

15A NCAC 13C .0205 DIRECT CONTACT

(a) A direct contact score shall be determined by adding the score for residential population determined in Paragraph (b), and the score for nearby population determined in Paragraph (c), and dividing the result by 18.

(b) A score for residential population shall be determined by multiplying the value for toxicity assigned in Subparagraph (b)(1) by the value for targets assigned in Subparagraph (b)(2).

- (1) A value for toxicity shall be assigned by multiplying by three the value for toxicity as assigned in Rule .0202(d)(1) of this Section.
- (2) A value for residential targets shall be assigned by adding the value for high risk population assigned in Subparagraph (b)(2)(A) and the value for total resident population assigned in Subparagraph (b)(2)(B) and the value for sensitive environment assigned in Subparagraph (b)(2)(C), with a maximum value of 100. In order to evaluate residential targets, there must be confirmed contamination within the property boundaries of a residence or school or day-care center, or within the boundaries of a sensitive environment.
 - (A) A value for high risk population shall be assigned by multiplying the resident children, age six and under, by eight.
 - (B) A value for total resident population shall be assigned by multiplying the total resident population by two.
 - (C) A value for sensitive environments shall be assigned using Table 10.

Table 10

Sensitive Environment	Assigned Value
Critical habitat for federally designated endangered or threatened species	25
National park	25
Designated federal wilderness area habitat known to be used by federally designated (or proposed) threatened or endangered species	20
National preserve	20
National or State wildlife refuge	20
Federal land designated for protection of natural ecosystems	20
Administration proposed federal wilderness area	20
Habitat known to be used by State-designated endangered or threatened species	15
Habitat known to be used by species under review as to its federally designated threatened and endangered status	15
State lands designated for wildlife or game management	10

(c) A score for nearby population shall be determined by multiplying the value for likelihood of exposure assigned in Subparagraph (c)(1) by the value for toxicity assigned in Subparagraph (c)(2) and multiplying that result by the value for nearby targets assigned in Subparagraph (c)(3). The nearby population consists of individuals who live or go to school within one mile of an area containing contaminated soils or wastes.

- (1) A value for likelihood of exposure shall be assigned by using the area of contamination value assigned in Table 11 and the accessibility/frequency of use value assigned in Table 12 to arrive at the value assigned in Table 13.

Table 11

Total Area of Contamination	Assigned Value
No contamination	0
< 1 acre	25

> 1 acre to 5 acres	50
> 5 acres to 10 acres	75
> 10 acres	100

Table 12

Accessibility/Frequency of Use	Assigned Value
Observed contamination on residential property or on property of a park, playground, school, or other area designated for use by the public.	100
Observed contamination on land with no continuous barrier to entry, a barrier that has been breached; or land where there are clear indications of human activity (i.e., footprints).	75
Observed contamination on land either protected by a continuous and effective barriers to entry, or monitored by 24-hour surveillance.	50
Observed contamination on land protected by a continuous and effective barrier to entry and 24-hour surveillance.	25
Presence of an artificial barrier and a natural barrier that combine to restrict access to hazardous substances by completely surrounding the facility; and a means to control entry, at all times, through gates or other entrances to the facility.	5

- (2) A value for toxicity shall be assigned by multiplying by three the value for toxicity as assigned in Rule .0202(d)(1) of this Section.
- (3) A value for nearby targets shall be assigned by multiplying the population within 1/2 mile of the site by 0.1, and adding the result of multiplying 0.05 by the population between 1/2 and 1 mile of the site, with a maximum total value of 100.

Table 13

Area of Contamination Value	Accessibility/Frequency of Use Value				
	100	75	50	25	5
100	1	1	0.75	0.5	0.25
75	1	0.75	0.5	0.25	0.1
50	0.75	0.5	0.25	0.1	0
25	0.5	0.25	0.1	0	0
No Confirmed Contamination	0	0	0	0	0

History Note: Authority G.S. 130A-310.2; 130A-310.12; Eff. June 1, 1989; Amended Eff. September 1, 1990; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 24, 2017.