



Article #: 92148969009997901420857936

January 5, 2022

Certified Mail

Mr. Edwin Underwood, President/COO
Marsh Furniture Company, Inc.
PO Box 870
High Point, NC 27261-0870

**Re: Amendment to Voluntary Cleanup Contract
Marsh Lumber Site; Florence County**

Dear Mr. Underwood:

Please find enclosed a Certified as True and Correct Copy of the Amendment to Responsible Party Voluntary Cleanup Contract 16-5858-RP which was executed by the Department on January 5, 2022.

Thank you for your patience and cooperation in this matter. The Department continues to look forward to working with Marsh Furniture Company, Inc. to address this Site under the South Carolina Voluntary Cleanup Program. Should you wish to further discuss the terms of the Amendment, please contact Lucas Berresford at (803) 898-0747.

Sincerely,

A handwritten signature in blue ink that reads "Elisa Vincent". The signature is written in a cursive, flowing style.

Elisa Vincent, Environmental Health Manager
Division of Site Assessment, Remediation & Revitalization
Bureau of Land and Waste Management

Enclosure

cc: G. Ken Taylor, PG, L&WM (w/ enclosure)
J. Lucas Berresford, L&WM (w/ enclosure)
Leigh Plummer, Director, Pee Dee EQC (w/ enclosure)
Kim Kuhn/Shawn Reed/Linda Jackson, L&WM (w/ enclosure)
BLWM File 414343

FIRST AMENDMENT TO VOLUNTARY CLEANUP CONTRACT

16-5858-RP

**IN THE MATTER OF
MARSH LUMBER SITE,
FLORENCE COUNTY**

AND

MARSH FURNITURE COMPANY, INC.

WHEREAS, on July 28, 2016, Marsh Lumber Company (Marsh) and the South Carolina Department of Health and Environmental Control (Department) entered into Voluntary Cleanup Contract 16-5858-RP (VCC), with respect to the Marsh Lumber Site located at 119 West Sixth Avenue, Pamplico, South Carolina (Site)

WHEREAS, the VCC provides that Marsh Lumber Company submit for approval a Feasibility Study (FS) to evaluate remedial alternatives and potential risks to human health that may be posed by existing contamination at the Site;

WHEREAS, Marsh submitted the Revised Feasibility Study (FS) on November 9, 2020. The Revised FS was approved by the Department on December 23, 2020.

WHEREAS, the Department issued a Proposed Plan on September 9, 2021, and had a public comment period open from September 9, 2021 until October 9, 2021; and

WHEREAS, on December 2, 2021, the Department signed a Record of Decision (ROD) for the Site. The ROD included the Department's selected remedy for the contaminated soil and groundwater at the Site.

NOW, THEREFORE, IT IS AGREED that VCC 16-5858-RP shall be amended as follows:

(1) The ROD is incorporated by reference and shall be added as part of the VCC.

(2) The following requirements shall be added:

- a. Within one-hundred eighty (180) days of the execution of this Amendment to the VCC, Marsh shall submit to the Department for approval a Remedial Design/Remedial Action Work Plan (RD/RA Work Plan) for operating an air sparging system in the remaining source area at the Site. The RD/RA Work Plan shall include the following:
 - (1) final design plans and specifications;
 - (2) construction quality assurance requirements and procedures;
 - (3) schedule for implementation and completion of the Remedial Action;
 - (4) methods for satisfying permitting requirements;
 - (5) contingency measures and their implementation; and
 - (6) standard performance criteria and proposed actions should the criteria not be met;;
- b. The Department will review the RD/RA Work Plan and notify Marsh in writing of any deficiencies in the RD/RA Work Plan;
- c. Any comments generated through the Department's review of the RD/RA Work Plan must be addressed in writing to the Department's Project Manager within thirty (30) days of receipt of said comments by Marsh;
- d. Upon Department approval of the RD/RA Work Plan and the time schedule for implementation thereof, the RD/RA Work Plan and schedule shall be incorporated herein and become an enforceable part of the VCC;
- e. Marsh shall begin to implement the remedy within thirty (30) days of the Department's approval of the RD/RA Work Plan and thereafter take all necessary and reasonable steps to ensure timely completion of the remedy;

- f. Within sixty (60) days after implementation of the remedy, a Long-Term Monitoring (LTM) Plan will be prepared by Marsh and submitted to the Department for review. Any comments generated through the Department's review of the LTM Plan will be addressed in writing to the Department's Project Manager within thirty (30) days of receipt of said comments by Marsh;
- g. Within sixty (60) days of the completion of installation of remedial activities, Marsh shall submit to the Department's Project Manager a written Remedial Design/Remedial Action Report. This report shall provide a detailed description of the remedial activities taken, including any analytical results, volumes of waste removed, manifests, etc. The Department shall review the report for determination of completion of the remedial activities and sufficiency of the documentation within a reasonable period of time. If the Department determines that the remedial activities are not completed in accordance with the approved RD/RA Work Plan, Marsh shall take all necessary and reasonable actions to complete the remedial measures within the time specified by the Department. In the alternative, if the documentation contained in the Remedial Action Report as submitted by Marsh is not approved, Marsh shall submit a revised report to the Department's Project Manager, which addresses the comments in the Department's letter, within thirty (30) days after receipt of the Department's disapproval letter; and
- h. Marsh's obligation to submit quarterly progress reports pursuant to Paragraph 6 of the VCC shall be continued and may be reduced to such other frequency set forth in the LTM Plan approved by the Department.

FURTHER IT IS AGREED that this Amendment in no way is intended to or does affect VCC 16-5858-RP except as specifically provided herein and such VCC remains in full force and

THIS IS CERTIFIED AS A TRUE
AND CORRECT COPY

SIGNATURE C. Vincent

effect subject to this Amendment.

THIS IS CERTIFIED AS A TRUE
AND CORRECT COPY

SIGNATURE C. Vincent

**FOR THE SOUTH CAROLINA DEPARTMENT
OF HEALTH AND ENVIRONMENTAL CONTROL**

[Signature]

DATE: 1-5-2022

Henry J. Porter, Chief
Bureau of Land and Waste Management
Environmental Quality Control

[Signature]

DATE: 1/4/22

Reviewed by Office of General Counsel

MARSH FURNITURE COMPANY, INC.

[Signature]

DATE: 12/22/21

Signature

EDWIN UNDERWOOD Pres/COO

Printed Name and Title