

1.0 EXECUTIVE SUMMARY

All-Phase Environmental Consultants, Inc. (APEC) performed a Phase I Environmental Site Assessment (ESA) for Harder Real Estate Development c/o Walter Harder in conformance with the scope and limitations of ASTM (American Society for Testing and Materials) Practice E 1527-13 & E 1527-21 Standard Practice for Environmental Site Assessments, *Phase I Environmental Site Assessment Process*, at the following location(s): 1647 S. Nevada, Colorado Springs CO 80905 in El Paso County. The above property is hereinafter referenced as the “Subject Property” in the following Phase I ESA. Any exceptions to, or deletions from, this ASTM practice are described in Section 2.0 of this report.

On December 15, 2022, the U.S. Environmental Protection Agency (EPA) published its **new final rule**, which amends 40 C.F.R Part 312 to recognize the ASTM’s updated E1527-21 standard (the “2021 Standard”) for conducting Phase I Environmental Site Assessments (“Phase Is”) as satisfactory to fulfill the “all appropriate inquiries” (AAI) requirement under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). After EPA **withdrew its direct final rule** in May 2022, it began work to review and **address the public comments** which led to the rule’s withdrawal in the first instance. The **final rule** amends the AAI requirement under CERCLA to reference compliance with the ASTM E1527-21 standard instead of the ASTM E1527-13 standard (The “2013 Standard”). The new rule is effective on February 13, 2023. The 2013 Standard will not automatically be deemed insufficient to meet AAI. Instead, the final rule provides for a sunset period for ASTM 1527-13 until December 15, 2023 (one year from the date of publication of the final rule) to allow time for consultants and users to become familiar with the new standard. A Phase I completed before December 15, 2023 using ASTM E1527-13 will be recognized as compliant with the AAI requirement.

An Environmental Professional should always be hired and/or consulted for any type of environmental investigation. We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in §312.10 of the 40 CFR 312. Brandice N. Eslinger meets these qualifications. This Phase I ESA was written by Brandice Eslinger.

On March 31, 2023, Brandice Eslinger, Environmental Professional (EP) of APEC and Joshua Glach, EP conducted the Subject Property reconnaissance, which included thorough written and photographic documentation of the entire Subject Property and adjoining properties, where visible.

The Subject Property investigation also included records research of the Subject Property and surrounding properties and interviews with local governmental officials and other parties connected to the Subject Property. Informational databases accessed during the records review process include, but not limited to the following: Environmental Risk Information Systems (ERIS); the Colorado Division of Oil and Public Safety (OPS) Storage Tank Information System (COSTIS), and USEPA Envirofacts Warehouse. A copy of the ERIS report is provided in Appendix H.

1.1 Subject Property Characteristics

There is one (1) parcel, according to the El Paso County Assessor webpage, that comprises the Subject Property - Parcel: 6430100006, the land associated with this parcel is approximately 29,000 ft². According to the El Paso County Assessor’s card, **Appendix G**, the main motel structure was constructed in 1949 and is 6,550 ft². The main motel consists of fifteen (15) rooms; an office area with a kitchen, meeting areas and several offices, and a boiler room, there is a unit that is used for storage and laundry facilities, a mechanical closet that is accessed from the exterior, there are individual covered parking areas/spaces, a garage storage unit with paint and other supplies, and one unit is used to store mattresses, oxygen, and other medical supplies. The exterior has a community hangout area. **Photographs are located in Appendix A.**

Parcel Number	Land Area	Building Square Footage ft ²	Year Built	Most Recent Use	Construction Type
6430100006	29,000 ft ²	6550	1949	Respite Care Facility	Masonry construction with slab on grade foundation; interior finishes vary

The Subject Property operates as the Stagecoach Motel – but is in fact operating as Ascending Health Respite Care. Below is an excerpt from their webpage:

Our History

Our story started in 2011 when Greg Morris, a Certified Physician Assistant, partnered with a local Pikes Peak Region hospital and six non-profit organizations to establish a Recuperative Care pilot program. The goal was to identify how to improve patient recoveries and health outcomes after a hospital discharge, and to quantify cost savings to hospitals as a result of reduced bed days and re-admissions.

After one year, the pilot program successfully prevented unnecessary, costly hospitalizations by creating shelter space for the chronically homeless to safely recuperate off the streets from an illness or surgery. It demonstrated a critical need in the community to bridge hospital, health services, case management and housing resources for a vulnerable population.

Ascending to Health received its 501(c) 3 non-profit determination in 2012 and since has provided recuperative and respite services to nearly 700 individuals in the Pikes Peak region.

*In 2014, under the premise that "Housing is Healthcare," ATHRC established **A Step Up**, the supportive housing component of our mission for persons with life limiting illnesses."*

Observations/Site Reconnaissance:

APEC personnel began the site reconnaissance in the main office of the motel/care center. The office consists of exterior plaster walls and interior finished drywall walls and ceilings. There are areas of wood paneling on the walls. There is also wood flooring and areas of carpet. There is a main office space upon entering the offices and a restroom. The kitchen is accessed from the offices and leads to the conference area, exam rooms and office spaces. The kitchen is a full-service kitchen. The patient rooms have exam tables and biohazard (sharps) containers as well as medical supplies. There is a breakroom for employees. The basement has three offices and a boiler/mechanical room. The walls are plaster, and the floors are concrete. Office #2 has a restroom and a medical supply closet as well as access to a fire escape. Office #3 has a locked closet for medication and there is also a restroom attached to this office. The boiler room/mechanical equipment area has a floor drain and electrical panel.

After the main office, the various units were entered. First, the laundry room (Unit 13) was entered. There is a boiler in this room (scheduled to be replaced), an 80-gallon water heater, plumbing access, storage of cleaning supplies and laundry supplies, a washer and dryer, and other maintenance items to up-keep the building. There is a "garage" storage area with paint, electrical panel, a refrigerator, a propane tank, an overhead garage door and what appears to be an old drain and/or some type of "lift" to maintain vehicles. The following units were entered on the day of the reconnaissance: 14, 18, 20, 22, 28, 17, 25 and 16. All units have beds, bathrooms, and a closet with piping for the hot water heat. The exterior boiler room is located in Bay 20. This room is equipped with a boiler, 2–40-gallon water heaters, and damaged TSI piping (assumed asbestos). **Photographs available in Appendix A for aforementioned observations.**

Zoning:

The Subject Property is located in a C5 zone (Intermediate Business) zone. The Colorado Springs Planning and Zoning provides the following description:

"Each commercial zone allows certain uses from the less intense Office to the more intense Automotive Services. The OR and OC zones are generally located adjacent to residential developments and serve as a buffer to the more commercial zones of PBC, C-5 and C-6."

Complete zone descriptions are available in Appendix I.

Property Coordinates:

Latitude: 38.80961232
Longitude: -104.82163695
UTM Northing: 4295664.51007 Meters
UTM Easting: 515486.079764 Meters
UTM Zone: UTM Zone 13S
Elevation: 5,929.97 ft
Slope Direction: NNE

1.2 Historical Summary

The historical research in this Phase I ESA has established the *obvious* uses of the Subject Property as observed on the Historical Aerial Photographs, Historical Topography Maps, Fire Insurance Maps and City Directories, where available.

Historical Aerial Photographs – Appendix C

The **1937** Historical Aerial Photograph indicates the first use of the Subject Property as an apparent undeveloped lot. Minimal vegetation appears to be present. The **1947** Historical Aerial Photograph indicates the Subject Property is an apparent motor court/motel, however, this is uncertain. There are two (2) apparent structures present on the Subject Property. The uses of the structures are uncertain. The **1953** Historical Aerial Photograph indicates there are two (2) apparent structures present. The uses of the structures are uncertain. The **1960** Historical Aerial Photograph indicates there is one (1) structure present. The structure is located along the north, east, and south borders of the parcel with an apparent parking lot present in the center. The structure appears to be the present-day structure. The **1969** Historical Aerial Photograph confirms the presence of the present-day structure. There are no changes in use to the Subject Property on the **1972 & 1983** Historical Aerial Photographs. The **1988** Historical Aerial Photographs quality is too poor to make any assumptions on the Subject Property. The **1999** Historical Aerial Photograph indicates there is one (1) structure present on the Subject Property. This is the present-day structure. The **2004** Historical Aerial Photographs quality is too poor to make any assumptions on the Subject Property. The **2005** Historical Aerial Photograph indicates there is one (1) structure present on the Subject Property. This is the present-day structure. There are no changes in use to the Subject Property on the remaining Historical Aerial Photographs: **2009, 2011, 2013, 2015, 2017, 2019, 2021, and 2022.**

Historical Topography Maps – Appendix D

The **1948, 1950, & 1951** Historical Topographic Maps indicate the Subject Property is located in Colorado Springs adjacent to the east of S Nevada Ave and ~1 mile south of Fountain Creek. There is one (1) structure present on the Subject Property. The **1961** Historical Topographic Map indicates the Subject Property is located in Colorado Springs adjacent to the east of S Nevada Ave and ~0.75 miles south of Interstate – 25. The Historical Topographic Map does not depict structures. Fountain Creek is ~1 mile north of the Subject Property. There are no changes in use on the remaining Historical Topographic Maps: **1961, 1974, 1994, 2013, 2016, and 2019.**

Fire Insurance Maps – Appendix E

The **1963 & 1964** Fire Insurance Maps indicate the first use of the Subject Property as a Motor Court. A Motor Court is a hotel/motel which provides lodging and parking facilities. There are nineteen (19) units present, an office and a swimming pool located present.

City Directories – Appendix F

The City Directories (Appendix F) indicate the uses of the Subject Property address below:

1647 S Nevada Ave:

2022 – No Listing

2020, 2016 – Stagecoach Motel

2012, 2007, 2003, 2000 – Stagecoach Motel, Frances Steinman

1995-96– No Listing

1990-91 – Stagecoach Motel

1985 – Dream Lodge

1980 – Dream Lodge, R G Schaeffer

1975, 1970 – Dream Lodge, Gayle A Hemphill

1965-66 – Dream Lodge, J A Jones

1960 – Dream Lodge, Cecrie Robt A

1955 – Dream Lodge, Rogers Wm J

1951 – Dream Lodge, Stiner Geo F

1945, 1940, 1935, 1930, 1925 – No Listing

1.3 Regulatory Database Findings

The Subject Property investigation included records research of the Subject Property and surrounding properties and interviews with local governmental officials and other parties connected to the Subject Property. Informational databases accessed during the records review process include the following: Environmental Risk Information Services (ERIS); the Colorado Division of Oil and Public Safety (OPS) Storage Tank Information System (COSTIS), and USEPA Envirofacts Warehouse. A copy of the ERIS report is provided in Appendix H. Supporting Documentation for each finding is in Appendix I and opinions and conclusions are addressed in Section 1.4.

Subject Property:

No Listings in the ERIS report in Appendix H, for the Subject Property.

Surrounding Properties:

Database listings for the surrounding/adjacent properties are detailed below, including the site ID, name, database listing, address, and map ID in the ERIS, Appendix H. Detailed information regarding the database, issues and/or violations, and the need for further action, if necessary, are detailed in Section 4.0.

Source	Company Name	Address
AIR PERMITS	CST METRO LLC DBA CORNER STORE #4067	1780 S NEVADA
ALT FUELS	CREEKWALK CREEKWALK GW 1	132 E Cheyenne Rd
ALT FUELS	CREEKWALK CREEKWALK GW 3	132 E Cheyenne Rd
ALT FUELS	CREEKWALK CREEKWALK GW 2	132 E Cheyenne Rd
ALT FUELS	CREEKWALK CREEKWALK GW 4	132 E Cheyenne Rd
ASBESTOS	ACUMEN ENVIRONMENTAL SERVICES, LLC	1638 S. NEVADA AVE
ASBESTOS	EARTHWISE DEMOLITION	1638 S. NEVEDA
ASBESTOS	COLORADO HAZARD CONTROL LLC	1703 S. NEVADA AVE.
ASBESTOS	IRON MOUNTAIN DEMOLITION	1624 S. NEVADA ST.
ASBESTOS	COLORADO HAZARD CONTROL LLC-DENVER	1624 S. NEVEDA AVE
ASBESTOS	ACUMEN ENVIRONMENTAL SERVICES, LLC	114 EAST RAMONA
ASBESTOS	ACUMEN ENVIRONMENTAL SERVICES, LLC	110 E. RAMONA
ASBESTOS	COLORADO HAZARD CONTROL LLC-DENVER	1616-1618 S. NEVADA AVE.
ASBESTOS	PARAMOUNT ENVIRONMENTAL SERVICES	1823 S. NEVADA
ASBESTOS	POWERS ENVIRONMENTAL, LLC	120 METZLER PLACE APT. #7
ASBESTOS	COLORADO HAZARD CONTROL LLC-DENVER	1608 S. NEVADA AVE.
ASBESTOS	COLORADO HAZARD CONTROL LLC-DENVER	1602 S. NEVADA AVE.
ASBESTOS	COLORADO HAZARD CONTROL LLC-DENVER	1608 S. NEVADA AVE
AST	All Star Rental	1644 S Tejon St Colorado Springs 80906
DRYCLEANERS	KARNES ENTERPRISE LLC	1638 S NEVADA

Source	Company Name	Address
DRYCLEANERS	CONTINENTAL CLEANERS - CO SPRINGS	1638 S NEVADA AVE
DRYCLEANERS	ONE HOUR CLEANERS	1859 S NEVADA
DRYCLEANERS	ONE HOUR CLNRS	1859 S NEVADA AVE
DRYCLEANERS	KINGS CLEANERS	1536 S NEVADA AVE
FED DRYCLEANERS	CONTINENTAL CLEANERS - CO SPRINGS	1638 SOUTH NEVADA AVENUE
FED DRYCLEANERS	ONE HOUR CLNRS	1859 S NEVADA
FED DRYCLEANERS	KINGS CLEANERS	1536 S NEVADA AVE
FINDS/FRS	CREEKWALK NORTH	1776 SOUTH NEVADA AVE.
HAZ CORRRACT	SOUTHGATE DRY CLEANERS	4-66 SOUTHGATE RD
LST	7-Eleven #22562	1801 S Nevada Ave Colorado Springs 80906
LST	Burger King	217 E St Elmo Ave Colorado Springs 80905
LST	Corner Store - CO0008	1780 S Nevada Ave Colorado Springs 80906
LST	Gene Williams	1716 Mt Washington Ave Colorado Springs 80906
LST	Barker Motor Co	1611 S Nevada Ave Colorado Springs 80906
LST	Former Multi-Mile Tires	1602 S Nevada Ave Colorado Springs 80905
LST	All Star Rental	1644 S Tejon St Colorado Springs 80906
LST	NR Gas #3 DBA Gas & Grass	1433 S Tejon St Colorado Springs 80905
LST	Everyday Store #5005	1502 S Tejon St Colorado Springs 80905
LST	Circle K #3155	1406 S Nevada Ave Colorado Springs 80906
LST	K & G Store #523	1802 Southgate Rd Colorado Springs 80906
LST	CDOT Colorado Springs	448 E Arvada St Colorado Springs 80906
LST	Sears Roebuck & Co	100 Southgate Rd Colorado Springs 80906
LUST TRUST	7-Eleven #22562	1801 S Nevada Ave
LUST TRUST	Corner Store - CO0008	1780 S Nevada Ave
LUST TRUST	All Star Rental	1644 S Tejon St
LUST TRUST	NR Gas #3 DBA Gas & Grass	1433 S Tejon St
LUST TRUST	NR Gas #3 DBA Gas & Grass	1433 S Tejon St
LUST TRUST	Everyday Store #5005	1502 S Tejon St

Source	Company Name	Address
LUST TRUST	Circle K #3155	1406 S Nevada Ave
LUST TRUST	K & G Store #523	1802 Southgate Rd
MRDS	GRAVEL PIT	EL PASO COUNTY
PDES	Creekwalk North	1776 South Nevada Ave.
RCRA CORRACTS	SOUTHGATE DRY CLEANERS	4-66 SOUTHGATE RD
RCRA NON GEN	KARNES ENTERPRISE LLC	1638 S NEVADA
RCRA NON GEN	AAMCO TRANSMISSION	1716 MT WASHINGTON AVE
RCRA NON GEN	PORAK PROPERTIES	1611 S NEVADA AVE
RCRA NON GEN	EVC HD LLC	1608 S NEVADA AVE
RCRA NON GEN	ONE HOUR CLEANERS	1859 S NEVADA
RCRA NON GEN	KINGS CLEANERS	1536 S NEVADA AVE
RCRA NON GEN	OTERO SAVINGS	1810 S WAHSATCH AVE
RCRA VSQG	SHERWIN WILLIAMS COMPANY	1813 S NEVADA ST
RCRA VSQG	FAMILY DOLLAR #10764	1520 S NEVADA AVE
RCRA VSQG	SAFEBAY STORE #2816	1920 S NEVADA AVE
RCRA VSQG	SPUI PAINT INC	1510 S CORONA AVE
SWF/LF	CSG Automotive dba South Nevada Big O Tires	1611 S. Nevada Ave
SWF/LF	Gray's Tire and Auto	1608 S. Nevada Ave.
SWF/LF	Wenco Industries Inc dba Midas Auto Service	1410 S Nevada
SWF/LF	Larry H Miller Corp - Colorado South - Toyota & Scion of Colorado Springs	15 E Motor Way
SWF/LF	Sears Auto Center # 6584 (Southgate Rd)	2050 Southgate Rd
TANKS	Burger King	217 E St Elmo Ave
UST	7-Eleven #22562	1801 S Nevada Ave Colorado Springs 80906
UST	7-Eleven #13059	217 E St Elmo Colorado Springs 80906
UST	Corner Store - CO0008	1780 S Nevada Ave Colorado Springs 80906
UST	Gene Williams	1716 Mt Washington Ave Colorado Springs 80906
UST	Barker Motor Co	1611 S Nevada Ave Colorado Springs 80906
UST	Former Multi-Mile Tires	1602 S Nevada Ave Colorado Springs 80905
UST	All Star Rental	1644 S Tejon St Colorado Springs 80906
UST	J & S Auto Sales Inc	1416 S Nevada Ave Colorado Springs 80906

Source	Company Name	Address
UST	NR Gas #3 DBA Gas & Grass	1433 S Tejon St Colorado Springs 80905
UST	Everyday Store #5005	1502 S Tejon St Colorado Springs 80905
ERNS		COLORADO 115
ERNS		HWY 115
SPILLS		HWY 115
SPILLS		I-25 AND HWY 85/87
SPILLS		HWY 115
SPILLS		HWY 115

1.4 Findings, Conclusions & Opinions

We have performed a *Phase I Environmental Site Assessment* in conformance with the scope and limitations of ASTM Practice E 1527-13 & E 1527-21 Standard Practice for Environmental Site Assessments, *Phase I Environmental Site Assessment Process at the* property generally located at 1647 S Nevada Ave, Colorado Springs, CO 80905 in El Paso County, the Subject Property. Any exceptions to, or deletions from, this practice are described in Section 2.5 of this report. This assessment has revealed no evidence of *recognized environmental conditions* in connection with the property, *except where noted below*:

RECs are defined as:

The goal of the processes established by this practice, E1527-21, is to identify recognized environmental conditions. The term recognized environmental condition means (1) the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment.

- None Noted

Historical REC:

Historical recognized environmental condition, n—a previous release of hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the subject property to any controls (for example, activity and use limitations or other property use limitations). A historically recognized environmental condition is not a recognized environmental condition.

- None Noted

Controlled REC:

Controlled recognized environmental condition, n—recognized environmental condition affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities with hazardous substances or petroleum products allowed to remain in place subject to implementation of required controls (for example, activity and use limitations or other property use limitations).

- None Noted

Significant Data Gaps:

Significant Data Gaps are limitations in conducting the Subject Property reconnaissance, historical research, or any other aspect completing the Phase I Environmental Risk Assessment that impeded APEC's ability to identify recognized environmental conditions (RECs).

- None noted.

Other Environmental Considerations/Business Risks:

These may warrant discussion, but do not qualify as RECs as defined in the ASTM Standard Practice E1527-13 (21). These include, but are not limited to, de minimis conditions and/or environmental considerations that may be non-scope, such as the presence of ACMs, LBP, radon, mold and lead in drinking water, which can affect the liabilities and subsequently the financial obligations of the client, the health and safety of potential occupants or workers, and ultimately the market value of the Subject Property. The ASTM E1527-21 definition of de minimis is as follows:

de minimis condition, n—a condition related to a release 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. A condition determined to be a de minimis condition is not a recognized environmental condition nor a controlled recognized environmental condition.

The following are those identified environmental considerations associated with the Subject Property and adjacent properties.

Subject Property:

1. Non-Scope Considerations – Asbestos Testing for Renovations and/or demolition

There are potential asbestos-containing materials (ACMs) throughout the Subject Property structure, (e.g., ceiling tiles, flooring, texturing). If renovations and/or demolition occur in any structure it needs to be inspected for asbestos containing building materials PRIOR to work being conducted in the structure as is required per Colorado Regulation 8 standards and/or any applicable OSHA (29 CFR 1926.1101) and EPA standards. Per Colorado Department of Public Health & Environment's (CDPHE) Regulation 8, a Colorado Certified Asbestos Inspector should conduct an asbestos inspection prior to any building materials being disturbed, including demolition, renovations and/or repairs to the structures. All confirmed asbestos containing building materials (ACBM) should be handled according to EPA, State, OSHA, and local regulations.

2. Non-Scope Consideration – Lead-Based - Paint

There is potential for lead-based paint in the buildings. The RRP (renovation, repair and paint) rule states the following (not a complete description) Lead- based paint testing should be done per Colorado Regulation 19 and or it should be assumed that the hazard of lead paint exists:

EPA Requirements

Common renovation activities like sanding, cutting, and demolition can create hazardous lead dust and chips by disturbing lead-based paint, which can be harmful to adults and children.

To protect against this risk, on April 22, 2008, EPA issued the Renovation, Repair and Painting Rule. It requires that firms performing renovation, repair, and painting projects that disturb lead-based paint in pre-1978 homes, childcare facilities and schools be certified by EPA and that they use certified renovators who are trained by EPA-approved training providers to follow lead-safe work practices. Individuals can become certified renovators by taking an eight-hour training course from an EPA-approved training provider.

Contractors must use lead-safe work practices and follow these three simple procedures:

Contain the work area.

Minimize dust.

Clean up thoroughly.

Read EPA's Regulations on Residential Property Renovation at 40 CFR 745, Subpart E.

3. Non-Scope Consideration – Radon

According to the US EPA, the radon zone level for the area is Zone 1, which is projected to have an indoor screening level over 4 pCi/L the EPA action level. According to the ERIS Physical Settings Report, the arithmetic mean in El Paso County is ~4.7 pCi/L. This is over the recommended indoor level of 4 pCi/L. ***APEC personnel recommend radon testing in the Subject Property structure if it is to be utilized as a residential property.*** Radon information for this area is located in the ERIS Physical Setting Report in Appendix H.

4. Flood Zone

According to the FEMA Map, the Subject Property is located in a Special flood zone. This is described as a 0.2% annual chance flood hazard by FEMA. Appropriate measures should be taken to ensure that the structural integrity of any future buildings will meet the requirements for these conditions. ***Additionally, specific insurance may need to be obtained based on this finding and the lending institution's policies.***

5. Safety Data Sheets

Safety Data Sheets (SDS) are required to be provided by businesses to ensure that clients and employees are aware of chemical hazards. This is a requirement under the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard. Specific requirements may be obtained by accessing the OSHA website at www.osha.gov. Proper recordkeeping standards and training appear to be to comply with current OSHA regulations as well as proper storage of potentially hazardous materials. This book should be updated as necessary when new chemicals are used and/or cleaning agents.

6. Biohazard Waste (Sharps)

On the day of reconnaissance, APEC personnel observed evidence of biohazard containers (sharps). **Photographs are available in Appendix A.** According to a representative of the Subject Property, MedPro is contracted to retrieve biological hazards (needles) produced from the Subject Property daily operations. ***APEC does not recommend any further action as a licensed contractor retrieves all hazardous waste produced on the Subject Property.***

7. Compressed Gas Storage

There are multiple Compressed Gas Cylinders (Oxygen) located throughout the Subject Property. National fire Protection Association recommends the following for storage of compressed gas cylinders:

- Access to move cylinders and equipment on hand trucks
- Lockable doors or gates
- Minimum of two entries/exits (if outdoors and greater than 200 ft²)
- Enclosure of noncombustible construction (if outdoors)
- Interior finishes of noncombustible or limited combustible material (if indoors)
- Walls and floors with 1-hour fire resistance rating, and other openings with ¾-hour fire protection rating (if indoors)
- Compliance with *NFPA 70®*, *National Electrical Code®*, for ordinary locations
- Heated by indirect means
- Racks, chains, or other fastenings to secure cylinders from falling
- Electrical power from the essential electrical system
- Racks, shelves, and supports of noncombustible or limited-combustible material
- Electrical devices protected from physical damage
- Access for delivery vehicles and management of cylinders
- Regulation of temperature (less than 125°F; over 20°F for nitrous oxide and carbon dioxide)
- Ventilation (see page 4)
- Prohibition of motor-driven machinery

Mishandling compressed gas cylinders – which can have internal pressure of up to 2,500 pounds per square inch – can be disastrous. Dropping, tipping over, or exposing a cylinder to heat can cause weaknesses or cracks in the cylinder’s shell, which can result in a shrapnel-laden explosion, according to the National Fire Protection Association, thus proper storage is necessary. **APEC recommends the remaining oxygen tanks present on the Subject Property be removed by a licensed contractor.**

8. Surficial Soil and Concrete Staining

There are apparent, former, oil catches located in the garages of the Subject Property units. In these former oil catches are areas of stained soil. **Photographic documentation is available in Appendix A.** These appear to be due to leaking from present day vehicles and/or formerly stored vehicles/equipment. **APEC personnel recommend the stained soil be excavated and disposed of properly. If more staining is discovered with the removal of the soil, the asphalt/concrete may need to be removed as well to properly define the extent of the impacted soils. All soil removal, transport and disposal activities should be properly documented with photographs, field notes and manifests. It is recommended that an Environmental Professional be present, to document the soil removal and also to obtain confirmation samples that all impacted soils have been removed.** Any remaining containers with the oil-based products should be disposed of per regulatory guidelines.

Surrounding or Adjacent Properties:

1. Leaking Storage Tanks (LST’s)

Leaking Storage Tank properties may pose a threat to the environmental condition of the Subject Property if the Subject Property is down-gradient of the LST facility, if depth to groundwater is relatively shallow, if the contaminants are dangerous to human health and/or the environment, and/or if the radius of influence of the plume is large enough to impact the Subject Property.

The ERIS, Appendix H, lists thirteen (13) Leaking Storage Tank facilities within a ½ mile radius. Colorado Petroleum guidance states the following for LTANK facilities: Closure of a release event and issuance of an NFA (No Further Action) determination is based on the risk of exposure to any remaining contamination via the exposure pathways. OPS has developed a four-tiered closure approach for petroleum releases:

- A. Multiple remedial actions may need to be completed to meet Tier I or II closure criteria, and it is possible that the petroleum release will not meet all of the criteria. Tier III or Tier IV closure criteria may be considered for a petroleum release that cannot achieve Tier I or II closure criteria.
- B. The requirements for the appropriate tiers must be met prior to requesting NFA.

All listed facilities in the ERIS have received either Tier I, Tier II or NFA letters with the exception of Everyday Store #5005, Gas & Grass and Corner Store – CO0008. **APEC does not recommend further investigation at this time regarding these findings as these sites are regulated by the OPS. All COSTIS information is located in Appendix I.**

2. **LUST/TRUST**

The Division of Oil and Public Safety of the Colorado Department of Labor and Employment (CDLE) manages a Petroleum Storage Tank Fund (The Fund) that receives and processes applications to the Fund for reimbursement of costs related to assessment and cleanup of petroleum contaminated sites.

The ERIS, Appendix H, lists eight (8) LUST/TRUST facilities within a ½ mile radius. These facilities are those that receive funds from the State of Colorado for remediation efforts related to underground fuel storage tanks. ***APEC does not recommend further action currently regarding these findings as the responsible parties for clean-up have been identified.***

3. **Underground/Aboveground Storage Tank/TANKS**

There are ten (10) underground storage tank (UST) facilities, one (1) aboveground storage tank (AST) facility (All Star Rental) and one (1) TANKS facility (Burger King) within 1/4-mile of the Subject Property. All active facilities tanks and contents are available in section 4.2. ***APEC does not recommend further investigation into these findings as the responsible parties for remediation are the owners and operators of the tanks.***

4. **RCRA**

The ERIS Database Report, Appendix H, indicates there are four (4) Resource Conservation and Recovery Act (RCRA) Very Small Quantity Generator (VSQG) facilities and seven (7) Non-Generator facilities within ¼ mile of the Subject Property. None of the listed facilities have violations within the past 5 years according to ECHO (Appendix I). ***APEC does not recommend further investigation at this time regarding these findings.***

5. **CORRACTS/Haz CORRACTS**

The ERIS lists one (1) Resource Conservation and Recovery Act Corrective Action (CORRACTS) facility and HAZ CORRACTS facility, Southgate Dry Cleaners, within a 1-mile radius of the Subject Property. Both CORRACTS and Haz CORRACTS facilities are those where contamination of soil and/or groundwater is or was present at a level that is a potential threat to human health and/or the environment. Remediation of these facilities is required and regulated by the Colorado Department of Public Health and Environment (CDPHE) and/or the US Environmental Protection Agency (EPA). The EPA Envirofacts detailed facility report indicates the property has been closed and no longer operable within the past 5 years. ***APEC does not currently recommend further investigation regarding these findings.***

6. **SWF/LF**

The ERIS database, Appendix H, indicates there are five (5) SWF/LF facilities within a ½ mile radius of the Subject Property. All facility types are “Generator of Motor Vehicle and Trailer Waste Tires”. ***APEC does not currently recommend further investigation regarding these findings as the Subject Property is not listed as a SWF/LF.***

7. **FINDS/FRS/Permitted Facilities Listings (PDES)**

There is one (1) FINDS/FRS/PDES facility, Creekwalk North, within a ½ mile radius. These databases contain a list of facilities that are found in other permitted databases such as RCRA, ICIS, and others. Creekwalk North is an ICIS facility that has had no violations within the past five years. ***APEC does not recommend further investigation into these findings.***

8. **Asbestos**

The ERIS, Appendix H, lists thirteen (13) Asbestos permits within a ~.25 mile radius of the Subject Property. Asbestos permits listings are sites that are found in the Asbestos Abatement and Demolition Projects made available by the Colorado Department of Public Health and Environment (CDPHE), Air Pollution Control Division. **No further action is necessary regarding this finding as the permits are not applicable to the Subject Property.**

9. **Dry Cleaners/FED Dry Cleaners**

There are four (4) Dry Cleaner/FED Dry Cleaner facilities within ¼ mile of the Subject Property, Continental Cleaners, Kings Cleaners, Karnes Enterprise LLC, and One Hour Cleaners. These facilities are active dry-cleaning facilities with no violations listed within the past 5 years according to the ECHO documentation, **Appendix I**. Drycleaner facilities can emit pollution, the main source of pollution from dry cleaners is the solvent used in the cleaning process, the most common solvents are perchloroethylene and petroleum solvents. Dry-cleaning facilities are required to have yearly inspections to ensure compliance with reporting and disposal requirements. **APEC does not recommend further investigation at this time regarding these findings as these sites are regulated by the EPA and/or CDPHE.**

10. **Mineral Resource Data System**

The ERIS database report indicates there is one (1) MRDS (Mineral Resource Data System) facility, Gravel Pit within a 1 -mile radius of the Subject Property. Gravel Pit has a listed commodity of Sand & Gravel. The USGS information is available in Appendix I. **APEC does not recommend any further action.**

11. **ALT Fuels**

The ERIS report lists four (4) Alternate Fueling station within a ¼ mile radius of the Subject Property located at 132 E Cheyenne Rd. Said listings are indicated to be electrical car charging stations according to the ERIS database report (Appendix H). **APEC does not recommend further investigation currently regarding these findings.**

12. **Air Permits**

The ERIS Database Report, Appendix H, lists one (1) Air Permit facility, CST Metro LLC dba Corner Store #4067, within a ~0.12 mile radius of the Subject Property. CST Metro LLC dba Corner Store #4067 has not had any violations within the past 5 years according to ECHO. **APEC does not recommend further investigation currently regarding these findings.**

All-Phase Environmental Consultants, Inc. is not responsible for any mishandling of information, materials, or the removal of materials from a Subject Property. The Subject Property owner/operator and/or the buyer of the property will use their discretion in carrying out the above recommendations. The above recommendations are those of APEC personnel and are not necessarily required by law or regulations. The current buyer or interest(s) in the above referenced Subject Property are responsible to carry-out all steps necessary to ensure due diligence. All-Phase Environmental Consultants, Inc. is not responsible for the exactness of any information received regarding the past uses or conditions of the Subject Property, including information received from various city officials and those most knowledgeable regarding conditions of the Subject Property, or any historical documentation. Our findings are based on information that is generally available to the public for review.