

Stuart, Elizabeth A

From: Dan Morrill <danmorrill2@gmail.com>
Sent: Tuesday, March 5, 2019 10:40 AM
To: Stuart, Elizabeth A
Subject: [External]Fwd: Kelly-HLC

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From: <sandy.dblaw@gmail.com>
Date: Tue, Mar 5, 2019 at 10:18 AM
Subject: RE: Kelly-HLC
To: Ben Hervey <ben@herveyandhervey.com>
CC: HAROLD LEONARD Norman, Jr <lennorman@ymail.com>, Tom Egan <tom@missionprop.com>, Dan Morrill <danmorrill2@gmail.com>

Ben we would need a no action letter without any type of deed restrictions. I will pass this email along to the Project Comm. They meet tonight and may be able to take this matter up at that time.

Prosser D. (Sandy) Carnegie

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Prosser D. "Sandy" Carnegie
Davidson Business Law

(704) 507-7791 Work
sandy.dblaw@gmail.com

PO Box 363
Davidson, NC 28036
www.davidsonbusinesslaw.com

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From: Ben Hervey <ben@herveyandhervey.com>
Sent: Tuesday, March 5, 2019 9:57 AM
To: sandy.dblaw@gmail.com
Cc: dlwkelly@bellsouth.net; blackdogkelly@gmail.com
Subject: Re: Kelly-HLC

Sandy,

After the HLC's agreement to accept a no further action letter, Dave has developed the proposed approach for moving forward:

Take this matter to the Inactive Hazardous Sites Branch (IHSB), and get the site closed in place with some deed restrictions. We would approach them as this not being a reportable incident.

There are two issues from the previous Phase II which we need to deal with on the IHSB approach. One issue is that the previous consultant identified metals as a concern, while the second issue is the potential for soil vapor intrusion which they identified. Our approach is as follows and would need everyone's permission.

1. We contact the previous consultant and discuss with them the metals and soil vapor intrusion with the goal of getting them to change their report. The consultant for the Phase II did not have data on metals in the background soil. As such, we would ask them and work with them to collect background data so they can modify their report with respect to the metals and hopefully eliminate this as an issue.

We would like them to collect the additional samples so they are invested in modifying their reports.

2. We would also ask them to modify their report with respect to the soil vapor intrusion because they had no data indicating a release of chemical substances. They may want to collect some additional data for this.
3. We then take their revised report, include our interpretation of the data, and meet with IHSB personnel to request a letter of no further action.
4. If the previous consultant does not want to be involved or change their reports, then we will collect the background samples and take their data and prepare our own evaluation report for the IHSB.

Dave needs permission to discuss all of this with the previous consultant. If the HLC is still in agreement with this approach, can you please get their authorization for Dave to contact them?

We also need to discuss who will pay for the additional sampling.

Thanks,

Ben



Benjamin H. Hervey

Hervey & Hervey, P.A.

[1151 Executive Circle, Suite 102](#)

[Cary, North Carolina 27511](#)

DD: 919.467.9076

F: 919.467.9013

E: ben@herveyandhervey.com

<http://www.herveyandhervey.com>

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