North Carolina Department of Environment and Natural Resources
Division of Waste Management
Superfund Section
Inactive Hazardous Sites Branch

Chapter 130A, Article 9, Part 3 of the North Carolina General Statutes establishes a program for protection of the public from inactive hazardous substance or waste disposal sites. The program provides for the identification, evaluation, and cleanup of any site contaminated with hazardous substances that might pose a threat to public health or the environment. The Department of Environment and Natural Resources' Division of Waste Management is responsible for implementing this program.

By state law, within 90 days of the date on which an owner, operator, or responsible party knows or should know of the existence of an inactive hazardous substance or waste disposal site, the owner, operator, or responsible party must submit to the Division all site data that is known or readily available to the owner, operator, or responsible party. Please refer to the General Instructions to determine if you must notify.

Any person who has information concerning a possible inactive hazardous substance or waste disposal site is also encouraged to fill out the notification form. If you have any questions regarding the notification process, please contact the Inactive Hazardous Sites Branch at (919) 707-8200. Thank you for your cooperation.

Any person subject to the notification requirements set out in North Carolina General Statutes 130A-310.1(b) shall complete and submit a site notification form to:

Inactive Hazardous Sites Branch Head
N.C. Division of Waste Management
217 West Jones Street
Raleigh, NC 27603

NOTIFICATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE

GENERAL INSTRUCTIONS

WHO MUST NOTIFY

Each owner, operator, or responsible party is required to notify the Inactive Hazardous Sites Branch (Branch) within 90 days of discovery of each inactive hazardous substance or waste disposal site. The form must be completed to comply with notification requirements. The following persons MUST NOTIFY the Branch of the existence of an inactive hazardous substance or waste disposal site regardless of whether such notification is solicited by the Branch:

- ❑ Any person who previously owned or operated a site where a hazardous substance or waste was treated, stored or disposed.
- ❑ Any person who presently owns or operates a site where a hazardous substance or waste was treated, stored or disposed.
- ❑ Any person who discharged or deposited, who contracted or arranged for discharges or deposits, or who accepted for discharge or deposit any hazardous substance or waste at an inactive hazardous substance or waste disposal site.
- ❑ Any person who transported or arranged for transport for the purpose of discharge or deposit of any hazardous substance or waste at an inactive hazardous substance or waste disposal site.

Additionally, persons, so solicited by the Branch, MUST COMPLETE THE FORM and supply all site data in their possession regarding: (1) the nature and extent of any release, or threatened release, of a hazardous substance or hazardous waste; and (2) the identification, nature and quantity of materials in question that have been or are generated, treated, stored, or disposed of at an inactive hazardous substance or waste disposal site or that is transported to such a site.

Persons required to notify include individuals, and private, public, and government entities.

WHO IS NOT REQUIRED TO NOTIFY

An owner, operator or responsible party is NOT REQUIRED to notify if:

- ❑ The site is a hazardous waste facility currently operating under a Part B permit under RCRA.
- ❑ The site is a hazardous waste facility currently operating in interim status under RCRA.

HAZARDOUS SUBSTANCE OR WASTE SUBJECT TO NOTIFICATION

All releases of hazardous substances or material containing hazardous substances, regardless of quantity or concentration, are subject to this notification requirement. Hazardous substances are defined by Section 101(14) of CERCLA, 42 USC Section 9601(14).

WASTE THAT IS NOT SUBJECT TO NOTIFICATION

The following wastes are not subject to notification under North Carolina General Statutes Section 130A-310.1:

- ❑ Petroleum, including crude oil or any fraction thereof, which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (A) through (F) of CERCLA Section 101(14).
- ❑ Natural gas, natural gas liquids, liquified natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).

WHEN TO FILE

The notification of an inactive hazardous substance or waste disposal site must be submitted **within 90 days** of the date on which an owner, operator, or responsible party knows or should have known of the existence of such a site.

WHERE TO FILE

Notification should be sent to: Inactive Hazardous Sites Branch Head

Superfund Section
NC Division of Waste Management
217 West Jones Street
Raleigh, NC 27603

For additional information, contact:

Superfund Section (919) 707-8200
Monday-Friday 8:00AM-5:00PM

AVAILABILITY OF INFORMATION TO THE PUBLIC

Information submitted in a "Notification of an Inactive Hazardous Substance or Waste Disposal Site" will be made available to the public for inspection and review, to the extent provided by the North Carolina Public Records Act. Any claim of confidentiality must be substantiated in writing. The North Carolina Department of Environment and Natural Resources will take action on any claim of confidentiality in accordance with the North Carolina General Statutes.

DEFINITIONS

CERCLA: The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Pub. L. 96-510.94. Stat. 2767, 42 USC 9601 *et.seq.*, as amended.

DISPOSAL: The discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste, hazardous substance or hazardous waste into or on any land or water so that the solid waste, hazardous substance, hazardous waste, or any constituent thereof, may enter the environment, be emitted into the air, or discharged into any waters, including groundwaters.

FACILITY: (A) any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft; or (B) any site or area where a hazardous substance or waste has been deposited, stored, disposed of, placed, or otherwise come to be located.

HAZARDOUS SUBSTANCE: Any element, compound, mixture, solution, or substance designated as a hazardous substance by CERCLA/SARA.

HAZARDOUS WASTE: Waste listed or identified as hazardous pursuant to 40 CFR, Part 261, codified at 15A NCAC 13A .0006.

INACTIVE HAZARDOUS SUBSTANCE or ***WASTE DISPOSAL SITE (SITE)***: Any facility as defined in CERCLA/SARA. Such sites do not include hazardous waste facilities that are permitted or in interim status under RCRA (42 USC Section 6901 *et.seq.*).

INTERIM STATUS: RCRA status authorized under Section 3005(e) or RCRA [42 USC Section 6925(e)] and granted by the State of North Carolina after a RCRA Part A permit application is filed, but before approval of the final RCRA Part B permit.

RCRA: The Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976.

RESPONSIBLE PARTY: Any person who (1) discharges or deposits; (2) contracts or arranges for any discharge or deposit; (3) transports or arranges for transport for the purpose of discharge or deposit; or (4) accepts for discharge or deposit any hazardous substance, the result of which discharge or deposit is the existence of an inactive hazardous substance or waste disposal site.

None of the following are responsible parties: (1) an innocent landowner who is a bona fide purchaser of an inactive hazardous substance or waste disposal site without knowledge or without reasonable basis for knowing that hazardous substance or waste disposal had occurred, or (2) a person whose interest or ownership in the inactive hazardous substance or waste disposal site is based on or derived from a security interest in the property.

SARA: The Superfund Amendments and Reauthorization Act of 1986, Pub. L 99-499, 100 Stat. 1613, 42 USC Section 9601 *et.seq*. as amended.

SURFACE IMPOUNDMENT or ***IMPOUNDMENT***: A facility or part of a facility which is a natural topographic depression, manmade excavation, or diked area formed primarily of earthen materials (although it may be lined with manmade materials), which is designed to hold an accumulation of sludges, liquid wastes, or wastes containing free liquids, and which is not an injection well. Examples of surface impoundments are holding, storage, settling and aeration pits, ponds and lagoons.

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NOTIFICATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE

Please read instructions before completing and type or print in black ink.

I. SITE NAME AND LOCATION:

Site Name (one site per form) _____
Location (street address) _____
City _____ US EPA ID# (if known) _____
County _____
Directions to Site _____

Attach a USGS topographic map or map of equal or reasonably similar scale (1 inch = 2000 ft.) showing the location and vicinity of the site or facility. Label map with the site name.

II. PERSON COMPLETING FORM:

Name _____
Mailing Address _____
City _____ State _____ Zip Code _____
Telephone (____) _____

Present Owner ____
Past Owner ____
Present Operator ____
Past Operator ____
Other ____
(*specify*) _____

III. PRESENT OWNER:

Individual Owner or Company Name _____
Executive Officer _____
Mailing Address _____
City _____ State _____ Zip Code _____
Telephone (___) _____

Corporation ____
Partnership ____
Individual ____
Government Unit ____
Other ____
(*specify*) _____

IV. CURRENT SITE USE:

Check the item or items which describe the current use of the site.

Residential	____	Forest Land	____	Retirement Home	____
Business	____	Farm Land	____	Other	____
Industrial	____	School/Day Care	____	*(specify)*_____	
Pasture Land	____	Hospital	____	_____	

V. ON-SITE RESIDENTS:

Are there any on-site residents? ____ Yes ____ No
Number of children (# 6 years old) living on site _____ Number of adults _____

VI. SURROUNDING PROPERTY USE:

Check the appropriate description of the area surrounding the site. (*More than one may apply.*)

Residential	____	Forest Land	____	Retirement Home	____
Business	____	Farm Land	____	Other	____
Industrial	____	School/Day Care	____	*(Specify)*_____	
Pasture Land	____	Hospital	____	_____	

VII. Site Operations (*More than one may apply.*):

	Current	Previous
1. Mining	____	____
2. Paper and wood production	____	____
3. Textiles	____	____
4. Fertilizer	____	____
5. Printing/painting	____	____
6. Leather tanning	____	____
7. Iron/steel foundry	____	____
8. Chemical, general	____	____
9. Plating/polishing	____	____
10. Military/ammunition	____	____
11. Firing range	____	____
12. Rubber/plastics	____	____
13. Utility companies/transformers	____	____
14. Sanitary/refuse	____	____
15. Photo finishing	____	____
16. Lab/hospital	____	____
17. Wood treating	____	____
18. Battery reclamation	____	____
19. Pesticides formulation, packaging and/or distribution	____	____
20. Herbicide formulation, packaging and/or distribution	____	____
21. Other agrichemical formulation, packaging and/or distribution	____	____
22. Dry cleaning	____	____
23. Petrochemical processing or refining	____	____
24. Furniture manufacturing or finishing	____	____
25. Drum reconditioning	____	____
26. Unknown	____	____
27. Other (*specify*) _____	____	____

VIII. ENVIRONMENTAL PERMITS:

List all previous and current environmental permits below.

Type of Permit (*e.g. landfill, nondischarge, etc.*)	Past Present (*circle one*)	Permit Number	Date Issued	Issuing Agency
	Past Present			
	Past Present			
	Past Present			
	Past Present			
	Past Present			
	Past Present			
	Past Present			

IX. KNOWN OR SUSPECTED RELEASES OF HAZARDOUS SUBSTANCES OR WASTE TO THE ENVIRONMENT:

List all on-site spills, disposals and other releases of hazardous substances or materials containing hazardous substances.

Material/ Chemical Released (*Known and suspected*)	Physical State of Material (*Use codes below*)	Approx. Volume Released	Date of Release	Suspected Contaminants (*Use codes below*)	Source of Release (*e.g. tank, buried drums, landfill, product spill, etc.*)	Known or Suspected Contamination			
						Ground water	Surface Water	Sediment	Soil
						<Enter "K" if Known and "S" if Suspected >			

Physical State Codes

G - Containerized Gas
L - Liquid
S - Solid/Powder
Sl - Sludge

Codes for Suspected Contaminants

A - Acids
Ab - Asbestos
Am - Ammonia
B - Bases
C - Cyanide
D - Dioxins
M - Metals
Mu - Mixed Municipal Waste
O - Organic Chemicals
P - PCBs
Pe - Petroleum Products
Ps - Pesticides
W - Waste Oil

X. TOTAL AREA OF ALL DISPOSALS, SPILLS, OR RELEASES OF HAZARDOUS SUBSTANCES OR WASTE:

____ less than 1 acre
____ 1 acre or more, but less than 5 acres
____ 5 acres or more, but less than 10 acres
____ 10 acres or more
____ Unknown

XI. AVAILABILITY OF ENVIRONMENTAL ANALYTICAL DATA:

Do any environmental reports or laboratory analytical data exist for the site? ____ Yes ____ No
If yes, attach reports or data to this form.

XII. IDENTIFY WHETHER ANY OF THE FOLLOWING ARE PRESENT OR WERE PRESENT IN THE PAST AT THE SITE (*More than one may apply.*):

____	Debris pile(s)	____	Tank(s) above ground	____	Spill(s)
____	Land treatment of sludges	____	Septic tank(s)	____	Wastewater lagoon(s)
____	Landfill(s) or buried waste	____	Surface impoundment(s)	____	Drum(s)
____	Tank(s) underground	____	Underground injection of waste		

____ Other (*specify*) _____

XIII. ACCESSIBILITY OF SITE (*More than one may apply.*):

____ 24-hour security guard
____ Security guard < 24-hour/day
____ Physical barrier (steep bank, creek, walls, etc.)
Describe physical barriers _____
_____

____ Site completely surrounded by fence
____ Site partially surrounded by fence
____ Locked gate
____ Unlocked gate
____ No control of access to site
____ Other (*specify*) _____

XIV. WATER SUPPLY SOURCES:

Identify whether the following are present on site or on adjacent property.

	Present on site		Present on Adjacent Property	
	Yes	No	Yes	No
Spring	____	____	____	____
Well	____	____	____	____
Surface Water Intake	____	____	____	____

XV. SITE SURFACE WATER:

Indicate whether any surface water bodies (e.g. streams and lakes) exist on the site or the property adjacent to the site.

_____
_____
_____
_____
_____

XVI. CERTIFICATION AND SIGNATURE:

I certify that to the best of my knowledge and belief, the information supplied on this form is complete and accurate.

Signature _____ Date _____

Name and Title (*Type or print*) _____

Mailing Address _____

_____

_____ STATE

_____ COUNTY

I, _____, a Notary Public for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the _____ day of _____, _____.

(*Official Seal*)

_____
Notary Public

My commission expires _____, _____.