

**SUMMARY OF NOTICE OF INTENT TO AMEND A
NOTICE OF BROWNFIELDS PROPERTY
And
BROWNFIELDS AGREEMENT
Site Name: Charlotte Tank Truck
Brownfields Project Number: 07028-03-060**

Pursuant to NCGS § 130A-310.34, AWTborder, LLC, as the Property Owner, has filed with the North Carolina Department of Environmental Quality (“**DEQ**”) a written request that the Notice of Brownfields Property, recorded on April 5, 2007, in Book 22030, Pages 321-350 of the Mecklenburg County Registry (“**Notice**”) pursuant to the Brownfields Property Reuse Act, N.C. Gen. Stat. §§ 130A-310.30, *et. seq.* (the “**Act**”), and the Brownfields Agreement between DEQ and the original Prospective Developer, attached to said Notice as its Exhibit A (“**Agreement**”), be amended to add for high density residential, office, retail, restaurant, warehousing, parking, industrial, beverage or food production facility, institutional, hotel, open space, recreation, entertainment, and, subject to DEQ’s prior written approval, other commercial uses, as DEQ-approved uses. The Notice and Agreement concern the redevelopment of a Brownfields Property (“**Property**”) containing approximately 2.23 acres, located at 2200 Border Drive, Charlotte, Mecklenburg County, North Carolina. Based on the results of environmental assessment conducted at the Property, the proposal to add the aforementioned uses is acceptable to DEQ. In turn, DEQ has proposed to the owner of the Property that the Notice and the Agreement be modified in order that both documents reflect the improved technical understanding (since the time of the original agreement recordation on April 5, 2007) of the risks potentially posed by contaminants known to exist at the Property and how to effectively mitigate such risks to ensure that the Property is fully protective of public health and the environment. The proposed modifications are acceptable to the owner of the Property. An Amendment to Notice of Brownfields Property and to Brownfields Agreement (“**Amendment**”) has been prepared and is acceptable to DEQ and to the owner of the Property. Environmental contamination exists on the Brownfields Property in groundwater, soil, and soil vapor. DEQ has determined that the Amendment and Amended Survey Plat of the Property must be publicly noticed. The full Notice of Intent to Amend a Notice of Brownfields Property and Brownfields Agreement includes: (1) a proposed Amendment between DEQ and the owner of the Property, which in turn includes (a) a description of the proposed changes to the Notice and to the Agreement, (b) a description of the contaminants involved and their concentrations in the media of the Property, (c) a legal description of the location of the Property, and (d) a description of the current and possible future use of the Property; and (2) an Amended Survey Plat prepared in accordance with NCGS § 130A-310.35.

The full Notice of Intent to Amend a Notice of Brownfields Property and Brownfields Agreement may be reviewed at Charlotte Mecklenburg County Library - West Boulevard Branch located 2157 West Boulevard, Charlotte, NC by contacting Caitlin Moen at 704/416-0626; or at the offices of the N.C. Brownfields Redevelopment Section, 217 West Jones Street, Raleigh, NC or by contacting Shirley Liggins at that address, at shirley.liggins@ncdenr.gov, or at (919) 707-8383. The full Notice of Intent to Amend a Notice of Brownfields Property and Brownfields Agreement may be reviewed online at the DEQ public record database, Laserfiche, by entering the project number 07028-03-060 into the search bar at the following web address: <https://edocs.deq.nc.gov/WasteManagement/>

Written public comments may be submitted to DEQ within 30 days after the latest of the following dates: the date this Summary Notice of Intent is (1) published in a newspaper of general circulation serving the area in which the Brownfields Property is located, (2) conspicuously posted at the Brownfields Property, and (3) mailed or delivered to each owner of property contiguous to the Brownfields Property. Written requests for a public meeting may be submitted to DEQ within 21 days after the period for written public comments begins. Those periods will start no sooner than **September 1, 2023**, and will end on the later of: a) 30 and 21 days, respectively, after that; or b) 30 and 21 days, respectively, after completion of the latest of the three (3) above-referenced dates. All public comments and public meeting requests should be addressed as follows:

Bruce Nicholson, Chief
Brownfields Redevelopment Section
Division of Waste Management
NC Department of Environmental Quality
1646 Mail Service Center
Raleigh, North Carolina 27699-1646