



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

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

**CERTIFIED MAIL**

November 17, 2010

Mr. J. Laurence Daw, LG  
The University of North Carolina at Chapel Hill  
1120 Estes Drive Ext., CB#1650  
Chapel Hill, NC 27599-1650

Re: **NOTICE OF REC PROGRAM ELIGIBILITY**  
UNC – Cogeneration Facility  
575 West Cameron Avenue  
Chapel Hill, Orange County  
NCR000010272

Dear Mr. Daw:

Thank you for submitting the Site Cleanup Checklist/Questionnaire (Questionnaire) for the above subject site (Site). The Branch has completed review of the Questionnaire and determined that the Site can be cleaned up through the REC (“Registered Environmental Consultant”) Program without direct oversight by Branch Staff.

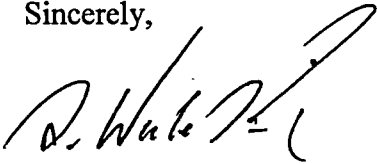
Note that, if you have not already done so, you must take the initial abatement actions required under 15A NCAC 2L. Pursuant to 15A NCAC 2L .0106(b), any person conducting or controlling an activity which results in the discharge of a waste or hazardous substance to the groundwaters of the State, or in proximity thereto, shall take immediate action to terminate and control the discharge, and mitigate any hazards resulting from exposure to the pollutants. Pursuant to 15A NCAC 2L .0106(c), if groundwater standards have been exceeded, you must take immediate action to eliminate the source or sources of contamination. Beyond initial abatement actions, all assessment and remediation will be done through the Inactive Hazardous Sites Response Act (“IHSRA”).

Under the IHSRA, to receive approval of the assessment and clean up at the Site, you must enter into an administrative agreement with the Branch. Since the Branch has determined that the Site can be cleaned up through the REC Program, execution of an REC-Administrative Agreement (AA) is required. The procedures for entering into an REC-AA are attached. If you have any questions regarding these procedures or the REC Program, please contact the REC Program Manager, Kim Caulk, at (919)508-8451 or visit the REC Program website at <http://www.wastenotnc.org/SFHOME/recprog.htm>.

If we do not receive a response from you within the next 60 days indicating your willingness to enter an REC-AA, the Branch will take further action to prioritize the Site. Failure to take the initial abatement steps required in 15A NCAC 2L may result in the assessment of a civil penalty against you. In addition, the Branch may seek an injunction compelling compliance with the initial abatement steps required in 15A NCAC 2L. For future work beyond the initial abatement steps required pursuant to 15A NCAC 2L, a unilateral Order may be issued pursuant to § 130A-310.3 to compel assessment and cleanup. In addition, if you choose not to conduct a cleanup voluntarily, the site may be referred to the United States Environmental Protection Agency ("EPA"). If so referred, EPA will screen the site for Federal enforcement action under the Federal Superfund Program, established under the Comprehensive Environmental Responsibility, Compensation, and Liability Act ("CERCLA").

If you have additional questions about the requirements that apply to your site, please contact me at (919) 508-8469.

Sincerely,



S, Wade Kirby, PE, PG, Environmental Engineer  
Inactive Hazardous Sites Branch  
Superfund Section

Enclosure: REC-AA Procedures

cc: Mr. Pete Dressel, Piedmont Geologic