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MCB CAMP LEJUENE
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LETTER AND COMMENTS FROM NORTH CAROLINA DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES REGARDING NOTICE OF NO FURTHER ACTION RISK
BASED ASSESSMENT AND CORRECTIVE ACTION FOR PETROLEUM UNDERGROUND
STORAGE TANKS MCB CAMP LEJEUNE NC

3/3/2011

NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES



North Carolina Department of Environment and Natural Resources

Beverly Eaves Perdue, Governor

Division of Waste Management
UST Section

Dee Freeman, Secretary
Dexter R. Matthews, Director

March 3, 2011

Commanding Officer
Attn: I&E/EMD/EQB, Bldg. 12,
Mr. Nick Schultz
PSC Box 20004
MCB Camp Lejeune, NC 28542-0004

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

USMC Camp Lejeune, Bldg. AS-843
Curtis Road, MCAS New River
Camp Lejeune, Onslow County
Incident Number: 21272
Risk Classification: Low

Dear Mr. Schultz:

The Annual Monitoring Report/Site Closure Request received by the UST Section, Wilmington Regional Office on November 10, 2010 and the Notice of Residual Petroleum received on March 1, 2011 have been reviewed. The review indicates that groundwater contamination meets the cleanup requirements for a low-risk site but exceeds the groundwater quality standards established in Title 15A NCAC 2L .0202.

The UST Section determines that no further action is warranted for this incident. This determination shall apply unless the UST Section later finds that the discharge or release poses an unacceptable risk or a potentially unacceptable risk to human health or the environment. Pursuant to Title 15A NCAC 2L .0407(a) the USMC has a continuing obligation to notify the Department of any changes that might affect the risk or land use classifications that have been assigned.

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

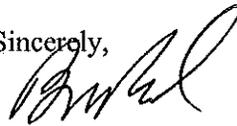
As groundwater contamination exceeds the groundwater quality standards established in Title 15A NCAC 2L .0202 pursuant to NCGS 143B-279.9 and 143B-279.11, the USMC must file the approved Notice of Residual Petroleum (attached) with the Register of Deeds in the county in which the release is located and submit a certified copy to the UST Section within 30 days of receipt of this letter. This No Further Action determination will not become valid until the UST Section receives a certified copy of the Notice of Residual Petroleum which is filed with the Register of Deeds.

As groundwater contamination exceeds the groundwater quality standards established in Title 15A NCAC 2L .0202, public notice in accordance with 15A NCAC 2L .0409(b) also is required. Thus, within 30 days of receipt of this letter, a copy of the letter must be provided by certified mail, or by posting in a prominent place, if certified mail is impractical, to the local health director, the chief administrative officer of each political jurisdiction in which the contamination occurs, all property owners and occupants within or contiguous to the area containing contamination, and all property owners and occupants within or contiguous to the area where the contamination is expected to migrate. Within 60 days of receiving this no further action letter, this office must be provided with proof of receipt of the copy of the letter or of refusal by the addressee to accept delivery of the copy of the letter or with a description of the manner in which the letter was posted. This No Further Action determination will not become valid until public notice requirements are completed. Interested parties may examine the Soil Cleanup Report/ Site Closure Request by contacting this regional office and may submit comments on the site to the regional office at the address or telephone number listed below.

This No Further Action determination applies only to the subject incident; for any other incidents at the subject site, the responsible party must continue to address contamination as required.

If you have any questions regarding this notice, please contact me at the address or telephone number listed below.

Sincerely,



Bruce Reed
Hydrogeologist
Wilmington Regional Office

Attachments: Notice of Residual Petroleum

cc: George O'Daniel, Onslow County Health Department
WiRO-UST

UST Regional Offices

Asheville (ARO) – 2090 US Highway 70, Swannanoa, NC 28778 (828) 296-4500

Fayetteville (FAY) – 225 Green Street, Suite 714, Systel Building, Fayetteville, NC 28301 (910) 433-3300

Mooresville (MOR) – 610 East Center Avenue, Suite 301, Mooresville, NC 28115 (704) 663-1699

Raleigh (RRO) – 1628 Mail Service Center, Raleigh, NC 27699 (919) 791-4200

Washington (WAS) – 943 Washington Square Mall, Washington, NC 27889 (252) 946-6481

Wilmington (WIL) – 127 Cardinal Drive Extension, Wilmington, NC 28405 (910) 796-7215

Winston-Salem (WS) – 585 Waughtown Street, Winston-Salem, NC 27107 (336) 771-5000

Guilford County Environmental Health, 400 West Market Street, Suite 300, Greensboro, NC 27401, (336) 641-3771

S:\ust\bruce\schultz843.nfa

\$20



Doc ID: 008801660003 Type: CRP
Recorded: 03/30/2011 at 10:21:46 AM
Fee Amt: \$20.00 Page 1 of 3
Onslow County, NC
Rebecca L. Pollard Reg. of Deeds

BK 3572 PG 773-775

Notice of Residual Petroleum

Underground Storage Tank (UST) Site AS-843, Onslow County, North Carolina

The property that is the subject of this Notice (hereinafter referred to as the "Site") contains residual petroleum and is an Underground Storage Tank (UST) incident under North Carolina's Statutes and Regulations, which consist of N.C.G.S. 143-215.94 and regulations adopted thereunder. This Notice is part of a remedial action for the Site that has been approved by the Secretary (or under his/her delegate) of the North Carolina Department of Environment and Natural Resources (or its successor in function), as authorized by N.C.G.S. Section 143B-279.9 and 143B-279.11. The North Carolina Department of Environment and Natural Resources shall hereinafter be referred to as "NCDENR", and the State of North Carolina shall hereinafter be referred to as the "State."

- The restrictions contained in this Notice are lawful restrictions as authorized by N.C.G.S. §§ 143B-279.9(b) and contained in the remedial plan or other applicable cleanup documentation for the Site and approved by NCDENR to protect public health and the environment.
- These restrictions should not be construed to transfer, dispose of, or in any way alienate any real property interest held by the United States in the Site. The State agrees that the filing of this Notice does not transfer to, relinquish to, or in any way create in the State or any third party any real property interest in the Site.

NOTICE

Petroleum product was released or discharged at the Site. **Petroleum constituents remain on the Site, but are not a danger to public health and the environment, provided that the controls described herein and any other measures required by NCDENR pursuant to N.C.G.S Sections 143B-279.9 and 143B-279.11, are strictly complied with.** This "Notice of Residual Petroleum" is composed of a description of the property, the location of the residual petroleum, and the land use restrictions on the Site. The Notice has been approved and notarized by DENR pursuant to N.C.G.S Section 143B-279.9 and 143B-279.11 and has been/shall be recorded at the Onslow County Register of Deeds' office Book _____, Page _____

Source Property

The United States of America, acting through the Secretary of the Navy, is the owner in fee simple of all or a portion of the Site, which is located in the County of Onslow, State of North Carolina, and is known and legally described as:

Beginning at survey monument "HIENZ"; thence North 25 degrees 58 minutes 38 seconds East 1012.77 feet to a drill hole; thence from said point of beginning North 02 degrees 04 minutes 31 seconds West 138.61 feet to a mag nail; thence North 87 degrees 42 minutes 35 seconds East 192.29 feet to a mag nail; thence South 02 degrees 17 minutes 28 seconds East 141.74 feet to a drill hole; thence South 88 degrees 38 minutes 20 seconds West 192.83 feet to the point of beginning.

Enclosure (5)

LAND USE RESTRICTIONS

For protection of public health and the environment, the following land use restrictions; **groundwater from the site is prohibited from use as a water supply; water supply wells of any kind shall not be installed or operated on the Site**, approved by NCDENR, and authorized by N.C.G.S. Section 143B-279.9(b), apply to all of the above-described Site. These restrictions continue in effect as long as residual petroleum remains on the site in excess of unrestricted use standards.

This Notice shall not be amended or cancelled until the Onslow County Register of Deeds receives and records the written concurrence of the Secretary (or his/her delegate) of DENR (or its successor in function). Any attempt to cancel this Notice without the approval of DENR (or its successor in function) shall be subject to enforcement by DENR to the full extent of the law. Failure by any party required or authorized to enforce the above restriction(s) shall in no event be deemed a waiver of the right to do so thereafter as to the same violation or as to one occurring prior to or subsequent thereto.

This Notice in and of itself creates no independent enforcement authority in the State or any third party. This Notice does not limit any enforcement authority that may otherwise be available to the State or any third party.

The land use restrictions as set forth in this Notice are enforceable in the manner and to the extent allowable by Federal and State law, including but not limited to N.C. Gen. Stat. § 143B-279.9 and § 143B-279.11.

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

IN WITNESS WHEREOF, MCBCL has caused this Notice to be executed pursuant to N.C.G.S Sections 143B-279.9 and 143B-279.11, this 18 day of FEB 2011.

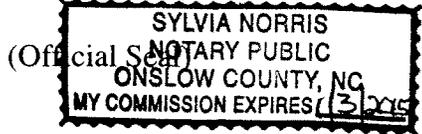
(name of responsible party if agent signing)
By: Carl H. Baker
(signature of attorney or other agent if there is one)
Deputy Public Works Officer
(Title of agent for responsible party if there is one)

Signatory's name typed or printed: CARL H. BAKER

STATE OF NORTH CAROLINA
Onslow COUNTY

I, Sylvia Norris, a Notary Public of said County and State, do hereby certify
(name of notary public)
that Carl Baker personally appeared before me this day and acknowledged
(name)
that he/she is the DPWO of MCB, Camp Lejeune NC and that by
(Title) (Organization)
authority duly given, and as the act of MCB, Camp Lejeune NC, the forgoing
(Organization)
instrument was signed in its name by such DPWO.
(Title)

WITNESS my hand and seal this the 18th day of February, 2011.



Sylvia Norris
Notary Public (signature)

My commission expires 1 January, 2015.

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

Gene Jackson
(signature of Regional Supervisor)

Gene Jackson, Regional Supervisor
(printed name of Regional Supervisor)

Wilmington, Regional Office
(name of Region)
UST Section
Division of Waste Management
Department of Environment and Natural Resources

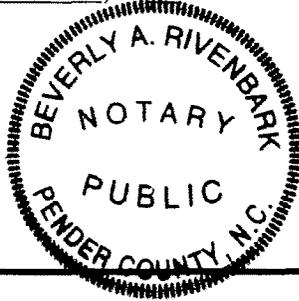
NORTH CAROLINA
Pender COUNTY

I, Beverly A. Rivenbark, a Notary Public of said County and State, do hereby certify that Gene Jackson personally appeared before me this day and acknowledged that he is the Regional Supervisor of the UST Section, Division of Waste Management of the North Carolina Department of Environment and Natural Resources, Division of Waste Management, and that by authority duly given, and as the act of the North Carolina Department of Environment and Natural Resources, Division of Waste Management, forgoing instrument was signed in its name by such Regional Supervisor, UST Section.

WITNESS my hand and seal this the 3 day of March, 2011

Beverly A. Rivenbark (Official Seal)
Notary Public Signature

My commission expires 4-15, 2014.



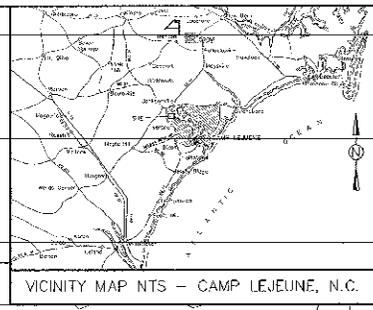
Approved by the purposes of N.C.G.S. 146B-279.9 and 146B-279.11

Surveyor: Walter J. Dickson
County: Onslow Regional Supervisor
Map: AS-843 Original Office
Map: AS-843 Original Office
 Date of Issue: 2/2/2011
 Division of Maps Management
 Department of Environment and Natural Resources
 NORTH CAROLINA
Onslow COUNTY

I, Walter J. Dickson, a Notary Public of said County and State, do hereby certify that the foregoing is a true and correct copy of the original of the above described instrument, as the same appears before me this day, and I acknowledge the due execution of the foregoing instrument.

Witness my hand and official seal, this 23 day of February, 2011.

Walter J. Dickson
 Notary Public
 My commission expires 11-11-2012



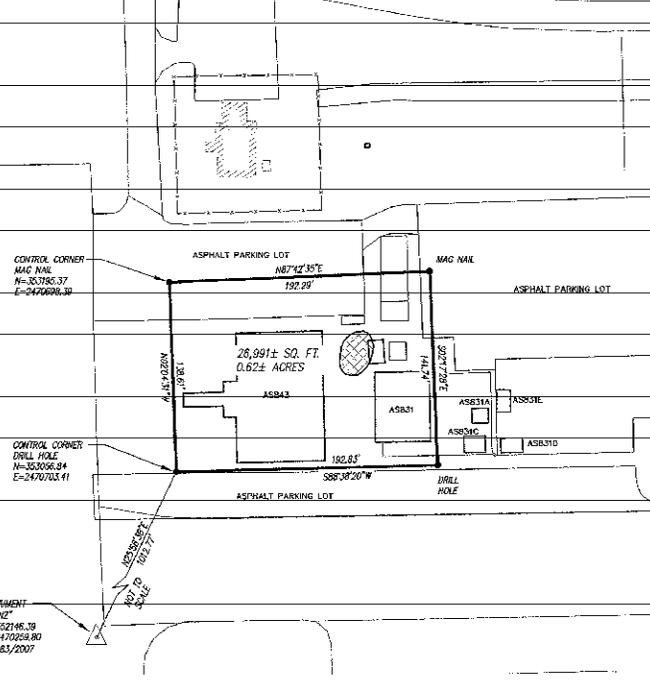
BOOK 61 - PLAN 216

- I, DAVE W. COOPER, PROFESSIONAL LAND SURVEYOR NO. 4690, CERTIFY TO ONE OR MORE OF THE FOLLOWING AS INDICATED:
- A. THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND;
 - B. THAT THIS PLAT IS OF A SURVEY THAT IS LOCATED WITHIN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND;
 - C. THAT THIS PLAT IS OF A SURVEY OF AN EXISTING PARCEL OR PARCELS OF LAND;
 - D. THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION;
 - E. THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT I AM ABLE TO MAKE A DETERMINATION TO THE BEST OF MY PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN 447 THROUGH 450-2011.

CERTIFICATE FOR BOUNDARY SURVEY USING GPS

I, DAVE W. COOPER, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY PERFORMED UNDER MY SUPERVISION (SEE DESCRIPTION RECORDED IN BOOK 61, PAGE 216, ETC.) OTHER THAN THE EQUIPMENT NOT SURVEYED AND CLEARLY IDENTIFIED AS LEASED FROM AN OPERATION FOUNDED IN BOOK 61, PAGE 216, THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000 THAT THE GLOBAL POSITIONING SYSTEM (GPS) OBSERVATIONS WERE PERFORMED TO THE RESPECTIVE POSITIONS ACCORDING TO THE NATIONAL STANDARD FOR GEODETIC NETWORKS AT THE 1 CM ACCURACY CLASSIFICATION (2011 CONFERENCE USING INSTANT) WITNESS MY ORIGINAL SIGNATURE AND SEAL TO THE SEAL OF PROFESSIONAL SURVEYOR 2/2/2011

DAVE W. COOPER, P.L.S., LICENSE NO. 14367



REVIEW OFFICER CERTIFICATION

Doc ID: 2011020801 Type: CAG
 Provided: 2/2/2011 at 10:26:58 AM
 File Name: 216 Page 1 of 1
 Worksheet: L. Roll Back or Draw
 Book: 61 Plan: 216

Slide N-10
 REVIEW OFFICER: Robert J. DeLoach
Robert J. DeLoach
 (Seal)

LEGEND

- BOUNDARY OF GROUNDWATER LAND USE CONTROL
- FENCE
- AREA OF GROUNDWATER CONTAMINATION
- EXISTING STRUCTURE/BUILDING
- FORMER STRUCTURE/BUILDING

- NOTES
1. USE SITE AS-843 INCIDENT INCIDENT NUMBER 21672. REPORTS PERTAINING TO THIS INCIDENT NUMBER ARE ON FILE AT THE ONSLOW WILMINGTON REGIONAL OFFICE.
 2. AREA OF GROUNDWATER CONTAMINATION DEPICTED ON THIS PLAT CONTAINS FENCE-DELIMITED CONTAMINATION ZONE THE 10:25:00W.
 3. BOUNDARY OF GROUNDWATER LAND USE CONTROL DEVELOPED BY CATLIN ENGINEERS AND SCIENTISTS WAS ESTABLISHED BY REVIEWING MOST RECENT ANALYTICAL RESULTS.
 4. BASE MAP(S) SOURCE & SURVEY CONTROL: MCB CAMP LEJEUNE INSTALLATION GEOSPATIAL INFORMATION AND SERVICES OFFICE.
 5. MAP COORDINATE SYSTEM IS C. GRID NAD 83.
 6. ALL DISTANCES ARE IN FEET.
 7. SCALE FACTOR = 0.99991722
 8. AREA CALCULATED BY COORDINATES
 9. PLANIMETRICS PROVIDED BY CATLIN ENGINEERS AND SCIENTISTS

909 MARKET STREET
 WILMINGTON, NC 28401
 (910) 192-4200

Office Locations: North Carolina
 South Carolina
 Georgia

WJDK
 community infrastructure consultants
 www.wjdx.com # 2011020801.nw

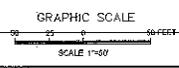


EXHIBIT MAP
 BOUNDARY OF LAND USE CONTROLS
 UNDERGROUND STORAGE TANK SITE AS-843

SHOWING PROPERTY OF: UNITED STATES OF AMERICA
 MARINE CORPS AIR STATION, NEW RIVER
 ONSLOW COUNTY, NORTH CAROLINA
 FEBRUARY 2, 2011