



April 21, 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. Delonda Alexander
DSCA Project Manager

Re: **Risk Management Plan**
The Cleaners - DSCA Site ID #92-0031
3209 Avent Ferry Road
Raleigh, Wake County, North Carolina

Dear Ms. Alexander:

URS Corporation – North Carolina (URS) is pleased to provide the attached Risk Management Plan (RMP) for The Cleaners site located at 3209 Avent Ferry Road, 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 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

F I N A L

**Risk Management Plan
The Cleaners - DSCA Site ID # 92-0031
3209 Avent Ferry Road
Wake County
Raleigh, North Carolina 27606**

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

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1.0 INTRODUCTION

URS Corporation – North Carolina (URS) has prepared this Risk Management Plan (RMP) to address dry-cleaning solvent contamination associated with The Cleaners site (DSCA Site #92-0031) on behalf of the North Carolina Department of Environment and Natural Resources (NCDENR) Dry-Cleaning Solvent Cleanup Act (DSCA) Program. The Cleaners site (herein after referred to as site or subject property) is located at 3209 Avent Ferry Road, Wake County, Raleigh, North Carolina. Site assessment activities have confirmed that soil and groundwater contamination associated with the site is confined to the source property. The site location is shown on the attached **Figure 1**. 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 soil assessment activities at the site which indicated tetrachloroethene (PCE), trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), and vinyl chloride (VC) soil impacts exist above unrestricted land-use standards. Additionally, groundwater assessment activities were completed at the site and indicated that PCE, TCE, cis-1,2-DCE, and VC groundwater impacts exist at levels exceeding the Title 15A NCAC 2L .0202 Groundwater Standards (2L Standards) on the source property. Vapor intrusion assessment activities were completed at the site and indicated chlorinated solvent impacts in indoor air and subslab vapor samples collected at the subject site and the adjacent laundromat.

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

3.0 SUMMARY OF RISK ASSESSMENT REPORT

As documented in the following reports (Prioritization Assessment Report, dated April 2008; Analytical and Assessment Report, dated June 2009; Subslab Vapor Quality Evaluation Results Report, dated January 2010; Groundwater Monitoring Report, dated March 2010; Indoor Air

Quality Evaluation Results Report, dated April 2010; Analytical Data Table Report, dated November 2012; and Groundwater Monitoring Report, dated July 2013) investigation activities completed to date have indicated the presence of soil contaminants, groundwater contaminants, and indoor air/subslab vapor contaminants on the site property (on-site exposure unit and off-site exposure unit #1) 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 The Cleaners, dated August 2013.

The site is currently zoned as commercial property. To be protective of unknown property zoning in the future, the risk assessment was completed to assume that the site 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 (site) and Off-Site Exposure Unit #1 (site). Exposure units are shown on **Figure 2**. The exposure model evaluation indicated the following complete exposure pathways for the On-Site Exposure Unit (site), and Off-Site Exposure Unit #1 (site):

On-Site Exposure Unit

- **Surface Soil Exposure** – Impacted surface soil is present making a complete exposure pathway. Surface soil exposure was evaluated for current conditions (commercial property), future conditions (residential and commercial properties) and construction worker.
- **Indoor Inhalation of Vapor Emissions from Soil** – Impacted soil 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).
- **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 Soil** - Impacted soil 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.

- **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.

In lieu of representative concentrations (RCs), the most elevated soil, groundwater, and/or subslab/indoor air concentrations observed at the site were used as described in the risk assessment for the On-Site Exposure Unit. Site-specific Domenico groundwater modeling results indicated exceedances of site-specific target levels (SSTLs) for source soil at a distance of 115 feet (distance to downgradient property boundary of the first property encountered where groundwater impacts have not been observed). However, the evaluation of site groundwater conditions indicates that the plume has not migrated as far as the modeling projects. Some of the modeling inputs are conservative parameters, specifically the rate of infiltration which may not be representative of the current land cover (i.e., asphalt, concrete). Such land cover would reasonably minimize infiltration in the source area and likely affect the documented plume migration at the site. However, because the rate of infiltration is a significant variable in the leaching of contamination from soil and subsequent migration in groundwater, it is reasonable that plume expansion would occur as indicated by the model in the event that site conditions were altered such that infiltration rates increased in area of source contamination. Therefore, it is recommended that land-use controls be utilized to maintain current infiltration conditions in the areas of impacted soils exceeding the SSTL in the area depicted on **Figure 3**. The modeling results for the protection of surface water quality at Walnut Creek over a distance of 500 feet indicated no exceedances of SSTLs in source soils.

Site-specific Domenico groundwater modeling results indicated exceedances of SSTLs for source groundwater at a distance of 115 feet. However, this model does not account for physical and/or biological contaminant degradation that may be occurring naturally in the subsurface as the contaminant(s) migrate between the source area and the point of exposure. It is apparent that degradation is occurring at the site based on the presence of daughter products at wells MW-1, MW-2, and MW-3, and the non-detection of contaminant concentrations observed in downgradient wells MW-7 and MW-8. Based on the nondetection of contaminant concentrations observed in downgradient wells, groundwater contamination above the NCDENR 2L groundwater standard is not expected to migrate offsite and will not create an exceedance at the point of exposure referenced above. The modeling results for the protection of surface water

quality at Walnut Creek over a distance of 500 feet indicated no exceedances of SSTLs in source groundwater.

The On-Site Exposure Unit passed the risk evaluation for current complete exposure pathways. However, as discussed in the risk assessment report, because the indoor air quality data used as part of the risk assessment was calculated based on adjusted subslab vapor data beneath the onsite exposure unit and a dilution attenuation factor (DAF) established across the building slab, it is recommended that prior to using any portion of the On-Site Exposure Unit for any purpose other than dry-cleaning operations (including dropoff/pickup dry-cleaning operations), the property owner must demonstrate that indoor air does not pose an unacceptable risk to occupants. The risk evaluation failed for the indoor air exposure pathway for both residential and commercial exposure in the future. The future indoor air exposure pathway can be addressed through the imposition of land-use controls specific to the consideration of vapor mitigation measures in respect to future property development.

Finally, land-use controls should be implemented on the 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 Off-Site Exposure Unit passed the risk evaluation for current complete exposure pathways. However, the evaluation failed for the indoor air exposure pathway for both residential and commercial exposure in the future. The future indoor air exposure pathway can be addressed through the imposition of land-use controls specific to the consideration of vapor mitigation measures in respect to future property development.

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

4.0 REMEDIAL ACTION PLAN

4.1 Assessment Activities and Interim Actions

The site property is an 8.38-acre parcel at the corner of Avent Ferry Road and Gorman Street in the Avent Ferry shopping center. The shopping center consists of several tenants including a laundromat, Subway, Family Dollar, United States Post Office, Division of Motor Vehicles, and smaller retail spaces. The dates of dry-cleaning operations are unknown; however, the facility has been operating as a dry-cleaning pick-up/drop-off facility since at least 2006, when the site entered the DSCA program.

The property owner, WRI Raleigh, LP, submitted a petition on January 31, 2006 to request admittance of the site into the DSCA Program. The site was certified into the program on March 27, 2006, and an Assessment and Remediation Agreement was executed.

Initial assessment activities executed by URS were conducted in August 2007, which included the advancement of two (2) soil borings within the dry-cleaning facility near the suspected location of the former dry-cleaning machine to evaluate potential contaminant source areas. Soil samples were collected and then submitted for laboratory analysis of volatile organic compounds (VOCs) by EPA Method 8260. PCE was detected in surficial soil samples with concentrations up to 0.014 milligrams per kilogram (mg/kg). Additionally, the advancement of three (3) Type II monitoring wells was observed by URS personnel. A subsurface soil sample from each of the Type II monitoring wells was collected during well advancement and submitted for VOC analysis. The highest soil PCE concentration was present in the subsurface soil sample collected from 7 feet below ground surface (ft bgs) at the MW-3 location, which was located just outside of the loading dock area on the east side of the dry-cleaner at a concentration of 0.17 mg/kg. Following installation and development of the newly installed wells, URS collected groundwater samples from the wells and submitted the samples for laboratory analysis of VOCs by EPA Method 8260. The maximum concentrations of PCE and TCE detected during initial site activities in groundwater were 300 micrograms per liter (ug/L) and 260 ug/L, respectively.

Following the first round of assessment activities, laboratory data indicated that the horizontal extent of soil and groundwater impacts had not been delineated for the site. Therefore, two (2) additional Type II monitoring wells and three (3) additional soil borings were advanced outside of the dry-cleaner in early January 2008. Soil samples indicated that soil impacts had generally been delineated to applicable risk-based limits, and groundwater impacts had generally been delineated to the north and west. In April 2008, URS submitted a Prioritization Assessment Report (PAR) to the DSCA Program, outlining the details of the initial assessment activities.

Between September 2008 and February 2009, one (1) Type III monitoring well and two (2) additional Type II monitoring wells were installed at the site. During this period, a surface water sample and in-situ pore water sample were collected from Walnut Creek. No surface water impacts were identified. Results of assessment activities completed between September 2008 and February 2009 were reported to the DSCA Program on June 15, 2009 in an Analytical and Assessment Report. As documented in the Analytical and Assessment Report, assessment activities completed indicated that the extent of impacted groundwater and soil were adequately delineated in respect to applicable screening levels and the constituents of concern at the site were PCE, TCE, cis-1,2-DCE, trans-1,2-DCE, and VC.

As groundwater was adequately delineated at the site, URS began quarterly monitoring of the existing monitoring wells MW-1 through MW-7, and DMW-1, which included sampling in March, June, September, and December 2009. Results of the quarterly groundwater monitoring events were reported to the DSCA Program on March 19, 2010, which concluded that contaminant plume stability was demonstrated.

An additional groundwater monitoring event to further confirm plume stability was completed at the site in October 2012 and reported to the DSCA Program on November 5, 2012 in an Analytical Data Table Report. To further refine delineation of the groundwater plume, one additional Type II groundwater monitoring well was later installed and sampled in June 2013. A Groundwater Monitoring Report was submitted to the DSCA Program on July 30, 2010 to report the groundwater quality results from the newly installed monitoring well, which indicated no contamination on the adjacent, downgradient offsite property.

Between December 2009 and February 2010, vapor intrusion sampling activities were completed at the site in accordance with the air sampling requirements of DSCA Contractor Bulletin #30, dated September 10, 2009. As the facility was operating as a pick-up/drop-off facility, a subslab vapor sample was collected from beneath the floor slab of the dry-cleaning facility. A Subslab

Vapor Quality Evaluation Results report was submitted to the DSCA Program on January 28, 2010. The analytical results of sub-slab vapor sample SSV-1 indicated elevated concentrations of chlorinated solvents exceeding the applicable screening level, warranting additional vapor/indoor air assessment. Therefore, an indoor air sample, ambient air sample, and sub-slab vapor sample were collected from beneath the floor slab of the adjacent laundromat tenant space. An Indoor Air Quality Evaluation Results report, dated April 6, 2010, documented the additional vapor and indoor air assessment activities completed at the adjacent tenant space. As documented in the April 6, 2010 report, indoor air results did not exceed applicable DSCA indoor air risk screening levels.

When soil, groundwater, and vapor/indoor air assessment activities were completed at the site, URS submitted a Risk Assessment Report for the site to the DSCA Program on August 9, 2013 which was approved by the DSCA Program on August 13, 2013. As discussed in detail in Section 3.0, the risk assessment concluded that risks associated with the contamination could be managed through implementation of site-specific 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 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

A total of five (5) groundwater monitoring events have been conducted for monitoring wells MW-1 through MW-7, and DMW-1 in March 2009, June 2009, September 2009, December 2009, and October 2012. Constituents detected in groundwater samples from the site include:

PCE, TCE, cis-1,2-DCE, trans-1,2-DCE, VC, and 1,1-DCE. All constituents were detected at concentrations exceeding the 2L Standards. URS focused on PCE and TCE as COCs for evaluation of plume stability.

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 concentrations in the groundwater samples collected from monitoring well MW-2 remained relatively constant during the quarterly sampling events 2009 (concentrations ranged from 580 ug/L to 800 ug/L); however, concentrations appear to have decreased by an order of magnitude during the recent October 2012 sampling event as a concentration of 27 ug/L was reported. The same trend was followed for TCE and cis-1,2-DCE. No VOCs were detected above 2L Standards in groundwater samples collected from downgradient monitoring well MW-7 or upgradient monitoring well MW-5 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

RCs 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 within each exposure domain. Hence, this condition has been met for each COC and exposure pathway for the site.

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 site and adjacent 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 site to ensure that these assumptions remain valid.

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 or adjacent property, assuming 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

The risk assessment conducted for the site was based on assumptions that usage of the property is currently commercial and future use could potentially be residential. The recommendation for closure in the risk assessment for the site was based on the following land-use conditions:

- The source property shall not be used for child care centers or schools, or for mining without prior written approval from NCDENR;
- Groundwater may not be utilized on the source property without prior approval of NCDENR;
- No activities that cause or create a vapor intrusion risk may occur on the source property without prior approval of NCDENR; and
- The current land cover overlying the soil source area on the source property may not be removed without prior approval of NCDENR.

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 site 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 plat showing the locations and types of dry-cleaning solvent impacts on the site are included as an exhibit to the NDCSRs. The locations of dry-cleaning solvent impacts are where contaminants have been detected above unrestricted use standards. As discussed in Section 4.1, PCE is the primary COC for the site.

7.0 LONG-TERM STEWARDSHIP PLAN

The NDCSR contains 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 groundwater plume is stable and confined to the site property 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, for the site property, at the request of the 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 subject 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 Cleaners site on behalf of the 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)



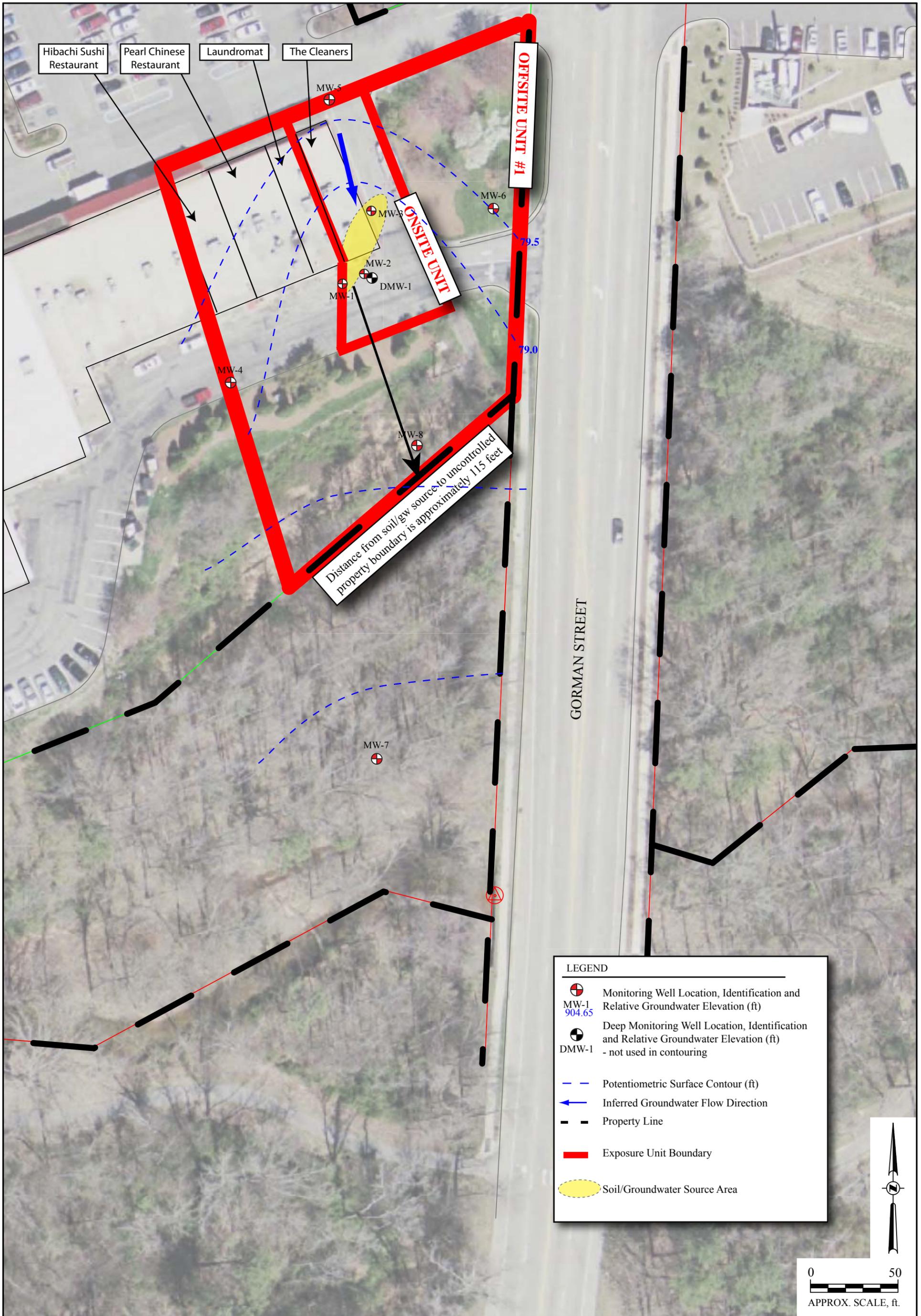
URS CORPORATION – NORTH CAROLINA
 TWO SOUTH EXECUTIVE PARK
 6125 PARK SOUTH DRIVE, SUITE 300
 CHARLOTTE, NC 28210
 TEL: (704) 522-0330
 FAX: (704) 522-0063



Site Location Map
 The Cleaners
 3209 Aventura Ferry Rd.
 Raleigh, North Carolina
 DSCA ID # 92-0031

DRAWN BY: C.J.L. - 9/5/07
 CHECKED BY: K.M.M. - 9/5/07
 PROJECT NO:

SHEET
 Att. 1



LEGEND

- Monitoring Well Location, Identification and Relative Groundwater Elevation (ft)
MW-1
904.65
- Deep Monitoring Well Location, Identification and Relative Groundwater Elevation (ft)
DMW-1
- not used in contouring
- Potentiometric Surface Contour (ft)
- Inferred Groundwater Flow Direction
- Property Line
- Exposure Unit Boundary
- Soil/Groundwater Source Area

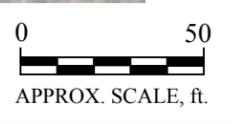
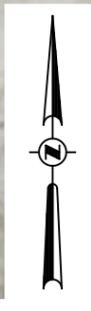


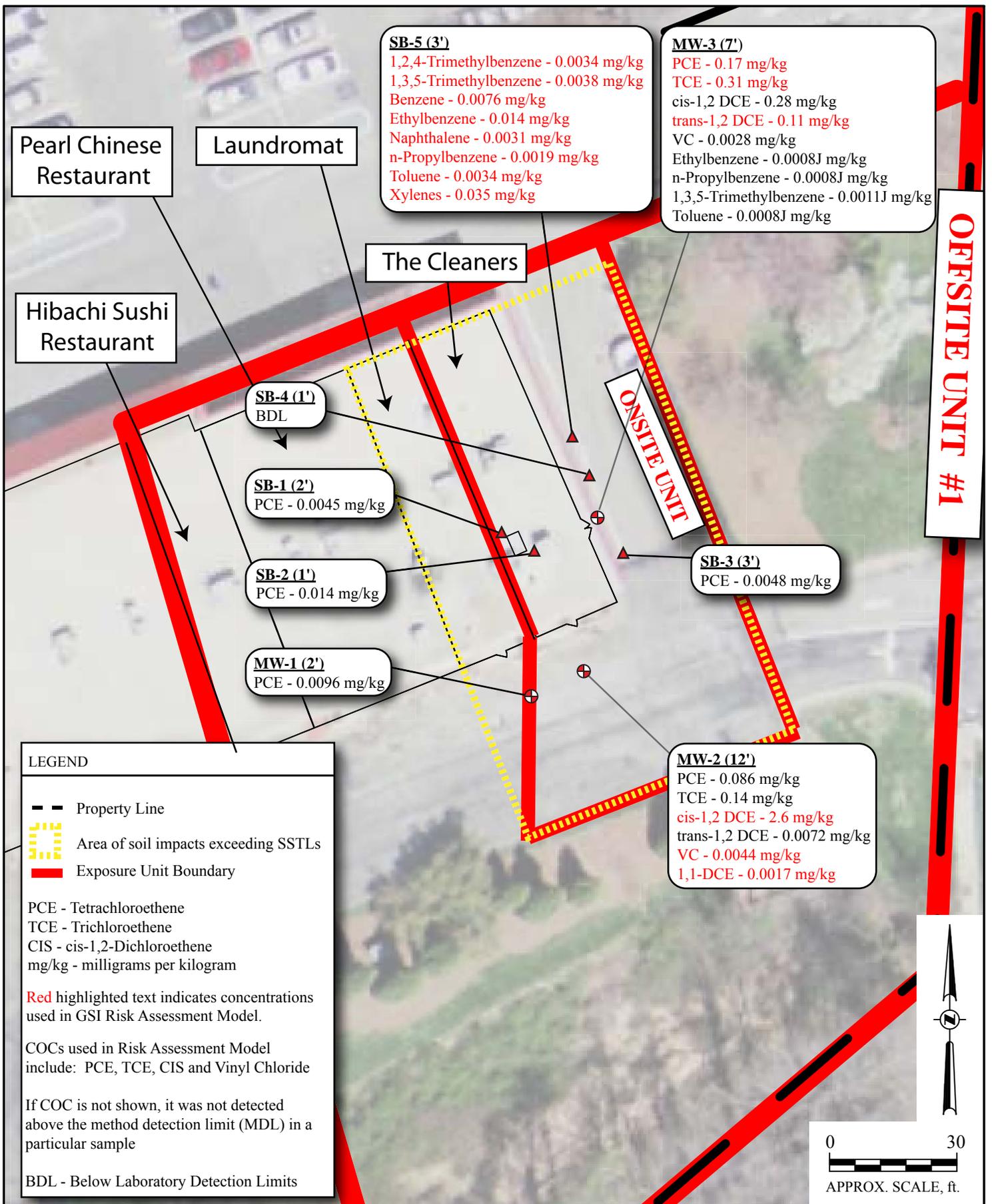
Figure 2
SHEET

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CHECKED BY:	JMR - 10/17/12
PROJECT NO.:	38854413



URS CORPORATION - NORTH CAROLINA
TWO SOUTH EXECUTIVE PARK
6135 PARK SOUTH DRIVE, SUITE 300
CHARLOTTE, NC 28210
TEL: (704) 522-0330
FAX: (704) 522-0063

Exposure Unit Location Map
The Cleaners
3209 Avent Ferry Road
Raleigh, NC
DSCA Site # 92-0031



URS CORPORATION - NORTH CAROLINA
 TWO SOUTH EXECUTIVE PARK
 6135 PARK SOUTH DRIVE, SUITE 300
 CHARLOTTE, NC 28210
 TEL: (704) 522-0330
 FAX: (704) 522-0063



SOIL IMPACTS EXCEEDING SSTLS
 THE CLEANERS
 3209 AVENT FERRY ROAD
 RALEIGH, NC
 DSCA SITE # 92-0031

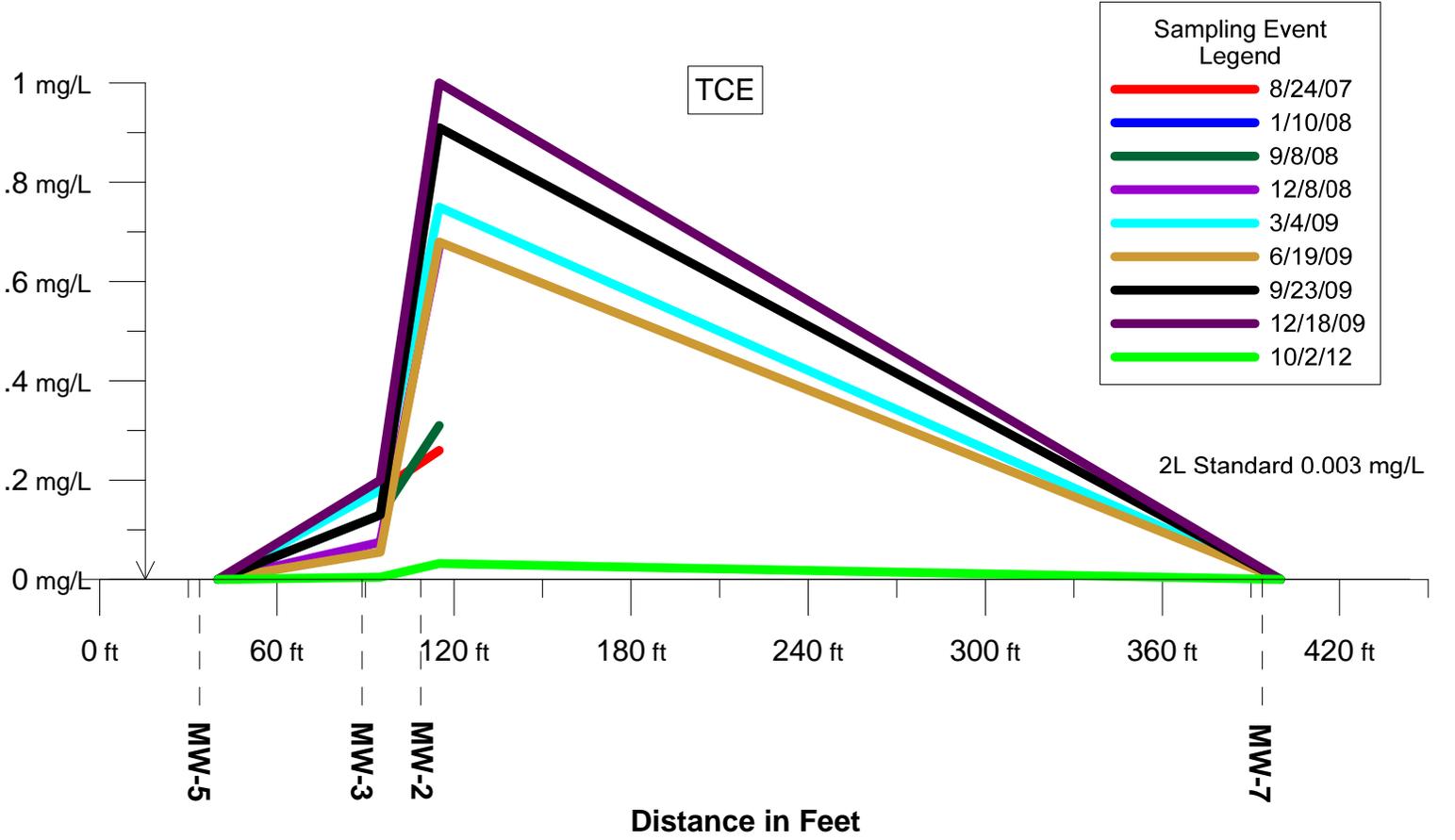
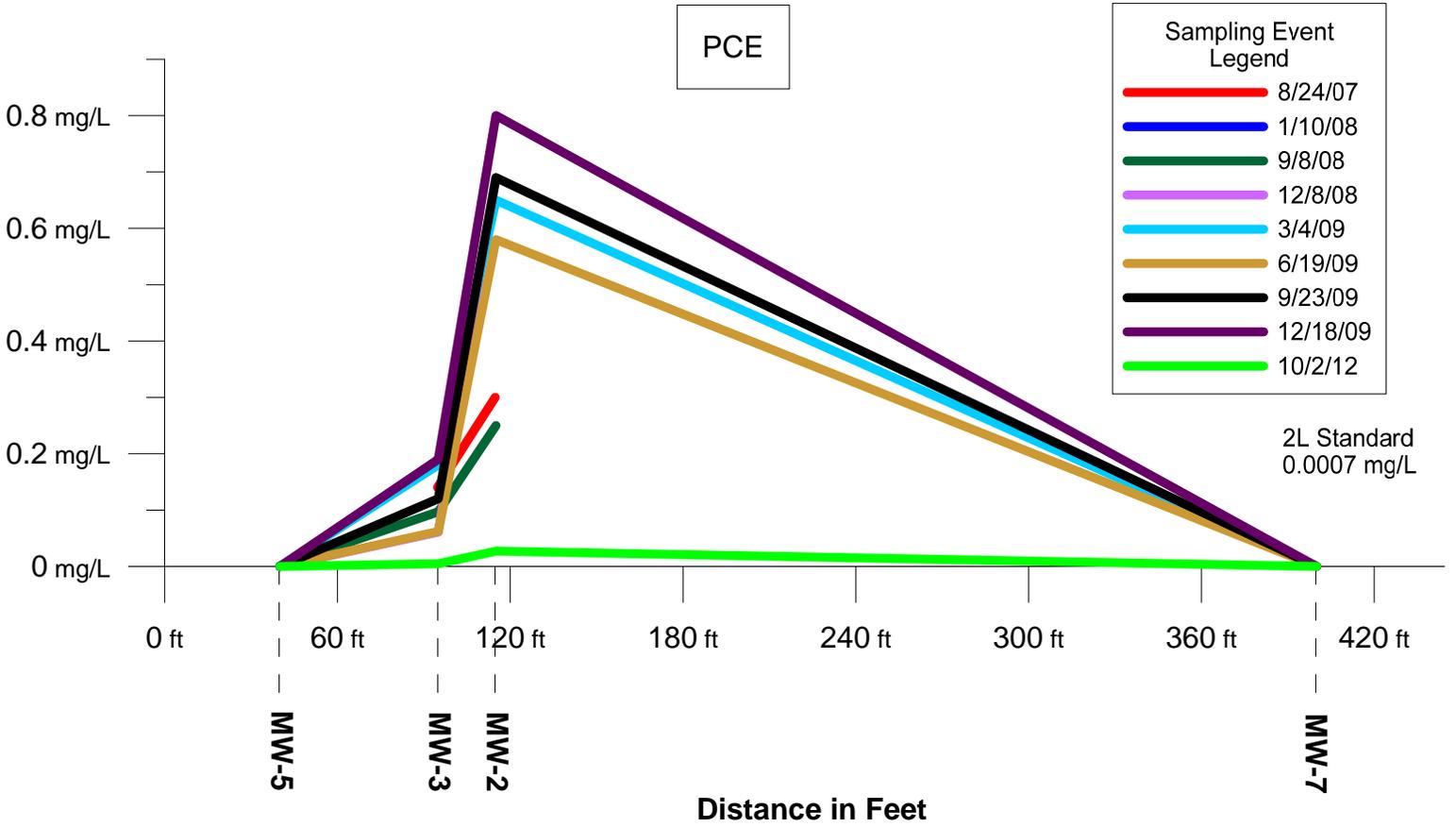
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 CHECKED BY: JMR - 6/30/09
 PROJECT NO.: 38854413

SHEET
 Figure 3

APPENDIX A

DOCUMENTATION OF PLUME STABILITY EVALUATION

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





LEGEND

-  Monitoring Well Location
-  Deep Monitoring Well Location

SHEET:
ATT. 14

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URS CORPORATION - NORTH CAROLINA
TWO SOUTH EXECUTIVE PARK
6135 PARK SOUTH DRIVE, SUITE 300
CHARLOTTE, NC 28210
TEL: (704) 522-0330
FAX: (704) 522-0063

Monitoring Well Location Map
The Cleaners
3209 Avent Ferry Road
Raleigh, NC
DSCA Site # 92-0031

Table 8: Analytical Data for Groundwater

DSCA ID No.: 92-0031

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)	1,1-Dichloroethene	Acetone						
		[mg/L]																		
MW-01	8/10/07	< 0.005	0.38	< 0.005	< 0.005	< 0.005	0.2	< 0.005	0.0034 j	0.1	< 0.005	< 0.005	< 0.005							
MW-02	8/24/07	< 0.001	0.72	< 0.001	< 0.001	< 0.001	0.3	< 0.001	0.011	0.26	0.0021	< 0.001	< 0.001							
MW-03	8/24/07	< 0.001	0.14	< 0.001	< 0.001	< 0.001	0.14	< 0.001	0.017	0.18	0.0021	< 0.001	< 0.001							
MW-04	1/10/08	< 0.001	< 0.001	< 0.001	0.0009 9 j	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001							
MW-05	1/10/08	< 0.001	0.0003 6 j	< 0.001	< 0.001	< 0.001	0.0007 5 j	< 0.001	< 0.001	0.0003 j	< 0.001	< 0.001	< 0.001							
MW-01	9/8/08	< 0.001	0.33	< 0.001	< 0.001	< 0.001	0.21	< 0.001	0.0089	0.17	< 0.001	< 0.001	< 0.001							
MW-02	9/8/08	< 0.001	0.99	< 0.001	< 0.001	< 0.001	0.25	< 0.001	0.021	0.31	0.003	< 0.001	< 0.001							
MW-03	9/8/08	< 0.001	0.17	< 0.001	< 0.001	< 0.001	0.097	< 0.001	0.0094	0.13	< 0.001	< 0.001	< 0.001							
MW-04	9/8/08	< 0.001	< 0.001	< 0.001	0.0006 5 j	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001							
MW-05	9/8/08	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	0.0005 8 j	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001							
HPP-01	9/9/08	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001							
DMW-01	9/17/08	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001							
MW-06	9/17/08	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001							
DMW-01	12/8/08	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001							
MW-01	12/8/08	< 0.002	0.8	< 0.002	< 0.002	< 0.002	0.66	< 0.002	0.015	0.3	0.0011 j	< 0.002	< 0.002							

Table 8: Analytical Data for Groundwater

ADT 8

DSCA ID No.: 92-0031

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)	1,1-Dichloroethene	Acetone						
		[mg/L]																		
MW-02	12/8/08	< 0.005	1.7	< 0.005	< 0.005	< 0.005	0.69	< 0.005	0.028	0.67	0.0028 j	< 0.005	< 0.005							
MW-03	12/8/08	< 0.001	0.18	< 0.001	< 0.001	< 0.001	0.061	< 0.001	0.0072	0.075	< 0.001	< 0.001	< 0.001							
MW-04	12/8/08	< 0.001	< 0.001	< 0.001	0.0007 5 j	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001							
MW-05	12/8/08	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001							
MW-06	12/8/08	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001							
MW-01	3/4/09	< 0.0050	0.82	< 0.0050	< 0.0050	< 0.0050	0.79	< 0.0050	0.012	0.36	0.0020 J	< 0.0050	< 0.0050							
MW-02	3/4/09	< 0.010	1.8	< 0.010	< 0.010	< 0.010	0.65	< 0.010	0.024	0.75	< 0.010	< 0.010	< 0.010							
MW-03	3/4/09	< 0.0010	0.23	< 0.0010	< 0.0010	< 0.0010	0.18	< 0.0010	0.012	0.18	0.0012	< 0.0010	< 0.0010							
MW-04	3/4/09	< 0.0010	< 0.0010	< 0.0010	0.0006 3 J	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
MW-05	3/4/09	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
MW-06	3/4/09	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
MW-07	3/4/09	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
DMW-01	3/4/09	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
DMW-1	6/19/09	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
MW-1	6/19/09	< 0.0020	0.83	< 0.0020	< 0.0020	< 0.0020	0.6	0.0012 J	0.015	0.35	0.0016 J	0.0016 J	< 0.0020							

Table 8: Analytical Data for Groundwater

ADT 8

DSCA ID No.: 92-0031

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)	1,1-Dichloroethene	Acetone						
		[mg/L]																		
MW-2	6/19/09	< 0.010	1.9	< 0.010	< 0.010	< 0.010	0.58	< 0.010	0.028	0.68	< 0.010	< 0.010	< 0.010							
MW-3	6/19/09	< 0.0010	0.12	< 0.0010	< 0.0010	< 0.0010	0.062	< 0.0010	0.0042	0.055	< 0.0010	< 0.0010	< 0.0010							
MW-4	6/19/09	< 0.0010	< 0.0010	< 0.0010	0.0008 1 J	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
MW-5	6/19/09	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
MW-6	6/19/09	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
MW-7	6/19/09	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
DMW-01	9/23/09	< 0.0010	< 0.0010	< 0.0010	0.0008 7 J	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
MW-01	9/23/09	< 0.0050	1	< 0.0050	< 0.0050	< 0.0050	0.59	< 0.0050	0.012	0.31	< 0.0050	< 0.0050	< 0.0050							
MW-02	9/23/09	< 0.020	4	< 0.020	< 0.020	< 0.020	0.69	< 0.020	0.029	0.91	< 0.020	< 0.020	< 0.020							
MW-03	9/23/09	< 0.0010	0.33	< 0.0010	< 0.0010	< 0.0010	0.12	< 0.0010	0.0075	0.13	< 0.0010	< 0.0010	< 0.0010							
MW-04	9/23/09	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
MW-05	9/23/09	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
MW-06	9/23/09	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
MW-07	9/23/09	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
DMW-01	12/18/09	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							

Table 8: Analytical Data for Groundwater

ADT 8

DSCA ID No.: 92-0031

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)	1,1-Dichloroethene	Acetone						
		[mg/L]																		
MW-01	12/18/09	< 0.010	1.7	< 0.010	< 0.010	< 0.010	0.92	< 0.010	0.021	0.56	0.0041 J	< 0.010	< 0.010							
MW-02	12/18/09	< 0.010	3.7	< 0.010	< 0.010	< 0.010	0.8	< 0.010	0.045	1	0.0068 J	< 0.010	< 0.010							
MW-03	12/18/09	< 0.0010	0.56	< 0.0010	< 0.0010	< 0.0010	0.19	< 0.0010	0.025	0.2	0.003	< 0.0010	< 0.0010							
MW-04	12/18/09	< 0.0010	< 0.0010	< 0.0010	0.0007 2 J	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
MW-05	12/18/09	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
MW-06	12/18/09	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
MW-07	12/18/09	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010							
DMW-1	10/2/12	< 0.0010	0.0004 7 J	< 0.0010	< 0.0010	< 0.0010	0.0008 0 J	< 0.0010	< 0.0010	0.0004 4 J	< 0.0010	< 0.0030	< 0.0010							
MW-1	10/2/12	< 0.0050	1.3	< 0.0050	< 0.0050	< 0.0050	0.21	< 0.0050	0.017	0.25	0.0030 J	< 0.015	< 0.0050							
MW-2	10/2/12	< 0.0010	0.13	< 0.0010	< 0.0010	< 0.0010	0.027	< 0.0010	0.0018	0.032	0.0011	< 0.0030	0.0006 4 J							
MW-3	10/2/12	< 0.0020	0.79	< 0.0020	< 0.0020	< 0.0020	0.0048	< 0.0020	0.023	0.0047	0.0013 J	< 0.0060	0.0014 J							
MW-4	10/2/12	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	< 0.0010							
MW-5	10/2/12	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	< 0.0010							
MW-6	10/2/12	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	< 0.0010							
MW-7	10/2/12	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030	< 0.0010							

Table 8: Analytical Data for Groundwater

ADT 8

DSCA ID No.: 92-0031

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)	1,1-Dichloroethene	Acetone						
		[mg/L]																		
MW-8	6/25/13	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0020	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0020	< 0.0020	< 0.0010	0.0057 J						

APPENDIX B

LEVEL I ECOLOGICAL RISK ASSESSMENT CHECKLISTS



May 8, 2009

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. Delonda Alexander
DSCA Project Manager

Re: Level 1 Ecological Risk Assessment
The Cleaners DSCA Site ID #92-0031
3209 Avent Ferry Road
Raleigh, Wake County, North Carolina
URS-NC Project Number 38854413

Dear Ms. Alexander:

URS Corporation – North Carolina (URS) is pleased to present the findings of the Level 1 Ecological Risk Assessment (Eco Risk Assessment) for The 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 # 92-0031**

- 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 the USGS topographic map, Raleigh West, North Carolina, Walnut Creek, a tributary of Lake Raleigh, is located approximately 525 feet to the south of the site.
- 2. Are there any water bodies anywhere on or within the one-half mile of the site?** Yes, there are multiple tributaries located to the south, east, and west of the site.
- 3. Are there any wetland area such as marshes or swamps on or within one-half mile of the site?** Yes, six wetland areas were identified by the National Wetland Inventory (NWI) within ½ mile of the site.
- 4. Are there any sensitive environmental areas on or within one-half mile of the site?** Yes, as indicated above several wetland areas were identified within ½ mile of the site by the NWI.
- 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?** Potentially. Two sites were identified on the North Carolina Natural Areas database and one site was identified on the North Carolina Natural Heritage Sites database. Additionally, 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 Wake County 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?** Potentially, Lake Raleigh is located within ½ mile of the site.
- 9. Are there any threatened and/or endangered species (plant or animal) on or within one-half mile of the site?** Potentially. Two sites were identified on the North Carolina Natural Areas database and one site was identified on the North Carolina Natural

Heritage Sites database. Additionally, 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 and 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 # 92-0031

- 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, eventually, groundwater discharges to Walnut Creek located approximately 525 feet to the south of the site.**

Question 1. Could chemicals associated with the site reach ecological receptors through groundwater? **Not likely, groundwater impacts do not appear to be migrating offsite or discharging into Walnut Creek.**

- 2A. Are chemicals present in surface soils on the site? **Yes**
- 2B. Can chemicals be leached from or be transported by erosion of surface soils on the site? **No, surface soil impacts were only identified under impervious surfaces at the site.**

Question 2. Could chemicals associated with the site reach ecological receptors through runoff or erosion? **Not likely, the surface soil impacts were only identified under asphalt paved areas, therefore, erosion and runoff are not likely concerns.**

- 3A. Are chemicals present in surface soil or on the surface of the ground? **Yes**
- 3B. Are potential ecological receptors on the site? **No**

Question 3. Could chemicals associated with the site reach ecological receptors through direct contact? **No, surface soil impacts are located beneath impervious surfaces at the site.**

- 4A. Are chemicals on the site volatile? **Yes**
- 4B. Could chemicals on the site be transported in air as dust or particulate matter? **No, surficial soil impacts are located beneath impervious surfaces 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, surficial soil impacts are located beneath impervious surfaces at the site. No burrowing animals have been observed or would be expected beneath the paved asphalt or building 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? **Yes, chemicals have been identified in soils 3' below ground surface beneath paved asphalt and the building.**

- 6B. Are chemicals found in soil on the site taken up by plants growing on the site? **No, soil impacts have only been identified beneath impervious surfaces.**
- 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.**
- 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 soil impacts have only been identified beneath impervious surfaces.

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

NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

Property Owner: WRI Raleigh, LP
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 WRI Raliegh, LP (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 3209 Avent Ferry Road, Raleigh, Wake County, North Carolina, Parcel Identification Number (PIN) # 0793041078.

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

Soil and groundwater at the Property are contaminated with dry-cleaning solvents associated with dry-cleaning operations at the The Cleaners (DSCA Site #92-0031) located at 3209 Avent Ferry Road, Raleigh, in the Avent Ferry Shopping Center. Dry-cleaning operations were conducted on the Property during an unknown period of time.

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:**
 - a. child care centers or schools; or**
 - b. 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. No activities that cause or create a vapor intrusion risk (for example, construction of sub-grade structures that encounter contaminated soil or construction that places building users in close proximity to contaminated groundwater) may occur on the Property without prior approval of DENR.**
- 4. No activities that cause or create an increase in infiltration (for example, removal or demolition of materials such as asphalt, concrete, buildings, or other structures that**

by their use and nature minimize infiltration of rain or water runoff into potentially contaminated soil) may occur in “Area A” of the Property, as shown on Exhibit A, without prior approval of DENR.

5. In January of each year, on or before January 31st, the owner of any portion of the Property shall submit a notarized Annual DSCA Land-Use Restrictions Certification to DENR certifying that this Notice remains recorded at the Register of Deeds’ office, and that the Land-Use Restrictions are being complied with.
6. No person conducting environmental assessment or remediation at the Property or involved in determining compliance with applicable land-use restrictions, at the direction of, or pursuant to a permit or order issued by DENR may be denied access to the Property for the purpose of conducting such activities.
7. The owner of any portion of the Property shall cause the instrument of any sale, lease, grant, or other transfer of any interest in the property to include a provision expressly requiring the lessee, grantee, or transferee to comply with this Notice. The failure to include such a provision shall not affect the validity or applicability of any land-use restriction in this Notice.

EASEMENT (RIGHT OF ENTRY)

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

REPRESENTATIONS AND WARRANTIES

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

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

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

ENFORCEMENT

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

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

FUTURE SALES, LEASES, CONVEYANCES AND TRANSFERS

When any portion of the Property 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__.

WRI Raleigh, LP

By:

Name of contact

STATE OF _____
COUNTY OF _____

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

WITNESS my hand and official stamp or seal, this ___ day of _____, 20__.

Name typed or printed
Notary Public

My Commission expires: _____
[Stamp/Seal]

APPROVAL AND CERTIFICATION

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

North Carolina Department of Environment and Natural Resources

By: _____ 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”.

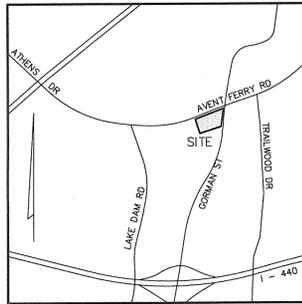
WITNESS my hand and official stamp or seal, this ____ day of _____, 20__.

Name typed or printed
Notary Public

My Commission expires: _____
[Stamp/Seal]

EXHIBIT A
REDUCTION OF SURVEY PLAT

EXHIBIT B
PROPERTY LEGAL DESCRIPTION



VICINITY MAP

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

JIM BATESON, LG
CHIEF, SUPERFUND SECTION
DIVISION OF WASTE MANAGEMENT

NORTH CAROLINA
WAKE COUNTY

I, _____, A NOTARY PUBLIC OF
COUNTY AND STATE OF NORTH CAROLINA DO HEREBY CERTIFY THAT
_____ DID PERSONALLY APPEAR &
SIGN BEFORE ME THIS THE _____ DAY OF _____, 20____.

NOTARY PUBLIC (SIGNATURE)
MY COMMISSION EXPIRES _____

THE DOCUMENTARY COMPONENT OF THIS NOTICE OF DRY-CLEANING
SOLVENT REMEDIATION, LIMITING THE USES OF THIS PROPERTY IS
RECORDED AT:

DEED BOOK _____ PAGE _____
AND _____

GROUNDWATER IN WELLS MW-1, MW-2, MW-3, AND DMW-1 EXCEEDED
THE APPLICABLE 2L WATER QUALITY STANDARDS (15A NCAC 2L0200)
FOR ONE OR MORE OF THE FOLLOWING CONTAMINANTS:
TETRACHLOROETHENE, AND TRICHLOROETHENE, CIS-1,2-DICHLOROETHENE,
AND VINYL CHLORIDE.

SOILS IN BORINGS MW-2, AND MW-3 EXCEEDED THE ASSOCIATED
RESIDENTIAL RISK BASED SCREENING LEVEL (15A NCAC 2S) FOR ONE OR
MORE OF THE FOLLOWING CONTAMINANTS: TETRACHLOROETHENE,
TRICHLOROETHENE, CIS-1,2-DICHLOROETHENE, AND VINYL CHLORIDE.

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

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

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

DATE: 7-30-09		PROJECT NAME: THE CLEANERS			
LOCATION: RALEIGH, NC		DSCA SITE ID #92-0031			
MONITORING WELL ID	NORTHING (FEET)	EASTING (FEET)	ELEVATION (FEET)	DESIGNATION	
MW 1	734091.53	2090547.15	308.86	T.O.W.	
TCMW 1	734091.53	2090547.15	308.60	2" PVC	
DMW-1	734095.03	2090564.01	308.73	T.O.W.	
TCMW-1	734095.03	2090564.01	308.44	2" PVC	
MW 2	734097.22	2090559.68	308.69	T.O.W.	
TCMW 2	734097.22	2090559.68	308.32	2" PVC	
MW 3	734133.36	2090563.79	309.96	T.O.W.	
TCMW 3	734133.36	2090563.79	309.74	2" PVC	
MW 4	734034.83	2090483.32	310.78	T.O.W.	
TCMW 4	734034.83	2090483.32	310.39	2" PVC	
MW 5	734196.99	2090539.83	311.96	T.O.W.	
TCMW 5	734196.99	2090539.83	311.46	2" PVC	
MW 6	734134.624	2090633.403	306.42	T.O.W.	
TCMW 6	734134.624	2090633.403	306.08	2" PVC	
MW 7	733819.40	2090666.90	???.??	GROUND	
MW 7	733819.40	2090666.90	294.81	T.O.W.	
TCMW 7	733819.40	2090666.90	294.92	2" PVC	

DATE: 10-1-13		PROJECT NAME: THE CLEANERS			
LOCATION: RALEIGH, NC		DSCA SITE ID #92-0031			
POINT ID	NORTHING (FEET)	EASTING (FEET)	ELEVATION (FEET)	DESIGNATION	
MW 8	734002.58	2090587.21	301.41	T.O.W.	
TCMW 8	734002.58	2090587.21	301.35	1" PVC	
SB-1	734125.84	2090538.66	312.69	GND	
SB-2	734123.30	2090550.99	312.70	GND	
SB-3	734125.33	2090569.51	309.37	GND	
SB-4	734145.56	2090561.11	310.64	GND	
SB-5	734163.10	2090554.05	311.79	GND	

FLOOD CERTIFICATION:

THIS IS TO CERTIFY THAT THE PROPERTY SHOWN ON THIS
PLAT IS NOT LOCATED IN A SPECIAL FLOOD HAZARD
AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL
EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE
ADMINISTRATION, COMMUNITY NUMBER 372007-8300-J &
372007-9300-J, DATED MAY 2, 2006.

VRS SURVEY TIE

ALL BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON
ARE LOCALIZED (GROUND) NAD 83 (2007) ADJUSTMENT
HORIZONTAL INFORMATION (UNLESS NOTED OTHERWISE), BASED
UPON THE NORTH CAROLINA STATE PLANE COORDINATE
SYSTEM, WITH NAVD 88 ELEVATIONS. THE N.C. STATE PLANE
COORDINATES FOR CONTROL POINTS #9888, & #989, SHOWN
HEREON WERE ESTABLISHED UTILIZING GLOBAL POSITIONING
SYSTEMS (GPS) IN CONJUNCTION WITH THE NORTH CAROLINA
GEODETIC SURVEY'S VIRTUAL REFERENCE SYSTEM (VRS), WHICH
IS BASED UPON THE CONTINUALLY OPERATING REFERENCE
STATIONS (CORS). THE VRS SURVEY TIE WAS PERFORMED ON
JULY 30, 2009. ALL MEASUREMENTS SHOWN HEREON ARE
REPORTED IN U.S. SURVEY FEET UNLESS NOTED OTHERWISE.

OWNERS CERTIFICATE:

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

SIGNATURE _____ DATE _____

STATE OF NORTH CAROLINA
COUNTY OF _____

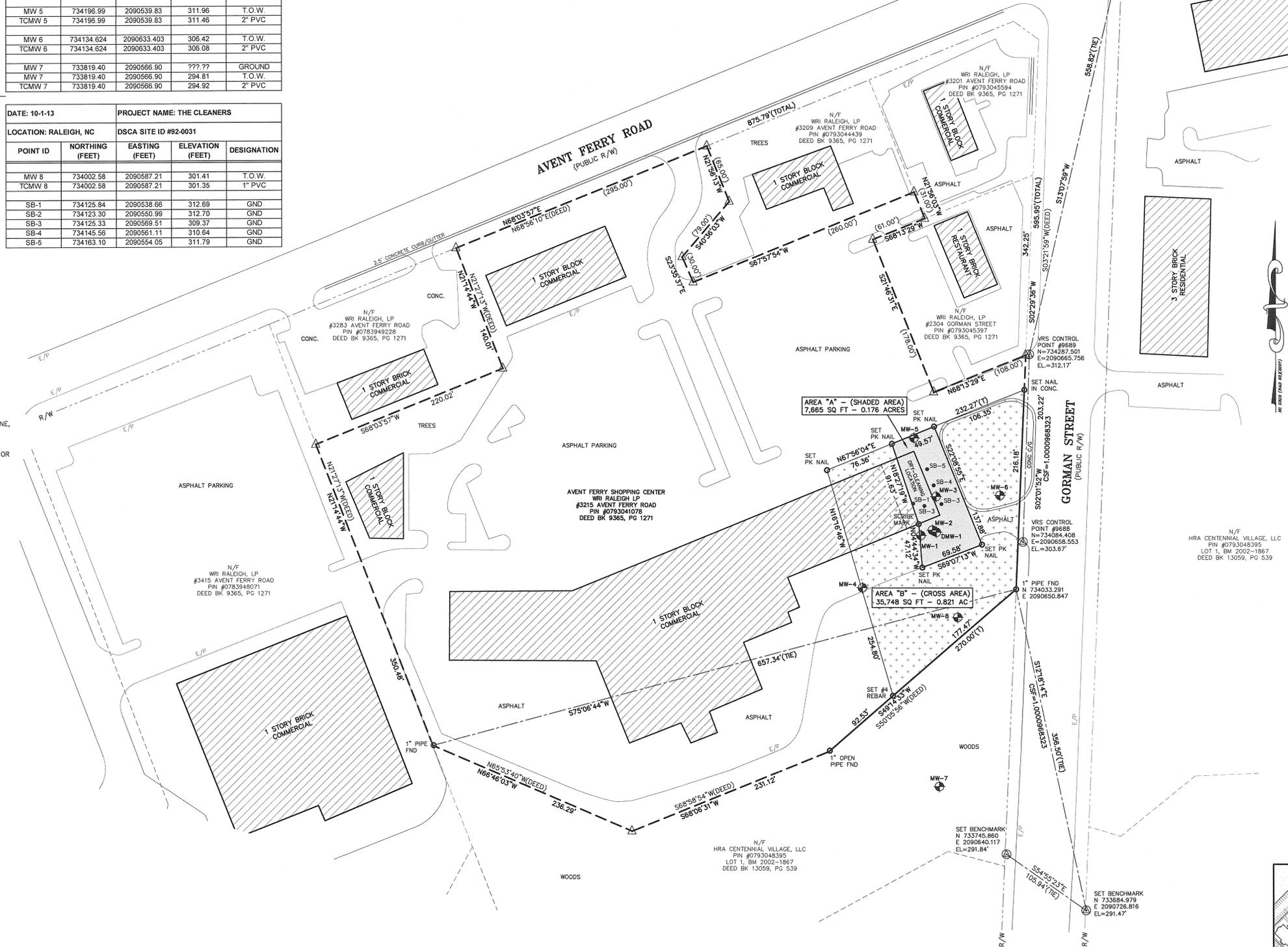
I, _____, A NOTARY PUBLIC OF SAID COUNTY AND STATE, DO
HEREBY CERTIFY THAT _____ DID PERSONALLY APPEAR AND SIGN
BEFORE ME THIS THE _____ DAY OF _____, 20____.

NOTARY PUBLIC (SIGNATURE) _____

MY COMMISSION EXPIRES _____

SURVEY NOTES:

- 1) THE SUBJECT PROPERTY FOR THIS SURVEY IS IDENTIFIED BY WAKE COUNTY PARCEL IDENTIFICATION NUMBER (PIN) #079304078. THE PURPOSE OF THIS PLAT IS TO DISPLAY (1) THE LOCATIONS OF MONITORING WELLS LOCATED ON THE SUBJECT PROPERTIES WITH RESPECT TO SURVEYED BENCHMARKS AND (2) THE TYPE, LOCATION AND QUANTITY OF REGULATED SUBSTANCES AND CONTAMINANTS KNOWN TO EXIST ON THIS NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (NCDENR) DRY-CLEANING SOLVENT CLEANUP ACT (DSCA) PROGRAM SITE.
- 2) THE AREAS AND TYPE OF CONTAMINATION DEPICTED HEREON ARE APPROXIMATIONS DERIVED FROM THE BEST AVAILABLE INFORMATION AT THE TIME OF FILING. THIS INFORMATION WAS SUPPLIED TO THE ISAACS GROUP BY URS CORPORATION OF NORTH CAROLINA.
- 3) ALL BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE BASED UPON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83 (NRS 2007), WITH NAVD88 (GEOID 03) ELEVATIONS, PER A GPS SURVEY PERFORMED BY THE ISAACS GROUP, COMPLETED AUGUST 6, 2009, AND RE-CHECKED SEPTEMBER 19, 2013. THE N.C. STATE PLANE COORDINATES SHOWN FOR CONTROL POINT #9888 & #989 WERE ESTABLISHED UTILIZING A TRIMBLE R8 GLOBAL POSITIONING SYSTEMS (GPS) UNIT IN CONJUNCTION WITH THE NORTH CAROLINA GEODETIC SURVEYS VIRTUAL REFERENCE SYSTEM (VRS), WHICH IS BASED UPON THE CONTINUALLY OPERATING REFERENCE STATIONS (CORS). ALL MEASUREMENTS SHOWN HEREON ARE REPORTED IN U.S. SURVEY FEET (UNLESS NOTED OTHERWISE).
- 4) THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY OF THE SUBJECT PROPERTIES. THE BOUNDARY LINES OF THE SUBJECT PROPERTIES WERE PRODUCED FROM THE LEGAL DESCRIPTION FOUND IN PARCEL PIN# 079304078 DEED 9365, PAGE 1271. THE GEOMETRY OF THAT LEGAL DESCRIPTION HAS NOT BEEN ALTERED IN ANY WAY, BUT HAS BEEN HELD ON THE SOUTHERNMOST PROPERTY CORNER (A FOUND #4 REBAR), AND ROTATED TO ANOTHER PROPERTY CORNER ON THE SAME LINE (A FOUND #4 REBAR) NON-MONUMENTED SUBJECT PARCEL LINES ARE SHOWN BASED ON THAT LEGAL DESCRIPTION.
- 5) SOME INFORMATION SUCH AS BUILDING FOOTPRINTS, MOST PROPERTY LINES, AND EDGE OF PAVEMENTS/CURB LINES HAVE BEEN TAKEN FROM WAKE COUNTY GIS DATABASE INFORMATION, AND THIS INFORMATION IS SHOWN FOR REFERENCE PURPOSES ONLY. NO ACCURACY OR POSITIONAL TOLERANCE IS GUARANTEED BY THIS SURVEY AS TO HOW THE SURVEYED FEATURES RELATE TO THE GIS INFORMATION SHOWN.
- 6) PROPERTY OWNER INFORMATION WAS OBTAINED ONLINE FROM WAKE COUNTY GIS RECORDS.
- 7) THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS COVENANTS AND RESTRICTIONS, APPURTENANCES OF RECORD, HOWEVER RECORDED AND/OR IMPLIED.
- 8) REFERENCE COORDINATE SYSTEM FOR VERTICAL DATUM: NAVD88.
- 9) THE FOLLOWING WAS USED TO PERFORM THE GPS SURVEY INFORMATION SHOWN:
 - (1) CLASS "A" SURVEY
 - (2) POSITIONAL ACCURACY IS 0.03' WITHIN A 95 PERCENT CONFIDENCE LEVEL;
 - (3) REAL-TIME KINEMATIC GPS FIELD PROCEDURE;
 - (4) SURVEY PERFORMED AUGUST 6, 2009, AND CHECKED SEPTEMBER 19, 2013;
 - (5) VERTICAL DATUM BASED ON NAVD88;
 - (6) TIED TO NC STATE PLANE COORDINATES AS SHOWN;
 - (7) GEOID "03" MODEL;
 - (8) COMBINED GROUND SCALE FACTOR: 1.0000968323;
 - (9) UNITS ARE IN U.S. FEET.
 - (10) EXPOSURE UNIT BOUNDARIES TAKEN FROM URS EXHIBIT AND DELINEATED AND MONUMENTED BY THE ISAACS GROUP.

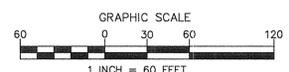


SURVEYORS CERTIFICATE [G.S. 47-30]

I, STEPHEN S. DYER, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY
SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION;
THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DASHED
LINES, DRAWN FROM INFORMATION REFERENCED ON THE FACE OF THIS PLAT;
THAT THE RATIO OF PRECISION AS CALCULATED EXCEEDS 1:10,000; THAT
THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES
NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET; THAT THIS
PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30(1)(1) AS AMENDED;
WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS
____ DAY OF _____, 2014.

PRELIMINARY
NOT FOR RECORDATION, CONVEYANCE OR SALES.
STEPHEN S. DYER, PLS L-3509
N.C. FIRM LICENSE #C-1069

- LEGEND:**
- R/W RIGHT OF WAY
 - N.T.S. NOT TO SCALE
 - CSF COMBINED SCALE FACTOR
 - E/P EDGE OF PAVEMENT
 - MW MONITORING WELL (MW)
 - N NORTHING
 - E EASTING
 - TOC TOP OF CASING
 - TOW TOP OF WELL MANHOLE
 - ▲ CALCULATED PROPERTY CORNER
 - TMW TEMPORARY MONITORING WELL (TMW)
 - ▲ DATUM CONTROL POINT
 - SOIL BORE LOCATION
 - N/F NOW OR FORMERLY
 - "MONUMENTED" SUBJECT PARCEL LINES
 - - - "NON-MONUMENTED" SUBJECT PARCEL LINES
 - - - ADJOINER PARCEL LINES
 - - - RIGHT OF WAY LINE
 - (T) TOTAL



NO.	BY	DATE	REVISION
1	MWJ	4-16-11	

SURVEY PLAT - EXHIBIT "A"
TO THE NOTICE OF DRY-CLEANING SOLVENT REMEDIATION
WRI RALEIGH, LP
PIN #0793041078,
THE CLEANERS - DSCA ID#92-0031
3209 AVENT FERRY ROAD, RALEIGH TOWNSHIP
CITY OF RALEIGH, WAKE COUNTY, NORTH CAROLINA
File #: 09142-DSCA-UPD Date: 09-30-2013 Project P.I.S.: SSD
Surveyed By: TIG
Drawn By: MWJ
Scale: 1"=60'
8720 RED OAK BLVD. SUITE 420
CHARLOTTE, N.C. 28217
PHONE (704) 527-3440 FAX (704) 527-8335

**EXHIBIT A
AVENT FERRY SHOPPING CENTER**

TRACT I:

BEGINNING at an existing iron pipe in the southern right-of-way of Avent Ferry Road, an 80 foot public right-of-way, said pipe being a point on and tangent to a curve; thence, with said curve having a radius of 20.00 feet as it turns to the RIGHT an arc length of 40.10 feet, said curve having a chord bearing of S 53°24' 50" E and a chord distance of 33.71 feet, to a point in the sidewalk located in the western right-of-way of Gorman Street, a 90 foot public right-of-way; thence continuing along said right-of-way S 03°21' 59" W 595.95 feet to an existing iron pipe; thence leaving said Gorman Street right-of-way S 50°06' 56" W 270.00 feet to an existing iron pipe; thence S 68°58' 54" W 231.12 feet to an existing iron pipe; thence N 65°53' 40" W 236.29 feet to an existing iron pipe; thence S 20°22' 21" E 118.07 feet to a point; thence S 29°23' 02" W 214.04 feet to a point; thence N 50°53' 14" W 301.65 feet to a point on a curve in the southern right-of-way of Greek Way, a 50 foot public right-of-way; thence, with said curve having a radius of 50.00 feet as it turns to the LEFT an arc length of 51.69 feet, said curve having a chord bearing of N 09°29' 14" E and a chord distance of 49.42 feet, to a point; thence along said Greek Way right-of-way N 20°07' 09" W 412.92 feet to a point on and tangent to a curve; thence, with said curve having a radius of 25.00 feet as it turns to the RIGHT an arc length of 38.85 feet, said curve having a chord bearing of N 24°23' 52" E and a chord distance of 35.06 feet, to a point of tangency in the said right-of-way of Avent Ferry Road; thence N 68°54' 52" E 265.44 feet to a point; thence N 20°22' 21" W 3.00 feet to an existing iron pipe; thence N 68°56' 10" E 875.79 feet to the Point and Place of BEGINNING and containing 15.354 acres situated, lying and being in the City of Raleigh, Wake County, North Carolina.

TRACT II:

All right, title and interest in and to that certain twenty (20) foot wide sanitary sewer easement created pursuant to Plat recorded in Book of Maps 1992, Page 720, Wake County Registry, Wake County, North Carolina over and across that certain property adjacent to Tract I as more particularly depicted thereon.

TRACT III:

All right, title and interest in and to that certain forty (40) foot wide sanitary sewer easement created pursuant to Plat recorded in Book of Maps 1960, Page 251, Wake County Registry, Wake County, North Carolina over and across that certain property adjacent to Tract I as more particularly depicted thereon, as affected by Plat recorded in Book of Maps 1997, Page 2133, Wake County Registry, Wake County, North Carolina, as affected by Plat recorded in Book of Maps 1998, Page 875, Wake County Registry, Wake County, North Carolina.

TRACT IV:

All right, title and interest in and to that certain City of Raleigh Greenway Dedication created pursuant to Plat recorded in Book of Maps 1995, Page 121, Wake County Registry, Wake County, North Carolina over and across that certain property adjacent to Tract I as more particularly depicted thereon.

DALLAS_1\3624442\1
35895-3777 - 03/18/2002

APPENDIX D
EXAMPLE ANNUAL DSCA LAND-USE RESTRICTION CERTIFICATION

Annual Certification of Land-Use Restrictions

Site Name: **The Cleaners**
Site Address: 3209 Avent Ferry Road, Raleigh, Wake County
DSCA ID No: #92-0031

ANNUAL CERTIFICATIION of LAND-USE RESTRICTIONS

Pursuant to Condition in the Notice of Dry-Cleaning Solvent Remediation (Notice) signed by WRI Raleigh, LP and recorded in Deed Book <blank>, Page <blank> on <date> at the <blank> County Register of Deeds Office, WRI Raleigh, 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__.

WRI Raleigh, 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 # 92-0031
The Cleaners, 3209 Avent Ferry Road, 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.ncdscs.org, under "Public Notices" during the public comment period.

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

Delonda Alexander, 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 # 92-0031
The Cleaners, 3209 Avent Ferry Road, 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)707-8365

Sincerely,

Delonda Alexander, Project Manager
DSCA Remediation Unit
Delonda.Alexander@ncdenr.gov

Attachments: Risk Management Plan

Cc: DSCA Site # 92-0031 File

Public Notice

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

The Cleaners
DSCA Site # 92-0031

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

The Cleaners formerly conducted dry-cleaning operations at the Avent Ferry Shopping Center at 3209 Avent Ferry Road, in Raleigh, North Carolina. The property is currently occupied by Avent Ferry Cleaners. Dry-cleaning solvent contamination in soil and/or ground water has been identified at the following parcel(s):

3209 Avent Ferry Road, in Raleigh; Parcel No. 0793041078

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 Delonda Alexander at (919)707-8365.

All comments and requests should be sent to:

Delonda Alexander, 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 3209 Avent Ferry Road
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 Cleaners at 3209 Avent Ferry Road in Raleigh. The facility is currently occupied by Avent Ferry Cleaners. 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) 707-8365, or Peter Doorn at (919) 707-8369.

Sincerely,

Delonda Alexander, Project Manager
DSCA Remediation Unit
Delonda.Alexander@ncdenr.gov

Attachments: Summary of the NOI

Cc: DSCA Site # 92-0031 File