

May 22, 2024

North Carolina Department of Environmental Quality  
Division of Waste Management – DSCA Program  
1646 Mail Services Center  
Raleigh, NC 27699-1646

Attn: Mr. Jay W. King  
DSCA Project Manager

Re: **Risk Management Plan**  
Alpine Cleaners, DSCA Site ID DC600081  
9205 Baybrook Lane  
Charlotte, Mecklenburg County, North Carolina

Dear Mr. King:

AECOM Technical Services of North Carolina, Inc. (AECOM) is pleased to provide the attached *Risk Management Plan (RMP)* for the former Alpine Cleaners previously located at 9205 Baybrook Lane in Charlotte, Mecklenburg County, North Carolina. A risk assessment conducted for the site in August 2023 indicates that contaminant concentrations at the site do not pose an unacceptable risk. The primary purpose of this *RMP* is to ensure that the assumptions made in the risk assessment remain valid in the future. Based on the documentation outlined in this report, AECOM recommends issuance of a No Further Action (NFA) letter for the site.

If you have any questions or require additional information, please do not hesitate to contact either Rob MacWilliams or Mike Ranck at (704) 522-0330.

Sincerely,

**AECOM TECHNICAL SERVICES OF NORTH CAROLINA, INC.**



J. Michael Ranck, PG  
Project Manager



Robert H. MacWilliams, PG  
Program Manager

**Risk Management Plan  
Alpine Cleaners  
DSCA Site ID DC600081  
9205 Baybrook Lane  
Charlotte, Mecklenburg County, North Carolina**

**Submitted To:**  
**NC Department of Environmental Quality**  
Division of Waste Management – DSCA Program  
1646 Mail Services Center  
Raleigh, NC 27699-1646



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Robert H. MacWilliams, PG  
Program Manager



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NC License No. 1467

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May 22, 2024  
Date

**AECOM**

AECOM Technical Services of North Carolina, Inc.  
6000 Fairview Road, Suite 200  
Charlotte, North Carolina 28210  
Phone: (704) 522-0330

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## 1.0 INTRODUCTION

AECOM Technical Services of North Carolina, Inc. (AECOM) has prepared this *Risk Management Plan (RMP)* to address dry-cleaning solvent contamination associated with the former Alpine Cleaners (DSCA Site ID DC600081) on behalf of the North Carolina Department of Environmental Quality (NCDEQ) Dry-Cleaning Solvent Cleanup Act (DSCA) Program. Review of available information indicates that the former Alpine Cleaners facility operated from 1991 to 2013 within a tenant space of the former Touchstone Village Shopping Center located at 9205 Baybrook Lane. The site location is depicted on the attached **Figure 1**. The former Alpine Cleaners tenant space, as well as the section of the Touchstone Village Shopping Center located to the west of the former Alpine Cleaners tenant space, was razed in 2016-2017 and was redeveloped into, and is currently used as, a paved parking lot for the US Performance Center (9209 Baybrook Lane) tenant space. The US Performance Center was located adjacent to the former Alpine Cleaners tenant space. The site layout is depicted on the attached **Figure 2**.

The Alpine Cleaners (herein referred to as the “site”) includes the source property (where the former dry-cleaning facility source is located), owned by **Baybrook Holdings, LLC, PIN 22325305**, and one off-source properties where contamination from the former facility has been identified in soil, soil gas, and groundwater. The site properties are as follows:

1. Source property – **Baybrook Holdings, LLC, PIN 22325305**, which encompasses a 1.08-acre property improved with landscaped areas, surface level asphalt parking and drive aisles, and one approximately 16,200 square foot building with five tenants: the US Performance Center, a research-based performance facility for athletes at 9209 Baybrook Lane; Riccio’s Italian Restaurant at 9213 Baybrook Lane; Total Cyclist, a cycling training and coaching facility at 9217 Baybrook Lane, Suite F; Up Level, a martial arts facility at 9217 Baybrook Lane, Suite G; and TruMotion Therapy, a chiropractic office at 9217 Baybrook Lane, Suite I and,
2. Off-source property – **Touchstone Village, LLC, PIN 22325303**, which encompasses a portion of a 9.16-acre property improved with landscaped areas, paved surface level parking areas and drive aisles, and one approximately 85,500 square foot office building occupied by InVue, a merchandising, security, and “internet of things” (IoT) solutions company at 9201 Baybrook Lane.

This RMP is intended to comply with the requirements of the DSCA (N.C.G.S. 143-215.104A et seqs) and promulgated rules and follows the outline provided in the DSCA Program’s risk-based corrective action (RBCA) guidance.

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## 2.0 OBJECTIVES OF RISK MANAGEMENT PLAN

AECOM has completed assessment activities at the Alpine Cleaners (DC600081) site which identified the following:

- The presence of tetrachloroethylene (PCE) in soil beneath the source property (PIN 22325305) and one off-source property (PIN 22325303) at concentrations that exceed the Division of Waste Management (DWM) residential health based and/or protection of groundwater Preliminary Soil Remediation Goals (PSRGs).
- The presence of PCE, trichloroethylene (TCE), and/or bromodichloromethane (BDCM) in groundwater beneath a portion of the source property (PIN 22325305) and one off-source property (PIN 22325303) at concentrations that exceed their respective Title 15A NCAC 2L .0202 Groundwater Standards (2L Standards).
- The presence of site contaminants in soil gas beneath the source property (PIN 22325305) and one off-source property (PIN 22325303) at concentrations that exceed acceptable levels of calculated risk for residential and/or non-residential worker exposure.

AECOM completed a risk assessment in August 2023 for the site in accordance with the DSCA Program's risk assessment procedures. The results of the risk assessment indicated that there are risks that exceed applicable target levels on the source and off-source property. These risks will be managed using site-specific land-use conditions that have been selected as part of the risk assessment evaluation and which require an RMP. Thus, the objective of the RMP is to ensure that those site-specific land-use conditions remain valid in the future.

## 3.0 SUMMARY OF RISK ASSESSMENT REPORT

AECOM performed a risk assessment to address the applicable exposure pathways based on the identified impacts summarized in **Section 2.0**. Comprehensive results of the risk assessment, which are summarized herein, are documented in the *Risk Assessment*, dated August 10, 2023.

The site is currently zoned for non-residential use; however, to be protective of unknown future zoning and mixed-use development in the future, both residential and non-residential worker scenarios were considered as part of the risk assessment.

The risk assessment process consisted of evaluating exposure pathways for the exposure units shown on **Figure 2**. A summary of the groundwater quality data used in the risk assessment is included on **Figure 3**. A summary of the soil quality data used in the risk assessment is included on **Figure 4**. A summary of the vapor quality data used in the risk assessment is included on

**Figure 5.** A summary of land-use controls as recommended in the risk assessment are shown on **Figure 6**.

The exposure model evaluation indicated the following exposure pathways for each Exposure Unit:

### **Exposure Unit #1**

Exposure Unit #1 (EU#1) includes: 1) a portion of the 1.08-acre source property (PIN 22325305), currently owned by Baybrook Holdings, LLC, and encompassing the former Alpine Cleaners (currently surface level asphalt parking, drive aisles, and landscaping), and the US Performance Center (9209 Baybrook Lane) tenant spaces of the Touchstone Village Shopping; and 2) a portion of the 9.16-acre off-source property (PIN 22325303), currently owned by Touchstone Village, LLC, and encompassing surface level asphalt parking, drive aisles, and landscaping (formerly improved with the Karate Studio [9205 Baybrook Lane] and Tuesday Morning [9201 Baybrook Lane] tenant spaces) of the Touchstone Village Shopping. EU#1 is depicted on the attached **Figure 2**.

- **Soil Combined Pathways** – For the soil combined pathways evaluation, soil quality data was used to evaluate current and future risk. The maximum soil contaminant concentrations detected within EU#1 (as indicated on **Figure 4**) were conservatively used as exposure point concentrations (EPCs) for the contaminants of concern (COCs). Soil combined risk was evaluated using the NCDEQ Risk Calculator (January 2022) for current conditions (non-residential) and future conditions (residential and non-residential). Soil combined pathway risk levels did not exceed calculated allowable risk for current non-residential land-use conditions or future residential, non-residential or construction user land-use conditions; however, soil contamination exceeds NCDEQ PSRGs in Area 1 of EU#1, as designated on **Figure 6** and in the source property and off-source property survey plats attached as “Exhibit A” of the Notices of Dry-Cleaning Solvent Remediation (NDCSRs) in **Appendices C-1** and **C-2**, respectively. Therefore, it is recommended that soil in Area 1 not be removed or disturbed unless approved in writing in advance by NCDEQ or its successor in function. No other land-use controls are necessary to address the soil combined exposure pathway in EU#1.
- **Indoor Air Inhalation Exposure Pathway (Vapor Intrusion)** – For the indoor air inhalation exposure pathway through vapor intrusion (VI pathway), indoor air sampling data was used to evaluate current risk and soil gas data was used to evaluate future risk. Representative indoor air and soil gas sampling data with the highest cumulative calculated cancer or non-cancer risk within EU#1 were conservatively used as EPC’s for the COCs to evaluate the VI pathway using the NCDEQ Risk Calculator (January 2022) for current conditions (non-residential), and future conditions (residential and non-residential worker). As indicated on **Figure 5**, the risk assessment

results were within acceptable risk levels for current non-residential worker land use conditions. However, as indicated on **Figure 5**, the risk assessment results were not within acceptable risk levels for the VI pathway for residential and/or non-residential use under future conditions. The current and future indoor air inhalation exposure pathway in Areas 1 and 2 of EU#1 (as designated on **Figure 6**) and in the source property and off-source survey plats attached as “Exhibit A” of the NDCSRs in **Appendix C-1** and **C-2**, respectively, can be addressed through the imposition of land-use controls contained therein. These controls overlie areas where soil gas contaminant concentrations exceed acceptable risk levels for the VI pathway.

Since groundwater contaminant concentrations above the 2L Standards are present within EU#1, land-use controls should be implemented preventing the use of, or exposure to, groundwater within Areas 1, 2, and 3 of EU#1 (as designated on **Figure 6**).

### **Exposure Unit #2**

Exposure Unit #2 (EU#2) includes: 1) a portion of the 1.08-acre source property (PIN 22325305), currently owned by Baybrook Holdings, LLC, and encompassing the Riccio’s Italian Restaurant (9213 Baybrook Lane), Total Cyclist (9217 Baybrook Lane), Up Level (9217 Baybrook Lane), and Tru Motion (9217 Baybrook Lane) tenant spaces, as well as surface level asphalt parking, drive aisles, and landscaping of the Touchstone Village Shopping; and 2) a portion of the 9.16-acre off-source property (PIN 22325303), currently owned by Touchstone Village, LLC, and encompassing the remaining portion of the Touchstone Village Shopping south of the InVue building at 9201 Baybrook Lane, north of Bevington Place, west of Caswell Lane, and east of Baybrook Lane, which includes surface level asphalt parking, drive aisles, landscaping, and the stormwater retention basin. EU#2 is depicted on the attached **Figure 2**.

- **Indoor Air Inhalation Exposure Pathway (Vapor Intrusion)** – For the VI pathway, soil gas sampling data was used to evaluate current and future risk. Representative soil gas samples with the highest cumulative risk or hazard index calculated within EU#2 were conservatively used as EPC’s for the COCs to evaluate the VI pathway using the NCDEQ Risk Calculator (January 2022) for current conditions (non-residential), and future conditions (residential and non-residential). As indicated on **Figure 5**, the risk assessment results were within acceptable risk levels for current non-residential worker conditions, as well as future residential and non-residential worker conditions.

Since groundwater contaminant concentrations above the 2L Standards are present within EU#2, land-use controls should be implemented preventing the use of, or exposure to, groundwater within Area 3 of EU#2 (as designated on **Figure 6**).

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## **Contamination Migration Pathways Evaluation**

Site-specific Domenico groundwater modeling results did indicate an exceedance of the calculated site-specific target levels (SSTLs) for PCE, TCE, and vinyl chloride concentrations in source soil and PCE concentrations in source groundwater with respect to being protective of a hypothetical point of exposure (POE) which was assumed to be groundwater at the first property boundary downgradient of the groundwater plume where no groundwater impacts have been identified as the POE. As indicated on **Figure 2**, the POE was selected to be the first property (6442 Felton Court, PIN 22332433) on which impacts have not been observed and is located approximately 400 feet south-southwest (downgradient) from what is the soil source area. Additionally, site-specific Domenico groundwater modeling results indicate exceedances of the SSTLs in source soil and groundwater to be protective of the closest surface water POE. The surface water POE was selected to be the closest surface water body downgradient from the source soil area which is an unnamed tributary of Four Mile Creek located approximately 1,530 feet south-southwest.

Evaluation of site groundwater quality indicates that the plume has not migrated as far as the modeling projects. The Domenico groundwater model utilized as part of this evaluation does not account for physical and/or biologically mediated contaminant degradation that may or may not be occurring naturally in the subsurface as the contaminant(s) migrate between the source area and the point of exposure(s). In addition, some of the modeling inputs are conservative parameters; specifically, the rate of infiltration, which affects the degree of partitioning of contaminants from source soils to groundwater and may not be representative of the current land cover (i.e., asphalt, concrete). The current land cover would reasonably be expected to minimize infiltration in the source soil area and has affected the documented plume migration at the site. However, because the rate of infiltration is a significant variable in the leaching of contamination from soil and subsequent migration in groundwater, it is reasonable that plume expansion would occur as indicated by the model if site land cover conditions were altered such that infiltration rates increased in the area of source contamination. In general, increased contaminant partitioning from soil to groundwater may result in a greater groundwater contaminant mass and ultimately a larger contaminant plume. It is recommended that land-use controls be utilized to maintain infiltration conditions in areas where structures and/or paved surfaces may currently limit infiltration rates. In respect to the site, the limited area of PCE impacted soils exceeding the calculated SSTLs (as depicted in **Figure 4**) are located beneath the existing building and the asphalt-paved surface level parking lot and drive aisles to the west of the US Performance Center building. Therefore, an infiltrate cover must be maintained over a portion of EU#1 to minimize infiltration of rain or water runoff unless approved in writing in advance by NCDEQ.

As further detailed in **Section 6.0**, institutional controls will also be implemented to ensure that land-use conditions are maintained and monitored until the land-use controls are no longer required for the site.

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## 4.0 REMEDIAL ACTION PLAN

### 4.1 Assessment Activities and Interim Actions

Comprehensive information specific to the site history and associated environmental assessment activities completed to date are documented in the following reports and can be accessed online at <https://edocs.deq.nc.gov/WasteManagement/Welcome.aspx>:

- *Limited Phase II Environmental Site Assessment (Limited Phase II ESA)*, prepared by ATC Associates (ATC), dated May 23, 2013 (ATC, 2013);
- *Air Quality Evaluation Results*, prepared by URS, dated April 18, 2014 (URS, 2014a);
- *Air Quality Evaluation Results*, prepared by URS, dated June 2, 2014 (URS, 2014b);
- *Prioritization Assessment Report (PAR)*, prepared by URS, dated July 10, 2014 (URS, 2014c);
- *Pilot Test Summary Report*, prepared by URS, dated August 14, 2014 (URS, 2014d);
- *Updated Assessment Report*, prepared by URS, dated April 1, 2015 (URS, 2015a);
- *SSDS Installation and Evaluation Report*, prepared by URS, dated July 15, 2015 (URS, 2015b);
- *Updated Assessment Report*, prepared by URS, dated March 31, 2016 (URS, 2016a);
- *Air Quality Evaluation Results*, prepared by URS, dated April 12, 2016 (URS, 2016b);
- *SSDS Removal and Retrofit*, prepared by URS and dated October 18, 2016 (URS, 2016c);
- *Air Quality Evaluation Results*, prepared by AECOM, dated April 24, 2017 (AECOM, 2017a);
- *Air Quality Evaluation Results*, prepared by AECOM, dated October 30, 2017 (AECOM, 2017b);
- *Groundwater Monitoring Report – January 2018*, prepared by AECOM, dated March 23, 2018 (AECOM, 2018a);
- *Indoor Air Sampling Report – December 2017*, prepared by AECOM, dated March 26, 2018 (AECOM, 2018b);
- *Updated Prioritization Assessment Report – May and August 2018*, prepared by AECOM, dated August 24, 2018 (AECOM, 2018c);
- *Updated Prioritization Assessment Report – November 2018*, prepared by AECOM, dated February 1, 2019 (AECOM, 2019a);
- *Updated Assessment Report – February and May 2019 Groundwater Sampling*, prepared by AECOM, dated August 21, 2019 (AECOM, 2019b);
- *Additional Assessment Report – October 2019 Soil and Soil-gas Sampling Results*, prepared by AECOM, dated December 12, 2019 (AECOM, 2019c);
- *Additional Assessment Report – February and April 2021 Indoor Air, Soil, and Soil-Gas Sampling Results*, prepared by AECOM, dated June 7, 2021 (AECOM, 2021);
- *Supplemental Soil Assessment Results – August 2022*, prepared by AECOM, dated August 19, 2022 (AECOM, 2022);

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- *Risk Assessment*, prepared by AECOM, dated August 10, 2023 (AECOM, 2023a);
  - *Completion Documentation of the Public Outreach Notification Mailings*, prepared by AECOM, dated December 13, 2023 (AECOM, 2023b); and,
  - *Level 1 Ecological Risk Assessment*, prepared by AECOM, dated February 27, 2024 (AECOM, 2024).

Evidence of subsurface impacts was first identified at the site in 2013 as documented in the *Limited Phase II ESA* (ATC, 2013), with PCE exceeding its PSRG in one soil boring and PCE, TCE, cis-1,2-DCE and vinyl chloride exceeding their respective 2L Standards in groundwater samples collected from temporary monitoring wells. In February 2014, the property owner, Touchstone Associates, LLC petitioned the site into the DSCA Program and executed an Assessment and Remediation Agreement with the North Carolina Department of Environmental Quality (NCDEQ).

Numerous soil, groundwater, soil gas, and indoor air assessments were conducted from April 2014 to October 2021. Groundwater, soil, and vapor quality summary figures are shown on **Figures 3, 4, and 5**, respectively.

AECOM installed a sub-slab depressurization system (SSDS) beneath the US Performance Center tenant space in March 2015 to address unacceptable inhalation risk to occupants. The SSDS system did not extend beneath the former Alpine Cleaners tenant space because the space was vacant and scheduled for demolition. The SSDS remained operational until early 2016, at which time the SSDS was shut down and the site was redeveloped. After the completion of site redevelopment activities, three supplemental indoor air sampling activities were conducted from March to December 2017 while the SSDS was not operational. Because indoor air concentrations were acceptable for current non-residential worker exposure, the SSDS was no longer needed and the retrofitted SSDS piping was abandoned in place. Confirmatory indoor air quality samples collected from within the US Performance Center in February 2021 verified that indoor air quality remained acceptable for its current non-residential use conditions. Location of the SSDS trenching and pertinent indoor air quality data is shown on **Figure 5**.

In June 2020, the petitioned property was split into two parcels. As recorded on Plat Book 67 Page 149 in the Mecklenburg County Register of Deeds, the former Alpine Cleaners property (or source property) is located on the 1.08-acre lot identified as Parcel ID 22325305, and the remaining 9.16-acre portion of the originally petitioned property (or the off-source property) is identified as Parcel ID 22325303.

In October 2021, ownership of the source property transferred to Baybrook Holdings, LLC, but Touchstone Associates, LLC remained the Petitioner for the site.

Based on the data generated to date, AECOM determined that the soil, groundwater, and vapor intrusion exposure pathways had been adequately assessed to satisfy contamination characterization requirements under 15A NCAC 02S .0504. As such, AECOM submitted a *Risk*

*Assessment* for the site to the DSCA Program on August 10, 2023. As discussed in detail in **Section 3.0**, the risk assessment concluded that risks associated with the contamination could be managed through implementation of site-specific land-use controls as detailed in this RMP and summarized on **Figure 6**. Therefore, the risk assessment recommended risk-based closure for the site. The purpose of this RMP is to ensure that the assumptions made in the August 2023 Risk Assessment remain valid in the future.

## 4.2 Remedial Action

According to the DSCA Program's RBCA guidance, no remedial action is necessary if the following four site conditions are met:

- (i) the dissolved plume is stable or decreasing;
- (ii) the maximum concentration within the exposure domain for every complete exposure pathway of any COC is less than ten times the RC of that COC;
- (iii) adequate assurance is provided that the land-use assumptions used in the DSCA Program's RBCA process are not violated for current or future conditions; and,
- (iv) there are no ecological concerns at the site.

The site's compliance with the four above referenced conditions confirms that the contaminant concentrations are not likely to pose an unacceptable risk either at present or in the future and remedial action at the site is not required. Each of these conditions and their applicability to the subject site are summarized in the following sections.

### 4.2.1 Condition 1 – *The dissolved plume is stable or decreasing*

In accordance with 15A NCAC 02S .0509(a)(2), the stability of the plume must be verified by a monitoring period of at least one year. A GSI Environmental Inc. (GSI) Mann-Kendall Toolkit for Constituent Trend Analysis (Mann-Kendall Analysis), which are included in **Appendix A**, was completed to evaluate concentration trends for monitoring wells which have PCE concentrations above the 2L Standards. As shown on the Mann-Kendall Analysis plots, PCE concentrations in monitoring well MW-1/MW-10S have not exhibited a trend based on the eight groundwater sampling events completed between April 2014 and May 2019. Based on this data, AECOM concluded that the size of the plume is stable and concentrations in the source area are likely to remain generally stable.

Documentation of the plume stability evaluation, including a figure showing monitoring well locations, a table showing historical groundwater analytical data, and the Mann-Kendall Analysis is included in **Appendix A**.

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*4.2.2 Condition 2 – The maximum concentration within the exposure domain for every complete exposure pathway of any COC is less than ten times the RC of that COC*

Representative concentrations were not calculated as part of the risk assessment for this site. Instead, a more conservative approach was utilized by using the maximum concentration for each COC within each exposure domain. Hence, this condition has been met for each COC and exposure pathway for the site.

*4.2.3 Condition 3 – Adequate assurance is provided that the land-use assumptions used in the DSCA Program’s RBCA process are not violated for current or future conditions.*

The risk assessment completed for the source property was based on current land-use conditions being commercial. However, using the most conservative approach, future conditions at the site were considered to be residential. As discussed in **Section 6.0**, land-use controls will be implemented for the site to ensure that these assumptions remain valid.

*4.2.4 Condition 4 – There are no ecological concerns at the site.*

AECOM completed a *Level 1 Ecological Risk Assessment* for the site in accordance with the DSCA Program’s RBCA guidance. The results of the evaluation indicate that the release does not pose an unacceptable ecological risk. The completed Level 1 Ecological Risk Assessment Checklists A and B are attached as **Appendix B**.

The site’s compliance with the four above referenced conditions confirms that the contaminant concentrations are not likely to pose an unacceptable risk either at present or in the future. The plume is expected to naturally attenuate over time and the appropriate remedial action is to implement appropriate land-use controls on the properties where soil and/or groundwater contamination is present.

## **5.0 DATA COLLECTED DURING RMP IMPLEMENTATION**

No further sampling or other data collection activities are proposed for the site or adjacent properties, assuming the assumptions detailed in the NDCSRs remain valid. As such, this section is not applicable.

## **6.0 LAND-USE CONTROLS**

As discussed in detail in **Section 3.0**, the recommendations for closure in the risk assessment for the site was based on the following land-use controls:

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**Source property – Baybrook Holdings, LLC, PIN 22325305**

- The source property shall not be used for childcare centers or schools, or for mining or extraction of coal, oil, gas or any mineral or non-mineral substances without prior written approval from NCDEQ;
- Soil in Area 1 of the source property (as designated on **Figure 6**) may not be removed or disturbed unless approved in writing in advance by NCDEQ or its successor in function, except for routine landscape maintenance and emergency utility repair.
- No activities that cause or create an increase in infiltration (for example, removal or demolition of materials such as asphalt, concrete, buildings, or other structures that by their use and nature minimize infiltration of rain or water runoff into potentially contaminated soil) may occur in Area 1 of the source property (as designated on **Figure 6**) without prior approval of NCDEQ.
- Except for routine maintenance, no construction activities or change in property use that cause or create an unacceptable human health risk from vapor intrusion may occur within Areas 1 or 2 of the source property (as designated on **Figure 6**) without prior approval of NCDEQ. These activities include but are not limited to construction of new buildings, removal and construction of part of a building, construction of sub-grade structures that encounter contaminated soil or places building users in close proximity to contaminated groundwater, change from non-residential to residential property, change in tenant space usage, and addition of residential property use on higher floors;
- Structural modifications that may cause or create an increased risk from vapor intrusion require the property owner to demonstrate to the satisfaction of NCDEQ that the indoor air in the structure does not pose an unacceptable risk to the occupants following modifications. These modifications include but are not limited to: modification or replacement of heating, ventilation or air conditioning (HVAC) systems, removal or replacement of the building slab, installation of multiple conduits or piping through the building slab, modifications to building walls or ceilings that may change air flow; and,
- No activities that encounter, expose, remove or use groundwater (for example, installation of water supply wells, fountains, ponds, lakes or swimming pools that use groundwater, or construction or excavation activities that encounter or expose groundwater) may occur in Areas 1, 2, or 3 of the source property (as designated on **Figure 6**) without prior approval of NCDEQ.

**Off-source property – Touchstone Village, LLC, PIN 22325303**

- The off-source property shall not be used for mining or extraction of coal, oil, gas or any mineral or non-mineral substances;

- 
- Soil in Area 1 of the off-source property (as designated on **Figure 6**) may not be removed or disturbed unless approved in writing in advance by NCDEQ or its successor in function, except for routine landscape maintenance and emergency utility repair.
  - No activities that cause or create an increase in infiltration (for example, removal or demolition of materials such as asphalt, concrete, buildings, or other structures that by their use and nature minimize infiltration of rain or water runoff into potentially contaminated soil) may occur in Area 1 of the off-source property (as designated on **Figure 6**) without prior approval of NCDEQ.
  - Except for routine maintenance, no construction activities or change in property use that cause or create an unacceptable human health risk from vapor intrusion may occur within Areas 1 or 2 of the off-source property (as designated on **Figure 6**) without prior approval of NCDEQ. These activities include but are not limited to construction of new buildings, removal and construction of part of a building, construction of sub-grade structures that encounter contaminated soil or places building users in close proximity to contaminated groundwater, change from non-residential to residential property, change in tenant space usage, and addition of residential property use on higher floors; and,
  - No activities that encounter, expose, remove or use groundwater (for example, installation of water supply wells, fountains, ponds, lakes or swimming pools that use groundwater, or construction or excavation activities that encounter or expose groundwater) may occur in Areas 1, 2, or 3 of the off-source property (as designated on **Figure 6**) without prior approval of NCDEQ.

Institutional controls will be implemented to ensure that land-use conditions are maintained and monitored until the land-use controls are no longer required for the site. NDCSRs were prepared for the source property and one off-source property to comply with the land-use control requirement. The NDCSRs are included in **Appendix C**. Refer to the NDCSRs for the specific language to be incorporated to address each of the risk assessment assumptions.

A plat showing the locations and types of dry-cleaning solvent impacts on the site is included as an exhibit to the NDCSRs. The locations of dry-cleaning solvent impacts are where contaminants have been detected above unrestricted use standards.

## 7.0 LONG-TERM STEWARDSHIP PLAN

The NDCSR for the source property and one off-source property contains a clause which requires the owners of the properties to submit a notarized “Annual Certification of Land-Use Restrictions” to NCDEQ on an annual basis certifying that the NDCSR remains recorded with the Register of Deeds and that land-use restrictions (LURs) are being complied with. An example of such a certification is included in **Appendix D**.

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## 8.0 RMP IMPLEMENTATION SCHEDULE

Since the groundwater plume is generally stable, confined to the source property and one off-source property, and possible exposure to the contamination is managed through the NDCSRs, no additional site remediation activities are required to implement the RMP. A 30-day public comment period will be held to allow the community an opportunity to comment on this proposed strategy. **Appendix E** includes example documents used to announce the public comment period in the local newspaper and to inform local officials, nearby property owners, and interested parties. As such, upon completion of the 30-day public comment period and the final approval of the RMP, the NDCSRs will be filed with the Mecklenburg County Register of Deeds and will complete the RMP schedule.

## 9.0 CRITERIA FOR DEMONSTRATING RMP SUCCESS

The RMP will be successfully implemented once the required NDCSRs have been executed and recorded with the Mecklenburg County Register of Deeds. The NDCSRs for the properties may, at the request of the property owner, be canceled by NCDEQ after the risk to public health and the environment associated with the dry-cleaning solvent contamination and any other contaminants included in the dry-cleaning solvent assessment and remediation agreement have been eliminated as a result of remediation of the property. If NCDEQ is notified of a change in site conditions, per the notification requirements detailed in the NDCSR, the RMP will be reviewed to determine if the site conditions have impacted the requirements set forth in the NDCSR and if changes are required. Enforcement of the RMP will be maintained through receipt of the “Annual Certification of Land-Use Restrictions” from the property owner as part of the NDCSR requirements.

## 10.0 CONTINGENCY PLAN IF RMP FAILS

As discussed above, unless the DSCA Program is notified of a change in land-use conditions at the subject site, per the notification requirements detailed in this plan, the RMP will remain in effect until the RMP has met its objectives and is considered a success. Pursuant to N.C.G.S. 143-215.104K, if any of the LURs set out in the NDCSR are violated, then the owner of the property at the time the LURs are violated, the owner’s successors and assigns, and the owner’s agents who direct or contract for alteration of the site in violation of the LURs, shall be held liable for the remediation of all contaminants to unrestricted use standards.

## 11.0 CONCLUSIONS AND RECOMMENDATIONS

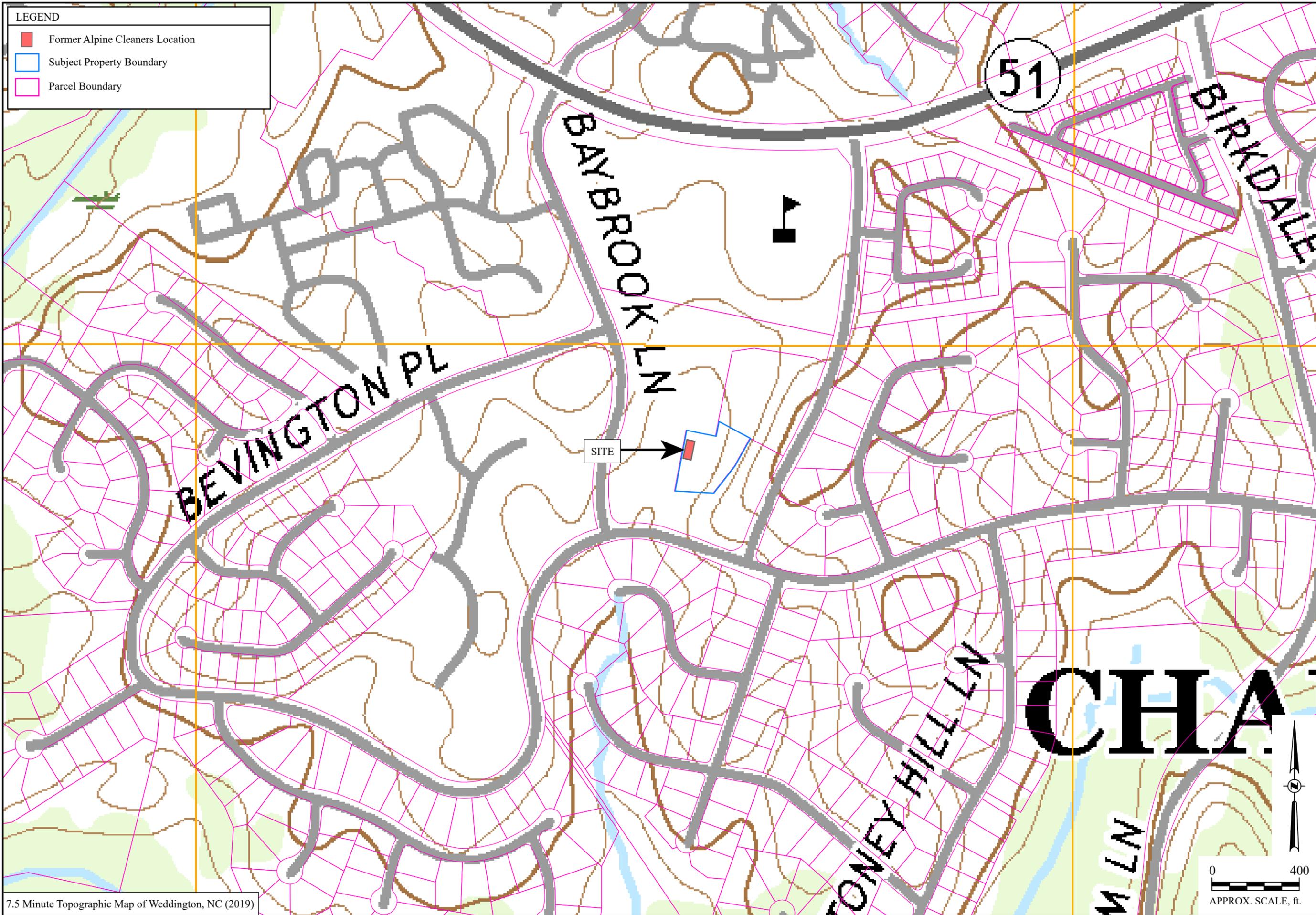
AECOM has prepared this RMP for the former Alpine Cleaners (DC600081) site on behalf of the DSCA Program. The results of the risk assessment completed for the site indicate that contaminant concentrations do not pose an unacceptable risk with appropriate land-use controls applied to the impacted properties. The contaminant plume associated with the site appears generally stable. This

RMP specifies that the NDCSR requirements provide notification that land-use conditions observed during the risk assessment evaluation remain valid in the future. Based on the documentation contained in this report, AECOM recommends issuance of a “No Further Action” letter.

## FIGURES

**LEGEND**

- Former Alpine Cleaners Location
- Subject Property Boundary
- Parcel Boundary



7.5 Minute Topographic Map of Weddington, NC (2019)

Site Location Map  
 Alpine Cleaners  
 9205 Baybrook Lane  
 Charlotte, NC  
 DSCA Site ID DC600081

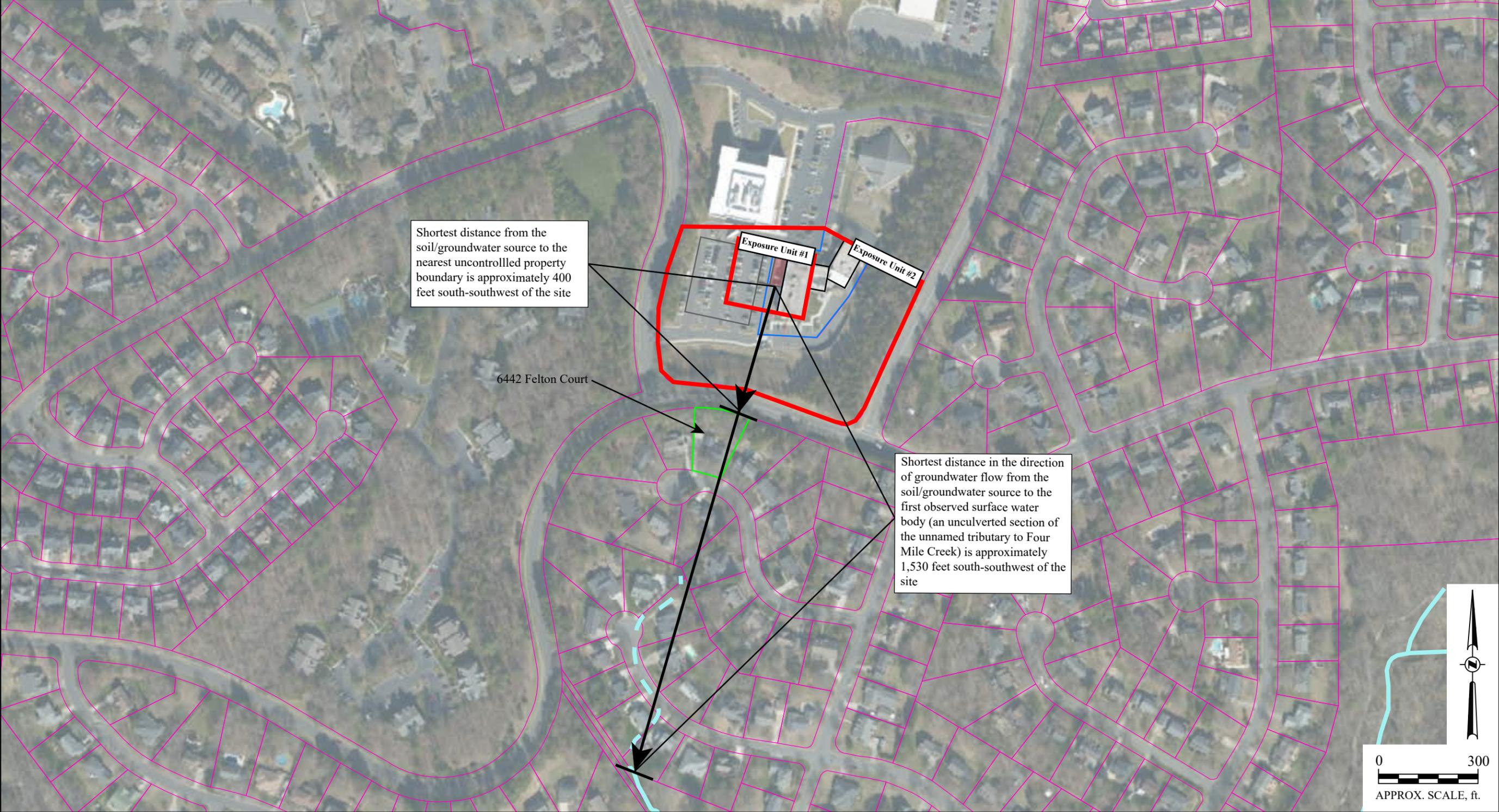
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 NORTH CAROLINA, INC.  
 6000 FAIRVIEW ROAD, SUITE 200  
 CHARLOTTE, NC 28210  
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|                               |                                 |              |
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|                               |                                 | 60676717     |
| SHEET:<br>Figure 1            |                                 |              |

**LEGEND**

-  Former Alpine Cleaners Location
-  Building Outline
-  Subject Property Boundary
-  Parcel Boundary
-  Downgradient Point of Exposure
-  Culverted Surface Water Feature
-  Surface Water Feature
-  Water Supply Well Location



0 300  
APPROX. SCALE, ft.



Exposure Unit and Adjacent Properties Map  
 Alpine Cleaners  
 9205 Baybrook Lane  
 Charlotte, NC  
 DSCA Site ID DC600081

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| SHEET:<br><b>Figure 2</b>     |                                 |                          |

**LEGEND**

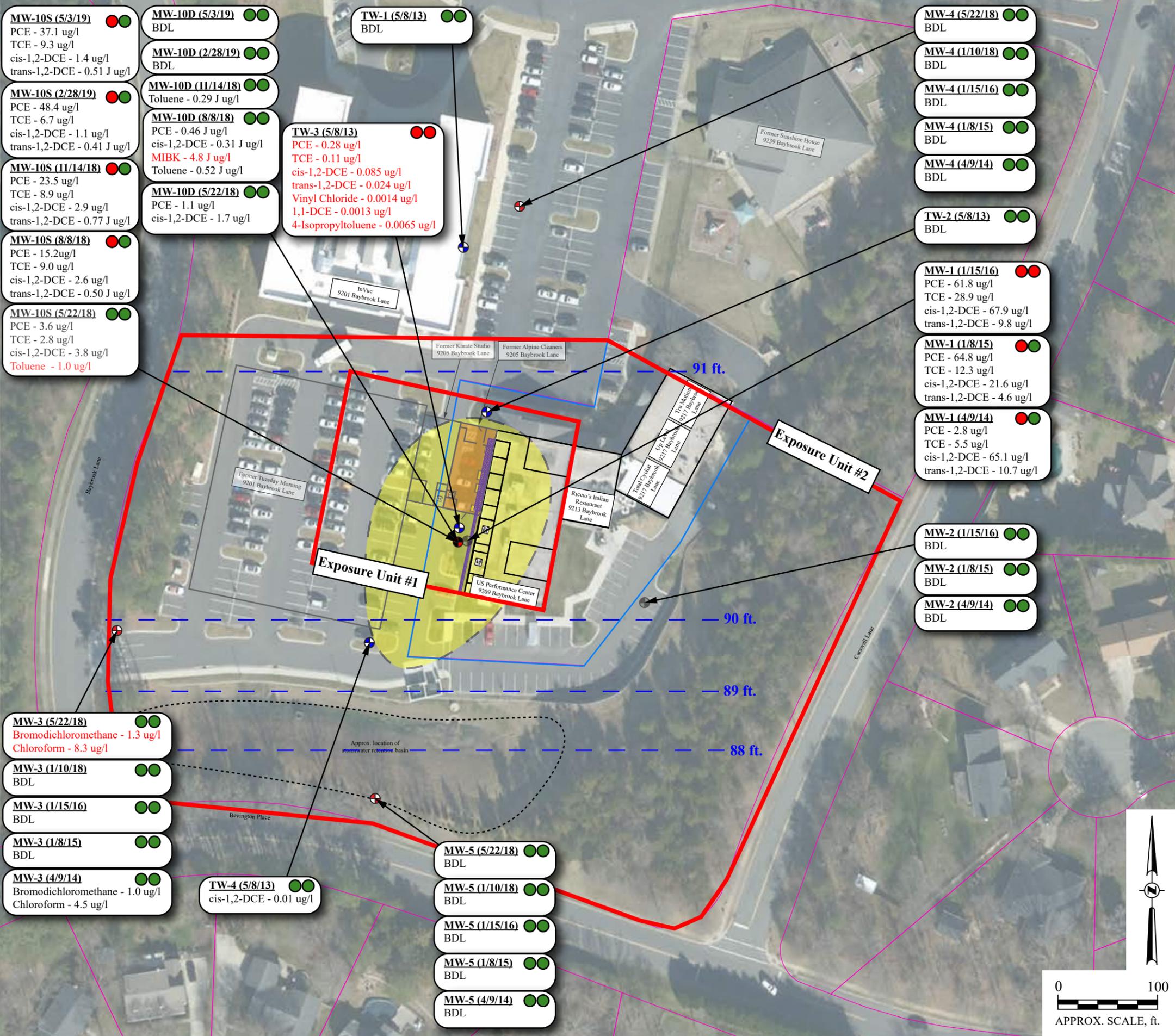
- Former Alpine Cleaners Location
- Former Dry-Cleaning Equipment Location
- Building Outline
- Subject Property Boundary
- Parcel Boundary
- SSDS Trenches / Excavated Soils
- Temporary Monitoring Well Location (ATC, 2013)
- Nested Monitoring Well Location
- Monitoring Well Location
- Abandoned / Destroyed Monitoring Well Location
- BDL Below Laboratory Detection Limits
- ug/l micrograms per liter
- J Estimated Value
- Potentiometric Surface Contour (ft)
- Inferred Groundwater Flow Direction (5/3/2019)
- Area of PCE 2L Standard Exceedance

PCE - Tetrachloroethylene  
 TCE - Trichloroethylene  
 cis-1,2-DCE - cis-1,2-Dichloroethylene  
 trans-1,2-DCE - trans-1,2-Dichloroethylene  
 MIBK - Methyl isobutyl ketone  
 1,1-DCE - 1,1-Dichloroethylene

- Sample does not exceed acceptable residential or non-residential risk (DSCA Calculator Version 6 - Nov. 2017).
- Sample exceeds acceptable residential risk but does not exceed acceptable non-residential risk (DSCA Calculator Version 6 - Nov. 2017)
- Sample exceeds acceptable non-residential risk (DSCA Calculator Version 6 - Nov. 2017)

**Notes:**  
 In 2016-2017, the former Alpine Cleaners, Karate Studio, and Tuesday Morning tenant spaces were razed and redeveloped as the existing paved surface level parking areas and drive aisles. MW-1 and MW-2 were damaged or destroyed during the construction activities.

**Red highlighted text indicates highest individual contaminant concentration for calculations in DSCA Risk Assessment Model**



**MW-10S (5/3/19)** ●●  
 PCE - 37.1 ug/l  
 TCE - 9.3 ug/l  
 cis-1,2-DCE - 1.4 ug/l  
 trans-1,2-DCE - 0.51 J ug/l

**MW-10D (5/3/19)** ●●  
 BDL

**MW-10D (2/28/19)** ●●  
 BDL

**TW-1 (5/8/13)** ●●  
 BDL

**MW-10S (2/28/19)** ●●  
 PCE - 48.4 ug/l  
 TCE - 6.7 ug/l  
 cis-1,2-DCE - 1.1 ug/l  
 trans-1,2-DCE - 0.41 J ug/l

**MW-10D (11/14/18)** ●●  
 Toluene - 0.29 J ug/l

**MW-10D (8/8/18)** ●●  
 PCE - 0.46 J ug/l  
 cis-1,2-DCE - 0.31 J ug/l  
 MIBK - 4.8 J ug/l  
 Toluene - 0.52 J ug/l

**TW-3 (5/8/13)** ●●  
 PCE - 0.28 ug/l  
 TCE - 0.11 ug/l  
 cis-1,2-DCE - 0.085 ug/l  
 trans-1,2-DCE - 0.024 ug/l  
 Vinyl Chloride - 0.0014 ug/l  
 1,1-DCE - 0.0013 ug/l  
 4-Isopropyltoluene - 0.0065 ug/l

**MW-10S (11/14/18)** ●●  
 PCE - 23.5 ug/l  
 TCE - 8.9 ug/l  
 cis-1,2-DCE - 2.9 ug/l  
 trans-1,2-DCE - 0.77 J ug/l

**MW-10D (5/22/18)** ●●  
 PCE - 1.1 ug/l  
 cis-1,2-DCE - 1.7 ug/l

**MW-10S (8/8/18)** ●●  
 PCE - 15.2 ug/l  
 TCE - 9.0 ug/l  
 cis-1,2-DCE - 2.6 ug/l  
 trans-1,2-DCE - 0.50 J ug/l

**MW-10S (5/22/18)** ●●  
 PCE - 3.6 ug/l  
 TCE - 2.8 ug/l  
 cis-1,2-DCE - 3.8 ug/l  
 Toluene - 1.0 ug/l

**MW-4 (5/22/18)** ●●  
 BDL

**MW-4 (1/10/18)** ●●  
 BDL

**MW-4 (1/15/16)** ●●  
 BDL

**MW-4 (1/8/15)** ●●  
 BDL

**MW-4 (4/9/14)** ●●  
 BDL

**TW-2 (5/8/13)** ●●  
 BDL

**MW-1 (1/15/16)** ●●  
 PCE - 61.8 ug/l  
 TCE - 28.9 ug/l  
 cis-1,2-DCE - 67.9 ug/l  
 trans-1,2-DCE - 9.8 ug/l

**MW-1 (1/8/15)** ●●  
 PCE - 64.8 ug/l  
 TCE - 12.3 ug/l  
 cis-1,2-DCE - 21.6 ug/l  
 trans-1,2-DCE - 4.6 ug/l

**MW-1 (4/9/14)** ●●  
 PCE - 2.8 ug/l  
 TCE - 5.5 ug/l  
 cis-1,2-DCE - 65.1 ug/l  
 trans-1,2-DCE - 10.7 ug/l

**MW-2 (1/15/16)** ●●  
 BDL

**MW-2 (1/8/15)** ●●  
 BDL

**MW-2 (4/9/14)** ●●  
 BDL

**MW-3 (5/22/18)** ●●  
 Bromodichloromethane - 1.3 ug/l  
 Chloroform - 8.3 ug/l

**MW-3 (1/10/18)** ●●  
 BDL

**MW-3 (1/15/16)** ●●  
 BDL

**MW-3 (1/8/15)** ●●  
 BDL

**MW-3 (4/9/14)** ●●  
 Bromodichloromethane - 1.0 ug/l  
 Chloroform - 4.5 ug/l

**TW-4 (5/8/13)** ●●  
 cis-1,2-DCE - 0.01 ug/l

**MW-5 (5/22/18)** ●●  
 BDL

**MW-5 (1/10/18)** ●●  
 BDL

**MW-5 (1/15/16)** ●●  
 BDL

**MW-5 (1/8/15)** ●●  
 BDL

**MW-5 (4/9/14)** ●●  
 BDL



Groundwater Quality Summary Map  
 Alpine Cleaners  
 9205 Baybrook Lane  
 Charlotte, NC  
 DSCA Site ID DC600081

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 CHARLOTTE, NC 28210  
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 PROJECT NO.: 60676717

SHEET:  
**Figure 3**

**LEGEND**

- Former Alpine Cleaners Location
- Former Dry-Cleaning Equipment Location
- Building Outline
- Subject Property Boundary
- Parcel Boundary
- Nested Monitoring Well Location
- Abandoned / Destroyed Monitoring Well Location
- ATC Soil Boring Location
- AECOM/URS Soil Boring Location
- Excavated Soil Boring Location
- SSDS Trenches / Excavated Soils
- Extent of soil contamination greater than PCE PSRG of 0.0063 mg/kg
- Extent of soil contamination greater than PCE SSTL of 0.021 mg/kg

mg/kg milligrams per kilogram  
PCE Tetrachloroethylene  
TCE Trichloroethylene  
MTBE Methyl ter-butyl ether  
J Estimated Concentration

**Red highlighted text indicates highest individual contaminant concentration used in Point of Exposure calculations in DSCA Risk Assessment Model.**

**Notes:**  
In 2016-2017, the former Alpine Cleaners, Karate Studio, and Tuesday Morning tenant spaces were razed and redeveloped as the existing paved surface level parking areas and drive aisles. MW-1 and MW-2 were damaged or destroyed during the construction activities.

Per the SSDS Removal and Retrofit report prepared by URS Corporation and dated October 18, 2016, approximately 64 cubic yards of impacted soil were removed from a 60 foot long x 5 foot wide x 4 foot deep trench for the subslab depressurization system (SSDS) points and a second 70 foot long x 2 foot wide x 2 foot deep trench for the SSDS conveyance piping. As such, contaminant impacts summarized within grey data bubbles are not representative of current site conditions. Soil impacts identified above 4 feet bgs in soil borings SB-1, SB-2, SB-3, SB-4, SB-5, SB-16 and SB-17 have been remediated through excavation, but soil impacts below 4 feet bgs at these locations remain in situ.



Soil Quality Summary Map  
Alpine Cleaners  
9205 Baybrook Lane  
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SHEET:  
**Figure 4**



LEGEND

- Former Alpine Cleaners Location
- Former Dry-Cleaning Equipment Location
- Building Outline
- Subject Property Boundary
- Parcel Boundary
- SSDS Trenches / Excavated Soils
- Temporary Monitoring Well Location (ATC, 2013)
- Nested Monitoring Well Location
- Abandoned / Destroyed Monitoring Well Location
- Indoor/Ambient Air Sample Location
- Subslab Vapor Sample Location
- Soil Gas Sample Location

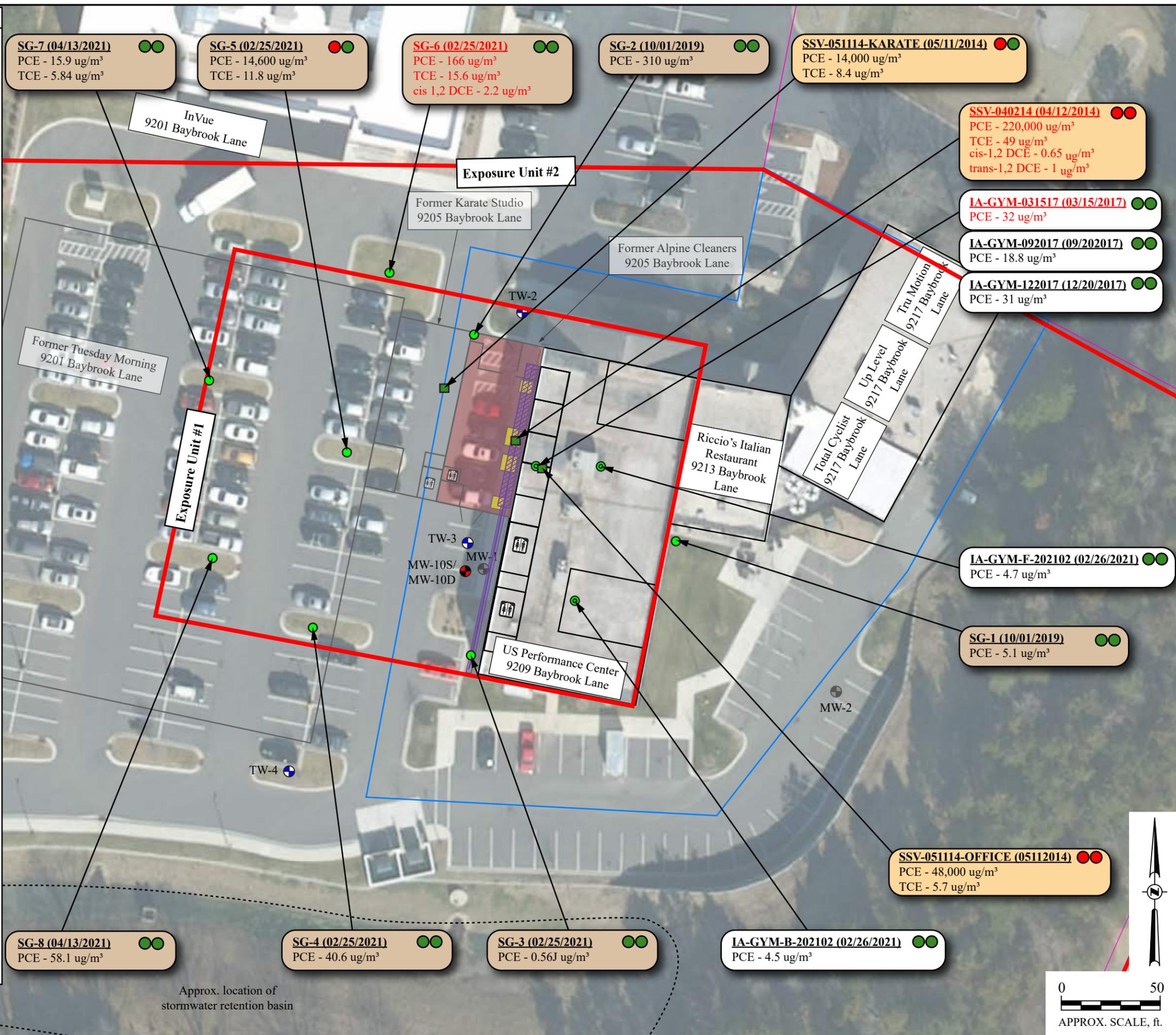
cis-1,2-DCE      cis-1,2-Dichloroethylene  
 PCE              Tetrachloroethylene  
 TCE              Trichloroethylene  
 trans-1,2-DCE    trans-1,2-Dichloroethylene  
 BDL              Below Laboratory Detection Limits  
 ug/m<sup>3</sup>            micrograms per cubic meter  
 J                  Estimated Value

Indoor Air Risk Calculations - DSCA Calculator (Ver. 8 - March 2021)

- Sample does not exceed acceptable residential or non-residential risk.
- Sample exceeds acceptable residential risk but does not exceed acceptable non-residential risk.
- Sample exceeds acceptable residential and non-residential risk.

Notes:  
 In 2016-2017, the former Alpine Cleaners, Karate Studio, and Tuesday Morning tenant spaces were razed and redeveloped as the existing paved surface level parking areas and drive aisles. MW-1 and MW-2 were damaged or destroyed during the construction activities. Indoor air samples collected prior to September 1, 2016 are not shown as they are no longer considered representative due to the removal of contaminated soils and construction activities as described above.

Red highlighted text indicates sample used in DSCA Risk Assessment Model that is representative of the greatest cumulative risk in that exposure unit. However, it should be noted that sub-slab soil gas sample SSV-040214 is not representative of conditions following building demolition and site redevelopment activities completed in 2016-2017 as no samples have been collected since building demolition and site redevelopment due to site accessibility issues and sampling constraints. However, in lieu of the absence of current soil gas data, the use of sample SSV-040214 as part of the risk assessment process is acceptable as the results are conservative and will require the use of vapor land use controls to manage future exposure risk.



Vapor Quality Summary Map  
 Alpine Cleaners  
 9205 Baybrook Lane  
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 DSCA Site ID DC60081

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**AECOM**

**DEQ**  
Division of Environmental Quality

|              |                  |
|--------------|------------------|
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| CHECKED BY:  | RHM - 12/13/2022 |
| PROJECT NO.: | 60676717         |

SHEET:  
**Figure 5**

**LEGEND**

-  Building Outline
-  Source Property Boundary
-  Off-source Property Boundary
-  Other Parcel Boundaries
-  Nested Monitoring Well Location
-  Abandoned / Destroyed Monitoring Well Location
-  Temporary Monitoring Well Location (ATC, 2013)
-  This area contains impacted soils exceeding applicable Preliminary Soil Remediation Goals (PSRGs) and Site-Specific Target Levels (SSTLs) for PCE (0.0063 mg/kg and 0.021 mg/kg, respectively). Therefore, soil in this area may not be removed or disturbed unless approved in writing in advance by NCDEQ and an infiltrate cover must be maintained over this portion of the property to minimize infiltration of rain or water runoff unless approved in writing in advance by NCDEQ.
-  This area incorporates the limits of Area 1. Assuming current conditions, the levels of carcinogenic risk and hazard index are acceptable for non-residential use. However, levels of carcinogenic risk and hazard index are not acceptable for future residential and/or non-residential use due to exceedences of the soil gas to indoor air exposure pathway. Therefore, the following vapor intrusion land-use controls are recommended for this property:
  - Except for routine maintenance, no construction activities or change in property use that cause or create an unacceptable human health risk from vapor intrusion may occur on the property without prior approval of NCDEQ. These activities include but are not limited to: construction of new buildings, removal and construction of part of a building, construction of sub-grade structures that encounter contaminated soil or places building users in close proximity to contaminated groundwater, change from non-residential to residential property, change in tenant space usage, and addition of residential property use on higher floors.
  - Structural modifications that may cause or create an increased risk from vapor intrusion require the property owner to demonstrate to the satisfaction of NCDEQ that the indoor air in the structure does not pose an unacceptable risk to the occupants following modifications. These modifications include but are not limited to: modification or replacement of heating, ventilation or air conditioning (HVAC) systems, removal or replacement of the building slab, installation of multiple conduits or piping through the building slab, modifications to building walls or ceilings that may change air flow.
-  This area is incorporates the limits of Areas 1 and 2 and contains impacted groundwater exceeding applicable NCDEQ 2L Groundwater Standards. No activities that encounter, expose, remove, or use groundwater (for example, installation of water supply wells, fountains, ponds, lakes or swimming pools that use groundwater, or construction or excavation activities that encounter or expose groundwater) may occur on the Property without prior approval by NCDEQ. No subsurface structures for access of personal use, such as basements, may be constructed on the Property without prior approval by NCDEQ.



Land-Use Control Areas Map  
 Alpine Cleaners  
 9205 Baybrook Lane  
 Charlotte, NC  
 DSCA Site ID DC600081

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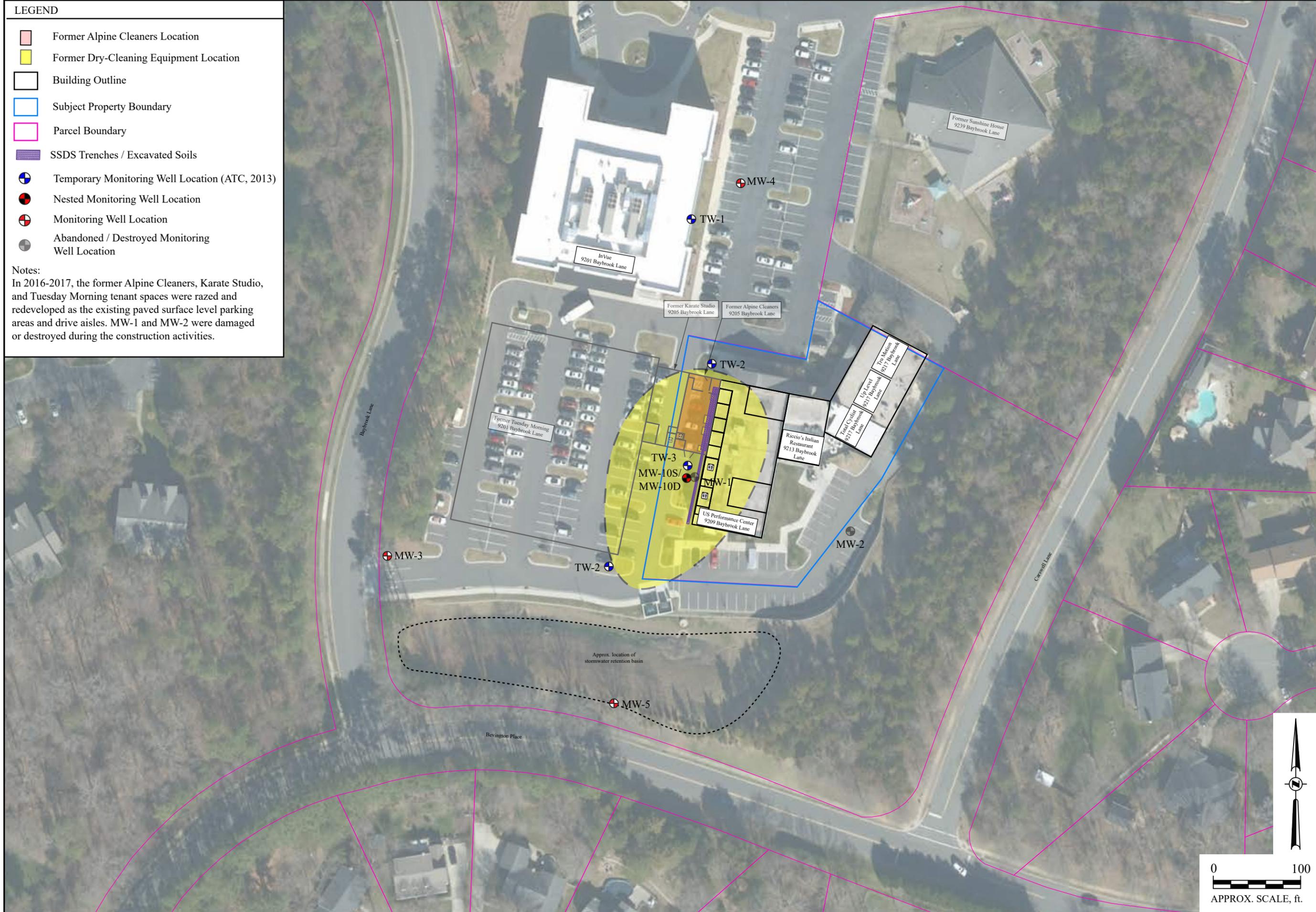
SHEET:  
**Figure 6**

**APPENDIX A**  
**PLUME STABILITY DEMONSTRATION**

**LEGEND**

-  Former Alpine Cleaners Location
-  Former Dry-Cleaning Equipment Location
-  Building Outline
-  Subject Property Boundary
-  Parcel Boundary
-  SSDS Trenches / Excavated Soils
-  Temporary Monitoring Well Location (ATC, 2013)
-  Nested Monitoring Well Location
-  Monitoring Well Location
-  Abandoned / Destroyed Monitoring Well Location

**Notes:**  
 In 2016-2017, the former Alpine Cleaners, Karate Studio, and Tuesday Morning tenant spaces were razed and redeveloped as the existing paved surface level parking areas and drive aisles. MW-1 and MW-2 were damaged or destroyed during the construction activities.



**Monitoring Well Location Map**  
 Alpine Cleaners  
 9205 Baybrook Lane  
 Charlotte, NC  
 DSCA Site ID DC600081

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SHEET:  
**App. A**



**Table 5: Analytical Data for Groundwater**

**DSCA Site ID: DC600081**

| Groundwater Sampling Point | Sampling Date (mm/dd/yy) | Benzene | cis-1,2-Dichloroethylene | Ethylbenzene | Methyl tert-butyl ether (MTBE) | Naphthalene | Tetrachloroethylene | Toluene      | trans-1,2-Dichloroethylene | Trichloroethylene | Vinyl chloride | Xylenes (total) | Bromdichloromethane | Chloroform    | 1,1-Dichloroethylene | 4-Isopropyltoluene | 4-Methyl-2-pentanone (MIBK) |
|----------------------------|--------------------------|---------|--------------------------|--------------|--------------------------------|-------------|---------------------|--------------|----------------------------|-------------------|----------------|-----------------|---------------------|---------------|----------------------|--------------------|-----------------------------|
|                            |                          | (mg/L)  |                          |              |                                |             |                     |              |                            |                   |                |                 |                     |               |                      |                    |                             |
| TW-1                       | 05/08/13                 | <0.0005 | <0.0005                  | <0.0005      | <0.0005                        | <0.001      | <0.0005             | <0.0005      | <0.0005                    | <0.0005           | <0.0005        | <0.001          | <0.0005             | <0.0005       | <0.0005              | <0.0005            | <0.005                      |
| TW-2                       | 05/08/13                 | <0.0005 | <0.0005                  | <0.0005      | <0.0005                        | <0.001      | <0.0005             | <0.0005      | <0.0005                    | <0.0005           | <0.0005        | <0.001          | <0.0005             | <0.0005       | <0.0005              | <0.0005            | <0.005                      |
| TW-3                       | 05/08/13                 | <0.0005 | <b>0.085</b>             | <0.0005      | <0.0005                        | <0.001      | <b>0.28</b>         | <0.0005      | <b>0.024</b>               | <b>0.11</b>       | <b>0.0014</b>  | <0.001          | <0.0005             | <0.0005       | <b>0.0013</b>        | <b>0.0065</b>      | <0.005                      |
| TW-4                       | 05/08/13                 | <0.0005 | <b>0.01</b>              | <0.0005      | <0.0005                        | <0.001      | <0.0005             | <0.0005      | <0.0005                    | <0.0005           | <0.0005        | <0.001          | <0.0005             | <0.0005       | <0.0005              | <0.0005            | <0.005                      |
|                            |                          |         |                          |              |                                |             |                     |              |                            |                   |                |                 |                     |               |                      |                    |                             |
| MW-1                       | 04/09/14                 | <0.001  | <b>0.0651</b>            | <0.001       | <0.001                         | <0.001      | <b>0.0028</b>       | <0.001       | <b>0.0107</b>              | <b>0.0055</b>     | <0.001         | <0.002          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 01/08/15                 | <0.001  | <b>0.0216</b>            | <0.001       | <0.001                         | <0.001      | <b>0.0648</b>       | <0.001       | <b>0.0046</b>              | <b>0.0123</b>     | <0.001         | <0.002          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 01/15/16                 | <0.001  | <b>0.0679</b>            | <0.001       | <0.001                         | <0.001      | <b>0.0618</b>       | <0.001       | <b>0.0098</b>              | <b>0.0289</b>     | <0.001         | <0.002          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
| MW-2                       | 04/09/14                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.002          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 01/08/15                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.002          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 01/15/16                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.002          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
| MW-3                       | 04/09/14                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.002          | <b>0.001</b>        | <b>0.0045</b> | <0.001               | <0.001             | <0.005                      |
|                            | 01/08/15                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.002          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 01/15/16                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.002          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 01/10/18                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.001          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 05/22/18                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.001          | <b>0.0013</b>       | <b>0.0083</b> | <0.001               | <0.001             | <0.005                      |
| MW-4                       | 04/09/14                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.002          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 01/08/15                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.002          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 01/15/16                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.002          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 01/10/18                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.001          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 05/22/18                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.001          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
| MW-5                       | 04/09/14                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.002          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 01/08/15                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.002          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 01/15/16                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.002          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 01/10/18                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.001          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 05/22/18                 | <0.001  | <0.001                   | <0.001       | <0.001                         | <0.001      | <0.001              | <0.001       | <0.001                     | <0.001            | <0.001         | <0.001          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
| MW-10S                     | 05/22/18                 | <0.001  | <b>0.0038</b>            | <0.001       | <0.001                         | <0.001      | <b>0.0036</b>       | <b>0.001</b> | <0.001                     | <b>0.0028</b>     | <0.001         | <0.001          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 08/08/18                 | <0.001  | <b>0.0026</b>            | <0.001       | <0.001                         | <0.001      | <b>0.0152</b>       | <0.001       | <b>0.0005 J</b>            | <b>0.009</b>      | <0.001         | <0.001          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 11/14/18                 | <0.001  | <b>0.0029</b>            | <0.001       | <0.001                         | <0.001      | <b>0.0235</b>       | <0.001       | <b>0.00077 J</b>           | <b>0.0089</b>     | <0.001         | <0.001          | <0.001              | <0.001        | <0.001               | <0.001             | <0.005                      |
|                            | 02/28/19                 | <0.001  | <b>0.0011</b>            | <0.001       | <0.001                         | <0.001      | <b>0.0484</b>       | <0.001       | <b>0.00041 J</b>           | <b>0.0067</b>     | <0.001         | <0.001          | <0.001              | <0.005        | <0.001               | <0.001             | <0.005                      |
|                            | 05/03/19                 | <0.001  | <b>0.0014</b>            | <0.001       | <0.001                         | <0.001      | <b>0.0371</b>       | <0.001       | <b>0.00051 J</b>           | <b>0.0093</b>     | <0.001         | <0.001          | <0.001              | <0.005        | <0.001               | <0.001             | <0.005                      |

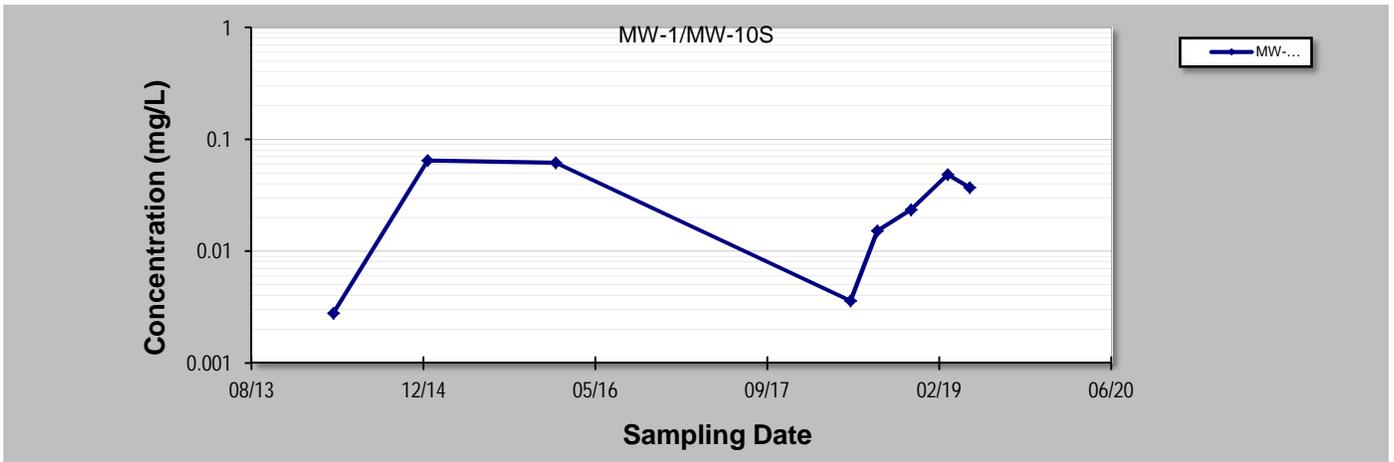


# GSI MANN-KENDALL TOOLKIT

## for Constituent Trend Analysis

|  |   |
|--|---|
| Evaluation Date: <b>19-Aug-19</b>                | Job ID: <b>60572591</b>                     |
| Facility Name: <b>Alpine Cleaners (DC600081)</b> | Constituent: <b>Tetrachloroethene (PCE)</b> |
| Conducted By: <b>J. Hvozdk</b>                   | Concentration Units: <b>mg/L</b>            |
| Sampling Point ID: <b>MW-1/MW-10S</b>            |   |

| Sampling Event              | Sampling Date | TETRACHLOROETHENE (PCE) CONCENTRATION (mg/L) |  |  |  |  |  |
|-----------------------------|---------------|--|--|--|--|--|--|
| 1                           | 9-Apr-14      | 0.0028                                       |  |  |  |  |  |
| 2                           | 8-Jan-15      | 0.0648                                       |  |  |  |  |  |
| 3                           | 15-Jan-16     | 0.0618                                       |  |  |  |  |  |
| 4                           | 22-May-18     | 0.0036                                       |  |  |  |  |  |
| 5                           | 8-Aug-18      | 0.0152                                       |  |  |  |  |  |
| 6                           | 14-Nov-18     | 0.0235                                       |  |  |  |  |  |
| 7                           | 28-Feb-19     | 0.0484                                       |  |  |  |  |  |
| 8                           | 3-May-19      | 0.0371                                       |  |  |  |  |  |
| 9                           |               |  |  |  |  |  |  |
| 10                          |               |  |  |  |  |  |  |
| 11                          |               |  |  |  |  |  |  |
| 12                          |               |  |  |  |  |  |  |
| 13                          |               |  |  |  |  |  |  |
| 14                          |               |  |  |  |  |  |  |
| 15                          |               |  |  |  |  |  |  |
| 16                          |               |  |  |  |  |  |  |
| 17                          |               |  |  |  |  |  |  |
| 18                          |               |  |  |  |  |  |  |
| 19                          |               |  |  |  |  |  |  |
| 20                          |               |  |  |  |  |  |  |
| Coefficient of Variation:   |               | 0.77   |  |  |  |  |  |
| Mann-Kendall Statistic (S): |               | 4  |  |  |  |  |  |
| Confidence Factor:          |               | 64.0%  |  |  |  |  |  |
| Concentration Trend:        |               | No Trend                                     |  |  |  |  |  |



**Notes:**

1. At least four independent sampling events per well are required for calculating the trend. *Methodology is valid for 4 to 40 samples.*
2. Confidence in Trend = Confidence (in percent) that constituent concentration is increasing (S>0) or decreasing (S<0): >95% = Increasing or Decreasing; ≥ 90% = Probably Increasing or Probably Decreasing; < 90% and S>0 = No Trend; < 90%, S≤0, and COV ≥ 1 = No Trend; < 90% and COV < 1 = Stable.
3. Methodology based on "MAROS: A Decision Support System for Optimizing Monitoring Plans", J.J. Aziz, M. Ling, H.S. Rifai, C.J. Newell, and J.R. Gonzales, *Ground Water*, 41(3):355-367, 2003.

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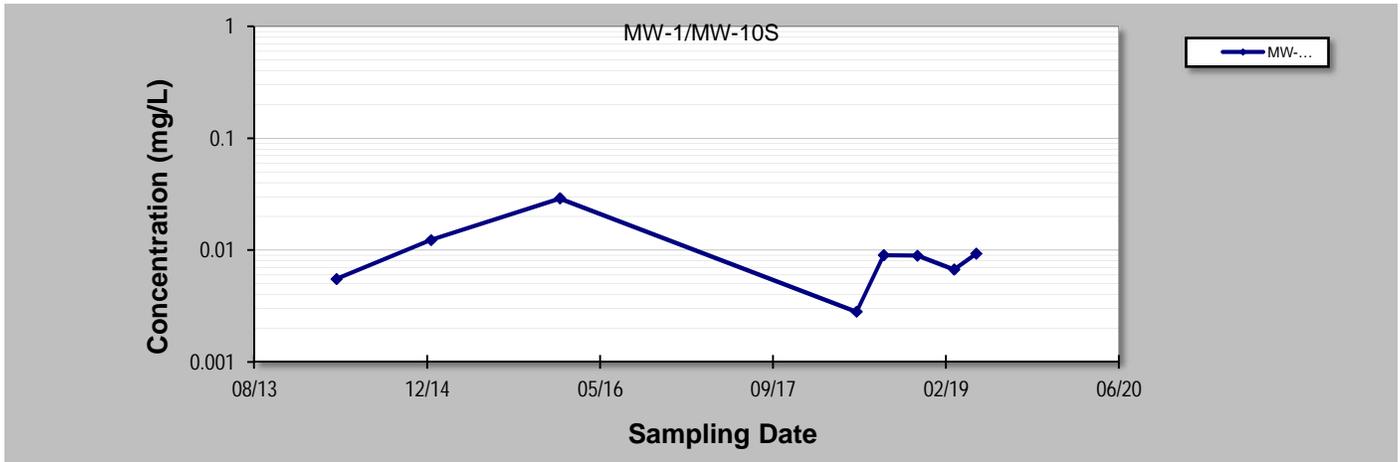
# GSI MANN-KENDALL TOOLKIT

## for Constituent Trend Analysis

|  |   |
|--|---|
| Evaluation Date: <b>19-Aug-19</b>                | Job ID: <b>60572591</b>                   |
| Facility Name: <b>Alpine Cleaners (DC600081)</b> | Constituent: <b>Trichloroethene (TCE)</b> |
| Conducted By: <b>J. Hvozdk</b>                   | Concentration Units: <b>mg/L</b>          |

Sampling Point ID: **MW-1/MW-10S**

| Sampling Event              | Sampling Date | TRICHLOROETHENE (TCE) CONCENTRATION (mg/L) |  |  |  |  |  |
|-----------------------------|---------------|--|--|--|--|--|--|
| 1                           | 9-Apr-14      | 0.0055                                     |  |  |  |  |  |
| 2                           | 8-Jan-15      | 0.0123                                     |  |  |  |  |  |
| 3                           | 15-Jan-16     | 0.0289                                     |  |  |  |  |  |
| 4                           | 22-May-18     | 0.0028                                     |  |  |  |  |  |
| 5                           | 8-Aug-18      | 0.009                                      |  |  |  |  |  |
| 6                           | 14-Nov-18     | 0.0089                                     |  |  |  |  |  |
| 7                           | 28-Feb-19     | 0.0067                                     |  |  |  |  |  |
| 8                           | 3-May-19      | 0.0093                                     |  |  |  |  |  |
| 9                           |               |  |  |  |  |  |  |
| 10                          |               |  |  |  |  |  |  |
| 11                          |               |  |  |  |  |  |  |
| 12                          |               |  |  |  |  |  |  |
| 13                          |               |  |  |  |  |  |  |
| 14                          |               |  |  |  |  |  |  |
| 15                          |               |  |  |  |  |  |  |
| 16                          |               |  |  |  |  |  |  |
| 17                          |               |  |  |  |  |  |  |
| 18                          |               |  |  |  |  |  |  |
| 19                          |               |  |  |  |  |  |  |
| 20                          |               |  |  |  |  |  |  |
| Coefficient of Variation:   |               | 0.77                                       |  |  |  |  |  |
| Mann-Kendall Statistic (S): |               | 0  |  |  |  |  |  |
| Confidence Factor:          |               | 45.2%                                      |  |  |  |  |  |
| Concentration Trend:        |               | Stable                                     |  |  |  |  |  |



**Notes:**

1. At least four independent sampling events per well are required for calculating the trend. *Methodology is valid for 4 to 40 samples.*
2. Confidence in Trend = Confidence (in percent) that constituent concentration is increasing (S>0) or decreasing (S<0): >95% = Increasing or Decreasing; ≥ 90% = Probably Increasing or Probably Decreasing; < 90% and S>0 = No Trend; < 90%, S≤0, and COV ≥ 1 = No Trend; < 90% and COV < 1 = Stable.
3. Methodology based on "MAROS: A Decision Support System for Optimizing Monitoring Plans", J.J. Aziz, M. Ling, H.S. Rifai, C.J. Newell, and J.R. Gonzales, *Ground Water*, 41(3):355-367, 2003.

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**APPENDIX B**  
**LEVEL I ECOLOGICAL RISK ASSESSMENT CHECKLISTS**

**Level 1 Ecological Risk Assessment**  
**Checklist A for Potential Receptors and Habitats**  
**Alpine Cleaners, DSCA Site ID DC600081**

- 1. Are there any navigable water bodies or tributaries to a navigable water body on or within the one-half mile of this site?** Yes. The Clean Water Act (CWA) protects “navigable waters,” a term defined in the act to mean “the waters of the United States”. This would include, but is not limited to: (1) traditional navigable waters; (2) “all interstate waters including interstate wetlands”; (3) “all other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds...”; (4) “all impoundments of waters otherwise defined as ‘waters of the United States’ under the definition”; (5) “tributaries of waters...”; (6) “the territorial seas”; and (7) “wetlands adjacent to waters (other than waters that are themselves wetlands)...”.

Upon review of the United States Geological Survey (USGS) Topographic Map of Weddington, North Carolina dated 2019 (**Figure 1**) and the Physical Setting Source Summary provided in the Environmental Data Resources (EDR) Radius Map™ Report with GeoCheck® (**Appendix A**), Four Mile Creek, and tributaries thereof, were identified within a one-half mile radius of the former Alpine Cleaners dry-cleaning facility previously located at 9205 Baybrook Lane (site). As evident on **Figure 1**, the closest surface water feature is an unnamed tributary of Four Mile Creek located approximately 1,530 feet south-southwest of the site. In addition, the Physical Setting Source Summary provided in the EDR Radius Map™ Report with GeoCheck® (**Appendix A**) indicates that the site is not located within the 100-year and 500-year floodplains of Four Mile Creek.

- 2. Are there any non-navigable water bodies or tributaries to a non-navigable water body on or within the one-half mile of the site?** No. Under the CWA, “waters of the United States” does not include groundwater, prior converted cropland (included under the U.S. Department of Agriculture’s administrative definition of the term “wetland”) or waste treatment systems (including treatment ponds or lagoons), as well as: exemptions for normal farming, ranching, and silviculture activities such as plowing, seeding, and cultivation; exemptions for permitting of agricultural stormwater discharges and return flows from irrigated agriculture; or exemptions for water transfers that do not introduce pollutants into a waterbody.

As such, the site’s stormwater basin does not appear to be incorporated on the list of existing waters and/or features excluded from CWA jurisdiction. However, AECOM does not consider the site’s stormwater basin a “water” or feature subject to the CWA at this time based on the rule changes proposed by the EPA and Corps which would specifically identify these features as exclusions.

- 3. Are there any wetland areas such as marshes or swamps on or within one-half mile of the site?** Yes. According to the EDR NEPASearch™ Report (**Appendix B**), the

National Wetland Inventory (NWI) identified eight wetland features within a one-half mile radius of the site. The off-site wetland features included:

- PFO1C - [P] Palustrine [FO] Forested [1] Broad-Leaved Deciduous [C] Seasonally Flooded located 2,025 feet south-southwest;
- PFO1C - [P] Palustrine [FO] Forested [1] Broad-Leaved Deciduous [C] Seasonally Flooded located 2,322 feet west-northwest;
- PSS1C - [P] Palustrine [SS] Scrub Shrub [1] Broad-Leaved Deciduous [C] Seasonally Flooded located 2,485 feet northwest;
- PSS1A - [P] Palustrine [SS] Scrub Shrub [1] Broad-Leaved Deciduous [A] Temporarily Flooded located 2,550 feet north-northwest;
- PUBHh - [P] Palustrine [UB] Unconsolidated Bottom [H] Permanently Flooded [h] Diked/Impounded located 2,580 feet east-northeast;
- PSS1Ch - [P] Palustrine [SS] Scrub Shrub [1] Broad-Leaved Deciduous [C] Seasonally Flooded [h] Diked/Impounded located 2,587 feet south-southwest;
- PSS1Ch - [P] Palustrine [SS] Scrub Shrub [1] Broad-Leaved Deciduous [C] Seasonally Flooded [h] Diked/Impounded located 2,613 feet south; and,
- PFO1A - [P] Palustrine [FO] Forested [1] Broad-Leaved Deciduous [A] Temporarily Flooded located 2,616 feet southwest.

**4. Are there any sensitive environmental areas on or within one-half mile of the site?**

Yes. AECOM considers the aforementioned surface water bodies, their tributaries, and the identified national wetland features, to be sensitive environmental areas. In addition, the EDR NEPASearch™ Report (**Appendix B**) identified multiple occurrences for a county, state, and/or federally managed area – the Providence Nature Preserve – located within one-half mile south of the site. Habitats, foraging areas or refuges by rare, threatened, endangered, candidate and/or proposed species (plants or animals), or any otherwise protected species are further discussed under **Question 6**. Breeding, roosting or feeding areas by migratory bird species are further discussed under **Question 7**. Ecologically, recreationally or commercially important species, as well as threatened and/or endangered species are further discussed under **Question 8**. No other sensitive environmental areas have been identified within a one-half mile radius of the site.

**5. Are there any areas on or within one-half mile of the site owned or used by local tribes?** No. None were identified on the Indian Reservation Database in the EDR NEPASearch™ Report (**Appendix B**).

**6. Are there any habitats, foraging areas or refuges by rare, threatened, endangered, candidate and/or proposed species (plants or animals), or any otherwise protected species on or within one-half mile of the site?** No. The EDR NEPASearch™ Report (**Appendix B**) identified six species within Mecklenburg County: the Tall Larkspur (flowering plant), Smooth Coneflower (flowering plant), Michaux's Sumac (flowering plant), Schweinitz's Sunflower (flowering plant), Carolina Heelsplitter (clam), and Little Brown Bat (mammal). Further, the US Fish and Wildlife Service (FWS) identified the Bouquet Aster (flowering plant), Georgia Aster (flowering plant), Tricolored Bat (mammal), Atlantic Pigtoe (clam), and Monarch (insect) as additional species within Mecklenburg County  
<https://www.fws.gov/species/search?state=%5B%22North%20Carolina%22%5D&count>

[y=%5B%22Mecklenburg,%20NC%22%5D](#)). However, none of these species have specifically been identified at or within one-half mile of the site.

7. **Are there any breeding, roosting or feeding areas by migratory bird species on or within one-half mile of the site?** No. The North Carolina Audubon Society ([https://gis.audubon.org/portal/apps/sites/?\\_gl=1\\*17eso2r\\*\\_ga\\*MTkwNDEyNDEyOS4xNzA3ODQyNDE5\\*\\_ga\\_X2XNL2MWT\\*MTcwNzg0MjQxOC4xLjAuMTcwNzg0MjQxOC42MC4wLjA.#/nas-hub-site](https://gis.audubon.org/portal/apps/sites/?_gl=1*17eso2r*_ga*MTkwNDEyNDEyOS4xNzA3ODQyNDE5*_ga_X2XNL2MWT*MTcwNzg0MjQxOC4xLjAuMTcwNzg0MjQxOC42MC4wLjA.#/nas-hub-site)) does not identify any Important Bird Areas (IBAs) within one-half mile of the site.
8. **Are there any ecologically, recreationally or commercially important species on or within one-half mile of the site?** No. Numerous species were identified in Mecklenburg County by the EDR NEPASearch™ Report (**Appendix B**) and/or the US FWS; however, none of these species have specifically been identified at or within one-half mile of the site.
9. **Are there any threatened and/or endangered species (plant or animal) on or within one-half mile of the site?** No. The EDR NEPASearch™ Report (**Appendix B**) identified numerous species within Mecklenburg County: the Tall Larkspur (flowering plant), Smooth Coneflower (flowering plant), Michaux's Sumac (flowering plant), Schweinitz's Sunflower (flowering plant), Carolina Heelsplitter (clam), and Little Brown Bat (mammal). Further, the US FWS identified the Bouquet Aster (flowering plant), Georgia Aster (flowering plant), Tricolored Bat (mammal), Atlantic Pigtoe (clam), and Monarch (insect) as additional species within Mecklenburg County ([https://www.fws.gov/species/search?state=%5B%22North%20Carolina%22%5D&count\\_y=%5B%22Mecklenburg,%20NC%22%5D](https://www.fws.gov/species/search?state=%5B%22North%20Carolina%22%5D&count_y=%5B%22Mecklenburg,%20NC%22%5D)). However, none of these species have specifically been identified at or within one-half mile of the site.

**If the answer is “Yes” to any of the above questions, then complete Level 1 Ecological Risk Assessment, Checklist B for Potential Exposure Pathways.**

---

Wetlands are defined in 40 CFR §232.2 as “areas inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.” The sources to make the determination whether or not wetland areas are present may include, but not limited to, national wetland inventory available at <http://nwi.fw.gov>, federal or state agency, and USGS topographic maps. Areas that provide unique and often protected habitat for wildlife species. These areas typically used during critical life stages such as breeding, rearing or young and overwintering. Refer to Attachment 1 for examples of sensitive environments. Ecologically important species include populations of species which provide a critical food resource for higher organisms. Ecologically important species include pest an opportunistic species that populate an area if they serve as a food source for other species, but do not include domesticated animals or plants/animals whose existence is maintained by continuous human interventions.

March 2007

DSCA Program

**Level 1 Ecological Risk Assessment**  
**Checklist B for Potential Receptors and Habitats**  
**Alpine Cleaners, DSCA Site ID DC600081**

- 1A. Can chemicals associated with the site leach, dissolve, or otherwise migrate to groundwater?** Yes. The primary chemical of concern (COC) is tetrachloroethylene (PCE).
- 1B. Are chemicals associated with the site mobile in groundwater?** Yes.
- 1C. Does groundwater from the site discharge to ecological receptor habitat?** Yes. Potentiometric surface elevation data indicates that groundwater is flowing to the south-southwest. The nearest ecological receptor and/or point of exposure (POE) downgradient (south-southwest) of the soil/groundwater source area was identified to be an unnamed tributary of Four Mile Creek located approximately 1,530 feet south-southwest of the site. As such, groundwater beneath the site is likely to discharge to unnamed tributary of Four Mile Creek.
- Question 1. Could chemicals associated with the site reach ecological receptors through groundwater?** Potentially. Groundwater assessment activities completed to date have identified impacted groundwater beneath the site. However, the identified groundwater impacts appear to be confined to the site. Given the distance to the receptor(s) and/or POE, surface water impacts from groundwater discharge are not a concern.
- 2A. Are chemicals present in surface soils on the site?** Yes. COCs have been detected at the site in surface soil samples collected from 0-6 feet below ground surface (bgs).
- 2B. Can chemicals be leached from or be transported by erosion of surface soils on the site?** No. To date, the surface soil impacts have only been identified under impervious surfaces (i.e., asphalt and/or concrete) at the site.
- Question 2. Could chemicals associated with the site reach ecological receptors through runoff or erosion?** No. To date, the only impacted areas of the site have been identified under impervious surfaces (i.e., asphalt and/or concrete).
- 3A. Are chemicals present in surface soil or on the surface of the ground?** Yes. COCs have been detected at the site in surface soil samples collected from 0-6 feet bgs. However, the ground surface in the area of the identified surface soil impacts is capped with either asphalt and/or concrete. To date, the asphalt and/or concrete surfaces have not been sampled.
- 3B. Are potential ecological receptors on the site?** No. Based on the responses provided on Checklist A for Potential Receptors and Habitats, no ecological receptors have been identified at the site.
- Question 3. Could chemicals associated with the site reach ecological receptors through direct contact?** No. To date, no ecological receptors have been identified at the site. In addition, COCs detected at the site in surface soil samples collected from 0-6 feet bgs are currently capped by asphalt and/or concrete.
- 4A. Are chemicals on the site volatile?** Yes.

**4B. Could chemicals on the site be transported in air as dust or particulate matter?** Yes. PCE has been identified in surface soil samples collected from the beneath the site. Due to the volatile nature of PCE, the potential exists for PCE to be transported by air. However, because the surface soil impacts have only been identified under impervious surfaces at the site, AECOM does not consider PCE transport by dust or particulate matter to be likely.

**Question 4. Could chemicals associated with the site reach ecological receptors through inhalation of volatilized chemicals or adhered chemicals to dust in ambient air or in subsurface burrows?** Yes. However, as previously stated, AECOM does not consider PCE transport by dust or particulate matter to be likely because the surface soil impacts have only been identified under impervious surfaces and no ecological receptors have been identified at the site.

**5A. Is Non-Aqueous Phase Liquid (NAPL) present at the site?** No.

**5B. Is NAPL migrating?** No.

**5C. Could NAPL discharge occur where ecological receptors are found?** No.

**Question 5. Could chemicals associated with site reach ecological receptors through migration of NAPL?** No.

**6A. Are chemicals present in surface and shallow subsurface soils or on the surface of the ground?** Yes. COCs have been identified beneath the impervious surfaces at the site from 0-6 feet bgs.

**6B. Are chemicals found in soil on the site taken up by plants growing on the site?** No. Vegetative growth was not observed in the area of the identified source area.

**6C. Do potential ecological receptors on or near the site feed on plants (e.g., grasses, shrubs, forbs, trees, etc.) found on the site?** No. No ecologically, recreationally, or commercially important species, endangered, threatened or otherwise protected species have been specifically identified at the site. In addition, vegetative growth was not observed near the identified soil source area.

**6D. Do chemicals found on the site bioaccumulate?** No. The primary COC is PCE, which has a low bioaccumulation potential and is not likely to accumulate in the tissue of organisms through respiration, ingestion, or direct contact.

**Question 6. Could chemicals associated with the site reach ecological receptors through direct ingestion of soil, plants, animals, or contaminants?** No. To date, soil impacts have only been identified beneath the site's impervious surfaces in areas not observed to support vegetative growth; groundwater impacts beneath the site have been horizontally delineated; and although the potential for site COCs to reach ecological receptors through inhalation of volatilized chemicals exists, no ecologically, recreationally, or commercially important species, endangered, threatened or otherwise protected species have been specifically identified at the site. Furthermore, the site has not been identified as a sensitive environmental area, habitat, breeding, roosting or foraging area for ecologically, recreationally, or commercially important species, endangered, threatened or otherwise protected species, and/or migratory species. Therefore, AECOM does not consider the potential for direct ingestion to be a concern.

If the answer to one or more of the above six questions is “Yes”, the NCDEQ may require further assessment to determine whether the site poses an unacceptable risk to ecological receptors.

March 2007

DSCA Program

**APPENDIX C**  
**NOTICES OF DRY-CLEANING SOLVENT REMEDIATION**  
**(NDCSRs)**

**APPENDIX C - 1**  
**NDCSR FOR THE SOURCE PROPERTY**  
**BAYBROOK HOLDINGS LLC**  
**PIN 22325305**

## **NOTICE OF DRY-CLEANING SOLVENT REMEDIATION**

Property Owner: Baybrook Holdings, LLC

Recorded in Book \_\_\_\_\_, Page \_\_\_\_\_

Associated plat recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_

This documentary component of a Notice of Dry-Cleaning Solvent Remediation (hereinafter "Notice") is hereby recorded on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Baybrook Holdings, LLC (hereinafter "Property Owner"). The survey plat component of the Notice is being recorded concurrently with this documentary component. The real property (hereinafter "Property") which is the subject of this Notice is located at 9205, 9209, 9213, and 9217 Baybrook Lane, North Carolina, Parcel Identification Number (PIN) 22325305.

The Property is contaminated with dry-cleaning solvent, as defined at North Carolina General Statutes (hereinafter "N.C.G.S."), Section (hereinafter "§") 143-215.104B(b)(9) and other contaminants, and is one of two parcels that make up the dry-cleaning solvent contamination site (hereinafter "Contamination Site"). This Notice has been approved by the North Carolina Department of Environmental Quality, or its successor in function (hereinafter "DEQ") under the authority of the Dry-Cleaning Solvent Cleanup Act of 1997, as amended, N.C.G.S. § 143-215.104A *et seq.* (hereinafter "DSCA"), and is required to be filed in the Register of Deeds' Office in the county or counties in which the land is located, pursuant to NCGS § 143-215.104M. A Notice will be recorded separately in each chain of title of the Contamination Site.

Soil and groundwater under the Property is contaminated with dry-cleaning solvents associated with dry-cleaning operations at the former Alpine Cleaners (DSCA Site DC600081) previously located at 9205 Baybrook Lane, Charlotte, in the Touchstone Village Shopping Center. Dry-cleaning operations were conducted on the Property from approximately 1991 to 2013.

Pursuant to N.C.G.S. § 143-215.104M, this Notice is being filed in order to reduce or eliminate the danger to public health or the environment posed by the Property. Attached hereto as **Exhibit A** is a reduction, to 8 1/2" x 11", of the survey plat component of the Notice required by N.C.G.S. § 143-215.104M. The survey plat has been prepared and certified by a professional land surveyor and meets the requirements of G.S. 47-30, and contains the following information required by N.C.G.S. § 143-215.104M:

(1) A description of the location and dimensions of the areas of potential environmental concern with respect to permanently surveyed benchmarks; and

(2) The type, location and quantity of regulated dry-cleaning solvent contamination and other contaminants known to exist on the Property.

Attached hereto as **Exhibit B**, is a legal description of the Property that would be sufficient as a description in an instrument of conveyance.

Pursuant to NCGS § 143-215.104M, a certified copy of this Notice must be filed within 15 days of receipt of DEQ's approval of the Notice or the effective date of the dry-cleaning solvent remediation agreement, whichever is later. Pursuant to NCGS § 143-215.104M, the copy of the Notice certified by DEQ must be recorded in the grantor index under the names of the owners of the land.

### **LAND-USE RESTRICTIONS**

NCGS § 143-215.104M requires that the Notice identify any restrictions on the current and future use of the Property that are necessary or useful to maintain the level of protection appropriate for the designated current or future use of the Property and that are designated in the dry-cleaning remediation agreement. The restrictions shall remain in force in perpetuity unless canceled by the Secretary of DEQ, or his/her designee, after the hazards have been eliminated, pursuant to NCGS §143-215.104M. Those restrictions are hereby imposed on the Property, and are as follows:

1. Without prior written approval from DEQ, the Property shall not be used for:
  - a. childcare centers, elementary, middle, or high schools; or elder care facilities. Exceptions to this restriction include use of the property for technical or adult education institutions; technical training centers; or tutorial institutions.
  - b. mining or extraction of coal, oil, gas or any mineral or non-mineral substances.
2. Soil in **Area 1** may not be removed or disturbed unless approved in writing in advance by DEQ or its successor in function, except for routine landscape maintenance and emergency utility repair. In the event of emergency utility repair, DEQ shall be given written notice of any such emergency repair no later than the next business day, and further related assessment and remedial measures may be required.
3. No activities that cause or create an increase in infiltration (for example, removal or demolition of materials such as asphalt, concrete, buildings, or other structures that by their use and nature minimize infiltration of rain or water runoff into potentially contaminated soil) may occur in **Area 1** of the Property, as shown on **Exhibit A**, without prior approval of DEQ.
4. Except for routine maintenance, no construction activities or change in property use that cause or create an unacceptable human health risk from vapor intrusion may occur in **Areas 1** or **2** of the Property without prior approval of DEQ. These activities include but are not limited to: construction of new buildings, removal and construction of part of a building, construction of sub-grade structures that encounter contaminated soil or places building users in close proximity to contaminated groundwater, change from non-residential to

residential property, change in tenant space usage, and addition of residential property use on higher floors.

5. Structural modifications that may cause or create an increased risk from vapor intrusion require the property owner to demonstrate to the satisfaction of DEQ that the indoor air in the structure does not pose an unacceptable risk to the occupants following modifications. These modifications include but are not limited to: modification or replacement of heating, ventilation or air conditioning (HVAC) systems, removal or replacement of the building slab, installation of multiple conduits or piping through the building slab, modifications to building walls or ceilings that may change air flow.
6. No activities that encounter, expose, remove or use groundwater (for example, installation of water supply wells, fountains, ponds, lakes or swimming pools that use groundwater, or construction or excavation activities that encounter or expose groundwater) may occur in **Areas 1, 2 or 3** of the Property without prior approval of DEQ.
7. No person conducting environmental assessment or remediation at the Property or involved in determining compliance with applicable land-use restrictions, at the direction of, or pursuant to a permit or order issued by DEQ may be denied access to the Property for the purpose of conducting such activities.
8. The owner of any portion of the Property shall cause the instrument of any sale, lease, grant, or other transfer of any interest in the property to include a provision expressly requiring the lessee, grantee, or transferee to comply with this Notice. The failure to include such a provision shall not affect the validity or applicability of any land-use restriction in this Notice.
9. In January of each year, on or before January 31<sup>st</sup>, the owner of any portion of the Property shall submit a notarized Annual Certification of Land-Use Restrictions to DEQ certifying that this Notice remains recorded at the Register of Deeds' office, and that the land-use restrictions are being complied with.

### **RIGHT OF ENTRY**

The property owner grants and conveys to DEQ, its agents, contractors, and employees, and any person performing pollution remediation activities under the direction of DEQ, access at reasonable times and under reasonable security requirements to the Property to determine and monitor compliance with the land-use restrictions set forth in this Notice. Such investigations and actions are necessary by DEQ to ensure that use, occupancy, and activities of and at the Property are consistent with the land-use restrictions and to ensure that the structural integrity and continued effectiveness of any engineering controls (if appropriate) described in the Notice are maintained. Whenever possible, at least 48 hours advance notice will be given to the Property Owner prior to entry. Advance notice may not always be possible due to conditions such as response time to complaints and emergency situations.

## **REPRESENTATIONS AND WARRANTIES**

The Property Owner hereby represents and warrants to the other signatories hereto:

- i) that the Property Owner is the sole owner of the Property; **or** that the Property Owner has provided to DEQ the names of all other persons that own an interest in or hold an encumbrance on the Property and have notified such persons of the Property Owner's intention to enter into this Notice;
- ii) that the Property Owner has the power and authority to enter into this Notice, to grant the rights and interests herein provided and to carry out all obligations hereunder; and
- iii) that this Notice will not materially violate or contravene or constitute a material default under any other agreement, document or instrument to which the Property Owner is a party or by which the Property Owner may be bound or affected.

## **ENFORCEMENT**

The above land-use restrictions shall be enforceable without regard to lack of privity of estate or contract, lack of benefit to particular land, or lack of any property interest in particular land. The land-use restrictions shall be enforced by any owner of the Property. The land-use restrictions may also be enforced by DEQ through the remedies provided in NCGS § 143-215.104P or by means of a civil action; by any unit of local government having jurisdiction over any part of the Property; and by any person eligible for liability protection under the DSCA who will lose liability protection if the restrictions are violated. Any attempt to cancel any or all of this Declaration without the approval of the Secretary of DEQ (or its successor in function), or his/her delegate, shall be subject to enforcement by DEQ to the full extent of the law. Failure by any party required-or authorized to enforce any of the above restrictions shall in no event be deemed a waiver of the right to do so thereafter as to the same violation or as to one occurring prior or subsequent thereto.

If a land-use restriction set out in this Notice required under NCGS § 143-215.104.M is violated, the owner of the Property at the time the land-use restriction is violated, the owner's successors and assigns, and the owner's agents who direct or contract for alteration of the contamination site in violation of a land-use restriction shall be liable for remediation of all contaminants to unrestricted use standards.

## **FUTURE SALES, LEASES, CONVEYANCES AND TRANSFERS**

When any portion of the Property subject to this Notice is sold, leased, conveyed or transferred, the deed or other instrument of transfer shall contain in the description section, in no smaller type than that used in the body of the deed or instrument, (1) a statement that the property has been contaminated with dry-cleaning solvent and, if appropriate, cleaned up under the Act and (2) a reference by book and page to the recordation of this Notice.

The Property Owner shall notify DEQ within fourteen (14) calendar days of the effective date of any conveyance, grant, gift, or other transfer, whole or in part, of the Property Owner's interest in the Property. This notification shall include the name, business address and phone number of the transferee and the expected date of transfer.

The Property Owner shall notify DEQ within thirty (30) days following the petitioning or filing of any document by any person initiating a rezoning of the Property that would change the base zone of the Property.

This provision shall not apply to leases that do not provide for the right to take actions that would violate the prohibitions and restrictions of this Notice.

**PROPERTY OWNER SIGNATURE**

IN WITNESS WHEREOF, Property Owner has caused this instrument to be duly executed this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Baybrook Holdings, LLC

By:

\_\_\_\_\_  
Name of contact

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public of the county and state aforesaid, certify that \_\_\_\_\_ personally came before me this day and acknowledged that he/she is a Member of Baybrook, LLC, a North Carolina limited liability corporation, and its Manager, and that by authority duly given and as the act of the company, the foregoing Notice of Dry-Cleaning Solvent Remediation was signed in its name by him/her.

WITNESS my hand and official stamp or seal, this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Name typed or printed  
Notary Public

My Commission expires: \_\_\_\_\_  
[Stamp/Seal]

**APPROVAL AND CERTIFICATION**

The foregoing Notice of Dry-Cleaning Solvent Remediation is hereby approved and certified.

North Carolina Department of Environmental Quality

By: \_\_\_\_\_  
William F. Hunneke  
Chief, Superfund Section  
Division of Waste Management

\_\_\_\_\_  
Date

ATTACHMENT

**LIMITED POWER OF ATTORNEY**

I \_\_\_\_\_ “Property Owner”, do hereby grant a limited power of attorney to DEQ and to DEQ’s independent contractors, as follows:

**DEQ and DEQ’s independent contractors shall have the limited power of attorney to record this Notice, including its documentary and survey plat components, in accordance with N.C.G.S. § 143-215.104M on my “Property Owner” behalf. This limited power of attorney shall terminate upon completion of the recordation of the Notice.**

Signature of Property Owner \_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public, do hereby certify that \_\_\_\_\_ personally appeared before me this day and signed this “Limited Power of Attorney”.

WITNESS my hand and official stamp or seal, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Name typed or printed  
Notary Public

My Commission expires: \_\_\_\_\_  
[Stamp/Seal]



**EXHIBIT A**  
**REDUCTION OF SURVEY PLAT**



**EXHIBIT B**  
**PROPERTY LEGAL DESCRIPTION**

**Baybrook Holdings LLC**  
**EXHIBIT A**  
**Legal Description**

Lying and being in the City of Charlotte, County of Mecklenburg, State of North Carolina and more particularly described as follows:

Being all of Lot 2 as shown in Map Book 67 Page 149 of the Mecklenburg County Registry. BEGINNING at a #4 rebar found in the Right-of-Way of Carswell Lane at the southeasterly corner of the Ham Holdings property Deed Book. 34174, Page 483 and Lot 1 of the Touchstone Associates, Inc property of record in Deed Book 29433, Page 24 of the Mecklenburg County Registry. Thence with the Northeastern property line of Lot 1 N 60°53'44" W, a distance of 141.16' to the point of BEGINNING; Thence the following six (6) courses and distances with the common property lines of Lots 1 and 2. 1) S 30°33'07" W, a distance of 118.79' to a magnetic nail found; 2) S 39°17'01" W, a distance of 127.82' to a point; 3) N 86°06'27" W, a distance of 145.34' to a magnetic nail found; 4) N 11°48'49" E, a distance of 230.58' to a magnetic nail found; 5) S 77°41'23" E, a distance of 112.71', to a PK nail found; 6) N 12°07'46" E, a distance of 56.19, to a Nail Found on the Ham Holdings property Deed Book. 34174 Page 483 and Lot 1 of the Touchstone Village LLC Property Map Book 67 Page 149 of the Mecklenburg County Registry; thence with the Ham Holdings property S 60°53'44" E, a distance of 134.12' to the Point and Place of BEGINNING containing 1.076 acres, more or less.

**APPENDIX C - 2**  
**NDCSR FOR OFF-SOURCE PROPERTY**  
**TOUCHSTONE VILLAGE, LLC**  
**PIN 22325303**

**NOTICE OF DRY-CLEANING SOLVENT REMEDIATION**

Property Owner: Touchstone Village, LLC  
Recorded in Deed Book \_\_\_\_\_, Page \_\_\_\_\_  
Associated plat recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_

This documentary component of a Notice of Dry-Cleaning Solvent Remediation (hereinafter "Notice") is hereby recorded on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Touchstone Village, LLC (hereinafter "Property Owner"). The survey plat component of the Notice is being recorded concurrently with this documentary component. The real property (hereinafter "Property") which is the subject of this Notice is located at 9201, 9255, and 9305 Baybrook Lane, Charlotte, Mecklenburg County, North Carolina, Parcel Identification Number (PIN) 22325303.

The Property is contaminated with dry-cleaning solvent, as defined at North Carolina General Statutes (hereinafter "N.C.G.S."), Section (hereinafter "§") 143-215.104B(b)(9), and other contaminants and is one of two parcels that make up the dry-cleaning solvent contamination site (hereinafter "Contamination Site"). This Notice has been approved by the North Carolina Department of Environmental Quality, or its successor in function (hereinafter "DEQ") under the authority of the Dry-Cleaning Solvent Cleanup Act of 1997, as amended, N.C.G.S. § 143-215.104A *et seq.* (hereinafter "DSCA"), and is required to be filed in the Register of Deeds' Office in the county or counties in which the land is located, pursuant to NCGS § 143-215.104M. A Notice will be recorded separately in each chain of title of the Contamination Site.

Soil and groundwater under the Property is contaminated with dry-cleaning solvents associated with dry-cleaning operations at the former Alpine Cleaners (DSCA Site DC600081) previously located at 9205 Baybrook Lane, Charlotte, in the Touchstone Village Shopping Center.

Pursuant to N.C.G.S. § 143-215.104M, this Notice is being filed in order to reduce or eliminate the danger to public health or the environment posed by the Property. Attached hereto as **Exhibit A** is a reduction, to 8 1/2" x 11", of the survey plat component of the Notice required by N.C.G.S. § 143-215.104M. The survey plat has been prepared and certified by a professional land surveyor and meets the requirements of G.S. 47-30, and contains the following information required by N.C.G.S. § 143-215.104M:

(1) A description of the location and dimensions of the areas of potential environmental concern with respect to permanently surveyed benchmarks; and

(2) The type, location and quantity of regulated dry-cleaning solvent contamination and other contaminants known to exist on the Property.

Attached hereto as **Exhibit B** is a legal description of the Property that would be sufficient as a description in an instrument of conveyance.

### **LAND-USE RESTRICTIONS**

N.C.G.S. § 143-215.104M requires that the Notice identify any restrictions on the current or future use of the Property that are necessary to assure adequate protection of public health and the environment. The restrictions shall continue in perpetuity and cannot be amended or canceled unless and until the County Register of Deeds receives and records the written concurrence of DEQ. Those restrictions are hereby imposed on the Property, and are as follows:

1. The Property shall not be used for mining or extraction of coal, oil, gas or any other mineral or non-mineral substances.
2. Soil in **Area 1** may not be removed or disturbed unless approved in writing in advance by DEQ or its successor in function, except for routine landscape maintenance and emergency utility repair. In the event of emergency utility repair, DEQ shall be given written notice of any such emergency repair no later than the next business day, and further related assessment and remedial measures may be required.
3. No activities that cause or create an increase in infiltration (for example, removal or demolition of materials such as asphalt, concrete, buildings, or other structures that by their use and nature minimize infiltration of rain or water runoff into potentially contaminated soil) may occur in **Area 1** of the Property, as shown on **Exhibit A**, without prior approval of DEQ.
4. Except for routine maintenance, no construction activities or change in property use that cause or create an unacceptable human health risk from vapor intrusion may occur in **Areas 1** or **2** of the Property without prior approval of DEQ. These activities include but are not limited to: construction of new buildings, removal and construction of part of a building, construction of sub-grade structures that encounter contaminated soil or places building users in close proximity to contaminated groundwater, change from non-residential to residential property, change in tenant space usage, and addition of residential property use on higher floors.
5. No activities that encounter, expose, remove, or use groundwater (for example, installation of water supply wells, fountains, ponds, lakes or swimming pools that use groundwater, or

construction or excavation activities that encounter or expose groundwater) may occur in **Areas 1, 2 or 3** of the Property without prior approval by DEQ.

6. No person conducting environmental assessment or remediation at the Property, or involved in determining compliance with applicable land-use restrictions, at the direction of, or pursuant to a permit or order issued by DEQ may be denied access to the Property for the purpose of conducting such activities.
7. The owner of the Property which is the subject of this Notice shall cause the instrument of any sale, lease, grant, or other transfer of any interest in the Property to include a provision expressly requiring the lessee, grantee, or transferee to comply with this Notice. The failure to include such provision shall not affect the validity or applicability of any land-use restriction identified in this Notice.
8. In January of each year, on or before January 31<sup>st</sup>, the owner of any portion of the Property shall submit a notarized Annual Certification of Land-Use Restrictions to DEQ certifying that this Notice remains recorded at the Register of Deeds' office, and that the land-use restrictions are being complied with.

#### **RIGHT OF ENTRY**

The property owner grants and conveys to DEQ, its agents, contractors, and employees, and any person performing pollution remediation activities under the direction of DEQ, access at reasonable times and under reasonable security requirements to the Property to determine and monitor compliance with the land-use restrictions set forth in this Notice. Such investigations and actions are necessary by DEQ to ensure that use, occupancy, and activities of and at the Property are consistent with the land-use restrictions and to ensure that the structural integrity and continued effectiveness of any engineering controls (if appropriate) described in the Notice are maintained. Whenever possible, at least 48 hours advance notice will be given to the Property Owner prior to entry. Advance notice may not always be possible due to conditions such as response time to complaints and emergency situations.

#### **REPRESENTATIONS AND WARRANTIES**

The Property Owner hereby represents and warrants to the other signatories hereto:

- i) that the Property Owner is the sole owner of the Property; **or** that the Property Owner has provided to DEQ the names of all other persons that own an interest in or hold an encumbrance on the Property and have notified such persons of the Property Owner's intention to enter into this Notice;
- ii) that the Property Owner has the power and authority to enter into this Notice, to grant the rights and interests herein provided and to carry out all obligations hereunder; and

iii) that this Notice will not materially violate or contravene or constitute a material default under any other agreement, document or instrument to which the Property Owner is a party or by which the Property Owner may be bound or affected.

### **ENFORCEMENT**

The above land-use restrictions shall be enforceable without regard to lack of privity of estate or contract, lack of benefit to particular land, or lack of any property interest in particular land. The land-use restrictions shall be enforced by any owner of the Property. The land-use restrictions may also be enforced by DEQ through the remedies provided in NCGS § 143-215.104P or by means of a civil action; by any unit of local government having jurisdiction over any part of the Property; and by any person eligible for liability protection under the DSCA who will lose liability protection if the restrictions are violated. Any attempt to cancel any or all of this Declaration without the approval of the Secretary of DEQ (or its successor in function), or his/her delegate, shall be subject to enforcement by DEQ to the full extent of the law. Failure by any party required-or authorized to enforce any of the above restrictions shall in no event be deemed a waiver of the right to do so thereafter as to the same violation or as to one occurring prior or subsequent thereto.

If a land-use restriction set out in this Notice required under NCGS § 143-215.104.M is violated, the owner of the Property at the time the land-use restriction is violated, the owner's successors and assigns, and the owner's agents who direct or contract for alteration of the contamination site in violation of a land-use restriction shall be liable for remediation of all contaminants to unrestricted use standards.

**FUTURE SALES, LEASES, CONVEYANCES, TRANSFERS AND PETITIONS OR  
FILINGS FOR REZONING**

When any portion of the Property subject to this Notice is sold, leased, conveyed or transferred, the deed or other instrument of transfer shall contain in the description section, in no smaller type than that used in the body of the deed or instrument, (1) a statement that the property has been contaminated with dry-cleaning solvent and, if appropriate, cleaned up under the Act and (2) a reference by book and page to the recordation of this Notice.

The Property Owner shall notify DEQ within fourteen (14) calendar days of the effective date of any conveyance, grant, gift, or other transfer, whole or in part, of the Property Owner's interest in the Property. This notification shall include the name, business address and phone number of the transferee and the expected date of transfer.

The Property Owner shall notify DEQ within thirty (30) days following the petitioning or filing of any document by any person initiating a rezoning of the Property that would change the base zone of the Property.

This provision shall not apply to leases that do not provide for the right to take actions that would violate the prohibitions and restrictions of this Notice.

**PROPERTY OWNER SIGNATURE**

IN WITNESS WHEREOF, Property Owner has caused this instrument to be duly executed this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Touchstone Village, LLC

By:

\_\_\_\_\_  
Name of contact

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public of the county and state aforesaid, certify that \_\_\_\_\_ personally came before me this day and acknowledged that he/she is a Member of Touchstone Village, LLC, a North Carolina limited liability corporation, and its Manager, and that by authority duly given and as the act of the company, the foregoing Notice of Dry-Cleaning Solvent Remediation was signed in its name by him/her.

WITNESS my hand and official stamp or seal, this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Name typed or printed  
Notary Public

My Commission expires: \_\_\_\_\_  
[Stamp/Seal]

**APPROVAL AND CERTIFICATION**

The foregoing Notice of Dry-Cleaning Solvent Remediation is hereby approved and certified.

North Carolina Department of Environmental Quality

By: \_\_\_\_\_  
William F. Hunneke  
Chief, Superfund Section  
Division of Waste Management

\_\_\_\_\_  
Date

ATTACHMENT

**LIMITED POWER OF ATTORNEY**

I \_\_\_\_\_ “Property Owner”, do hereby grant a limited power of attorney to DEQ and to DEQ’s independent contractors, as follows:

DEQ and DEQ’s independent contractors shall have the limited power of attorney to record this Notice, including its documentary and survey plat components, in accordance with N.C.G.S. § 143-215.104M on my “Property Owner” behalf. This limited power of attorney shall terminate upon completion of the recordation of the Notice.

Signature of Property Owner \_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public, do hereby certify that \_\_\_\_\_ personally appeared before me this day and signed this “Limited Power of Attorney”.

WITNESS my hand and official stamp or seal, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Name typed or printed  
Notary Public

My Commission expires: \_\_\_\_\_  
[Stamp/Seal]



**EXHIBIT A**  
**REDUCTION OF SURVEY PLAT**



**EXHIBIT B**  
**PROPERTY LEGAL DESCRIPTION**

Touchstone Associates, Inc.  
EXHIBIT A  
Legal Description

Lying and being in Pineville Township, Mecklenburg County, North Carolina and more particularly described as follows:

BEGINNING at the point of intersection of the northerly margin of the right-of-way of Bevington Place (60' R/W) with the easterly margin of the right-of-way of Baybrook Lane (60' R/W), and running thence from said point with the easterly margin of the right-of-way of Baybrook Lane, five (5) courses and distances as follows: (1) N. 13°50'18" W, a distance of 22.47' to an iron rebar; (2) in a northeasterly direction with the arc of a circular curve to the right, having a radius of 445.00 feet (chord bearing N 03°29'59" E, and distance of 265.23 feet), an arc distance of 269.32 feet to a drill hole; (3) N. 20°50'16" E, a distance of 62.49 feet to a drill hole; (4) in a northwesterly direction with the arc of a circular curve to the left, having a radius of 530.00 feet (chord bearing N. 00°25'02" W, and distance 384.27 feet), an arc distance of 393.23 feet to a nail set; and (5) N 21°40'19" W, a distance of 170.22 feet to an iron rebar at the southwesterly corner of the property conveyed to the Charlotte - Mecklenburg Board of Education by deed recorded in Deed Book 4902 at Page 136 in the Mecklenburg County Public Registry; thence with the aforesaid Charlotte-Mecklenburg Board of Education property, S 77°37'15" E, a distance of 893.08 feet to an iron rebar in the westerly margin of the right-of-way of Carswell Lane (60' R/W); thence with the westerly margin of said right-of-way, in a southwesterly direction with the arc of a circular curve to the right, having a radius of 1,320.00 feet (chord bearing S 16°14'24" W, and distance of 103.03 feet), an arc distance of 103.06 feet to an iron rebar found at the northeasterly corner of the property conveyed to Ham Holdings McAlpine, LLC by deed of record in Deed Book 34174, Page 483; running thence from said point with the northerly and westerly lines of said Ham Holdings McAlpine property, five (5) courses and distances as follows: (1) in a northwesterly direction with the arc of a circular curve to the left, having a radius of 40.00 feet (chord bearing N. 56°41'12" W, and distance 28.55 feet), an arc distance of 29.19 feet to a point; (2) N 77°35'37" W, a distance of 165.00 feet to a point; (3) in a southwesterly direction with the arc of a circular curve to the left, having a radius of 251.03 feet (chord bearing N. 87°22'09" W, and distance 85.24 feet), an arc distance of 85.66 feet to a point; (4) S 82°51'19" W, a distance of 82.49 feet, to a point; (5) S 12°24'22" W, a distance of 267.20 feet, to a pk nail at the northwesterly corner of the Baybrook Holdings LLC property by deed of record in Deed Book 36612, Page 304; running thence from said point with the lines of said Baybrook Holdings LLC property, five (6) courses and distances as follows: (1) S 12°07'46" W, a distance of 56.19 feet to a point; (2) N 77°41'23" W, a distance of 112.71 feet, to a magnetic nail; (3) S 11°48'49" W, a distance of 230.58 feet, to a magnetic nail; (4) S 86°06'27" E, a distance of 145.34 feet, to a point; (5) N 39°17'01" E, a distance of 127.82 feet, to a magnetic nail; (6) N 30°33'07" E, a distance of 118.79 feet, to a point in a southerly line of said Ham Holdings McAlpine property; thence with the said southerly line of Ham Holdings property S 60°53'44" E, a distance of 141.16 feet, to a rebar in the westerly margin of the right-of-way of Carswell Lane; running thence from said point with the westerly margin of the right-of-way lines of said Carswell Lane, three (3) courses and distances as follows: (1) S 29°04'43" W, a distance of 125.87 feet, to a rebar; (2) in a southwesterly direction with the arc of a circular curve to the left, having a radius of 1380.00 feet (chord bearing S 24°07'15" W, and distance 238.46 feet), an arc distance of 238.75 feet to a rebar; (3) S 19°09'52" W, a distance of 27.93 feet, to a rebar in the northerly margin of the right-of-way of Bevington Place; running thence from said point with the westerly margin of the right-of-way lines of said Bevington Place, two (2) courses and distances as follows: (1) N 70°50'18" W, a distance of 270.55 feet, to a point; (2) in a northwesterly direction with the arc of a circular curve to the left, having a radius of 441.62 feet (chord bearing N 85°13'20" W, and distance 219.41 feet), an arc distance of 221.73 feet, to the Point and Place of BEGINNING, containing 9.176 acres, more or less.

**APPENDIX D**  
**EXAMPLE ANNUAL CERTIFICATION OF LAND-USE**  
**RESTRICTIONS**

**Annual Certification of Land-Use Restrictions**

**Site Name:** Alpine Cleaners

**Site Address:** 9205 Baybrook Lane, Charlotte, Mecklenburg

**DSCA ID No:** DC600081

**ANNUAL CERTIFICATION of LAND-USE RESTRICTIONS**

Pursuant to land-use restriction number [ ] (the land-use restrictions are included as part of this form for reference) in the Notice of Dry-Cleaning Solvent Remediation (Notice) signed by <property owner or authorized designee> (property owner at time of recordation) and recorded in Deed Book <blank>, Page <blank> on <date> at the Mecklenburg County Register of Deeds Office, <property owner or authorized designee> hereby certifies, as the current owner of at least part of the property that is the subject of the Notice, that the Notice remains recorded at the Mecklenburg County Register of Deeds office and the land-use restrictions therein are being complied with.

Duly executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

<property owner or authorized designee>

By: \_\_\_\_\_

Name typed or printed:

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public of the county and state aforesaid, certify that \_\_\_\_\_ personally came before me this day and the foregoing certification was signed by him/her.

WITNESS my hand and official stamp or seal, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Name typed or printed:  
Notary Public

My Commission expires: \_\_\_\_\_  
[Stamp/Seal]

ROY COOPER  
Governor

ELIZABETH S. BISER  
Secretary

MICHAEL SCOTT  
Director



<date>

<property owner>  
<address>  
<city, state, zip>

Subj: Annual Certification of Land-Use Restrictions  
Alpine Cleaners, 9205 Baybrook Lane  
Charlotte, Mecklenburg County, North Carolina  
DSCA Site ID DC600081

Dear <property owner>:

On <date>, the Division of Waste Management made a “No Further Action” decision for the above referenced site. As part of that decision, it was determined that land-use restrictions were necessary to ensure protection of human health and the environment. The land-use restrictions for this site are specified in the Notice of Dry-Cleaning Solvent Remediation (Notice) signed by the property owner and the Division of Waste Management.

As owner of at least a portion of the DSCA Site, you are required to comply with Condition      of the Notice by submitting to DEQ a notarized Annual Certification of Land-Use Restrictions certifying that the Notice remains recorded at the Mecklenburg County Register of Deeds’ office and that the Land-Use Restrictions are being complied with. Please complete the enclosed Annual Certification of Land-Use Restrictions and return it to me on or before **January 31, 20** at the following address:

**NCDEQ**  
**Division of Waste Management**  
**DSCA/Jay W. King**  
**1646 Mail Service Center**  
**Raleigh, NC 27699-1646**

In accordance with § 143-215.104M(f), any person who fails to comply within the time specified in this letter, shall then be subject to the applicable enforcement procedures. The Notice further states that if a land-use restriction is violated, the owner of the contamination site at the time the land-use restriction is violated, the owner’s successors and assigns, and the owner’s agents who direct or contract for alteration of the contamination site in



violation of a land-use restriction shall be liable for remediation of all contaminants to unrestricted use standards.

If you have any questions concerning these documents or the site, please contact me at (919) 707-8397 or via email at [jay.king@deq.nc.gov](mailto:jay.king@deq.nc.gov) .

Sincerely,

Jay W. King, Project Manager  
DSCA Remediation Unit  
Superfund Section  
Division of Waste Management

Attachments: Annual Certification of Land-Use Restrictions form

cc: DSCA Site ID DC600081 File



**APPENDIX E**  
**EXAMPLE DOCUMENTS ANNOUNCING PUBLIC**  
**COMMENT PERIOD**

**Public Notice**

**SUMMARY OF NOTICE OF INTENT TO REMEDIATE A DRY-CLEANING SOLVENT FACILITY OR ABANDONED SITE**

**N.C. Department of Environmental Quality  
Division of Waste Management  
Dry-Cleaning Solvent Cleanup Act (DSCA) Program**

Alpine Cleaners  
DSCA Site ID DC600081

Pursuant to N.C.G.S. §143-215.104L, on behalf of Touchstone Village, LLC, the North Carolina Department of Environmental Quality's (NCDEQ's) private contractor has prepared a Notice of Intent to Remediate a Dry-Cleaning Solvent Facility or Abandoned Site (NOI). The purpose of this Summary of the NOI is to notify the community of the proposed remedy for the contamination site and invite comment on the proposed remedy.

Alpine Cleaners formerly conducted dry-cleaning operations at the Touchstone Village Shopping Center at 9205 Baybrook Lane, in Charlotte, North Carolina. The building where the former dry-cleaning facility was located no longer exists and that portion of the subject property is currently landscaped or covered by asphalt-paved surface level parking. Dry-cleaning solvent contamination in soil and/or groundwater has been identified at the following parcel(s):

9205, 9209, 9213, and 9217 Baybrook Lane, in Charlotte; Parcel No. 22325305  
9201, 9255, and 9305 Baybrook Lane, in Charlotte; Parcel No. 22325303

An investigation of the extent of contamination has been completed. A risk assessment of the contaminated properties concluded that the contamination poses no unacceptable risks. A Risk Management Plan (RMP) has been prepared which proposes using land-use controls to prevent current and future risks at the affected properties.

The elements of the complete NOI are included in the RMP which is available online at [deq.nc.gov/ncdsca](http://deq.nc.gov/ncdsca) under "DSCA Public Notices and Announcements".

***The public comment period begins [REDACTED], 20[REDACTED], and ends [REDACTED], 20[REDACTED].***

Comments must be in writing and submitted to NCDEQ no later than [REDACTED], 20[REDACTED]. Written requests for a public meeting may be submitted to NCDEQ no later than [REDACTED], 20[REDACTED]. Requests for additional information should be directed to Jay W. King at (919) 707-8367. All comments and requests should be sent to:

Jay W. King, DSCA Remediation Unit  
Division of Waste Management, NCDEQ  
1646 Mail Service Center  
Raleigh, North Carolina 27699-1646



NORTH CAROLINA  
Environmental Quality

ROY COOPER  
Governor

ELIZABETH S. BISER  
Secretary

MICHAEL SCOTT  
Director

<Date>

<name>, <City Manager/County Health Director>  
<address>  
<city>, NC <zip>

Subj: Remediation of Dry-Cleaning Solvent Contamination  
DSCA Site ID DC600081  
Alpine Cleaners, 9205 Baybrook Lane, Charlotte

Dear <name>:

The Dry-Cleaning Solvent Cleanup Act of 1997 (DSCA), North Carolina General Statutes (N.C.G.S.) Sections 143-215.104A through 143-215.104U, provides for the assessment and remediation of properties that may have been or were contaminated by chlorinated solvents. To satisfy the requirements of N.C.G.S. 143-215.104L, this letter serves as the **Notice of Intent to Remediate a Dry-Cleaning Solvent Facility or Abandoned Site** (NOI) approved by the North Carolina Department of Environmental Quality (DEQ).

The NOI must provide, to the extent known, a legal description of the location of the DSCA Site, a map showing the location of the DSCA Site, a description of the contaminants involved and their concentrations in the media of the DSCA Site, a description of the intended future use of the DSCA Site, any proposed investigation and remediation, and a proposed Notice of Dry-Cleaning Solvent Remediation (NDCSR) prepared in accordance with N.C.G.S. Section 143-215.104M. The required components of the NOI are included in the attached Risk Management Plan, and are available during the public comment period on our website. If you would like to view the documents, please go to [deq.nc.gov/ncdsca](http://deq.nc.gov/ncdsca) and select "DSCA Public Notices and Announcements" on the right-hand side of the web page.

The DSCA Program is providing a copy of the NOI to all local governments having jurisdiction over the DSCA Site. A 30-day public comment period is being held from <date>, until <date>. Written comments may be submitted to DEQ no later than <date>. Written requests for a public meeting may be submitted to DEQ no later than <date>. All such comments and requests should be sent to:

Jay W. King, DSCA Remediation Unit  
Division of Waste Management, NCDEQ  
1646 Mail Service Center  
Raleigh, North Carolina 27699-1646

A Summary of the NOI is being published in the <newspaper of general circulation>, copies are being sent to owners of property within and contiguous with the area of contamination, and a copy of the Summary will be conspicuously posted at the Site during the public comment period.



If you have any questions, please feel free to contact me at (919)707-8367.

Sincerely,

**[SIGNATURE]**

Jay W. King, DSCA Project Manager  
Division of Waste Management, NCDEQ

cc: DSCA Site ID DC600081 File



ROY COOPER  
Governor  
ELIZABETH S. BISER  
Secretary  
MICHAEL SCOTT  
Director



<date>

<property owner>  
<address>  
<city, state, zip>

Subj: Dry-Cleaning Solvent Contamination Associated with Alpine Cleaners, 9205 Baybrook Lane, Charlotte, Mecklenburg County, NC  
DSCA Site ID DC600081

Dear <property owner>:

The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the former Alpine Cleaners previously located at 9205 Baybrook Lane in Charlotte. The building where the former dry-cleaning facility was located no longer exists and that portion of the subject property is currently landscaped or covered by asphalt-paved surface level parking. A Risk Management Plan (RMP) to address the site contamination has been prepared. You are receiving this letter in accordance with the DSCA Program's statutes, which provide the community an opportunity to review and comment on the proposed RMP. Attached is a ***Summary of the Notice of Intent to Remediate a Dry-Cleaning Solvent Facility or Abandoned Site*** which provides a brief description of the proposed remedy, a web link with more details, and the dates and procedures for commenting on the proposed RMP. We ask that you review these documents. If you do not have access to the internet, we ask that you contact us to request a hard copy.

You are also receiving this letter because your property at <address of property where 2C notice will be filed> lies within an area where dry-cleaning solvents have been detected in groundwater. An evaluation of the risks concluded that the contamination poses no unacceptable risks for the current use of your property. However, because groundwater under your property is contaminated, state regulations and local regulations prohibit the installation of a water supply well on this property. If the RMP is approved, a notice will be recorded in the chain of title indicating that groundwater is contaminated with dry-cleaning solvents and that regulations prohibit installation of a water supply well into a contaminated aquifer.

If you would like to see an example of this notice, please go to [deq.nc.gov/ncdsca](http://deq.nc.gov/ncdsca) and click "DSCA Public Notices and Announcements" on the right-hand side of the web page. Open the "Risk Management Plan" for the Alpine Cleaners (DC600081) site and see Attachment



North Carolina Department of Environmental Quality | Division of Waste Management  
217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646  
919.707.8200

[#]. If the proposed remedy is approved, you will be sent a letter describing your rights to appeal the decision to file such a notice in the chain of title, and providing you the option of filing the notice yourself.

If you have questions, please contact me at [jay.king@deq.nc.gov](mailto:jay.king@deq.nc.gov), or by phone at (919) 707-8367.

Sincerely,

[SIGNATURE]

Jay W. King, DSCA Project Manager  
Division of Waste Management, NCDEQ

Attachments: Summary of the NOI

cc: DSCA Site ID DC600081 File



ROY COOPER  
Governor  
ELIZABETH S. BISER  
Secretary  
MICHAEL SCOTT  
Director



<date>

<property owner>  
<mailing address>  
<city, state, zip>

Subj: Dry-Cleaning Solvent Contamination at Alpine Cleaners, 9205 Baybrook Lane, Charlotte, Mecklenburg County, NC  
DSCA Site ID DC60001

Dear <property owner>:

You are receiving this letter because your property at <adjacent property address> is adjacent to an area contaminated with dry-cleaning solvents. There are no actions required on your part and your property is not contaminated. This letter is only for notification purposes. The Dry-Cleaning Solvent Clean-up Act (DSCA) Program has completed an assessment of the dry-cleaning solvent contamination associated with the former Alpine Cleaners previously located at 9205 Baybrook Lane in Charlotte. The building where the former dry-cleaning facility was located no longer exists and that portion of the subject property is currently landscaped or covered by asphalt-paved surface level parking. A remedial strategy to address the site contamination has been prepared, and in accordance with our program's statutes, the community has an opportunity to review and comment on the proposed strategy.

The attached Summary of the Notice of Intent to Remediate a Dry-Cleaning Solvent Facility or Abandoned Site (NOI) provides a brief description of the proposed remedy, a web link to the complete NOI, and the dates and procedures for commenting on the proposed remedy. If you do not have access to the internet and wish to view this document, we ask that you contact us to request a hard copy of the complete NOI.

If you have questions, please contact me at [jay.king@deq.nc.gov](mailto:jay.king@deq.nc.gov) or (919) 707-8367.

Sincerely,

[SIGNATURE]

Jay W. King, DSCA Project Manager  
Division of Waste Management, NCDEQ

Attachments: Summary of the NOI  
cc: DSCA Site ID DC600081 File

