Report of Phase I
Environmental Site Assessment

APPROXIMATE 50-ACRE
GRANT PROPERTY
Berkeley County, West Virginia
Triad Project No. 07-05-0269

1.0 INTRODUCTION

This report presents the results of a Phase I Environmental Site Assessment (ESA) conducted by Triad Engineering, Inc. (Triad) on an approximate 50-acre property located along the southern boundary of Route 13 (Dry Run Road), approximately 1 mile west of the intersection of Dry Run Road and Interstate 81 in Berkeley County, West Virginia. The subject site is identified on the site vicinity, 3-D topographic, local vicinity maps, and a generalized site plan included as Plates A-1, A-2, A-3, and A-4, respectively, in Appendix A.

The purpose of this Phase I ESA was to determine the possible presence of reasonably apparent hazardous substances, petroleum products, or recognized environmental conditions within the confines of this referenced property. As such, this investigation is intended to permit a user to satisfy one of the requirements to qualify for the innocent landowner's defense to Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) liability: That is, the practices that constitute all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial and customary practice.

It is emphasized that this Phase I ESA does not guarantee that unobserved conditions, undocumented incidents, or information withheld concerning environmental conditions at the site will not affect the level of environmental risk or potential liability at the subject site.

For the purposes of this Phase I ESA, the terms "subject site", "site", and "subject property" refer to land within the property boundaries. The term "surrounding vicinity" generally refers to properties within a one-mile radius of the subject site. The term "adjoining properties" refers to land contiguous to the subject site. The term "adjacent properties" refers to land proximal to the subject site.

2.0 SCOPE OF SERVICES

In general, the Phase I ESA was performed in conformance with the scope and limitations of ASTM Practice E 1527-00 and our proposal dated, May 2, 2005 unless otherwise described within this report. The components of the Phase I ESA are as follows:

2.1 Property History and Uses

A review of reasonably available standard historical sources such as property deeds, available aerial photographs, land use maps, Sanborn fire insurance maps, and city directories, was performed to determine the uses and chronological chain of possession for the property. Also, reasonable attempts were made to interview past and present property owners and local officials to further evaluate past and present uses of the property.

A review of reasonably available standard environmental record sources provided by InfoMap Technologies, Inc. (InfoMap) was also conducted to identify reasonably apparent hazardous substances, petroleum products, or recognized environmental conditions on the subject site and/or adjoining properties. These sources included:

Federal National Priorities List (NPL) - The "Superfund" NPL is a compilation of properties considered by the USEPA as being either uncontrolled or abandoned hazardous waste sites that require priority consideration for remedial action under the Federal Superfund Program. These sites are considered to pose a significant risk of stigmatizing surrounding properties and potentially impacting property values.

No Further Remediation Action Planned Sites (NFRAP) -

Also known as the CERCLIS archive, this database contains information pertaining to sites which have been removed from the CERCLIS database. NFRAP sites may be sites where, following an initial investigation, either no contamination was found, contamination was removed quickly without need for the site to be placed on the NPL, or the contamination was not serious enough to require federal Superfund action or NPL consideration.

Resource Conservation and Recovery Act (RCRA) Corrective Action Sites (CORRACTS) -

The CORRACTS database contains information concerning RCRA facilities that have conducted, or are currently conducting a corrective action. A Corrective Action Order is issued pursuant to RCRA Section 3008 (h) when there has been a release of hazardous waste or constituents into the environment from a RCRA facility. Corrective actions may also be imposed as a requirement of receiving and maintaining a TSDF permit.

RCRA treatment, storage, and/or disposal facilities (TSDFs) -

The RCRA program identifies and tracks hazardous waste from the point of generation to the point of disposal. RCRA TSDFs are facilities which treat, store, and/or dispose of hazardous waste.

RCRA generators -

The RCRA facilities database is a compilation by the USEPA of facilities which report generation, storage, transportation, treatment, and/or disposal of hazardous waste. To be listed as a small quantity generator, a facility must generate more than 100 kilograms/month (kg/mo) but less than 1,000 kg/mo of non-acutely hazardous waste. To be listed as a large quantity generator, a facility must generate at least 1,000 kg/mo of non-acutely hazardous waste or 1 kg/mo of acutely hazardous waste.

Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) -	The CERCLIS database is a comprehensive listing of known or suspected, uncontrolled or abandoned, hazardous waste sites. These sites have either been investigated, or are currently under investigation, by the USEPA for a release, or a threatened release, of hazardous substances. Once a site is placed in CERCLIS, it may be subjected to several levels of review and evaluation, and ultimately placed on the NPL.
Toxic Release Inventory System (TRIS) -	Section 313 of the Emergency Planning and Community Right-to-Know Act (also known as SARA Title III) of 1986 requires the USEPA to establish an inventory of toxic chemical emissions from certain facilities. All facilities that manufacture, process, or import toxic chemicals in quantities in excess of 25,000 pounds per year are required to register with the USEPA.
Emergency Response Notification System (ERNS) -	The ERNS database is used to store information on the sudden and/or accidental release of hazardous substances, including petroleum, into the environment.
State equivalent to CERCLIS sites (SCL) -	The SCL database is a state listing of known or suspected, uncontrolled or abandoned, hazardous waste sites if the state maintains its own list.
State landfill and/or solid waste disposal facilities -	This database is collected from a variety of sources including the United States Geological Survey (USGS) and state waste management offices.

Registered underground storage tank (UST) -	This database is collected from each state and information varies depending on the registration requirements and policies of each state. Most states do not require registration of heating oil tanks, especially those used for residential purposes.
Leaking underground storage tank (LUST) -	This database is collected from each state and information varies depending on the policies of each state.

2.2 Site Reconnaissance

A site reconnaissance was conducted on May 23, 2005 by John Tevalt of Triad. Observations included the perimeter of the property, as well as contiguous and closely adjacent properties from public areas and the site perimeter. The reconnaissance, which included photographs, was performed to search for evidence of recognized environmental conditions.

2.3 Orchard Sampling and Testing

Due to the existing and historical presence of orchards on the western adjacent property, Triad collected soil samples from the topsoil horizon at five (5) locations on site. These samples were then shipped to an independent laboratory and analyzed for eight (8) Resource Conservation and Recovery Act (RCRA) metals and Organochlorine Pesticides in accordance with USEPA Methods SW6010B/7471A and SW8081A, respectively.

2.4 Phase I Environmental Site Assessment Report

Upon completion of our records review, interviews, site reconnaissance, and soil sampling and testing, this report was prepared and includes the following:

1) A brief description of the property, with photographs, based on our general reconnaissance and available documentation.

2) A site vicinity map, a 3-D topographic map, a local vicinity map, a generalized site plan, sample location plan, and aerial photographs dated 1937, 1955, and 1991.

3) Property uses and ownership based on our review of reasonably available standard historical sources as well as interviews.

4) Standard environmental records of hazardous substances, petroleum products, or recognized environmental conditions on the property and/or adjoining properties.

5) Results of the eight (8) RCRA metals and Organochlorine Pesticides analytical testing performed on the collected surface soil samples.

6) Our opinion, based on reasonably available information, as to the presence of recognized environmental conditions on the property and the impact of these recognized environmental conditions in connection with the property.

Our scope of services did not include a geotechnical engineering investigation; surveying or civil engineering; laboratory analysis of air, surface/groundwater, or soil other than specifically described within this report; testing for polychlorinated biphenyls (PCBs) or radon; archeological investigation; certified title search; or research associated with regulatory compliance, cultural and historic resources, or ecological resources including rare, threatened, and endangered species.

3.0 SITE DESCRIPTION

3.1 General Site Features

The subject site is an approximate 50-acre property located along the southern boundary of Route 13 (Dry Run Road), approximately 1 mile west of the intersection of Dry Run Road and Interstate 81 in Berkeley County, West Virginia. This irregular-shaped site is utilized as agricultural crop land and contains no structures. The easterly-flowing tributary to Dry Run extends across the southern portion of the site.

The surface topography is gently rolling with elevations ranging from approximately 600 to 560 feet above mean sea level (M.S.L.). A 3-D rendering of the local topography, based on the applicable USGS topographic map, is included as Plate A-2. On-site drainage patterns generally follow the surface topography and flow toward the on-site tributary to Dry Run.

The following is a summary of additional visual and physical observations noted during the site reconnaissance:

1) There were no unusual odors detected during our site reconnaissance.

2) There were no apparent drains or sumps containing liquid likely to be hazardous substances or petroleum products on the subject site.

3) There were no apparent drums or containers of hazardous substances or petroleum products or unidentified containers which were likely to contain hazardous substances or petroleum products at the subject site.

4) There were no apparent areas of stained soils.

5) There were no apparent areas of stressed vegetation on the subject site that would likely be the result of hazardous substances or petroleum products.

6) There were no apparent ponds, lagoons, or permanent surface water bodies on the subject site, with the exception of the south fork tributary of Dry Run located on the southern end of the property.

7) There were no apparent drinking water wells, dry wells, irrigation wells, injection wells, abandoned wells, or monitoring wells identified on the subject site.

8) There were no apparent cesspools or septic systems on the subject site.

9) There were no apparent extra high voltage (EHV) electrical lines identified on the subject site or on the adjoining properties.

10) There were no apparent spray rigs, tankers, or pieces of heavy equipment on the subject site.

11) There were no apparent sources of air emission discharges on the subject site.

12) There was no apparent evidence of hydraulic equipment on the subject site.

13) There was no visibly apparent evidence of surface spills and/or releases of petroleum products on the subject site.

14) There were no apparent oil or gas wells or refinery facilities on the subject site.

15) There was no apparent evidence of extensive pesticide or herbicide use on the subject site; however, current or former orchards exist/existed on adjacent properties. The possible influences to the subject site from these orchards are discussed further in Section 5.0.

16) There was no apparent evidence of waste water discharges from off-site sources on the subject site.

3.2 Geology and Soils

According to the Geology Map of Hedgesville, Keedysville, Martinsburg, Shepherdstown, and Williamsport Quadrangles, Berkeley and Jefferson Counties, West Virginia (dated 1987), the subject site is underlain by the Elbrook Formation of Cambrian Age. The Elbrook Formation is described as argillaceous, dolomitic limestone, with interbeds of dolomite and aphanitic and algal limestone with chert and oolites present throughout the formation.

Carbonate rocks, which are moderately solution-prone, weather differentially to produce an irregular rock profile. Infiltrating surface and groundwater solutions the carbonate bedrock along areas of weakness such as joints, bedding planes, and cracks to create the rock highs and lows. Clay seams may be expected to lie between the more highly weathered joints and fractures, often deep within the bedrock profile. This solubility also results in a karst terrain which may typically result in sinkholes, sinking streams, dry stream channels, caves, and springs.

According to the USDA Soil Survey of Berkeley County, West Virginia (issued 2002), residual soils in the vicinity of the subject site are generally composed of the Hagerstown Soil Series. The Hagerstown Series consists of deep, well-drained, moderately permeable soils that have developed in residuum of hard, fairly pure limestone. These soils generally have a surface layer of dark-brown silt loam or silty clay loam, a subsoil of reddish brown silty clay, and a thick clayey substratum over hard limestone. These soils commonly have a few fragments of rough porous sandstone and a few very coarse grains of quartz throughout their profile. Permeability is considered moderate.

Also, the Funkstown silt loam interfingers with the Hagerstown Soil Series within the southern portion of the site. It consists of deep, moderately well-drained, moderately permeable soils, with slow surface runoff potential that have developed in limestone residuum. These soils generally develop on slightly concave upland drainageways and sinkholes are common in some areas. These soil range in depth to bedrock due to common rock outcropping. These soils generally have a surface layer of dark yellowish brown silt loam, a subsoil of dark yellowish brown gravelly loam, and a thick clayey substratum over hard limestone. These soils are not well suited for building and septic absorption fields because of flooding and ponding of water.

In addition, Ryder soils is present on the subject site on the southeastern corner. The Ryder Soil Series is described as soils developing on gently sloping to moderately steep upland ridges and side slopes in the valley (3% to 25%) and mainly on the Elbrook Formation. These soils generally have a surface layer of dark yellowish brown silt loam that advances to variegated dark yellowish brown and grayish-brown channery silt loam mixed with a few coarse pockets of yellowish brown channery silty clay loam. Permeability is considered moderate.

3.3 Hydrogeology

According to the USGS publication "Groundwater-Water Hydrology of Berkeley County, West Virginia", groundwater in the general vicinity of the subject site flows primarily in an easterly direction, away from the local groundwater divide at North Mountain, located approximately 1.5 miles west of the subject site. The groundwater on the subject site generally flows toward the on-site tributary to Dry Run. It should be noted that the actual groundwater flow direction is often influenced by factors such as soil and bedrock geology, groundwater wells, and other factors beyond the scope of this study.

3.4 Wetlands

Wetlands are defined as containing three criterion which are described as follows: 1) the dominance of hydrophytes (wetland vegetation); 2) the presence of hydric soils (gleyed or low chroma soils, i.e., 2 or less, or mottling); and 3) at least periodically, a substrate which is water saturated within 12 inches of the surface or inundated during significant portions of the growing season of each year.

- According to a review of the National Wetlands Inventory (NWI) Maps for the Tablers Station and Martinsburg, West Virginia quadrangles, as maintained by the U.S. Department of the Interior, Fish and Wildlife Service and dated 1990, there are no identified wetland habitats within the confines of the subject site.

- However, the previously discussed south fork tributary of Dry Run is located on the southern portion of the site.

Based on our site reconnaissance, it is our opinion that jurisdictional Waters of the United States exist within the confines of the subject site.

3.5 Flood Plain

According to the Flood Insurance Rate Map of Berkeley County, West Virginia, Panels #540282-0038B and #540282-0076B (dated 1988), prepared by the Federal Emergency Management Agency, the applicable map for the local vicinity indicates that a portion of the subject site along the south fork tributary of Dry Run is within the 100-year flood plain. This area is identified on Plate A-5 in Appendix A.

3.6 Utilities

Overhead electrical and telephone lines extend along the northern side of Dry Run Road just north of the property boundary. A concrete pad with Verizon telecommunications equipment is located on the northern portion of the subject site adjacent to Dry Run Road. In addition, a sanitary sewer line extends through the subject site.

3.7 Storage Tanks

3.7.1 Underground Storage Tanks

A review of the InfoMap provided West Virginia Department of Environmental Protection (WVDEP) Underground Storage Tank (UST) file listings did not indicate the presence of any documented USTs at the subject property.

3.7.2 Aboveground Storage Tanks

Our site reconnaissance did not identify any existing aboveground storage tanks (ASTs) at the subject property.

3.8 Chemical Use and Solid Waste

There has been no significant known chemical use on site. Based on our previous research, it is apparent that the western adjacent property has been used as orchards since prior to1937. The location of these orchards relative to the subject site allows for some risk to the subject site associated with the common pesticide use on orchard properties due to the predominant northeast wind direction.

3.9 Adjoining and Adjacent Properties

Land use in the vicinity of the subject site is generally described as a mixture of residential, agricultural, and undeveloped parcels. More specifically, the site is adjoined on the north by a parcel containing a single-family dwelling and Route 13 (Dry Run Road), with a working farm located beyond; on the east by single-family dwellings; on the south by agricultural and undeveloped properties; and on the west by agricultural fields.

4.0 REVIEW OF SITE HISTORY AND OWNERSHIP

4.1 Deed Research

According to the Berkeley County Real Estate Tax Assessor's Office, the subject

site is owned by George Olin Grant. A review of pertinent property deeds was conducted at the Berkeley County Clerk's Office to identify existing and previous property owners and establish a chronological chain of possession. The following table contains a generalized ownership chronology of the site.

OWNERSHIP CHRONOLOGY				
DATE	**BOOK**	**PAGE**	**GRANTOR**	**GRANTEE**
11-16-1983	WB78	53	Charles Lee Grant	George Olin Grant
11-01-1979	334	265	Estate of F.C. Foreman	Charles Lee Grant (via Public Auction)
07-09-1939	WB28	401	F.C. Forman	Estate of F.C. Foreman
05-15-1935	160	531	Old National Bank of Martinsburg	F.C. Forman

4.2 Aerial Photographs and Topographical Maps

Aerial photographs dated 1937, 1955, and 1991, and topographical maps of the Tablers Station and Martinsburg quadrangles, dated 1979, were reviewed to help evaluate any surface anomalies or changes, and to help interpret previous land uses. Site conditions, which are visibly evident in the photographs and maps, are described as follows:

- The 1937 aerial photograph shows the entire property to be agricultural. A copy of a portion of the 1937 aerial photograph is included as Plate A-7 in Appendix A.

- No significant changes to the subject site or the surrounding properties are evident in the 1955 aerial photograph. A copy of a portion of the 1955 aerial photograph is included as Plate A-8 in Appendix A.

- No significant changes to the subject site or surrounding properties are evident on the 1991 aerial photograph, with the exception of a wooded area adjoining the site to the southwest. A copy of a portion of the 1991 aerial photograph is included as Plate A-9 in Appendix A.

- The USGS topographic quadrangles of Martinsburg and Tablers Station, West Virginia, dated 1979, indicates the subject site is an open field. Dry Run Road adjoins the site to the north, with undeveloped fields and Dry Run located beyond. The site is adjoined to the east by undeveloped fields, to the south by wooded parcels. Orchards are visible to the west, beyond Lost Road. A copy of the topographical map composite is presented as Plate A-1 in Appendix A.

4.3 Sanborn Fire Insurance Maps

Sanborn maps were not available for the subject site. The absence of such maps generally indicates that the site was previously either undeveloped, or the site is located in a former rural area where the production of Sanborn maps was not economically feasible.

4.4 City Directories

Historical city directory listings were not available for the subject site. The absence of such listings generally indicates that the area was either undeveloped with no street addresses, or so rural in nature that the production of city directories was not economically feasible.

4.5 Interviews

According to the Berkeley County Planning Commission (304-264-1963), property in Berkeley County is not subject to zoning regulations.

An interview was conducted on June 2, 2005 with Mr. George Grant (304-263-1104), the current owner of the subject site. According to Mr. Grant, there have been no drinking water wells, septic systems, orchards, or USTs on site. Mr. Grant stated that a sanitary sewer line extends through the subject site.

Martha Smallwood of the Berkeley County Health Department (304-267-7130) was contacted regarding any records of wells or septic systems on the subject site. According to Ms. Smallwood, there are no well or septic system records for the subject property.

The Berkeley County Office of Emergency Services (304-263-1345) was contacted regarding any environmental incidents associated with the subject site. A response has not been received as of the date of this report. Once a response has been received, Triad will forward any pertinent information along with any changes in our conclusions and/or recommendations.

5.0 ORCHARD SOIL SAMPLING AND LABORATORY ANALYSIS

Due to the existing and historical presence of orchards on a western adjacent property, Triad collected soil samples from the topsoil horizon at five (5) locations on site, selected in the field by Triad personnel and approximately located as shown on Plate A-6 in Appendix A. These samples were then shipped to Environmental Science Corporation (ESC) and analyzed for eight (8) Resource Conservation and Recovery Act (RCRA) metals and Organochlorine Pesticides in accordance with USEPA Methods SW6010B/7471 and SW8081A, respectively. A copy of the soil laboratory analysis report is included as Appendix C.

5.1 West Virginia De Minimis/Background Levels

Under the Voluntary Remediation and Redevelopment Rule (60CSR30), the State of West Virginia has established human health De Minimis risk-based standards which are considered protective of human health. As stated in the West Virginia Voluntary Remediation and Redevelopment Act (VRRA) guidance manual, "the De Minimis Standards apply to chemicals for which the primary exposure routes will be the ingestion from soil, or ingestion or inhalation from groundwater. For soil, the De Minimis Standard is either the risk-based concentrations (RBCs) found in Table 60-3B of the Rule, or the natural background levels, **whichever is higher**. RBC Standards are provided for both residential and industrial land use scenarios.

Table - 1 provides a comparison of West Virginia residential De Minimis Standards and background levels to the concentrations of the eight (8) RCRA metals detected within the collected surface soil samples. Comparison of the laboratory results to the residential De Minimis Standards or background levels indicates the following:

1. All of the Arsenic concentrations and one (1) Chromium concentration representing sample location S4 exceeded their respective residential De Minimis Standards; however, none of these eight (8) RCRA metals concentrations exceeded their respective West Virginia natural background levels.

2. None of the Pesticide concentrations exceeded the laboratory established minimum detection levels. However, the laboratory established minimum detection level of 0.52 parts per million (ppm) for Toxaphene was slightly higher than the West Virginia residential De Minimis Standard of 0.44 ppm.

Table - 1 WV RESIDENTIAL DE MINIMIS/BACKGROUND LEVELS

ELEMENT	SAMPLE IDENTIFICATION					WEST VIRGINIA LEVELS	
	S1	S2	S3	S4	S5	Residential ▣	Maximum Background √
Arsenic	5.0 ▣	6.8 ▣	4.1 ▣	6.1 ▣	5.3 ▣	0.39c	13
Lead	15	18	14	19	17	400n	Background < Residential De Minimis
Chromium	23	27	24	35 ▣	25	31n	70
Barium	97	100	90	110	100	5,400n	Background < Residential De Minimis
Mercury	0.031	0.028	0.030	0.043	0.033	23n	Background < Residential De Minimis

All values listed are expressed in parts per million (ppm).

▣ - Concentration exceeds the residential West Virginia De Minimis concentrations value, revised 01/2002.

√ - Concentration exceeds the West Virginia maximum background level referenced in the West Virginia VRRA guidance manual.

"c" indicates a carcinogenic concentration.

"n" indicates a non-carcinogenic concentration.

6.0 REGULATORY REVIEW

6.1 Regulatory Contacts

Triad reviewed InfoMap compiled USEPA and WVDEP database listings within the Martinsburg, West Virginia zip code area (25401) to determine if the subject site or adjacent properties have been exposed to any documented environmental violations, incidents, or investigations. The InfoMap report is presented in Appendix D and summarized as follows:

1) There are no listed NPL facilities within a one mile radius of the subject site.

2) There are no listed CORRACTS TSDF within a one mile radius of the subject site.

3) There are no listed CERCLIS facilities within a one-half mile radius of the subject site.

4) There are no listed TRIS facilities within a one-half mile radius of the subject site.

5) There are no listed RCRA TSDFs within a one-half mile radius of the subject site.

6) There are no listed RCRA Large Quantity Generators within a one-quarter mile radius of the subject site.

7) There are no listed RCRA small quantity generators within a one-quarter mile radius of the subject site.

8) There are no listed ERNS incidents within a one-eight mile radius of the subject site.

9) There are no listed West Virginia Solid Waste Sites within a one-half mile radius of the subject site.

10) ASTM Practice E 1527-00 indicates that the "minimum" search distance for UST facilities is "property and adjoining property"; however, InfoMap compiles information on UST facilities within a one-quarter mile radius of the subject site. There are no UST facilities listed within a one-quarter mile radius or LUST incidents listed within a one-half mile radius of the subject property.

The InfoMap report listed three (3) unmapped facilities within the Martinsburg, West Virginia zip code area (25401). Although the locations of these facilities were not identified due to a lack of regulatory agency information, attempts were made to identify these facilities during our site vicinity reconnaissances. As a result of these reconnaissances, it is our belief that these properties are beyond the recommended ASTM search radii.

6.2 Maps and Illustrations

A variety of maps and illustrations were reviewed to aid in the interpretation of the historical land uses along with surface and subsurface conditions. These materials include the following:

1) The U.S. Geological Survey (USGS) Topographic Quadrangles of Martinsburg and Tablers Station, West Virginia, dated 1979.

2) The local map for the Martinsburg, West Virginia area, accessed May 2005.

3) The Geology Map of Hedgesville, Keedysville, Martinsburg, Shepherdstown, and Williamsport Quadrangles, Berkeley and Jefferson Counties, West Virginia (dated 1987).

4) The USDA Soil Survey of Berkeley County, West Virginia, issued 2002.

5) The National Wetlands Inventory (NWI) Maps for the Tablers Station and Martinsburg, West Virginia quadrangles, as maintained by the U.S. Department of the Interior, Fish and Wildlife Service and dated 1990.

6) The Flood Insurance Rate Map of Berkeley County, West Virginia, Panels #540282-0038B and #540282-0076B (dated 1988), prepared by the Federal Emergency Management Agency.

7) Aerial photographs from the local NRCS office, dated 1937, 1955, and 1991.

7.0 CONCLUSIONS AND RECOMMENDATIONS

According to ASTM Practice E 1527-00 for conducting Phase I ESAs, a recognized environmental condition is defined as **"the presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property."** The term is not intended to include *de minimis* conditions that generally do not present a risk of harm to public 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.

Based upon our review of available maps and illustrations, property deeds, InfoMap provided USEPA and WVDEP regulatory file listings of NPLs, CORRACTS, CERCLIS, RCRA, open dumps, ERNS, UST and LUST sites for the local Martinsburg, West Virginia zip code area (25401), interviews, site reconnaissance, and surface soil sampling and analysis, our Phase I ESA has not identified any recognized environmental conditions at the subject site as defined by ASTM Practice E-1527-00. There are, however, two (2) items of note that are described as follows:

- Although the National Wetlands Inventory (NWI) Maps for the Tablers Station and Martinsburg, West Virginia quadrangles does not identify any on-site wetland habitats, our site reconnaissance identified the presence of a stream, the southeasterly-flowing tributary to Dry Run, on the subject site. As such, Triad recommends further investigation in the form of a study for jurisdictional Waters of the United States prior to the completion of any detailed site development plans.

- Based on a review of the Flood Insurance Rate Map of Berkeley County, West Virginia, Panels #540282-0038B and #540282-0076B (dated 1988), prepared by the Federal Emergency Management Agency, a portion of the southern end of the property along the on-site stream is within the 100-year flood plain. As such, Triad recommends that the specific boundaries of the on-site flood plain be identified prior to the completion of any detailed site development plans.

8.0 LIMITATIONS

This report has been prepared by Triad Engineering, Inc. for the exclusive use of Trinity Homes as a Phase I Environmental Site Assessment of the approximate 50-acre property located along the southern boundary of Route 13 (Dry Run Road), approximately 1 mile east of the intersection of Dry Run Road and Interstate 81 in Berkeley County, West Virginia. The opinions and conclusions expressed in this study are based upon the results of our site reconnaissance, interviews, a review of reasonably available and pertinent literature, and InfoMap provided USEPA and WVDEP file listings.

This report has been prepared for the benefit of and may be relied upon Trinity Homes; their employees and officers; and counsel and consultants, any and all who may receive copies of the Phase I ESA report, subject to the terms and limitations of our proposal dated May 2, 2005.

It is important to note that environmental evaluations are inherently limited in the sense that conclusions are drawn and recommendations developed from information obtained from limited research and site evaluation. For these types of evaluations, it is often necessary to utilize information prepared by others and as such, Triad cannot be responsible for the accuracy of such information and we do not assume responsibility for conditions at the site or adjoining properties that are known by the client or property owners and were not divulged to us during the preparation of this report.

In addition, no environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions to exist at a subject property, and as such, this Phase I ESA is designed to reduce, but not eliminate those uncertainties. Furthermore, this Phase I ESA was not an exhaustive inquiry. There is a point at which the cost of information obtained or the time required to gather it outweighs the usefulness of the information and, in fact, may be a material detriment to the orderly completion of any associated real estate transaction.

It should also be noted that our study is considered to be valid only at the time and locations investigated and that conditions within the site may vary with time. The nature and

extent of these variations may only become evident during the course of future investigations or development. This report was not and is not intended to establish the compliance status of the subject property with federal or state environmental regulations.

We have performed our services in general accordance with ASTM Practice E 1527-00 for conducting Phase I ESAs and make no other warranty, either expressed or implied, as to the professional services and advice contained herein.

Should you have any questions regarding the content or preparation of this report, please do not hesitate to contact us.

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