



ANDY BESHEAR
GOVERNOR

**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

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300 SOWER BOULEVARD
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TELEPHONE: 502-564-2150
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April 26, 2022

Lee Howard
Eastland Drive Industrial
c/o H&W Management
300 West Vine Street, Suite 806
Lexington, KY 40507

Re: **NOTIFICATION OF CONCURRENCE
BROWNFIELD REDEVELOPMENT PROGRAM**
Agency Interest Number (AI #): 53240
Production Plating-Mcb Enterprises
1050 Eastland Drive
Lexington, Fayette County

Dear Mr. Howard:

The Division of Waste Management is in receipt of Eastland Drive Industrial's Brownfield Redevelopment Program application and Property Management Plan received December 8, 2021 and warranty deed received April 25, 2022 verifying that Eastland Drive Industrial has taken legal title to the property. The Division of Waste Management finds that the application is administratively complete and that the conditions of KRS 224.01-415(2)(a) have been certified to be true. Based on the data and information provided to date, and a review of the Property Management Plan and warranty deed indicating ownership, the Division of Waste Management concurs that the intended future use and management of the property will not interfere with remediation of the release as required by the cabinet, increase impacts of the release on human health or the environment, or expose the public and environment to unacceptable harm as required by KRS 224.01-415(2)(b).

Therefore, in accordance with KRS 224.01-415(2), Eastland Drive Industrial is not liable for performing characterization, correcting the effects of the release on the environment, or performing corrective action of any release or suspected release included in your certification.

The Property Management Plan is intended to ensure that property use is protective given the available information and the recognized environmental conditions identified. There are two scenarios under which Eastland Drive Industrial may propose or be required to amend the Property Management Plan:

1. Eastland Drive Industrial intends to change the usage of the property through expansion, reuse, or redevelopment, or
2. There is a discovery of new information that requires modification of the Property Management Plan to ensure that property use is protective.


Should these conditions be met, Eastland Drive Industrial must notify and work with the Division of Waste Management personnel to ensure that the Property Management Plan remains protective of human health and the environment, or is amended based on the new information to ensure it is protective.

Upon issuance of this Notification of Concurrence, Eastland Drive Industrial will be responsible for conducting and documenting annual inspections of all engineering and institutional controls identified in the Property Management Plan to ensure that property use remains protective of human health and the environment. The property for which this Notification of Concurrence applies will also be subject to periodic auditing by the Division of Waste Management to verify compliance with the Property Management Plan.

Failure to adhere to the approved Property Management Plan may result in the revocation of this Notice of Concurrence. If, by any means, the Division of Waste Management discovers that you have provided false information in your certification, this Notification of Concurrence will be withdrawn as required by KRS 224.01-415 (3). In no way does this Notification of Concurrence alter any other legal obligations Eastland Drive Industrial would be subject to any local, state, or federal law.

The Commonwealth of Kentucky is committed to the safe and productive reuse of properties on which releases have occurred or there is the perceived presence of releases. If we can provide any further service to help bring this property to productive reuse or if you have any questions regarding this letter, please contact Jennifer Cowan at 502-782-1225.

Sincerely,



Clifford Hall, P.G.
Registered Geologist Branch Manager
Superfund Branch
Division of Waste Management

Lee Howard
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CLH/jlc

CC: Central File

EC: Jennifer Cowan, DWM

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