



August 15, 2014

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

Att: Ms. Dianne Thomas  
DSCA Project Manager

Re: **Risk Management Plan**  
Rainbow Cleaners - DSCA Site ID #92-0003  
2603 Glenwood Avenue  
Raleigh, Wake County, North Carolina

Dear Ms. Thomas:

URS Corporation – North Carolina (URS) is pleased to provide the attached Risk Management Plan (RMP) for Rainbow Cleaners site located at 2603 Glenwood Avenue (historically 2915 Essex Circle), Raleigh, North Carolina. A risk assessment conducted for the site indicates 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 in the risk assessment remain valid in the future. Based on the documentation outlined in this report, URS recommends issuance of a Notice of No Further Action letter for the site.

If you have any questions or require additional information, please do not hesitate to contact either Rob MacWilliams at 704.522.0330 or Mike Ranck at 919.461.1258.

Sincerely,

**URS CORPORATION-NORTH CAROLINA**

J. Michael Ranck, PG  
Project Manager

Robert H. MacWilliams, PG  
Program Manager

URS Corporation – North Carolina  
6000 Fairview Drive, Suite 200  
Charlotte, North Carolina 28210  
(704) 522-0330 Phone  
(704) 522-0063 Fax

**Risk Management Plan  
Rainbow Cleaners - DSCA Site ID # 92-0003  
2603 Glenwood Avenue  
Wake County  
Raleigh, North Carolina 27608**

**Submitted To:**  
**NC Department of Environment and Natural Resources**  
Division of Waste Management – DSCA Program  
1646 Mail Services Center  
Raleigh, NC 27699-1646



---

J. Michael Ranck, PG  
Project Manager  
N.C. Professional Geologist #2004



---

Robert H. MacWilliams, PG  
Program Manager  
N.C. Professional Geologist #2110

**URS**

URS Corporation-North Carolina  
6000 Fairview Drive, Suite 200  
Charlotte, North Carolina 28210

**TABLE OF CONTENTS**

<b><u>SECTION</u></b> .....	<b><u>PAGE</u></b>
<b>1.0 INTRODUCTION .....</b>	<b>1</b>
<b>2.0 OBJECTIVES OF RISK MANAGEMENT PLAN .....</b>	<b>1</b>
<b>3.0 SUMMARY OF RISK ASSESSMENT REPORT .....</b>	<b>2</b>
<b>4.0 REMEDIAL ACTION PLAN .....</b>	<b>5</b>
4.1 ASSESSMENT ACTIVITIES AND INTERIM ACTIONS .....	5
4.2 REMEDIAL ACTION.....	7
<b>5.0 DATA COLLECTED DURING RMP IMPLEMENTATION .....</b>	<b>9</b>
<b>6.0 LAND-USE CONTROLS .....</b>	<b>9</b>
<b>7.0 LONG-TERM STEWARDSHIP PLAN .....</b>	<b>10</b>
<b>8.0 RMP IMPLEMENTATION SCHEDULE.....</b>	<b>10</b>
<b>9.0 CRITERIA FOR DEMONSTRATING RMP SUCCESS .....</b>	<b>10</b>
<b>10.0 CONTINGENCY PLAN IF RMP FAILS.....</b>	<b>11</b>
<b>11.0 CONCLUSIONS AND RECOMMENDATIONS .....</b>	<b>11</b>

**APPENDICES**

- Appendix A Documentation of Plume Stability Evaluation
- Appendix B Level 1 Ecological Risk Assessment Checklists
- Appendix C Notice of Dry-Cleaning Solvent Remediation (NDCSR) and Notice of Residual Petroleum (NORP)
  - Appendix C-1: NDCSR for the Source Property (*Regency Centers, L.P.*)
  - Appendix C-2: NORP for the Offsite Property (*Marilyn M. Brandt*)
- Appendix D Example Annual DSCA Land-Use Restrictions Certification
- Appendix E Example Documents Announcing Public Comment Period

## 1.0 INTRODUCTION

URS Corporation – North Carolina (URS) has prepared this Risk Management Plan (RMP) to address dry-cleaning solvent contamination associated with the Rainbow Cleaners site (Dry-Cleaning Solvent Cleanup Act, or DSCA, Site #92-0003) located at 2603 Glenwood Avenue, Raleigh, Wake County, North Carolina, on behalf of the North Carolina Department of Environment and Natural Resources (NCDENR) DSCA Program. A general location map for the Rainbow Cleaners site is included in **Figure 1**. Note that while the current address of the site is 2603 Glenwood Avenue, historical addresses for the site included 2907 Essex Circle and 2915 Essex Circle. The contiguous area of dry-cleaning solvent contamination associated with the Rainbow Cleaners site will be referred to herein as the “site,” and includes the following properties:

1. the **Regency Centers, L.P. (formerly known as Regency Retail Partnership, L.P.) property, 2603 Glenwood Avenue, PIN 1705016828** on which the Rainbow Cleaners was formerly located and the Glenwood Village Shopping Center is currently located; and
2. the **Marilyn M. Brandt property, 2601 Glenwood Avenue, PIN 1705027122**, on which the Glenwood Village Exxon is currently located.

A map which identifies the above listed properties is included as **Figure 2**. As documented herein, site assessment activities have confirmed that contamination is present on the above listed properties. For clarification purposes in this document, the Regency Centers, L.P. property will be referred to as such, or as the “source property,” and the Marilyn M. Brandt property will be referred to as such, or as the “offsite property.”

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 RISK MANAGEMENT PLAN

URS has completed assessment activities at the site which identified the following:

- The presence of tetrachloroethene (PCE), trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), and vinyl chloride (VC) in groundwater beneath the source property and offsite property at concentrations exceeding the Title 15A NCAC 2L .0202 Groundwater Standards (2L Standards).

- Soil assessment activities completed during a Phase II Environmental Site Assessment in January 1997 and a Comprehensive Site Assessment in January 1999 indicated that no soil contamination exists above unrestricted land-use standards.
- Soil gas assessment activities completed at the site in August 2013 indicated no concentrations exceeding the Division of Waste Management Residential Soil Gas Screening Levels.

URS completed a Risk Assessment at the site and adjacent property in accordance with the DSCA Program's risk assessment procedures in September 2013. The results of the Risk Assessment indicated that there are risks that do exceed target levels. These risks will be managed by this RMP which will institute site-specific land-use conditions selected as part of the evaluation. Thus, the objective of this RMP is to ensure that those site-specific land-use conditions remain valid in the future.

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

As documented in the following reports (Comprehensive Site Assessment Report, prepared by Dames & Moore, dated February 1999; Report of Environmental Services, prepared by MACTEC Engineering and Consulting, Inc., dated March 2007; Analytical and Assessment Report, prepared by URS, dated March 2011; Groundwater Monitoring Reports, prepared by URS, dated October 2007, January 2008, April 2008, December 2008, and May 2013; and Vapor Quality Evaluation Results Report, prepared by URS, dated September 6, 2013), investigation activities completed to date have indicated the presence of groundwater contaminants on the source property and offsite property above unrestricted land-use standards. As such, URS performed a risk assessment to address the applicable exposure pathways based on the identified impacts. The results of the risk assessment are documented in the Risk Assessment Report for Rainbow Cleaners, dated September 2013.

The source and offsite properties are currently zoned as commercial property. To be protective of unknown property zoning in the future, the risk assessment was completed to assume that these properties could be rezoned in the future as residential property. Subsequently, both residential and commercial scenarios were considered as part of the risk assessment.

The first step in the risk assessment process consisted of evaluating exposure pathways for two separate exposure units: the On-Site Exposure Unit and Off-Site Exposure Unit #1. Exposure

units are shown on **Figure 2**. The exposure model evaluation indicated the following complete exposure pathways for the On-Site Exposure Unit, and Off-Site Exposure Unit #1:

### **On-Site Exposure Unit**

- **Indoor Inhalation of Vapor Emissions from Groundwater** – Impacted groundwater is present making a complete exposure pathway. Indoor inhalation of vapor emissions was evaluated for current conditions (commercial property) and future conditions (residential and commercial).
- **Outdoor Inhalation of Vapor Emissions from Groundwater** - Impacted groundwater is present making a complete exposure pathway. Outdoor inhalation of vapor emissions was evaluated for current conditions (commercial property), future conditions (residential and commercial properties), and construction worker.

The most elevated groundwater and subslab/soil gas concentrations observed as part of the site assessment were used in the risk assessment for the On-Site Exposure Unit. The On-Site Exposure Unit passed the risk evaluation for current and future complete exposure pathways.

Site-specific Domenico groundwater modeling results indicate exceedences of site-specific target levels (SSTLs) for source groundwater with respect to the following point of exposure: the **Sterling Glenwood Village LLC property** located 240 feet down gradient from the groundwater source on which impacts *have not been* observed. No exceedences of SSTLs were indicated in the model for source groundwater with respect to the following point of exposure: the Southwest Prong Beaverdam Creek located 220 feet distance from the groundwater source at which surface water impacts *have not been* observed.

Our evaluation of site groundwater quality data indicates that the plume has not migrated as far as the modeling projects with respect to the Sterling Glenwood Village LLC point of exposure. This model does not account for physical and/or biological contaminant degradation that may be occurring naturally in the subsurface as the contaminants migrate between the source area and the point of exposure. It is apparent that degradation is occurring at the site based on the non-detection of contaminant concentrations observed in downgradient wells, Henry pushpoint samples, and surface water samples. Furthermore, the groundwater modeling does not account for contaminant loss via biodegradation, which is likely occurring to some degree at this site based on the documented presence of PCE daughter products such as TCE, cis-1,2-DCE, and VC.

Finally, land-use controls should be implemented on the source property to prevent future installation of water supply wells within the area of concern due to groundwater contaminant concentrations above the 2L Standards.

### **Off-Site Exposure Unit #1**

- **Indoor Inhalation of Vapor Emissions from Groundwater** – Impacted groundwater is present making a complete exposure pathway. Indoor inhalation of vapor emissions was evaluated for current conditions (commercial property) and future conditions (residential and commercial).
- **Outdoor Inhalation of Vapor Emissions from Groundwater** - Impacted groundwater is present making a complete exposure pathway. Outdoor inhalation of vapor emissions was evaluated for current conditions (commercial property), future conditions (residential and commercial properties), and construction worker.

The most elevated groundwater and subslab/soil gas concentrations observed as part of the site assessment were used in the risk assessment for the Off-Site Exposure Unit #1. The Off-Site Exposure Unit #1 passed the risk evaluation for current and future complete exposure pathways. However, as groundwater contaminant concentrations are above the 2L Standards, land-use controls should be implemented on the offsite property to prevent future installation of water supply wells within the area of concern.

## 4.0 REMEDIAL ACTION PLAN

### 4.1 Assessment Activities and Interim Actions

The source property located at 2603 Glenwood Avenue is the property where the Rainbow Cleaners dry-cleaning operation was formerly located. The site was petitioned in the DSCA Program by the property owner, Regency Centers, L.P. (formerly known as Regency Retail Partnership, L.P.). The site is currently occupied by Glenwood Village Shopping Center.

The reported estimated dates of dry-cleaning operations on the source property were from January 1957 to February 1972. A Comprehensive Site Assessment Report prepared by Dames & Moore, dated February 25, 1999, documented the presence of PCE, TCE, and VC concentrations in groundwater exceeding 2L Standards. Soil samples were collected on the source property as well but no detectable concentrations of volatile organic compounds (VOCs) above method detection limits were observed in any of the soil samples submitted for analysis. The site was certified into the DSCA Program on September 26, 2002, and an Assessment and Remediation Agreement was executed.

MACTEC began quarterly groundwater sampling activities at the site in December 2005, which included sampling eight existing monitoring wells (DM-01 to DM-07 and DMD-01). The seven Type II monitoring wells and one Type III monitoring well had been previously installed by Dames & Moore in 1999. Five groundwater monitoring events and surface water sampling events were completed by MACTEC between December 2005 and December 2006. Water samples were submitted for analysis of VOCs via method SW-846 8260B. Concentrations of PCE, TCE, and VC were present above the 2L Standards. Due to increased TCE levels present at the site, additional assessment activities were executed by MACTEC in January 2007, which included the installation and sampling of one additional Type III groundwater monitoring well and sampling of all existing groundwater monitoring wells, as documented in a Report of Environmental Services, dated March 8, 2007. Following these assessment activities, the horizontal and vertical extent of groundwater impacts had been generally delineated. A subsequent monitoring event was completed by MACTEC in March/April 2007, which included groundwater sampling of three monitoring wells located on the offsite property, as documented in MACTEC's Groundwater Monitoring Report, dated July 12, 2007.

To further verify groundwater plume stability, URS completed four quarterly groundwater monitoring events at the site from August 2007 through May 2008, as documented in respective Groundwater Monitoring Reports. In February 2009, URS collected groundwater samples from three monitoring wells on the offsite property. A final site-wide groundwater sampling event was completed by URS in November 2012, as documented in a May 10, 2013 Groundwater Monitoring Report prepared by URS. Groundwater contaminant concentrations appeared to be stable and/or decreasing at the site as shown in **Appendix A**.

Between October 2006 and May 2008, four surface water samples and one in-situ pore water sample were collected from the Southwest Prong Beaverdam Creek. No surface water impacts exceeding Title 15A NCAC 2B .0100 Surface Water Standards (2B Standards) were observed.

Vapor intrusion assessment activities were initiated in August 2013 and included the advancement of one soil gas sample near the downgradient property boundary with the offsite property and three subslab vapor samples inside the Harris Teeter grocery store near the approximate footprint of the former dry-cleaner. As documented in a Vapor Quality Evaluation Results Report, prepared by URS, dated September 6, 2013, chlorinated solvent and petroleum VOCs were present in all vapor quality samples collected; however, concentrations did not exceed applicable DSCA Soil Gas Screening Levels.

As soil, groundwater, surface water, and vapor assessment activities appeared to be completed at the site, URS completed a draft risk assessment in September 2013, which was approved by the DSCA Program on September 24, 2013.

As discussed in detail in Section 3.0, 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. 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 the following four site conditions are met:

- (i) the dissolved plume is stable or decreasing;
- (ii) the maximum concentration within the exposure domain for every complete exposure pathway of any constituent of concern (COC) is less than ten times the representative concentration (RC) of that COC;
- (iii) 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; and,
- (iv) there are no ecological concerns at the site.

The subject 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 and remedial action at the site is not required. Each of these conditions and their applicability to the subject site are summarized in the following sections.

### 4.2.1 Condition 1 – *The Dissolved Plume is Stable or Decreasing*

The stability of the plume was assessed as part of groundwater monitoring events completed in August 2007, November 2007, February 2008, May 2008, and November 2012. URS prepared a concentration versus distance graph for sampling events conducted at the site, which is included in **Appendix A**. As indicated on the graph, PCE and TCE concentrations in the groundwater samples collected from the site appear to be generally stable to decreasing over the sampling events completed at the site. No COC was detected above 2L Standards in groundwater samples collected from downgradient monitoring well DM-06 or upgradient monitoring well DM-05 during any of the five sampling events. Based on this data, URS concludes that the size of the plume is stable and/or decreasing and concentrations in the source area are likely to remain generally stable.

Documentation of the plume stability evaluation, including a figure showing monitoring well locations, a table showing historical groundwater analytical data, and a concentration versus distance graph is included in **Appendix A**.

### 4.2.2 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*

Representative concentrations were not calculated as part of the risk assessment for this site. Instead, a more conservative approach was utilized by using the maximum concentration for each COC during the risk assessment and found that this condition has been met for all COCs and exposure pathways.

*4.2.3 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.*

The risk assessment completed for the source property and offsite property was based on current land-use conditions being commercial. However, using the most conservative approach, future conditions at the site were considered to be residential. As discussed in Section 6.0, land-use controls will be implemented for the source property to ensure the assumptions made in the risk assessment remain valid in the future.

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

URS 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 appropriate land-use controls on the site property where soil and/or groundwater contamination is present.

## 5.0 DATA COLLECTED DURING RMP IMPLEMENTATION

No further sampling or other data collection activities are proposed for the site, as long as the assumptions detailed in the Notice of Dry-Cleaning Solvent Remediation (NDCSR) remain valid. As such, this section is not applicable.

## 6.0 LAND-USE CONTROLS

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

- The source property shall not be used for mining or extraction of coal, oil gas or any mineral or non-mineral substances without prior written approval from NCDENR; and
- Groundwater will not be utilized on the source or offsite property without prior approval of NCDENR.

The risk assessment conducted for the site was based on assumptions that usage of the properties are currently commercial and future use could potentially be residential. Land-use controls will be implemented to ensure that land-use conditions are maintained and monitored until the land-use controls are no longer required for the site. A NDCSR was prepared for the source property to comply with the land-use control requirement. The NDCSR is included in **Appendix C**. Refer to the NDCSR for the specific language to be incorporated to address each of the risk assessment assumptions.

A NDCSR was not prepared for the offsite property. On May 1, 2013, a Notice of Residual Petroleum associated with the NCDENR Underground Storage Tank (UST) Section was filed with the Wake County Register of Deeds for the offsite property, which prohibits the installation and operation of any water supply wells on the property. A copy of the Notice of Residual Petroleum for the offsite property is included in **Appendix C**.

A plat showing the locations and types of dry-cleaning solvent impacts on the site is included as an exhibit to the NDCSR. The locations of dry-cleaning solvent impacts are where contaminants have been detected above unrestricted use standards.

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

The NDCSRs contain a clause which requires the owner of the site to submit a notarized “Annual DSCA Land Use Restrictions Certification” to NCDENR on an annual basis certifying that the NDCSR remains recorded with the Register of Deeds and that land-use restrictions are being complied with. An example of such a certification is included in **Appendix D**.

## **8.0 RMP IMPLEMENTATION SCHEDULE**

Since the contamination is stable and confined to the source property and offsite property which constitute the “site”, and possible exposure to the contamination is managed through the NDCSR, 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 this 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 NDCSR has been executed and recorded with the Wake County Register of Deeds. The NDCSR, at the request of the source property owner, may 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 the 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 the 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 owners as part of the NDCSR requirements.

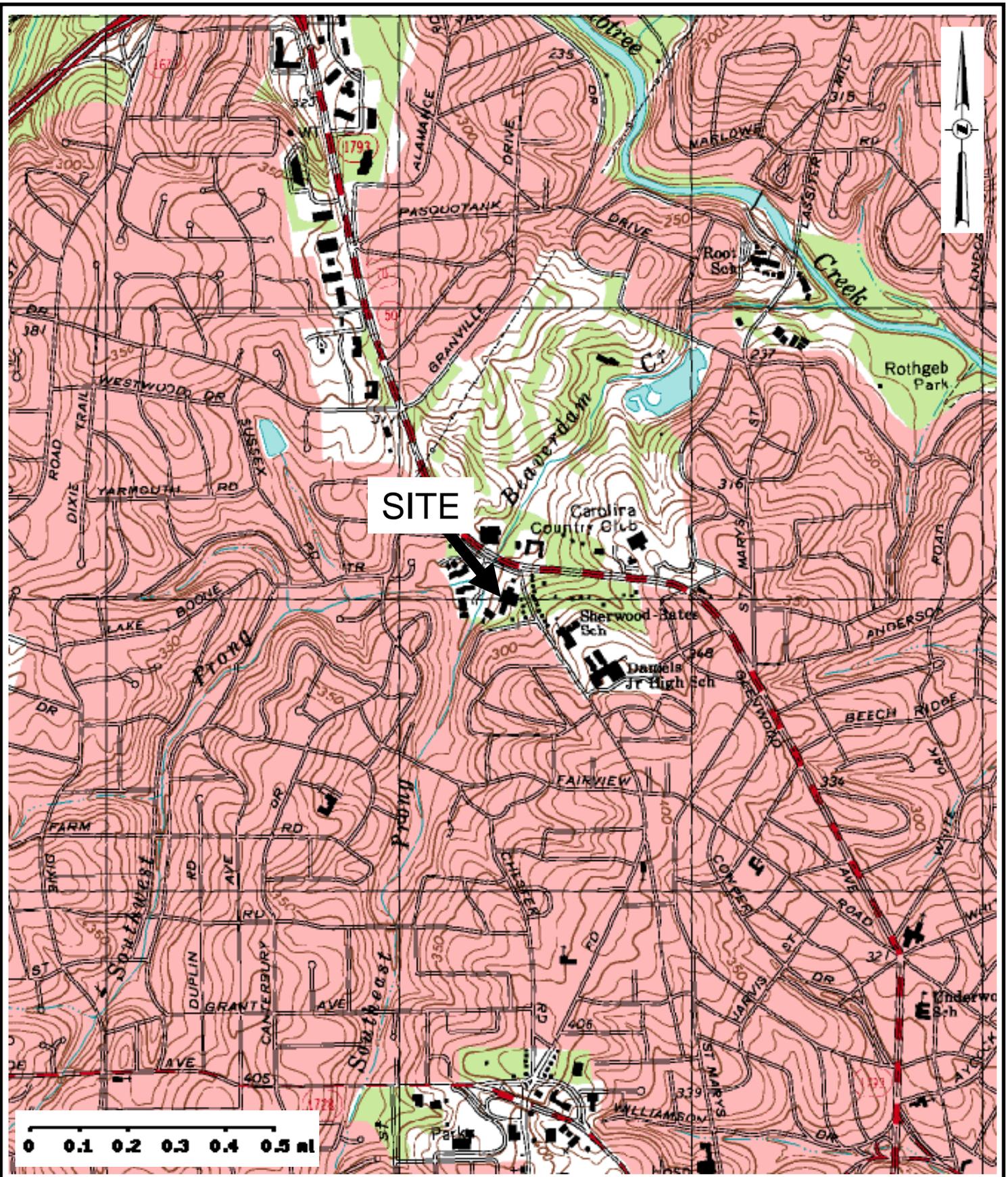
## **10.0 CONTINGENCY PLAN IF RMP FAILS**

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 land-use restrictions (LURs) set out in the NDCSR are violated, the owners of the properties 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**

URS has prepared this RMP for the Rainbow Cleaners site on behalf of the NCDENR DSCA Program. The results of the risk assessment completed for the site indicate that contaminant concentrations do not pose an unacceptable risk. The contaminant plume associated with the site appears stable and/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, URS recommends issuance of a "No Further Action" letter.

## FIGURES



Reference: 7.5 Minute USGS Topographic Map: Raleigh West, North Carolina (1999)

1:24,000



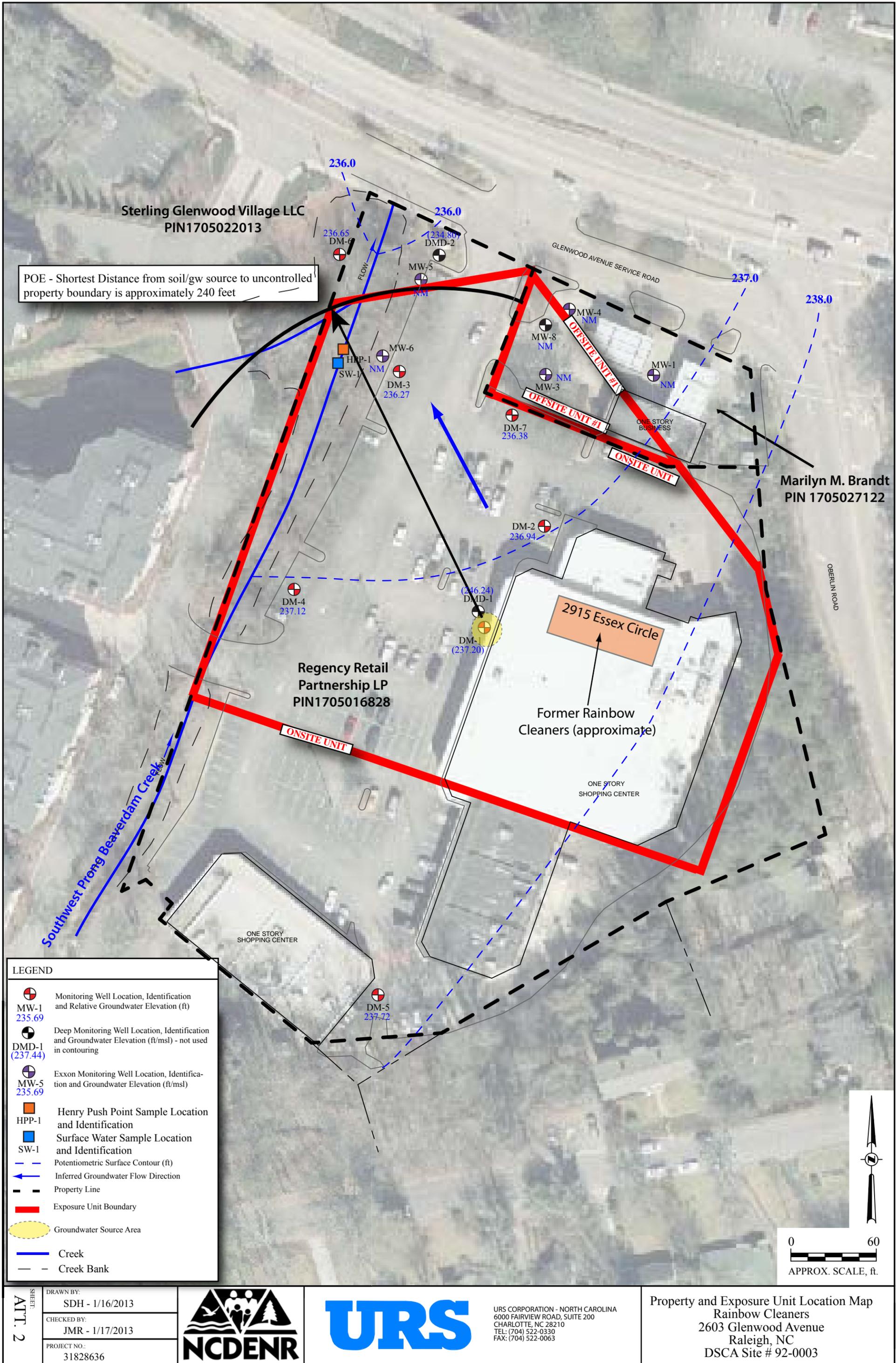
URS CORPORATION – NORTH CAROLINA  
 TWO SOUTH EXECUTIVE PARK  
 6125 PARK SOUTH DRIVE, SUITE 300  
 CHARLOTTE, NC 28210  
 TEL: (704) 522-0330  
 FAX: (704) 522-0663



Site Location Map  
 Rainbow Cleaners  
 2915 Essex Circle  
 Raleigh, North Carolina  
 DSCA ID # 92-0003

DRAWN BY:  
 CUL - 9/5/07  
 CHECKED BY:  
 KMM - 9/5/07  
 PROJECT NO:  
 38854420

SHEET  
 Att. 1



**Sterling Glenwood Village LLC**  
PIN1705022013

POE - Shortest Distance from soil/gw source to uncontrolled property boundary is approximately 240 feet

**Marilyn M. Brandt**  
PIN 1705027122

**Regency Retail Partnership LP**  
PIN1705016828

**2915 Essex Circle**  
Former Rainbow Cleaners (approximate)  
ONE STORY SHOPPING CENTER

**LEGEND**

- Monitoring Well Location, Identification and Relative Groundwater Elevation (ft)  
MW-1  
235.69
- Deep Monitoring Well Location, Identification and Groundwater Elevation (ft/msl) - not used in contouring  
DMD-1  
(237.44)
- Exxon Monitoring Well Location, Identification and Groundwater Elevation (ft/msl)  
MW-5  
235.69
- Henry Push Point Sample Location and Identification  
HPP-1
- Surface Water Sample Location and Identification  
SW-1
- Potentiometric Surface Contour (ft)
- Inferred Groundwater Flow Direction
- Property Line
- Exposure Unit Boundary
- Groundwater Source Area
- Creek
- Creek Bank

0 60  
APPROX. SCALE, ft.

SHEET ATT. 2	DRAWN BY: SDH - 1/16/2013
	CHECKED BY: JMR - 1/17/2013
	PROJECT NO.: 31828636

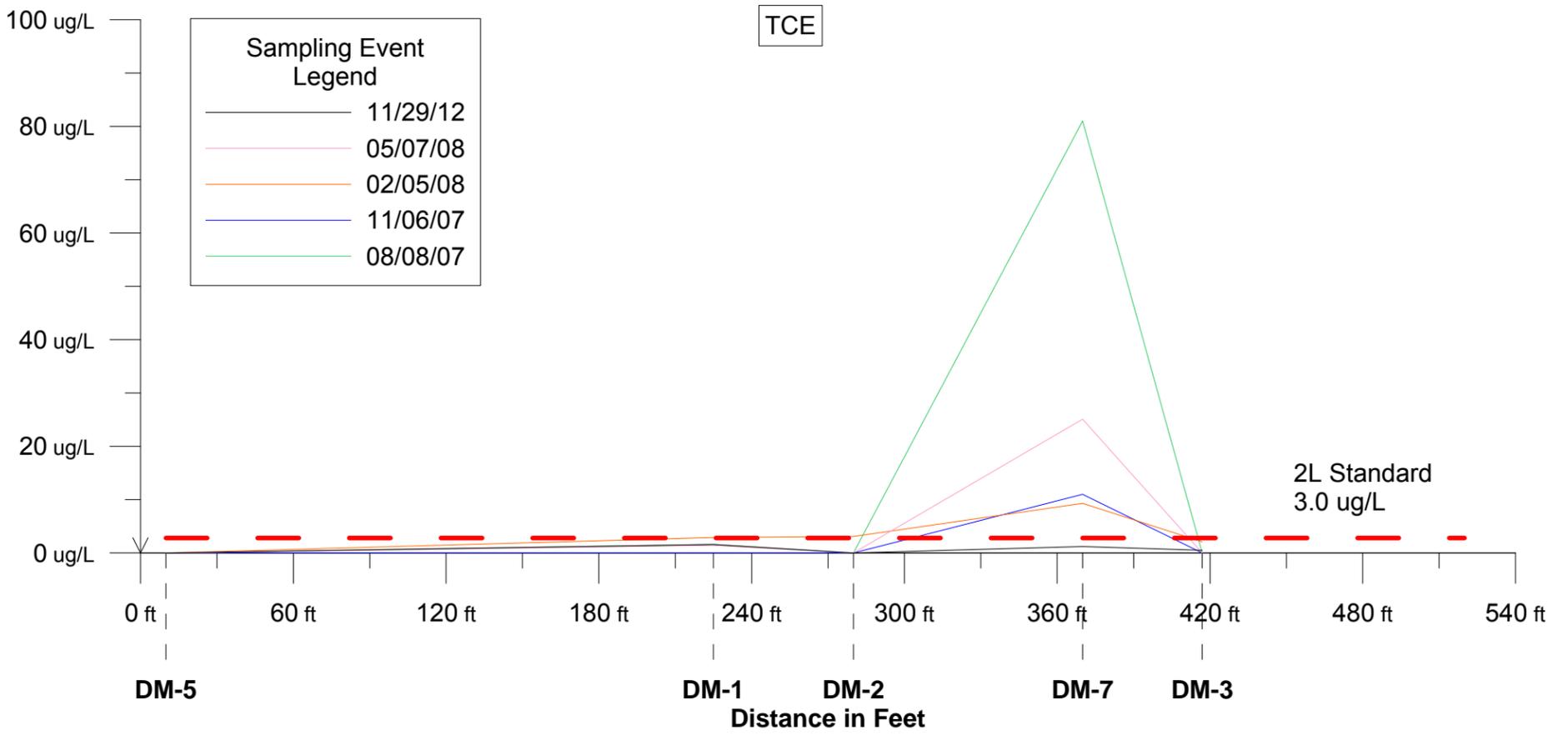
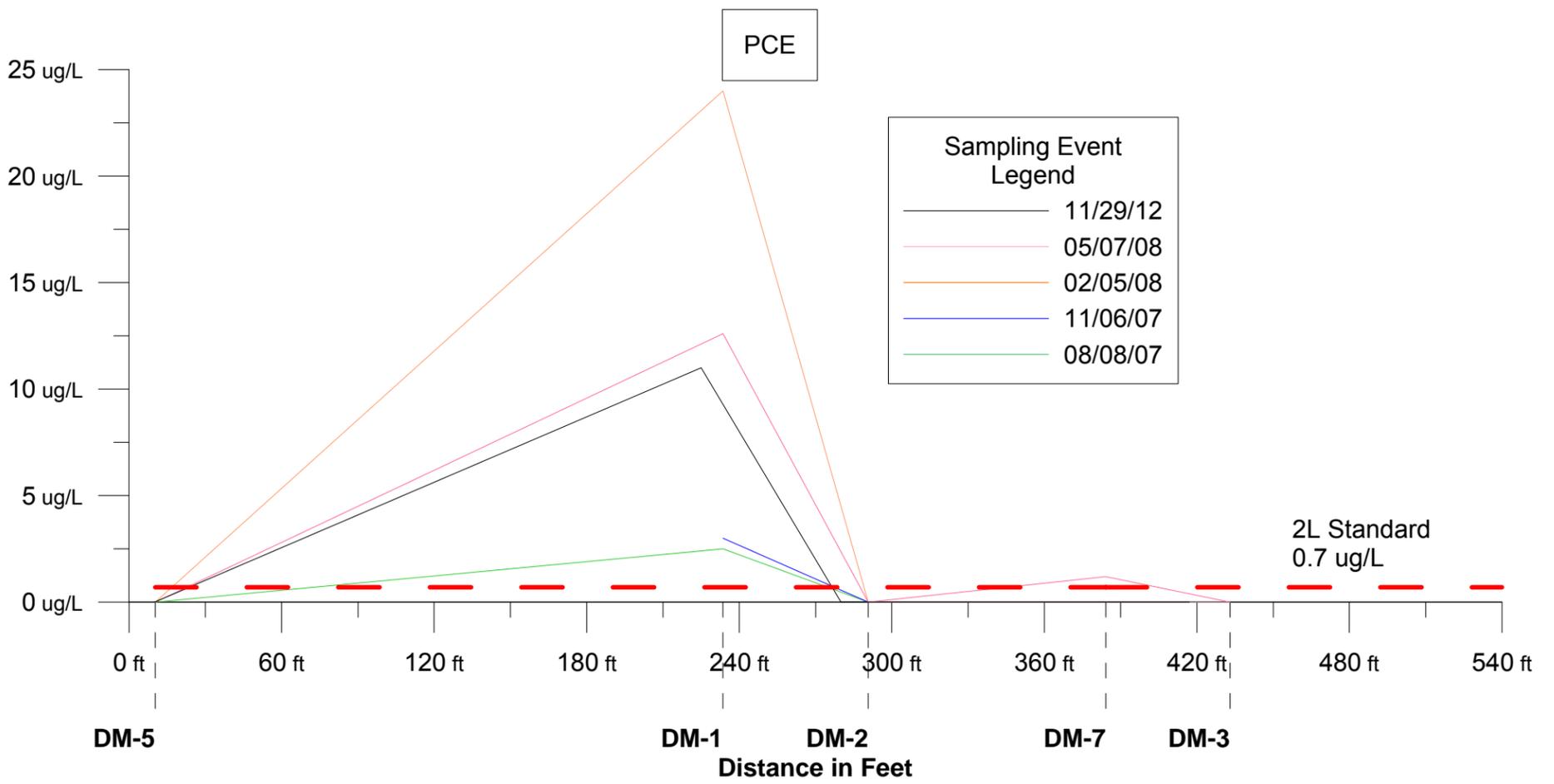


URS CORPORATION - NORTH CAROLINA  
6000 FAIRVIEW ROAD, SUITE 200  
CHARLOTTE, NC 28210  
TEL: (704) 522-0330  
FAX: (704) 522-0063

Property and Exposure Unit Location Map  
Rainbow Cleaners  
2603 Glenwood Avenue  
Raleigh, NC  
DSCA Site # 92-0003

**APPENDIX A**  
**DOCUMENTATION OF PLUME STABILITY EVALUATION**

Concentration vs. Distance  
 Sampling Events August 2007 through November 2012  
 Rainbow Cleaners, Raleigh, Wake County, NC



**Table 8: Analytical Data for Groundwater**

**DSCA ID No.: 92-0003**

Groundwater Sampling Point	Sampling Date (mm/dd/yy)	Benzene	cis-1,2-Dichloroethylene	Ethylbenzene	Methyl tert-butyl ether (MTBE)	Naphthalene	Tetrachloroethylene	Toluene	trans-1,2-Dichloroethylene	Trichloroethylene	Vinyl chloride	Xylenes (total)	Chloroform	1,2,4-Trimethylbenzene	1,3,5-Trimethylbenzene	4-Methyl-2-pentanone	Bromodichloromethane	Dichlorodifluoromethane	Isopropyl benzene	Isopropyl ether	Methylene chloride
		[mg/L]																			
DM-01	1/29/99	N/A	ND	N/A	N/A	N/A	0.021	N/A	N/A	ND	ND	N/A	ND	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DM-02	1/29/99	N/A	0.011	N/A	N/A	N/A	ND	N/A	N/A	0.005	0.018	N/A	ND	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DM-03	1/29/99	N/A	0.026	N/A	N/A	N/A	ND	N/A	N/A	0.004	0.024	N/A	ND	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DM-04	1/29/99	N/A	ND	N/A	N/A	N/A	ND	N/A	N/A	ND	ND	N/A	ND	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DM-05	1/29/99	N/A	ND	N/A	N/A	N/A	ND	N/A	N/A	ND	ND	N/A	ND	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DM-01	11/19/99	N/A	ND	N/A	N/A	N/A	0.047	N/A	N/A	0.004	ND	N/A	ND	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DM-02	11/19/99	N/A	0.008	N/A	N/A	N/A	ND	N/A	N/A	0.014	0.009	N/A	ND	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DM-03	11/19/99	N/A	0.006	N/A	N/A	N/A	ND	N/A	N/A	0.002	0.004	N/A	ND	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DM-04	11/19/99	N/A	ND	N/A	N/A	N/A	ND	N/A	N/A	ND	N/A	N/A	ND	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DM-05	11/19/99	N/A	ND	N/A	N/A	N/A	ND	N/A	N/A	ND	N/A	N/A	ND	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DM-06	11/19/99	N/A	ND	N/A	N/A	N/A	ND	N/A	N/A	ND	ND	N/A	ND	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DM-07	11/19/99	N/A	0.019	N/A	N/A	N/A	ND	N/A	N/A	0.029	0.008	N/A	ND	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DMD-01	11/19/99	N/A	ND	N/A	N/A	N/A	0.004	N/A	N/A	0.002	ND	N/A	0.001	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DM-01	12/8/05	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002	0.037	< 0.001	< 0.001	0.003	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	N/A	< 0.005
DM-02	12/8/05	< 0.001	0.009	< 0.001	< 0.001	< 0.002	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	N/A	< 0.005
DM-03	12/8/05	< 0.001	0.005	< 0.001	< 0.001	< 0.002	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	N/A	< 0.005
DM-04	12/8/05	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	N/A	< 0.005
DM-05	12/8/05	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	N/A	< 0.005
DM-06	12/8/05	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	N/A	< 0.005
DM-07	12/8/05	0.003	0.003	0.1	0.05	0.026	< 0.001	0.002	< 0.001	< 0.001	< 0.001	0.066	< 0.001	0.15	0.11	N/A	N/A	N/A	0.039	N/A	< 0.005
DMD-01	12/8/05	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	N/A	< 0.005
DM-01	3/17/06	< 0.001	.00033 i	< 0.001	.00028 i	< 0.001	0.026	< 0.001	< 0.001	0.0012	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-02	3/17/06	.00038 i	0.0244	< 0.001	.00034 i	< 0.001	< 0.001	< 0.001	< 0.001	.00083 i	0.0042	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-03	3/17/06	< 0.001	0.041	< 0.001	.00023 i	< 0.001	< 0.001	< 0.001	< 0.001	.00029 i	0.0016	0.0099	< 0.003	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-04	3/17/06	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-05	3/17/06	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005

**Table 8: Analytical Data for Groundwater**

**DSCA ID No.: 92-0003**

Groundwater Sampling Point	Sampling Date (mm/dd/yy)	Benzene	cis-1,2-Dichloroethylene	Ethylbenzene	Methyl tert-butyl ether (MTBE)	Naphthalene	Tetrachloroethylene	Toluene	trans-1,2-Dichloroethylene	Trichloroethylene	Vinyl chloride	Xylenes (total)	Chloroform	1,2,4-Trimethylbenzene	1,3,5-Trimethylbenzene	4-Methyl-2-pentanone	Bromodichloromethane	Dichlorodifluoromethane	Isopropyl benzene	Isopropyl ether	Methylene chloride
		[mg/L]																			
DM-06	3/17/06	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-07	3/17/06	0.0011	0.0509	0.0085	0.0031	.00064 i	0.0035	< 0.001	< 0.001	0.0282	< 0.001	< .00812	< 0.001	< 0.001	.00086 j	N/A	N/A	N/A	0.0025	.00035 i	< 0.005
DMD-01	3/17/06	< 0.001	< .001	N/A	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-01	6/22/06	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0327	< 0.001	< 0.001	0.0019	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-02	6/22/06	< 0.001	0.0316	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0014	0.0028	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-03	6/22/06	< 0.001	0.0205	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0011	0.0035	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-04	6/22/06	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-05	6/22/06	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-06	6/22/06	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-07	6/22/06	< 0.004	0.0334	< 0.004	< 0.004	< 0.004	0.0314	< 0.004	< 0.004	0.0965	< 0.004	< 0.012	< 0.004	< 0.004	< 0.004	N/A	N/A	N/A	< 0.004	< 0.004	< 0.005
DMD-01	6/22/06	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-01	9/11/06	< 0.001	.00053 j	< 0.001	.0003 j	< 0.001	0.0149	< 0.001	< 0.001	0.0012	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-02	9/11/06	< 0.001	0.0438	< 0.001	.00036 j	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0045	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-03	9/11/06	< 0.001	0.0278	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.001	0.0047	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-04	9/11/06	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	.00027 j
DM-05	9/11/06	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	.00056 j	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	.00034 j
DM-06	9/11/06	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-07	9/11/06	.00042 j	0.0471	< 0.001	< 0.001	< 0.001	0.0162	< 0.001	< 0.001	0.101	0.0025	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DMD-01	9/11/06	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	.00041 j	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-01	12/29/06	< 0.001	0.0013	< 0.001	< 0.001	< 0.001	0.0466	< 0.001	< 0.001	0.0025	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-02	12/29/06	< 0.001	0.0301	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0031	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-03	12/29/06	< 0.001	0.024	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0013	0.0044	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-04	12/29/06	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005

**Table 8: Analytical Data for Groundwater**

**DSCA ID No.: 92-0003**

Groundwater Sampling Point	Sampling Date (mm/dd/yy)	Benzene	cis-1,2-Dichloroethylene	Ethylbenzene	Methyl tert-butyl ether (MTBE)	Naphthalene	Tetrachloroethylene	Toluene	trans-1,2-Dichloroethylene	Trichloroethylene	Vinyl chloride	Xylenes (total)	Chloroform	1,2,4-Trimethylbenzene	1,3,5-Trimethylbenzene	4-Methyl-2-pentanone	Bromodichloromethane	Dichlorodifluoromethane	Isopropyl benzene	Isopropyl ether	Methylene chloride
		[mg/L]																			
DM-05	12/29/06	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-06	12/29/06	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-07	12/29/06	< 0.004	0.0719	< 0.004	< 0.004	< 0.004	< 0.004	< 0.004	< 0.004	0.0265	< 0.004	< 0.012	< 0.004	< 0.004	< 0.004	N/A	N/A	N/A	< 0.004	< 0.004	< 0.02
DMD-01	12/29/06	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DMD-02	1/12/07	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-01	3/30/07	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0145	< 0.001	< 0.001	0.0011	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-02	3/30/07	< 0.001	0.0331	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0023	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-03	3/30/07	< 0.001	0.0048	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-04	3/30/07	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-05	3/30/07	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	0.0012	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-06	3/30/07	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DM-07	3/30/07	< 0.001	0.0621	< 0.001	< 0.001	< 0.001	0.0185	< 0.001	< 0.001	0.068	0.0043	< 0.001	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DMD-01	3/30/07	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
DMD-02	3/30/07	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.003	< 0.001	< 0.001	< 0.001	N/A	N/A	N/A	< 0.001	< 0.001	< 0.005
MW-04	4/27/07	0.0334	< 0.001	N/A	N/A	0.0386	< 0.004	N/A	N/A	< 0.004	< 0.004	N/A	< 0.001	N/A	N/A	N/A	N/A	N/A	0.0122	0.007	N/A
MW-05	4/27/07	< 0.001	< 0.001	N/A	N/A	< 0.001	< 0.001	N/A	N/A	< 0.001	< 0.001	N/A	< 0.001	N/A	N/A	N/A	N/A	N/A	< 0.001	< 0.001	N/A
MW-08	4/27/07	< 0.001	0.003	N/A	N/A	< 0.001	0.0081	N/A	N/A	0.0036	< 0.001	N/A	< 0.001	N/A	N/A	N/A	N/A	N/A	< 0.001	< 0.001	N/A
DM-01	8/8/07	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0025	< 0.001	< 0.001	0.0016	0.0003 7 j	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-02	8/8/07	0.0003 9 j	0.02	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0039	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-03	8/8/07	< 0.001	0.0067	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0007 9 j	0.0015	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-04	8/8/07	< 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	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-05	8/8/07	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0015	< 0.001	< 0.005	0.0003 j	< 0.001	< 0.001	< 0.001	< 0.002
DM-06	8/8/07	< 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	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-07	8/8/07	< 0.001	0.048	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.081	0.0024	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DMD-01	8/8/07	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0004 1 j	< 0.001	< 0.001	0.0004 2 j	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002

**Table 8: Analytical Data for Groundwater**

**DSCA ID No.: 92-0003**

Groundwater Sampling Point	Sampling Date (mm/dd/yy)	Benzene	cis-1,2-Dichloroethylene	Ethylbenzene	Methyl tert-butyl ether (MTBE)	Naphthalene	Tetrachloroethylene	Toluene	trans-1,2-Dichloroethylene	Trichloroethylene	Vinyl chloride	Xylenes (total)	Chloroform	1,2,4-Trimethylbenzene	1,3,5-Trimethylbenzene	4-Methyl-2-pentanone	Bromodichloromethane	Dichlorodifluoromethane	Isopropyl benzene	Isopropyl ether	Methylene chloride
		[mg/L]																			
DMD-02	8/8/07	< 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	< 0.001	< 0.005	< 0.001	0.0019	< 0.001	< 0.001	< 0.002
DM-01	11/6/07	< 0.001	0.0013	< 0.001	0.0002 6 j	< 0.001	0.003	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-02	11/6/07	0.0005 7 j	0.027	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0083	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-03	11/6/07	< 0.001	0.024	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0079	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-04	11/6/07	< 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	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-07	11/6/07	0.0004 3 j	0.058	< 0.001	0.0004 6 j	< 0.001	< 0.001	< 0.001	< 0.001	0.011	0.0034	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DMD-01	11/6/07	< 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	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DMD-02	11/6/07	< 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	< 0.001	< 0.005	< 0.001	0.0026	< 0.001	< 0.001	< 0.002
DM-01	2/5/08	< 0.001	0.0017	< 0.001	< 0.001	< 0.001	0.024	< 0.001	< 0.001	0.0029	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-02	2/5/08	< 0.001	0.032	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0031	0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-03	2/5/08	< 0.001	0.04	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0004 8 j	0.0021	0.01	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-04	2/5/08	< 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	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-05	2/5/08	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.002	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-06	2/5/08	< 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	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-07	2/5/08	< 0.001	0.059	< 0.001	0.0005 2 j	< 0.001	< 0.001	< 0.001	< 0.001	0.0093	0.0029	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DMD-01	2/5/08	< 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	< 0.001	0.0019 j	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DMD-02	2/5/08	< 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	< 0.001	< 0.005	< 0.001	0.0011	< 0.001	< 0.001	< 0.002
HPP-01	2/5/08	< 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	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-01	5/7/08	< 0.001	0.0019	< 0.001	0.0004 5 j	< 0.001	0.0126	< 0.001	< 0.001	0.0014	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-02	5/7/08	< 0.001	0.0266	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0008 3 j	0.0023	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-03	5/7/08	< 0.001	0.0091	< 0.001	< 0.001	< 0.001	< 0.0005	< 0.001	< 0.001	0.0005 6 j	0.0013	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002

**Table 8: Analytical Data for Groundwater**

**DSCA ID No.: 92-0003**

Groundwater Sampling Point	Sampling Date (mm/dd/yy)	Benzene	cis-1,2-Dichloroethylene	Ethylbenzene	Methyl tert-butyl ether (MTBE)	Naphthalene	Tetrachloroethylene	Toluene	trans-1,2-Dichloroethylene	Trichloroethylene	Vinyl chloride	Xylenes (total)	Chloroform	1,2,4-Trimethylbenzene	1,3,5-Trimethylbenzene	4-Methyl-2-pentanone	Bromodichloromethane	Dichlorodifluoromethane	Isopropyl benzene	Isopropyl ether	Methylene chloride
		[mg/L]																			
DMD-01	5/7/08	< 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	< 0.001	0.0042 j	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DMD-02	5/7/08	< 0.001	0.0002 6 j	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	0.0009 1 j	< 0.001	< 0.001	< 0.002
DM-04	5/15/08	< 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	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
DM-07	5/15/08	0.0003 8 j	0.0561	< 0.001	< 0.001	< 0.001	0.0012	< 0.001	< 0.001	0.0251	0.0029	< 0.001	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
MW-03	2/18/09	0.001	0.041	0.0055	< 0.001	0.0016	< 0.001	0.0006	< 0.001	0.0006	0.0023	0.0014	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
MW-04	2/25/09	0.035	< 0.001	0.0014	0.0065	0.085	< 0.001	0.0027	< 0.001	< 0.001	< 0.001	0.0063	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.001	< 0.001	< 0.001	< 0.002
MW-03*	7/6/12	0.0031	0.0352	< 0.0005	< 0.0005	< 0.005	< 0.0005	< 0.0005	< 0.0005	< 0.0005	0.0019	< 0.001	N/A	< 0.0005	< 0.0005	N/A	< 0.0005	N/A	N/A	< 0.0005	N/A
MW-04*	7/6/12	0.129	< 0.0005	0.0014	0.0068	< 0.005	< 0.0005	0.0024	< 0.0005	< 0.0005	< 0.0005	0.017	N/A	0.0007	0.0016	N/A	< 0.0005	N/A	N/A	0.0033	N/A
MW-05*	7/6/12	< 0.0005	< 0.0005	< 0.0005	< 0.0005	< 0.0005	< 0.0005	< 0.0005	< 0.0005	< 0.0005	< 0.0005	< 0.001	N/A	< 0.0005	< 0.0005	N/A	0.0005	N/A	N/A	< 0.0005	N/A
MW-06*	7/6/12	< 0.0005	0.0036	< 0.0005	< 0.0005	< 0.0005	< 0.0005	< 0.0005	< 0.0005	0.0006	0.0015	< 0.001	N/A	< 0.0005	< 0.0005	N/A	< 0.0005	N/A	N/A	< 0.0005	N/A
MW-08*	7/6/12	< 0.0005	0.0009	< 0.0005	< 0.0005	< 0.0005	0.0024	< 0.0005	< 0.0005	0.0017	< 0.0005	< 0.001	N/A	< 0.0005	< 0.0005	N/A	< 0.0005	N/A	N/A	< 0.0005	N/A
DM-01	11/29/12	< 0.0010	0.0016	< 0.0010	< 0.0010	< 0.0010	0.011	< 0.0010	< 0.0010	0.0016	< 0.0010	0.0030	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.0010	< 0.001	< 0.001	< 0.001
DM-02	11/29/12	< 0.0010	0.027	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	0.0010	0.0011	0.0030	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.0010	< 0.001	< 0.001	< 0.001
DM-03	11/29/12	< 0.0010	0.0062	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	0.0004 9 J	0.0007 7 J	< 0.0030	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.0010	< 0.001	< 0.001	< 0.001
DM-04	11/29/12	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	0.0030	< 0.18	< 0.10	< 0.30	< 1.1	< 0.17	< 0.0010	< 0.14	< 0.054	< 0.23
DM-05	11/29/12	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	0.0030	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.0010	< 0.001	< 0.001	< 0.001
DM-06	11/29/12	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	0.0030	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.0010	< 0.001	< 0.001	< 0.001
DM-07	11/29/12	< 0.0010	0.095	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	0.0012	0.0013	< 0.0030	< 0.001	< 0.001	< 0.001	< 0.005	< 0.001	< 0.0010	< 0.001	< 0.001	< 0.001









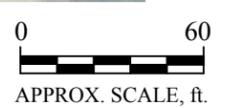
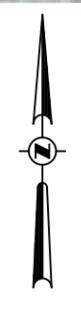






**Legend**

-  Permanent Monitoring Well
-  Deep Permanent Monitoring Well
-  Exxon Monitoring Well
-  DMD Deep Monitoring Well
-  DM Shallow Monitoring Well
-  MW Monitoring Well
-  Creek Bank
-  Creek
-  Surface Water Sample Location
-  Pore Water Sample Location



SHEET: ATT. 4	DRAWN BY: SDH - 1/16/2013
	CHECKED BY: JMR - 1/17/2013
	PROJECT NO.: 31828636



URS CORPORATION - NORTH CAROLINA  
6000 FAIRVIEW ROAD, SUITE 200  
CHARLOTTE, NC 28210  
TEL: (704) 522-0330  
FAX: (704) 522-0063

Monitoring Well Location Map  
Rainbow Cleaners  
2915 Essex Circle  
Raleigh, NC  
DSCA Site # 92-0003

## APPENDIX B

### LEVEL I ECOLOGICAL RISK ASSESSMENT CHECKLISTS



August 6, 2010

North Carolina Department of Environment  
and Natural Resources  
Division of Waste Management – DSCA Program  
401 Oberlin Road, Suite 150  
Raleigh, NC 27605-1350

Att: Ms. Dianne Thomas  
DSCA Project Manager

Re: Level 1 Ecological Risk Assessment  
Rainbow Cleaners DSCA Site ID #92-0003  
2915 Essex Circle  
Raleigh, Wake County, North Carolina  
URS-NC Project Number 38854436

Dear Ms. Thomas:

URS Corporation – North Carolina (URS) is pleased to present the findings of the Level 1 Ecological Risk Assessment (Eco Risk Assessment) for the Rainbow Cleaners facility (site) located in Raleigh, Wake County, North Carolina to North Carolina Department of Environment and Natural Resources (NCDENR). The Eco Risk Assessment was completed in accordance with the DSCA program's Risk Based Corrective Action (RBCA) guidance document to assess the potential for ecological receptors. If you have any questions or require additional information, please do not hesitate to contact this office.

Sincerely,

**URS CORPORATION-NORTH CAROLINA**

Michael T. Chang  
Environmental Scientist

Robert H. MacWilliams, PG  
Program Manager

Attachment  
cc: Project File (hard copy)

URS Corporation – North Carolina  
6135 Park South Drive, Suite 300  
Charlotte, North Carolina 28210  
(704) 522-0330 Phone  
(704) 522-0063 Fax

**Level 1 Ecological Risk Assessment**  
**Checklist A for Potential Receptors and Habitat**  
**DSCA # 92-0003**

1. **Are there any navigable water bodies or tributaries to a navigable water body on or within the one-half mile of this site?** Yes, according to a review of the USGS topographic map, Raleigh West, North Carolina, Southeast Prong Beaver Dam Creek is located approximately 150 feet west of the site.
2. **Are there any water bodies anywhere on or within the one-half mile of the site?** Yes, Southeast Prong Beaver Dam Creek is located approximately 150 feet west of the site.
3. **Are there any wetland areas such as marshes or swamps on or within one-half mile of the site?** Yes, two wetland areas were identified by the National Wetland Inventory (NWI) within ½ mile of the site. Additionally, the creek located to the west of the site would likely be classified as a wetland area.
4. **Are there any sensitive environmental areas on or within one-half mile of the site?** Yes, as stated above, wetland areas were identified by the NWI within ½ mile of the site.
5. **Are there any areas on or within one-half mile of the site owned or used by local tribes?** No, none were identified by the Indian Reservation Database.
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 mile of the site?** Not likely. None were identified on the North Carolina Natural Heritage Sites database or the North Carolina Natural Areas database. Four endangered species were identified in the EPA Endangered Species Protection Program database in Wake County, however, none were identified within ½ 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?** Potentially, migratory birds are present in Wake County according to the North Carolina Audubon Society website, however, none have been specifically identified within ½ mile of the site.
8. **Are there any ecologically, recreationally or commercially important species on or within one-half mile of the site?** None have been identified.
9. **Are there any threatened and/or endangered species (plant or animal) on or within one-half mile of the site?** None were identified on the North Carolina Natural Heritage Sites database or the North Carolina Natural Areas database. Four endangered species were identified in the EPA Endangered Species Protection Program database in Wake County, however, none were identified within ½ mile of the site.

**If the answer is “Yes” to any of the above questions, then complete Level 1 Ecological Risk Assessment, Checklist B for Potential Exposure Pathways.**

---

Wetlands are defined in 40 CFR §232.2 as “areas inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.” The sources to make the determination whether or not wetland areas are present may include, but not limited to, national wetland inventory available at <http://nwi.fw.gov>, federal or state agency, and USGS topographic maps. Areas that provide unique and often protected habitat for wildlife species. These areas typically used during critical life stages such as breeding, rearing or young and overwintering. Refer to Attachment 1 for examples of sensitive environments. Ecologically important species include populations of species which provide a critical food resource for higher organisms. Ecologically important species include pest an opportunistic species that populate an area if they serve as a food source for other species, but do not include domesticated animals or plants/animals whose existence is maintained by continuous human interventions.

March 2007

DSCA Program

**Level 1 Ecological Risk Assessment  
Checklist B for Potential Receptors and Habitat  
DSCA # 92-0003**

- 1A. Can chemicals associated with the site leach, dissolve, or otherwise migrate to groundwater? **Yes**
- 1B. Are chemicals associated with the site mobile in groundwater? **Yes**
- 1C. Does groundwater from the site discharge to ecological receptor habitat? **Yes, groundwater discharges to Southeast Prong Beaver Dam Creek located approximately 150 feet west of the site.**

**Question 1. Could chemicals associated with the site reach ecological receptors through groundwater?** **Yes, impacted groundwater has is traveling to the northwest is estimated to be approximately 30 feet from Southeast Prong Beaver Dam Creek.**

- 2A. Are chemicals present in surface soils on the site? **None have been identified at the site.**
- 2B. Can chemicals be leached from or be transported by erosion of surface soils on the site? **Not applicable.**

**Question 2. Could chemicals associated with the site reach ecological receptors through runoff or erosion?** **Not applicable.**

- 3A. Are chemicals present in surface soil or on the surface of the ground? **None have been identified at the site.**
- 3B. Are potential ecological receptors on the site? **Not applicable.**

**Question 3. Could chemicals associated with the site reach ecological receptors through direct contact?** **Not applicable.**

- 4A. Are chemicals on the site volatile? **Yes**
- 4B. Could chemicals on the site be transported in air as dust or particulate matter? Not likely, as **no impacts have been identified in soil at the site.**

**Question 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?** **Not likely, as no impacts have been identified in soil at the site.**

- 5A. Is Non-Aqueous Phase Liquid (NAPL) present at the site? **No**
- 5B. Is NAPL migrating? **No**
- 5C. Could NAPL discharge occur where ecological receptors are found? **No**

**Question 5. Could chemicals associated with site reach ecological receptors through migration of NAPL?** **No**

- 6A. Are chemicals present in surface and shallow subsurface soils or on the surface of the ground? **None have been identified at the site.**
- 6B. Are chemicals found in soil on the site taken up by plants growing on the site? **Not applicable.**

- 6C. Do potential ecological receptors on or near the site feed on plants (e.g., grasses, shrubs, forbs, trees, etc.) found on the site? **Potentially, however, none have been specifically identified. Furthermore, no soil impacts have been identified at the site.**
- 6D. Do chemicals found on the site bioaccumulate. **No.**
- Question 6. Could chemicals associated with the site reach ecological receptors through direct ingestion of soil, plants animals or contaminants? Not likely, as no soil impacts have been identified at the site.**

If the answer to one or more of the above six questions is “Yes”, the DENR may require further assessment to determine whether the site poses an unacceptable risk to ecological receptors.

March 2007

DSCA Program

**APPENDIX C**

**NOTICE OF DRY-CLEANING SOLVENT REMEDIATION**

APPENDIX C - 1  
NDCSR FOR THE SOURCE PROPERTY  
(REGENCY CENTERS, L.P.)

## NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

Property Owner: NOW OR FORMERLY (N/F) REGENCY RETAIL PARTNERSHIP, L.P.  
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 N/F Regency Retail Partnership L.P. (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 2603 Glenwood Avenue, North Carolina, Parcel Identification Number (PIN) 1705016828.**

**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 2 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 Rainbow Cleaners (DSCA Site 92-0003) located at 2603 Glenwood Avenue, Raleigh, in the Glenwood Village shopping center. Dry-cleaning operations were conducted on the Property from approximately 1957 to 1972.

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. Without prior written approval from DENR, the Property shall not be used for mining or extraction of coal, oil, gas or any mineral or non-mineral substances.**
- 2. 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.**
- 3. In January of each year, on or before January 31<sup>st</sup>, the owner of any portion of the Property shall submit a notarized Annual DSCA Land-Use Restrictions Certification to DENR certifying that this Notice remains recorded at the Register of Deeds' office, and that the Land-Use Restrictions are being complied with.**
- 4. 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.**
- 5. 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 subject to this Notice is sold, leased, conveyed or transferred, the deed or other instrument of transfer shall contain in the description section, in no smaller type than that used in the body of the deed or instrument, (1) a statement that the property has been contaminated with dry-cleaning solvent and, if appropriate, cleaned up under the Act and (2) a reference by book and page to the recordation of this Notice.

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 Property Owner's interest in the Property. This notification shall include the name, business address and phone number of the transferee and the expected date of transfer.

The Property Owner shall notify DENR within thirty (30) days following the petitioning or filing of any document by any person initiating a rezoning of the Property that would change the base zone of the Property.

**PROPERTY OWNER SIGNATURE**

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

**REGENCY CENTERS, L.P.,**  
a Delaware limited partnership  
(formerly known as Regency Retail Partnership, L.P.)

By: Regency Centers Corporation,  
a Florida corporation  
Its: General Partner

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Its: \_\_\_\_\_

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 Regency Centers, L.P., a North Carolina limited partnership 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: \_\_\_\_\_ Date \_\_\_\_\_  
Jim Bateson, LG  
Chief, 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 \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

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

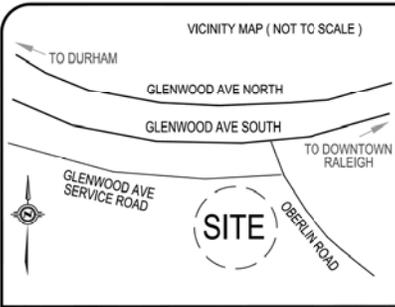
WITNESS my hand and official stamp or seal, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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

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



**EXHIBIT A**  
**REDUCTION OF SURVEY PLAT**



- NOTES:**
- This plat is derived from information gathered by an actual field survey made by this office completed and plotted July, 2009.
  - Horizontal datum used for this project is NAD 83(NSRS 2001). Vertical datum used for this project is NAVD 88.
  - Horizontal and vertical control were established by ESP using the NCGS VMS RTK network.
  - All distances are horizontal ground measurements (US SFT) unless otherwise noted.
  - All coordinate values are localized ground coordinates.
  - The project was localized around ESP Control Point "PK 2". The CGF is 0.9999143265 (Ground to Gnd)
  - It was not within the scope of this project to determine flood plain locations on site.
  - The horizontal and vertical control exceeds the precision required for Class A urban/suburban topographic surveys.
  - The purpose of this survey plat is to serve as a Site Survey Plat for a State-certified Dry-Cleaning Solvent Remediation project.
  - Boundary lines shown are per recovered field evidence. A complete title search was not performed as a part of this survey.
  - The location of Beaver Dam Creek is based on the two foot contour topographic data obtained from the Wake County GIS website.
  - The areas and types of contamination depicted hereon are approximations derived from the best available information at the time of filing. This information was supplied to ESP by URS Corporation.
  - Lines not surveyed were derived from record deeds and plats researched online through the Wake County Registry. See plat for subject parcel record deed information.

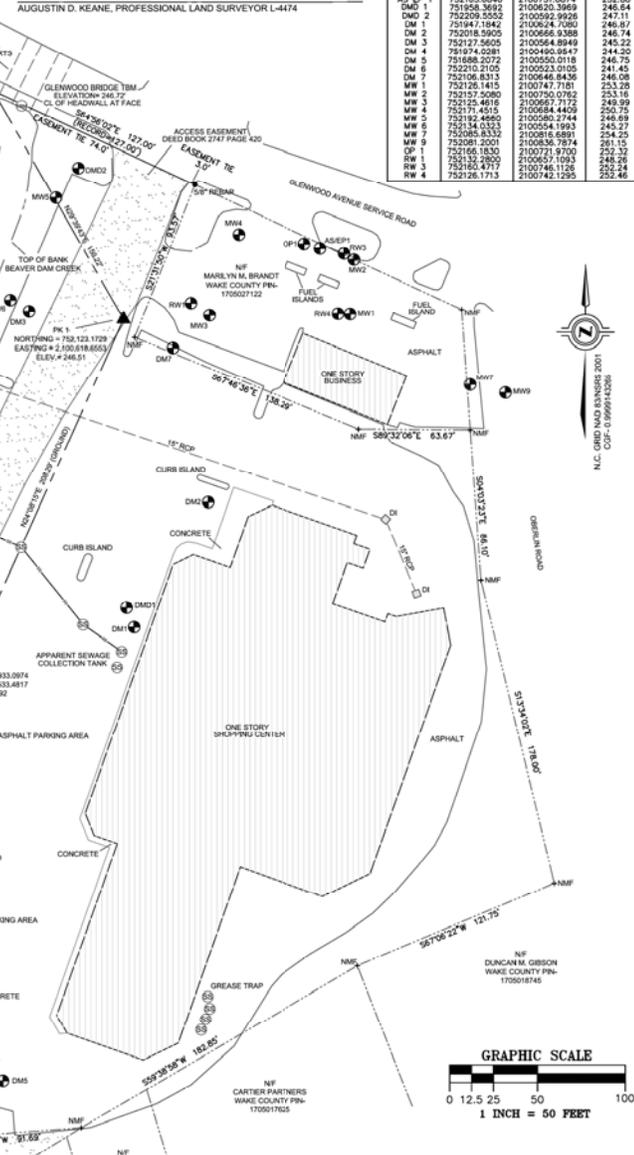
NORTH CAROLINA  
WAKE COUNTY

I, AUGUSTIN D. KEANE, PLS, CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY DIRECT SUPERVISION (DB 7381 PG 77); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:48,881; THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

- I, Augustin D. Keane, certify that this map was drawn under my supervision from an actual GPS survey made under my supervision and the following information was used to perform the survey:
- Class of Survey: Class A
  - Positional Accuracy: 0.10'
  - Type of GPS Field Procedure: NCGS VMS Network
  - Dates of Survey: 7-7-09
  - Datum/Epoch: NAD 83 (NSRS 2001)
  - Published/Fixed-control use: See Plat
  - Control Model: Geoid 2003
  - Combined Grid Factor: See Plat
  - Units: US Survey Feet

# PRELIMINARY

Monitoring Well	Coordinate Data	Top of PVC Casing	
Descriptor	Northing	Easting	
AT EP 1	752163.6840	2100731.0874	232.80
DM 1	751958.5692	2100620.3969	246.64
DM 2	752209.5552	2100592.8926	247.11
DM 3	751947.1942	2100624.7380	246.87
DM 4	752018.5905	2100666.9388	246.74
DM 5	752127.5605	2100664.8949	245.22
DM 6	751974.0281	2100440.9647	244.20
DM 7	751688.5072	2100505.0118	246.75
DM 8	752210.2105	2100523.0105	241.45
DM 9	752106.8313	2100646.8436	246.08
MW 1	752128.1415	2100747.7181	253.28
MW 2	752157.9090	2100750.0762	253.16
MW 3	752125.4618	2100697.7172	249.99
MW 4	752171.4513	2100684.4409	250.75
MW 5	752182.4660	2100580.2744	246.69
MW 6	752134.0133	2100816.6891	243.27
MW 7	752085.8332	2100816.6891	254.20
MW 8	752081.0001	2100836.7874	261.10
OP 1	752166.1830	2100721.9700	252.32
OP 2	752165.1093	2100701.1093	248.06
RW 3	752180.4777	2100746.1126	252.24
RW 4	752126.1713	2100742.1295	252.46



**OWNERS CERTIFICATE**

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

**REGENCY CENTERS L.P.**,  
a Delaware limited partnership  
(formerly know as Regency Retail Partnership, L.P.)

By: Regency Centers Corporation  
a Florida Corporation  
Its: General Partner

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

Print Name: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY \_\_\_\_\_

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

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

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

THIS PLAT OR MAP DOES NOT REQUIRE PRELIMINARY APPROVAL, AND MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

PLANNING DIRECTOR WAKE COUNTY REVIEW OFFICER \_\_\_\_\_

Approved for the purposes of N.C.G.S. 143-215.104M

Jim Rattson, I.D.  
Chief, Superfund Section  
Division of Waste Management

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

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

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

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

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

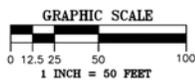
THIS PROPERTY HAS BEEN CONTAMINATED WITH DRY-CLEANING SOLVENT. A NOTICE OF DRY-CLEANING SOLVENT REMEDIATION IS RECORDED IN THE WAKE COUNTY REGISTER OF DEEDS OFFICE AT BOOK (FILL IN), PAGE (FILL IN). QUESTIONS CONCERNING THIS MATTER MAY BE DIRECTED TO THE NORTH CAROLINA DIVISION OF WASTE MANAGEMENT, SUPERFUND SECTION, DRY-CLEANING SOLVENT CLEANUP ACT (DSCA) PROGRAM, OR ITS SUCCESSOR IN FUNCTION.

1646 MAIL SERVICE CENTER  
RALEIGH, NC 27699-1646

The documentary component of this Notice of Dry Cleaning Solvent Remediation, limiting the uses of this property is recorded at: Deed Book \_\_\_\_\_, Page \_\_\_\_\_.

Sample ID	Depth (ft.)	Media	Contaminant Type & Standards			
			Units	PCE	TCE	VC
DM-1	10-20	Groundwater	(mg/l)	0.0007	0.003	0.000016
DM-2	10-20	Groundwater	(mg/l)	0.0007	0.003	0.000015
DM-3	10-20	Groundwater	(mg/l)	0.0007	0.003	0.000015
DM-7	5-14	Groundwater	(mg/l)	0.0007	0.003	0.000015
MW-3	N/A	Groundwater	(mg/l)	0.0007	0.003	0.000015
MW-5	40-50	Groundwater	(mg/l)	0.0007	0.003	0.000015

- Notes:
- PCE = Tetrachloroethene
  - TCE = Trichloroethene
  - VC = Vinyl chloride
  - mg/l = milligrams per liter, equivalent to parts per million.
  - N/A = Not available



- LEGEND**
- ▲ ... PROJECT CONTROL
  - ... TEMPORARY BENCHMARK
  - ... PERMANENT MONITORING WELL
  - ⊙ ... SANITARY SEWER MANHOLE
  - ... EXISTING PROPERTY CORNER (CAP)
  - ... EXISTING PROPERTY CORNER (REBAR)
  - ... DRAINAGE INLET
  - RCP ... REINFORCED CONCRETE PIPE
  - FES ... FLARED END SECTION
  - NF ... NOW OR FORMERLY
  - NMF ... NO MONUMENTATION FOUND AS EP
  - AS EP ... AIR SPARGE SOIL VAPOR EXTRACTION
  - DM ... DEEP MONITORING WELL
  - DM ... SHALLOW MONITORING WELL
  - MW ... MONITORING WELL
  - OP ... UNKNOWN WELL
  - RW ... RECOVERY WELL
  - STORM DRAINAGE PIPE
  - SANITARY SEWER PIPE
  - LINE NOT SURVEYED
  - CREEK BANK

DATE: 01-09-14  
BY: BRAWN, BR  
KDM

REVISIONS:  
CHECKED BY: ADK

SCALE: 1" = 50'

1 OF 1

SURVEY PLAT:  
Exhibit A to the Notice of Dry-Cleaning Solvent Remediation  
Property Owned by:  
N/F  
REGENCY RETAIL PARTNERSHIP LP  
DSCA Site ID #92-0003  
CITY OF RALEIGH, RALEIGH TOWNSHIP  
WAKE COUNTY, NORTH CAROLINA

SURVEYED BY:  
ESP Associates, P.A.  
5121 Kingdom Way  
Suite 208  
Raleigh, NC 27607  
phone 919.678.1070  
fax 919.677.1252  
www.espassociates.com

LICENSE NO. C-5587

DRY CLEANING SOLVENT REMEDIATION  
PLAT PREPARED FOR:  
URS CORPORATION - NC  
1600 Perimeter Park Drive, Suite 400  
Morrisville, NC 27560

**EXHIBIT B**  
**PROPERTY LEGAL DESCRIPTION**

Glenwood Village

## EXHIBIT "A"

Quit-Claim Deed  
Legal Description

BEGINNING AT A POINT IN THE WEST RIGHT OF WAY LINE OF OBERLIN ROAD, SAID POINT BEING AN EXISTING IRON PIPE S 34°14'53" W 233.48' FROM N.C.G.S. MON. "ARGYLE", SAID POINT BEING FURTHER DESCRIBED AS BEING THE SOUTHEAST CORNER OF PROPERTY BELONGING TO, NOW OR FORMERLY, L. W. MORRISSETTE; THENCE WITH THE WEST RIGHT OF WAY LINE OF OBERLIN ROAD S 00°22'21" E 86.10 FEET TO AN EXISTING IRON PIPE, THENCE CONTINUING ALONG THE WEST RIGHT OF WAY LINE OF OBERLIN ROAD S 09°53'00" E 178.0 FEET TO A MARK ON A ROCK, THE NORTHEAST CORNER OF, NOW OR FORMERLY, JOHN H. VORHEES; THENCE WITH THE NORTH LINE OF JOHN H. VORHEES, S 70°47'24" W 121.75' FEET TO AN EXISTING IRON PIPE, THE NORTHEAST CORNER OF, NOW OR FORMERLY, ALTON B. HARLAN PARTNERSHIP; THENCE WITH THE NORTH LINE OF ALTON B. HARLAN PARTNERSHIP S 63°20'00" W 182.85 FEET TO AN EXISTING IRON PIPE THE NORTHEAST CORNER OF, NOW OR FORMERLY, EARL R. BENNETT, THENCE WITH THE NORTH LINE OF EARL R. BENNETT S 89°19'11" W 91.69 FEET TO AN EXISTING IRON PIPE, AT THE SOUTHEAST CORNER OF A ONE STORY BRICK BUILDING; THENCE CONTINUING WITH THE NORTH LINE OF EARL R. BENNETT, THE SOUTH FACE OF THE ONE STORY BRICK BUILDING, N 47°04'36" W 137.84' TO A P. K. NAIL, THE SOUTHWEST CORNER OF THE ONE STORY BRICK BUILDING; THENCE CONTINUING WITH THE LINE OF EARL R. BENNETT THE WEST FACE OF THE ONE STORY BRICK BUILDING N 41°47'15" E 14.07 FEET TO A P. K. NAIL; THENCE CONTINUING WITH LINE OF EARL R. BENNETT N 44°08'58" W 24.89 FEET TO AN EXISTING IRON PIPE; THENCE S 68°16'31" W 18.71 FEET TO AN EXISTING IRON PIPE, THE NORTHWEST CORNER OF EARL R. BENNETT, SAID POINT ALSO BEING IN THE EAST LINE OF, NOW OR FORMERLY, GLENWOOD ENTERPRISES; THENCE WITH THE EAST LINE OF GLENWOOD ENTERPRISES N 23°12'17" E 522.40 FEET TO A MARK ON THE HEADWALL FOR THE CULVERTS SERVING BEAVER DAM CREEK IN THE SOUTH RIGHT OF WAY LINE OF GLENWOOD AVENUE, THE NORTHEAST CORNER OF GLENWOOD ENTERPRISES, THENCE WITH THE SOUTH RIGHT OF WAY LINE OF GLENWOOD AVENUE S 61°15'00" E 127.00' TO A NEW IRON PIPE, THE NORTHWEST CORNER OF NOW OR FORMERLY, L. W. MORRISSETTE; THENCE WITH THE WEST LINE OF L. W. MORRISSETTE S 25°12'52" W 93.57 FEET TO A NEW P. K. NAIL; THENCE CONTINUING WITH THE SOUTH LINE OF L. W. MORRISSETTE S 64°05'34" E 138.29 FEET TO A NEW P. K. NAIL; THENCE CONTINUING WITH L. W. MORRISSETTE S 85°51'04" E 63.67 FEET TO THE POINT AND PLACE OF BEGINNING, CONTAINING 3.976 ACRES MORE OR LESS.

APPENDIX C - 2  
NORP FOR THE OFFSITE PROPERTY  
(MARILYN M. BRANDT)

MAIL to:  
Paul Goodell  
Arcadis  
801 Corporate Center Drive  
Suite 301  
Raleigh, NC 27607

WAKE COUNTY, NC 23  
LAURA M RIDDICK  
REGISTER OF DEEDS  
PRESENTED & RECORDED ON  
05/29/2013 AT 09:27:59

BOOK:015289 PAGE:01714 - 01718

**NOTICE OF RESIDUAL PETROLEUM**

Former ExxonMobil Facility #43001, Wake County, North Carolina  
*(Site name)*

The property that is the subject of this Notice (hereinafter referred to as the "Site") contains residual petroleum and is an Underground Storage Tank (UST) incident under North Carolina's Statutes and Regulations, which consist of N.C.G.S. 143-215.94 and regulations adopted thereunder. This Notice is part of a remedial action for the Site that has been approved by the Secretary (or his/her delegate) of the North Carolina Department of Environment and Natural Resources (or its successor in function), as authorized by N.C.G.S. Section 143B-279.9 and 143B-279.11. The North Carolina Department of Environment and Natural Resources shall hereinafter be referred to as "DENR".

**NOTICE**

Petroleum product was released and/or discharged at the Site. **Petroleum constituents remain on the site, but are not a danger to public health and the environment, provided that the restrictions described herein, and any other measures required by DENR pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11, are strictly complied with.** This "Notice of Residual Petroleum" is composed of a description of the property, the location of the residual petroleum and the land use restrictions on the Site. The Notice has been approved and notarized by DENR pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11 and has/shall be recorded at the Wake County Register of Deeds' office  
*(name of county)*

Book \_\_\_\_, Page \_\_\_\_.

Any map or plat required by DENR has been/shall be recorded at the Wake County  
*(name of county)*  
Register of Deeds' office Book \_\_\_\_, Page \_\_\_\_, and has been/shall be incorporated into the Notice by this reference.

**Source Property**

**MARILYN BRANDT of RALEIGH, NORTH CAROLINA** is the owner  
*(Owner's name)* *(city & state of homeowner)*

In fee simple of all or a portion of the Site, which is located in the County of Wake, State of North Carolina, and is known and legally described as:

Real Estate Identification Number: 0049257

Pin Number: 1705027122000

Description from Mutual Cancellation and Release Agreement from Exxon Company, U.S.A, to L.W. Morrisette dated April 1, 1995, recorded in Book 6479 at Page 0446, in the Wake County Registry.

A piece or parcel of land situate in the City of Raleigh, County of Wake, State of North Carolina, full described as follows:

Beginning at a stake in the south line of a 55 ft. strip of land along U.S. Highway 15 and 70 dedicated to public use by J. Y. Phelps, said beginning point being the east margin of Essex Circle; thence S. 65 deg. 54' E. 162.62 ft. along line of said strip to a stake, said stake being in the west line of a 35 ft. strip of land along Oberlin Road dedicated to the City of Raleigh, North Carolina by J.Y. Phelps; thence S. 4 deg. 30' E. 81.75 ft. along a line of said strip to a stake; thence N. 87 deg. 00' W. 64.66 ft. to an iron stake; thence N. 65 deg. 23' W. 138.29 ft. more or less to an iron stake on the east side of Essex Circle, thence N. 22 deg. 47 E. 93.58 ft. along the east line of Essex Circle to the point of beginning. According to a survey and map made July 12, 1952, by William W. Boyce, Reg. Eng., Raleigh, North Carolina and being further described as Area "C" on a map of "Glenwood Village" made November, 1951 by Lambe & Funk, Engineers.

Additional Affected Property Also Subject to Restrictions

\_\_\_\_\_ of \_\_\_\_\_ is the owner in fee simple of a portion of  
(Owner's Name) (City & State of owner)  
the Site, which is located in the County of \_\_\_\_\_, State of North Carolina. Petroleum contamination is located on this property at the time this Notice is approved. This property was also owned or controlled by the underground storage tank owner or operator or another party responsible for the petroleum discharge or release at the time the discharge or release was discovered or reported, or at any time thereafter. This property is known and legally described as:

*(Insert Real Property Description Here for Additional Properties Owned or Controlled by Any Owner or Operator of the Underground Storage Tank or Other Responsible Party, if Applicable)*

For protection of public health and the environment, the following land use restrictions required by N.C.G.S. Section 143B-279.9(b) shall apply to all of the above-described real property. These restrictions shall continue in effect as long as residual petroleum remains on the site in excess of unrestricted use standards and cannot be amended or cancelled unless and until the **Wake** County Register of Deed receives and records the written concurrence of the Secretary (or his/her delegate) of DENR (or its successor in function).

Additional Affected Property Not Subject to Restrictions

Additionally residual petroleum is also located on the following property. The following property is not subject to land use restrictions pursuant to N.C.G.S. Section 143B-279.9(b). The following property is known and legally described as:

(Insert Legal Description of Other Real Property Affected by Residual Petroleum Not Owned or Controlled by Any Owner or Operator of the Underground Storage Tank or Other Responsible Party, if Applicable)

**PERPETUAL LAND USE RESTRICTIONS**

*Soil: The Site shall be used for industrial/commercial use only. Industrial/commercial use means a use where exposure to soil contamination is limited in time and does not involve exposure to children or other sensitive populations such as the elderly or sick. The real property shall not be developed or utilized for residential purposes including but not limited to: primary or secondary residences (permanent or temporary), schools, daycare centers, nursing homes, playgrounds, parks, recreation areas and/or picnic areas.*

*Groundwater: Groundwater from the site is prohibited from use as a water supply. Water supply wells of any kind shall not be installed or operated on the site.*

**ENFORCEMENT**

The above land use restriction(s) shall be enforced by any owner, operator, or other party responsible for the Site. The above land use restriction(s) may also be enforced by DENR through any of the remedies provided by law or by means of a civil action, and may also be enforced by any unit of local government having jurisdiction over any part of the Site. Any attempt to cancel this Notice without the approval of DENR (or its successor in function) 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 restriction(s) 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.

IN WITNESS WHEREOF, JOEL LARKIN has caused this Notice to be executed pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11, this 1 day of May, 2013

By: JOEL LARKIN  
(name of responsible party if agent is signing)  
[Signature]  
(signature of responsible party, attorney or other agent if there is one)

Signatory's name typed or printed: JOEL LARKIN  
(Title of agent for responsible party if there is one)

Fayette COUNTY

I, Julia Cable, a Notary Public for said County and State, do hereby certify that Joel Larkin Personally came before me this day and acknowledged that he is \_\_\_\_\_ of \_\_\_\_\_ and acknowledged, on behalf of  \_\_\_\_\_, the grantor the due execution of the foregoing instrument.

WITNESS my hand and official seal, this the 1 day of May, 2013.

(Official Seal)

Julia M. Cable  
Notary Public (signature)



My commission expires 6/7, 2016."

Approved for the purposes of N.C.G.S. 143B-279.11

Mark R. Powers

(signature of Regional Supervisor)

MARK R. POWERS, Regional Supervisor

(printed name of Regional Supervisor)

RALEIGH Regional Office  
UST Section  
Division of Waste Management  
Department of Environment and Natural Resources

NORTH CAROLINA  
Wake COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: Mark R. Powers (full printed name of Regional Supervisor)

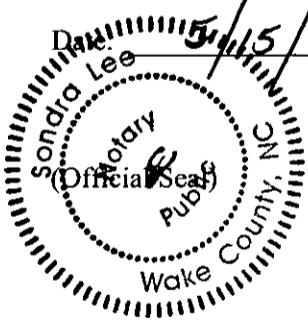
Date: 5/15/13

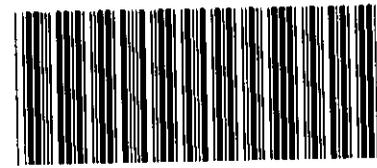
Sondra Lee

Notary Public

My commission expires:

11/6/2017





BOOK:015289 PAGE:01714 - 01718

**Yellow probate sheet is a vital part of your recorded document.  
Please retain with original document and submit for rerecording.**



**Wake County Register of Deeds  
Laura M. Riddick  
Register of Deeds**

**This Customer Group**  
\_\_\_\_\_ # of Time Stamps Needed

**This Document**  
\_\_\_\_\_ New Time Stamp  
\_\_\_\_\_ # of Pages

5  
F

**APPENDIX D**

**EXAMPLE ANNUAL DSCA LAND-USE RESTRICTIONS CERTIFICATIONS**

**Annual Certification of Land-Use Restrictions**

**Site Name:** Rainbow Cleaners  
**Site Address:** 2603 Glenwood Avenue, Raleigh, Wake County  
**DSCA ID No:** 92-0003

**ANNUAL CERTIFICIATION of LAND-USE RESTRICTIONS**

Pursuant to Condition 3 in the Notice of Dry-Cleaning Solvent Remediation (Notice) signed by Regency Retail Partnership, LP and recorded in Deed Book <blank>, Page <blank> on <date> at the Wake County Register of Deeds Office, Regency Retail Partnership, LP 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\_\_.

Regency Retail Partnership, LP  
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 E**  
**EXAMPLE DOCUMENTS ANNOUNCING 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 # 92-0003  
Former Rainbow Cleaners, 2603 Glenwood Avenue, Raleigh

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](http://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:

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

Remediation of Dry-Cleaning Solvent Contamination  
DSCA Site # 92-0003  
Former Rainbow Cleaners, 2603 Glenwood Avenue, Raleigh  
Page 2

<date>

A Summary of the NOI is being published in the News & 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)707-8362.

Sincerely,

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

Attachments: Risk Management Plan

Cc: DSCA Site # 92-0003 File

**Public Notice**

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

Rainbow Cleaners  
DSCA Site # 92-0003

Pursuant to N.C.G.S. §143-215.104L, on behalf of Regency Retail Partnership, LP, 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.

Rainbow Cleaners formerly conducted dry-cleaning operations at the Glenwood Village shopping center at 2603 Glenwood Avenue, in Raleigh, North Carolina. The property is currently occupied by the Harris Teeter grocery store. Dry-cleaning solvent contamination in soil and/or ground water has been identified at the following parcel(s):

2603 Glenwood Avenue, in Raleigh; Parcel No. 1705016828  
2601 Glenwood Avenue, in Raleigh; Parcel No. 1705027122

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 [REDACTED], 20 [REDACTED], and ends [REDACTED], 20 [REDACTED].***

Comments must be in writing and submitted to DENR no later than [REDACTED], 20 [REDACTED]. Written requests for a public meeting may be submitted to DENR no later than [REDACTED], 20 [REDACTED]. Requests for additional information should be directed to Dianne Thomas at (919)707-8362.

All comments and requests should be sent to:

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



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

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 2603 Glenwood Avenue  
Raleigh, 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 Rainbow Cleaners at 2603 Glenwood Avenue in Raleigh. (The property is currently occupied by the Harris Teeter grocery store.) 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) 707-8362, or Peter Doorn at (919) 707-8369.

Sincerely,

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

Attachments: Summary of the NOI

Cc: DSCA Site # 92-0003 File