



NORTH CAROLINA  
Environmental Quality

ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

MICHAEL SCOTT  
Director

September 25, 2020

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Colonial Pipeline Company  
7524 Kenstead Circle  
Charlotte, NC 28214  
Attention: John Culbreath

Re: Notice of Violation  
N.C. Gen. Stat. § 143-214.1  
15A NCAC 02L .0202

**Colonial Pipeline SR2448**  
SR 2488/Pipeline ROW  
Huntersville, NC  
Incident: **95827**  
Risk Classification: High

Dear Mr. Culbreath:

Information received by the Mooresville Regional Office (MRO) of the Underground Storage Tank Section (UST Section), Division of Waste Management, of the Department of Environmental Quality (the Department), on August 14, 2020, confirms a release or discharge of petroleum at the above-referenced location. The MRO has determined that you are the responsible party for the assessment and cleanup of the release or discharge.

Information provided to the Department thus far regarding the release or discharge of petroleum at the above-referenced location indicates that the groundwater quality standards established pursuant to N.C. Gen. Stat. § 143-241.1 and codified in Title 15A of the North Carolina Administrative Code (NCAC), Subchapter 02L .0202 have been exceeded. Based on the information provided at this time, exceedances of various constituents of petroleum including, but not limited to the following have been identified: benzene, toluene, xylene, and ethylbenzene.

**REQUIRED CORRECTIVE ACTIONS:**

Restoration of groundwater quality to the level of the aforementioned standards, or as closely thereto as is economically and technologically feasible for protection of human health and the environment pursuant to 15A NCAC 02L .0106 is required.

Based on the above referenced authority, detailed information on the risks associated with your release must be submitted monthly. Submit the following detailed information in a groundwater monitoring report in accordance with the *UST Section Guidelines for Assessment for Non-UST Releases* on the 30<sup>th</sup> of each month to the UST Section in the MRO:



- Analytical results from soil sampling, monitoring well sampling, surface water sampling, and water supply well sampling.
- Groundwater flow information including potentiometric maps.
- Hook-up of properties to public water and any water supply well, monitoring well, and recovery well abandonment details.
- Soil boring information, monitoring well records, and recovery well records.
- Plume delineation information.
- Status of free product recovery efforts.
- Soil excavation, transportation, and disposal records.

Based on the determination that the risk posed by the discharge or release at the subject site is high, you must comply with assessment requirements pursuant to 15A NCAC 02L .0507(b) and .0106(c) and (g) and the most recent version of the *UST Section Guidelines for Assessment for Non-UST Releases*, by January 20, 2021. A responsible party who submits a Comprehensive Site Assessment (CSA) Report must provide a summary of this report to the local Health Director and the chief administrative officer of the political jurisdictions within 5 days of submitting the CSA Report to the Division of Waste Management as specified in 15A NCAC 02L .0114(a).

Penalties may be assessed for the violations described within this Notice of Violation. Your prompt attention to the items described herein is required. Failure to comply with the State's rules, in the manner and time specified, may result in the assessment of civil penalties and/or the use of other enforcement mechanisms available to the State. Each day that a violation continues may be considered a separate violation.

Because a release or discharge has been confirmed, a Licensed Geologist and/or a Professional Engineer, certified by the State of North Carolina, is required to prepare and certify all reports submitted to the Department of Environmental Quality in accordance with 15A NCAC 02L .0103(e) and 2L .0111(b).

Please note that before you sell, transfer, or request a "No Further Action" determination for a property that has not been remediated to below "unrestricted use" standards, you must file a Notice of Contaminated Site or Notice of Residual Petroleum with the Register of Deeds in the county where the property is located (N.C. Gen. Stat. § 143B-279.9, and 143B-279.10 or 143B-279.11).

If you have any questions regarding the actions that must be taken or the rules mentioned in this letter, please contact me at 919-707-8200.

Sincerely,



Michael E. Scott  
 Director  
 Division of Waste Management, NCDEQ

cc: Jeff Morrison, Colonial Pipeline  
 John Wyatt, Colonial Pipeline  
 Robert Hughes, Colonial Pipeline  
 Michael Scott, NCDEQ  
 Vance Jackson, NCDEQ  
 Scott Bullock, NCDEQ  
 Ron Taraban, NCDEQ  
 Laura Leonard, NCDEQ  
 Wayne Randolph, NCDEQ  
 Dan Bowser, NCDEQ  
 Bobby Williams, Town of Huntersville  
 Shawna Caldwell, LUESA- Mecklenburg County Health Department