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Raleigh, North Carolina 27604
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June 23, 2008

Mr. Al Chapman
State of North Carolina
Department of Environment and Natural Resources
Division of Waste Management, Superfund Section
401 Oberlin Road, Suite 150
Raleigh, North Carolina 27605

RE: Risk Management Plan
Love Cleaners Site
Town Square Shopping Center
10000 Beach Drive
Calabash, Brunswick County, North Carolina
ATC Project No. 45.34341.1002
DSCA Site Identification No. 10-0002

Dear Mr. Chapman:

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 Tier 1 Evaluation indicated that contaminant concentrations at the site do not pose an unacceptable risk. The primary purpose of this RMP is to ensure that the assumptions made during the risk assessment remain valid in the future. Based on the documentation outlined in this report, ATC recommends issuance of a No Further Action letter for the site.

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

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

Santiago R. Vilá, P.G.
Project Manager

Genna K. Olson, P.G.
Program Manager

RISK MANAGEMENT PLAN
LOVE CLEANERS SITE
TOWN SQUARE SHOPPING CENTER
10000 BEACH DRIVE
CALABASH, BRUNSWICK COUNTY, NORTH CAROLINA
ATC PROJECT NO. 45.34341.1002
DSCA SITE IDENTIFICATION NO. 10-0002
June 23, 2008

Risk Management Plan
Love Cleaners Site
Town Square Shopping Center
10000 Beach Drive
Calabash, Brunswick County, North Carolina
ATC Project No. 45.34341.1002
DSCA Site Identification No. 10-0002

Prepared By:

Santiago R. Vilá, P.G.
Project Manager
N.C. Professional Geologist #1897

Genna K. Olson, P.G.
Program Manager
N.C. Professional Geologist #1660

Submitted To:

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

Prepared By:

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June 23, 2008

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APPENDICES

1.0 INTRODUCTION

ATC Associates of North Carolina, P.C. (ATC) has prepared this Risk Management Plan (RMP) for the Love Cleaners site on behalf of the North Carolina Drycleaning Solvent Cleanup Act (DSCA) Program. The site is located 10000 Beach Drive in Calabash, Brunswick County, North Carolina. This RMP is intended to comply with the requirements of the DSCA (N.C.G.S. 143-215.104A *et seqs*) and promulgated rules and follows the outline provided in the DSCA Program's risk-based corrective action (RBCA) guidance.

2.0 OBJECTIVES OF RMP

ATC completed a Tier 1 Evaluation for the Love Cleaners site on June 20, 2008. The results of the Tier 1 indicated that the site-wide risks do not exceed target risk levels. However, the evaluation was based on site-specific land-use conditions that require an RMP. As such, the objective of the RMP is to ensure that those site-specific land-use conditions remain valid in the future.

3.0 SUMMARY OF APPROVED RISK ASSESSMENT REPORT

The Tier 1 completed by ATC on June 20, 2008, included a development of an exposure model, calculation of site-specific representative concentrations (RCs) for each exposure domain, and comparison of Tier 1 Risk-Based Screening Levels (RBSLs) with the RCs. The exposure model evaluation indicated the following complete exposure pathways for the site:

- On-site non-residential worker - surficial soil combined pathway, indoor inhalation of vapors from subsurface soil, outdoor inhalation of vapors from subsurface soil, indoor inhalation of vapors from groundwater, and outdoor inhalation of vapors from groundwater.
- On-site construction worker - combined pathways for soil up to depth of construction, outdoor inhalation of vapors from groundwater, and incidental dermal contact of groundwater.

In addition to the above referenced pathways, ATC also evaluated the Protection of Groundwater Use pathway. For this pathway, ATC assumed that the nearest potential point-of-exposure (POE) for groundwater was at the downgradient property boundary, approximately 75 feet southwest of the source area. The nearest surface water body is 750 feet from the subject site. Based on this distance and the small size of the plume associated with the subject site, the Protection of Surface Water pathway was deemed incomplete.

The results of the Tier 1 indicated that the RCs for the complete exposure pathways do not exceed Tier 1 RBSLs.

4.0 RAP COMPONENTS

4.1 Summary of Prior Assessment and Interim Actions

A release was reportedly identified at the site based on an environmental assessment completed in 1999. The DSCA Program does not have copies of the 1999 environmental assessment report on file and therefore the report was not available for ATC's review. The site was subsequently accepted into the DSCA Program in October 2002.

A Prioritization Assessment Report was prepared by Clean East Associates, Inc. dated May 16, 2003. As part of this assessment four soil borings were advanced (SB-1 through SB-4) and three monitoring wells were installed (MW-1 through MW-3). Tetrachloroethylene (PCE) was detected in soil samples collected from borings SB-3 and SB-4 and in groundwater samples collected from monitoring wells MW-2 and MW-3.

MACTEC Engineering and Consulting, Inc. completed additional groundwater monitoring events and monitoring well installations in 2005 and 2006. Monitoring wells MW-4 through MW-7 were installed to delineate the extent of impacted groundwater. A total of six groundwater monitoring events were also completed fro the site on a quarterly to semiannual schedule. The results of the groundwater assessment activities indicated a plume of impacted

groundwater migrating from the release source area towards the southwest, and that the plume was generally confined to the site property.

ATC completed an eighth groundwater monitoring event at the site in November 2007. Several monitoring wells were found to be dry during this event, but laboratory results for the wells sampled were generally similar to historical laboratory results. ATC compiled the recent and historical data for the site and prepared a Tier 1 Evaluation report dated June 20, 2008. As previously discussed, the results of the Tier 1 indicated no exceedences of Tier 1 RBSLs for the complete exposure pathways. No interim remedial actions have been conducted at the site to date.

4.2 Remedial Action

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

Condition 1: The dissolved plume is stable or decreasing.

Periodic groundwater monitoring has been conducted at the site since 2003. A total of six to eight groundwater sampling events have been conducted for each of the seven existing monitoring wells (MW-1 through MW-7). Constituents of concern (COCs) detected at the site historically include carbon tetrachloride, cis-1,2-dichloroethylene, PCE, toluene, trichloroethylene, and xylenes. Of these constituents, only carbon tetrachloride and PCE were detected at concentrations exceeding Title 15A NCAC 2L .0202 Groundwater Standards (2L Standards). Carbon tetrachloride was detected only one time in one monitoring well and is therefore considered an outlier. Based on these data, ATC focused on the compound PCE for evaluation of plume stability.

PCE has been detected at concentrations above 2L Standards historically in monitoring wells MW-1 through MW-6. ATC prepared a concentration versus distance graphs for sampling

events conducted at the site. The graphs show a decreasing trend in PCE concentrations over the past five sampling events. In addition, breakdown products do not exhibit an increasing trend and have not been detected at concentrations above 2L Standards. Based on these data, ATC concludes that the plume is stable or decreasing. Documentation of the plume stability evaluation, including a figure showing monitoring well locations, a table showing historical groundwater analytical data, and concentrations versus distance graphs, 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 RC of that COC.

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

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

The Tier 1 Evaluation for the site was based on land-use conditions that the usage of the site property will remain industrial/commercial and that groundwater will not be utilized on the property. As discussed in Section 6.0, land-use restrictions (LUR) will be implemented for the site property to ensure that these assumptions remain valid.

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

ATC completed a Level 1 Ecological Risk Assessment for the site in accordance with the DSCA Program's RBCA guidance. The results of the evaluation indicate that the release does not pose an unacceptable ecological risk. The completed Level 1 Ecological Risk Assessment Checklists A and B and associated attachments are included in ***Appendix B***.

The site's compliance with the four above referenced conditions confirms that the contaminant concentrations are not likely to pose an unacceptable risk either at present or in the future. The

plume is expected to naturally attenuate over time and the appropriate remedial action is to implement land-use restrictions on the site property.

5.0 DATA COLLECTED DURING RMP IMPLEMENTATION

No further sampling or other data collection activities are proposed for the site. As such, this section is not applicable.

6.0 LAND-USE RESTRICTIONS (LUR)

The Tier 1 Evaluation for the site was based on assumptions that usage of the site property will remain industrial/commercial and that groundwater will not be utilized on the property. LUR are implemented for the site property to ensure that land-use conditions are maintained and monitored until the LUR is no longer required for the site. A Notice of Dry-Cleaning Solvent Remediation (NDCSR) was prepared for the site to comply with the LUR requirement. The NDCSR is included in ***Appendix C***. A plat showing the locations and types of dry-cleaning solvent contamination on the property is included as an exhibit to the NDCSR. The locations of dry-cleaning solvent contamination are where contaminants have been detected above unrestrictive use standards. As discussed in Section 3.2, PCE is the primary COC for the site.

7.0 LONG-TERM STEWARDSHIP PLAN

The NDCSR contains a clause which requires that the owner of the site to submit notarized "Annual DSCA Land Use Restrictions Certification" to NCDENR on an annual basis certifying that the NDCSR remains recorded with the Register of Deeds and that land-use conditions have not changed. An example of such a notice is included in ***Appendix D***. Documents relating to this site will be maintained by NCDENR and available for public access.

8.0 RMP IMPLEMENTATION SCHEDULE

Since the contamination is stable and will be confined to the site property, and possible exposure to the contamination is managed through the NDCSR and LUR, no additional site remediation activities are required to implement the RMP. As such, upon completion of the public comment period and final approval of the RMP, the NDCSR will be filed with the Brunswick County Register of Deeds and will complete the RMP schedule.

9.0 CRITERIA FOR DEMONSTRATING RMP SUCCESS

RMP success is measured when the NDCSR and associated LUR are no longer required for the protection from contaminants present at the site (contaminants are below North Carolina Unrestrictive Levels). This condition must be requested and demonstrated by the property owner to DENR before the NDCSR and LUR can be removed from the recorded property deed. If a request is made to remove the NDCSR and LUR from the site, DENR will review and approve the request after site remedial objectives have been met. If DENR is notified of a change in site conditions, per the notification requirements detailed in the NDCSR, the RMP will be reviewed to determine if the site conditions have impacted the requirements set forth in the NDCSR and LUR and if changes are required. Enforcement of the RMP will be maintained through receipt of the "Annual DSCA Land-Use Restrictions Certification" from the property owner as part of the NDCSR and LUR requirements.

10.0 CONTINGENCY PLAN IF RMP FAILS

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

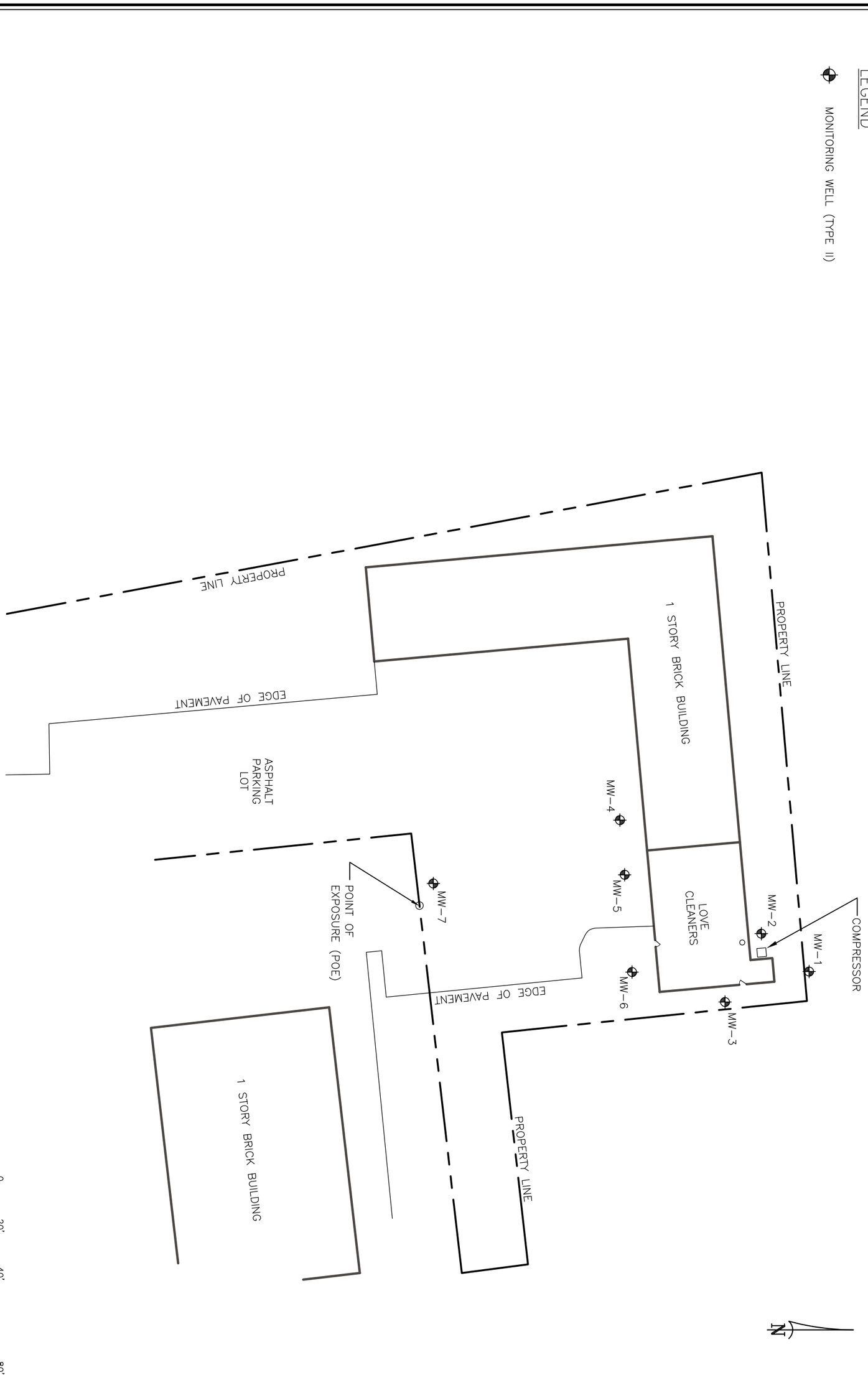
who direct or contract for alteration of the site in violation of the LURs, shall be held liable for the remediation of all contaminants to unrestricted use standards.

11.0 CONCLUSIONS AND RECOMMENDATIONS

ATC has prepared this RMP for the above referenced site on behalf of the NC DSCA Program. The results of a previous Tier 1 Evaluation indicated that contaminant concentrations at the site do not pose an unacceptable risk. The contaminant plume associated with the site appears stable or decreasing. This RMP specifies that the NDCSR and LUR requirements provide notification that land-use conditions observed during the risk assessment evaluation remain valid in the future. Based on the documentation contained in this report, ATC recommends issuance of a "No Further Action" letter.

APPENDIX A

DOCUMENTATION OF PLUME STABILITY EVALUATION



NOTES:

TITLE **FIGURE 1**
MONITORING WELL LOCATION MAP
LOVE CLEANERS
9956 BEACH DRIVE SOUTHWEST
CALABASH, NORTH CAROLINA

VATC ASSOCIATES INC.
Raleigh, North Carolina 27604 (919) 871-0999 FAX (919) 871-0335

CAD FILE	DSCA ID	PREP. BY	REV. BY	SCALE	DATE	PROJECT NO.
1253347.dwg	10-0002	SV	GO	1"=40'	03-24-2008	45.34341.1002

Table 1: Analytical Data for Groundwater

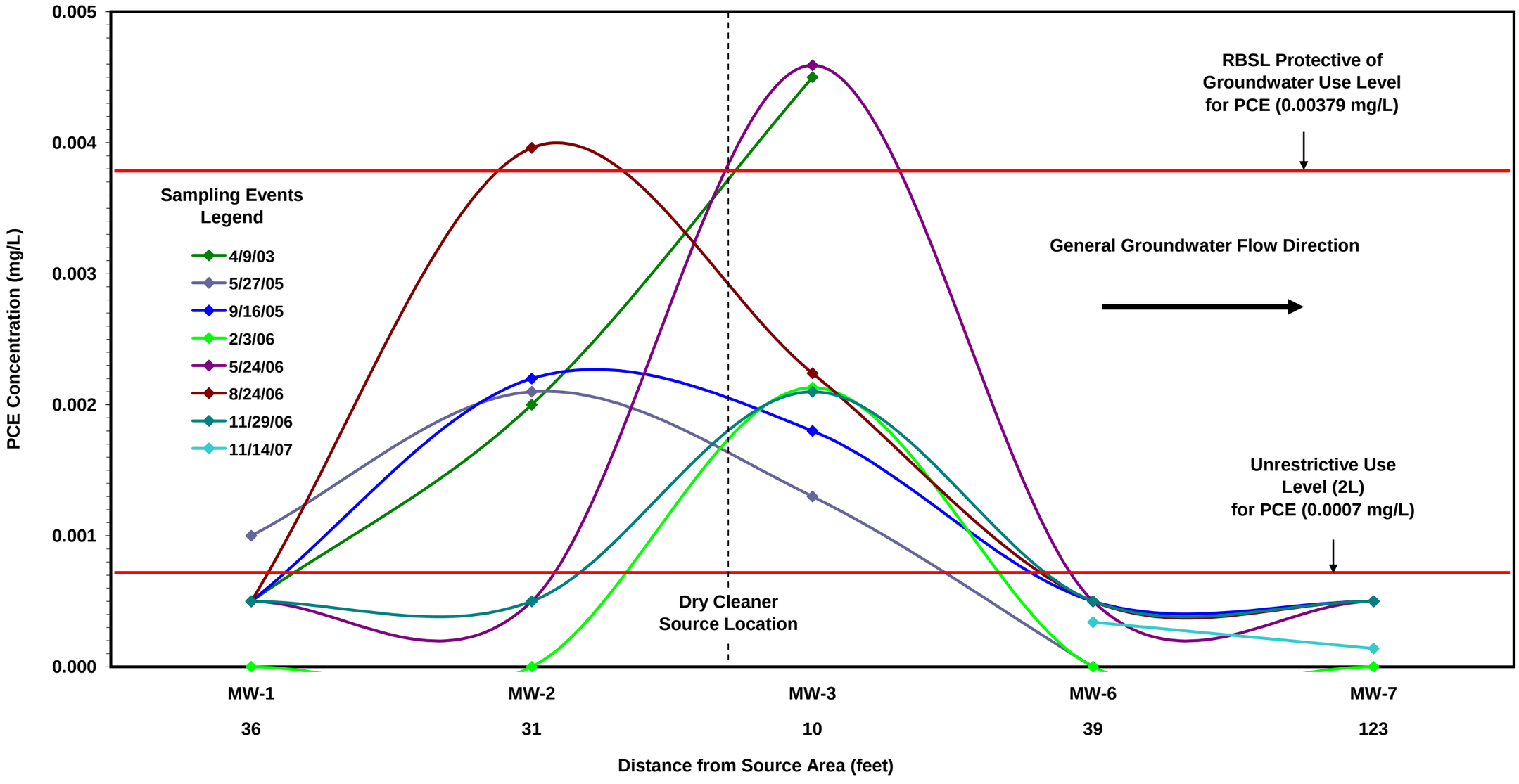
DSCA ID No.: 10-0002

Groundwater Sampling Point	Sampling Date (mm/dd/yy)	Carbon tetrachloride	cis-1,2-Dichloroethylene	Tetrachloroethylene	Toluene	Trichloroethylene	Xylenes (total)
		[mg/L]					
MW-1	4/9/03	<0.001	<0.001	<0.001	<0.001	<0.001	<0.001
	5/27/05	ND	ND	**0.001**	NA	ND	NA
	9/16/05	<0.0010	<0.0010	<0.0010	<0.0050	<0.0010	<0.0030
	2/3/06	ND	ND	ND	NA	ND	NA
	5/24/06	<0.001	<0.001	<0.001	<0.001	<0.001	<0.002
	8/24/06	<0.001	<0.001	<0.001	<0.001	<0.001	<0.002
	11/29/06	<0.001	<0.001	<0.001	<0.001	<0.001	<0.002
	11/14/07	NS/Dry	NS/Dry	NS/Dry	NS/Dry	NS/Dry	NS/Dry
MW-2	4/9/03	<0.001	<0.001	**0.002**	<0.001	<0.001	<0.001
	5/27/05	ND	ND	**0.0021**	NA	0.001	NA
	9/16/05	<0.0010	<0.0010	**0.0022**	<0.0050	<0.0010	<0.0030
	2/3/06	ND	ND	ND	NA	ND	NA
	5/24/06	<0.001	<0.001	<0.001	<0.001	<0.001	<0.002
	8/24/06	<0.001	<0.001	**0.00396**	<0.001	<0.001	<0.002
	11/29/06	<0.001	<0.001	<0.001	<0.001	<0.001	<0.002
	11/14/07	NS/Dry	NS/Dry	NS/Dry	NS/Dry	NS/Dry	NS/Dry
MW-3	4/9/03	<0.001	<0.001	**0.0045**	<0.001	<0.001	<0.001
	5/27/05	ND	ND	**0.0013**	NA	ND	NA
	9/16/05	**0.0047**	<0.0010	**0.0018**	<0.0050	<0.0010	<0.0030
	2/3/06	ND	ND	**0.00213**	NA	ND	NA
	5/24/06	<0.001	<0.001	**0.00459**	<0.001	<0.001	<0.002
	8/24/06	<0.001	<0.001	**0.00224**	<0.001	<0.001	<0.002
	11/29/06	<0.001	<0.001	**0.0021**	<0.001	<0.001	<0.002
	11/14/07	NS/Dry	NS/Dry	NS/Dry	NS/Dry	NS/Dry	NS/Dry
MW-4	5/27/05	ND	ND	ND	NA	ND	NA
	9/16/05	<0.0010	<0.0010	<0.0010	<0.0050	<0.0010	<0.0030
	2/3/06	ND	0.00206	ND	NA	ND	NA
	5/24/06	<0.001	0.00124	<0.001	<0.001	<0.001	<0.002
	8/24/06	<0.001	0.0012	<0.001	<0.001	<0.001	<0.002
	11/29/06	<0.001	0.00383	<0.001	<0.001	<0.001	<0.002
	11/14/07	<0.0005	0.00091J	0.00034J	0.0032J	<0.005	<0.005
MW-5 (PZ-7)	5/27/05	ND	0.0019	ND	NA	ND	NA
	9/16/05	<0.0010	0.007	<0.0010	<0.0050	<0.0010	<0.0030
	2/3/06	ND	ND	**0.0204**	NA	0.00119	NA
	5/24/06	<0.001	<0.001	**0.0021**	<0.001	0.00277	<0.002
	8/24/06	<0.001	<0.001	**0.0016**	<0.001	0.00128	<0.002
	11/29/06	<0.001	<0.001	<0.001	<0.001	0.00111	<0.002
	11/14/07	<0.0005	<0.005	<0.0007	0.0016J	0.00055J	0.00052J
MW-6	5/27/05	ND	ND	ND	NA	ND	NA
	9/16/05	<0.0010	<0.001	**0.0011**	<0.0050	<0.0010	<0.0030
	2/3/06	ND	ND	**0.0117**	NA	ND	NA
	5/24/06	<0.001	<0.001	**0.00869**	<0.001	<0.001	<0.002
	8/24/06	<0.001	<0.001	**0.00474**	<0.001	<0.001	<0.002
	11/29/06	<0.001	<0.001	**0.00403**	<0.001	<0.001	<0.002
	11/14/07	<0.0005	<0.005	<0.0007	0.0011J	<0.005	<0.005
MW-7	9/16/05	<0.0010	0.0014	<0.0010	<0.0050	<0.0010	<0.0030
	2/3/06	ND	ND	ND	NA	ND	NA
	5/24/06	<0.001	<0.001	<0.001	<0.001	<0.001	<0.002
	8/24/06	<0.001	<0.001	<0.001	<0.001	<0.001	<0.002
	11/29/06	<0.001	<0.001	<0.001	<0.001	<0.001	<0.002
	11/14/07	<0.0005	<0.005	<0.0007	0.00079J	<0.005	<0.005
NC 2L Standard		2.69x10-5	0.07	0.0007	1	0.003	1.53

Notes:

1. NA = Not Analyzed.
2. ND or "<" = Concentrations not detected above laboratory reporting limit.
3. J = Estimated concentration between method detection limit and laboratory reporting limit.
4. NC 2L Standard = Title 15A NCAC 2L .0202 Groundwater Standard.
5. Bold = Concentrations above NC 2L Standard.
6. Samples analyzed for volatile organic compounds by EPA Method 8260. Table shows only detected constituents.

PCE Concentration vs. Distance Graph
Sampling Events - April 2003 through November 2007
Love Cleaners, Calabash, Brunswick County, North Carolina



APPENDIX B

LEVEL 1 ECOLOGICAL RISK ASSESSMENT CHECKLISTS

Appendix A
Ecological Risk Assessment – Level 1
Love Cleaners
9956 Beach Boulevard
Calabash, Brunswick County, NC
ATC Project No: 45.34341.1002
DSCA Site ID: 10-0002

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

   Yes. Based on the Calabash Quadrangle Topographic map and the United States Army Corps of Engineers (Corps), the Calabash River is located approximately 1,800 feet south of the site. See the topographic map in **Attachment 1** and the Corps map in **Attachment 2**.

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

   Based on the National Wetlands Inventory (NWI) map, a fresh water wetland is located approximately 200 feet northwest of the site. See the NWI map in **Attachment 3**.

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

   Based on a review of the United States Fish and Wildlife Service (USFWS) online database, no critical habitats are located within one-half mile of the site.

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

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

5. Are there any habitat, foraging area or refuge by rare, threatened, endangered, candidate and/or proposed species (plants or animals), or any otherwise protected species on or within one-half of the site? Are there any threatened and/or endangered species (plant or animal) 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. Additionally, there are no significant natural areas located within one-half mile of the site.

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

   - *Haliaeetus leucoocephalus* – Bald eagle: BGPA (Bald and Golden Eagle Protection Act)
   - *Alligator mississippiensis* – American alligator: Threatened

- *Chelonia mydas* – Green sea turtle : Threatened
- *Lepidochelys kempii* – Kemp's ridley sea turtle: Endangered
- *Dermochelys coriacea* – Leatherback sea turtle: Endangered
- *Caretta caretta* – Loggerhead sea turtle: Threatened
- *Charadrius melodus* – Piping plover: Threatened
- *Picoides borealis* – Red-cockaded woodpecker: Endangered
- *Acipenser brevirostrum* – Shortnose sturgeon: Endangered
- *Trichechus manatus* – West Indian manatee
- *Mycteria americana* – Wood stork: Endangered
- *Thalictrum cooleyi* – Cooley's meadowrue: Endangered
- *Lysimachia asperulaefolia* – Rough-leaved loosestrife: Endangered
- *Amaranthus pumilus* – Seabeach amaranth: Threatened

ATC also reviewed the North Carolina Heritage online Calabash Quadrangle species list. The following species were identified within the Calabash Quadrangle:

- *Carya myristiciformis* – Nutmeg hickory: Endangered
- *Helenium vernale* – Spring sneezeweed: Endangered
- *Lilaeopsis carolinesis* – Carolina grasswort: Threatened
- *Lophiola aurea* – Golden-crest: Endangered
- *Macbridea caroliniana* – Carolina bogmint: Threatened
- *Sabatia kennedyana* – Plymouth gentian: Threantened
- *Sarracenia minor* – Hooded pitcher plant: Threatened
- *Zephyranthes simpsonii* – Rain lily: Endangered
- *Alligator mississippiensis* – American alligator: Threatened
- *Mycteria americana* – Wood Stork: Endangered
- *Trichechus manatus* – West Indian Manatee: Endangered

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

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

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

   Based on site observations and desktop review, the Calabash River may be used for recreational fishing. Also, wetland areas along the Calabash River and to the northwest of the site may be areas for ecologically important species. No commercially important species were observed to be within one-half mile of the site.

Checklist B

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

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

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

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

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

The primary ecological receptor habitats identified in the site vicinity are the Calabash River, located approximately 1,800 feet south of the site, and a fresh water wetland area, located approximately 200 feet northwest of the site. The path of groundwater flow has not been fully assessed between the subject site and these surface water features. However, the plume has been fully defined and does not extend off the site property. As such, the impacted groundwater does not appear likely to discharge to these ecological receptor habitats.

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

No. As discussed above, the plume is confined to the site property and does not appear likely to reach the nearest ecological receptor habitats.

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

Yes. Surficial soils have been impacted at the site. PCE has been detected at a concentration of 0.0091 milligrams per kilogram (mg/kg) in surfical soil, which is less than the lowest Tier 1 Risk-Based Screening Level (RBSL) established by DSCA of 0.034 mg/kg.

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

Yes. Based on the groundwater data collected to date and published references, the chemicals can be leached from the soil.
No. The surficial soils impacted at the site are located in a relatively flat grassy area immediately adjacent to a concrete sidewalk. Severe erosion and transport of impacted surficial soils from the site does not appear likely.

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

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

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

Yes. Impacted surficial soils have been documented at the site.

3B. Are potential ecological receptors on the site.

No. Ecological receptors are unlikely to be present on the site property. The primary ecological receptors identified in the site vicinity are associated with the Calabash River approximately 1,800 feet from the site and a fresh water wetland approximately 200 feet from the site. Some bird and plant species were identified that may not be associated with surface water or wetland areas, but the site is an active shopping center so these species appear unlikely to be present on the site property.

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

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

4A. Are chemicals on the site volatile?

Yes. Chlorinated solvents are considered volatile organic compounds.

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

No. Only a small area of impacted soil is exposed at the ground surface, erosion of soils from this area appear unlikely, and contaminant concentrations sufficiently low such that significant volatilization is unlikely.

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

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

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

No. NAPL has not been encountered at the site.

5B. Is NAPL migrating?

No. NAPL has not been encountered at the site.

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

No. NAPL has not been encountered at the site.

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

No. NAPL has not been encountered at the site.

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

Yes. Impacted surficial soils have been documented at the site.

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

Yes. Since surficial soils have been impacted at the site, it can be assumed that chemicals can be taken up by the plant root systems. However, contaminant concentrations in surficial soils are sufficiently low such that significant chemical concentrations in plants are unlikely to be present.

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

Yes. It is possible that migratory birds feed on the grass overlying the surficial impacted soil at the site. However, as discussed above, based on the low contaminant concentrations in surficial soils, significant chemical concentrations in plants are unlikely to be present. Furthermore, the site is an active shopping center and significant ecological receptors are unlikely to be present for a significant time period.

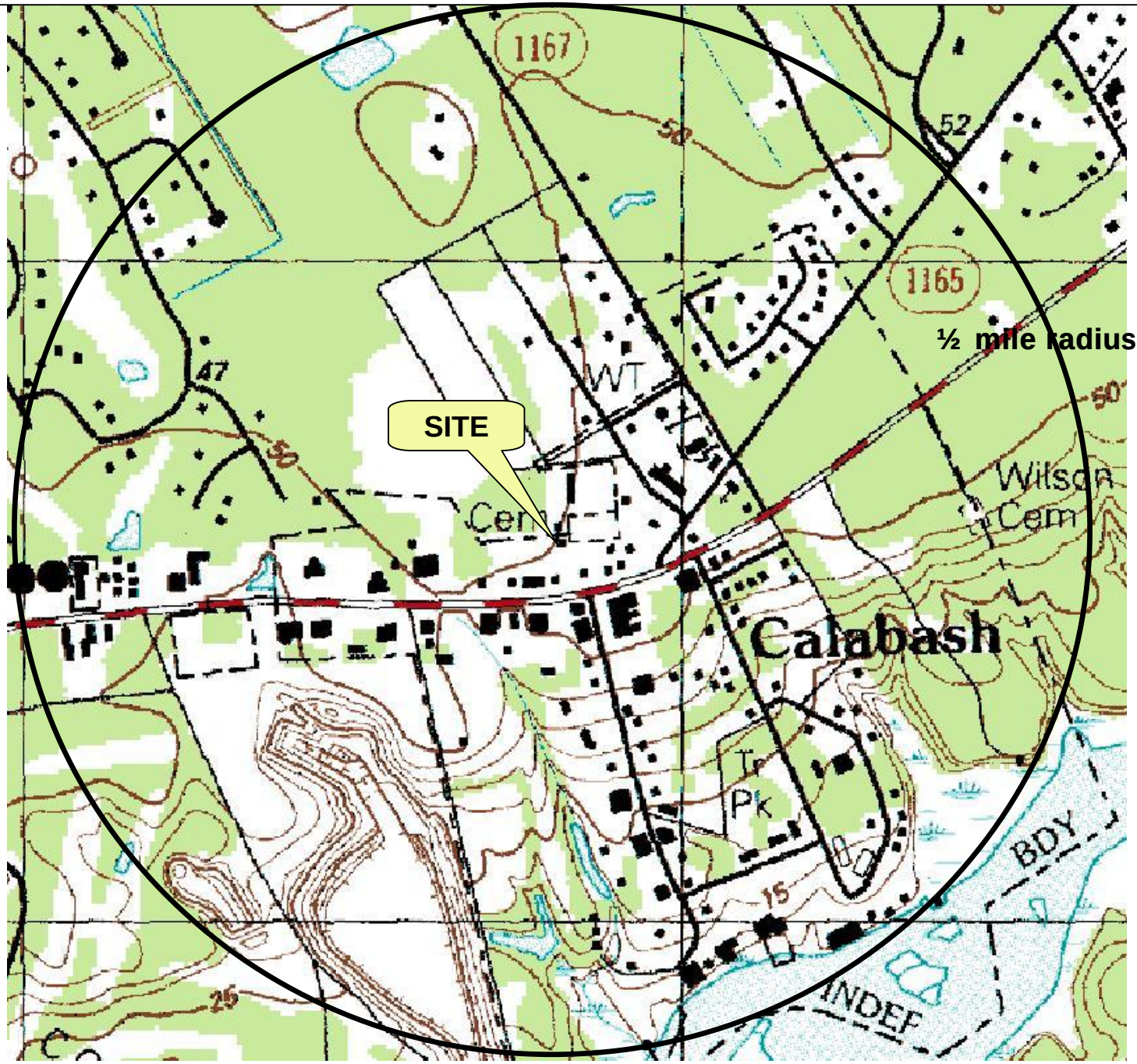
6D. Do chemicals found on the site bioaccumulate?

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

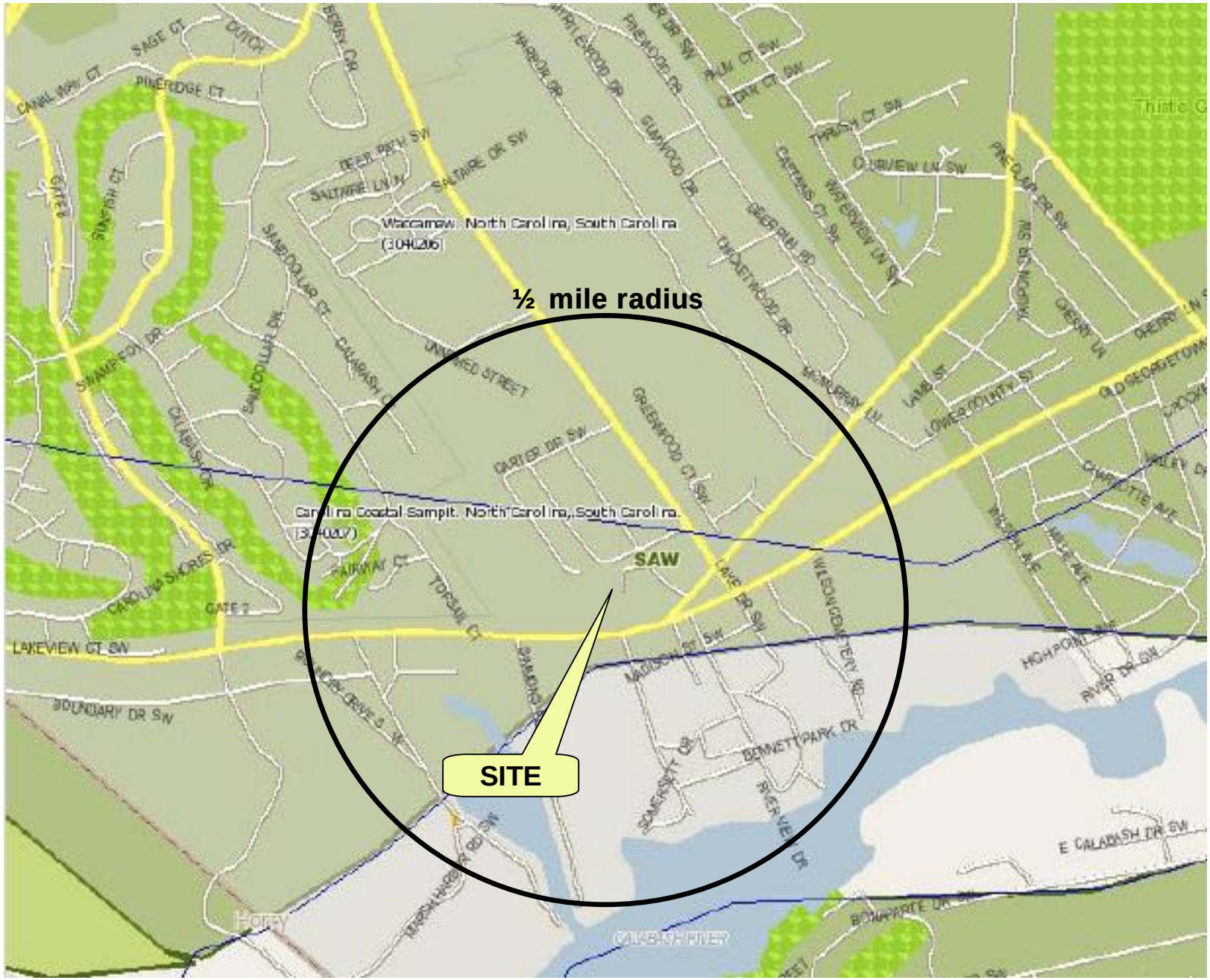
6. Could chemicals associated with the site reach ecological receptors through direct ingestion of soil, plants, animals, or contaminants?

No. Based on the low contaminant concentrations in surficial soils, commercial site environment, and absence of bioaccumulation for the chemicals of concern, it is not anticipated that chemicals associated with the site would reach ecological receptors through direct ingestion of soil, plants, animals, or contaminants.

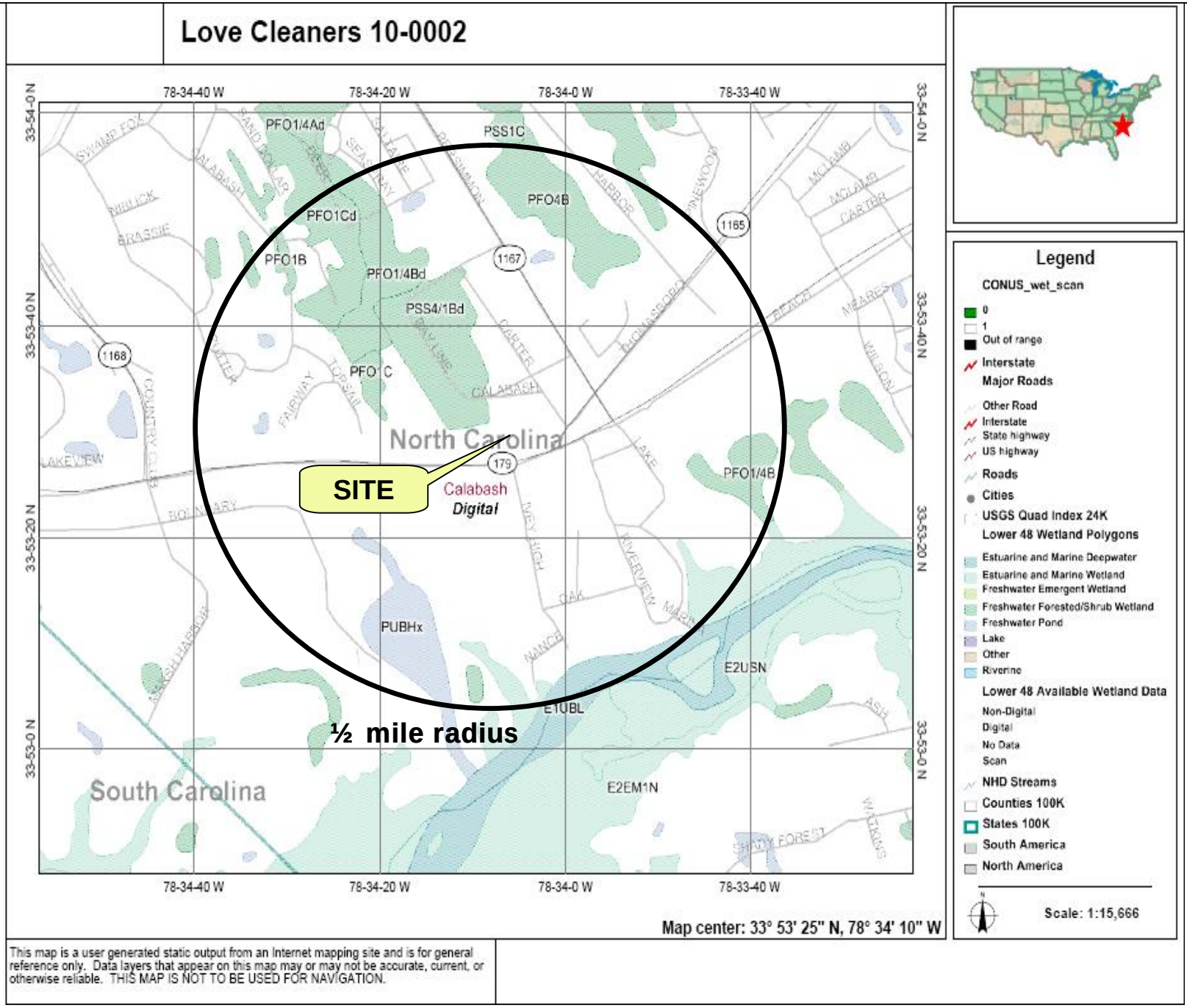
Attachment 1: USGS Calabsh Quadrangle, 1990 (Not to Scale). Terraserver.com



Attachment 2: US Army CORP of Engineers Map (Not to Scale)



Attachment 3: USFWS National Wetlands Inventory Map, Gaston County, NC



This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

APPENDIX C

NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

Property Owner: Dode, LLC & Sude, LLC
Recorded in Book ____, Page ____
Associated plat recorded in Plat Book ____, Page ____

NOTICE OF DRY-CLEANING SOLVENT REMEDIATION

This documentary component of a Notice of Dry-Cleaning Solvent Remedation (NDCSR or Notice), as well as the plat component, have been filed this _____ day of _____, 200__ by Dode, LLC and Sude, LLC (hereinafter "Property Owner").

The Notice concerns contaminated property.

A copy of this Notice certified by the North Carolina Department of Environment and Natural Resources, or its successor in function (hereinafter "DENR") is required to be filed in the Register of Deeds' Office in the county or counties in which the land is located, pursuant to North Carolina General Statutes (hereinafter "NCGS"), Section (hereinafter "§") 143-215.104M.

This Notice is required by NCGS § 143-215.104M in order to reduce or eliminate the danger to public health or the environment posed by environmental contamination at a property (hereinafter the "DSCA Site") being addressed under the Dry-Cleaning Solvent Cleanup Act of 1997, Article 21A, Part 6 NCGS § 143-215.104A *et seq*, (hereinafter "DSCA").

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

The DSCA Site is located at 10000 Beach Drive, Calabash, Brunswick County, North Carolina and is approximately 1.17 acres in size. The DSCA Site has been used as a retail dry-cleaning facility from approximately 1993. Soil and groundwater are contaminated with dry-cleaning solvents.

Attached hereto as **Exhibit A** is a reduction, to 8 1/2" x 11", of the survey plat required by NCGS § 143-215.104M. It is a plat that has been prepared and certified by a professional land surveyor and that meets the requirements of NCGS § 47-30. That plat contains the following information:

(1) 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 substances and contaminants known to exist on the DSCA Site.

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

LAND USE RESTRICTIONS

NCGS § 143-215.104M also requires that the Notice identify any restrictions on the current and future use of

the DSCA Site that are necessary or useful to maintain the level of protection appropriate for the designated current or future use of the DSCA Site and that are designated in the dry-cleaning remediation agreement. **The restrictions shall remain in force in perpetuity unless canceled by the Secretary of DENR (or its successor in function), or his/her designee, after the hazards have been eliminated, pursuant to NCGS §143-215104M. Those restrictions are hereby imposed on the DSCA Site, and are as follows:**

1. The DSCA Site shall be used exclusively for commercial or industrial purposes and related amenities (parking, landscape areas and walkways), and all other uses of the DSCA site are prohibited except as approved in writing by DENR.

2. Without prior written approval from DENR, the DSCA Site shall not be used for:

- **a. child care centers, schools, parks, recreational areas, athletic fields or sporting activities of any kind;**
- **b. agricultural or grazing purposes or for timber production;**
- **c. kennels, private animal pens, or for riding clubs;**
- **d. mining or extraction of coal, oil, gas or any other mineral or non-mineral substances.**

3. Surface water and underground water at the DSCA Site may not be used for any purpose without the approval of DENR.

4. 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 DSCA Site without prior sampling and analysis of groundwater to the satisfaction of DENR in any areas proposed for such activities, and submittal of the analytical results to DENR. If such results disclose to DENR contamination in excess of North Carolina's groundwater quality standards, the proposed activities may not occur without the approval of DENR on such conditions as DENR imposes, including at a minimum compliance with plans and procedures, approved pursuant to applicable law, to protect public health and the environment during the proposed activities.

5. In January of each year, on or before January 31st, the owner of any portion of the DSCA Site shall submit a notarized Annual DSCA Land Use Restrictions Certification to DENR certifying that this Notice remains recorded at the Brunswick County Register of Deeds' office, that the Land Use Restrictions are being complied with.

6. No person conducting environmental assessment or remediation at the Site, or involved in determining compliance with applicable land use restrictions, at the direction of, or pursuant to a permit or order issued by DENR may be denied access to the DSCA Site for the purpose of conducting such activities.

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

EASEMENT (RIGHT OF ENTRY)

The property owner grants and conveys to the Department, its agents, contractors, and employees, and any person performing pollution remediation activities under the direction of the Department, access at reasonable times and under reasonable security requirements to the Property to determine and monitor compliance with the Risk Management Plan and the land use restrictions set forth in this NDCSR. Such investigations and actions are necessary by the Department 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 NDCSR are maintained. Whenever possible, at least 48 hours of advanced notice will be given to the property owner prior to entry. Advanced notice may not always be possible due to conditions such as response time to complaints and emergency situations.

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

If a land-use restriction set out in a NDCSR required under NCGS § 143-215.104.M is violated, the owner of the contamination site 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 DSCA Site is sold, leased, conveyed or transferred, pursuant to NCGS § 143-215.104M the deed or other instrument of transfer shall contain in the description section, in no smaller type than that used in the body of the deed or instrument, a statement that the DSCA Site has been contaminated with dry-cleaning solvent and, if appropriate, cleaned up under the DSCA.

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

GENERAL PROVISIONS

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

CANCELLATION OF NDSCR

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

OWNER SIGNATURE

IN WITNESS WHEREOF, Property Owner has caused this instrument to be duly executed this

_____ day of _____, 200__.

Dode, LLC & Sude, LLC

By: _____
name of contact

NORTH CAROLINA
_____ COUNTY

I, _____, a Notary Public of the county and state aforesaid, certify that _____ personally came before me this day and acknowledged that he is a Member of Dode, LLC & Sude, LLC, a Florida 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 _____, 200_.

_____
Name typed or printed:
Notary Public

My Commission expires: _____
[Stamp/Seal]

ACKNOWLEDGMENT OF PROPERTY OWNER

For the current owner of the DSCA Site, I hereby acknowledge recordation of this Notice of Dry-Cleaning Solvent Remediation and the land use restrictions contained herein.

Dode, LLC & Sude, LLC

By: _____
name of contact

_____ COUNTY

I, _____, a Notary Public of the county and state aforesaid, certify that _____ personally came before me this day and acknowledged that he is a Member of Dode, LLC & Sude, LLC, a Florida limited liability corporation, and its Manager, and that by authority duly given and as the act of the company, the foregoing certification was signed in its name by him/her.

WITNESS my hand and official stamp or seal, this _____ day of _____, 200_.

_____
Name typed or printed:
Notary Public

My Commission expires: _____
[Stamp/Seal]

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

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

North Carolina Department of Environment and Natural Resources

By: _____ _____
Jack Butler, Chief Date
Superfund Section
Division of Waste Management

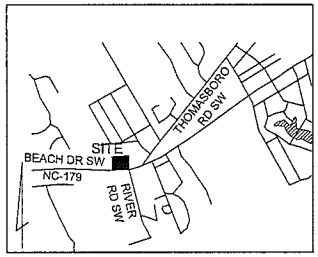
CERTIFICATION OF REGISTER OF DEEDS

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

Register of Deeds for Brunswick County
By: _____ _____
Name typed or printed: _____ Date
Deputy/Assistant Register of Deeds

EXHIBIT A

SURVEY PLAT REDUCTION



VICINITY MAP (NOT TO SCALE)

ABBREVIATIONS:

BM	BOOK OF MAPS
CLF	CHAIN-LINK FENCE
CMF	CONCRETE MONUMENT FOUND
DB	DEED BOOK
IPF	IRON PIPE FOUND
IRF	IRON ROD FOUND
IRS	IRON ROD SET
PKF	PK NAIL FOUND
PKS	PK NAIL SET
PB	PLAT BOOK
PG	PAGE
R/W	RIGHT-OF-WAY
r	INFORMATION OF RECORD
S	SOIL BORING

SURVEY REFERENCES:

DEED BOOK 1921 PAGE 766
DEED BOOK 1098 PAGE 175
DEED BOOK 266 PAGE 745
DEED BOOK 1443 PAGE 165
DEED BOOK 802 PAGE 94
Map Cabinet 17 Document 454

SYMBOL LEGEND	
●	PROPERTY CORNER FOUND
●	PROPERTY CORNER SET
MW	MONITORING WELL
S	SOIL BORING

GENERAL NOTES:

1) THE PURPOSE OF THIS SURVEY IS TO RETRACE THE BOUNDARY OF THE TRACT OF LAND DESCRIBED BELOW AND TO DELINEATE THE BOUNDS OF SOIL AND GROUNDWATER CONTAMINATION IN CONJUNCTION WITH A NOTICE OF DRY-CLEANING SOLVENT REMEDIATION ACTION FOR SAID PROPERTY SHOWN HEREON.
2) AREA CALCULATED BY THE COORDINATE METHOD.
3) ALL BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE LOCALIZED(GROUND) NAD 83 (2001 ADJUSTMENT) HORIZONTAL INFORMATION (UNLESS NOTED OTHERWISE), BASED UPON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, WITH NAVD 88 ELEVATIONS.

LEGAL DESCRIPTION:

Being all of Tract B as shown on that certain map entitled " As Built Survey of Town Square Center" by John R. Tompkins, RLS, dated June 4, 1993, revised August 9,1995, April 23,1996 and February 12, 1997, said map being duly recorded in Map Cabinet 17 as Document 454 of the Brunswick County Registry. said tract has metes and bounds and location as shown on the aforesaid map.

OWNERS CERTIFICATE:

THIS CERTIFIES AND WARRANTS THAT THE UNDERSIGNED ARE THE SOLE OWNERS OR TENANTS IN COMMON OF, THE PROPERTIES SHOWN ON THIS MAP OR PLAT AND ANY ACCOMPANYING SHEETS SUBJECT TO THE EXCEPTIONS ON RECORD, HAVING ACQUIRED THE PROPERTIES IN FEE SIMPLE BY DEEDS RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS OF BRUNSWICK COUNTY, NORTH CAROLINA, OR OTHERWISE, AS SHOWN BELOW AND AS SUCH, HAVE THE RIGHT TO CONVEY THE PROPERTY IN FEE SIMPLE, AND THAT THE DEDICATORS WILL WARRANT AND DEFEND THE TITLE AGAINST THE LAWFUL CLAIMS OF ALL PERSONS WHOMSOEVER UNLESS EXCEPTED HEREIN

DEED BOOK 1921 PAGE 766
MAP CABINET 17 DOCUMENT 454

_____
SIGNATURE (S) OF PROPERTY OWNER (S) Dode, LLC
TITLE:
Dode, LLC By:
_____
name of contact

_____ COUNTY _____ STATE

I, _____, a Notary Public of the county and state aforesaid, certify that _____ personally came before me this day and acknowledged that he is a Member of Dode, LLC, a Florida limited liability corporation, and its Manager, and that by authority duly given and as the act of the company, the foregoing certification was signed in its name by him/her.

WITNESS my hand and official stamp or seal, this _____ day of _____, 200_.

_____
Name typed or printed:
Notary Public

My Commission expires: _____
[Stamp/Seal]

OWNERS CERTIFICATE:

THIS CERTIFIES AND WARRANTS THAT THE UNDERSIGNED ARE THE SOLE OWNERS OR TENANTS IN COMMON, OF THE PROPERTIES SHOWN ON THIS MAP OR PLAT AND ANY ACCOMPANYING SHEETS SUBJECT TO THE EXCEPTIONS ON RECORD, HAVING ACQUIRED THE PROPERTIES IN FEE SIMPLE BY DEEDS RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS OF BRUNSWICK COUNTY, NORTH CAROLINA, OR OTHERWISE, AS SHOWN BELOW AND AS SUCH, HAVE THE RIGHT TO CONVEY THE PROPERTY IN FEE SIMPLE, AND THAT THE DEDICATORS WILL WARRANT AND DEFEND THE TITLE AGAINST THE LAWFUL CLAIMS OF ALL PERSONS WHOMSOEVER UNLESS EXCEPTED HEREIN

DEED BOOK 1921 PAGE 766
MAP CABINET 17 DOCUMENT 454

_____
SIGNATURE (S) OF PROPERTY OWNER (S) Sude, LLC
TITLE:
Sude, LLC By:
_____
name of contact

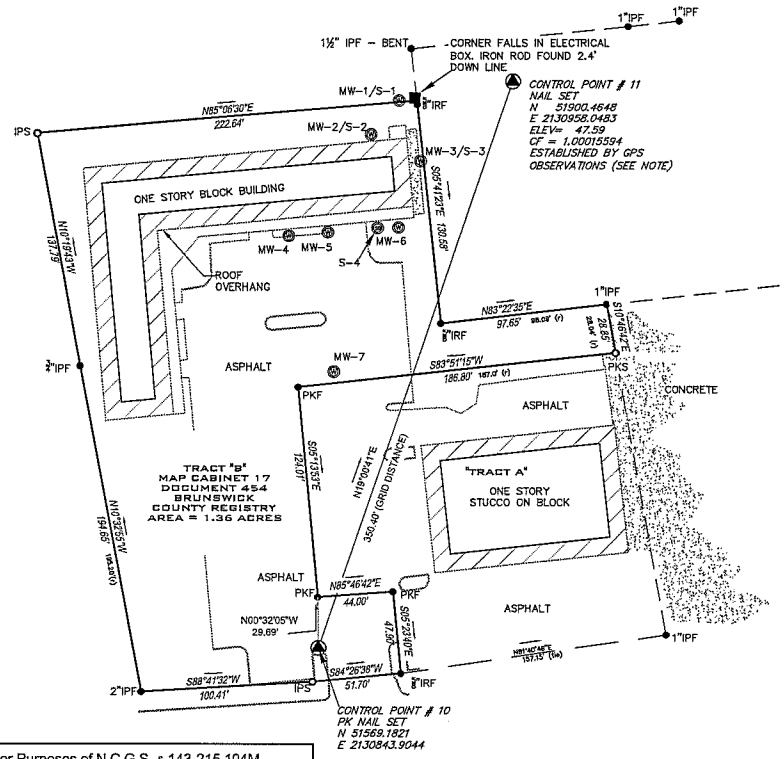
_____ COUNTY _____ STATE

I, _____, a Notary Public of the county and state aforesaid, certify that _____ personally came before me this day and acknowledged that he is a Member of Sude, LLC, a Florida limited liability corporation, and its Manager, and that by authority duly given and as the act of the company, the foregoing certification was signed in its name by him/her.

WITNESS my hand and official stamp or seal, this _____ day of _____, 200_.

_____
Name typed or printed:
Notary Public

My Commission expires: _____
[Stamp/Seal]



NC Grid - NAD 83
(See Notes)

GRAPHIC SCALE
50 0 25 50 100 200
1" = 50'

SAMPLE ID	NORTHING	EASTING	ELEVATIONS (NAVD 88) TOP OF LID	TOP OF CASING
MW-1/S-1	51889.45	2130891.48	45.98'	45.70'
MW-2/S-2	51869.39	2130875.19	47.88'	47.72'
MW-3/S-3	51854.06	2130903.92	47.60'	47.41'
MW-4	51810.19	2130826.95	47.68"	47.45'
MW-5	51812.30	2130849.81	47.70'	47.36'
MW-6	51815.19	2130890.98	48.14'	47.88'
MW-7	51731.39	2130853.06	47.51'	47.28'
S-4	51814.86	2130878.77	N/A	N/A

Location of Contaminants by Media Exceeding Unrestrictive Use Standards 104(6)(29a)

Sample ID	Depth	Media	Contamin	Standard
MW-3	5-6'	Groundwater	PCE	0.0007 mg/L
MW-5	5-14'	Groundwater	PCE	0.0007 mg/L
MW-6	9-14'	Groundwater	PCE	0.0007 mg/L

Notes:
1. PCE = Tetrachloroethylene.
2. mg/L = milligrams per liter, equivalent to parts per million.

Approved For Purposes of N.C.G.S. § 143-215.104M

_____
Jack Butler, Chief
Superfund Section
Division of Waste Management

Approved For Purposes of N.C.G.S. § 143-215.104M

_____
Jack Butler, Chief
Superfund Section
Division of Waste Management

_____ County State of _____

I, _____, a Notary Public of said County and State, do hereby certify that _____ did personally appear and sign before me this the _____ day of _____, 20__

Signature: _____

Name typed of printed: _____
Notary Public

My commission expires _____

THE DOCUMENTARY COMPONENT OF THIS NOTICE OF DRY-CLEANING SOLVENT REMEDIATION, LIMITING THE USES OF THIS PROPERTIES RECORDED AT : DEED BOOK_____ PAGE_____

AREAS AND TYPES OF CONTAMINATION DEPICTED HEREON ARE APPROXIMATIONS DERIVED FROM THE BEST AVAILABLE INFORMATION AT THE TIME OF FILING

SURVEYORS CERTIFICATE [G.S. 47-30]

I, TIMOTHY A. BROTHERS, HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DASHED LINES, DRAWN FROM INFORMATION REFERENCED ON THE FACE OF THIS PLAT; THAT THE RATIO OF PRECISION AS CALCULATED EXCEEDS 1:10,000; THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; WITNESS MY ORIGINAL SIGNATURE REGISTRATION NUMBER AND SEAL THIS 23rd DAY OF June, 2008, A.D.

_____
TIMOTHY A. BROTHERS, P.L.S. N.C. REG. No.: L-3457

NORTH CAROLINA REGISTERED SEAL L-3457 LAND SURVEYOR TIMOTHY A. BROTHERS

SURVEY PLAT

EXHIBIT B TO THE NOTICE OF DRY-CLEANING SOLVENT REMEDIATION
OWNER: DODE LLC & SUDE LLC PARCEL #25500076
LOVE CLEANERS - DSCA SITE#10-0002
10000 BEACH DRIVE, TOWN OF CALABASH
COUNTY OF BRUNSWICK, STATE OF NORTH CAROLINA

TAYLOR WISEMAN & TAYLOR
ENGINEERS ▮ SURVEYORS ▮ SCIENTISTS
SUBSURFACE UTILITY ENGINEERS
3500 REGENCY PARKWAY, SUITE 160, CARY, NC 27518
PHONE (919) 297-0065 FAX (919) 297-0090

SCALE: 1" = 50'	DATE: MARCH 17, 2008	FILE: 70567.6018.00	
DRAWN BY: TAB	CHECKED BY: CTH	SHEET: 1\1	

q:\CAD\70567\70567.6018\dwg\70567.6018_BASE.dwg

EXHIBIT B

LEGAL DESCRIPTION FOR PROPERTY

Being all of Tract B as shown on that certain map of survey entitled "As Built Survey of Town Square Center" by James R. Tompkins, RLS, dated June 4, 1993, revised August 9, 1995, April 23, 1996, and February 12, 1997, said map being duly recorded in Map Cabinet 17 as Document 454 of the Brunswick County Registry. Said tract has the metes and bounds and location as show on the aforesaid map.

APPENDIX D

EXAMPLE ANNUAL DSCA LAND-USE RESTRICTIONS CERTIFICATION

Site Name: Love Cleaners

Site Address: 10000 Beach Drive, Calabash, Brunswick County, NC

DSCA ID No: 10-0002

ANNUAL DSCA LAND USE RESTRICTIONS CERTIFICIATION

Pursuant to Land Use Restriction Number _____ in a Notice of Dry-Cleaning Solvent Remediation (NDCSR) executed by _____ and recorded on _____ at the Brunswick County Register of Deeds Office, Dode, LLC & Sude, LLC hereby certifies, as an owner of at least part of the property that is the subject of the NDCSR, that the NDCSR remains recorded at the Brunswick County Register of Deeds office and the land use restrictions therein are being complied with.

Duly executed this _____ day of _____, 200_.

Dode, LLC & Sude, LLC

By: _____

Name typed or printed:
Member/Manager

NORTH CAROLINA
_____ COUNTY

I, _____, a Notary Public of the county and state aforesaid, certify that _____ personally came before me this day and acknowledged that he/she is a Member of Dode, LLC & Sude, LLC, a Florida limited liability corporation, and its Manager, and that by authority duly given and as the act of the corporation, the foregoing certification was signed in its name by him/her.

WITNESS my hand and official stamp or seal, this _____ day of _____, 200_.

_____

Name typed or printed:
Notary Public

My Commission expires: _____

[Stamp/Seal]

APPENDIX E

NOTICE OF INTENT

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

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. One of the DSCA requirements (See N.C.G.S. 143-215.104L) is a Notice of Intent to Remediate a Dry-Cleaning Solvent Facility or Abandoned Site (NOI) approved by the North Carolina Department of Environment and Natural Resources (DENR). The NOI must provide, to the extent known, a legal description of the location of the DSCA Site, a map showing the location of the DSCA Site, a description of the contaminants involved and their concentrations in the media of the DSCA Site, a description of the intended future use of the DSCA Site, any proposed investigation and remediation, and a proposed Notice of Dry-Cleaning Solvent Remediation (NDCSR) prepared in accordance with N.C.G.S. Section 143-215.104M. The required components of the NOI are included in the attached site maps and the proposed NDCSR.

A property owner who desires to enter into a DSCA Remediation Agreement must provide a copy of the NOI to all local governments having jurisdiction over the DSCA Site. Written public comments may be submitted to DENR no later than _____ __, 200_. Written requests for a public meeting may be submitted to DENR no later than _____ __, 200_. All such comments and requests should be addressed as follows:

Al Chapman, DSCA Program
Special Remediation Branch
Superfund Section
Division of Waste Management
NC Department of Environment and Natural Resources
401 Oberlin Road, Suite 150
Raleigh, North Carolina 27605

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

Love Cleaners
DSCA Site No. 10-0002

Pursuant to N.C.G.S. §143-215.104L, Dode, LLC have filed with the North Carolina Department of Environment and Natural Resources (DENR) a Notice of Intent to Remediate a Dry-Cleaning Solvent Facility or Abandoned Site (NOI). The purpose of this summary is to notify the public of the proposed remedy for the affected property and invite comment on the proposed remedy.

The Property consists of the following parcel in Calabash, Brunswick County, North Carolina identified by street address and by the following property tax parcel identification numbers:

10000 Beach Drive
Parcel Number 25500076

Dry-cleaning solvent contamination has been discovered in soil and groundwater on a portion of the Property. The proposed remedy includes land use restrictions to control current and future site risks at the property referenced above.

The NOI is available for review by the public at the address provided below. To arrange a review of the NOI or for additional information, contact Al Chapman at (919)508-8580. Written public comments may be submitted to DENR no later than _____ __, 200_. Written requests for a public meeting may be submitted to DENR no later than _____ __, 200_. All such comments and requests should be addressed as follows:

Al Chapman, DSCA Program
Special Remediation Branch
Superfund Section
Division of Waste Management
North Carolina Department of Environment and Natural Resources
401 Oberlin Road, Suite 150
Raleigh, North Carolina 27605