

15A NCAC 02L .0505 REQUIREMENTS FOR LIMITED SITE ASSESSMENT

(a) If the required showing cannot be made by the responsible party under Rule .0504 of this Section, the responsible party shall submit within 120 days of the discovery of the discharge or release, a report as required in Rule .0504 of this Section, containing information needed by the Department to classify the level of risk to human health and the environment posed by a discharge or release under Rule .0506 of this Section.

(b) The responsible party may submit a written request an extension to the 120 day deadline set forth in Paragraph (a) of this Rule to the Department for the Department's consideration prior to the deadline. The request for deadline extension by the responsible party shall demonstrate that the extension, if granted by the Department, would not increase the risk posed by the release. When considering a request from a responsible party for additional time to submit the report, the Department shall consider the following:

- (1) the extent to which the request for additional time is due to factors outside of the control of the responsible party;
- (2) the previous history of the person submitting the report in complying with deadlines established under the Commission's rules;
- (3) the technical complications associated with assessing the extent of contamination at the site or identifying potential receptors; and
- (4) the necessity for action to eliminate an imminent threat to public health or the environment.

(c) The report shall include:

- (1) a location map, based on a USGS topographic map, showing the radius of 1500 feet from the source area of a confirmed release or discharge and depicting all water supply wells, surface waters, and designated "wellhead protection areas" as defined in 42 U.S.C. 300h-7(e) within the 1500-foot radius. 42 U.S.C. 300h-7(e), is incorporated by reference including subsequent amendments and editions. Copies may be obtained at no cost from the U.S. Government Bookstore's website at <http://www.gpo.gov/fdsys/pkg/USCODE-2010-title42/html/USCODE-2010-title42-chap6A-subchapXII-partC-sec300h-7.htm>. The material is available for inspection at the Department of Environmental Quality, UST Section, 217 West Jones Street, Raleigh, NC 27603. For purposes of this Section, "source area" means point of release or discharge from the non-UST petroleum source, or if the point of release cannot be determined precisely, "source area" means the area of highest contaminant concentrations;
- (2) a determination of whether the source area of the discharge or release is within a designated "wellhead protection area" as defined in 42 U.S.C. 300h-7(e);
- (3) if the discharge or release is in the Coastal Plain physiographic region as designated on a map entitled "Geology of North Carolina" published by the Department in 1985, incorporated by reference including subsequent amendments or editions and may be obtained electronically free of charge from the Department's website at <https://deq.nc.gov/about/divisions/energy-mineral-land-resources/north-carolina-geological-survey/negs-maps/1985-geologic-map-of-nc>, a determination of whether the source area of the discharge or release is located in an area in which there is recharge to an unconfined or semi-confined deeper aquifer that is being used or may be used as a source of drinking water;
- (4) a determination of whether vapors from the discharge or release pose a threat of explosion due to the accumulation of vapors in a confined space; pose a risk to public health from exposure; or pose any other threat to public health, public safety, or the environment;
- (5) scaled site maps showing the location of the following that are on or adjacent to the property where the source is located:
 - (A) site boundaries;
 - (B) roads;
 - (C) buildings;
 - (D) basements;
 - (E) floor and storm drains;
 - (F) subsurface utilities;
 - (G) septic tanks and leach fields;
 - (H) underground and aboveground storage tank systems;
 - (I) monitoring wells;
 - (J) water supply wells;
 - (K) surface water bodies and other drainage features;
 - (L) borings; and

- (M) the sampling points;
- (6) the results from a limited site assessment that shall include the following actions:
 - (A) determine the presence, the lateral and vertical extent, and the maximum concentration levels of soil and, if possible, groundwater contamination and free product accumulations;
 - (B) install monitoring wells constructed in accordance with 15A NCAC 02C .0108 within the area of maximum soil or groundwater contamination to determine the groundwater flow direction and maximum concentrations of dissolved groundwater contaminants or accumulations of free product. During well construction, the responsible party shall collect and analyze soil samples that represent the suspected highest contaminant-level locations by exhibiting visible contamination or elevated levels of volatile organic compounds from successive locations at five-foot depth intervals in the boreholes of each monitoring well within the unsaturated zone; collect potentiometric data from each monitoring well; and collect and analyze groundwater or measure the amount of free product, if present, in each monitoring well;
- (7) the availability of public water supplies and the identification of properties served by the public water supplies within 1500 feet of the source area of a confirmed discharge or release;
- (8) the land use, including zoning if applicable, within 1500 feet of the source area of a confirmed discharge or release;
- (9) a discussion of site-specific conditions or possible actions that may result in lowering the risk classification assigned to the release. Such discussion shall be based on information known or required to be obtained under this Item; and
- (10) names and current addresses of all responsible parties for all petroleum sources for which a discharge or release is confirmed, the owners of the land upon which such petroleum sources are located, and all potentially affected real property owners. Documentation of ownership of ASTs or other sources and of the property upon which a source is located shall be provided.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.84; 143-215.104AA; 143B-282;
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