



FOR IMMEDIATE RELEASE:

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Director of Public Information and Communications

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City of Salisbury Receives Letter of No Further Action for 329 S. Main Street Downtown Site Can Now Be Considered for Central School Office

Salisbury_North Carolina_November 4 – Today, the North Carolina Department of Environment and Natural Resources (NCDENR) regional office in Mooresville, issued a letter of No Further Action (NOFA) for 329 S. Main Street, the downtown central office site. The letter is attached to this release.

The following is a statement by City Manager Doug Paris regarding this development:

"Letter of No Further Action. Private funding. Shovel ready and funded architectural design. Great location. 160 space parking lot. Private foundation funding \$500,000 in furnishings. \$1.25M in annual retail impact for our small businesses in a growing downtown. A safe workplace for school employees. Overwhelming public hearing support. Civic and business leader support. Rowan County Chamber of Commerce endorsement. Rowan County School Board approval. What's not to like? We are excited to have received the letter that Rowan County required, and are even more excited that the County Commission can now approve this site."

Last month a prominent Salisbury family offered to build the downtown central school office with private funding. As a result, neither Rowan County or the City of Salisbury would have to take on debt for the building. In response to the family's offer, Vice Chairman Craig Pierce, of the Rowan County Board of Commissioners, stated that a majority of his fellow Commissioners would not approve the proposed location at 329 S. Main Street as a site for the central school office because it lacked a NOFA letter from NCDENR.



The Rowan County Board of Commissioners voted unanimously on Vice Chairman Pierce's motion to reinstate funding for the project, with the exception of the 329 S. Main Street site, which, at the time lacked a NOFA letter from NCDENR.

The Rowan County Board of Commissioners does not have the statutory authority to pick the location of the central school office. The statutory authority to pick the location rests solely with the Rowan-Salisbury School System Board of Education. A legislative attempt by the Rowan County Board of Commissioners to take that authority away from the Board of Education failed in the General Assembly. The Rowan County Board of Commissioners has no legal or statutory authority to exclude the downtown location.

The City of Salisbury is an equal opportunity employer with over 180 different job classifications and more than 400 full time positions. For more information regarding the City of Salisbury and its services and departments, please visit us on the web at www.salisburync.gov. To receive updates regarding local initiatives, meetings, programs and events, please follow us on Twitter at www.salisburync.gov/twitter.

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

UST Section

Pat McCrory
Governor

Dexter R. Matthews
Director

John E. Skvarla, III
Secretary

November 4, 2013

City of Salisbury
217 South Main Street
Salisbury, North Carolina 28144
Attention: Doug Paris-City Manager

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

Arey's Texaco
329 South Main Street, Salisbury
Rowan County
Incident Number: 15789
Risk Classification: Low (reduced from
Intermediate)
Ranking: L65R

Dear Mr. Paris:

The Pre-CAP monitoring report received by the UST Section, Mooresville Regional Office on November 4, 2013 and the Notice of Residual Petroleum received on November 4, 2013 have been reviewed. The review indicates that soil contamination does not exceed the lower of the soil-to-groundwater or residential maximum soil contaminant concentrations (MSCCs) established in Title 15A NCAC 2L .0411 and that groundwater contamination meets the cleanup requirements for an intermediate-risk site.

Based on information provided to date, the UST Section finds it appropriate to reduce the risk classification of the subject incident from intermediate to low. Furthermore, 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), you have 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 if 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, you 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 incident file by contacting this regional office and may submit comments on the site to the regional office at the address or telephone number listed below.

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

Sincerely,



Dan Graham
Hydrogeologist
Mooresville Regional Office

Attachments: Notice of Residual Petroleum

cc: Rowan County Health Department
Alan Griffith-Griffith Enterprises

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

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