

May 14, 2025

Mr. Mike Cunningham North Carolina Department of Environmental Quality Division of Waste Management, Superfund Section 1646 Mail Service Center Raleigh, NC 27699-1646

RE: Risk Management Plan One Hour Koretizing 1691 Northern Boulevard Rocky Mount, Nash County, North Carolina DSCA Site ID DC640006

Dear Mr. Cunningham:

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 with the implementation of Land Use Controls.

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

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

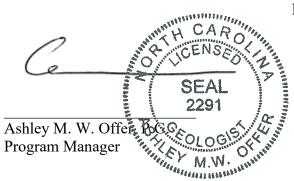
Ashley M. W. Offer, P.G. Program Manager

**Risk Management Plan One Hour Koretizing** 1691 Northern Boulevard Rocky Mount, Nash County, NC DSCA Site ID DC640006

**Prepared By:** 

Submitted To:

North Carolina Department of Environmental Quality Division of Waste Management Superfund Section – DSCA Program 1646 Mail Service Center Raleigh, NC 27699-1646



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#### **1.0 INTRODUCTION**

ATC Associates of North Carolina, P.C. (ATC) has prepared this Risk Management Plan (RMP) for the former One Hour Koretizing site in Rocky Mount, Nash County, North Carolina, on behalf of the North Carolina Dry-Cleaning Solvent Cleanup Act (DSCA) Program. One Hour Koretizing formerly operated at 1691 Northern Boulevard in Rocky Mount, North Carolina, Parcel Identification Number (PIN) 385109159345. The source property is a 0.56-acre lot developed with one single-story building occupied by Z's Smoke House. Impacts associated with the One Hour Koretizing site (herein referred to as the "site") are limited to the source property (where the drycleaning facility was formerly located). The site is as follows:

• Source property - Pickup Pennies, LLC, 1691 Northern Boulevard, Parcel Identification Number (PIN) 385109159345

A map showing the site location is included as *Figure 1*. This RMP is intended to comply with the requirements of the DSCA (N.C.G.S. 143-215.104A *et seqs*) and promulgated rules and follows the outline provided in the DSCA Program's risk-based corrective action (RBCA) guidance.

#### 2.0 OBJECTIVES OF RISK MANAGEMENT PLAN (RMP)

ATC completed assessment activities at the site which indicated the following areas of impact attributed to a dry-cleaning solvent release at the site:

• Concentrations of tetrachloroethylene (PCE), trichloroethylene (TCE), cis-1,2dichloroethylene (cis-1,2-DCE), and vinyl chloride above unrestricted use levels in groundwater on the source property.

ATC completed a risk assessment for the site in April 2024. The results of the risk assessment indicated that target risk levels are exceeded on the source property. However, the risks will be managed based on site-specific land-use conditions that have been selected as part of the evaluation and which require a RMP. Thus, the objective of the RMP is to ensure that those site-specific land-

use conditions remain valid in the future. A site map which shows identifying features on the source property is included as *Figure 1*.

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

Based on the presence of groundwater impacts above unrestricted use levels, ATC completed a risk assessment for the site on April 24, 2024. This section summarizes the final risk assessment findings, which resulted in the recommendation for no further action status with land-use controls placed on the property.

One Hour Koretizing performed dry-cleaning from 1998 through July 2014 utilizing PCE in one dry-to-dry machine. In 2017, Dot's Cleaners began operating as a drop-off/pick-up, wet wash, and finishing facility, and added an Ipura 440S Hydrocarbon dry-cleaning machine to the facility's operation in 2018. The site was accepted into the DSCA Program in 2017. Dot's Cleaners vacated the property in July 2021. The current property owner, Pickup Pennies, LLC, purchased the property in August 2021. The building is now occupied by Z's Smoke House.

The first step in the risk assessment process consisted of developing an exposure model. One exposure unit was assigned to evaluate current and future exposure pathways for the site. Exposure Unit #1 (EU #1) encompasses the entire source property where the former dry-cleaning facility and groundwater source area are located. The boundary of the exposure unit is depicted on *Figure* 2. The identified complete exposure pathways were evaluated using the NCDEQ's Risk Calculator. The protection of groundwater use and protection of surface water pathways were also evaluated as further discussed in the following sections.

To provide site background regarding the data used for the risk assessment, analytical data for groundwater, soil, indoor air, sub-slab gas, soil-gas, flux chambers, and surface water are depicted on *Figures 3, 4, 5*, and *6*, respectively. Proposed land-use control areas are depicted on *Figure 7*.

#### Exposure Unit #1

EU #1 encompasses the entire source property where the dry-cleaning facility and groundwater source area are located. The only complete exposure pathway identified for this exposure unit is

the indoor inhalation pathway for a future resident or non-residential worker. ATC collected two indoor air samples in the former dry-cleaning building to determine current risks; however, the results of the indoor air sampling event did not identify any compounds above the laboratory reporting limit. The laboratory reporting limits for the indoor air samples were below Non-Residential vapor intrusion screening levels (VISLs).

It should be noted sufficient soil sampling efforts have been conducted to characterize soil impacts under 15A NCAC 02S .0504. No compounds have been detected in soil samples collected at the site above Inactive Hazardous Sites Branch (IHSB) Preliminary Soil Remediation Goals (PSRGs) or site specific target levels (SSTLs). Furthermore, the laboratory reporting limits for specific chemicals of concern associated with dry-cleaning releases were below the IHSB PSRGs and SSTLs.

#### Indoor Inhalation Pathway

• For the future exposure scenario for the indoor inhalation pathway through vapor intrusion, data for the sub-slab vapor point containing the highest contaminant concentrations was utilized as the exposure point concentrations (EPCs) for this exposure pathway. The results of the modeling indicated exceedances of acceptable risk levels for a future resident.

As residential risk levels were exceeded for this exposure pathway, either a land use control specifying that no activities that cause or create a human health risk from vapor intrusion may occur without prior approval of DEQ, or, a control specifying that the property shall be used exclusively for non-residential land use as depicted in "Figure 7".

#### **Protection of Groundwater Use – Contaminant Migration Pathway**

The protection of groundwater use pathway evaluates the potential for plume migration towards a downgradient current or future water supply well. The protection of groundwater use pathway was modeled assuming a Point of Exposure (POE) at the nearest off-source property boundary downgradient of the plume. The POE was placed approximately 100 feet to the north of the groundwater source area and is shown on *Figure 2*. To determine groundwater exposure point concentrations, ATC used the highest historically observed concentration of each detected

compound in the groundwater source area, with the exception of acetone. Acetone is a common laboratory contaminant and is not likely associated with the dry-cleaning release.

Modeling results for the protection of groundwater use evaluation indicated exceedances of SSTLs for source groundwater. Plume stability monitoring indicates the groundwater plume is stable and does not extend beyond the most downgradient monitoring well (MW-2) or temporary well (TMW-2) (Groundwater Monitoring Report, October 2019 and Groundwater and Vapor Intrusion Assessment Letter Report, March 2021). As the plume stability has been established, the groundwater monitoring data collected at the site are considered more relevant and applicable for making risk management decisions and determining land use restriction areas for this exposure pathway. Based on the results of ATC's evaluation of all site characterization data and understanding of the CSM, it appears the groundwater plume is adequately defined and stable and that the plume's distribution, fate and transport, and interaction with receptors has been adequately assessed and characterized to meet standards of 15 NCAC 02S .0504 and meets stability criteria under 15 NCAC 02S .0509. Based on this evaluation the protection of groundwater use pathway is not a significant concern, assuming that land use controls are implemented for the "groundwater use control area" depicted in Figure 7.

#### **Protection of Surface Water – Contaminant Migration Pathway**

The protection of surface water pathway was evaluated assuming a POE at the nearest downgradient surface water body, an intermittent stream/surface runoff drainage feature, located approximately 110 feet north of the groundwater source area that is shown on *Figure 2*. Modeling results for the protection of surface water evaluation indicated exceedances of SSTLs for source groundwater. Plume stability monitoring indicates the groundwater plume is stable and does not extend beyond the most downgradient monitoring well (MW-2) and temporary well (TMW-2) (Groundwater Monitoring Report, October 2019 and Groundwater and Vapor Intrusion Assessment Letter Report, March 2021). Furthermore, a surface water sample collected from the feature did not identify any compounds above laboratory reporting limits. The plume stability monitoring data and surface water sampling data are considered more relevant for making risk management decisions, which are predicated on meeting 15 NCAC 02S .0504 characterization and stability criteria, as they are based on the site conditions and characteristics. Based on this

evaluation, the protection of surface water pathway is not considered a significant concern. Therefore, no additional land-use controls are recommended for this exposure pathway.

#### **Risk Assessment Conclusions**

Based on the results of this risk assessment, ATC concludes that the risks associated with the contamination at the site can be managed through implementation of land-use controls, as detailed in this RMP. Therefore, the risk assessment recommended risk-based closure for the site. The land-use controls proposed for the site are discussed in Section 6.0.

#### 4.0 REMEDIAL ACTION PLAN

#### 4.1 Assessment Activities and Interim Actions

The source property is an approximate 0.56-acre parcel developed with one single-story building occupied by Z's Smoke House. The area is primarily characterized by commercial and residential development and undeveloped wooded lots. The property is accessed from the west by a driveway associated with the shopping center on the south adjacent property. The area topography slopes downward towards the north-northwest. A map showing the site location is included as *Figure 1*.

A Phase I Environmental Site Assessment (ESA) was prepared by Terracon Consultants, Inc. (Terracon) on May 20, 2014, identifying One Hour Koretizing, which operated on the source property since 1998. A Limited Site Investigation Report was submitted by Terracon June 26, 2014, documenting soil and groundwater sampling from borings B-1 through B-4. Laboratory analytical data indicated that a release had occurred as chlorinated solvent impacts were found in groundwater above Title 15A NCAC 02L .0202 Groundwater Quality Standards (2L Standards). The property owner petitioned for One Hour Koretizing to enter the DSCA Program. One Hour Koretizing was accepted into the DSCA Program in February 2017.

ATC submitted an Assessment Report on November 17, 2017, documenting prioritization assessment activities performed between May 2017 and July 2017. During assessment activities, a receptor survey was completed within a one-half mile radius of the site, monitoring wells MW-

1, MW-2, MW-3, MW-4, MW-4R, and MW-5 were installed, groundwater samples were collected from wells MW-1, MW-2, MW-3, MW-4R, and MW-5 (MW-4 was dry), soil samples were collected from borings MW-1, SB-1, SB-2, and SB-3, and sub-slab gas samples were collected from SS-1 and SS-2. Soil analytical results did not identify any compounds above IHSB PSRGS. Concentrations of PCE, TCE, and cis-1,2-DCE were detected in monitoring well MW-1 above the 2L Standard. The results of the sub-slab gas data indicated an exceedance of the residential hazard index for sample SS-1. There were no exceedances for non-residential use.

An Assessment Letter Report was submitted on December 5, 2018, to document work performed between January 2018 and October 2018. During that time one surface water sample (SW-1) was collected from a drainage feature located directly downgradient of the source property. The drainage feature is intermittent but expected to occasionally intersect the shallow water table. The sample did not identify any compounds above laboratory detection limits. Soil samples were collected from borings SB-4 through SB-9 in the dry-cleaning building. No samples indicated impacts above IHSB PSRGs. ATC installed and sampled deep well DMW-1 to vertically characterize groundwater impacts. The sample did not identify compounds above 2L Standards. Finally, ATC attempted to install and sample one soil-gas monitoring point; however, the point was not able to be installed due to the shallow water table. As a result, ATC collected one flux-chamber sample (FC-1) from the eastern boundary of the source property. The results indicated no compounds detected above the laboratory reporting limits.

Plume stability monitoring performed between December 2018 and September 2019 is documented in an October 16, 2019, Groundwater Monitoring Report. The results of the sampling events indicated a plume of groundwater impacted by PCE, TCE, cis-1,2-DCE, and vinyl chloride at concentrations above the 2L Standards; however, the horizontal and vertical extent of impacted groundwater has been adequately defined. The GSI Mann-Kendall Toolkit for MW-1, the only well impacted above 2L Standards, indicates generally stable concentration trends. Wells MW-3, MW-5, and DMW-1 exhibited low levels of PCE, TCE, and cis-1,2-DCE below the 2L Standards. Wells MW-2 and MW-4R did not exhibit detections of PCE or its daughter-compounds. Due to the stable concentration trends and horizontal and vertical plume delineation, ATC concluded that the plume is adequately defined and stable and meets stability criteria under 15A NCAC 02S .0509.

To further assess groundwater impacts, samples were collected from temporary wells TMW-1 and TMW-2 located north of the source property in December 2020. The results indicated no exceedances of 2L Standards. In addition, ATC installed and sampled three temporary sub-pavement points (SG-1 through SG-3) along the western source property boundary and three flux chambers (FC-1, FC-2, and FC-3) along the eastern source property boundary. The results of the sub-pavement and flux chamber sampling indicated no detectable concentrations in the samples. ATC submitted a Groundwater and Vapor Intrusion Assessment Letter Report on March 31, 2021.

Finally, on March 9, 2023, ATC collected two indoor air samples in the former dry-cleaning building to determine the potential inhalation risk to occupants from vapor intrusion at the property. The results of the indoor air sampling event did not identify any compounds above the laboratory reporting limit. The results are included in a Vapor Intrusion Assessment and Public Notification Letter Report dated June 14, 2023.

ATC compiled the recent and historical data for the site and prepared a risk assessment in April 2024. As discussed in detail in Section 3.0, the risk assessment concluded that risks associated with the contamination could be managed through implementation of land-use controls for the site, 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 Risk Assessment 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 June 2014. Constituents of concern (COCs) detected at the site historically above the 2L Standards include PCE, TCE, cis-1,2-DCE, and vinyl chloride, all of which appear to be related to the dry-cleaning solvent release. ATC utilized the GSI Mann-Kendall Toolkit for Constituent Trend Analysis to evaluate plume stability. The GSI Mann-Kendall Toolkit for MW-1, the only well impacted above 2L Standards, indicates generally stable concentration trends. Wells MW-3, MW-5, and DMW-1 exhibited low levels of PCE, TCE, and cis-1,2-DCE below the 2L Standards. Wells MW-2 and MW-4R did not exhibit detections of PCE or its daughter-compounds. Due to the stable concentration trends and horizontal and vertical plume delineation, ATC concluded that the plume is adequately defined and stable and meets stability criteria under 15A NCAC 02S .0509.

Overall, based on the results of recent and historical sampling events and the plume stability evaluation contained in this report, ATC concludes that the groundwater plume associated with the site is stable. Monitoring well locations are shown on *Figure 1*. Demonstration of the plume stability evaluation, including a table showing historical groundwater analytical data and the GSI Mann-Kendall Toolkit documentation, is included in *Appendix A*.

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 risk assessment and found that this condition has been met for all COCs and exposure pathways.

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

Land-use controls will be implemented for the site source property to ensure the assumptions made in the risk assessment remain valid in the future. Refer to Section 6.0 for additional details regarding the proposed land-use controls for the site.

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

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

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

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

#### 5.0 DATA COLLECTED DURING RMP IMPLEMENTATION

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

#### 6.0 LAND-USE CONTROLS

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

- The source property will only be used for non-residential purposes.
- Groundwater will not be utilized on the source property.

Institutional controls will be implemented to ensure that land-use conditions are maintained and monitored until the land-use controls are no longer required for the site. A NDCSR was prepared for the source property to comply with the land-use control requirement and is included as *Appendix C*. 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 drycleaning solvent contamination is included as an exhibit to the NDCSR. The locations of drycleaning solvent contamination are where contaminants have been detected above unrestricted use standards.

#### 7.0 LONG-TERM STEWARDSHIP PLAN

The NDCSR for the source property contains a clause which requires that the owner of the property submit notarized "Annual Certification of Land-Use Restrictions" to NCDEQ on an annual basis certifying that the NDCSR remains recorded with the Register of Deeds and that the land-use restrictions (LURs) are being complied with. An example of such a certification is included in *Appendix D*.

#### 8.0 RMP IMPLEMENTATION SCHEDULE

Since the contamination is stable and has not migrated onto off-source properties, and possible exposure to the contamination is managed through the NDCSR, no additional site remediation activities are required to implement the RMP. A 30-day public comment period will be held to allow the community an opportunity to comment on the proposed strategy. *Appendix E* includes example documents used to announce the public comment period in the local newspaper and to inform local officials, nearby property owners, and interested parties. As such, upon completion of the 30-day public comment period and final approval of the RMP, the NDCSR will be filed with the Nash County Register of Deeds and will complete the RMP schedule.

#### 9.0 CRITERIA FOR DEMONSTRATING RMP SUCCESS

The RMP will be successfully implemented once the required NDCSR has been executed and recorded with the Nash County Register of Deeds. The NDCSR may, at the request of the owner of the property, be canceled by NCDEQ 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 NCDEQ is notified of a change in site conditions, per the notification requirements detailed in the NDCSR, the RMP will be reviewed to determine if the site conditions have impacted the requirements set forth in each NDCSR and if changes are required. Enforcement of the RMP will be maintained through receipt of the "Annual Land-Use Restrictions Certification" from the source property owner as part of the NDCSR requirements.

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

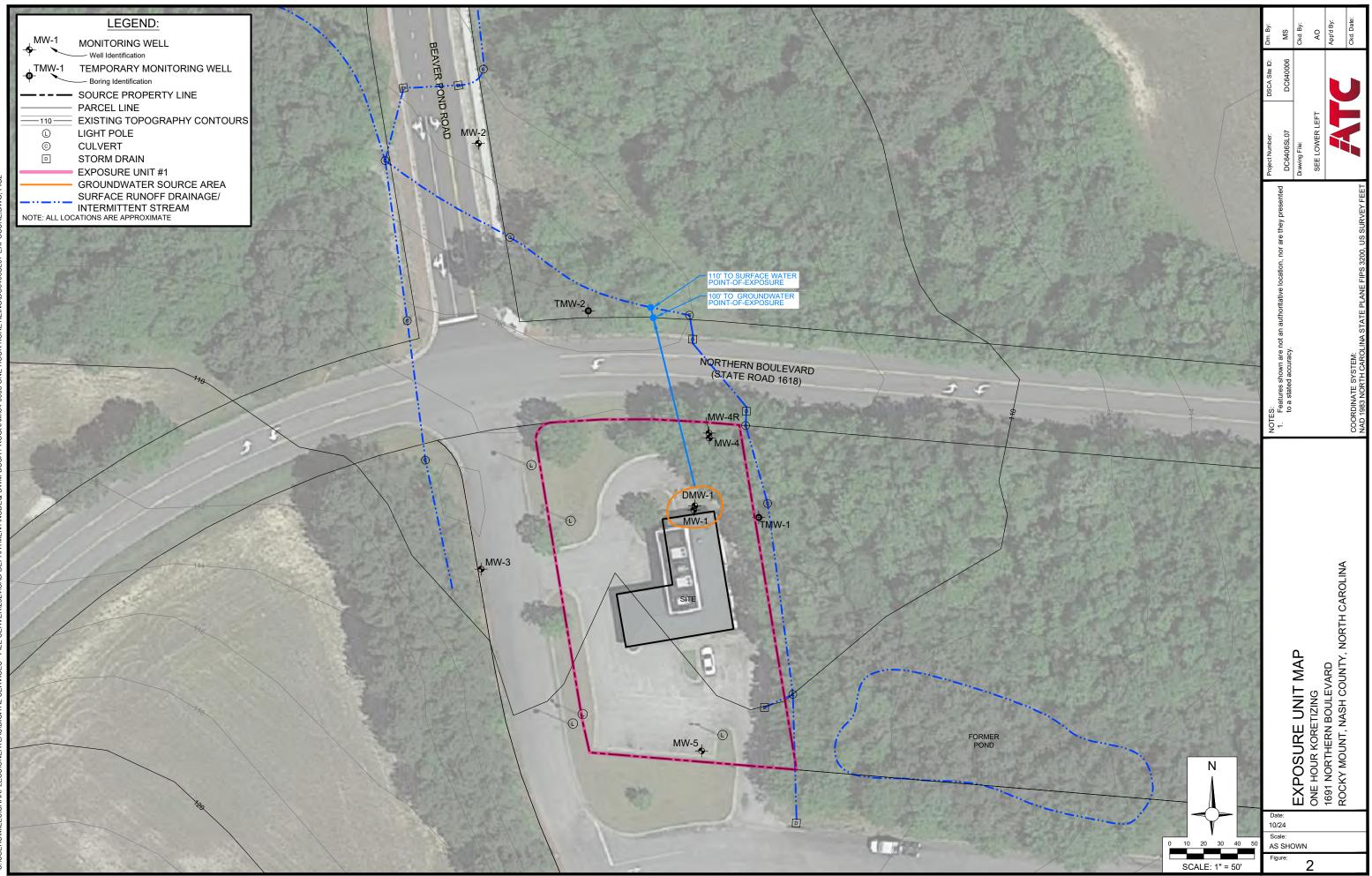
As discussed above, unless the DSCA Program is notified of a change in land-use conditions at the site, per the notification requirements detailed in this plan, the RMP will remain in effect until the RMP has met its objectives and is considered a success. Pursuant to N.C.G.S. 143-215.104K, if any of the LURs set out in the NDCSR are violated, the owner of the 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.

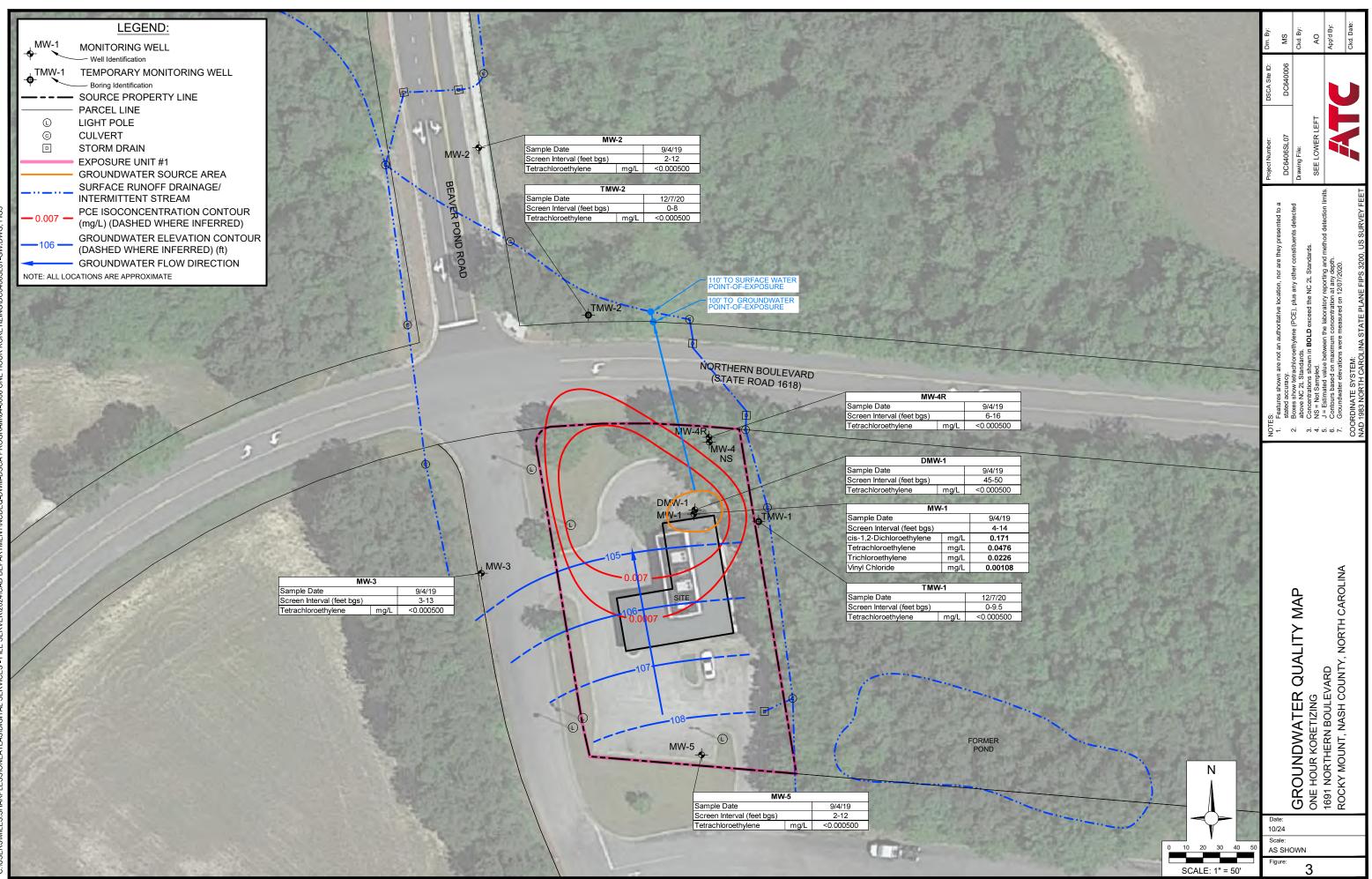
#### **11.0 CONCLUSIONS AND RECOMMENDATIONS**

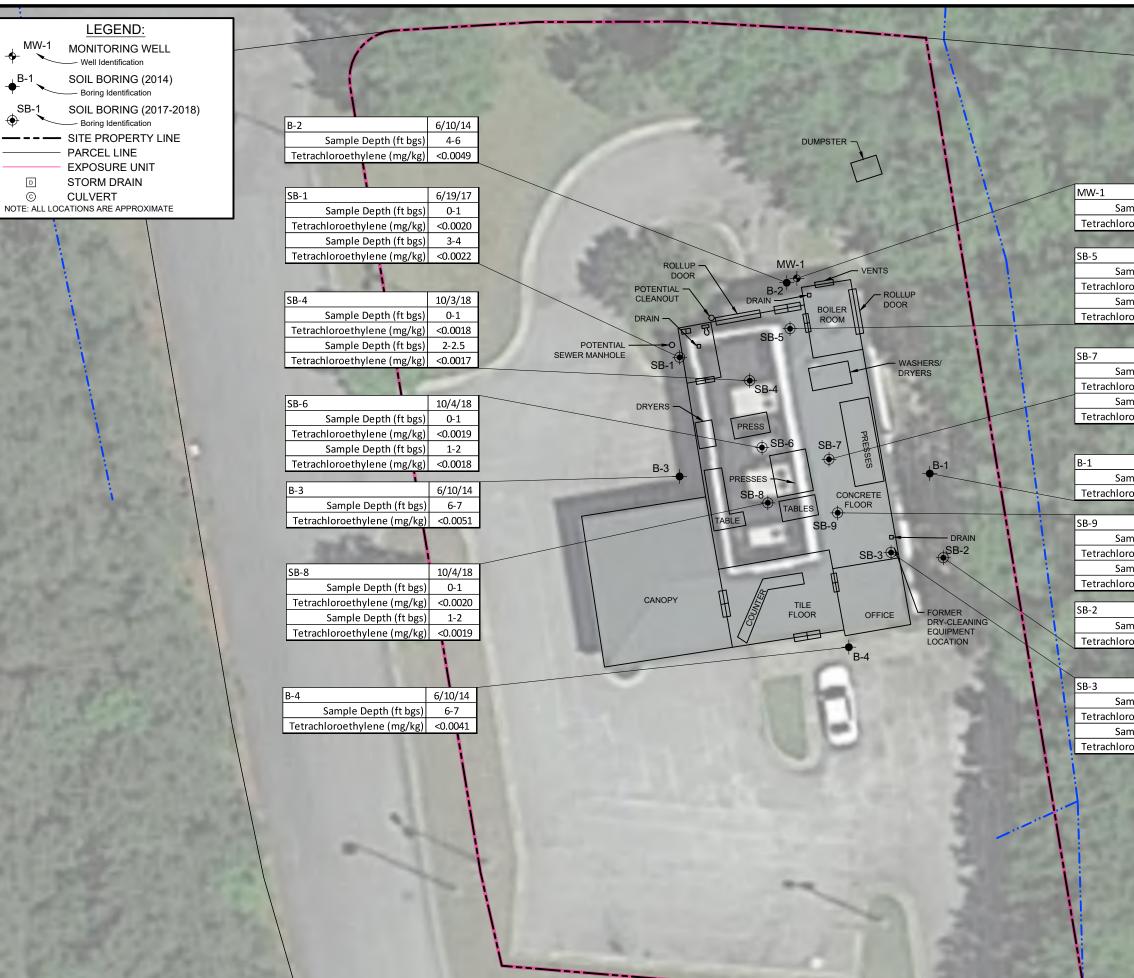
ATC has prepared this RMP for the One Hour Koretizing site on behalf of the DSCA Program. The results of a risk assessment indicated that contaminant concentrations at the site do not pose an unacceptable risk with appropriate land-use controls applied to the source property. The groundwater contaminant plume associated with the site appears stable. 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.

FIGURES

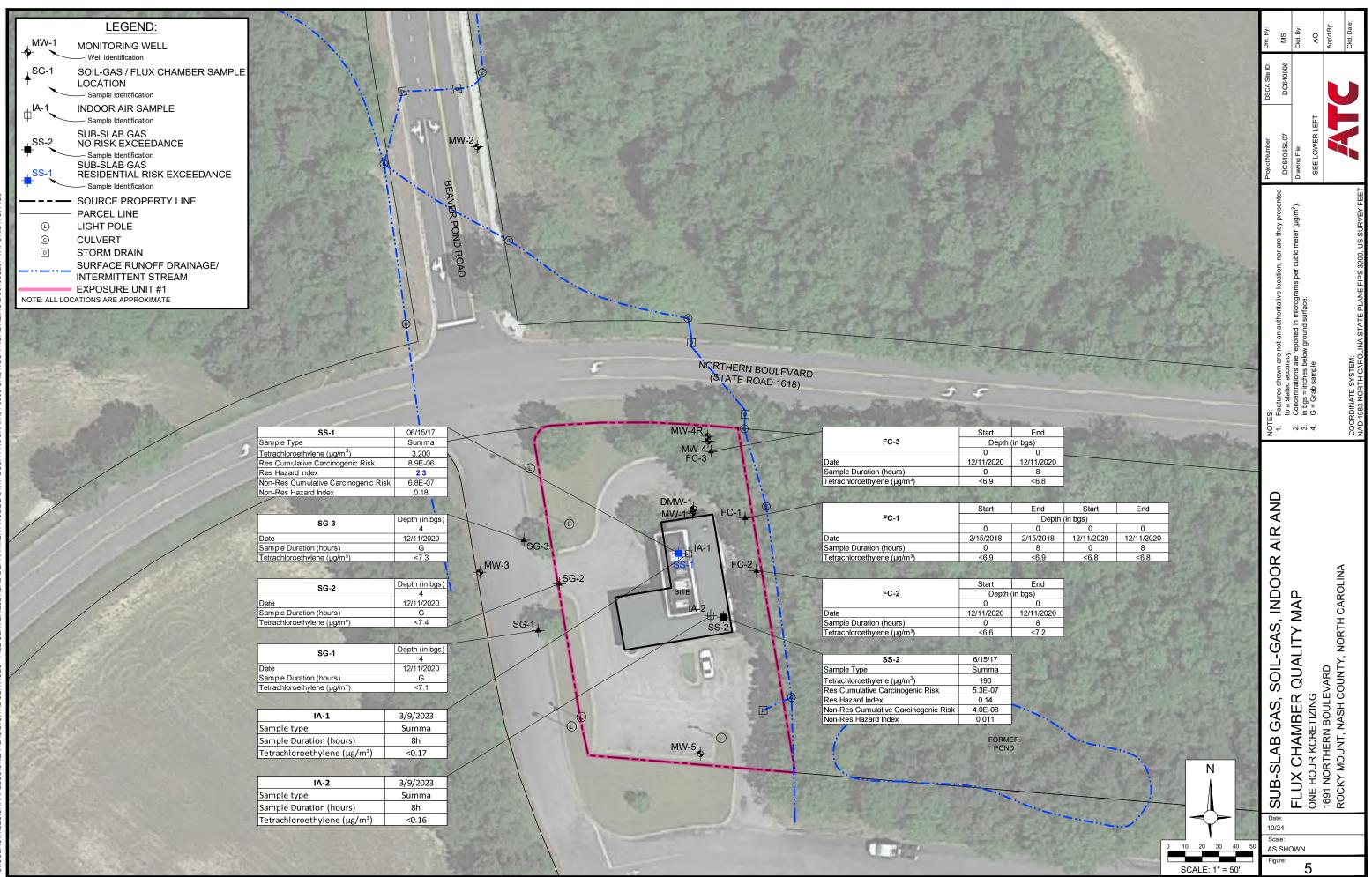


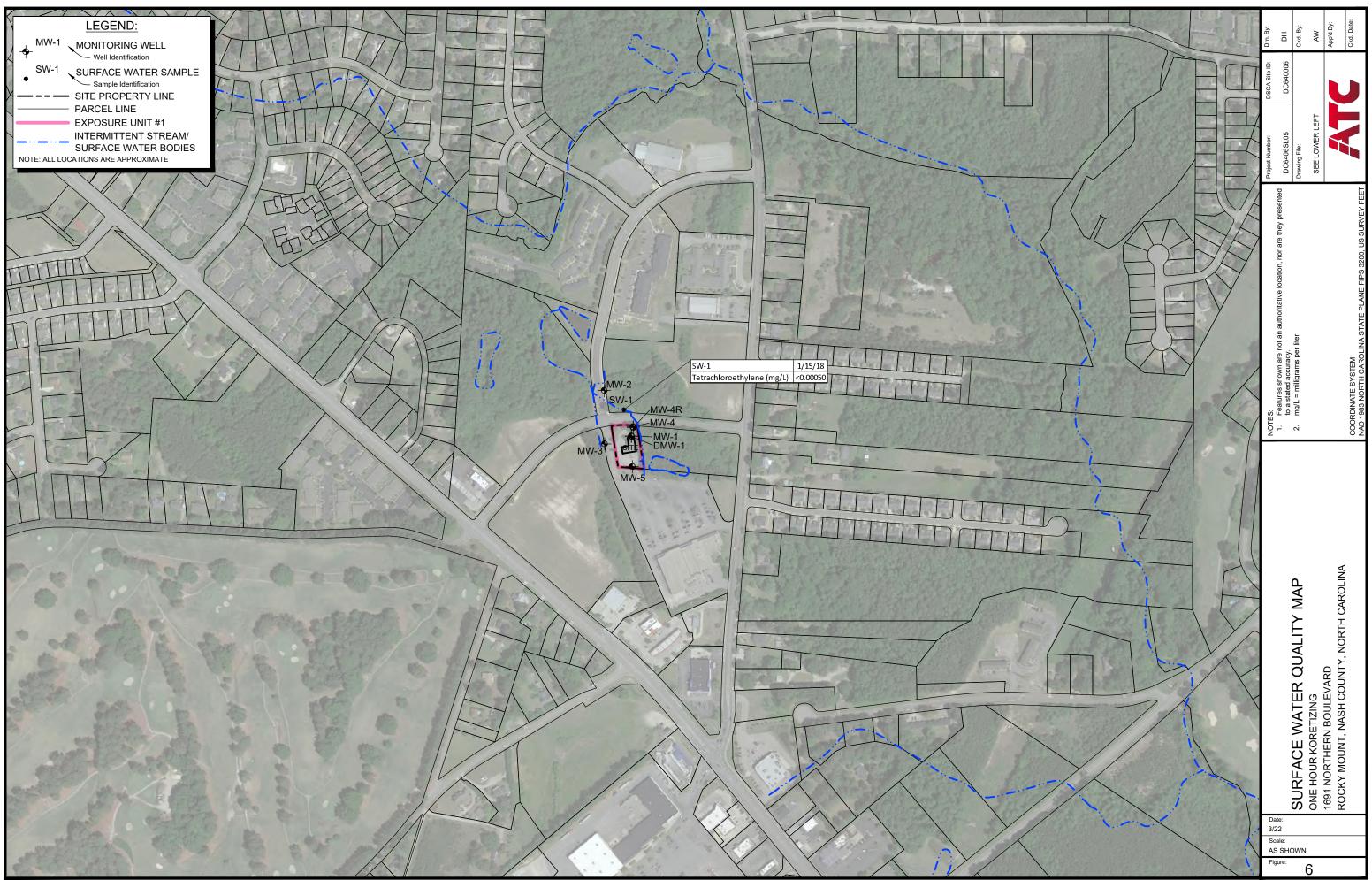


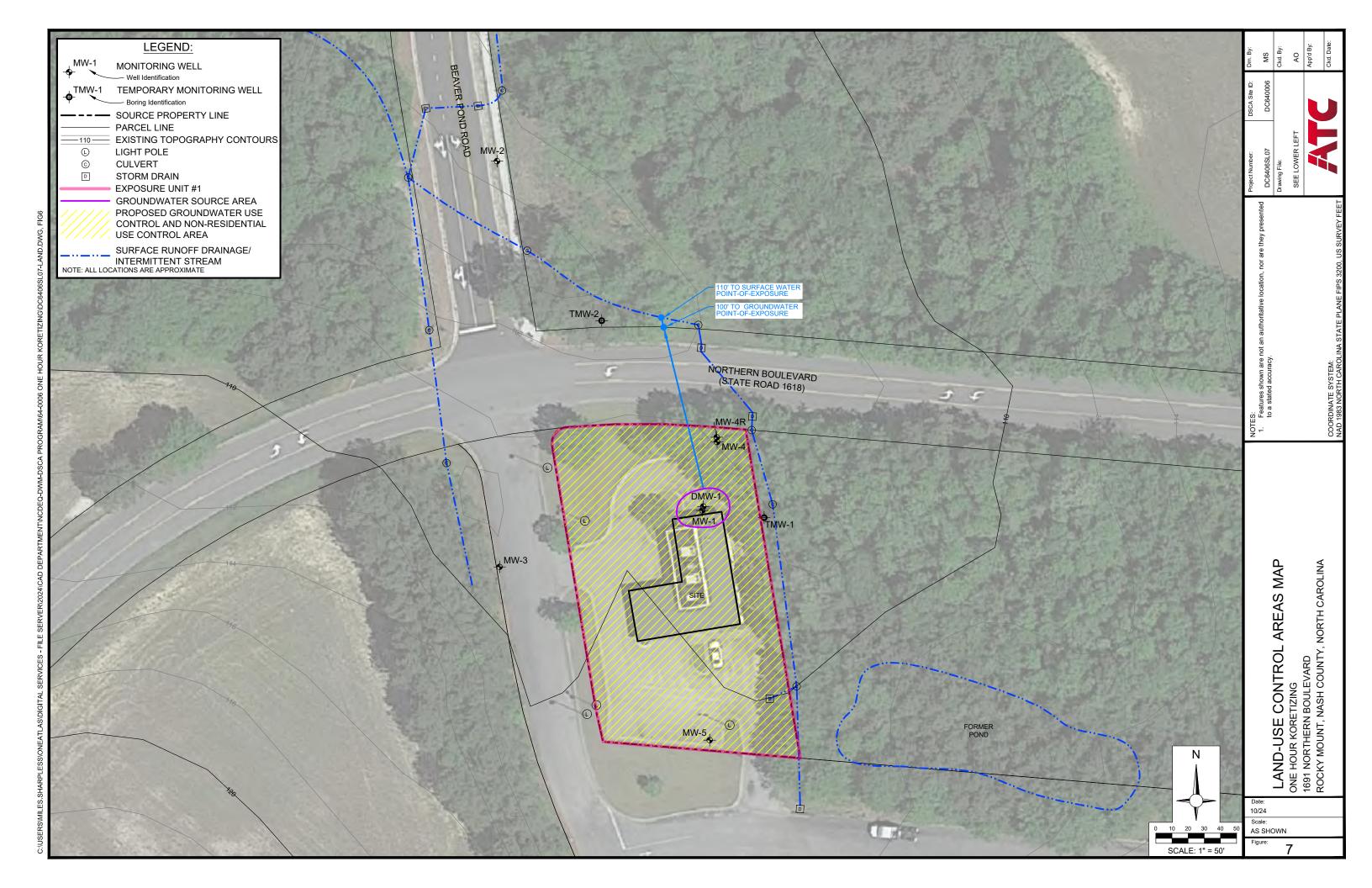




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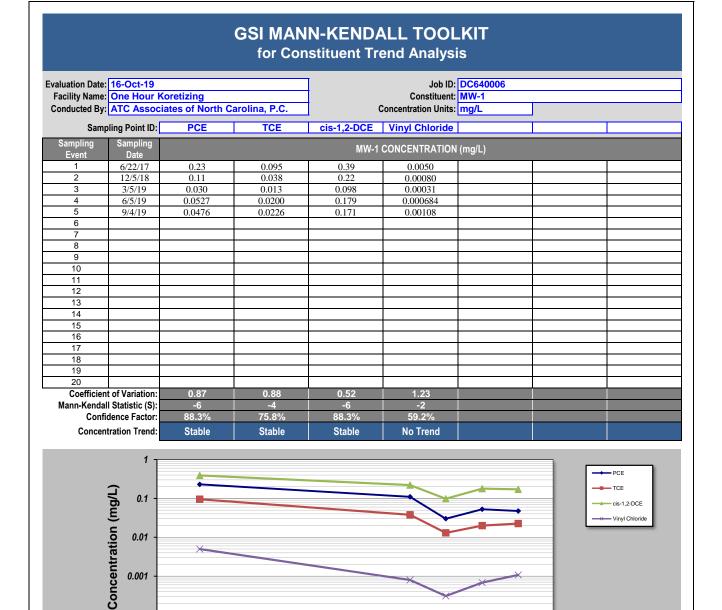






### APPENDIX A

## PLUME STABILITY DEMONSTRATION



#### Notes:

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1. At least four independent sampling events per well are required for calculating the trend. Methodology is valid for 4 to 40 samples.

12/17

2. Confidence in Trend = Confidence (in percent) that constituent concentration is increasing (S>0) or decreasing (S<0): >95% = Increasing or Decreasing;

04/18

≥ 90% = Probably Increasing or Probably Decreasing; < 90% and S>0 = No Trend; < 90%, S≤0, and COV ≥ 1 = No Trend; < 90% and COV < 1 = Stable.

3. Methodology based on "MAROS: A Decision Support System for Optimizing Monitoring Plans", J.J. Aziz, M. Ling, H.S. Rifai, C.J. Newell, and J.R. Gonzales, Ground Water, 41(3):355-367, 2003.

DISCLAIMER: The GSI Mann-Kendall Toolkit is available "as is". Considerable care has been exercised in preparing this software product; however, no party, including without limitation GSI Environmental Inc., makes any representation or warranty regarding the accuracy, correctness, or completeness of the information contained herein, and no such party shall be liable for any direct, indirect, consequential, incidental or other damages resulting from the use of this product or the information contained herein. Information in this publication is subject to change without notice. GSI Environmental Inc., disclaims any responsibility or obligation to update the information contained herein. GSI Environmental Inc., www.gsi-net.com

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Table 7: Ground	water Elevation D	ata					ADT
DSCA ID No.:	DC640006						
Groundwater Sampling Point	Sampling Date (mm/dd/yy)	TOC Elevation [feet]	Depth to Water [feet bgs]	Groundwater Elevation [feet]	Depth to NAPL [feet bgs]	NAPL Thickness [feet]	Corrected* Groundwater Elevation [feet]
	06/22/17		5.71	105.26	NA	NA	NA
	06/08/18		7.41	103.56	NA	NA	NA
	12/05/18		6.36	104.61	NA	NA	NA
MW-1	03/05/19	110.97	5.83	105.14	NA	NA	NA
	06/05/19		7.17	103.80	NA	NA	NA
	09/04/19		7.53	103.44	NA	NA	NA
	12/07/20		6.44	104.53	NA	NA	NA
	06/22/17		0.00	105.41	NA	NA	NA
	06/08/18		1.97	103.44	NA	NA	NA
	12/05/18		0.00	105.41	NA	NA	NA
MW-2	03/05/19	105.41	0.00	105.41	NA	NA	NA
	06/05/19		3.27	102.14	NA	NA	NA
	09/04/19		4.66	100.75	NA	NA	NA
	12/07/20		0.00	105.41	NA	NA	NA
	06/21/17		5.04	105.22	NA	NA	NA
	06/08/18		6.08	104.18	NA	NA	NA
	12/05/18		5.7	104.56	NA	NA	NA
MW-3	03/05/19	110.26	5.17	105.09	NA	NA	NA
	06/05/19		6.46	103.80	NA	NA	NA
	09/04/19		6.81	103.45	NA	NA	NA
	12/07/20		5.77	104.49	NA	NA	NA
	06/21/17		DRY	NA	NA	NA	NA
	06/08/18	-	7.61	100.59	NA	NA	NA
	12/05/18		4.67	103.53	NA	NA	NA
MW-4	03/05/19	108.20	2.56	105.64	NA	NA	NA
	06/05/19		8.91	99.29	NA	NA	NA
	09/04/19	-	DRY	NA	NA	NA	NA
	12/07/20		3.84	104.36	NA	NA	NA
	07/14/17		11.99	99.00	NA	NA	NA
	06/08/18	-	11.75	99.00	NA	NA	NA
	12/05/18		7.61	103.38	NA	NA	NA
MW-4R	03/05/19	110.99	6.09	103.38	NA	NA	NA
WI W -4K	06/05/19	110.99	12.91	98.08	NA	NA	NA
	09/04/19	-	14.51	96.48	NA	NA	NA
	12/07/20	-	6.55	104.44	NA	NA	NA
	06/21/17		2.44	104.44	NA	NA	NA
	06/08/18	-	3.13	108.82	NA	NA	NA
	12/05/18	-	2.69	108.13	NA	NA	NA
MW-5	03/05/19	111.26	2.69	108.57	NA	NA	NA
101 00 -3	05/05/19	111.20	3.29	109.09	NA	NA	NA
	06/05/19 09/04/19	-	3.29	107.60	NA NA	NA NA	NA
	12/07/20		2.46	107.60	NA	NA	NA
	06/08/18		4.11	106.49	NA	NA	NA
	12/05/18		5.46	105.14	NA	NA	NA
DMW-1	03/05/19	110.60	3.05	107.55	NA	NA	NA
	06/05/19	-	3.57	107.03	NA	NA	NA
	09/04/19		6.06	104.54	NA	NA	NA
	12/07/20		4.29	106.31	NA	NA	NA

Table 8: Analytical Data for Groundwater   ADT 8												
DSCA ID No.: DC640006												
Groundwater Sampling Point	Sampling Date (mm/dd/yy)	Benzene	cis-1,2-Dichloroethylene	Ethylbenzene	Methyl tert-butyl ether (MTBE)	Naphthalene	Tetrachloroethylene	Toluene	trans-1,2-Dichloroethylene	Trichloroethylene	Vinyl chloride	Xylenes (total)
B-1	06/10/14	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	<0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030
B-1 B-2	06/10/14	<0.0010	0.0035	< 0.0010	< 0.0010	< 0.0010	0.0353	< 0.0010	<0.0010	< 0.0010	<0.0010	<0.0030
B-2 B-3	06/10/14	<0.0010	0.0055	< 0.0010	< 0.0010	< 0.0010	0.0064	< 0.0010	<0.0010	0.0020	<0.0010	<0.0030
B-4	06/10/14	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0030
	06/22/17	< 0.0050	0.39	< 0.0050	< 0.0050	< 0.010	0.23	< 0.0050	0.0064	0.095	< 0.010	< 0.0150
	12/05/18	< 0.0020	0.22	< 0.0020	< 0.0020	< 0.010	0.11	< 0.0020	0.0098	0.038	0.00080J	< 0.0060
MW-1	03/05/19	< 0.0010	0.098	< 0.0010	< 0.0010	< 0.0050	0.030	< 0.0010	0.0042	0.013	0.00031J	< 0.0030
	06/05/19	< 0.00100	0.179	< 0.00100	< 0.00100	< 0.00500	0.050	< 0.00100	0.00849	0.0200	0.000684J	< 0.00300
	09/04/19	< 0.000500	0.175	< 0.000500	< 0.000500	< 0.00250	0.0327	< 0.000500	0.00896	0.0226	0.00108	<0.00150
	06/22/17	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0020	< 0.00050	0.00035J	< 0.0010	< 0.0010	< 0.0020	0.00032J
	12/05/18	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0050	< 0.00050	< 0.0010	< 0.0010	< 0.0010	< 0.0020	< 0.0030
MW-2	03/05/19	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0050	< 0.00050	< 0.0010	< 0.0010	< 0.0010	< 0.0020	< 0.0030
	06/05/19	< 0.00100	< 0.00100	< 0.00100	< 0.00100	< 0.00500	< 0.000500	< 0.00100	< 0.00100	< 0.00100	< 0.00100	< 0.00300
	09/04/19	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.00250	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	<0.00150
	06/21/17	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.00230	< 0.000500	< 0.0010	< 0.0010	0.0019	< 0.0020	< 0.00100
	12/05/18	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0050	< 0.00050	< 0.0010	< 0.0010	< 0.0010	< 0.0020	< 0.0030
MW-3	03/05/19	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0050	< 0.00050	< 0.0010	< 0.0010	< 0.0010	< 0.0020	< 0.0030
	06/05/19	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.00500	< 0.000500	< 0.0010	< 0.0010	<0.00100	< 0.00100	<0.00300
-	09/04/19	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.00250	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.00100	< 0.00150
	07/14/17	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0020	< 0.000500	< 0.0010	< 0.0010	< 0.0010	< 0.0020	< 0.0030
·	12/05/18	<0.0010	< 0.0010	<0.0010	< 0.0010	<0.0020	<0.00030	<0.0010	<0.0010	<0.0010	<0.0020	<0.0030
MW-4R	03/05/19	<0.0010	< 0.0010	<0.0010	< 0.0010	<0.0050	<0.00030	<0.0010	< 0.0010	<0.0010	<0.0020	<0.0030
	06/05/19	<0.0010	< 0.0010	<0.0010	< 0.0010	< 0.00500	<0.000500	< 0.0010	< 0.0010	<0.0010	<0.0020	<0.00300
	09/04/19	< 0.00100	< 0.00100	< 0.00100	< 0.00100	< 0.00300	< 0.000500	< 0.00100	< 0.00100	< 0.00100	< 0.00100	<0.00300
	06/21/17	< 0.000300	< 0.0010	< 0.000300	< 0.000300	< 0.00230	<0.000300	< 0.000300	< 0.000300	<0.000300 0.00035J	< 0.000300	<0.00130
	12/05/18	<0.0010	< 0.0010	<0.0010	<0.0010	< 0.0050	<0.00030	<0.0010	< 0.0010	< 0.0010	<0.0020	<0.0030
MW-5	03/05/19	<0.0010	< 0.0010	<0.0010	< 0.0010	<0.0050	<0.00050	<0.0010	< 0.0010	< 0.0010	< 0.0020	<0.0030
101 00-5	06/05/19	< 0.0010	< 0.0010	<0.0010	<0.0010	< 0.00500	<0.000500	<0.0010	<0.0010	<0.0010	<0.0020	<0.00300
-	09/04/19	< 0.00100	< 0.00100	< 0.00100	< 0.00100	<0.00300	< 0.000500	< 0.00100	< 0.00100	<0.00100	< 0.00100	< 0.00300
	06/08/18	< 0.0010	0.00064J	< 0.0010	< 0.0010	< 0.00230	0.00032J	0.00033J	< 0.0010	< 0.0010	< 0.000300	<0.00130
-	12/05/18	<0.0010	0.00039J	< 0.0010	< 0.0010	< 0.0050	<0.00052	0.00033J	< 0.0010	< 0.0010	< 0.0020	<0.0030
DMW-1	03/05/19	<0.0010	0.00033J	< 0.0010	< 0.0010	< 0.0050	<0.00050	0.00034J 0.00024J	< 0.0010	< 0.0010	< 0.0020	<0.0030
210100 1	06/05/19	< 0.0010	< 0.00100	<0.0010	<0.0010	<0.00500	<0.000500	0.00024J 0.000437J	<0.0010	<0.0010	<0.0020	<0.00300
	09/04/19	< 0.00100	<0.00100 0.000251J	<0.00100	<0.00100	<0.00300	< 0.000500	< 0.0004373	<0.00100	<0.00100	<0.00100	<0.00300
TMW-1	12/07/20	<0.000500	< 0.0002313	<0.000500	< 0.000500	<0.00230 0.000330J	<0.000500	<0.000500	< 0.000500	<0.000500	< 0.000500	<0.00130
TMW-1 TMW-2	12/07/20	<0.000500	< 0.000500	<0.000500	< 0.000500	< 0.00250	<0.000500	<0.000500	< 0.000500	< 0.000500	<0.000500	<0.00150
	12/07/20 standard	<0.000500 0.001	<0.000500 0.07	<0.000500	<0.000500 0.02	<0.00250 0.006	<0.000500 0.0007	<0.000500 <b>0.6</b>	<0.000500 0.1	<0.000500 0.003	<0.000500 0.00003	<0.00150 0.5

#### Notes:

1. Bold concentrations exceed 15A NCAC NC 2L .0202 Groundwater Standards (January 2021).

2. "<" - Not detected above laboratory method reporting limit.

3. J - Estimated value between laboratory method detection limit and laboratory reporting limit.

4. mg/L - milligrams per liter.

5. NA - Not Analyzed.

6. NR - Not Reported.

Table 8(1): Analytical Data for Groundwater (User Specified Chemicals)       ADT 8(1)										
DSCA ID	No.: D	C640006								
Groundwater Sampling Point	Sampling Date (mm/dd/yy)	Acetone	n-Butylbenzene	n-Propylbenzene	1,2,4-Trimethylbenzene	1,3,5-Trimethylbenzene	1,1-Dichloroethylene	Bromodichloromethane	Chloroform	Carbon Disulfide
-			) ID	110	110	[mg/L]	0.0010	0.0010	0.0010	110
B-1	06/10/14	< 0.0250	NR	NR	NR	NR	< 0.0010	< 0.0010	< 0.0010	NR
B-2	06/10/14	< 0.0250	NR	NR	NR	NR	< 0.0010	< 0.0010	< 0.0010	NR
B-3	06/10/14	<0.0250	NR	NR	NR	NR	<0.0010	<0.0010	<0.0010	NR
B-4	06/10/14	< 0.0250	NR	NR	NR	NR	< 0.0010	< 0.0010	< 0.0010	NR
	06/22/17	< 0.25	< 0.0050	< 0.0050	< 0.0050	< 0.0050	0.0011J	< 0.0025	< 0.010	< 0.025
	12/05/18	< 0.10	< 0.0020	< 0.0020	< 0.0020	< 0.0020	0.00076J	< 0.0010	< 0.0040	< 0.0080
MW-1	03/05/19	< 0.050	< 0.0010	< 0.0010	< 0.0010	< 0.0010	0.00024J	< 0.00050	< 0.0020	< 0.0040
	06/05/19	< 0.0500	< 0.00100	< 0.00100	< 0.00100	< 0.00100	0.000452J	< 0.00100	< 0.00500	NA
	09/04/19	0.00533J	< 0.000500	< 0.000500	< 0.000500	< 0.000500	0.000694	< 0.000500	< 0.000500	< 0.000500
	06/22/17	< 0.050	0.00016J	0.00015J	0.00055J	0.00017J	< 0.0010	< 0.00050	< 0.0020	< 0.0050
	12/05/18	< 0.050	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.00050	< 0.0020	< 0.0040
MW-2	03/05/19	< 0.050	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.00050	< 0.0020	< 0.0040
	06/05/19	< 0.0500	< 0.00100	< 0.00100	< 0.00100	< 0.00100	< 0.00100	< 0.00100	< 0.00500	NA
	09/04/19	0.00177J	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500
	06/21/17	< 0.050	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.00050	< 0.0020	< 0.0040
	12/05/18	< 0.050	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.00050	< 0.0020	< 0.0040
MW-3	03/05/19	< 0.050	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.00050	< 0.0020	< 0.0040
	06/05/19	< 0.0500	< 0.00100	< 0.00100	< 0.00100	< 0.00100	< 0.00100	< 0.00100	< 0.00500	NA
	09/04/19	0.00316J	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500
	07/14/17	< 0.050	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.00050	< 0.0020	< 0.0040
	12/05/18	< 0.050	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.00050	< 0.0020	< 0.0040
MW-4R	03/05/19	< 0.050	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.00050	< 0.0020	< 0.0040
	06/05/19	< 0.0500	< 0.00100	< 0.00100	< 0.00100	< 0.00100	< 0.00100	< 0.00100	< 0.00500	NA
	09/04/19	0.00316J	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500
	06/21/17	< 0.050	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.000500	< 0.0020	< 0.0040
	12/05/18	< 0.050	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.0010	< 0.00050	< 0.0020	< 0.0040
MW-5	03/05/19	<0.050	< 0.0010	< 0.0010	< 0.0010	< 0.0010	<0.0010	<0.00050	< 0.0020	< 0.0040
	06/05/19	< 0.0500	<0.00100	<0.0010	<0.0010	<0.0010	<0.0010	<0.00030	<0.0020	<0.0040 NA
	09/04/19	<0.0300 0.00719J	<0.00100	<0.00100	<0.00100	<0.00100	<0.00100	<0.00100	<0.000500	<0.000500
	09/04/19	< 0.050	< 0.000300	< 0.0010	< 0.000300	< 0.0010	< 0.000300	0.000300	0.011	< 0.000300
	12/05/18	< 0.050	<0.0010	<0.0010	<0.0010	<0.0010	<0.0010	<0.0014	<0.0010	<0.0040 0.0015J
DMW-1										
DIVI W-1	03/05/19	<0.050	<0.0010	<0.0010	<0.0010	<0.0010	<0.0010	<0.00050	<0.0020	<0.0040
	06/05/19	< 0.0500	<0.00100	<0.00100	<0.00100	<0.00100	<0.00100	<0.00100	<0.00500	NA
T) (1)/ 1	09/04/19	0.00313J	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500
TMW-1	12/07/20	< 0.0250	< 0.000500	0.000124J	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500
TMW-2	12/07/20	< 0.0250	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500	< 0.000500
NC 2L S	Standard	6	0.07	0.07	0.4	0.4	0.35	0.0006	0.07	0.7

Notes:

1. Bold concentrations exceed 15A NCAC NC 2L .0202 Groundwater Standards (January 2021).

2. "<" - Not detected above laboratory method reporting limit.

3. J - Estimated value between laboratory method detection limit and laboratory reporting limit.

4. mg/L - milligrams per liter.

5. NA - Not Analyzed.

6. NR - Not Reported.

**APPENDIX B** 

LEVEL 1 ECOLOGICAL RISK ASSESSMENT CHECKLISTS

Appendix B Ecological Risk Assessment – Level 1 One Hour Koretizing 1691 Northern Boulevard Rocky Mount, Nash County, NC 27804 DSCA Site ID DC640006

#### 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 upon the United State Geological Survey (USGS) topographic maps and the United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI), tributaries to Hornbeam Branch are located approximately 1,000 feet to the north and 1,800 feet to the south of the site and Hornbeam Branch is located approximately 2,000 feet to the east northeast at its nearest point to the site. It should be noted the portion of Hornbeam Branch within one-half mile radius of the site is classified as a freshwater forested/shrub wetland. See the topographic map as **Figure 1** and the USFWS NWI map as **Figure 2**.

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

Based on the USGS map (Figure 1) and the USFWS NWI map (Figure 2), tributaries to Hornbeam Branch are located approximately 1,000 feet to the north and 1,800 feet to the south of the site and Hornbeam Branch is located approximately 2,000 feet to the east northeast at its nearest point to the site. It should be noted the portion of Hornbeam Branch within one-half mile radius of the site is classified as a freshwater forested/shrub wetland. In addition, a retention pond is located approximately 550 feet north of the site. According to the figures, freshwater ponds are located on the eastern adjacent property, 625 feet to the northwest, 1,650 feet to the north, and 2,100 feet to the south; however, the ponds appear to have been filled in. A surface runoff drainage feature is located on the eastern adjacent property that flows north beneath Northern Boulevard and then continues to the northwest. The drainage feature is intermittent but expected to occasionally intersect the shallow water table.

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

Based on the USFWS NWI map (**Figure 2**), Hornbeam Branch is located approximately 2,000 feet to the east northeast at its nearest point to the site and is classified as a freshwater forested/shrub wetland.

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

According to the North Carolina Natural Heritage Database, there are no significant natural heritage areas within one-half mile of the site. One 1.54-acre wooded lot approximately 2,570 feet east southeast of the site and located adjacent to Hornbeam Branch is owned and protected by the City of Rocky Mount, as shown on **Figure 3**. ATC also reviewed the

USFWS NWI online database, and no critical habitats or significant natural areas were found within one-half mile of the site. However, the surface water bodies and wetlands identified in Question 1, Question 2, and Question 3 could be considered sensitive environments. Additionally, ATC reviewed the North Carolina State Historic Preservation Office (NCHPO) website to determine if any archaeological sites or historical sites were located within one-half mile of the site. No archaeological sites were found within one-half mile.

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

Based on site observations and the North Carolina Department of Cultural Resources, no tribal artifacts or lands have been identified on or within one-half mile of the site. The Native American Consultation Database maintained by the National Park Service did not indicate any tribal areas located within a one-half mile radius 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 mile of the site?

According to the North Carolina Natural Heritage Database, there is no habitat, foraging area, or refuge utilized by rare, threatened, endangered, candidate and/or proposed species (plants and animals), or any otherwise protected species on or within one-half mile 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 onehalf mile of the site?

ATC obtained a list of birds that have been identified in Nash County from <u>www.carolinabirdclub.org</u> (see **Attachment 1**). The list includes several migratory bird species. The National Audubon Society has identified 96 Important Bird Areas (IBAs) in North Carolina, comprising 4.9 million acres (<u>http://nc.audubon.org/conservation/important-bird-areas</u>). IBAs are defined as "places that provide essential habitat for one or more species of birds at some time during their annual cycle of breeding, migrating or wintering". There are no IBAs located in Nash County.

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

The site is located within the City of Rocky Mount in an urban, suburban, and undeveloped environment. It is unlikely that recreational or commercially important species are within the developed areas within one-half mile of the site. However, the surface water bodies and wetlands identified in Question 1, Question 2, and Question 3 are areas where possible ecologically important species may exist.

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

According to the USFWS online species list, 68 endangered and threatened species were identified within North Carolina. It is possible that some of these species exist within Nash County. The USFWS list of endangered species, threatened species, federal species of concern and candidate species is included in **Attachment 2**. ATC also reviewed the North Carolina Heritage Program species list for Nash County for a list of rare plants and animals, natural communities, and important animal assemblages and their Federal and North Carolina status. Refer to **Attachment 3** for the complete list of species. The site is located within the City of Rocky Mount in an urban, suburban, and undeveloped environment. There is a potential for some of these properties, particularly the wooded lots and areas with surface water and wetlands, to contain some of these species.

#### **Checklist B**

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

Yes. The primary constituent of concern at the site, tetrachloroethylene (PCE), is leachable to 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 ecological receptor habitat?

Groundwater flows north across the site. The primary ecological receptor habitat identified in the site vicinity is a drainage feature located 60 feet north of the source property that is believed to have been connected to a former pond located on the property located east and adjacent of the source property. The drainage feature is intermittent but expected to occasionally intersect the shallow water table. There is also a tributary to Hornbeam Branch located approximately 1,000 feet to the north and a retention pond approximately 550 feet north of the source property. According the USGS map (Figure 1) and the USFWS NWI map (Figure 2), freshwater ponds are located 625 feet to the northwest and 1,650 feet to the north; however, the ponds appear to have been filled in. Modeling results for the protection of surface water evaluation indicated exceedances of site specific target levels (SSTLs) for source groundwater for the drainage feature located north of the site; however, plume stability monitoring indicates the groundwater plume is stable and does not extend beyond the most downgradient well located approximately 180 feet to the north of the source property. Furthermore, a surface water sample collected form the drainage feature did not identify any compounds above laboratory reporting limits. Based on this data, these ecological receptor habitats are not a significant concern.

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

No. The primary ecological receptor habitat identified in the site vicinity is a drainage feature located 60 feet north of the source property that is believed to have been connected to a former pond located on the property located east and adjacent of the source property. The drainage feature is intermittent but expected to occasionally intersect the shallow water table. There is also a tributary to Hornbeam Branch located approximately 1,000 feet to the north and a retention pond approximately 550 feet north of the source property. According the USGS map (Figure 1) and the USFWS NWI map (Figure 2), freshwater ponds are located 625 feet to the northwest and 1,650 feet to the north; however, the ponds appear to have been filled in. Modeling results for the protection of surface water evaluation indicated exceedances of SSTLs for source groundwater for the drainage feature located north of the site; however, plume stability monitoring indicates the groundwater plume is stable and does not extend beyond the most downgradient well located approximately 180 feet to the north of

the source property. Furthermore, a surface water sample collected form the drainage feature did not identify any compounds above laboratory reporting limits.

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

No.

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

Not applicable, as soil impacts have not been identified at the stie.

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

No, as soil impacts have not been identified at the site.

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

No.

3B. Are potential ecological receptors on the site?

No. There is no evidence of ecological receptors at the site.

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

No, as soil impacts have not been identified at the site.

4A. Are chemicals on the site volatile?

Yes. Chlorinated solvent constituents are considered volatile organic compounds.

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

No, as soil impacts have not been identified at the site.

# 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 soil impacts have not been identified at the site.

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, as NAPL has not been encountered at the site.

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

No, as NAPL has not been encountered at the site.

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

No, as NAPL was not identified at the site.

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

No.

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

No, as soil impacts have not been identified at the site.

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

It is possible that migratory birds could be present in the site area.

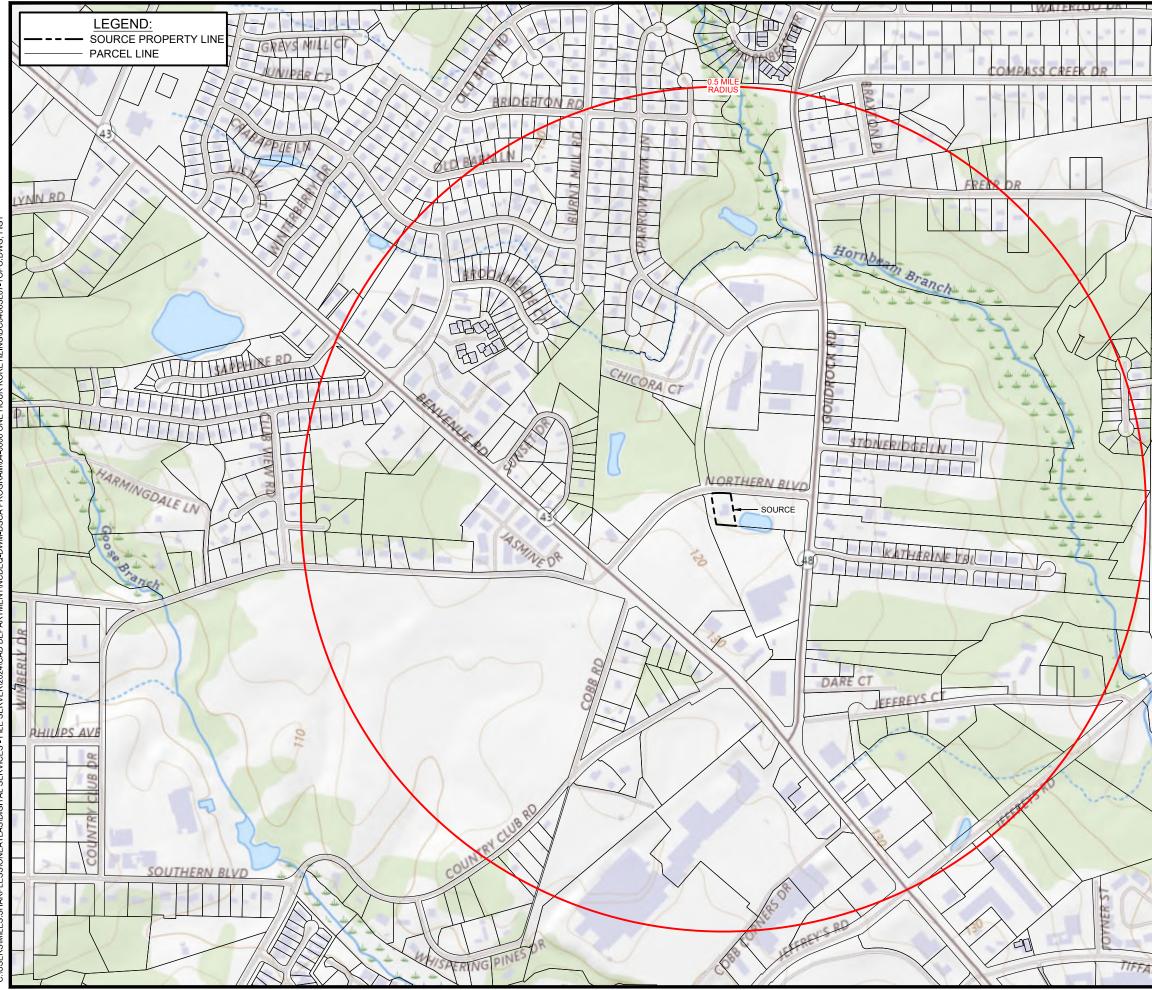
6D. Do chemicals found on the site bioaccumulate?

Based on published references (U.S. Agency for Toxic Substances and Disease Registry), chlorinated solvent constituents do not typically bioaccumulate.

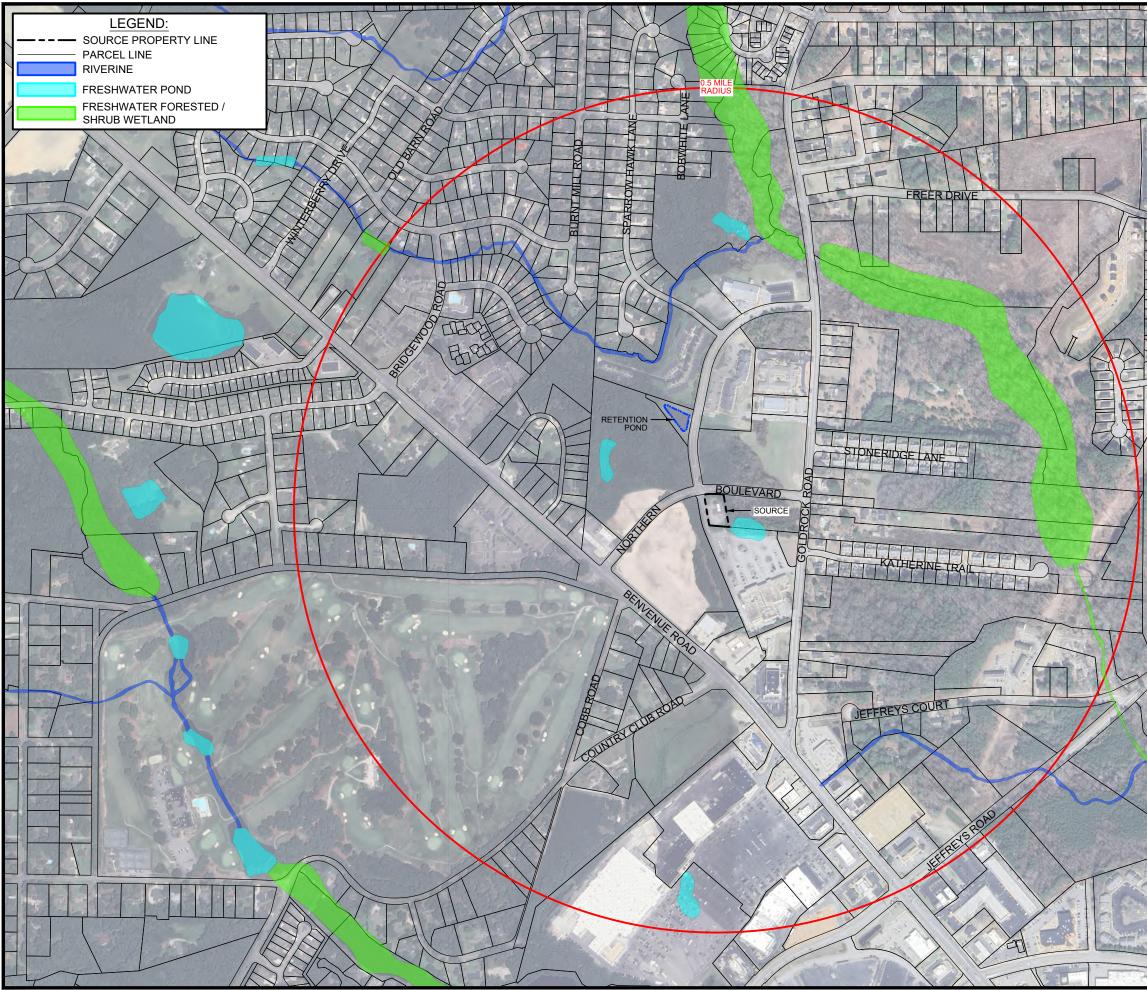
## 6. Could chemicals associated with the site reach ecological receptors through direct ingestion of soil, plants, animals, or contaminants?

No, as soil impacts have not been identified at the site.

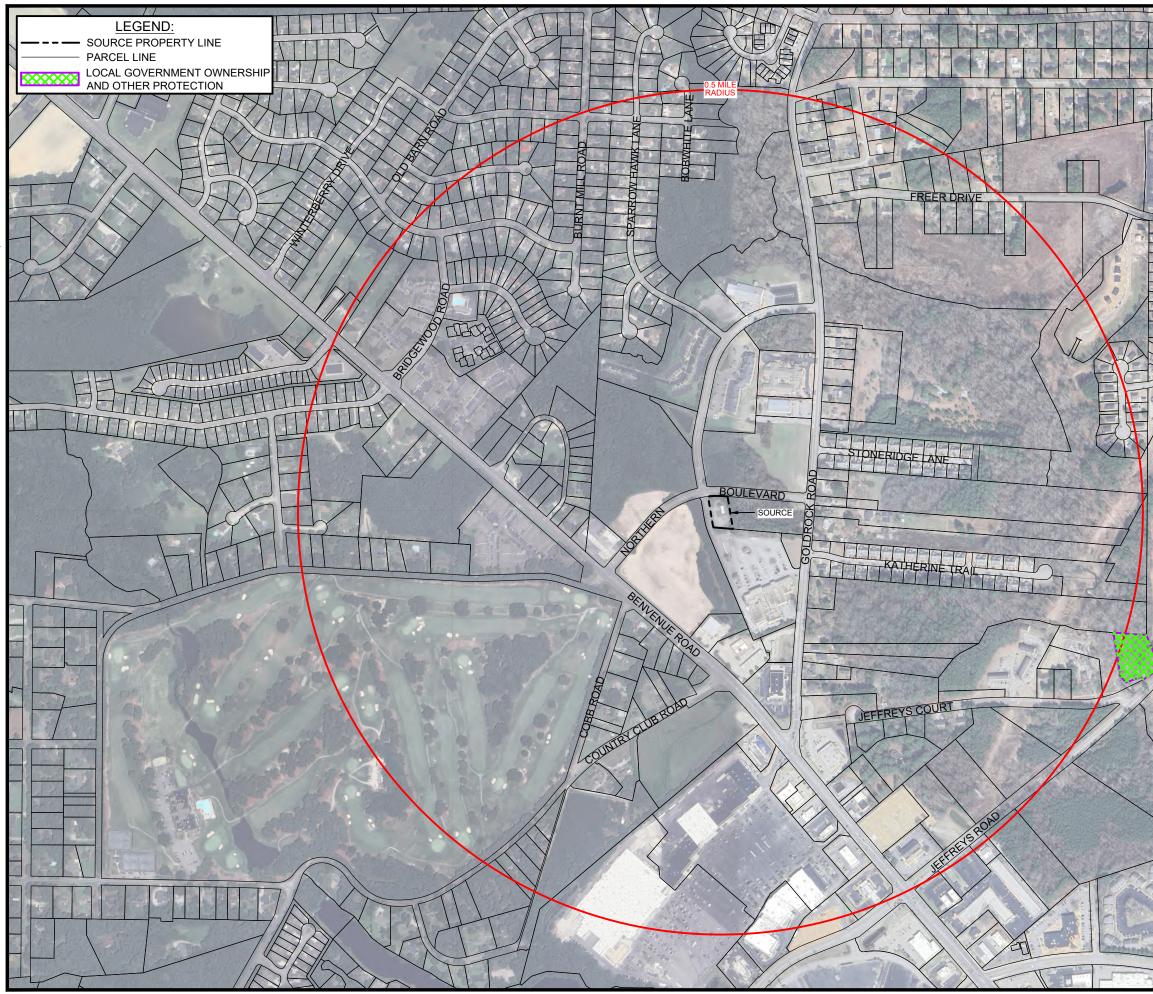
**FIGURES** 



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COORDINATE SYSTEM: NAD 1983 NORTH CAROLINA STATE PLANE FIPS 3200, US SURVEY FEET			1691 NORTHERN BOULEVARD ROCKY MOUNT, NASH COUNTY, NORTH CAROLINA			App'd By:
				COORDINATE SYSTEM: NAD 1983 NORTH CAROLINA STATE PLANE FIPS 3200, US SURVEY FEET		Ckd. Date:

# ATTACHMENT 1

# **MIGRATORY BIRD SPECIES LIST**

#### Birds of North Carolina

# Birds of North Carolina: their Distribution and Abundance

irds of NC Home	Birds of North Carolina - County Lis	ting	
lecent Records	No distinction is made between transien	t and resident records for a county. Th	e majority of the records are from <b>eBird</b> and the <b>Cha</b> t
ecent Accounts	Email Harry LeGrand with any If you	u would like to submit a record for a sr	pecies that you have personally sighted in a county not
ounty Listing		for that species, click this <u>link</u> .	
ounty Listing	Search by: County List County M	Мар	
uery Database	,		
BC Home	Search by: Species Species	per County	
efinitive/Provisional List			
ot Established List	Nash - 190 species		
		1 Educe Millelle Ded	Development bischer
ormerly Accepted Species	Ducks, Geese, & Swans - 19 species	1 <u>Fulvous Whistling-Duck</u>	Dendrocygna bicolor Anser caerulescens
C Checklist		2 <u>Snow Goose</u>	Branta canadensis
C Biodiversity Project		3 <u>Canada Goose</u> 4 <u>Trumpeter Swan</u>	Cygnus buccinator
		5 <u>Tundra Swan</u>	Cygnus columbianus
		6 Wood Duck	Aix sponsa
		7 <u>Blue-winged Teal</u>	Spatula discors
		8 Northern Shoveler	Spatula discors Spatula clypeata
		9 <u>Gadwall</u>	Mareca strepera
		10 <u>Mallard</u>	Anas platyrhynchos
		11 Green-winged Teal	Anas crecca
		12 <u>Redhead</u>	Aythya americana
		13 Ring-necked Duck	Aythya collaris
		14 <u>Greater Scaup</u>	Aythya marila
		15 Lesser Scaup	Aythya affinis
		16 Bufflehead	Bucephala albeola
		17 Hooded Merganser	Lophodytes cucullatus
		18 <u>Red-breasted Merganser</u>	Mergus serrator
		19 Ruddy Duck	Oxyura jamaicensis
	New World Quails - 1 species	20 Northern Bobwhite	Colinus virginianus
	Grouse and Allies - 1 species	21 Wild Turkey	Meleagris gallopavo
	Grebes - 3 species	22 Pied-billed Grebe	Podilymbus podiceps
		23 Red-necked Grebe	Podiceps grisegena
		24 Eared Grebe	Podiceps nigricollis
	Doves - 2 species	25 <u>Rock Pigeon</u>	Columba livia
		26 Mourning Dove	Zenaida macroura
	Cuckoos & Anis - 1 species	27 Yellow-billed Cuckoo	Coccyzus americanus
	Goatsuckers - 1 species	28 Chuck-will's-widow	Antrostomus carolinensis
	Swifts - 1 species	29 <u>Chimney Swift</u>	Chaetura pelagica
	Hummingbirds - 2 species	30 Ruby-throated Hummingbird	Archilochus colubris
		31 Calliope Hummingbird	Selasphorus calliope
	Rails, Gallinules, & Coots - 1 species	32 American Coot	Fulica americana
	Cranes - 2 species	33 Sandhill Crane	Antigone canadensis
		34 Whooping Crane	Grus americana
	Plovers - 4 species	35 Black-bellied Plover	Pluvialis squatarola
		36 American Golden-Plover	Pluvialis dominica
		37 <u>Killdeer</u>	Charadrius vociferus
	Conditions 12	38 <u>Semipalmated Plover</u>	Charadrius semipalmatus
	Sandpipers - 13 species	39 <u>Upland Sandpiper</u>	Bartramia longicauda
		40 <u>Whimbrel</u>	Numenius phaeopus
		41 <u>Baird's Sandpiper</u>	Calidris bairdii
		42 <u>Least Sandpiper</u>	Calidris minutilla
		42 Milette more all Caradata an	Caliduia francia allia
		43 White-rumped Sandpiper	Calidris fuscicollis
		43 <u>White-rumped Sandpiper</u> 44 <u>Buff-breasted Sandpiper</u> 45 <u>Pectoral Sandpiper</u>	Calidris fuscicollis Calidris subruficollis Calidris melanotos

Gulls & Terns - 4 species

Darters - 1 species Cormorants - 1 species Bitterns, Herons, & Allies - 3 species 47 American Woodcock

49 Spotted Sandpiper

50 Solitary Sandpiper

51 Greater Yellowlegs

52 Ring-billed Gull

53 Herring Gull

54 Least Tern

56 Anhinga

55 Caspian Tern

58 Green Heron

59 Great Egret

61 Glossy Ibis

64 Osprey

62 Black Vulture

63 Turkey Vulture

65 Swallow-tailed Kite 66 Northern Harrier

67 Sharp-shinned Hawk

71 Red-shouldered Hawk

72 Broad-winged Hawk

73 Red-tailed Hawk

68 Cooper's Hawk

70 Mississippi Kite

69 Bald Eagle

60 Great Blue Heron

48 Wilson's Snipe

Ibises & Spoonbills - 1 species New World Vultures - 2 species

Osprey - 1 species Kites, Eagles, & Hawks - 9 species

Barn-Owls - 1 species	74 American Barn Owl
Owls - 5 species	75 Eastern Screech-Owl
	76 Great Horned Owl
	77 <u>Snowy Owl</u>
	78 Barred Owl
	79 Northern Saw-whet Owl
Kingfishers - 1 species	80 Belted Kingfisher
Woodpeckers - 8 species	81 Red-headed Woodpecker
	82 Red-bellied Woodpecker
	83 Yellow-bellied Sapsucker
	84 Downy Woodpecker
	85 Red-cockaded Woodpecke
	86 Hairy Woodpecker
	87 Northern Flicker
	88 Pileated Woodpecker
Falcons - 3 species	89 American Kestrel
	90 <u>Merlin</u>
	91 Peregrine Falcon
Tyrant Flycatchers - 5 species	92 Great Crested Flycatcher
	93 Eastern Kingbird
	94 Eastern Wood-Pewee
	95 Acadian Flycatcher
	96 Eastern Phoebe
Vireos - 4 species	97 White-eyed Vireo
	98 Yellow-throated Vireo
	99 Blue-headed Vireo
	100 Red-eyed Vireo
Shrikes - 1 species	101 Loggerhead Shrike
Jays, Crows, & Ravens - 3 species	102 <u>Blue Jay</u>
	103 American Crow
	104 Fish Crow
Chickadees & Titmice - 2 species	105 Carolina Chickadee
	106 Tufted Titmouse
Larks - 1 species	107 Horned Lark

#### Birds of North Carolina

Scolopax minor Gallinago delicata Actitis macularius Tringa solitaria Tringa melanoleuca Larus delawarensis Larus argentatus Sternula antillarum Hydroprogne caspia Anhinga anhinga 57 Double-crested Cormorant Nannopterum auritum Butorides virescens Ardea alba Ardea herodias Plegadis falcinellus Coragyps atratus Cathartes aura Pandion haliaetus Elanoides forficatus Circus hudsonius Accipiter striatus Accipiter cooperii Haliaeetus leucocephalus Ictinia mississippiensis Buteo lineatus Buteo platypterus Buteo jamaicensis Tyto alba Megascops asio Bubo virginianus Bubo scandiacus Strix varia Aegolius acadicus Megaceryle alcyon aded Woodpecker Melanerpes erythrocephalus Melanerpes carolinus Sphyrapicus varius Dryobates pubescens ckaded Woodpecker Dryobates borealis Dryobates villosus Colaptes auratus Dryocopus pileatus Falco sparverius Falco columbarius Falco peregrinus Myiarchus crinitus Tyrannus tyrannus Contopus virens Empidonax virescens Sayornis phoebe Vireo griseus Vireo flavifrons Vireo solitarius Vireo olivaceus Lanius Iudovicianus Cyanocitta cristata Corvus brachyrhynchos Corvus ossifragus Poecile carolinensis Baeolophus bicolor Eremophila alpestris

#### 10/18/24, 11:01 AM

Swallows - 5 species

Kinglets - 2 species

Waxwings - 1 species Nuthatches - 3 species

Treecreepers - 1 species Gnatcatchers - 1 species Wrens - 3 species

Mockingbirds & Thrashers - 3 species

Starlings - 1 species Thrushes - 7 species

Old World Sparrows - 1 species Wagtails & Pipits - 1 species Cardueline Finches & Allies - 4 species

New World Sparrows & Allies - 12 species

Blackbirds & Orioles - 6 species

Wood-Warblers - 27 species

108 Tree Swallow Tachycineta bicolor 109 Northern Rough-winged Swallow Stelgidopteryx serripennis 110 Purple Martin Progne subis 111 Barn Swallow 112 Cliff Swallow 113 Ruby-crowned Kinglet 114 Golden-crowned Kinglet 115 Cedar Waxwing 116 Red-breasted Nuthatch 117 White-breasted Nuthatch 118 Brown-headed Nuthatch Sitta pusilla 119 Brown Creeper 120 Blue-gray Gnatcatcher 121 Carolina Wren 122 Northern House Wren 123 Winter Wren 124 Gray Catbird 125 Brown Thrasher 126 Northern Mockingbird 127 European Starling 128 Eastern Bluebird Sialia sialis 129 Veery 130 Gray-cheeked Thrush 131 Swainson's Thrush 132 Hermit Thrush 133 Wood Thrush 134 American Robin 135 House Sparrow 136 American Pipit 137 House Finch 138 Purple Finch 139 Pine Siskin Spinus pinus 140 American Goldfinch Spinus tristis 141 Grasshopper Sparrow 142 Chipping Sparrow 143 Field Sparrow Spizella pusilla 144 Fox Sparrow 145 Dark-eyed Junco 146 White-crowned Sparrow 147 White-throated Sparrow 148 LeConte's Sparrow 149 Savannah Sparrow 150 Song Sparrow 151 Swamp Sparrow 152 Eastern Towhee 153 Eastern Meadowlark 154 Orchard Oriole Icterus spurius 155 Baltimore Oriole Icterus galbula 156 Red-winged Blackbird 157 Brown-headed Cowbird Molothrus ater 158 Common Grackle 159 Ovenbird 160 Worm-eating Warbler 161 Louisiana Waterthrush 162 Northern Waterthrush 163 Black-and-white Warbler Mniotilta varia 164 Prothonotary Warbler 165 Swainson's Warbler 166 Orange-crowned Warbler 167 Connecticut Warbler

#### Birds of North Carolina

Hirundo rustica Petrochelidon pyrrhonota Corthylio calendula Regulus satrapa Bombycilla cedrorum Sitta canadensis Sitta carolinensis Certhia americana Polioptila caerulea Thryothorus ludovicianus Troglodytes aedon Troglodytes hiemalis Dumetella carolinensis Toxostoma rufum Mimus polyglottos Sturnus vulgaris Catharus fuscescens Catharus minimus Catharus ustulatus Catharus guttatus Hylocichla mustelina Turdus migratorius Passer domesticus Anthus rubescens Haemorhous mexicanus Haemorhous purpureus Ammodramus savannarum Spizella passerina Passerella iliaca Junco hvemalis Zonotrichia leucophrys Zonotrichia albicollis Ammospiza leconteii Passerculus sandwichensis Melospiza melodia Melospiza georgiana Pipilo erythrophthalmus Sturnella magna Agelaius phoeniceus Quiscalus quiscula Seiurus aurocapilla Helmitheros vermivorum Parkesia motacilla Parkesia noveboracensis Protonotaria citrea Limnothlypis swainsonii Leiothlypis celata Oporornis agilis Geothlypis formosa

168 Kentucky Warbler

#### 169 Common Yellowthroat 170 Hooded Warbler 171 American Redstart 172 Cape May Warbler 173 Northern Parula 174 Bay-breasted Warbler 175 Blackburnian Warbler 176 Yellow Warbler 177 Chestnut-sided Warbler 178 Blackpoll Warbler 179 Black-throated Blue Warbler 180 Palm Warbler 181 Pine Warbler 182 Yellow-rumped Warbler 183 Yellow-throated Warbler 184 Prairie Warbler 185 Wilson's Warbler 186 Summer Tanager Cardinals, Grosbeaks, & Allies - 5 species Piranga rubra 187 Scarlet Tanager Piranga olivacea 188 Northern Cardinal 189 Blue Grosbeak 190 Indigo Bunting

#### Birds of North Carolina

Geothlypis trichas Setophaga citrina Setophaga ruticilla Setophaga tigrina Setophaga americana Setophaga castanea Setophaga fusca Setophaga petechia Setophaga pensylvanica Setophaga striata Setophaga caerulescens Setophaga palmarum Setophaga pinus Setophaga coronata Setophaga dominica Setophaga discolor Cardellina pusilla Cardinalis cardinalis Passerina caerulea Passerina cyanea

# ATTACHMENT 2

# USFWS ENDANGERED SPECIES, THREATENED SPECIES, FEDERAL SPECIES OF CONCERN AND CANDIDATE SPECIES LIST

U.S. Fish & Wildlife Service



## ECOS / Species Reports

/ Listed species with spatial current range believed to or known to occur in NC

# Listed species with spatial current range believed to or known to occur in North Carolina

Notes:

- This report includes species only if they have a **Spatial Current Range** in ECOS.
- As of 02/13/2015 the data in this report has been updated to use a different set of information. Results are based on where the species is believed to or known to occur. The FWS feels utilizing this data set is a better representation of species occurrence. Note: there may be other federally listed species that are not currently known or expected to occur in this state but are covered by the ESA wherever they are found; Thus if new surveys detected them in this state they are still covered by the ESA. The FWS is using the best information available on this date to generate this list.
- This report shows listed species or populations believed to or known to occur in NC
- This list does not include experimental populations and similarity of appearance listings.
- Click on the highlighted scientific names below to view a Species Profile.

# **Listed Species**

Scientific	Common	Decien <b>A</b>	ESA Listing	
58 Species Listings				
Show All 🗸 entries		Search:		
			CSV	
		S	Sort by group: 🗹	

Name	Common Name	Where Listed	Region <b>()</b>	ESA Listing Status <b>()</b>
Amphibians				
<u>Necturus lewisi</u>	Neuse River waterdog	Wherever found	4	Threatened
Arachnids				

Scientific Name	Common Name	Where Listed	Region <b>()</b>	ESA Listing Status <b>()</b>			
<u>Microhexura</u> <u>montivaga</u>	Spruce-fir moss spider	Wherever found	4	Endangered			
Birds							
<u>Laterallus</u> j <u>amaicensis ssp.</u> jamaicensis	Eastern Black rail	Wherever found	4	Threatened			
<u>Charadrius</u> <u>melodus</u>	Piping Plover	[Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered.	5	Threatened			
<u>Calidris canutus</u> <u>rufa</u>	rufa red knot	Wherever found	5	Threatened			
<u>Mycteria</u> americana	Wood stork	AL, FL, GA, MS, NC, SC	4	Threatened			
<u>Grus americana</u>	Whooping crane	U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY)	2	Experimental Population, Non-Essential			
<u>Picoides borealis</u>	Red-cockaded woodpecker	Wherever found	4	Endangered			
<u>Sterna dougallii</u> <u>dougallii</u>	Roseate tern	Northeast U.S. nesting population	5	Endangered			

Listed Species

11:24 AM Listed Species					
Scientific Name	Common Name	Where Listed	Region <b>()</b>	ESA Listing Status <b>O</b>	
Clams					
<u>Fusconaia</u> <u>masoni</u>	Atlantic pigtoe	Wherever found	4	Threatened	
<u>Fusconaia</u> <u>subrotunda</u>	Longsolid	Wherever found	4	Threatened	
<u>Elliptio</u> lanceolata	Yellow lance	Wherever found	4	Threatened	
<u>Alasmidonta</u> <u>raveneliana</u>	Appalachian elktoe	Wherever found	4	Endangered	
<u>Lasmigona</u> <u>decorata</u>	Carolina heelsplitter	Wherever found	4	Endangered	
<u>Alasmidonta</u> <u>heterodon</u>	Dwarf wedgemussel	Wherever found	5	Endangered	
<u>Parvaspina</u> <u>collina</u>	James spinymussel	Wherever found	5	Endangered	
<u>Villosa</u> perpurpurea	Purple bean	Wherever found	5	Endangered	
<u>Parvaspina</u> <u>steinstansana</u>	Tar River spinymussel	Wherever found	4	Endangered	
Fishes					
<u>Erimonax</u> <u>monachus</u>	Spotfin Chub	Wherever found, except where listed as an experimental population	4	Threatened	
<u>Menidia extensa</u>	Waccamaw silverside	Wherever found	4	Threatened	
<u>Notropis</u> <u>mekistocholas</u>	Cape Fear shiner	Wherever found	4	Endangered	

11.24 AM		Listed Spec		
Scientific Name	Common Name	Where Listed	Region <b>()</b>	ESA Listing Status <b>()</b>
<u>Noturus furiosus</u>	Carolina madtom	Wherever found	4	Endangered
<u>Percina rex</u>	Roanoke logperch	Wherever found	5	Endangered
Flowering Plants			1	
<u>Solidago</u> <u>spithamaea</u>	Blue Ridge goldenrod	Wherever found	4	Threatened
<u>Hexastylis</u> naniflora	Dwarf- flowered heartleaf	Wherever found	4	Threatened
<u>Liatris helleri</u>	Heller's blazingstar	Wherever found	4	Threatened
<u>Hudsonia</u> montana	Mountain golden heather	Wherever found	4	Threatened
<u>Amaranthus</u> <u>pumilus</u>	Seabeach amaranth	Wherever found	4	Threatened
<u>Aeschynomene</u> <u>virginica</u>	Sensitive joint-vetch	Wherever found	5	Threatened
<u>lsotria</u> medeoloides	Small whorled pogonia		5	Threatened
<u>Echinacea</u> <u>laevigata</u>	Smooth coneflower	Wherever found	4	Threatened
<u>Helonias bullata</u>	Swamp pink		5	Threatened
<u>Spiraea</u> virginiana	Virginia spiraea	Wherever found	5	Threatened
<u>Schwalbea</u> americana	American chaffseed	Wherever found	4	Endangered

, 11:24 AM		Listed Spec		
Scientific Name	Common Name	Where Listed	Region <b>0</b>	ESA Listing Status <b>()</b>
<u>Sagittaria</u> fasciculata	Bunched arrowhead	Wherever found	4	Endangered
<u>Oxypolis canbyi</u>	Canby's dropwort	Wherever found	4	Endangered
<u>Thalictrum</u> <u>cooleyi</u>	Cooley's meadowrue	Wherever found	4	Endangered
<u>Carex lutea</u>	Golden sedge	Wherever found	4	Endangered
<u>Sarracenia</u> oreophila	Green Pitcher Plant	Wherever found	4	Endangered
<u>Ptilimnium</u> <u>nodosum</u>	Harperella	Wherever found	5	Endangered
<u>Rhus michauxii</u>	Michaux's sumac	Wherever found	4	Endangered
<u>Sarracenia rubra</u> <u>ssp. jonesii</u>	Mountain sweet pitcher- plant	Wherever found	4	Endangered
<u>Lindera</u> <u>melissifolia</u>	Pondberry	Wherever found	4	Endangered
<u>Hedyotis</u> <u>purpurea var.</u> <u>montana</u>	Roan Mountain bluet	Wherever found	4	Endangered
<u>Lysimachia</u> asperulaefolia	Rough-leaved loosestrife	Wherever found	4	Endangered
<u>Helianthus</u> <u>schweinitzii</u>	Schweinitz's sunflower	Wherever found	4	Endangered
<u>Cardamine</u> micranthera	Small- anthered bittercress	Wherever found	4	Endangered

	1	Listed Oper		
Scientific Name	Common Name	Where Listed	Region <b>()</b>	ESA Listing Status <b>O</b>
<u>Geum radiatum</u>	Spreading avens	Wherever found	4	Endangered
<u>Sisyrinchium</u> <u>dichotomum</u>	White irisette	Wherever found	4	Endangered
Insects				
<u>Neonympha</u> <u>mitchellii</u> <u>francisci</u>	Saint Francis' satyr butterfly	Wherever found	4	Endangered
Lichens				
<u>Gymnoderma</u> lineare	Rock gnome lichen	Wherever found	4	Endangered
Mammals	1		,	
<u>Trichechus</u> <u>manatus</u>	West Indian Manatee	Wherever found	4	Threatened
<u>Canis rufus</u>	Red wolf	U.S.A. (portions of NC and TN)	4	Experimental Population, Non-Essential
<u>Glaucomys</u> <u>sabrinus</u> <u>coloratus</u>	Carolina northern flying squirrel	Wherever found	4	Endangered
<u>Myotis</u> g <u>risescens</u>	Gray bat	Wherever found	3	Endangered
<u>Myotis sodalis</u>	Indiana bat	Wherever found	3	Endangered
<u>Myotis</u> <u>septentrionalis</u>	Northern Long-Eared Bat	Wherever found	3	Endangered

Scientific Name	Common Name	Where Listed	Region <b>()</b>	ESA Listing Status <b>()</b>
<u>Canis rufus</u>	Red wolf	Wherever found, except where listed as an experimental population	4	Endangered
<u>Corynorhinus</u> <u>(=Plecotus)</u> <u>townsendii</u> <u>virginianus</u>	Virginia big- eared bat	Wherever found	5	Endangered
Reptiles				
<u>Chelonia mydas</u>	Green sea turtle	North Atlantic DPS	4	Threatened
<u>Caretta caretta</u>	Loggerhead sea turtle	Northwest Atlantic Ocean DPS	4	Threatened
<u>Alligator</u> mississippiensis	American alligator	Wherever found	4	Similarity of Appearance (Threatened)
<u>Glyptemys</u> <u>muhlenbergii</u>	bog turtle	U.S.A. (GA, NC, SC, TN, VA)	4	Similarity of Appearance (Threatened)
<u>Eretmochelys</u> imbricata	Hawksbill sea turtle	Wherever found	4	Endangered
<u>Lepidochelys</u> <u>kempii</u>	Kemp's ridley sea turtle	Wherever found	2	Endangered
<u>Dermochelys</u> <u>coriacea</u>	Leatherback sea turtle	Wherever found	4	Endangered
Snails				
<u>Mesodon clarki</u> <u>nantahala</u>	noonday snail	Wherever found	4	Threatened

Scientific Name	Common Name	Where Listed	Region <b>()</b>	ESA Listing Status <b>(</b> )
<u>Planorbella</u> <u>magnifica</u>	Magnificent ramshorn	Wherever found	4	Endangered
Showing 1 to 68 of 6	58 entries	Previous	5 1 Next	

ATTACHMENT 3

NORTH CAROLINA NATURAL HERITAGE PROGRAM SPECIES LIST

Taxonomic Group	Scientific Name	Common Name	NC Status	Federal Status	State Rank	Global Rank	County	County Status	Habitat Comment
Freshwater Bivalve	Alasmidonta heterodon	Dwarf Wedgemussel	F	F	State Malik	G2?	Nash	Current	Tar and Neuse drainages, mainly near Fall Line
Freshwater Bivalve	Alasmidonta undulata	Triangle Floater	T	none	S3	G4	Nash	Current	Roanoke, Chowan, Tar, Neuse, Cape Fear drainages
Freshwater Fish	Ambloplites cavifrons	Roanoke Bass	SR	none	S2	G3	Nash	Current	streams in Neuse and Tar systems
Bird	Ammodramus savannarum	Grasshopper Sparrow	W1,W5	none	S3B,S1N	G5	Nash	Current	pastures and other grasslands [breeding season only]
Vascular Plant	Andropogon virginicus var. decipiens	Deceptive Bluestem	W7	none	S1S2	G5T4	Nash	Historical	pinelands and disturbed areas
Mayfly	Baetisca becki	a mayfly	SR	none	S1	G2G3	Nash	Current	sand-bottomed streams
Sawfly, Wasp, Bee, or Ant	Bombus pensylvanicus	American Bumble Bee	W3	none	S3S4	G3G4	Nash	Current	open habitats, fields
	Brownwater Levee Forest (Low Levee							ounone	
Natural Community	Subtype)			none	S3S4	G3G4	Nash	Current	null
Vascular Plant	Calamovilfa brevipilis	Pinebarren Sandreed	W1	none	S3	G4	Nash	Current	savannas, sandhill seeps
Vascular Plant	Carex bushii	Bush's Sedge	SR-P	none	S1	G5	Nash	Historical	Upland depression
Vascular Plant	Carex emmonsii	Emmons's Sedge	SR-O	none	S2	G5T5	Nash	Current	moist woods and stream banks
Reptile	Cemophora coccinea	Scarlet Snake	W1,W5	none	S3	G5	Nash	Current	sandhills, sandy woods, and other dry woods
Reptile	Clemmys guttata	Spotted Turtle	W1	none	S4	G5	Nash	Current	shallow water of pools, marshes, wet pastures and other smaller wetlands
Natural Community	Coastal Plain Small Stream Swamp			none	S4	G4?	Nash	Current	null
									roosts in hollow trees, old buildings, and beneath bridges,
Mammal	Corynorhinus rafinesquii macrotis	Eastern Big-eared Bat	SC	none	S3	G3G4T3	Nash	Current	usually near water
Natural Community	CypressGum Swamp (Brownwater Subtype)			none	S4	G5?	Nash	Current	null
Vascular Plant	Diamorpha smallii	Elf Orpine	W1	none	S3	G4	Nash	Historical	granite flatrocks
Vascular Plant	Didiplis diandra	Water Purslane	SR-P	none	55 S1	G3G4	Nash		
Vasculai Plant		Red-cockaded	3R-P	none	51	6364	INdSII	Current	sluggish streams and ponds mature open pine forests, mainly in longleaf pine [breeding
Bird	Dryobates borealis	Woodpecker	E	E	S2	G3	Nash	Historical	evidence only]
Vascular Plant	Eleocharis microcarpa var. filiculmis (syn. Eleocharis microcarpa)	Small-fruited Spike-rush		none	S5	G5TNR	Nash	Historical	bogs, wet pine savannas and ditches
Freshwater Bivalve	Elliptio cistellaeformis	Box Spike	W3,W5	none	SU	G4	Nash	Current	Neuse, Lumber, Pee Dee drainages; Lake Waccamaw
	Elliptio congaraea (syn. Elliptio	Box Spike	vv3,vv3	lione	30	04	INdSIT	Guilent	Neuse, Lumber, ree Dee diamages, Lake Waccamaw
Freshwater Bivalve	waccamawensis)	Carolina Slabshell	W2,W5	none	S3	G3	Nash	Current	drainages north to the White Oak drainage
Freshwater Bivalve	Elliptio fisheriana	Northern Lance	SR	none	S3	G4	Nash	Current	Atlantic Slope drainages
Freshwater Bivalve	Elliptio lanceolata	Yellow Lance	Т	Т	S2	G2	Nash	Current	Tar and Neuse drainages
Freshwater Bivalve	Elliptio producta	Atlantic Spike	W3,W5	none	SU	G3	Nash	Current	many Atlantic drainages; very difficult to identify
									Roanoke, Tar, Neuse, White Oak, Cape Fear, Lumber, and
Freshwater Bivalve	Elliptio roanokensis	Roanoke Slabshell	SC	none	S3	G3	Nash	Current	Yadkin-Pee Dee drainages
Freshwater Fish	Enneacanthus chaetodon	Blackbanded Sunfish	SR	none	S3	G3G4	Nash	Historical	many drainages, particularly Lumber and Waccamaw
Freshwater Fish	Enneacanthus obesus	Banded Sunfish	SR	none	S3	G5	Nash	Current	most Atlantic drainages
Vascular Plant	Eryngium integrifolium	Blue-flower Coyote-thistle		none	S4	G5	Nash	Historical	Wet pinelands, meadows and savannas
Freshwater Fish	Etheostoma collis	Carolina Darter	SC	none	S3	G3	Nash	Historical	Roanoke, Tar, Neuse, Cape Fear, Yadkin-Pee Dee, and Catawba drainages
							i tuon	Inotonout	Cape Fear, Neuse, and Tar drainage populations have limited
Freshwater Fish	Etheostoma flabellare	Fantail Darter	W5	none	S3	G5	Nash	Current	distribution; Pee Dee, Roanoke, New, and French Broad populations stable
Freshwater Fish	Etheostoma vitreum	Glassy Darter	W5	none	53 S3	G4G5	Nash	Current	Chowan, Roanoke, Tar, and Neuse drainages
restiwator risti		oussy barto			35	0400	nuari	Sunch	pocosins, Carolina bays, pine flatwoods, savannas, and
Amphibian	Eurycea quadridigitata	Dwarf Salamander	SC	none	S1	G5	Nash	Historical	other wetland habitats
Crustacean	Faxonius carolinensis	North Carolina Spiny	SC	0000	\$2	C2	Nach	Current	rivers and streams in the Chowan, Roanoke, Neuse, and Tar
		Crayfish	SC W7	none	S3	G3 C2C5	Nash	Current	drainages
Moss	Fontinalis sullivantii	A Water Moss		none	S2S3	G3G5	Nash	Current	rocks or trees in pools or streams
Moss	Funaria serrata	A Cord Moss	W7	none	SH	G4	Nash	Historical	on soil of disturbed places, near streams or ditches

Taxonomic Group	Scientific Name	Common Name	NC Status	Federal Status	State Rank	Global Rank	County	County Status	Habitat Comment
			ino otatao	i ouorat otatuo	otato name	otobarriant	obuilty		
Freshwater Bivalve	Fusconaia masoni	Atlantic Pigtoe	т	т	S3	G1	Nash	Current	Roanoke, Tar, Neuse, Cape Fear, Yadkin-Pee Dee drainages
Dragonfly or Damselfly	Gomphurus septima	Septima's Clubtail	SR	none	S3	G3	Nash	Current	rocky rivers
									mature forests near large bodies of water (nesting); rivers,
Bird	Haliaeetus leucocephalus	Bald Eagle	T	BGPA	S3B,S3N	G5	Nash	Current	lakes, and sounds (foraging) [breeding evidence only]
Amphibian	Hemidactylium scutatum	Four-toed Salamander	SC	none	S3	G5	Nash	Current	pools, bogs, and other wetlands in hardwood forests
Vascular Plant	Llevestulie leuvieii	Lewis's Heartleaf	W1		S3	G3	Nach	Current	mesic mixed hardwood forests, streamhead pocosin
Vascular Plant	Hexastylis lewisii Ilex longipes	Georgia Holly	SR-P	none none	53 S1S2	G3 G4	Nash Nash	Current Historical	ecotones upland forests and woodlands
Vascular Plant	Juncus brachycarpus	Whiteroot Rush	W7	none	S132	G4G5	Nash	Historical	wet sandy soil
Vascalari lani	Julicus brachycarpus	Whiteroot hush		none	02.	0400	Nuon	matoricat	Chowan, Roanoke, Neuse, Tar, Cape Fear, Lumber, Yadkin-
Freshwater Bivalve	Lampsilis cariosa	Yellow Lampmussel	E	none	S3	G3G4	Nash	Current	Pee Dee drainages
			-						Chowan, Roanoke, Tar, Neuse, Cape Fear, Yadkin-Pee Dee
Freshwater Bivalve	Lampsilis radiata	Eastern Lampmussel	т	none	S3	G5	Nash	Current	drainages
Freshwater Bivalve	Lampsilis sp. 2	Chameleon Lampmussel	SR	none	S2	G2	Nash	Historical	Tar, Neuse, Cape Fear, and Yadkin-Pee Dee drainages
Bird	Lanius ludovicianus	Loggerhead Shrike	SC, W2	none	S2S3B,S3N	G4	Nash	Current	fields and pastures [breeding season only]
									New, Watauga, Roanoke, Tar, Neuse and Yadkin-Pee Dee
Freshwater Bivalve	Lasmigona subviridis	Green Floater	E	PT	S2	G2G3	Nash	Current	drainages
									Chowan, Roanoke, and Tar drainages, and abundant in Lake
Freshwater Bivalve	Leptodea ochracea	Tidewater Mucket	Т	none	S2	G3G4	Nash	Current	Waccamaw
									Chowan, Roanoke, Neuse, Tar, Cape Fear, and Yadkin-Pee
Freshwater Bivalve	Ligumia nasuta	Eastern Pondmussel	T	none	S2	G3	Nash	Historical	Dee drainages
Vascular Plant	Lilium pyrophilum	Sandhills Lily	E	none	S2	G2	Nash	Historical	streamhead pocosin ecotones and openings
Vascular Plant	Lindernia monticola	Flatrock Pimpernel	W1	none	S2	GNR	Nash	Historical	cooperation on grapitic flatrocks and other rock outeroops
Freshwater or Terrestrial	Lindernia monticota	Flatiock Fillipernet	VVI	none	32	UNN	INdSII	HISTOLICAL	seepages on granitic flatrocks and other rock outcrops streams and rivers, well documented in Lake Waccamaw,
Gastropod	Lioplax subcarinata	Ridged Lioplax	SC	none	S3	G4G5	Nash	Current	possibly in decline there
ouonopou	Liopianoaboarniata	Indgod Eloptax		liono		0.00		ounoin	
Freshwater Fish	Lythrurus matutinus	Pinewoods Shiner	W5	none	S3	G3G4	Nash	Current	Tar and Neuse drainages (endemic to North Carolina)
									French Broad River, Mills River, Hunting Creek, Leepers
Mayfly	Macdunnoa brunnea	a mayfly	SR	none	S2	G3G4	Nash	Historical	Creek, Yadkin River, Swift Creek
	Mesic Mixed Hardwood Forest								
Natural Community	(Piedmont Subtype)			none	S4	G3G4	Nash	Current	null
									roosts in buildings, hollow trees; forages near water; mainly
Mammal	Myotis austroriparius	Southeastern Bat	SC	none	S2	G4	Nash	Current	in the Coastal Plain
Mammal	Myotis lucifugus	Little Brown Bat	E	none	S2	G3G4	Nash	Current	roosts in buildings (summer), in caves and mines (winter)
A markiki a n		Navaa Divan Matanda a	-	Ŧ	<u></u>	<u></u>	Nash	0	rivers and large streams in Neuse and Tar drainages
Amphibian	Necturus lewisi Neogale frenata (syn. Mustela	Neuse River Waterdog		1	S2	G2	Nash	Current	(endemic to North Carolina)
Mammal	frenata)	Long-tailed Weasel	W3	none	S3	G5	Nash	Current	forests, brushy areas
Fidilillide	ileliata)	Long-taited weaset	W03	none	55	05	INdSII	Guitein	
Vascular Plant	Neottia bifolia	Southern Twayblade	W1	none	S3	G4	Nash	Current	moist hardwood forest, swamps, wet woods with acidic soils
		ooutilein muystuue		lione	00	04	rtush	ouncill	
Dragonfly or Damselfly	Neurocordulia virginiensis	Cinnamon Shadowdragon	W3	none	S2?	G4	Nash	Current	large rivers
Freshwater Fish	Notropis chalybaeus	Ironcolor Shiner	Т	none	S2S3	G4	Nash	Historical	coastal plain rivers and creeks
				T				1	New, French Broad, Little Tennessee, Tar, and Neuse
Freshwater Fish	Notropis volucellus	Mimic Shiner	т	none	S2	G5	Nash	Historical	drainages
Freshwater Fish	Noturus furiosus	Carolina Madtom	E	E	S2	G2	Nash	Current	Tar and Neuse drainages (endemic to North Carolina)
Vascular Plant	Nuphar sagittifolia	Cape Fear Spatterdock	W1	none	S3	G5T2	Nash	Historical	blackwater streams, rivers, and lakes
Vascular Plant	Packera paupercula var. paupercula	Balsam Ragwort	SC-V	none	S1?	G5TNR	Nash	Historical	fens, bogs, and diabase glades

					1				
Taxonomic Group	Scientific Name	Common Name	NC Status	Federal Status	State Rank	Global Rank	County	County Status	Habitat Comment
	Parthenium integrifolium var.								
Vascular Plant	mabryanum	Mabry's Wild Quinine	W1	none	S3	G5T3	Nash	Historical	savannas, pocosin edges, upland pine-oak woods
									Tar drainage, very rare in Neuse drainage (endemic to North
Freshwater Bivalve	Parvaspina steinstansana	Tar River Spinymussel	E	E	S1	G1	Nash	Current	Carolina)
									roosts in clumps of leaves (mainly in summer), caves, rock
Mammal	Perimyotis subflavus	Tricolored Bat	E	PE	S3	G3G4	Nash	Current	crevices, and other dark and sheltered places
Natural Community	Piedmont Alluvial Forest			none	S4	G4	Nash	Current	null
	Piedmont Bottomland Forest (High								
Natural Community	Subtype)			none	S2	G3G4	Nash	Current	null
	Piedmont Bottomland Forest (Typic								
Natural Community	Low Subtype)			none	S2	G2?	Nash	Current	null
	Piedmont Levee Forest (Beech								
Natural Community	Subtype)			none	S2	G3?	Nash	Current	null
	Piedmont Levee Forest (Typic								
Natural Community	Subtype)			none	S3S4	G3G4	Nash	Current	null
Natural Community	Piedmont Swamp Forest			none	S2	G3G4	Nash	Current	null
	· ·								
Natural Community	Piedmont/Coastal Plain Heath Bluff			none	S3	G3	Nash	Current	null
·····)									
	Piedmont/Mountain Semipermanent								
Natural Community	Impoundment (Open Water Subtype)			none	S4	G4G5	Nash	Current	null
				none	04	0400	Rush	Guilein	
	Piedmont/Mountain Semipermanent								
Natural Community	Impoundment (Shrub Subtype)			none	S4	G4	Nash	Current	null
Vascular Plant	Quercus bicolor	Swamp White Oak	W1	none	54 S2	G5	Nash	Historical	upland swamp forests
	Quercus bicolor	Swamp white Oak	**1	none	52	05	INDOIL	Thistoficat	
Vascular Plant	Rhododendron catawbiense	Catawba Rhododendron		none	S5	G5	Nash	Historical	rocky slopes, ridges and balds, usually over 3000 ft.
Vascular Plant	Rhus michauxii	Michaux's Sumac	c	E	S2	G2G3	Nash	Current	sandhills, sandy forests, woodland, woodland edges
Vascular Plant		Pale Beaksedge	E W1	none	32 S3	G203	Nash	Historical	savannas, sandhill seeps, and pocosins
Vascular Plant	Rhynchospora pallida Smilax laurifolia	Laurel-leaf Greenbrier	VVI		33 S5	G5	Nash	-	
Vasculai Plant	Sillitax taulilotia	Lauret-lear Greenbrier		none	35	65	NdSII	Historical	bays, pocosins, bogs, and swamp forests
Due de rélix en De recentélis	Comoto ablana da anciente	O	CD.		610	G3G4	Nash	l linterie el	creeks and other slow-moving acidic streams, in forested
Dragonfly or Damselfly	Somatochlora georgiana	Coppery Emerald	SR	none	S1?	6364	Nash	Historical	areas
Durthe office		Diana Fritillana	14/0		0004	0000	Nash	llinteries	montane and foothill forest edges and openings; host plants -
Butterfly	Speyeria diana	Diana Fritillary	W2	none	S3S4	G2G3	Nash	Historical	- violets (Viola)
			-						Roanoke, Tar, Neuse, Cape Fear, Yadkin-Pee Dee, Catawba,
Freshwater Bivalve	Strophitus undulatus	Creeper	1	none	S3	G5	Nash	Current	Broad, and French Broad drainages
Dragonfly or Damselfly	Stylurus laurae	Laura's Clubtail	W1	none	S2S3	G4	Nash	Historical	medium-size streams with clean sandy substrate
					L.	1	I		
Vascular Plant	Thalictrum macrostylum	Small-leaved Meadowrue	SC-V	none	S2	G3G4	Nash	Current	bogs and wet woods
								1	
Vascular Plant	Trillium pusillum var. 4	Carolina Least Trillium	SR-T	none	S1	G4TNR	Nash	Current	swampy forests, bottomland forests along small streams
									Roanoke, Tar, Neuse, Yadkin-Pee Dee, and Catawba
Freshwater Bivalve	Villosa constricta	Notched Rainbow	Т	none	S3	G3	Nash	Current	drainages
Reptile	Virginia valeriae	Smooth Earthsnake	W2	none	S3	G5	Nash	Current	deciduous or mixed woods, usually in mesic soils
Animal Assemblage	Waterbird Colony	Waterbird Colony		none	S3	GNR	Nash	Current	null

**APPENDIX C** 

NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

#### NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

Property Owner: Pickup Pennies, 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 Pickup Pennies, 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 <u>1691 Northern Boulevard, Rocky Mount, Nash County</u>, North Carolina, Parcel Identification Number (PIN) <u>385109159345</u>.

The Property is contaminated with dry-cleaning solvent, as defined at North Carolina General Statutes (hereinafter "N.C.G.S."), Section (hereinafter "§") 143-215.104B(b)(9) and other contaminants. This Notice has been approved by the North Carolina Department of Environmental Quality, or its successor in function (hereinafter "DEQ") 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.

Groundwater at the Property is contaminated with dry-cleaning solvents associated with dry-cleaning operations at the former One Hour Koretizing (DSCA Site DC640006) located at 1691 Northern Boulevard, Rocky Mount. Dry-cleaning operations were conducted on the Property from approximately 1998 to 2021.

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  $1/2" \times 11"$ , 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 DEQ'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 DEQ 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 DEQ, 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 non-residential land use pursuant to North Carolina Administrative Code (NCAC) 15A NCAC 02S.0102(21) and related amenities (parking, landscape areas and walkways), and all other uses of the Property are prohibited except as approved in writing by DEQ.
- 2. Without prior written approval from DEQ, the Property shall not be used for:
  - a. childcare centers, elementary, middle, or high schools; or elder care facilities. Exceptions to this restriction include use of the property for technical or adult education institutions; technical training centers; or tutorial institutions.
  - 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 DEQ.
- 4. 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 Certification of Land-Use Restrictions to DEQ certifying that this Notice remains recorded at the Register of Deeds' office, and that the land-use restrictions are being complied with.
- 5. No person conducting environmental assessment or remediation at the Property or involved in determining compliance with applicable land-use restrictions, at the direction of, or pursuant to a permit or order issued by DEQ may be denied access to the Property for the purpose of conducting such activities.

6. The owner of any portion of the Property shall cause the instrument of any sale, lease, grant, or other transfer of any interest in the property to include a provision expressly requiring the lessee, grantee, or transferee to comply with this Notice. The failure to include such a provision shall not affect the validity or applicability of any land-use restriction in this Notice.

#### **RIGHT OF ENTRY**

The property owner grants and conveys to DEQ, its agents, contractors, and employees, and any person performing pollution remediation activities under the direction of DEQ, 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 DEQ 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 DEQ 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 DEQ 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 DEQ (or its successor in function), or his/her delegate, 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 restrictions shall in no event be deemed a waiver of the right to do so thereafter as to the same violation or as to one occurring prior or subsequent thereto.

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

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

When any portion of the Property subject to this Notice is sold, leased, conveyed or transferred, the deed or other instrument of transfer shall contain in the description section, in no smaller type than that used in the body of the deed or instrument, (1) a statement that the property has been contaminated with dry-cleaning solvent and, if appropriate, cleaned up under the Act and (2) a reference by book and page to the recordation of this Notice.

The Property Owner shall notify DEQ within fourteen (14) calendar days of the effective date of any conveyance, grant, gift, or other transfer, whole or in part, of the Property Owner's interest in the Property. This notification shall include the name, business address and phone number of the transferee and the expected date of transfer.

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

This provision shall not apply to leases that do not provide for the right to take actions that would violate the prohibitions and restrictions of this Notice.

#### PROPERTY OWNER SIGNATURE

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

Pickup Pennies, LLC

By:

Name of contact

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

I, \_\_\_\_\_\_, a Notary Public of the county and state aforesaid, certify that \_\_\_\_\_\_\_ personally came before me this day and acknowledged that he/she is a Member of Pickup Pennies, 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 Environmental Quality

By:

William F. Hunneke Chief, Superfund Section Division of Waste Management Date

## ATTACHMENT

## **LIMITED POWER OF ATTORNEY**

I \_\_\_\_\_ "Property Owner", do hereby grant a limited power of attorney to DEQ and to DEQ's independent contractors, as follows:

DEQ and DEQ'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 Pro	operty Owner			<u> </u>	
Dated this	_day of	, 20	)		
STATE OF COUNTY OF _					
	nited Power of Attorn	p	otary Public, do ersonally appe	hereby certify eared before m	y that ne this day and
C	hand and official star	2	day of	, 20	
Name typed or Notary Public	printed				
My Commissio	n expires:				

[Stamp/Seal]

## **<u>CERTIFICATION OF REGISTER OF DEEDS</u>**

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 Book and on the Page(s), shown on the first page hereof.

Register of Deeds for Nash County

By:

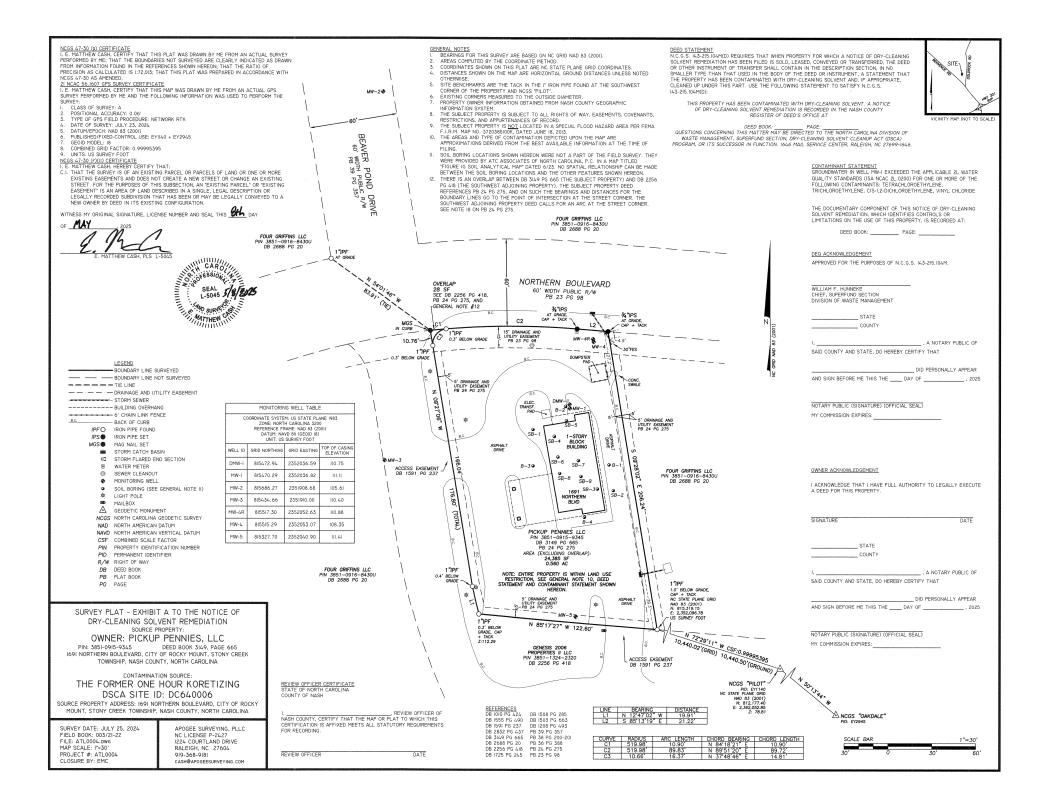
(signature)

Date

Name typed or printed:

Deputy/Assistant Register of Deeds

## EXHIBIT A REDUCTION OF SURVEY PLAT



#### EXHIBIT B PROPERTY LEGAL DESCRIPTION

BEING all of Lot 1, Block A, containing 0.56 acres, more or less, as shown on plat of survey entitled "Minor Construction Plat, Section 2, Property of: Bonnie G. Barnes, Jo Lynn G. Doughtie, Betsy G. Fletcher & James R. Griffin, Owners: Bonnie Griffin Barnes, et als, Stoney Creek Township, Nash County, NC" dated December 16, 1996 and prepared by Joyner, Keeny & associates, Rocky Mount, North Carolina, and recorded in Map Book 24, Page 275, Nash County Registry.

Together with all right, title and interests of the Grantors pursuant to that certain access easement in Book 1591, Pages 237-240, Nash County Registry.

Parcel ID: 385109159345 Known as 1691 Northern Blvd, Rocky Mount, NC 27804

# **APPENDIX D**

# EXAMPLE ANNUAL CERTIFICATION OF LAND-USE RESTRICTIONS

#### **Annual Certification of Land-Use Restrictions**

Site Name:One Hour KoretizingSite Address:1691 Northern Boulevard, Rocky Mount, Nash CountyDSCA Site ID:DC640006

#### **ANNUAL CERTIFICATION of LAND-USE RESTRICTIONS**

Pursuant to land-use restriction number 4 (the land-use restrictions are included as part of this form for reference) in the Notice of Dry-Cleaning Solvent Remediation (Notice) signed by Pickup Pennies, LLC (property owner at time of recordation) and recorded in Deed Book <br/>
blank>, Page <br/>
blank> on <date> at the Nash County Register of Deeds Office, Pickup Pennies, LLC hereby certifies, as the current owner of at least part of the property that is the subject of the Notice, that the Notice remains recorded at the Nash County Register of Deeds office and the land-use restrictions therein are being complied with.

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

Pickup Pennies, LLC

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

Name typed or printed:

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

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

signed by him/her.

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

Name typed or printed: Notary Public

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

## 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 DEQ, 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 non-residential land use pursuant to North Carolina Administrative Code (NCAC) 15A NCAC 02S.0102(21) and related amenities (parking, landscape areas and walkways), and all other uses of the Property are prohibited except as approved in writing by DEQ.
- 2. Without prior written approval from DEQ, the Property shall not be used for:
  - a. childcare centers, elementary, middle, or high schools; or elder care facilities. Exceptions to this restriction include use of the property for technical or adult education institutions; technical training centers; or tutorial institutions.
  - 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 DEQ.
- 4. 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 Certification of Land-Use Restrictions to DEQ certifying that this Notice remains recorded at the Register of Deeds' office, and that the land-use restrictions are being complied with.
- 5. No person conducting environmental assessment or remediation at the Property or involved in determining compliance with applicable land-use restrictions, at the direction of, or pursuant to a permit or order issued by DEQ may be denied access to the Property for the purpose of conducting such activities.
- 6. The owner of any portion of the Property shall cause the instrument of any sale, lease, grant, or other transfer of any interest in the property to include a provision expressly requiring the lessee, grantee, or transferee to comply with this Notice. The failure to include such a provision shall not affect the validity or applicability of any land-use restriction in this Notice.

**APPENDIX E** 

EXAMPLE DOCUMENTS ANNOUNCING THE PUBLIC COMMENT PERIOD

#### **Public Notice**

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

#### N.C. Department of Environmental Quality Division of Waste Management Dry-Cleaning Solvent Cleanup Act (DSCA) Program

One Hour Koretizing DSCA Site ID DC640006

Pursuant to N.C.G.S. §143-215.104L, on behalf of Pickup Pennies, LLC, the North Carolina Department of Environmental Quality's (NCDEQ'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.

One Hour Koretizing formerly conducted dry-cleaning operations at 1691 Northern Boulevard in Rocky Mount, North Carolina. The property is currently occupied by Z's Smoke House. Drycleaning solvent contamination in soil and/or groundwater has been identified at the following parcel(s):

#### 1691 Northern Boulevard, in Rocky Mount; Parcel No. 385109159345

An investigation of the extent of contamination has been completed. A risk assessment of the contaminated properties concluded that the contamination poses no unacceptable risks. A Risk Management Plan (RMP) 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 RMP which is available online at <u>deq.nc.gov/ncdsca</u> under "DSCA Public Notices and Announcements".

The public comment period begins	, 20, and ends	, 20
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Comments must be in writing and submitted to NCDEQ no later than \_\_\_\_\_\_\_, 20\_\_\_. Written requests for a public meeting may be submitted to NCDEQ no later than \_\_\_\_\_\_\_, 20\_\_\_. Requests for additional information should be directed to Mike Cunningham at (919)707-8361. All comments and requests should be sent to:

Mike Cunningham, DSCA Remediation Unit Division of Waste Management, NCDEQ 1646 Mail Service Center Raleigh, North Carolina 27699-1646 JOSH STEIN Governor D. REID WILSON Secretary MICHAEL SCOTT Director



<Date>

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

Subj: Remediation of Dry-Cleaning Solvent Contamination DSCA Site ID DC640006 One Hour Koretizing, 1691 Northern Boulevard, Rocky Mount

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 Environmental Quality (DEQ).

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 during the public comment period on our website. If you would like to view the documents, please go to <u>deq.nc.gov/ncdsca</u> and select "DSCA Public Notices and Announcements" on the right-hand side of the web page.

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 DEQ no later than <date>. Written requests for a public meeting may be submitted to DEQ no later than <date>. All such comments and requests should be sent to:

Mike Cunningham, DSCA Remediation Unit Division of Waste Management, NCDEQ 1646 Mail Service Center Raleigh, North Carolina 27699-1646

A Summary of the NOI is being published in the Rocky Mount Telegram, 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.



North Carolina Department of Environmental Quality | Division of Waste Management 217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646 919.707.8200 If you have any questions, please feel free to contact me at (919)707-8361.

Sincerely,

Mike Cunningham, DSCA Project Manager Division of Waste Management, NCDEQ

cc: DSCA Site ID DC640006 File



North Carolina Department of Environmental Quality | Division of Waste Management 217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646 919.707.8200 JOSH STEIN Governor D. REID WILSON Secretary MICHAEL SCOTT Director



<Date>

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

## Subj: Dry-Cleaning Solvent Contamination at One Hour Koretizing, 1691 Northern Boulevard, Rocky Mount, Nash County, NC DSCA Site ID DC640006

Dear <property owner>:

You are receiving this letter because your property at <adjacent property address> is adjacent to an area contaminated with dry-cleaning solvents. There are no actions required on your part and your property is not contaminated. This letter is only for notification purposes. The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the One Hour Koretizing at 1691 Northern Boulevard in Rocky Mount. The property is currently occupied by the Z's Smoke House. A remedial strategy to address the site contamination has been prepared, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed strategy.

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

If you have questions, please contact me at <u>Mike.Cunningham@deq.nc.gov</u> or (919) 707-8361.

Sincerely, [SIGNATURE] Mike Cunningham, DSCA Project Manager Division of Waste Management, NCDEQ

Attachments: Summary of the NOI

cc: DSCA Site ID DC640006 File

