

Brownfields Property Application
North Carolina Brownfields Program
www.ncbrownfields.org

I. PROSPECTIVE DEVELOPER (PD) INFORMATION {USE TAB KEY TO GET TO NEXT DATA ENTRY LINE – DO NOT USE THE RETURN KEY}

A. PD information:

Entity name	Beaufort County Government
Principal Officer	Brian Alligood, County Manager
Representative	Seth Laughlin, Planning Director
Mailing Address	220 North Market Street Washington, NC 27889
E-mail address	seth.laughlin@co.beaufort.nc.us
Phone No.	252-946-7182
Fax No.	252-940-6154
Web site	www.co.beaufort.nc.us

B. PD contact person information (i.e., individual who will serve as the NCBP's point of contact if different than above):

Name
Company
Mailing Address

E-Mail Address
Phone No.
Fax No.

C. Information regarding all parent companies, subsidiaries or other affiliates of PD (attach separate sheet(s) if necessary):

(Use for LLCs)

Member-managed or manager-managed? **Answer:**

If manager-managed, provide name of manager and percent of ownership:

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

For all LLCs, list all members of the LLC and provide their percent of ownership:

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

Managers of manager-managed LLCs are required to execute all brownfield documents for the LLC; as to member-managed LLCs, state name of member who will sign these documents.

List all parent companies, subsidiaries and other affiliates:

(Use for Partnerships)

Check one: General Partnership Limited Partnership

List all partners and percent of ownership:

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

Is this person a general or limited partner?

Name

Ownership (%)

Mailing Address

E-Mail Address

Phone No.

Fax No.

Is this person a general or limited partner?

List all parent companies, subsidiaries and other affiliates:

(Use for corporations other than LLCs)

(If information is the same as shown in 1.A., please indicate "same as 1.A." below.)

Name

Mailing Address

E-Mail Address

Phone No.

Fax No.

List all parent companies, subsidiaries and other affiliates:

(Use for individuals)

(If individual is the same as shown in 1.A., -please indicate "same as 1.A." above.)

Name

Mailing Address

E-Mail Address

Phone No.

Fax No.

- D. Does PD have or can it obtain the financial means to fully implement a brownfields agreement and assure the safe reuse of the property? *(Attach supporting documentation such as letters of credit, financial statements, etc.)*

Answer Yes, Beaufort County has the financial means to fully implement a brownfields agreement and assure the safe reuse of the property.

Explanation The financial means to support the brownfields agreement will be provided through the Beaufort County General Fund budget.

- E. Does PD have or can it obtain the managerial means to fully implement a brownfields agreement and assure the safe use of the property?

Answer Yes

Explanation The managerial means to support the brownfields agreement includes support from Beaufort County, the county attorney, and the Town of Belhaven.

F. Does PD have or can it obtain the technical means to fully implement a brownfields agreement and assure the safe use of the property?

Answer Yes

Explanation The technical team to support the implementation of the brownfields agreement and to assure the safe use of the property include Beaufort County and the Town of Belhaven (example: public safety departments).

G. Does PD commit that it will comply (and has complied, if PD has had a prior project in the NCBP) with all applicable procedural requirements of the NCBP, including prompt payment of all statutorily required fees?

Answer Beaufort County commits that it will comply with all the applicable procedural requirements of the NCBP, including prompt payment of all statutorily required fees.

(List all NCBP project name(s) and NCBP project ID numbers where PD or any parent company, subsidiary and other affiliate of PD has been a party to.)

N/A

H. Does PD currently own the property?

Answer No, Beaufort County currently does not own the property. There is a mutual agreement between the current property owners and Beaufort County that the property will be donated to Beaufort County. Please see the attached supporting documentation of the intentions of the property owners to donate the property.

If yes, when did PD purchase the property and from whom? (Provide name, address, telephone number and email address of the contact person for the current property owner.)

If no, provide the name, address, telephone number and e-mail address of the contact person for the current property owner

Greenwood Acres, LLC (Belhaven Lots): Wood Beasley, cell phone: 252-398-6022, 252-356-4129, or 252-862-0236, woodb3@mindspring.com, PO Box 1386, Highway 42 West, Ahoskie, NC 27910

Front Porch Acquisition, LLC (Cooperage Tract): the Ross Family authorized agent, Don Parrot, CPA, office number 252-321-0505, 1003 Red Bank Road, Greenville, NC 27858. The Ross family requested communications regarding this property go through their authorized agent.

Brantley Tillman et. al. (7.46-ac Tract "Tillman Property"): Brantley Tillman, 252-618-4949, brantley@commprop.net

I. If PD does not currently own the property, does PD have the property under contract to purchase?

Answer **The property is not currently under contract.**

If yes, provide date of contract.

If no, when does the PD intend to purchase the property (e.g., after the project is determined to be eligible for participation in the NCBP, after PD receives a draft BFA, after the conclusion of the brownfields process)? Note: the Act requires the PD to demonstrate that it intends to either buy or sell the property.

There is a mutual agreement between the current property owners and Beaufort County that the property will be donated to Beaufort County. Beaufort County is willing to accept the property donation after the project is determined to be eligible for participation in the NCBP. Please see the attached supporting documentation of the intentions of the property owners to donate the property.

J. Describe all activities that have taken place on the property since PD or PD's parents, subsidiaries and/or other affiliates, and/or lessees or sublessees of PD, took ownership of or operated at the property (e.g., industrial, manufacturing or commercial activities, etc.). *(Include a list of all regulated substances as defined at NCGS § 130A-310.31(b)(11) that have been used, stored on, or otherwise present at the property while those activities were conducted, and explain how they were used.)*

The property has been unused and vacant since the previously identified commercial businesses have been closed and demolished in the late 1990s, early 2000s.

II. SITE INFORMATION

A. Information regarding the proposed brownfields property: Reference Number 19066-15-007

Proposed project name **Beaufort County Marine Industrial Park (BCMIP)**

acreage **39.73 acres** street address(es) **South corner of the intersection of NC HWY 99 and West Main Street (Highway 264 Business)**

city **Belhaven** County **Beaufort** zip **27810**

tax ID(s) or PIN(s) 15022739 (GPIN 7606-41-2673, 7606-42-4312 owned by Front Porch Acquisition, LLC) and 10013474 (GPIN 7606-42-3404, 7606-42-3440 owned by Greenwood Acres, LLC), 15027610 (GPIN 7606-51-1346, owned by Brantley Tillman et. al.)

past use(s) The project area was developed in the 1900s as the Interstate Cooperate Company, which was a barrel making facility and lumber mill that had kilns and cured wood products. The project area was also known as the JL Roper Lumber Company. Additionally, the Pocomoke Guano fertilizer storage facility, the Belhaven Veneer and Plywood Company, the Belhaven Feed Mill, which was an agricultural supply and feed store that stored and sold pesticides, herbicides, and fertilizers, and Eastern Fuels, Inc, which was a bulk petroleum facility, were additional historical uses of the property. There was also a marina with fueling capabilities located on the site.

current use(s) The project area is currently un-used land with remnants of the former marina (boat ramp and docking areas) and the dilapidated structures associated with the former lumber mill (several building including the smokestack). The structures are currently overgrown with vegetation. Additionally, there are wetland areas located on the site.

cause(s)/source(s) of contamination:

known There are documented releases from the marina, Belhaven Feed Mill, and Eastern Fuels, Inc. facilities.

suspected

- B. Regulatory Agency Involvement: List the site names and all identifying numbers (ID No.) previously or currently assigned by any federal, state or local environmental regulatory agencies for the property. The ID No's may include [CERCLIS numbers](#), RCRA generator numbers for past and present operations, [UST database](#), [Division of Water Quality's incident management database](#), and/or [Inactive Hazardous Sites Branch inventory numbers](#). *(In many instances, the PD will need to actively seek out this information by reading environmental site assessment reports, reviewing government files, contacting government officials, and through the use of government databases, many of which may be available over the internet.)*

Agency Name/ID No: [NCDENR, Divison of Waste Management, Superfund Section, Inactive Hazardous Sites Program/ NONCD0001164](#)

Agency Name/ID No: [NCDENR, Division of Waste Management, UST Section, Leaking Aboveground Storage Tank \(LAST\) WA-87655, Incident #87655](#)

Agency Name/ID No: [NCDENR Aquifer Protection Section, APS Incident #87655 \(Belhaven Lots\)](#)

Agency Name/ID No: [NCDENR Aquifer Protection Section, APS Incident #87178 \(Cooperage Tract\)](#)

Agency Name/ID No:

- C. In what way(s) is the property abandoned, idled, or underused?

The site has remained unused since the Belhaven Feed Mill, Eastern Fuels, and the marina were demolished in the early 2000s. Additionally, the former lumber mill with associated structures are dilapidated and overgrown with vegetation.

- D. In what way(s) is the actual or possible contamination at the property a hindrance to development or redevelopment of the property (attach any supporting documentation such as letters from lending institutions)?

The property is listed as a State Hazardous Waste Site and has an open Leaking Aboveground Storage Tank (LAST) incident, which could hinder potential buyers/developers from obtaining financial/lending support from lending institutions.

- E. In what way(s) is the redevelopment of the property difficult or impossible without a brownfields agreement (attach any supporting documentation such as letters from lending institutions)?

The site has unresolved environmental concerns that could make the property difficult to redevelop if the new owners are not offered liability protection for these unresolved environmental concerns.

- F. What are the planned use(s) of the redeveloped brownfields property to which the PD will commit? Be as specific as possible.

The proposed planned uses include the rehabilitation of the former marina into a NC Wildlife Resources Commission boat ramp with floating docks and associated parking spaces (including boat trailer spaces, single car parking spaces and ADA compliant parking). Additional proposed development includes general light industrial development. Also included is an eco-tourism opportunity consisting of boardwalks and a pier for fishing.

- G. Current tax value of brownfields property: \$2,018,084.00 - combined tax value of all parcels

- H. Estimated capital investment in redevelopment project: \$4,344,000 combined total capital investment in redevelopment project

Breakdown:

- \$3,500,000 - Estimated costs for Industrial area;
- \$394,000 - Estimated costs for proposed boardwalk; and
- \$450,000 - NC Wildlife Boating Access and associated improvements.

- I. List and describe the public benefits that will result from the property's redevelopment. Be as specific as possible. (Examples of public benefits for brownfields projects include job creation, tax base increases, revitalization of blighted areas, preserved green space, preserved historic places, improving disadvantaged neighborhood quality-of-life related retail shopping opportunities, affordable housing, environmental cleanup activities or set asides that have community or environmental benefits. In gauging public benefit, NCBP places great value upon letters of support from community groups and local government that describe anticipated improvements in quality of life for neighboring communities that the project will bring about. The inclusion of such support letters with this application is recommended and encouraged.)

The site is approximately 39.73-acres in size and consists of vacant land and the historic structures associated with the former lumber mill known as the Interstate Cooperage Company. Significant mill ruins, which are currently overgrown with vegetation, remain onsite including a smoke stack, foundations, and storage buildings, as well as, structures likely associated with the loading and unloading of lumber products. These remaining structures were constructed of bricks and metal pilings and beams. Additionally, metal and wood debris from other former industry and several metal aboveground storage tank (ASTs) in poor condition remain. A former marina and boat ramp remain on the western portion of the site, although the boat ramp appears to still be in use by local residents at their own risk.

The subject site is located within the municipal boundary of the Town of Belhaven, North Carolina with a population of 1,630, according to the 2014 Census. Belhaven has experienced a steady decline in population over the last several decades, with the most recent population high of 2,430 in 1980. This decline in residents can be attributed to declines in logging and fishing resources, coupled with the national economic recession of 2008. Most recently, Belhaven has succumbed a tremendous blow with the closing of the Pungo Hospital in 2012, which cost the Town of Belhaven 155 jobs. Additionally, the closing of Privateer Boats in 2015, resulting in the loss of 8 jobs.

The proposed acceptance of this property by Beaufort County (County) would be a benefit to the health and quality of life, as well as, a potential economic boost of the Belhaven community. This beautiful site along Pungo Creek has been abandoned, at least in part, for several decades. Neglected brownfields contribute to declining property values and quality of life, and potentially pose risks to human safety and environmental health.

This site will allow the County to promote badly needed economic development in Belhaven. The County is interested in establishing a Marine Industrial Park beginning with a portion of this site farthest from the waterfront. The Beaufort County Economic Development Department is currently in preliminary negotiations with three boat manufacturers about this site. The Beaufort County Committee of 100 is considering financing the building of a manufacturing facility that could be leased or sold to one or more boat manufacturers. This project could induce significant private investment estimated at \$3,500,000, but it may also create an estimated 75 new jobs in a rural area of a Tier 1 County that continues to struggle with recent job losses. This project is critical for the economic viability of the Town of Belhaven. It will be a centerpiece of their plan for economic recovery and continued ecotourism efforts.

In addition to the business activity of building boats, both motor and sail, it is envisioned that other related activities will provide Belhaven with employment opportunities. Activities such as boat re-fit and repair services, new boat shakedown and charter cruises, boat races and other events that may offer opportunities for expanded accommodation and services industry in Belhaven. Also, the cluster of marine activity would create an environment attractive to other marine related manufacturers and service organizations.

The location of this site is attractive to the marine manufacturing and service industry, due to its close proximity to the Town of Belhaven for accommodation, restaurants and other infrastructure, its proximity to the Intracoastal Waterway attracting boats from the 1,300 mile waterway from Maine to Florida and its proximity with no bridges restricting mast heights to the Atlantic Ocean through the Oregon Inlet. The development of this site will truly enhance Belhaven's reputation as the "beautiful harbor", adding economic activity, helping Belhaven recover from the recent job losses and stagnant economy.

The County's proposed reuse for the marina area would consist of improvements to the existing boat launch and immediately adjacent land through continued partnership with North Carolina Wildlife Resources Commission (Wildlife). County staff is currently in negotiations with Wildlife on design specifics to create the third NC Wildlife Public Boat Access Area in the County on this site. This redevelopment will provide opportunity for launching not only recreational motorized and sailing vessels, but also canoes and kayaks.

The wetlands/historic area offer both an eco-tourism and historic destination. Future development of a boardwalk system and accompanying fishing pier would provide up to a one-mile walking trail loop, with more than ¼ mile of waterfront that can be utilized for recreational and subsistence fishing. Many residents in the Belhaven area cannot afford to own a boat, but have historically relied heavily on the waterways to provide food for the table. As time has gone by, the open beaches of have been sold and converted to private residential development. The proposed docks and boardwalks within this project would help replace this desperately needed access to fishable waters.

Beaufort County and the Town of Belhaven are very enthusiastic about the potential economic development opportunities, in addition to creating more public water access with this site. Constructing boardwalks around the wetlands will provide great opportunities for fishing, sightseeing, exercise, and bird watching.

This project has three components, all of which have economic impact for Belhaven and the northeastern sections of Beaufort County. A summary of the impact of these components is below:

1. Industrial Park Portion- estimated \$3,500,000 private investment and 75 jobs
This is for two manufacturing sites on the road frontage section of the property.
2. Fish & Wildlife Portion – estimated investment \$450,000
This is for the new boat launch/ boats slips and parking area.
3. Historic/Ecotourism Portion- estimated investment \$394,000
This is for a boardwalk and pier in the historic and wetland section of the property.

Special Note: Please describe all environment-friendly technologies and designs PD plans to utilize in its redevelopment strategy. For example, environment friendly redevelopment plans could include: Leadership in Energy and Environmental Design (LEED) Certification, green building materials; green landscaping techniques such as using drought resistant plants; energy efficient designs, materials, appliances, machinery, etc.; renewable sources of energy, and/or recycling/reuse of old building materials such as brick or wood.

The County will encourage the developers of the site to use environmentally-friendly technologies, including LEED Certification, green building materials and landscaping techniques, and renewable sources of energy.

- J. Who will own the brownfields property when the Notice of Brownfields Property is filed with the register of deeds at the conclusion of the brownfields process? (If information is the same as 1.A. above, please indicate.)

Name Beaufort County Government
Mailing Address 220 North Market Street

Washington, NC

E-Mail Address seth.laughlin@co.beaufort.nc.us
Phone No. 252-946-7182
Fax No. 252-940-6154

III. OTHER REQUIRED INFORMATION

A. Brownfields Affidavit: PD must provide its certification, in the form of a signed and notarized original of the unmodified model brownfields affidavit provided by NCBP, that it did not cause or contribute to contamination at the property and that it meets all other statutory eligibility requirements. *(Note: The form to use for this affidavit is attached to this application. It must be filled out signed notarized, and submitted with this application.)*
Is the required affidavit, as described above, included with this application?

Answer [Yes, please see attached supporting documentation.](#)

B. Proposed Brownfields Agreement Form: PD must provide the completed form Proposed Brownfields Agreement. *(Note: The form to use for this document is attached to this application. It must be filled out, initialed, and attached on your submittal.)*
Is the required Proposed Brownfields Agreement , as described above, included with this application?

Answer [Yes, please see attached supporting documentation.](#)

C. Location Map: PD must provide a copy of the relevant portion of the 1:24,000 scale [U.S.G.S. topographic quadrangle map](#) that shows the property clearly plotted, and that measures at least an 8 ½ by 11 inches. *(Note: these maps can be purchased through the above link, or often through retail outdoor recreation stores that can print out the relevant map. Often environmental reports have location maps that use this type of map as the base for its location map.)*
Is the required location map included with this application?

Answer [Yes, please see attached supporting documentation.](#)

D. Survey Plat: PD must provide a preliminary survey plat of the brownfields property with the property boundaries clearly identified, and a metes and bounds legal description that matches the property description on the plat. At this stage of the brownfields process; one or more existing survey plats from a previous property conveyance will suffice. *(Before the brownfields project enters the public comment phase of the brownfields process, the PD will be required to submit a final brownfields survey plat which includes the information listed in the brownfields [survey plat guidance](#).)*
Is the required preliminary survey plat included with this application?

Answer [Yes, please see attached supporting documentation.](#)

E. Site Photographs: PD must provide at least one pre-redevelopment photograph of the property, in either hard copy or electronic format that shows existing facilities and structures. **Please note that the NCBP prefers to have electronic photos instead of or in addition to hard copies. Electronic copies of photographs should be emailed to: Shirley.Liggins@ncdenr.gov with a clear indication as to which Brownfields Application they apply to.**

Are photographs of the property included with this application?

Answer Yes, please see attached supporting documentation.

Have electronic copies of the photographs been emailed to NCBP?

Answer Yes

F. Environmental Reports/Data: If it makes an affirmative eligibility determination, the NCBP will request that PD provide any and all existing environmental reports and data for the property on **CD only**. The brownfields process may be expedited if PD submits such reports/data with this application.

Are any environmental reports/data being submitted with this application?

Answer Yes

If environmental reports/data are being submitted with this application, please provide the **title, date** and **author** of each item being submitted:

Cooperage Tract:

Phase I Environmental Site Assessment (ESA), Quible & Associates, PC, March 2004

Phase II ESA: Soil and Groundwater Sampling, Quible & Associates, PC, June 1, 2004

Notification of Inactive Hazardous Substance or Waste Disposal Site Form, NCDENR, September 21, 2004

Corrective Action Plan (CAP): The Cooperage Tract, Quible & Associates, PC, March 30, 2005

Comprehensive Site Assessment (CSA): The Cooperage Tract, Quible & Associates, PC, March 30, 2005

Comprehensive Site Assessment (CSA) Addendum: The Cooperage Tract, Quible & Associates, PC, March 30, 2005

Correspondence Letter, Ward & Smith, PA, January 2, 2007

Inactive Sites Ranking System Summary Sheet, NCDENR, July 27, 2007

Correspondence Letter, Ward & Smith, PA, October 1, 2007

Inactive Hazardous Waste Site Priority List Notification, NCDENR, November 28, 2012

Inactive Hazardous Waste Site Priority List Notification, NCDENR, February 10, 2014

Phase I ESA, ECS Carolinas, LLP, dated March 30, 2015

Belhaven Lots:

Corrective Action Plan: The Belhaven Lots, Geological Resources, Inc., November 8, 2006

Groundwater Monitoring Report: The Belhaven Lots, Geological Resources, Inc., June 12, 2012

7.46-acre Lot "Tillman Property":

Phase I ESA, ECS Carolinas, LLP, dated December 1, 2015

IV. ADDITIONAL REQUIRED FORMS

The following forms are to be filled out and submitted with the application including the Responsibility and Compliance Affidavit and the Proposed Brownfields Agreement. Submittal of the Affidavit requires signature and notarization, and the Proposed Brownfields Application requires an initial.

**NORTH CAROLINA DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES
NORTH CAROLINA BROWNFIELDS PROGRAM**

IN THE MATTER OF: Beaufort County Government

UNDER THE AUTHORITY OF)	AFFIDAVIT
NORTH CAROLINA GENERAL)	RE: RESPONSIBILITY
STATUTES § 130A-310.30, et. seq.)	AND COMPLIANCE

Beaufort County Government, being duly sworn, hereby deposes and says:

1. I am <<Brian Alligood, County Manager>> of Beaufort County Government.
2. [if signatory is not President, add this paragraph: "I am fully authorized to make the declarations contained herein and to legally bind Beaufort County Government."]
3. Beaufort County Government is applying for a Brownfields Agreement with the North Carolina Department of Environment and Natural Resources, pursuant to N.C.G.S. § 130A, Article 9, Part 5 (Brownfields Act), in relation to the following 7606-41-2673, 7606-42-4312, 7606-42-3404, 7606-42-3440, and 7606-51-1346 parcel(s) in Belhaven, Beaufort, County, North Carolina: south corner of NC Hwy 99 and West Main Street.
4. I hereby certify, under the pains and penalties of perjury and of the Brownfields Act, that Beaufort County, and any parent, subsidiary or other affiliate meets the eligibility requirements of N.C.G.S. § 130A-310.31(b)(10), in that it has a *bona fide*, demonstrable desire to **buy** **sell** for the purpose of developing or redeveloping, and did not cause or contribute to the contamination at, the parcel(s) cited in the preceding paragraph.
5. I hereby certify, under the pains and penalties of perjury and of the Brownfields Act, that Beaufort County meets the eligibility requirement of N.C.G.S. § 130A-310.32(a)(1) in that it and any parent, subsidiary or other affiliate have substantially complied with:
 - a. the terms of any brownfields or similar agreement to which it or any parent, subsidiary or other affiliate has been a party;
 - b. the requirements applicable to any remediation in which it or any parent, subsidiary or other affiliate has previously engaged;
 - c. federal and state laws, regulations and rules for the protection of the environment.

Affiant further saith not.

Brian Alligood BRIAN ALLIGOOD 12/17/15
Signature/Printed Name

Date

Sworn to and subscribed before me

this 17 day of December, 2015.

Kathleen Mose Notary Public

My commission expires: 12/9/15

(SEAL)

KATHLEEN MOSHER
NOTARY PUBLIC
Beaufort County - North Carolina
My Commission Expires 12/9/15

Preliminary Proposed Brownfields Agreement

I. Property Facts

- a. Property Address(es): South corner of the intersection of NC HWY 99 and West Main Street (Highway 264 Business)
- b. Property Seller: French Porch Acquisition, LLC and Greenwood Acres, LLC
- c. Property Buyer: Beaufort County Government
- d. Brief Property Usage History: The project area was developed in the 1900s as the Interstate Cooperate Company, which a barrel making facility and lumber mill that had kilns and cured wood products. The project area was also known as the JL Roper Lumber Company. Additionally, the Pocomoke Guano fertilizer storage facility, the Belhaven Veneer and Plywood Company, the Belhaven Feed Mill, which was an agricultural supply and feed store that stored and sold pesticides, herbicides, and fertilizers, and Eastern Fuels, Inc, which was a bulk petroleum facility, were additional historical uses of the property. There was also a marina with fueling capabilities located on the site.

The project area is current un-used land with remenants of the former marina (boat ramp and docking areas) and the dilapidated structures associated with the former lumber mill (several building including the smokestack). This structures are currently overgrown with vegetation. Additionally, there are wetland areas located on the site.

- e. The planned reuse will potentially involve the following use classification(s) (check all that apply):

- School/childcare/senior care
- Residential
- Commercial, retail (specify)
- Other commercial (specify)
- Office
- Light industrial
- Heavy industrial
- Recreational
- Open space
- Other (specify)

II. Contaminant Information

- a. The contaminant situation at the property is best described by the following (check all that apply):

- Contaminants are from an on-property source(s)
- Contaminants are from an off-property source(s)
- Contaminants are from an unknown source(s)
- Contaminants have not yet been documented on the property

b. Contaminated Media Table. (If known, check appropriate boxes below)

Contaminant Types	Soil		Groundwater and/or Surface Water		Private Wells		Vapor Intrusion	
	known	Suspected	known	Suspected	known	suspected	known	suspected
o r g a n i c s	Chlorinated Solvents (list):							
	Petroleum: ASTs <input checked="" type="checkbox"/> USTs <input type="checkbox"/> Other <input type="checkbox"/>			MW-3: Benzene (110ug/L); MW-1R MTBE (1,300 ug/L) & IPE (150 ug/L); MW-1: Naphtalene (41 ug/L); GW-1: benzen e (59.6 ug/L), n-butylb enzene (560 ug/L), sec-butylb enzene (91				

			ug/L), Napht halene (584 ug/L); total xylene (6,668 ug/L), p- isospr opyltol uene (114 ug/L), propyl benzen e (393 ug/L), styren e (103 ug/L), 1,2,4- trimet hylben zene (3,822 ug/L)					
Other (list):			TW-1: ammo nia (3,927 mg/L), total phosp horous (9.35 mg/L) and total nitrate s (4,257 mg/L)					

i n o r g a n i c s	Metals (list):			MW- 4: Lead (1,600 ug/L)				
	Other (list):							

III. Protective Measures

I am prepared to take steps necessary to make the property suitable for its planned uses while fully protecting public health and the environment. I propose that NCBP consider a brownfields agreement that will make the property suitable for the planned use(s) through the following mechanism(s) (check all that apply):

- Contaminant remediation to risk-based levels.
- Engineered Controls (e.g., low permeability caps, vapor mitigation systems, etc)
- Land use restrictions that run with the land that will restrict or prohibit uses that are unacceptable from a risk assessment/management perspective. (*Important Note: In any final brownfields agreement generated by the NCBP, land use restrictions will ultimately come with the continuing obligation to submit an annual certification that the Land Use Restrictions are being complied with and are recorded at the applicable register of deeds office.*)

IV. Fees

In connection with a brownfields agreement, the Act requires that the developer pay fees to offset the cost to the Department of Environment and Natural Resources and the Department of Justice. In satisfaction of the Act, the following fees apply to any brownfields agreement that is developed for this project, subject to negotiation of the brownfields agreement:

- a. A \$2,000 initial fee will be due from the applicant PD when **both** of the following occur:
 - 1) NCBP receives this application and proposed brownfields agreement, AND
 - 2) NCBP notifies the applicant in writing that the applicant PD and the project are eligible for participation in the NCBP and continued negotiation of a brownfields agreement.
- b. A second fee of \$6,000 will be due from the PD prior to execution of the brownfields agreement. Should the prospective developer choose to negotiate changes to the agreement that necessitate evaluation by the Department of Justice, additional fees shall apply.

- c. Any addendum/modifications to the BFA or NBP after they are in effect will result in an additional fee of at least \$1,000.
- d. In the unexpected event that the environmental conditions at the property are unusually complex, such that NCBP's costs will clearly exceed the above amounts, NCBP and PD will negotiate additional fees.

EW Please check this box and initial in space provided to indicate your acknowledgement of the above fee structure.

Date of Submittal: 12/17/15