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EXECUTIVE SUMMARY

Ninyo & Moore was retained by the Nye County Department of Natural Resources to perform a Phase I Environmental Site Assessment (ESA) of approximately 5.0 acres comprised of residential property with an abandoned mobile home trailer located on a parcel of land, designated by the Nye County Tax Assessor as parcel number 028-251-18, and located at 3761 North Stephanie Street in Pahrump, Nye County, Nevada. Historical research, document review, and site assessment activities were conducted during the months of February and April 2008.

In summary, the following items were noted:

- The subject site consists of vacant residential property with an abandoned mobile home trailer and two cement-block foundations located on a parcel of land totaling approximately 5.0 acres in area, designated by the Nye County Tax Assessor as parcel number 028-251-18, and located at 3761 North Stephanie Street in Pahrump, Nye County, Nevada.
- Based on a review of historical sources the subject site was undeveloped prior to being developed as single-family residential property at some point after 1994.
- A pile of general debris and one empty, approximately 40-gallon, plastic drum of unknown use was noted to the north of the central foundation. No other drums, unidentified substance containers, or other evidence of the storage or disposal of hazardous substances or petroleum products were observed on the subject site.
- No evidence of aboveground storage tanks (ASTs) or underground storage tanks (USTs) (i.e., fill pipes, vent pipes, and emergency power generators) was observed on the subject site.
- Review of environmental databases found no facilities located in the vicinity of the subject site that have handled hazardous materials or petroleum products and/or have been listed as having reported releases of hazardous materials or petroleum products. The subject site was not listed.
- However, Ms. Eileen Christensen, the client representative, indicated that the subject site had been used for the manufacture of methamphetamine and that a report of the investigation of the subject site would be available for review. Following a delay of approximately 2 months, the hazardous material incident report for the subject site was reviewed at Nye County Emergency Services. The report indicated that the subject property had been used by prior tenants to manufacture methamphetamine.

- The Nye County Tax Assessor information indicates that there is a well located on the subject site and an open well casing was observed on the subject site, east of the mobile home trailer. This casing may constitute a direct pathway to groundwater.
- The Nye County Tax Assessor information indicates that there is a septic system located on the subject site and a polyvinyl chloride pipe, believed to be associated with the septic system, was observed on the subject site, south of the mobile home trailer. Based on the historical usage of the subject site for the manufacture of methamphetamine, the potential exists that chemicals utilized in the methamphetamine manufacturing process may have been disposed of in a septic tank.

We have performed a Phase I ESA, in conformance with the scope and limitations of the American Society for Testing and Materials (ASTM) Practice E 1527-05, for the subject property at 3761 North Stephanie Street in Pahrump, Nevada. Any exceptions to or deletions from this practice are described in Section 1.5 of this report. This assessment has revealed the following evidence of recognized environmental conditions (RECs), as defined in Section 1.1 of this report, in connection with the subject property at this time.

- The historical presence of a methamphetamine manufacturing facility on the subject site represents a REC for the subject site. Ninyo & Moore recommends that a limited subsurface contamination assessment be performed on the subject site to evaluate whether chemicals utilized in the manufacture of methamphetamines have contaminated soil or groundwater beneath the subject site.
- The open well casing located on the subject site northeast of the abandoned house trailer may constitute a direct pathway to groundwater. This is considered to be a REC for the subject site and Ninyo & Moore recommends that the well be sampled prior to being abandoned by a Nevada-certified driller in accordance with applicable local and state regulations.
- Based on the historical usage of the subject site for the manufacture of methamphetamine, the presence of a septic system constitutes a REC for the subject site.

The following conditions were noted as non-ASTM 1527-05 additional issues:

- Interior components such as flooring materials located in the abandoned mobile home trailer may contain asbestos.
- Insulation contained within the walls of the abandoned mobile home trailer may be urea-formaldehyde foam insulation.

1. INTRODUCTION

Ninyo & Moore was retained by the Nye County Department of Natural Resources to perform a Phase I Environmental Site Assessment (ESA) of approximately 5.0 acres comprised of formerly residential property with an abandoned mobile home trailer located on a parcel of land, designated by the Nye County Tax Assessor as parcel number 028-251-18, and located at 3761 North Stephanie Street in Pahrump, Nye County, Nevada (hereinafter referred to as the site, subject site, or subject property). The following sections discuss the purpose, the involved parties, the scope of work, and the limitations and exceptions associated with the ESA.

1.1. Purpose

In accordance with the American Society for Testing and Materials (ASTM) Standards on Environmental Site Assessments for Commercial Real Estate E 1527-05, and the Environmental Protection Agency (EPA) proposed rule for All Appropriate Inquiry (AAI) standards as set forth in Title 40 of Code of Federal Regulations (CFR) Section 312.10, the objective of the due diligence Phase I ESA was to identify recognized environmental conditions (RECs), which are defined by ASTM as “the presence or likely presence of any hazardous substance or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property.” The work was also conducted in general accordance with EPA’s AAI standards, whose objective was to identify conditions indicative of releases and threatened releases of hazardous substances on, at, in, or to the site.

1.2. Involved Parties

Mr. Duane H. Matters, of Ninyo & Moore conducted the site reconnaissance on April 9, 2008. Mr. Matters performed regulatory inquiries and Mr. Gregory A. Beck, of Ninyo & Moore, performed project oversight and quality review. This Phase I ESA was conducted either by and/or under the supervision of an environmental professional as set forth in 40 CFR, Chapter I, Subchapter J, Part 312.10(b) (40 CFR §312.10[b]).

1.3. Detailed Scope of Services

Ninyo & Moore's scope of services for this Phase I ESA included the following:

- Performance of a site reconnaissance to visually and/or physically observe the interior and exterior of structures and other features on the subject site as well as visible exterior features of adjacent properties to identify areas of possibly contaminated surficial soil or surface water, improperly stored hazardous materials, possible sources of polychlorinated biphenyls (PCBs), and possible risks of contamination from activities at the site and adjacent properties.
- Review of reasonably ascertainable standard environmental record sources including federal, state, and tribal regulatory agency databases for the site and for properties located within a specified radius of the site. The purpose of this review was to evaluate possible environmental impacts to the subject site and vicinity activities. These databases list locations of known hazardous waste sites, landfills, and leaking underground storage tanks (USTs), permitted facilities that utilize USTs, and facilities that use, store, or dispose of hazardous materials and/or petroleum products.
- Review of reasonably ascertainable additional environmental record sources including local records and/or additional state or tribal records for the site and for properties located within a specified radius of the site. The purpose of this review was to evaluate possible environmental impacts to the subject site and vicinity activities. These databases list locations of known hazardous waste sites, solid waste landfills, registered storage tanks, emergency releases, contaminated public wells, facilities that use, store, or dispose of hazardous materials and/or petroleum products, public utility records, and building permits.
- Review of reasonably ascertainable standard physical setting sources including a current United States Geological Survey (USGS) 7.5-minute topographic map, and possibly including USGS and/or state groundwater and geology maps, and Soil Conservation Service soil maps. The purpose of this review was to note information about the geologic, hydrogeologic, hydrologic, or topographic characteristics of the subject site and vicinity.
- Review of reasonably ascertainable historical documents, including aerial photographs, historical fire insurance rate maps, city directories, and property tax files. The purpose of this review was to note any obvious uses of the subject site from the present, back to the subject site's first developed use, or back to 1940, whichever is earlier.
- Performance of interviews with present owners, operators, and occupants of the subject site as well as other knowledgeable parties as appropriate. The purpose of these interviews was to attempt to obtain information relevant to the uses and conditions of the subject site.

- Preparation of this Phase I ESA report documenting methodology; reporting findings significant data gaps, and conclusions; and providing opinions of the impact on the subject site of conditions noted in the findings section regarding recognized environmental conditions at the subject site.

Information collected in the course of this Phase I ESA was used without extraordinary verification. This study did not include an evaluation of geotechnical conditions or potential geologic hazards. In addition, unless otherwise indicated in Section 8 of this report, this Phase I ESA does not include analysis of the following: asbestos-containing material (ACM), methane gas, radon, lead-based paint, lead in drinking water, wetlands, regulatory compliance, cultural and historical resources, industrial hygiene, health and safety, ecological resources, endangered species, indoor air quality including vapor intrusion, or high voltage power lines.

1.4. Significant Assumptions

No significant assumptions are included in this Phase I ESA.

1.5. Limitations and Exceptions

The environmental services described in this report have been conducted in general accordance with current regulatory guidelines and the standard-of-care exercised by environmental consultants performing similar work in the project area. No warranty, expressed or implied, is made regarding the professional opinions presented in this report. Please note that this study did not include an evaluation of geotechnical conditions or potential geologic hazards.

This document is intended to be used only in its entirety. No portion of the document, by itself, is designed to completely represent any aspect of the project described herein. Ninyo & Moore should be contacted if the reader requires any additional information or has questions regarding the content, interpretations presented, or completeness of this document.

Our conclusions, recommendations and opinions are based on an analysis of the observed site conditions and the referenced literature. It should be understood that the conditions of a

site could change with time as a result of natural processes or the activities of man at the subject site or nearby sites. In addition, changes to the applicable laws, regulations, codes, and standards of practice may occur due to government action or the broadening of knowledge. The findings of this report may, therefore, be invalidated over time, in part or in whole, by changes over which Ninyo & Moore has no control.

This report is intended exclusively for use by the client. Any use or reuse of the findings, conclusions, and/or recommendations of this report by parties other than the client is undertaken at said parties' sole risk.

1.6. Special Terms and Conditions

No special terms and conditions were associated with the subject site.

1.7. User Reliance

This report may be relied upon by, and is intended exclusively for, the Nye County Department of Natural Resources (client or user). Any use or reuse of the findings, opinions, and/or conclusions of this report by parties other than the client is undertaken at said parties' sole risk.

2. SITE DESCRIPTION

2.1. Location

The subject site comprises approximately 5.0 acres designated as parcel number 028-251-18 by the Nye County Tax Assessor. This parcel is located approximately 0.75 miles north of the intersection of North Stephanie and West Bell Vista Avenue in Pahrump, Nye County, Nevada. The subject parcel is located in Section 25, Township 19 South, Range 52 East, Pahrump Quadrangle, Nye County, Nevada and has an assigned address of 3761 North Stephanie Street.

A site location map is presented on Figure 1. A site map with additional information concerning the site and surrounding properties is presented on Figure 2. Select photographs taken during the site reconnaissance visits are included in Appendix A.

2.2. Site and Vicinity General Characteristics

The area in the general vicinity of, and including, the subject site consists primarily of undeveloped and residentially developed land.

2.3. Current Use of the Property

The subject site, designated by the Nye County Tax Assessor as parcel number 028-251-18, is vacant residential land. A copy of the Nye County Tax Assessor parcel information is included in Appendix B-1.

2.4. Description of Structures, Roads, Other Improvements on the Site

The following paragraphs present a description of the structures present at the subject site, roads, other improvements on the subject site (including heating/cooling, sewage disposal, and potable water systems).

2.4.1. Site Structures

An abandoned mobile home trailer is located near the northern margin of the subject site. Block foundations are located on the eastern and central portions of the subject site.

2.4.2. Roads

A paved portion of North Stephanie Street borders the subject site to the west.

2.4.3. Other Site Improvements

Site improvements observed on the subject site include a gravel driveway adjacent to the northern property boundary, an uncapped well casing located east of the mobile home trailer, a septic system and possible cleanout port located south of the mobile home trailer, and numerous elevated sprinkler heads located across the subject site.

2.4.4. Heating and Cooling Systems

The mobile home trailer is abandoned and the former method of heating and cooling the trailer is unknown. However, an abandoned swamp cooler was noted on the subject site.

2.4.5. Sewage Disposal

According to the Nye County Tax Assessor, a septic system is located on the subject site. A possible cleanout access point associated with the septic system was noted south of the mobile home trailer.

2.4.6. Potable Water

According to the Nye County Tax Assessor, a well is located on the subject site and the subject site is not believed to be connected to a municipal water distribution network. An uncapped well casing was noted east of the mobile home trailer.

2.5. Current Uses of the Adjoining Properties

The subject property is bordered to the north by single-family residential property (3831 North Stephanie Street), to the northeast by undeveloped property (3830 North Murphy Street), to the east by single-family residential and undeveloped property (3770 and 3730 North Murphy Street, respectively), to the southeast by undeveloped property (3690 North Murphy Street), to the south by single-family residential property (3691 North Stephanie Street), and to the west by North Stephanie Street, across which is undeveloped land.

3. USER PROVIDED INFORMATION

3.1. Title Records

A title search report was not provided by the client for purposes of this Phase I ESA.

3.2. Environmental Liens or Activity and Use Limitations

The client requested that Ninyo & Moore conduct an environmental lien search to fulfill the user's responsibilities with regard to review of environmental liens and activity and use

limitations (AULs) associated with the subject property as described in Section 6.2 of ASTM Practice E 1527-05. An environmental lien search was performed by Banks Information Solutions, Inc. on behalf of Track Info Services, LLC. The environmental lien search report, dated January 30, 2008, found no environmental liens or AULs associated with the subject site from 1985 to the present. A copy of the environmental lien search is provided as Appendix B-2.

3.3. Specialized Knowledge

Ms. Eileen Christensen, the client contact representative, provided site location and background information. Ms. Christensen indicated that the subject site was formerly utilized for the manufacture of methamphetamine.

3.4. Commonly Known or Reasonably Ascertainable Information

No commonly known or reasonably ascertainable information within the community material to recognized environmental conditions pertaining to the subject site was noted by Ninyo & Moore or communicated to us in writing, in person, or during telephone conversations in the course of this assessment.

3.5. Valuation Reduction for Environmental Issues

In a transaction involving the purchase of a parcel of commercial real estate, the user shall consider the relationship of the sales price of the property to fair market value of the property if the property is not affected by hazardous substances or petroleum products. No information regarding valuation of the subject property was communicated to Ninyo & Moore.

3.6. Owner, Property Manager, and Occupant Information

A review of the Nye County Tax Assessor ownership information showed the current owner of the property to be the Nye County Sheriff, located at P.O. Box 831, Pahrump, Nevada. The subject site is unoccupied.

3.7. Reason for Performing Phase I

Since the subject site is owned by the Nye County Sheriff, Ninyo & Moore assumes that the Phase I ESA was performed in order to qualify for the innocent landowner defense pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

3.8. Other

No reports were provided for the purposes of this assessment.

4. RECORDS REVIEW

4.1. Standard Environmental Record Sources

A computerized environmental information database search was performed by *FirstSearch*TM dated January 15, 2008. The *FirstSearch*TM report included federal, state, and local databases. A summary of the environmental databases searched, their corresponding search radii, and number of noted sites of environmental concern, is presented in Table 1. In addition, the *FirstSearch*TM report and a description of the assumptions and approaches to the database search are presented in Appendix C-1.

Table 1 – Summary of Environmental Database Search

Database Name	Agency	Search Radius (miles)	Sites Listed
Federal Records			
National Priority List (NPL)	USEPA	1.00	0
Delisted NPL	USEPA	0.50	0
Sites currently or formerly under review by US EPA (CERCLIS)	USEPA	0.50	0
No Further Remedial Activities Planned (NFRAP)	USEPA	0.50	0
RCRA Corrective Action w/o TSD (CORRACTS)	USEPA	1.00	0
RCRA Treatment, Storage, and Disposal (TSD) Facilities	USEPA	0.50	0
RCRA Large/Small Quantity Generators List (LQ/SQ-GEN)	USEPA	0.25	0
RCRA NLR	USEPA	0.12	0
Federal Engineering and Institutional Controls (IC/EC)	USEPA	0.25	0
Emergency Response Notification System (ERNS) List	NRC	0.12	0

Table 1 – Summary of Environmental Database Search

Database Name	Agency	Search Radius (miles)	Sites Listed
State and Local Records			
State Sites	NDEP	1.00	0
Permitted as solid waste landfills, incinerators, or transfer stations (SWL)	NDEP	0.50	0
Leaking Underground Storage Tank (LUST) Lists	NDEP	0.50	0
Registered UST/Aboveground Storage Tank (AST) List	NDEP	0.25	0
Voluntary Cleanup Program Sites (VCP)	NDEP	0.50	0
Project Tracking Database State (Brownfields)	NDEP	0.50	0
State Engineering and Institutional Controls (IC/EC)	NDEP	0.25	0
Tribal Records			
Tribal Lands	BIA	1.00	0
Indian LUST	NDEP	0.50	0
Indian UST/AST	EPA Region 9	0.25	0
BIA - Bureau of Indian Affairs NDEP - Nevada Division of Environmental Protection NRC - National Response Center USEPA - United States Environmental Protection Agency USDOT - United States Department of Transportation			

The review was conducted to evaluate whether or not the subject site or properties within the vicinity of the subject site have been listed as having experienced significant unauthorized releases of hazardous substances or other events with potentially adverse environmental effects.

The following paragraphs describe the databases that were searched for properties of environmental concern, and include a discussion of the regulatory status of the facilities and potential environmental impact to the subject site (if applicable). The groundwater gradient information provided indicates whether the individual facility is assumed to be upgradient, downgradient, or crossgradient from the subject site in terms of groundwater flow.

United States Environmental Protection Agency, National Priorities List (NPL)

This list identifies hazardous material sites slated for cleanup under the federally sponsored Superfund program. These sites receive remedial funding under CERCLA. No facilities were listed within a 1-mile radius of the subject site.

United States Environmental Protection Agency, Delisted NPL

This list identifies hazardous material sites deleted from the NPL. The National Oil and Hazardous Substances Pollution Contingency Plan establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR §300.425(e), sites may be deleted from the NPL where no further response is appropriate. No facilities were listed within a 0.5-mile radius of the subject site.

United States Environmental Protection Agency, CERCLIS List

This list identifies hazardous material sites or environmental incidents recognized and listed on the federal level. Facilities identified by the United States Environmental Protection Agency (USEPA), which may have the potential for releasing hazardous substances into the environment, are listed in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) database. No facilities were listed within a 0.5-mile radius of the subject site.

United States Environmental Protection Agency, NFRAP List

This archive list identifies, to the best of USEPA's knowledge, facilities where assessment has been completed and EPA has determined no further steps will be taken to list this facility on the NPL. This decision does not necessarily mean that there is no hazard associated with the facility; it only means that, based upon available information, the location is not judged a potential NPL site. No facilities were listed within a 0.5-mile radius of the subject site.

United States Environmental Protection Agency, CORRACTS List

This list identifies RCRA facilities that are undergoing "corrective action." A "corrective action order" is issued pursuant to RCRA when there has been a release of hazardous waste into the environment from a RCRA facility. No facilities were listed within a 1-mile radius of the subject site.

United States Environmental Protection Agency, RCRA TSD List

This list identifies USEPA-listed facilities that report storage, treatment, and/or disposal of hazardous waste (i.e., TSD facility) under the USEPA Resource Conservation and Recovery Act (RCRA) program. No facilities were listed within a 0.5-mile radius of the subject site.

United States Environmental Protection Agency, RCRA Large-Quantity and Small-Quantity Generator (GEN)

This database identifies USEPA-listed facilities that report generation of reportable quantities of hazardous waste under the RCRA program for the identification and tracking of hazardous waste. The list consists of properties that generate more than 1,000 kilograms (kg) of hazardous waste per month (large quantity generators) and properties that generate less than 1,000 kg of hazardous waste per month (small quantity generators), and is not necessarily indicative of facilities where a release of hazardous substances has occurred. No facilities were listed within a 0.25-mile radius of the subject site.

United States Environmental Protection Agency – RCRA No Longer Regulated (NLR)

This database identifies USEPA-listed facilities that report generation of less than 100 kgs of hazardous waste under the RCRA program for the identification and tracking of hazardous waste or do not meet other RCRA requirements. No facilities were listed within a 0.12-mile radius of the subject site.

United States Environmental Protection Agency – US Engineering Controls

A listing of facilities with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health. The subject site was not listed on this database.

United States Environmental Protection Agency – US Institutional Controls

A listing of facilities with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls. The subject site was not listed on this database.

United States Environmental Protection Agency – Emergency Response Notification System (ERNS)

The ERNS is a national database used to collect information on reported releases of oil and hazardous substances. The database contains information from spill reports made to federal authorities, including the USEPA, the United States Coast Guard, the National Response

Center, and the Department of Transportation (DOT). No facilities were listed within a 0.25-mile radius of the subject site.

Nevada Department of Conservation and Natural Resources, Corrective Action Cases (State Sites)

The Nevada Department of Conservation and Natural Resources, Bureau of Corrective Actions maintains a list of cleanup evaluations and actions regarding sites with actual or potential contamination that could affect groundwater. No facilities were listed within a 1-mile radius of the subject site.

Although not listed, the subject site was the subject of a hazardous materials investigation conducted by the Nye County Sheriff's Office in 1999. According to a hazardous material facility incident report, dated June 8, 1999, reviewed at the Nye County Emergency Services office, an unspecified quantity of a dry white powder later identified as ephedrine was observed at the subject site. A criminal subpoena for possession of a controlled substance was subsequently issued to the subject site occupants.

Properties used to produce methamphetamine can contain containers of chemicals such as solvents, ether, paint thinners, phosphorus, acids and bases, or anhydrous ammonia. Typically, a contractor removes the bulk of any laboratory-related debris such as chemicals and containers after a laboratory is discovered by law enforcement. However, small amounts of chemicals may have contaminated surfaces, drains, sinks, ventilation systems and absorbent materials (couches, carpets, beds etc.). Contaminants may pose serious health threats to persons exposed to them and the historical presence of a methamphetamine manufacturing facility on the subject site represents a REC for the subject site.

Nevada Department of Conservation and Natural Resources, Landfill List

The Nevada Department of Conservation and Natural Resources maintains lists of facilities including active solid waste disposal sites, inactive or closed solid waste disposal sites, and transfer facilities. No facilities were listed within a 0.5-mile radius of the subject site.

Nevada Department of Conservation and Natural Resources, Leaking Underground Storage Tank (LUST) List

The LUST Information System is maintained by the Nevada Department of Conservation and Natural Resources. It includes sites with tanks under investigation, for potential leaks, confirmed leaks, and those to be closed. No facilities were listed within a 0.5-mile radius of the subject site.

Nevada Department of Conservation and Natural Resources, Underground Storage Tank (UST) and Aboveground Storage Tank (AST) Lists

Information regarding USTs and aboveground storage tanks (ASTs) registered with the Nevada Department of Conservation and Natural Resources is provided on the agency's UST list and AST list. The UST and AST lists consist of properties that have registered tanks, and are not necessarily indicative of sites where a release of hazardous substances has occurred. No facilities were listed within a 0.25-mile radius of the subject site.

Nevada Department of Conservation and Natural Resources - State Engineering Controls

A listing of facilities with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health. The subject site was not listed on this database.

Nevada Department of Conservation and Natural Resources - State Institutional Controls

A listing of facilities with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls. The subject site was not listed on this database.

Nevada Division of Environmental Protection, Voluntary Cleanup Program Sites (VCP)

The Voluntary Cleanup Program provides relief from liability to owners who undertake cleanups of contaminated properties under the oversight of the Nevada Division of

Environmental Protection (NDEP). No facilities were listed within a 0.5-mile radius of the subject site.

Nevada Department of Conservation and Natural Resources, Project Tracking Database (Brownfields)

Brownfields sites included in the Project Tracking Database. The term "Brownfields" is used to describe abandoned, idled, or underused industrial or commercial properties taken out of productive use because of real or perceived risks from environmental contamination. The State of Nevada has initiated Brownfields, a land-recycling program, to provide an opportunity to redevelop these undesirable properties and revitalize communities. No facilities were listed within a 0.5-mile radius of the subject site.

United States Geological Survey, Indian Reservations (INDIAN RESERV)

Indian administered lands of the United States that have any area equal to or greater than 640 acres. No facilities were listed within a 1-mile radius of the subject site.

United States Environmental Protection Agency, Leaking Underground Storage Tanks on Indian land (INDIAN LUST R9)

LUSTs on Indian land in Arizona, California, New Mexico, and Nevada. No facilities were listed within a 0.5-mile radius of the subject site.

United States Environmental Protection Agency, Underground Storage Tanks on Indian land (INDIAN UST R9)

USTs on Indian land in Arizona, California, New Mexico, and Nevada. No facilities were listed within a 0.25-mile radius of the subject site.

4.2. Additional Environmental Record Sources

Ninyo & Moore reviewed NDEP records on the Bureau of Corrective Actions (BCA) Download Database. Records including UST lists organized by facility number, owner information, and facility addresses were reviewed for facilities located in the site vicinity zip code(s). In addition, the list of corrective action and LUST sites as compiled by NDEP-BCA were reviewed for facilities located in the site vicinity zip code(s). No facilities were noted.

Ninyo & Moore reviewed USEPA records on the Enforcement and Compliance History Online (ECHO) Database. Records including RCRA generators were reviewed for facilities located in the site vicinity zip code. In addition, facilities with compliance violations were reviewed for the site vicinity zip code(s). No sites were listed within the site vicinity zip code.

4.3. Physical Setting Sources

The following sections include discussions of topographic, geologic, and hydrogeologic conditions in the vicinity of the site, based upon our document review and our visual reconnaissance of the site and adjacent areas.

4.3.1. Site Topography

The United States Geological Survey (USGS) Last Chance Range Quadrangle, 7.5-minute series topographic map, dated 1968, shows the site to be at an elevation of approximately 2,575 feet above mean sea level with drainage of the site generally toward the southeast. A copy of the topographic map is included in Appendix D-1.

4.3.2. Site Geology

The Pahrump Valley is a structural basin of late Mesozoic and Tertiary age block faulting origin (beginning about 100 million years ago). Deposits in the Pahrump Valley are mainly Tertiary age (from 67 to 2 million years old) and Quaternary Age (from 2 million years old to the present) unconsolidated sediments derived from the surrounding uplifted mountain ranges, which are composed of sedimentary and igneous rocks. The mountains to the north, east, and west, are mostly sedimentary rocks, predominantly carbonates (limestone and dolomite) of Paleozoic and Mesozoic age (between 586 and 67 million). The southern and southeastern ranges are generally composed of volcanic rocks, primarily Tertiary and andesite lava flows.

4.3.3. Site Hydrology

The following sections discuss the site hydrology in terms of both surface waters and groundwater.

4.3.3.1. Surface Waters

No natural surface water bodies, including ponds, streams, or other bodies of water, are present on the subject site.

4.3.3.2. Groundwater

The groundwater aquifer system within Pahrump Valley is complex, consisting of coarse-grained alluvial sand and gravel, interbedded with fine-grained valley fill deposits. In general, two principal separate aquifers exist in Pahrump Valley: a series of deep, confined (artesian) water bearing zones, and a shallow, relatively unconfined aquifer (non-artesian water table). The majority of the groundwater withdrawn in the valley is from the deeper aquifer zones and is generally located at depths estimated up to 200 feet for valley locations. Ninyo & Moore's representatives did not observe any seeps or springs at the subject site during the reconnaissance.

Review of the Nevada Division of Water Resources well log database indicated that the static water level may occur approximately 50 to 180 feet below grade in the vicinity of the subject property. Based on topography, groundwater flow direction in the vicinity of the subject property is assumed to be toward the southeast.

4.4. Historical Use Information on the Property

Ninyo & Moore conducted a historical record search for the subject site. This included a review of one or more of the following resources that were found to be both reasonably ascertainable and useful for the purposes of this Phase I ESA: historical aerial photographs, historical fire insurance maps, historical topographic maps, land use records, interviews with property representatives, and reviews of prior environmental assessment reports regarding

the site. The following sections summarize information obtained from the historical sources utilized for this assessment.

4.4.1. Historical Property Ownership

A title search was not included in the scope of work for this site and no historical ownership records were found on the website of the Nye County Tax Assessor.

4.4.2. Historical Aerial Photographs

Selected historical aerial photographs from 1984, 1994, and an unknown time after 1994 were available and reviewed for the subject site. Aerial photographs prior to 1984 were not readily available. The lack of availability of aerial photographs prior to 1984 is not considered a significant data failure due to the undeveloped state of the subject site during that period. A listing of the photographs reviewed is presented in Table 2. Table 3 summarizes notable observations from each photograph. A copy of an undated aerial photograph taken of the subject site and vicinity after 1994 is included in Appendix D-2.

Table 2 – Aerial Photographs Reviewed for the Property

Date	Photograph Identification	Scale	Source
1984	3-3	1 = 14,400	A
1984	P-9	1 = 36,000	A
1994	2-5	1 = 24,000	A
Post-1994	Unknown	Unknown	B
Sources: A – Continental Aerial Photo, Inc. B – Google Earth			

Table 3 – Aerial Photograph Summary for the Property

Year	Aerial Photograph Description
1984	The site is evident as undeveloped land.
1994	No significant changes from the 1984 photograph.
Post-1994	A mobile home trailer is evident near the northern margin of the site and foundations are evident near the center and the eastern margin of the site.

4.4.3. City Directories

There was no city directory coverage for the subject site. This is not considered a significant data failure due to the undeveloped state of the subject site prior to the 1990s and the availability of other historical resources (e.g. topographic maps and aerial photographs).

4.4.4. Fire Insurance Maps

There was no Sanborn fire insurance map coverage for the subject site. This is not considered a significant data failure due to the availability of other historical resources (e.g. topographic maps and aerial photographs).

4.4.5. Historical Topographic Map

The USGS Last Chance Range Quadrangle, 7.5-minute series topographic map, dated 1968, depicts the site as undeveloped property. No items of potential environmental concern for the subject site were noted on this topographic map. A copy of the historical topographic map is provided in Appendix D-1.

4.5. Historical Use Information on Adjoining Properties

Ninyo & Moore conducted a historical record search for the adjoining properties. This included a review of one or more of the following sources found to be both reasonably ascertainable and useful for the purposes of this Phase I ESA: historical aerial photographs, historical fire insurance maps, historical topographic maps, land use records, interviews with property representatives, and reviews of prior environmental assessment reports regarding neighboring properties.

The following sections summarize information obtained from the historical sources utilized for this assessment.

4.5.1. Historical Property Ownership

A title search was not included in the scope of work for the site vicinity and no historical ownership records were found on the website of the Nye County Tax Assessor.

4.5.2. Historical Aerial Photographs

Selected historical aerial photographs dating from 1984, 1994, and an unknown time after 1994 were available and reviewed for the subject site vicinity. Aerial photographs prior to 1984 were not readily available. The lack of availability of aerial photographs prior to 1984 is not considered a significant data failure due to the undeveloped state of the surrounding property during that period. A listing of the photographs reviewed is presented in Table 4. Table 5 summarizes notable observations from each photograph. A copy of an undated aerial photograph taken of the subject site and vicinity after 1994 is included in Appendix D-2.

Table 4 – Aerial Photographs Reviewed for Adjoining Properties

Date	Photograph Identification	Scale	Source
1984	3-3	1 = 14,400	A
1984	P-9	1 = 36,000	A
1994	2-5	1 = 24,000	A
Post-1994	Unknown	Unknown	B

Sources: A – Continental Aerial Photo, Inc.
B – Google Earth

Table 5 – Aerial Photograph Summary for Adjoining Properties

Year	Aerial Photograph Description
1984	Adjoining property to north, east, and south are evident as residentially developed land. North Stephanie Street is present to the west. West of Stephanie Street is vacant undeveloped land with ephemeral washes trending west to east.
1994	Increased residential development is present south and east of the subject site. The properties north and west of the subject site are consistent with the 1984 photograph.
Post-1999	No significant changes from the 1994 photograph.

4.5.3. City Directories

There was no city directory coverage for the subject site vicinity. This is not considered a significant data failure due to the availability of other historical resources (e.g. topographic maps and aerial photographs).

4.5.4. Fire Insurance Maps

There was no Sanborn fire insurance map coverage for the subject site vicinity. This is not considered a significant data failure due to the availability of other historical resources (e.g. topographic maps and aerial photographs).

4.5.5. Historical Topographic Map

The USGS Last Chance Range Quadrangle, 7.5-minute series topographic map, dated 1968, depicts the site vicinity as undeveloped property. An unimproved road is evident to the east of the subject site. No items of potential environmental concern were noted in the vicinity of the site on this topographic map. A copy of the historical topographic map is provided in Appendix D-1.

5. SITE RECONNAISSANCE

5.1. Methodology and Limiting Conditions

On April 9, 2008, Duane H. Matters, of Ninyo & Moore, conducted a site reconnaissance of the subject property. The reconnaissance involved a walking tour of the site and visual observations of adjoining properties. Select photographs taken during the site reconnaissance are included in Appendix A.

5.2. General Site Setting

The subject site is approximately 2,575 feet above mean sea level with a southeastern sloping topography and is comprised of vacant formerly residential land. Adjoining properties to the north, south, east, and west is either undeveloped or residentially developed. North Stephanie Street is located immediately west of the subject site.

5.3. Exterior Observations

The subject property was traversed, the exterior of the site structure was observed, and the subject property was observed from adjacent public thoroughfares.

Easements

The environmental lien search report indicated that there were no easements associated with the subject site.

Pits, Ponds, or Lagoons

No pits, ponds, or lagoons were observed on the subject site.

Stained Soil or Pavement

No stained soil was observed on the subject site.

Stressed Vegetation

No stressed vegetation was observed on the subject site.

Solid Waste

No abnormal solid waste, including fill, was observed on the subject site. However, waste consisting of miscellaneous building materials and a propane tank was noted north of the central foundation.

Wastewater

There were no sources of wastewater noted on the subject site.

Wells

The Nye County Tax Assessor information indicates that there is a well located on the subject site and an open well casing was observed on the subject site, east of the mobile home trailer. This casing may constitute a direct pathway to groundwater.

Septic Systems

The Nye County Tax Assessor information indicates that there is a septic system located on the subject site and a polyvinyl chloride pipe, believed to be associated with the septic system, was observed on the subject site, south of the mobile home trailer. Based on the historical usage of the subject site for the manufacture of methamphetamine, the potential exists that chemicals utilized in the methamphetamine manufacturing process may have been disposed of in a septic tank. Based upon our reconnaissance of the subject site, it is not currently served by a municipal wastewater treatment system.

Odors

No odors were noted on the subject site.

Pools of Liquid

No exterior pools of liquid were observed on the subject site.

Drums

One empty, approximately 40-gallon, plastic drum of unknown use was noted to the north of the central foundation.

Storage Tanks

No evidence of ASTs or USTs (i.e., fill pipes, vent pipes, and emergency power generators) was observed on the subject site.

Hazardous Substance and Petroleum Containers

Several retail-sized containers of oil and antifreeze were observed on the subject site.

Unidentified Substance Containers

Except for the plastic drum of unknown use, no unidentified substance containers were observed on the subject site.

Waste Management and Regulated Materials

No regulated materials were observed on the subject site.

Polychlorinated Biphenyls (PCBs)

Polychlorinated biphenyls are known hazardous materials that are found in coolants or lubricating oil used in some electrical transformers, hydraulic elevators, light ballasts, electrical panels, or other equipment. Utility companies, including Valley Electric Association (VEA) often own transformer equipment and typically assume responsibility for repair or replacement of damaged or leaking units and for required cleanup or remediation activities. Indications of damage or leakage should be immediately reported to VEA.

Two pole-mounted electrical transformers were observed on the northern margin of the subject site. No evidence of leaks or staining was observed in the vicinity of the transformers.

5.4. Interior Observations

A limited visual assessment of the trailer home on the subject site was conducted. Our assessment involved a walk-through structure, in addition to a limited assessment of the building exteriors. Suspect ACM in the form of vinyl flooring materials were observed.

Stains or Corrosions

No stains or evidence of corrosion was observed inside the site building.

Drains and Sumps

No floor drains were observed inside the site building.

Odors

No odors of environmental concern were noted inside the site building.

Pools of Liquid

No pools of liquid were observed inside the site building.

Drums

No drums were observed inside the site building.

Hazardous Substances or Petroleum Containers

No hazardous substances or petroleum products were observed inside the site building.

Unidentified Substance Containers

No unidentified substance containers were observed inside the site building.

5.5. Waste Management and Regulated Materials

Except for a pile of general debris noted to the north of the central foundation, no waste or sources of potential environmental waste were observed on the subject site.

5.6. Storage Tanks

No evidence of ASTs or USTs (i.e., fill pipes, vent pipes, and emergency power generators) was observed on the subject site.

5.7. Utilities

The subject site is not currently connected to any municipal utilities. Electrical service is supplied to the subject site vicinity by VEA. There is no evidence that the subject site had been connected to a municipal water or sewage system.

6. INTERVIEWS

Interviews with present owners, operators, and/or occupants of the subject site, as well as other knowledgeable parties as appropriate, is mandated by ASTM Practice 1527-05. The objective of the interviews is to obtain information indicating recognized environmental conditions in connection with the subject site.

6.1. Interview with Owner

Deputy Sheriff Richard Marshal was interviewed concerning the subject property. Deputy Sheriff Marshall stated that the subject property had been obtained by the Nye County Sheriff's Department through the seizure of a property that was used as a clandestine drug laboratory. He stated that the Nye County Emergency Management Agency had prepared a report after responding to a report of a fire at the property in 1999. Ninyo & Moore obtained a copy of the incident report issued by the Agency. A copy of the report is provided in Appendix C-2.

6.2. Interview with Local Government Officials

Ms. Marlene Huderski, file review manager for the NDEP, was interviewed by telephone and in person regarding site and adjacent RCRA generators, state, UST, and LUST sites. She stated that a written request form would have to be submitted to request information. A copy

of the written request is provided in Appendix C-2. The regulatory response is provided in Appendix E. No files were available for the subject site.

Ms. Janice Shurtliff, file review manager for the Nevada State Fire Marshal, was interviewed by email regarding site hazardous waste storage permits. She stated that the Hazmat database has no record of hazardous waste storage permits for 3761 North Stephanie Street in Pahrump, Nevada. A copy of the written request is provided in Appendix C-2. The regulatory response is provided in Appendix E.

Various governmental agencies for Nye County and Pahrump, Nevada were contacted by email regarding any record of environmental spills, fire code violations, and fire response incidents. Copies of the written requests are provided in Appendix C-2. A record of resultant correspondence is included in Appendix E.

The Nye County Emergency Services office was contacted regarding a hazardous material facility incident report for the subject site, dated June 8, 1999. The report was reviewed and a copy is presented in Appendix C-2.

7. FINDINGS, OPINIONS, AND CONCLUSIONS

Based upon the results of this Phase I ESA, the following findings, opinions, and conclusions are provided.

7.1. Findings and Opinions

- The subject site consists of vacant residential property with an abandoned mobile home trailer and two cement-block foundations located on a parcel of land totaling approximately 5.0 acres in area, designated by the Nye County Tax Assessor as parcel number 028-251-18, and located at 3761 North Stephanie Street in Pahrump, Nye County, Nevada.
- Based on a review of historical sources the subject site was undeveloped prior to being developed as single-family residential property at some point after 1994.

- A pile of general debris and one empty, approximately 40-gallon, plastic drum of unknown use was noted to the north of the central foundation. No other drums, unidentified substance containers, or other evidence of the storage or disposal of hazardous substances or petroleum products were observed on the subject site.
- No evidence of ASTs or USTs (i.e., fill pipes, vent pipes, and emergency power generators) was observed on the subject site.
- Review of environmental databases found no facilities located in the vicinity of the subject site that have handled hazardous materials or petroleum products and/or have been listed as having reported releases of hazardous materials or petroleum products. The subject site was not listed.
- However, Ms. Eileen Christensen, the client representative, indicated that the subject site had been used for the manufacture of methamphetamine and that a report of the investigation of the subject site would be available for review. Following a delay of approximately 2 months, the hazardous material incident report for the subject site was reviewed at Nye County Emergency Services. The report indicated that the subject property had been used by prior tenants to manufacture methamphetamine.
- The Nye County Tax Assessor information indicates that there is a well located on the subject site and an open well casing was observed on the subject site, east of the mobile home trailer. This casing may constitute a direct pathway to groundwater.
- The Nye County Tax Assessor information indicates that there is a septic system located on the subject site and a polyvinyl chloride pipe, believed to be associated with the septic system, was observed on the subject site, south of the mobile home trailer. Based on the historical usage of the subject site for the manufacture of methamphetamine, the potential exists that chemicals utilized in the methamphetamine manufacturing process may have been disposed of in a septic tank.

7.2. Conclusions

This Phase I ESA was performed in conformance with the scope and limitations of the American Society for Testing and Materials Practice E 1527-05. Any exceptions to or deletions from this practice are described in Section 1.5 of this report. This assessment has revealed the following evidence of recognized environmental conditions, as defined in Section 1.1 of this report, in connection with the subject property at this time.

- The historical presence of a methamphetamine manufacturing facility on the subject site represents a REC for the subject site. Ninyo & Moore recommends that a limited sub-surface contamination assessment be performed on the subject site to evaluate whether chemicals utilized in the manufacture of methamphetamines have contaminated soil or groundwater beneath the subject site.
- The open well casing located on the subject site northeast of the abandoned house trailer may constitute a direct pathway to groundwater. This is considered to be a REC for the subject site and Ninyo & Moore recommends that the well be sampled prior to being abandoned by a Nevada-certified driller in accordance with applicable local and state regulations.
- Based on the historical usage of the subject site for the manufacture of methamphetamine, the presence of a septic system constitutes a REC for the subject site.

7.3. Data Gaps and Data Failures

The following data gap was encountered during performance of this ESA.

- Aerial photographs for the subject site and vicinity from between 1940 and 1984 were not reasonably ascertainable. The lack of availability of aerial photographs prior to 1984 is not considered a significant data gap due to the availability of other historical resources (e.g. topographic maps) and the known residential use of the subject site and vicinity prior to 1984.

The following data failures were encountered during performance of this ESA.

- Cross directories were not reasonably ascertainable for the subject site or vicinity. This is not considered a significant data gap due to the availability of other historical resources (e.g. topographic maps and aerial photographs).
- No Sanborn fire insurance map coverage was available for the subject site and vicinity. This is not considered a significant data failure due to the availability of other historical resources (e.g. topographic maps and aerial photographs).

7.4. Deviations

No deviations from the ASTM Practice E 1527-05 and EPA's All Appropriate Inquiry (AAI) standards as set forth in § 312.10 of CFR Chapter 40 Section 312 were noted during the preparation of this report.

The following conditions were noted as non-ASTM 1527-05 additional issues:

- Interior components such as flooring materials located in the abandoned mobile home trailer may contain asbestos.
- Insulation contained within the walls of the abandoned mobile home trailer may be urea-formaldehyde foam insulation.

8. ADDITIONAL SERVICES

No additional services were performed during the preparation of this report.

9. REFERENCES

Aerial Photographs, Pahrump, Nevada, Continental Aerial Photo, Inc.

ASTM International, 2005, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, Designation E-1527-05.

Banks Information Solutions, Inc., 2007, Environmental Lien Search, 2440 East Charleston Park Avenue, Pahrump, NV 89041, dated November 28, 2007.

Code of Federal Regulations, Title 40, Chapter I, Subchapter J, Part 312.10(b) (CFR 40 §312.10[b]).

Environmental FirstSearch™ Report dated January 15, 2008.

Track Info Services, LLC. Environmental Lien Search report, dated January 30, 2008.

Nevada Division of Water Resources, 2007, Online Well Log Database.

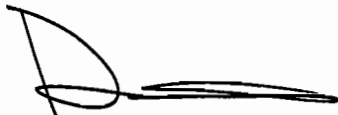
Nye County, Nevada Assessors On-line Information System.

United States Environmental Protection Agency, 2006, Innocent Landowner, Standards for Conducting All Appropriate Inquiries, 40 CFR Part 312.

United States Environmental Protection Agency, 2007, Enforcement and Compliance Online.

United States Geological Survey, 1968, Las Chance Range Quadrangle, Nevada: 7.5-minute series (topographic), Scale 1:24,000.

10. SIGNATURES OF ENVIRONMENTAL PROFESSIONALS



Duane H. Matters, C.E.M.
Senior Project Geologist



Gregory A. Beck, C.E.M.
Chief Environmental Scientist

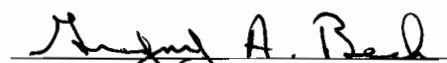
11. QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

As required by 40 CFR §312.21(d) the following statement is included:

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined by §312.10 of 40 CFR 312. I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312

In accordance with the Nevada Revised Statutes 459.500, Section 1, a holder of a certificate who is responsible for a service requiring certification shall ensure that each document relating to the service includes the following language:

I, Gregory A. Beck, hereby certify that I am responsible for the services described in this document and for the preparation of this document. The services described in this document have been provided in a manner consistent with the current standards of the profession and to the best of my knowledge comply with all applicable federal, state, and local statutes, regulations, and ordinances.



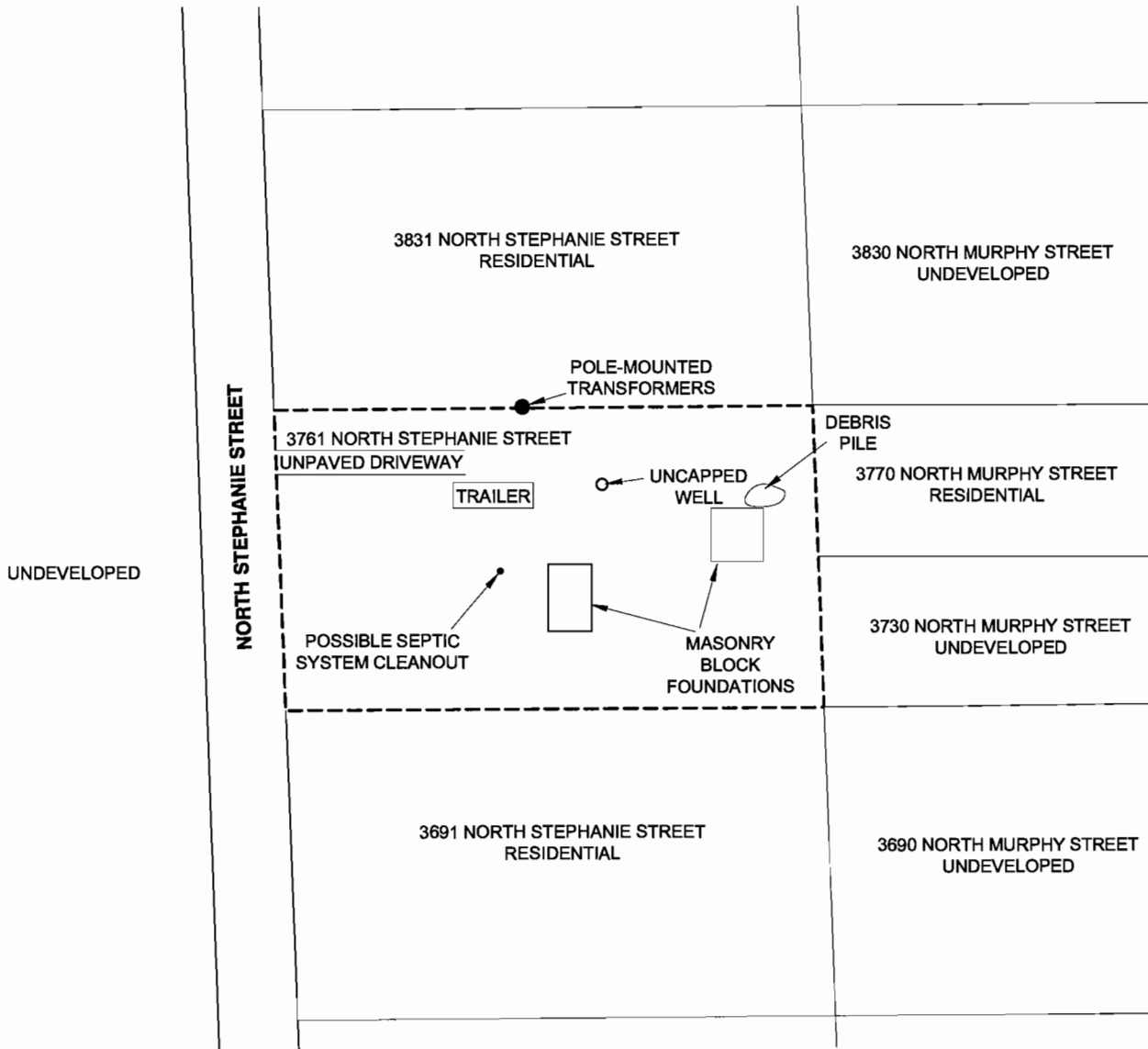
Gregory A. Beck, C.E.M.
Certified Environmental Manager
No. 1874
Expires: May 27, 2010

5-27-08

Date

Resumes, which document the professional qualifications, pursuant to 40 CFR §312.10(b)(2), of the persons that prepared and reviewed this report are provided as Appendix F.

FIGURES



SCALE IN FEET



LEGEND

--- Subject site.

REFERENCE: Nye County Assessor Web Site, 2008.

NOTE: Dimensions, directions, and locations are approximate.

Ninyo & Moore

SITE PLAN

FIGURE

PROJECT NO.

DATE

3761 NORTH STEPHANIE STREET
PAHRUMP, NEVADA

2

302556001

05/08

APPENDIX A
SITE PHOTOGRAPHS

APPENDIX B

PROPERTY RECORDS DOCUMENTATION

- B-1 - Nye County Tax Assessor Records
- B-2 - Environmental Lien Search Report

APPENDIX B-1

PROPERTY RECORDS DOCUMENTATION

Nye County Tax Assessor Records



- [Assessor Home](#)
- [Personal Property](#)
- [Sales Data](#)
- [Secured Tax Inquiry](#)
- [Back to Search List](#)

Parcel Detail for Parcel # 028-251-18

Location

Property Location 3761 N STEPHANIE ST
Town PAHRUMP

Subdivision BELL VISTA U.6 Lot 7 Block D

Property Name U.6 B.D.L.7 5AC

[Add'l Addresses](#)

[Assessor Maps](#)

[Legal Description](#)

Description

Total Acres 5.000 Ag Acres .000 W/R Acres .000

Improvements

Single-fam Detached 0	Non-dwell Units 0	Bdrm/Bath 0/00
Single-fam Attached 0	MH Hookups 2	Stories .0
Multi-fam Units 0	Wells 1	
Mobile Homes 0	Septic Tanks 1	
Total Dwelling Units 0	Bldg Sq Ft 0	Attch/Detch
	Garage Sq Ft 0	Finished 0
	Basement Sq Ft 0	

[Improvement Detail](#)

Ownership

Assessed Owner Name NYE COUNTY SHERIFF

Mailing Address P O BOX 831
TONOPAH, NV 89049-0831

Legal Owner Name NYE COUNTY SHERIFF

Vesting Doc#, Date 500436 09/20/00 Book/Page /

[Ownership History](#)

[Document History](#)

Appraisal Classifications

Current Land Use Code 230 [Code Table](#)

Zoning RH-4.5 062007

Re-appraisal Group 3 Re-appraisal Year 2003

Valuation

	Working Year Closed/Reopened		Prior Year
	2009-10	Year 2008-09	2007-08
Land	36,575	36,575	30,476
Improvements	11,925	11,925	11,530
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	48,500	48,500	42,006
Net Assessed	0	0	0

28-25

T.19S., R.52E.
POR. OF SECTION 25



REV. 06-12-84
10-15-84
01-09-85
02-22-90
10-18-90
03-11-92
03-04-93
04-23-93
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03-07-96
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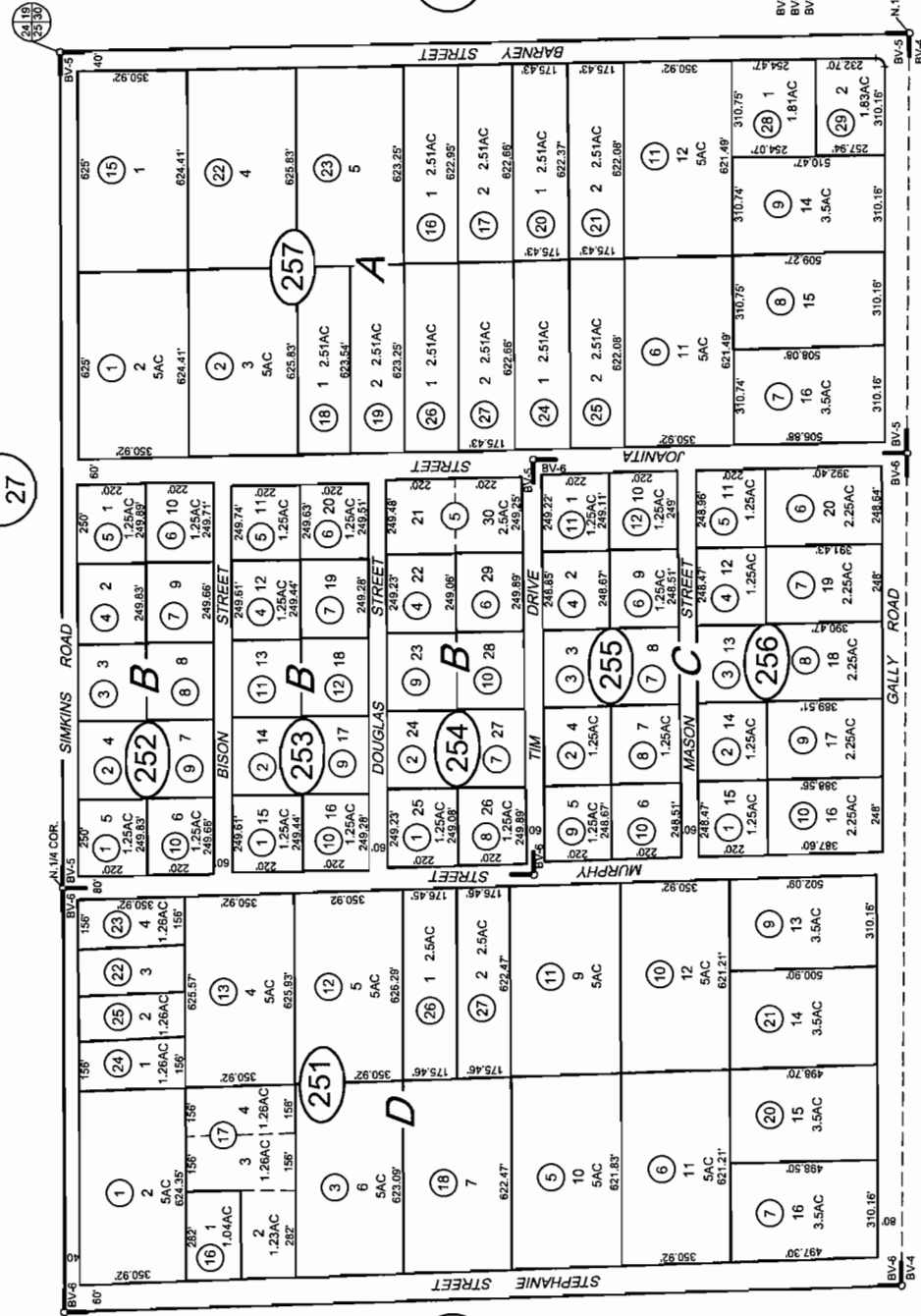


BK 27

BV-4 = BELL VISTA 4
BV-5 = BELL VISTA 5
BV-6 = BELL VISTA 6

BK 27

24



BK 27

NOTE: THIS PLAT IS FOR ASSESSMENT USE ONLY AND DOES NOT REPRESENT A SURVEY. NO LIABILITY IS ASSUMED AS TO THE ACCURACY OF THE DATA DELINEATED HEREON.

APR81\MTB-bjb
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NYE COUNTY ASSESSOR

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UNITS 5 & 6
BELL VISTA

APPENDIX B-2

PROPERTY RECORDS DOCUMENTATION

Environmental Lien Search Report

FirstSearch Technology Corporation

Environmental Lien Report

TARGET PROPERTY:

3761 Stephanie Street

Pahrump, NV 89060

Job Number: 302556001

FirstSearch #: 150609

PREPARED FOR:

Ninyo and Moore

6700 Paradise Road

Las Vegas, NV 89119

Date 1/30/08



FirstSearch Technology Corporation

Tel: (781) 551-0470

Fax: (781) 551-0471

SOURCES – LIMITATIONS - DISCLAIMER

This lien report has been produced from a limited search of the public land records and/or real property deed records of the county and state as defined in the legal description below for any current environmental liens up through the indicated date as shown on this report. This limited search includes only the current recorded deed and most easements and surface leases affecting the ownership history of the subject property. This report is being provided for use only as a limited part of an overall Phase I Environmental Site Assessment as performed by a qualified Environmental Engineer/Consultant as specified in the ASTM Standard E 1527-05, AAI, and as specified in the Comprehensive Environmental Response, Compensation and Liabilities Act of 1980, as amended, and may not be relied upon for any other purpose.

This report is not to be considered an Abstract, a Title Commitment, Title Opinion, Title Guaranty, or a representation of the legal status of the property. The information presented is simply a report of instruments filed of record pertaining to the above property and was obtained from the county public records. No guaranty as to the integrity or correctness of said records is implied. In the process of compiling the information presented in this report, the public records were accessed primarily by the name(s) shown in the vesting instrument only and although reasonable care was taken to provide accuracy, this report and provider does not claim responsibility for instruments filed under any variation of name(s) and/or legal description.

Although great care has been taken by FirstSearch Technology in compiling and verifying the information contained in this report to insure that it is accurate, FirstSearch Technology disclaims any and all liability for any errors, omissions, or inaccuracies in such information and data.

FirstSearch Technology Corporation

Environmental Lien Report

LEGAL DESCRIPTION: All that certain plot, piece and parcel of land, situate, lying and being in the town of Pahrump, County of Nye, and State of NV, described in the County of Nye land records as parcel 028-251-18

SUBJECT PARCEL: All that certain plot, piece and parcel of land, situate, lying and being in the town of Pahrump, County of Nye, and State of NV, described in the County of Nye land records as parcel 028-251-18

TABLE SUMMARY

DATE	DOCUMENT TYPE	GRANTOR (Seller/Lessor)	GRANTEE (Buyer/Lessee)	PARCEL or LOT #	DOCUMENT NUMBER
9/20/00	Deed	George H. Owens and Geneva H. Owens	Nye County Sheriff	028-251-18	Document #: 500436
Environmental Liens:	None				
Easements:	None				
Restrictions:	None				

FirstSearch Technology Corporation

Environmental Lien Report

ENVIRONMENTAL LIEN RESEARCH NOTES:

ASTM Notes: ASTM E 1527-05, Section 8.3 on Historical Use Information requires a review of “*Reasonably Ascertainable standard historical sources.*”

“Reasonably Ascertainable means information that is publicly available, obtainable from a source with reasonable time and cost constraints, and practically reviewable.”

This task requires reviewing only as many of the standard historical sources as are necessary, and that are reasonably ascertainable and likely to be useful.

AAI Notes: The Environmental Protection Agency published a final rule setting federal standards for the conduct of all appropriate inquiries (AAI). The final rule establishes specific regulatory requirements for conducting all appropriate inquiries into *the previous ownership*, uses, and environmental conditions of a property for the purposes of qualifying for certain landowner liability protections under CERCLA.

After November 1, 2006, parties must comply with the requirements of All Appropriate Inquiries Final Rule, to satisfy the statutory requirements for conducting all appropriate inquiries. All appropriate inquiries must be conducted to obtain protection from potential liability under CERCLA as an innocent landowner, a contiguous property owner, or a bona fide prospective purchaser.

Inquiries conducted by or for the prospective landowner or grantee include:

- *environmental liens*
- *easements*
- *restrictions*
- *activity and use limitations*

FirstSearch Technology Corporation

ENVIRONMENTAL CHAIN OF TITLE SEARCH GLOSSARY

There are certain terms used in Chain of Title searches, which may require clarification. This glossary is designed to provide definitions for some of the most common terms.

1. ENVIRONMENTAL LIEN:	The Environmental Lien is a record of a document/instrument filed by the City, County, State or Federal Government that prevents the conveyance of a property because of severe environmental problems existing on the premises.
2. BREAK IN CHAIN:	<p>There may appear to be a break in the chain of title as indicated when the sequential tracing of ownership fails. An example of a break would be: <i>Samson to James. . .James to Watson. . .Black to White</i>. The missing link is from Watson to Black. There are several possible reasons for this occurrence.</p> <ul style="list-style-type: none">• Due to the size or other physical characteristics of the property, there could be multiple owners at any time when tracing the history of the ownership of the property.• There could be an “easement title” over some portion of the property, allowing for use of that portion for a specific purpose.• There could be a “multi-percentage interest” in the property, with concurrent multiple owners making up 100% of the fee title. Then, a percentage owner deeds out his particular interest or a percentage of this interest to one or more parties. This causes a perceived break in the chain.
3. EASEMENT:	An easement is the right to enter and use another person’s property: a non-possessor right to use another person’s real property. Traditionally easements are granted to utility companies and other service organizations or as a right of access to another property.
4. MULTIPLE OWNERS:	<p>When “others” or “et al” appears on the report in the owner category, it indicates multiple ownership of a single parcel, with too many names to record in summary. It is frequently used to denote more than a single owner. If the owners are a married couple, both names may appear on the report or may be denoted by “et ux”.</p> <p>The term “owners’ is usually used to indicate owners of multiple parcels, all recorded under a document that covers the multiple parcels.</p>
5. MULTIPLE PARCELS:	Some properties are created by combining several adjoining parcels into one large parcel. When this occurs; there might be several different owners until the time of unification of the property. Sometimes the ownership appears to be cloudy until each owner conveys his/her interest to the single owner of the new larger parcel.
6. INSTITUTIONAL CONTROLS:	Institutional controls are a form of “deed restriction” placed on a property by a governing authority to reduce exposure to contaminants. A common deed restriction might be to prohibit residential or school use on a property.

APN 28-251-18

500436

GRANT, BARGAIN AND SALE DEED

THIS INDENTURE, made this 7 day of ^{MAY} ~~April~~, 2000, by and between George H. Owens and Geneva H. Owens, Husband and Wife, 3103 Claire Dr. Lake Havasu, AZ, party of the first part, and Sheriff of Nye County, State of Nevada, P.O. Box 831, Tonopah, NV 89049, parties of the second part.

WITNESSETH:

That the said parties of the first part, in consideration of the sum of \$10.00 and other good and valuable consideration, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, bargain and sell unto the parties of the second part, as community property with right of survivorship and not as tenants in common, and to the heirs and assigns of such survivor forever, all of the following described property situated in the County of Nye, State of Nevada:

Lot Seven (7) in Block D of BELL VISTA UNIT NO. 6, as shown by map thereof recorded July 14, 1977 as Document No. 59815, in the Office of the County Recorder of Nye County, Nevada.

APN# 28-251-18
Commonly known as: 3761 Stephanie Street, Pahrump, NV

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD the said premises together with the appurtenances unto the said parties of the second part, as community property with right of survivorship and not as tenants in common, and to the heirs and assigns of each survivor forever.

IN WITNESS WHEREOF, the said parties hereto have executed this conveyance the day and year first hereinabove written.

PARTY OF THE FIRST PART:

George H. Owens
GEORGE H. OWENS

Geneva H. Owens
GENEVA H. OWENS
A.S.

STATE OF ARIZONA)
) ss
COUNTY OF MOHAVE)

On this 7 day of ^{May} ~~April~~, 2000, personally appeared before me, a Notary Public, GEORGE H. OWENS and GENEVA H. OWENS, who acknowledged that they executed the foregoing instrument.

OFFICE USE ONLY
DAYLE DAVIS
Notary Public - State of Arizona
MOHAVE COUNTY
My Comm. Expires Oct. 2, 2001

Dayle Davis
Official Records Nye County Nevada
Requested By Nye County D.F.
9/20/00 9 52 AM
Naoma Lydon Recorder
Fee \$.00 State. \$ Dep. tp 500436

Geneva H. Owens - Nevada

State of Nevada Declaration of Value

1. Assessor Parcel Number(s)

- a) 28-251-18
- b) _____
- c) _____
- d) _____

2. Type of Property

- a) Vacant Land
- b) Single Family Res.
- c) Condo/Townhouse
- d) 2-4 Plex
- e) Apartment Building
- f) Commercial/Ind'l
- g) Agriculture
- h) Mobile Home
- i) other **OUTBUILDINGS AND IMPROVEMENTS**

FOR RECORDERS OPTIONAL USE ONLY	
Document - Instrument #	500436
Book:	Page:
Date of Recording:	
Notes:	

3. Total Value - Sales Price of Property

\$ **46,403.00**

Deduct Assumed Liens and/or Encumbrances (_____)

(Provide recording information: Doc/Instrument # _____ Book: _____ Page: _____)

Transfer Tax Value per NRS 375.010, section 2: \$ _____

Real Property Transfer Tax Due: \$ _____

4. If Exemption Claimed:

- a. Transfer Tax Exemption, per NRS 375.090, section: #2
- b. Explain Reason for Exemption: JUDICIAL FORFEITURE

5. Partial Interest: Percentage being transferred: 1/4

The undersigned Seller (Grantor) Buyer (Grantee), declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief and will not be suppressed or concealed upon its substitution the information provided herein. Furthermore, the parties agree that default or non-compliance with the payment of tax due, may result in a penalty of 10% of the tax due plus interest at 1 1/4% per month. Pursuant to NRS 375.100, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

SELLER (GRANTOR) INFORMATION

Seller Signature _____
 Print Name George Owen S.
 Address 3103 Claire Dr
 City Lake Havasu
 State AZ Zip _____
 Telephone (optional) _____
 Capacity _____

BUYER (GRANTEE) INFORMATION

Buyer Signature [Signature]
 Print Name SHERIFF OF NYE COUNTY, NEVADA
 Address P.O. BOX 831
 City TONOPAH
 State NEVADA Zip 89049
 Telephone (optional) (775) 462-8109
 Capacity Under Sheriff

COMPANY REQUIRED USING RECORDERS

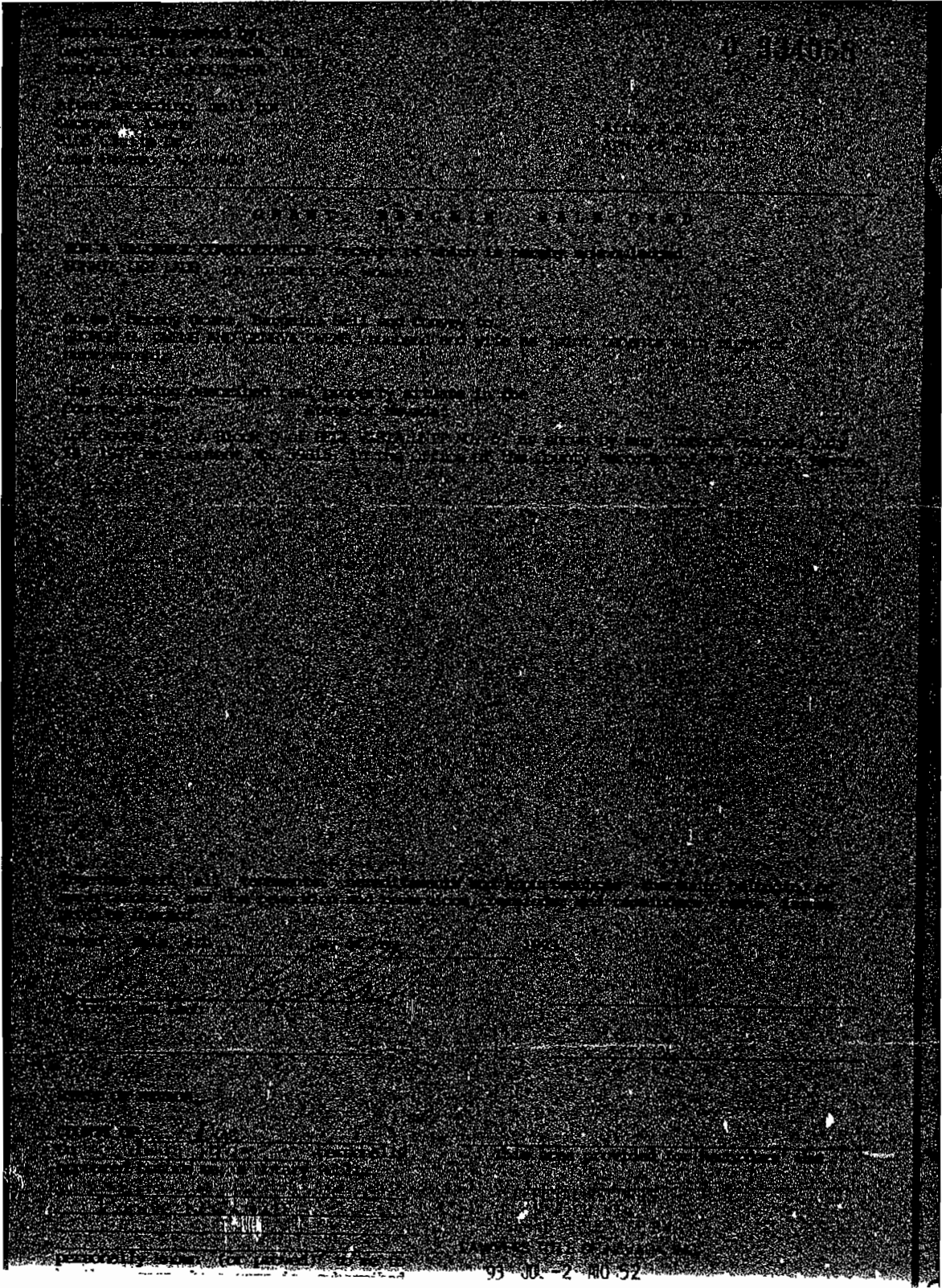
Name _____
 As a public record, this form may be filed in _____

I HEREBY CERTIFY THAT IF IMPRESSED WITH THE RAISED SEAL OF THE NYE COUNTY RECORDER THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD ON FILE IN THIS OFFICE.

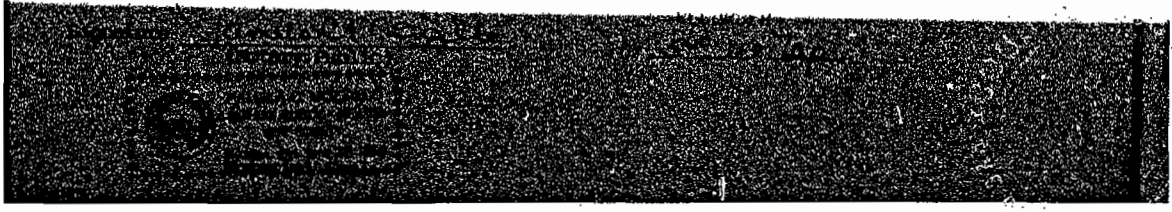
JAN 28 2008

Byron P.
 BYRON P. FOSTER COUNTY RECORDER
 NYE COUNTY, NEVADA
 Per NRS 239 Sec. 6 the SSN may be redacted, but in no way affects the legality of the document.

- Records



93-30-2-40-52



NYE COUNTY, NEVADA
DECLARATION OF VALUE

Recording Date _____ Book _____ Page _____ Instrument # 0 334058

Full Value of Property Interest Conveyed	\$ 21,500.00
Less Assumed Liens & Encumbrances	- 0.00
Taxable Value (NRS 375.010, Section 4)	\$ 21,500.00
Real Property Transfer Tax Due	\$ 29.25

If Exempt, state reason. NRS 375.090, Section _____ . Explain:

() Escrow Holder only: Check if Real Property Transfer Tax is to be deferred under NRS 375.030, Section 3.

INDIVIDUAL
Under penalty of perjury, I hereby declare that the above statements are correct.

Signature of Declarant

Name (Please Print)

Address

City State Zip

ESCROW HOLDER

Under penalty of perjury, I hereby declare that the above statements are correct to the best of my knowledge based upon the information available to me in the documents contained in the escrow file.

Bridget Amestoy
Signature of Declarant

Bridget Amestoy
Name (Please Print)

9305013-BA
Escrow Number

HCR 78, Box 70018
Address

Fahrump, Nevada 89041
City State Zip

Tax paid for the above transfer on July 2, 19 93, per NRS 375.030, Section 3.

Theresa A. Pate
Signature of Recorder or Representative

I HEREBY CERTIFY THAT IF IMPRESSED WITH THE RAISED SEAL OF THE NYE COUNTY RECORDER THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD ON FILE IN THIS OFFICE.

JAN 28 2008

Byron P. Foster
BYRON P. FOSTER COUNTY RECORDER
NYE COUNTY, NEVADA
Per NRS 239 Sec. 6 the SSN may be redacted, but in no way affects the legality of the document.

APPENDIX C

REGULATORY RECORDS DOCUMENTATION

- C-1 - Environmental Database Search
- C-2 - Records Review Documentation

APPENDIX C-1

REGULATORY RECORDS DOCUMENTATION

Environmental Database Search

APPENDIX C-2
REGULATORY RECORDS DOCUMENTATION
Records Review Documentation

From: Duane Matters [mailto:dmatters@ninyoandmoore.com]
Sent: Sunday, April 20, 2008 6:02 PM
To: Marlene Huderski
Subject: 3022556001/3761 North Stephanie Street, Pahrump, NV

Marlene,

I understand that in order to ascertain if files are maintained by the Department, a case/incident number is required. However, Mr. Greg Beck is insistant that we submit the subject property address to the Department.

I am conducting a Phase I ESA of the property at 3761 North Stephanie Street in Pahrump, Nevada. The propeprty was not identified during the regulatory database search conducted by an outside contractor. Interviews with personnel with the Nye County Sheriffs Department have ascertained that the property had been formerly operated as a methamphetamine laboratory.

Could you check the property address to see if there are files maintained at the NDEP?

Thank you,

Duane Matters, C.E.M., R.E.A.

4/22/2008

Duane Matters

From: Duane Matters
Sent: Thursday, January 31, 2008 1:07 PM
To: 'jmarble@nyecounty.net'
Subject: 3761 North Stephanie

Dr. Marble,

Do you have the name of any specific person at the Nye County Sheriffs Department I can contact for site specific issues?

Thank you

Duane H. Matters, C.E.M., R.E.A.
Senior Project Geologist
Ninyo & Moore
Geotechnical & Environmental Sciences Consultants
6700 Paradise Road, Suite E
Las Vegas, Nevada 89119
(702) 433-0330 (x3244)
(702) 433-0707 (Fax)
(702) 296-1240 (Cell)
dmatters@ninyoandmoore.com

Experience · Quality · Commitment

Duane Matters

From: Duane Matters
Sent: Wednesday, February 06, 2008 11:32 AM
To: jshurtliff@dps.state.nv.us
Subject: Records Request - 3761 North Stephanie Street, Pahrump, NV

Ninyo & Moore is conducting a Phase I Environmental Site Assessment (ESA) of the above-referenced property. As part of the ESA process, we are required to inquire if your Department has records concerning hazardous waste storage permits at the property. I would appreciate your assistance concerning any information your Department may have concerning the subject property.

Thank you

Duane Matters, C.E.M., R.E.A.

Duane Matters

From: Duane Matters
Sent: Wednesday, February 06, 2008 11:39 AM
To: info@nyecountyemergencyservices.net
Subject: Information Request - 3761 North Stephanie Street, Pahrump, NV

Ninyo & Moore is conducting a Phase I Environmental Site Assessment (ESA) of the above-referenced property. As part of the ESA process, we are required to inquire if your Department has records concerning responses to fires or hazardous materials incidents at the property. I would appreciate your assistance concerning any information your Department may have concerning the subject property.

Thank you

Duane Matters, C.E.M., R.E.A.

Duane Matters

From: Duane Matters
Sent: Wednesday, February 06, 2008 11:42 AM
To: sheriff@nyecounty.net
Subject: Information Request - 3761 North Stephanie Street, Pahrump, NV

Ninyo & Moore is conducting a Phase I Environmental Site Assessment (ESA) of the above-referenced property. The Sheriff's Department is listed as the owner of the property. As part of the ESA process, we are required to inquire if your Department has records the property. I would appreciate your assistance concerning any information your Department may have concerning the subject property.

Thank you

Duane Matters, C.E.M., R.E.A.

Duane Matters

From: Duane Matters
Sent: Wednesday, February 06, 2008 11:55 AM
To: slewis@pahrumnv.org
Subject: Information Request - 3761 North Stephanie Street, Pahrump, NV

Ninyo & Moore is conducting a Phase I Environmental Site Assessment (ESA) of the above-referenced property. As part of the ESA process, we are required to inquire if your Department has records for the property. I would appreciate your assistance concerning any information your Department may have concerning the subject property.

Thank you

Duane Matters, C.E.M., R.E.A.

Duane Matters

From: Duane Matters
Sent: Friday, February 08, 2008 8:50 AM
To: Richard.marshall@co.nye.nv.us
Subject: 3761 North Stephanie Street, Pahrump, NV

Ninyo & Moore is conducting a Phase I Environmental Site Assessment (ESA) of the above-referenced property. As part of the ESA process, we are required to inquire if your Department has records concerning the property and review these records if they are readily available. I would appreciate your assistance concerning any information your Department may have concerning the subject property.

I am also required by the Phase I process to conduct a site visit. Based upon the reported history of the property, I wanted to determine that the property is accessible and will not interfere with any ongoing investigation process. I was anticipating conducting a site visit and file review (if possible) on Tuesday, February 12, 2008.

I would appreciate being notified if there are any special considerations to conduct a site visit or if representatives of the Nye County Sheriffs Department would like to accompany me during the site visit and any requirements to review available records.

Thank you

Duane Matters, C.E.M., R.E.A.
Senior Project Manager
Ninyo & Moore

702.296.1240

NYE COUNTY HAZ - MAT FACILITY INCIDENT REPORT

AGENCY S.E.R.T.

INCIDENT NO. _____ TIME OUT 2100 ON SCENE 2620 TIME IN 2200 DATE JUNE 8, 1999
INCIDENT LOCATION _____

VICTIM/OCCUPANT NCSO 3711 STEPHANIE PHONE N/A
ADDRESS PALEUP N 89048

OWNER/MANAGER _____ PHONE _____
ADDRESS _____
INSURANCE CO _____

INCIDENT:
() MEDICAL AID () OTHER _____
() CHEMICAL TYPE(S) dry white powder UN NUMBER(S) _____
() LIQUID _____ SOLID: GAS _____
() RADIOLOGICAL SEVERITY _____
() FIRE INVOLVED STRUCTURE _____ VEGETATION _____
() MUTUAL AID NFPA 704 HEALTH _____ FLAMMABILITY _____
REACTIVITY _____ SPECIAL _____

AGENCIES NOTIFIED NCSO

ACTION
TAKEN/COMMENTS HAZ CAT A SINGLE 1 CUP CONTAINER OF AN UNKNOWN WHITE POWDER. HAZ CAT OUT TO EPHEDRINE WITH R/O OF ARSENIC AND SUGAR. REQUESTED BY LT. BECH TO A RESIDENCE NON-CODE NO CONTAMINATION

INCIDENT COMMANDER LT. BECH NCSO
INCIDENT SAFETY OFFICER S. MAISON NCSO
TEAM MEMBERS PRESENT: STEVE CHRIS JEFF JUSTIN MAISON RACHEL HURLEY SNOW

DAMAGE: NONE REPORTED

CONFINED TO: RESIDENCE

ACT OF OMISSION UNDER NCSO INVESTIGATION

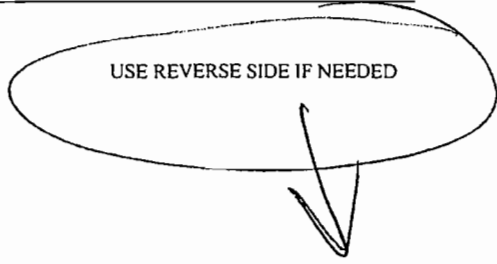
EST. DAMAGE TO PROPERTY _____ ESTIMATED CLEANUP: NCSO
HOURS: ONE EQUIPMENT USED REAGENTS, VILES, PAPER TOWELS

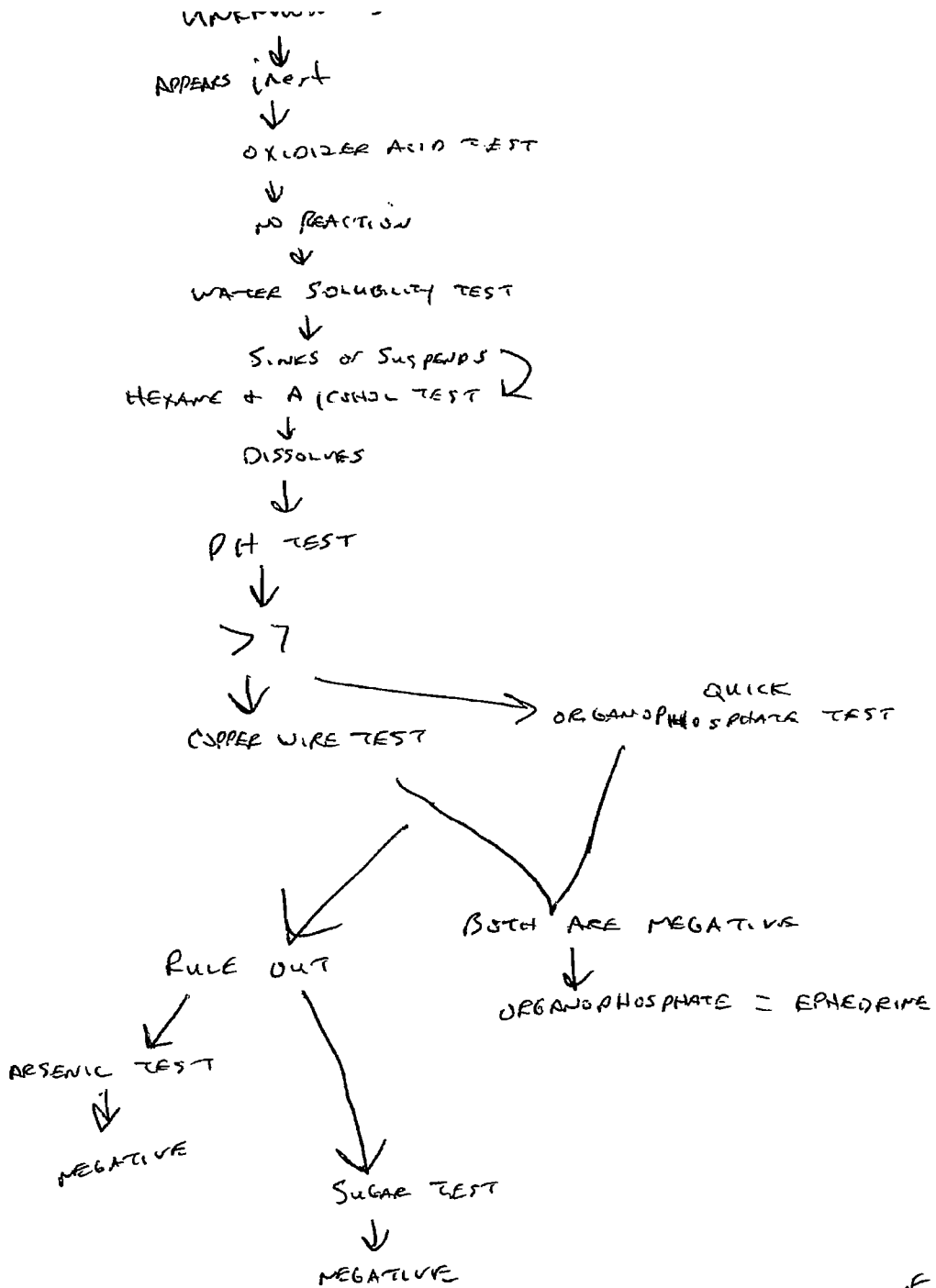
NUMBER OF UNITS DISPATCHED TO INCIDENT ONE
NUMBER OF EMERGENCY PERSONNEL ON SCENE: 4

REPORTING OFFICER S. MAISON AGENCY NCSO

SEE ATTACHMENTS: NYE COUNTY SHERIFFS REPORT () OPERATIONS REPORT () See reverse
PLOT PLAN () FIRE INVESTIGATION REPORT () OTHER ()

SIGNATURE: S.M. Mai 9905





C. RACINE
J. HURLEY

6-8-1999

IN THE JUSTICE COURT OF PAHRUMP TOWNSHIP
COUNTY OF NYE, STATE OF NEVADA

CRIMINAL SUBPOENA

STATE OF NEVADA,

PJC Case No(s). 99-01554

Plaintiff,

Report No(s). 99-1137

Agency: N.C.S.O.

v.

TIFFANIE MIA O'KADA aka . . .
and JONATHAN LEE BAERG aka
JAMES STEVEN PARKS aka . . .,

COPY

Defendant(s) _____/

THE STATE OF NEVADA SENDS GREETINGS TO:

STEVE MAISON
P.V.V.F.D., 727-5658
PAHRUMP, NV

YOU ARE HEREBY COMMANDED to appear at
PAHRUMP TOWNSHIP JUSTICE COURT, Nye County Complex, S.R. 160 and Basin
Road, Pahrump, Nevada, on:

DATE : JULY 6, 1999
TIME : 10 A.M.

as a witness in a criminal action being prosecuted by the STATE OF NEVADA, Plaintiff,
against Defendant(s) named above for the charge(s) of: OFFER/CONTROLLED SUBSTANCE;
POSSESSION/CONTROLLED SUBSTANCE; OFFENSE INVOLVING STOLEN PROPERTY,

AND BRING ANY AND ALL EVIDENCE.

ISSUED: June 18, 1999.

ROBERT S. BECKETT
NYE COUNTY DISTRICT ATTORNEY

By 

NOTICE TO WITNESS

IT IS IMPORTANT THAT YOU CALL 775/751-7080 THE DAY BEFORE OR
THE MORNING OF YOUR COURT DATE TO CONFIRM THAT YOUR APPEARANCE
IS STILL NECESSARY. FAILURE TO DO SO MAY RESULT IN AN
UNNECESSARY APPEARANCE ON YOUR PART IF THE CASE IS TAKEN OFF.

PROPER ATTIRE IS REQUIRED IN COURT.
NO SHORTS, TANK TOPS; SHOES MUST BE WORN.

Pursuant to NRS 50.225, you are entitled to receive the
following compensation:

1. The sum of \$25.00 for each day's attendance;
2. If you live in Nye County, 19 cents per mile for each mile actually traveled from and returning to your residence by the shortest route.
3. If you do not live in Nye County, actual and necessary travel expenses from and returning to your residence (i.e., you must submit receipts for your travel expenses, e.g., gasoline, rental car, etc.); you are also entitled to subsistence and lodging.

To request and obtain compensation for your appearance and testimony, please contact the Court Clerk.

RETURN OF SERVICE OR NON-SERVICE

I hereby certify that on _____
* I served or attempted to serve (circle one) the within Subpoena
* on the above witness by showing said witness the original
* thereof, informing the witness of its contents, and providing.
* the witness with a copy thereof.

* ATTEMPT(S) MADE: _____

* _____

* _____

* _____

* _____

* REASON(S) FOR NON-SERVICE: _____

* _____

* _____

BY

PLEASE CHECK IN AT THE D.A.'S OFFICE 15 MINUTES BEFORE COURT.

TIFFANIE

APPENDIX D

HISTORICAL RESEARCH DOCUMENTATION

D-1 - Historical Topographic Map
D-2 - Aerial Photograph

APPENDIX D-1
HISTORICAL RESEARCH DOCUMENTATION
Historical Topographic Map

APPENDIX D-2

HISTORICAL RESEARCH DOCUMENTATION

Aerial Photograph

APPENDIX E
LOCAL GOVERNMENTAL OFFICIALS INTERVIEW DOCUMENTATION

Duane Matters

From: Marlene Huderski [mhudersk@ndep.nv.gov]
Sent: Monday, April 21, 2008 8:34 AM
To: Duane Matters
Subject: RE: 3022556001/3761 North Stephanie Street, Pahrump, NV

Good Morning Duane,

I go into a program that BCA has and it is called Project Tracking. I did not see anything for the address you sent me.

Please notify Mr. Beck that the Las Vegas Office does not have any files for 3761 North Stephanie Street, Pahrump.

Marlene

Marlene Huderski
Nevada Division of Environmental Protection
2030 E. Flamingo Road Suite 230
Las Vegas NV 89119-0837
(702) 486-2850 #221 Fax: (702) 486-2863
www.ndep.nv.gov

From: Duane Matters [mailto:dmatters@ninyoandmoore.com]
Sent: Sunday, April 20, 2008 6:02 PM
To: Marlene Huderski
Subject: 3022556001/3761 North Stephanie Street, Pahrump, NV

Marlene,

I understand that in order to ascertain if files are maintained by the Department, a case/incident number is required. However, Mr. Greg Beck is insistant that we submit the subject property address to the Department.

I am conducting a Phase I ESA of the property at 3761 North Stephanie Street in Pahrump, Nevada. The propeprty was not identified during the regulatory database search conducted by an outside contractor. Interviews with personnel with the Nye County Sheriffs Department have ascertained that the property had been formerly operated as a methamphetamine laboratory.

Could you check the property address to see if there are files maintained at the NDEP?

Thank you,

Duane Matters, C.E.M., R.E.A.

Duane Matters

From: Janis Shurtliff [jshurtliff@dps.state.nv.us]
Sent: Wednesday, February 06, 2008 11:35 AM
To: Duane Matters
Subject: RE: Records Request - 3761 North Stephanie Street, Pahrump, NV

NO HAZ MAT DATA ON FILE.

Janis Shurtliff

Nevada Department of Public Safety

State Fire Marshal Division

Administrative Assistant II

Fire Protection Licensing / Permitting

Prevention and Data Section

107 Jacobsen Way

Carson City NV 89711

OFFICE: 775-684-7524

Fax: 775-684-7518

jshurtliff@dps.state.nv.us

Website: www.fire.state.nv.us

From: Duane Matters [mailto:dmatters@ninyoandmoore.com]
Sent: Wednesday, February 06, 2008 11:32 AM
To: Janis Shurtliff
Subject: Records Request - 3761 North Stephanie Street, Pahrump, NV

Ninyo & Moore is conducting a Phase I Environmental Site Assessment (ESA) of the above-referenced property. As part of the ESA process, we are required to inquire if your Department has records concerning hazardous waste storage permits at the property. I would appreciate your assistance concerning any information your Department may have concerning the subject property.

Thank you

Duane Matters, C.E.M., R.E.A.

Gregory Beck

From: Richard Nelson [Richard@becnv.com]
Sent: Wednesday, March 26, 2008 4:08 PM
To: Gregory Beck
Cc: Eileen Christensen
Subject: Archived Emergency Services Records

Greg,

Jim Medici, Nye County Emergency Services, advised that the records you need would be in a conex behind their facility. Please call them and let them know when you would like to have someone go through the records for the Meth Lab Phase I. Nye County Emergency Services is located at 1510 East Siri Lane, Pahrump, NV 89060. Their phone number is 775-751-4279.

If we can be of further assistance, please let me know.

Richard

Yes, that would be fine, let me know when they might be here so we can set up some light so that they can see.

Jim

-----Original Message-----

From: Richard Nelson [mailto:Richard@becnv.com]
Sent: Wednesday, March 26, 2008 2:44 PM
To: Jim Medici
Cc: Eileen Christensen
Subject: RE: Archived Emergency Services Records

Jim,

Would it be ok if someone from Ninyo and Moore went through the records looking for the incident? Part of their directive would be to keep everything in order. That would also give them a chance to look for any relevant data that might affect the Phase I.

Richard

Richard H. Nelson
Senior Project Manager

BEC Environmental, Inc.
9061 W. Sahara Ave., Ste. 103
Las Vegas, NV 89117

Phone: 702.304.9830
Fax: 702.304.9839
E-mail: richard@becnv.com

From: Jim Medici [mailto:jmedici@co.nye.nv.us]
Sent: Wednesday, March 26, 2008 2:41 PM

3/26/2008

To: Richard Nelson
Subject: RE: Archived Emergency Services Records

Richard,
sorry it took so long to answer you, but if we have any info regarding this incident, they would be in Maison's old files. The files that exist are in a CONEX, behind our Equipment Bay, I do not know if the file is there, but if it is, that is where it would be. I don't know if that helps, but that is the only answer I could gather.
Sorry,
Jim

Richard H. Nelson
Senior Project Manager

BEC Environmental, Inc.
9061 W. Sahara Ave., Ste. 103
Las Vegas, NV 89117

Phone: 702.304.9830
Fax: 702.304.9839
E-mail: richard@becnv.com

Gregory Beck

From: Duane Matters
Sent: Wednesday, February 13, 2008 2:13 PM
To: Gregory Beck
Subject: FW: 3761 North Stephanie, Pahrump, NV

-----Original Message-----

From: Duane Matters
Sent: Wed 2/13/2008 1:38 PM
To: Rick Marshall
Cc:
Subject: RE: 3761 North Stephanie, Pahrump, NV

I talked with Mr. Jones. He stated that since the report is almost ten years old, he would have difficulty putting his hands on it. His thoughts were that it would be easier for the Sheriff's Department to release the report since it is a readily obtainable copy. He knows of no one in his Department that has been there for ten years.

Is there any way Ms. Barnwell can release the report to your office in Pahrump? I would think the report would be public record.

Thank you

-----Original Message-----

From: Rick Marshall [mailto:rmarshall@co.nye.nv.us]
Sent: Wed 2/13/2008 1:21 PM
To: Duane Matters
Cc: bajones@nyecounty.net
Subject: RE: 3761 North Stephanie, Pahrump, NV

To obtain a copy of the report, you need to contact Brent Jones, Nye County Director of Emergency Management

I have cc'ed him on this email. bajones@nyecounty.net

His phone number is 775-764-9063

Rick

From: Duane Matters [mailto:dmatters@ninyoandmoore.com]
Sent: Wednesday, February 13, 2008 1:17 PM
To: Richard.marshall@co.nye.nv.us
Subject: 3761 North Stephanie, Pahrump, NV

I will not be able to make a site visit to the property or your office tomorrow as previously thought. I called Joanna Cody (775.482.8108) and she referred me to Georgiana Barnwell (775.482.8113). Ms. Barnwell informed me that there is a report of materials hauled away by the Nye County Department of Emergency Management Services signed by Steve Mason (775.727.2456).

She told me that I could not see the report because it was not a "department prepared report" and that I should

call Mr. Mason. This number rings without going to a voice-mail (two attempts).

I would like to do as much as can be accomplished in one visit to Pahrump, and reading/copying the report in question is a priority.

I apologize for any inconvenience

Thank you

Duane Matters, C.E.M., R.E.A.
Senior Project Manager
Ninyo & Moore

Gregory Beck

From: Duane Matters
Sent: Tuesday, February 12, 2008 2:50 PM
To: Gregory Beck
Subject: Pahrump ESA

Greg,

I received the name of Joanna Cody (775.482.8108) from Rick Marshall. She referred me to Georgiana Barnwell (775.482.8113). Ms. Barnwell informed me that there is a report of materials hauled away by the Nye County Department of Emergency Management Services signed by Steve Mason (775.727.2456).

She told me that I could not see the report because it was not a "department prepared report" and that I should call Mr. Mason. This number rings without going to a voice-mail (two attempts).

Duane H. Matters, C.E.M., R.E.A.
Senior Project Geologist
Ninyo & Moore
Geotechnical & Environmental Sciences Consultants
6700 Paradise Road, Suite E
Las Vegas, Nevada 89119
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APPENDIX F
QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

GREGORY A. BECK, CEM
Chief Environmental Scientist

EDUCATION

Master of Business Administration, 1990, University of North Florida, Jacksonville, Florida
Master of Science, Biology, 1982, Florida Institute of Technology, Melbourne, Florida
Bachelor of Science, Biology, 1979, Florida Institute of Technology, Melbourne, Florida

CERTIFICATIONS

Certified Environmental Manager CEM 1874 (NV)
40-hour OSHA HAZWOPER Health and Safety Training

PROFESSIONAL EXPERIENCE AND RESPONSIBILITIES

As Senior Environmental Scientist and Operations Manager for Ninyo & Moore, Mr. Beck is responsible for the acquisition, documentation, and dissemination of data related to all phases of environmental investigations and projects. These activities include performance of a site reconnaissance, oversight of drilling activities, logging of subsurface geologic conditions, soil and groundwater sampling, and monitoring well installation, including development, purging, and monitoring. Mr. Beck also analyzes field, laboratory, and office data; and coordinates project-related work of staff personnel. Mr. Beck's project experience includes:

- **City of Reno Regional Transit Commission – New Transit Center (CitiCenter), Reno, Nevada.** Mr. Beck served as Project Manager for this federal Brownfields financed project involving preparation of a Phase I Environmental Site Assessment; submission of a Sampling and Analysis Plan to the federal Environmental Protection Agency Region 9 for approval; installation of eight soil borings, five test pits, and eight monitoring wells; sampling and analysis of soil and groundwater; investigation of suspected underground storage tanks; preparation of a Phase II Environmental Site Assessment report; and preparation of a Remedial Action Approach and Cost Estimate report. The site is located in downtown Reno and has a history of commercial and residential development going back to the nineteenth century. Mr. Beck coordinated with state and local officials, provided supervision over field personnel and subcontractors to assure that activities conformed to the approved Sampling and Analysis Plan, prepared project reports and other documents, and tracked project expenditures to assure that the budget was not exceeded.
- **City of North Las Vegas– Brownfields Community-Wide Grant Application, North Las Vegas, Nevada.** Mr. Beck served as Project Manager for this project involving preparation and submission of a \$200,000 federal Brownfields community-wide grant application for three redevelopment sub-areas. Mr. Beck interviewed city officials, reviewed the City of Las Vegas Comprehensive Redevelopment Plan, individual Redevelopment Area Plans, and other documents to compile the required threshold and ranking criteria necessary to complete the EPA Brownfields Assessment proposal.
- **Clark County Regional Flood Control District – Supplemental Environmental Impact Statement, Clark County, Nevada.** Mr. Beck served as Project Manager for this project involving preparation of the Hazardous Materials and Geologic Hazards sections of the SEIS. Mr. Beck reviewed state and federal regulations, geologic maps and literature, drafted new Hazardous Materials sections for the SEIS, and coordinated updating of the Geologic Hazards sections of the existing EIS.
- **Nevada Division of Environmental Protection Brownfields Program – Cornerstone Redevelopment Area, Henderson, Nevada.** Mr. Beck served as Project Manager for this federal Brownfields financed project involving preparation of a Phase I Environmental Site Assessment report; submission of a Sampling and Analysis Plan to the federal Environmental Protection Agency Region 9 for approval; installation of six monitoring wells; sampling and analysis of soil, groundwater, and surface water; and preparation of a Phase II Environmental Site Assessment report. Groundwater beneath the site is contaminated with perchlorate from off-site sources and Mr. Beck reviewed extensive regulatory files to determine the likely sources and extent of this contamination.
- **Bureau of Indian Affairs –Apex Mine Processing Facility.** Mr. Beck served as Project Manager for the oversight of decommissioning activities for a former manganese and tungsten processing facility outside St. George, Utah. Responsibilities included review of closure plans, review of laboratory analytical data, attendance at progress meetings, briefing of the Bureau of Indian Affairs and the Shivwits Band of the Paiute Indian Tribe, and preparation of response documents.
- **Nye County Brownfields Program – Beatty Habitat Trails.** Mr. Beck served as Project Manager for the Phase I Environmental Site Assessment and mine audit survey of approximately 7,230 acres of Bureau of Land Management land designated for inclusion in the Beatty Habitat Trails system. Mr. Beck performed a field survey of the designated acreage, including a field survey of abandoned mines and prospect holes located within 1/8-mile of the acreage, reviewed various historical databases including aerial photographs, performed a database search of state and federal regulatory databases, and prepared various summary reports.

DUANE H. MATTERS, CEM
Senior Project Geologist

EDUCATION

Bachelor of Science, Geology, 1985, Salem State College, Salem, Massachusetts

CERTIFICATIONS

Certified Environmental Manager, Nevada, CEM 1937
Asbestos Abatement Consultant (NV) License No. IJ 1066
40-hour OSHA HAZWOPER Health and Safety Training
8-hour HAZWOPER Supervisory Training
AHERA-accredited Building Inspector for Asbestos
AHERA-accredited Management Planner for Asbestos

PROFESSIONAL EXPERIENCE AND RESPONSIBILITIES

As a Senior Project Geologist for Ninyo & Moore's Las Vegas office, Mr. Matters provides supervision and technical guidance for environmental projects and personnel; provides comprehensive interaction with environmental regulatory agencies as client liaison; performs Quality Assurance, cost estimating, and schedules company resources; provides expert witness testimony in support of environmental litigation; and directs business development and marketing plans. Mr. Matters has 21 years experience including project management, Phase I & II site assessment, asbestos inspections and abatement monitoring, hazardous waste site assessment, emissions measurement, regulatory compliance and subsurface sewage disposal design and inspections. Mr. Matters has managed site investigations on behalf of industrial, commercial and legal clients at various types of properties. Mr. Matters has extensive experience conducting field investigations. Many of these projects involved a wide variety of regulated substances, including petroleum hydrocarbons, VOCs and SVOCs, pesticides and herbicides, PCBs, and metals. Mr. Matters' project experience includes:

- **Binion's Hotel and Gambling Hall, Las Nevada:** As part of a Limited Phase II investigation, Mr. Matters managed the inspection of the high-rise hotel and casino property. The survey included the collection of over 1,500 samples of suspect materials to assess the nature and extent of Asbestos-containing Materials (ACMs) in the structure prior to the final property transaction. Mr. Matters developed the sampling strategy, reviewed the data and prepared the final report. The report was prepared in a manner to facilitate the preparation of an Operations and Maintenance Plan.
- **U.S. Army, Wiesbaden Germany:** Mr. Matters was part of a team that sampled numerous U.S. Army facilities in Germany and Italy. Facilities such as helicopter hangers, control towers, barracks, movie theaters, steam tunnels, and commissaries were assessed for Asbestos-containing Building Materials and sampled. Following receipt of the analytical results, Mr. Matters assisted in the preparation of the survey reports and Operations and Maintenance Plans.
- **CSX Transportation, Livernois Yard, Detroit, Michigan:** The project included an preliminary investigation and subsequent nature and extent investigation to determine the impact to soil and/or groundwater from fueling and maintenance operations at the Yard. The nature and extent investigation included a geoprobe investigation to define the nature and extent of Total Petroleum Hydrocarbons (TPH) in soil at and near the water table. Based on the soil TPH findings, monitoring wells were installed to further define the extent of Light, Non-aqueous Phase Liquid (LNAPL). Additionally, four recovery wells were installed in areas identified as having a potential to recover free product. The nature and extent of groundwater quality up- and downgradient of the LNAPL was also addressed during the field program.
- **Commonwealth of Massachusetts – Military Division** – Inspected eight Massachusetts National Guard Armories constructed between 1904 and 1930 for ACM as part of a Commonwealth of Massachusetts – Military Division asbestos management program. Inspections included the review of historical building records, inspection of the buildings interior spaces, assessment of friability of identified suspect materials, assessment of condition and susceptibility to damage of the identified suspect materials, collection of samples, review of the analytical report and preparation of an inspection report detailing the types, amounts and locations of ACM identified, condition of the ACM, and recommendations for removal or other response actions.
- **Bristol Myers-Squibb, Research Triangle Park, North Carolina:** As part of a Phase I Environmental Site Assessment (ESA), Mr. Matters detected a discrepancy in hazardous waste and materials management of TCE. The discrepancy resulted in a Phase II which detected subsurface contamination at a medical device manufacturing facility. The resulting Comprehensive Site Assessment consisted of the advancement of 50 soil borings and the installation of 25 monitoring wells. He drafted the Health and Safety Plan, Sampling and Analysis Plan, oversaw the semi-annual monitoring activities, and prepared numerous sections of the

required reports. Additional investigations included pumping tests to install a pump and treat system and geomagnetic surveys to identify transmissive dike common within the Newark basin.

- **Confidential Client, Las Vegas, Nevada** – As part of a proposed site redevelopment of a former warehouse facility to a mixed-use development, Mr. Matters conducted a Phase I ESA of the property prior to purchase by the development company. The former use of underground storage tanks and suspect ACMs were identified as recognized environmental conditions. Recommendations for additional investigations were made. Because of the recommendations, a pre-demolition asbestos survey and excavation was conducted in the location of the former underground storage tanks (USTs).
- **MASSPORT, Logan International Airport, Boston Massachusetts:** Mr. Matters managed an Environmental Subsurface Investigation in conjunction with a Geotechnical Subsurface Investigation at Logan International Airport in Boston, Massachusetts. The purpose of the investigation was to provide data with regard to the potential extent of soil contamination in improvement areas associated with proposed construction of Runway 14/32 and the Centerfield Taxiway, as well as taxiways realignments and extensions of Taxiway Delta, Taxiway November and the configuration of the Southwest Taxiway System. During the project, Mr. Matters collected samples from approximately 110 soil borings, of which 22 were completed as groundwater monitoring wells. Samples collected were analyzed for extractable petroleum hydrocarbons (EPH)/volatile petroleum hydrocarbons (VPH) in accordance with Department of Environmental Protection (DEP) Method 98-1, acid/base/neutrals (ABNs) in accordance with EPA Method 8270, polychlorinated biphenyls (PCBs) in accordance with EPA Method 8082, volatile organic compounds (VOCs) in accordance with EPA Method 5035 and total RCRA 8 Metals (arsenic, barium, cadmium, chromium, lead, mercury, silver and selenium) in accordance with Method SW-846.
- **Lady Luck Hotel & Casino, Las Vegas, Nevada** – Mr. Matters conducted a limited Phase II and at the downtown Las Vegas hotel casino. A Phase I ESA conducted by another consultant identified numerous recognized environmental conditions associated with on-site hydraulic elevators, sumps, and other leaking equipment. Mr. Matters collected samples of groundwater and hydraulic oil from piston shafts and beneath other equipment such as compressors and generators. Additionally effluent from a dewatering sump was collected. A second task included sampling drums with unknown contents for disposal. The contents of six drums were sampled and analyzed for VOCs, SVOCs, TPH, PCBs, and RCRA 8 Metals. Mr. Matters also oversaw drilling activities to access if soil and groundwater had been impacted by the elevator equipment and a former in-house drycleaner operated the site.
- **WSG Development, Las Vegas, Nevada** – Mr. Matters served as the project manager for the removal of approximately 2,000 tons of petroleum impacted soil and 20,000 gallons of petroleum impacted groundwater at the former DeLuca Liquors warehouse site. As part of the project, he assisted in the preparation of a Interim Corrective Action Work Plan. He oversaw contractor activities, onsite TRC personnel, and sampling activities. Additionally, he oversees the quarterly monitoring of the site. Sampling parameters include BTEX and MTBE, as well as bioremediation parameters.
- **MGM Grand Hotel & Casino, Las Vegas, Nevada** – Mr. Matters oversaw the removal and stockpiling of approximately 120 tons of petroleum-impacted soil identified in a Phase I ESA and Limited Phase Investigation he conducted for a client divesting themselves of approximately 89 acres of vacant desert land. The property had been impacted by desert dumping of waste petroleum products and illegal target shooting. During the excavation of soil, Mr. Matters assessed the condition of the soil, directed the excavation subcontractor, collected post-excavation samples, samples of the stockpiled soil, and documented the removal process. Following receipt of the analytical results, Mr. Matters prepared a summary report requesting that a no further action status be granted by NDEP.
- **Fisher Brothers, Las Vegas, Nevada** – Mr. Matters oversaw the removal of a 2,000-gallon UST at a former miniature golf and amusement facility. Prior to removal of the UST, he oversaw the removal of an awning to provide the Nevada-certified tank handler access to the tank, pump island and associated piping. He provided CEM services, overseeing the sampling and preparing the Underground Storage Tank Removal Report for submission to the Clark County Health District.
- **Commonwealth of Massachusetts - Department of Environmental Affairs** – Mr. Matters performed 15 audits of state parks and recreational facilities as part of the Clean State Program. The audit program reviewed environmental compliance with air permit issues (310 CMR 7), hazardous waste management (310 CMR 30), underground and aboveground storage tanks (527 CMR 9), polychlorinated biphenyls (40 CFR 761), water pollution control issues (i.e., Title 5, groundwater and surface water discharge), wetland (310 CMR 9), asbestos (105 CMR 410), and EPCRA (40 CFR 355).

PROFESSIONAL AFFILIATIONS

Association of Engineering Geologists