampling Report dated April 16, 2010.

ATC compiled the recent and historical data for the site and prepared an updated Risk Assessment report dated March 15, 2011. As discussed in Section 3.0, the results of the risk assessment indicated that the plume does not pose an unacceptable risk per the DSCA Program's risk-based rules, provided that LURs can be implemented for the site property. No interim remedial actions have been conducted at the site to date.

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 2005. Six groundwater sampling events have been conducted for monitoring wells MW-1 through MW-5 and five groundwater sampling events have been conducted for monitoring wells MW-6D, MW-7, and MW-8. Constituents of concern (COCs) detected at the site historically at concentrations above 2L Standards include PCE, TCE, cis-1,2-DCE, VC, and 1,2-dichloroethane. 1,2-Dichloroethane and cis-1,2-DCE were detected at concentrations above 2L Standards during only one historical sampling event in January 2008 and therefore do not appear to be significant COCs. As such, ATC focused on the constituents PCE, TCE, and VC for the plume stability evaluation.

ATC prepared concentration versus time and concentration versus distance graphs for sampling events conducted at the site for PCE, TCE and VC. Even though a few wells have shown contaminant concentrations over 2L Standards, the graphs show that concentrations in the source area wells are stable or decreasing and concentrations in downgradient wells near the property boundary consistently remain below 2L Standards. Based on these data, ATC concludes that the plume is stable. ***Appendix A*** contains documentation of the plume stability evaluation, including a figure showing monitoring well locations, a table showing historical groundwater analytical data, concentration versus time graphs, and concentration versus distance graphs.

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

ATC evaluated the RCs 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 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 LURs on the site property.

5.0 DATA COLLECTED DURING RMP IMPLEMENTATION

No further sampling or other data collection activities are proposed for the site. As such, this section is not applicable.

6.0 LAND-USE RESTRICTIONS (LURs)

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

- 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.

LURs will be implemented for the site property to ensure that land-use conditions are maintained and monitored until the LURs are no longer required for the site. A Notice of Dry-Cleaning Solvent Remediation (NDCSR) was prepared for the site to comply with the LUR requirement. The NDCSR is included in ***Appendix C***. A plat showing the locations and types of dry-cleaning solvent contamination on the property is included as an exhibit to the NDCSR. The locations of dry-cleaning solvent contamination are where contaminants have been detected above unrestrictive use standards.

7.0 LONG-TERM STEWARDSHIP PLAN

The NDCSR contains a clause which requires that the owner of the site to 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 notice is included in ***Appendix D***. Documents relating to this site will be maintained by NCDENR and available for public access.

8.0 RMP IMPLEMENTATION SCHEDULE

Since the contamination is stable and confined to the site property, and possible exposure to the contamination is managed through the NDCSR 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 E*** 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 Wake 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 Wake County Register of Deeds. The NDCSR may, at the request of the owner of the property, 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 dry-cleaning solvent assessment and remediation agreement has been eliminated as a result of remediation of the property. If DENR 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 LURs and if changes are required. Enforcement of the RMP will be maintained through receipt of the "Annual Certification of Land-Use Restrictions" 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 direct or contract for alteration of the site in violation of the LURs, shall be held liable for the remediation of all contaminants to unrestricted use standards.

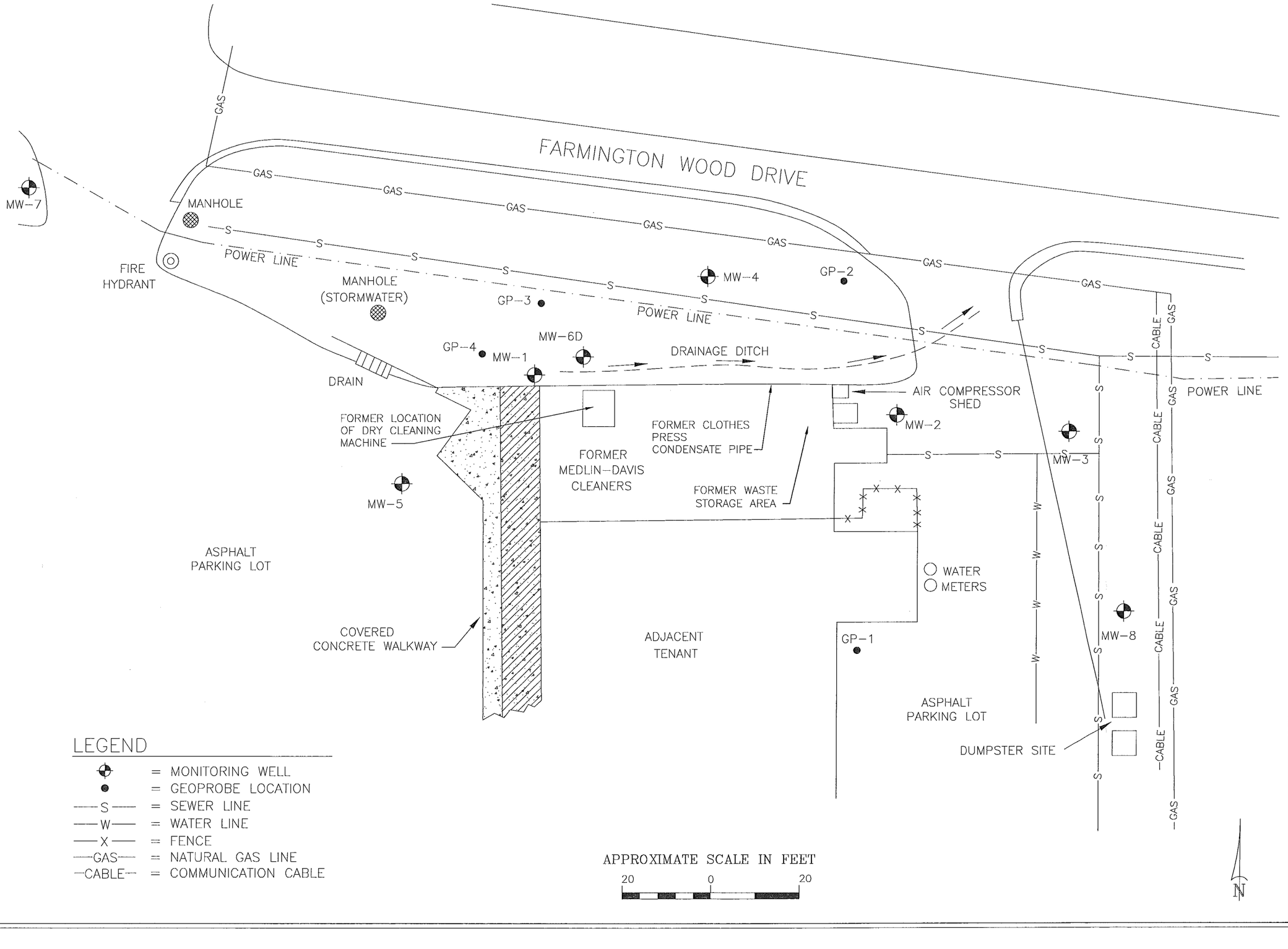
11.0 CONCLUSIONS AND RECOMMENDATIONS

ATC has prepared this RMP for the former Medlin-Davis Cleaners site on behalf of the NC DSCA Program. The results of a previous 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



ATC ASSOCIATES INC.
Raleigh, North Carolina 27604 (919) 871-0999 FAX (919) 871-0335

SCALE	DATE	PROJECT NO.
AS SHOWN	09-10-2008	45.34341.9204

PREP. BY	REV. BY
AW	KN

DSCA ID	FACILITY ID
92-0004	

CAD FILE: 34341.DWG

TITLE
SITE MAP
FORMER MEDLIN-DAVIS CLEANERS
1207 KILDARE FARM ROAD
CARY, NORTH CAROLINA

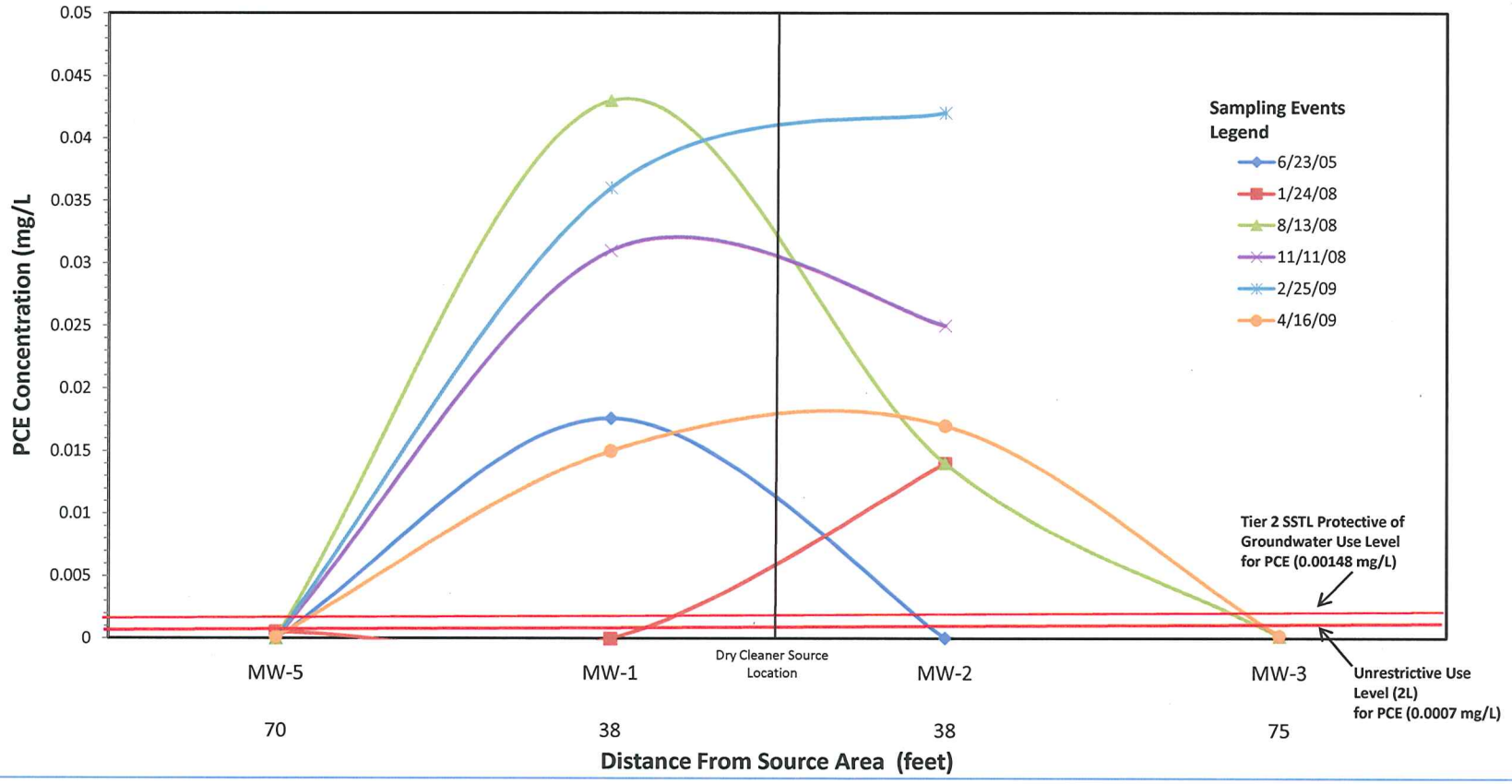
NOTES:

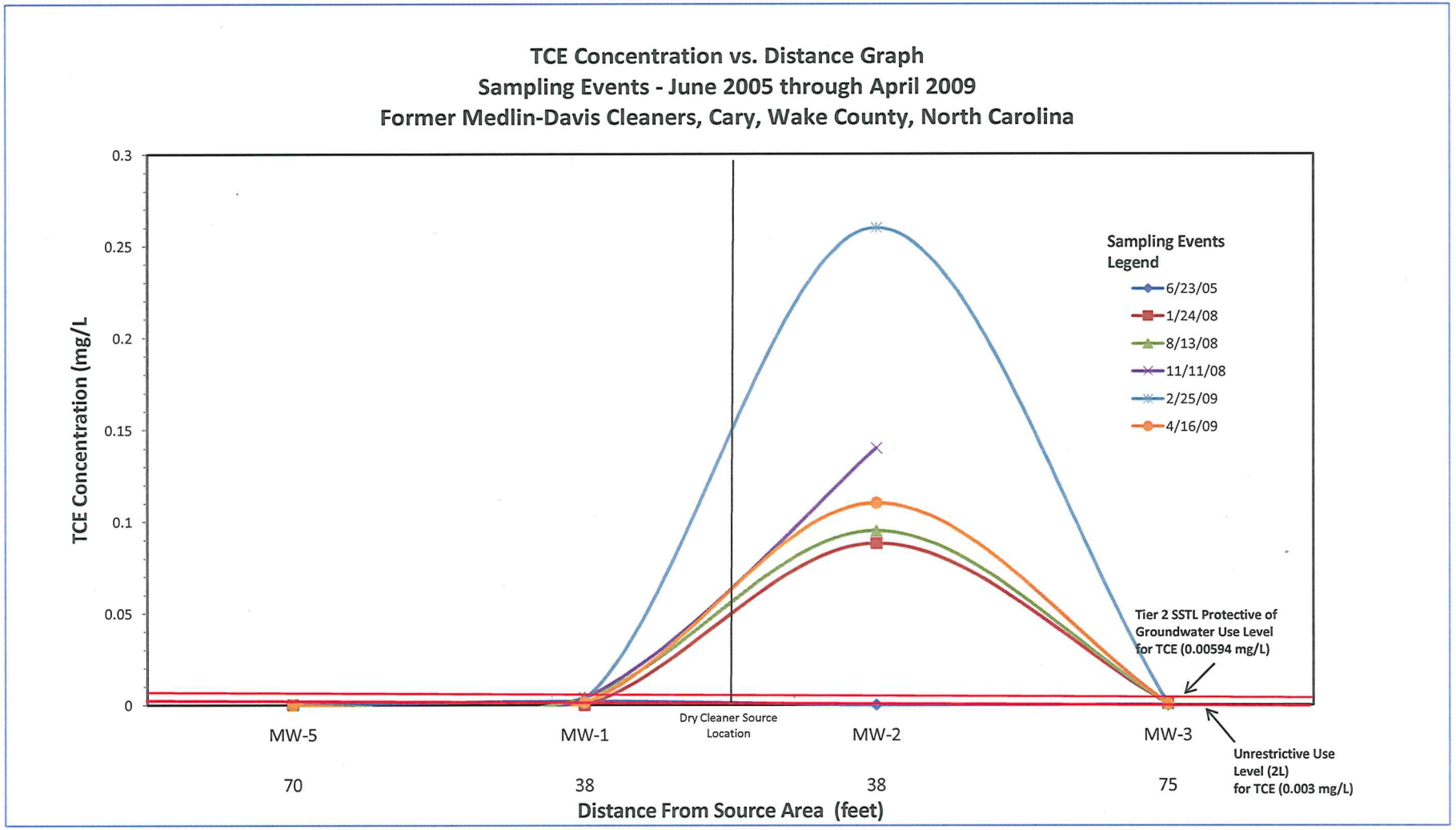
Table 1: Analytical Data for Groundwater

DSCA ID No.: 92-0004

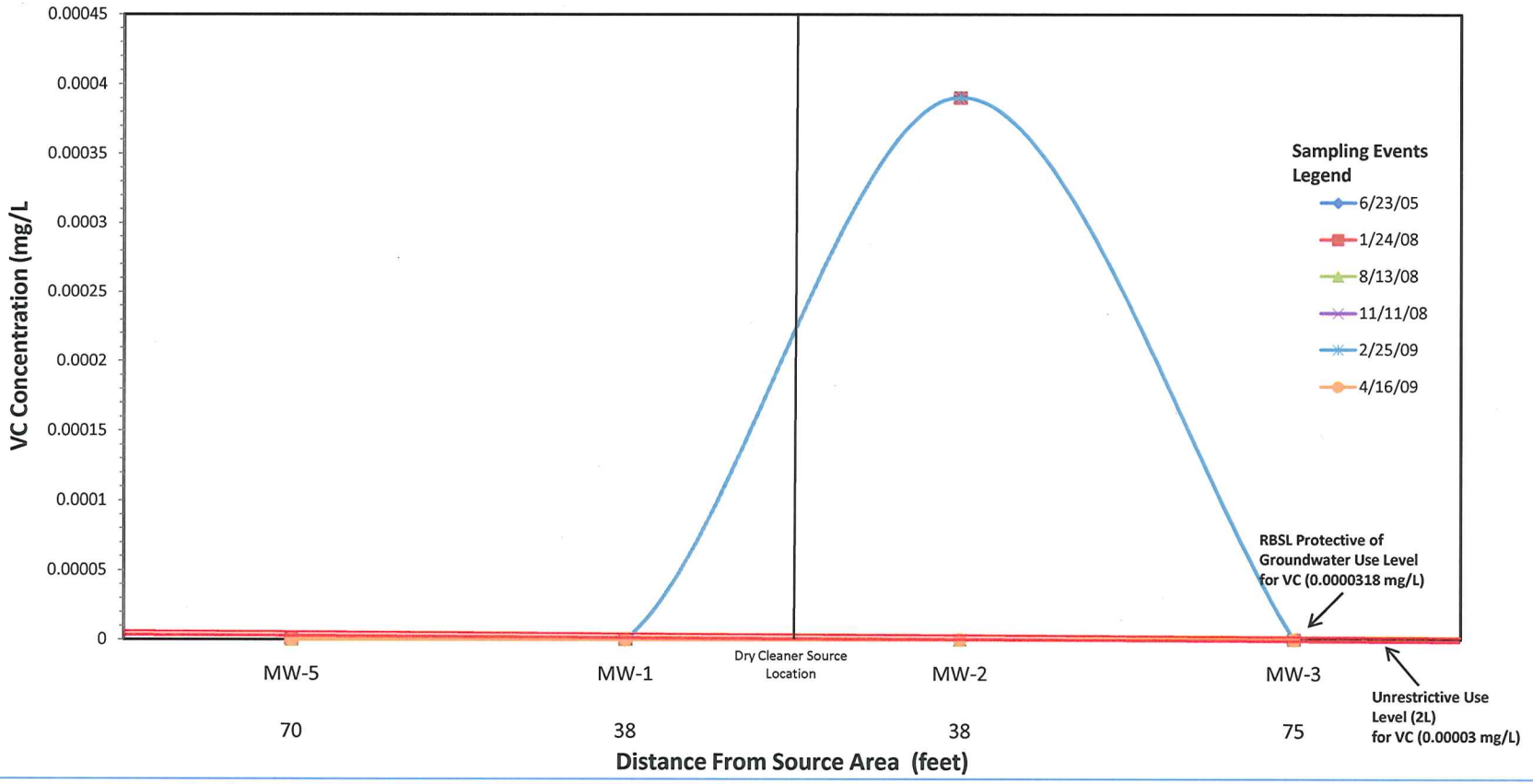
Groundwater Sampling Point	Sampling Date (mm/dd/yy)	1,1-Dichloroethylene	1,2-Dichloroethane (EDC)	Benzene	Chloroform	cis-1,2-Dichloroethylene	Ethylbenzene	Methyl tert-butyl ether (MTBE)	Naphthalene	Tetrachloroethylene	Toluene	trans-1,2-Dichloroethylene	Trichloroethylene	Vinyl chloride	Xylenes (total)	Acetone	Carbon Disulfide	Chloromethane	Bromodichloromethane	2-Butanone	2-Hexanone	4-Methyl-2-pentanone
		[mg/L]																				
MW-1	6/23/05	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	**0.0176**	<0.001	<0.001	0.0019	<0.001	<0.002	<0.025	<0.001	<0.001	<0.001	<0.025	<0.005	<0.005
	1/24/08	<0.005	<0.005	<0.0005	0.00053J	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.005	<0.0005	<0.005	<0.010	<0.001	<0.001	<0.001	<0.010	<0.010	<0.010
	8/13/08	<0.001	<0.001	<0.001	<0.001	0.00013J	<0.001	<0.001	<0.001	**0.043**	<0.001	<0.001	**0.0041**	<0.001	<0.001	<0.005	0.00012J	0.00067J	<0.001	<0.001	<0.001	<0.001
	11/11/08	<0.001	<0.001	<0.001	<0.001	0.00011J	<0.001	<0.001	<0.001	**0.031**	<0.001	<0.001	**0.0038**	<0.001	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001
	2/25/09	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	**0.036**	<0.001	<0.001	**0.0031**	<0.001	<0.001	<0.005	<0.001	0.00074J	<0.001	<0.001	<0.001	<0.001
	4/16/09	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.00021J	**0.015**	<0.001	<0.001	0.0014	<0.001	<0.001	<0.005	<0.001	0.00038J	<0.001	<0.001	<0.001	<0.001
MW-2	6/23/05	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	**0.00152**	<0.001	<0.001	**0.00512**	<0.001	<0.002	<0.025	<0.001	<0.001	<0.001	<0.025	<0.005	<0.005
	1/24/08	0.00094J	<0.005	<0.0005	0.00026J	**0.16**	<0.005	<0.005	<0.005	**0.014**	<0.005	0.01	**0.088**	**0.00039J**	<0.005	<0.010	<0.001	<0.001	<0.001	<0.010	<0.010	<0.010
	8/13/08	0.00036J	<0.001	<0.001	0.00028J	0.013	<0.001	<0.001	<0.001	**0.014**	<0.001	0.0062	**0.095**	<0.001	<0.001	<0.005	<0.001	0.0016	0.0011	<0.001	<0.001	<0.001
	11/11/08	0.00091J	<0.001	<0.001	<0.001	0.025	<0.001	<0.001	<0.001	**0.025**	<0.001	0.013	**0.14**	<0.001	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001
	2/25/09	0.0014	<0.001	<0.001	<0.001	0.048	<0.001	<0.001	<0.001	**0.042**	<0.001	0.022	**0.26**	**0.00039J**	<0.001	<0.005	<0.001	0.0019	<0.001	<0.001	<0.001	<0.001
	4/16/09	0.00046J	<0.001	<0.001	0.00025J	0.014	<0.001	<0.001	0.00018J	**0.017**	<0.001	0.0073	**0.11**	<0.001	<0.001	<0.005	<0.001	0.0012	<0.001	<0.001	<0.001	<0.001
	8/13/08	<0.001	<0.001	<0.001	0.00031J	0.00035J	<0.001	<0.001	<0.001	0.00017J	<0.001	<0.001	0.00063J	<0.001	<0.001	<0.005	<0.001	0.0008J	<0.001	<0.001	<0.001	<0.001
MW-3	6/23/05	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.002	<0.025	<0.001	<0.001	<0.001	<0.025	<0.005	<0.005
	1/24/08	<0.005	<0.005	<0.0005	<0.005	0.0011J	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	0.00069J	<0.0005	<0.005	<0.010	<0.001	<0.001	<0.001	<0.010	<0.010	<0.010
	8/13/08	<0.001	<0.001	<0.001	0.00031J	0.00035J	<0.001	<0.001	<0.001	0.00017J	<0.001	<0.001	0.00063J	<0.001	<0.001	<0.005	<0.001	0.0008J	<0.001	<0.001	<0.001	<0.001
	2/25/09	<0.001	<0.001	<0.001	<0.001	0.00013J	<0.001	<0.001	<0.001	<0.0007	<0.001	<0.001	0.00048J	<0.001	<0.001	<0.005	<0.001	0.0017	<0.001	<0.001	<0.001	<0.001
	4/16/09	<0.001	<0.001	<0.001	0.00022J	0.00021J	<0.001	<0.001	0.00015J	0.00022J	<0.001	<0.001	0.00051J	<0.001	<0.001	<0.005	<0.001	0.00045J	<0.001	<0.001	<0.001	<0.001
MW-4	6/23/05	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.002	<0.025	<0.001	<0.001	<0.001	<0.025	<0.005	<0.005
	1/24/08	<0.005	<0.005	<0.0005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.005	<0.0005	<0.005	<0.010	<0.001	<0.001	<0.001	<0.010	<0.010	<0.010
	8/13/08	<0.001	<0.001	<0.001	<0.001	0.00023J	<0.001	<0.001	<0.001	**0.001**	<0.001	<0.001	**0.003**	<0.001	<0.001	0.027	0.00017J	0.00057J	<0.001	<0.001	<0.001	<0.001
	11/11/08	<0.001	<0.001	<0.001	<0.001	0.00017J	<0.001	<0.001	<0.001	0.00064J	<0.001	<0.001	0.0017	<0.001	<0.001	0.0032J	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001
	2/25/09	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.0007	<0.001	<0.001	<0.001	<0.001	<0.001	<0.005	<0.001	0.0017	<0.001	<0.001	<0.001	<0.001
	4/16/09	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.00016J	<0.001	<0.001	<0.001	<0.001	<0.001	<0.005	<0.001	0.0011	<0.001	<0.001	<0.001	<0.001
MW-5	6/23/05	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.002	<0.025	<0.001	<0.001	<0.001	<0.025	<0.005	<0.005
	1/25/08	<0.005	**0.0019J**	<0.0005	<0.005	<0.005	<0.005	<0.005	<0.005	0.00054J	<0.005	<0.005	<0.005	<0.0005	<0.005	<0.010	<0.001	<0.001	<0.001	<0.010	<0.010	<0.010
	8/13/08	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.0007	<0.001	<0.001	<0.001	<0.001	<0.001	<0.005	<0.001	0.00086J	<0.001	<0.001	<0.001	<0.001
	11/11/08	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.0007	<0.001	<0.001	0.000092J	<0.001	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001
	2/25/09	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.0007	<0.001	<0.001	<0.001	<0.001	<0.001	<0.005	<0.001	0.0014	<0.001	<0.001	<0.001	<0.001
	4/16/09	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.00011J	<0.001	<0.001	<0.001	<0.001	<0.001	<0.005	<0.001	0.00096J	<0.001	<0.001	<0.001	<0.001
MW-6D	1/24/08	<0.005	<0.005	<0.0005	<0.005	<0.005	<0.005	<0.005	<0.005	**0.011**	<0.005	<0.005	0.0024J	<0.0005	<0.005	<0.010	<0.001	<0.001	<0.001	<0.010	<0.010	<0.010
	8/13/08	<0.001	<0.001	<0.001	0.00049J	<0.001	<0.001	<0.001	<0.001	0.00011J	<0.001	<0.001	<0.001	<0.001	<0.001	<0.005	<0.001	0.00069J	<0.001	<0.001	<0.001	<0.001
	11/11/08	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.0007	<0.001	<0.001	<0.001	<0.001	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001
	2/25/09	<0.001	<0.001	<0.001	0.00043J	<0.001	<0.001	<0.001	<0.001	<0.0007	<0.001	<0.001	<0.001	<0.001	<0.001	<0.005	<0.001	0.0008J	<0.001	<0.001	<0.001	<0.001
	4/16/09	<0.001	<0.001	<0.001	0.0006J	<0.001	<0.001	<0.001	<0.001	0.00011J	0.00016J	<0.001	<0.001	<0.001	<0.001	<0.005	<0.001	0.00046J	<0.001	<0.001	<0.001	<0.001
MW-7	1/25/08	<0.005	0.00096J	<0.0005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.005	<0.0005	<0.005	0.14	<0.001	<0.001	<0.001	<0.010	<0.010	<0.010
	8/13/08	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.00037J	0.00016J	<0.001	<0.001	<0.001	<0.001	<0.001	0.0032J	0.00014J	0.00051J	<0.001	<0.001	<0.001	<0.001
	11/11/08	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.0007	<0.001	<0.001	<0.001	<0.001	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001
	2/25/09	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.0007	<0.001	<0.001	<0.001	<0.001	<0.001	<0.005	<0.001	0.00088J	<0.001	<0.001	<0.001	<0.001
	4/16/09	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.0007	<0.001	<0.001	<0.001	<0.001	<0.001	0.0027J	<0.001	0.00029J	<0.001	<0.001	<0.001	<0.001
MW-8	1/24/08	<0.005	<0.005	<0.0005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.005	<0.0005	<0.005	0.016	<0.001	<0.001	<0.001	<0.010	<0.010	<0.010
	8/13/08	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.002	<0.001	<0.0007	<0.001	<0.001	<0.001	<0.001	<0.001	0.0043J	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001
	11/11/08	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.0007	<0.001	<0.001	<0.001	<0.001	<0.001	<0.005	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001
	2/25/09	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001	0.00016J	<0.001	<0.001	0.0013	<0.001	<0.001	0.003J	<0.001	0.001	<0.001	<0.001	<0.001	<0.001
	4/16/09	<0.001	<0.001	<0.001	<0.001	0.00012J	<0.001	<0.001	<0.001	0.00016J	0.00017J	<0.001	0.0001J	<0.001	<0.001	0.0062	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001
GP-1	8/27/09	<0.005	<0.005	<0.0005	<0.005	0.024	<0.005	<0.005	<0.005	**0.0023**	<0.005	0.00034J	0.0006J	<0.0005	0.0003J	0.021J	<0.005	<0.005	<0.005	0.0076J	0.0023J	0.0005J
GP-2	8/27/09	<0.005	<0.005	0.00089	0.00035J	<0.005	0.00029J	<0.005	<0.005	0.00032J	<0.005	<0.005	<0.0028	<0.0005	0.00138J	0.011J	<0.005	<0.005	<0.005	<0.010	0.00065J	<0.010
GP-3	8/27/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.0028	<0.0005	<0.005	0.024J	<0.005	<0.005	<0.005	0.0049J	0.00095J	<0.010
NC 2L Standard		0.007	0.0004	0.001	0.07	0.07	0.6	0.02	0.006	0.0007	0.6	0.1	0.003	3.0x10-5	0.5	6	0.7	0.003	0.0006	4	NE	NE

PCE Concentration vs. Distance Graph
Sampling Events - June 2005 through April 2009
Former Medlin-Davis Cleaners, Cary, Wake County, North Carolina




TCE Concentration vs. Distance Graph
Sampling Events - June 2005 through April 2009
Former Medlin-Davis Cleaners, Cary, Wake County, North Carolina
TCE Concentration (mg/L)
0.3
0.25
0.2
0.15
0.1
0.05
0
Sampling Events Legend
6/23/05
1/24/08
8/13/08
11/11/08
2/25/09
4/16/09
Tier 2 SSTL Protective of Groundwater Use Level for TCE (0.00594 mg/L)
Dry Cleaner Source Location
MW-5
MW-1
MW-2
MW-3
70
38
38
75
Unrestrictive Use Level (2L) for TCE (0.003 mg/L)
Distance From Source Area (feet)

VC Concentration vs. Distance Graph
Sampling Events - June 2005 through April 2009
Former Medlin-Davis Cleaners, Cary, Wake County, North Carolina



APPENDIX B

LEVEL 1 ECOLOGICAL RISK ASSESSMENT CHECKLISTS

Appendix B
Ecological Risk Assessment – Level 1
Medlin-Davis Cleaners
1207 Kildaire Farm Road
Cary, Wake County, NC
ATC Project No: 45.34341.9204
DSCA Site ID: 92-0004

Checklist A

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

   Based on the Cary Quadrangle Topographic map and the United States Fish and Wildlife Service (USFWS) Ecomap, a pond is located approximately 1,200 feet southeast of the site which flows into a tributary of Long Branch Creek. See the topographic map in **Attachment 1** and the USFWS Ecomap in **Attachment 2.**

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

   Based on the Cary Quadrangle Topographic map and the USFWS Ecomap, the closest water body is an unnamed intermittent stream located approximately 275 feet east-southeast of the site. The stream flows into the pond referenced above, which in turn discharges into a tributary of Long Branch Creek. Additional intermittent streams and a pond are located further from the site to the northwest, west, and southwest.

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

   Based on the USFWS Ecomap, the closest wetland area is the pond located approximately 1,200 feet southeast of the site. Another small pond located approximately 1,500 feet southwest of the site is also classified as a wetland area.

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

   Based on a review of the USFWS online database, no critical habitats or significant natural areas are located within one-half mile of the site.

5. Are there any areas on or within one-half 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 one-half 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 one-half of the site?

   Based on the USFWS online databases, there are no wilderness areas or wildlife refuges within one-half mile of the site.

7. Are there any breeding, roosting or feeding areas by migratory bird species on or within one-half 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 Wake County (e.g., Bald Eagle, Canadian Goose, Mourning Dove) are likely to be within one-half mile of the site.

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

   Based on site observations and desktop review, areas surrounding the ponds and streams near the site are likely to contain ecological important species. Additionally, the pond to the southeast may contain recreational important species. No commercially important species were observed to be within one-half mile of the site.

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

   ATC reviewed the USFWS online species list. The following species were identified within Wake County:

   - *Haliaeetus leucoocephalus* – Bald Eagle: BGPA (Bald and Golden Eagle Protection Act)
   - *Alasmidonta heterodon* – Dwarf Wedgemussel: Endangered
   - *Rhus michauxii* – Michaux's Sumac: Endangered

   ATC also reviewed the North Carolina Heritage online Cary Quadrangle species list. The following species were identified:

   - *Fusconaia masoni* – Atlantic Pigtoe: Endangered
   - *Haliaeetus leucoocephalus* – Bald Eagle: BGPA (Bald and Golden Eagle Protection Act)
   - *Strophitus undulates* – Creeper: Threatened

Checklist B

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

Yes. The primary constituents of concern for the site are tetrachloroethylene (PCE), trichloroethylene (TCE), and vinyl chloride. Based on published references [Environmental Protection Agency (EPA) and United States Agency for Toxic Substances and Disease Registry (ATSDR)], PCE, TCE, and vinyl chloride are leachable to groundwater and 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 (Fetter, 1988). Based on these values, PCE, TCE, and vinyl chloride are all mobile in groundwater.

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

The primary ecological receptor habitats identified in the site vicinity are nearby surface water bodies. The plume has been fully defined and does not reach these surface water bodies. As such, the impacted groundwater does not appear likely to discharge to ecological receptor habitats.

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

No. As discussed above, the plume is confined to the site property and does not appear likely to reach the nearest ecological receptor habitats.

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 0.015 milligrams per kilogram (mg/kg) in surfical soil, which is less than the Tier 1 Risk-Based Screening Level (RBSL) for surficial soil of 3.19 mg/kg.

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

Yes. Based on the groundwater data collected to date and published references, the chemicals can be leached from the soil.
No. The surficial soils impacted at the site are located in a relatively flat grassy area immediately adjacent to a concrete sidewalk. Severe erosion and transport of impacted surficial soils from the site does not appear likely.

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

No. Low concentrations of PCE have been identified in surficial soil, but the soil is located in an area where runoff or erosion appears unlikely.

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.

3B. Are potential ecological receptors on the site.

No. Ecological receptors are unlikely to be present on the site property. The primary ecological receptors identified in the site vicinity are associated with surface water bodies located off-site. Some bird and plant species were identified that may not be associated with surface water or wetland areas, but the site is an active shopping center so these species appear unlikely to be present on the site property.

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

No. Surficial impacted soil has been identified, but is located within an active shopping center and 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. Only a small area of impacted soil is exposed at the ground surface, erosion of soils from this area appear unlikely, and contaminant concentrations sufficiently low such that significant volatilization is unlikely.

4C. 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. As discussed above, erosion of impacted soils or significant volatilization from impacted soils appears unlikely.

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.

5D. 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.

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

Yes. Since surficial soils have been impacted at the site, it can be assumed that chemicals can be taken up by the plant root systems. However, contaminant concentrations in surficial soils are sufficiently low such that significant chemical concentrations in plants are unlikely to be present.

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

Yes. It is possible that migratory birds feed on the grass overlying the surficial impacted soil at the site. However, as discussed above, based on the low contaminant concentrations in surficial soils, significant chemical concentrations in plants are unlikely to be present. Furthermore, the site is an active shopping center and significant ecological receptors are unlikely to be present for a significant time period.

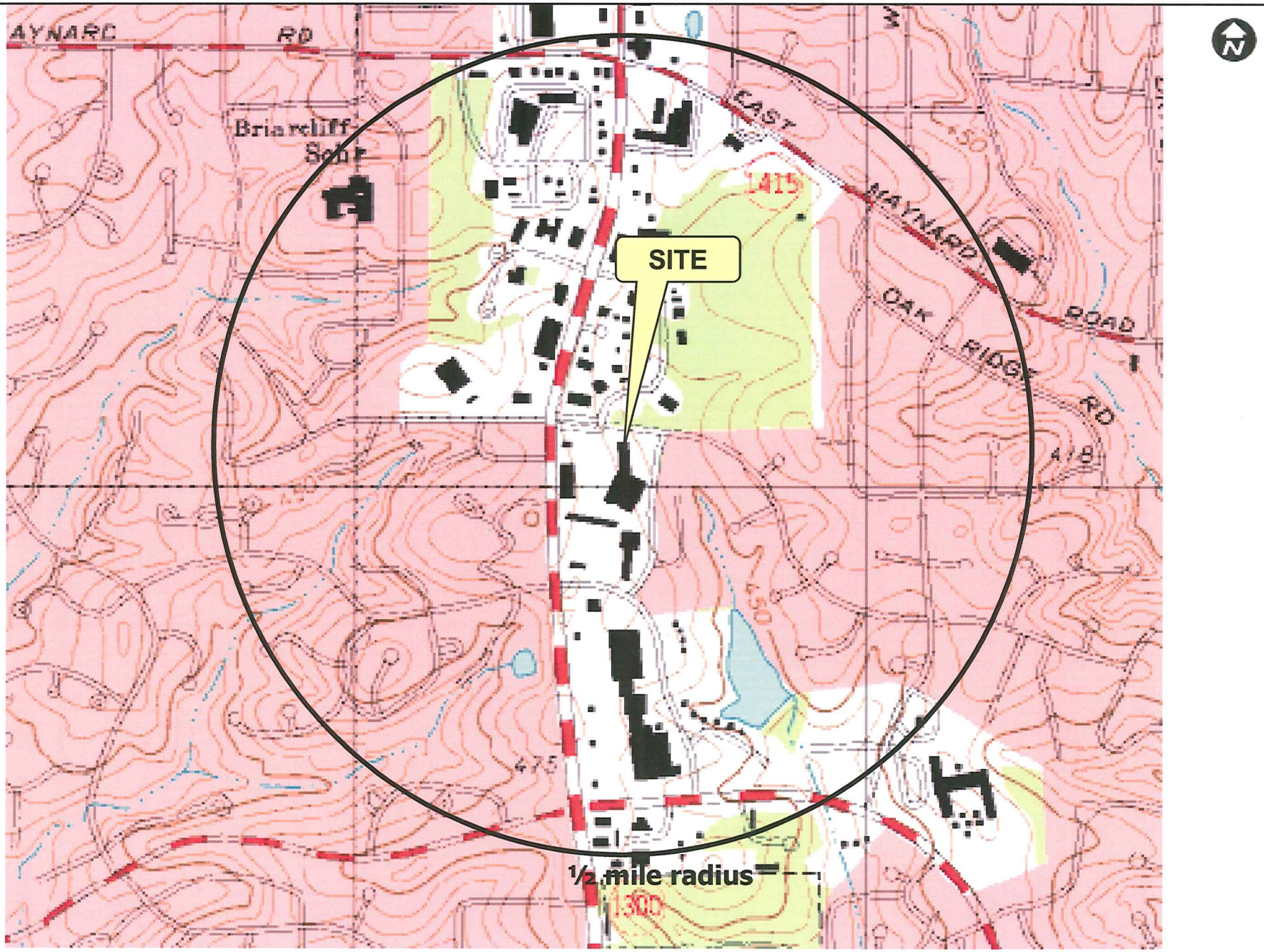
6D. Do chemicals found on the site bioaccumulate?

No. Based on published references (ATSDR), PCE, TCE, and vinyl chloride do not significantly bioaccumulate.

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

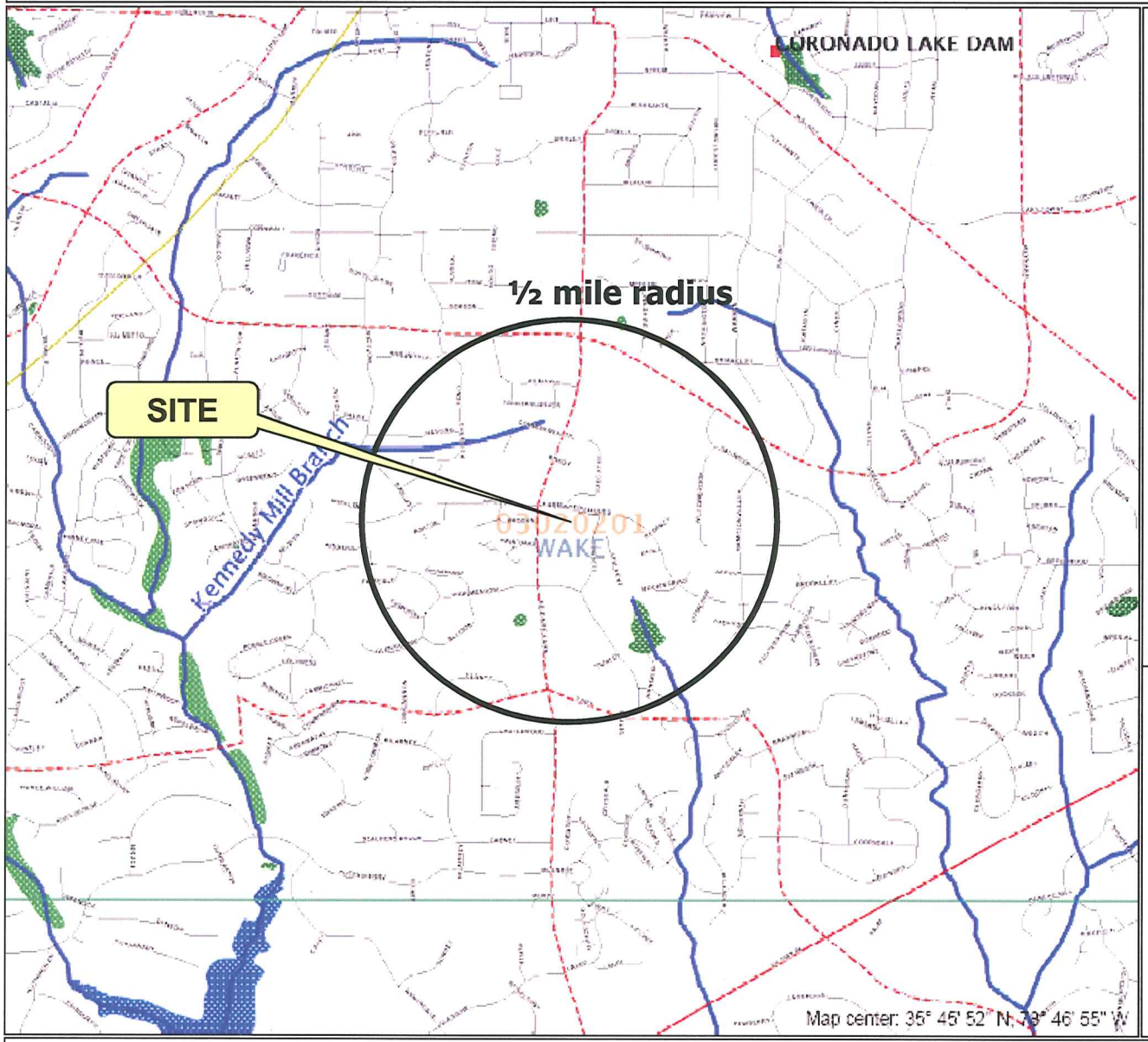
No. Based on the low contaminant concentrations in surficial soils, commercial site environment, and absence of bioaccumulation for the chemicals of concern, it is not anticipated that chemicals associated with the site would reach ecological receptors through direct ingestion of soil, plants, animals, or contaminants.

Attachment 1: USGS Topographic Map, Cary Quadrangle , DSCA Site 92-0004 Medlin-Davis Cleaners
Source: Terraserver.com



Attachment 2: USFWS Ecomap, Cary Quadrangle, DSCA Site 92-0004, Medlin-Davis Cleaners

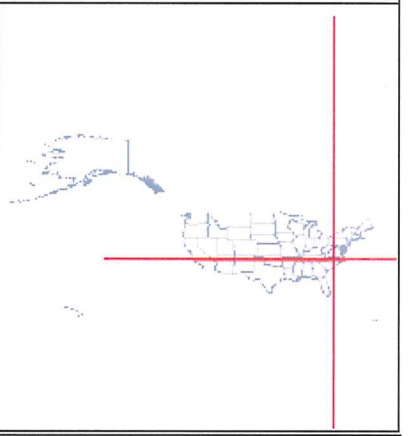
http://ecos.fws.gov



- Critical Habitat
- Barriers
- FWS Ecological Regions
- FWS Regions
- Railroads
- 8 Digit HUCs
- Quad Map Bounds
- Counties
- Streams
- Water Bodies
- Refuges

NWI Wetlands

- Estuarary
- Estuarine Wetland
- Lake (Deep)
- Lake (Shallow)
- Open Water
- Marine Wetland



Disclaimer: This map DOES NOT represent all of the critical habitat designated by the U.S Fish & Wildlife Service. It shows only the available digitized critical habitats that have been submitted into this system as of print date.

Scale 1:24,921
U.S. Fish & Wildlife Service
Printed: Jun 30, 2008 2:36:24 PM

APPENDIX C

NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

Property Owner: Triangle Kildaire, 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 Triangle Kildaire, 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 1207 Kildaire Farm Road, Cary, Wake County, North Carolina, Parcel Identification Number (PIN) 0763426927.

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. 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.

Soil and groundwater at the Property are contaminated with dry-cleaning solvents associated with dry-cleaning operations at the Former Medlin-Davis Cleaners (DSCA Site 92-0004) located at 1207 Kildaire Farm Road, Cary, in the Kildaire Shopping Plaza. Dry-cleaning operations were conducted on the Property from approximately 1981 to 2000.

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. **In January of each year, on or before January 31st, 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.**

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.**

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___.

Triangle Kildaire, 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 Triangle Kildaire, 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 — Date
Superfund Section
Division of Waste Management

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]

CERTIFICATION OF REGISTER OF DEEDS

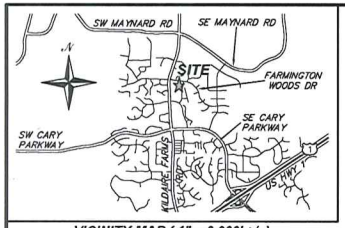
The foregoing documentary component of the Notice of Dry-Cleaning Solvent Remediation, and the associated plat, are certified to be duly recorded at the date and time, and in the Book and on the Page(s), shown on the first page hereof.

Register of Deeds for Wake County

By: _____ _____
(signature) Date

Name typed or printed: _____
Deputy/Assistant Register of Deeds

EXHIBIT A
REDUCTION OF SURVEY PLAT



VICINITY MAP (1" = 6,000' +/-)

SURVEY NOTES:

1) THE PURPOSE OF THIS MAP IS TO SHOW MISCELLANEOUS SURVEY LOCATIONS IN RELATION TO THE CONTROL LINE ESTABLISHED FOR THIS SURVEY. THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY OR A FULL PHYSICAL SURVEY OF THE PROPERTIES REFLECTED HEREON. AERIAL IMAGERY SHOWN HEREON WAS TAKEN FROM WAKE COUNTY GIS WEBSITE ON NOVEMBER 13, 2009 AND IS REPORTED TO BE 2005 INFORMATION. THE IMAGERY WAS GEOREFERENCED AND THUS, WAS NOT SCALED OR ROTATED. NO ACCURACY OR POSITIONAL TOLERANCE IS GUARANTEED BY THIS SURVEY AS TO HOW THE SURVEYED LOCATIONS TRULY RELATE TO THE IMAGERY SHOWN HEREON. THE IMAGERY IS FOR REFERENCE PURPOSES ONLY.
2) ALL BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE BASED UPON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83 (NSRS 2007), WITH NAVD88 (GEOID 09) ELEVATIONS, PER A GPS SURVEY PERFORMED BY TAYLOR WISEMAN & TAYLOR ON NOVEMBER 16, 2009. THE N.C. STATE PLANE COORDINATES SHOWN FOR CONTROL POINTS #1 AND #2 WERE ESTABLISHED UTILIZING A TRIMBLE R8 GLOBAL POSITIONING SYSTEMS (GPS) RECEIVER IN CONJUNCTION WITH THE NORTH CAROLINA GEODETIC SURVEY'S VIRTUAL REFERENCE SYSTEM (VRS), WHICH IS BASED UPON THE CONTINUALLY OPERATING REFERENCE STATIONS (CORS).
3) ALL MEASUREMENTS SHOWN HEREON ARE REPORTED IN U.S. SURVEY FEET UNLESS NOTED OTHERWISE. ALL COORDINATES ARE N.C. STATE PLANE GRID COORDINATES; NO LOCALIZATION WAS PERFORMED. THE COMBINED FACTOR FOR THE SITE IS 0.999894782.
4) CONTAMINANTS TABLE WAS PROVIDED BY ATC ASSOCIATES.

SCALE: 1" = 100'

0 50 100 200

SCALE: 1" = 60'

0 30 60 120

SYMBOL LEGEND	
⊿	DATUM CONTROL POINT
●	PROPERTY CORNER FOUND
Ⓜ	MONITORING WELL
◑	SOIL BORING

N
W E
S

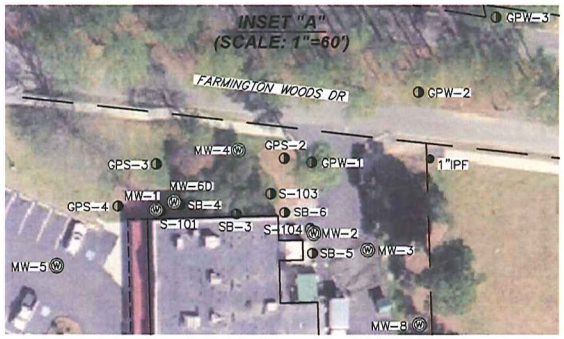
N C Grid - NAD83 (NSRS 2007)

ABBREVIATIONS

BM	BOOK OF MAPS
CF	COMBINED FACTOR
CIR	CIRCLE
DB	DEED BOOK
DR	DRIVE
E	EAST / EASTING
ELEV	ELEVATION
IPF	IRON PIPE FOUND
MW	MONITORING WELL
N	NORTH / NORTHING
N/F	NOW OR FORMERLY
PG	PAGE
RD	ROAD
SB	SOIL BORING

WELL & SOIL BORING TABLE

WELL ID	NORTHING	EASTING	TOP CASE ELEVATION	GROUND ELEVATION
MW-1	733217.42	2064696.45	465.50	465.92
MW-2	733205.65	2064775.00	463.89	464.36
MW-3	733197.36	2064801.81	462.58	462.83
MW-4	733247.28	2064737.43	462.72	463.05
MW-5	733189.40	2064646.79	466.32	466.62
MW-6	733221.43	2064705.41	465.49	465.74
MW-6	733250.34	2064578.71	469.53	470.00
MW-8	733160.06	2064827.48	463.17	463.52
SB-3	733215.20	2064736.51	-	464.83
SB-4	733220.00	2064708.47	-	465.44
SB-5	733195.71	2064774.36	-	464.58
SB-6	733216.02	2064760.51	-	465.18
S-101	733216.24	2064698.85	-	465.69
S-103	733225.48	2064753.63	-	464.87
S-104	733207.71	2064773.24	-	464.39
GPS-1	733133.94	2064767.22	-	466.10
GPS-2	733243.26	2064760.29	-	461.91
GPS-3	733240.40	2064696.49	-	465.77
GPS-4	733219.25	2064677.45	-	465.80
GPW-1	733241.22	2064774.02	-	460.20
GPW-2	733276.43	2064826.94	-	457.36
GPW-3	733314.09	2064865.56	-	455.90



Location of Contaminants by Media Exceeding Unrestrictive Use Standards

Sample ID	Depth	Media	Contaminant Type & Standards				
			Units	cis-1,2-Dichloro-ethane	Tetrachloro-ethylene (PCE)	Trichloro-ethylene (TCE)	Vinyl Chloride (VC)
SB-1	3-4	SOIL	(mg/kg)	-	0.0342	0.137	-
S-101B	10	SOIL	(mg/kg)	-	0.0342	-	-
S-103A	5	SOIL	(mg/kg)	-	0.0342	0.137	0.000263
S-104A	5	SOIL	(mg/kg)	-	0.0342	-	-
MW-1	7-17	GROUNDWATER	(mg/L)	-	0.0007	0.0028	-
MW-2	7-17	GROUNDWATER	(mg/L)	0.07	0.0007	0.0028	0.000015
MW-4	7-17	GROUNDWATER	(mg/L)	-	0.0007	0.0028	-
MW-6D	11-22	GROUNDWATER	(mg/L)	-	0.0007	-	-
GPW-1	16	GROUNDWATER	(mg/L)	-	0.0007	-	-

I, CHAD T. HOWARD, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION, FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE LOCATION OF SIGNIFICANT ITEMS SUCH AS HORIZONTAL CONTROL LINES, BUILDINGS, MONITORING WELLS, SOIL BORINGS, ETC., SHALL BE SHOWN WITHIN SCALING ACCURACY OF AND IN RELATIONSHIP TO THE HORIZONTAL CONTROL LINE OR CONTROL POINTS TO EACH OTHER; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 18th DAY OF NOVEMBER, 2009.

11/18/09

NORTH CAROLINA PROFESSIONAL SEAL L-4220 LAND SURVEYOR CHAD T. HOWARD

CHAD T. HOWARD L-4220

TAYLOR WISEMAN & TAYLOR
ENGINEERS ▮ SURVEYORS ▮ SCIENTISTS
SUBSURFACE UTILITY ENGINEERS
3500 REGENCY PARKWAY
SUITE 160, CARY, NC 27518
PHONE (919) 297-0085 FAX (919) 297-0090
NORTH CAROLINA LICENSE NUMBER: F-0352

MONITORING WELL LOCATION SURVEY

FOR ATC ASSOCIATES, INC.

FORMER MEDLIN-DAVIS CLEANERS

DSCA ID 92-0004

1207 KILDAIRE FARMS ROAD

WAKE COUNTY - CARY, NORTH CAROLINA

REVISIONS:	
DATE OF SURVEY:	11/16/2009
SCALE:	1" = 100'
DRAWN BY:	B.DIGIACOMO
CHECKED BY:	RVB / CTH
PROJECT:	70567.6037.00
SHEET:	1 / 1

Q:\CAD\70567\70567.6037.00\dwg\70567.6037.00-BASE.dwg

EXHIBIT B
PROPERTY LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL of land, together with all improvements thereon lying and being more particularly bounded and described as follows:

BEGINNING AT A POINT in the South line of Farmington Woods Drive, said point being located at North Carolina Coordinates N 733,241.24 and E 2,084,230.32 as shown on the plat of survey to which reference is hereinafter made; run thence along the Southern line of Farmington Woods Drive South 82 degrees 00 minutes 00 seconds East 527.88 feet to a point; run thence South 01 degrees 33 minutes 39 seconds East 547.52 feet to a point; run thence North 82 degrees 00 minutes 00 seconds West 567.83 feet to a point in the Eastern line of Kildaire Farm Road; run thence along the Eastern line of Kildaire Farm Road the following courses and distances: (1) North 01 degrees 33 minutes 39 seconds West 365.00 feet to a point, (2) along a slight curve to the right having a radius of 2,783.05 feet an arc distance of 114.98 feet and having a chord bearing and distance of North 00 degrees 22 minutes 38 seconds West 114.97 feet to a point, and (3) along another slight curve to the right having a radius of 777.60 feet an arc distance of 33.97 feet and having a chord bearing and distance of North 02 degrees 03 minutes 28 seconds East 33.97 feet to the point where Kildaire Farm Road begins to curve into Farmington Woods Road; run thence along said curve to the right having a radius of 30.00 feet an arc distance of 49.58 feet and having a chord bearing and distance North 50 degrees 39 minutes 17 seconds East 44.13 feet to the POINT OF BEGINNING; being improved property known as Kildaire Plaza Shopping Center, and being shown and delineated on plat of survey by The John R. McAdams Company, Inc., dated January 13, 1998, which plat of survey is incorporated herein by reference thereto, and containing 7.021 acres according to the aforesaid plat of survey.

Together with the non-exclusive right, title, and easement to install drainage and utility lines in the:

1. Access and utility easement;
2. Right-of-way of unnamed street; and
3. Drainage and utility easement commencing with a width of 27.62 feet and running from the East line of the above-described property in an Easterly direction to an existing sanitary sewer easement;

all as shown on the plat recorded in Book of Maps 1978, page 926, and as described in deed dated December 19, 1978, and recorded December 22, 1978, in Book 2694, page 36, Wake County Registry.

APPENDIX D

EXAMPLE ANNUAL CERTIFICATION OF LAND-USE RESTRICTIONS

Site Name: Former Medlin-Davis Cleaners

Site Address: 1207 Kildaire Farm Road, Cary, Wake County, NC

DSCA ID No: 92-0004

ANNUAL CERTIFICATION of LAND-USE RESTRICTIONS

Pursuant to Condition #5 in the Notice of Dry-Cleaning Solvent Remediation (Notice) signed by Triangle Kildaire, LLC and recorded in Deed Book ___, Page ___ on <date> at the Wake County Register of Deeds Office, Triangle Kildaire, 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 Wake County Register of Deeds office and the land-use restrictions therein are being complied with.

Duly executed this _____ day of _____, 20__.

Triangle Kildaire, 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 Triangle Kildaire, 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 E

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>

J. Russell Allen, City Manager
222 West Hargett Street
Suite 224
Raleigh, North Carolina 27602

Subj: Remediation of Dry-Cleaning Solvent Contamination
DSCA Site # 92-0004
Former Medlin-Davis Cleaners

Dear Mr. Allen:

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.ncdsca.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:

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

<Date>

A Summary of the NOI is being published in the News and Observer, 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)508-8580

Sincerely,

Al Chapman, Project Manager
DSCA Remediation Unit
al.chapman@ncdenr.gov

Attachments: Risk Management Plan

Cc: DSCA Site # 92-0004 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>

Sue Lynn Ledford, Wake County Health Director
10 Sunnybrook Road
Post Office Box 14049
Raleigh, NC 27620-4049

Subj: Remediation of Dry-Cleaning Solvent Contamination
DSCA Site # 92-0004
Former Medlin-Davis Cleaners

Dear Ms. Ledford:

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.ncdsca.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:

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

A Summary of the NOI is being published in the News and Observer, 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)508-8580

Sincerely,

Al Chapman, Project Manager
DSCA Remediation Unit
al.chapman@ncdenr.gov

Attachments: Risk Management Plan

Cc: DSCA Site # 92-0004 File

Public Notice

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

Former Medlin-Davis Cleaners
DSCA Site # 92-0004

Pursuant to N.C.G.S. §143-215.104L, on behalf of Triangle Kildaire, 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.

Medlin-Davis Cleaners formerly conducted dry-cleaning operations at the Kildaire Shopping Plaza at 1027 Kildaire Farm Road, in Cary, North Carolina. The property is currently occupied by Torero's Mexican Restaurant and multiple retail businesses. Dry-cleaning solvent contamination in soil and ground water has been identified at the following parcel(s):

1207 Kildaire Farm Road, in Cary; Parcel No. 0763426927

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

The elements of the complete NOI are included in the Risk Management Plan (RMP) which is available online at 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 Al Chapman at (919)508-8580.

All comments and requests should be sent to:

Al Chapman, 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>

Tree of Life Evangelical Lutheran Church
1155 Executive Circle
Cary, NC 27511

Subj: Dry-Cleaning Solvent Contamination at 1207 Kildaire Farm Road
Cary, NC

Dear Sir or Madam:

You are receiving this letter because your property at 1155 Executive Circle is adjacent to an area contaminated with dry-cleaning solvents. The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the Former Medlin-Davis at 1207 Kildaire Farm Road in Cary. The property is currently occupied by Toreros Restaurant. A remedial strategy to address the site contamination has been prepared, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed 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. 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) 508-8580, or Pete Doorn at (919) 508-8578.

Sincerely,

Al Chapman, Project Manager
DSCA Remediation Unit
Al.Chapman@ncdenr.gov

Attachments: Summary of the NOI

Cc: DSCA Site # 92-0004 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>

Lee Seven LLC
1157 Executive Circle, Suite E
Cary, NC 27511

Subj: Dry-Cleaning Solvent Contamination at 1207 Kildaire Farm Road
Cary, NC

Dear Sir or Madam:

You are receiving this letter because your property at 1157 Executive Circle is adjacent to an area contaminated with dry-cleaning solvents. The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the Former Medlin-Davis at 1207 Kildaire Farm Road in Cary. The property is currently occupied by Toreros Restaurant. A remedial strategy to address the site contamination has been prepared, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed 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. 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) 508-8580, or Pete Doorn at (919) 508-8578.

Sincerely,

Al Chapman, Project Manager
DSCA Remediation Unit
Al.Chapman@ncdenr.gov

Attachments: Summary of the NOI

Cc: DSCA Site # 92-0004 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>

Master Card New Kent Village Condominium – Phase 8
New Kent Village Condominium
801 Wachovia Bank Bldg.
Raleigh, NC 27602

Subj: Dry-Cleaning Solvent Contamination at 1207 Kildaire Farm Road
Cary, NC

Dear Sir or Madam:

You are receiving this letter because your property along Bissett Drive (Master Card New Kent Village Condominium – Phase 8 and 9) is adjacent to an area contaminated with dry-cleaning solvents. The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the Former Medlin-Davis at 1207 Kildaire Farm Road in Cary. The property is currently occupied by Toreros Restaurant. A remedial strategy to address the site contamination has been prepared, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed strategy.

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NCDENR
North Carolina Department of Environment and Natural Resources
Division of Waste Management
Beverly Eaves Perdue
Governor
Dexter R. Matthews
Director
Dee Freeman
Secretary

<Date>

The Office Group c/o Robuck Homes Inc.
PO Box 17102
Raleigh, NC 27619

Subj: Dry-Cleaning Solvent Contamination at 1207 Kildaire Farm Road
Cary, NC

Dear Sir or Madam:

You are receiving this letter because your property at 1155 Kildaire Farm Road is adjacent to an area contaminated with dry-cleaning solvents. The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the Former Medlin-Davis at 1207 Kildaire Farm Road in Cary. The property is currently occupied by Toreros Restaurant. A remedial strategy to address the site contamination has been prepared, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed strategy.

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

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

<Date>

Saltbox Village LLC
Lat Purser & Associates
6600 Six Forks Road, Suite 103
Raleigh, NC 27615

Subj: Dry-Cleaning Solvent Contamination at 1207 Kildaire Farm Road
Cary, NC

Dear Sir or Madam:

1) You are receiving this letter because your property at 1225 Kildaire Farm Road is adjacent to an area contaminated with dry-cleaning solvents. The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the Former Medlin-Davis at 1207 Kildaire Farm Road in Cary. The property is currently occupied by Toreros Restaurant. A remedial strategy to address the site contamination has been prepared, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed strategy.

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DSCA Remediation Unit
Al.Chapman@ncdenr.gov

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North Carolina Department of Environment and Natural Resources
Division of Waste Management
Dexter R. Matthews
Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

<Date>

Triangle Kildaire LLC
212 W. Main Street
Durham, NC 27701

Subj: Dry-Cleaning Solvent Contamination at 1207 Kildaire Farm Road
Cary, NC

Dear Sir or Madam:

You are receiving this letter because your property at 1217 Kildaire Farm Road is adjacent to an area contaminated with dry-cleaning solvents. The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the Former Medlin-Davis at 1207 Kildaire Farm Road in Cary. The property is currently occupied by Toreros Restaurant. A remedial strategy to address the site contamination has been prepared, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed strategy.

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NCDENR
North Carolina Department of Environment and Natural Resources
Division of Waste Management
Dexter R. Matthews
Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

<Date>

Triangle Kildaire LLC
212 W. Main Street
Durham, NC 27701

Subj: Dry-Cleaning Solvent Contamination at 1207 Kildaire Farm Road
Cary, NC

Dear Sir or Madam:

You are receiving this letter because your property at 1201 Kildaire Farm Road is adjacent to an area contaminated with dry-cleaning solvents. The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the Former Medlin-Davis at 1207 Kildaire Farm Road in Cary. The property is currently occupied by Toreros Restaurant. A remedial strategy to address the site contamination has been prepared, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed strategy.

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