

Hazardous Waste Section
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Your Name: Bud McCarty
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January 15, 2016

Ms. Elizabeth W. Cannon
North Carolina Hazardous Waste Section
MSC 1646
401 Oberlin Rd. Suite 150
Raleigh, North Carolina 27699-1646

**Annual Land Use Restrictions Certification Letter
Former South Boulevard Properties
2000 South Boulevard
Charlotte, North Carolina 28203
NCD 053 010 732**

Dear Ms. Cannon,

Please accept this letter as our, Atherton Mill (E&A), LLC's, *Annual Land Use Restrictions Certification Letter* for our property located at 2000 South Boulevard in Charlotte, North Carolina. This letter details the verification activities conducted at the above-referenced property.

VERIFICATION ACTIVITIES

On January 13, 2016, I conducted a site reconnaissance to verify the subject property is in compliance with the conditions of the Land Use Restrictions recorded on the property deed. The Land Use Restrictions recorded on the property deed are as follows:

- Any use of groundwater located at or under the property is prohibited. This includes the use of groundwater for drinking, bathing, irrigation, industrial process, or any other purpose which would cause groundwater to come into contact, either directly or indirectly, with people, animals, surface vegetation, or the atmosphere.
- The property is subject to annual verification of compliance with the requirements of the Area of Regulated Groundwater Usage (ARGU) established for the property and administered by the Mecklenburg County Land Use and Environmental Services Agency (LUESA) under provisions of the Mecklenburg County Groundwater Well Regulations adopted October 5, 2004.

- Annual compliance must be certified to the DENR Hazardous Waste Section by the owner, operator or other party responsible for the property. Any known change in status of the ARGU must be reported immediately to both the LUESA and the DENR Hazardous Waste Section (or their successors in function).
- No water supply well may be installed or maintained on the property. The drilling of new wells is prohibited, except upon written permission of the DENR Hazardous Waste Section (or its successor in function). Any and all existing wells must be abandoned, and abandonment must be in compliance with all applicable State regulations.
- Excavation or subsurface construction activities must be pre-approved in writing by the DENR Hazardous Waste Section (or its successor in function). Any such activities which encounter or expose groundwater at or under the property are prohibited, except upon written permission of the DENR Hazardous Waste Section (or its successor in function).
- No basements may be constructed at the property unless vented in conformance with all applicable State and local building codes.

CONCLUSIONS

Based on my observations, I conclude that the subject property is in compliance with the conditions of the Land Use Restrictions recorded on the property deed. If you have comments concerning this letter please contact me at (803) 744-2468.

Sincerely,



Lauren Rubino
Regional Property Manager
EDENS

CC Gregg Edelstein
Josh Chambers
Jim McKenney