

City of Salisbury, North Carolina --Kesler Mill Cleanup Project

1. Applicant Identification: City of Salisbury
132 North Main Street
Salisbury, North Carolina 28144
2. Funding Requested:
 - a. Single Site Cleanup
 - b. Federal Funds Requested:
 - i. \$500,000
 - ii. The City is not requesting a cost share waiver
 - c. Contamination: Hazardous
3. Location:
 - a. City of Salisbury
 - b. Rowan County
 - c. State of North Carolina
4. Property Information: Former Kesler Mill
423 North Martin Luther King, Jr. Avenue
Salisbury, North Carolina 28144
5. Contacts:

Project Director:	Chief Executive:
Kyle Harris	W. Laine Bailey
Planner	City Manager
132 N. Main St.	132 N. Main St.
Salisbury, NC 28144	Salisbury, NC 28144
(704) 638-5324	(704) 638-5228
kharr@salisburync.gov	lbail@salisburync.net
6. Population:

City of Salisbury Population: 33,561
(2017 American Community Survey 5-year estimates)

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7. Other Factors Checklist:

Other Factors	Page #
Community population is 10,000 or less.	
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
The proposed brownfield site(s) is impacted by mine-scarred land.	
Secured firm leveraging commitment ties directly to the project and will facilitate completion of the project/redevelopment; secured resource is identified in the Narrative and substantiated in the attached documentation.	2
The proposed site(s) is adjacent to a body of water (i.e., the border of the site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	1
The proposed site(s) is in a federally designated floodplain.	1
The redevelopment of the proposed cleanup site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or any energy efficiency improvement projects.	2

8. Letter from the State or Tribal Environmental Authority: Attached



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL SCOTT
Director

January 8, 2019

Kyle Harris, Planner
City of Salisbury
132 N. Main Street
Salisbury, NC 28144

Re: U.S. EPA Brownfields Cleanup Grant – Kesler Mill

Dear Mr. Harris,

The North Carolina Department of Environmental Quality (DEQ) Brownfields Program acknowledges and supports the City of Salisbury's application for a U.S. EPA Brownfields Cleanup Grant. We are aware that your grant focuses specifically on the redevelopment of the former Kesler Mill property (NCDEQ Brownfields Project No. 19050-15-080). We understand that the City of Salisbury desires to redevelop this property for mixed use residential, commercial, and recreational purposes. This grant would be a tremendous economic development achievement for the City.

We hope that the City of Salisbury is successfully awarded this grant, and we will continue to support you in your Brownfields redevelopment efforts. The Brownfields Program offers technical project guidance in accordance with our program, throughout the life of your project. This is a major key to ensuring grant applicants make efficient use of the federal funds awarded. The liability protection offered by the program is also a primary marketing tool for developers and instrumental in securing financing.

The Brownfields Program can also assist with outreach efforts to your local community regarding reuse for recreational purposes and the controls put in place to make the property suitable. The liability protection offered by a Brownfields Agreement is a benefit to the whole community and can often facilitate additional economic development.

We look forward to working with you regardless of a grant award or not. We truly believe successful Brownfields projects can rejuvenate a community.

Sincerely,

A handwritten signature in blue ink that reads "Bruce Nicholson".

Bruce Nicholson
Brownfields Program Manager

ec: Cindy Nolan, U.S. EPA Region 4



1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION

a. Target Area and Brownfields

i. Background and Description of Target Area

Salisbury, North Carolina has a long, rich history that pre-dates Colonial America. In the early to mid-19th Century, factories and mills began to spring up around the city, which grew to over 100 manufacturing plants by 1950. Like many towns in North Carolina, Salisbury gradually became mill-centered, triggering housing and other businesses to develop around the neighboring mills. At the same time, Salisbury transformed into a rail center, becoming a major rail hub between Atlanta and Washington D.C. This boom of commerce and industry drove Salisbury's establishment as the major economic center for western North Carolina at the turn of the 20th Century.

Today, Salisbury is a much different place. The largest of the textile mills closed in 2000, and there has since been a steady decline of large industry and business. According to the Salisbury Post, thousands of job losses have occurred since 2000 with most of them occurring in the last ten years. For example, in 2003, Pillowtex, the owner of Kesler Mill, filed for bankruptcy and closed its mills nationwide. Overall, North Carolina lost 4,790 jobs, while Rowan County and neighboring Cabarrus County accounted for 3,984 of those lost jobs. Plant closings have left their mark on the city in terms of a drop in employment and the formation of large brownfield sites in the middle of neighborhoods. In our target area of the Park Avenue neighborhood, the former Kesler Mill once was a major economic driver, but now blights the neighborhood.

ii. Description of the Brownfield Site

The former Kesler Mill was a textile mill that operated from 1895 up until about 2003. Located in the Park Avenue neighborhood, the site encompasses approximately 12 acres of land surrounded by former mill housing. Several buildings, including a large mill house, several warehouses, a machine shop, and a waste house once existed on the property but were demolished as valuable building materials were salvaged and sold. All that remains are large piles of rubble scattered throughout the property. The site has become a huge eyesore to the community, a significant health hazard, and an attractive site for criminal activity. Approximately twenty houses share a fence line with the mill site with a direct view of the rubble and debris just a few feet behind their properties. Nearby tenants complain about stray dogs, rats, and snakes that have made these rubble piles their homes. One resident complained about being attacked by a rabid raccoon that had come out of the debris pile. In addition to these health hazards, there are many environmental problems associated with the property. An incident previously occurred where a fuel tank on-site ruptured with the contents entering groundwater and the tributary to Town Creek that runs through the property. A Phase II Environmental Site Assessment (ESA) confirmed the presence of petroleum hydrocarbons, polycyclic aromatic hydrocarbons (PAHs), and the heavy metals arsenic, cobalt, thallium, and manganese above regulatory standards. Additionally, a survey confirmed the presence of asbestos-containing materials (ACM) in the debris piles. A tributary to Town Creek runs from the northwest corner of the site to the eastern edge, and portions of the property are located in a federally designated flood plain.

b. Revitalization of the Target Area

i. Redevelopment Strategy and Alignment with Revitalization Plans

Even before our brownfield program began in 2014, the City has been focusing efforts to revitalize the Park Avenue Revitalization Area, specifically by making investments to improve

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community amenities and housing. However, those efforts were (and still are) being hindered by the blight of the Kesler Mill site, so it was the first priority addressed by the City's former 2014 EPA Brownfields Assessment Grant. In addition to site assessments, the City held visioning sessions in the Park Avenue neighborhood, where residents were able to provide input, develop ideas, and determine what they would like to see developed on the site. The community came up with two concepts for the former mill – one, a mixed-used development with limited retail and residential units, the other a sports venue that can host events and tournaments. Both concepts included a greenway and passive recreational area within the floodplain along the creek that would interconnect with a planned greenway that will follow Town Creek through the County as part of the North Carolina Thread Trail. The community's vision aligns with the City's goal of transforming the former industrial property into something that fits and complements the character of the historic neighborhood. Over the past few years, the City's marketing attempts for the site has resulted in interest from at least two potential developers, but the environmental issues continue to hinder the redevelopment. Therefore, the City has acquired the property to complete the environmental cleanup. The City will then issue a Request for Proposals to potential developers for the revitalization of this site.

ii. Outcomes and Benefits of Redevelopment Strategy

The Kesler Mill site, sitting empty and vacant, is currently only assessed at \$312,000. The community would like to see the large property redeveloped into multifamily residential to fit within the neighborhood. If the property were assessed at comparable values to the housing units surrounding it, the assessed value will be at least \$3.6 million. The capital investment will likely be over \$30 million, and create 300 temporary jobs. The apartments would also be built to energy efficient standards, particularly higher than the surrounding historic mill homes. In addition, the proposed redevelopment will include a passive park in the floodplain with a walking trail that connects to the nearby Cannon Park to the west and the Town Creek greenway trail to the east.

c. **Strategy for Leveraging Resources**

i. Resources Needed for Site Reuse

The City can leverage our current EPA Brownfield Assessment grant for further assessment (if unexpected questions arise), redevelopment planning, and/or community outreach. The current project just began its three year period of performance in October 2018. The City will seek a private partner for the redevelopment of the site. Once the cleanup nears completion, the City will issue a Request for Proposals to potential developers to seek private financing for the project. Two developers have already expressed interest in the property if the City undertook the environmental cleanup. Additional interest may be generated now that the site is located in a Qualified Opportunity Zone. For the park and trail portion of the redevelopment, the City may seek grants from the North Carolina Parks and Recreation Trust Fund (PARTF) with matching funds from the City's recreation budget. Our CDBG program will be leveraged to further encourage the rehabilitation of homes in the area. As part of Rowan County's commitment to the successful cleanup of the project, the County will provide in-kind services to cover the cost of disposing of contaminated soils and debris at the County's landfill. A portion of this in-kind contribution will be used to meet the cost share requirements, and the remaining portion will be used as leveraged resources (further described in section 3.b).

ii. Use of Existing Infrastructure

As a former industrial site, sufficient water, wastewater, and electrical utilities exist at the

site to be reused for the proposed redevelopment. The large site currently cuts off the existing street grid of the neighborhood, so the community hopes any redevelopment will connect Cemetery St, Green St, and Arlington St through the site. NC Department of Transportation (DOT) funds with local matching funds may be sought to complete the construction of those roads.

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT

a. Community Need

i. The Community's Need for Funding

The closure of Kesler Mill and the steady hemorrhaging of jobs in the years after have significantly impacted the Park Avenue neighborhood and the surrounding areas. Since 2009, industries that include PGT, Maxon Furniture, Coca Cola, WA Brown & Sons, Performance Fibers, and American Efird have all closed their doors in Salisbury. These companies account for nearly 1,000 job losses alone. In May 2016, the China Grove Yarn Plant closed, taking with it an additional 123 jobs. Most recently, the DuraFiber Technologies plant closed in September, eliminating another 373 jobs in Salisbury. With low per capita (\$23,314) and median household incomes (\$32,604), high unemployment (16.6%), and higher poverty rates (33.2% of individuals and 41.1% of Families with Children), the community does not have the resources to fund a brownfields program.¹ With the small population (target area = 4,541; City = 33,561), the community cannot be burdened with even higher taxes. The City is leveraging other grant programs, such as CDBG, to make improvements in the targeted community, but these funds are limited to blight removal and focused on housing improvements.

ii. Threats to Sensitive Populations

(1) Health or Welfare of Sensitive Populations

In community outreach meetings, residents have routinely expressed concerns about people cutting through their yards to duck into brownfields like the Kesler Mill site as sanctuaries to avoid capture from pursuing police officers. Neighborhoodscout.com assigned Salisbury a ranking of 5 out of 100, meaning Salisbury is safer than only 5% of cities across the nation. The City is experiencing 81 crimes per square mile, which is significantly higher than Rowan County's rate of 27 crimes per square mile, and the US median of 32 crimes per square mile. The current state of the derelict Kesler Mill site makes it a haven for drug users, vandals, and other criminal elements. Cleaning up the site and restoring it to productive use will help reduce crime rates in the target neighborhood.

A tributary to Town Creek runs through the former Kesler Mill site, and Town Creek flows to the Yadkin River. High Rock Lake, the first of the Yadkin chain lakes, is the most threatened section of the river and has been classified a 303(d) impaired resource water, complete with fish advisories in place against consumption due to toxic mercury levels. Many residents of low-income communities rely on sustenance fishing as part of their diet. The target area has an elevated percentage children under five (7.3% versus 5.5% for the City), a population that is sensitive particularly to contaminants (such as the benzene found in site soils) that may affect development or other issues, such as low birth weight (9.6% in Rowan County). In order to protect sensitive populations and valuable natural resources, efforts must be made to reduce both point and non-point source pollution, such as runoff from contaminated soils at the Kesler Mill site.

¹ US Census, 2013-2017 American Community Survey 5-year Estimates.

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(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions

According to data culled from the most recent available data 2018 County Health Rankings report (data is unavailable at the City level), Rowan County ranked very poorly overall at 62nd of all 100 counties in North Carolina. The county has elevated rates of multiple measures for health conditions when compared to the state including: heart disease (11% greater than the state), diabetes (12% higher than the state), kidney disease (10% higher than the state), obesity (18% higher than the state), stroke (18% higher than the state), **respiratory disease (22% higher than the state)**, infant death rate (5.9% higher than state), **respiratory cancer (17% higher than the state)**, and **total cancer rate (506.4 Rowan County vs. 182.2 North Carolina)**. In a survey performed by the Blue Ridge Environmental Defense League (BREDL), Salisbury residents were found to have almost twice the incidence of cancer compared to Rowan County incident rates – an amount deemed statistically significant.

Asbestos is being exposed to the open environment from the debris piles on the former Kesler Mill property. Asbestos is known to cause respiratory diseases, such as asbestosis, lung cancer and mesothelioma. Benzene found in soils and groundwater at the Kesler Mill is also a known carcinogen. The mitigation of site contaminants and the redevelopment of the Kesler Mill property will reduce the targeted community's exposure risk to the known and suspected carcinogens, such as benzene, PAHs, and heavy metals.

(3) Economically Impoverished/Disproportionately Impacted Populations

The Park Avenue neighborhood is economically impoverished and disproportionately share the negative consequences of industrial and commercial operations. The neighborhood was once home to the large Kesler Mill textile operations, and several other industries including a foundry. The neighborhood is also sandwiched between Interstate 85 and the railroad that brought industry and growth to Salisbury as well as a host of other environmental issues along with it. Exhaust from locomotives (first coal now diesel), automobiles, and trucks expose residents to potentially dozens of contaminants, including carcinogens, smog-forming compounds, and fine particulate matter. Exposure to fine particles is known to cause asthma attacks, heart attacks, lung cancer, strokes and even premature death. The target community also is impacted by the noise and vibrations from the busy rail line and interstate. Plus, many fear an explosive derailment of the long trains transporting oil passing through the City, as seen over recent years in other communities.

In addition to the noted former industries, manufacturing facilities, the interstate, and the railway, EPA's EnviroFact mapping tool indicates the presence of twenty-one facilities listed with air emissions permits, fifty-four facilities listed as small quantity RCRA generators, and ten facilities being tracked by the Toxic Releases Inventory. In addition, according to USEPA, Rowan County was designated a non-attainment area for 8-hour ozone measurement air quality. Areas of the country where air pollution levels persistently exceed the National Ambient Air Quality Standards may be designated "non-attainment". A disproportionate concentration of the minority (39.2% in the affected neighborhood compared to 20.8% in Rowan County) and poor population (41.4% of families with children below the poverty threshold compared to 20.2% in Rowan County) resides in Salisbury and live in close proximity to the brownfield sites, such as the Kesler Mill, as well as the railroad. The disparity of the overburdening of this population is evident, making a strong case for environmental justice concerns.

Cleanup of contaminated soils and debris at Kesler Mill will eliminate some of these concerns. With the blight removed, neighboring properties will be encouraged to invest in their own homes and businesses. Our CDBG program will be leveraged to further encourage the

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rehabilitation of homes in the area and the conversion of many of the rental homes to owner-occupied homes. The redevelopment of this site can help break the cycle of poverty in the target community.

b. Community Engagement

i. Community Involvement

List of Project Partners

Partner Name	Point of contact	Specific role in the project
Park Avenue Redevelopment Corporation	Lou Manning 704-267-3007 Lmanning1@fibrant.com	Communicate and encourage participation by community members, provide input on cleanup options and plans, participate in visioning and evaluation of redevelopment proposals
Downtown Salisbury, Inc.	Larissa Harper, Exec. Director Larissa.harper@salisburync.gov 704-637-7814	Promote redevelopment of the site, provide market analysis support, connect with potential developers
Historic Salisbury Foundation, Inc.	director@historicsalisbury.org (704)636-0103	Promote neighborhood revitalization; assist with community outreach
Rowan County Chamber of Commerce	Elaine Spalding, President espalding@rowanchamber.com 704-633-4221	Encourage investment in brownfields; partner to bring new business prospects to area; promote the project with elected reps

ii. Incorporating Community Input

The City will continue to utilize the Brownfields Advisory Committee (BAC) that is already in place for the EPA Brownfields Assessment Project to communicate information between the project team and the community at large. However, the City will use a more targeted approach to communicate with residents and stakeholders in the Park Avenue Neighborhood. A series of community meetings will be held at the Park Avenue Community Center, located across the street from the Kesler Mill site. The meetings will be held before key milestones of the cleanup project, including at a minimum at kickoff, prior to site work commence, after site work is completed, and after redevelopment proposals are received. The meeting will provide the community the opportunity to assist the City in making decisions throughout the project. In support of these efforts, we will prepare outreach and promotional materials to be distributed at meetings, via mail, newspapers, and the City's website and Facebook page. We will also continue to reach out to local reporters to ensure the information, public meetings, and project successes are covered in the local media. In addition, we will utilize the City's Nixle system, a Community Information Service dedicated to helping community members stay connected to the information that matters most to them, based on their interest and location. The system can be used to send targeted messages via phone, text, e-mail, or app to community members who have registered.

3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

a. Proposed Cleanup Plan

ACM, heavy metals, PAHs, and petroleum products are the contaminants of concern (COC) for this project. Site assessment identified contaminated soils in three localized areas on the site. Specifically, soil in the area around SB-2, SB-3, and GW-7 had elevated levels of the metals Arsenic, Cobalt, and Thallium, as well as elevated levels of PAHs from 0' to 4' below ground surface. Soils in the areas surrounding SB-1 and the grouping of SB-4, SB5, and GW-8 had elevated levels of petroleum constituents and PAHs. Additionally, an estimated 7,000 cubic yards of debris is suspected to contain ACM. Because of the nature of the contaminants, ACM

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abatement and additional remediation of site soils are needed. The Phase II ESA identified limited impacts to groundwater at this site. However, as a result of these limited impacts, this ABCA makes the base assumption that all alternatives will include a deed restriction prohibiting use of groundwater from the property for drinking or irrigation purposes.

The draft ABCA recommends excavating impacted soils in the areas surrounding SB-1, the area of SB-2, SB-3, and the grouping of SB-4, SB5, and the area of GW-7 and GW-8, disposal of impacted soils in an approved off-site landfill, and backfilling the areas of excavation with off-site soils. Additionally, the ABCA recommends the design and execution of an ACM abatement plan to remove and properly dispose of the comingled ACM debris at the site. The recommended option addresses both the ongoing presence of COCs and the ACM, thereby by removing the exposure threat to nearby residents in the short term and making the site suitable for redevelopment in the long term.

b. Description of Tasks and Activities

Task 1 – Project Management: The City's Project Manager will be responsible for the overall execution and management of the project. He will track project tasks, schedule and budget; oversee the work of the Qualified Environmental Professional (QEP) and the selected brownfields cleanup contractor; and report on project activities and accomplishments to stakeholders. The QEP will support reporting activities and will develop a Final Cleanup Report to document all project activities.

Task 2 – Community Outreach: The City's Project Manager will lead the Community Outreach activities. The City will work closely with the neighborhood and partner organizations throughout the project. The City will plan and conduct a series of stakeholder meetings at key milestones in this project. The City will establish an information repository, and will communicate project information through local newspapers, social networking platforms, and other electronic means.

Task 3 – Cleanup Planning: Cleanup planning efforts will be led by the QEP consultant. Activities will include finalizing the ABCA document to include obtaining review and approval from EPA and NCDEQ Project Managers, placing the ABCA on a 30-day public review and comment period, preparing the Quality Assurance Project Plan (QAPP) for confirmation soil sampling, negotiating and receiving the necessary regulatory approvals, and preparing bid documents for the solicitation of cleanup contractors.

Task 4 – Site Cleanup: The City will use the majority of the grant funds for the actual site cleanup activities. The City will competitively procure a remediation contractor, which the Project Manager will oversee with the assistance of the QEP. Based on the Phase II ESAs of the property and the findings from the draft ABCA, contractor cleanup activities are estimated to include contaminated soil and debris removal and disposal. The QEP will work with NCDEQ to certify the cleanup is complete under the NC BFA.

In support of the City's application, Rowan County will provide in-kind services, valued at approximately \$165,150, to cover the cost of disposing (tipping fees = \$36/ton) of contaminated soils and ACM debris at the County's landfill. Per a signed Memorandum of Agreement with the City, the City will reimburse the County for the fees upon sale of the property or in 10 years, whichever comes first. \$100,000 of these in-kind services will be used to meet the cost share requirements, while \$65,150 will be considered leveraged funding.

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c. Cost Estimates and Outputs

Budget Categories		Project Tasks (\$)				Total
		Project Management	Community Outreach	Cleanup Planning	Site Cleanup	
Direct Costs	Personnel					
	Fringe Benefits					
	Travel					
	Equipment					
	Supplies					
	Contractual	\$18,000	\$9,000	\$17,000	\$456,000	\$500,000
	Other				\$100,000	\$100,000
Total Direct Costs		\$18,000	\$9,000	\$17,000	\$556,000	\$600,000
Indirect Costs						
Total Federal Funding		\$18,000	\$9,000	\$17,000	\$456,000	\$500,000
Cost share		\$0	\$0	\$0	\$100,000	\$100,000
Total Budget		\$18,000	\$9,000	\$17,000	\$556,000	\$600,000

All cost estimates are based upon costs incurred on the City’s EPA Brownfields Assessment Projects and information provided by the QEP from similar brownfield cleanup projects.

Task 1 – Project Management:

Contractual Costs: 36 project team meetings (36x\$250); 12 Quarterly Reports (12x\$300); 3 annual reports (3x\$100); 1 final summary report (\$2,100); quarterly ACRES updates (12x\$250) = **\$18,000**

Outputs: 12 Quarterly Reports, 3 DBE reports, 3 FFRs, 1 Final Cleanup Report

Task 2 – Community Outreach:

Contractual Costs: Outreach meetings (6x\$1,000); Articles/media updates (12x\$250) = **\$9,000**

Outputs: 6 Community Meetings, 12 Articles or Outreach Collateral

Task 3 – Cleanup Planning:

Contractual Costs: Finalize ABCA, including incorporating comments from public notice and regulatory review (\$2,500); QAPP (\$5,000); Health & Safety Plan (HASP) (\$1,000); Development of bid documents (RFP) for site cleanup activities, evaluation of bids, calling references, coordination of a pre-bid onsite meeting and selection of contractors (\$8,500) = **\$17,000**

Outputs: 1 ABCA, 1 QAPP, 1 HASP, 1 Set of Bid Documents

Task 4 – Site Cleanup:

Contractual Costs: Excavation and Disposal of Contaminated Soil: Assuming 1,500 CYD of soil to be removed at \$60/CYD (1,500 CYD x \$60 = \$90,000); Transportation and Disposal of ACM Contaminated Debris – Tipping Fee deferred: Est. 7,175 CYD at \$51/CYD (7,175 CYD x \$51 = \$366,000) = **\$456,000**

Other Costs: In-kind contribution for tipping fees: (1500 CYD soil x \$24/CYD = \$36,000; 7175 CYD ACM debris x \$18/CYD = \$129,150) = \$165,150; Leveraged = \$65,150; Cost share = **\$100,000**

Outputs: 1 Certificate of Completion

d. Measuring Environmental Results

The City's project team will meet quarterly to track the project's progress in fulfilling the scope of work, goals, and objectives. Each Quarterly Report submitted to EPA will include an update of project expenditures and will track activities and expenses against the project's schedule. Corrective action and work plan modification requests will be identified, as appropriate. Specific performance metrics detailed in the Work Plan will be used to summarize project accomplishments. Additionally, site-specific information will be routinely entered and tracked in the online ACRES database. At a minimum, the outputs to be tracked include the number of advisory committee meetings, public meetings, meetings with community groups, cleanup report, final ABCA, and final redevelopment plan; and, the outcomes to be tracked include community participation, acres ready for reuse, redevelopment dollars leveraged, and jobs created.

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

a. Programmatic Capability

i. Organizational Structure

Salisbury has the requisite capacity to administer the EPA grant funds based on previous experience in federal and state grant management. Mr. Kyle Harris, Urban Planner and brownfields project manager for the City of Salisbury, holds a bachelor's degree in public policy from UNC-Chapel Hill, with a minor in city and regional planning. Mr. Harris supported the City's first EPA Brownfield Assessment Project that closed in 2017, and he serves as the Project Manager for the City's current EPA Brownfield Assessment Project. Mr. Harris works on long-range and special area planning for the City, helps administer a number of federal, state, and local programs, and partners with citizens and stakeholders on economic development and neighborhood revitalization projects. He is assisted by Ms. Deborah Young, Facilities Division Manager. Young, a 1985 graduate of Appalachian State University with a BS, MA in Industrial Technology, also graduated in 2000 from the Babcock Graduate School of Management at Wake Forest University. She is a North Carolina Licensed General Contractor, and has experience in marketing, sales, construction, and business consulting. She obtained certification as a Professional Energy Manager in 2012. During this time she has been responsible for the construction and renovation of over 150,000 square feet of facilities including a new Fire Station and Customer Service Center. Mr. Harris will continue to be supported by Mr. Wade Furches, Finance Manager, for financial management of the EPA grant funds and reporting requirements.

ii. Acquiring Additional Resources

Following City procurement procedures in compliance with state and federal (2 CFR 200 and EPA's rule at 2 CFR 1500) requirements, the City procured an experience brownfields consultant to provide services on a multi-year, multi-project contract. The selected consultant will support the project management, cleanup planning, and cleanup oversight for this project. The Finance Department's Purchasing Division provides a centralized source of procedures, information and support related to the purchase and/or lease of supplies, materials, equipment and contractual services for the City. The Division will again provide support to procure a remediation contractor to complete the contaminated oil and debris removal activities on the site.

b. Past Performance and Accomplishments

i. Currently Has or Previously Received an EPA Brownfields Grant

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(1) Accomplishments

The City received an EPA Brownfields Assessment Cooperative Agreement in October 2014 and closed in September 2017. The project accomplished the objectives set out in the initial grant application and work plan, including the assessment of the top four priority sites. In addition, three other high-priority sites have been assessed. A total of six Phase I ESAs, five Phase II ESAs, three ACM surveys, one lead based paint survey, and two redevelopment plans were or are being completed. Three of the sites have entered into the North Carolina Brownfields Program. Over \$25 million in investment is planned or currently in progress on five of the sites, projected to create over 75 jobs. The outputs and outcomes are accurately reflected in ACRES.

The City received a second EPA Brownfields Assessment Cooperative Agreement in October 2018. Project activities have just begun, and the project team is working with the community to prioritize sites for assessment. The draft ABCA for the Kesler Mill site was completed under this project. The outputs and outcomes will be entered into ACRES as site-specific information becomes available.

(2) Compliance with Grant Requirements

The City has and continues to comply with all grant requirements, including the work plan and the terms and conditions. The first assessment project began on October 1, 2014, successfully completed all planned activities, expended all funds, and closed on September 30, 2017. The second assessment project began on October 1, 2018, and is scheduled to complete September 30, 2021. Results of the completed assessments and the completed redevelopments have been and will continue to be entered into ACRES. In addition, the City has submitted all quarterly and annual reporting on time and as required.

Threshold Criteria

1. Applicant Eligibility

The City of Salisbury (City) is a general-purpose unit of local government as defined under 2 CFR 200.64.

2. Previously Awarded Cleanup Grants

The Former Kesler Mill/Fieldcrest Plant #7 has not received funding from a previously awarded EPA Brownfields Cleanup Grant.

3. Site Ownership

The City of Salisbury acquired the Former Kesler Mill/Fieldcrest Cannon Plant #7 and recorded the deed on January 31, 2019.

4. Basic Site Information

- a) Former Kesler Mill/Fieldcrest Cannon Plant #7
- b) 423 North Martin Luther King Jr. Ave., Salisbury, NC, 28144
- c) City of Salisbury, North Carolina
- d) Not applicable

5. Status and History of Contamination at the Site

- a) The site is contaminated predominantly with hazardous substances with some comingled petroleum constituents. Debris with asbestos-containing materials (ACM) and soil contamination have been identified across the site, hindering further redevelopment efforts.
- b) The site was first developed as a textile mill circa 1895, named the Kesler Manufacturing Company. J.W. Cannon gained ownership in 1899 and expanded the mill to include several additional structures, including a second mill building. Throughout operation, mill houses surrounded the subject property to house site workers. In 1928, the site became known as Cannon Mill Plant #7. The site underwent three additional property transfers toward the end of the 20th century before eventually ceasing operations in August 2000, after the owner at the time, Pillowtex, filed for bankruptcy. Since ceasing operation, site structures have been demolished and left in large debris piles (approximately 7,000-8,000 cubic yards) centered on the former main area of operations. The site is currently vacant.
- c) ACMs, with greater than one percent asbestos, have been identified in approximately 7,000-cubic yard debris piles from previous building materials in the former main area of operations. Additionally, soil contamination is present in the area of seven (7) sample locations denoted on a 2016 Phase II environmental site assessment (ESA). Site soils have been impacted by historical generation and/or release of benzene, lead, tetrachloroethylene (PCE), trichloroethylene (TCE), target analyte list (TAL) metals, polynuclear aromatic hydrocarbons (PAHs), and total petroleum hydrocarbons (TPHs).
- d) A Phase I Environmental Site Assessment (ESA) was completed at the site in August 2013. During the assessment, suspect ACMs were identified and reported. Additionally, historical release from former leaking gasoline and a fuel oil underground storage tanks (USTs) of approximately 550-gallon and 40,000-

City of Salisbury, North Carolina --Kesler Mill Cleanup Project

gallon capacity, respectively, and the historical presence of a leaking number 6 fuel oil above ground storage tank (AST) of approximately 15,000-gallon capacity, were identified as recognized environmental conditions (RECs). Subsequent to the 2013 Phase I ESA, and using funds from the City of Salisbury's Community-Wide Brownfields Assessment Grant, a Limited Asbestos-Containing Materials Survey was conducted at the site in January 2016. The results of the Survey revealed the presence of ACM in 55 of 88 suspect materials, including former roofing materials and floor tiles, within site debris piles, for an estimated total of 7,000-cubic yards of ACM within the piles. Additionally, a Phase II ESA was completed at the site in February 2016. The results of the Phase II ESA revealed the presence of TAL metals, PAHs, and TPHs in in site soils, in excess of regulatory criteria. Site soil contamination is present due to historical generation of benzene, lead, PCE, TCE, TAL metals, PAHs, and TPHs. A new Phase I ESA was completed on January 18, 2019, prior to property transaction, identifying the ACM and soil contamination identified in the Phase II ESA as RECs.

6. Brownfields Site Definition

- a) The site is not listed or proposed for listing on the National Priorities List.
- b) The site is not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA.
- c) The site is not subject to the jurisdiction, custody, or control of the United States government.

7. Environmental Assessment Required for Cleanup Grant Proposals

Phase I ESAs were conducted to identify RECs in connection with the site and to evaluate future potential liability associated with past or current practices onsite. A Phase I ESA was completed at the site on August 14, 2013, and on January 18, 2019. A Limited Asbestos-Containing Materials Survey was completed on January 8, 2016 to survey the site, observe the remaining debris piles at the site, and note and/or sample potential ACM, in preparation for site clearing activities. A Phase II ESA was completed on February 16, 2016, at the subject property to create a better understanding of site conditions, and to better define the extent of contamination in site media. As a result of these investigations, ACM was revealed to be present within debris piles at the site, and site soils were revealed to have been impacted by historical generation of hazardous substances.

8. Enforcement or Other Actions

The City is not aware of any ongoing or anticipated environmental enforcement or other actions related to the subject site. The City is not aware of any inquiries or orders from federal, state, or local government entities on the subject property.

9. Sites Requiring a Property-Specific Determination

The Former Kesler Mill/Fieldcrest Cannon Plant #7 does not require a property-specific determination.

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10. Threshold Criteria Related to CERCLA/Petroleum Liability

EPA followed the Region 4 Brownfield Grant Site Eligibility Determination Outline and approved the site eligibility on December 15, 2011.

(a) Property Ownership Eligibility – Hazardous Substances Sites

i. EXEMPTION TO CERCLA LIABILITY

(3) Property Acquired Under Certain Circumstances by Units of State and Local Government

- a. The City accepted the transfer of the property from the previous owner, Fund for Community Support, Inc. of Peachtree Corners, Georgia, due to tax delinquency.
- b. January 31, 2019
- c. The disposal of hazardous substances at the site occurred before the City acquired the property, and the City did not cause or contribute to any release of hazardous substances at the site.
- d. The City has not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

11. Cleanup Authority and Oversight Structure

- a) The City enrolled the site in the North Carolina Brownfields Program. All cleanup activities will be completed in accordance with the Brownfields Agreement and with the oversight of the North Carolina Brownfields Program Project Manager. During site cleanup activities, the City will comply with all applicable federal and state laws and ensure that the cleanup is protective of human health and the environment. The City wishes to continue with the redevelopment of the site into potentially a mixed commercial and residential development, by removing and disposing of ACM and contaminated soils off-site. In order to proceed with their plans, identified ACMs and soil contaminants need to be abated and/or mitigated at the site. Asbestos abatement in the state of North Carolina is regulated and overseen by the Asbestos Hazard Management Program of the Health Hazards Control Unit of the Department of Health and Human Services (DHHS). They are governed by North Carolina General Statute §130A-444 through 452 – Asbestos Hazard Management Program (AHMP). Additionally, this work must be performed in accordance with OSHA asbestos regulations 29 CFR 1910 & 1926 and the National Emission Standards for Hazardous Air Pollutants (NESHAP) asbestos regulations 40 CFR 61, subpart M.

The City will rely on the technical expertise of a brownfield/environmental consultant to manage, oversee, and complete the cleanup activities at the site property. The City selected the qualified consultant with brownfields experience through a competitive process in accordance with the competitive procurement provisions of 2 CFR 200, EPA's rule at 2 CFR 1500, and our own procurement requirements.

- b) It is unlikely that impact has occurred on adjacent properties. However, if off-property access is necessary for any of the proposed removal activities, the City's personnel know and have a good working relationship with the adjacent property

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owners. Additionally, during cleanup activities, the City will monitor the property boundaries in order to ensure no off-site migration of ACMs or soil contaminants.

12. Community Notification

- a) **Draft Analysis of Brownfield Cleanup Alternatives (ABCA)**
A copy of the Draft ABCA is attached. Cleanup alternatives and a recommended solution were presented in the public meeting held on January 28, 2019.
- b) **Community Notification Ad**
The City placed a Legal Notice in the *Salisbury Post*, a post on its website and social media accounts, and through the City's Nixle notification system. City staff also walked the Park Avenue Neighborhood on Friday, January 25, 2019, informing residents of the upcoming meeting. The legal notice was published on January 17, 2019, to advertise the public meeting held at the Park Avenue Community Center on January 28, 2019. A copy of the ad is attached.
- c) **Public Meeting**
The public meeting to discuss the cleanup project, the grant application, and the Draft ABCA was held in the Park Avenue Community Center on January 28, 2019. Mr. Joe Morici, of Cardno, Inc., presented the findings of the ABCA and was available to answer any questions regarding the ABCA or the cleanup project at the site. The City hired Cardno to provide consulting services and develop the ABCA. The audience expressed unanimous support when asked whether the City should proceed with the acquisition and the cleanup grant. No comments were received on the ABCA or grant application. A summary of events at the public meeting and a sign in sheet are attached.
- d) **Submission of Community Notification Documents**
The following are attached (unless otherwise noted):
 - Copy of the Draft ABCA, Cardno, Inc., dated January 18, 2019
 - Copy of the Legal Notice in the *Salisbury Post* from January 17, 2019
 - No comments on the ABCA or grant application were received during the public meeting or from the community during the public notice/comment period (ending January 29, 2019).
 - A summary of the public meeting and activities
 - A copy of the sign-in sheet

13. Statutory Cost Share

In support of the City's application, Rowan County will provide in-kind services, valued at approximately \$165,150, to cover the cost of disposing (tipping fees = \$36/ton) of contaminated soils and ACM debris at the County's landfill. Per a signed Memorandum of Agreement with the City, the City will reimburse the County for the fees upon sale of the property or in 10 years, whichever comes first. \$100,000 of these in-kind services will be used to meet the cost share requirements, while \$65,150 will be considered leveraged funding.

Analysis of Brownfield Cleanup Alternatives (ABCA) - DRAFT

Former Kesler Mill/Fieldcrest Cannon
Plant #7



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Figure 1	Topographic Site Location
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Common Abbreviations

ABCA	Analysis of Brownfield Cleanup Alternatives
ACM	Asbestos-Containing Material
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
COC	Contaminant of Concern
EPA	The Environmental Protection Agency
ESA	Environmental Site Assessment
GIS	Geographic Information Systems
LBP	Lead-Based Paint
MCL	USEPA Maximum Contaminant Level
NC	North Carolina
NCDHHS	North Carolina Department of Health and Human Services
OSHA	The Occupational Health and Safety Administration
REC	Recognized Environmental Condition
RSL	USEPA Regional Screening Level
TSCA	The Toxic Substances Control Act of 1976
US	United States of America
USEPA	United States of America Environmental Protection Agency
UST	Underground Storage Tank

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DRAFT

1 Introduction and Background

Cardno, Inc. (Cardno) has prepared this Analysis of Brownfield Cleanup Alternatives (ABCA) on behalf of City of Salisbury, North Carolina (City) for the former Kesler Mill/Fieldcrest Cannon Plant #7 (Kesler Mill, site/subject property). The site is an abandoned former textile mill located at 423 N. Martin Luther King Jr. Ave. in a primarily residential area of Salisbury, North Carolina (**Figure 1**). The site has an approximate center location (decimal degrees) of 35.664529 latitude and -80.458049 longitude.

Parcel data provided by the Rowan County GIS website (<https://rowan2.connectgis.com/>) indicates that the site consists of six (6) tax parcels (Tax PINs: Parcel #016 183, Parcel #016 383, Parcel #016 384, Parcel #016 385, Parcel #016 386, and Parcel #016 387) totaling approximately 13.536 acres. This ABCA focuses on the main parcel associated with the former textile mill, #016 183 (**Figure 2**).

The community of Salisbury, North Carolina was first incorporated in 1753 as an economic center for Rowan County. During the industrial revolution, Salisbury became an important hub for rail travel and commerce in the state, after the founding of the North Carolina Railroad in 1855, and in conjunction with close proximity to the Southern Railway Company's repair facility in neighboring Spencer, North Carolina. During this time, industrial production increased, leading to an increased presence of factories and mills in Salisbury.

Per information provided in a 2013 Griffith Enterprises, Inc. (Griffith) Phase I report, the subject property was first developed as a textile mill circa 1895, named the Kesler Manufacturing Company. J.W. Cannon gained ownership in 1899 and expanded the mill to include several additional structures, including a second mill building. Throughout operation, mill houses surrounded the subject property to house site workers. In 1928, the site became known as Cannon Mill Plant #7. The site underwent three additional property transfers toward the end of the 20th century before eventually ceasing operations in August 2000, after the owner at the time, Pillowtex, filed for bankruptcy. Since ceasing operation, site structures have been demolished and left in large debris piles (approximately 11,000-cubic yards) centered on the former main area of operations.

According to information obtained from the North Carolina Department of Environmental Quality Underground Storage Tank Database (NCDEQ UST Database) and the 2013 Griffith Phase I ESA, three (3) USTs of approximately 500-gallon, 560-gallon, and 40,000-gallon capacity were formerly registered on the subject property, and at the time of this report all tanks have been closed via removal from the ground. Additionally, one (1) above-ground storage tank (AST) of approximately 15,000-gallon capacity was formerly present on the subject property. The AST was removed from the property after a documented petroleum release in 2007.

The City of Salisbury has identified the subject property as a potential target for mixed commercial and residential development. This ABCA has been developed in in order to identify a potential cleanup strategy in conjunction with a transfer of property ownership

and the preparation and submittal of an US Environmental Protection Agency (EPA) Brownfields Cleanup Grant application.

1.1 Phase I Environmental Site Assessment Report - Griffith, August 2013

Griffith completed a Phase I ESA at the subject property in August 2013 to evaluate site conditions and identify recognized environmental conditions (RECs) present at the subject property. At the conclusion of the August 2013 Phase I report, no RECs were identified in connection with the subject property, except for the following:

- A 550-gallon gasoline UST was formerly present on the subject property and was closed via removal from the ground in September 1989. A documented petroleum release in connection with the 550-gallon gasoline UST was reported. Subsequent assessment indicated that site soils and groundwater had been impacted by elevated concentrations of total petroleum hydrocarbons (TPH). The site was issued a notice of no further action required (NFA) in connection with the 550-gallon gasoline UST in July 1992. Griffith considers this listing to be a REC given that the site had not been issued an NFA based on regulatory criteria at the time of the Phase I report.
- A 40,000-gallon fuel oil UST was formerly present on the subject property and was closed via removal from the ground in June 1994. A documented petroleum release in connection with the 40,000-gallon gasoline UST was reported. Subsequent assessment indicated that site soils, beneath the former UST, and associated product line piping, had been impacted by elevated concentrations of TPH. Soil excavation was completed in the area of the former 40,000-gallon fuel oil UST and associated product line piping in August 1994. TPH was detected in subsurface soils at elevated concentrations, after the completion of the soil excavation. The site was issued an NFA in connection with the 40,000-gallon fuel oil UST in July 2001 based on a remedial plan that included remediation by natural attenuation. Griffith considers this listing to be a REC given the potential for encountering additional petroleum constituents in the area of the 40,000-gallon fuel oil UST during future site construction activities.
- A 15,000-gallon fuel oil #6 AST was formerly present on the subject property. Specific date of removal was not provided to Cardno personnel; however, the AST was no longer present on the subject property as of December 2018. A documented release of approximately 8,000 gallons of fuel oil #6 occurred in July 2007 from the 15,000-gallon AST. Released oil flooded the area of the former boiler room and flowed in an easterly downgradient direction toward the unnamed tributary of Town Creek that dissects the subject property near the northeastern property boundary. During remediation, approximately 8,000 gallons of #6 fuel oil were removed from the area of the former boiler room, site soils, and an oil-water separator. Remediation efforts continued through August 2007. Griffith considers this listing to be a REC, given the likelihood of #6 fuel oil persisting in site media, which would likely be encountered during future site construction activities.

- During remediation efforts for the 15,000-gallon AST release, a stockpile of soils impacted by polychlorinated biphenyls (PCBs) was found in the area of a former transformer that had experienced a hazardous release approximately three weeks prior to the release of #6 fuel oil from the 15,000-gallon AST. The stockpiled soils were not secured at the time of discovery. Impacted soils have since been removed from the area of the former transformer. Griffith considers a potential for the ongoing presence of PCBs in site media to be a REC.
- A 2013 EDR Radius Report referenced by Griffith for the 2013 Phase I ESA indicated that the subject property was listed as a conditionally-exempt small quantity generator (CESQG) for historical generation of lead, benzene, tetrachloroethylene, and trichloroethylene. Griffith considers this listing to be a REC as historically-generated hazardous substances could persist in site media.

No additional RECs were identified in conjunction with the 2013 Griffith Phase I ESA.

1.2 Former Kesler Mill Debris Piles Limited Asbestos-Containing Materials Survey – Cardno, January 2016

A January 2016 Limited Asbestos-Containing Materials (ACM) Survey by Cardno revealed the presence of asbestos-containing materials in the large building demolition debris piles present on the subject property; namely, 55 suspect materials with 88 layers were collected and tested by polarized light microscopy (PLM), with the following materials being identified as ACM:

- Roofing materials: Gray fibrous layer (20% Chrysotile) – limited area
- White floor tile (3% Chrysotile) – limited area
- Green floor tile and mastic (4% Chrysotile) – limited area
 - Mastic <1 Chrysotile, but is considered ACM after coming in contact with the green floor tile.
- Transite siding/shingles (10% Chrysotile) – limited area

Cardno estimates approximately 7,000-cubic yards of the debris may contain suspected ACM. It may be possible for the debris at the site to be screened by a North Carolina licensed Asbestos Building Inspector during demolition and clean-up activities to separate ACM from non-ACM debris. There is also the possibility for additional suspect ACM to be currently hidden from view within debris piles.

1.3 Phase II Environmental Site Assessment (ESA) – Cardno, February 2016

A February 2016 Phase II ESA was performed by Cardno in order to determine if contaminants exist at the site as a result of historical property uses identified during the 2013 Griffith Phase I ESA. A figure denoting locations of soil samples and groundwater monitoring wells, as described in the Phase II ESA, is included as **Figure 3**. At the conclusion of the Phase II ESA, Cardno personnel identified the following contaminants in site media:

- Naturally-occurring metals were found in soils collected in the areas of the former paint shop and mechanical shops. Concentrations of aluminum, arsenic, cobalt, iron, manganese, vanadium, calcium, potassium, and sodium in borings SB-2, SB-3, and GW-4 likely represent natural, background concentrations based on local data provided by the EPA and State of North Carolina. However, concentrations of cadmium, cobalt, selenium, silver, and thallium significantly exceeded common background ranges and additional assessment may be warranted to further delineate the extent of contamination. Concentrations of metals identified in site groundwater are potentially a result of sample turbidity and naturally-occurring, background levels.
- Concentrations of VOCs identified in site soils and sediment are not considered significant. Concentrations of multiple chlorinated solvents were identified in groundwater and surface water below screening levels. The concentration of 1,1-DCA in well GW-6 was reported above the 2L Standard. Additional assessment or pre-emptive engineering controls may be warranted at the site, particularly in the area of GW-6, to assess or minimize the potential for vapor intrusion caused by identified VOCs. Groundwater-use restrictions at the site and a receptor survey in the vicinity of the site may be warranted based on identified chlorinated solvent impact.
- Concentrations of PCBs were not identified above laboratory reporting limits or method detection limits in samples collected at the site.
- Concentrations of TPH diesel range organics (DRO) above the screening level were identified in soils near the former oil/water separator and 15,000-gallon fuel oil AST, and seem to be a result of former site use. Additional assessment in these areas is recommended to delineate the extent of impact.
- Concentrations of numerous polycyclic aromatic hydrocarbons (PAHs) above screening levels were distributed in soils across the property. Concentrations of elevated PAHs which may have originated from the site were also identified in site sediment. However, these compounds were not reported in site groundwater or surface water samples. Additional assessment of PAHs in soil and sediment may be warranted to delineate the extent of impact.

1.4 Phase I Environmental Site Assessment (ESA) – Cardno, January 2019

A January 2019 Phase I update was completed for the site by Cardno to evaluate site conditions and identify recognized environmental conditions (RECs) present at the subject property. At the conclusion of the January 2019 Phase I report, no RECs were identified in connection with the subject property, except for the following:

- The historical presence of a textile mill on the subject property, including historical generation of benzene, lead, tetrachloroethylene (PCE), and trichloroethylene (TCE) is considered a REC, and was confirmed as a REC in a 2016 Phase II ESA.
- The presence of ACM debris piles in the area of the former building foundation is considered a REC, and was confirmed as a REC in a 2016 Phase II ESA.

- The historical presence of underground storage tanks (USTs) and above-ground storage tanks (ASTs) on the subject property is considered a REC, and was confirmed as a REC in a 2016 Phase II ESA.
- Ongoing petroleum contamination in site soils, as identified in a 2016 Phase II ESA at the subject property, is considered a REC, and was confirmed as a REC in a 2016 Phase II ESA. Further discussion of the locations and extents of contamination can be found in Section 6.10.
- The historical presence of a LUST at the Rowan-Salisbury Schools Maintenance Department located on an adjacent property is considered a REC.

1.5 Project Goal

The City of Salisbury intends to facilitate a property transfer and future redevelopment efforts by remediating environmental impacts from the presence of ACM and soil contamination that have been identified in previous site assessments. Abatement and/or mitigation of the ACM on the property and soil remediation will be required to support this redevelopment strategy.

2 Applicable Regulations and Cleanup Standards

The City of Salisbury wishes to continue with a property transfer and potential redevelopment of the site via removal of ACMs throughout the subject property, and additional soil excavation in the areas surrounding SB-1, the area of SB-2, SB-3, and the grouping of SB-4, SB5, and the area of GW-7, and GW-8.

2.1 Cleanup Oversight Responsibility

Asbestos abatement in the state of North Carolina is overseen by the North Carolina Department of Health and Human Services (NCDHHS) Division of Public Health.

The NC Brownfields Program (NCBP) as issued a Letter of Eligibility (LOE) for a Brownfield Agreement (BFA) on the property. The NCBP will have regulatory authority and oversight responsibility of cleanup activities at the site.

Contractors must be licensed and/or accredited in the state of North Carolina and must abide by all federal, state, and local laws, and regulations pertaining to Asbestos abatement to perform abatement and/or renovation work for this project. Qualified, licensed personnel should coordinate and supervise any planned ACM abatement and/or renovation activities and/or perform air monitoring and visual clearance to ensure that the work is performed in compliance with applicable regulations, document the activities, and ensure that the area is clear prior to occupancy. Cleanup and abatement work will be overseen by NC licensed, qualified Professional Geologists and/or Professional Engineers.

2.2 Cleanup Standards for Major Contaminants

Soils

The site will be subject to the cleanup standards issued by the NCBP in the BFA. The remediation goals for the site will be based on the IHSB Remediation Goals and the EPA Regional Screening Levels (RSLs), in effect at the time of cleanup.

Groundwater

It is anticipated that through the BFA, a groundwater use restriction will be placed on the property by a restrictive covenant (RC) attached to the deed; and, therefore, groundwater cleanup standards do not apply to this ABCA.

ACM

ACM abatement and standards are governed by NC General Statute §130A-444 through 452 (Asbestos Hazard Management). Additionally, this work must be performed in accordance with OSHA asbestos regulations 29 CFR 1910 & 1926 and the National Emission Standards for Hazardous Air Pollutants (NESHAP) asbestos regulations 40 CFR 61, subpart M.

2.3 Climate Change Considerations

The US EPA has directed grant recipients to “evaluate the resilience of the remedial options in light of reasonably foreseeable changing climate conditions (e.g., sea level rise, increased frequency and intensity of flooding and/or extreme weather events, etc.).

The climate of the Southeast is uniquely warm and wet, with mild winters and high humidity. Based on a regional analysis by the South Carolina Department of Natural Resources (SCDNR), the average annual temperature has exhibited natural variation for most of the past century; however during the past forty years annual average temperature has increased about 2° F. Changes in precipitation have occurred over the past three decades with increases in heavy downpours in many parts of the Southeast, even though much of the region has experienced moderate to severe droughts during the same period.

Current climate models predict continued warming across the Southeast with the rate of warming more than twice the current rate over the next seventy years. The frequency, duration and intensity of droughts are likely to continue to increase with higher average temperatures and a higher rate of evapotranspiration. Extreme weather events are of concern and it is postulated that climate change can influence the intensity and number of storm events.

Although supporting data are not entirely conclusive, the physics behind models are well understood. Warmer ocean temperatures potentially can provide more energy to hurricanes, leading to more intense storms. Increased precipitation patterns could have an adverse effect on flooding issues. High intensity rainfalls could lead to greater flooding hazards and mud - or landslides.

3 Analysis of Brownfield Cleanup Alternatives

A discussion of the cleanup objectives and an evaluation of remedial alternatives for the site are provided below.

3.1 Cleanup Alternatives Considered

Asbestos-Containing Materials (ACM), heavy metals, polycyclic aromatic hydrocarbons (PAHs), and petroleum products are the contaminants of concern (COC) for this project. Site assessment identified contaminated soils in three localized areas on the site. Specifically, soil in the area around SB-2, SB-3, and GW-7 had elevated levels of the metals Arsenic, Cobalt, and Thallium, as well as elevated levels of PAHs from 0' to 4' below ground surface. Soils in the areas surrounding SB-1 and the grouping of SB-4, SB5, and GW-8 had elevated levels of petroleum constituents and PAHs. Additionally, an estimated 7,000-7,500 cubic yards of debris is suspected to contain ACM. Because of the nature of the contaminants, ACM abatement and additional remediation of site soils are needed.

The Phase II ESA identified limited impacts to groundwater at this site. However, as a result of these limited impacts, this ABCA makes the base assumption that all alternatives will include a deed restriction prohibiting use of groundwater from the property for drinking or irrigation purposes.

Each of the following remedial alternatives is compared with respect to: effectiveness, long-term reliability, implementability, and general cost implications, within **Table 1**. A comparison of potential costs to implement is provided in **Table 2**.

3.1.1 Alternative 1: No Action

The No-Action alternative (Alternative 1) is included as a baseline comparison to the other remedial alternatives. The No-Action alternative assumes no action is taken and represents the current site conditions.

3.1.2 Alternative 2: Site Capping

Alternative 2 would involve installing a soil cover consisting of 2 feet of clean low permeability soils to protect future users from direct contact with the contaminated soils and ACM contaminated debris. This alternative assumes the contaminated soils can be sufficiently isolated from receptors so that the soils can be retained on site. Capping the contaminants is an effective means of limiting exposure to nearby residents; however, leaving contaminants in place may render the site not suitable for certain future redevelopment options. Two separate capping areas would be proposed for the site:

- Area 1: Approximately 0.1-acre in the area of boring SB-1
- Area 2: Approximately 2.0-acres which would include the mixed ACM debris and the areas around borings SB-4, SB-5, and GW-8

3.1.3 Alternative 3: Excavation and Disposal of Contaminated Soils and Off-site Disposal of Mixed ACM Debris

Alternative 3 would involve excavating impacted soils in the areas surrounding SB-1, the area of SB-2, SB-3, and the grouping of SB-4, SB5, and the area of GW-7 and GW-8, disposal of impacted soils in an approved off-site landfill, and backfilling the areas of excavation with off-site soils.

Additionally Alternatives 3 would involve the design and execution of an ACM abatement plan to remove and properly dispose of the comingled ACM debris at the site. This option addresses both the ongoing presence of the COCs and the ACM, thereby by removing the exposure threat to nearby residents in the short term and making the site suitable for redevelopment in the long term.

3.2 Recommended Cleanup Alternative

The primary objective of site remediation is to reduce or prevent potential risk to human health and the environment from site contaminants by properly addressing the ACM and soil contamination identified at the site. As seen from a review of **Tables 1 and 2**, the “No Action” option (Alternative 1) is not considered a viable option since it does not meet the redevelopment objectives and protect from future exposure to site contaminants.

Alternative 2, Capping, provides an excellent barrier to potential exposure, however it leaves contaminants in place and makes the site unsuitable for certain future redevelopment options. Additionally, Alternative 2 comes with long term maintenance and future engineering costs associated with maintaining the cap.

Therefore, Excavation and Disposal of Contaminated Soils and Off-site Disposal of Mixed ACM Debris (Alternative 3) is the recommended cleanup alternative. Alternative 3 addresses both the short and long term goals of the city in removing the contaminants from the site and allowing for future redevelopment of the property.

4 References

Cardno, Inc. *Former Kessler Mill Debris Piles Limited Asbestos-Containing Materials Survey*. January 2016.

Cardno, Inc. *Phase I Environmental Site Assessment (ESA), Former Kesler Mill (Mill)/Fieldcrest Cannon Plant #7*. January 2019.

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United States Occupational Health and Safety Administration, 40 CFR 61 – *Protection of Environment – National Emission Standards for Hazardous Air Pollutants*.

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Former Kesler
Mill/Fieldcrest Cannon
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TABLES

Table 1 Brownfield Cleanup Alternatives Balancing Factor Evaluation

Remedial Alternative	Effectiveness	Long-Term Reliability	Implementability	Cost Implications
1. No-Action	Does not address potential risks.	Does not address potential risks	Not applicable for No-Action	No cost to implement. Potential cost implications on property value and future liabilities associated with contaminant exposure.
2. Capping	Effectively manages contaminated soils if the cap is appropriately maintained and future actions in capped areas are controlled. Does not eliminate the contaminated soils.	Does not fully realize redevelopment potential on the subject property and could impede future site construction activities. Reduces the risk associated with direct exposures to contaminated soils at the site. Requires maintenance and inspection, and controls on construction activities within capped area(s).	Minor to major implementation risks associated with site topography and existing foundations. Will limit types of future land uses within capped area, resulting in risk. NCBP will have to approve plans associated with the cap on the property. 2 capping areas (Area 1: 0.1-acre; Area 2: 2.0-acres) are proposed for the site which would also leave existing foundation structures in place across the property.	Moderate to high costs for implementation of the barrier depending on selected barrier. Moderate to low long-term costs associated with maintenance and inspections. *Est. \$146,124 + Unknown long-term O&M expenses
3. Excavation and Disposal of Contaminated Soils and Off-site Disposal of Mixed ACM Debris	Effectively removes contaminants from the site, allowing full redevelopment potential.	Removes ACM and soil contaminants from the site, therefore no long-term monitoring or planning is needed.	Given the quantities of ACM present, there is moderate difficulty for implementation. Abatement planning, oversight of execution, and monitoring is required.	Moderate to high costs associated with hiring qualified, trained personnel to complete the abatement. Moderate to high costs associated with off-site disposal. However, the City is in consultation with the County Landfill on deferral of the tipping fees *Est. \$447,000

* - Estimate from Table 2

Table 2 Estimated Comparative Cost for Cleanup Alternatives

Cleanup Alternative	Total Estimated Cost	Notes
1. No-Action	\$0*	Not a viable option.
2. Capping	\$146,124 + Unknown long-term O&M expenses	<p>Engineering/Permitting Cost Estimate Area 1 and Area 2: \$58,500</p> <p>Construction Area 1 (0.1-acre): Assuming a 2-ft compacted clay cover at \$12/CYD (323 CYD x \$10 = \$3,876). Topsoil and vegetative cover at \$3,000/acre (0.1-acre x \$3,000 = \$300)</p> <p>Construction Area 2 (2.0-acres): Assuming a 2-ft compacted clay cover at \$12/CYD (6,454 CYD x \$10 = \$77,448). Topsoil and vegetative cover at \$3,000/acre (2.0-acres x \$3,000 = \$6,000)</p> <p>Long Term O&M: Unknown at this time</p>
3. Excavation and Disposal of Contaminated Soils and Off-site Disposal of Mixed ACM Debris	\$455,925	<p>Excavation and Disposal of Contaminated Soil: Assuming 1,500 CYD of soil to be removed at \$60/CYD (1,500 CYD x \$60 = \$90,000)</p> <p>Transportation and Disposal of ACM Contaminated Debris – Tipping Fee deferred: Est. 7,175 CYD at \$51/CYD (7,175 CYD x \$51 = \$365,925)</p> <p><i>Disposal of Contaminated Soil: Est. 1,500 CYD of soil at \$24/CYD (1,500 CYD x \$24 = \$36,000) – cost deferred per MOU with Rowan County</i></p> <p><i>Disposal of ACM Contaminated Debris: Est. 7,175 CYD of debris at \$18/CYD (7,000 CYD x \$18 = \$129,150) – cost deferred per MOU with Rowan County</i></p>

*- Figure does not account for potential future costs related to property value and liabilities associated with contaminant exposure.

- CYD = Cubic Yard

- ft = foot

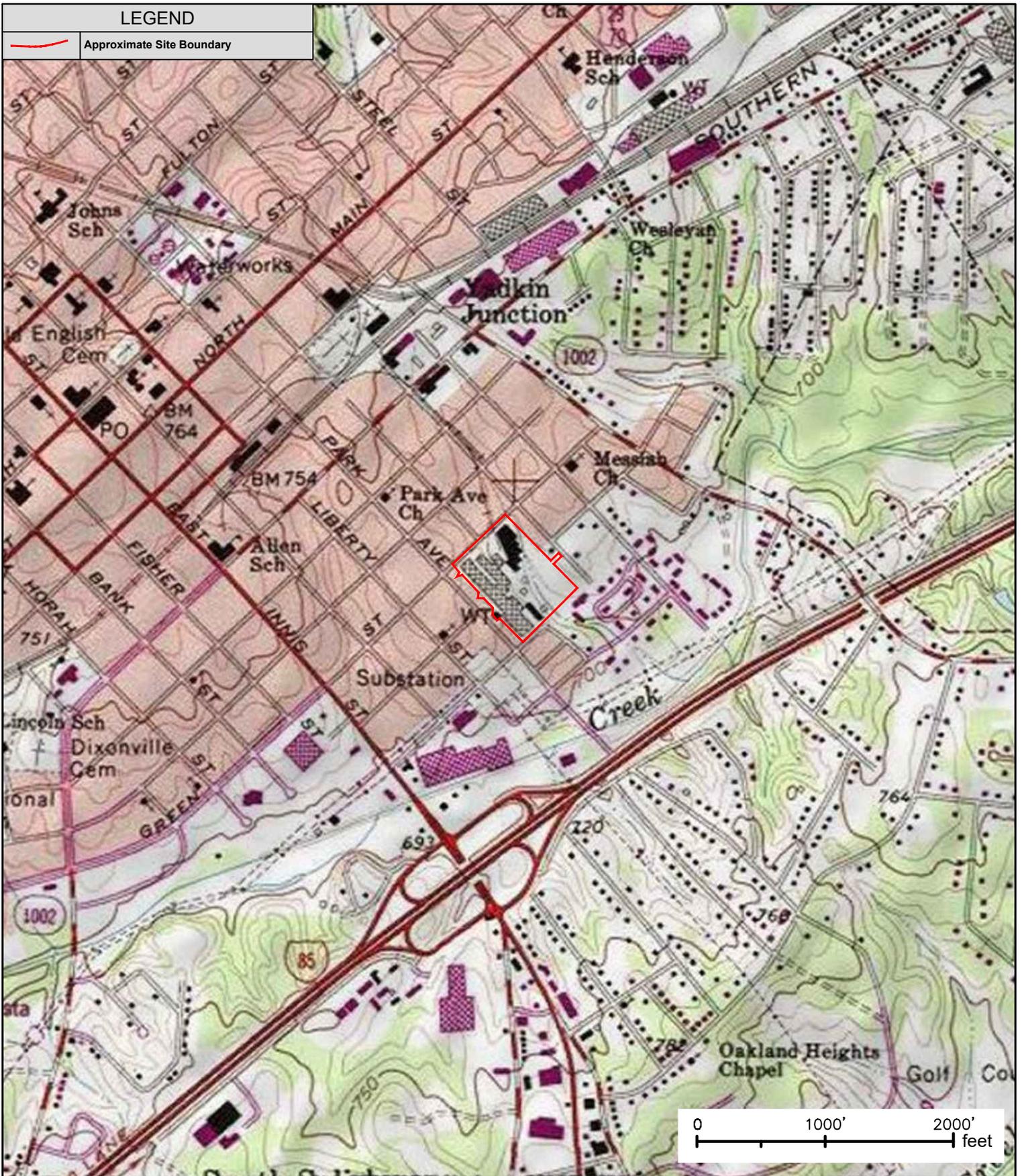
- O&M = Operations and Maintenance

Former Kesler
Mill/Fieldcrest Cannon
Plant #7

FIGURES

LEGEND

— Approximate Site Boundary



Notes:

FIGURE 1 - TOPOGRAPHIC SITE LOCATION

Former Kesler Mill/Fieldcrest Cannon Plant #7
423 N. Martin Luther King Jr. Ave.
Salisbury, NC



1812 Lincoln St., Suite 301
Columbia, SC 29201
803-929-6060

LEGEND

Approximate Site Boundary

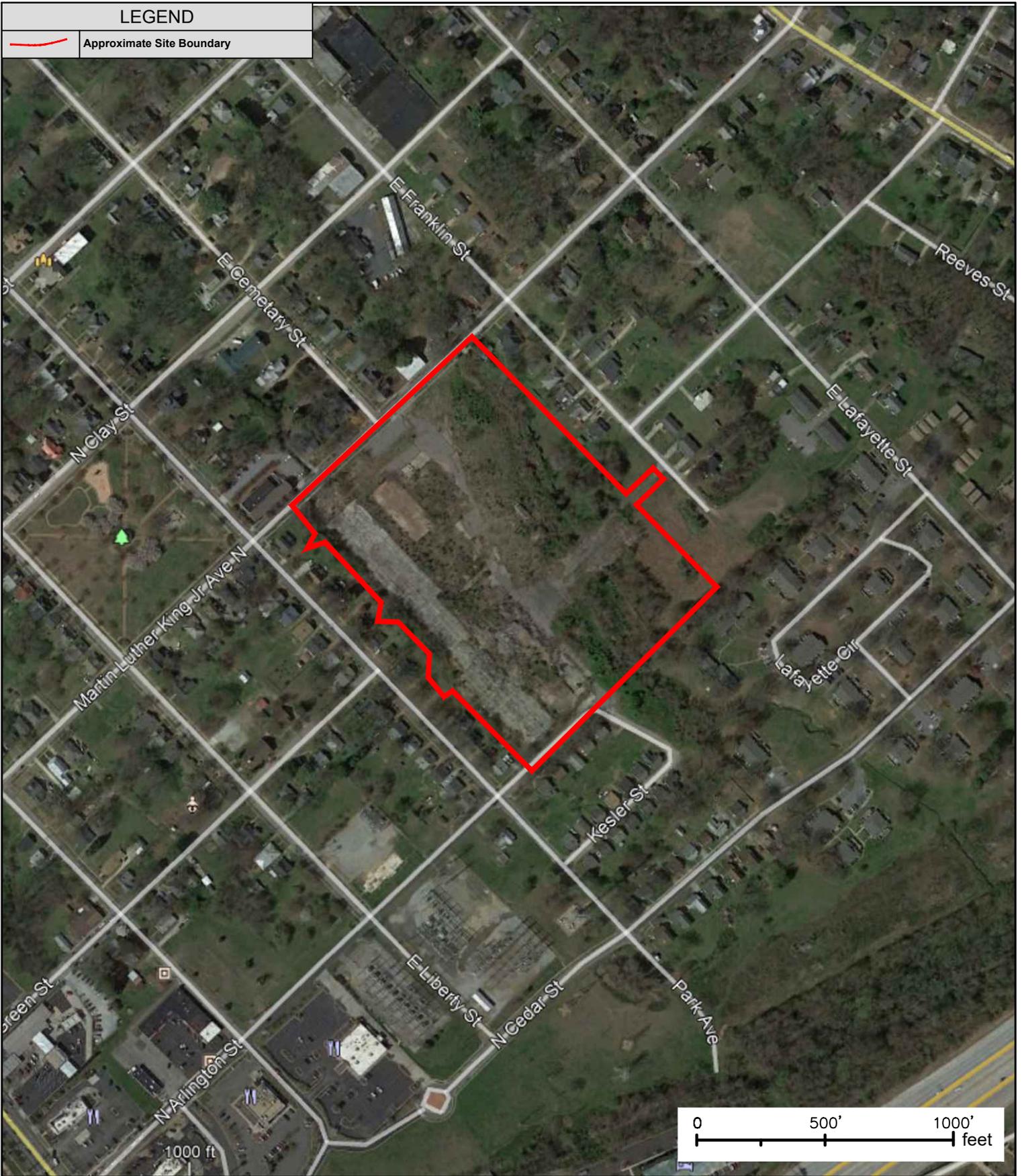
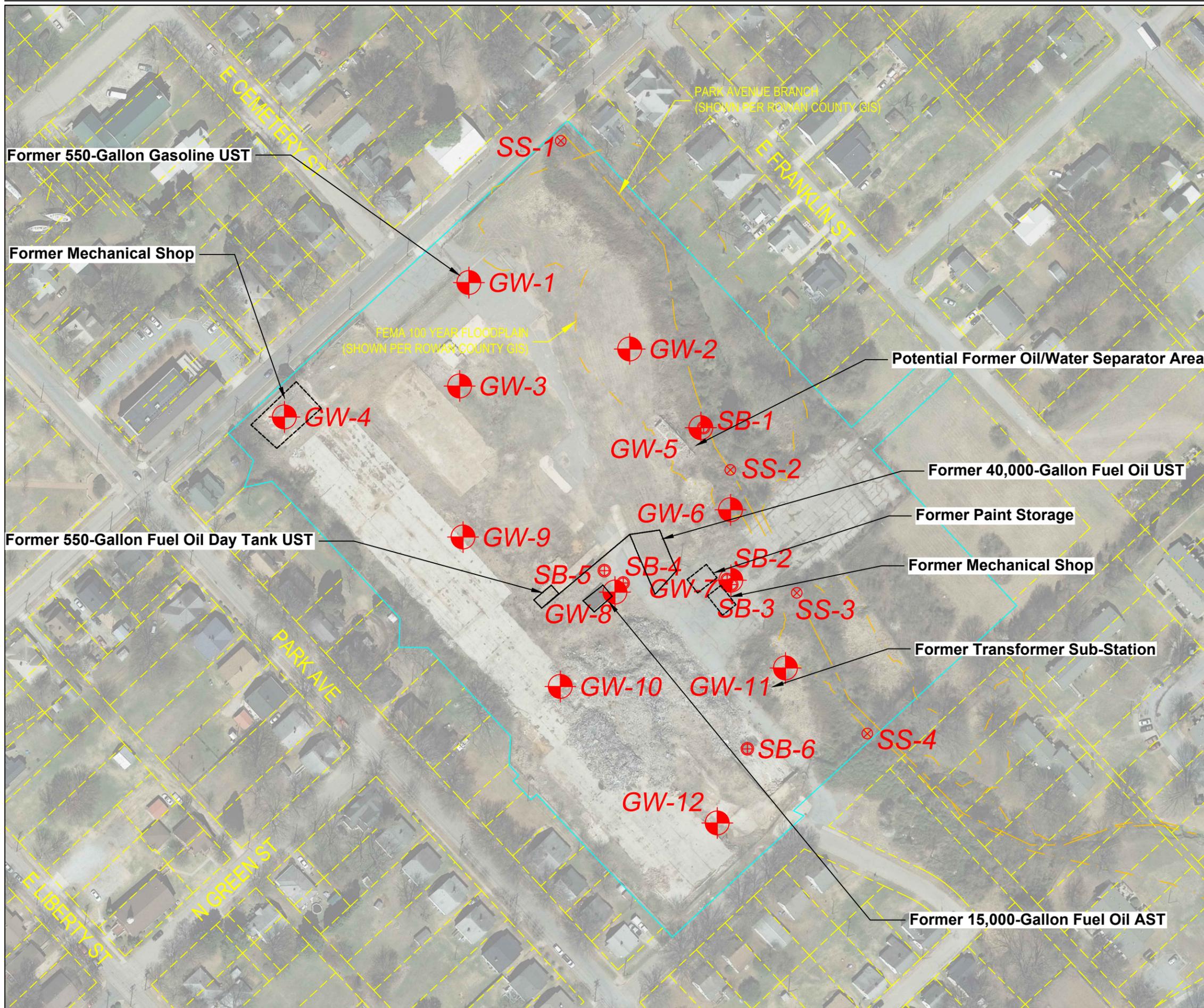


FIGURE 2 - SITE MAP

Former Kesler Mill/Fieldcrest Cannon Plant #7
423 N. Martin Luther King Jr. Ave.
Salisbury, NC



1812 Lincoln St., Suite 301
Columbia, SC 29201
803-929-6060



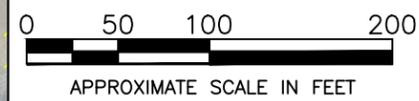
LEGEND

	SUBJECT PROPERTY LINE
	ADJOINER PROPERTY LINE
	CENTERLINE BRANCH (GIS)
	GROUND WATER MONITORING WELL LOCATION
	SOIL BORING LOCATION
	CREEK SAMPLE LOCATION

Cardno
 CHARLOTTE
 7606 WHITEHALL EXECUTIVE CENTER DRIVE, STE 800, CHARLOTTE, NC 28273
 TEL: (704) 529-3200 www.cardno.com

FIGURE 3
 SAMPLE LOCATIONS MAP
 FORMER KESLER MILL
 423 NORTH MARTIN LUTHER KING JR. AVENUE
 SALISBURY, NORTH CAROLINA

CAD FILE	SITE ID	PREP. BY	REV. BY	SCALE	DATE	PROJECT NO.
PB0010900		CS	JM	AS SHOWN	12.28.2015	PB0010900



NOTES:

About Cardno

Cardno is an ASX-200 professional infrastructure and environmental services company, with expertise in the development and improvement of physical and social infrastructure for communities around the world. Cardno's team includes leading professionals who plan, design, manage, and deliver sustainable projects and community programs. Cardno is an international company listed on the Australian Securities Exchange [ASX:CDD].

Cardno Zero Harm

Cardno
ZERO
HARM
EVERY JOB. EVERY DAY.

At Cardno, our primary concern is to develop and maintain safe and healthy conditions for anyone involved at our project worksites. We require full compliance with our Health and Safety Policy Manual and established work procedures and expect the same protocol from our subcontractors. We are committed to achieving our Zero Harm goal by continually improving our safety systems, education, and vigilance at the workplace and in the field. Safety is a Cardno core value and through strong leadership and active employee participation, we seek to implement and reinforce these leading actions on every job, every day.



Notice of Submission of Brownfields Cleanup Application Former Kesler Mill Brownfields Cleanup Project

The City of Salisbury will be submitting a grant application to the United States Environmental Protection Agency (EPA) Brownfields Program to conduct cleanup activities at the former Kesler Mill site located at 423 North Martin Luther King, Jr. Avenue. The proposed cleanup work will be performed in accordance with one of the alternatives outlined in the Analysis of Brownfields Cleanup Alternatives (ABCA). The draft ABCA and draft grant application will be available for public review and comment beginning Tuesday, January 22, 2019, and ending Tuesday, January 29, 2019. These documents will be available at the Community Planning Services offices at 132 North Main Street, Salisbury, North Carolina. The public and community-based organizations are encouraged to review and provide comments. A public meeting will be held to answer questions and accept comments on Monday, January 28, 2019, at 6:00 pm at the Park Avenue Community Center, 632 Park Avenue in Salisbury. Interested citizens are invited to attend the meeting or to contact Brian Hiatt, Interim Planning Director, to provide comments and/or show support.

Brian Hiatt
Interim Planning Director
Brian.hiatt@salisburync.gov
704-638-5230

Salisbury Post Publisher's Affidavit Of Publication

STATE OF NORTH CAROLINA
ROWAN COUNTY

[LEGAL.TEXT]

Before the undersigned, a Notary Public of said county and state, duly commissioned, qualified, and authorized by law to administer oaths, personally appeared WINFRED MENTION, who being first duly sworn, deposes and says that he is ADVERTISING OPERATIONS MANAGER of the SALISBURY POST, published, issued and entered as second class mail in the city of Salisbury, in Rowan County, North Carolina, that he is authorized to make this affidavit and sworn statement, that the notice or other legal advertisement, a true copy of which was attached hereto, was published in the SALISBURY POST, on the following dates:

01/17/19

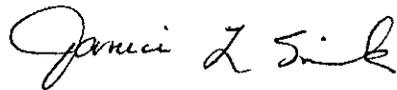
and that the said newspaper in which such notice, paper document or legal advertisement was published at the time of each and every such publication, a newspaper meeting all the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina, and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina,

At a cost of	\$89.36
Account #:	27626
Tagline:	Grant App
Purchase Order #:	



(signature of person making affidavit)

Sworn and subscribed before me on 01/23/19.



Notary Public

My commission expires 05/02/2021

- 55%
- 53%
- 55%
- 56%
- 19%
- 11%
- 40%

ended with few signs of progress toward that goal. There was no indication that Trump planned to yield on his demands for \$5.7 billion in border wall funding — or agree to a short-term spending bill to reopen the

Notice of Submission of Brownfields Cleanup Application Former Kesler Mill Brownfields Cleanup Project

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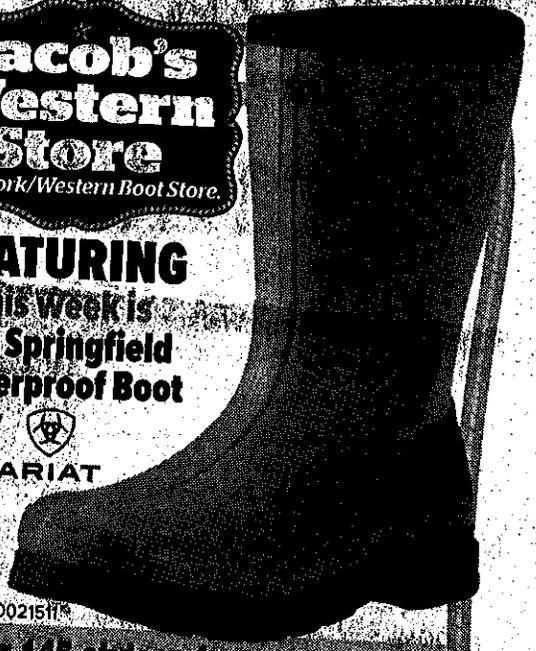
Brian Hiatt
Interim Planning Director
brian.hiatt@salisburync.gov
704-638-3230

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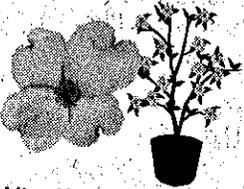


We have some winter PERENNIALS

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- ✓ Creeping Phlox
- ✓ 6 Varieties Lenten Rose Bud/Bloom
- ✓ 4 Colors of Hardy Primrose
- ✓ Heuchera

Great Time to Plant Dogwood Trees

We have some nice Pink, red & white Dogwoods in pots.



Nice Kousa Dogwoods Also, Pink & White See Bobby

We are still dealing!
All remaining Christmas Inventory

80% OFF

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Spring Bulbs 60% OFF

- ✓ Tulips
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Still time to plant

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Lawn & Gardens WE CAN HELP
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City of Salisbury, North Carolina --Kesler Mill Cleanup Project

January 28, 2019 Public Meeting Summary

Kesler Mill Cleanup Project
Salisbury, North Carolina

The draft EPA Brownfields Cleanup application and draft Analysis of Brownfields Cleanup Alternatives (ABCA) were put on public notice on January 17, 2019 via a Legal Notice in the *Salisbury Post*, a post on the City's website, notifications on the City's social media sites, and through the City's Nixle notification system. The public notice period closed on January 29, 2019. No comments were received. Notifications of the available draft documents for review also included an invitation to attend a community meeting to discuss the project.

The Community Meeting was held on January 28, 2019 at the Park Avenue Community Center, 623 Park Avenue, Salisbury, North Carolina, which is across the street from the former Kesler Mill site. 19 members of the community attended, along with the City Manager, Assistant City Manager, Planning Director, City Attorney, Parks and Recreation Director, and three City Council members.

The meeting began with a welcome and introductions by City Staff. A PowerPoint presentation by the City's consultant followed with a review of the basic history of the Kesler Mill (brief site operations) and the environmental assessments completed at the property. The results of the Phase II Environmental Site Assessment were explained along with the need for cleanup and the requirements to apply for funding via an EPA cleanup grant.

The draft ABCA was reviewed including the options presented in the document. The final proposed cleanup option to excavate and dispose of contaminated soils and remove and dispose of contaminated site debris was explained.

The presentation ended with a review of the steps required to acquire the property and submit the grant application as well as a timeline for award notification and funding availability.

Questions & Comments:

The first question involved redevelopment options at the site. The citizen asked if the City had finalized a redevelopment for the site, and if not, would the community be able to participate in planning efforts?

City officials responded that no redevelopment plan had been finalized. Further, one of the goals of this cleanup project was to refine the preliminary concepts developed with the community during the assessment grant, invite all members of the community to participate in design charrettes, and have input into the final plan for redevelopment.

The second question regarded the actual cleanup activities; specifically, would the foundation slabs be removed as part of the project?

The consultant responded that the EPA cleanup grant could not pay to remove the slabs, since no contamination was found underneath the slabs. The slabs would need to be addressed as part of the redevelopment.

City of Salisbury, North Carolina --Kesler Mill Cleanup Project

A third citizen asked more detailed questions about how the debris and contamination occurred at the property.

The consultant responded by reviewing in more detail the operational history of the site, typical building materials used at the time (such as asbestos), and when site demolition occurred.

Another citizen asked if the City would be hiring a cleanup contractor to do the site work.

City officials responded that yes, a contractor qualified and certified to complete environmental removal would be hired to complete the proposed work through a competitive bid process.

Prior to closing, the City asked the audience whether they were in support of the City proceeding with acquiring the site and applying for the cleanup grant application. The attendees expressed unanimous support to move forward with both.

The meeting concluded and many remained to personally thank and offer support for the project.

City of Salisbury – Kesler Mill
 FY19 EPA Brownfields Cleanup Grant
 Public Meeting
 January 28, 2019

Name	Address	Telephone Number	Email Address
Lou Manning	Parkway Inn Redwood Corp 632 PARKWAY 720 East Frankie St Salisbury, NC 28144	704-633-863	LMANNING190 FIBRE@MFCORP.COM Shannon.das@regmail.com
Rolores Shannon	720 East Frankie St Salisbury, NC 28144	704-798-2035	vajbrowne@yahoo.com
Virginia Brown	525 Log Barn Rd Salisbury NC 28146	704-754-3310	DPOST@SALSBURY-NC.GOV
David Post	Po Box 1666 Salisbury 28145	704-267-7000	
Anne Stanbeck	Out of David Post		
KEN WEAVER	529 PARK AVE Salisbury 28144	704-640-5921	KENWEAVER@GMAIL.COM
C.J. Peters	424 PARK AVE SALISBURY 28144		M AND M HOUSE @GMAIL

City of Salisbury – Kesler Mill
 FY19 EPA Brownfields Cleanup Grant
 Public Meeting
 January 28, 2019

Name	Address	Telephone Number	Email Address
Aeey Worthy	321 E. Bank St. 28144 Salisbury, NC	704 603 4230	aeeyworthy@hotmail.com
Brook Basinger	306 Maupin Ave Salisbury, NC 28144	980-330-3235	brookfordm1978@gmail.com
Cathy Lasinger	224 Prescott Dr Salisbury, NC 28144	704 636 9338	cbasinger@carolina.rr.com
Tammie Sh...	301 Maupin Ave Salisbury NC 28144	704-223-6075	Tammie.Sh...@salisbury.nc.gov
Tammie Sh...	118 Cornhill St.	704-267-4175	
Graham Corriher	132 N. Main St (COR) Salisbury NC 28144	704-638-5309	
Wendy BRIDGEMAN	11	704-638-5201	

City of Salisbury – Kesler Mill
 FY19 EPA Brownfields Cleanup Grant
 Public Meeting
 January 28, 2019

Name	Address	Telephone Number	Email Address
NICK ACEVIS	132 N. MAIN ST	704-638-5299	na121@salisbury-gw.nc.gov
Brian Hyatt	132 N. Main St	704-638-5230	brian.hyatt@salisburygw.gov
Andrew Pittman	618 Wilcox	704 637 3672	apittman@yahoo.com

City of Salisbury – Kesler Mill
 FY19 EPA Brownfields Cleanup Grant
 Public Meeting
 January 28, 2019

Name	Address	Telephone Number	Email Address
CHARLES BROOKER	SALISBURY NC 1715 ASTHURD PLACE	704-636-5820	CHARLES.BROOKER@ATL.NET
William A. Jura	1208 W. Bank St Salisbury NC 28144	704-636-1244	wsturner105@fibramt.com

**KESLER MILL DEBRIS REMOVAL
MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding ("MOU") is made and entered into this 1st day of ~~September~~ ^{October}, 2013, by and between **ROWAN COUNTY** (hereinafter referred to as "County") and the **CITY OF SALISBURY** (hereinafter referred to as "City").

RECITALS

WHEREAS, the former Kesler Manufacturing Co. – Cannon Mills Plant No. 7 (ca. 1895-1926) ("Kesler Mill") was the last of Salisbury's early twentieth century mills to have survived in a high state of architectural integrity and was an important part of the cultural heritage of Salisbury and Rowan County;

WHEREAS, in 2009, then property owner, FCS Urban Ministries of Atlanta, GA, contracted with Applied Abatement Demolition of King's Mountain, NC, to demolish the mill buildings and to harvest the highly-marketable historic building materials, including heavy timbers, wood, brick and scrap metal;

WHEREAS, the demolition process resulted in a large pile of debris estimated at 3,500-4,000 tons which the contractor neglected to clear from the site and FCS Urban Ministries subsequently refused to abate despite repeated citations from Salisbury code officials and city fines which have continued to accumulate;

WHEREAS, the pile of remaining debris and overgrowth has resulted in unsanitary, unsightly and hazardous conditions affecting surrounding property owners and residents, including many low and moderate income families, senior citizens and residents of public housing;

WHEREAS, these conditions have also impacted neighborhood livability and resale potential in the East End/Park Avenue Revitalization Area where the City has invested over \$10 Million in housing and community facilities over the past fifteen years, and are also detrimental to the overall community image of both Salisbury and Rowan County;

WHEREAS, the City of Salisbury and Rowan County recognize the importance of intergovernmental cooperation to protect the health, safety and welfare of its citizens and to promote quality of life;

NOW, THEREFORE, for and in consideration of the foregoing premises and mutual understandings, the City of Salisbury and Rowan County agree as follows:

I. GENERAL CONDITIONS

1. This MOU is expressly conditioned upon and subject to the current owner of the property making the necessary arrangements so that all remaining loose debris is cleared and removed from the site down to grade level or to the existing concrete slabs, and to minimize the amount of material for the landfill through additional salvage and recycling to the greatest extent feasible.

2. This MOU is also conditioned upon and subject to the owner agreeing to deed the property to the City or the City's redevelopment partner after all debris has been removed and all nuisance, hazardous and environmental conditions have been remedied.
3. Unless superseded by a written amendment to this MOU, this MOU contains the understanding of the parties with respect to the project.

II. TERMS AND OBLIGATIONS

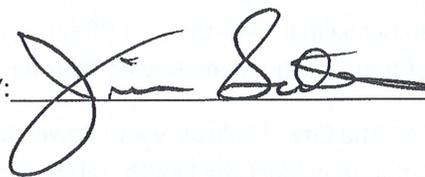
1. The County will defer all landfill tipping costs associated with the Kesler Mill property.
2. The City will defer all code services fines assessed to FCS Urban Ministries, its assigns or the current property owner.
3. When the property is redeveloped or sold, proceeds will go to pay off the debt for landfill tipping costs and code services fines. If the property is not developed or sold within ten (10) years from the date of the Memorandum of Understanding, landfill tipping fees will be due and payable to Rowan County.
4. Should any environmental risks arise in the future, the City of Salisbury agrees to assume all liability.

SIGNATURES

The parties to this MOU hereby acknowledge their intent to proceed in good faith for the purpose of remedying unsafe and unsightly conditions on the former Kesler Mill site.

ROWAN COUNTY

BY: _____

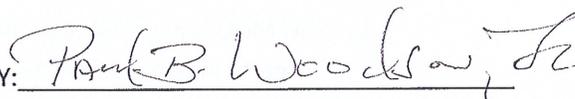


ATTEST:

Candice Barger
County Clerk

CITY OF SALISBURY

BY: _____



ATTEST:

Mary B. Heard
City Clerk