

## 1.0 Executive Summary

Capitol Environmental, Inc. (Capitol) has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of American Society for Testing and Materials (ASTM) "*Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*," ASTM Practice E 1527-13 of an approximately 15.69-acre tract of land located at 2324 FM 1960 EAST, Humble, Harris County, Texas. This tract of land is the subject property of this ESA and is further described as 15.69 acres, being Tract 55, J Strange Division, Abstract 695, Harris County, Texas. Any exceptions to, or deletions from, this practice are described in this report.

The purpose of the Phase I ESA is to identify the presence or absence of recognized environmental conditions. A recognized environmental condition is the presence or likely presence of any hazardous substance or petroleum product 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. A de minimis condition is not a recognized environmental condition nor a controlled recognized environmental condition.

A de minimis condition is a condition of possible environmental concern that generally does not present a threat to human health and the environment and that generally would not be the subject of an enforcement action if brought to the attention of the appropriate governmental agency. For the purpose of this assessment, the appropriate governmental agency is the Texas Commission on Environmental Quality (TCEQ).

### **Conclusions:**

To the extent that it was visually or physically observed during the site visit or identified from interviews or records review, this assessment has revealed no evidence of Recognized Environmental Conditions or conditions of possible environmental concern in connection with the subject property.

**OPINION:** To the extent that it was visually or physically observed during the site visit or identified from interviews or records review, this assessment has revealed no evidence of Recognized Environmental Conditions in connection with the subject property that present a material risk to human health and the environment or warrant further investigation at this time.

**The Executive Summary does not represent all of the information the report addresses in connection with the subject property. If decisions are made or actions are taken based on information provided in the report, it is the user's responsibility to read the report in its entirety.**

## **DISCLAIMER**

Services performed under this contract were conducted in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. The opinions and conclusions of this report are based on information and observations that were available and practically reviewable at the time of this report.

In preparing this report, Capitol has relied on information derived from secondary sources of pertinent information, public records and personal interviews. Except as set forth in this report, Capitol has made no independent investigation as to the accuracy or completeness of the information derived from the secondary sources, public records and personal interviews.

The Client understands that no environmental site assessment can wholly eliminate uncertainty regarding the possible presence of environmental conditions in connection with the subject property. Due to the inherent limits of time and cost in connection with the agreed Scope of Work, this report does not address uncertainty about site conditions across those portions of the subject property not specifically assessed in this report. In Any Event, the aggregate liability of Capitol to Client for any reason and upon any cause of action shall be limited to one hundred percent (100%) of the amount actually paid to Capitol by Client under the agreement. This limitation applies to all causes of action in the aggregate, including, without limitation, strict liability, misrepresentations, and other contractual or tortious claims.

The Assessment has been developed to provide the Client with information regarding apparent indications of suspected adverse environmental conditions relating to the subject site. The Assessment report is necessarily limited to the conditions observed and to the information available at the time the work was performed. Due to the limited nature of the work, there is a possibility that conditions may exist in connection with the subject site which could not be identified within the scope of this assessment practice or which were not easily visible at the time the report was prepared. It is also possible that assessment methods employed at the time the report was prepared may be later superseded by more discrete assessment methods. The definition, type and composition of a "recognized environmental condition" can also change statutorily over time. Capitol does not warrant the content or findings of this report in the event of changes in conditions in connection with the subject property; in the event of changes in assessment methods; or in the event of changes in statute that may apply to the subject property in the future.

This report was prepared for the Client, to identify the presence or absence of environmental conditions on portions of the subject property during assessment activities performed on 12/28/2020. In no manner, expressed or implied, does Capitol warrant that the report constitutes or represents legal opinion nor is the report intended to be used in any legal matters whatsoever.

Any use of this report for other purposes or any use of information presented in this report by other parties other than the Client is the Client's responsibility.

## Signature of Environmental Professionals

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in 40 CFR §312.10. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property.

We have, to the best of our professional knowledge and belief, developed and performed the all appropriate inquiries that were reasonably ascertainable at the time of the assessment in conformance with the standards and practices set forth in 40 CFR Part 312 to the extent that conditions were made known as found herein.



Donald Bryan Pairsh  
Environmental Professional  
40 CFR §312.10(b)



Derek Einkauf  
Certification Number 41372  
Environmental Professional  
40 CFR §312.10(b)