

Department of Health and Environmental Control
DHEC-Bureau of Land and Waste Management, File # 58513
NorthPointe OS Site

January 27, 2018

**NOTICE OF VOLUNTARY CLEANUP CONTRACT,
CONTRIBUTION PROTECTION, AND COMMENT PERIOD**

PLEASE TAKE NOTICE that the South Carolina Department of Health and Environmental Control (the Department) intends to enter into a Voluntary Cleanup Contract (VCC) with NorthPointe OS, LLC and Greenville-NorthPointe Associates, LLC (the Respondents). The VCC provides that the Respondents, with DHEC's oversight, will fund and perform future response actions at the Property located in Greenville County, at 405 East Stone Avenue, Greenville, South Carolina (Site).

Future response actions addressed in the VCC include, but may not be limited to, the Respondents funding and performing a Remedial Investigation to determine the source, nature, and extent of release of hazardous substances, pollutants, or contaminants and, if necessary, a Feasibility Study to evaluate alternatives to clean-up the Site. Further, the Respondents will reimburse the Department's future costs of overseeing the work performed by the Respondents and other Department response costs pursuant to the VCC.

The VCC is subject to a thirty-day public comment period consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. Section 9613, and the South Carolina Hazardous Waste Management Act (HWMA), S.C. Code Ann. Section 44-56-200 (as amended). Notice of Contribution Protection and Comment Period will be provided to known potentially responsible parties. The VCC is available:

- (1) On-line at <http://www.scdhec.gov/PublicNotices>; or
- (2) By contacting David Wilkie at 803-898-0882 or wilkietd@dhec.sc.gov.

Any comments to the proposed VCC must be submitted in writing, postmarked no later February 26, 2018 and addressed to: David Wilkie, DHEC-BLWM-SARR, 2600 Bull Street, Columbia, SC 29201.

Upon the successful completion of the VCC, the Respondents will receive a covenant not to sue for the work done in completing the response actions specifically covered in the VCC and completed in accordance with the approved work plans and reports. Upon execution of the VCC, the Respondents shall be deemed to have resolved its liability to the State in an administrative settlement for purposes of, and to the extent authorized under CERCLA, 42 U.S.C. Sections 9613(f)(2) and 9613(f)(3)(B), and under HWMA, S.C. Code Ann. Section 44-56-200, for the matters addressed in the VCC. Further, to the extent authorized under 42 U.S.C. Section 9613(f)(3)(B), S.C. Code Ann. Section 44-56-200, the Respondents may seek contribution from any person who is not a party to this administrative settlement.