



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL SCOTT
Director

July 12, 2019

Brent Puzak
Circle K Stores, Inc.
1100 Situs Court, Suite 100
Raleigh, NC 27606

Re: **Notice of No Further Action**
15A NCAC 2L .0407(d)
Risk-based Assessment and Corrective Action
for Petroleum Underground Storage Tanks

Pantry #3125
116 Piney Green Rd, Jacksonville
Onslow County
Incident number:43079
Risk Classification: Low
Ranking: L 015 R

Dear Mr. Puzak:

The UST Section, Division of Waste Management, Wilmington Regional Office has reviewed the subject incident. The review indicates that groundwater contamination meets the cleanup requirements for a low-risk site but exceeds the groundwater quality standards established in Title 15A NCAC 2L .0202.

The UST Section determines **that no further action is warranted** for this incident. All required actions have been completed. On July 7, 2019, the UST Section received a certified copy of the Notice of Residual Petroleum which is filed with the Register of Deeds. On June 12, 2019, the UST Section was provided with proof of receipt of the conditional Notice of No Further Action letter or of refusal by the addressee to accept delivery of the letter or with a description of the manner in which the letter was posted.

This determination shall apply unless the UST Section later finds that the discharge or release poses an unacceptable risk or a potentially unacceptable risk to human health or the environment. Pursuant to Title 15A NCAC 2L .0407(a) you have a continuing obligation to notify the Department of Environmental Quality of any changes that might affect the risk or land use classifications that have been assigned.

Be advised that as groundwater contamination exceeds the groundwater quality standards established in Title 15A NCAC 2L .0202, groundwater within the area of contamination or within the area where groundwater contamination is expected to migrate is not suitable for use as a water supply, as stipulated in the Notice of Residual Petroleum (attached).

Interested parties may examine the subject incident file by contacting this regional office and may submit comments on the site to the regional office at the address or telephone number listed below.



North Carolina Department of Environmental Quality | Division of Waste Management
Wilmington Regional Office | 127 Cardinal Drive Extension | Wilmington, NC 28405
910.796.7215

A certain tract of land at the intersection of Piney Green Road, NCSR 1406, 110 Foot right-of-way, and US Highway 17, 162 foot right-of-way, as recorded in Map Book 70, Page 199, and begin described as follows:

BEGINNING at a painted "X" at the Northwestern most corner of that tract as recorded in said map; THENCE with the Northern Right-of-Way Line of Piney Green Road, South 35 degrees, 26 minutes, 04 seconds East, 200.24 feet to a point; thence leaving said line, South 47 degrees, 51 minutes, 48 seconds west, 173.37 feet to an iron stake found; thence South 47 degrees, 56 minutes, 21 seconds West, 66.63 feet to an iron stake found; thence North 35 degrees, 07 minutes, 29 seconds West, 198.00 feet to an iron stake found; thence North 41 degrees, 58 minutes, 31 seconds West, 83.52 feet to an iron stake set on the Southern Right-of-Way Line of US Highway 17; thence with said line, North 48 degrees, 01 minutes, 29 seconds East, 171.30 feet to a Right-of-Way disk; thence South 82 degrees, 05 minutes, 33 seconds East, 105.38 feet to the point and place of beginning. The described tract contains 1.47 acres. All courses are referenced to North per Map Book 70, Page 199.

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

PERPETUAL LAND USE RESTRICTIONS

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

ENFORCEMENT

The above land use restriction(s) shall be enforced by any owner, operator, or other party responsible for the Site. The above land use restriction(s) may also be enforced by DEQ through any of the remedies provided by law or by means of a civil action, and may also be enforced by any unit of local government having jurisdiction over any part of the Site. Any attempt to cancel this Notice without the approval of DEQ (or its successor in function) shall be subject to enforcement by DEQ to the full extent of the law. Failure by any party required or authorized to enforce any of the above restriction(s) shall in no event be deemed a waiver of the right to do so thereafter as to the same violation or as to one occurring prior or subsequent thereto.

Revised February 5, 2019

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



WILLIAM RANDOLPH, Regional Supervisor
(printed name of Regional Supervisor)

Wilmington Regional Office
UST Section
Division of Waste Management
Department of Environment Quality

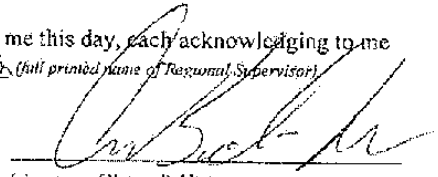
NORTH CAROLINA

NEW HANOVER COUNTY
(Name of county in which acknowledgment was taken)

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

Date: 6-28-2019





(signature of Notary Public)

WILLIAM BORDEAUX-NIXON
(printed or typed name of Notary Public)

Notary Public

Revised February 5, 2019