



**AGENDA ACTION FORM**

**Consideration of a Resolution Authorizing the Mayor to Execute a Notice of Land Use Restrictions and Brownfield Voluntary Agreement with the Tennessee Department of Environment and Conservation for Property Situated along Industry Drive**

To: Board of Mayor and Aldermen  
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-116-2024  
Work Session: May 6, 2024  
First Reading: N/A  
Final Adoption: May 7, 2024  
Staff Work By: Bower/ Rowlett  
Presentation By: Steven Bower

**Recommendation:**  
Approve the Resolution.

**Executive Summary:**  
The Brownfield Voluntary Cleanup Oversight and Assistance Program (VOAP) is a voluntary program that is in place to help address, develop, or redevelop a piece of property that could be, or is impacted by contamination. Under statute (TCA 68-212-224), the Program provides prospective purchasers of impacted properties the opportunity to work with the State on a property contaminated by hazardous substances, solid waste, or any other pollutant, including petroleum. The Program also offers relief from liability under all environmental statutes that is transferable to successors in title.

We are working with SM&E to finalize all required documents for the program. This includes a Soil Management Plan, Notice of Land Use Restrictions, and the Brownfield Voluntary Agreement. Once finalized there will be a \$4,000 reassessment fee every year until the site receives a letter of no further action from TDEC.

- Attachments:**
- 1. Resolution
  - 2. Proposed Notice of Land Use Restrictions
  - 3. Proposed Brownfield Voluntary Agreement

	<u>Y</u>	<u>N</u>	<u>O</u>
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—