

December 4, 2012

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

**RE: Risk Management Plan**  
**\$2.50 Krystal Cleaners**  
Centre Stage and Jonestown Shopping Center  
357 Jonestown Road  
Winston-Salem, Forsyth County, North Carolina  
ATC Project No. 45.34341.3416  
DSCA Site Identification No. 34-0016

Dear Mr. Meyer:

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

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

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



Amanda B. Freeman  
Staff Scientist



Genna K. Olson, P.G.  
Program Manager

**RISK MANAGEMENT PLAN  
\$2.50 KRYSTAL CLEANERS  
CENTRE STAGE AND JONESTOWN SHOPPING CENTER  
357 JONESTOWN ROAD  
WINSTON-SALEM, FORSYTH COUNTY, NORTH CAROLINA  
ATC PROJECT NO. 45.34341.3416  
DSCA SITE IDENTIFICATION NO. 34-0016  
DECEMBER 4, 2012**

Risk Management Plan  
**\$2.50 Krystal Cleaners**  
Centre Stage and Jonestown Shopping Center  
357 Jonestown Road  
Winston-Salem, Forsyth County, North Carolina  
ATC Project No. 45.34341.3416  
DSCA Site Identification No. 34-0016

**Prepared By:**



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Amanda B. Freeman  
Staff Scientist

**Submitted To:**

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

**Prepared By:**



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December 4, 2012

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## **1.0 INTRODUCTION**

ATC Associates of North Carolina, P.C. (ATC) has prepared this Risk Management Plan (RMP) for the \$2.50 Krystal Cleaners site (DSCA Site #34-0016) (herein referred to as the “site”) on behalf of the North Carolina Department of Environment and Natural Resources (NCDENR) Dry-cleaning Solvent Cleanup Act (DSCA) Program. The site is located in the Centre Stage and Jonestown Shopping Center at 357 Jonestown Road in Winston-Salem, Forsyth County, North Carolina. Site assessment activities have confirmed that soil and groundwater contamination associated with the site is confined to the site property and three adjacent downgradient properties. This RMP is intended to comply with the requirements of the DSCA (N.C.G.S. 143-215.104A et seqs) and promulgated rules and follows the outline provided in the DSCA Program’s risk-based corrective action (RBCA) guidance.

## **2.0 OBJECTIVES OF RMP**

ATC completed assessment activities at the site which indicated that tetrachloroethylene (PCE) is present in soil above unrestricted land-use standards on the site property and in groundwater above Title 15A NCAC 2L .0202 Groundwater Standards (2L Standards) on the site property and three adjacent downgradient properties. The adjacent properties include one residential property, owned by Clint F. Bodford and wife, Martha C. Bodford (Bodford) and located at 996 Mar-Don Drive (herein referred to as “adjacent residential property”), and two commercial properties owned by US Income Fund IX Ltd. (US Income Fund) and Duke Power Company (Duke Power) and located at 401 Jonestown Road and 998 Mar-Don Drive, respectively (herein referred to as “adjacent commercial properties”). ATC completed a Risk Assessment for the site on October 4, 2011. The results of the Risk Assessment indicated that there are on-site and off-site risks that do exceed target risk levels. However, the risks will be managed based on site-specific land-use conditions that have been selected as part of the evaluation and which require an RMP. Thus, the objective of the RMP is to ensure that those site-specific land-use conditions remain valid in the future.

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

Based on soil and groundwater impacts above unrestricted use standards, ATC completed a Tier 1 Risk Assessment report for the site and adjacent residential and commercial properties on October 4, 2011. This section summarizes the final risk assessment, which resulted in the recommendation for no further action status for the site and adjacent impacted properties.

The first step in the risk assessment process consisted of development of an exposure model. Three exposure units were assigned, an “on-site unit” encompassing the area in the immediate vicinity of the former dry-cleaning tenant space, an “off-site unit #1” encompassing the remaining area of the plume on the site property and US Income Fund property, and an “off-site unit #2” encompassing the remaining area of the plume on the Bodford and Duke Power properties. The exposure model evaluation indicated the following complete exposure pathways for each unit:

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

- Off-site unit #2 construction worker – outdoor inhalation of vapor emissions from groundwater.

Note that several properties overlying the plume are currently non-residential and the future land-use for these properties are not expected to change. However, ATC evaluated both residential and non-residential land-use in the Risk Assessment to evaluate potential land-use restrictions needed at the time of closure.

ATC initially performed a Tier 1 evaluation for each exposure unit. As part of the Tier 1, representative concentrations were calculated for each exposure unit and compared to Tier 1 Risk Based Screening Levels (RBSLs). The results of the Tier I evaluation for the on-site and off-site exposure units are described below.

The risk assessment for the indoor inhalation of vapor emissions pathway for the on-site exposure unit is complicated by the potential for vapor emissions from the active drop-off/pick-up dry-cleaning operation. The DSCA Program covers assessment and remediation of dry-cleaning solvent contamination resulting from releases as defined in G.S. 143-215.104B(b)24, but does not cover vapor emissions from active dry-cleaning operations. ATC previously conducted extensive investigations and calculations to evaluate the portion of indoor air impacts potentially attributable to vapor intrusion versus vapor emissions from the dry-cleaning operation. The results of these evaluations concluded that the risk posed by vapor intrusion did not exceed the DSCA Program's acceptable risk limits for a non-residential worker. Note that this conclusion assumes that various land use restrictions (LURs) can be implemented for the site property, as detailed further in Section 6.0. Refer to the Vapor Intrusion Assessment Report dated February 7, 2011, for the details of these activities. As part of the Tier 1, ATC also evaluated the risk posed by other complete exposure pathways that are not associated with indoor inhalation (outdoor inhalation and surficial soil). The results of the Tier 1 did not indicate exceedences of the Tier 1 RBSLs established by the DSCA Program for these pathways.

No indoor air data were available for the off-site exposure units, and therefore groundwater data were used for the indoor inhalation of vapor emissions evaluation. The results of the Tier 1 did

not indicate exceedences of the Tier 1 RBSLs established by the DSCA Program for these exposure units.

In addition to the above referenced pathways for the on-site and off-site exposure units, ATC also evaluated the protection of groundwater use and surface water pathways. For the protection of groundwater use evaluation, ATC assumed that the nearest potential point-of-exposure (POE) for groundwater use was defined at the downgradient edge of the Duke Power property. Source soil and groundwater concentrations were not found to exceed the Tier 1 RBSLs for the protection of groundwater pathway. Note that modeling under this scenario assumes that controls limiting groundwater use will be implemented for the properties overlying the plume (site property, Duke Power property, US Income Fund property, and Bodford property).

For the protection of surface water evaluation, ATC assumed that the POE was at the downgradient surface water body approximately 750 feet from the source area. Based on this distance and the size of the plume associated with the subject site, the protection of surface water pathway was deemed incomplete.

The Risk Assessment concluded that risks associated with the contamination could be managed through implementation of land-use controls for the site property and three adjacent properties, as detailed in this RMP. Therefore, the Risk Assessment recommended risk-based closure for the site.

It should be noted the DSCA Program changed their risk assessment procedures following completion of the prior Risk Assessment. In addition, revised toxicity values were issued by the Environmental Protection Agency for PCE and some other constituents of concern. ATC completed a review of the prior risk assessment data with respect to the revised DSCA risk assessment procedures and updated toxicity values. The results of the review indicated that no revisions to the conclusions and recommendations presented in the prior October 2011 Risk Assessment appeared warranted. The updated risk assessment review was documented in a letter prepared by ATC dated December 4, 2012.

## **4.0 RAP COMPONENTS**

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

The site is located in the Centre Stage and Jonestown Shopping Center. The shopping center property is composed of two parcels of land, including one larger parcel that contains the primary shopping center building and a smaller building to the north, and a smaller parcel containing only the U.S. Income Fund building. The \$2.50 Krystal Cleaners facility operates at 357 Jonestown Road, in the center of the primary shopping center parcel. On-site dry-cleaning was conducted between 1999 and 2010. The dry-cleaning machine was removed in 2010 but the facility continues to operate as a drop-off/pick-up dry-cleaning facility.

In May 2005, a Phase I Environmental Site Assessment (ESA) was prepared by Engineering Consulting Services (ESC). The Phase I ESA concluded that the existing on-site dry-cleaner (\$2.50 Krystal Cleaners), a former on-site dry-cleaner (Corner Cleaners), and an off-site gas station (DL's Food Mart) represented environmental concerns. A subsurface investigation was subsequently conducted to evaluate the potential for impact to soil and groundwater as documented in a Report of Environmental Services prepared by ECS and dated February 13, 2006. One soil boring was hand augered near the former dry-cleaning machine at the former Corner Cleaners and three soil borings were hand augered near the dry-cleaning machine at the \$2.50 Krystal Cleaners. Soil samples were collected at a depth of 4 feet below ground surface (bgs) from each boring. Laboratory analysis of the soil samples by EPA Method 8260 indicated PCE at a concentration of 0.00664 milligrams per kilogram (mg/kg) in one boring at \$2.50 Krystal Cleaners (HA2C-4). The remaining soil samples did not contain detectable volatile organics.

In February 2006, the property owner, Centre Stage Limited Partnership, submitted a Petition for Certification of the site into the DSCA Program. The site was subsequently accepted into the DSCA Program in April 2006. The property was transferred to Jonestown Retail Investment, LLC in June 2006.

ATC initiated work at the site in September 2006. Soil and groundwater investigations were completed between 2006 and 2009 to evaluate the extent of impacted soil and groundwater associated with the site. The assessment activities were documented in an Assessment Report dated November 17, 2009. Based on the results of the assessment, a plume of impacted groundwater associated with the site extends approximately 350 feet to the southeast in the downgradient direction. Five groundwater monitoring events were completed between 2008 and 2011 to verify that the plume is stable. As documented in the Plume Stability Report dated March 12, 2012, the plume associated with the site appears adequately delineated, stable, and confined to the site property and three adjacent properties.

ATC also completed vapor intrusion investigations for the site between 2010 and 2011. These investigations included collection of sub-slab soil gas samples and indoor air samples in the dry-cleaning tenant space and two adjacent tenant spaces. PCE and other constituents were detected in the samples. However, as discussed in Section 3.0, the DSCA Program covers assessment and remediation of dry-cleaning solvent contamination resulting from releases as defined in G.S. 143-215.104B(b)24, but does not cover vapor emissions from active dry-cleaning operations. ATC conducted extensive investigations and calculations to evaluate the portion of indoor air impacts potentially attributable to vapor intrusion versus vapor emissions from the dry-cleaning operation. The results of these evaluations concluded that the risk posed by vapor intrusion did not exceed the DSCA Program's acceptable risk limits for a non-residential worker. Refer to the Vapor Intrusion Assessment Report dated February 7, 2011, for the details of these activities.

ATC completed a Tier 1 Risk Assessment for the site on October 4, 2011. As discussed in Section 3.0, the Risk Assessment concluded that risks associated with the contamination could be managed through implementation of LURs for the site property and three adjacent properties, as detailed in this RMP. Therefore, the Risk Assessment recommended risk-based closure for the site.

## 4.2 Remedial Action

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

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

Periodic groundwater monitoring has been conducted at the site since 2006. Constituents of concern (COCs) detected in the monitoring wells include PCE, trichloroethylene (TCE), cis-1,2-dichloroethylene, benzene, toluene, ethylbenzene, xylenes, methyl tertiary butyl ether (MTBE), acetone, 2-butanone, chloromethane, carbon disulfide, methylene chloride, 4-methyl-2-pentatone, chloroform, naphthalene, and bromodichloromethane. Of these constituents, only PCE, MTBE, and bromodichloromethane have been detected at concentrations exceeding 2L Standards. Bromodichloromethane and MTBE are not constituents of dry-cleaning solvent. Bromodichloromethane is typically a laboratory or sample contaminant and was detected only once at a laboratory estimated value (J-value) in 2007. MTBE has been detected consistently in upgradient well MW-4, but MTBE is a common petroleum constituent and is assumed to be related to separate upgradient petroleum releases. Based on these data, ATC focused on the compound PCE for evaluation of plume stability.

Five groundwater sampling events were completed between October 2008 and October 2011 to evaluate whether the plume is stable in preparation for possible site closure. The results of sampling events indicated PCE at low concentrations (less than 0.005 micrograms per liter) irregularly distributed in the area east and southeast of the dry-cleaning facility. A review of PCE concentration versus time graphs indicates concentrations are not increasing over time. Concentrations appear to be fluctuating slightly above and below the 2L Standard in the majority of monitoring wells.

Although PCE concentrations exceed the 2L Standard in some perimeter monitoring wells, ATC does not consider additional assessment to be warranted. Groundwater elevation measurements show a consistent flow direction towards the southeast and south. The plume is not likely to

migrate significantly in the cross-gradient or upgradient directions, therefore additional assessment is not warranted to the east, north, and west. To the southeast and south, the downgradient plume edge is located on the adjacent Duke Power property. As part of the RMP implementation, a notice will be placed on the Duke Power property prohibiting the installation of water supply wells. Downgradient of the Duke Power property is a highway. The nearest potential water supply well location downgradient of the site would be on the south side of the highway, over 800 feet downgradient of the site. ATC considers it likely that the plume extent is in close proximity to existing perimeter monitoring wells and would not reach the nearest downgradient potential water supply well location even under worst-case conditions.

Documentation of the plume stability evaluation, including PCE concentration versus time graphs, a table showing historical groundwater analytical data, and a figure showing monitoring well locations and the estimated PCE plume extent, are included in *Appendix A*. Refer to the Plume Stability Report dated March 12, 2012 for additional details regarding the plume stability evaluation.

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

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

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

Land-use controls will be implemented for the site property and three adjacent properties to ensure the assumptions made in the Risk Assessment remain valid in the future. Refer to Section 6.0 for additional details regarding the proposed land-use controls for the site.

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

ATC completed a Level 1 Ecological Risk Assessment for the site in accordance with the DSCA Program's RBCA guidance. The results of the evaluation indicate that the release does not pose

an unacceptable ecological risk. The completed Level 1 Ecological Risk Assessment Checklists A and B and associated attachments are included in *Appendix B*.

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

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

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

## **6.0 LAND-USE CONTROLS**

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

- Prior to using \$2.50 Krystal Cleaners tenant space for any purpose other than dry-cleaning operations, the property owner must demonstrate to the satisfaction of NCDENR that the indoor air of the structure does not pose an unacceptable risk to occupants;
- Land-use on the site property will be limited to non-residential;
- No activities that cause or create a vapor intrusion risk (for example, construction of sub-grade structures that encounter contaminated soil or construction that places building users in close proximity to contaminated groundwater) will occur on the site property without prior approval of NCDENR; and
- Groundwater will not be utilized on the site property or the three adjacent properties (Duke Power property, US Income Fund property, and Bodford property).

Land-use restrictions (LURs) will be implemented for the site property to ensure that land-use conditions are maintained and monitored until the LURs are no longer required for the site. Notices will be placed on the deeds of the three adjacent properties identifying the presence of groundwater contamination and citing regulations prohibiting the installation of a water supply well in a contaminated aquifer. Notices of Dry-cleaning Solvent Remediation (NDCSRs) were prepared for the site property and the three adjacent properties to comply with land-use control requirements. The on-site NDCSR is included in *Appendix C* and the off-site NDCSRs are included in *Appendix D*. Refer to the NDCSR for the specific language to be incorporated to address each of the risk assessment assumptions detailed above. A plat showing the locations and types of dry-cleaning solvent contamination is included as an exhibit to each NDCSR. The locations of dry-cleaning solvent contamination are where contaminants have been detected above unrestricted use standards.

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

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

## **8.0 RMP IMPLEMENTATION SCHEDULE**

Since the contamination is stable and possible exposure to the contamination is managed through the NDCSRs, no additional remediation activities are required to implement the RMP. A 30-day public comment period will be held to allow the community an opportunity to comment on the proposed strategy. *Appendix F* includes example documents used to announce the public comment period in the local newspaper and to inform local officials, nearby property owners, and interested parties. As such, upon completion of the public comment period and final approval of the RMP, the NDCSRs will be filed with the Forsyth 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 NACSRs have been executed and recorded with the Forsyth County Register of Deeds. The NDCSR for each property may, at the request of the owner of the property, be canceled by NCDENR after the risk to public health and the environment associated with the dry-cleaning solvent contamination and any other contaminants included in the dry-cleaning solvent assessment and remediation agreement has been eliminated as a result of remediation of the property. If NCDENR is notified of a change in Site conditions, per the notification requirements detailed in the NDCSR, the RMP will be reviewed to determine if the site conditions have impacted the requirements set forth in the NDCSR and if changes are required. Enforcement of the RMP will be maintained through receipt of the “Annual Certification of Land-Use Restrictions” from the property owner as part of the NDCSR requirements.

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

As discussed above, unless the DSCA Program is notified of a change in land-use conditions at the site, per the notification requirements detailed in this plan, the RMP will remain in effect until the RMP has met its objectives and is considered a success. Pursuant to N.C.G.S. 143-215.104K, if any of the LURs set out in the NDCSR are violated, the owner of the site property at the time the LURs are violated, the owner’s successors and assigns, and the owner’s agents who directed or contracted for alteration of the site in violation of the LURs, shall be held liable for the remediation of all contaminants to unrestricted use standards.

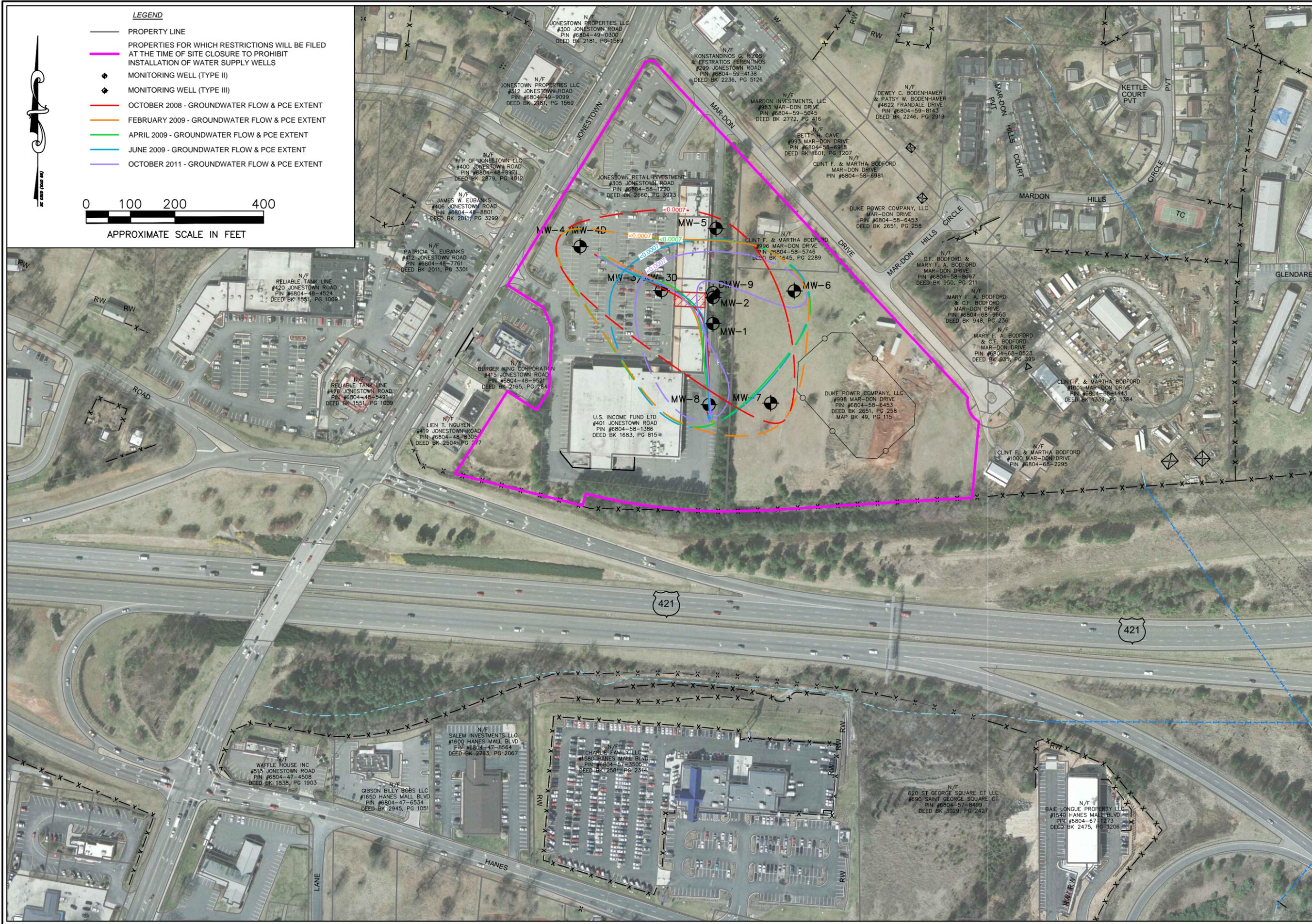
## **11.0 CONCLUSIONS AND RECOMMENDATIONS**

ATC has prepared this RMP for the \$2.50 Krystal Cleaners on behalf of the NCDENR DSCA Program. The results of a Risk Assessment indicated that contaminant concentrations at the site do not pose an unacceptable risk. The contaminant plume associated with the site appears stable or decreasing. This RMP specifies that the NDCSR requirements provide notification that land-use conditions observed during the risk assessment evaluation remain valid in the future. Based

on the documentation contained in this report, ATC recommends issuance of a “No Further Action” letter.

**APPENDIX A**

**DOCUMENTATION OF PLUME STABILITY EVALUATION**



**LEGEND**

- PROPERTY LINE
- PROPERTIES FOR WHICH RESTRICTIONS WILL BE FILED AT THE TIME OF SITE CLOSURE TO PROHIBIT INSTALLATION OF WATER SUPPLY WELLS
- ◆ MONITORING WELL (TYPE II)
- ◆ MONITORING WELL (TYPE III)
- OCTOBER 2008 - GROUNDWATER FLOW & PCE EXTENT
- FEBRUARY 2009 - GROUNDWATER FLOW & PCE EXTENT
- APRIL 2009 - GROUNDWATER FLOW & PCE EXTENT
- JUNE 2009 - GROUNDWATER FLOW & PCE EXTENT
- OCTOBER 2011 - GROUNDWATER FLOW & PCE EXTENT

0 100 200 400  
 APPROXIMATE SCALE IN FEET

**ATC**  
 ASSOCIATES OF NORTH CAROLINA, P.C.  
 Charlotte, North Carolina 28217 (704) 529-3200 FAX (704) 529-3272

**FIGURE 1**  
 PLUME STABILITY MAP  
 \$2.50 KRYSTAL CLEANERS  
 357 JONESTOWN ROAD  
 WINSTON-SALEM, NORTH CAROLINA

CAD FILE	DCSA ID	PREP. BY	REV. BY	SCALE	DATE	PROJECT NO.
DS340016_20120213	34-0016	AF	GO	AS SHOWN	06/18/12	45.34341.3146

NOTES:

**Table 1: Analytical Data for Groundwater**

**ADT 5**

**DSCA ID No.: 34-0016**

Groundwater Sampling Point	Sampling Date (mm/dd/yy)	1,1,1-Trichloroethane	1,1,2,2-Tetrachloroethane	1,1,2-Trichloroethane	1,1-Dichloroethane	1,1-Dichloroethylene	1,2-Dichloroethane (EDC)	Benzene	Benzo(a)pyrene	Carbon tetrachloride	Chloroform	cis-1,2-Dichloroethylene	Ethylbenzene	Methyl tert-butyl ether (MTBE)	Naphthalene	Tetrachloroethylene	Toluene	trans-1,2-Dichloroethylene	Trichloroethylene	Vinyl chloride	Xylenes (total)
		[mg/L]																			
NC 2L Standard		0.2	0.0002	NE	0.006	0.007	0.0004	0.001	0.000005	0.0003	0.07	0.07	0.6	0.02	0.006	0.0007	0.6	0.1	0.003	0.00003	0.5
MW-1	10/04/06	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.002	<0.005
MW-1	08/03/07	<0.005	<0.0005	<0.005	<0.0005	<0.005	<0.005	<0.0005	NA	<0.0005	<0.005	<0.005	<0.005	<0.005	<0.005	<b>0.0037</b>	<0.005	<0.005	<0.005	<0.0005	<0.005
MW-1	1/16/08	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<b>0.029</b>	<0.005	<0.005	<0.005	<0.010	<0.005
MW-1	10/16/08	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<b>0.0089</b>	<0.005	<0.005	<0.0028	<0.010	<0.005
MW-1	6/18/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	0.00058J	<0.005	<b>0.0034</b>	<0.005	<0.005	<0.0028	<0.010	<0.005
MW-1	10/19/11	<0.005	<0.0005	<0.005	<0.0005	<0.005	<0.005	<0.0005	NA	<0.0005	<0.005	<0.005	<0.005	0.00039J	<0.005	<0.0007	<0.005	<0.005	<0.0028	<0.0005	<0.005
MW-2	08/03/07	<0.005	<0.0005	<0.005	<0.0005	<0.005	<0.005	<0.0005	NA	<0.0005	0.026	<0.005	<0.005	<0.005	<0.005	<b>0.0012</b>	0.01	<0.005	<0.005	<0.0005	<0.005
MW-2	1/16/08	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	0.00045J	<0.005	<0.005	0.0021J	<0.005	<b>0.026</b>	<0.005	<0.005	0.0012J	<0.010	<0.005
MW-2	10/16/08	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<b>0.0062</b>	<0.005	<0.005	<0.0028	<0.010	<0.005
MW-2	6/18/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	0.00051J	<0.005	<0.005	0.00036J	<0.005	0.00049J	<0.005	<0.005	<0.005	<0.010	<0.005
MW-3S	1/16/08	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	0.00034J	NA	<0.005	0.00045J	0.0005J	<0.005	<0.005	<0.005	<b>0.038</b>	<0.005	<0.005	<0.005	<0.010	<0.005
MW-3S	10/16/08	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<b>0.0028</b>	<0.005	<0.005	<0.0028	<0.010	<0.005
MW-3S	2/4/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	0.0014 J	<b>0.0035</b>	<0.005	<0.005	<0.0028	<0.005	<0.005
MW-3S	4/3/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<b>0.0043</b>	<0.005	<0.005	<0.0028	<0.005	<0.005
MW-3S	6/18/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<b>0.0034</b>	<0.005	<0.005	<0.005	<0.005	<0.005
MW-3D	1/16/08	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<b>0.030</b>	<0.005	<0.005	<0.005	<0.010	<0.005
MW-3D	10/16/08	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.0028	<0.010	<0.005
MW-3D	2/4/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	0.00059 J	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.005	<0.005	<0.005
MW-3D	4/3/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	0.00061J	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.005	<0.005	<0.005
MW-3D	6/18/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	0.0006J	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.005	<0.005	<0.005

**Table 1: Analytical Data for Groundwater**

**ADT 5**

**DSCA ID No.: 34-0016**

Groundwater Sampling Point	Sampling Date (mm/dd/yy)	1,1,1-Trichloroethane	1,1,2,2-Tetrachloroethane	1,1,2-Trichloroethane	1,1-Dichloroethane	1,1-Dichloroethylene	1,2-Dichloroethane (EDC)	Benzene	Benzo(a)pyrene	Carbon tetrachloride	Chloroform	cis-1,2-Dichloroethylene	Ethylbenzene	Methyl tert-butyl ether (MTBE)	Naphthalene	Tetrachloroethylene	Toluene	trans-1,2-Dichloroethylene	Trichloroethylene	Vinyl chloride	Xylenes (total)
		[mg/L]																			
NC 2L Standard		0.2	0.0002	NE	0.006	0.007	0.0004	0.001	0.000005	0.0003	0.07	0.07	0.6	0.02	0.006	0.0007	0.6	0.1	0.003	0.00003	0.5
MW-4S	10/16/08	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.0028	<0.010	<0.005
MW-4S	2/5/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	0.00071 J	<0.0007	<0.005	<0.005	<0.005	<0.005	<0.005
MW-4S	4/2/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.005	<0.005	<0.005
MW-4S	6/17/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	0.0008J	<0.005	<0.005	<b>0.024</b>	0.00074J	<0.0007	<0.005	<0.005	<0.005	<0.005	<0.005
MW-4D	10/16/08	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<b>0.028</b>	<0.005	<b>0.0021</b>	<0.005	<0.005	<0.0028	<0.010	<0.005
MW-4D	2/5/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	0.00061 J	<0.005	<0.005	<b>0.023</b>	<0.005	<b>0.0014</b>	<0.005	<0.005	<0.005	<0.005	<0.005
MW-4D	4/2/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	0.0012J	<0.005	<0.005	<b>0.027</b>	<0.005	<b>0.00098</b>	<0.005	<0.005	<0.005	<0.005	<0.005
MW-4D	6/17/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	0.0008J	<0.005	<0.005	<b>0.024</b>	0.0006J	0.00064J	<0.005	<0.005	<0.005	<0.005	<0.005
MW-4D	10/19/11	<0.005	<0.0005	<0.005	<0.0005	<0.005	<0.005	<0.0005	NA	<0.0005	0.0031J	<0.005	<0.005	0.016	<0.005	<0.0007	<0.005	<0.005	<0.0028	<0.0005	<0.005
MW-5	10/16/08	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	0.013	<0.005	<b>0.0012</b>	<0.005	<0.005	<0.0028	<0.010	<0.005
MW-5	2/4/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	0.00029 J	<0.005	<0.005	0.0056	0.0012 J	<0.0007	0.00024 J	<0.005	<0.005	<0.005	<0.005
MW-5	4/3/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	0.0075	<0.005	0.00055J	<0.005	<0.005	<0.005	<0.005	<0.005
MW-5	6/18/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	0.00021J	0.0072	0.00083J	<0.0007	<0.005	<0.005	<0.005	<0.005	0.00041J
MW-5	10/19/11	<0.005	<0.0005	<0.005	<0.0005	<0.005	<0.005	<0.0005	NA	<0.0005	<0.005	<0.005	<0.005	0.0038J	<0.005	<0.0007	<0.005	<0.005	<0.0028	<0.0005	<0.005
MW-6	10/16/08	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.0028	<0.010	<0.005
MW-6	2/5/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	0.00055 J	<0.005	<0.005	<0.005	<0.005	<b>0.0039</b>	<0.005	<0.005	<0.005	<0.005	<0.005
MW-6	4/2/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	0.00059J	<0.005	<0.005	0.0018J	<0.005	<b>0.0021</b>	<0.005	<0.005	<0.005	<0.005	<0.005
MW-6	6/17/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	0.0005J	<0.005	<0.005	0.00089J	<0.005	<b>0.00096</b>	<0.005	<0.005	<0.005	<0.005	<0.005
MW-6	10/19/11	<0.005	<0.0005	<0.005	<0.0005	<0.005	<0.005	<0.0005	NA	<0.0005	0.0026J	<0.005	<0.005	0.00034J	<0.005	<b>0.0038</b>	<0.005	<0.005	<0.0028	<0.0005	<0.005

**Table 1: Analytical Data for Groundwater**

**DSCA ID No.: 34-0016**

Groundwater Sampling Point	Sampling Date (mm/dd/yy)	1,1,1-Trichloroethane	1,1,2,2-Tetrachloroethane	1,1,2-Trichloroethane	1,1-Dichloroethane	1,1-Dichloroethylene	1,2-Dichloroethane (EDC)	Benzene	Benzo(a)pyrene	Carbon tetrachloride	Chloroform	cis-1,2-Dichloroethylene	Ethylbenzene	Methyl tert-butyl ether (MTBE)	Naphthalene	Tetrachloroethylene	Toluene	trans-1,2-Dichloroethylene	Trichloroethylene	Vinyl chloride	Xylenes (total)
		[mg/L]																			
NC 2L Standard		0.2	0.0002	NE	0.006	0.007	0.0004	0.001	0.000005	0.0003	0.07	0.07	0.6	0.02	0.006	0.0007	0.6	0.1	0.003	0.00003	0.5
MW-7	11/21/08	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<b>0.0051</b>	<0.005	<0.005	<0.0028	<0.010	<0.005
MW-7	2/5/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	0.00046 J	<b>0.0011</b>	0.00054 J	<0.005	<0.005	<0.005	<0.005
MW-7	4/2/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	0.00066J	0.00067J	<0.005	<0.005	<0.005	<0.005
MW-7	6/17/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.005	<0.005	<0.005
MW-7	10/19/11	<0.005	<0.0005	<0.005	<0.0005	<0.005	<0.005	<0.0005	NA	<0.0005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.0028	<0.0005	<0.005
MW-8	10/16/08	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.0028	<0.010	<0.005
MW-8	2/4/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	0.00044 J	<b>0.0065</b>	<0.005	<0.005	<0.005	<0.005	<0.005
MW-8	4/2/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<b>0.0054</b>	<0.005	<0.005	<0.005	<0.005	<0.005
MW-8	6/17/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<b>0.0034</b>	<0.005	<0.005	<0.005	<0.005	<0.005
MW-8	10/19/11	<0.005	<0.0005	<0.005	<0.0005	<0.005	<0.005	<0.0005	NA	<0.0005	<0.005	<0.005	<0.005	<0.005	<0.005	<b>0.0035</b>	<0.005	<0.005	<0.0028	<0.0005	<0.005
DMW-9	10/16/08	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.0028	<0.010	<0.005
DMW-9	6/18/09	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	0.00052	NA	<0.005	<0.005	<0.005	<0.005	<0.005	<0.005	<0.0007	<0.005	<0.005	<0.005	<0.010	<0.005

**Table 1(1): Analytical Data for Groundwater (User Specified Chemicals)**

**ADT 5(1)**

**DSCA ID No.: 34-0016**

Groundwater Sampling Point	Sampling Date (mm/dd/yy)	Acetone	2-Butanone (MEK)	Chloromethane	Carbon disulfide	Methylene chloride	4-Methyl-2-pentanone	Bromodichloromethane												
		[mg/L]																		
NC 2L Standard		6	4	0.003	0.7	0.005	NE	0.0006												
MW-1	10/04/06	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-1	08/03/07	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-1	1/16/08	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-1	10/16/08	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-1	6/18/09	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-1	10/19/11	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-2	08/03/07	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<b>0.0023J</b>												
MW-2	1/16/08	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-2	10/16/08	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-2	6/18/09	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-3S	1/16/08	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-3S	10/16/08	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-3S	1/4/09	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-3S	4/3/09	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-3S	6/18/09	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-3D	1/16/08	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-3D	10/16/08	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-3D	1/4/09	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-3D	4/3/09	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-3D	6/18/09	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												

**Table 1(1): Analytical Data for Groundwater (User Specified Chemicals)**

**ADT 5(1)**

**DSCA ID No.: 34-0016**

Groundwater Sampling Point	Sampling Date (mm/dd/yy)	Acetone	2-Butanone (MEK)	Chloromethane	Carbon disulfide	Methylene chloride	4-Methyl-2-pentanone	Bromodichloromethane												
		[mg/L]																		
NC 2L Standard		6	4	0.003	0.7	0.005	NE	0.0006												
MW-4S	10/16/08	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-4S	1/4/09	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-4S	4/2/09	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-4S	6/17/09	<0.05	<0.01	<0.005	0.00074J	<0.005	<0.01	<0.005												
MW-4D	10/16/08	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-4D	1/4/09	<0.05	0.0019 J	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-4D	4/2/09	<0.05	0.0035J	<0.005	<0.005	<0.005	0.00075J	<0.005												
MW-4D	6/17/09	<0.05	0.001J	<0.005	0.00049J	0.00084J	<0.01	<0.005												
MW-4D	10/19/11	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-5	10/16/08	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-5	1/4/09	<0.05	<0.001	0.00036 J	<0.005	<0.005	<0.01	<0.005												
MW-5	4/3/09	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-5	6/18/09	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-5	10/19/11	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-6	10/16/08	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-6	1/4/09	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-6	4/2/09	<0.05	<0.01	0.0011J	<0.005	<0.005	<0.01	<0.005												
MW-6	6/17/09	<0.05	<0.001	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-6	10/19/11	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												

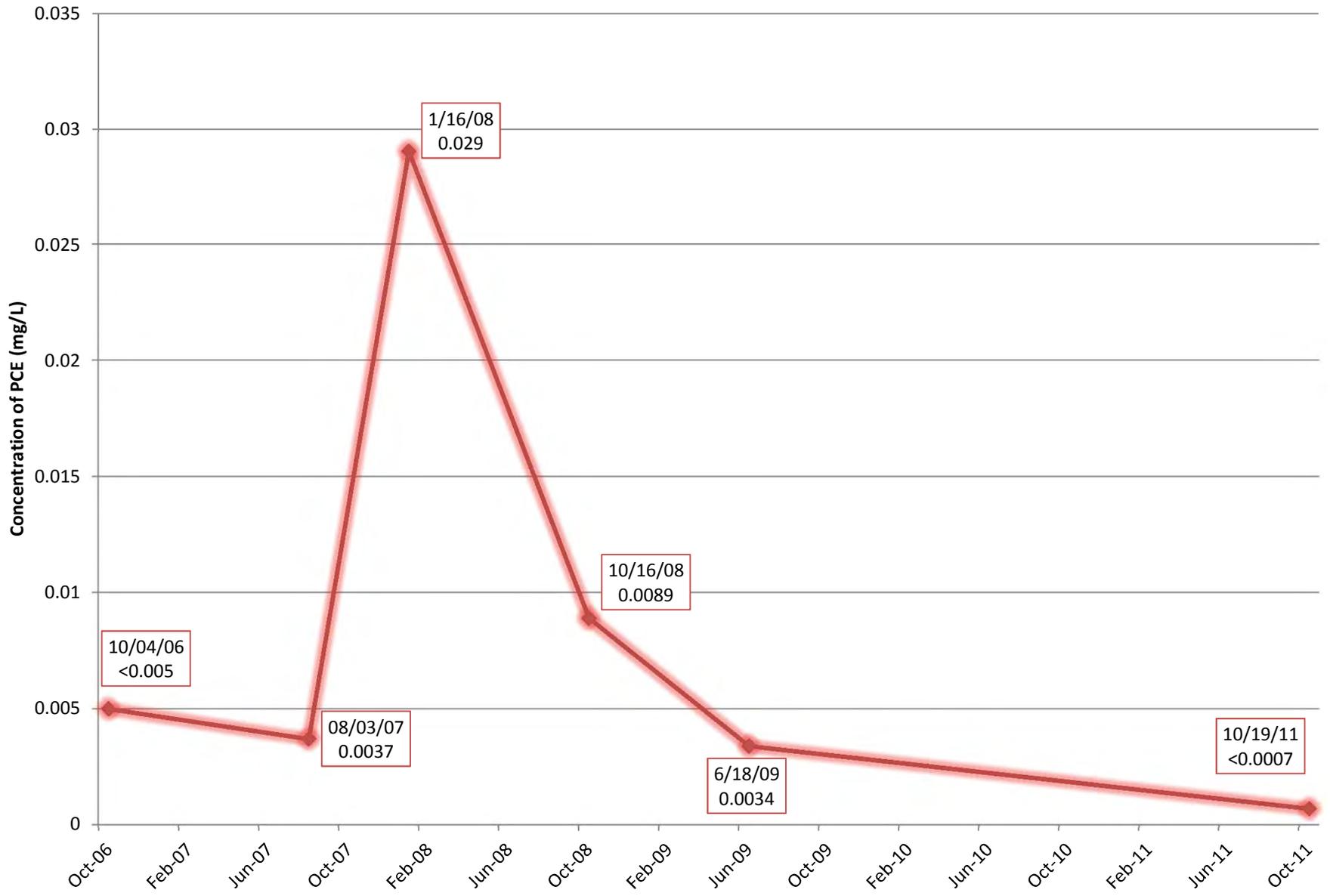
**Table 1(1): Analytical Data for Groundwater (User Specified Chemicals)**

**ADT 5(1)**

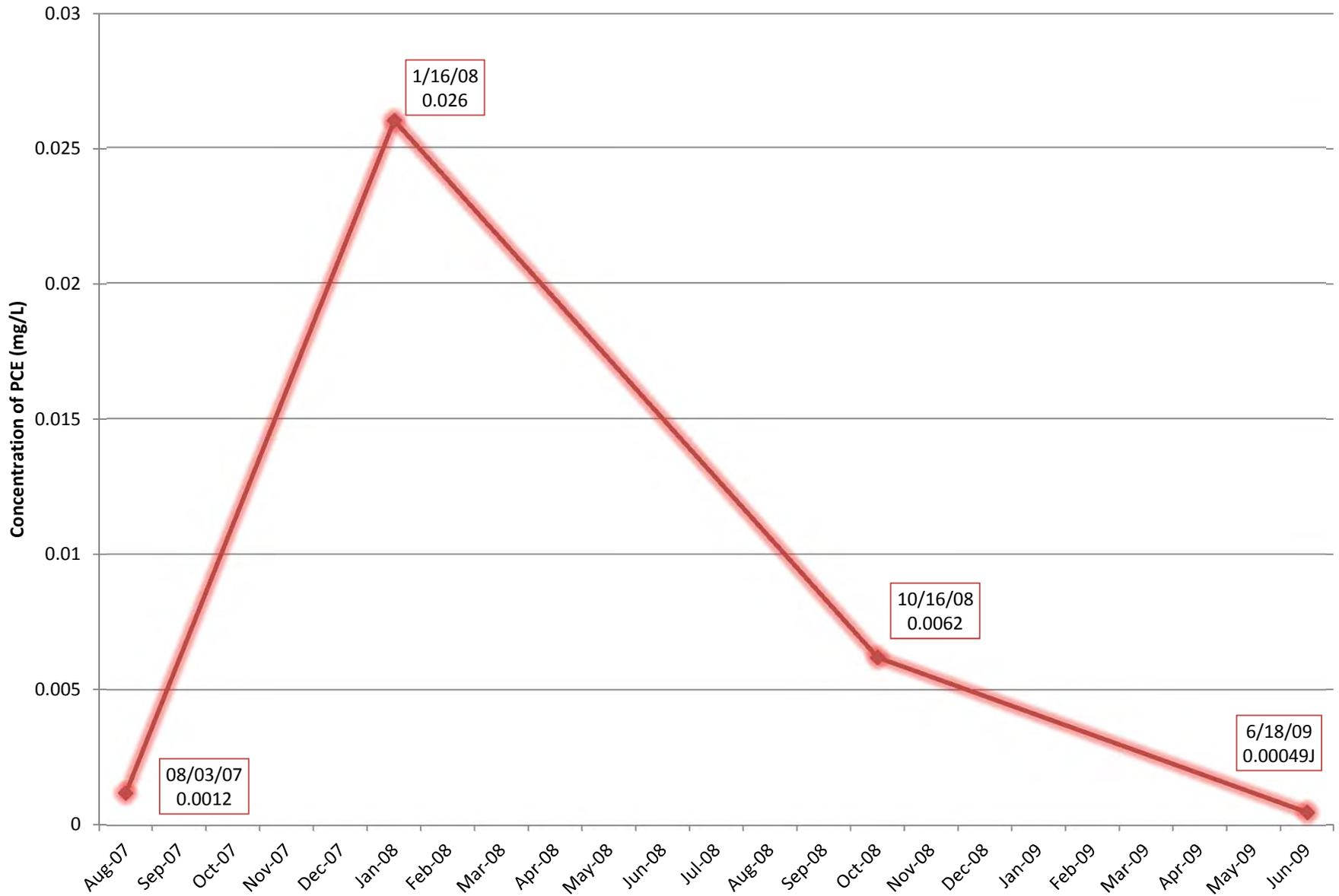
**DSCA ID No.: 34-0016**

Groundwater Sampling Point	Sampling Date (mm/dd/yy)	Acetone	2-Butanone (MEK)	Chloromethane	Carbon disulfide	Methylene chloride	4-Methyl-2-pentanone	Bromodichloromethane												
		[mg/L]																		
NC 2L Standard		6	4	0.003	0.7	0.005	NE	0.0006												
MW-7	11/21/08	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-7	1/4/09	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-7	4/2/09	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-7	6/17/09	<0.05	<0.001	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-7	10/19/11	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-8	10/16/08	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-8	1/4/09	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-8	4/2/09	0.25	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
MW-8	6/17/09	<0.05	<0.01	0.000761	0.000761	<0.005	<0.01	<0.005												
MW-8	10/19/11	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
DMW-9	10/16/08	<0.05	<0.01	<0.005	<0.005	<0.005	<0.01	<0.005												
DMW-9	6/18/09	<0.05	<0.001	<0.005	<0.005	<0.005	<0.01	<0.005												

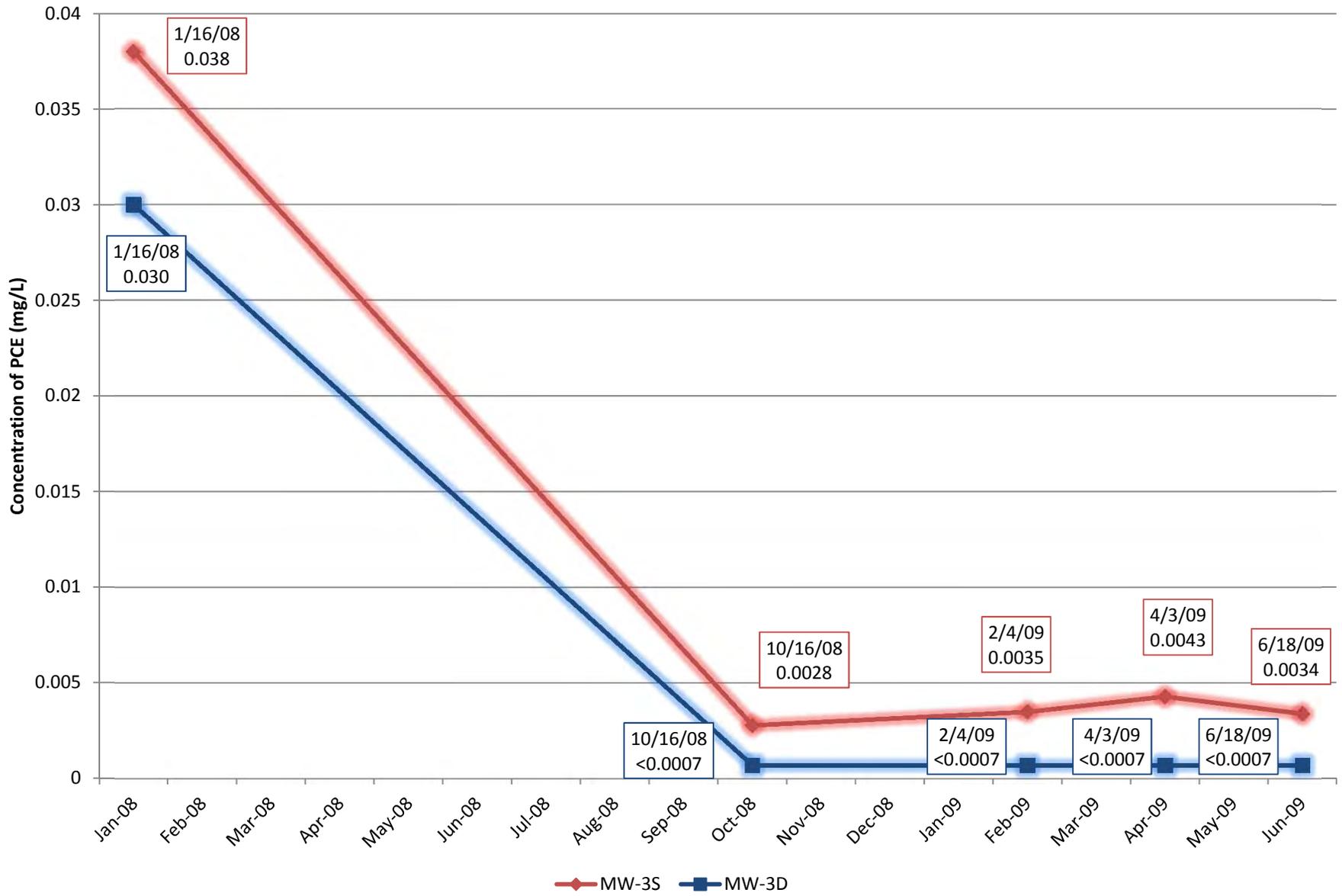
MW-1  
Concentration of PCE in Groundwater over Time



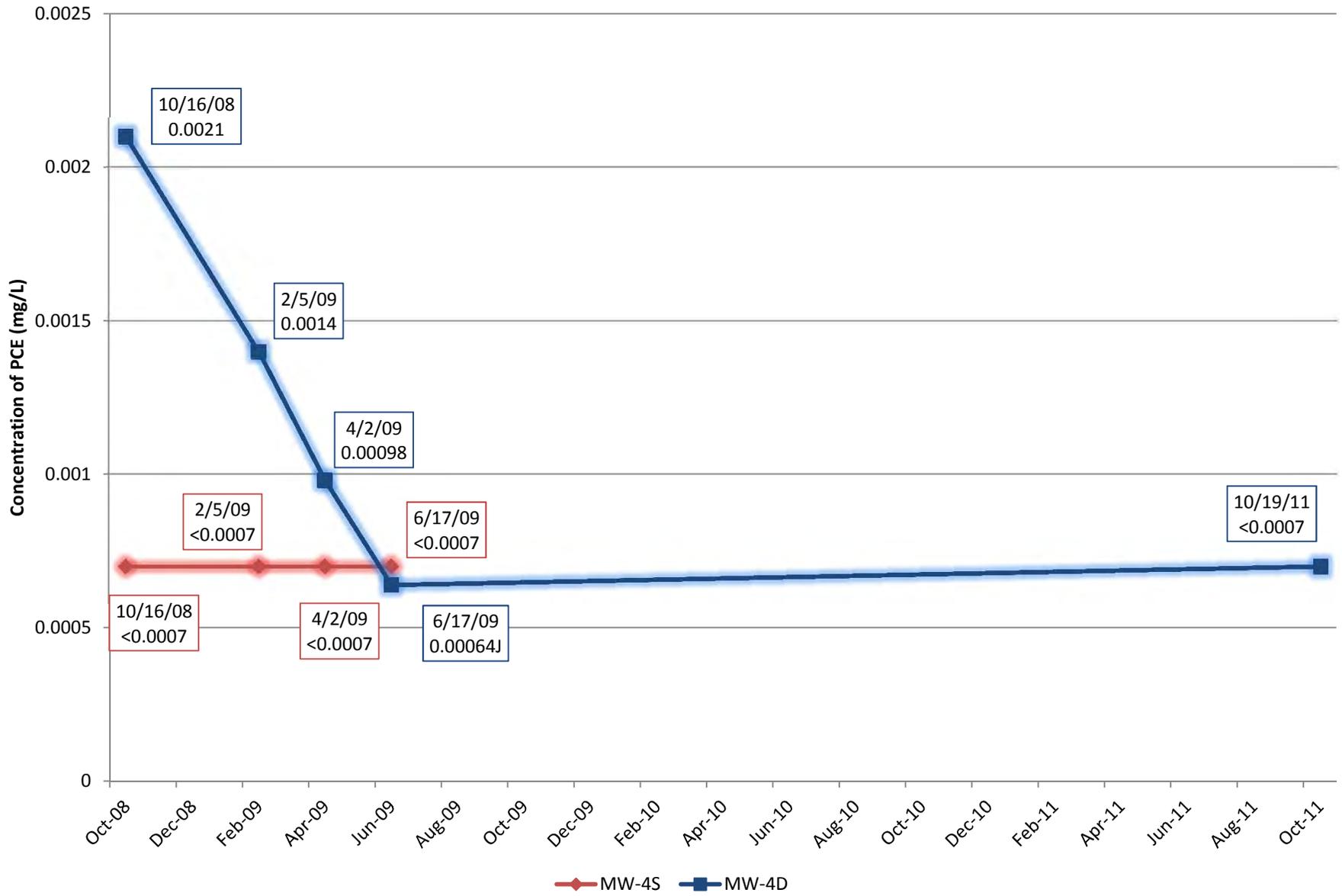
MW-2  
Concentration of PCE in Groundwater over Time



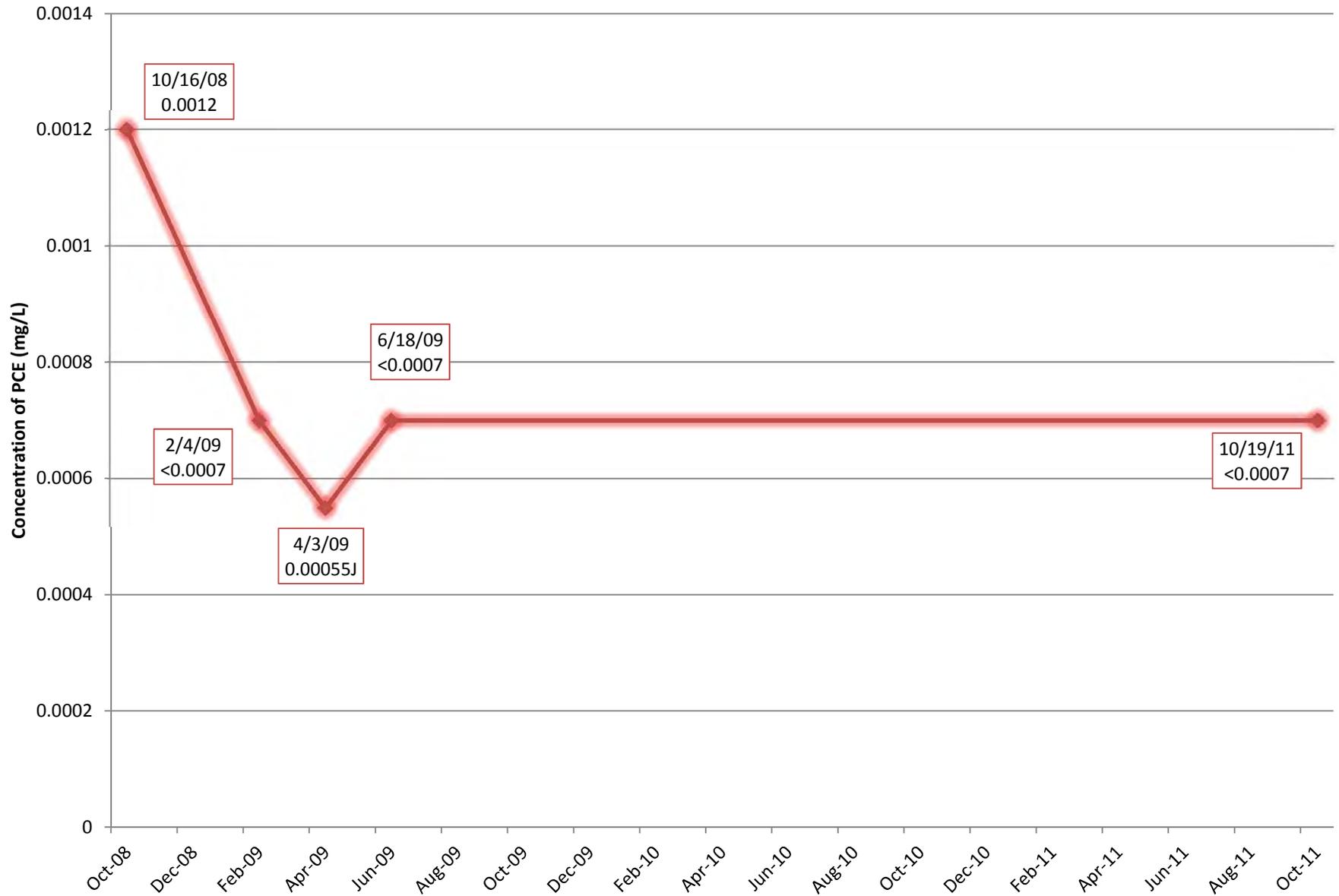
### MW-3S & MW-3D Concentration of PCE in Groundwater over Time



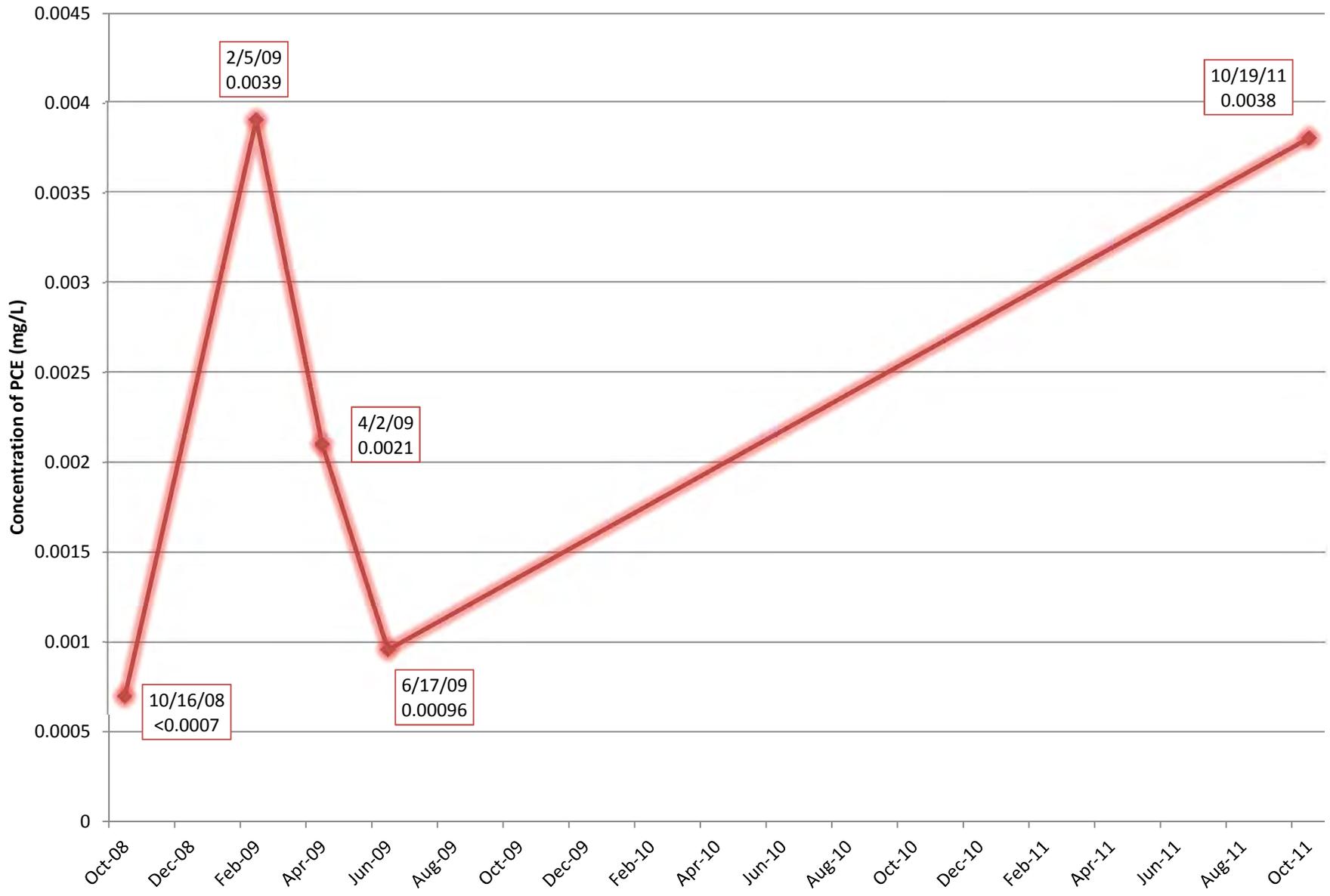
MW-4S & MW-4D  
Concentration of PCE in Groundwater over Time



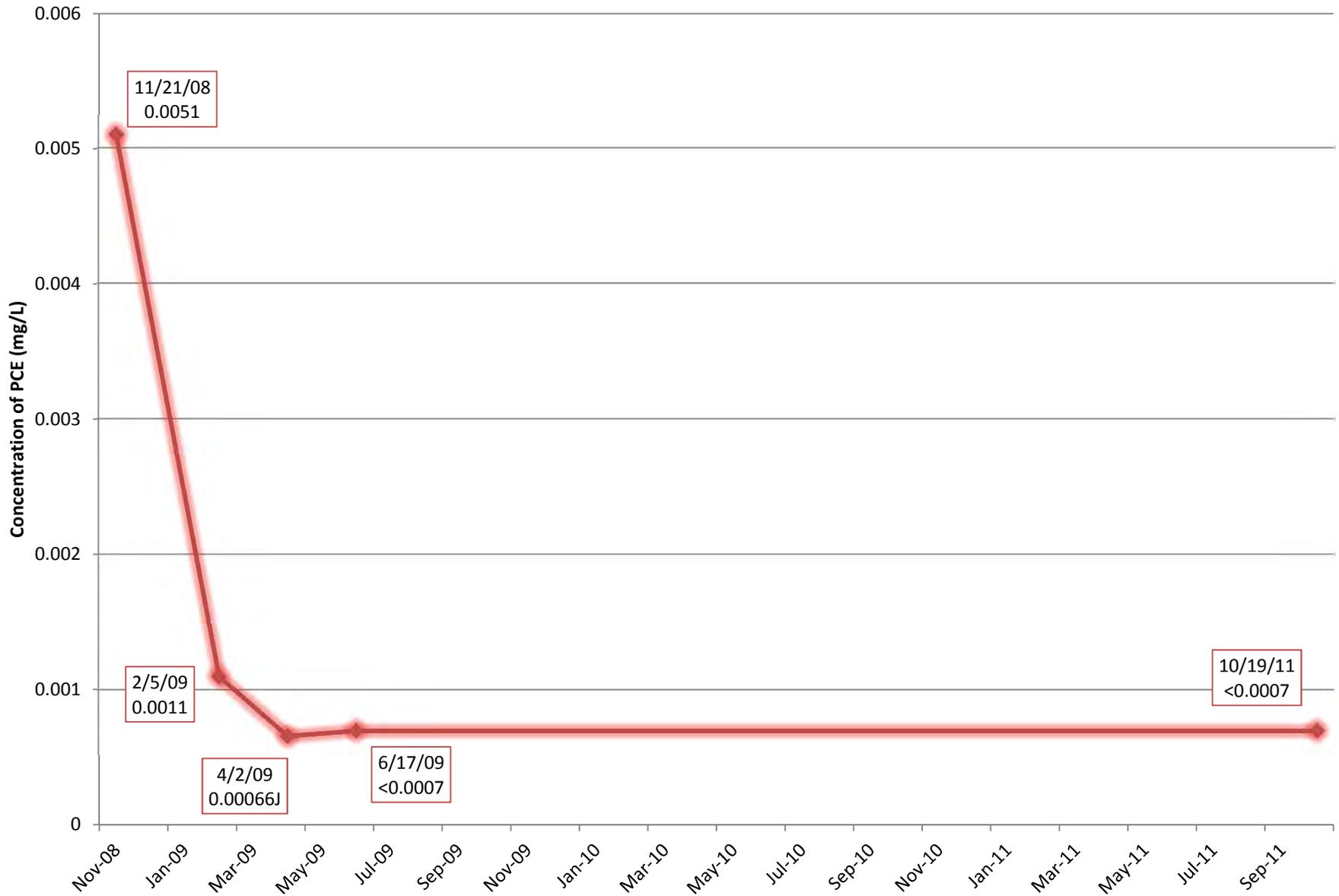
MW-5  
Concentration of PCE in Groundwater over Time



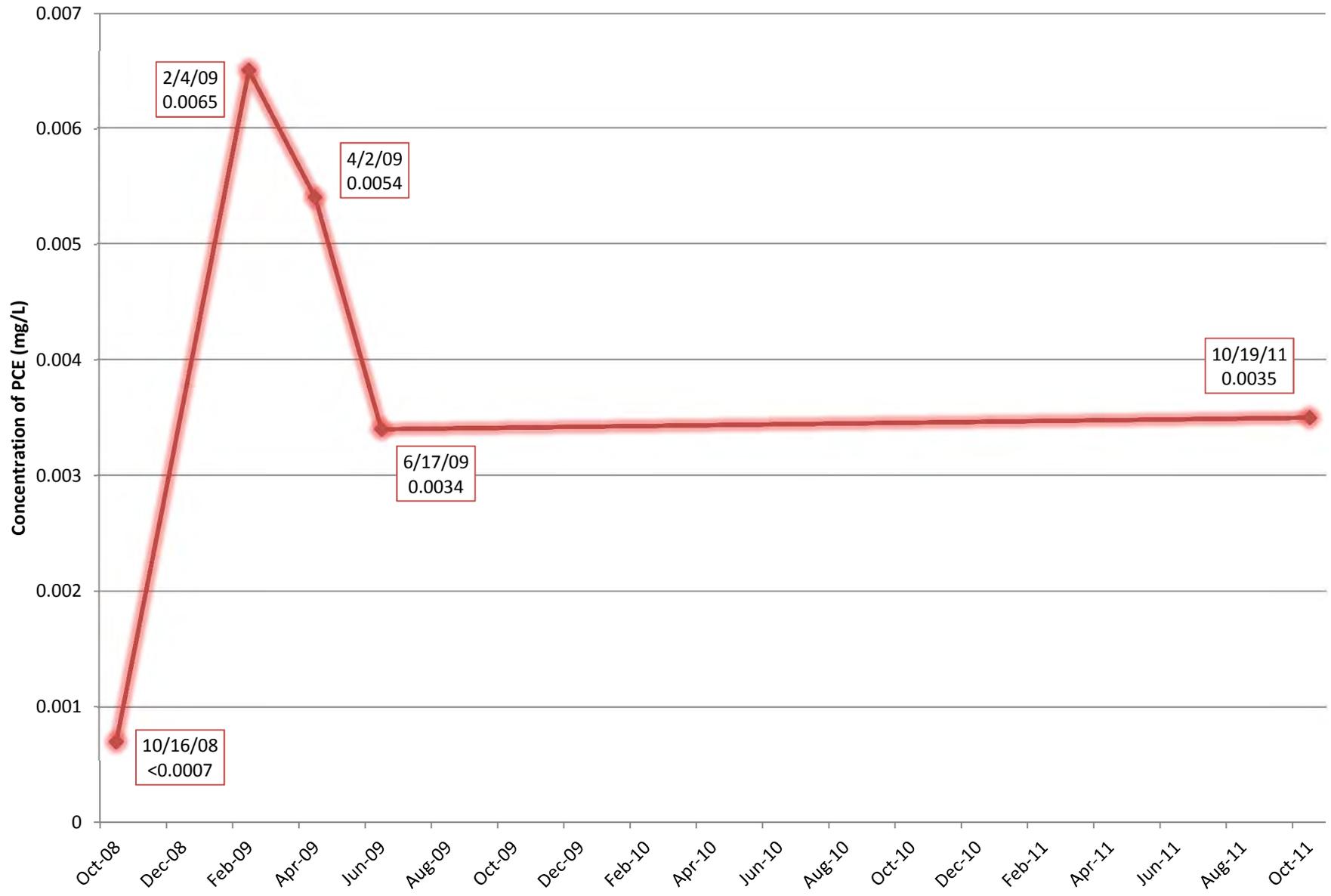
MW-6  
Concentration of PCE in Groundwater over Time



MW-7  
Concentration of PCE in Groundwater over Time



MW-8  
Concentration of PCE in Groundwater over Time



**APPENDIX B**

**LEVEL 1 ECOLOGICAL RISK ASSESSMENT CHECKLISTS**

**Appendix B**  
**Ecological Risk Assessment – Level 1**  
**\$2.50 Krystal Cleaners**  
357 Jonestown Road  
Winston-Salem, Forsyth County, North Carolina  
ATC Project No: 45.34341.3416  
DSCA Site ID: 34-0016

**Checklist A**

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

Based on the United States Geological Survey (USGS) Topographic map, Winston-Salem West 2010 Quadrangle and the United States Fish and Wildlife (USFWS) Ecos Map, Little Creek is located approximately 1,670 feet east-southeast of the site and Silas Creek is located approximately 2,603 feet west-northwest of the site. See the topographic map in **Attachment 1** and the USFWS map in **Attachment 2**.

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

Based on the United States Geological Survey (USGS) Topographic map, Winston-Salem West 2010 Quadrangle and the United States Fish and Wildlife (USFWS) Ecos Map, Little Creek is located approximately 1,670 feet east-southeast of the site and Silas Creek is located approximately 2,603 feet west-northwest of the site. See the topographic map in **Attachment 1** and the USFWS map in **Attachment 2**. Smaller tributaries to Little Creek and Silas Creek were identified approximately 840 feet to the south, 1,055 feet to the east-southeast, and 900 feet to the east-northeast. These locations are shown on **Attachment 3**.

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

Based on the USFWS Ecomap, there are no marshes or swamps on or within one-half mile of the site.

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

Based on a review of the USFWS online database, no critical habitats or significant natural areas are located within one-half mile of the site. However, two creeks are located within one-half mile of the site to the east and the west. Creeks are wetlands and considered to be a sensitive environment.

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

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

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

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

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

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

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

Based on site observations and desktop review, the site is located in an urban setting with mostly commercial, retail and residential properties surrounding the property. Therefore, no recreational or commercially important species are expected to be within one-half mile of the site. However, ecologically important species may exist within the two creeks located within one-half mile.

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

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

- *Clemmys muhlenbergii* – Bog Turtle: Threatened

ATC also reviewed the North Carolina Heritage Program online Winston-Salem West Quadrangle species list. The following species were identified:

- *Clemmys muhlenbergii* – Bog Turtle: Threatened

Based on the desktop review, it is unlikely that the bog turtle would be located within one-half mile of the site.

## Checklist B

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

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

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

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

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

The primary ecological receptor habitats identified in the site vicinity are Little Creek, which is located approximately 1,670 feet east-southeast of the site and Silas Creek, which is located approximately 2,603 feet west-northwest of the site. Smaller tributaries to Little Creek and Silas Creek were identified approximately 840 feet to the south, 1,055 feet to the east-southeast, and 900 feet to the east-northeast. The path of groundwater flow has not been fully assessed between the subject site and these surface water features. However, the plume has been adequately defined and does not extend to these locations. As such, the impacted groundwater does not appear likely to discharge to these ecological receptor habitats.

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

**No. As discussed above, the plume does not appear likely to reach the nearest ecological receptor habitats.**

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

Yes. Surficial soils have been impacted at the site. PCE has been detected at a concentration of 0.051 milligrams per kilogram (mg/kg) in surficial soil.

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

No. The impacted surficial soil is located below pavement. As such, erosion and transport of impacted surficial soil from the site does not appear likely.

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

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

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

Yes. Impacted surficial soil has been documented at the site.

3B. Are potential ecological receptors on the site.

No. Ecological receptors are unlikely to be present on the site property. The primary ecological receptors identified in the site vicinity are associated with Little Creek, which is located approximately 1,670 feet east-southeast of the site and Silas Creek, which is located approximately 2,603 feet west-northwest of the site. Some bird and plant species were identified that may not be associated with surface water or wetland areas, but the site is an active shopping center so these species appear unlikely to be present on the site property.

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

**No. Surficial impacted soil has been identified, but is located adjacent to an active shopping center and ecological receptors are unlikely to be present in the area.**

4A. Are chemicals on the site volatile?

Yes. Chlorinated solvents are considered volatile organic compounds.

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

No. Impacted surficial soil is capped by the pavement.

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

**No. As discussed above, erosion of impacted soil or significant volatilization from impacted soil appears unlikely.**

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

No. NAPL has not been encountered at the site.

5B. Is NAPL migrating?

No. NAPL has not been encountered at the site.

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

No. NAPL has not been encountered at the site.

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

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

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

Yes. Impacted surficial soil has been documented at the site.

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

No. The area of surficial impacted soil is capped by the building and asphalt parking lot, so no plants are present.

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

No. As discussed above, the area of impacted surficial soil is capped by the pavement. Furthermore, the site is an active shopping center and significant ecological receptors are unlikely to be present for a significant time period.

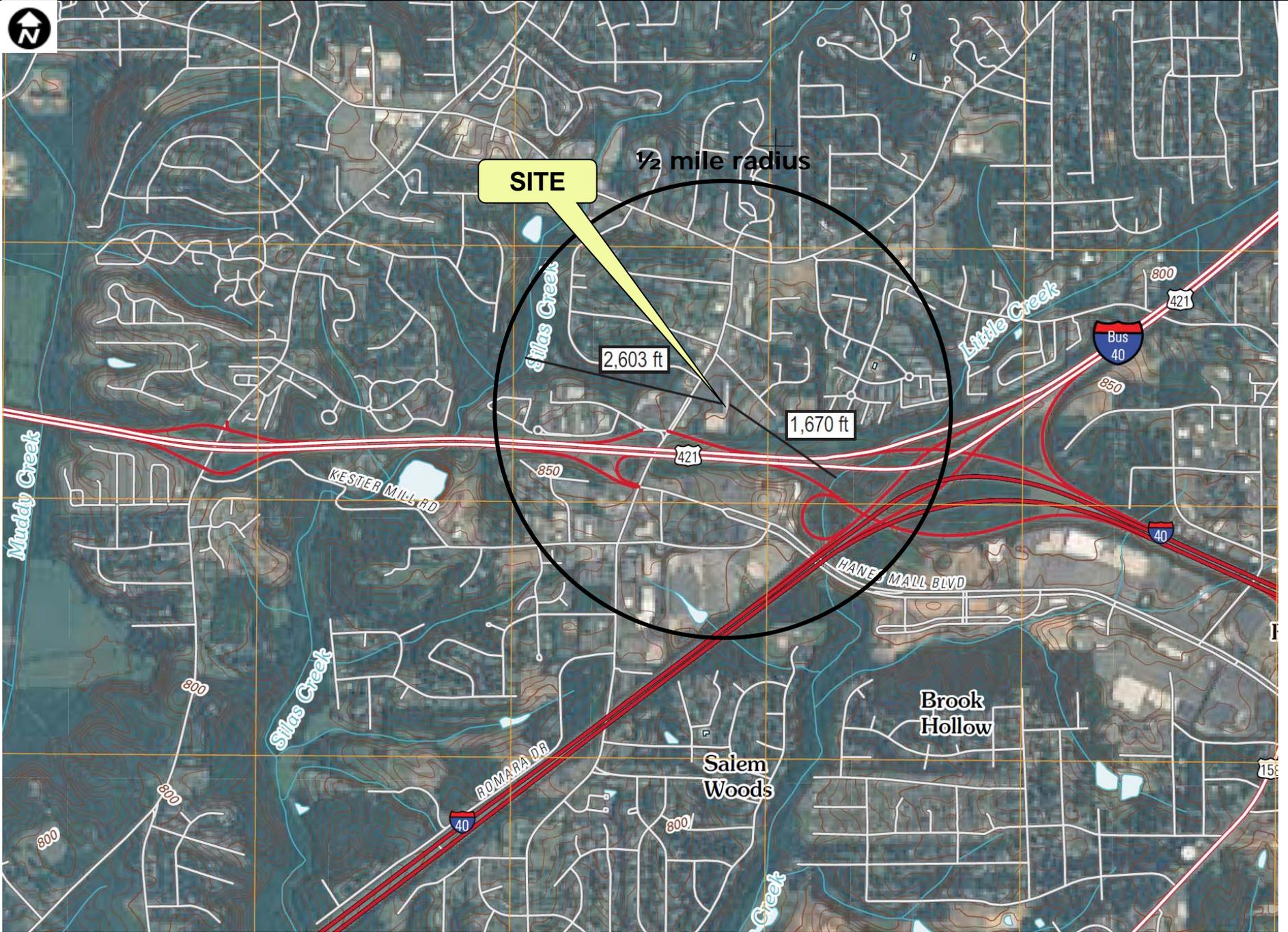
6D. Do chemicals found on the site bioaccumulate?

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

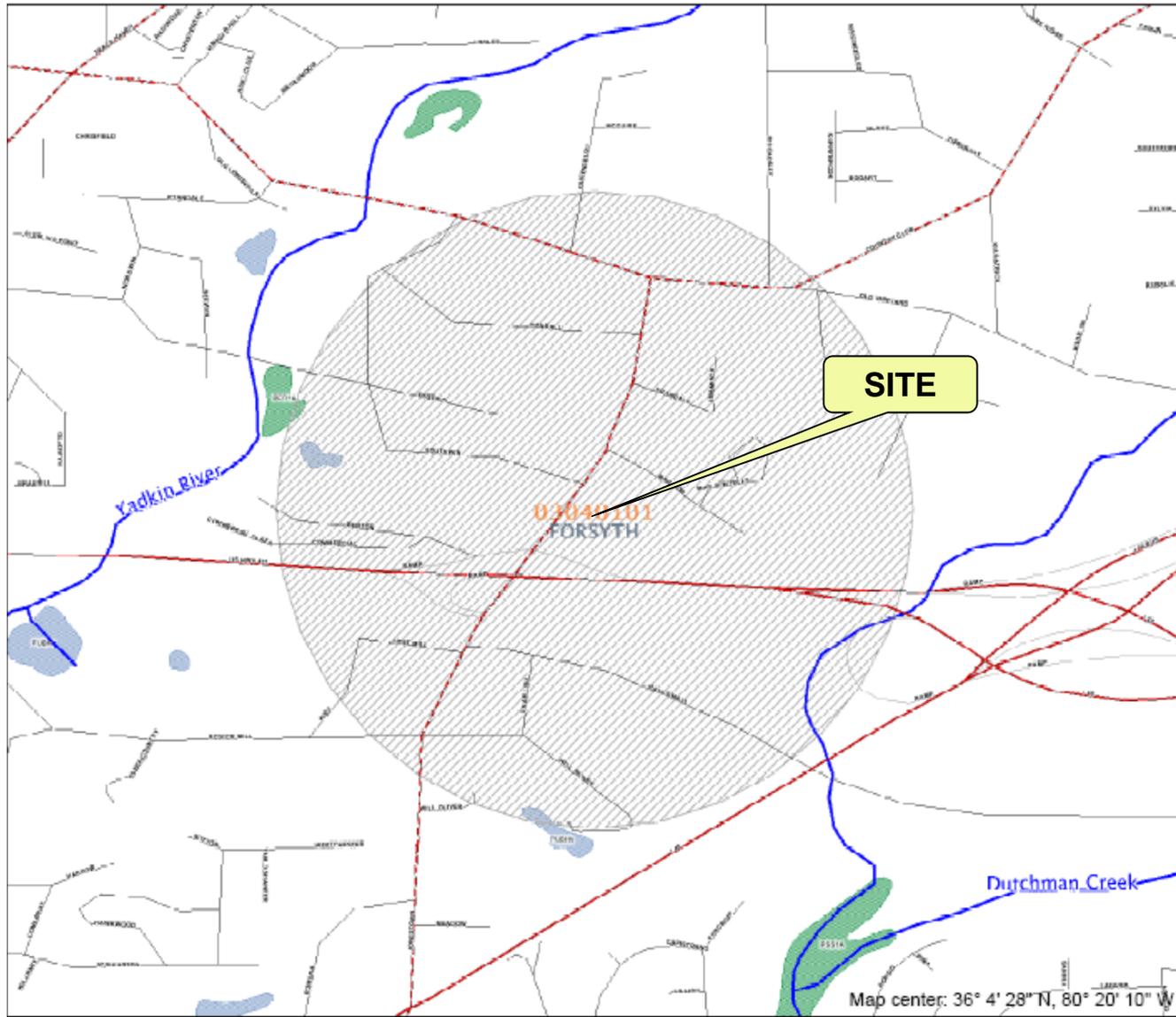
**6. Could chemicals associated with the site reach ecological receptors through direct ingestion of soil, plants, animals, or contaminants?**

**No. Based on the location of the impacted surficial soil below the building or pavement, commercial site environment, and absence of bioaccumulation for the chemicals of concern, it is not anticipated that chemicals associated with the site would reach ecological receptors through direct ingestion of soil, plants, animals, or contaminants.**

Attachment 1: USGS Topographic Map, Winston-Salem West Quadrangle, 2010  
DSCA Site 34-0016, \$2.50 Krystal Cleaners



**Attachment 2: U.S. Fish and Wildlife Server Ecos Map**  
**DSCA Site: 34-0016, \$2.50 Krystal Cleaners**



**Map Legend**

- Critical Habitat
- Barriers
- Railroads
- 8 Digit HUCs
- Streams
- Water Bodies
- Refuges
- NWI Wetlands**
- Estuary
- Estuarine Wetland
- Lake (Deep)
- Lake (Shallow)
- Open Water
- Marine Wetland
- Other Vegetated Wetland
- Inland Aquatic Bed
- Inland Herbaceous Wetland
- Inland Forested Wetland
- Inland Shrub Swamp
- Pond
- Pond (Drawdown)
- Tidal River
- Lower Perennial River
- Upper Perennial River
- Intermittent River
- Other Perennial River

Map center: 36° 4' 28" N, 80° 20' 10" W



- LEGEND**
- \$2.50 KRYSTAL CLEANERS SITE
  - PROPERTY LINE
  - ◆ MONITORING WELL (TYPE II)
  - ◆ MONITORING WELL (TYPE III)
  - X — FENCE
  - STREAM
  - - - CULVERT



<p><b>ASSOCIATES OF NORTH CAROLINA, P.C.</b> Charlotte, North Carolina 28217 (704) 529-3200 FAX (704) 529-3272</p>		PROJECT NO. <b>45.34341.3146</b>
		DATE <b>04/26/12</b>
SCALE <b>AS SHOWN</b>		REV. BY <b>GO</b>
TITLE <b>ATTACHMENT 3 SITE MAP \$2.50 KRYSTAL CLEANERS 357 JONESTOWN ROAD WINSTON-SALEM, NORTH CAROLINA</b>		PREP. BY <b>AF</b>
CAD FILE <b>DS340016_20120213</b>	DCSA ID <b>34-0016</b>	REV. BY <b>GO</b>

NOTES:

**APPENDIX C**

**ON-SITE NOTICE OF DRY-CLEANING SOLVENT REMEDIATION**

## NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

Property Owner: Jonestown Retail Investment, LLC  
Recorded in Book \_\_\_\_\_, Page \_\_\_\_\_  
Associated plat recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_

**This documentary component of a Notice of Dry-Cleaning Solvent Remediation (hereinafter "Notice") is hereby recorded on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by Jonestown Retail Investment, LLC (hereinafter "Property Owner"). The survey plat component of the Notice is being recorded concurrently with this documentary component. The real property (hereinafter "Property") which is the subject of this Notice is located at 305-397 Jonestown Road, Winston-Salem, Forsyth County, North Carolina, Parcel Identification Number (PIN) 6804-58-1220.**

**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 four 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 \$2.50 Krystal Cleaners (DSCA Site 34-0016) located at 357 Jonestown Road, in the Centre Stage and Jonestown Shopping Center. Dry-cleaning operations were conducted on the Property from approximately 1999 to 2010. The site currently operates as a dry-cleaning drop-off/pick-up center.

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

land surveyor and meets the requirements of G.S. 47-30, and contains the following information required by N.C.G.S. § 143-215.104M:

(1) A description of the location and dimensions of the areas of potential environmental concern with respect to permanently surveyed benchmarks; and

(2) The type, location and quantity of regulated dry-cleaning solvent contamination and other contaminants known to exist on the Property.

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

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

### **LAND-USE RESTRICTIONS**

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

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

5. **In January of each year, on or before January 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.**
6. **No person conducting environmental assessment or remediation at the Property or involved in determining compliance with applicable land-use restrictions, at the direction of, or pursuant to a permit or order issued by DENR may be denied access to the Property for the purpose of conducting such activities.**
7. **The owner of any portion of the Property shall cause the instrument of any sale, lease, grant, or other transfer of any interest in the property to include a provision expressly requiring the lessee, grantee, or transferee to comply with this Notice. The failure to include such a provision shall not affect the validity or applicability of any land-use restriction in this Notice.**
8. **Prior to using the \$2.50 Krystal Cleaners tenant space, as identified in Exhibit A, for any purpose other than dry-cleaning operations, the property owner must demonstrate to the satisfaction of DENR that the indoor air of the structure does not pose an unacceptable risk to occupants.**

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

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

#### **REPRESENTATIONS AND WARRANTIES**

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

- i) that the Property Owner is the sole owner of the Property; **or** that the Property Owner has provided to DENR the names of all other persons that own an interest in or hold an encumbrance on the Property and have notified such persons of the Property Owner's intention to enter into this Notice;
- ii) that the Property Owner has the power and authority to enter into this Notice, to grant the rights and interests herein provided and to carry out all obligations hereunder; and

- iii) that this Notice will not materially violate or contravene or constitute a material default under any other agreement, document or instrument to which the Property Owner is a party or by which the Property Owner may be bound or affected.

### **ENFORCEMENT**

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

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

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

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

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

**PROPERTY OWNER SIGNATURE**

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

Jonestown Retail Investment, LLC

By: \_\_\_\_\_  
Name of contact

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

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

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

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

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

**APPROVAL AND CERTIFICATION**

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

North Carolina Department of Environment and Natural Resources

By: \_\_\_\_\_ Date \_\_\_\_\_  
Jim Bateson, 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 NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

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

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

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

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



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



VICINITY MAP  
NOT TO SCALE

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

JIM BATESON, CHIEF  
SUPERFUND SECTION  
DIVISION OF WASTE MANAGEMENT

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

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

NOTARY PUBLIC (SIGNATURE)  
MY COMMISSION EXPIRES \_\_\_\_\_

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

**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 NAVD88 ELEVATIONS, THE N.C. STATE PLANE COORDINATES FOR CONTROL POINTS #1004, & 1006, 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 OCTOBER 29, 2009. ALL MEASUREMENTS SHOWN HEREON ARE REPORTED IN U.S. SURVEY FEET UNLESS NOTED OTHERWISE.

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

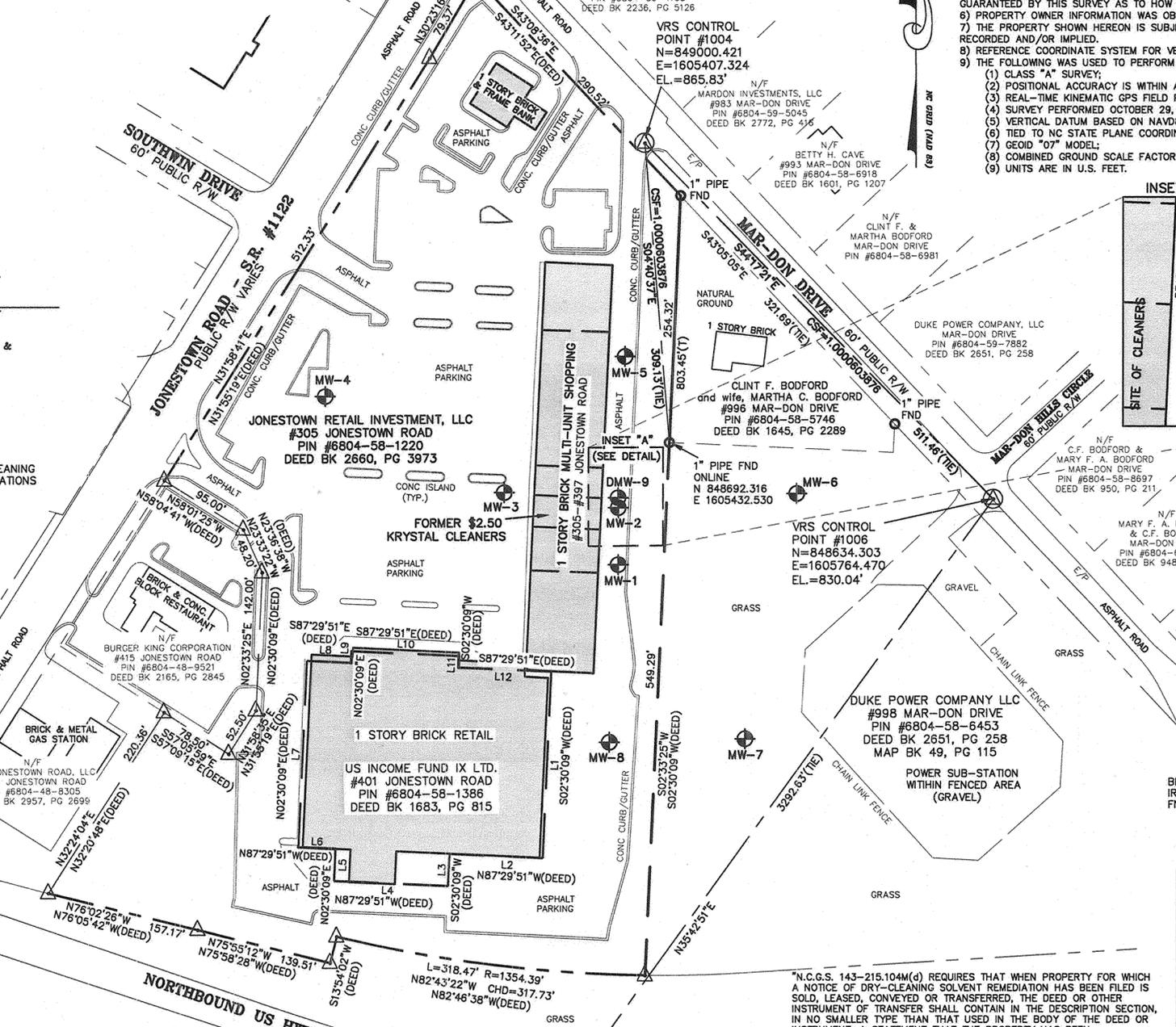
**FLOOD CERTIFICATION:**  
THIS IS TO CERTIFY THAT THE PROPERTY SHOWN ON THIS PLAT IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, COMMUNITY NUMBER 371068-0400-J, DATED JANUARY 2, 2009.

THE UNDERSIGNED HEREBY ACKNOWLEDGE THAT I AM THE OWNER OF THE PROPERTY SHOWN AND UPON APPROVAL BY THE CITY, COUNTY PLANNING BOARD OF WINSTON-SALEM AND FORSYTH COUNTY AUTHORIZE THAT THIS PLAT BE RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS OF FORSYTH COUNTY.

REVIEW OFFICE OF FORSYTH COUNTY  
CERTIFY THAT THIS PLAT IS NOT A REGULATED SUBDIVISION OF LAND. THE PURPOSE OF THIS PLAT IS TO SHOW A NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (NCDENR) DRY-CLEANING SOLVENT CLEANUP ACT (DSCA) SITE.

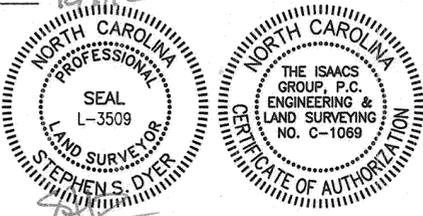
REVIEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_ OWNER \_\_\_\_\_



**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(f)(1)(c)(1) AS AMENDED; WITNESS MY ORIGINAL SIGNATURE REGISTRATION NUMBER AND SEAL THIS \_\_\_\_\_ TH DAY OF DECEMBER, 2012.

STEPHEN S. DYER, PLS L-3509  
N.C. FIRM LICENSE #C-1069



VRS CONTROL POINT #1004  
N=849000.421  
E=1605407.324  
EL.=865.83'

VRS CONTROL POINT #1006  
N=848634.303  
E=1605764.470  
EL.=830.04'

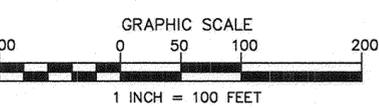
THIS PROPERTY HAS BEEN CONTAMINATED WITH DRY-CLEANING SOLVENT. A NOTICE OF DRY-CLEANING SOLVENT REMEDIATION IS RECORDED IN THE FORSYTH COUNTY REGISTER OF DEEDS' OFFICE AT: BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

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.

SOIL BORINGS IN THE PLAT WERE FIELD LOCATED BY THE ISAACS GROUP, NOVEMBER 2, 2009.

GROUNDWATER IN WELLS MW-1, MW-2, MW-3, MW-4D, MW-5, MW-6, MW-7, AND MW-8 EXCEEDED THE APPLICABLE 2L WATER QUALITY STANDARDS (15A NCAC 2L.0200) FOR TETRACHLOROETHYLENE (PCE).

SOIL IN BORING SB-8, SB-7, SB-12, AND MW-2 EXCEEDED THE ASSOCIATED RESIDENTIAL RISK BASED SCREENING LEVEL (15A NCAC 2S) FOR: TETRACHLOROETHYLENE (PCE).



NO.	BY	DATE	REVISION
1	MWJ	12-6-12	UPDATED NAME IN NCGS 143 CERT.

**SURVEY NOTES:**

- 1) THE SUBJECT PROPERTY FOR THIS SURVEY IS IDENTIFIED BY FORSYTH COUNTY PARCEL IDENTIFICATION NUMBER (PIN) #6804-58-1220. THE PURPOSE OF THIS PLAT IS TO DISPLAY (1) THE LOCATIONS OF MONITORING WELLS LOCATED ON THE SUBJECT PROPERTY WITH RESPECT TO SURVEYED BENCHMARKS AND (2) THE TYPE, LOCATION AND QUANTITY OF 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 UPON THE MAP ARE APPROXIMATIONS DERIVED FROM THE BEST AVAILABLE INFORMATION AT THE TIME OF FILING. THIS INFORMATION WAS SUPPLIED TO THE ISAACS GROUP BY ATC ASSOCIATES OF NORTH CAROLINA, PC.
- 3) ALL BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE BASED UPON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83(NSRS 2007), WITH NAVD88 (GEOD 07) ELEVATIONS, PER A GPS SURVEY PERFORMED BY THE ISAACS GROUP, ON OCTOBER 29, 2009. THE N.C. STATE PLANE COORDINATES SHOWN FOR CONTROL POINT #1004 AND #1006 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 PROPERTY. THE BOUNDARY LINES OF THE SUBJECT PROPERTY WERE PRODUCED FROM THE LEGAL DESCRIPTION FOUND IN WITH THE SUBJECT PROPERTY'S DEED. THE GEOMETRY OF THE LEGAL DESCRIPTIONS HAVE NOT BEEN ALTERED IN ANY WAY, BUT HAS BEEN HELD ON A NORTHEASTERN CORNER OF DEED 2660, PG 3973, (A FOUND 1" PIPE), AND ROTATED TO THE NORTHWESTERN CORNER OF DEED 2651, PAGE 258, (A FOUND 1" PIPE). NON-MONUMENTED SUBJECT PARCEL LINES ARE BASED ON THE LEGAL DESCRIPTION OF THE SUBJECT PARCEL.
- 5) SOME INFORMATION SUCH AS BUILDING FOOTPRINTS, MOST PROPERTY LINES, AND CURB LINES/EDGE OF PAVEMENTS, HAVE BEEN TAKEN FROM FORSYTH 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 FORSYTH COUNTY GIS TAX 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 WITHIN A 95 PERCENT CONFIDENCE LEVEL;
  - (3) REAL-TIME KINEMATIC GPS FIELD PROCEDURE;
  - (4) SURVEY PERFORMED OCTOBER 29, 2009;
  - (5) VERTICAL DATUM BASED ON NAVD88;
  - (6) TIED TO NC STATE PLANE COORDINATES AS SHOWN;
  - (7) GEOD "07" MODEL;
  - (8) COMBINED GROUND SCALE FACTOR: 1.0000603876;
  - (9) UNITS ARE IN U.S. FEET.

**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 \_\_\_\_\_

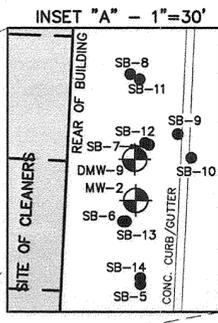
I, \_\_\_\_\_ A NOTARY PUBLIC OF SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT \_\_\_\_\_ DID PERSONALLY APPEAR AND SIGN BEFORE ME THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_

NOTARY PUBLIC (SIGNATURE)  
MY COMMISSION EXPIRES \_\_\_\_\_

FORSYTH COUNTY REGISTER OF DEEDS PLAT REGISTRATION

FILED FOR REGISTRATION AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.  
THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
AND RECORDED IN PLAT BOOK \_\_\_\_\_ PG. \_\_\_\_\_  
FILING FEE PAID: \_\_\_\_\_ C. NORMAN HOLLEMAN, REGISTER OF DEEDS  
BY: \_\_\_\_\_ ASSISTANT

FORSYTH COUNTY, NORTH CAROLINA



**LINE TABLE**

LINE	BEARING	LENGTH
L1	S02°33'25"W	192.00'
L2	N87°26'35"W	95.00'
L3	S02°33'25"W	33.00'
L4	N87°26'35"W	117.00'
L5	N02°33'25"E	33.00'
L6	N87°26'35"W	38.00'
L7	N02°33'25"E	192.00'
L8	N87°26'35"E	45.46'
L9	N02°33'25"E	12.00'
L10	S87°26'35"E	109.92'
L11	S02°33'25"W	12.00'
L12	S87°26'35"E	94.62'

MONITORING WELL ID	NORTHING (FEET)	EASTING (FEET)	ELEVATION (FEET)	DESIGNATION
MW-1	848566.64	1605380.19	852.24	TOW
TCMW-1	848566.64	1605380.19	851.87	TOC 2"
MW-2	848625.37	1605380.06	853.08	TOW
TCMW-2	848625.37	1605380.06	852.86	TOC 2"
MW-3	848640.86	1605263.92	852.59	TOW
TCMW-3S	848640.86	1605263.92	852.28	TOC 2"
TCMW-3D	848640.86	1605263.92	852.28	TOC 2"
MW-4	848739.83	1605080.52	853.66	TOW
TCMW-4S	848739.83	1605080.52	853.28	TOC 1"
TCMW-4D	848739.83	1605080.52	853.26	TOC 2"
MW-5	848790.9	1605387.06	854.54	TOW
TCMW-5	848790.9	1605387.06	854.19	TOC 2"
MW-6	848639.94	1605563.46	840.83	TOW
TCMW-6	848639.94	1605563.46	840.24	TOC 2"
MW-7	848387.68	1605510.35	832.29	TOW
TCMW-7	848387.68	1605510.35	831.58	TOC 2"
MW-8	848384.16	1605371.24	849.07	TOW
TCMW-8	848384.16	1605371.24	848.75	TOC 2"
MW-9	848635.62	1605380.06	853.16	TOW
TCMW-9	848635.62	1605380.06	852.67	TOC 2"

**SURVEY PLAT - EXHIBIT "A"**  
**TO THE NOTICE OF DRY-CLEANING SOLVENT REMEDIATION**  
**JONESTOWN RETAIL INVESTMENT, LLC**  
PIN #6804-58-1220

**\$2.50 KRISTAL CLEANERS-DSCA #34-0016**  
#357 JONESTOWN ROAD, WINSTON TOWNSHIP, FORSYTH COUNTY, NC

File # 09216-JONESTOWN Date: 10-22-2012 Project P.L.S.: SSD

**ISAACS GROUP**  
CIVIL ENGINEERING DESIGN AND LAND SURVEYING

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

SHEET 1 OF 4

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



53 minutes 19 seconds West 30.01 feet to an existing iron pipe; thence North 86 degrees 08 minutes 38 seconds West 100.03 feet to an existing iron; thence North 81 degrees 58 minutes 23 seconds West 100.02 feet to an existing iron; thence North 77 degrees 48 minutes 01 seconds West 88.36 feet to an existing right-of-way monument; thence with the Northern right-of-way line of U.S. 421 the following three calls: South 13 degrees 54 minutes 02 seconds West 28.00 feet to an existing iron; thence North 75 degrees 58 minutes 28 seconds West 139.51 feet to an existing iron; thence North 76 degrees 05 minutes 42 seconds West 157.17 feet to an iron; thence with a new line crossing V.V. Beroth Oil Company (now or formerly) North 32 degrees 20 minutes 48 seconds East 220.36 feet to an iron in the Southern line of Burger King Corporation (now or formerly); thence with said line South 57 degrees 09 minutes 15 seconds East 78.50 feet to the Southern property corner of Burger King Corporation (now or formerly); thence North 31 degrees 55 minutes 19 seconds East 52.50 feet to a point; thence North 02 degrees 30 minutes 09 seconds East 142.00 feet to a point; thence North 23 degrees 36 minutes 38 seconds West 48.20 feet to a point; thence North 58 degrees 04 minutes 41 seconds West 95.00 feet to the point and place of BEGINNING.

SAVE AND EXCEPT THE FOLLOWING TRACT:

THE KROGER PAD

Starting at the point of intersection of the Southern right-of-way line of Mar-Don Drive with the center of the former right-of-way of LaHoma Lane (LaHoma Lane now being closed; see recorded road closing resolution at Book 1547, Page 434); thence with the former center line of LaHoma Lane South 02 degrees 30 minutes 09 seconds West 495.00 feet to a point; thence North 87 degrees 29 minutes 51 seconds West 110.00 feet to the point and place of BEGINNING of the property to be known as "the Kroger pad"; thence, from said BEGINNING point thus established South 02 degrees 30 minutes 09 seconds West 192.00 feet to a point; thence North 87 degrees 29 minutes 51 seconds West 95 feet to a point; thence South 02 degrees 30 minutes 09 seconds West 33.00 feet to a point; thence North 87 degrees 29 minutes 51 seconds West 117.00 feet to a point, thence North 02 degrees 30 minutes 09 seconds East 33.00 feet to a point; thence North 87 degrees 29 minutes 51 seconds

West 38.00 feet to a point; thence North 02 degrees 30 minutes 09 seconds East 192.00 feet to a point; thence South 87 degrees 29 minutes 51 seconds East 45.46 feet to a point; thence North 02 degrees 30 minutes 09 seconds East 12.00 feet to a point, thence South 87 degrees 29 minutes 51 seconds East 109.92 feet to a point; thence South 02 degrees 30 minutes 09 seconds West 12.00 feet to a point; thence South 87 degrees 29 minutes 51 seconds East 94.62 feet to the point and place of BEGINNING; containing 1.220 acres, more or less, as shown on an unrecorded map of survey prepared for Gary D. Rappaport and Centre Stage Limited Partnership by Brady Surveying Company and sealed by W. Max Brady, Jr., Registered Land Surveyor No. L-2578, dated September 4, 1987.

TOGETHER WITH a nonexclusive, perpetual easement appurtenant of ingress and egress consisting of a thirty-foot (30-ft.) right-of-way, the center line of which being described as follows:

BEGINNING at a point in the new proposed right-of-way line of Jonestown Road, said point being located North 32 degrees 17 minutes 45 seconds East 41.05 feet from a right-of-way monument located at the Northeast corner of the intersection of Jonestown Road and U.S. Highway 421, and said BEGINNING point also being located South 32 degrees 17 minutes 45 seconds West 168.45 feet from a right-of-way monument which bears N.C. State Plane Coordinates of Y=848,411.492 and X=1,604,732.581; and running from said BEGINNING point thus established, with the center line of this easement, the following two (2) calls: (1) South 31 degrees 09 minutes 44 seconds East 34.75 feet to a point; and (2) South 69 degrees 26 minutes 36 seconds East 97.23 feet to a point in the new boundary line between V.V. Beroth Oil Company (now or formerly) and Marquis Properties-Jonestown, Ltd., a Georgia Limited Partnership (now or formerly), as shown on the unrecorded survey dated September 4, 1987, by Brady Surveying Company entitled "Gary D. Rappaport and Centre Stage Limited Partnership" which bears the seal of W. Max Brady, Jr., N.C. Registered Land Surveyor No. L-2578.

THERE IS RESERVED HEREFROM, and the foregoing properties are burdened by the following-described easement:

That certain 25-ft. wide easement area which runs from the Eastern right-of-way line of Jonestown Road to the former center line of LaHoma Lane (LaHoma Lane now being closed -- see recorded road closing resolution Book 1546, Page 434); said 25-ft. access easement being more particularly described by describing the center line of a 25-ft. wide strip of land, the legal description of said center line being as follows:

STARTING at a right-of-way monument which is located South 57 degrees 09 minutes 15 seconds East 9.59 feet from the Northwesternmost property corner of V.V. Beroth Oil Company (now or formerly) (see Book 1513, Page 1489, and Book 1511, page 2000), said point also being located South 57 degrees 09 minutes 15 seconds East 9.59 feet from the Eastern right-of-way line of Jonestown Road at a point North of its intersection with U.S. Highway 421; said point also bearing North Carolina State Plane Coordinates of Y=848,411.492 and X=1,604,732.581; and running from said STARTING point North 57 degrees 09 minutes 15 seconds West 9.59 feet to an iron found in the Eastern right-of-way line of Jonestown Road; thence with the said Eastern right-of-way line of Jonestown Road, North 31 degrees 55 minutes 19 seconds East 227.50 feet to a point; thence South 58 degrees 04 minutes 41 seconds East 10.00 feet to the point and place of BEGINNING; thence from said BEGINNING point thus established, South 58 degrees 04 minutes 41 seconds East 69.21 feet to the point of curvature of a curve to the right with a radius of 91.72 feet, a chord bearing and distance of South 27 degrees 47 minutes 14 seconds East 92.53 feet to a point; thence South 02 degrees 30 minutes 09 seconds West 279.90 feet to the point of curvature of a curve to the left with a radius of 50.00 feet, and a chord bearing and distance of South 42 degrees 29 minutes 51 seconds East 70.71 feet to a point, thence South 87 degrees 29 minutes 51 seconds East 343.25 feet to a point in the former center line of the former right-of-way of LaHoma Lane, said 25-ft. access easement being more particularly shown on an unrecorded map of survey entitled "Gary D. Rappaport and Centre Stage Limited Partnership," prepared on September 4, 1987, by Brady Surveying Company, and bearing the seal of W. Max Brady, Jr., North Carolina Registered Land Surveyor No. L-2578.

**APPENDIX D**

**OFF-SITE NOTICES OF DRY-CLEANING SOLVENT REMEDIATION**

## NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

Property Owner: US Income Fund IX Ltd.

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

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

This documentary component of a Notice of Dry-Cleaning Solvent Remediation (hereinafter "Notice") is hereby recorded on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The survey plat component of the Notice is being recorded concurrently with this documentary component. The real property (hereinafter "Property") which is the subject of this Notice is located at 401 Jonestown Road, Winston-Salem, Forsyth County, North Carolina, Parcel Identification Number (PIN) 6804-58-1386.

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

Groundwater under the Property is contaminated with dry-cleaning solvents associated with dry-cleaning operations at the \$2.50 Krystal Cleaners (DSCA Site 34-0016) located at 357 Jonestown Road, Winston-Salem, North Carolina in the Centre Stage and Jonestown Shopping Center.

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

land surveyor and meets the requirements of G.S. 47-30, and contains the following information required by N.C.G.S. § 143-215.104M:

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

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

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

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

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

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

### **CANCELLATION OF THE NOTICE**

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

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

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

North Carolina Department of Environment and Natural Resources

By: \_\_\_\_\_ Date \_\_\_\_\_  
Jim Bateson, Chief  
Superfund Section  
Division of Waste Management

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

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

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

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

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

**CERTIFICATION OF REGISTER OF DEEDS**

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

Register of Deeds for Forsyth County

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

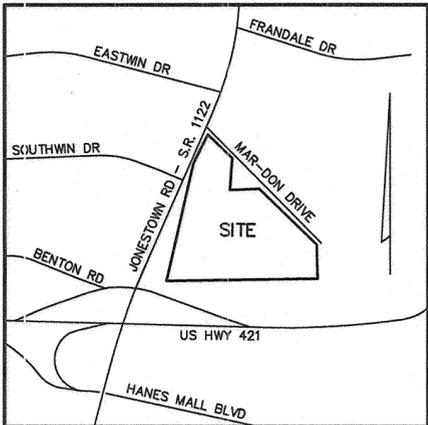
Name typed or printed: \_\_\_\_\_

Deputy/Assistant Register of Deeds

\_\_\_\_\_ Date

**EXHIBIT A**

**SURVEY PLAT REDUCTION**



**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 371068-0400-J, DATED JANUARY 2, 2009.

THE UNDERSIGNED HEREBY ACKNOWLEDGE THAT I AM THE OWNER OF THE PROPERTY SHOWN AND UPON APPROVAL BY THE CITY, COUNTY PLANNING BOARD OF WINSTON-SALEM AND FORSYTH COUNTY, I AUTHORIZE THAT THIS PLAT BE RECORDED IN THE OFFICE OF THE REGISTER OF FORSYTH COUNTY.

REVIEW OFFICE OF FORSYTH COUNTY  
 CERTIFY THAT THIS PLAT IS NOT A REGULATED SUBDIVISION OF LAND. THE PURPOSE OF THIS PLAT IS TO SHOW A NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (NCDENR) DRY-CLEANING SOLVENT CLEANUP ACT (DSCA) SITE.

VICINITY MAP NOT TO SCALE  
 APPROVED FOR THE PURPOSES OF N.C.G.S. 143-215.104M

JIM BATESON, CHIEF SUPERFUND SECTION DIVISION OF WASTE MANAGEMENT

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

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

NOTARY PUBLIC (SIGNATURE)  
 MY COMMISSION EXPIRES \_\_\_\_\_

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

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

**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 NAVD83 ELEVATIONS. THE N.C. STATE PLANE COORDINATES FOR CONTROL POINTS #1004, & 1006, 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 OCTOBER 29, 2009. ALL MEASUREMENTS SHOWN HEREON ARE REPORTED IN U.S. SURVEY FEET UNLESS NOTED OTHERWISE.

**LEGEND:**

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

**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)(11)(c)(1) AS AMENDED; WITNESS MY ORIGINAL SIGNATURE REGISTRATION NUMBER AND SEAL THIS 1 DAY OF DECEMBER, 2012.

STEPHEN S. DYER, PLS L-3509  
 N.C. FIRM LICENSE #C-1089

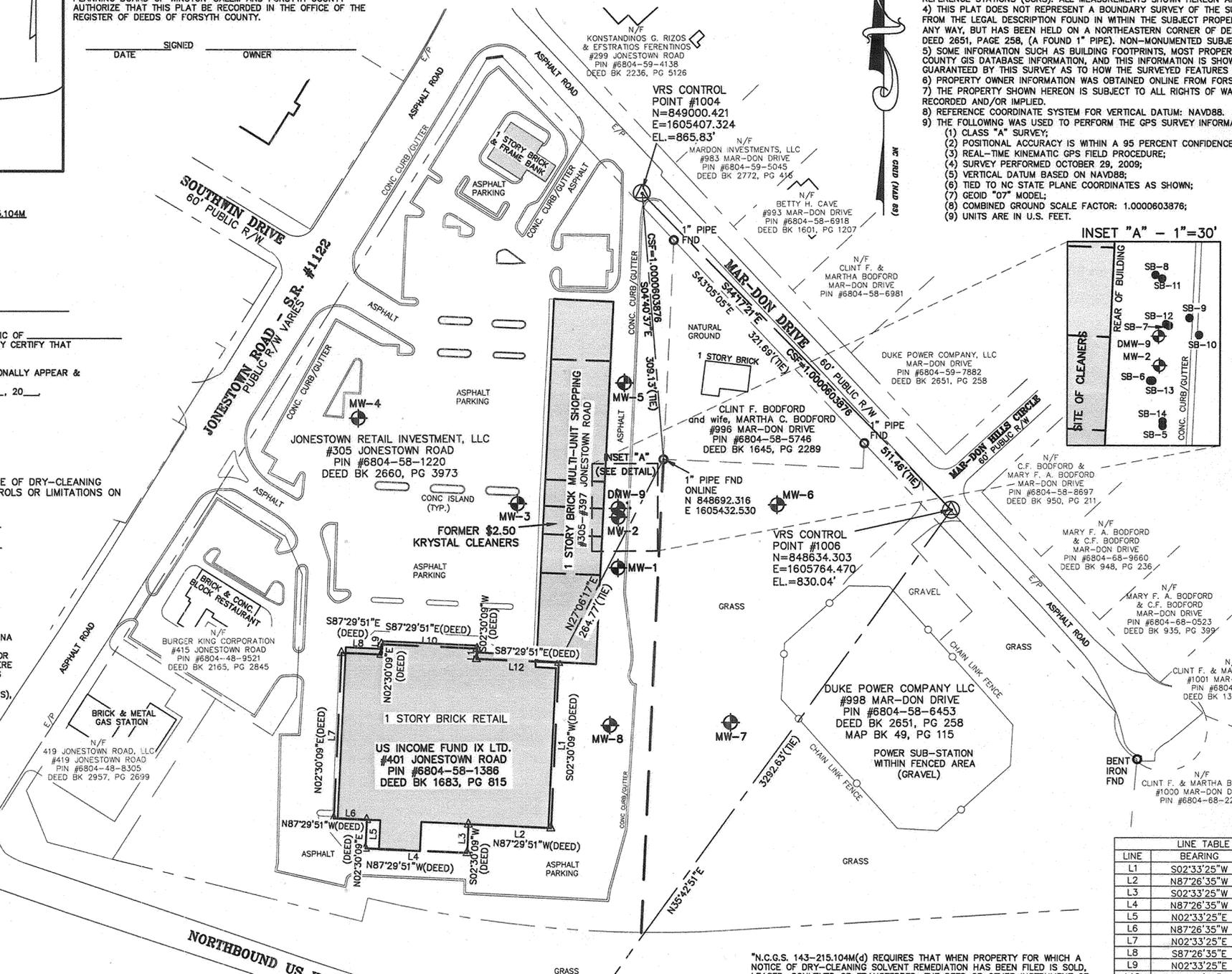


SOIL BORINGS IN THE PLAT WERE FIELD LOCATED BY THE ISAACS GROUP, NOVEMBER 2, 2009.

GROUNDWATER IN WELLS MW-1, MW-2, MW-3, MW-4D, MW-5, MW-6, MW-7, AND MW-8 EXCEEDED THE APPLICABLE 2L WATER QUALITY STANDARDS (15A NCAC 2L.0200) FOR TETRACHLOROETHYLENE (PCE).

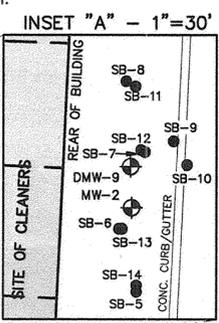
SOIL IN BORING SB-6, SB-7, SB-12, AND MW-2 EXCEEDED THE ASSOCIATED RESIDENTIAL RISK BASED SCREENING LEVEL (15A NCAC 2S) FOR: TETRACHLOROETHYLENE (PCE).

REVIEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_



**SURVEY NOTES:**

- 1) THE SUBJECT PROPERTY FOR THIS SURVEY IS IDENTIFIED BY FORSYTH COUNTY PARCEL IDENTIFICATION NUMBER (PIN) #6804-58-1220. THE PURPOSE OF THIS PLAT IS TO DISPLAY (1) THE LOCATIONS OF MONITORING WELLS LOCATED ON THE SUBJECT PROPERTY WITH RESPECT TO SURVEYED BENCHMARKS AND (2) THE TYPE, LOCATION AND QUANTITY OF 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 UPON THE MAP ARE APPROXIMATIONS DERIVED FROM THE BEST AVAILABLE INFORMATION AT THE TIME OF FILING. THIS INFORMATION WAS SUPPLIED TO THE ISAACS GROUP BY ATC ASSOCIATES OF NORTH CAROLINA, P.C.
- 3) ALL BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE BASED UPON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83 (NRSR 2007), WITH NAVD88 (GEOID 07) ELEVATIONS, PER A GPS SURVEY PERFORMED BY THE ISAACS GROUP, ON OCTOBER 29, 2009. THE N.C. STATE PLANE COORDINATES SHOWN FOR CONTROL POINT #1004 AND #1006 WERE ESTABLISHED UTILIZING A TRIMBLE R8 GLOBAL POSITIONING SYSTEMS (GPS) UNIT IN CONJUNCTION WITH THE NORTH CAROLINA GEODETIC SURVEY'S VIRTUAL REFERENCE SYSTEM (VRS), WHICH IS BASED UPON THE CONTINUALLY OPERATING REFERENCE STATIONS (CORS). ALL MEASUREMENTS SHOWN HEREON ARE REPORTED IN U.S. SURVEY FEET (UNLESS NOTED OTHERWISE).
- 4) THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THE BOUNDARY LINES OF THE SUBJECT PROPERTY WERE PRODUCED FROM THE LEGAL DESCRIPTION FOUND IN WITHIN THE SUBJECT PROPERTY'S DEED. THE GEOMETRY OF THE LEGAL DESCRIPTIONS HAVE NOT BEEN ALTERED IN ANY WAY, BUT HAS BEEN HELD ON A NORTHEASTERN CORNER OF DEED 2660, PG 3973, (A FOUND 1" PIPE), AND ROTATED TO THE NORTHWESTERN CORNER OF DEED 2651, PAGE 258, (A FOUND 1" PIPE). NON-MONUMENTED SUBJECT PARCEL LINES ARE BASED ON THE LEGAL DESCRIPTION OF THE SUBJECT PARCEL.
- 5) SOME INFORMATION SUCH AS BUILDING FOOTPRINTS, MOST PROPERTY LINES, AND CURB LINES/EDGE OF PAVEMENTS, HAVE BEEN TAKEN FROM FORSYTH 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 FORSYTH COUNTY GIS TAX 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 WITHIN A 95 PERCENT CONFIDENCE LEVEL;
  - (3) REAL-TIME KINEMATIC GPS FIELD PROCEDURE;
  - (4) SURVEY PERFORMED OCTOBER 29, 2009;
  - (5) VERTICAL DATUM BASED ON NAVD88;
  - (6) TIED TO NO STATE PLANE COORDINATES AS SHOWN;
  - (7) GEOID "07" MODEL;
  - (8) COMBINED GROUND SCALE FACTOR: 1.0000603876;
  - (9) UNITS ARE IN U.S. FEET.



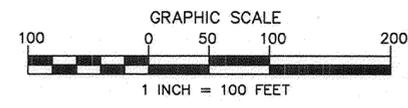
DATE: 10-29-2009		PROJECT NAME: \$2.50 KRYSAL CLEANERS		
LOCATION: WINSTON-SALEM, NC		DSCA #: 34-0016		
MONITORING WELL ID	NORTHING (FEET)	EASTING (FEET)	ELEVATION (FEET)	DESIGNATION
MW-1	848566.64	1605380.19	852.24	TOW
TCMW-1	848566.64	1605380.19	851.87	TOC 2"
MW-2	848625.37	1605380.06	853.08	TOW
TCMW-2	848625.37	1605380.06	852.86	TOC 2"
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MW-4	848739.83	1605080.52	853.66	TOW
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MW-7	848387.68	1605510.35	832.29	TOW
TCMW-7	848387.68	1605510.35	831.58	TOC 2"
MW-8	848384.16	1605371.24	849.07	TOW
TCMW-8	848384.16	1605371.24	848.75	TOC 2"
DMW-9	848635.62	1605380.06	853.16	TOW
TCDMW-9	848635.62	1605380.06	852.67	TOC 2"

FORSYTH COUNTY REGISTER OF DEEDS PLAT REGISTRATION  
 FILED FOR REGISTRATION AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.  
 THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
 AND RECORDED IN PLAT BOOK \_\_\_\_\_ PG. \_\_\_\_\_  
 FILING FEE PAID: \_\_\_\_\_ C. NORMAN HOLLEMAN, REGISTER OF DEEDS  
 BY: \_\_\_\_\_ ASSISTANT  
 FORSYTH COUNTY, NORTH CAROLINA

**LINE TABLE**

LINE	BEARING	LENGTH
L1	S02°33'25"W	192.00'
L2	N87°26'35"W	95.00'
L3	S02°33'25"W	33.00'
L4	N87°26'35"W	117.00'
L5	N02°33'25"E	33.00'
L6	N87°26'35"W	38.00'
L7	N02°33'25"E	192.00'
L8	S87°26'35"E	45.46'
L9	N02°33'25"E	12.00'
L10	S87°26'35"E	109.92'
L11	S02°33'25"W	12.00'
L12	S87°26'35"E	94.62'

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



NO.	BY	DATE	REVISION
1	MWJ	12-6-12	UPDATED NAME ON NCGS 143 CERT

#2011089

**SURVEY PLAT - EXHIBIT "A"**  
**TO THE NOTICE OF DRY-CLEANING SOLVENT REMEDIATION**  
**US INCOME FUND IX LTD.**  
 PIN #6804-58-1386  
 #401 JONESTOWN ROAD, WINSTON TWP., FORSYTH CO, NC  
 CONTAMINATION SOURCE: \$2.50 KRYSAL CLEANERS-  
 DSCA #34-0016  
 #357 JONESTOWN ROAD, WINSTON TOWNSHIP, FORSYTH COUNTY, NC

File #: 09216-USINCOME Date: 10-22-2012 Project P.L.S.: SSD  
 Surveyed By: JH  
 Drawn By: MWJ  
 Scale: 1"=100'

**ISAACS GROUP**  
 CIVIL ENGINEERING DESIGN AND LAND SURVEYING

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

SHEET 2 OF 4

**EXHIBIT B**

**LEGAL DESCRIPTION FOR PROPERTY**

"EXHIBIT A"

THE KROGER PAD

Starting at the point of intersection of the Eastern right-of-way line of Jonestown Road with the Southerly right-of-way line of Mar-Don Drive; thence with the Southern right-of-way line of Mar-Don Drive, South 43 deg. 11 min. 52 sec. East 315.92 feet to a point in the center of the former Lahoma Lane (Lahoma Lane now being closed: see recorded road closing resolution at Book 1547, Page 434); thence with the former center line of Lahoma Lane South 02 deg. 30 min. 09 sec. West 495.00 feet to a point; thence North 87 deg. 29 min. 51 sec. West 105.00 feet to the point and place of BEGINNING of the property to be known as "Tract 1" or alternatively "the Kroger pad"; thence, from said BEGINNING point thus established South 02 deg. 30 min. 09 sec. West 192.00 feet to a point; thence North 87 deg. 29 min. 51 sec. West 95.00 feet to a point; thence South 02 deg. 30 min. 09 sec. West 33.00 feet to a point; thence North 87 deg. 29 min. 51 sec. West 117.00 feet to a point; thence North 02 deg. 30 min. 09 sec. East 33.00 feet to a point; thence North 87 deg. 29 min. 51 sec. West 38.00 feet to a point; thence North 02 deg. 30 min. 09 sec. East 192.00 feet to a point; thence South 87 deg. 29 min. 51 sec. East 45.46 feet to a point; thence North 02 deg. 30 min. 09 sec. East 12.00 feet to a point; thence South 87 deg. 29 min. 51 sec. East 109.92 feet to a point; thence South 02 deg. 30 min. 09 sec. West 12.00 feet to a point; thence South 87 deg. 29 min. 51 sec. East 94.62 feet to the point and place of BEGINNING; containing 1.220 acres, more or less, as shown on an unrecorded map of survey prepared for Marquis Development Corporation by Brady Surveying Company and sealed by W. Max Brady, Jr., Registered Land Surveyor No. L2578, dated 23rd of June, 1986.

*Brady*

## NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

Property Owner: Clint F. Bodford and wife, Martha C. Bodford  
Recorded in Book \_\_\_\_\_, Page \_\_\_\_\_  
Associated plat recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_

This documentary component of a Notice of Dry-Cleaning Solvent Remediation (hereinafter "Notice") is hereby recorded on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The survey plat component of the Notice is being recorded concurrently with this documentary component. The real property (hereinafter "Property") which is the subject of this Notice is located at 996 Mar-Don Drive, Winston-Salem, Forsyth County, North Carolina, Parcel Identification Number (PIN) 6804-58-5746.

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

Groundwater under the Property is contaminated with dry-cleaning solvents associated with dry-cleaning operations at the \$2.50 Krystal Cleaners (DSCA Site 34-0016) located at 357 Jonestown Road, Winston-Salem, North Carolina in the Centre Stage and Jonestown Shopping Center.

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

land surveyor and meets the requirements of G.S. 47-30, and contains the following information required by N.C.G.S. § 143-215.104M:

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

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

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

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

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

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

### **CANCELLATION OF THE NOTICE**

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

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

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

North Carolina Department of Environment and Natural Resources

By: \_\_\_\_\_ Date \_\_\_\_\_  
Jim Bateson, Chief  
Superfund Section  
Division of Waste Management

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

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

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

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

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

**CERTIFICATION OF REGISTER OF DEEDS**

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

Register of Deeds for Forsyth County

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

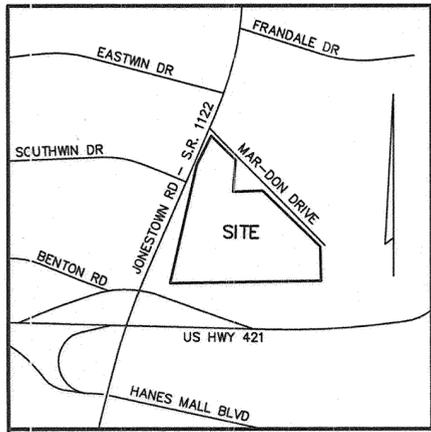
Name typed or printed: \_\_\_\_\_

Deputy/Assistant Register of Deeds

\_\_\_\_\_ Date

**EXHIBIT A**

**SURVEY PLAT REDUCTION**



VICINITY MAP  
NOT TO SCALE

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

JIM BATESON, CHIEF  
SUPERFUND SECTION  
DIVISION OF WASTE MANAGEMENT

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

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

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

NOTARY PUBLIC (SIGNATURE)

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

**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 NAVD88 ELEVATIONS. THE N.C. STATE PLANE COORDINATES FOR CONTROL POINTS #1004, & 1006, 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 OCTOBER 29, 2009. ALL MEASUREMENTS SHOWN HEREON ARE REPORTED IN U.S. SURVEY FEET UNLESS NOTED OTHERWISE.

**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 371068-0400-J, DATED JANUARY 2, 2009.

THE UNDERSIGNED HEREBY ACKNOWLEDGE THAT I AM THE OWNER OF THE PROPERTY SHOWN AND UPON APPROVAL BY THE CITY, COUNTY PLANNING BOARD OF WINSTON-SALEM AND FORSYTH COUNTY AUTHORIZE THAT THIS PLAT BE RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS OF FORSYTH COUNTY.

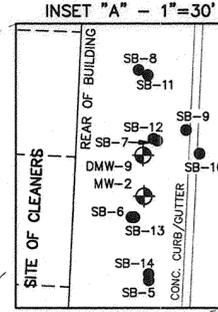
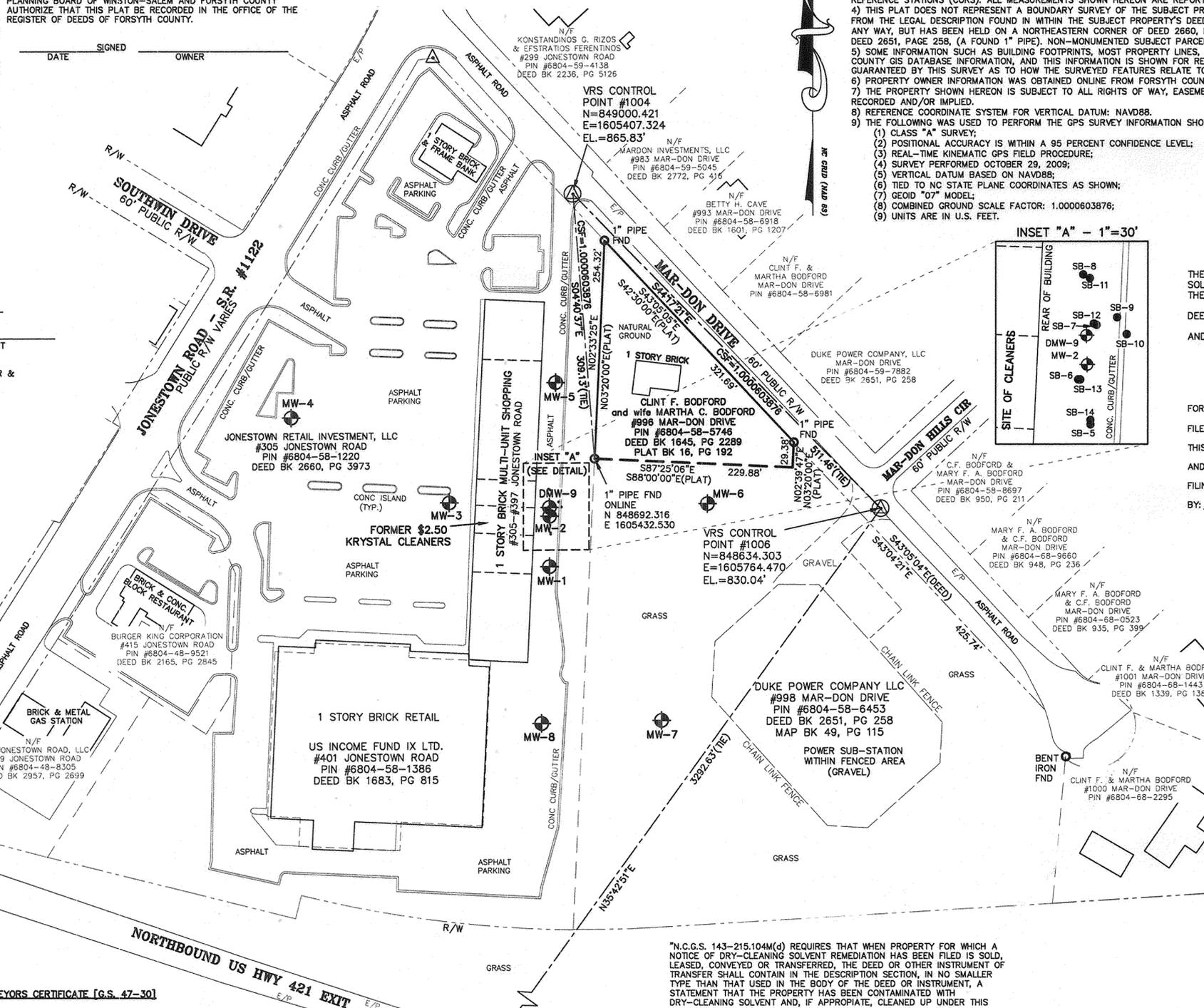
I, \_\_\_\_\_ REVIEW OFFICE OF FORSYTH COUNTY  
CERTIFY THAT THIS PLAT IS NOT A REGULATED SUBDIVISION OF LAND. THE PURPOSE OF THIS PLAT IS TO SHOW A NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (NCDENR) DRY-CLEANING SOLVENT CLEANUP ACT (DSCA) SITE.

REVIEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_ OWNER \_\_\_\_\_

**SURVEY NOTES:**

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  - (7) GEOID "07" MODEL;
  - (8) COMBINED GROUND SCALE FACTOR: 1.0000603876;
  - (9) UNITS ARE IN U.S. FEET.



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

DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
AND \_\_\_\_\_  
FORSYTH COUNTY REGISTER OF DEEDS PLAT REGISTRATION  
FILED FOR REGISTRATION AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.  
THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
AND RECORDED IN PLAT BOOK \_\_\_\_\_ PG. \_\_\_\_\_  
FILING FEE PAID: \_\_\_\_\_ C. NORMAN HOLLEMAN, REGISTER OF DEEDS  
BY: \_\_\_\_\_ ASSISTANT  
FORSYTH COUNTY, NORTH CAROLINA

DATE: 10-29-2009		PROJECT NAME: \$2.50 KRYSTAL CLEANERS		
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TCMW-7	848387.68	1605510.35	831.58	TOC 2"
MW-8	848384.16	1605371.24	849.07	TOW
TCMW-8	848384.16	1605371.24	848.75	TOC 2"
DMW-9	848635.62	1605380.06	853.16	TOW
TCDMW-9	848635.62	1605380.06	852.67	TOC 2"

**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
- ▲ TEMPORARY MONITORING WELL(TW)
- ▲ DATUM CONTROL POINT
- BORE LOCATION
- N/F NOW OR FORMERLY
- "NON-MONUMENTED" SUBJECT R/W LINES
- "NON-MONUMENTED" SUBJECT PARCEL LINES
- ADJOINER PARCEL LINES
- RIGHT OF WAY LINE
- CONTROL TIE
- (T) TOTAL

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

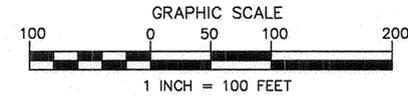
I, STEPHEN S. DYER, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DASHED LINES, DRAWN FROM INFORMATION REFERENCED ON THE FACE OF THIS PLAT; THAT THE RATIO OF PRECISION AS CALCULATED EXCEEDS 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(f)(1)(c)(1) AS AMENDED; WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS \_\_\_\_\_ DAY OF DECEMBER, 2012.

STEPHEN S. DYER, PLS L-3509  
N.C. FIRM LICENSE #C-1069



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

THIS PROPERTY HAS BEEN CONTAMINATED WITH DRY-CLEANING SOLVENT. A NOTICE OF DRY-CLEANING SOLVENT REMEDIATION IS RECORDED IN THE FORSYTH 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, DRYCLEANING SOLVENT CLEANUP ACT (DSCA) PROGRAM, OR ITS SUCCESSOR IN FUNCTION. 1646 MAIL SERVICE CENTER, RALEIGH, NC 27699-1646.



NO.	BY	DATE	REVISION
1	MWJ	12-6-12	UPDATED NAME IN NCGS 143 CERT.

SOIL BORINGS IN THE PLAT WERE FIELD LOCATED BY THE ISAACS GROUP, NOVEMBER 2, 2009.  
GROUNDWATER IN WELLS MW-1, MW-2, MW-3, MW-4D, MW-5, MW-6, MW-7, AND MW-8 EXCEEDED THE APPLICABLE 2L WATER QUALITY STANDARDS (15A NCAC 2L.0200) FOR TETRACHLOROETHYLENE (PCE).  
SOIL IN BORING SB-6, SB-7, SB-12, AND MW-2 EXCEEDED THE ASSOCIATED RESIDENTIAL RISK BASED SCREENING LEVEL (15A NCAC 2S) FOR: TETRACHLOROETHYLENE (PCE).

**SURVEY PLAT - EXHIBIT "A"**  
**TO THE NOTICE OF DRY-CLEANING SOLVENT REMEDIATION**  
**CLINT F. BODFORD and wife MARTHA C. BODFORD**  
PIN #6804-58-5746  
#996 MAR-DON DRIVE, WINSTON TWP., FORSYTH CO, NC  
CONTAMINATION SOURCE: \$2.50 KRYSTAL CLEANERS-  
DSCA #34-0016  
#357 JONESTOWN ROAD, WINSTON TOWNSHIP, FORSYTH COUNTY, NC

File #: 09216-BODFORD Date: 10-22-2012 Project P.L.S.: SSD  
Surveyed By: JH  
Drawn By: MWJ  
Scale: 1"=100'

**THE ISAACS GROUP**  
CIVIL ENGINEERING DESIGN AND LAND SURVEYING

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

SHEET 3 OF 4

**EXHIBIT B**

**LEGAL DESCRIPTION FOR PROPERTY**

Being known and designated as Lot 16 as shown on the Map of Ramblehurst Property, recorded in Plat Book 16, page 192 in the Office of the Register of Deeds of Forsyth County, North Carolina, to which map reference is hereby made for a more particular description of said property.

GIFT DEED

CFC

## NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

Property Owner: Duke Power Company LLC

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

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

This documentary component of a Notice of Dry-Cleaning Solvent Remediation (hereinafter "Notice") is hereby recorded on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. 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 998 Mar-Don Drive, Winston-Salem, Forsyth County, North Carolina, Parcel Identification Number (PIN) 6804-58-6453.

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

Groundwater under the Property is contaminated with dry-cleaning solvents associated with dry-cleaning operations at the \$2.50 Krystal Cleaners (DSCA Site 34-0016) located at 357 Jonestown Road, Winston-Salem, North Carolina in the Centre Stage and Jonestown Shopping Center.

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

land surveyor and meets the requirements of G.S. 47-30, and contains the following information required by N.C.G.S. § 143-215.104M:

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

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

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

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

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

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

### **CANCELLATION OF THE NOTICE**

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

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

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

North Carolina Department of Environment and Natural Resources

By: \_\_\_\_\_ Date \_\_\_\_\_  
Jim Bateson, Chief  
Superfund Section  
Division of Waste Management

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

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

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

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

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

**CERTIFICATION OF REGISTER OF DEEDS**

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

Register of Deeds for Forsyth County

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

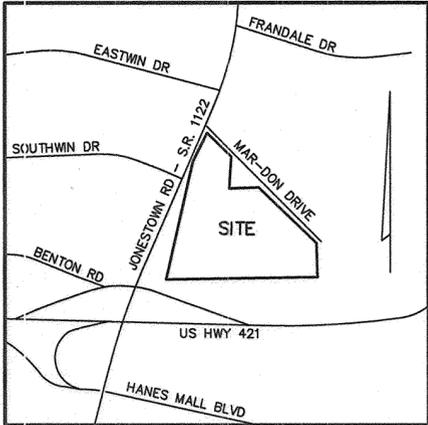
Name typed or printed: \_\_\_\_\_

Deputy/Assistant Register of Deeds

\_\_\_\_\_ Date

**EXHIBIT A**

**SURVEY PLAT REDUCTION**



**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 371068-0400-J, DATED JANUARY 2, 2009.

THE UNDERSIGNED HEREBY ACKNOWLEDGE THAT I AM THE OWNER OF THE PROPERTY SHOWN AND UPON APPROVAL BY THE CITY, COUNTY PLANNING BOARD OF WINSTON-SALEM AND FORSYTH COUNTY AUTHORIZE THAT THIS PLAT BE RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS OF FORSYTH COUNTY.

REVIEW OFFICE OF FORSYTH COUNTY  
 CERTIFY THAT THIS PLAT IS NOT A REGULATED SUBDIVISION OF LAND. THE PURPOSE OF THIS PLAT IS TO SHOW A NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (NCDENR) DRY-CLEANING SOLVENT CLEANUP ACT (DSCA) SITE.

REVIEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_ OWNER \_\_\_\_\_

**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 NAVD88 ELEVATIONS. THE N.C. STATE PLANE COORDINATES FOR CONTROL POINTS #1004, & #1006, 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 OCTOBER 29, 2009. ALL MEASUREMENTS SHOWN HEREON ARE REPORTED IN U.S. SURVEY FEET UNLESS NOTED OTHERWISE.

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

JIM BATESON, CHIEF SUPERFUND SECTION DIVISION OF WASTE MANAGEMENT

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

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

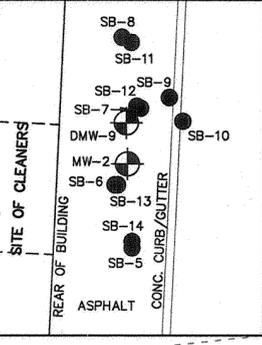
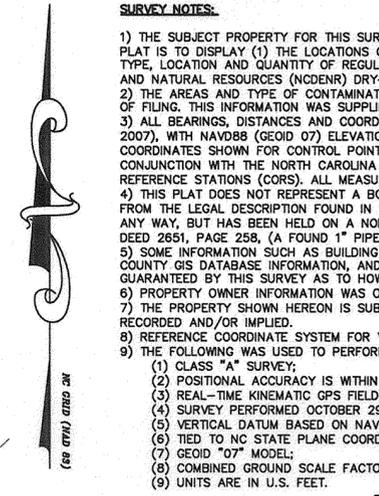
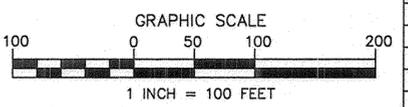
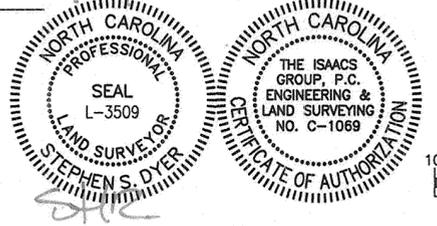
NOTARY PUBLIC (SIGNATURE) \_\_\_\_\_

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

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

**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(f)(1)(c)(i) AS AMENDED; WITNESS MY ORIGINAL SIGNATURE REGISTRATION NUMBER AND SEAL THIS \_\_\_\_\_ DAY OF DECEMBER, 2012.

STEPHEN S. DYER, PLS L-3509  
 N.C. FIRM LICENSE #C-1069



**SURVEY NOTES:**

- 1) THE SUBJECT PROPERTY FOR THIS SURVEY IS IDENTIFIED BY FORSYTH COUNTY PARCEL IDENTIFICATION NUMBER (PIN) #6804-58-1220. THE PURPOSE OF THIS PLAT IS TO DISPLAY (1) THE LOCATIONS OF MONITORING WELLS LOCATED ON THE SUBJECT PROPERTY WITH RESPECT TO SURVEYED BENCHMARKS AND (2) THE TYPE, LOCATION AND QUANTITY OF 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 UPON THE MAP ARE APPROXIMATIONS DERIVED FROM THE BEST AVAILABLE INFORMATION AT THE TIME OF FILING. THIS INFORMATION WAS SUPPLIED TO THE ISAACS GROUP BY ATC ASSOCIATES OF NORTH CAROLINA, P.C.
- 3) ALL BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE BASED UPON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83 (NSRS 2007), WITH NAVD88 (GEOID 07) ELEVATIONS, PER A GPS SURVEY PERFORMED BY THE ISAACS GROUP, ON OCTOBER 29, 2009. THE N.C. STATE PLANE COORDINATES SHOWN FOR CONTROL POINT #1004 AND #1006 WERE ESTABLISHED UTILIZING A TRIMBLE RB GLOBAL POSITIONING SYSTEMS (GPS) UNIT IN CONJUNCTION WITH THE NORTH CAROLINA GEODETIC SURVEY'S VIRTUAL REFERENCE SYSTEM (VRS), WHICH IS BASED UPON THE CONTINUALLY OPERATING REFERENCE STATIONS (CORS). ALL MEASUREMENTS SHOWN HEREON ARE REPORTED IN U.S. SURVEY FEET (UNLESS NOTED OTHERWISE).
- 4) THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THE BOUNDARY LINES OF THE SUBJECT PROPERTY WERE PRODUCED FROM THE LEGAL DESCRIPTION FOUND IN WITHIN THE SUBJECT PROPERTY'S DEED. THE GEOMETRY OF THE LEGAL DESCRIPTIONS HAVE NOT BEEN ALTERED IN ANY WAY, BUT HAS BEEN HELD ON A NORTHEASTERN CORNER OF DEED 2660, PG 3973, (A FOUND 1" PIPE), AND ROTATED TO THE NORTHWESTERN CORNER OF DEED 2651, PAGE 258, (A FOUND 1" PIPE). NON-MONUMENTED SUBJECT PARCEL LINES ARE BASED ON THE LEGAL DESCRIPTION OF THE SUBJECT PARCEL.
- 5) SOIL INFORMATION SUCH AS BUILDING FOOTPRINTS, MOST PROPERTY LINES, AND CURB LINES/EDGES OF PAVEMENTS, HAVE BEEN TAKEN FROM FORSYTH 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 FORSYTH COUNTY GIS TAX 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 WITHIN A 95 PERCENT CONFIDENCE LEVEL;
  - (3) REAL-TIME KINEMATIC GPS FIELD PROCEDURE;
  - (4) SURVEY PERFORMED OCTOBER 29, 2009;
  - (5) VERTICAL DATUM BASED ON NAVD88;
  - (6) TIED TO NC STATE PLANE COORDINATES AS SHOWN;
  - (7) GEOID "07" MODEL;
  - (8) COMBINED GROUND SCALE FACTOR: 1.0000603876;
  - (9) UNITS ARE IN U.S. FEET.

DATE: 10-29-2009		PROJECT NAME: \$2.50 KRYSTAL CLEANERS		
LOCATION: WINSTON-SALEM, NC		DSCA #: 34-0016		
MONITORING WELL ID	NORTHING (FEET)	EASTING (FEET)	ELEVATION (FEET)	DESIGNATION
MW-1	848566.64	1605380.19	852.24	TOW
TCMW-1	848566.64	1605380.19	851.87	TOC 2"
MW-2	848625.37	1605380.06	853.08	TOW
TCMW-2	848625.37	1605380.06	852.86	TOC 2"
MW-3	848640.86	1605263.92	852.59	TOW
TCMW-3S	848640.86	1605263.92	852.28	TOC 1"
TCMW-3D	848640.86	1605263.92	852.28	TOC 2"
MW-4	848739.83	1605080.52	853.66	TOW
TCMW-4S	848739.83	1605080.52	853.28	TOC 1"
TCMW-4D	848739.83	1605080.52	853.26	TOC 2"
MW-5	848780.9	1605387.06	854.54	TOW
TCMW-5	848780.9	1605387.06	854.19	TOC 2"
MW-6	848639.94	1605563.46	840.83	TOW
TCMW-6	848639.94	1605563.46	840.24	TOC 2"
MW-7	848387.68	1605510.35	832.29	TOW
TCMW-7	848387.68	1605510.35	831.58	TOC 2"
MW-8	848384.16	1605371.24	849.07	TOW
TCMW-8	848384.16	1605371.24	848.75	TOC 2"
DMW-9	848635.62	1605380.06	853.16	TOW
TCDMW-9	848635.62	1605380.06	852.67	TOC 2"

FORSYTH COUNTY REGISTER OF DEEDS PLAT REGISTRATION  
 FILED FOR REGISTRATION AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.  
 THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
 AND RECORDED IN PLAT BOOK \_\_\_\_\_ PG. \_\_\_\_\_  
 FILING FEE PAID: \_\_\_\_\_ C. NORMAN HOLLEMAN, REGISTER OF DEEDS  
 BY: \_\_\_\_\_ ASSISTANT  
 FORSYTH COUNTY, NORTH CAROLINA

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

SOIL BORINGS IN THE PLAT WERE FIELD LOCATED BY THE ISAACS GROUP, NOVEMBER 2, 2009.  
 GROUNDWATER IN WELLS MW-1, MW-2, MW-3, MW-4D, MW-5, MW-6, MW-7, AND MW-8 EXCEEDED THE APPLICABLE 2L WATER QUALITY STANDARDS (15A NCAC 2L.0200) FOR TETRACHLOROETHYLENE (PCE).  
 SOIL IN BORING SB-6, SB-7, SB-12, AND MW-2 EXCEEDED THE ASSOCIATED RESIDENTIAL RISK BASED SCREENING LEVEL (15A NCAC 25) FOR: TETRACHLOROETHYLENE (PCE).

"N.C.G.S. 143-215.104M(d) REQUIRES THAT WHEN PROPERTY FOR WHICH A NOTICE OF DRY-CLEANING SOLVENT REMEDIATION HAS BEEN FILED IS SOLD, LEASED, CONVEYED OR TRANSFERRED, THE DEED OR OTHER INSTRUMENT OF TRANSFER SHALL CONTAIN IN THE DESCRIPTION SECTION, IN NO SMALLER TYPE THAN THAT USED IN THE BODY OF THE DEED OR INSTRUMENT, A STATEMENT THAT THE PROPERTY HAS BEEN CONTAMINATED WITH DRY-CLEANING SOLVENT AND, IF APPROPRIATE, CLEANED UP UNDER THIS PART. USE THE FOLLOWING STATEMENT TO SATISFY N.C.G.S. 143-215.104M(d):  
 THIS PROPERTY HAS BEEN CONTAMINATED WITH DRY-CLEANING SOLVENT. A NOTICE OF DRY-CLEANING SOLVENT REMEDIATION IS RECORDED IN THE FORSYTH 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, DRYCLEANING SOLVENT CLEANUP ACT (DSCA) PROGRAM, OR ITS SUCCESSOR IN FUNCTION. 1646 MAIL SERVICE CENTER, RALEIGH, NC 27699-1646.

NO.	BY	DATE	REVISION
1	MWJ	12-6-12	UPDATED NAME IN NCGS 143 CERT.

#2011089

**SURVEY PLAT - EXHIBIT "A"**  
 TO THE NOTICE OF DRY-CLEANING SOLVENT REMEDIATION  
 DUKE POWER COMPANY LLC  
 PIN #6804-58-6453  
 #998 MAR-DON DRIVE, WINSTON TWP, FORSYTH CO, NC  
 CONTAMINATION SOURCE: \$2.50 KRYSTAL CLEANERS -  
 DSCA #34-0016  
 #357 JONESTOWN ROAD, WINSTON TOWNSHIP, FORSYTH COUNTY, NC

File #: 09216-DUKE Date: 10-22-2012 Project P.L.S.: SSD  
 Surveyed By: JH  
 Drawn By: MWJ  
 Scale: 1"=100'

**THE ISAACS GROUP**  
 CIVIL ENGINEERING DESIGN AND LAND SURVEYING

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

SHEET 4 OF 4

**EXHIBIT B**

**LEGAL DESCRIPTION FOR PROPERTY**

#### **4.64 ACRES FROM BODFORD TO DUKE ENERGY**

**BEGINNING** at an iron stake, the Northeast corner of Lot 15 on the Map hereinafter described; thence running North 02 deg. 39' 04" East 29.38 feet to an iron stake in the Southwestern right of way line of Mar-Don Drive; thence with said right of way line, South 43 deg. 05' 04" East 425.74 feet to an iron stake; thence continuing with said right of way line on a curve to the left, a chord direction and distance of South 24 deg. 23' 17" East 59.96 feet, said curve having a radius of 50 feet and a length of 64.30 feet to a bent iron stake; thence South 05 deg. 01' 30" West 172.05 feet to an iron stake in the Northern right of way line of US Highway 421; thence with said right of way line South 86 deg. 30' 19" West 458.19 feet to a rebar & CAP (F); thence continuing with said right of way line a chord distance and direction of 98.57 feet and South 88 deg. 28' 13" West to an iron pipe; thence running North 02 deg. 32' 42" East 349.02 feet to an iron stake; thence running South 87 deg. 25' 49" East 229.82 feet to the Northeastern corner of Lot 13 and the Southeastern corner of Lot 14 of said map; thence running with the Eastern margin of Lots 14 and 15, North 02 deg. 33' 49" East 200 feet to the point and place of Beginning and being all of Lots 11, 12, 13, 17 and portions of Lots 10, 18 and 19 on the Map of "RAMBLEHURST" as recorded in Plat Book 16, page 192, Office of Register of Deeds of Forsyth County, North Carolina. Also being a portion of Lahoma Lane (abandoned and closed) and being known as Tax Lots 108, 109, 10B, 11, 12, 13, 17, 18B and 19B Block 3940, Forsyth County Tax Office.

#### **1.06 ACRES FROM BODFORD TO DUKE ENERGY**

**BEGINNING** at an iron stake, the Northeast corner of Lot 15 on the Map hereinafter described; running thence with the Eastern margin of Lot 15 and 14, South 02 deg. 33' 49" West 200 feet to an iron stake; thence North 87 deg. 25' 49" West 229.82 feet to an iron stake; thence running North 02 deg. 32' 42" East 200 feet to an iron stake; thence South 87 deg. 25' 49" East 229.88 feet to the point and place of beginning and being Lots 14 and 15 as set out on map of "RAMBLEHURST" as recorded in Plat Book 16, page 192, Office of the Register of Deeds Forsyth Country and being the Eastern portion of a roadway formerly known as Lahoma Lane (closed) and also being known as Lots 110, 111, 14 and 15, Block 3940, Forsyth County Tax Maps.

**APPENDIX E**

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

**Site Name:** \$2.50 Krystal Cleaners  
**Site Address:** 357 Jonestown Road, Winston-Salem, Forsyth County, North Carolina  
**DSCA ID No:** 34-0016

**ANNUAL CERTIFICATION of LAND-USE RESTRICTIONS**

Pursuant to Condition #5 in the Notice of Dry-Cleaning Solvent Remediation (Notice) signed by Jonestown Retail Investment, LLC and recorded in Deed Book \_\_\_, Page \_\_\_ on <date> at the Forsyth County Register of Deeds Office, Jonestown Retail Investment, LLC hereby certifies, as an owner of at least part of the property that is the subject of the Notice, that the Notice remains recorded at the Forsyth County Register of Deeds office and the land-use restrictions therein are being complied with.

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

Jonestown Retail Investment, LLC

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

Name typed or printed:

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

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

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

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

Notary Public

My Commission expires: \_\_\_\_\_

[Stamp/Seal]

**APPENDIX F**

**EXAMPLE DOCUMENTS ANNOUNCING THE PUBLIC COMMENT PERIOD**



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

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

<Date>

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

Subj: Remediation of Dry-Cleaning Solvent Contamination  
DSCA Site # 34-0016  
\$2.50 Krystal Cleaners, 357 Jonestown Road, Winston-Salem

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.ncdsca.org](http://www.ncdsca.org), under "Public Notices" during the public comment period.

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

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

Remediation of Dry-Cleaning Solvent Contamination  
DSCA Site # 34-0016  
\$2.50 Krystal Cleaners, 357 Jonestown Road, Winston-Salem  
Page 2

<date>

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

If you have any questions, please feel free to contact me at (919)707-8366.

Sincerely,

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

Attachments: Risk Management Plan

Cc: DSCA Site # 34-0016 File



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

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

<Date>

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

Subj: Dry-Cleaning Solvent Contamination  
<property address, city>, NC

Dear <property owner>:

The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the \$2.50 Krystal Cleaners at 357 Jonestown Road in Winston-Salem. A remedial strategy to address the site contamination has been prepared. You are receiving this letter in accordance with the DSCA Program's statutes, which provide the community an opportunity to review and comment on the proposed strategy. Attached is a **Summary of the Notice of Intent to Remediate a Dry-Cleaning Solvent Facility or Abandoned Site** which provides a brief description of the proposed remedy, a web link with more details, and the dates and procedures for commenting on the proposed remedy. We ask that you review these documents. If you do not have access to the internet, we ask that you contact us to request a hard copy.

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

If you would like to see an example of this notice, please access the website: <http://portal.ncdenr.org/web/wm/DSCA/PublicNotices>, open the Risk Management Plan for the \$2.50 Krystal Cleaners site, and see Attachment D. If the proposed remedy is approved, you will be sent a letter describing your rights to appeal the decision to file such a notice in the chain of title, and providing you the option of filing the notice yourself.

Dry-Cleaning Solvent Contamination  
<property address, city>, NC  
DSCA Site # 34-0016  
Page 2

<date>

If you have questions, please contact me at (919) 707-8366, or Pete Doorn at (919) 707-8369.

Sincerely,

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

Attachments: Summary of the NOI  
Owner Recordation Form

Cc: DSCA Site # 34-0016 File



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

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

<Date>

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

Subj: Dry-Cleaning Solvent Contamination  
<property address, city>, NC

Dear <property owner>:

You are receiving this letter because your property is adjacent to the 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 \$2.50 Krystal Cleaners at 357 Jonestown Road in Winston-Salem, North Carolina. The DSCA Program has prepared a remedial strategy to address the site contamination, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed strategy.

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

If you have questions, please contact me at (919) 707-8366, or Pete Doorn at (919) 707-8369.

Sincerely,

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

Attachments: Summary of the NOI

Cc: DSCA Site # 34-0016 File

**Public Notice**

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

\$2.50 Krystal Cleaners  
DSCA Site # 34-0016

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

The \$2.50 Krystal Cleaners formerly conducted dry-cleaning operations at 357 Jonestown Road in Winston-Salem, North Carolina. The dry-cleaning operations have ceased and \$2.50 Krystal Cleaners currently operates as a laundry and dry-cleaning drop-off/pick-up facility. Dry-cleaning solvent contamination has been identified at the following parcel(s):

1. 305-397 Jonestown Road, Parcel ID #6804-58-1220, Jonestown Retail Investment, LLC (owner), Centre Stage and Jonestown Shopping Center (occupants);
2. 996 Mar-Don Drive, Parcel ID #6804-58-5746, Clint F. Bodford and wife, Martha C. Bodford (owner/occupant);
3. 996 Mar-Don Drive, Parcel ID #6804-58-6453, Duke Power Company LLC (owner/occupant);
4. 401 Jonestown Road, Parcel ID #6804-58-1386, US Income Fund IX Ltd. (owner), Harris Teeter (occupant);

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

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

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

Comments must be in writing and submitted to DENR no later than \_\_\_\_\_, 20\_\_. Written requests for a public meeting may be submitted to DENR no later than \_\_\_\_\_, 20\_\_. Requests for additional information should be directed to Billy Meyer at (919)707-8366. All comments and requests should be sent to:

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