

**INSTRUCTIONS FOR PREPARING A NOTICE OF CONTAMINATED SITE for  
HAZARDOUS WASTE or SOLID WASTE MANAGEMENT UNIT DISPOSAL SITE FOR  
RECORDATION**

The following is a list of instructions to assist in the preparation and recording of a **Notice of Contaminated Site for Hazardous Waste or Solid Waste Management Unit Disposal Site**.

1. The notice will take the form of a survey plat of the subject property prepared and certified by a professional land surveyor registered in North Carolina. Every plat should be a new or existing survey of the entire property conducted by the surveyor preparing the plat.
2. The plat (hereinafter "Notice") must meet the requirements of N.C.G.S. § 47-30 for maps and plats (some of these requirements, but not all are specified below) and any requirements of the county Register of Deeds (in the county where the site is located), be drawn in indelible ink on mylar (no sepia mylar), and include:
  - A. the words "NOTICE OF CONTAMINATED SITE" appearing in the title block (note the title block should be located at one of the plat perimeters);
  - B. the name of the site, the EPA identification number and "Hazardous Waste Disposal Site" or "Solid Waste Management Unit Disposal Site" appearing in the title block (precede with the phrase "A portion of the..." if the property is but one part of the overall contaminated site);
  - C. the names of the current owner(s) exactly as they appear on the existing property deed appearing in the title block;
  - D. the property township, county and state, the date(s) of the survey, a scale, and name and address of surveyor or firm preparing the plat all appearing in the title block;
  - E. property lines with bearings and distances and north arrow, specifying whether true, magnetic, North Carolina grid ("NAD 83" or "NAD 27"), or referenced to old deed or plat bearings (if magnetic or referenced to old deed or plat bearings must include the date and source the index was originally determined);
  - F. a vicinity map;

- G. with respect to a surveyed corner of the affected property, the location and dimensions of areas of the property where hazardous wastes or hazardous constituents are known to have been disposed (only areas with distinct boundaries such as landfills, trenches, and open impoundments or pits; not spills or indistinct releases);
- H. with respect to a surveyed corner of the affected property, the location of on-site wells (potable, production, monitoring and any other type) where hazardous wastes or hazardous constituents have been detected in groundwater, unless each hazardous substance detected has an associated 15A NCAC Subchapter 2L groundwater standard and the concentration is below such standard;
- I. the quantity of each hazardous waste or hazardous constituent disposed on the property (if known) appearing in a Notes section on the plat;
- J. a list of hazardous wastes or hazardous constituents known to be present in each environmental medium (soil, groundwater, surface water, and sediment) appearing in a Notes section on the plat;
- K. the following language: "The areas and type of contamination depicted upon the map are approximations derived from the best available information at the time of filing." appearing in a Notes section on the plat;
- L. owner acknowledgement consisting of the printed name(s), title(s) and properly notarized [using a permanent ink stamp] signature(s) [signature(s) made in indelible ink] of individual(s) with authority to legally bind the property owner(s);
- M. if the Notice is being recorded in conjunction with the recordation of a Declaration of Perpetual Land Use Restrictions document the following language: "A Declaration of Perpetual Land Use Restrictions, limiting the uses of this property, is recorded at Book\_\_\_\_\_ Page\_\_\_\_\_."

N. the following instructional language (as shown in quotes below):

“When this property or any part of it is sold, leased, conveyed or transferred, N.C.G.S. § 143B-279.10(e) requires that the following language be placed in the description section of the deed or other instrument of transfer in no smaller type than that used in the body of the deed:

This property is a contaminated site. A Notice of Contaminated Site is recorded in the (fill in) County Register of Deed’s office at Book (fill in), Page (fill in). Questions concerning this matter may be directed to the North Carolina Division of Waste Management, Hazardous Waste Section, 1646 Mail Service Center, Raleigh, NC 27699-1646.”;

O. the following language positioned in the upper left corner of the plat

"Approved for the purposes of N.C.G.S. § 143B-279.10.

\_\_\_\_\_  
Dexter Matthews, Director  
Division of Waste Management

**NORTH CAROLINA  
WAKE COUNTY**

I, \_\_\_\_\_, a Notary Public of said County and State, do hereby certify that \_\_\_\_\_ did personally appear and sign before me this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public (signature)

(official seal)

My commission expires \_\_\_\_\_, \_\_\_\_\_.”; and

P. the surveyor's certification and seal (using a permanent ink stamp) which includes, but not limited to, specification of the source of information for the plat, the ratio of precision, and the type of survey pursuant to N.C.G.S. § 47-30 (f)(11).

3. The Notice must be sent to your contact person in the Hazardous Waste Section at the address below (Do Not Fold Document):

NC Division of Waste Management  
Hazardous Waste Section  
Facility Management Branch  
1646 Mail Service Center  
Raleigh, NC 27699-1646

4. After the Department approves and certifies the Notice, you must, within fifteen (15) days of receiving said approval:
  - A. file a certified copy of the Notice in the county Register of Deeds' office; and
  - B. send to the State contact person, addressed as required above, a certified copy of the Notice affixed with the seal of the Register of Deeds and reflecting the book and page number where recorded and a copy of the page in the grantor index where the Notice is referenced.

**Important: If the Notice is being recorded in conjunction with recordation of a Declaration of Perpetual Land Use Restrictions (DPLUR) document, these documents must be recorded as follows: The DPLUR must be recorded first and assigned book and page numbers. The book and page numbers where the DPLUR is recorded must be hand written in the designated blanks on the Notice prior to the Notice being recorded.**

5. When the property or any part of it is sold, leased, conveyed or transferred, N.C.G.S. § 143B-279.10(e) requires that you place the following language in the description section of the deed or other instrument of transfer in no smaller type than that used in the body of the deed:

"This property is a contaminated site. A Notice of Contaminated Site is recorded in the (fill in) County Register of Deed's office at Book (fill in), Page (fill in). Questions concerning this matter may be directed to the North Carolina Division of Waste Management, Hazardous Waste Section, 1646 Mail Service Center, Raleigh, NC 27699-1646."