

Phase I
Environmental Site Assessment

Corporation of Shepherdstown Water Distribution System
Improvements Project

Jefferson County, West Virginia

July 2023



4984 Washington St. W., Cross Lanes, WV 25313

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1 Executive Summary

On December 7th and 8th, 2022, Decota Consulting Company, Inc. (Decota) conducted a site visit to the corporation of Shepherdstown in Jefferson County, West Virginia. This visit was conducted in order to fulfill the requirements of a Phase I Environmental Site Assessment (ESA) associated with the Corporation of Shepherdstown Water Distribution System Improvements Project (Project). This site visit was conducted by Decota representatives Shawn Huffman and Jeff Hill. During this site visit a total of 331 parcels of property were identified to be within or closely adjacent to the limits of disturbance (LOD) for the Project. Desktop and visual on-site evaluations were completed for each of these 331 parcels for Recognized Environmental Conditions (RECs), defined as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property as defined by the American Society for Testing and Materials International Standard (ASTM) E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, to determine if the properties required a full Phase I ESA.) Using best professional judgement, two commercial properties within the project area meet the requirements of the Phase I ESA, as the other 329 parcels were residential homes and posed no reasonable risk for REC's.

Two subject properties were evaluated for the Phase I ESA. Subject Property 1 is located at 789 Potomac Farms Drive in Shepherdstown, WV and Subject Property 2 is located at 200 East High Street in Shepherdstown, WV. Subject Property 1 is identified as parcel 19-09-0008-0006-0000 and Subject Property 2 is parcel 19-10-0003-0013-0001. The objective of this ESA is to determine, to the extent feasible, the presence or absence of Recognized Environmental Conditions (RECs), for the purpose of a water distribution system improvements project occurring adjacent to these Sites. Exceptions to, or deletions from, ASTM E1527-13 are described in Section 2.4.4 of this report. This assessment has revealed no evidence of RECs in connection with the Subject Property.

Subject Property 1 is owned by John D. Lowe III et al. Currently, this property is being operated as a tree nursery and greenhouse. Structures on this parcel include a large metal building which is used as a store to sell the trees and plants, several greenhouses, and a graveled parking area. The metal storage building currently has water and power and is heated by a 1,000-gallon oil tank and a 250-gallon oil tank. The Subject Property consists of 10.5 acres and the surrounding land use is primarily residential. Prior to this location being a greenhouse/nursery, it was operated as a working farm.

Subject Property 2 is owned by Gregory King. Currently, this property includes an operating restaurant called The Blue Moon Cafe. Facilities included on this parcel is a building which houses the restaurant, an outdoor dining area, and a paved parking area. The building currently has water and power. The Subject Property consists of 0.17 acres and the surrounding land use is primarily residential. Prior to the 1980's this property was the site of a fueling station.

Additionally, the entire LOD of the Shepherdstown WSI Project was assessed both visually and via the generated Environmental Database Reports (EDR). The EDR is a 350+ page document that includes photographs, reports, aerials and analysis of the subject properties. To provide easier review of the Phase 1 ESA document, the EDR report was not included as an appendix to this document. If a review of the EDR report is requested, USACE Baltimore can provide access. Please submit a comment to review the EDR on the USACE Public Notice website (<https://www.nab.usace.army.mil/Missions/Civil-Works/Central-WV-Infrastructure-571-Program/>).

No RECs, including aboveground storage tanks (ASTs), underground storage tanks (USTs), or leaking underground storage tanks (LUSTs), were found to occur within the LOD of the Project.

2 Introduction and Background

2.1 Purpose and Auditors

A Phase I ESA of Subject Property 1 and Subject Property 2 in Shepherdstown, West Virginia was conducted to determine the presence or absence of RECs in anticipation of a water distribution system improvements project, as defined in ASTM E1527-13 on behalf of the Corporation of Shepherdstown Public Works (the “Client”).

As set forth under ASTM E1527-13, the “User” of this Phase I ESA is defined as the Corporation of Shepherdstown Public Works.

2.2 Property Information

Subject Property 1	
Owner:	John D. Lowe III et al.
Property Address:	789 Potomac Farms Drive, Shepherdstown, WV 25443
Parcel ID:	19-09-0008-0006-0000
Client:	Corporation of Shepherdstown Public Works
Client Phone Number:	304-876-3322
Subject Property 2	
Owner:	Gregory King
Property Address:	200 East High Street, Shepherdstown, WV 25443
Parcel ID:	19-10-0003-0013-0001
Client:	Corporation of Shepherdstown Public Works
Client Phone Number:	304-876-3322

2.3 Scope of Work

This assessment was conducted in accordance with the scope of services described in ASTM E1527-13, *Sections 7 – 12*. The objective of this ESA is to determine the presence or absence of RECs as defined in ASTM E1527-13. Exceptions to, or deletions from, ASTM E1527-13 are described in Section 2.4.4 of this report. Events occurring on either of the Subject Properties after December 8, 2022 (date of the final inspections), are beyond the scope the of this report. The scope of this assessment includes the following:

Records Review – a review of reasonably ascertainable, standard source records that may help identify any RECs in connection with Subject Property 1 and Subject Property 2.

Site Reconnaissance – a visual and/or physical inspection of Subject Property 1 and Subject Property 2 to obtain information indicating any RECs in connection with the properties.

Interviews – interviews with past and present owners, operators, and occupants of the properties to obtain information about uses and conditions.

Report – the evaluation and subsequent reporting of information gathered during the records review, site reconnaissance, and interviews. This document contains any findings, conclusions, and recommendations for additional investigations if needed.

2.4 Limiting and Special Conditions

2.4.1 Limiting Conditions during the Site Visit

Decota did not encounter any limiting conditions during the Site visit. Limiting conditions include obstructions such as buildings, bodies of water, paved areas, parked cars or equipment, snow, or overgrown vegetation that prevented Decota from viewing the entirety of either Subject Property.

2.4.2 Data Gaps

Table 1: Data Gap Summary

Data Gap/Failure	Sources Consulted to Address Data Gap	Significance ¹
Access to reasonably ascertainable information regarding the Subject Property’s historical use back to the Property’s first developed use, or back to 1940, whichever is earlier.	Decota reviewed all reasonably ascertainable sources listed in Section 9 of this report.	Non-significant
Building Department Records as “standard historical source” per ASTM1527-13, §8.3.4.7.	EDR does not have access to building permits in Shepherdstown, WV. Permits not reasonably ascertainable by Decota personnel.	Non-significant

Data Gap/Failure	Sources Consulted to Address Data Gap	Significance¹
Fire Insurance Map as “standard historical source” per ASTM1527-13, §8.3.4.2.	EDR did not find any fire insurance maps covering the target property in Shepherdstown, WV.	Non-significant
Property Tax Map as “standard historical source” per ASTM1527-13, §8.3.4.3.	EDR does not have access to property tax maps in Shepherdstown, WV. Maps not reasonably ascertainable by Decota personnel.	Non-significant

1. Data “Significance” provides a qualitative indication of the implication of the identified data gap relative to the Environmental Professional’s (EP’s) ability to identify conditions indicative of releases or threatened releases to the subject property; the “significance” of the data gaps are rated from low to high. “Non-significant” indicates that additional information to fill the data gaps is not likely to have a negative impact on Decota’s conclusions presented in this report. “Significant” indicates that it is Decota’s opinion that additional diligence or investigation (such as additional data review or physical sampling of environmental media) is required to address the data gap.

It should be noted that even with the proper application of the methodologies outlined in ASTM 1527-13, there may be conditions that exist on Subject Property 1 and Subject Property 2 that could not be identified within the scope of the assessment or were not reasonably identifiable from the available information. Decota believes that the information obtained from the record review, the site inspection, and the interviews concerning the properties is reliable. The methodologies of this assessment are not intended to produce all-inclusive or comprehensive results, but rather to provide the Client with information relating to the properties. Decota’s professional judgments and conclusions were limited to the information made available during the course of this assessment and are true and correct to the best of Decota’s knowledge as of the date of this report.

2.4.3 Exceptions to and Deletions from the ASTM E1527-13 Standard

Decota has not identified exceptions to, or deletions from the ASTM E1527-13 standard.

3 Physical Site Setting

3.1 Location

Subject Property 1 is located on Potomac Farms Drive in Shepherdstown, Jefferson County, West Virginia. Please refer to the Subject Property Location Map and the Subject Property Layout Map (Appendix A, exhibits 1 and 2, respectively) for visual and spatial information regarding Subject Property 1 and surrounding area as depicted on the United States Geological Survey (USGS) 7.5-minute quadrangle for Shepherdstown, West Virginia.

Subject Property 2 is located on East High Street in Shepherdstown, Jefferson County, West Virginia. Please refer to the Subject Property Location Map and the Subject Property Layout Map (Appendix A, exhibits 3 and 4, respectively) for visual and spatial information regarding the Subject Property and surrounding area as depicted on the USGS 7.5-minute quadrangle for Shepherdstown, West Virginia.

3.2 Topography and Hydrology

Subject Property 1 is located at an elevation of approximately 486 feet above mean sea level and is generally flat with a few rolling hills. Surface water at the Subject Property drains via overland flow to storm drains located within areas of the parking lots, and along Shepherdstown Road to the east. The nearest surface water body is an Unnamed Tributary to Rockymarsh Run, located to the southwest of the Subject Property.

Subject Property 2 is located at an elevation of approximately 380 feet above mean sea level and is generally flat. Surface water at the Subject Property drains via overland flow to storm drains located within areas of the paved parking lot, and street drains. The storm drains flow into a culvert pipe which runs under the subject property and discharges into a small creek that runs under and to the northeast of the Subject Property. The nearest surface water body is Town Run, which is a tributary of the Potomac River, located to the northwest of the Subject Property.

Flood zone and National Wetland Inventory (NWI) data was obtained by EDR inc. from the Federal Emergency Management Agency (FEMA) and U.S. Fish and Wildlife Services (USFWS), respectively. According to flood zone and NWI data presented in the EDR Radius MapTM Report with GeoCheck® reviewed by Decota, Subject Property 1 is not located within wetland delineated areas or within the 100 or 500-year floodplains. Subject Property 2 is located within the 100-year floodplain, but not within the 500-year floodplain. Subject Property 2 is not located within any wetland delineated areas. WV Flood Zone maps for Subject Property 1 and Subject Property 2 are located in Appendix A.

3.3 Geology and Hydrogeology

According to the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey data for the Jefferson County area, the surface soils in the vicinity of Subject Property 1 are generally comprised of Urban land-Udorthents, and the surface soils in the vicinity of Subject Property 2 are generally comprised of Hagerstown silt loam with a Hagerstown-Rock outcrop complex.

3.3.1 Subject Property 1

According to the EDR Radius MapTM Report with GeoCheck®, there are six (6) federal USGS groundwater wells and zero (0) state oil/gas wells located within a one-mile radius of the Subject Property. The site contact was not aware of any current or former wells on the Subject Property, and none were observed at the time of the site inspection. According to the site contact, the Subject Property is currently connected to a water service. There is reportedly one (1) public water supply well located within a one-mile radius of the Subject Property.

The Site-specific depth to groundwater data necessary to determine actual shallow groundwater flow direction for the Subject Property is not available, and as such, groundwater flow direction at the Subject Property cannot be accurately determined by Decota.

It is important to note that groundwater flow direction can be influenced locally and regionally by the presence of local features, surface topography, recharge and discharge areas, horizontal and vertical inconsistencies in the types and location of subsurface soils, and proximity to water pumping wells.

3.3.2 Subject Property 2

According to the EDR Radius Map™ Report with GeoCheck®, there are three (3) federal USGS groundwater wells and zero (0) state oil/gas wells located within a one-mile radius of the Subject Property. The site contact was not aware of any current or former wells on the Subject Property, and none were observed at the time of the site inspection. However, a stream flows through a culvert under the property. According to the site contact, the Subject Property is currently connected to a water service. There is reportedly one (1) public water supply well located within a one-mile radius of the Subject Property.

The Site-specific depth to groundwater data necessary to determine actual shallow groundwater flow direction for the Subject Property is not available, and as such, groundwater flow direction at the Subject Property cannot be accurately determined by Decota.

It is important to note that groundwater flow direction can be influenced locally and regionally by the presence of local features, surface topography, recharge and discharge areas, horizontal and vertical inconsistencies in the types and location of subsurface soils, and proximity to water pumping wells.

4 Site Description, Operations, and History

4.1 General Site Description

4.1.1 Real Estate Ownership Information

4.1.1.1 Subject Property 1

According to a property record deed obtained from the EDR Environmental Lien and Other Activity and Use Limitations (AUL) Search Report (EDR AUL), Subject Property 1 is owned by John D Lowe III et al. No environmental liens or limited use applications are recorded for this property.

4.1.1.2 Subject Property 2

According to a property record deed obtained from the EDR Environmental Lien and Other Activity and Use Limitations (AUL) Search Report (EDR AUL), Subject Property 2 is owned by Gregory J King. No environmental liens or limited use applications are recorded for this property.

4.1.2 Subject Property Layout

4.1.2.1 Subject Property 1

The Subject Property consists of a gravel lot used for parking and storage of items for sale, an area for storage of mulch, an area consisting of four greenhouses, and one metal building that is used as a store for selling plants and trees.

Please refer to the Subject Property 1 Layout Map (Appendix A, Exhibit 1) for spatial visualizations of Subject Property 1 and surrounding areas, respectively. Photographs of Subject Property 1 taken during the Site inspection can be found in Appendix B. For a copy of the property record deed, refer to the EDR AUL in Appendix C.

4.1.2.2 Subject Property 2

The Subject Property consists of the Blue Moon Café which is currently maintained as an operating restaurant. Outside of the restaurant is an outdoor dining area and a paved parking area along the street. A stream flows through a pipe under the street in front of the restaurant, under the restaurant, and exits to the northeast.

Please refer to the Subject Property Layout Map (Appendix A, Exhibit 2) for spatial visualizations of the Subject Property and surrounding areas, respectively. Photographs of the Subject Property taken during the Site inspection can be found in Appendix B.

4.2 Current Site Operations

4.2.1 Subject Property 1

Currently, a portion of the parcel is comprised of a metal building which is used as a storefront for the nursery/greenhouse. The parcel is also partially comprised of an area on which sits four greenhouses, an area on which mulch is stored for sale, and a gravel parking lot on which a section is used for storage and display of items for sale. The metal building is supplied heat by an outdoor wood burning furnace. Located directly outside of the store building is a 1,000-gallon oil tank which is used for heating purposes, and a 250-gallon oil tank that is used for heating purposes. Neither of these tanks were observed to have secondary containment around them to prevent any

fluids that may leak, or from absorbing into the ground. A cage for storing propane tanks and a tank filling area was also observed on the property. Before the development of the nursery and greenhouse, the entire parcel was made up of a working farm. On average, five personnel currently work at the subject property at least six days a week.

4.2.2 Subject Property 2

Currently, the parcel for Subject Property 2 contains a building used as a restaurant. Outside of the restaurant is an outdoor seating area, and paved parking area. During the site visit several buckets were noticed outside of the restaurant that are being used for waste. Before the development of the restaurant in the early 1980's, Subject Property 2 was a working fueling station. An interview with the property representative revealed that the underground tanks that were used by the gas station have been filled with sand and no longer pose an environmental risk. An average of five to eight personnel work at the restaurant daily.

4.3 Historical Site Operations

4.3.1 Historical Summary Subject Property 1

According to EDR's Aerial Photo Decade Package Report, Subject Property 1 appeared to be located entirely on cleared farmland between 1943 and 1982. Between 1982 and 1988 some slight development occurred on the property, converting the property from a working farm to a tree nursery and greenhouse. By 1997 the entirety of Subject Property 1 was converted into a tree nursery and greenhouse.

4.3.2 Evaluation of Historical Information Source for Subject Property 1

Table 2: Historical Timeline of Subject Property 1 According to EDR's Aerial Photo Decade Package Report

Year	Description of Past Uses
1943	The Subject Property appeared to be located entirely within a cleared parcel of farmland, the majority of the surrounding properties were also cleared farmland with little development.
1959	The Subject Property appeared to be located entirely within a parcel of cleared farmland.
1970	The Subject Property appeared to be located entirely within a parcel of cleared farmland. Some new development of homes to the north.
1974	The Subject Property appeared to be located entirely within a parcel of cleared farmland. Some new development of homes to the north and to the west of the property.
1982	The Subject Property appeared to be located entirely within a parcel of cleared farmland. Development of homes to the north and to the west of the property increase.
1988	The majority of the Subject Property appears to be located within a parcel of cleared farmland. Some new construction within the parcel for tree nursery and greenhouse. Additional development of homes to the north and to the west.

Year	Description of Past Uses
1997	The Subject Property appears to have been completely converted to a tree nursery and greenhouse. New construction and development appear to have occurred to the northeast.
2007	The Subject Property remains a tree nursery and greenhouse. Some new construction and development occurring to the southeast.
2011	The Subject Property remains a tree nursery and greenhouse. Construction and development occurring in all directions of the Subject Property.
2016	The Subject Property remains a tree nursery and greenhouse. Construction and development occurring in all directions of the Subject Property. Newly constructed facility and roads directly to the east.
2020-Present	The entirety of the Subject Property is used for the tree nursery and greenhouse. Development has slowed in surrounding areas.

4.3.3 Discussion of Historical Issues / Assessments / Investigations Subject Property 1

Decota has not discovered information of existence of any previous historical issues, environmental assessments, or other investigations conducted on Subject Property 1.

4.3.4 Historical Summary Subject Property 2

According to EDR's Aerial Photo Decade Package Report, the Subject Property appeared to be located entirely on developed land as early as 1943. From 1970 to present day there has been very minor developments to the Subject Property 2. Currently, under the ownership of the landowner Gregory King (Blue Moon Café) only one structure is located on the property. The remainder of the Subject Property consist of an outdoor dining area and a paved parking lot along North Princess Street.

4.3.5 Evaluation of Historical Information Source for Subject Property 2

Table 3: Historical Timeline of Subject Property 2 According to EDR's Aerial Photo Decade Package Report

Year	Description of Past Uses
1943	Subject Property 2 appeared to be located entirely within a residential area, Residential and possible commercial parcels surround Subject Property 2 on all sides. Shepherdstown University campus to the northwest.
1959	Subject Property 2 appeared to be located entirely within a residential area, Residential and possible commercial areas are increasing. Shepherdstown University campus to the northwest.
1970	Subject Property 2 appeared to be located entirely within a residential and commercial area, Residential and possible commercial areas are increasing. Shepherdstown University campus to the northwest.
1974	Subject Property 2 appeared to be located entirely within a residential and commercial area, Residential and commercial areas continue increasing. Updates to Shepherdstown University facilities are evident.
1982	Subject Property 2 appeared to be located entirely within a residential and commercial area, Residential and commercial areas continue to increase. Updates to Shepherdstown University facilities are evident.

Year	Description of Past Uses
1984	Subject Property 2 appeared to be located entirely within a residential and commercial area, Residential and commercial areas continue to increase.
1988	Subject Property 2 appeared to be located entirely within a residential and commercial area, Residential and commercial areas continue to increase. Updates to Shepherdstown University facilities are evident.
1997	Subject Property 2 appeared to be located entirely within a residential and commercial area, Residential and commercial areas continue to increase.
1999	Subject Property 2 appeared to be located entirely within a residential and commercial area, Residential and commercial areas continue to increase.
2007	Subject Property 2 appeared to be located entirely within a residential and commercial area, Residential and commercial areas continue to increase.
2011	Subject Property 2 appeared to be located entirely within a residential and commercial area, Residential and commercial areas continue to increase.
2014	Subject Property 2 appeared to be located entirely within a residential and commercial area, Residential and commercial areas continue to increase.
2017	Subject Property 2 appeared to be located entirely within a residential and commercial area, Residential and commercial areas continue to increase.
2020-Present	Subject Property 2 continues to be located entirely within a residential and commercial area, Residential and commercial areas continue to increase in the surrounding proximity.

5 Site Environmental Operations and Regulatory Review

5.1 Hazardous Material Use and Storage

5.1.1 Underground Storage Tanks

5.1.1.2 Subject Property 1

According to the site representative, no underground storage tanks (UST) are currently located on the Subject Property. No USTs were found on the Subject Property during the site visit or reported within the information obtained from the EDR Radius MapTM Report with GeoCheck®.

It should be noted that two (2) LUSTs are located within a half of a mile of the Subject Property. One (1) LUST is located 0.116 miles from the Subject Property and one (1) LUST is located 0.177 miles from the Subject Property. One of the LUSTs are located on Lowe Production Company Inc. property directly to the south of Subject Property 1, and one of the LUST's are located on 7-Eleven #20685. Both LUSTs are at an equal to or higher elevation than the Subject Property. Neither of these LUST's are located within the LOD of the Project. For more details regarding the Site's surrounding properties, please refer to Section 6 of this report or refer the EDR Radius MapTM Report with GeoCheck® in Appendix C.

5.1.1.3 Subject Property 2

According to the site representative, (two) 2 USTs are currently located on the Subject Property but have been filled with sand. However, no USTs were visible on the Subject Property during the

site visit nor are any reported within the information obtained from the EDR Radius Map™ Report with GeoCheck®.

It should be noted that one (1) LUST is located within a half of a mile of the Subject Property, at 0.17 miles away. This LUST is located on property owned by W.H. Knode's Sons and is at an equal to or higher elevation than the Subject Property. This LUST is not within the LOD for the Project. For more details regarding the Site's surrounding properties, please refer to Section 6 of this report or refer the EDR Radius Map™ Report with GeoCheck® in Appendix C.

5.1.2 Aboveground Storage Tanks

5.1.2.1 Subject Property 1

Currently there are no ASTs listed on Subject Property 1 according to the EDR Radius Map™. However, two (2) ASTs were visually noted by Decota during the reconnaissance visit. One (1) 250-gallon oil tank and one (1) 1,000-gallon oil tank were located on Subject Property 1 during site reconnaissance. Neither of these tanks had secondary containment. Additionally, a few small propane tanks were observed to be stored in a cage close to the store, with a filling area. No ASTs are located within the LOD of the Project.

Only 1 (one) AST was found to be 0.102 miles from Subject Property 1 according to information obtained from the Subject EDR Radius Map™ Report with GeoCheck®. For more details regarding the Site's surrounding properties, please refer to Section 6 of this report or refer the EDR Radius Map™ Report with GeoCheck® in Appendix C.

5.1.2.2 Subject Property 2

Currently no ASTs are listed for the Subject Property, and no ASTs were visually noted by Decota during the Site reconnaissance visit. Also, no ASTs were found to be on the Subject Property according to information obtained from the Subject EDR Radius Map™ Report with GeoCheck®.

According to the EDR Radius Map™ Report with GeoCheck® three (3) ASTs are located within one mile of the Subject Property. No ASTs are located within the LOD of the Project. For more details regarding the Site's surrounding properties, please refer to Section 6 of this report or refer the EDR Radius Map™ Report with Geotech® in Appendix C.

5.1.3 Brownfields Sites

Brownfields are abandoned, idle or underused commercial or industrial properties, where the expansion or redevelopment is hindered by real or perceived contamination. Currently, two Brownfield sites are located within 0.5 miles of Subject Property 1. According to the EDR Radius

MapTM Report with GeoCheck®, Brownfield S128891312 (Shepherdstown Dump) is located 0.436 miles from Subject Property 1 and Brownfield S113727430 (Shepherdstown Landfill) is located 0.441 miles from Subject Property 1. Neither of these Brownfield sites fall within the LOD of the Project.

5.1.4 Spill Prevention Control and Countermeasures (SPCC) Rule

Preparation of a SPCC Plan is required for facilities that store, transport, handle, use, or consume oil and could reasonably be expected to discharge oil in harmful quantities into navigable waters of the U.S., unless storage capacity is below a total of 1,320-gallons of aboveground storage (containers of less than 55-gallons are to be excluded in the total). Decota did not observe oil of sufficient quantity during the Site inspection. Based on these observations, a SPCC Plan is not required.

5.1.5 Chemical Reporting

According to Sections 311 and 312 of the Superfund Amendments and Reauthorization Act of 1986 (SARA) Title III, hazardous waste materials being stored in volumes greater than ten thousand pounds and/or extremely hazardous substances being stored in volumes of 500 pounds, or the Threshold Planning Quantity (TPQ) are required to be reported on the emergency and hazardous chemical inventory form to the local emergency planning committee, state emergency response commission, and local fire department.

The Toxic Release Inventory (TRI), under Section 313 of the SARA, requires reporting if a facility meets the following criteria:

1. The operating facility has a total of 10 or greater employees or a total of 20,000 or greater hours worked by all employees.
2. The operating facility manufactures, or processes, or otherwise uses any chemicals under Section 313 of SARA in quantities greater than the established threshold in the course of a calendar year. The thresholds for persistent bio-accumulative toxic (PBT) chemicals are 10 pounds (lbs.), 100 lbs., or 0.1 grams, depending on the chemical or chemical category. The thresholds for non-PBT chemicals are 25,000 lbs. manufactured, 25,000 lbs. processed, and/or 10,000 lbs. used during the calendar year.
3. The operating facility falls within a listed Standard Industrial Classification (SIC) or North American Industry Classification System (NAICS) code.

The Subject Property does not meet any of the criteria listed above, therefore, the Subject Property is not required to conduct a TRI.

5.2 Waste Management

5.2.1 Hazardous Waste

No hazardous waste is generated at either Subject Property 1 or Subject Property 2.

It should be noted that three (3) Very Small Quantity Generators (VSQGs) are located within a quarter of a mile of Subject Property 1. Similarly, one (1) VSQG is located within a quarter of a mile of Subject Property 2. For more details regarding the Site's surrounding properties, please refer to Section 6 (Surrounding Properties) of this report or refer the EDR Radius MapTM Report with GeoCheck® in Appendix C.

5.2.2 Non-Hazardous Waste

Non-hazardous waste is generated at both Subject Property 1 and Subject Property 2 currently. Non-hazardous wastes include general refuse, paper, old parts, and plastic packaging materials. Decota did not observe any open dumps or scattered wastes on the Subject Property. Currently on average five (5) personnel work at each of the Subject Properties. Currently no sewage tanks or lines were observed on either of the Subject Properties, as both are connected to municipal facilities.

5.3 Water Supply, Wastewater and Storm Water

5.3.1 Water Supply

5.3.1.2 Subject Property 1

Subject Property 1 currently receives water from the municipal water source. No water wells were indicated on the Subject Property in the information obtained from the EDR Radius MapTM Report with GeoCheck®, and no wells were observed on the Subject Property by Decota during the site inspection.

5.3.1.3 Subject Property 2

Subject Property 2 currently receives water from the municipal water source. No water wells were indicated on the Subject Property in the information obtained from the EDR Radius MapTM Report with GeoCheck®, and no wells were observed on the Subject Property by Decota during the site inspection.

5.3.2 Wastewater

Subject Property 1 and Subject Property 2 currently only generate sanitary wastewaters, which is transported to the municipal sewage treatment plant.

5.3.3 Storm Water

5.3.3.1 Subject Property 1

Precipitation that falls on Subject Property 1 drains via overland flow to storm drains located within sections of the parking area, and along Shepherdstown Road to the east. This water is then transported via these storm drains off the Subject Property.

The Subject Property is not subject to the storm water discharge permitting requirements of Title 40 of the Code of Federal Regulations (CFR) 122.26(b)(14)(ii).

5.3.3.2 Subject Property 2

Precipitation that falls on Subject Property 2 drains via overland flow to storm drains located within areas of the paved parking lot, and street drains. The storm drains flow into a culvert pipe which runs under the subject property and discharges into Town Run that flows under and to the northeast of the Subject Property.

The Subject Property is not subject to the storm water discharge permitting requirements of Title 40 of the CFR 122.26(b)(14)(ii).

5.4 Air Emissions

5.4.1 Air Emissions Sources and Permitting

Decota did not observe any air emissions sources at the Subject Property during the site inspection.

5.5 Polychlorinated Biphenyls (PCBs)

Decota inspected the Subject Property and surrounding adjacent properties for types of equipment that have been historically associated with the use of PCBs as a dielectric fluid coolant and stabilizer. Some examples of the types of equipment that potentially contain PCBs or PCB-contaminated oil include electrical equipment such as transformers, capacitors, and high voltage liquid filled switches. Decota did not identify any onsite equipment containing PCBs.

6 Surrounding Properties

6.1 Summary

6.1.1 Subject Property 1

The Site is located within a predominantly residential and commercial area. Subject Property 1 is bordered by residential homes to the north. The properties located northeast of Subject Property 1 consist of commercial parcels, with Subway, Dollar General, Shepherdstown Pharmacy, and Panhandle Puffs. To the west of Subject Property 1 are more residential homes and Alissa's Pizza. Currently, two Brownfield sites are located within 0.5 miles of Subject Property 1, the Shepherdstown Dump, and the Shepherdstown Landfill. Commercial development of the surrounding properties began in the 1970s and has continued to the present day.

6.1.2 Subject Property 2

The Site is located within a predominantly residential and commercial area and is just outside the campus of Shepherdstown University. Subject Property 2 is bordered by residential homes and university housing to the north and east. The Shepherdstown University Science Center is located to the northeast, and White Hall to the immediate west. Some commercial buildings including restaurants are located to the south and west of Subject Property 2 on German Street. Commercial and residential development of the surrounding properties began in the 1940s and has continued to the present day.

6.2 Current Surrounding Properties

6.2.1 Subject Property 1

According to the EDR Radius MapTM Report with GeoCheck®, one (1) LUST is located within 0.125 miles of Subject Property 1. Additionally, two (2) ASTs are located within 0.125 miles of Subject Property 1.

6.2.2 Subject Property 2

According to the EDR Radius MapTM Report with GeoCheck®, a total of one (1) LUST and ten (10) USTs are located within 0.25 miles of Subject Property 2. Additionally, three (3) ASTs are located within 0.25 miles of Subject Property 2.

7 Findings, Opinions, and Conclusions

Decota conducted a Phase IESA in conformance with the scope and limitations of ASTM E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (“ASTM E1527-13”), at two subject properties in Shepherdstown, Jefferson County, WV. Subject Property 1 is located at 789 Potomac Farms Drive, Shepherdstown, WV, and Subject Property 2 is located at 200 East High Street, Shepherdstown, WV. Exceptions to, or deletions from, ASTM E1527-13 are described in Section 2.4.4 of this report. This assessment has revealed no evidence of Recognized Environmental Conditions (RECs) in connection with either Subject Property 1, Subject Property 2, or the entire LOD of the Project. No non-ASTM issues were identified during this assessment. Please see Section 8.2.3 for pertinent ASTM terminology.

Decota’s professional judgments and conclusions were limited to the information made available to us during the course of this assessment and are true and correct to the best of Decota’s knowledge as of the date of this report.

8 Limitations and Other Considerations

8.1 General Limitations

This report has been prepared for the exclusive use of the Client and should not be replicated or distributed without the written approval of Decota and the Client, nor shall any additions or deletions to this document be conducted. Events occurring on either Subject Property 1 or Subject Property 2 after December 8, 2022 (date of the final inspections), are beyond the scope of this report. This assessment was dependent, in part, upon information provided orally by site representatives which may not be independently verifiable or supported by supplemental documentation, therefore, Decota shall not be held responsible for incomplete or undisclosed information regarding Subject Property 1 nor Subject Property 2 during the time of the site inspection, document preparation, or the formation of recommendations. The conclusions of this assessment are accurate and complete only to the degree that information provided to Decota was equally accurate and complete.

Additional services such as sampling or testing of soils, waters, air, mold, or other materials are beyond the scope of this assessment.

Decota is an environmental consulting firm and is therefore not qualified to make interpretations regarding questions of legal or accounting concerns. Decota recommends that consultation with an attorney (or other appropriate professional(s)) should be made with respect to any legal or accounting issues.

8.2 ASTM Limitations

This assessment was conducted in accordance with generally accepted methodologies outlined in ASTM E1527-13 (the practice), and as such, contains all limitations outlined in said practice as required by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Decota has conducted this environmental site assessment in accordance with the standards for conducting an all appropriate inquiry rule set forth at 40 C.F.R. 312. Professional judgments presented are based on the facts currently available within the limits of the existing data, taking into consideration the scope of work and any significant data gaps identified. Decota's assessment is limited strictly to identifying recognized environmental conditions associated with Subject Property 1 and Subject Property 2. All conclusions and recommendations regarding these sites represent the professional opinions of the Decota personnel involved with the Project, and the results of this report should not be considered a legal interpretation of existing environmental regulations.

8.2.1 Environmental Database Search

Decota contracted EDR to conduct a database search for agency records. The appended database report defines and summarizes the ASTM databases reviewed in the EDR Radius Map™ Report with GeoCheck® and notes if any listed facilities (including the Subject Property) were identified in the specified radius. The locations of the listed facilities identified in the EDR Radius Map™ Report with GeoCheck® were evaluated to determine which listed facilities were located within the ASTM specified search distance from the Subject Property 1 and Subject Property 2 boundary. Only those listed facilities are discussed within the applicable sections of this report and data on additional listed facilities is included in the EDR Radius Map™ Report with GeoCheck® (Appendix C).

It should be noted that the computerized geocoding technology used in the database search is based on available census data and is only accurate to ± 300 feet. Listed facilities identified within the study radii were evaluated to determine if they are likely to have adversely impacted Subject Property 1 or Subject Property 2. The criteria used to evaluate the potential for adverse impacts include:

- Distance from the Subject Property;
- Expected depth and direction of groundwater and surface water flow;
- Geology and physical ground conditions;
- Expected storm water flow direction;
- The presence/absence of documented contaminant releases at the identified sites that have not been remedied to the satisfaction of regulators; and
- The current regulatory status of the listing.

The identification of a listed facility as potentially upgradient or downgradient is based on the expected direction of groundwater flow referenced in Section 3.3.

8.2.2 Client Provided Information

Decota contacted the Client to gain insight into the following information regarding the Subject Property (per ASTM 1527-13 *Appendix X3*):

- Any environmental liens that may be filed or recorded against the Subject Property;
- Activity and use limitations that are in place on the Subject Property or that have been filed or recorded against the Subject Property;
- Specialized knowledge or experience of the person seeking to qualify for the landowner liability protections;
- Relationship of the purchase price to the fair market value of the Subject Property if it were not contaminated;
- Commonly known or reasonably ascertainable information about the Subject Property; and
- The degree of obviousness of the presence or likely presence of contamination at the Subject Property, and the ability to detect the contamination by appropriate investigation.

8.2.3 ASTM Terminology

Key terminology outlined in *Sections 1 and 3* of ASTM E1527-13 are as follows:

All Appropriate Inquires – that inquiry constituting all appropriate inquiries into the previous ownership and uses of the property consistent with good commercial and customary practice as defined in CERCLA, 42 U.S.C §9601(35)(B), that will qualify a party to a commercial real estate transaction for one of the threshold criteria for satisfying the LLPs to CERCLA liability (42 U.S.C §9601(35)(A) & (B), §9607(b)(3), §9607(q); and §9607(r)), assuming compliance with other elements of the defense.

Controlled Recognized Environmental Condition (CRECs) – a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

Data failure – a failure to achieve the historical research objectives in 8.3.1 through 8.3.2.2 (of ASTM E1524-13) even after reviewing the standard historical sources in 8.3.4.1 through 8.3.4.8

(of ASTM E1524-13) that are reasonably ascertainable and likely to be useful. Data failure is one type of data gap.

Data gap – a lack of or inability to obtain information required by this practice despite good faith efforts by the environmental professional to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice, including, but not limited to Site reconnaissance (for example, an inability to conduct the Site visit), and interviews (for example, an inability to interview the key site manager, regulatory officials, etc.).

De minimis condition – a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimis conditions are not recognized environmental conditions nor controlled recognized environmental conditions.

Historical Recognized Environmental Condition (HRECs) – a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

Landowner Liability Protections (LLPs) – landowner liability protections under CERCLA; these protections include the bona fide prospective purchaser liability protection, contiguous property owner liability protection, and innocent landowner defense from CERCLA liability.

Reasonably Ascertainable – information that is (1) publicly available, (2) obtainable from its source within reasonable time and cost constraints, and (3) practically reviewable.

Recognized Environmental Condition (RECs) - the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions.

User – the party seeking to use Practice E1527 to complete an Environmental Site Assessment of the property. A user may include, without limitation, a potential purchaser of property, a potential tenant of property, an owner of property, a lender, or a property manager.

9 References

ASTM 2013. ASTM Standards on Environmental Site Assessments for Commercial Real Estate. ASTM Designation: E1527-13. ASTM Standard Practice for Environmental Site

Assessments: Phase I Environmental Site Assessment Process.

Dolan, Tabitha. (2022, December 7). Personal Interview.

Environmental Data Resources, Inc., Certified Sanborn® Map Report, Blue Moon Cafe, December 9, 2022.

Environmental Data Resources, Inc., Certified Sanborn® Map Report, Potomac Farms Drive, December 9, 2022.

Environmental Data Resources, Inc., EDR Building Permit Report, Target Property and Adjoining Properties Report, Blue Moon Café, December 9, 2022.

Environmental Data Resources, Inc., EDR Building Permit Report, Target Property and Adjoining Properties Report, Potomac Farms Drive, December 9, 2022.

Environmental Data Resources, Inc., EDR Historical Topo Map Report with QuadMatch™, Blue Moon Café, December 9, 2022.

Environmental Data Resources, Inc., EDR Historical Topo Map Report with QuadMatch™, Potomac Farms Drive, December 9, 2022.

Environmental Data Resources, Inc., The EDR Aerial Photo Decade Package, Blue Moon Café, (1943, 1959, 1970, 1974, 1982, 1984, 1988, 1997, 1999, 2007, 2011, 2014, 2017 and 2020), December 14, 2022.

Environmental Data Resources, Inc., The EDR Aerial Photo Decade Package, Potomac Farms Drive, (1943, 1959, 1970, 1974, 1982, 1988, 1997, 1999, 2007, 2011, 2016, and 2020), December 14, 2022.

Environmental Data Resources, Inc., The EDR-City Directory Image Report, Blue Moon Café, December 14, 2022.

Environmental Data Resources, Inc., The EDR-City Directory Image Report, Potomac Farms Drive, December 14, 2022.

Environmental Data Resources, Inc., The EDR Property Tax Map Report, Blue Moon Café, December 9, 2022.

Environmental Data Resources, Inc., The EDR Property Tax Map Report, Potomac Farms Drive, December 9, 2022.

Environmental Data Resources, Inc., The EDR Radius MapTM with GeoCheck® Report, Blue Moon Cafe, December 9, 2022.

Environmental Data Resources, Inc., The EDR Radius MapTM with GeoCheck® Report, Potomac Farms Drive, December 9, 2022.

Lowe, John (2022, December 7). Personal Interview.

United States Fish and Wildlife Service National Wetlands Inventory Wetlands Mapper. Accessed December 2022. <<https://www.fws.gov/wetlands/data/Mapper.html>>.

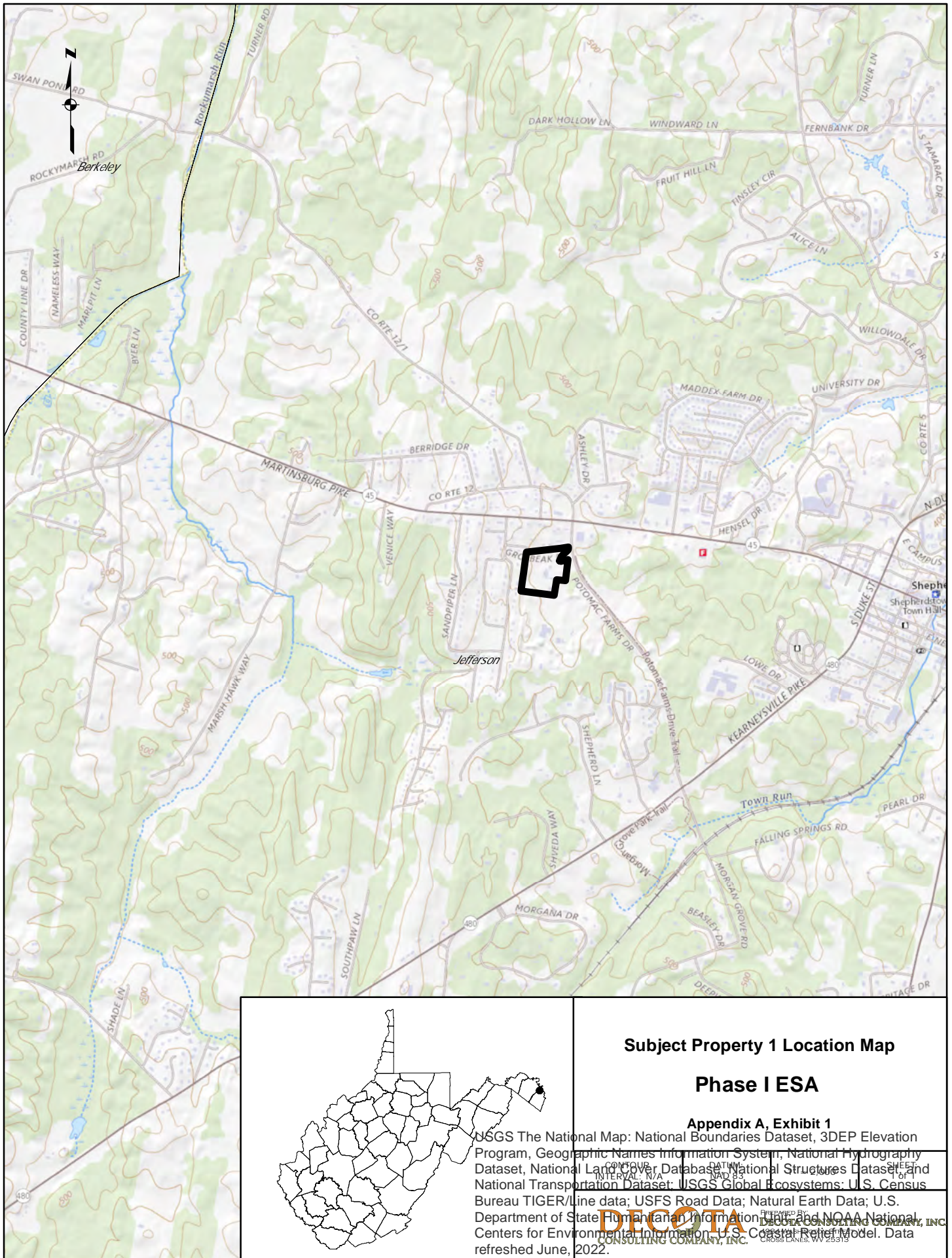
United States. United States Department of Agriculture, Natural Resources Conservation Service. *Web Soil Survey*. National Cooperative Soil Survey, 2016. Web. <<http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>>.

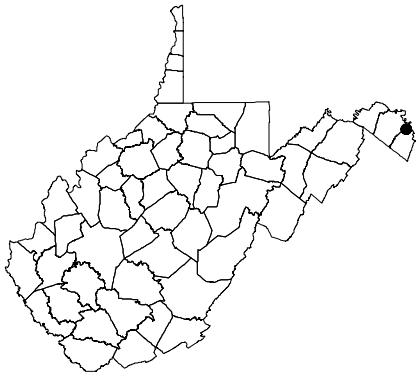
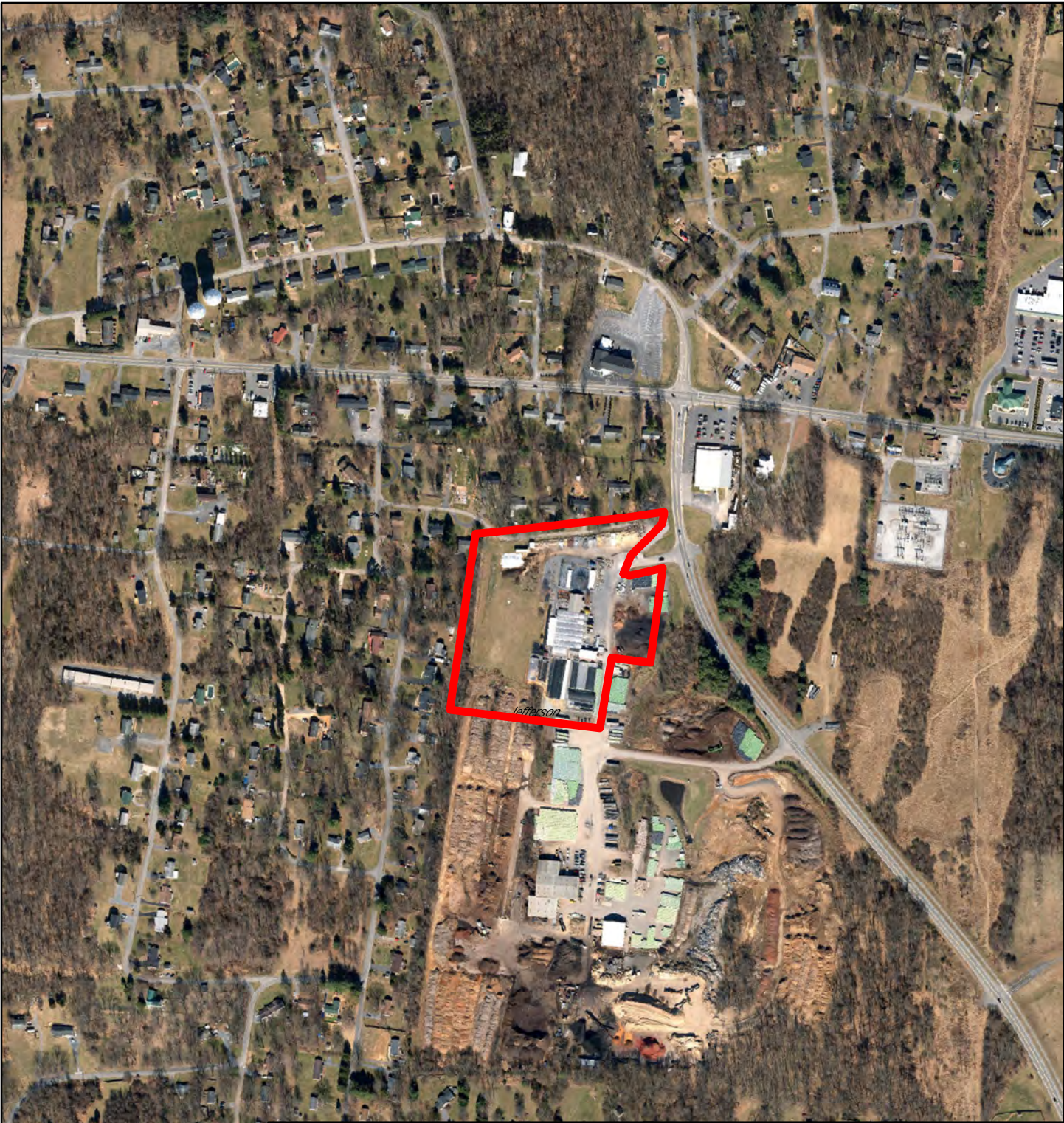
United States. United States Environmental Protection Agency. *Categories of Hazardous Waste Generators*. Web. <https://www.epa.gov/hwgenerators/categories-hazardous-waste-generators>

West Virginia State Tax Department, West Virginia Property Viewer, Parcel ID: 19-09-0008-0006-0000 and Parcel ID: 19-10-0003-0013-0001 Accessed: December 9, 2022. Website. <https://www.mapwv.gov/parcel/>

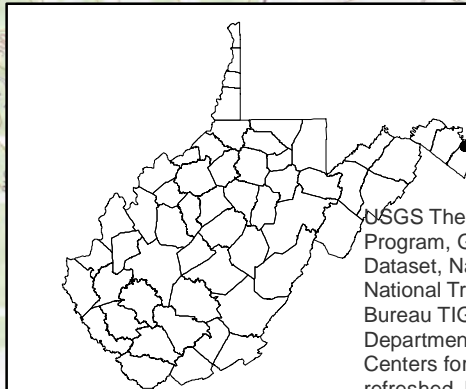
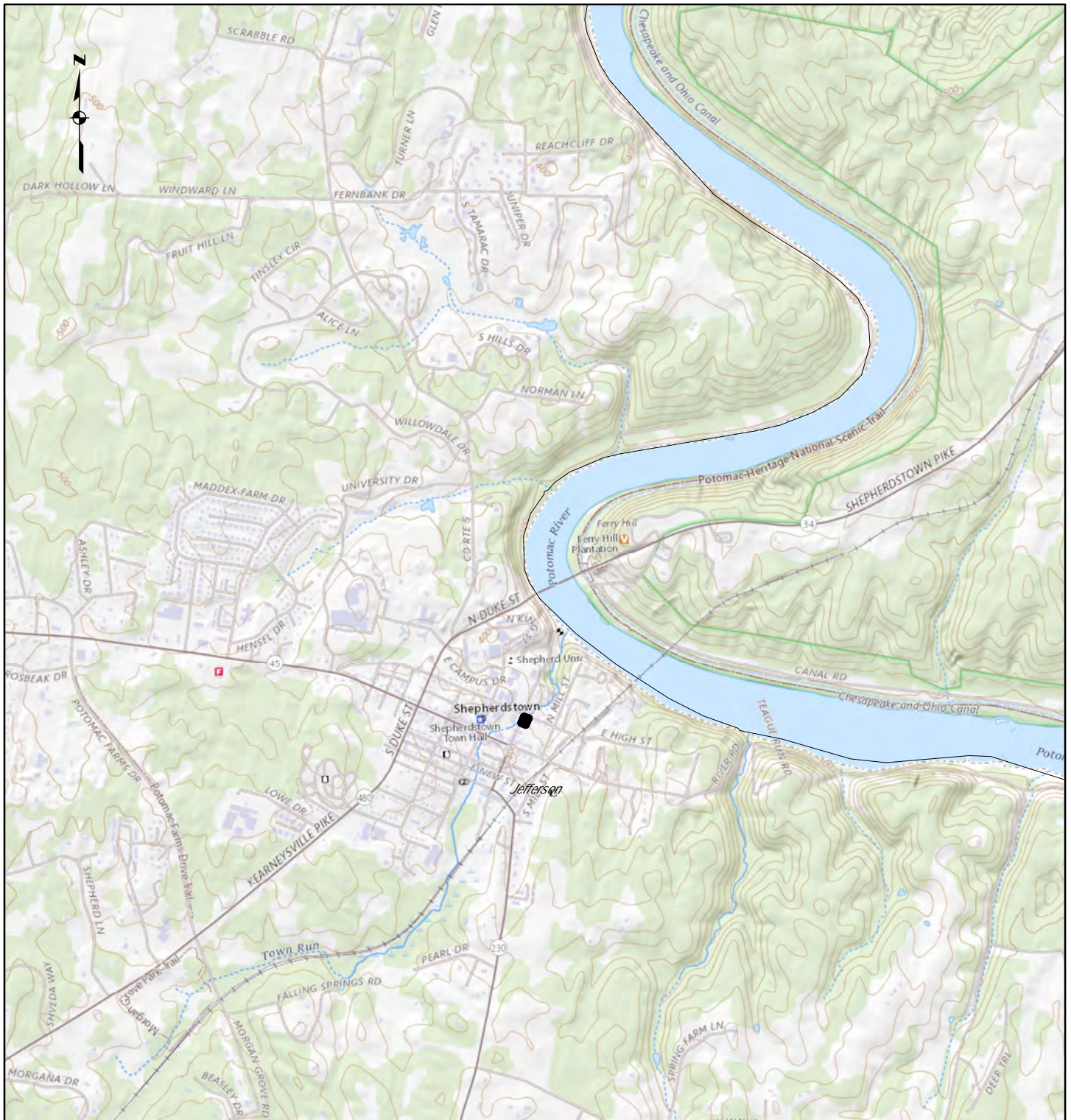
Appendix A

Exhibits





C			O



Subject Property 1 Location Map

Phase I ESA

Appendix A, Exhibit 3

USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information; U.S. Coast Guard National Centers for Environmental Information; U.S. Coastal Refer Model. Data refreshed June, 2022.

DATE CONSULTING COMPANY, INC.
CROSS LANE, WV 25319



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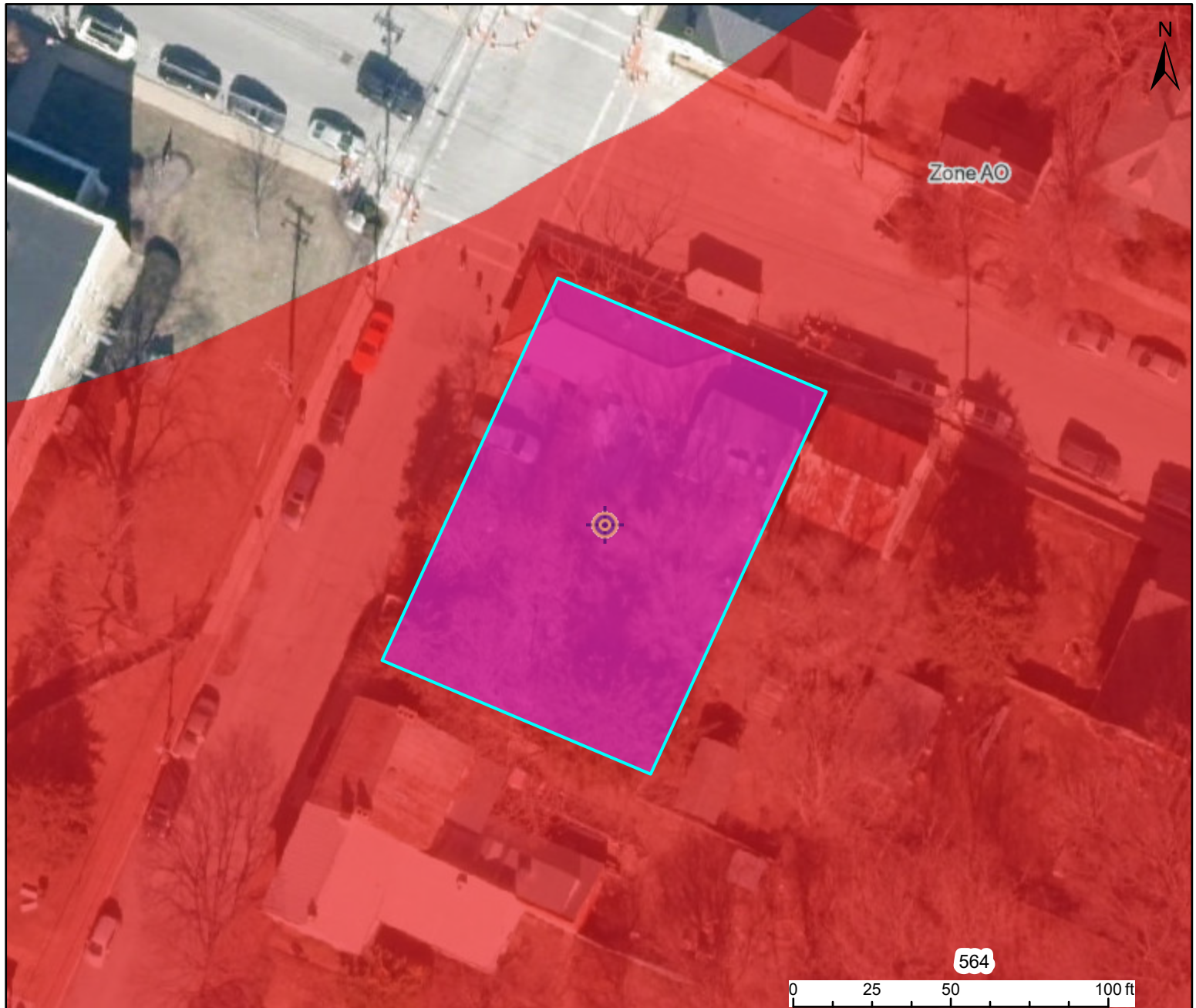
WV Flood Map



This map is not the official regulatory FIRM or DFIRM. Its purpose is to assist with determining potential flood risk for the selected location.

H I G H R I S K	Regulatory Floodway	Flood Info Location Map created on 12/16/2022	
	1-Percent-Annual-Chance Flood Hazard Area With Base Flood Elevation (BFE)	User Notes	
	1-Percent-Annual-Chance Flood Hazard Area Without BFE (may have Advisory Flood Heights)	Flood Hazard Area	Location is NOT WITHIN any identified flood hazard area. Unmapped flood hazard areas may be present.
	1-Percent-Annual-Chance Future Conditions (High Risk Advisory Flood Zones)	Flood Zone Stream Watershed (HUC8)	Out of Flood Zone Conococheague-Opequon (2070004)
Download the Full Legend for all flood tool symbols https://www.mapwv.gov/flood/map/docs/wv_flood_tool_legend.pdf		Flood Height Water Depth	Flood Height 6a N/A
Disclaimer: The online map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. Refer to the official Flood Insurance Study (FIS) for detailed flood elevation data in flood profiles and data tables. WV Flood Tool (https://www.MapWV.gov/flood) is supported by FEMA, WV NFIP Office, and WV GIS Technical Center.		Elevation Community & ID FEMA Map & Date Location (lat, long)	493.6 ft (Source: FEMA 2012) (NAVD88) Jefferson County (ID: 540065) 54037C0040E; Effective Date: 12/18/2009 (39.433128, -77.828054) (WGS84)
		Parcel ID E-911 Address	19-09-0008-0006-0000 multiple addresses

WV Flood Map



This map is not the official regulatory FIRM or DFIRM. Its purpose is to assist with determining potential flood risk for the selected location.

<div>H I G H R I S K</div>		Regulatory Floodway
		1-Percent-Annual-Chance Flood Hazard Area With Base Flood Elevation (BFE)
		1-Percent-Annual-Chance Flood Hazard Area Without BFE (may have Advisory Flood Heights)
		1-Percent-Annual-Chance Future Conditions (High Risk Advisory Flood Zones)
Download the Full Legend for all flood tool symbols https://www.mapwv.gov/flood/map/docs/wv_flood_tool_legend.pdf		
Disclaimer: The online map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. Refer to the official Flood Insurance Study (FIS) for detailed flood elevation data in flood profiles and data tables. WV Flood Tool (https://www.MapWV.gov/flood) is supported by FEMA, WV NFIP Office, and WV GIS Technical Center.		
Flood Info Location Map created on 12/16/2022		
User Notes		
Flood Hazard Area		Location is WITHIN the FEMA 100-year floodplain.
Flood Zone		AO
Stream		Town Run
Watershed (HUC8)		Conococheague-Opequon (2070004)
Flood Height		
Water Depth		About 2.0 ft (Source: HEC-RAS)
Elevation		385.4 ft (Source: FEMA 2012) (NAVD88)
Community & ID		Town of Shepherdstown (ID: 540069)
FEMA Map & Date		54037C0041E; Effective Date: 12/18/2009
Location (lat, long)		(39.431265, -77.803504) (WGS84)
Parcel ID		19-10-0003-0013-0001
E-911 Address		200 E HIGH ST, SHEPHERDSTOWN, WV, 25443

Appendix B

Site Photographs

Subject Property 1 Photographs



Photograph: 1 Storefront for greenhouses and tree nursery with gravel lot



Photograph: 2 Greenhouses with outdoor wood burning stove



Photograph: 3 Mulch storage area, empty storage tanks that will be hauled off property



Photograph: 4 1,000-gallon oil tank used for heating purposes



Photograph: 5 250-gallon oil tank used for heating purposes



Photograph: 6 Cage with propane tanks and filling area

Subject Property 2 Photographs



Photograph: 1 Storefront for Blue Moon Café and parking area



Photograph: 2 Back entrance to Blue Moon Café



Photograph: 3 Side of Blue Moon Café



Photograph: 4 Storm drain in front of Blue Moon Café parking area



Photograph: 5 Town Run which flows under the Blue Moon Café

10 Environmental Professional Certification

This Phase I Environmental Site Assessment was conducted by Mr. Shawn Huffman and Mr. Jeff Hill of Decota Consulting Company, Inc. (Decota). Ms. Linda N. Raines reviewed the contents of this report. The professional qualifications for Mr. Huffman, Mr. Hill, and Ms. Raines are appended to this report. Ms. Raines meets the definition of Environmental Professional as defined in §312.10 of 40 CFR 312 and has prepared the following declaration and signed in accordance below.

- I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in §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 these two Subject Properties. I have developed and performed all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Decota: Linda N. Raines, P.E., *President, Engineer in Responsible Charge*

Decota: Shawn Huffman, *Site Assessor*

Decota: Jeff Hill, *Site Assessor*

Appendix C

EDR Reports

Not included

Can request at:

<https://www.nab.usace.army.mil/Missions/Civil-Works/Central-WV-Infrastructure-571-Program/>

Appendix D

Professional Profiles

Education

Bachelor of Science, Mathematics and Natural Science, University of Charleston
Bachelor of Science, Civil Engineering, West Virginia University Institute of Technology
Master of Science, Environmental Engineering, Marshall University Graduate College

Registrations

Registered Professional Engineer in West Virginia, Illinois

Position

Ms. Raines, President of Decota, has more than thirty years of experience in mine planning, budgeting, environmental engineering, and permitting. She has held positions within the mining industry ranging from Project Engineer to Senior Planning Engineer and Manager of Permitting and Environmental Affairs. Her experience includes mine development analysis and economic analysis on projects exceeding \$30,000,000 initial capital, spanning twenty years in duration as well as environmental liability assessment.

Professional Experience

- Co-owner and senior engineer for Mining/Environmental Consulting Firm since 1997 (President since 2006).
- Conducted site inspections for environmental liability assessment on various due diligence reviews (coal mining operations and large land tracts) in West Virginia, Virginia, Ohio, Illinois, Western Kentucky, Colorado, Utah and Wyoming.
- Compiled environmental baseline data and conducted project impact assessments for Environmental Information Documents, following NEPA guidelines, for mining-related projects requiring Federal Agency (US ACE) approval.
- Conducted environmental education program for hourly and operations management personnel.
- Implemented a “Violation Reduction Program” for Catenary Coal Company’s surface and underground operations.
- Supervised preparation of Groundwater Protection Plans, Air Quality Permits and SMCRA Applications.

-
- Prepared property analysis, including mine plans, equipment selection, manning and economic analysis for large surface operations in southern West Virginia and Wyoming, projected annual production > 3,000,000 tons.

Continuing Education

2006-2017 Various technical courses, minimum 15 hours per year, including: Online Professional development courses in Site Development Infrastructure and Feasibility (2017); Various courses WV 2016 Engineering and Construction Exchange; Site Development grading and drainage design, Low Impact Development, Development in FEMA Regulatory Floodway (2015-2016) Open Channel flow and Phytoremediation (2014); Society of Mining Engineers course in Design of Bulk Material Handling Conveyors (2013); American Council of Engineering Companies of WV Infrastructure Conference (2012), Online Courses in Groundwater Hydrology and Constructed Wetlands (2012); Training course for Land Development Professionals Covering Automated mapping, subdivision layout, site design and hydrologic calculations (Glenville State College) 2011, US Department of the Interior: Mine Land Reforestation Workshop (2011); ArcGIS (2010); Society of Mining Engineers course in Mining Hydrology (groundwater/stability/well installation/pumping/modeling) (2009)

- River Morphology and Applications, Wildland Hydrology, Inc.
- Fluvial Geomorphology for Engineers, Wildland Hydrology, Inc.
- Coal Refuse Disposal Impoundments Seminar, Geo/Environmental Associates, Inc.
- Coal Preparation, The Pennsylvania State University
- Truck/Shovel and Dragline Operations Seminars, Marion Dresser and Runge Mining, Inc.
- Economic Analysis and Investment Decision Making, J. Stermole, Colorado School of Mines
- Business Law, University of Evansville
- Fundamentals of Marketing, Indiana State University at Evansville
- Financial Management, University of Evansville

Education

Bachelor of Science Degree in Wildlife and Fisheries Resources, West Virginia University

Position

As an environmental biologist, Mr. Huffman oversees fish collection, processing, and identification. He also assists in benthic macroinvertebrate collection, mitigation planning, assessments, monitoring, stream delineations, report preparation, West Virginia DNR database management, and other various tasks.

Professional Experience

- Completed coursework at WVU related to ecological communities, animal sciences, human dimensions, and natural resource management.
- Completed internships with West Virginia DEP during the summers of 2005 – 2008 in the Watershed Assessment Branch.
- Assisted WVDEP with boat and backpack electrofishing surveys, random stream biomonitoring surveys, fish identification, and TMDL monitoring.
- Assisted WVDEP with selenium studies involving collection and processing of fish eggs and larvae and bird eggs and larvae.
- Experienced in many biological and habitat field survey techniques
- Extensive laboratory and field ichthyology and entomology experience
- Completed “Wetland Plant Identification” course in 2009 at NCTC
- Completed “Freshwater Mussels of West Virginia: Life History and Identification” course in 2013, taught by Janet Clayton of WVDNR

Affiliations/Certifications

- Level II Rosgen Training (River Morphology and Applications)
- 24 Hour Surface Miner Safety Training Certified

Education

Bachelor of Science Degree in Mechanical Engineering, Marshall University

Position

Mr. Hill is responsible for completion of federal and state permit applications for various surface and underground mining projects, highway projects, and commercial projects. Mr. Hill has extensive permitting related experience in the preparation of Surface/Underground Article 3 Permits, WVDEP NPDES permits, WVDEP 401 Water Quality Certifications, USACE 404 Individual and Nationwide permits, and Environmental Information Documents following NEPA guidelines. In addition to these duties, Mr. Hill is responsible for completing Environmental Site Assessments (ESA), annual blasting notifications, and emergency warning plans.

Professional Experience

- Environmental Site Assessments (ESA)
- Annual blasting notifications
- Stream and wetland delineation
- Mitigation monitoring surveys
- State/Federal permitting
- NPDES Water Discharge Monitoring Reports
- Emergency Warning Plans

Appendix E

Interview Forms

PHASE 1 ENVIRONMENTAL SITE ASSESSMENT INTERVIEW FORM

Property Representative: Phillip Lowe	Property Type: Commercial
Property Name: Nursery/Greenhouse	Number of Individuals at Property: 5 on Average
Property Address: 789 Potomac Farms Drive, Shepherdstown, WV 25443	Interviewer: Shawn Huffman
Property Phone Number: 304-876-3188	Date/Time: 12/7/22 15:15

Interview Questions:

1. How long have you lived or worked at this address?

I have worked at this property for 35 years, owned by my father.

2. What are the main operations that occur at this address?

Property has been a greenhouse/nursery for 30 years and was a working farm before that.

3. Do you know the past uses of this property?

Working farm before converted into greenhouse/nursery.

4. Do you know of specific chemicals that are present or once were present at the property?

1000-gallon oil tank, and 250-gallon oil tank that are used for heating purposes.

5. Do you know of spills or other chemical releases that have taken place at the property?

None

6. Do you know of any environmental cleanups that have taken place at the property?

None

7. Are you aware of any underground or above ground storage tanks located or used at this property?

None

8. Do you know of any other individuals who may have knowledge of this property?

No

PHASE 1 ENVIRONMENTAL SITE ASSESSMENT INTERVIEW FORM

Property Representative: Tabitha Dolan	Property Type: Commercial Restaurant
Property Name: Blue Moon Cafe	Number of Individuals at Property: Avg 5-8
Property Address: 200 East High Street, Shepherdstown, WV 25443	Interviewer: Shawn Huffman
Property Phone Number: 304-876-1920	Date/Time: 12/7/22 14:32

Interview Questions:

1. How long have you lived or worked at this address?

Several years

2. What are the main operations that occur at this address?

Cooking and serving, a restaurant

3. Do you know the past uses of this property?

Gas station, but it was shut down in the early 80's

4. Do you know of specific chemicals that are present or once were present at the property?

Gasoline prior to being converted to restaurant, but nothing now

5. Do you know of spills or other chemical releases that have taken place at the property?

None that we are aware of

6. Do you know of any environmental cleanups that have taken place at the property?

None that we are aware of

7. Are you aware of any underground or above ground storage tanks located or used at this property?

When the property was converted in the early 80's, the previous gas tanks were filled with sand. We have a letter from the State saying the property was safe.

8. Do you know of any other individuals who may have knowledge of this property?

Gregory King and Johnny Thompson. Gregory is the current owner and Johnny was the owner of the gas station.