



Geotechnical and Environmental Sciences Consultants

**PHASE I
ENVIRONMENTAL SITE ASSESSMENT REPORT
2440 EAST CHARLESTON PARK AVENUE
PAHRUMP, NEVADA**

PREPARED FOR:
Nye County Department of Natural Resources
and Federal Facilities
401 Frontage Road
Pahrump, Nevada 89048

PREPARED BY:
Ninyo & Moore
Geotechnical and Environmental Sciences Consultants
6700 Paradise Road, Suite E
Pahrump, Nevada 89119

December 10, 2007
Project No. 302493001

December 10, 2007
Project No. 302493001


Dr. James Marble
Nye County Department of Natural
Resources and Federal Facilities
401 Frontage Road
Pahrump, Nevada 89048

Subject: Phase I Environmental Site Assessment Report
2440 East Charleston Park Avenue
Pahrump, Nevada

Dear Dr. Marble:

In accordance with the Work Authorization dated October 23, 2007, Ninyo & Moore has prepared this Phase I Environmental Site Assessment of the above-referenced site. The attached report presents our methodology, findings, opinions, and conclusions regarding the environmental conditions at the site. We appreciate the opportunity to be of service to you on this project.

Sincerely,
NINYO & MOORE



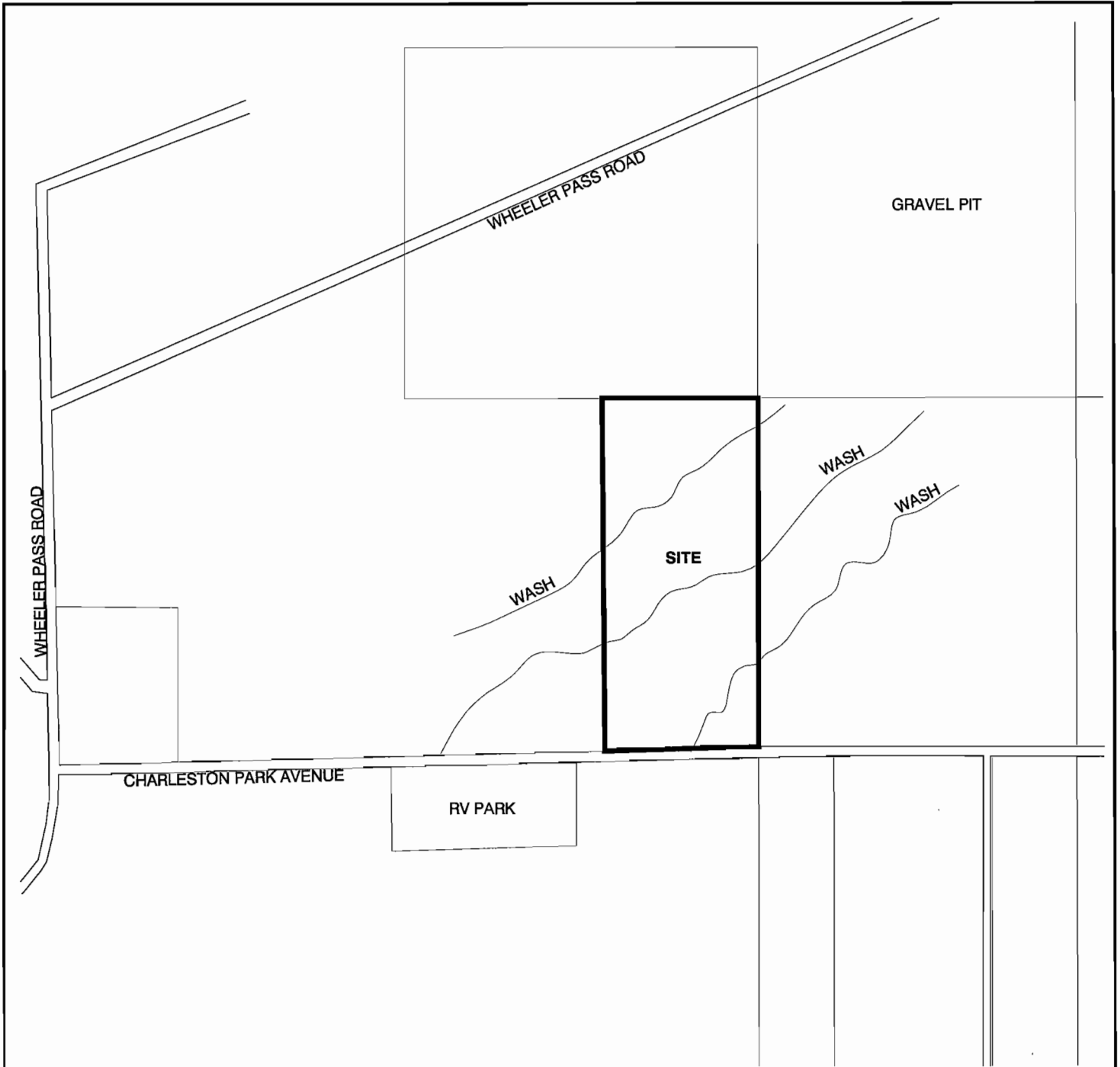
Duane H. Matters, C.E.M.
Senior Project Geologist

DHM/GB/ltk

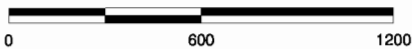
Distribution: (3) Addressee



Gregory A. Beck, C.E.M.
Senior Environmental Scientist
Operations Manager



SCALE IN FEET



REFERENCE: Google Earth, 2007.

NOTE: Dimensions, directions, and locations are approximate.

		SITE PLAN		FIGURE 2
		PHASE I ENVIRONMENTAL SITE ASSESSMENT 2440 EAST CHARLESTON PARK AVENUE PAHRUMP, NEVADA		
PROJECT NO.	DATE			
302493001	12/07			

APPENDIX A
SITE PHOTOGRAPHS

APPENDIX B

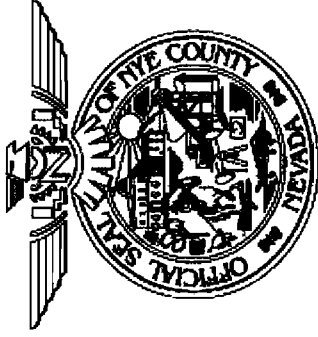
PROPERTY RECORDS DOCUMENTATION

- 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](#)

[Back to Search List](#)

Parcel Detail for Parcel # 035-271-53

Location
 Property Location 2440 E CHARLESTON PARK AVE
 Town PAHRUMP
 Subdivision Lot Block
 Property Name F#674131 P.1 18.87AC

Add'l Addresses
 Assessor Maps
 Legal Description

Description
 Total Acres 18.870 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 0 Stories .0
 Multi-fam Units 0 Wells 0
 Mobile Homes 0 Septic Tanks 0
 Total Dwelling Units 0 Bldg Sq Ft 0
 Improvement Detail Garage Sq Ft 0 Attch/Detch
 Basement Sq Ft 0 Finished 0

Ownership
 Assessed Owner Name CHARLESTON POWERLINE LLC
 Mailing Address 3040 W CHEYENNE AVE #100
 N LAS VEGAS, NV 89032-6038
 Legal Owner Name CHARLESTON POWERLINE LLC
 Vesting Doc#, Date 649001 02/09/06 Book/Page /

Ownership History
 Document History

Appraisal Classifications
 Current Land Use Code 140 Code Table
 Zoning GC 062106
 Re-appraisal Group 4 Re-appraisal Year 2004

	Valuation		
	Working Year 2008-09	Closed/Reopened Year 2007-08	Prior Year 2006-07
Land	1,175,361	1,175,361	6,200
Improvements	0	0	36,347
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Assessed	1,175,361	1,175,361	42,547

Legal Description for Parcel # 035-271-53

Legal Description	Sect/ Lot	Town/ Block	Range	Acres
T20S R53E S13 F#674131 P.1 18.87AC P#11682	13	20S	53E	18.870
THE FOLLOWING DESCRIBED PARCEL OF LAND THAT IS				
THE E SE SW S13 T20S R53E M.D.M., NYE COUNTY,				
NEVADA MORE PARTICULARLY DESCRIBED AS FOLLOWS:				
COMMENCING AT THE SW CORNER OF S13 OF SAID				
TOWNSHIP AND RANGE BEING THE TRUE POINT OF				
BEGINNING; THENCE N00 38'45"W A DISTANCE OF				
1,314.13'; THENCE S87 40'34"W A DISTANCE OF				
672.79'; THENCE S00 35'59"E A DISTANCE OF				
1,320.28'; THENCE N87 09'26"E A DISTANCE OF				
674.06' TO A POINT BEING THE TRUE POINT OF				
BEGINNING.				

Close Window

Ownership History for Parcel # 035-271-53

Current Owners	
<u>Name</u>	<u>From</u>
CHARLESTON POWERLINE LLC 2813 VIA FLORENTINE ST HENDERSON, NV 89074	2007

Prior Owners		
<u>Name</u>	<u>From</u>	<u>To</u>

NOTE: This is not a complete history and should not be used in place of a title search.

Close Window

Document History for Parcel # 035-271-53

Type	Description/Name	Doc #	Sfx	Date	Cost	Book	Page(s)
GBS	CHARLESTON POWERLINE LLC GRANT BARGAIN SALE DEED	649001		11/08/2005			

NOTE: This is not a complete history and should not be used in place of a title search.

Close Window

Improvement Detail for Parcel # 035-271-53

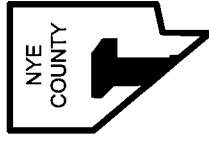
Grp #	Impr #	Description	Year	Cnt/ Size	Total Cost	Appraisal Date	RCNLD
*	***	*** No Improvements Found ***	****	*****	*****	*****	*****

RCNLD: Replacement Cost New, Less Depreciation

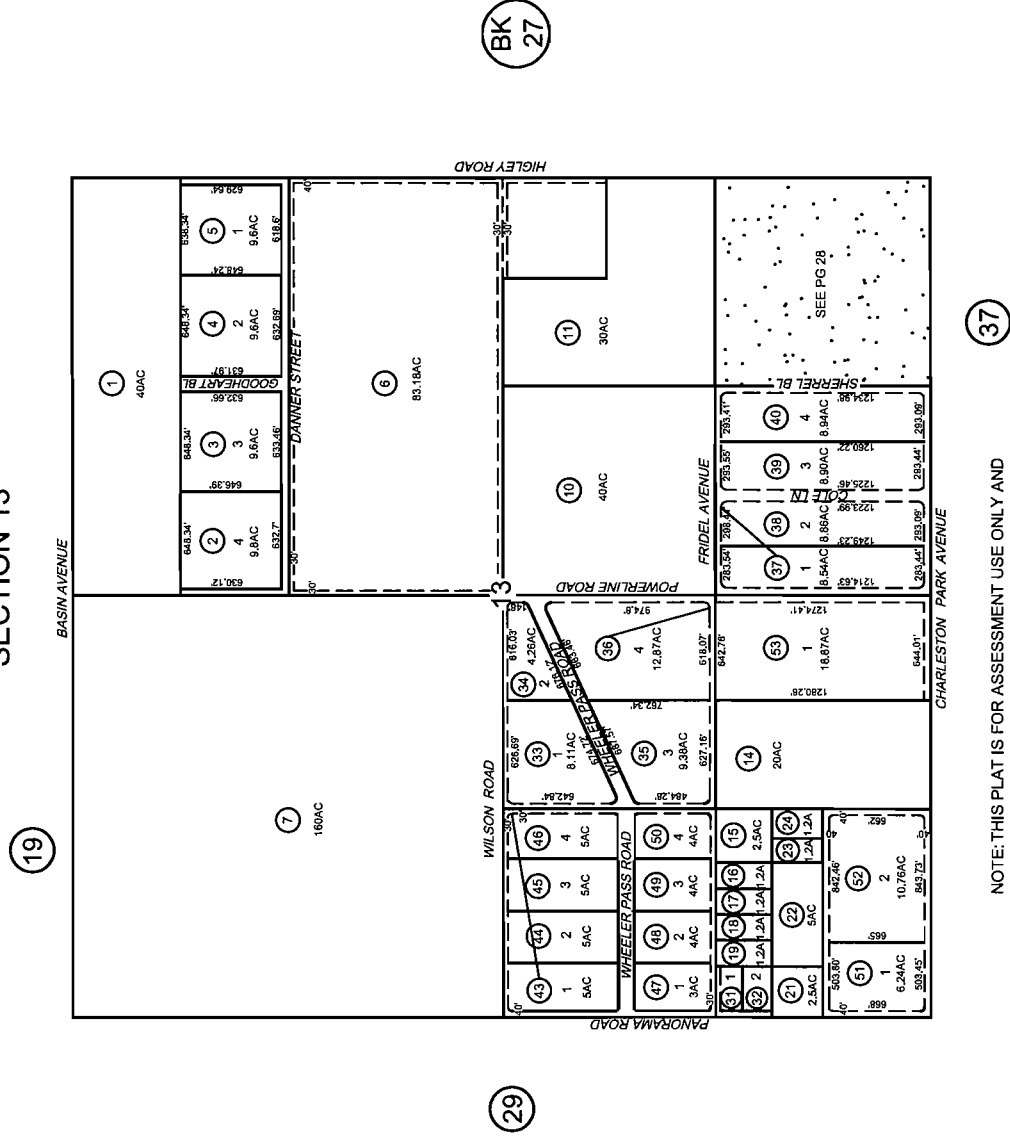
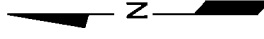
Close Window

T.20S., R.53E.
SECTION 13

35-27



REV. 08-29-86
09-19-89
10-15-90
03-29-95
02-05-96
09-30-97
03-02-98
08-05-98
11-12-03
12-13-06



MAY 82/WTB-bjb
CAD FILE 01-04-07/MD
NYE COUNTY ASSESSOR

APPENDIX B-2

PROPERTY RECORDS DOCUMENTATION

Environmental Lien Search Report



Environmental Lien Search

November 28, 2007

CLIENT

**Ninyo and Moore
Attn: Randy Moore
6700 Paradise Road Suite E
Las Vegas Nevada
89119**

SITE

**2440 E Charleston Park Ave.
Pahrump, Nevada
Nye County**

Client #: 302493001

Project #: ES27342



LIEN SEARCH REPORT

PROPERTY DESCRIPTION

LEGAL DESCRIPTION: See Attached
SUBJECT PARCEL NUMBER: 35-271-53
CURRENT OWNER(S): Charleston Powerline LLC

Lien Search Result

No environmental liens found for subject property from 1985 to current. Nevada appears not to be a Superlien State.

LIEN SEARCH REPORT

RESEARCH NOTES

Notes:

ASTM Notes: ASTM E 1527-05, 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.

Banks Environmental Data, Inc. has determined that the ASTM E 1527-05, requirements has been met for the subject property searched in this report. Land title records required to obtain additional information regarding the subject property were not “reasonably ascertainable” at the time of this report.

Environmental Liens: No environmental liens/activity use limitations (AUL’s) identified.

RESOURCES & LIMITATIONS

Banks Environmental Data, Inc. (Banks) has completed you request for an Environmental Lien Search for the above site. The information in this report has been produced from a limited search of the public land records and/or real property records of the county back to at least the mid 1980’s up through the indicated date as shown on this report. This limited search includes only environmental liens and restrictions. 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 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.

LIEN SEARCH REPORT

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>Smith to Jones. . . Jones to Wilson. . . White to Black</i>. The missing link is from Wilson to White. 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.

DISCLAIMER

The information contained in this report has been obtained from publicly available sources and other secondary sources of information produced by entities other than Banks Environmental Data, Inc (Banks). Although great care has been taken by Banks in compiling and checking the information contained in this report to insure that it is current and accurate, Banks disclaims any and all liability for any errors, omissions, or inaccuracies in such information and data, whether attributable to inadvertence or otherwise, and for any consequences arising therefrom. The data provided hereunder neither purports to be nor constitutes legal or medical advice. It is further understood that Banks makes no representations or warranties of any kind. Including, but not limited to, the warranties of fitness for a particular purpose of merchantability, nor any such representations or warranties to be implied with respect to the data furnished, and banks assumes no responsibility with respect to our customer’s, its employees’, clients’, or customers’ use thereof. Banks shall not be liable for any special, consequential, or exemplary damages resulting in whole or in part, from customer’s use of the data. Liability on the part of Banks Environmental Data, Inc (Banks) is limited to the monetary value paid for this report. The report is valid only for the geographical parameters specified on the cover page of this report, and any alteration or deviation from this description will require a new report. This report does not constitute a legal or licensed opinion.

WHEN RECORDED MAIL TO:

Charleston Powerline LLC
2813 Via Florentine Street
Henderson, NV 89074

AND WHEN RECORDED MAIL

TAX STATEMENTS TO:

SAME AS ABOVE

APN NO. 35-271-29; 35-271-30

Affix RPTT: \$6,013.80

ESCROW NO.: 05590199

648131

Official Records Nye County Nevada
Requested By: Equity Title
01/31/06 9:04 AM
Donna L. Motis, Recorder
Fee: \$16.00 State: \$ Dep: tp
Non-Conformity Fee \$

The Undersigned hereby affirms that there is no social security number contained in this document.

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH THAT:

ROCK WATER LLC, a Nevada Limited Liability Company

in consideration of the sum of Ten Dollars (\$10.00), the receipt of which is hereby acknowledged, do hereby Grant, Bargain Sell and convey to

CHARLESTON POWERLINE LLC, a Nevada Limited Liability company

all that real property situated in the County of Nye, State of Nevada, described as follows:

See exhibit "A" attached hereto and incorporated herein by reference

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging to in anywise appertaining.

648131

SUBJECT TO:

1. General and special taxes for the current fiscal year.
2. Covenants, conditions, restrictions, rights of way, easements and reservations of record.

SELLERS:

Rock Water LLC, a Nevada Limited Liability Company

Anson T. Avery

 Anson T. Avery, Managing Member

STATE OF NEVADA
COUNTY OF NYE

} SS:

On ~~12-27-05~~ 12-27-05

Personally appeared before me, a Notary Public

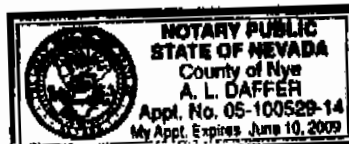
Anson T. Avery

who acknowledged that he/she/they executed the above instrument.

A. L. Daffer

 Notary Public

My commission expires:



648131

Order No. 05590199

EXHIBIT "A"

A portion of the East Half (E ½) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Thirteen (13), Township Twenty (20) South, Range Fifty-Three (53) East, M.D.B.&M., more particularly described as parcel Three (3) and Parcel Four (4) as shown by Parcel map recorded August 8, 1986 as File No. 165576 of Official Records, Nye County, Nevada.

**RECORDING REQUESTED BY:
EQUITY TITLE OF NEVADA
AND WHEN RECORDED MAIL TO:**

Charleston Powerline LLC
2813 Via Florentine Street
Henderson, NV 89074

**AND WHEN RECORDED MAIL
TAX STATEMENTS TO:
SAME AS ABOVE**

APN NO. 35-271-27
Affix RPTT: \$4,769.70
ESCROW NO.: 05590200

649001

Official Records Nye County Nevada
Requested By: Equity Title
02/09/06 2:02 PM
Donna L. Motis, Recorder
Fee: \$16.00 State: \$ Dep: cw
Non-Conformity Fee \$

The Undersigned hereby affirms that there is no Social Security # contained in this Document.
GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH THAT:

Donald Crane Smith, Trustee of The Trust of Donald Crane Smith dated February 28, 1996

in consideration of the sum of Ten Dollars (\$10.00), the receipt of which is hereby acknowledged, do hereby Grant, Bargain Sell and convey to

Charleston Powerline LLC, a Nevada Limited Liability Company

all that real property situated in the County of Nye, State of Nevada, described as follows:

See exhibit "A" attached hereto and incorporated herein by reference

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging to in anywise appertaining.

649001

SUBJECT TO:

1. General and special taxes for the current fiscal year.
2. Covenants, conditions, restrictions, rights of way, easements and reservations of record.

SELLER:

The Trust of Donald Crane Smith

Donald Crane Smith Trustee

Donald Crane Smith, Trustee

STATE OF NEVADA
COUNTY OF NYE

} SS:

On November 8, 2005

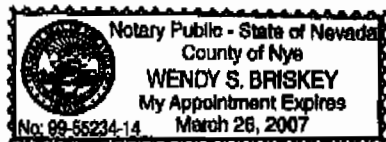
Personally appeared before me, a Notary Public

Donald Crane Smith

who acknowledged that he/she/they executed the above instrument.

Wendy S. Briskey
Notary Public

My commission expires: 3-26-07



649J01

Order No. 05590200

EXHIBIT "A"

A portion of the East Half (E ½) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Thirteen (13), Township Twenty (20) South, Range Fifty-Three (53) East, M.D.B.&M., more particularly described as Parcels One (1) and Two (2) as shown by parcel map recorded August 8, 1986 File No. 165576 of Official Records, Nye County, Nevada.

APPENDIX C

REGULATORY RECORDS DOCUMENTATION

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

APPENDIX C-1

PROPERTY RECORDS DOCUMENTATION

Environmental Database Search

TRACK ► INFO SERVICES, LLC

Environmental FirstSearch™ Report

Target Property:

2440 E. CHARLESTON PARK AVE

PAHRUMP NV 89060

Job Number: 302493001

PREPARED FOR:

Ninyo and Moore

6700 Paradise Road, Suite E

Las Vegas, NV 89119

11-21-07



Tel: (866) 664-9981

Fax: (818) 249-4227

***Environmental FirstSearch
Search Summary Report***

Target Site: 2440 E. CHARLESTON PARK AVE
PAHRUMP NV 89060

FirstSearch Summary

Database	Sel	Updated	Radius	Site	1/8	1/4	1/2	1/2>	ZIP	TOTALS
NPL	Y	09-10-07	1.00	0	0	0	0	0	0	0
NPL Delisted	Y	09-10-07	0.50	0	0	0	0	-	0	0
CERCLIS	Y	10-08-07	0.50	0	0	0	0	-	0	0
NFRAP	Y	10-08-07	0.50	0	0	0	0	-	0	0
RCRA COR ACT	Y	06-06-06	1.00	0	0	0	0	0	0	0
RCRA TSD	Y	06-06-06	0.50	0	0	0	0	-	0	0
RCRA GEN	Y	06-06-06	0.25	0	0	0	-	-	0	0
RCRA NLR	Y	06-06-06	0.12	0	0	-	-	-	0	0
Federal IC / EC	Y	10-02-07	0.25	0	0	0	-	-	0	0
ERNS	Y	12-31-06	0.12	0	0	-	-	-	0	0
Tribal Lands	Y	12-01-05	1.00	0	0	0	0	0	0	0
State/Tribal Sites	Y	04-04-07	1.00	0	0	0	0	0	0	0
State/Tribal SWL	Y	06-27-02	0.50	0	0	0	0	-	0	0
State/Tribal LUST	Y	04-04-07	0.50	0	0	0	0	-	0	0
State/Tribal UST/AST	Y	04-30-07	0.25	0	0	0	-	-	0	0
State/Tribal EC	Y	NA	0.25	0	0	0	-	-	0	0
State/Tribal IC	Y	NA	0.25	0	0	0	-	-	0	0
State/Tribal VCP	Y	NA	0.50	0	0	0	0	-	0	0
State/Tribal Brownfields	Y	03-31-06	0.50	0	0	0	0	-	0	0
State Other	Y	01-01-07	0.25	0	0	0	-	-	0	0
- TOTALS -				0	0	0	0	0	0	0

Notice of Disclaimer

Due to the limitations, constraints, inaccuracies and incompleteness of government information and computer mapping data currently available to TRACK Info Services, certain conventions have been utilized in preparing the locations of all federal, state and local agency sites residing in TRACK Info Services's databases. All EPA NPL and state landfill sites are depicted by a rectangle approximating their location and size. The boundaries of the rectangles represent the eastern and western most longitudes; the northern and southern most latitudes. As such, the mapped areas may exceed the actual areas and do not represent the actual boundaries of these properties. All other sites are depicted by a point representing their approximate address location and make no attempt to represent the actual areas of the associated property. Actual boundaries and locations of individual properties can be found in the files residing at the agency responsible for such information.

Waiver of Liability

Although TRACK Info Services uses its best efforts to research the actual location of each site, TRACK Info Services does not and can not warrant the accuracy of these sites with regard to exact location and size. All authorized users of TRACK Info Services's services proceeding are signifying an understanding of TRACK Info Services's searching and mapping conventions, and agree to waive any and all liability claims associated with search and map results showing incomplete and or inaccurate site locations.

***Environmental FirstSearch
Site Information Report***

Request Date: 11-21-07
Requestor Name: Randy Moore
Standard: ASTM-05

Search Type: COORD
Job Number: 302493001
Filtered Report

Target Site: 2440 E. CHARLESTON PARK AVE
 PAHRUMP NV 89060

Demographics

Sites: 0	Non-Geocoded: 0	Population: NA
Radon: NA		

Site Location

	<u>Degrees (Decimal)</u>	<u>Degrees (Min/Sec)</u>	<u>UTMs</u>
Longitude:	-115.967319	-115:58:2	Easting: 592833.002
Latitude:	36.206991	36:12:25	Northing: 4007200.339
			Zone: 11

Comment

Comment:

Additional Requests/Services

Adjacent ZIP Codes: 1 Mile(s)	Services:
--------------------------------------	------------------

ZIP Code	City Name	ST	Dist/Dir	Sel
89041	PAHRUMP	NV	0.95 NE	Y
89048	PAHRUMP	NV	0.00 --	Y

	Requested?	Date
Sanborns	No	
Aerial Photographs	No	
Historical Topos	No	
City Directories	No	
Title Search/Env Liens	Yes	11-21-07
Municipal Reports	No	
Online Topos	Yes	11-21-07

***Environmental FirstSearch
Selected Sites Summary Report***

Target Property: 2440 E. CHARLESTON PARK AVE **JOB:** 302493001
PAHRUMP NV 89060

TOTAL: 0 **GEOCODED:** 0 **NON GEOCODED:** 0 **SELECTED:** 0

Page No.	DB Type	Site Name/ID/Status	Address	Dist/Dir	ID	Map ID
-----------------	----------------	----------------------------	----------------	-----------------	-----------	---------------

Environmental FirstSearch
Site Detail Report

Target Property: 2440 E. CHARLESTON PARK AVE
PAHRUMP NV 89060

JOB: 302493001

No sites were found!

Environmental FirstSearch Descriptions

NPL: *EPA* NATIONAL PRIORITY LIST - The National Priorities List is a list of the worst hazardous waste sites that have been identified by Superfund. Sites are only put on the list after they have been scored using the Hazard Ranking System (HRS), and have been subjected to public comment. Any site on the NPL is eligible for cleanup using Superfund Trust money.

A Superfund site is any land in the United States that has been contaminated by hazardous waste and identified by the Environmental Protection Agency (EPA) as a candidate for cleanup because it poses a risk to human health and/or the environment.

FINAL - Currently on the Final NPL

PROPOSED - Proposed for NPL

NPL DELISTED: *EPA* NATIONAL PRIORITY LIST Subset - Database of delisted NPL sites. The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) 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.

DELISTED - Deleted from the Final NPL

CERCLIS: *EPA* COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY INFORMATION SYSTEM (CERCLIS)- CERCLIS is a database of potential and confirmed hazardous waste sites at which the EPA Superfund program has some involvement. It contains sites that are either proposed to be or are on the National Priorities List (NPL) as well as sites that are in the screening and assessment phase for possible inclusion on the NPL.

PART OF NPL- Site is part of NPL site

DELETED - Deleted from the Final NPL

FINAL - Currently on the Final NPL

NOT PROPOSED - Not on the NPL

NOT VALID - Not Valid Site or Incident

PROPOSED - Proposed for NPL

REMOVED - Removed from Proposed NPL

SCAN PLAN - Pre-proposal Site

WITHDRAWN - Withdrawn

NFRAP: *EPA* COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY INFORMATION SYSTEM ARCHIVED SITES - database of Archive designated CERCLA sites that, to the best of EPA's knowledge, assessment has been completed and has determined no further steps will be taken to list this site on the National Priorities List (NPL). This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.

NFRAP – No Further Remedial Action Plan

P - Site is part of NPL site

D - Deleted from the Final NPL

F - Currently on the Final NPL

N - Not on the NPL

O - Not Valid Site or Incident

P - Proposed for NPL

R - Removed from Proposed NPL

S - Pre-proposal Site

W – Withdrawn

RCRA COR ACT: *EPA* RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM SITES - Database of hazardous waste information contained in the Resource Conservation and Recovery Act Information (RCRAInfo), a national program management and inventory system about hazardous waste handlers. In general, all generators, transporters, treaters, storers, and disposers of hazardous waste are required to provide information about their activities to state environmental agencies. These agencies, in turn pass on the information to regional and national EPA offices. This regulation is governed by the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984.

RCRAInfo facilities that have reported violations and subject to corrective actions.

RCRA TSD: *EPA* RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM

TREATMENT, STORAGE, and DISPOSAL FACILITIES. - Database of hazardous waste information contained in the Resource Conservation and Recovery Act Information (RCRAInfo), a national program management and inventory system about hazardous waste handlers. In general, all generators, transporters, treaters, storers, and disposers of hazardous waste are required to provide information about their activities to state environmental agencies. These agencies, in turn pass on the information to regional and national EPA offices. This regulation is governed by the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984.

Facilities that treat, store, dispose, or incinerate hazardous waste.

RCRA GEN: EPA RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM GENERATORS - Database of hazardous waste information contained in the Resource Conservation and Recovery Act Information (RCRAInfo), a national program management and inventory system about hazardous waste handlers. In general, all generators, transporters, treaters, storers, and disposers of hazardous waste are required to provide information about their activities to state environmental agencies. These agencies, in turn pass on the information to regional and national EPA offices. This regulation is governed by the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984. Facilities that generate or transport hazardous waste or meet other RCRA requirements.

LGN - Large Quantity Generators

SGN - Small Quantity Generators

VGN - Conditionally Exempt Generator.

Included are RAATS (RCRA Administrative Action Tracking System) and CMEL (Compliance Monitoring & Enforcement List) facilities.

RCRA NLR: EPA RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM SITES - Database of hazardous waste information contained in the Resource Conservation and Recovery Act Information (RCRAInfo), a national program management and inventory system about hazardous waste handlers. In general, all generators, transporters, treaters, storers, and disposers of hazardous waste are required to provide information about their activities to state environmental agencies. These agencies, in turn pass on the information to regional and national EPA offices. This regulation is governed by the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984.

Facilities not currently classified by the EPA but are still included in the RCRAInfo database. Reasons for non classification:

Failure to report in a timely matter.

No longer in business.

No longer in business at the listed address.

No longer generating hazardous waste materials in quantities which require reporting.

Federal IC / EC: EPA BROWNFIELD MANAGEMENT SYSTEM (BMS) - database designed to assist EPA in collecting, tracking, and updating information, as well as reporting on the major activities and accomplishments of the various Brownfield grant Programs.

FEDERAL ENGINEERING AND INSTITUTIONAL CONTROLS- Superfund sites that have either an engineering or an institutional control. The data includes the control and the media contaminated.

ERNS: EPA/NRC EMERGENCY RESPONSE NOTIFICATION SYSTEM (ERNS) - Database of incidents reported to the National Response Center. These incidents include chemical spills, accidents involving chemicals (such as fires or explosions), oil spills, transportation accidents that involve oil or chemicals, releases of radioactive materials, sightings of oil sheens on bodies of water, terrorist incidents involving chemicals, incidents where illegally dumped chemicals have been found, and drills intended to prepare responders to handle these kinds of incidents. Data since January 2001 has been received from the National Response System database as the EPA no longer maintains this data.

Tribal Lands: DOI/BIA INDIAN LANDS OF THE UNITED STATES - Database of areas with boundaries established by treaty, statute, and (or) executive or court order, recognized by the Federal Government as territory in which American Indian tribes have primary governmental authority. The Indian Lands of the United States map layer shows areas of 640 acres or more, administered by the Bureau of Indian Affairs. Included are Federally-administered lands within a reservation which may or may not be considered part of the reservation.

State/Tribal Sites: NV DOC CORRECTIVE ACTION CASES- The Bureau of Corrective Actions maintains a list of clean-up evaluations and actions regarding sites with actual or potential contamination that could affect groundwater. This includes various types of sites including those regulated under Nevada State legislation described in detail in the Nevada State web site under legislation section NAC445.226-NAC445.2739.

State/Tribal SWL: NV DOC SOLID WASTE LANDFILLS-This division maintains an inventory of various solid waste facilities including open, closed, & permitted landfills, dumps, pesticide sites, and transfer stations. The inventory notes landfill class type and if the site is a private or government facility.

State/Tribal LUST: NV DOC LEAKING UNDERGROUND STORAGE TANKS- This division maintains an inventory of sites with leaking underground storagetanks. It includes sites with tanks under investigation for potentialleaks, confirmed leaks, and those to be closed.

WASHOE COUNTY LEAKING UNDERGROUND STORAGE TANKS- This department maintains a list of sites with leaking underground storagetanks. It includes sites with tanks under investigation for potentialleaks, confirmed leaks, and those to be closed or needing emergency action.

State/Tribal UST/AST: NV DOC/EPA 9 UNDERGROUND STORAGE TANKS- This division maintains an inventory of underground storage tanks.

INDIAN LANDS UST LIST-A listing of underground storage tanks currently on Indian lands under federal jurisdiction. Nevada Indian Lands USTs are administered by US EPA Region 9.

ABOVE GROUND STORAGE TANKS- This division maintains an inventory of sites with above ground storage tanks. For more information regarding specific sites, please call the number listed above.

Please Note: AST sites are listed within the UST area of the First Search reports. They can be identified as AST sites by the site ID number. The site ID number is located in the Site Summary or Site Details section of the report. The site ID notes "AST" before the agency id.

State/Tribal Brownfields: NV DOC/EPA BROWNFIELDS SITES- The Bureau of Corrective Actions maintains a list of brownfield sites as part of its listing of clean-up evaluations and actions regarding sites with actual or potential contamination that could affect groundwater. The NDEP defines a brownfield as an abandoned, idled, or underused industrial or commercial properties taken out of productive use because of real or perceived risks from environmental contamination.

Brownfields Management System (BMS) is an analytical database designed to assist EPA in collecting, tracking, and updating information, as well as reporting on the major activities and accomplishments of the various Brownfield grant Programs.

RADON: NTIS NATIONAL RADON DATABASE - EPA radon data from 1990-1991 national radon project collected for a variety of zip codes across the United States.

State Other: US DOJ NATIONAL CLANDESTINE LABORATORY REGISTER - Database of addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the U.S. Department of Justice ("the Department"), and the Department has not verified the entry and does not guarantee its accuracy. All sites that are included in this data set will have an id that starts with NCLR.

Environmental FirstSearch Database Sources

NPL: EPA Environmental Protection Agency

Updated quarterly

NPL DELISTED: EPA Environmental Protection Agency

Updated quarterly

CERCLIS: EPA Environmental Protection Agency

Updated quarterly

NFRAP: EPA Environmental Protection Agency.

Updated quarterly

RCRA COR ACT: EPA Environmental Protection Agency.

Updated quarterly

RCRA TSD: EPA Environmental Protection Agency.

Updated quarterly

RCRA GEN: EPA Environmental Protection Agency.

Updated quarterly

RCRA NLR: EPA Environmental Protection Agency

Updated quarterly

Federal IC / EC: EPA Environmental Protection Agency

Updated quarterly

ERNS: EPA/NRC Environmental Protection Agency

Updated semi-annually

Tribal Lands: DOI/BIA United States Department of the Interior

Updated annually

State/Tribal Sites: NV DOC The Nevada Department of Conservation and Natural Resources, Division of

Environmental Protection (NDEP), Bureau of Corrective Actions

Updated quarterly/when available

State/Tribal SWL: *NV DOC* The Nevada Department of Conservation and Natural Resources, Division of Environmental Protection (NDEP), Bureau of Corrective Actions

Updated annually/when available

State/Tribal LUST: *NV DOC* The Nevada Department of Conservation and Natural Resources, Division of Environmental Protection (NDEP), Bureau of Corrective Actions

Phone: (775) 687-4670

Washoe County Department of Environmental Health

Updated quarterly/when available

State/Tribal UST/AST: *NV DOC/EPA 9* The Nevada Department of Conservation and Natural Resources, Division of Environmental Protection (NDEP), Bureau of Corrective Actions

Phone: (775) 687-4670

US EPA Region 9, Underground Storage Tank Program

Updated quarterly/when available

State/Tribal Brownfields: *NV DOC/EPA* The Nevada Department of Conservation and Natural Resources, Division of Environmental Protection (NDEP), Bureau of Corrective Actions

Phone: (775) 687-4670

Updated when available

RADON: *NTIS* Environmental Protection Agency, National Technical Information Services

Updated periodically

State Other: *US DOJ* U.S. Department of Justice

Updated when available

Environmental FirstSearch
Street Name Report for Streets within .25 Mile(s) of Target Property

Target Property: 2440 E. CHARLESTON PARK AVE
PAHRUMP NV 89060

JOB: 302493001

Street Name	Dist/Dir	Street Name	Dist/Dir
E Charleston Park Av	0.13 SE		
EAST Charleston Park	0.13 SE		
Powerline Rd	0.11 SE		
Warehouse Rd	0.20 SE		

APPENDIX C-2

PROPERTY RECORDS DOCUMENTATION

Records Review Documentation

Duane Matters

From: Duane Matters
Sent: Thursday, November 29, 2007 7:26 AM
To: 'Marlene Huderski'
Subject: East Charleston Park Avenue, Pahrump, NV

Marlene,

Hope you had a good Thanksgiving. Does NDEP have any files for properties located on East Charleston Park Avenue in Pahrump? The properties located are vacant desert land, with very few addresses.

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: Tuesday, November 27, 2007 8:05 AM
To: 'jshurtliff@dps.state.nv.us'
Subject: 2440 East Charleston Park Avenue, Pahrump, NV

Ms. Shurtliff,

Ninyo & Moore is conducting a Phase I Environmental Site Assessment (ESA) of a vacant parcel located at 2440 East Charleston Park Avenue. 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.

If you have any questions or require further information, I can be reached by email (dmatters@ninyoandmoore.com) or by phone @ 978.852.5087.

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: Tuesday, November 27, 2007 7:59 AM
To: 'slewis@pahrumprnv.org'
Subject: 2440 East Charleston Park Avenue, Pahrump, NV

Chief Lewis,

Ninyo & Moore is conducting a Phase I Environmental Site Assessment (ESA) of a vacant parcel located at 2440 East Charleston Park Avenue. As part of the ESA process, we are required to inquire if your Department has records concerning environmental spills, fire code violations, and/or fire responses at the property. I would appreciate your assistance concerning any information your Department may have concerning the subject property.

If you have any questions or require further information, I can be reached by email (dmatters@ninyoandmoore.com) or by phone @ 978.852.5087.

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

APPENDIX D
HISTORICAL TOPOGRAPHIC MAPS

APPENDIX E

INTERVIEW DOCUMENTATION

E-1 - Owner Interview Documentation

E-2 - Local Governmental Officials Interview Documentation

APPENDIX E-1
INTERVIEW DOCUMENTATION
Owner Interview Documentation

**PHASE I ENVIRONMENTAL SITE ASSESSMENT
SITE INFORMATION QUESTIONNAIRE**

Please answer the following questions in good faith and to the best of your knowledge, and provide as much detail as possible. Thank you for your assistance.

General Information	
Site Name:	C.P. BUSINESS PARK.
Street Addresses (list all addresses, current and historical):	2440 E. Charleston Park Ave. 770-530 Powerline Rd
Region Address has been:	2410-2470 S CHARLESTON PARK AVE PARRUMP.
Assessor's Parcel Number(s):	SECTION 13, TOWNSHIP 20 SOUTH RANGE 53 EAST AP # 35-271-53
City/State/Zip:	PARRUMP NV 89060
Site Owner:	CHARLESTON POWERLINE LLC
Current Site Occupants (name and nature of business):	VACANT.
Site Description	
Size of Site (acreage/square feet):	19.30 ACRES.
Date(s) of construction of current buildings:	NONE.
No. of Buildings/No. of Floors:	11
Square Footage of Building(s):	11
Construction Type (tilt-up, wood-framed, etc.):	11
Current Site Use(s)/Dates of Operation:	11
Type of heating/cooling system(s): (electric, natural gas, other):	11
Location of heating/cooling system (roof, boiler room, etc.):	11
Utility Information	
Name of water supplier:	NONE
Name of electrical/natural gas utility company:	DALLY ELECTRIC - NO SERVICE AT TIME
Name of sewer services provider:	NONE
Is site on a septic system?	NONE
Trash pick-up/waste management method:	NONE
Equipment On the Site (please list number and location of current or historical features)	
Underground storage tanks?	NONE
Aboveground storage tanks?	11
Elevators/type (hydraulic, traction)?	11
Hydraulic lifts?	11
Electrical transformers?	11

PHASE I ENVIRONMENTAL SITE ASSESSMENT SITE INFORMATION QUESTIONNAIRE

Please answer the following questions in good faith and to the best of your knowledge, and provide as much detail as possible. Thank you for your assistance.

Floor drains?	NONE
Sumps and/or clarifiers?	N
Wells (water, oil, geothermal, dry, groundwater)?	N
Pipelines crossing the site (underground or aboveground)?	N
Hazardous Building Materials	
Any asbestos-containing materials on the site?	NONE
Any lead-based paint on the site?	NONE
Hazardous Materials/Wastes	
Please describe on-site processes involving the use of chemicals.	
NONE	
Are hazardous materials present on the site, including pesticides, maintenance supplies, pool chemicals? If so, please describe the materials and method of storage.	
NONE	
Are hazardous wastes generated or stored on the site? If so, please describe the wastes and method of storage and disposal.	
NONE	
Site History	
What is the history of the site? What activities have occurred on the site in the past (e.g., ranching, residential, auto maintenance, etc.)?	
NONE KNOWN.	
Has the site been used for any of the following (circle or describe):	
<ul style="list-style-type: none"> • Gas Station • Automotive Repair • Dry Cleaning • Commercial printing 	<ul style="list-style-type: none"> • Photo Developing Laboratory • Agricultural (farming or ranching) • Junkyard or Staging Area • Landfill or Recycling Facility • Shooting range
Were any structures or features (sheds, barns, homes, etc.) located on the site in the past that have since been demolished or are no longer obvious?	
UNKNOWN	
Has there been any dumping or burning of trash on the site (legally or illegally)?	
UNKNOWN	
Have fill soils ever been brought to the site (e.g., to fill in a canyon, provide foundation for a structure, etc.)?	
UNKNOWN	
Have any major building renovation/demolition activities been performed at the site?	
NO	
How deep is groundwater at the site?	
UNKNOWN	

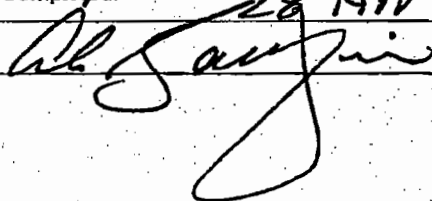
PHASE I ENVIRONMENTAL SITE ASSESSMENT SITE INFORMATION QUESTIONNAIRE

Please answer the following questions in good faith and to the best of your knowledge, and provide as much detail as possible. Thank you for your assistance.

Environmental Issues
<p>Are you aware of any current or former environmental issues at the site or at any nearby properties (spills, cleanups, groundwater contamination, etc.)? If so, please describe.</p> <p style="text-align: center;"><i>NONE.</i></p>
<p>Are you aware of any of the following issues associated with the site or adjacent properties (circle or describe):</p> <ul style="list-style-type: none"> • Surface water run-on or run-off problems • Standing water • Stained soil • Distressed vegetation/wildlife • Foul odors <p style="text-align: center;"><i>NONE.</i></p>
<p>Are you aware of any contamination existing in soils or groundwater on the site, currently or in the past?</p> <p style="text-align: center;"><i>NO</i></p>
<p>Are you aware of any environmental cleanup liens or deed restrictions against the site that are filed or recorded under federal, tribal, state or local law?</p> <p style="text-align: center;"><i>NO</i></p>
<p>Are you aware of any activity and/or land use limitations, such as engineering controls, land use restrictions, or institutional controls that are in place at the site and /or have been filed or recorded in a registry under federal, tribal, state or local law?</p> <p style="text-align: center;"><i>NO</i></p>
<p>As the user of this Phase I ESA, do you have any specialized knowledge or experience related to the site or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the site or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business? (User only)</p> <p style="text-align: center;"><i>NO</i></p>
<p>Does the purchase price being paid for the site reasonably reflect the fair market value of the site? if you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the site?</p> <p style="text-align: center;"><i>Purchased Property AT Fair market value.</i></p>
<p>Are you aware of commonly known or reasonably ascertainable information about the site that would help the environmental professional to identify conditions indicative of releases or threatened releases? For example, as the user,</p> <p><i>NO</i> • do you know the past uses of the site?</p> <p><i>NO</i> • do you know of any specific chemicals that are present or once were present?</p> <p><i>NO</i> • do you know of any spills or other chemical releases that have taken place?</p> <p><i>NO</i> • do you know of any environmental cleanups that have taken place?</p> <p style="text-align: center;"><i>NO TO ALL ABOVE</i></p>
<p>As the user of this Phase I ESA, based on your knowledge and experience related to the site, are there any obvious indicators that point to the presence or likely presence of contamination at the site? (User only)</p> <p style="text-align: center;"><i>NO.</i></p>

PHASE I ENVIRONMENTAL SITE ASSESSMENT SITE INFORMATION QUESTIONNAIRE

Please answer the following questions in good faith and to the best of your knowledge, and provide as much detail as possible. Thank you for your assistance.

Environmental Reports, Permits and Documentation	
Are there any environmental permits for equipment/activities on the site?	NO
Are you aware of any previous environmental reports or other documents that have been prepared regarding the site?	NO
What is the reason that this Phase I ESA is being conducted?	REASONABLE DUE DILIGENCE PRIOR TO CONSTRUCTION
What is the type of site transaction that will occur? (e.g., sale, purchase, refinance, exchange, etc.)	DEVELOPMENT OF BUSINESS PARK
Can you provide contact information for former owners, occupants, or managers of the site?	YES - TITLE COMPANY CAN PROVIDE RESEARCH DATA
Can you provide copies of title reports, tax records, land title records, zoning or land use records for the site?	YES - CONTACT TITLE COMPANY BELOW.
Who is the site contact, and how can they best be reached?	AL BALLOQUI OFFICE 775-537-1104 2220 SILVER ST CELL 702-400-6577 PAHRUMP NV. 89048
Any other persons who are knowledgeable about the history or environmental status of the site? If so, please provide contact information.	UNKNOWN
Please inform us if there are any confidentiality concerns associated with preparation of this report. For example, would it be appropriate for us to interview neighbors, if necessary?	
NONE.	
Name of Individual Completing this Questionnaire:	AL BALLOQUI
Title/ Company:	EQUITY TITLE (IN PAHRUMP)
Date Questionnaire Completed:	28 NOV 2007
Signature/Date:	 28 NOV 07

APPENDIX E-2

INTERVIEW DOCUMENTATION

Local Government Officials Interview Documentation

Duane Matters

From: Marlene Huderski [mhudersk@ndep.nv.gov]
Sent: Friday, November 30, 2007 12:29 PM
To: Duane Matters
Subject: RE: East Charleston Park Avenue, Pahrump, NV

Good Afternoon, Duane

There are no files for underground or leaking storage tanks.

Next time when you request files, we need a name, address, etc. if you can't obtain a facility number.

Marlene

From: Duane Matters [mailto:dmatters@ninyoandmoore.com]
Sent: Thursday, November 29, 2007 7:26 AM
To: Marlene Huderski
Subject: East Charleston Park Avenue, Pahrump, NV

Marlene,

Hope you had a good Thanksgiving. Does NDEP have any files for properties located on East Charleston Park Avenue in Pahrump? The properties located are vacant desert land, with very few addresses.

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: Janis Shurtliff [jshurtliff@dps.state.nv.us]
Sent: Tuesday, November 27, 2007 8:23 AM
To: Duane Matters
Subject: RE: 2440 East Charleston Park Avenue, 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: Tuesday, November 27, 2007 8:05 AM
To: Janis Shurtliff
Subject: 2440 East Charleston Park Avenue, Pahrump, NV

Ms. Shurtliff,

Ninyo & Moore is conducting a Phase I Environmental Site Assessment (ESA) of a vacant parcel located at 2440 East Charleston Park Avenue. 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.

If you have any questions or require further information, I can be reached by email (dmatters@ninyoandmoore.com) or by phone @ 978.852.5087.

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

APPENDIX F
QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

GREGORY A. BECK, CEM
Senior 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, Nevada, CEM 1874
40-hour OSHA HAZWOPER Health and Safety Training

PROFESSIONAL EXPERIENCE AND RESPONSIBILITIES

As Environmental Project 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. 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.
- **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.
- **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.
- **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.
- **Apex Mine Processing Facility, St. George, Utah:** 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.
- **Beatty Habitat Trails, Nye County, Nevada:** 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