

**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

TABLE OF CONTENTS

	<u>Page</u>
EXECUTIVE SUMMARY	ES-1
1. INTRODUCTION	1
1.1. Purpose	1
1.2. Involved Parties	1
1.3. Detailed Scope of Services	2
1.4. Significant Assumptions	3
1.5. Limitations and Exceptions	3
1.6. Special Terms and Conditions	4
1.7. User Reliance	4
2. SITE DESCRIPTION	4
2.1. Location	4
2.2. Site and Vicinity General Characteristics	5
2.3. Current Use of the Property	5
2.4. Description of Structures, Roads, Other Improvements on the Site	5
2.4.1. Site Structures	5
2.4.2. Roads	5
2.4.3. Other Site Improvements	5
2.4.4. Heating and Cooling Systems	5
2.4.5. Sewage Disposal	6
2.4.6. Potable Water	6
2.5. Current Uses of the Adjoining Properties	6
3. USER PROVIDED INFORMATION	6
3.1. Title Records	6
3.2. Environmental Liens or Activity and Use Limitations	6
3.3. Specialized Knowledge	7
3.4. Commonly Known or Reasonably Ascertainable Information	7
3.5. Valuation Reduction for Environmental Issues	7
3.6. Owner, Property Manager, and Occupant Information	7
3.7. Reason for Performing Phase I	7
3.8. Other	8
4. RECORDS REVIEW	8
4.1. Standard Environmental Record Sources	8
4.2. Additional Environmental Record Sources	14
4.3. Physical Setting Sources	15
4.3.1. Site Topography	15
4.3.2. Site Geology	15
4.3.3. Site Hydrology	15
4.4. Historical Use Information on the Property	16
4.4.1. Historical Property Ownership	16
4.4.2. Historical Aerial Photographs	17
4.4.3. City Directories	17

4.4.4.	Fire Insurance Maps	17
4.4.5.	Historical Topographic Maps.....	17
4.5.	Historical Use Information on Adjoining Properties.....	18
4.5.1.	Historical Property Ownership.....	18
4.5.2.	Historical Aerial Photographs.....	18
4.5.3.	City Directories	19
4.5.4.	Fire Insurance Maps.....	19
4.5.5.	Historical Topographic Maps.....	19
5.	SITE RECONNAISSANCE.....	20
5.1.	Methodology and Limiting Conditions	20
5.2.	General Site Setting	20
5.3.	Exterior Observations	20
5.4.	Interior Observations	22
6.	INTERVIEWS.....	22
6.1.	Interview with Owner	22
6.2.	Interview with Local Government Officials.....	22
7.	FINDINGS, OPINIONS, AND CONCLUSIONS	23
7.1.	Findings and Opinions.....	23
7.2.	Conclusions.....	24
7.3.	Data Gaps and Data Failures	24
7.4.	Deviations	24
8.	ADDITIONAL SERVICES.....	24
9.	REFERENCES	25
10.	SIGNATURES OF ENVIRONMENTAL PROFESSIONALS	26
11.	QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS.....	26

Tables

Table 1 – Summary of Environmental Database Search.....	8
Table 2 – Aerial Photographs Reviewed for the Property.....	17
Table 3 – Aerial Photograph Summary for the Property.....	17
Table 4 – Aerial Photographs Reviewed for Adjoining Properties	19
Table 5 – Aerial Photograph Summary for Adjoining Properties	19

Figures

Figure 1 – Site Location	
Figure 2 – Site Plan	

Appendices

Appendix A – Site Photographs

Appendix B – Property Records Documentation

B-1 - Nye County Tax Assessor Records

B-2 - Environmental Lien Search Report

Appendix C – Regulatory Records Documentation

C-1 - Environmental Database Search

C-2 - Records Review Documentation

Appendix D – Historical Topographic Maps

Appendix E – Interview Documentation

E-1 - Owner Interview Documentation

E-2 - Local Governmental Officials Interview Documentation

Appendix F – Environmental Professional Qualifications

EXECUTIVE SUMMARY

Ninyo & Moore was retained by the Nye County Department of Natural Resources and Federal Facilities to perform a Phase I Environmental Site Assessment (ESA) of approximately 18.87 acres comprised of a single undeveloped parcel of land, designated by the Nye County Tax Assessor as parcel number 035-271-53, and located at 2440 East Charleston Park Avenue in Pahrump, Nye County, Nevada. Historical research, document review, and site assessment activities were conducted during the week of November 30, 2007.

In summary, the following items were noted:

- The subject site consists of a single undeveloped parcel of land totaling approximately 18.87 acres in area, designated by the Nye County Tax Assessor as parcel number 035-271-53, and located at 2440 East Charleston Park Avenue in Pahrump, Nye County, Nevada.
- Based on a review of historical sources the parcel constituting the subject site has not previously been developed.
- No 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.

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 2440 East Charleston Park Avenue in Pahrump, Nevada. Any exceptions to or deletions from this practice are described in Section 1.5 of this report. This assessment has revealed no evidence of recognized environmental conditions, as defined in Section 1.1 of this report.

1. INTRODUCTION

Ninyo & Moore was retained by the Nye County Department of Natural Resources and Federal Facilities to perform a Phase I Environmental Site Assessment (ESA) of approximately 18.87 acres comprised of a single undeveloped parcel of land, designated by the Nye County Tax Assessor as parcel number 035-271-53 and located at 2440 East Charleston Park Avenue 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 November 26, 2007. 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, 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 and Federal Facilities (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 18.87 acres designated as parcel number 035-271-53 by the Nye County Tax Assessor. This parcel is located approximately 0.55 miles east of the intersection of East Charleston Park Avenue and Panorama Road in Pahrump, Nye County, Nevada. The subject parcel is located in Section 13, Township 20 South, Range 53 East, Pahrump Quadrangle, Nye County, Nevada and has a land use code of "140-Vacant Commercial." The subject property has an assigned address of 2440 East Charleston Park Avenue.

A site location map is presented on Figure 1. A site plan 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 the subject site consists primarily of undeveloped land, a gravel pit, and a recreational vehicle park. The subject site is undeveloped.

2.3. Current Use of the Property

The subject site, designated by the Nye County Tax Assessor as parcel number 035-271-53, is undeveloped desert 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, and other improvements on the subject site (including heating/cooling, sewage disposal, and potable water systems).

2.4.1. Site Structures

The site is undeveloped land and has no structures.

2.4.2. Roads

The subject site is bordered by an unpaved portion of East Charleston Park Avenue to the south and an unpaved portion of Powerline Road to the east.

2.4.3. Other Site Improvements

No site improvements were observed on the subject property.

2.4.4. Heating and Cooling Systems

The subject site is not developed and has no structures.

2.4.5. Sewage Disposal

The subject site has no structures and is not connected to a municipal sewage disposal system.

2.4.6. Potable Water

The subject site has no structures and is not connected to a municipal water distribution network.

2.5. Current Uses of the Adjoining Properties

The subject property is bordered to the north by undeveloped land; to the northeast by a gravel pit operated by Nye County Concrete; to the east by Powerline Road, across which is undeveloped land; to the south by East Charleston Park Avenue, across which is undeveloped land; to the southeast and south by undeveloped land, to the southwest by a recreational vehicle park; and to the west by 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 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 November 28, 2007, found no environmental liens 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

Dr. James Marble, the client contact representative, provided site location and background information. No specialized knowledge regarding the site was provided by Dr. Marble.

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. Mr. Steve Afeman, user's representative, communicated to Ninyo & Moore that the sales price would be considered fair market value.

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 Charleston Powerline, LLC, located at 3040 West Cheyenne Avenue, North Las Vegas, Nevada. The subject site is unoccupied.

3.7. Reason for Performing Phase I

Dr. Marble indicated that the Phase I ESA was performed in order to meet the requirements of United States Department of Justice (USDOJ) Solicitation Number ODT-7-R-0001 Modification 03, posted on February 15, 2007. The USDOJ is requiring the Phase I ESA to ensure compliance with the National Environmental Policy Act (NEPA) of 1969, 42 U.S.C 4321, et seq., and the implementing regulations at 40 CFR Part 1500.

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 November 21, 2007. 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
Toxic Chemical Release Inventory System (TRIS)	USEPA	0.12	0
Hazardous Materials Information Reporting System (HMIRS)	USDOT	0.12	0
PCB Activity Database System (PADS)	USEPA	0.12	0
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

Table 1 – Summary of Environmental Database Search

Database Name	Agency	Search Radius (miles)	Sites Listed
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.

United States Environmental Protection Agency – Toxic Chemical Release Inventory System (TRIS)

Toxic Release Inventory System (TRIS) identifies facilities, which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313. No facilities were listed within a 0.25-mile radius of the subject site.

United States Department of Transportation – Hazardous Materials Information Reporting System (HMIRS)

The Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT. No facilities were listed within a 0.25-mile radius of the subject site.

United States Environmental Protection Agency – PCB Activity Database System (PADS)

PCB Activity Database (PADS) identifies generators, transporters, commercial stores and/or brokers and disposers of PCB's who are required to notify the EPA of such activities. 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. The subject site was not listed on this database. No facilities were listed within a 1-mile radius of 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 Nevada Division of Environmental Protection (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) Pahrump Quadrangle, 7.5-minute series topographic map, dated 1984, shows the site to be at an elevation of approximately 2,830 feet above mean sea level with drainage of the site generally toward the southwest. 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 site. However, several ephemeral washes traverse the subject site from northeast to southwest.

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 representative did not observe any seeps or springs on the subject site.

Review of the Nevada Division of Water Resources well log database indicated that the static water level may occur approximately 37 to 275 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 southwest.

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 dating from between 1984 and 1994 were available and reviewed for the subject site. Aerial photographs prior to 1984 were not reasonably ascertainable. The lack of availability of aerial photographs prior to 1984 is not considered a significant data failure due to the historically undeveloped state of the subject site. A listing of the photographs reviewed is presented in Table 2. Table 3 summarizes notable observations from each photograph.

Table 2 – Aerial Photographs Reviewed for the Property

Date	Photograph Identification	Scale	Source
1984	7-12	1 = 14,400	A
1984	P-30	1 = 36,000	A
1994	5-6	1 = 24,000	A
Sources: A – Continental Aerial Photo, Inc.			

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.

4.4.3. City Directories

There was no city directory coverage for the subject site. The lack of city directory coverage is not considered a significant data failure due to the historically undeveloped state of the subject site.

4.4.4. Fire Insurance Maps

There was no Sanborn fire insurance map coverage for the subject site. The lack of fire insurance map coverage is not considered a significant data failure due to the historically undeveloped state of the subject site.

4.4.5. Historical Topographic Maps

The USGS Pahrump Quadrangle, 15-minute series topographic map, dated 1958 (reprinted 1965), depicts the site vicinity as undeveloped land. Items of potential environmental concern for the subject site were not noted on this topographic map.

The USGS Pahrump Quadrangle, 7.5-minute series topographic map, dated 1984, depicts the site as undeveloped property. An ephemeral wash is evident traversing the subject site from northeast to southwest. Items of potential environmental concern for the subject site were not noted on this topographic map. Copies of the historical topographic maps are provided in Appendix D.

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 between 1984 and 1994 were available and reviewed for the subject site vicinity. Aerial photographs prior to 1984 were not reasonably ascertainable. The lack of availability of aerial photographs prior to 1984 is not considered a significant data failure due to the historically 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.

Table 4 – Aerial Photographs Reviewed for Adjoining Properties

Date	Photograph Identification	Scale	Source
1984	7-12	1 = 14,400	A
1984	P-30	1 = 36,000	A
1994	5-6	1 = 24,000	A

Sources: A – Continental Aerial Photo, Inc.

Table 5 – Aerial Photograph Summary for Adjoining Properties

Year	Aerial Photograph Description
1984	Adjoining properties to north, east, south, and west are evident as undeveloped land. East Charleston Park Avenue is evident as a graded, unpaved road to the south. The property southwest of the subject site currently occupied by a recreational vehicle park is evident as graded land.
1994	Powerline Road is evident as a graded, unpaved road to the east. Several recreational vehicles are evident on the property southwest of the subject site currently occupied by a recreational vehicle park. Excavations and several small structures are evident on the property currently occupied by the Nye County Concrete operation located northeast of the subject site.

4.5.3. City Directories

There was no city directory coverage for the subject site vicinity. The lack of city directory coverage is not considered a significant data failure due to the historically undeveloped state of the subject site vicinity.

4.5.4. Fire Insurance Maps

There was no Sanborn fire insurance map coverage for the subject site vicinity. The lack of fire insurance map coverage is not considered a significant data failure due to the historically undeveloped state of the subject site vicinity.

4.5.5. Historical Topographic Maps

The Pahrump Quadrangle, 15-minute series topographic map, dated 1958 (reprinted 1965), depicts the property surrounding the subject site as undeveloped land. Highway 16 is evident to the west. Items of potential environmental concern for the subject site were not noted in the vicinity of the subject site on this topographic map.

The USGS Pahrump Quadrangle, 7.5-minute series topographic map, dated 1984, depicts the site and vicinity as undeveloped property. Unimproved roads are evident to the south of the subject site. Several ephemeral washes traverse the subject site vicinity from northwest to southeast. Items of potential environmental concern for the subject site were not noted in the vicinity of the subject site on this topographic map. Copies of the historical topographic maps are provided in Appendix D.

5. SITE RECONNAISSANCE

5.1. Methodology and Limiting Conditions

On November 26, 2007, 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 2,830 feet above mean sea level with a southwestern sloping topography and is comprised of undeveloped desert land. Land to the north, south, east, and west is undeveloped. A gravel quarry operated by Nye County Concrete is located to the northeast of the subject site. A recreational vehicle park is located southwest of the subject site, across East Charleston Park Avenue.

5.3. Exterior Observations

The subject property was traversed and was observed from adjacent public thoroughfares.

Easements

No title documentation was available for review of possible easements on 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.

Wastewater

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

Wells

No water supply or groundwater monitoring wells were observed on the subject site.

Septic Systems

No septic system was observed on the subject site. Based upon our review the site is not currently served by a municipal wastewater treatment system.

Odors

No odors were noted on the subject site.

Pools of Liquid

No pools of liquid were observed on the subject site.

Drums

No drums were observed on the subject site.

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

No hazardous substance or petroleum containers were observed on the subject site.

Unidentified Substance Containers

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. No electrical transformers were observed on the subject site.

5.4. Interior Observations

The subject site has not been developed and no structures are present.

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

Mr. Al Balloqui, the owner contact, was interviewed by email regarding the subject site. A copy of the questionnaire is completed by Mr. Balloqui is presented in Appendix E-1.

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-2. There were no files for the subject site.

Ms. Ginny Capucci, 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 2240 East Charleston Park Avenue. A copy of the written request is provided in Appendix C-2. The regulatory response is provided in Appendix E-2. There were no files for the subject site.

Mr. Scott Lewis, Fire Chief for the Pahrump Valley Fire & Rescue Department, was contacted by email regarding any record of environmental spills, fire code violations, and fire response incidents. As of the date of this report, no file review correspondence had been received from the Pahrump Valley Fire & Rescue Department. In the event that significant information related to the subject site is received from the Pahrump Valley Fire & Rescue Department following submission of this report, an addendum to this report will be prepared. A copy of the written request is provided 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 a single undeveloped parcel of land totaling approximately 18.87 acres in area, designated by the Nye County Tax Assessor as parcel number 035-271-53, and located at 2440 East Charleston Park Avenue in Pahrump, Nye County, Nevada.
- Based on a review of historical sources the parcel constituting the subject site has not previously been developed.
- No 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.

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 no evidence of recognized environmental conditions, as defined in Section 1.1 of this report.

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 prior to 1984 were not reasonably ascertainable. This is not considered a significant data gap due to the historically undeveloped state of the subject site and adjoining properties.

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

- Cross directories were not reasonably ascertainable for the subject site and vicinity. This is not considered a significant data failure due to the historically undeveloped state of the subject site and adjoining properties.
- 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 historically undeveloped state of the subject site and adjoining properties.

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.

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, Nevada 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 November 21, 2007.

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, 1958 (reprinted 1965), Pahrump, Nevada Quadrangle: 15-minute series (topographic), Scale 1:62,500.

United States Geological Survey, 1984, Pahrump, Nevada Quadrangle: 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.
Senior Environmental Scientist
Operations Manager

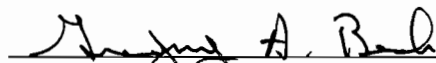
11. QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

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.



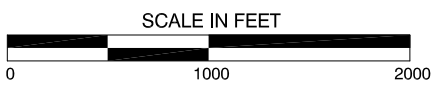
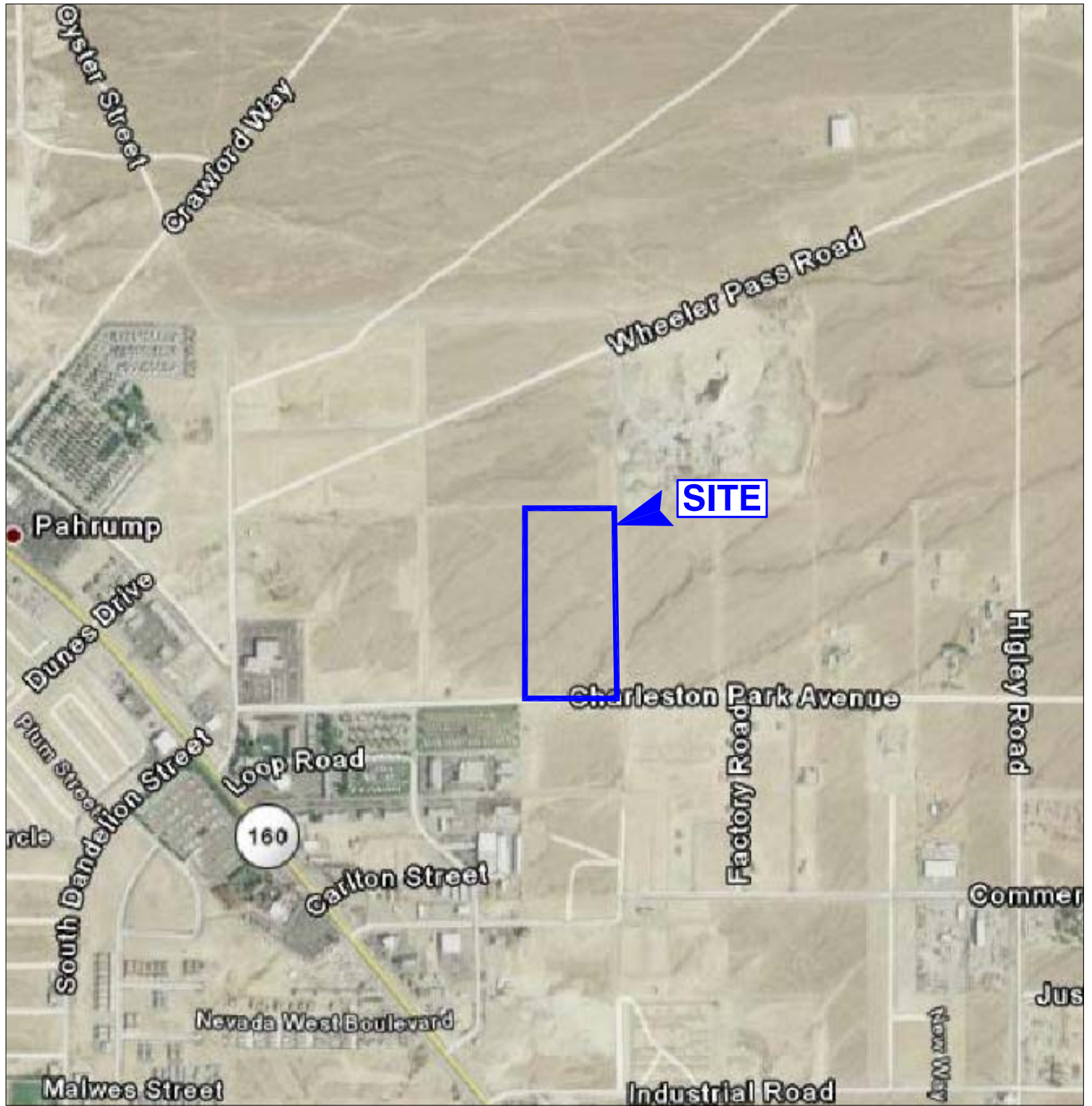
Gregory A. Beck, C.E.M.
Certified Environmental Manager
No. 1874
Expires: May 27, 2008

12-10-07

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



REFERENCE: Google Earth, 2007.
 NOTE: DIMENSIONS, DIRECTIONS, AND LOCATIONS ARE APPROXIMATE.

Ninyo & Moore

SITE LOCATION

FIGURE

PROJECT NO.

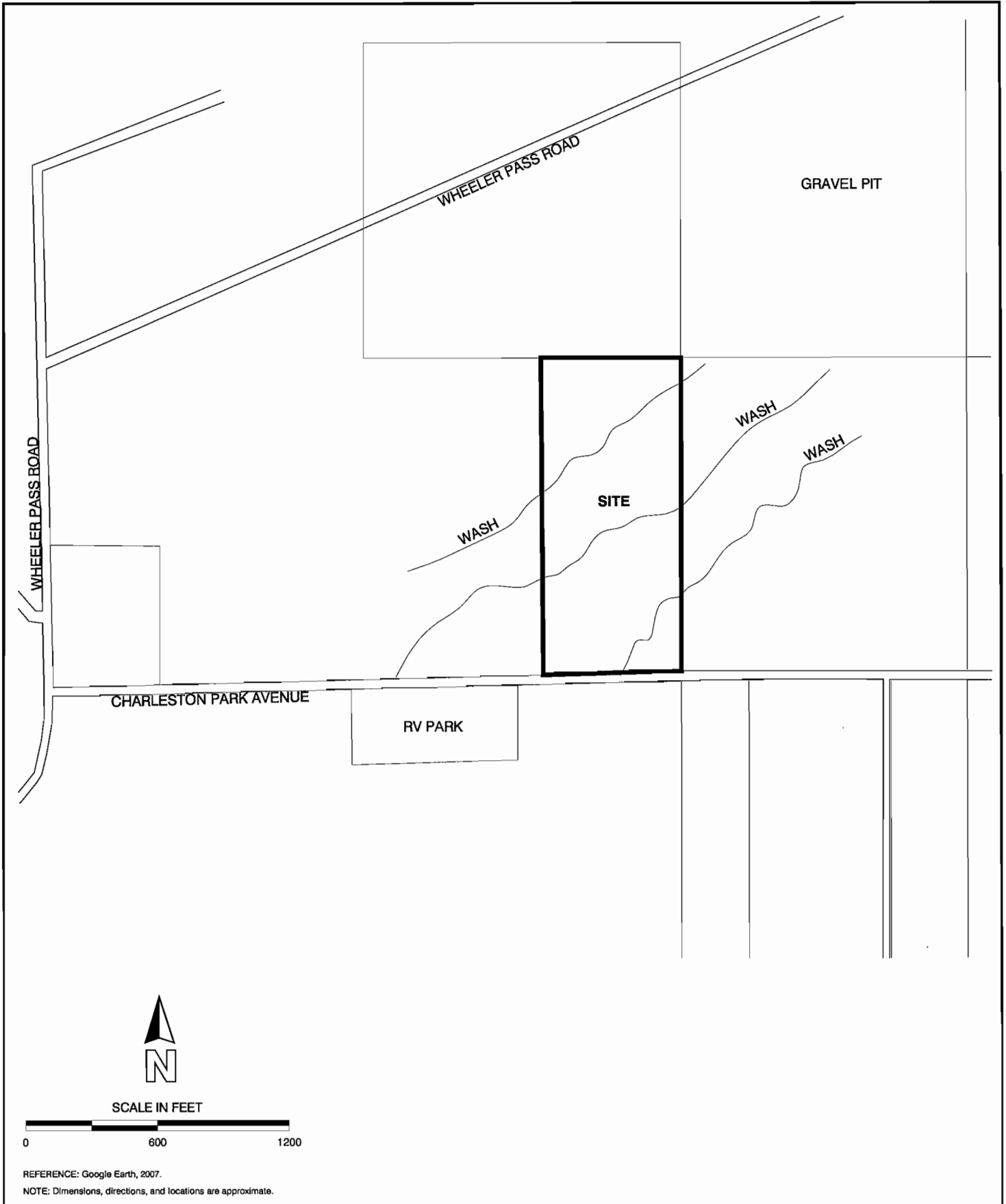
DATE

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

302493001

12/07

1



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

APPENDIX A
SITE PHOTOGRAPHS



Photograph 1: View of subject property, facing north.



Photograph 2: View from subject property, facing south across East Charleston Park Avenue.



Photograph 3: View of ephemeral wash on subject property, facing southwest.



Photograph 4: View of southwest adjoining recreational vehicle park, facing southwest across East Charleston Park Avenue.



Photograph 5: View of eastern adjoining undeveloped land, facing north along Powerline Road.



Photograph 6: View of East Charleston Park Avenue, facing east.



Photograph 7: View of southwest adjoining recreational vehicle park, facing west along East Charleston Park Avenue.



Photograph 8: View of northeast adjoining Nye County Concrete gravel pit, facing northeast.

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

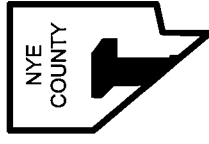
Grp #	Impr #	Description	Year	Cnt/ Size	Total Cost	Appraisal Date	RCNLD
*	***	*** No Improvements Found ***	****	*****	*****	*****	*****

RCNLD: Replacement Cost New, Less Depreciation

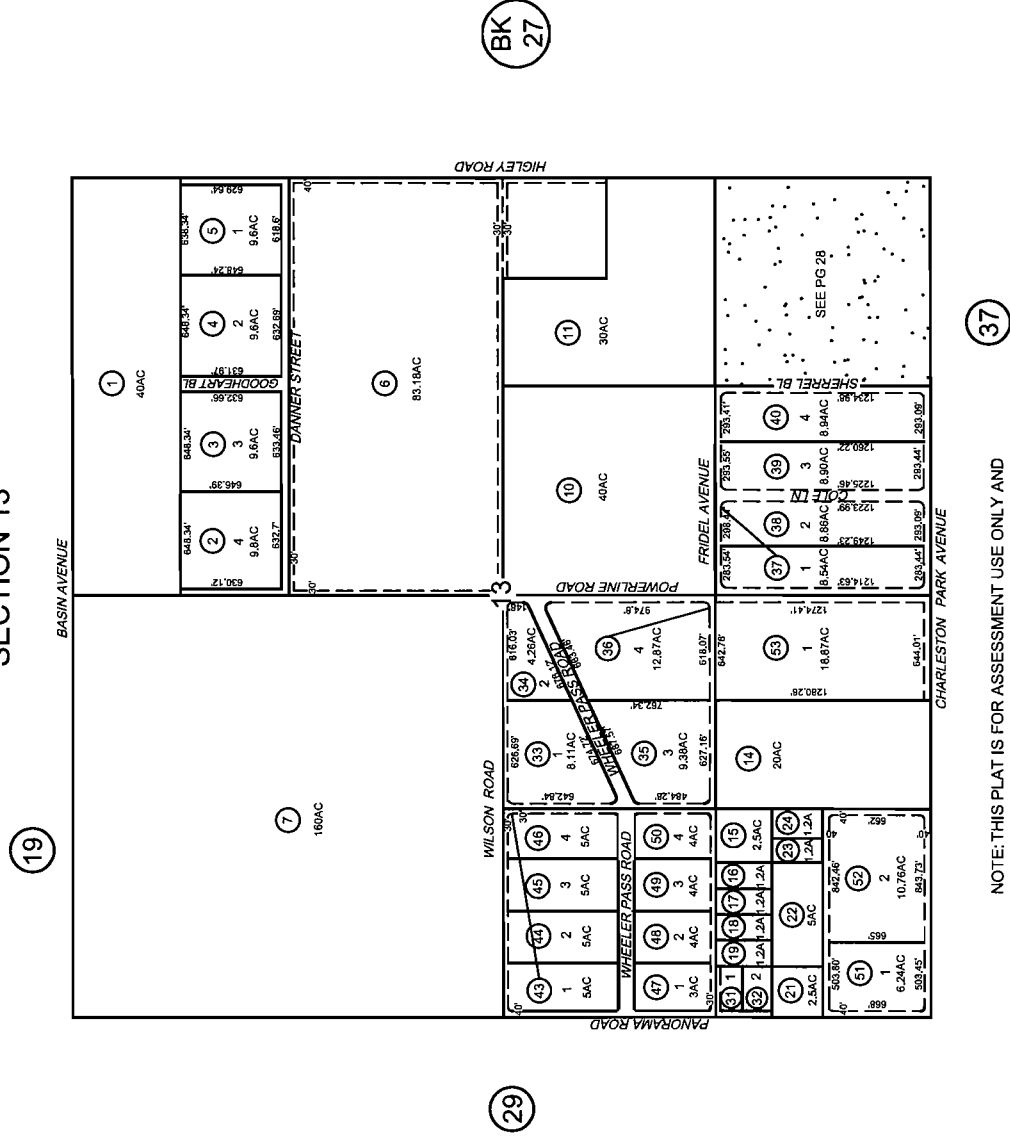
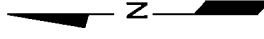
Close Window

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

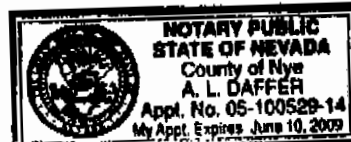
Anson T. Avery

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

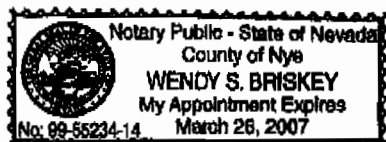
Personally appeared before me, a Notary Public

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
PAHRUMP NV 89060

JOB: 302493001

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 storage tanks. It includes sites with tanks under investigation for potential leaks, confirmed leaks, and those to be closed.

WASHOE COUNTY LEAKING UNDERGROUND STORAGE TANKS- This department maintains a list of sites with leaking underground storage tanks. It includes sites with tanks under investigation for potential leaks, 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		

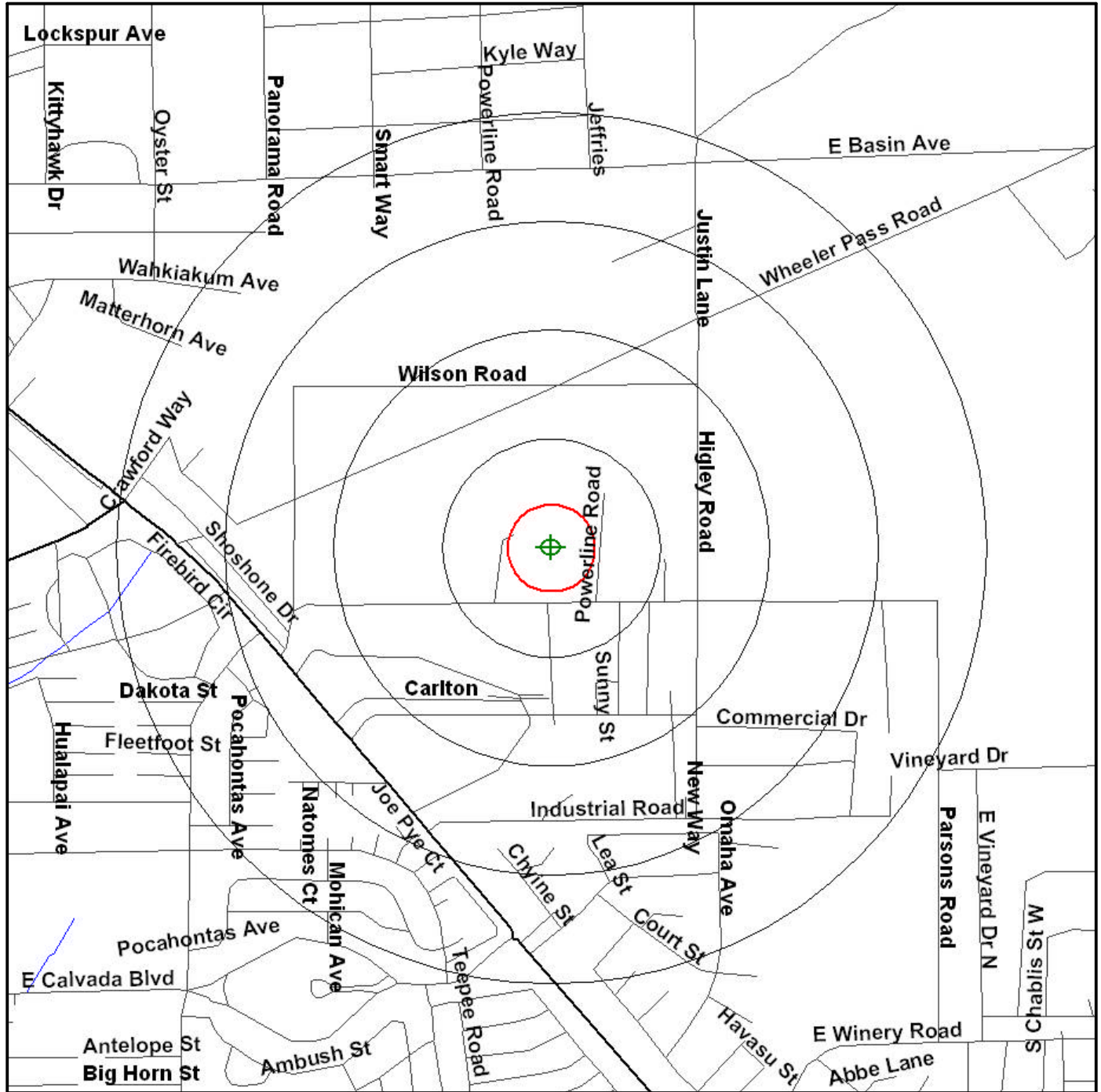


Environmental FirstSearch

1 Mile Radius
Single Map:



2440 E. CHARLESTON PARK AVE, PAHRUMP NV 89060



Source: U.S. Census TIGER Files

- Target Site (Latitude: 36.206991 Longitude: -115.967319)
- Identified Site, Multiple Sites, Receptor
- NPL, DELNPL, Brownfield, Solid Waste Landfill (SWL), Hazardous Waste
- Triballand
- Railroads
- Black Rings Represent 1/4 Mile Radius; Red Ring Represents 500 ft. Radius



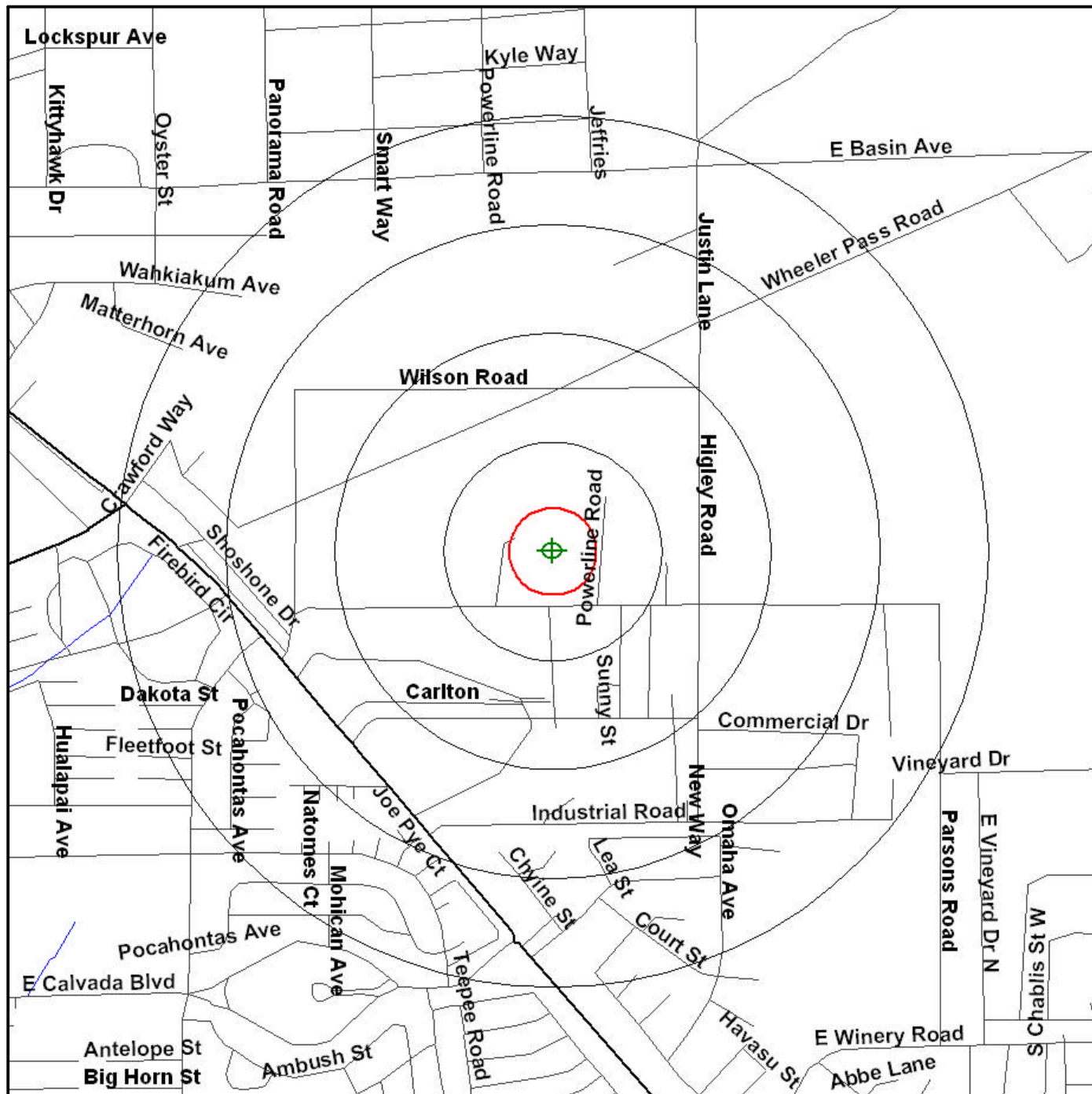


Environmental FirstSearch

1 Mile Radius
ASTM-05: NPL, RCRACOR, STATE



2440 E. CHARLESTON PARK AVE, PAHRUMP NV 89060



Source: U.S. Census TIGER Files

- Target Site (Latitude: 36.206991 Longitude: -115.967319)
- Identified Site, Multiple Sites, Receptor
- NPL, DELNPL, Brownfield, Solid Waste Landfill (SWL), Hazardous Waste
- Triballand
- Railroads
- Black Rings Represent 1/4 Mile Radius; Red Ring Represents 500 ft. Radius



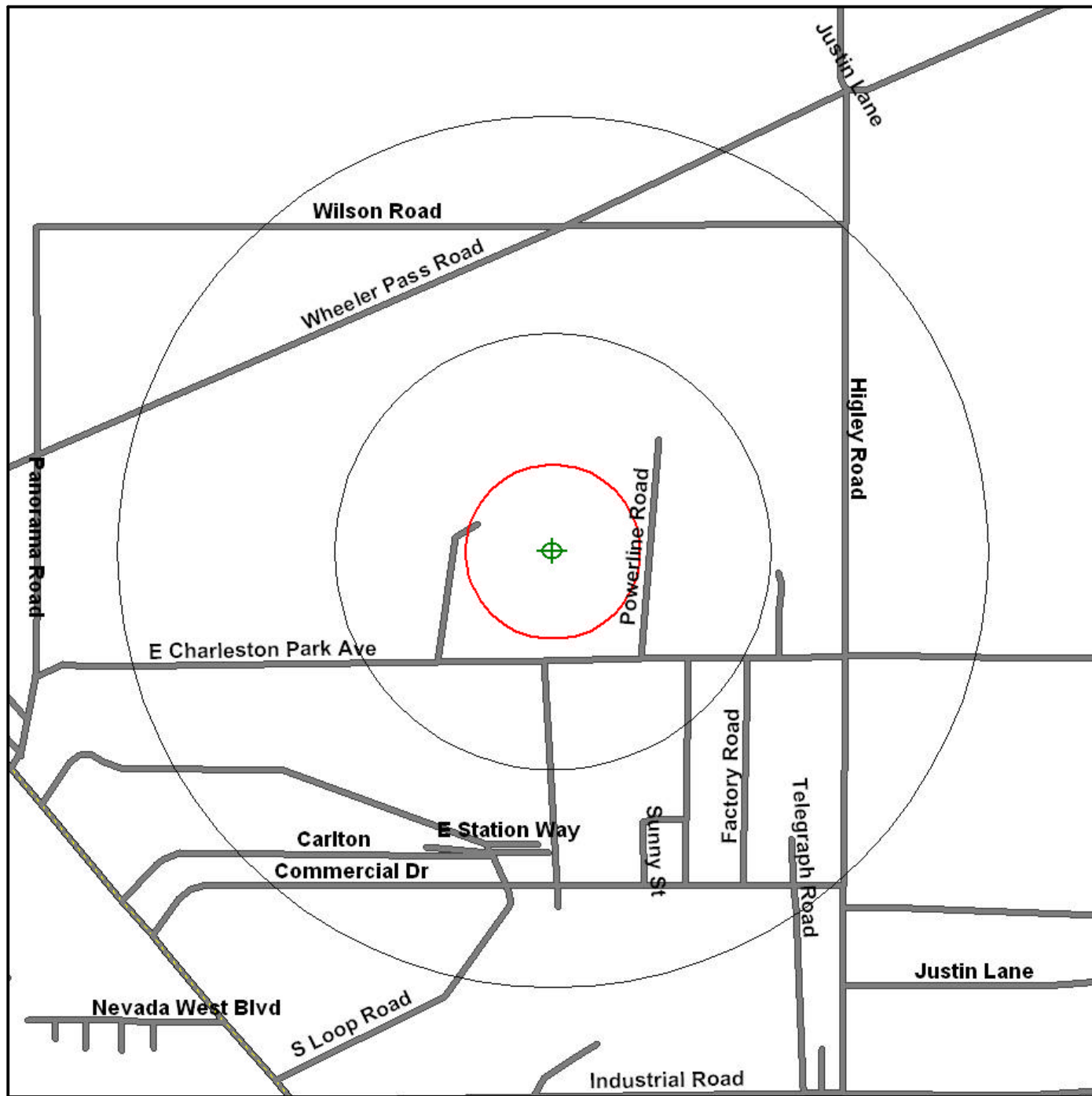


Environmental FirstSearch

.5 Mile Radius
ASTM-05: Multiple Databases



2440 E. CHARLESTON PARK AVE, PAHRUMP NV 89060



Source: U.S. Census TIGER Files

- Target Site (Latitude: 36.206991 Longitude: -115.967319)
- Identified Site, Multiple Sites, Receptor
- NPL, DELNPL, Brownfield, Solid Waste Landfill (SWL), Hazardous Waste
- Triballand.....
- Railroads
- Black Rings Represent 1/4 Mile Radius; Red Ring Represents 500 ft. Radius



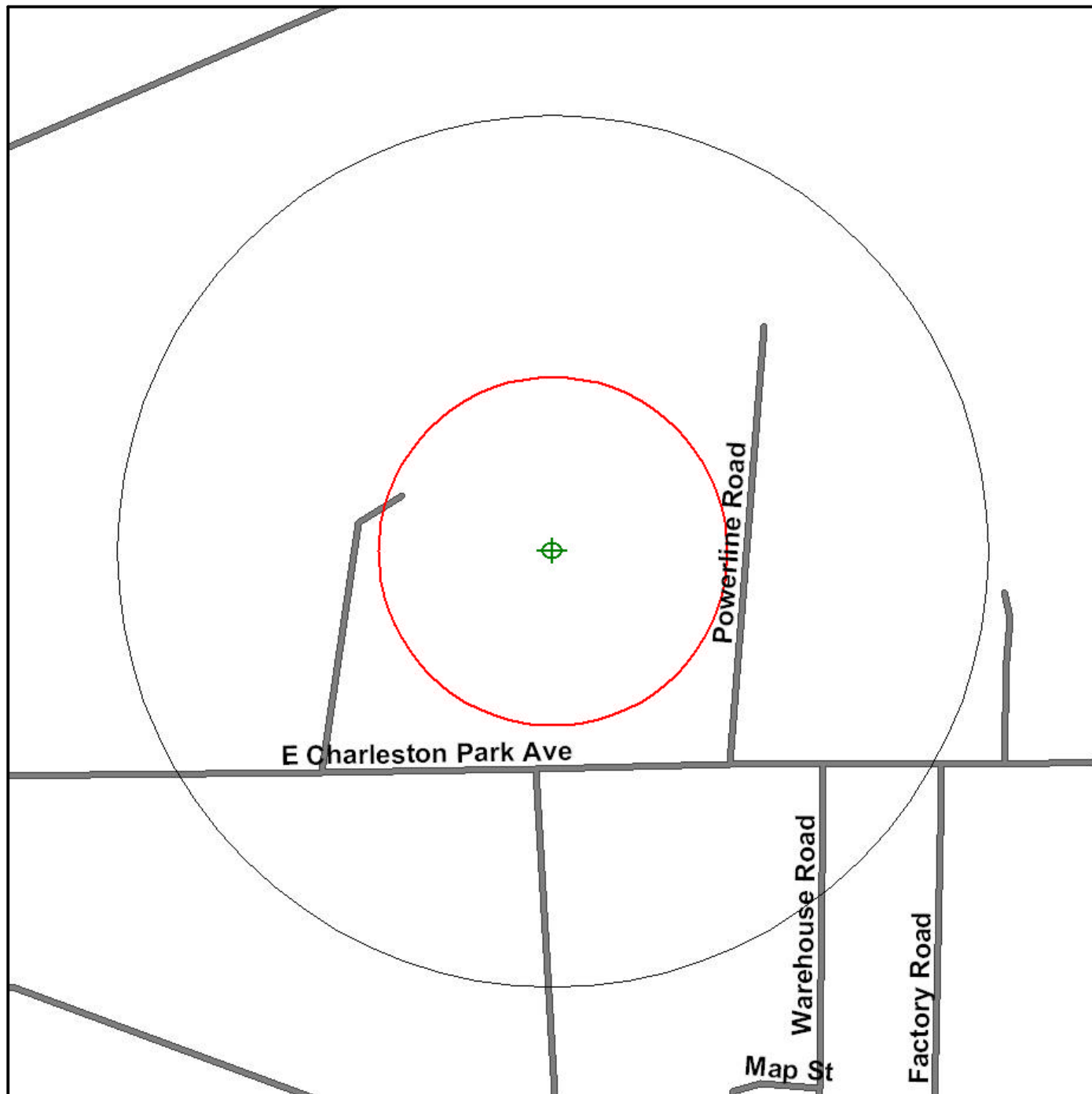


Environmental FirstSearch

.25 Mile Radius
ASTM-05: RCRA GEN, UST, OTHER



2440 E. CHARLESTON PARK AVE, PAHRUMP NV 89060



Source: U.S. Census TIGER Files

- Target Site (Latitude: 36.206991 Longitude: -115.967319)
- Identified Site, Multiple Sites, Receptor
- NPL, DELNPL, Brownfield, Solid Waste Landfill (SWL), Hazardous Waste
- Triballand.....
- Railroads
- Black Rings Represent 1/4 Mile Radius; Red Ring Represents 500 ft. Radius



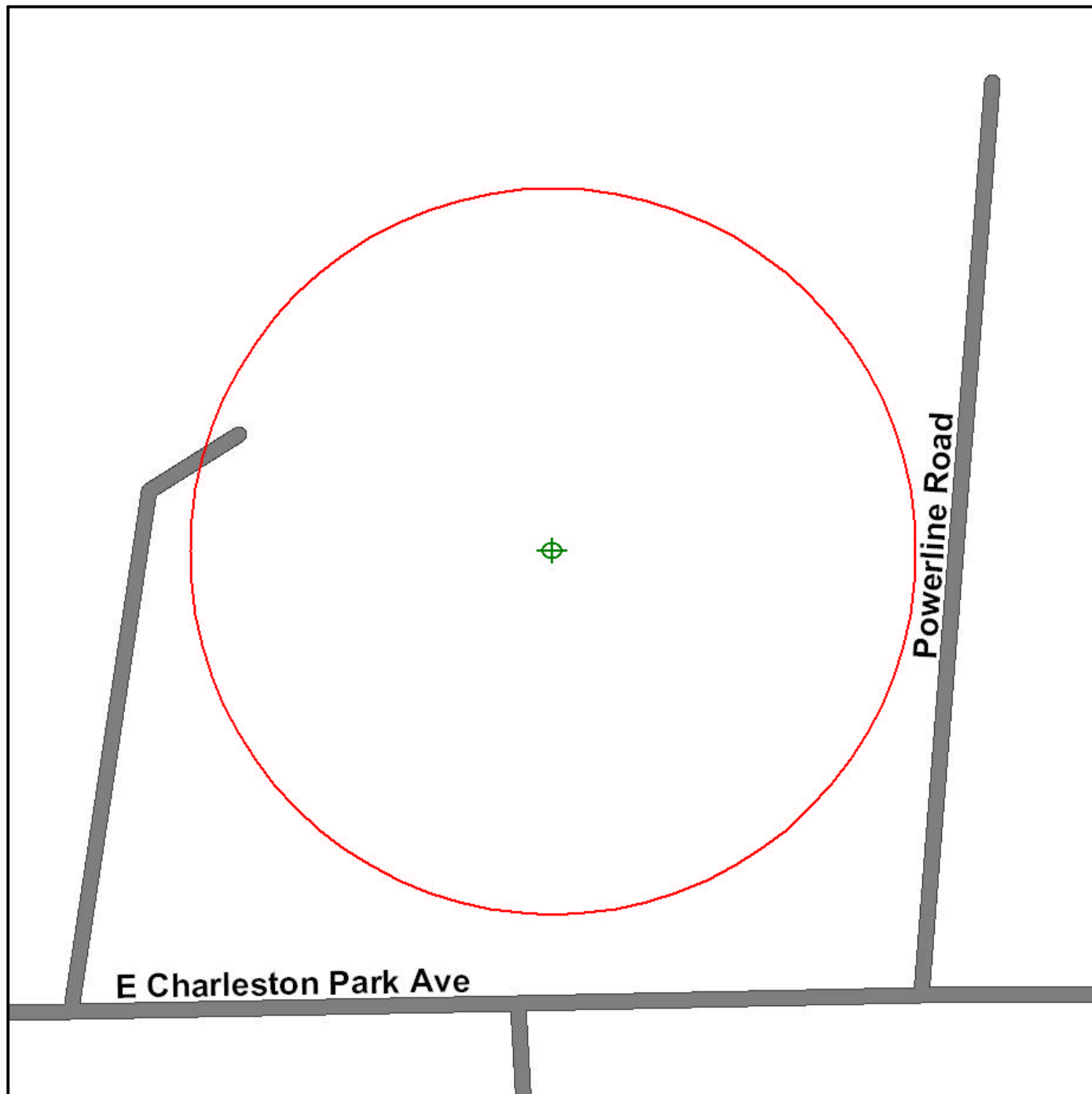


Environmental FirstSearch

.12 Mile Radius
ASTM-05: ERNS, RCRANLR



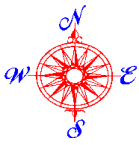
2440 E. CHARLESTON PARK AVE, PAHRUMP NV 89060



Source: U.S. Census TIGER Files

- Target Site (Latitude: 36.206991 Longitude: -115.967319)
- Identified Site, Multiple Sites, Receptor
- NPL, DELNPL, Brownfield, Solid Waste Landfill (SWL), Hazardous Waste
- Triballand.....
- Railroads
- Black Rings Represent 1/4 Mile Radius; Red Ring Represents 500 ft. Radius





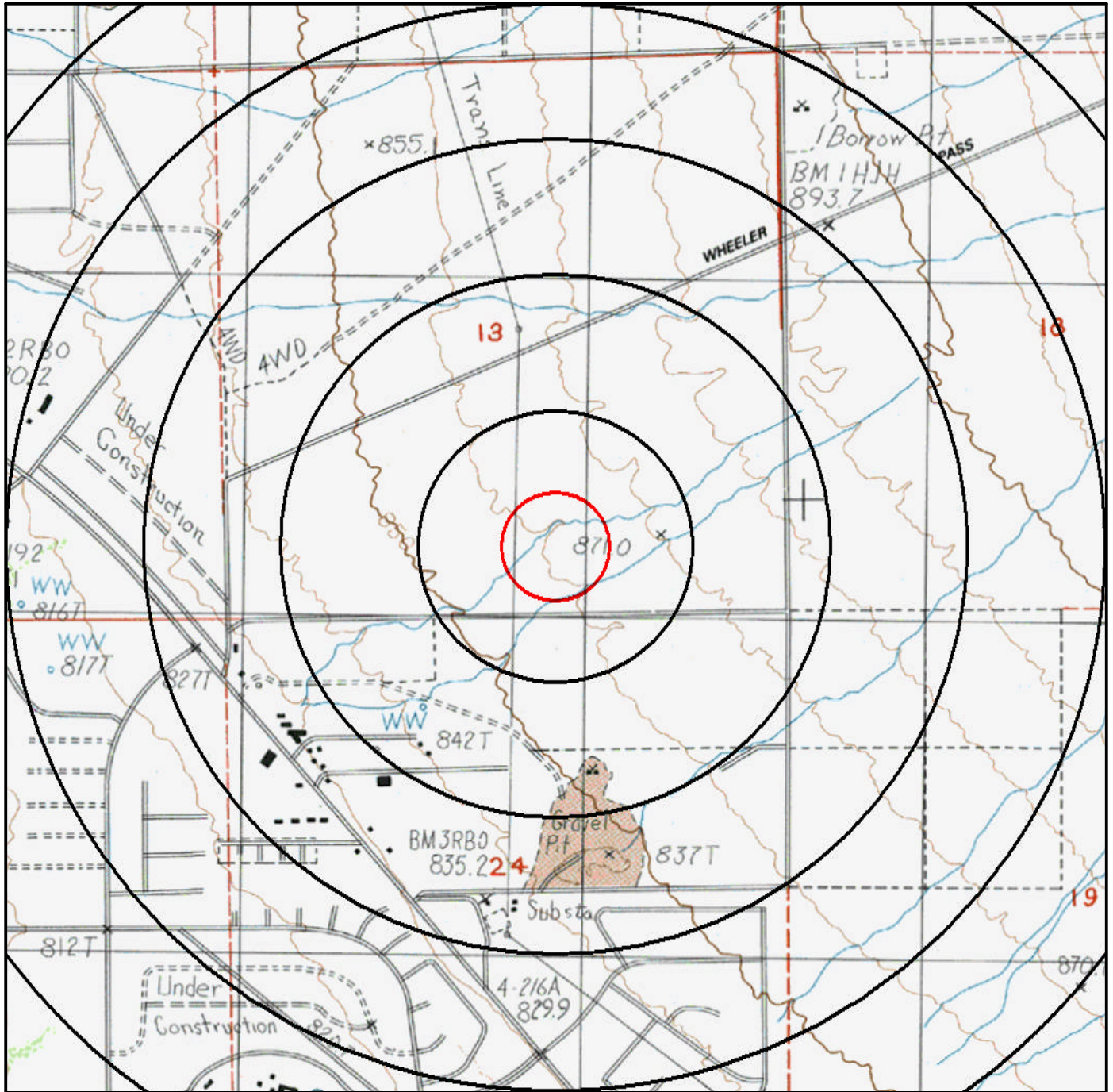
Environmental FirstSearch

Topo : 1.00 Mile Radius

Single Map



2440 E. CHARLESTON PARK AVE, PAHRUMP NV 89060



Source:

Target Site (Latitude: 36.206991 Longitude: -115.967319)

Identified Site, Multiple Sites, Receptor

NPL, DELNPL, Brownfield, Solid Waste Landfill (SWL) or Hazardous Waste

Tribal Land

Map Name: PAHRUMP Date Created: 1984-- Date Revised: None--

Map Reference Code: 36115-B8-TM-024

Black Rings Represent 1/4 Mile Radii; Red Ring Represents 500 ft. Radius



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.

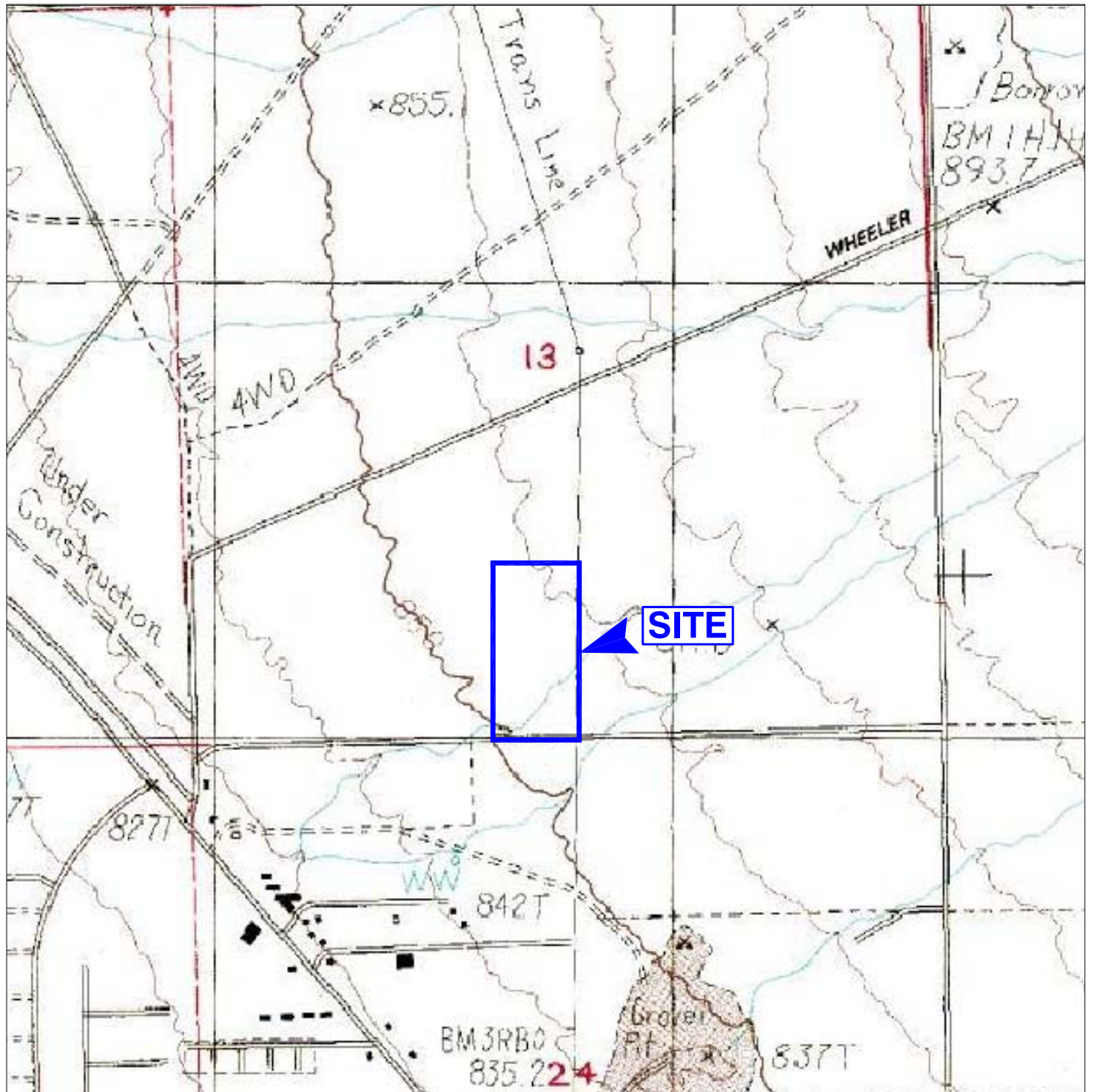
If you have any questions or require further information, I can be reached by email (dmatters@ninyoandmoore.com) or by phone @ 978.852.5087.

Thank you

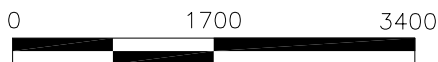
Duane H. Matters, C.E.M., R.E.A.
Senior Project Geologist
Ninyo & Moore
Geotechnical & Environmental Sciences Consultants
6700 Paradise Road, Suite E
Las Vegas, Nevada 89119
(702) 433-0330 (x3244)
(702) 433-0707 (Fax)
(702) 296-1240 (Cell)
dmatters@ninyoandmoore.com

Experience · Quality · Commitment

APPENDIX D
HISTORICAL TOPOGRAPHIC MAPS



SOURCE: USGS Pahrump, Nevada Quadrangle, 7.5-minute Series topographic map, dated 1984.



APPROXIMATE SCALE IN FEET

NOTE: ALL DIMENSIONS, DIRECTIONS AND LOCATIONS ARE APPROXIMATE

Ninyo & Moore

HISTORICAL TOPOGRAPHIC MAP

APPENDIX

PROJECT NO.

DATE

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

302493001

12/07

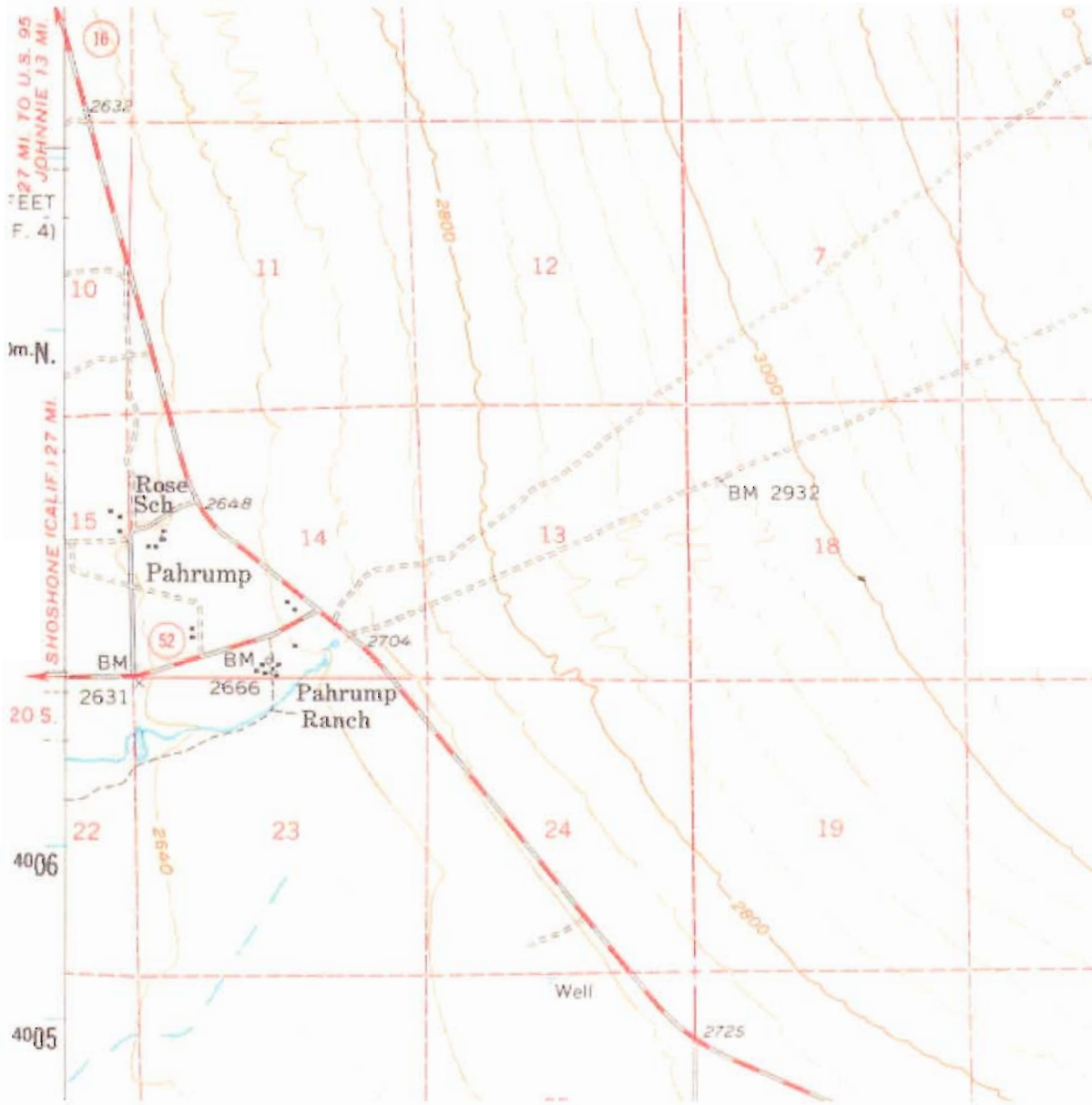
D

Nevada in Maps

[back to results](#) · [add to favorites](#) · [reference url](#)



Pahrump (1958, Rp. 1965)



Title	Pahrump (1958, Rp. 1965)
View map image in other file formats	ftp://nas.library.unr.edu/Keck/HistTopoNV/pahrump.djvu (245K); ftp://nas.library.unr.edu/Keck/HistTopoNV/pahrump.tif (3.5Mb); ftp://nas.library.unr.edu/Keck/HistTopoNV/pahrump.tif (102.6Mb); ftp://nas.library.unr.edu/Keck/HistTopoNV/georeferenced/pahrump.zip
Creator	Geological Survey (U.S.)
Searchable Date	1958

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 E Charleston Park Ave Pahrump	
Assessor's Parcel Number(s): Section 13, Township 20 South Range 53 EAST AP # 35-271-53	
City/State/Zip: Pahrump 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	

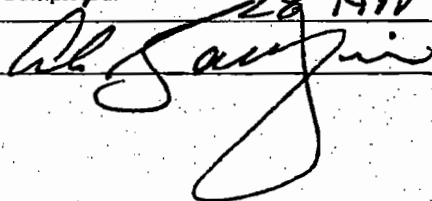
PHASE I ENVIRONMENTAL SITE ASSESSMENT SITE INFORMATION QUESTIONNAIRE

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
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. <i>NONE.</i>
Are you aware of any of the following issues associated with the site or adjacent properties (circle or describe): <ul style="list-style-type: none"> • Surface water run-on or run-off problems • Standing water • Stained soil • Distressed vegetation/wildlife • Foul odors <i>NONE.</i>
Are you aware of any contamination existing in soils or groundwater on the site, currently or in the past? <i>NO</i>
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? <i>NO</i>
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? <i>NO</i>
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) <i>NO</i>
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? <i>Purchased Property AT Fair market value.</i>
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, <i>NO</i> • do you know the past uses of the site? <i>NO</i> • do you know of any specific chemicals that are present or once were present? <i>NO</i> • do you know of any spills or other chemical releases that have taken place? <i>NO</i> • do you know of any environmental cleanups that have taken place? <i>NO TO ALL ABOVE</i>
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) <i>NO.</i>

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