

Dayco - WNC
Shopping Center
080130444
10/2012

Attachments to Land Use Restriction Update – WNC Shopping Center, LLC
Dated October 18, 2012

Certification from TES Engineering and Shultz Engineering Group regarding the
mechanical ventilation system

S&ME's Soil Management Report Dated 10/2/12



Shultz Engineering Group
212 North McDowell Street
Suite 204
Charlotte, NC 28204

PO Box 37008, Charlotte, NC 28237 • Phone: 704-334-7363 • Fax: 704-347-0093 • www.shultzeg.com • info@shultzeg.com

October 1, 2012

Matt Phillips
CBL & Associates Properties
CBL Center, Suite 500
2030 Hamilton Place Blvd.
Chattanooga, TN 37421

Subject: Belk Department Store – Waynesville Commons, Waynesville, NC

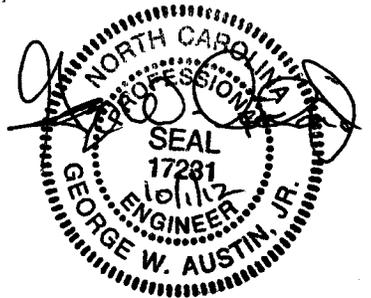
Mr. Phillips,

We as the engineer of record agree that the mechanical ventilation system installed complies with code.

Please call with any questions. Thank you!

SHULTZ ENGINEERING GROUP, P.C.

George W. (Billy) Austin, Jr., PE





October 2, 2012

Ms. Tracy Wahl
Brownfields Program Manager
NC Department of Environment and Natural Resources
339 New Leicester Highway, Suite 140
Asheville, North Carolina 28806

Transmitted via Electronic Mail and US Postal Service

Subject: Soil Management Report
Non-Belk Development Area at the Waynesville Commons
Waynesville, Haywood County, North Carolina
NCDENR Brownfields Project No. 08013-04-045
S&ME Project No. 1265-11-390



Dear Ms. Wahl:

Per the commitment made to the Department by the entities developing the northern portion of the Waynesville Commons Shopping Center regarding management of soil excavated during construction, please find herein documentation of such management for the development area not related to that performed for the Belk construction. Soil management related to the Belk construction has been reported previously in the report of July 12, 2012.

Background

The former Dayco Manufacturing Plant Site (the Site) has been under redevelopment in the Department's Brownfield Program via Brownfield Agreement (BFA) No. 08013-04-045 since 2005. The BFA was originally issued to the Haywood County Advancement Foundation, thence transferred to Waynesville Commons Retail Associates (WCRA), L.L.C. WCRA completed redevelopment of the approximate southern-half of the Site (via Wal-Mart, Best Buy and smaller specialty shops), leaving the approximate northern-half of the Site ready, but unrealized, for redevelopment. Subsequently, CBL & Associates Properties, Inc. (CBL) of Chattanooga, Tennessee acquired the northern portion of the Plant Site and transfer of the BFA.

The redevelopment of the northern-half of the Site comprises a Belk fashion department store, Michaels, PetSmart and over 11,000 square feet of specialty stores. Opening is scheduled for Fall 2012.

During CBL's consideration of acquisition of the undeveloped northern-half of the Site in 2011, a meeting was held at the Site with you, me, Mr. Matt Phillips of CBL and a representative from EMJ Corporation (EMJ) of Chattanooga, Tennessee to discuss BFA requirements and the Department's view on completion of the Site redevelopment. The meeting was very positive for completion of the redevelopment with a focus on the required need for:

- field observations for indications that conditions at this portion of the Site were different from those encountered in prior redevelopment work on the southern -half of the Site;
- workers in direct contact or potential direct contact with soil during excavation be properly-trained and certified under applicable Occupational Safety and Health Administration (OSHA) requirements;
- compliance with the BFA and the Site Environmental Protocol for Development (the Protocol) (updated by S&ME in June 2011 for redevelopment of the northern-half of the

Site) was discussed and confirmed as requirements for maintaining the BFA in-force; and,

- proper management of soil during excavation and that may result as excess in the course of excavation for building foundations, footer, utility chases, etc. Excess soil was considered to be that soil resulting from excavation, without then being used as backfill, for construction.

The Department confirmed to CBL and EMJ that such excess soil could either be-reused on-Site within the context of BFA requirements and limitations or be properly disposed of at an appropriate off-Site facility. Excess soil could not be re-used on, disposed of at or otherwise moved to any other site or location. The Department also required that excavation and soil management be observed by a qualified environmental professional and that a final report of those activities be submitted to the Department.

Accordingly:

- The purpose of this letter report is to provide documentation of such observation of the excavation outcome and excess soil disposition for the area associated with all development except the Belk store.
- A separate confirmatory Soil Management Report (July 12, 2012) has been previously submitted to the Department for the Belk construction.

Excess Soil Sourcing

Excess soil due to redevelopment of the northern-half of the Site came from four (4) source areas:

- Thin, vegetated top-cover of the original soil pad [to approximately one-half (0.5) foot below ground surface (ft. bgs)];
- The stormwater drainage system [up to approximately seven (7) ft. bgs];
- Foundations and footers [up to approximately four (4) ft. bgs]; and,
- Shallow [to approximately one (1.0) ft. bgs] and deeper [up to approximately seven (7) ft. bgs] utility chases.

Excess Soil Management Goal

The excess soil management goal for the vegetative cover and non-Belk development was to re-use/retain such soil on the Site.

Means and Methods

Visual inspection for discolored, oily, wet or otherwise non-natural Site-related cues was performed in the field on the excavated soil and on the walls and floors of the openings created by the excavations. Observations were also made for non-natural odors that may have been a cue for contaminated soil. These field observations were then documented to the Department in a weekly memorandum via electronic mail.

Soil excavation and movement/management was performed by sub-contractors to by EMJ.

The areas where soil was retained on the Site were documented with approximate coordinates using the Motorola Xoom tablet™ and Fulcrum App™ software. These data were then used to transfer the locations to Site schematics. Each location was also photodocumented.

Results

The excess soil resulting from excavation of the vegetative cover of the existing soil pad and for the non-Belk construction was managed properly by retention in four (4) areas on the Site as depicted on Figure 1. EMJ confirmed that their sub-contract workers associated with direct soil contact had received proper and documented OSHA health and safety training.

Field Observations

A review of the existing, visually-observable conditions of the northern portion of the Site, prior to commencement of any soil work, was made on August 26, 2011 (Annex A). Observations of the soil excavation of the covering vegetative cover and subsequent excavations for sub-grade structure installations at the non-Belk area were made during the period of September 30, 2011 through November 11, 2011; a small, final portion of soil management was performed during the week of April 17, 2012.

Visual and olfactory observations during and after the excavations did not present indications of contaminated soil from the non-Belk area excavations. No groundwater was encountered in the excavations. The weekly memoranda transmitting these observations are included herein under Annex B.

On-Site Management and Retention

Soil excavated from the non-Belk area was placed at four (4) locations in the northern portion of the northern-half of the Site, within the property boundary of the BFA-regulated redevelopment, as follows:

- S-1 – behind the stores [Plates 1 and 2 (all Plates in Annex C)]
- S-2a – northwestern corner (Plate 3)
- S-2b and S-3 – northern boundary (Plates 4 and 5, respectively)
- S-4 – northeastern corner (Plates 6-8)

Once the soil was placed in these locations, it was managed by proper stormwater controls at the onset. Once a soil area had been completed, new grass was sewn for permanent stabilization and aesthetics.

The Belk-area excess soil was kept segregated from and not co-mingled with the non-Belk area excess soil. Proper stormwater controls were employed around the staged, thence, retained and landscaped soil.

Regulatory Compliance

The management of excess soil from the non-Belk area excavations was observed to comply with the executed BFA and the Site Environmental Protocol.

Deviations

No deviations from the executed BFA, the Protocol or the scoped intent of the environmental observation overview were noted.

Conclusion

Based on:

- Soil excavation work was performed by properly-trained (OSHA) workers;
- No visual or odor characteristics or cues were observed either in the soil excavated or in the walls and floors of the excavated areas that were indicative of contaminated soil;

- No groundwater was encountered in any of the excavations;
- No changed conditions from those expected to be encountered, based on accumulated work experience on the Site, were observed or encountered;
- The excess soil from the non-Belk area excavations was placed in defined areas in the general northern portion of the northern-half of the Site under proper stormwater management practices and with over-sewing of landscaping vegetation;

it is concluded that the handling and management soil encountered during excavation of the surficial vegetative layer of the entire northern portion of the Site and that for footers, foundations and utilities for the non-Belk area development at the Waynesville Commons was performed properly and satisfactorily, as intended, and complied with the executed BFA and the Site Protocol.

Should you have questions or wish to discuss, please let me know at your convenience.

Thank you very much for your consistent and dedicated support and oversight on the redevelopment of the former Dayco Plant Site.

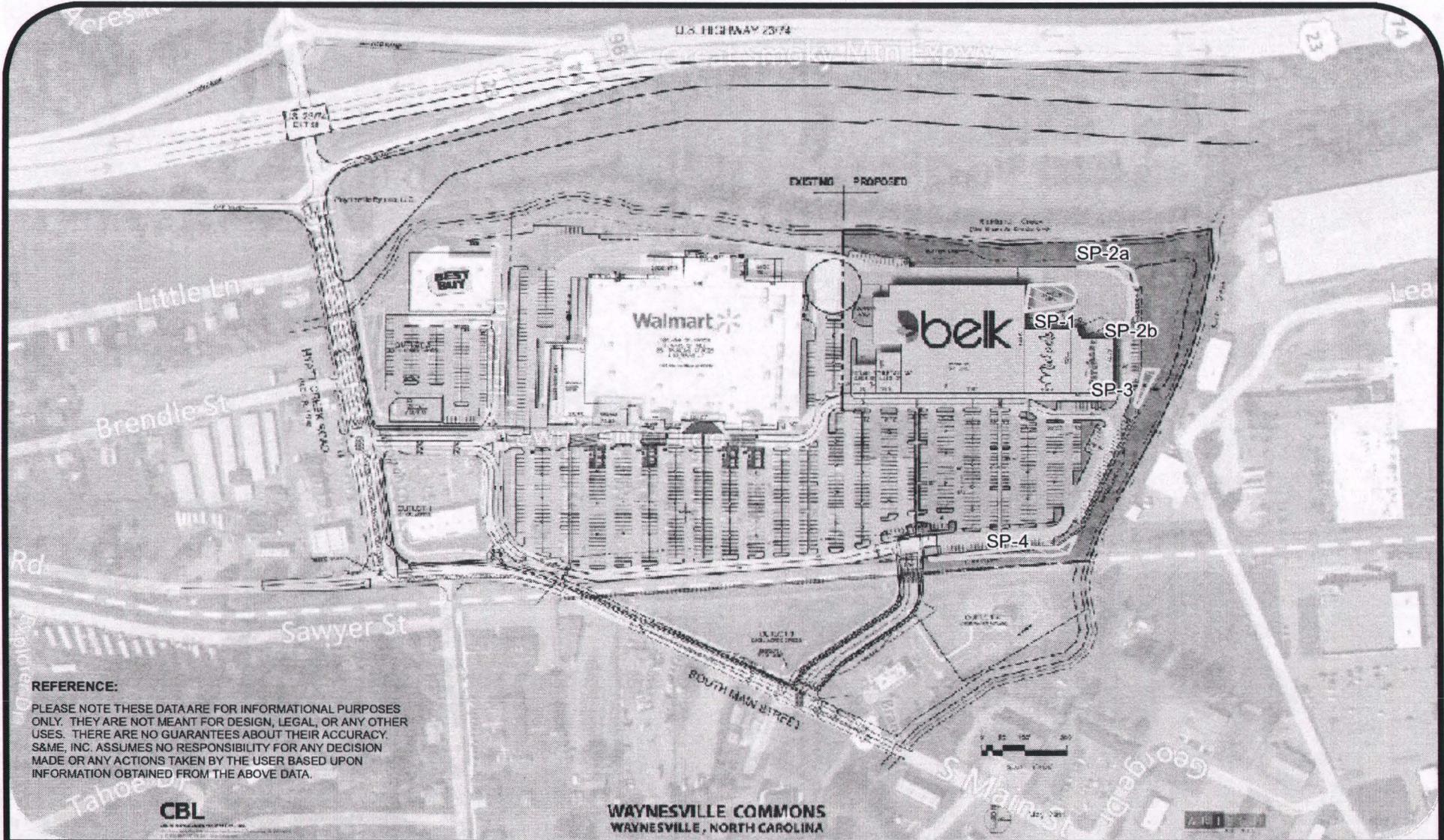
Sincerely,
S&ME, Inc.



Mike Marcus, Ph.D.
Technical Principal/VP

Attachments: Figure 1 – Locations of Site-Retained Soil
Annex A – Pre-Work Field Review
Annex B – Weekly Reports on Field Observations
Annex C – Retained Soil Photodocumentation

cc: Matt Phillips/CBL
James Williams/EMJ
Mike Froman/EMJ
Matt McCurdy/S&ME-Asheville
Jim McGirl/S&ME-Chattanooga



REFERENCE:

PLEASE NOTE THESE DATA ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT MEANT FOR DESIGN, LEGAL, OR ANY OTHER USES. THERE ARE NO GUARANTEES ABOUT THEIR ACCURACY. S&ME, INC. ASSUMES NO RESPONSIBILITY FOR ANY DECISION MADE OR ANY ACTIONS TAKEN BY THE USER BASED UPON INFORMATION OBTAINED FROM THE ABOVE DATA.

CBL

WAYNESVILLE COMMONS
WAYNESVILLE, NORTH CAROLINA

SCALE:
1" = 400'

DATE:
08-28-2012

PROJECT NO:
1265-11-390

DRAWN BY:
K, Farmer

CHECKED BY:
M. Marcus



Approximate Disposed Soil Piles Location Map
Waynesville Commons
Waynesville, North Carolina

FIGURE NO.
1

ANNEX A
PRE-WORK FIELD OBSERVATIONS



August 26, 2011

Mr. Matt Phillips
CBL & Associates Properties, Inc.
CBL Center, Suite 500
2030 Hamilton Place Boulevard
Chattanooga, Tennessee 37421

Transmitted via Electronic Mail (Matt.Phillips@CBLProperties.com) and Overnight Courier

Subject: Field Observation Report for Property identification No. 8604-69-7600
Waynesville Town Center
Waynesville, North Carolina

Dear Mr. Phillips:

I visited the referenced Property on this date, arriving at approximately 0845-hours, for the purpose of making a general visual review of the overt condition of the Property. Weather conditions were clear and warm; it did not appear that it had rained in any distinct amount recently. I traversed the Property on foot in a general grid pattern of approximate 100-foot centers in both the general north-south and then east-west directions, and then did a random, meandering walk-over.

This simple visual review indicated the following:

- The Property remains an essentially-level soil pad
- There was a luxuriant growth of a variety of grasses, typically four (4)-to-12 inches in height, with no bare spots
- No soil piles were present
- No refuse or other waste piles were present
- Except for what appeared to be electrical equipment (i.e., a pad-mounted transformer), sewer stub-ups and a few old wooden stakes that appeared to be possible markers for lot corners, no other surface structures or depositions were present
- The asphalt parking lot and associated landscaped medians, as well as the asphalt surface road behind the Property, appeared to be in a state of good repair and in the original condition.

In summary, the Property appeared, from this simple visual inspection, to remain in the original condition as when the soil pad and associated asphalted areas were constructed. This conclusion also applies to the contiguous properties not yet developed.

If you have questions or wish to discuss, please contact me at your convenience.

Sincerely,
S&ME, Inc.

Mike Marcus, Ph.D.
Technical Principal/Vice President

cc: Jim McGill-S&ME/Chattanooga

ANNEX B

WEEKLY REPORTS OF FIELD OBSERVATIONS



Date: October 3, 2011
To: Distribution
From: Mike Marcus 
Subject: Weekly Field Report
Report No. 01 – Week of September 20-30, 2011
Waynesville Commons Redevelopment
Waynesville, NC

Distribution:

Tracy Wahl/NCDENR
Matt Phillips/CBL
James Williams/EMJ
Joe Woolums/EMJ
Mike Froman/EMJ
Julie Phillips/Taylor and Murphy
Matt McCurdy/S&ME
Jim McGirl/S&ME

Transmitted via Electronic Mail Only

On behalf of CBL & Associates Management, Inc. (CBL) this report is presented as a summary of activities that occurred on the Waynesville Commons Site during the reporting period.

Overview

This is the first report submitted regarding the start of redevelopment of the northern portion of the Waynesville Commons Site. The Site work has comprised removal of the surficial vegetated lens of soil; some excavation and re-compaction of limited areas at the periphery of the existing soil pad; and, start of installation of storm water drains/pipes.

Work commenced after sediment and erosion controls were installed; inspected by the State; and, approved.

No problematic soil (based on visual and odor keys) in either excavation sidewalls or excavation floors was observed during the limited excavations [deepest excavation was approximately seven (7) feet below ground surface]. No groundwater was encountered.

No soil was removed from the site. The surficial soil containing vegetation was placed in a designated area on the Site where it will remain as part of the final project landscaping. The other excavated soil was returned to the excavated areas and re-compacted for its beneficial use there.

Weekly Activities and Progress

- September 20 – Commenced removal of the surficial soil layer containing vegetation from the pad area.
- September 21 – Continued removal of the vegetated surficial soil.
- September 22 – Completed removal of the vegetated surficial soil.
- September 23 – Removed the stubbed-in sewer line.
- September 26 -- Excavated an area at the southeast portion of the pad and re-compacted. Commenced installation of the stormwater drainage lines and boxes.
- September 27 – Continued installation of the stormwater drainage lines and boxes.
- September 28 -- Continued installation of the stormwater drainage lines and boxes. Excavated an area at the northeast portion of the pad and re-compacted. Began fine grading.
- September 29 -- Continued installation of the stormwater drainage lines and boxes. Continued fine grading.
- September 30 -- Continued installation of the stormwater drainage lines and boxes. Completed fine grading at this time.

Issues

- None

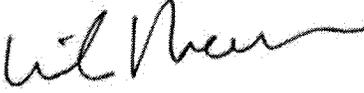
Weekly Look-Ahead

- Continue installation of storm water lines and boxes.
- Commence installation of utility chases.
- Commence placement of aggregate base course stone.

Action Items

- File report for week of October 3-7 (S&ME).
- No other identified at this time.



Date: October 10, 2011
To: Distribution
From: Mike Marcus 
Subject: Weekly Field Report
Report No. 02 – Week of October 3-7, 2011
Waynesville Commons Redevelopment
Waynesville, NC

Distribution:

Tracy Wahl/NCDENR
Matt Phillips/CBL
James Williams/EMJ
Joe Woolums/EMJ
Mike Froman/EMJ
Julie Phillips/Taylor and Murphy
Matt McCurdy/S&ME
Jim McGirl/S&ME

Transmitted via Electronic Mail Only

On behalf of CBL & Associates Management, Inc. (CBL) this report is presented as a summary of activities that occurred on the Waynesville Commons Site during the reporting period.

Overview

This is the second weekly report submitted regarding the start of redevelopment of the northern portion of the Waynesville Commons Site. The Site work has comprised removal of the surficial vegetated lens of soil; some excavation and re-compaction of limited areas at the periphery of the existing soil pad; continuation of installation of storm water drains/pipes; and, start of utilities installation.

As in Week No. 1, no problematic soil (based on visual and odor keys) in either excavation sidewalls or excavation floors was observed during the limited excavations [deepest excavation was approximately seven (7) feet below ground surface]. No groundwater was encountered.

No soil was removed from the site. Excess soil removed from the stormwater system/utility system excavations was placed in a designated the Site where it will remain as part of the final project landscaping. The other excavated soil was returned to the excavated areas and re-compacted for its beneficial use there.

As in Week No. 1, the field observations indicated that activities were in compliance with the Environmental Protocol published for the Site soil work.

Weekly Activities and Progress

- October 3 -- Commenced installation of stormwater drainage lines and boxes. Commenced excavation for installation of utilities. Commenced placement of aggregate base course (ABC) stone.
- October 4 -- Continued installation of stormwater drainage lines and boxes; installation of utilities; placement of ABC stone.
- October 5 -- Continued installation of stormwater drainage lines and boxes and installation of utilities. Completed placement of ABC stone.
- October 6 -- Continued installation of stormwater drainage lines and boxes and installation of utilities.
- October 7 -- Continued installation of stormwater drainage lines and boxes and installation of utilities.

Issues

- None

Weekly Look-Ahead

- Complete installation of storm water lines and boxes.
- Commence installation of utility chases.

Action Items

- File report for week of October 10-14 (S&ME).
- No other identified at this time.



Date: October 17, 2011
To: Distribution
From: Mike Marcus *Wil Marcus*
Subject: Weekly Field Report
Report No. 03 – Week of October 10-14, 2011
Waynesville Commons Redevelopment
Waynesville, NC

Distribution:

Tracy Wahl/NCDENR
Matt Phillips/CBL
James Williams/EMJ
Joe Woolums/EMJ
Mike Froman/EMJ
Julie Phillips/Taylor and Murphy
Matt McCurdy/S&ME
Jim McGirl/S&ME

Transmitted via Electronic Mail Only

On behalf of CBL & Associates Management, Inc. (CBL) this report is presented as a summary of activities that occurred on the Waynesville Commons Site during the reporting period.

Overview

This is the third weekly report submitted regarding the start of redevelopment of the northern portion of the Waynesville Commons Site. The Site work has comprised removal of the surficial vegetated lens of soil; some excavation and re-compaction of limited areas at the periphery of the existing soil pad; installation of storm water drains/pipes; and, utilities installation.

As in the prior two (2) weeks, no problematic soil (based on visual and odor keys) in either excavation sidewalls or excavation floors was observed during the limited excavations [deepest excavation was approximately seven (7) feet below ground surface]. No groundwater was encountered.

No soil was removed from the site. Excess soil removed from the stormwater system/utility system excavations was placed in one (1) of two (2) designated areas on the Site where it will remain as part of the final project landscaping. The other excavated soil was returned to the excavated areas and re-compacted for its beneficial use there.

The field observations indicated that activities were in compliance with the Environmental Protocol published for the Site soil work.

Weekly Activities and Progress

- October 10 – Completed installation of stormwater drainage lines and boxes. Continued excavation for installation of utilities.
- October 11 – No work due to rain.
- October 12 – Continued installation of utilities.
- October 13 – Continued installation of utilities..
- October 14 -- Continued installation of utilities.

Issues

- None

Weekly Look-Ahead

- Continue installation of utility chases.

Action Items

- File report for week of October 17-21 (S&ME).
- No other identified at this time.



Date: October 24, 2011
To: Distribution
From: Mike Marcus *Mike Marcus*
Subject: Weekly Field Report
Report No. 04 - Week of October 17-21, 2011
Waynesville Commons Redevelopment
Waynesville, NC

Distribution:

Tracy Wahl/NCDENR
Matt Phillips/CBL
James Williams/EMJ
Joe Woolums/EMJ
Mike Froman/EMJ
Julie Phillips/Taylor and Murphy
Matt McCurdy/S&ME
Jim McGirl/S&ME

Transmitted via Electronic Mail Only

On behalf of CBL & Associates Management, Inc. (CBL) this report is presented as a summary of activities that occurred on the Waynesville Commons Site during the reporting period.

Overview

This is the fourth weekly report submitted regarding the start of redevelopment of the northern portion of the Waynesville Commons Site. The Site work has comprised removal of the surficial vegetated lens of soil; some excavation and re-compaction of limited areas at the periphery of the existing soil pad; installation of storm water drains/pipes; and, utilities installation.

As in the prior three (3) weeks, no problematic soil (based on visual and odor keys) in either excavation sidewalls or excavation floors was observed during the limited excavations [most excavations were three (3) feet below ground surface (ft. bgs) deepest excavation was approximately 12 ft. bgs.. approx.]. No groundwater was encountered in any of the excavations.

No soil was removed from the site. Excess soil removed from the stormwater system/utility system excavations was placed in one (1) of two (2) designated areas on the Site where it will remain as part of the final project landscaping. The other excavated soil was returned to the excavated areas and re-compacted for its beneficial use there.

The field observations indicated that activities were in compliance with the Environmental Protocol published for the Site soil work.

Weekly Activities and Progress

- October 17 – Continued installation of utilities.
- October 18 – Continued installation of utilities.
- October 19 – No work due to rain.
- October 20 – Continued installation of utilities. The deepest excavation performed during the four (4) weeks to date of site preparation work (12-feet, bgs, approx.) occurred today on the southern boundary of the site.
- October 21 -- No work.

Issues

- None

Weekly Look-Ahead

- Complete installation of utilities.

Action Items

- File report for week of October 24-28 (S&ME).
- No other identified at this time.



Date: October 31, 2011
To: Distribution
From: Mike Marcus *Wil Meier*
Subject: Weekly Field Report
Report No. 05-- Week of October 24-28, 2011
Waynesville Commons Redevelopment
Waynesville, NC

Distribution:

Tracy Wahl/NCDENR
Matt Phillips/CBL
James Williams/EMJ
Joe Woolums/EMJ
Mike Froman/EMJ
Julie Phillips/Taylor and Murphy
Matt McCurdy/S&ME
Jim McGirl/S&ME

Transmitted via Electronic Mail Only

On behalf of CBL & Associates Management, Inc. (CBL) this report is presented as a summary of activities that occurred on the Waynesville Commons Site during the reporting period.

Overview

This is the fifth weekly report submitted regarding the start of redevelopment of the northern portion of the Waynesville Commons Site. The Site work has comprised removal of the surficial vegetated lens of soil; some excavation and re-compaction of limited areas at the periphery of the existing soil pad; installation of storm water drains/pipes; and, utilities installation.

As in the prior four (4) weeks, no problematic soil (based on visual and odor keys) in either excavation sidewalls or excavation floors was observed during the limited excavations [most excavations were approximately three (3) feet below ground surface (ft. bgs)]. No groundwater was encountered in any of the excavations. No soil was removed from the site. The excavated soil was returned to the excavated areas and re-compacted for its beneficial use there.

The field observations indicated that activities were in compliance with the Environmental Protocol published for the Site soil work.

Weekly Activities and Progress

- October 24 – Continued installation of utilities.
- October 25 – Continued installation of utilities.
- October 26 – Continued installation of utilities.
- October 27 – Continued installation of utilities.
- October 28 -- No work.

Issues

- None

Weekly Look-Ahead

- Complete installation of utilities.

Action Items

- File report for week of October 31- Nov. 4 (S&ME).
- No other identified at this time.



Date: November 7, 2011
To: Distribution
From: Mike Marcus 
Subject: Weekly Field Report
Report No. 06- Week of October 31- November 4, 2011
Waynesville Commons Redevelopment
Waynesville, NC

Distribution:

Tracy Wahl/NCDENR
Matt Phillips/CBL
James Williams/EMJ
Joe Woolums/EMJ
Mike Froman/EMJ
Julie Phillips/Taylor and Murphy
Matt McCurdy/S&ME
Jim McGirl/S&ME

Transmitted via Electronic Mail Only

On behalf of CBL & Associates Management, Inc. (CBL) this report is presented as a summary of activities that occurred on the Waynesville Commons Site during the reporting period.

Overview

This is the sixth weekly report submitted regarding the start of redevelopment of the northern portion of the Waynesville Commons Site. The Site work has comprised removal of the surficial vegetated lens of soil; some excavation and re-compaction of limited areas at the periphery of the existing soil pad; installation of storm water drains/pipes; and, utilities installation.

The only site-related excavation this week was shallow [approximately two and one-half (2.5) to three (3) feet below ground surface (ft. bgs)] trenching for utility installation.

As in the prior five (5) weeks:

- No problematic soil (based on visual and odor keys) in either excavation sidewalls or excavation floors was observed.
- No groundwater was encountered in any of the excavations.
- No soil was removed from the site. The excavated soil was returned to the excavated areas and re-compacted for its beneficial use there.

The field observations indicated that activities were in compliance with the Environmental Protocol published for the Site soil work.

Weekly Activities and Progress

- October 31 – Continued installation of utilities.
- November 1 – Continued installation of utilities.
- November 2 – Continued installation of utilities.
- November 3 – Continued installation of utilities.
- November 4 -- No work.

Issues

- None

Weekly Look-Ahead

- Complete installation of utilities.

Action Items

- File report for week of Nov. 7-11 (S&ME).
- No other identified at this time.



Date: November 15, 2011
To: Distribution
From: Mike Marcus *Carl Meier*
Subject: Weekly Field Report
Report No. 07- Week of November 7-11, 2011
Waynesville Commons Redevelopment
Waynesville, NC

Distribution:

Tracy Wahl/NCDENR
Matt Phillips/CBL
James Williams/EMJ
Joe Woolums/EMJ
Mike Froman/EMJ
Julie Phillips/Taylor and Murphy
Matt McCurdy/S&ME
Jim McGirl/S&ME

Transmitted via Electronic Mail Only

On behalf of CBL & Associates Management, Inc. (CBL) this report is presented as a summary of activities that occurred on the Waynesville Commons Site during the reporting period.

Overview

This is the seventh weekly report submitted regarding the start of redevelopment of the northern portion of the Waynesville Commons Site. The Site work has comprised removal of the surficial vegetated lens of soil; some excavation and re-compaction of limited areas at the periphery of the existing soil pad; installation of storm water drains/pipes; and, utilities installation.

Utility installation was completed early in this week. All sub-contractors involved with soil disturbance have demobilized from the Site.

As in the prior six (6) weeks:

- No problematic soil (based on visual and odor keys) in either excavation sidewalls or excavation floors was observed.
- No groundwater was encountered in any of the excavations.
- No soil was removed from the site. The excavated soil was returned to the excavated areas and re-compacted for its beneficial use there.

The field observations during the seven (7) weeks of site civil work indicated that activities were in compliance with the Environmental Protocol published for the Site soil work.

Look Ahead

No new excavation-related field work is scheduled until after the week of Thanksgiving when footers will be installed. The next Weekly Report will be filed once excavation for the footers has commenced.



Date: April 17, 2012
To: Distribution
From: Mike Marcus *Carl Nee*
Subject: Final Field Report
Waynesville Commons Redevelopment
Waynesville, NC

Distribution:

Tracy Wahl/NCDENR
Matt Phillips/CBL
James Williams/EMJ
Joe Woolums/EMJ
Mike Froman/EMJ
Matt McCurdy/S&ME
Jim McGirl/S&ME

Transmitted via Electronic Mail Only

On behalf of CBL & Associates Management, Inc. (CBL) this report is presented as a summary of activities that have occurred on the non-Belk portion of the Waynesville Commons Site. The Belk portion has been reported previously in a separate note.

Overview

This is the final weekly report submitted regarding the re-start of redevelopment of the northern portion of the Waynesville Commons Site. The Site work comprised excavation of shallow soil [approx. two (2) feet below ground surface, or shallower] for installation of spread footers and electrical conduit.

As has been the case for all previous site work (soil) activities:

- No problematic soil (based on visual and odor keys) in either excavation sidewalls or excavation floors was observed.
- No groundwater was encountered in any of the excavations.
- No soil was removed from the site.

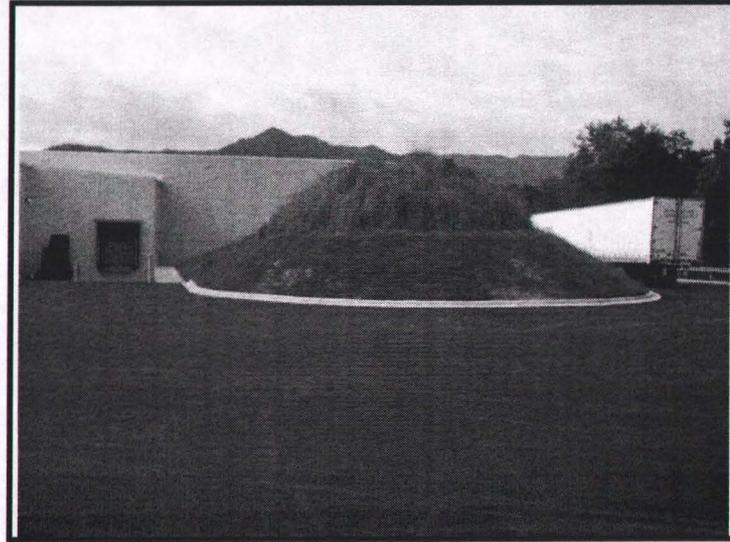
The field observations made during the site work indicated that activities were in compliance with the Environmental Protocol published for the Site soil work and the BFA.

This concluded the soil-related required observations for the non-Belk construction. A final report documenting the soil-related observations and management for the non-Belk development will be completed and submitted to NCDENR once all substantial construction work on the site has been completed.

ANNEX C
RETAINED SOIL PHOTODOCUMENTATION



1 Soil in Rear of Stores (S-1 on Figure 1)



2 Soil in Rear of Stores (S-1 on Figure 1)



3 Soil Along Northwest Corner of Property (S-2a on Figure 1)



4 Soil Along Northern Property Boundary (S-2b on Figure 1)



Waynesville Commons
Waynesville, North Carolina

S&ME Project No. 1265-11-390

Taken by: K. Farmer

Date Taken: 8/28/2012



5 Soil Along Northern Property Boundary (S-3 on Figure 1)



6 Soil Along Northeastern Corner of Property (S-4 on Figure 1)



7 Soil Along Northeastern Corner of Property (S-4 on Figure 1)



8 Soil Along Northeastern Corner of Property (S-4 on Figure 1)



Waynesville Commons
Waynesville, North Carolina

S&ME Project No. 1265-11-390

Taken by: K. Farmer

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