

June 12, 2013

Mr. Billy Meyer
State of North Carolina
Department of Environment and Natural Resources
Division of Waste Management, Superfund Section
1646 Mail Service Center
Raleigh, NC 27699-1646

RE: Risk Management Plan
Shannon Cleaners
3710 Shannon Road
Durham, Durham County, North Carolina
ATC Project No. 45.34341.3212
DSCA Site Identification No. 32-0012

Dear Mr. Meyer:

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.
Program Manager

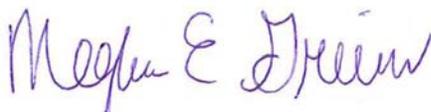
**RISK MANAGEMENT PLAN
SHANNON CLEANERS
3710 SHANNON ROAD
DURHAM, DURHAM COUNTY, NORTH CAROLINA
ATC PROJECT NO. 45.34341.3212
DSCA SITE IDENTIFICATION NO. 32-0012
JUNE 12, 2013**

Risk Management Plan
Shannon Cleaners
3710 Shannon Road
Durham, Durham County, North Carolina
ATC Project No. 45.34341.3212
DSCA Site Identification No. 32-0012

Prepared By:

Submitted To:

**North Carolina Department of Environment
and Natural Resources**
Division of Waste Management
Superfund Section – DSCA Program
1646 Mail Service Center
Raleigh, NC 27699-1646



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June 12, 2013

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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 Shannon Cleaners site on behalf of the North Carolina Department of Environment and Natural Resources (NCDENR) Dry-Cleaning Solvent Cleanup Act (DSCA) Program. The former Shannon Cleaners was located at 3710 Shannon Road in Durham, Durham County, North Carolina. Site assessment activities have confirmed that soil and groundwater contamination associated with the site is confined to the source property and one adjacent property located at 1800 Williamsburg Road in Durham, 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

Assessment activities conducted at the site indicated concentrations of tetrachloroethylene (PCE) in soil above unrestricted use levels on the source property; concentrations of PCE, trichloroethylene (TCE), and cis-1,2-dichloroethylene (cis-1,2-DCE) in groundwater above Title 15A NCAC 2L .0202 Groundwater Standards (2L Standards) on the source property; and concentrations of PCE in groundwater above the 2L Standard on the adjacent residential property. ATC completed a Risk Assessment Report for the site on May 6, 2013. The results of the risk assessment indicated that target risk levels are exceeded. 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 a 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 the DSCA Program's risk based screening levels, a risk assessment was conducted to evaluate if an unacceptable risk is present at the site. This section summarizes the final risk assessment findings, which resulted in the recommendation for no further action status.

The first step in the risk assessment process included a development of an exposure model. Two exposure units were assigned, one on-site unit and one off-site unit. The on-site exposure unit encompasses the area of impacts on the source property where the former Shannon Cleaners facility was located. The off-site exposure unit encompasses the area of impacts on the adjacent property to the west-southwest of the site.

Complete exposure pathways identified for the on-site exposure unit include indoor inhalation of vapor emissions, outdoor inhalation of vapor emissions, and surficial soil exposure by a current or future non-residential worker, future resident, or construction worker. The indoor inhalation pathway was evaluated using two mechanisms. To evaluate current risk, indoor air data collected from the existing building and the DSCA risk calculator were used. Because vapor intrusion characteristics could be variable for alternate construction, a separate future risk evaluation was conducted using sub-slab soil gas data and the DSCA risk calculator. The remaining pathways were evaluated using soil and groundwater data and the Groundwater Services Inc. (GSI) risk software. The results of the modeling under the current scenario indicated no exceedences of acceptable risk levels for a non-residential worker or construction worker. However, the results of the modeling under the future scenario indicated exceedences of acceptable risk levels for a future resident. To address this exceedence, ATC recommends a non-residential land use restriction for the source property.

Soil contamination has not been documented in the off-site exposure unit, and the area overlying the plume consists of a narrow strip of land which is not large enough to hold a building. As such, the off-site exposure unit was evaluated for the outdoor air exposure pathway only using the GSI software. The results of the modeling indicated no exceedences of acceptable risk levels for a resident. Since the model passed for the most conservative residential scenario, modeling of a commercial scenario was not deemed warranted.

ATC also evaluated the protection of groundwater use pathway assuming a point-of-exposure (POE) at the nearest downgradient property line. Note that modeling under this scenario assumes that land use controls on the installation of water supply wells can be implemented for the two properties overlying the plume. PCE concentrations in source groundwater and soil were

found to exceed Site Specific Target Levels (SSTLs) for the protection of groundwater use pathway. Plume stability monitoring has confirmed that the plume is stable and does not appear likely to impact the POE. However, the current plume stability is based on the current land cover and could change due to higher infiltration if the building and/or asphalt are removed. If the cover remains in place, ATC considers the model results to appear overly conservative and the protection of groundwater pathway is not considered a significant concern based on groundwater sampling data which demonstrates the plume is stable. To address the potential for changes in the plume stability if the land cover is removed, ATC recommends a land use restriction specifying that the current land cover may not be removed over the soil source area without prior approval of NCDENR.

ATC did not evaluate the protection of surface water pathway because no surface water bodies are located within 1,800 feet of the source property.

The risk assessment concluded that the risks associated with the contamination could be managed through implementation of land-use controls, 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 source property is located at 3710 Shannon Road in Durham, North Carolina in an area that is primarily characterized by commercial and residential development. The property is accessed from the southwest by Williamsburg Road or from the northeast by Shannon Road. The property consists of an approximate 4.121-acre lot with an asphalt paved area and commercial buildings which comprise the Hope Valley Square shopping center. The area topography slopes downward towards the northwest.

Shannon Cleaners was located in the south end of the shopping center building and operated from 1980 until 1998 when the facility changed to a laundromat. The tenant space is currently occupied by a restaurant called Only Burger.

In May 2005, ECS, Ltd. (ECS) completed a Phase I Environmental Site Assessment Update. During the site assessment, four soil borings were advanced outside the southern wall of the facility. Laboratory analytical results indicated PCE concentrations exceeding applicable action levels in soil samples from all four soil borings. Groundwater samples collected from two of soil borings also contained PCE at concentrations above 2L Standards.

In May 2007, Withers & Ravenel (W&R) completed a Prioritization Assessment Report which documented a receptor survey, installation and sampling of four Type II monitoring wells, and advancement of seven soil borings at the site. During the receptor survey, a private residential water supply well was observed approximately 370 feet east of the site.

W&R completed a Soil and Groundwater Assessment Report in September 2007. The report documented advancement of 16 soil borings inside and outside the facility, and installation and sampling of six Type II monitoring wells and one Type III monitoring well. The report concluded that the horizontal and vertical extent of impacted soil and groundwater had been adequately delineated.

In October 2008, W&R completed an annual Groundwater Monitoring Report for the site. The report documented four quarterly sampling events of the 11 monitoring wells associated with the site. Laboratory analytical results indicated that the extent of impacted groundwater remained delineated. W&R also interviewed the owner of the property containing the private water supply well approximately 370 feet east of the site. According to the property owner, the well is no longer in operation and the property is connected to municipal water.

From November 2008 through January 2009, W&R completed two additional groundwater monitoring events. Results of the sampling events showed that PCE was increasing in a replacement well installed for MW-1. Four extraction wells and two additional monitoring wells were subsequently installed and sampled. Additional soil sampling was also completed inside

the building. From February 2009 through August 2009, two mobile multi-phase extraction (MMPE) events were conducted to reduce source area contaminant concentrations. Subsequent groundwater sampling events were conducted in November 2009, April 2010, and October 2010. The post-MMPE sampling events indicated that the MMPE was successful in stabilizing concentrations in the source area. The groundwater sampling events and MMPE events were documented in a Groundwater Monitoring Report prepared by W&R dated January 27, 2011.

Three indoor air sampling events and one sub-slab soil gas sampling event were conducted between September 2009 and April 2011 in the tenant space of the former cleaners. The results of the sampling indicated no exceedences of the risk levels considered acceptable by the DSCA Program. The most recent indoor air sampling was documented in a Results of Indoor Air Analysis report dated July 1, 2011.

Two groundwater monitoring events were completed in April and October 2011 and documented in a Groundwater Monitoring Report dated December 12, 2011. The report recommended additional downgradient delineation of the groundwater plume. Three additional groundwater monitoring wells were subsequently installed in February 2012. Two subsequent sampling events were completed in February and May 2012. Based on the results of the sampling, W&R concluded that the plume was stable. The most recent sampling events were documented in a Groundwater Monitoring and Plume Stability Report dated August 24, 2012.

In May 2013, ATC completed a Risk Assessment Report for the site. As discussed in detail in Section 3.0, the risk assessment concluded that risks associated with the contamination could be managed through implementation of land-use controls for the properties overlying the plume, as detailed in this RMP. Therefore, the risk assessment recommended risk-based closure for the site. The purpose of this RMP is to ensure that the assumptions made in the risk assessment remain valid in the future.

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. Constituents of concern (COCs) detected at the site historically above 2L Standards include PCE, TCE, and cis-1,2-DCE. Within the past two years, TCE and cis-1,2-DCE have only been detected in one monitoring well near the former Shannon Cleaners. As such, ATC focused on PCE for the plume stability evaluation.

ATC prepared concentration versus distance and concentration versus time graphs for sampling events conducted at the site for PCE. The concentration versus distance graph shows that concentrations decrease with distance from the source and have consistently been below the 2L Standard in the most downgradient wells. The concentration versus time graph shows some rebound in PCE concentration since the last MMPE event; however, overall, PCE concentrations have decreased. Based on these data, ATC concludes that the plume is stable. Documentation of the plume stability evaluation, including a figure showing monitoring well locations, a table showing historical groundwater analytical data, a concentration versus distance graph, and a concentration versus time graph are included in *Appendix A*.

Condition 2: The maximum concentration within the exposure unit 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 risk assessment 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.

Land-use controls will be implemented for the source property and the adjacent 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 land-use controls 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 land-use controls for the property 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 Notices of Dry-Cleaning Solvent Remediation (NDCSRs) remain valid. As such, this section is not applicable.

6.0 LAND-USE CONTROLS

As discussed in detail in Section 3.0, the recommendation for closure in the risk assessment for the site was based on the following land-use conditions:

- Land-use on the source property will be limited to non-residential;

- The current land cover overlying the soil source area on the source property may not be removed without prior approval of NCDENR; and
- Groundwater will not be utilized on the source property or the adjacent impacted property.

Land-use restrictions (LUR) will be implemented for the source property to ensure that land-use conditions are maintained and monitored until the LURs are no longer required for the site. A notice will be placed on the deed of the adjacent property identifying the presence of groundwater contamination and citing regulations prohibiting the installation of a water supply well in a contaminated aquifer. Notices of Dry-cleaning Solvent Remediation (NDCSRs) were prepared for the source property and the adjacent impacted property to comply with the land-use control requirements. The NDCSR for the source property is included in *Appendix C*. The NDCSR for the adjacent impacted property is included in *Appendix D*. Refer to the NDCSRs 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 dry-cleaning solvent contamination is included as an exhibit to each NDCSR. The locations of dry-cleaning solvent contamination are where contaminants have been detected above unrestricted use standards. Note that the land use conditions are applicable to only a portion of each impacted property. For the source property, the survey plat specifies an “Area A” and an “Area B”. The surface cover condition is only applicable in Area A. The non-residential and water supply well conditions are only applicable in Area B. For the adjacent property, the survey plat specifies only an Area A, which is where the water supply well condition is applicable. Refer to the NDCSRs for additional details regarding the locations of land use control areas.

7.0 LONG-TERM STEWARDSHIP PLAN

The NDCSR for the source property contains a clause which requires that the owner of the property 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

they are complying with the land-use restrictions. 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 source property and the adjacent property and possible exposure to the contamination is managed through land-use controls, 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 NDCSRs will be filed with the Durham 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 NDCSRs have been executed and recorded with the Durham County Register of Deeds. The NDCSR for each property may, at the request of the owner of the property, be canceled by NCDENR 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 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 each NDCSR 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 requirements.

10.0 CONTINGENCY PLAN IF RMP FAILS

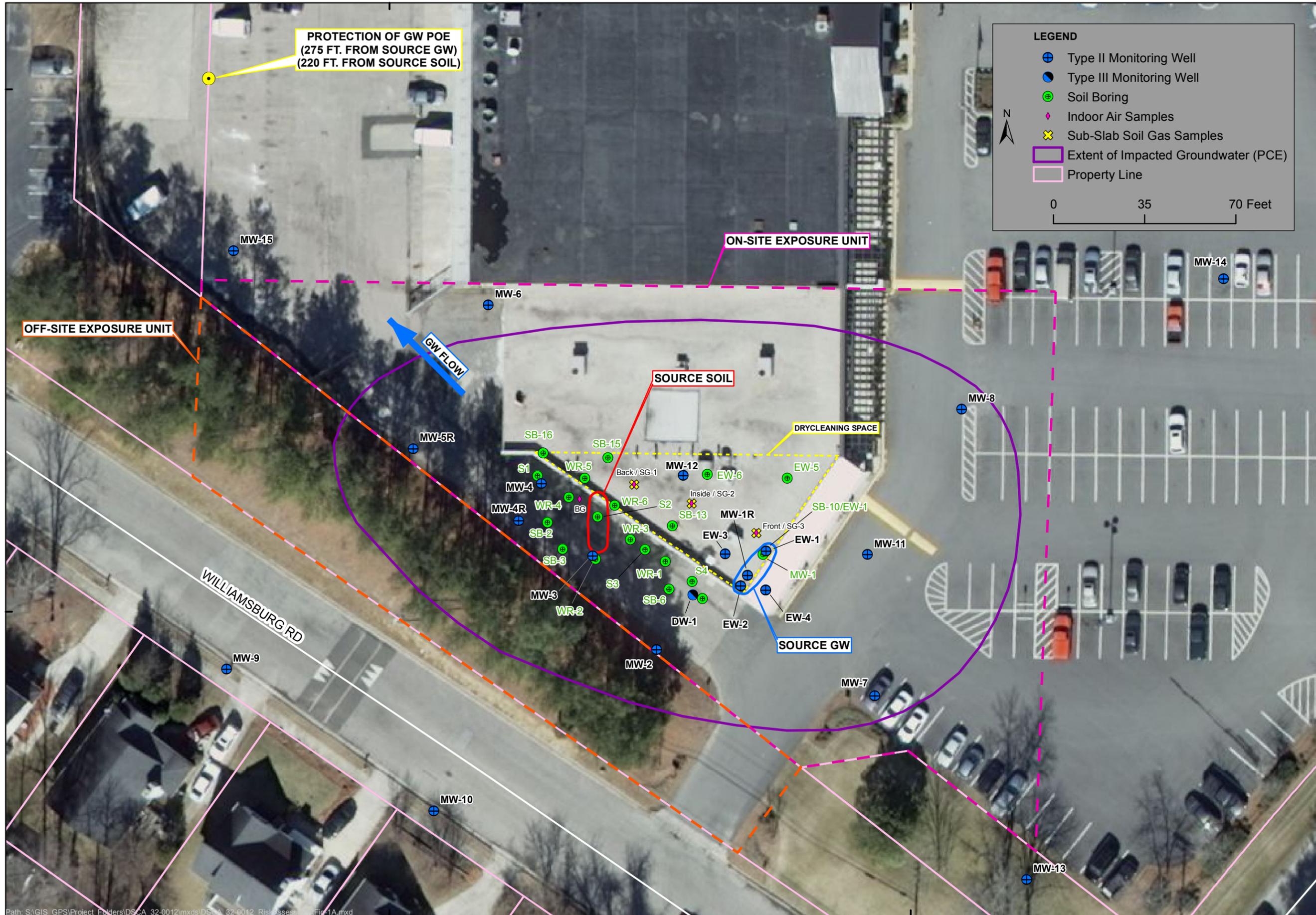
As discussed above, unless the DSCA Program is notified of a change in land-use conditions at the site, per the notification requirements detailed in this plan, the RMP will remain in effect until the RMP has met its objectives and is considered a success. Pursuant to N.C.G.S. 143-215.104K, if any of 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 Shannon Cleaners site on behalf of the NCDENR DSCA Program. The results of a 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 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

- ⊕ Type II Monitoring Well
- ⊙ Type III Monitoring Well
- ⊕ Soil Boring
- ◆ Indoor Air Samples
- ✕ Sub-Slab Soil Gas Samples
- ▭ Extent of Impacted Groundwater (PCE)
- ▭ Property Line

0 35 70 Feet



Raleigh, North Carolina, 27604 (919) 871-0999

PROJECT NO: 045.34341.3212

DATE: 5/8/2013

SCALE: 1" = 35'

TITLE ATTACHMENT 1A

RISK ASSESSMENT MAP

SHANNON CLEANERS

3710 SHANNON ROAD

DURHAM, NORTH CAROLINA

DSCA ID #32-0012

MAP FILE: DSCA_32-0012.mxd

REV: MG

PREP: CS

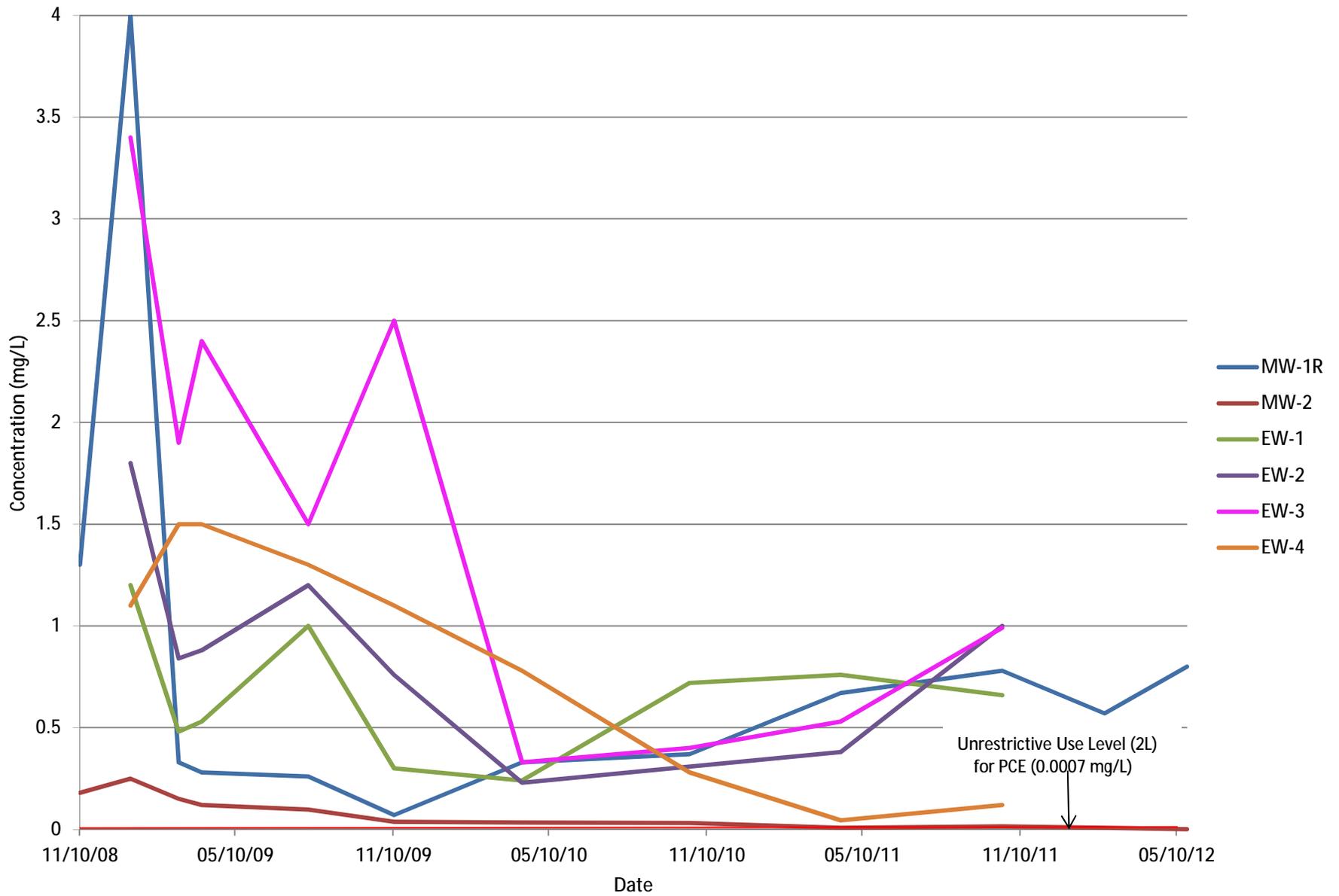
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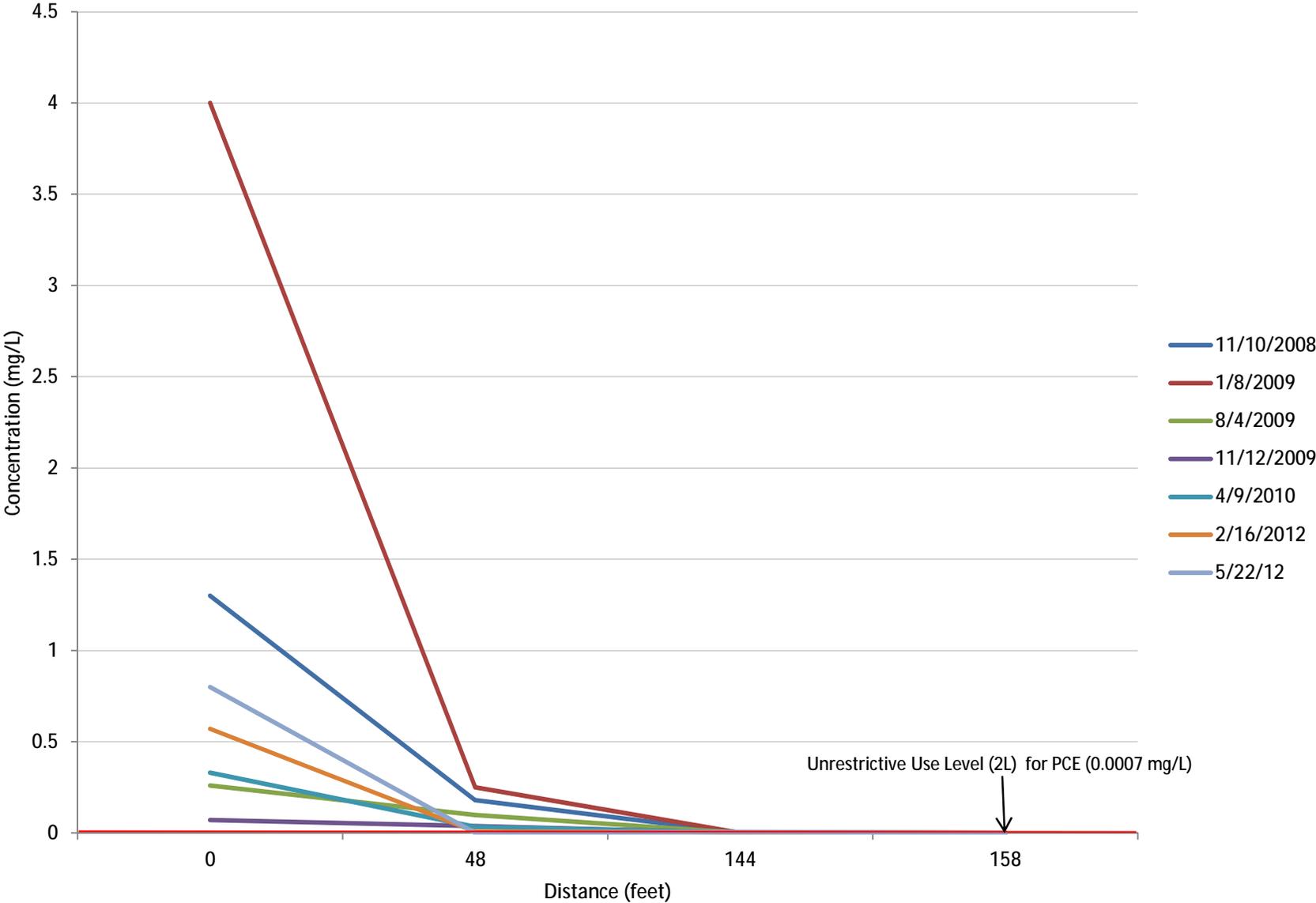
NC One Map

NCDOT GIS Unit

PCE Concentration vs. Time



PCE Concentration vs. Distance



APPENDIX B

LEVEL 1 ECOLOGICAL RISK ASSESSMENT CHECKLISTS

Appendix B
Ecological Risk Assessment – Level 1
Shannon Cleaners
3710 Shannon Road
Durham, Durham County, NC
ATC Project No: 45.34341.3212
DSCA Site ID: 32-0012

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 Southwest Durham Quadrangle Topographic map and the United States Fish and Wildlife Service, there are no navigable water bodies located within one-half mile of the site. See the topographic map in **Attachment 1** and the USFWS Wetlands Map in **Attachment 2**.

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

Based on the Southwest Durham Quadrangle Topographic map and the USFWS, there is a small retention pond located approximately 0.15 miles west of the site and a small stream located approximately 0.3 miles northwest of the site.

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

Based on the USFWS Wetland Map, a freshwater forested/shrub wetland is located within one-half mile of the site to the northwest.

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. However, a wetland is located within one-half mile northwest of the site. Wetlands are considered a sensitive environment.

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 the North Carolina Department of Cultural Resources, 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 Durham 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?

The site is located in an urban setting with mostly commercial, retail and residential properties surrounding the property. It is unlikely that any recreational or commercially important species are within one-half mile of the site. However, a wetland is located within one-half mile northwest of the site and it is likely that ecologically important species may exist within this sensitive environment.

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. Several species were identified within Durham County.

ATC also reviewed the North Carolina Heritage Program online Southwest Durham Quadrangle species list. Several species were identified within the Southwest Durham Quadrangle including several types of vascular plants, mosses and birds. Types of species identified by the investigation include Colonial Wading Birds, Hair Claw Moss, and Eastern Isopyrum.

Checklist B

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

Yes. The primary constituents of concern are tetrachloroethylene (PCE) and trichloroethylene (TCE). Based on published references (EPA, 2006), PCE and TCE are 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 and TCE are 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 freshwater wetland area and small stream, located approximately 0.3 miles northwest of the site. Based on groundwater elevations, groundwater flows northwest from the site. The plume has been defined and the impacted groundwater does not appear likely to discharge to this ecological receptor habitat.

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

No. The plume is confined to the source property and the adjacent property and does not appear likely to reach the nearest ecological receptor habitats.

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

Chemicals are present in surface soils on the site. Impacted soil is located in the source area on the site and is overlain by asphalt.

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

Because impacted soil at the site is overlain by asphalt, it is unlikely that erosion of surface soil at the site would occur.

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

Because impacted soil at the site is overlain by asphalt, it is unlikely that runoff or erosion of the soil would occur or reach ecological receptors.

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

Chemicals are present in surface soils on the site. Impacted soil at the site is overlain by asphalt.

3B. Are potential ecological receptors on the site?

Ecological receptors are unlikely to be present on the source property. The primary ecological receptor identified in the site vicinity is a fresh water wetland and stream approximately 0.3 miles northwest of the site. Several bird species were identified to be associated with wetland areas, but the site is an active shopping center so these species appear unlikely to be present on the site property.

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

It is unlikely that chemicals associated with the site would reach ecological receptors through direct contact. Surficial impacted soil is overlain by asphalt 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?

It is unlikely that chemicals on the site be transported in air or as particulate matter. Impacted soil located on the site is overlain by asphalt.

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?

As discussed above, impacted soils are overlain by asphalt.

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?

Impacted surficial soils at the site are overlain by asphalt.

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

Impacted surficial soils are overlain by asphalt. Therefore, no plants are present that might uptake contamination.

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

The site is located in a large shopping center and significant ecological receptors are unlikely to be present for a significant time period.

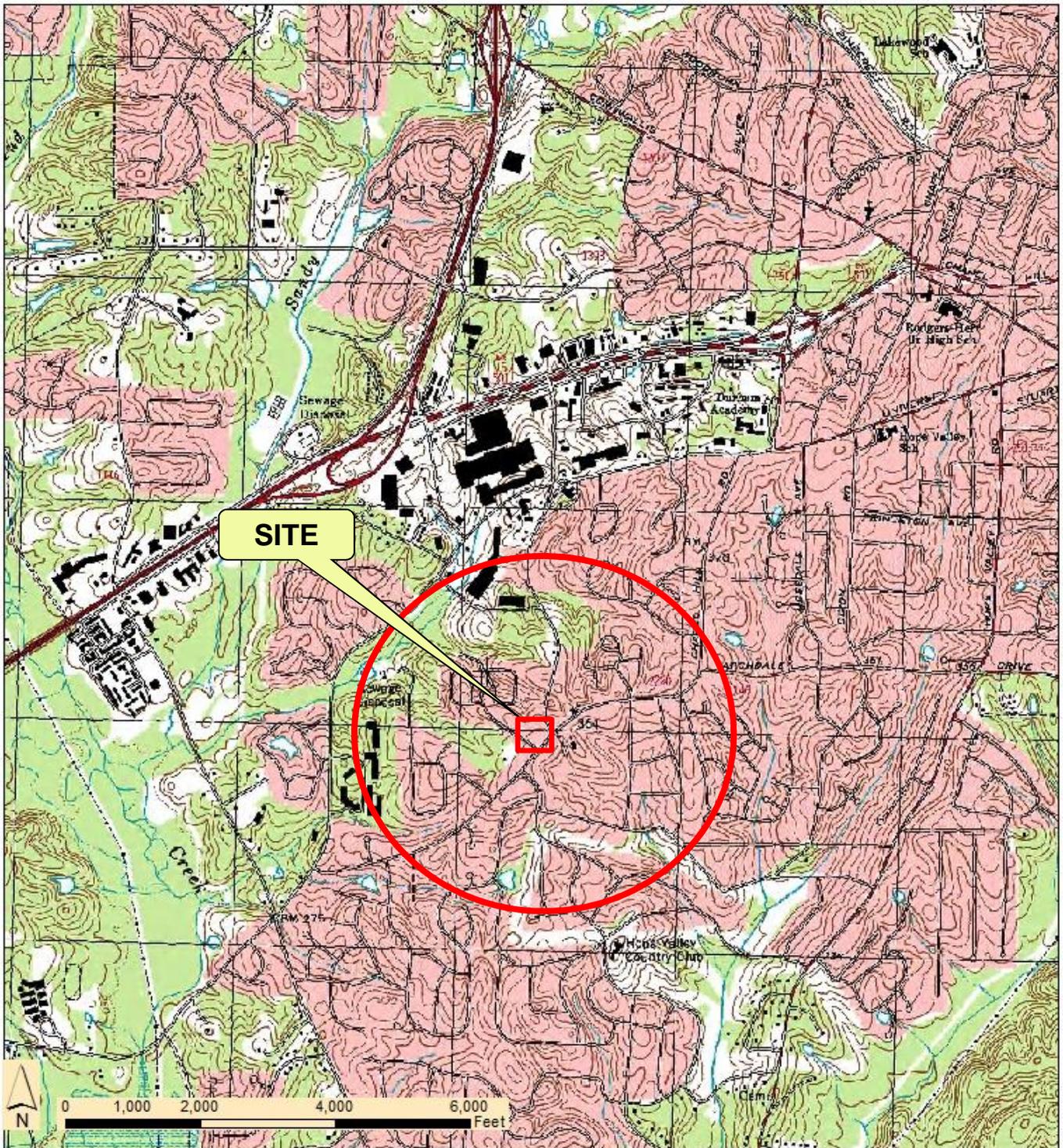
6D. Do chemicals found on the site bioaccumulate?

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?

Because impacted surficial soils at the site are overlain by asphalt, minimal vegetation at the site, the commercial environment of the source property, and the 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: Topographic Map, Southwest Durham Quadrangle
Shannon Dry Cleaning, DSCA Site ID #32-0012



— 1/2 mile radius

Attachment 2: USFWS National Wetlands Inventory Map, Durham, NC



U.S. Fish and Wildlife Service
National Wetlands Inventory

Shannon Dry
Cleaners

Feb 22, 2013

Wetlands

-  Freshwater Emergent
-  Freshwater Forested/Shrub
-  Estuarine and Marine Deepwater
-  Estuarine and Marine
-  Freshwater Pond
-  Lake
-  Riverine
-  Other



This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:

APPENDIX C

NOTICE OF DRY-CLEANING SOLVENT REMEDIATION FOR SOURCE PROPERTY

NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

Property Owner: Shannon Valley 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 Shannon Valley 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 3710 Shannon Road, Durham, Durham County, North Carolina, Parcel Identification Number (PIN) 0810-14-22-9995.

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 dry-cleaning operations at the former Shannon Cleaners (DSCA Site 32-0012) located at 3710 Shannon Road, in the Hope Valley Square shopping center. Dry-cleaning operations were conducted on the Property from approximately 1980 to 1998.

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:

The following restrictions apply to Area “A” and Area “B” as shown on the survey plat attached as Exhibit A:

- 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. 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.
5. 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.
6. 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.

The following restrictions apply only to the portion of the property identified as Area "A" as shown on the survey plat attached as Exhibit A:

7. No activities that cause or create an increase in infiltration (for example, removal or demolition of materials such as asphalt, concrete, buildings, or other structures that by their use and nature minimize infiltration of rain or water runoff into potentially contaminated soil) may occur in Area "A" of the Property, as shown on Exhibit A, without prior approval of DENR.

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 within fourteen (14) calendar days of 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__.

Shannon Valley LLC

By:

Name of contact

STATE OF _____
COUNTY OF _____

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 Shannon Valley LLC, 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: _____
Jim Bateson, LG
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 _____
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

EXHIBIT B
PROPERTY LEGAL DESCRIPTION

Being a certain tract of land lying in Durham Township, Durham County, North Carolina and being described as follows:

BEGINNING at an iron pin found at the northwest intersection of Shannon Road and Old Chapel Hill Road, said iron also being the southeast corner of the within described tract, thence along the northern right of way of said Old Chapel Hill Road on a curve to the left and having a radius of 1384.58' and a chord bearing and distance of S45°12'57"W 258.30' to an iron pin found, said iron being the southeast corner of a U.S. Postal Lease Agreement as described in deed book 1319 page 527, thence leaving the northern right of way of said Old Chapel Hill Road and with the eastern and northern line of said U. S. Postal Lease Agreement the following two (2) courses: N49°51'35"W 125.00' to an iron pin found, thence S83°59'40"W 41.58' to an iron pin found, said iron being a corner of Durham Section 1 Associates (tax parcel 0810-14-23-5476) see deed book 1863 page 872, said iron also being a corner of a 4.5 acre tract as shown on map titled "Radso-Shannon" as recorded in plat book 94 page 200, thence with the property line of said Durham Section 1 Associates the following five (5) courses: N49°51'35"W 86.47' to an iron pin found, thence N49°57'30"W 205.98' to an found mag nail and cap set in asphalt, thence N04°40'00"E 181.07' to an iron pin found, thence S85°20'00"E 138.00' to an found mag nail and cap set in asphalt, thence N03°05'07"E 96.00' to an iron pin found, said iron being the southwest corner of William Hugh Boone and Rebecca Alcorn Boone (tax parcel 0810-14-33-0225) see deed book 2077 page 563, said iron also being the southwest corner of Lot C of plat titled "Radso - Shannon" as recorded in plat book 131 page 206, thence with the southern property line of said William Hugh Boone and Rebecca Alcorn Boone and the southern property line of Lot C of said plat, S85°20'00"E 286.71' to an iron pin found in the western right of way of Shannon Road, said iron being the southeast corner of said William Hugh Boone and Rebecca Alcorn Boone, said iron also being the southeast corner of Lot C of said plat, thence along the western right of way of said Shannon Road the following two (2) courses: on a curve to the left and having a radius of 330.76' and a chord bearing and distance of S11°45'49"E 262.73' to an iron pin found, thence S35°09'53"E 82.08' to the point and place of BEGINNING. Containing 4.10 acres more or less all according to a survey titled "ALTA/ACSM LAND TITLE SURVEY FOR HAWTHORNE SHANNON PLAZA LLC" as performed by Timmons Group dated September 19, 2007 and certified October 31, 2007. Being known as (tax parcel 0810-14-22-9976) see deed book 1068 page 21. Also being a portion of a 4.5 acre tract as shown on map titled "Radso-Shannon" as recorded in plat book 94 page 200;

TOGETHER WITH the easements set forth in that certain Easement Agreement between Marvin Simon and C.G. Harris, partners trading as S and H Company, and RADSO-Shannon dated May 1, 1978, and recorded in Book 977, Page 487, Durham County Registry and that certain Easement Agreement between William Hugh Boone and Rebecca Alcorn Boone and RENR Associates Limited Partnership dated June 11, 1998, and recorded in Book 2568, Page 152, Durham County Registry; and

TOGETHER WITH AND SUBJECT TO the easements conveyed and the easements reserved in the North Carolina General Warranty Deed from RADSO-Shannon, Ltd. to RENR Associates dated September 25, 1981, and recorded in Book 1068, Page 21, Durham County Registry.

APPENDIX D

**NOTICE OF DRY-CLEANING SOLVENT REMEDIATION FOR NON-SOURCE
PROPERTY**

NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

Property Owner: Durham Section I Associates

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 1800 Williamsburg Road, Durham, Durham County, North Carolina, Parcel Identification Number (PIN) 0810-14-23-5476.

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 dry-cleaning operations at the former Shannon Cleaners (DSCA Site 32-0012) located at 3710 Shannon Road, in the Hope Valley Square shopping center. **A risk assessment of the contaminated Property concluded that the contamination poses no unacceptable risk as long as groundwater on the Property is not used as a source of water for any water supply wells.**

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 the portion of this property identified as Area "A" as shown on the survey plat attached as Exhibit A 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: _____ Date _____
Jim Bateson, LG
Chief, Superfund Section
Division of Waste Management

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, _____, a Notary Public of Wake County and State of North Carolina do hereby certify that _____ did personally appeared before me this the ___ 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 Books and Pages, shown on the first page hereof.

Register of Deeds for Durham County

By: _____

Name typed or printed: _____

Deputy/Assistant Register of Deeds

_____ Date

EXHIBIT A

SURVEY PLAT REDUCTION

EXHIBIT B

LEGAL DESCRIPTION FOR PROPERTY

All that certain tract, piece or parcel of land, situated in the City of Durham, County of Durham, State of North Carolina, more particularly bounded and described as follows:

Beginning at a point in the northeastern line of the right-of-way of Williamsburg Road, which point is N. 52 degrees 41' 06" W., a distance of 151.85 feet from the intersection of said northeastern line of the right-of-way of Williamsburg Road and the northwestern line of the right-of-way of Chapel Hill Road, as projected; thence running along said northeastern line of the right-of-way of Williamsburg Road, N. 52 degrees 41' 06" W., a distance of 350.25 feet to a point; thence continuing along said northeastern line of the right-of-way of Williamsburg Road, N. 51 degrees 15' 10" W., a distance of 297.25 feet to a point; thence continuing along said northeastern line of the right-of-way of Williamsburg Road, along an arc of a curve to the right having a radius of 270.0 feet, an arc distance of 270.29 feet to a point; thence continuing along said northeastern line of the right-of-way of Williamsburg Road, N. 06 degrees 06' 20" E., a distance of 349.61 feet to a point; thence continuing along said northeastern line of the right-of-way of Williamsburg Road, along an arc of a curve to the left having a radius of 330.0 feet, an arc distance of 447.89 feet to a point; thence turning and running S. 84 degrees 58' 02" E., a distance of 416.00 feet to a point; thence turning and running S. 06 degrees 16' 17" W., a distance of 75.09 feet to a point; thence turning and running S. 75 degrees 41' 36" E., a distance of 421.02 feet to a point; thence turning and running S. 04 degrees 24' 23" W., a distance of 730.01 feet to a point; thence turning and running N. 83 degree 59' 18" W., a distance of 138.0 feet to a point; thence turning and running S. 06 degrees 00' 42" W., a distance of 181.06 feet to a point; thence turning and running S. 48 degrees 39' 37" E., a distance of 206.01 feet to a point; thence running S. 48 degrees 34' 18" E., a distance of 86.32 feet to a point; thence turning and running S. 37 degree 18' 54" W., a distance of 39.86 feet to a point in the northeastern line of the right-of-way of Williamsburg Road, the point of beginning, comprising 12.407 acres of land, and designated "LOT 1 12.407 AC." on that certain plat entitled, "PROPERTY OF S AND H COMPANY TRIANGLE TS. DURHAM CO. N.C.", made by Southeastern Surveys, Inc., dated September 12, 1979, as revised September 17, 1979, reference to which plat is hereby made for a more particular description hereof.

TOGETHER WITH AND SUBJECT TO those certain easements, rights and privileges set forth in that certain "DECLARATION" of Marvin Simon and C. G. Harris, Partners trading as S and H Company, dated September 1, 1979, duly recorded in the Office of the Register of Deeds of Durham County, North Carolina, in Deed Book 1013, at page 803.

Title to the property hereinabove described is subject to the following exceptions:

1. Real estate taxes accruing from the beginning of the calendar year 1993 and subsequent years not yet due and payable.
2. Easements to Duke Power Company recorded in Durham County Registry in Deed Book 284, at page 644, Deed Book 285, page 558, and Deed Book 401, page 392.
3. Easement agreement recorded in the aforesaid Register of Deeds in Deed Book 977, at page 487.
4. Thirty-foot (30') sanitary sewer easement to the City of Durham.
5. Easements, rights and privileges created by that certain "DECLARATION OF EASEMENT" of Marvin Simon and C. G. Harris, partners trading as S and H Company, recorded in the aforesaid Registry in Deed Book 1013 at page 803.
6. Fifteen foot (15') drainage easement across southeastern portion of property recorded in the aforesaid Registry in Deed Book 1116 at page 924.
7. Deed of trust and Security Agreement, dated September 27, 1979, from S and H Company to Harry A. Berry, Jr. and Ashley L. Hoganwood, Jr., Trustees for Home Life Insurance Company recorded in the aforesaid Registry in Mortgage Book 1013, at page 813.

APPENDIX E

EXAMPLE ANNUAL CERTIFICATION OF DSCA LAND-USE RESTRICTIONS

Annual Certification of Land-Use Restrictions

Site Name: Shannon Cleaners
Site Address: 3710 Shannon Road, Durham, Durham County
DSCA ID No: 32-0012

ANNUAL CERTIFICATION of LAND-USE RESTRICTIONS

Pursuant to Condition #4 in the Notice of Dry-Cleaning Solvent Remediation (Notice) signed by Shannon Valley, LLC and recorded in Deed Book __ Page __ on <date> at the Durham County Register of Deeds Office, Shannon Valley 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 Durham County Register of Deeds office and the land-use restrictions therein are being complied with.

Duly executed this ____ day of _____, 20__.

Shannon Valley LLC
By: _____
Name typed or printed:

STATE OF _____
COUNTY OF _____

I, _____, a Notary Public of the county and state aforesaid, certify that _____ personally came before me this day and the foregoing certification was signed 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

Pat McCrory
Governor

Dexter R. Matthews
Director

John E. Skvarla, III
Secretary

<Date>

<name>, <City Manager/County Health Director>
<address>
<city>, NC <zip>

Subj: Remediation of Dry-Cleaning Solvent Contamination
DSCA Site # 32-0012
Shannon Cleaners, 3710 Shannon Road, Durham, NC

Dear <name>:

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.ncdscsca.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:

Billy Meyer, 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 # 32-0012
Shannon Cleaners, 3710 Shannon Road, Durham
Page 2

<date>

A Summary of the NOI is being published in The Herald-Sun, 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)707-8366.

Sincerely,

Billy Meyer, Project Manager
DSCA Remediation Unit
Billy.Meyer@ncdenr.gov

Attachments: Risk Management Plan

Cc: DSCA Site # 32-0012 File

Public Notice

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

Shannon Cleaners
DSCA Site # 32-0012

Pursuant to N.C.G.S. §143-215.104L, on behalf of Hawthorne Shannon Plaza 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.

Shannon Cleaners formerly conducted dry-cleaning operations in the Hope Valley Square shopping center, 3710 Shannon Road in Durham, North Carolina. The former dry-cleaning space is currently occupied by a restaurant called Only Burger. Dry-cleaning solvent contamination in soil and/or ground water has been identified at the following parcel(s):

3710 Shannon Road, in Durham; Parcel No. 0810-14-22-9995
1800 Williamsburg Road, in Durham; Parcel No. 0810-14-23-5476

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. 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 <http://portal.ncdenr.org/web/wm/DSCA/PublicNotices>.

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 Billy Meyer at (919)707-8366. All comments and requests should be sent to:

Billy Meyer, 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

Pat McCrory
Governor

Dexter R. Matthews
Director

John E. Skvarla, III
Secretary

<Date>

<property owner>
<address>
<city, state, zip>

Subj: Dry-Cleaning Solvent Contamination
3710 Shannon Road, Durham, NC

Dear <property owner>:

The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the former Shannon Cleaners at 3710 Shannon Road in Durham. The former dry-cleaning space is currently occupied by a restaurant called Only Burger. A remedial strategy to address the site contamination has been prepared. You are receiving this letter in accordance with the DSCA Program's statutes, which provide the community an opportunity to review and comment on the proposed strategy. Attached is a ***Summary of the Notice of Intent to Remediate a Dry-Cleaning Solvent Facility or Abandoned Site*** which provides a brief description of the proposed remedy, a web link with more details, 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.

You are also 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 prohibit the installation of a water supply well on this property. If the proposed remedy is approved, a notice will be recorded in the chain of title indicating that groundwater is contaminated with dry-cleaning solvents and that regulations prohibit installation of a water supply well into a contaminated aquifer.

If you would like to see an example of this notice, please access the website: <http://portal.ncdenr.org/web/wm/DSCA/PublicNotices>, open the Risk Management Plan for the Shannon Cleaners site, and see Appendix D. If the proposed remedy is approved, you will be sent a letter describing your rights to appeal the decision to file such a notice in the chain of title, and providing you the option of filing the notice yourself.

Dry-Cleaning Solvent Contamination
3710 Shannon Road, Durham, NC
DSCA Site # 32-0012
Page 2

<date>

If you have questions, please contact me at (919) 707-8366 or Delonda Alexander at (919) 707-8365.

Sincerely,

Billy Meyer Project Manager
DSCA Remediation Unit
Billy.Meyer@ncdenr.gov

Attachments: Summary of the NOI

Cc: DSCA Site # 32-0012 File



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

Pat McCrory
Governor

Dexter R. Matthews
Director

John E. Skvarla, III
Secretary

<Date>

<property owner>
<mailing address>
<city, state, zip>

Subj: Dry-Cleaning Solvent Contamination at 3710 Shannon Road
Durham, NC

Dear <property owner>:

You are receiving this letter because your property at <adjacent property address> 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 Shannon Cleaners at 3710 Shannon Road in Durham. The former dry-cleaning space is currently occupied by Only Burger. 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) 707-8366 or Delonda Alexander at (919) 707-8365.

Sincerely,

Billy Meyer, Project Manager
DSCA Remediation Unit
Billy.Meyer@ncdenr.gov

Attachments: Summary of the NOI

Cc: DSCA Site # 32-0012 File