

**PHASE I
ENVIRONMENTAL SITE ASSESSMENT REPORT
PARCEL NO. 02-421-05
TONOPAH, NEVADA**

PREPARED FOR:
Nye County Department of Natural Resources
P.O. Box 1767
Tonopah, Nevada 89049

PREPARED BY:
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June 15, 2007
Project No. 302330001

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Dr. James Marble
Nye County Department of Natural Resources
P.O. Box 1767
Tonopah, Nevada 89049

Subject: Phase I Environmental Site Assessment Report
Parcel No. 02-421-05
Tonopah, Nevada

Dear Dr. Marble:

In accordance with your authorization, dated April 30, 2007, Ninyo & Moore has performed a 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



Randy S. Kyes
Staff Environmental Scientist

RK/GB/ltk

Distribution: (2) Addressee



Gregory A. Beck, C.E.M.
Senior Environmental Scientist
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EXECUTIVE SUMMARY

Ninyo & Moore was retained by the Nye County Department of Natural Resources to perform a Phase I Environmental Site Assessment (ESA) of approximately 20.0 acres comprised of a single undeveloped parcel of land, designated by the Nye County Tax Assessor as parcel number 02-421-05, and located on the east side of Victor Avenue, south of Smoky Valley Road in Tonopah, Nye County, Nevada. Historical research, document review, and site assessment activities were conducted during the week of May 18, 2007.

In summary, the following items were noted:

- The subject site consists of a single undeveloped parcel of land totaling approximately 20.0 acres in area, designated by the Nye County Tax Assessor as parcel numbers 02-421-05, and located on Victor Avenue, south of Smoky Valley Road in Tonopah, Nye County, Nevada.
- Based on a review of historical sources the parcel constituting the subject site has not previously been developed.
- Solid waste piles consisting of concrete pieces, non-native soil, rocks, and metal debris were noted near the northwest corner of the site along Victor Avenue. Scattered trash consisting of glass bottles and metal cans was noted across the subject site.
- No drums, unidentified substance containers, or other evidence of the storage or disposal of hazardous substances or petroleum products were observed at the subject site during the site reconnaissance.
- 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 indicated that there are 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 in any environmental database.
- The lack of availability of aerial photographs between 1940 and 1994 may be a significant data failure due to reported historical usage of nearby property for mining operations during that time period. However, no evidence that off-site historical mining activities pose an environmental concern to the subject site was noted during the site reconnaissance.

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 located on parcel number 02-421-05 in Tonopah, 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 to perform a Phase I Environmental Site Assessment (ESA) of approximately 20.0 acres comprised of a single undeveloped parcel of land, designated by the Nye County Tax Assessor as parcel number 02-421-05, and located on the east side of Victor Avenue, south of Smoky Valley Road in Tonopah, 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. Randy S. Kyes, of Ninyo & Moore, conducted the site reconnaissance on May 15, 2007, and performed regulatory inquiries. 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 sites 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.

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, Nye County, Nevada (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 20.0 acres located on the east side of Victor Avenue, approximately 900 feet south of Smoky Valley Road in Tonopah, Nye County, Nevada. The subject parcel is located in Section 27, Township 3 North, Range 42 East, Tonopah Quadrangle, Nevada. The subject parcel has no assigned address.

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

2.2. Site and Vicinity General Characteristics

The area in the general vicinity of, and including, the subject site consists primarily of undeveloped land, with an elementary school and church located to the north.

2.3. Current Use of the Property

The subject site, designated by the Nye County Tax Assessor as parcel number 02-421-05, is undeveloped land with sparse desert vegetation, and has a land use code of “100 - Vacant Unknown.” A copy of the Nye County Tax Assessor parcel information is included in Appendix B-1.

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

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

2.4.1. Site Structures

The site is undeveloped land with sparse desert vegetation. No site structures are present.

2.4.2. Roads

Victor Avenue, an unpaved and unimproved road, borders the subject site to the west.

2.4.3. Other Site Improvements

No other observable improvements were noted on the subject site.

2.4.4. Heating and Cooling Systems

The subject site has no structures and there are no heating and cooling systems on the site.

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 south and west by Victor Avenue, across which is undeveloped desert land; to the east by undeveloped desert land, and to the north by an approximately 200-foot wide strip of undeveloped land, across which is Silver Rim Elementary School (881 Smoky Valley Road).

No information was found to suggest that the current uses of adjoining properties involve the use, treatment, storage, disposal or generation of hazardous substances or petroleum products that may represent an environmental concern to the subject site at this time.

3. USER PROVIDED INFORMATION

3.1. Title Records

A title record was not provided by the client for purposes of this assessment.

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 May 1, 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 or experience pertaining to recognized environmental conditions on the subject site was communicated to Ninyo & Moore during interview or noted during file reviews during the course of this ESA.

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

This Phase I ESA is being conducted in association with the Nye County Brownfields assessment program for property owned by the Town of Tonopah, an unincorporated town of Nye County. According to information provided by Ms. MaryEllen Giampaoli, on behalf of the client contact, Dr. Jim Marble of the Nye County Department of Natural Resources, the subject parcel is expected to be included in a land swap for a parcel or parcels of equal value.

3.6. Owner, Property Manager, and Occupant Information

The subject site is owned by the Town of Tonopah, located at P.O. Box 151, Tonopah, Nevada, 89049. The subject site is unoccupied and undeveloped.

3.7. Reason for Performing Phase I

Dr. James Marble of the Nye County Department of Natural Resources indicated that this Phase I ESA was being performed as part of the Brownfields area inventory and ranking process through the Nye County Brownfields program.

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 *Environmental FirstSearch™* (*FirstSearch™*) dated April 27, 2007. The *FirstSearch™* 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™* 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 Quantity Generators List (LQ-GEN)	USEPA	0.25	0
RCRA Small Quantity Generators List (SQ-GEN)	USEPA	0.25	0
RCRA NLR	USEPA	0.12	0
Federal Engineering and Institutional Controls (IC/EC)	USEPA	0.25	0
Emergency Response Notification System (ERNS) List	NRC	0.12	0

Table 1 – Summary of Environmental Database Search

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

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 USEPA 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 1-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 merely 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 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, 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 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 less than 1,000 kg of hazardous waste per month, 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 kg 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). The subject site was not listed on this database.

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 USGS Tonopah Quadrangle, Nevada, 7.5-minute series topographic map, dated 1961 (photorevised 1982), shows the site to be at an elevation of approximately 5,940 feet above mean sea level with drainage of the site toward the southwest. A copy of the topographic map is included in Appendix D-1.

4.3.2. Site Geology

Tonopah is located in northwestern Nye County, which lies near the center of the Great Basin section of the Basin and Range physiographic province. Within this section, sub parallel north-trending elongate mountain ranges rise abruptly from and are separated by broad intermountain valleys.

Tonopah is located at the southern end of the San Antonio Mountains, most of which lie within northern Nye County that are about 30 miles in length and as much as 13 miles wide. Summit elevations at the north end of the range are greater than 8,000 feet but diminish southward to between 6,000 to 7,000 feet above mean sea level.

Deformed and altered Tertiary volcanic rocks crop out beneath the Fraction Tuff near Tonopah and locally along the west side of the San Antonio range. The Fraction Tuff is classed as a rhyolitic unit. The volcanic rocks at Tonopah are distinctive and include the Mizpah Trachyte, Siebert Tuff, and Oddie Rhyolite. The Siebert Tuff in the Tonopah area inter-tongues extensively with basaltic rocks. The Mizpah Trachyte was the principal ore-bearing formation at Tonopah.

The subject site is located near several mountains with ephemeral washes that carry sediments to alluvial fan deposits on the mountain flanks. These alluvial fan deposits consisting of mixtures of gravelly sand and silty sand underlie the subject site. As the

distance increases from the source rock area, the sediments carried down to the alluvial fans become increasingly finer grained.

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.

4.3.3.2. Groundwater

Review of the Nevada Division of Water Resources well log database indicated that the static water level may occur approximately 10 to 26 feet below grade in the vicinity of the subject property. Based on topography, groundwater flow direction in the vicinity of the subject property is believed to be toward the west.

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 1994 and 2006 were available and reviewed for the subject site. Aerial photographs prior to 1962 were not readily available. The lack of availability of aerial photographs prior to 1994 is not considered a significant data failure due to the undeveloped state of the subject site during that time period. A listing of the photographs reviewed is presented in Table 2. Table 3 summarizes notable observations from each photograph. A copy of the 2006 aerial photograph of the subject site and vicinity is included in Appendix D-2.

Table 2 – Aerial Photographs Reviewed for the Property

Date	Photograph Identification	Scale	Source
1994	Website	Unknown	A
2006	Unknown	Unknown	B

Sources: A – Terraserver-USA Website.
B – Google Earth

Table 3 – Aerial Photograph Summary for the Property

Year	Aerial Photograph Description
1994	The site is evident as undeveloped desert land.
2006	No significant changes from the 1994 photograph.

4.4.3. City Directories

There was no city directory coverage for the subject site.

4.4.4. Fire Insurance Maps

There was no Sanborn fire insurance map coverage for the subject site.

4.4.5. Historical Topographic Maps

The USGS Tonopah Quadrangle, Nevada, 1-degree series topographic map, dated 1908, depicts the site as undeveloped land. Items of potential environmental concern for the subject site were not noted on this topographic map.

The USGS Tonopah Quadrangle, Nevada, 15-minute series topographic map, dated 1961, depicts the site as undeveloped land with two unimproved roads traversing the subject site from north to south. Items of potential environmental concern for the subject site were not noted on this topographic map.

The USGS Tonopah Quadrangle, Nevada, 7.5-minute series topographic map, dated 1961 (photorevised 1982) depicts the subject site as undeveloped land. 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-1 and Appendix D-2.

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 1994 and 2006 were available and reviewed for the subject site vicinity. Aerial photographs prior to 1994 were not readily available. The lack of availability of aerial photographs prior to 1994 may be a significant data failure due to historical usage of the surrounding property for mining

operations during that time period. A listing of the photographs reviewed is presented in Table 4. Table 5 summarizes notable observations from each photograph. A copy of the 2006 aerial photograph of the subject site and vicinity is included in Appendix D-3.

Table 4 – Aerial Photographs Reviewed for Adjoining Properties

Date	Photograph Identification	Scale	Source
1994	Website	Unknown	A
2006	Unknown	Unknown	B
Sources: A – Terraserver-USA Website B – Google Earth			

Table 5 – Aerial Photograph Summary for Adjoining Properties

Year	Aerial Photograph Description
1994	Victor Avenue is evident as an unpaved road. Two structures are evident to the north of the subject site and undeveloped land is evident to the west, east, and south. Areas of disturbed soil believed to be evidence of past mining activity is evident immediately to the north of the subject site, to the west across Victor Avenue, and to the south.
2006	No significant changes since the 1994 aerial photograph..

4.5.3. City Directories

There was no city directory coverage for the subject site vicinity.

4.5.4. Fire Insurance Maps

There was no Sanborn fire insurance map coverage for the subject site vicinity.

4.5.5. Historical Topographic Maps

The USGS Tonopah Quadrangle, Nevada, 1-degree series topographic map, dated 1908, 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 Tonopah Quadrangle, Nevada, 15-minute series topographic map, dated 1961, depicts the site vicinity as undeveloped land. Numerous prospect sites and several established mines are evident to the east and south of the subject site. 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 Tonopah Quadrangle, Nevada, 7.5-minute series topographic map, dated 1961 (photorevised 1982), depicts the site vicinity as undeveloped land. Numerous prospect sites and several established mines are evident to the east and south of the subject site. Items of potential environmental concern for the site and vicinity were not noted on this topographic map. Copies of the historical topographic maps are provided in Appendix D-1 and Appendix D-2.

5. SITE RECONNAISSANCE

5.1. Methodology and Limiting Conditions

On May 15, 2007, Mr. Randy S. Kyes, 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. Mr. James Eason, Tonopah Town Manager, accompanied Mr. Kyes during the site reconnaissance.

During the site reconnaissance visit, Ninyo & Moore inspected the subject site for evidence suggesting the use, treatment, storage, disposal, or generation of hazardous substances or petroleum products on the subject site. Ninyo & Moore did not observe evidence suggesting the current use, treatment, storage, disposal, or generation of hazardous substances or petroleum products on the subject site.

5.2. General Site Setting

The subject site is approximately 5,940 feet above mean sea level with a southwestern sloping topography and is comprised of undeveloped desert land totaling approximately 20 acres. Land to the west, south, and east is undeveloped and formerly used for mining activities. An elementary school and church are located approximately 0.5 miles north of the subject site.

5.3. Exterior Observations

The subject property was traversed and was observed from adjacent public thoroughfares. There are no structures on the subject property.

Easements

There are no easements shown on the parcel map of the subject site.

Pits, Ponds, or Lagoons

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

Stained Soil or Pavement

No stained soil was observed on the subject site during the site reconnaissance.

Stressed Vegetation

No stressed vegetation was observed on the subject site during the site reconnaissance.

Solid Waste

Solid waste piles consisting of concrete pieces, non-native soil, rocks, and metal debris were noted near the northwest corner of the site along Victor Avenue. Scattered trash consisting of glass bottles and metal cans was noted across the subject site.

Wastewater

There were no sources of wastewater observed on the subject site during the site reconnaissance.

Wells

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

Septic Systems

No septic system was observed on the subject site during the site reconnaissance.

Odors

No odors were noted on the subject site during the site reconnaissance.

Pools of Liquid

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

Drums

No drums were observed on the subject site during the site reconnaissance.

Hazardous Substance and Petroleum Containers

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

Unidentified Substance Containers

No unidentified substance containers were observed on the subject site during the site reconnaissance.

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 Sierra Pacific Power Company (SPPC) 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 SPPC. 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.

5.5. Waste Management and Regulated Materials

No regulated materials were noted on the subject site during the site reconnaissance.

5.6. Storage Tanks

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

5.7. Utilities

The subject site is undeveloped and is not serviced by any utilities. SPPC supplies electrical service to the site vicinity. No natural gas service is available in Tonopah, Nevada. Propane ASTs are utilized by properties for gas service. AmeriGas and Suburban Propane provide propane service to the site vicinity. The Town of Tonopah Public Utilities department provides municipal potable water and sanitary sewer to the site vicinity.

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. James Eason, Tonopah Town Manager and the owner representative, provided site location information and completed the owner questionnaire in person. The questionnaire information provided by Mr. Eason is presented in Appendix E-1. Mr. Eason was unaware of any present or historical environmental concerns at the subject site.

6.2. Interview with Local Government Officials

Ms. Gail White, file review manager for the NDEP in Carson City, Nevada, was interviewed by telephone and email regarding the subject site. She stated that a physical address and/or NDEP case file was necessary to request information, and that a review of the on-line case listings must be performed. No information was found for the subject site. A copy of the

email request is provided in Appendix C-2. The regulatory response is provided in Appendix E-2. No files were reviewed.

6.3. Interview with Others

Dr. James Marble, Director of the Nye County Department of Natural Resources, was interviewed by e-mail and in person regarding the present or historical use of the subject site, and also provided site location information. A copy of the email correspondence is provided in Appendix E-3.

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 20.0 acres in area, designated by the Nye County Tax Assessor as parcel numbers 02-421-05, and located on Victor Avenue, south of Smoky Valley Road in Tonopah, Nye County, Nevada.
- Based on a review of historical sources the parcel constituting the subject site has not previously been developed.
- Solid waste piles consisting of concrete pieces, non-native soil, rocks, and metal debris were noted near the northwest corner of the site along Victor Avenue. Scattered trash consisting of glass bottles and metal cans was noted across the subject site.
- No drums, unidentified substance containers, or other evidence of the storage or disposal of hazardous substances or petroleum products were observed at the subject site during the site reconnaissance.
- 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 indicated that there are 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 lack of availability of aerial photographs between 1940 and 1994 may be a significant data failure due to reported historical usage of nearby property for mining operations during that time period. However, no evidence that off-site historical mining activities pose an environmental concern to the subject site was noted during the site reconnaissance.

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. 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

- 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, APN 02-421-05, Tonopah, NV 89049, dated May 1.
- Environmental FirstSearch™ Report dated April 27, 2007.
- Nevada Division of Water Resources, 2007, Online Well Log Database.
- Nye County Assessor, 2007, Online Property Information Search.
- United States Environmental Protection Agency, 2006, Innocent Landowner, Standards for Conducting All Appropriate Inquiries, 40 CFR Part 312.
- United States Environmental Protection Agency, 2006, Enforcement and Compliance Online.
- United States Geological Survey, 1908, Tonopah Quadrangle, Nevada, 1-degree series topographic map, Scale 1:250,000.
- United States Geological Survey, 1961, Tonopah Quadrangle, Nevada, 15-minute series topographic map, Scale 1:62,500.
- United States Geological Survey, 1961 (photorevised 1982), Tonopah Quadrangle, Nevada, 7.5-minute series topographic map, Scale 1:24,000.

10. SIGNATURES OF ENVIRONMENTAL PROFESSIONALS


Randy S. Kyes
Staff Environmental Scientist


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

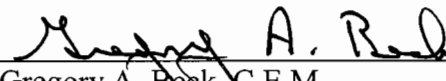
11. QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

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.



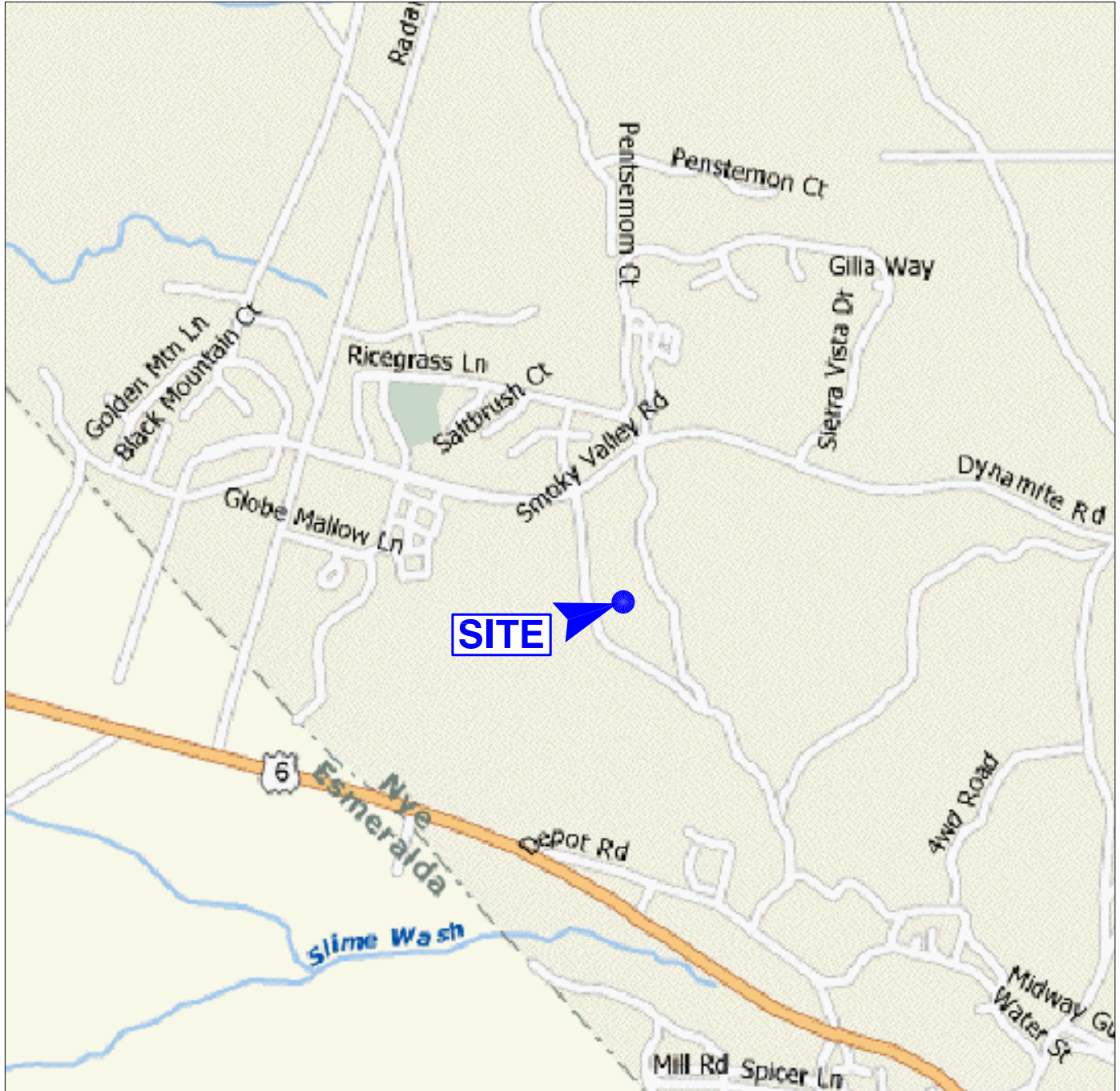
Gregory A. Beck, C.E.M.
Certified Environmental Manager
No. 1874
Expires: May 27, 2008

6-15-07

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: Mapquest, Inc., 2007.

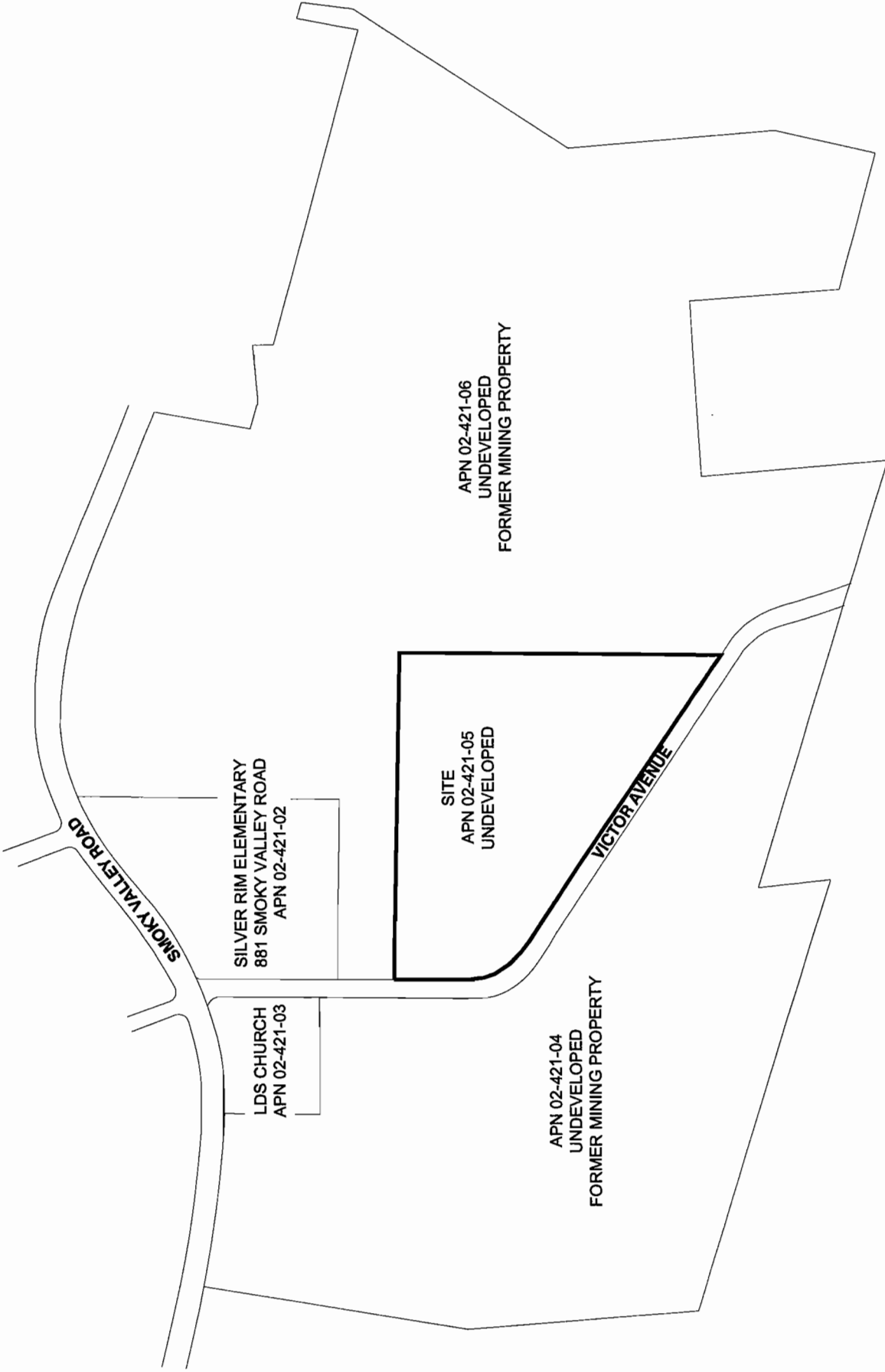


APPROXIMATE SCALE IN FEET

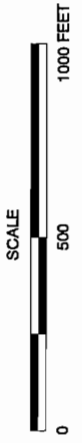
NOTE: ALL DIMENSIONS, DIRECTIONS AND LOCATIONS ARE APPROXIMATE



		SITE LOCATION PHASE I ENVIRONMENTAL SITE ASSESSMENT PARCEL NO. 02-421-05 TONOPAH, NEVADA	FIGURE
			1
PROJECT NO.	DATE		
302330001	06/07		



NOTE: Dimensions, directions, and locations are approximate.



Ninyo & Moore

PROJECT NO.
302330001

DATE
06/07

SITE MAP

PHASE I ENVIRONMENTAL SITE ASSESSMENT
PARCEL NO. 02-421-05
TONOPAH, NEVADA

FIGURE

2

APPENDIX A
Site Photographs



Photograph 1: View across site, facing east from Victor Avenue.



Photograph 2: View of site, facing northwest.



Photograph 3: View of site, facing south.



Photograph 4: View of southern adjoining property, facing south.



Photograph 5: View of area on southern adjoining property used for paintball games, facing south.



Photograph 6: View of solid waste and debris piles on site, facing north.



Photograph 7: View of solid waste and debris piles on site, facing northeast.



Photograph 8: View of prospect hole located on the northeastern margin of site, 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

Parcel Detail for Parcel # 002-421-05

Location

Property Location F#325575 P.1B 20AC 203

Town TONOPAH

Subdivision SIERRA VISTA EST U.I Lot Block

Property Name F#325575 P.1B 20AC

Ownership

Assessed Owner Name TOWN OF TONOPAH

Mailing Address P O BOX 151

TONOPAH, NV 89049-0151

Legal Owner Name TOWN OF TONOPAH

Vesting Doc#, Date 651241 03/08/06 Book/Page /

Description

Total Acres 20.000 Ag Acres .000 W/R Acres .000

Improvements

Single-fam Detached 0	Non-dwell Units 0	Bdrm/Bath 0/.00
Single-fam Attached 0	MH Hookups 0	Stories .0
Multi-fam Units 0	Wells 0	
Mobile Homes 0	Septic Tanks 0	
Total Dwelling Units 0	Bldg Sq Ft 0	
<input type="button" value="Improvement Detail"/>	Garage Sq Ft 0	Attch/Detch
	Basement Sq Ft 0	Finished 0

Appraisal Classifications

Current Land Use Code 100

Zoning

Re-appraisal Group 5 Re-appraisal Year 2005

Valuation

	Working Year 2008-09	Closed/Reopened Year 2007-08	Prior Year 2006-07
Land	17,500	17,500	17,500
Improvements	0	0	0
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	17,500	17,500	17,500
Net Assessed	0	0	0

Legal Description for Parcel # 002-421-05

Legal Description	Sect/ Lot	Town/ Block	Range	Acres
T3N R42E S27 F#325575 P.1B 20 AC SIERRA VISTA	27	3N	42E	20.000
ESTATES UNIT#1				
20AC 871,200 SQ FT +/-				

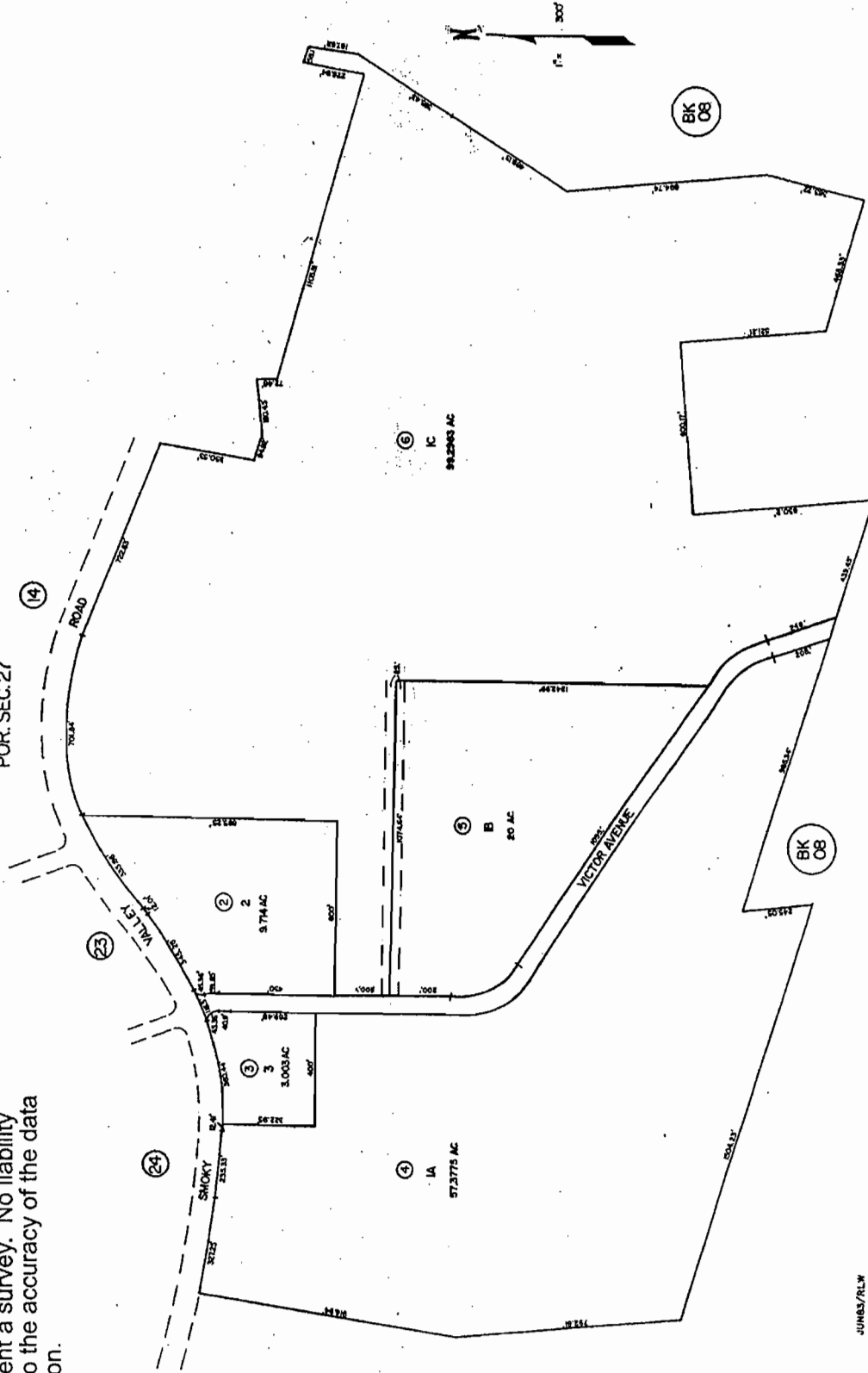
Close Window

NOTE: This plat is for assessment use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

Nye County

T.3N, R.42E
POR. SEC. 27

02-42



JUNBS/RLW
NYE CO. ASSESSOR

APPENDIX B-2

Property Records Documentation

Environmental Lien Search Report



**Banks
Information
Solutions, Inc.**

Environmental Lien Search

May 1, 2007

CLIENT

**Ninyo and Moore
ATTN: Randy Keyes
6700 Paradise Road
Las Vegas, NV 89119**

SITE

**Tonopah, NV 89049
Nye County
Client #: 302330001**

Project #: ES15238

Banks Information Solutions, Inc.
P.O. Box 12851, Capitol Station/Austin, Texas 78711
1601 Rio Grande, Ste. 500, Austin, TX 78701 512-478-0059 FAX 512-478-1433
E-Mail [banks @ banksinfo.com](mailto:banks@banksinfo.com) www.banksinfo.com



Banks
Information
Solutions, Inc

LIEN SEARCH REPORT

PROPERTY DESCRIPTION

LEGAL DESCRIPTION:

SUBJECT PARCEL NUMBER: 02-421-05
CURRENT OWNER(S): Town of Tonopah

No environmental liens found for subject property from 1985 to current. Nevada does not appear 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 Information Solutions, 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 identified.

RESOURCES & LIMITATIONS

Banks Information Solutions, Inc. (Banks) has completed you request for an Environmental Lien Search 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 Information Solutions, 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 Information Solutions, 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.

APPENDIX C

Regulatory Records Documentation

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

APPENDIX C-1

Regulatory Records Documentation

Environmental Database Search

TRACK ► INFO SERVICES, LLC

Environmental FirstSearch™ Report

Target Property:

VICTOR AVE

TONOPAH NV 89049

Job Number: 302330001

PREPARED FOR:

Ninyo and Moore
6700 Paradise Road
Las Vegas, NV 89119

04-27-07



Tel: (866) 664-9981

Fax: (818) 249-4227

Environmental FirstSearch Search Summary Report

Target Site: VICTOR AVE
TONOPAHA NV 89049

FirstSearch Summary

Database	Sel	Updated	Radius	Site	1/8	1/4	1/2	1/2>	ZIP	TOTALS
NPL	Y	01-10-07	1.00	0	0	0	0	0	0	0
NPL Delisted	Y	01-10-07	0.50	0	0	0	0	-	0	0
CERCLIS	Y	03-08-07	0.50	0	0	0	0	-	0	0
NFRAP	Y	03-08-07	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	03-20-07	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	09-31-06	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	09-30-06	0.50	0	0	0	0	-	0	0
State/Tribal UST/AST	Y	10-01-06	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
- 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: 04-27-07
Requestor Name: randy kyes
Standard: ASTM-05

Search Type: COORD
Job Number: 302330001
Filtered Report

Target Site: VICTOR AVE
TONOPAHA NV 89049

Demographics

Sites: 0	Non-Geocoded: 0	Population: NA
Radon: -0.1 - 7.6 PCI/L		

Site Location

	<u>Degrees (Decimal)</u>	<u>Degrees (Min/Sec)</u>	<u>UTMs</u>
Longitude:	-117.242078	-117:14:31	Easting: 478769.156
Latitude:	38.081366	38:4:53	Northing: 4214664.602
			Zone: 11

Comment

Comment:

Additional Requests/Services

Adjacent ZIP Codes: 0 Mile(s)	Services:
--------------------------------------	------------------

<u>ZIP Code</u>	<u>City Name</u>	<u>ST</u>	<u>Dist/Dir</u>	<u>Sel</u>

	<u>Requested?</u>	<u>Date</u>
Sanborns	No	
Aerial Photographs	No	
Historical Topos	No	
City Directories	No	
Title Search/Env Liens	Yes	04-27-07
Municipal Reports	No	
Online Topos	Yes	04-27-07

*Environmental FirstSearch
Sites Summary Report*

Target Property: VICTOR AVE
TONOPAH NV 89049

JOB: 302330001

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

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

*Environmental FirstSearch
Site Detail Report*

Target Property: VICTOR AVE
TONOPAH NV 89049

JOB: 302330001

No sites were found!

*Environmental FirstSearch
Site Detail Report*

Target Property: VICTOR AVE
TONOPAH NV 89049

JOB: 302330001

No sites were selected!

Environmental FirstSearch Descriptions

NPL: *EPA* NATIONAL PRIORITY LIST - Database of confirmed and proposed Superfund sites.

NPL Delisted: *EPA* NATIONAL PRIORITY LIST Subset - Database of delisted Superfund sites.

CERCLIS: *EPA* COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY INFORMATION SYSTEM - Database of current and potential Superfund sites currently or previously under investigation.

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.

RCRA COR ACT: *EPA* RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM SITES - Database of RCRA facilities with reported violations and subject to corrective actions.

RCRA TSD: *EPA* RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM TREATMENT, STORAGE, and DISPOSAL FACILITIES. - Database of facilities licensed to store, treat and dispose of hazardous waste materials.

RCRA GEN: *EPA* RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM SITES - Database of 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 facilities not currently classified by the EPA but are still included in the RCRIS 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 - Database of emergency response actions. Data since January 2001 has been received from the National Response System database as the EPA no longer maintains this data.

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

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

described in detail in the Nevada State web site under legislation section NAC445.226-NAC445.2739.

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

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

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

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

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

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

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

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

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

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

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

Target Property: VICTOR AVE
TONOPAH NV 89049

JOB: 302330001

Street Name	Dist/Dir	Street Name	Dist/Dir
Buffaloberry Ln	0.23 NW		
Smoky Valley Rd	0.23 NW		

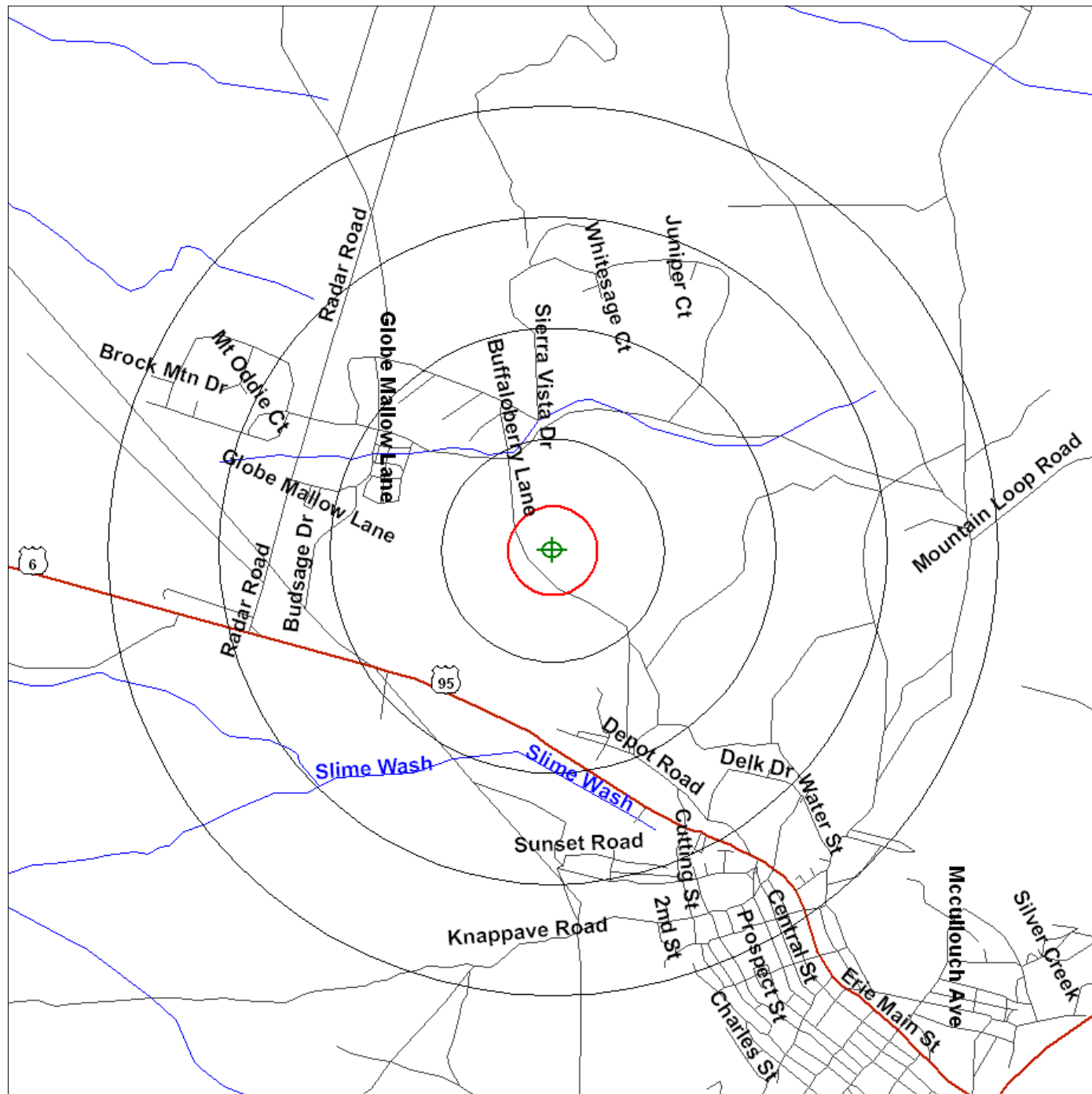


Environmental FirstSearch

1 Mile Radius
Single Map:



VICTOR AVE, TONOPAH NV 89049



Source: U.S. Census TIGER Files

- Target Site (Latitude: 38.081366 Longitude: -117.242078)
- 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



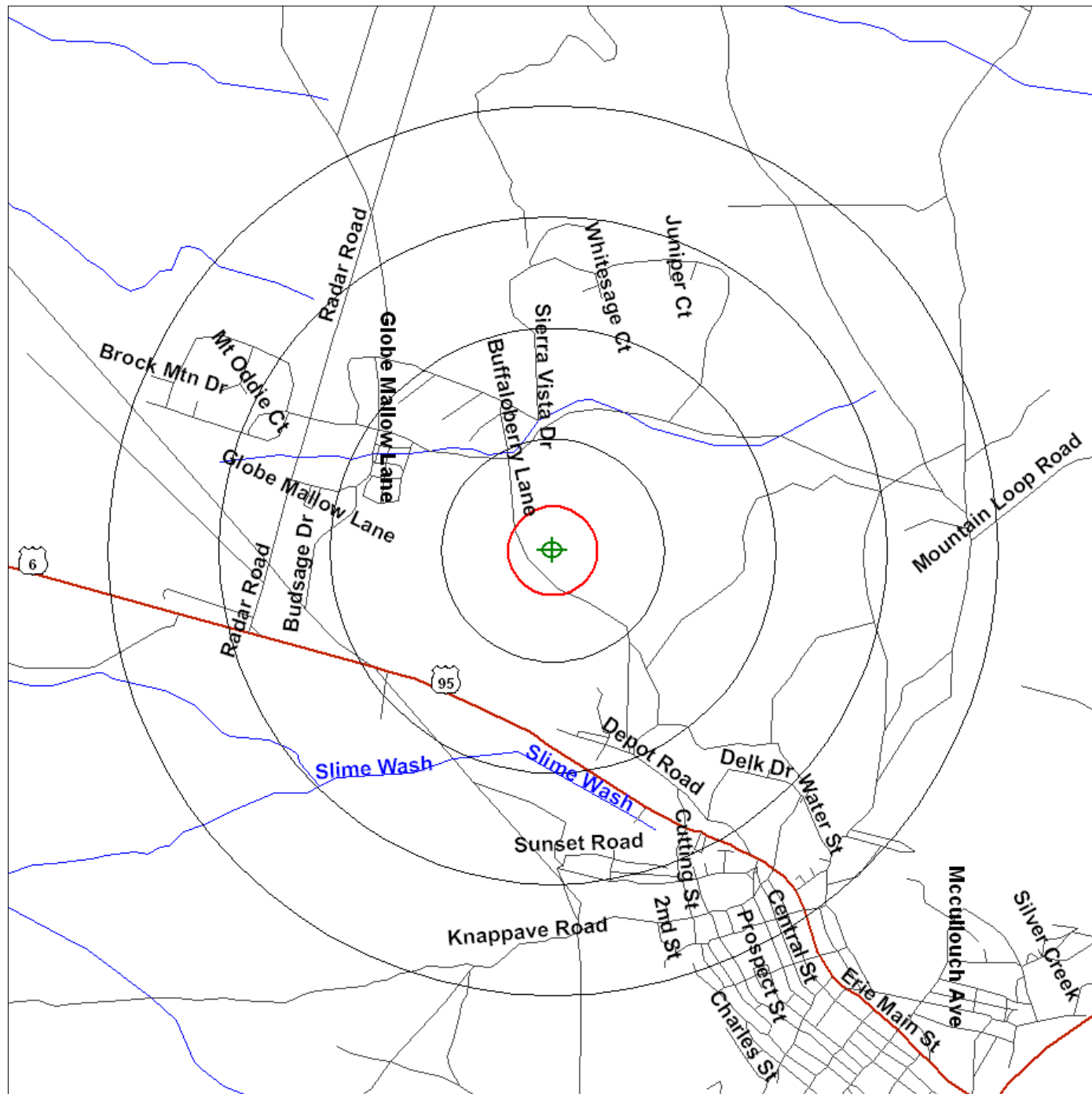


Environmental FirstSearch

1 Mile Radius
ASTM-05: NPL, RCRA COR, STATE



VICTOR AVE, TONOPAH NV 89049



Source: U.S. Census TIGER Files

- Target Site (Latitude: 38.081366 Longitude: -117.242078)
- 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



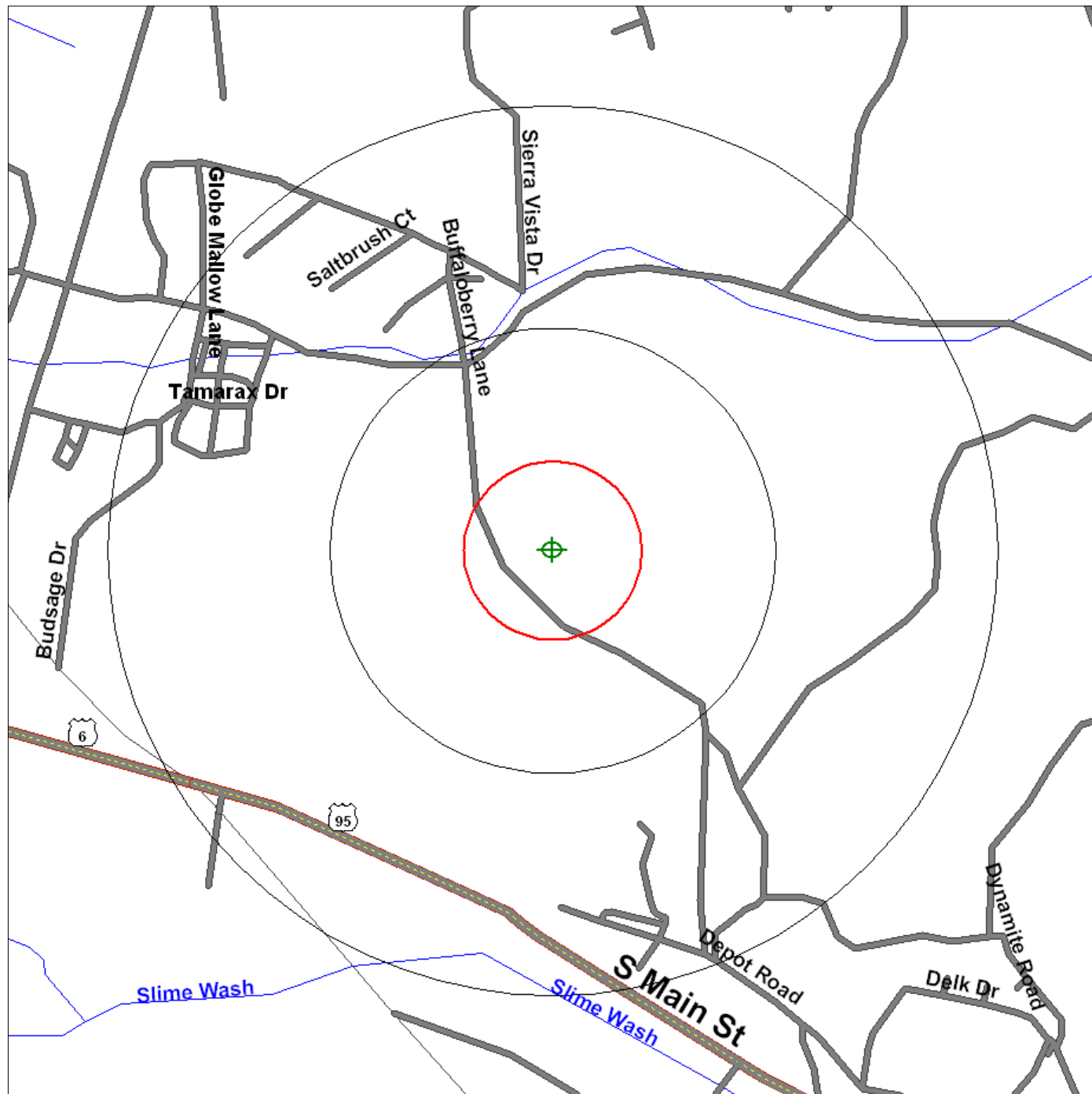


Environmental FirstSearch

.5 Mile Radius
ASTM-05: Multiple Databases



VICTOR AVE, TONOPAH NV 89049



Source: U.S. Census TIGER Files

Target Site (Latitude: 38.081366 Longitude: -117.242078)

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



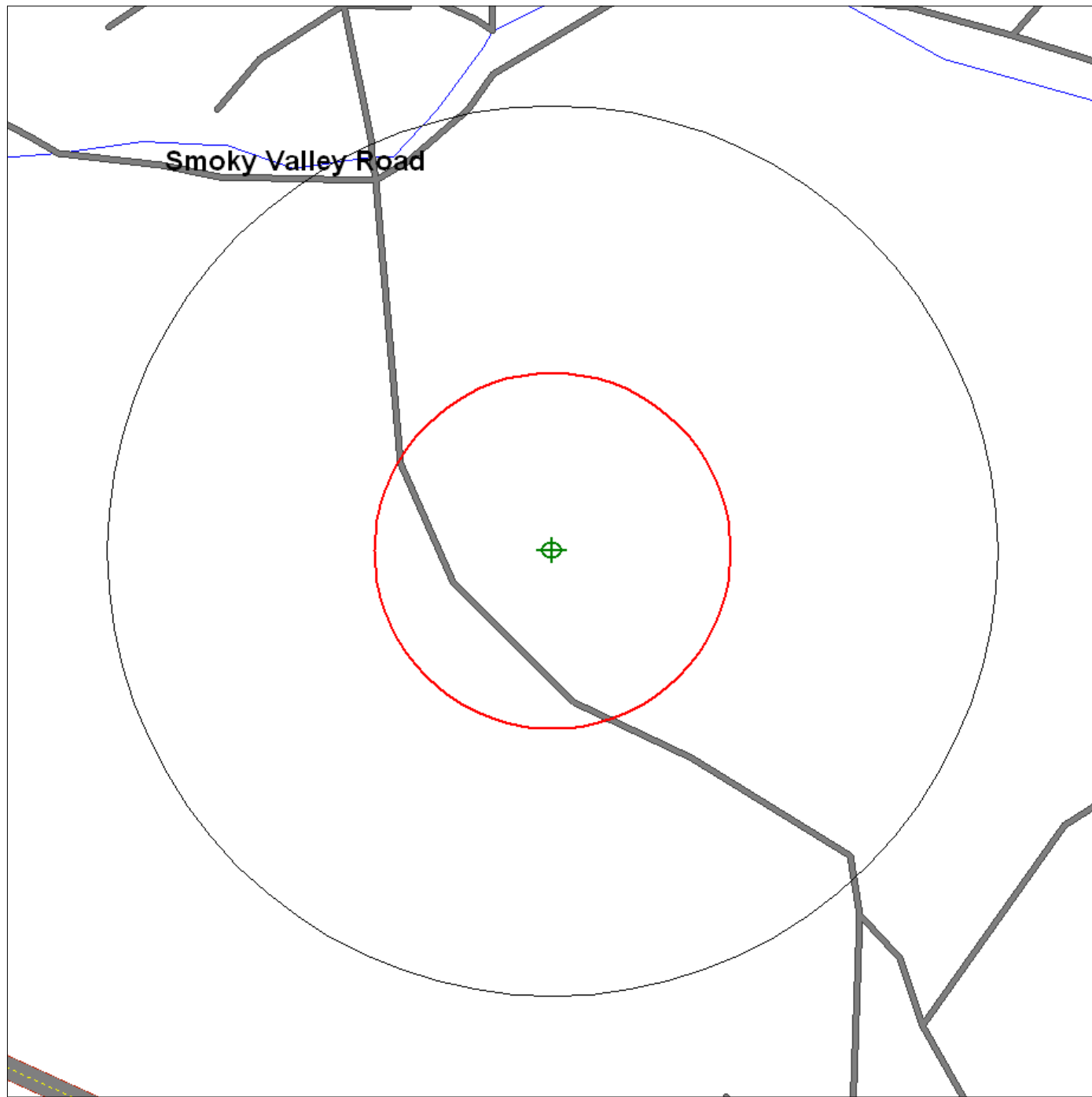


Environmental FirstSearch








.25 Mile Radius
ASTM-05: RC-RAGEN, UST

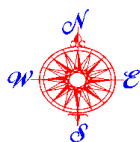


VICTOR AVE, TONOPAH NV 89049



Source: U.S. Census TIGER Files

- Target Site (Latitude: 38.081366 Longitude: -117.242078) 
- 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

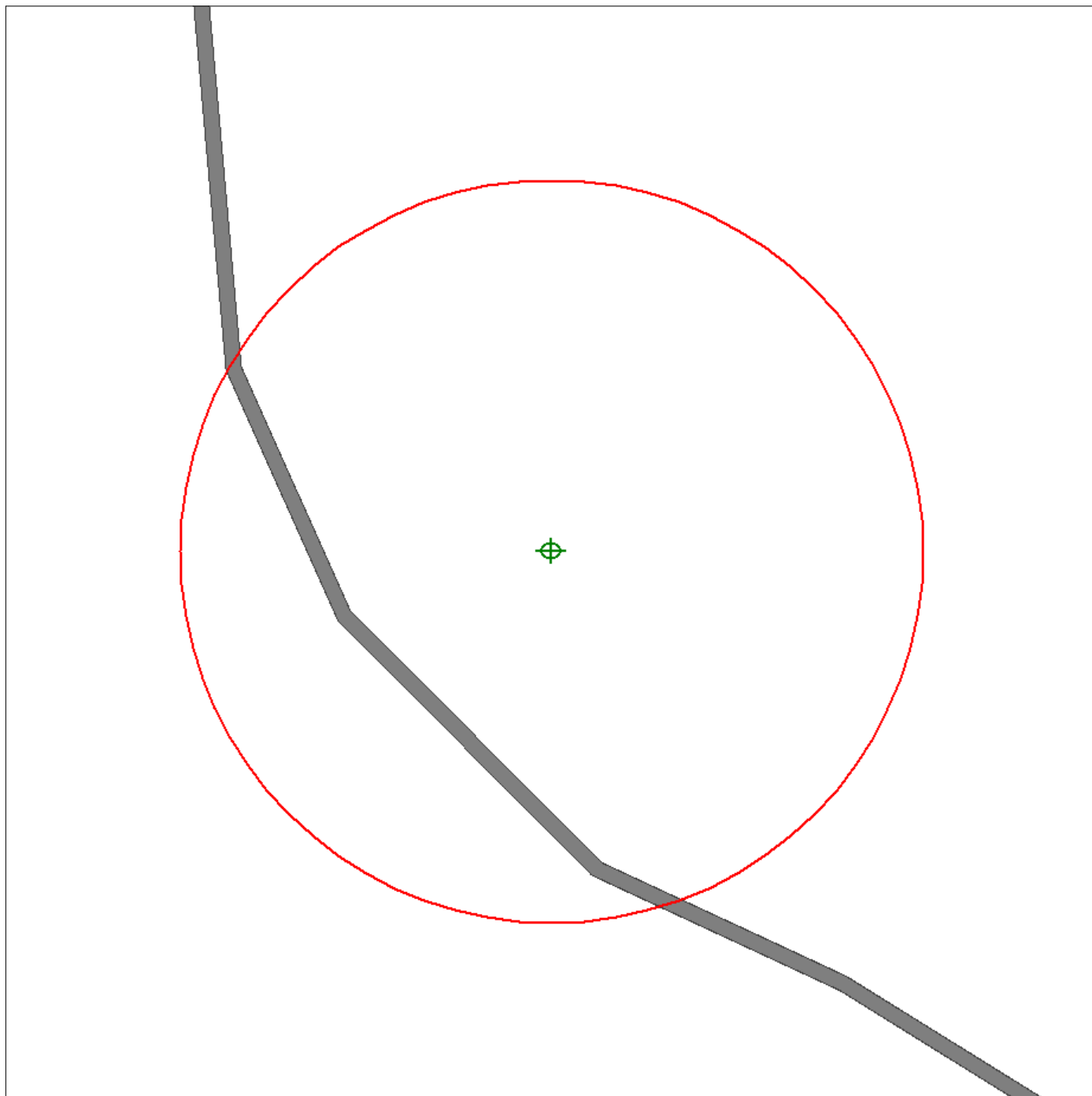


Environmental FirstSearch








.12 Mile Radius
ASTM-05: ERNS, RCRANLR



VICTOR AVE, TONOPAH NV 89049



Source: U.S. Census TIGER Files

- Target Site (Latitude: 38.081366 Longitude: -117.242078) 
 - 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

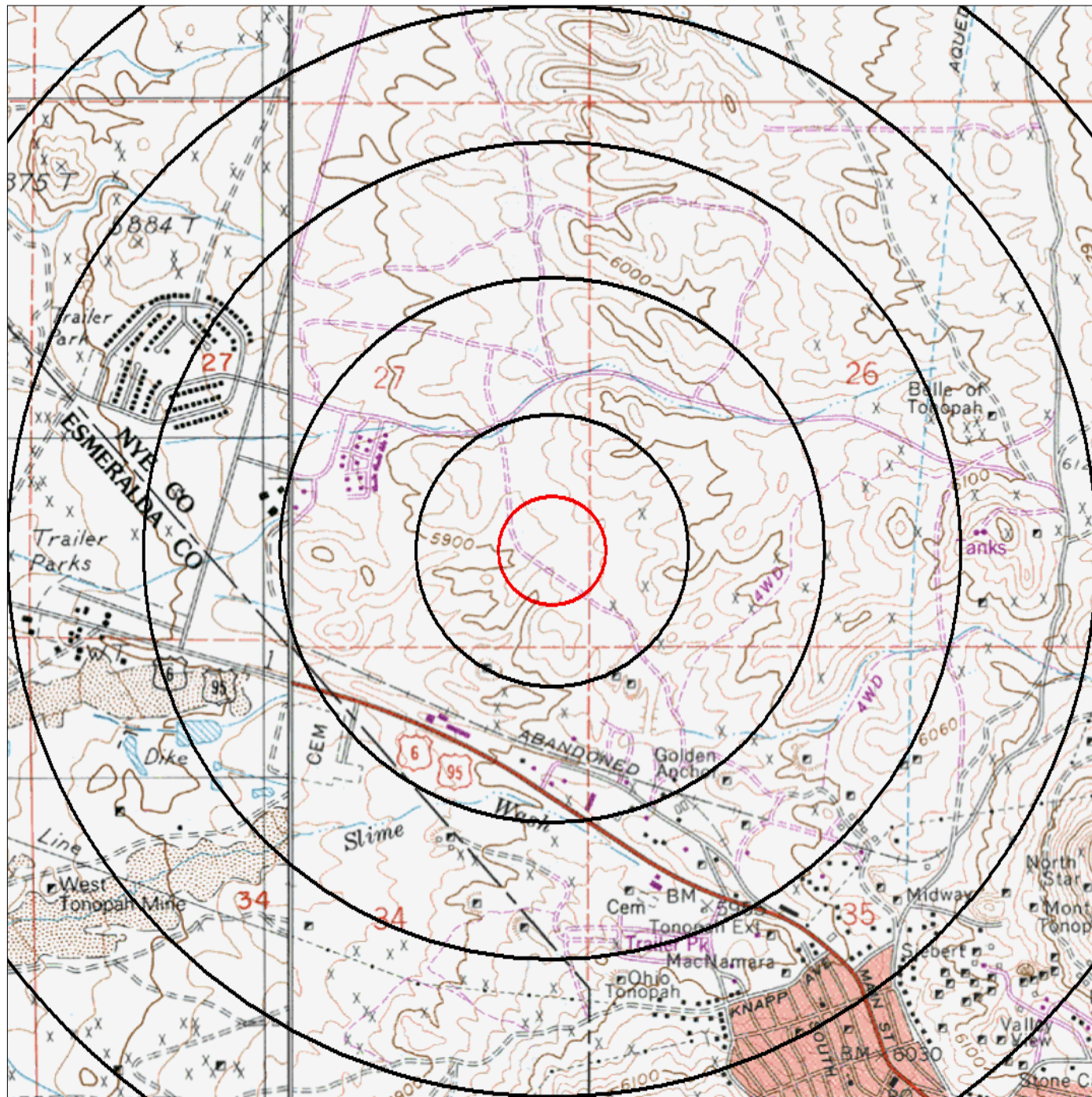


Environmental FirstSearch

Topo : 1.00 Mile Radius

Single Map

VICTOR AVE, TONOPAH NV 89049



Source:

Target Site (Latitude: 38.081366 Longitude: -117.242078)



Identified Site, Multiple Sites, Receptor

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

Tribal Land



Map Name: TONOPAH Date Created: 1960-- Date Revised: 1982--

Map Reference Code: 38117-A2-TF-024

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

APPENDIX C-2

Regulatory Records Documentation

Records Review Documentation

Randy Kyes

From: Randy Kyes
Sent: Monday, May 21, 2007 4:09 PM
To: 'gwhite@ndep.nv.gov'
Subject: NDEP Records Request

Ms. White,

I am performing four Phase I ESAs in Tonopah, NV for Nye County as part of their Brownfields assessment program. Is any information of record located in your files regarding the following property:

301 Knapp Avenue, Tonopah, NV 89049

My other properties are unaddressed and I believe you are unable to do searches by assessor parcel numbers, correct?

Additionally, I am looking to speak with someone from the corrective action bureau regarding the status of the following LUST/UST case file:

Joe's Unocal 76 Station, 250 Main Street, Tonopah, NV. #7-000152 (case officer B. Benoy)

Thank you for your time and assistance.

Regards,

Randy S. Kyes
Staff Environmental Scientist
Ninyo & Moore
6700 Paradise Road, Suite E
Las Vegas, NV 89119
Phone: (702) 433-0330
Fax: (702) 433-0707
Mobile: (702) 513-6372
rkyes@ninyoandmoore.com

APPENDIX D

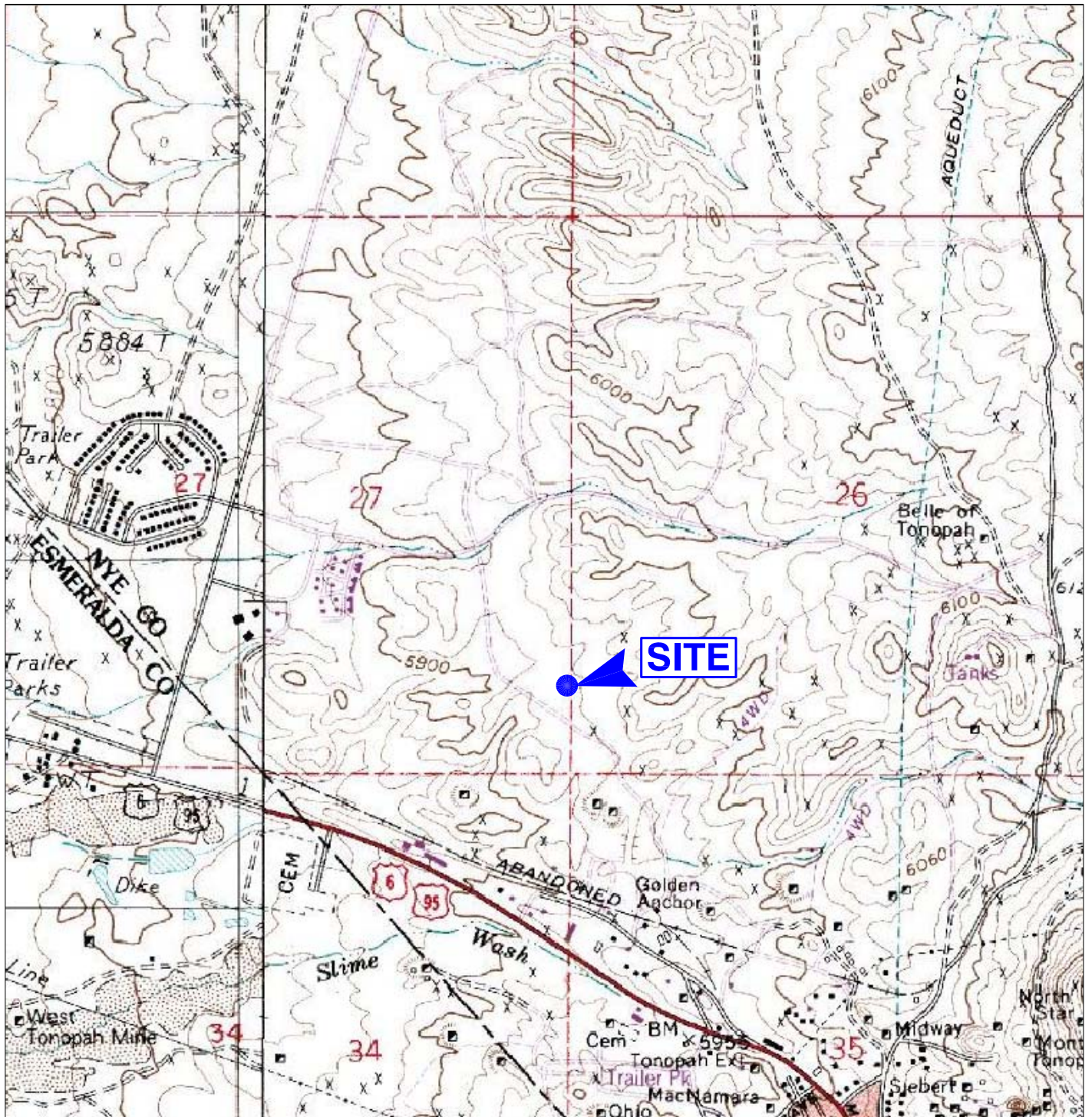
Historical Research Documents

- D-1 - Historical Topographic Map (1982)
- D-2 - Historical Topographic Maps (1908 and 1961)
- D-3 - Aerial Photograph

APPENDIX D-1

Historical Research Documents

Historical Topographic Map (1982)



SOURCE: USGS Tonopah Quadrangle, 7.5-minute Series topographic map, dated 1961 (photorevised 1982).



APPROXIMATE SCALE IN FEET

NOTE: ALL DIMENSIONS, DIRECTIONS AND LOCATIONS ARE APPROXIMATE



Ninyo & Moore

HISTORICAL TOPOGRAPHIC MAP - (1982)

APPENDIX

PROJECT NO.

DATE

PHASE I ENVIRONMENTAL SITE ASSESSMENT

PARCEL NO. 02-421-05

TONOPAH, NEVADA

302330001

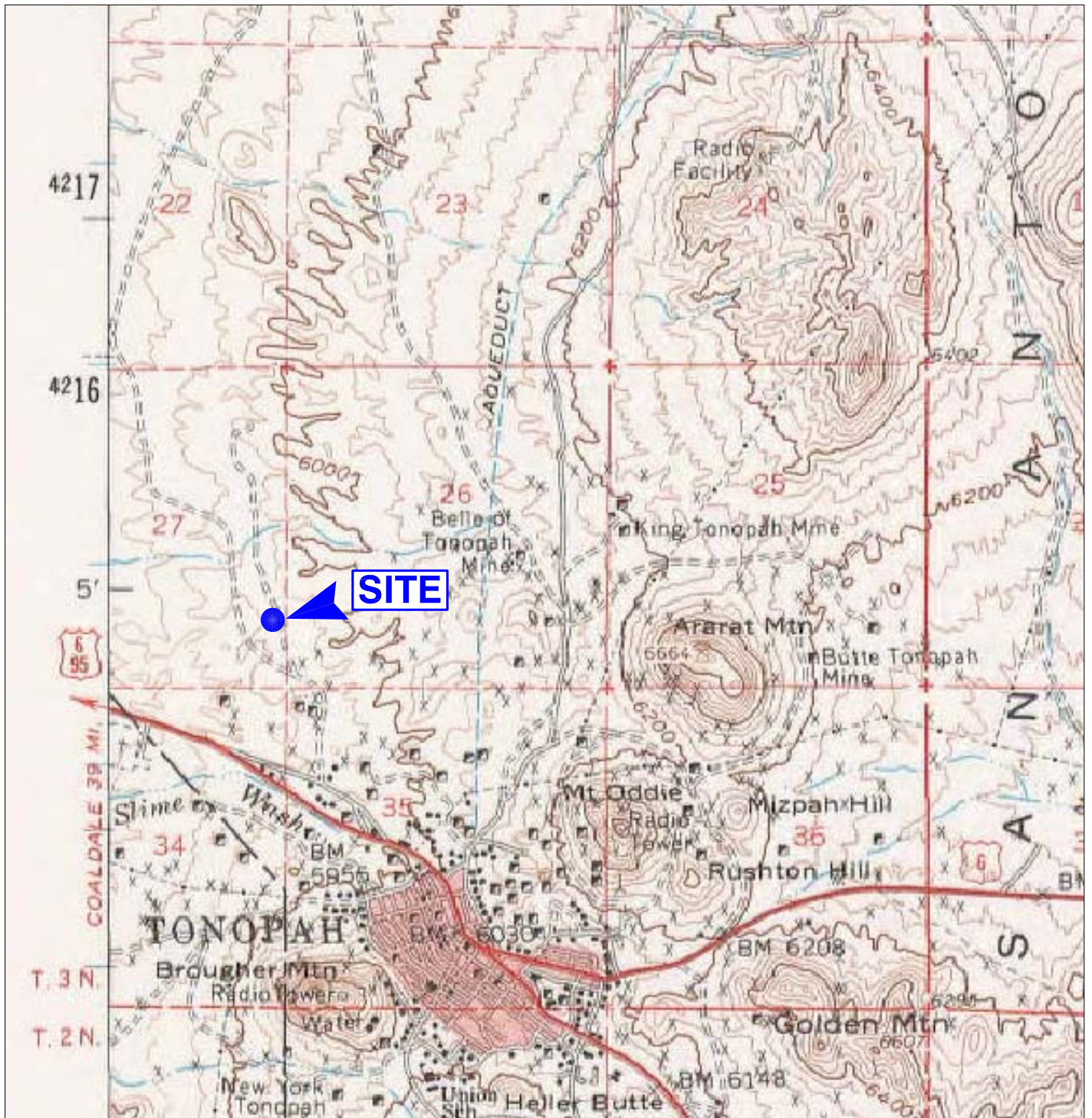
06/07

D-1

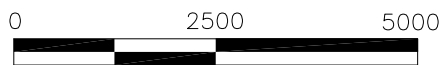
APPENDIX D-2

Historical Research Documents

Historical Topographic Maps (1908 and 1961)



SOURCE: USGS Tonopah Quadrangle, 15-minute Series topographic map, dated 1961.



APPROXIMATE SCALE IN FEET

NOTE: ALL DIMENSIONS, DIRECTIONS AND LOCATIONS ARE APPROXIMATE



Ninyo & Moore

HISTORICAL TOPOGRAPHIC MAP - (1961)

APPENDIX

PROJECT NO.

DATE

PHASE I ENVIRONMENTAL SITE ASSESSMENT

PARCEL NO. 02-421-05

TONOPAH, NEVADA

302330001

05/07

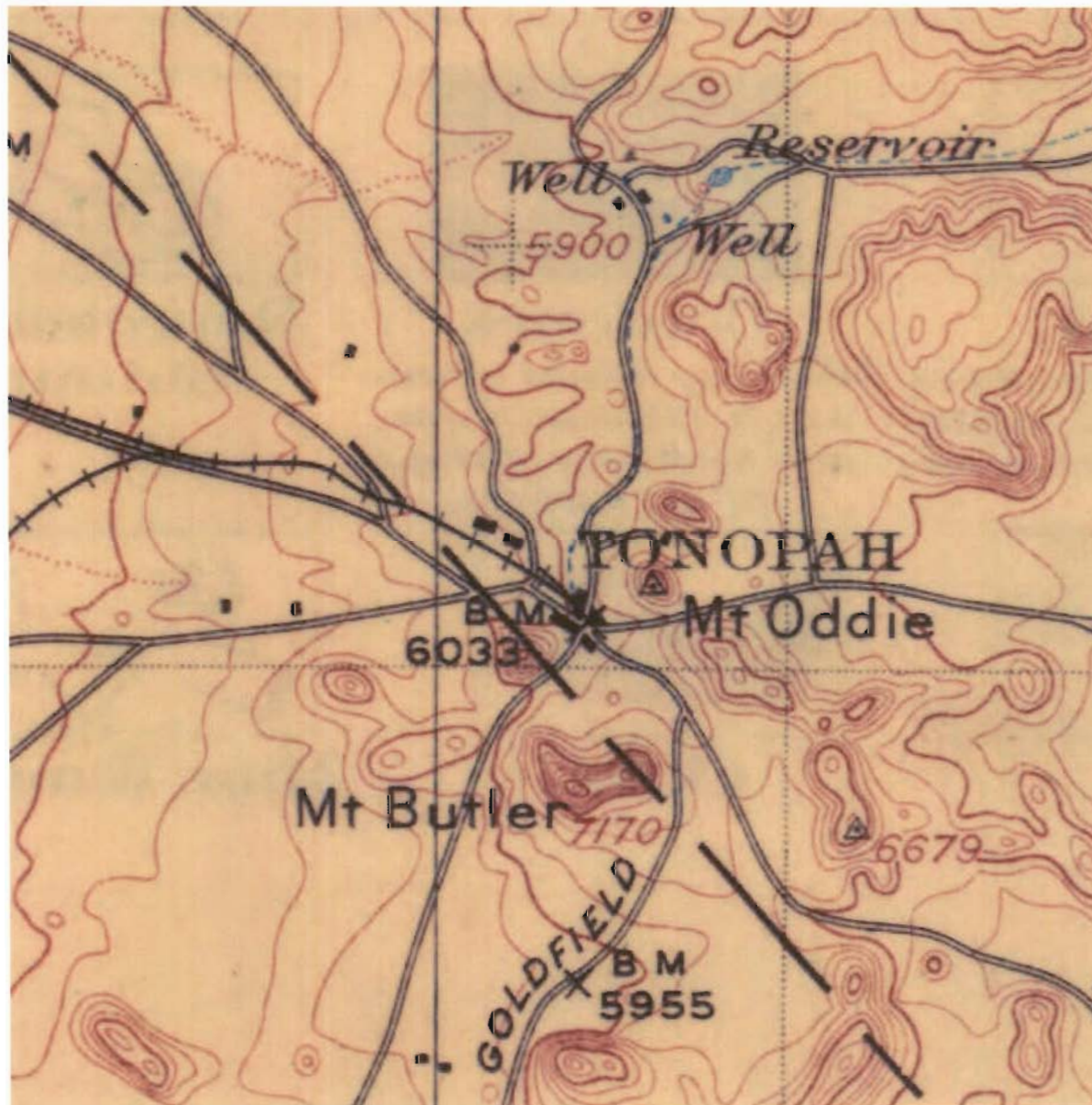
D-2

Nevada in Maps

back to results · add to favorites · reference url



Tonopah (1908)



Title	Tonopah (1908)
View map image in other file formats	ftp://nas.library.unr.edu/Keck/HistTopoNV/Tonopah_1908.djvu (402K) ftp://nas.library.unr.edu/Keck/HistTopoNV/Tonopah_1908.jpg (3.1Mb) ftp://nas.library.unr.edu/Keck/HistTopoNV/Tonopah_1908.tif (86.6Mb) ftp://nas.library.unr.edu/Keck/HistTopoNV/georeferenced/Tonopah_1908.zip
Creator	Geological Survey (U.S.); Marshall, R.B.; Blackburn, J.E.; United States. Coast and Geodetic Survey; Green, T.A.
Date Original	1908
Electronic Publication Date	2003
Original Publisher	Washington, D.C.: U.S. Geological Survey

APPENDIX D-3

Historical Research Documents

Aerial Photograph



SOURCE: Google Earth, 2007.



APPROXIMATE SCALE IN FEET

NOTE: ALL DIMENSIONS, DIRECTIONS AND LOCATIONS ARE APPROXIMATE



Ninyo & Moore

AERIAL PHOTOGRAPH

APPENDIX

PROJECT NO.

DATE

PHASE I ENVIRONMENTAL SITE ASSESSMENT

PARCEL NO. 02-421-05

TONOPAH, NEVADA

302330001

06/07

D-3

APPENDIX E

Interview Documentation

- E-1 - Owner Interview Documentation
- E-2 - Local Governmental Officials Interview Documentation
- E-3 - Other 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: Nye County/APN 02-421-05/ESA	
Street Addresses (list all addresses, current and historical): Victor Ave	
Assessor's Parcel Number(s): Nye County APN No. 02-421-05	
City/State/Zip: Tonopah, Nye County, Nevada 89049	
Site Owner: Tonopah Town	
Current Site Occupants (name and nature of business): Vacant	
Site Description	
Size of Site (acreage/square feet):	2.0 acres
Date(s) of construction of current buildings:	None
No. of Buildings/No. of Floors:	—
Square Footage of Building(s):	—
Construction Type (tilt-up, wood-framed, etc.):	—
Current Site Use(s)/Dates of Operation:	—
Type of heating/cooling system(s): (electric, natural gas, other):	—
Location of heating/cooling system (roof, boiler room, etc.):	—
Utility Information	
Name of water supplier:	—
Name of electrical/natural gas utility company:	—
Name of sewer services provider:	—
Is site on a septic system?	—
Trash pick-up/waste management method:	—
Equipment On the Site (please list number and location of current or historical features)	
Underground storage tanks?	No
Aboveground storage tanks?	No
Elevators/type (hydraulic, traction)?	—
Hydraulic lifts?	—
Electrical transformers?	—

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?	—
Sumps and/or clarifiers?	—
Wells (water, oil, geothermal, dry, groundwater)?	—
Pipelines crossing the site (underground or aboveground)?	—
Hazardous Building Materials	
Any asbestos-containing materials on the site?	—
Any lead-based paint on the site?	—
Hazardous Materials/Wastes	
Please describe on-site processes involving the use of chemicals. —	
Are hazardous materials present on the site, including pesticides, maintenance supplies, pool chemicals? If so, please describe the materials and method of storage. —	
Are hazardous wastes generated or stored on the site? If so, please describe the wastes and method of storage and disposal. —	
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.)? <i>Undeveloped Prospect spots in the area.</i>	
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? <i>None</i>	
Has there been any dumping or burning of trash on the site (legally or illegally)? <i>Yes, dumping of trash, concrete, dirt, etc</i>	
Have fill soils ever been brought to the site (e.g., to fill in a canyon, provide foundation for a structure, etc.)? <i>NO</i>	
Have any major building renovation/demolition activities been performed at the site? —	
How deep is groundwater at the site? —	

**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>No</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>No</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? <i>_____</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>_____</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, <ul style="list-style-type: none">• do you know the past uses of the site?• do you know of any specific chemicals that are present or once were present?• do you know of any spills or other chemical releases that have taken place?• do you know of any environmental cleanups that have taken place? <i>_____</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? <i>_____</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? _____
Are you aware of any previous environmental reports or other documents that have been prepared regarding the site? _____
What is the reason that this Phase I ESA is being conducted? <i>Brownfields Assessment</i>
What is the type of site transaction that will occur? (e.g., sale, purchase, refinance, exchange, etc.) _____
Can you provide contact information for former owners, occupants, or managers of the site? _____
Can you provide copies of title reports, tax records, land title records, zoning or land use records for the site? _____
Who is the site contact, and how can they best be reached? <i>Tonopah Town</i>
Any other persons who are knowledgeable about the history or environmental status of the site? If so, please provide contact information. _____
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? _____
Name of Individual Completing this Questionnaire: <i>Randy Kyes for James Eason</i>
Title/ Company: <i>James Eason, Tonopah Town Manager</i>
Date Questionnaire Completed: <i>05/15/2007</i>
Signature/Date: <i>MJK</i> for James Eason <i>05/15/07</i>

APPENDIX E-2

Interview Documentation

Local Government Officials Interview Documentation

Project Name: NYE COUNTY/APN 02-421-05/ESA Project No.: 302330001 P.M. GB Author RK
Contact's Name: MS. GAIL WHITE Contact's Company: NDEP - CARSON CITY, NV
Caller Contact Other Date: 05/21/07 Time: 1445 PM Phone: 775-687-9367
Type of Contact Email Phone Fax Other

E-mail: _____ Fax: _____
Subject: RESPONSE TO E-MAIL INQUIRY.

Previous Conversation:**Response:**

Summary of Conversation:

Ms. White, of the NDEP, stated that individuals making request must first review the online database listings for active LUST/UST/AST/State sites to see if the subject site is listed. Request can only be made to her if a physical address and case number can be provided. Since the subject site is undeveloped and unaddressed, no information was found regarding the site since NDEP does not utilized tax assessors numbers.

Action Items:

APPENDIX E-3

Interview Documentation

Other Interview Documentation

Randy Kyes

From: Randy Kyes
Sent: Monday, May 21, 2007 9:31 AM
To: James Marble (nyenro@nyecounty.net)
Subject: A Few Quick Questions
Importance: High

Dr. Marble,

Hope the rest of your week went well last week. Thanks for meeting with my during my trip up to Tonopah. I have a couple quick questions to ask so that I can complete a couple sections of the reports properly.

- 1) What is the reason that this Phase I ESA is being conducted? (i.e. Brownfields Assessment?)
- 2) On the three parcels owned by Dr. Dees, I was told a land swap was being conducted. Will the land swap be for parcels of equal value? Or will a sale be taking place?

Thanks for your assistance.

Regards,

Randy S. Kyes
Staff Environmental Scientist
Ninyo & Moore
6700 Paradise Road, Suite E
Las Vegas, NV 89119
Phone: (702) 433-0330
Fax: (702) 433-0707
Mobile: (702) 513-6372
rkyes@ninyoandmoore.com

Randy Kyes

From: Megreg1159@aol.com
Sent: Monday, May 21, 2007 11:11 AM
To: Randy Kyes
Cc: nyenro@co.nye.nv.us; Eileen@becnv.com
Subject: Re: [Fwd: A Few Quick Questions]

Hi Randy,

Dr. Marble asked me to reply to your questions. The responses to your questions are below. Feel free to contact me should you have additional questions or need additional information.

Regards

MaryEllen C. Giampaoli
Environmental Compliance Specialist
P.O. Box 127
Blue Diamond, Nevada 89004
Ph: (702) 875-4594
Fx: (702) 875-3594

In a message dated 5/21/2007 10:10:52 A.M. Pacific Daylight Time, nyenro@co.nye.nv.us writes:

MEG,

If you can answer these questions for Mr. Kyes, then please send him an email response and send me a cc of it. If not, then just send your answer to me.

Jim Marble

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

Subject: A Few Quick Questions
From: "Randy Kyes" <rkyes@ninyoandmoore.com>
Date: Mon, May 21, 2007 9:31 am
To: nyenro@nyecounty.net

Dr. Marble,

Hope the rest of your week went well last week. Thanks for meeting with my during my trip up to Tonopah. I have a couple quick questions to ask so that I can complete a couple sections of the reports properly.

1) What is the reason that this Phase I ESA is being conducted? (i.e. Brownfields Assessment?)

The property is being evaluated through Nye County's Brownfields program.

2) On the three parcels owned by Dr. Dees, I was told a land swap was being conducted. Will the land swap be for parcels of equal value? Or will a sale be taking place?

5/21/2007

The intent is to swap the parcels for other land of equal value. I do not believe a sale is envisioned.

Thanks for your assistance.

Regards,

Randy S. Kyes
Staff Environmental Scientist
Ninyo & Moore
6700 Paradise Road, Suite E
Las Vegas, NV 89119
Phone: (702) 433-0330
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Mobile: (702) 513-6372
rkyes@ninyoandmoore.com

See what's free at AOL.com.

APPENDIX F

Environmental Professional Qualifications

GREGORY A. BECK, CEM
Senior Environmental Scientist/Operations Manager

EDUCATION

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

CERTIFICATIONS

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

PROFESSIONAL EXPERIENCE AND RESPONSIBILITIES

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

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

RANDY S. KYES
Senior Environmental Technician

EDUCATION

Bachelor of Arts, Criminal Justice, 2004, University of Nevada Las Vegas, Las Vegas, Nevada

CERTIFICATIONS

Asbestos Abatement Consultant (NV) License No. IM 1295; Exp. 09/05/2007

AHERA-accredited Contractor/Supervisor for Asbestos; Exp. 08/25/2007

40-Hour OSHA HAZWOPER Health and Safety Training

PROFESSIONAL EXPERIENCE AND RESPONSIBILITIES

As Senior Environmental Technician for Ninyo & Moore, Mr. Kyes performs Phase I and Phase II Environmental Site Assessments, including historical property reviews, site reconnaissance, and data compilation; performs environmental surveys of residential, commercial, and industrial properties, including the assessment, quantification, and sampling of hazardous materials such as asbestos and mold; performs groundwater monitoring, well injections, and sampling; conducts hydrologic studies for groundwater and surface water; maintains remediation systems; prepares work plans and specification documents; provides support to air quality emission data management; and prepares comprehensive environmental reports. Mr. Kyes' recent project experience includes:

- **Floyd Lamb State Park, Las Vegas, Nevada:** Senior Environmental Technician during a Phase II soil investigation to evaluate impacts to soil at an active gun club on the property and assess the extent of TPH contamination in soil from leaking oil drums located at three supply well locations. Duties included preparation of sampling plan, coordination with clients and property tenants, sampling of soil, decontamination of equipment, and submittal of sample to laboratory for analytical analysis. Mr. Kyes compiled the laboratory data in a Phase II environmental report that also presented our findings, conclusions, and recommendations.
- **UNLV Moyer Student Union, Las Vegas, Nevada:** Nevada-licensed Asbestos Consultant for an asbestos abatement on the three-story Moyer Student Union building that is scheduled for demolition in the near future as part of the expansion of the UNLV campus and the eventual construction of a new student union building. Mr. Kyes provided full-time asbestos abatement air monitoring during asbestos abatement operations and submitted the air samples to an accredited laboratory for analysis.
- **Reid Gardner Power Station, Moapa, Nevada:** Senior Environmental Technician during the preparation of quarterly monitoring reports for submission with a discharge monitoring report. Duties included assisting with collection of groundwater samples from over 80 monitoring wells, seven evaporation ponds, and five Muddy River samples.
- **Bonneville Underpass Remediation System, Las Vegas, Nevada:** Senior Environmental Technician for the Bonneville Avenue underpass remediation system located at approximately the 600 Block of Bonneville Avenue approximately 500 feet west of Main Street. Duties included performing routine maintenance on the remediation system and assisting with the quarterly groundwater monitoring and sampling.
- **Pinnacle Las Vegas, Las Vegas, Nevada:** Senior Environmental Technician during generation of a Title V Authority to Construct/Air Operating Permit application for development of two 36-story residential towers. Duties included data compilation, performing potential to emit calculations, conducting emissions modeling, and assisting with preparing the permit application.
- **Warm Spring Ranch Parcels, Moapa, Nevada:** Senior Environmental Technician for this Phase I Environmental Site Assessment of 18 parcels comprising approximately 1,200 acres of agricultural and undeveloped land at the Warm Springs Ranch, Moapa, Nevada. Mr. Kyes' duties included client liaison; review of historical records relating to site ownership and past property use; review of regulatory agency records, historical aerial photographs, and topographic maps; performance of a field reconnaissance and inspection; and preparation of a written report, including documentation to support our analysis, conclusions, and recommendations.

PROFESSIONAL AFFILIATIONS

National Ground Water Association