

LAW

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REPORT OF PHASE I ENVIRONMENTAL SITE ASSESSMENT

**OVERLAKE EAST
15230 NE 24TH STREET
REDMOND, WASHINGTON**

Prepared For:

**JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY
John Hancock Place, T-53, 200 Clarendon Street
Boston, Massachusetts**

Prepared By:

**LAW ENGINEERING AND ENVIRONMENTAL SERVICES, INC.
4919 Laurel Street
Tampa, Florida**

July 30, 1998

LAW Project 40141-8-0375-136

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July 30, 1998

Mr. Robert Maulden
John Hancock Mutual Life Insurance Company
John Hancock Place, T-53, 200 Clarendon Street
Boston, Massachusetts 02117-0111

Subject: **Report of Phase I Environmental Site Assessment
Overlake East
15230 NE 24th Street
Redmond, Washington
LAW Project 40141-8-0375-136**

Dear Mr. Maulden:

Law Engineering and Environmental Services, Inc. (LAW), is pleased to submit this report of our Phase I Environmental Site Assessment for the Overlake East commercial center at 15230 Northeast 24th Street in Redmond, Washington. The purpose of our services was to identify recognized environmental conditions and obvious potential recognized environmental conditions.

This report is intended for the use of John Hancock Mutual Life Insurance Company and prospective buyer only, subject to the contractual terms agreed to for this project. Reliance on this document by any other party is forbidden without the express written consent of LAW and that party's acceptance of mutually agreeable terms and conditions consistent with those on the attached Secondary Client Agreement. Use of this report for purposes beyond those reasonably intended by John Hancock Mutual Life Insurance Company and LAW will be at the sole risk of the user.

This report presents project information, which includes survey procedures and limitations, along with our findings, conclusions and recommendations. We appreciate your selection of LAW for this project and look forward to assisting you further on this and other projects. If you have any questions, please do not hesitate to contact us.

Sincerely,

LAW ENGINEERING AND ENVIRONMENTAL SERVICES, INC.

Owen T. Thornberry
Owen T. Thornberry
Geologist

Richard E. Mayer 7/31/98
Richard E. Mayer, P.E.
Principal Engineer
Florida Registration 41759

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1. EXECUTIVE SUMMARY

PROPERTY NAME: Overlake East

LOCATION: 15230 Northeast 24th Street, Redmond, Washington

This executive summary is provided for convenience and should not substitute for review of the complete report, including all attachments. Based on the data collected during the assessment, our findings and conclusions are summarized as follows:

| Environmental Conditions | Acceptable |
|---------------------------------|-------------------|
| Off-Site Listed Facilities | Yes |
| Site Use History | No |
| Surrounding Land Use | Yes |

1.1 SURFACE AND SUBSURFACE ENVIRONMENT

Regulatory Lists - On Site

The subject site was not listed on the regulatory databases reviewed for our assessment.

Regulatory Lists - Near Site

There is one regulatory listed nearby facility located within the search radii. Significant environmental concern is not associated with this listing.

Land Use - On Site

The site was undeveloped prior to construction of the property in 1984. The presence of an on-site commercial dry cleaning facility since at least 1986 is considered of significant environmental concern.

Land Use Surrounding Area

The surrounding area is entirely commercial. The past and present uses of the immediate surroundings to the subject site appear to pose no recognized conditions in relation to the subject site or its immediate surroundings.

1.2 CONCLUSIONS

This assessment has revealed evidence of recognized environmental conditions associated with the subject property. The presence of an on-site commercial dry cleaning facility since at least 1986 is considered of significant environmental concern.

2. INTRODUCTION

John Hancock Mutual Life Insurance Company has engaged LAW to provide environmental consulting services at the subject property. LAW has completed a Phase I Environmental Site Assessment for the Overlake East commercial center at 15230 Northeast 24th Street, Redmond, Washington.

The purpose of our services was to identify recognized environmental conditions and obvious potential recognized environmental conditions in connection with the property, based on readily available information and site observations. This assessment was performed substantially as outlined in our Proposal TA98-1199 dated May 20, 1998. Written authorization was received from Mr. Robert Maulden of John Hancock Mutual Life Insurance Company on May 22, 1998.

2.1 BACKGROUND

It is our understanding that the subject property is involved in a potential due diligence requirement. Information relating to the site was provided by Ms. Shannon Zink, Property Manager for Norris, Beggs & Simpson, Realtors. In addition, LAW has reviewed previous environmental reports for the subject property. Potential environmental concerns related to the presence of an on-site dry cleaning facility were identified in that review, and are discussed in Section 5.1.14 of this report.

2.2 PROCEDURES

The Phase I Environmental Site Assessment was performed using procedures as documented by American Society for Testing and Materials (ASTM) specification ASTM E 1527-97. Limited Surveys were performed in general accordance with industry standards or regulatory guidelines for these kinds of assessments except as noted in the appropriate sections. The following services were provided for the assessment:

- A qualitative hydrogeologic evaluation of the site and vicinity using both published topographic and geologic maps and area observations to characterize the area drainage.

- A review of selected available documents, maps, aerial photographs and interviews with knowledgeable persons to evaluate present and past land uses.
- A review of selected environmental lists published by state and federal agencies to determine if the site or nearby properties are listed as having a present or past environmental problem, are under investigation, or are regulated by state or federal environmental regulatory agencies.
- A site and adjacent property reconnaissance for obvious indications of present or past activities which have or could have contaminated the site.
- An on-site limited polychlorinated biphenyl (PCB) survey consisting of a visual reconnaissance for fluid-containing major electrical devices (transformers and capacitor banks), excluding fluorescent light ballasts. The PCB status of these devices was determined by the presence or absence of labeling. The general condition of these devices was noted, especially evidence of leakage. The limited PCB survey did not include sampling or testing of dielectric fluids.
- Preparation of this report presenting our findings and conclusions.

2.3 QUALIFICATIONS

The findings and opinions presented are relative to the dates of our site work and should not be relied on to represent conditions at substantially later dates. The opinions included herein are based on information obtained during the study and our experience. If additional information becomes available which might impact our environmental conclusions, we request the opportunity to review the information, reassess the potential concerns, and modify our opinions, if warranted. If this assessment included a review of documents prepared by others it must be recognized that LAW has no responsibility for the accuracy of information contained therein.

Although this assessment has attempted to identify the potential for environmental impacts to the subject property, potential sources of contamination may have escaped detection due to: (1) the limited scope of this assessment, (2) the inaccuracy of public records, (3) the presence of undetected or unreported environmental incidents, (4) inaccessible areas, and/or (5) deliberate concealment of detrimental information. It was not the purpose of this study to determine the actual presence, degree, or extent of contamination, if any, at the site. This could require additional exploratory work, including sampling and laboratory analysis.

ASTM E 1527-97 defines a "recognized environmental condition" as: "-the presence or likely 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, ground water, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include *de minimis* conditions that generally do not present a material risk of harm to public health or the environment and that would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies."

3. SITE SETTING

Understanding of a site's physical setting is important to the recognition of environmental impacts to the property.

3.1 GENERAL DESCRIPTION

The subject site is located in Redmond, King County, Washington (see Figure 1, Site Location). The subject property is an 8-acre commercial center with 23 individual tenants. The surrounding area land use is predominantly commercial.

3.2 HYDROGEOLOGY

A consideration of surface and subsurface drainage and geology are of interest since they provide an indication of the direction that contamination, if present on site or off site, could be transported. It was not the purpose of this study to evaluate the geotechnical conditions of the site or to assess engineering/geological concerns such as foundation conditions, faulting, or subsidence. LAW reviewed the following information with regard to the development of the presumed local and regional geology and hydrogeology of the site and surrounding area:

- Bellevue North Quadrangle 7.5 minute series topographic map, edited 1982, published by U.S. Geological Survey (USGS).
- Geologic map of Washington, 1992, published by the Washington State Department of Natural Resources.
- Engineering Geology in Washington, 1989, published by Washington State Department of Natural Resources.
- Geological Highway Map, Pacific Northwest Region, dated 1973, published by the American Association of Petroleum Geologists (AAPG).
- Soil Survey of King County Area, Washington, dated 1973, published by U.S. Department of Agriculture (USDA) Soil Conservation Service.

3.2.1 Geologic Setting

The subject site is located within the Puget Lowlands physiographic province of western Washington, a broad and undulating glacial drift plain of relatively low relief west of the Cascade mountains. The area of the subject property is characterized by soils of the Alderwood series, which developed on tills deposited by the extensive Vashon glacier during the Pleistocene. A geotechnical study performed by Dames & Moore at the site in November 1998 described these glacial deposits as dense, silty sand and gravel to a depth of at least 9 feet.

→ 1978 ???

3.2.2 Surface Drainage

The subject property is at an elevation of approximately 310 to 360 feet above sea level (NGVD), with a pronounced slope to the west. Surface drainage at the subject property is to the west and south.

3.2.3 Ground Water

Based on a review of the Redmond area topographic map, the ground-water flow direction in any shallow aquifer present would be generally to the west, consistent with the topographic gradient (see Figure 2, Topographic Survey Map). In the area of the subject property, therefore, facilities to the east are considered upgradient, facilities to the north and south are considered crossgradient, and facilities to the west are considered downgradient.

A shallow, surficial aquifer was not encountered within nine feet of land surface during a geotechnical exploration performed at the site by Dames & Moore in November 1978.

4. REGULATORY INFORMATION

LAW conducted a review of regulatory search information prepared by VISTA Information Solutions, Inc., as contained in Appendix C and subject to their limitations and disclaimers. This regulatory records search is based on information published by State and Federal regulatory agencies and is used to evaluate if the site or nearby properties are listed as having a past or present record of actual or potential environmental impact. Please note that regulatory listings include only those sites which are known to the regulatory agencies at the time of publication to be: 1) contaminated, 2) in the process of evaluation for potential contamination, or 3) regulated.

4.1 EPA NATIONAL PRIORITIES LIST (NPL)

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) established the Environmental Protection Agency (EPA) EPA National Priorities List (NPL) of federal "superfund" sites. These are the contaminated sites that have been assigned a high ranking, in terms of potential public health effects, by the EPA. The following information was found on the NPL, dated April 1998.

- The site does not appear on the NPL.
- There are no facilities listed on the NPL within a one-mile radius from the site.

4.2 EPA COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY INFORMATION SYSTEM (CERCLIS) LIST

The EPA Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) List identifies documented and suspected contamination sites throughout the nation which were not ranked high enough to be listed on the NPL. On the CERCLIS List, dated February 1998, the following information was found.

- The site does not appear on CERCLIS.
- There are no facilities listed on CERCLIS within a one-half-mile radius from the site.

4.6 LEAKING UNDERGROUND STORAGE TANK (LUST) LIST

The LUST List is a listing of facilities and/or locations within the state of Washington which have reported releases of contaminants from petroleum storage systems. This report is maintained by the Washington Department of Ecology. The following information was found on the LUST List, dated March 1998.

- The site does not appear on the LUST list.
- There are ten facilities listed on the LUST list within a one-half-mile radius from the subject site.

| Name | Address | Location |
|------------------------|--------------------------------|------------------------------------|
| Chevron 93398 | 2255 Bel Red Rd. | Adjacent, south crossgradient |
| Eastside Hospital | 2700 156 th Ave. NE | Adjacent, north crossgradient |
| Exotic Motors/Nickols | 2040 152 nd Ave. | 1,000 feet south crossgradient |
| Highland Middle School | 15027 Bel Red Rd. | 2,500 feet Southwest crossgradient |
| Star Rentals | 12900 Northrup Way | 7,500 feet west downgradient |
| BP 11066 | 2421 148 th Ave. NE | 1,000 feet west downgradient |
| Interlake Porsche/Audi | 14640 NE 24 th St. | 1,500 feet west downgradient |
| Goodyear 8836 | 14923 NE 20 th St. | 1,500 feet Southwest crossgradient |
| Fred Meyer, Inc. | 2041 148 th Ave. NE | 2,000 feet Southwest crossgradient |
| BP 03102/Exxon 7-0337 | 1960 148 th Ave. NE | 2,000 feet Southwest crossgradient |

In 1990, a discharge was reported at the former Chevron 93998 facility adjacent to the south, resulting in petroleum-contaminated soil. Cleanup was reported complete at this facility in 1995. In addition, this former service station is not located in an upgradient position with respect to the subject property. As a result, this facility is not considered of significant environmental concern. Express Tune of Bellevue apparently occupies the site today.

A discharge was reported at the adjacent East Side Hospital in 1991 resulting in contaminated soil. Cleanup was reported complete at this facility in 1995. In addition, the hospital is not located in an upgradient position with respect to the subject property. As a result, this facility is not considered of significant environmental concern.

The remaining eight sites are not considered of significant environmental concern given their distance from and gradient position with respect to the subject site.

4.7 UNDERGROUND STORAGE TANK (UST) DATABASE

The UST Database is a listing of aboveground and underground storage tank systems which are registered with the Washington Department of Ecology. The following information was found on the TANKS List, dated March 1998.

- The site does not appear on the UST list.
- There are five facilities listed on the UST list within a one-quarter-mile radius from the subject site.

| Name | Address | Location |
|----------------------------|--------------------------------|--------------------------------|
| Chevron 93398 | 2255 Bel Red Rd. | Adjacent, south crossgradient |
| Eastside Hospital | 2700 156 th Ave. NE | Adjacent, north crossgradient |
| Exotic Motors/Nickols | 2040 152 nd Ave. | 1,000 feet south crossgradient |
| Brown Bear Car Wash | 15248 Bel Red Rd. | 1,000 feet south crossgradient |
| Sales/Services Enterprises | 15238 NE 20 th St. | 1,000 feet south crossgradient |

As previously discussed, the former Chevron 93398 facility is not considered of significant environmental concern. Given their distance from and gradient position with respect to the subject site, the remaining four listings are not considered of significant environmental concern.

4.8 TOXICS CLEANUP PROGRAM (TOXICS)

The TOXICS list is maintained by the Washington Department of Ecology (WDOE), and includes facilities listed on the WDOE's Confirmed Contaminated Sites Report (November 1997) within a one-mile radius from the site. The TOXICS list also provides facilities on the WDOE's Suspected Contaminated Sites Report (November 1997) and Toxic Cleanup Program Site Register (April 1998) within a one-half mile radius from the site. On the TOXICS list the following information was found:

- The site does not appear on the TOXICS list.
- There are no facilities listed on the Confirmed Contaminated Sites Report within a one-mile radius from the site.
- There are 11 facilities listed on the Suspected Contaminated Sites Report and Toxic Cleanup Program Site Register within a one-half-mile radius from the site.

| Name | Address | Location |
|------------------------|--------------------------------|------------------------------------|
| Chevron 93398 | 2255 Bel Red Rd. | Adjacent, south crossgradient |
| Exotic Motors/Nickols | 2040 152 nd Ave. | 1,000 feet south crossgradient |
| Brown Bear Car Wash | 15248 Bel Red Rd. | 1,000 feet south crossgradient |
| Highland Middle School | 15027 Bel Red Rd. | 2,500 feet southwest crossgradient |
| Star Rentals | 12900 Northrup Way | 7,500 feet west downgradient |
| Roberts Rents | 12611 Northrup Way | 7,500 feet west downgradient |
| BP 11066 | 2421 148 th Ave. NE | 1,000 feet west downgradient |
| Interlake Porsche/Audi | 14640 NE 24 th St. | 1,500 feet west downgradient |
| Goodyear 8836 | 14923 NE 20 th St. | 1,500 feet southwest crossgradient |
| Fred Meyer, Inc. | 2041 148 th Ave. NE | 2,000 feet southwest crossgradient |
| BP 03102/Exxon 7-0337 | 1960 148 th Ave. NE | 2,000 feet southwest crossgradient |

As previously discussed, cleanup is reportedly complete at the former Chevron 93398 facility, which is not located in an upgradient position. As a result, this facility is not considered of significant environmental concern. Given their distance from and gradient position with respect to the subject site, the remaining ten listings are not considered of significant environmental concern.

5. SITE INFORMATION AND USE

LAW performed a site and vicinity reconnaissance, conducted interviews and reviewed selected historical information in order to evaluate the current and historical uses of the site and surrounding properties and to evaluate past or present activities of potential environmental conditions. The ASTM E 1527-97 standard lists the mandatory physical setting sources and specifies that the historical review should be conducted using as many sources as are practically reviewable from the initial development of the subject property or back to 1940, whichever is earlier. To comply with the ASTM standard, a reasonable attempt was made to obtain historical data from as many physical setting sources and to review historical records as far in the past as practical. The reference materials listed below are the physical setting and historical sources that were publicly available, obtainable within reasonable time and cost restraints, and practically reviewable as defined in the ASTM standard.

- Aerial Photographs, dated 1976 and 1990, obtained from the USDA Department of Agriculture Natural Resources Conservation Service (NRCS).
- Topographic Map, Bellevue North Quadrangle, 7.5 minute series, edited 1982, published by the U.S. Geological Survey (USGS).
- Interview with Shannon Zink, Property Manager, Norris, Beggs & Simpson, Realtors, and selected tenants of Overlake East, on June 25, 1998.
- Interview (telephone) with Tony Shahrazab, owner/operator, Sun Cleaners, July 30, 1998.
- Site Screening Report, dated March 27, 1987, prepared by Dames & Moore.
- Update on Preliminary Site Screening Report for the Bon Home Center, dated December 18, 1997, prepared by Dames & Moore.
- Letter Report of Chemical Use and Waste Management for Sun Cleaners, dated July 29, 1997, prepared by Dames & Moore.

Mr. Owen T. Thornberry, an environmental professional with LAW experienced in environmental site assessments, conducted site and area visits on June 24 and 25, 1998. The site reconnaissance was performed on foot and the area reconnaissance was a driving tour, on public access routes.

5.1 CURRENT SITE USE

The subject property is an 8-acre commercial center, located at the northeast corner of the intersection of 24th Street Northeast and 152nd Avenue Northeast in Redmond, King County, Washington. The main property was constructed in 1984, with the adjacent Bon Home (Bon Marche today) Furniture Gallery following in 1987. A complete listing of the 23 current tenants is provided as an attachment to Figure 3. A site plan has been prepared from the site observations and field notes.

An interview was conducted with Ms. Shannon Zink, Property Manager for Norris, Beggs & Simpson, Realtors, about information concerning the subject site. Several tenants were also interviewed. None of the individuals interviewed were aware of any environmental concerns associated with the subject property.

The following conditions were specifically assessed for their potential to create recognized environmental conditions.

5.1.1 Storage Tanks

No storage tanks were reported or observed on the property.

5.1.2 Hazardous and Petroleum Products Containers/Drums/Storage

Tetrachloroethylene, or perchloroethylene (PCE or perc), is used in the dry cleaning process at Sun Cleaners. PCE is supplied to the facility by an outside subcontractor on an as-needed basis, by pumping from a truck directly into the back of the machine. The tank below the machine has a capacity of 170 gallons, including the reserve area which is not utilized.

An approximate 30-gallon drum of an unidentified dry cleaning compound was observed outside the rear of the Sun Cleaners facility. The operator reports that this drum contains a non-hazardous soap product associated with the dry cleaning process.

Sun Cleaners is discussed in detail in Section 5.1.14 of this report.

to PCB content. As a result, PCB-containing mineral oils are assumed for these units. Staining or other evidence of leakage of dielectric fluids was not observed.

5.1.9 Water Supply and Wells

The site receives potable water from the municipal system. No wells were reported or observed on the subject property.

5.1.10 Drains and Sumps

No drains or sumps were observed. No floor drains were observed in the Sun Cleaners tenant space.

5.1.11 Pits, Ponds Lagoons and Surface Waters

No pits, ponds, or lagoons are located on the subject property. No natural water bodies are located on the subject property.

5.1.12 Stressed Vegetation

Visible indications of stressed vegetation were not observed on site.

5.1.13 Odors

There were no obvious strong, pungent, or noxious odors noted during the site reconnaissance.

5.1.14 Dry Cleaning

Dry cleaning operations are frequently sources of recognized environmental conditions due to the chlorinated solvents used in the cleaning process. Sun Cleaners has reportedly operated on site since at least 1986. The current operator has been present since 1988. The Sun Cleaners tenant space was inspected by LAW on June 25, 1998. Subsequent to that visit, the site operator, Mr. Tony Shahrazab, was contacted by telephone and interviewed on July 30, 1998.

The dry cleaning machine and a spotting table are located in the rear of the tenant space. The dry cleaning machine is new and was reportedly installed in October 1997. PCE is pumped directly into the machine by an outside subcontractor, where it is stored in a 170-gallon capacity tank

below the unit. The machine utilizes a state-of-the-art closed-loop system which distills and recycles the dry cleaning solvents, significantly reducing the amount of PCE used and the amount of waste produced in the dry cleaning process. Spin filters are used to remove lint and other solids prior to distillation of the used PCE. In addition, the system is reported to be ventless with no discharge to the atmosphere, using carbon adsorption and refrigerated condensation to further enhance recovery of used PCE. Air emissions are regulated by the Puget Sound Air Pollution Control Agency (PSAPCA), who inspects the facility annually. The new machine replaces an older vented dry-to-dry unit, which was reportedly modified in 1993 to include a refrigeration unit as described above.

According to the facility operator, the only hazardous waste generated is condensate from the distillation process. This is collected in a small drum behind the dry cleaning machine for pick-up by an outside contractor, Kleen-Rite, every six weeks. The Sun Cleaners facility was not identified in the regulatory list search as a generator of hazardous waste. This has been attributed to the facility's status as a "conditionally exempt" generator due to the small amount of hazardous waste generated.

While the current assessment does not constitute a regulatory compliance audit of the dry cleaner, there is no evidence to suggest that current site operations are adversely impacting the property. A Letter Report of Chemical Use and Waste Management for the Sun Cleaners facility was prepared by Dames & Moore in July 1997. This report also concluded that current operational and waste handling practices were within local, state, and federal guidelines and regulations. However, inherent environmental risk is associated with dry cleaning facilities of this age due to the likelihood of improper practices in the past. A Site Screening Report prepared for the property by Dames & Moore in March 1987 noted the following:

- Dry cleaning waste sludges (still bottoms) were disposed of as regular trash;
- Employees at the adjacent photo lab reported that a "spill or improper disposal of PCE into the sanitary sewer" caused fumes to enter their facility in May 1986, forcing a temporary evacuation of the premises.

Potential pathways for migration of PCE into site soil and groundwater include:

- Seepage of long term, de minimis discharges through the floor slab near the machine and in storage areas.
- Wastewater disposal "out the back door" directly to the ground surface.
- Wastewater discharge to the sanitary sewer, entering the subsurface through leaking pipes; PCE can degrade pipe fittings over time.
- Condensate around exhaust vents, which may collect on the roof and enter the subsurface with rainwater.
- Seepage through asphalt and/or concrete at dumpsters receiving dry cleaning wastes.

5.2 PAST SITE USE

The site was forested and undeveloped prior to the construction of the existing facility in 1984.

5.3 CURRENT AND PAST SURROUNDING LAND USE

Nearby property usage could potentially impact the surface and subsurface conditions of a property. Developing a history of past to present uses or occupancies can provide an indication of the likelihood of recognized environmental conditions. Surrounding land use is commercial.

5.3.1 North

Properties to the north are considered crossgradient to the subject site. The subject property is bounded to the north by a Park & Ride facility. East Side Hospital is present beyond this.

No significant environmental concerns were identified to the north.

5.3.2 East

Properties to the east are considered upgradient to the subject site. The subject property is bounded to the east by office buildings located on the west side of Bel Red Road. A restaurant and 7-Eleven convenience store (without gasoline service) are present on the east side of Bel Red Road.

No significant environmental concerns were identified to the east.

5.3.3 South

Properties to the south are considered crossgradient to the subject site. The subject property is bounded to the south by Northeast 24th Street. An Express Tune facility (former Chevron) and Home Office center are present on the south side of the street.

No significant environmental concerns were identified to the south.

5.3.4 West

Properties to the west are considered downgradient from the subject site. The subject property is bounded to the west by 152nd Avenue Northeast. Commercial properties are present on the west side of the street.

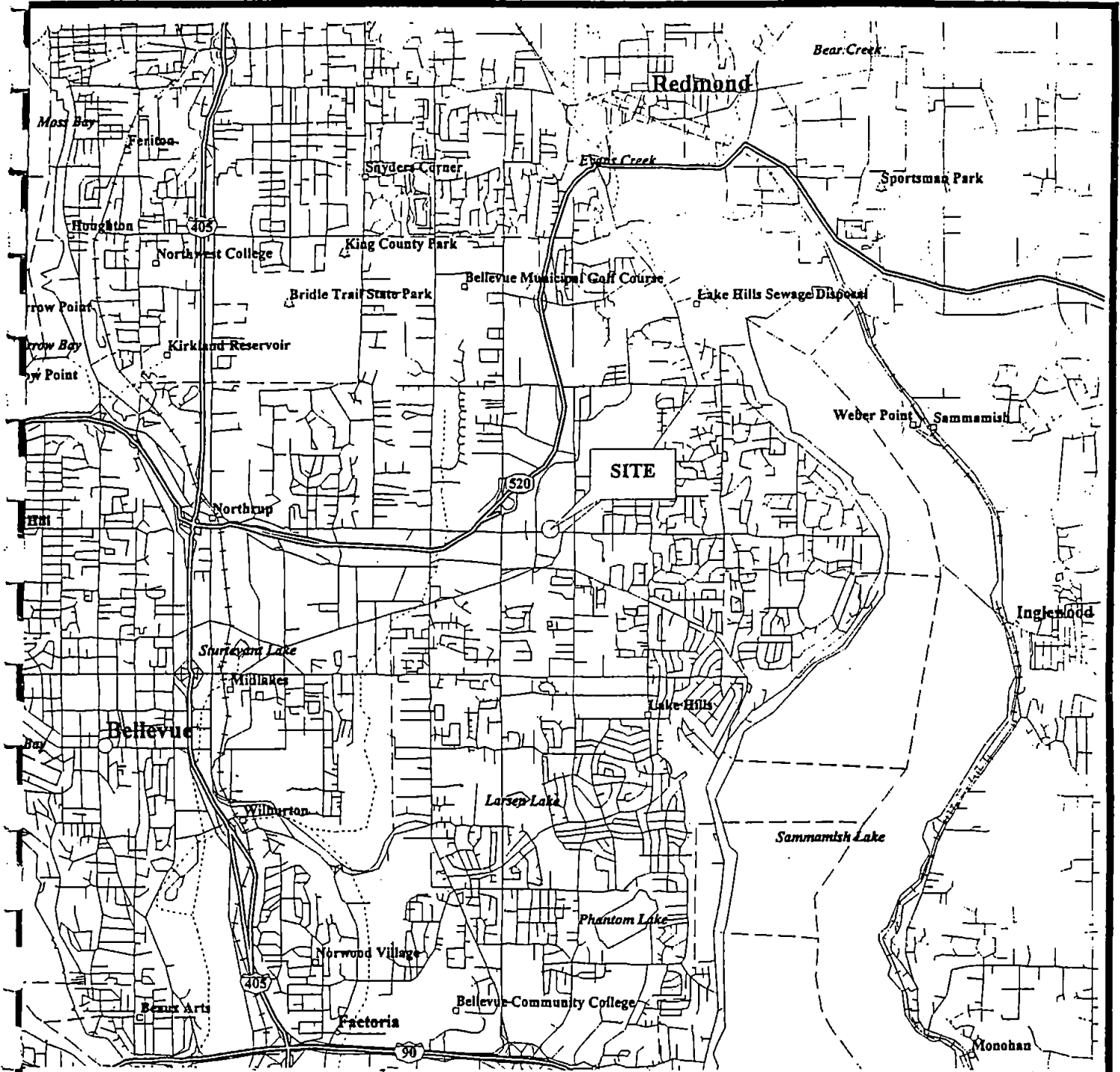
No significant environmental concerns were identified to the west.

6. CONCLUSIONS

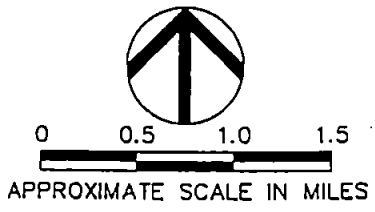
We have performed a Phase I Environmental Site Assessment in general accordance with the scope and limitations of ASTM 1527-97 of the Overlake East commercial center at 15230 Northeast 24th Street, in Redmond, Washington. Any exceptions to or deletions from this practice are described in the appropriate sections of this report. The property reconnaissance was performed on June 24 and 25, 1998.

This assessment has revealed evidence of recognized environmental conditions associated with the subject property. It is our experience that subsurface impacts are likely due to the presence of an on-site commercial dry cleaning facility since at least 1986.

APPENDIX A
FIGURES



REFERENCE:
 MapExpert with Street Atlas USA
 Copyright 1992 DeLorme Mapping

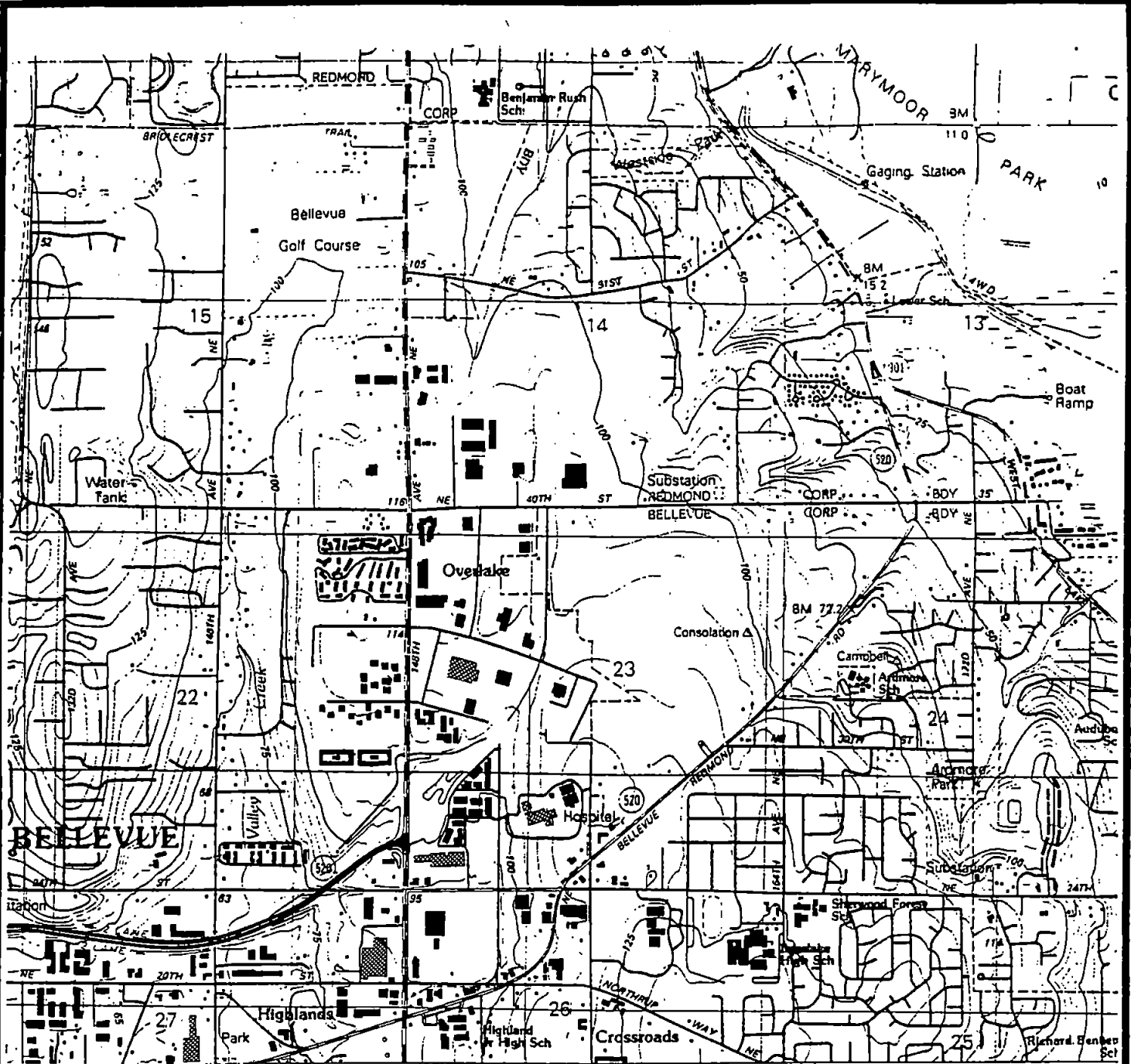


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JOHN HANCOCK MUTUAL
 LIFE INSURANCE COMPANY
 OVERLAKE EAST
 REDMOND, WASHINGTON



SITE LOCATION MAP
 Project 40141-8-0375 Figure 1



0 1000 2000 3000
 APPROXIMATE SCALE IN FEET

REFERENCE:
 BELLEVUE NORTH QUAD, USGS
 1982.

Prepared/Date: JFW 07/17/98
 Checked/Date:

JOHN HANCOCK MUTUAL
 LIFE INSURANCE COMPANY
 OVERLAKE EAST
 REDMOND, WASHINGTON



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 SERVICES

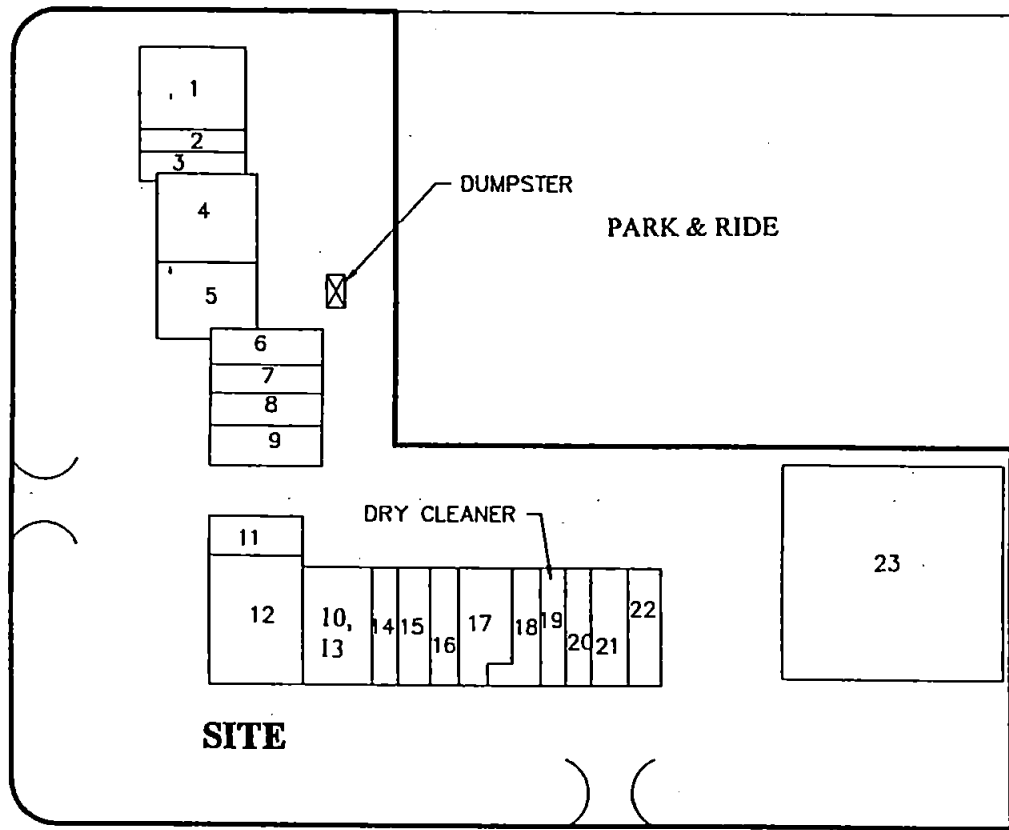
TOPOGRAPHIC SURVEY MAP

Project 40141-8-0375 Figure 2

EAST SIDE HOSPITAL

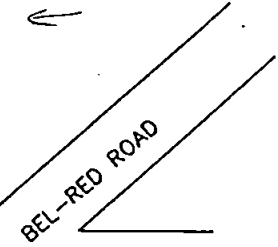
COMMERCIAL STRIP CENTER

152nd AVENUE N.E.



OFFICE BUILDINGS

gw flow ←



SITE

N.E. 24th STREET

OFFICE DEPOT

EXPRESS TUNE



NOT TO SCALE

Prepared/Date: JFW 07/17/98
Checked/Date:

JOHN HANCOCK MUTUAL
LIFE INSURANCE COMPANY
OVERLAKE EAST
REDMOND, WASHINGTON



LAW
ENGINEERING AND ENVIRONMENTAL SERVICES

SITE PLAN

Project 40141-8-0375

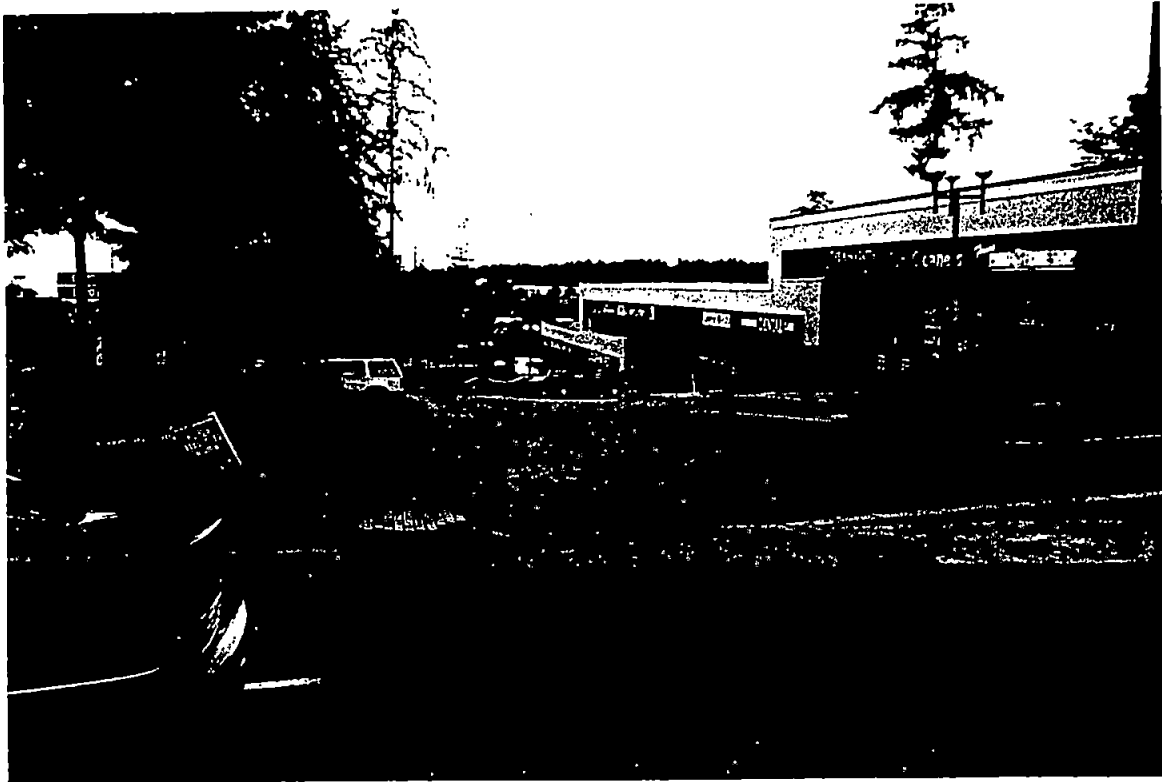
Figure 3

Tenants

| | | | | | |
|-----|------------------------------------|-----------|---------|------------------|--|
| 1. | See & Hear Center | 3,250 sf | \$15.55 | 9/1/93-8/31/98 | Vision and eye center for Group Health members. |
| 2. | Pizza Hut Delivery | 1,200 sf | \$14.11 | 5/1/95-4/30/99 | Take-out/delivery fast-food restaurant. One 2-year option @ \$1,473/month. |
| 3. | Group Health Credit Union | 2,050 sf | \$15.00 | 6/1/95-6/30/00 | Credit Union. |
| 4. | Cort Furniture | 4,250 sf | \$15.00 | 9/1/92-8/31/02 | Furniture rental/sales. One 5-year renewal @ \$5,312.50/month. 90-day notice. |
| 5. | Leather Center | 4,250 sf | \$13.60 | 1/10/97-12/31/01 | Leather furniture sales. One 5-year option @ market w/120-day notice. |
| 6. | Sapporo Teriyaki | 1,500 sf | \$15.55 | 11/1/93-10/31/98 | Teriyaki restaurant. One 3-year option at market w/ 180-day notice. |
| 7. | Packaging Special | 4,335 sf | \$14.00 | 7/1/97-9/30/02 | First offer on both adjacent spaces. 5 days to respond. One 5-year option at market w/ 180-day notice. |
| 8. | Packaging Special | | | | |
| 9. | US Medical Weight Loss | 1,665 sf | \$16.00 | 11/1/96-10/31/01 | Weight loss/management clinic |
| 10. | 2 nd Floor Office Space | | | | |
| | • Express Personnel | 2,147 sf | \$11.00 | 6/15/96-10/31/01 | One 3-year at market renewal option. 180-day notice. |
| | • GETT/Gain Experience | 897 sf | \$6.00 | 5/1/97-5/31/99 | |
| 11. | Fitness Shop | 1,855 sf | \$16.00 | 9/1/92-8/31/02 | Fitness equipment. |
| 12. | Performance Bicycle | 5,525 sf | \$19.25 | 1/31/93-3/31/03 | |
| 13. | Dolphin Aquarium | 3,750 sf | \$15.00 | 1/1/97-12/31/01 | Fish and pets sales and supplies. One 5-year at market renewal. 180-day notice. |
| 14. | Cruise Center | 1,800 sf | \$16.00 | 9/1/95-8/31/98 | Booking of cruise ship vacations. |
| 15. | Vacant | 2,700 sf | | | |
| 16. | Colorel Blinds | 1,352 sf | \$18.00 | None | Sale of window blinds/treatments. |
| 17. | Overlake Dental | 2,396 sf | \$18.49 | 8/20/95-8/31/00 | Dental office. |
| 18. | Associates Financial | 1,500 sf | \$16.00 | 8/15/96-11/30/01 | Cancellation option. Fee of \$4,200 w/ 120-day notice. |
| 19. | Sun Cleaners | 1,500 sf | \$18.50 | 5/1/93-4/30/98 | Dry-cleaning. One 5-year option at market. |
| 20. | Focus 1-Hr. Photo | 1,500 sf | \$16.00 | 2/1/94-3/31/00 | Photo and film. |
| 21. | Computer Renaissance | 1,875 sf | \$16.60 | 10/16/94-1/31/00 | Hardware/software sales and repairs. One 5-year @ 3% renewal option. Cumulative escalation. |
| 22. | Washington Credit Union | 1,875 sf | \$15.00 | 1/1/97-12/31/00 | One 4-year option at market; 180-day notice. |
| 23. | The Bon Home Center | 40,000 sf | \$0.00 | 2/1/98-1/31/08 | Furniture sales. |

APPENDIX B
PHOTOGRAPHS

OVERLAKE EAST
REDMOND, WASHINGTON
LAW PROJECT 40141-8-0375.36

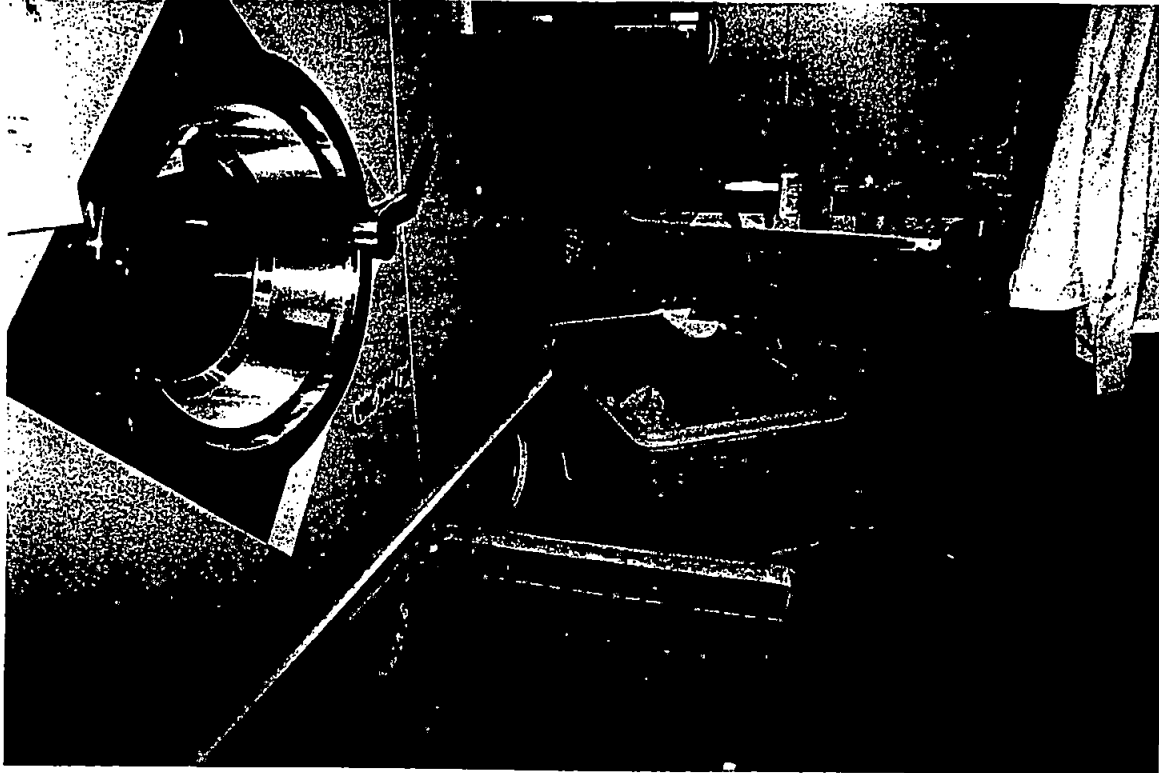


Photograph 1: View of site along 24th Street, looking west.



Photograph 2: View of site along 152nd Avenue, looking north.

OVERLAKE EAST
REDMOND, WASHINGTON
LAW PROJECT 40141-8-0375.36

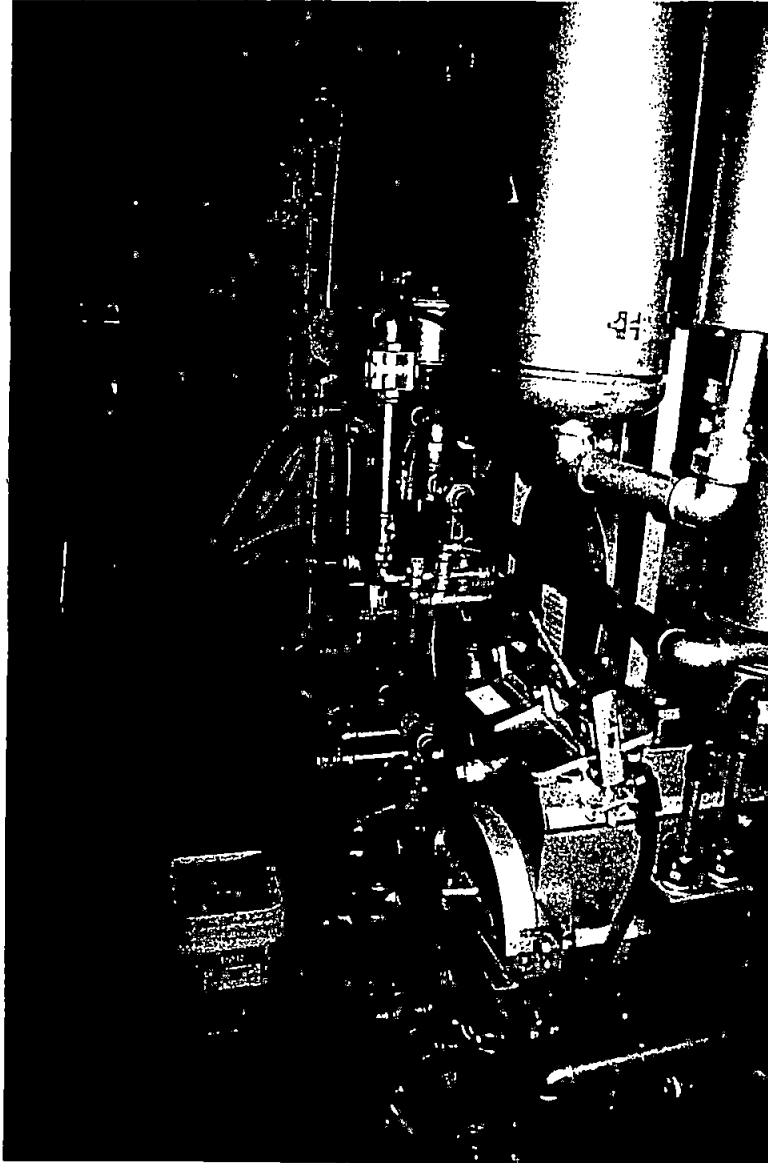


Photograph 3: Dry cleaning machine and spotting table.



Photograph 4: Condensate collection at rear of machine.

OVERLAKE EAST
REDMOND, WASHINGTON
LAW PROJECT 40141-8-0375.36

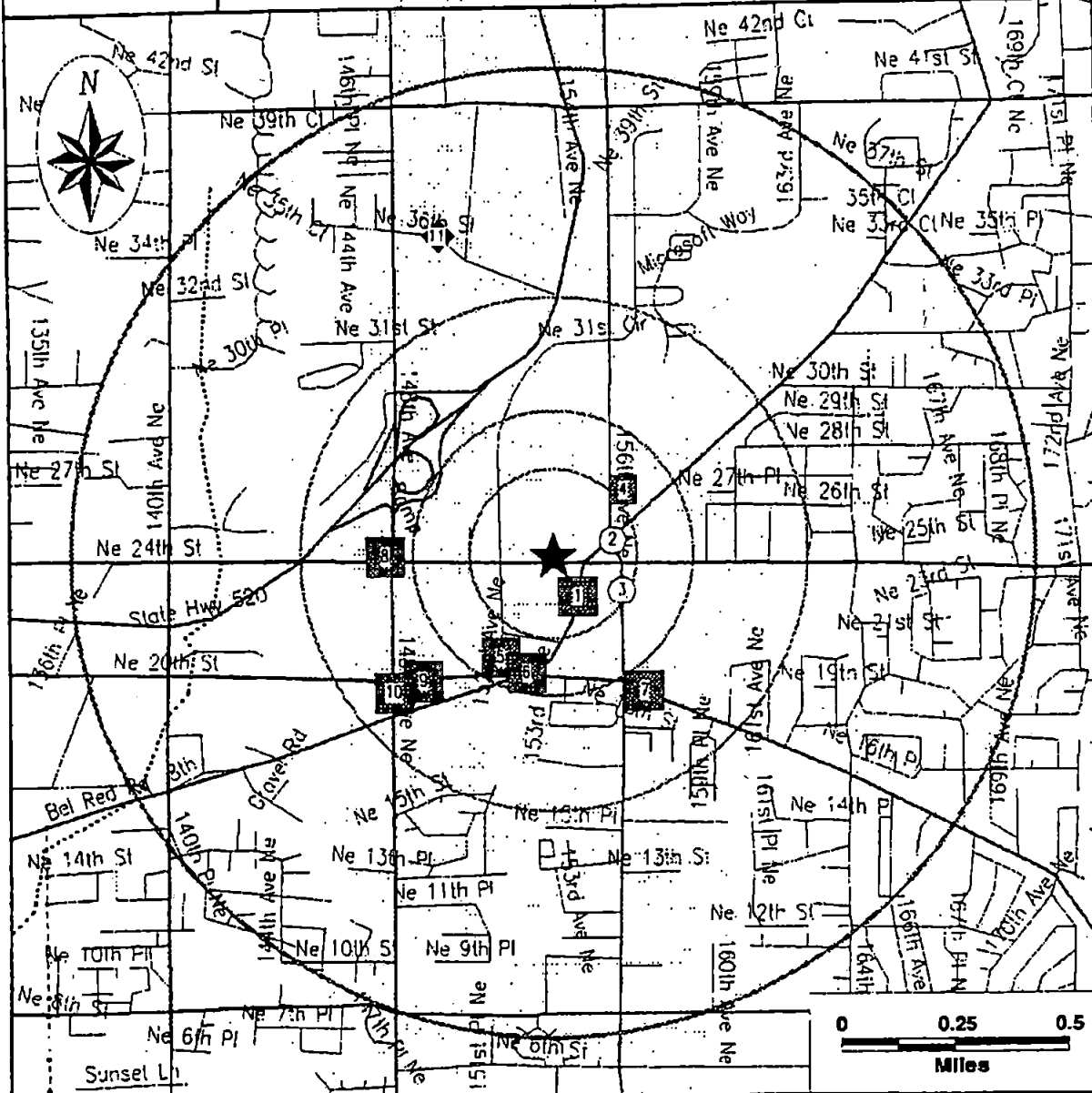


Photograph 5: Back of dry cleaning machine.

APPENDIX C
REGULATORY SEARCH INFORMATION

SITE ASSESSMENT REPORT

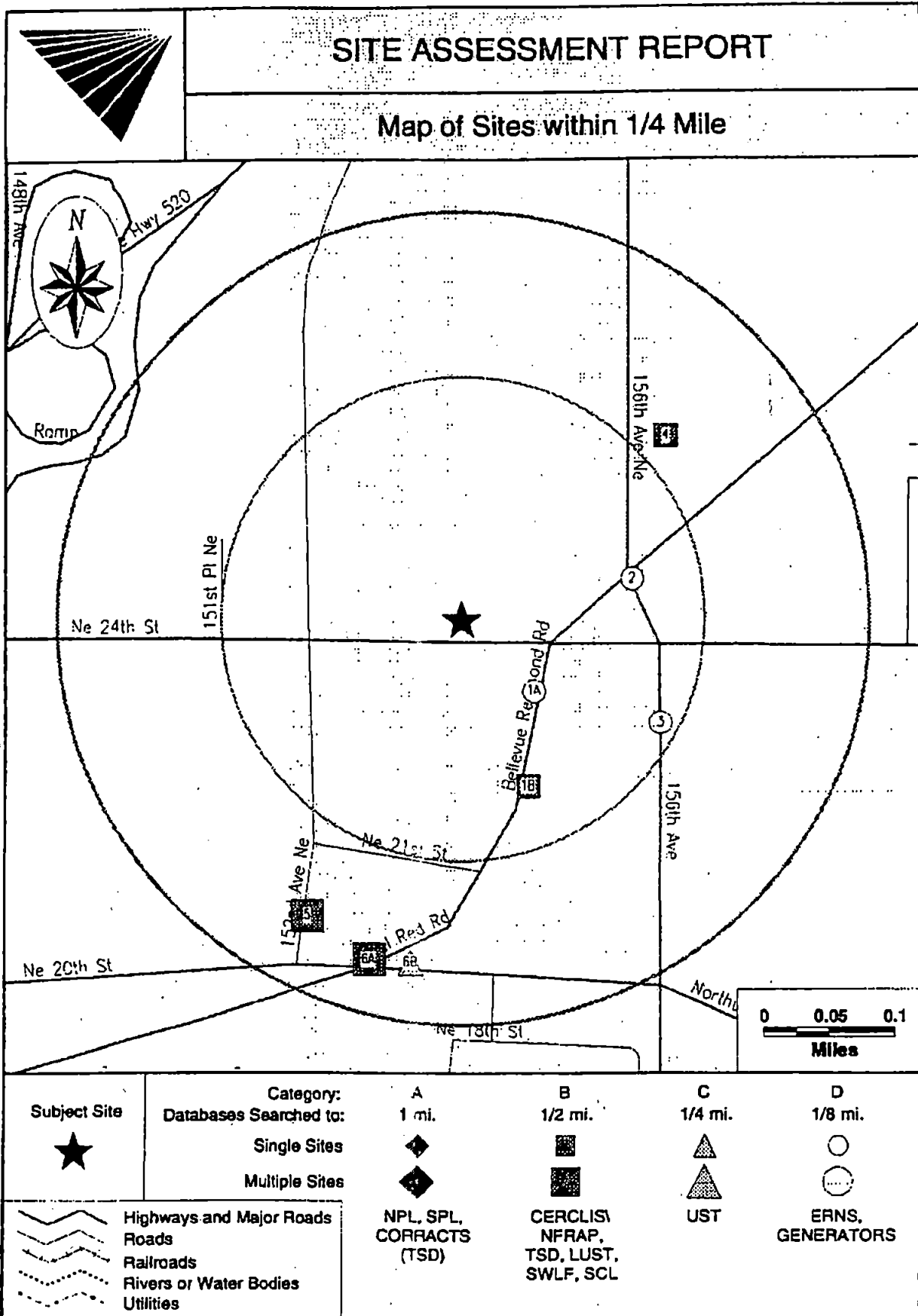
Map of Sites within 1 Mile



| | | | | | |
|---|--|--------------------------------|---|-------------------------|-------------------------|
| Subject Site | Category: Databases Searched to: | A 1 mi. | B 1/2 mi. | C 1/4 mi. | D 1/8 mi. |
| | Single Sites Multiple Sites | | | | |
| Highways and Major Roads Roads Railroads Rivers or Water Bodies Utilities | | NPL, SPL, CORRACTS (TSD) | CERCLIS/ NFRAP, TSD, LUST, SWLF, SCL | UST | ERNS, GENERATORS |

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 Report ID: OverLake1

Date of Report: June 22, 1998
 Page #3

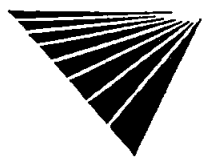


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SITE ASSESSMENT REPORT

| PROPERTY INFORMATION | CLIENT INFORMATION |
|---|--|
| Project Name/Ref #: Not Provided Overlake East 15230 NE 24th Street Redmond, WA 98052 Latitude/Longitude: (47.631916, 122.134181) | Owen Thornberry Law Engineering 4919 W. Laurel Street Tampa, FL 33607 |

| Site Distribution Summary | within 1/8 mile | 1/8 to 1/4 mile | 1/4 to 1/2 mile | 1/2 to 1 mile |
|---|-----------------|-----------------|-----------------|---------------|
| Agency / Database - Type of Records | | | | |
| A) Databases searched to 1 mile: | | | | |
| US EPA NPL National Priority List | 0 | 0 | 0 | 0 |
| US EPA CORRACTS (TSD) RCRA Corrective Actions and associated TSD | 0 | 0 | 0 | 1 |
| STATE SPL State equivalent priority list | 0 | 0 | 0 | 0 |
| B) Databases searched to 1/2 mile: | | | | |
| STATE SCL State equivalent CERCLIS list | 0 | 0 | 0 | - |
| US EPA CERCLIS / NFRAP Sites currently or formerly under review by US EPA | 0 | 0 | 0 | - |
| US EPA TSD RCRA permitted treatment, storage, disposal facilities | 0 | 0 | 0 | - |
| STATE LUST Leaking Underground Storage Tanks | 1 | 3 | 6 | - |
| STATE SWLF Permitted as solid waste landfills, incinerators, or transfer stations | 0 | 0 | 0 | - |
| STATE TOXICS Washington Site Register | 1 | 4 | 11 | - |
| C) Databases searched to 1/4 mile: | | | | |
| STATE UST Registered underground storage tanks | 1 | 4 | - | - |
| D) Databases searched to 1/8 mile: | | | | |
| US EPA ERNS Emergency Response Notification System of spills | 0 | - | - | - |
| US EPA LG GEN RCRA registered large generators of hazardous waste | 0 | - | - | - |
| US EPA SM GEN RCRA registered small generators of hazardous waste | 3 | - | - | - |

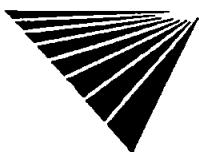


SITE ASSESSMENT REPORT

SITE INVENTORY

| MAP ID | PROPERTY AND THE ADJACENT AREA (within 1/8 mile) | VISTA ID DISTANCE DIRECTION | A | | | B | | | | C | | D | | |
|--------|---|-----------------------------------|-----|---------------|-----|-----|---------------|-----|------|------|--------|-----|------|--------|
| | | | NPL | CORRACTS(TSD) | SPL | SCL | CERCLIS/NFRAP | TSD | IUST | SWLF | TOXICS | UST | ERNS | LG GEN |
| 1A | EXPRESS TUNE BELLEVUE 2355 BEL RED RD STE 100 S SIDE REDMOND, WA 98052 | 4071961 0.02 MI SE | | | | | | | | | | | | X |
| 1B | CHEVRON 93398 2255 BEL-RED RD BELLEVUE, WA 98007 | 1854120 0.08 MI SE | | | | | | X | | X | X | | | |
| 2 | BROWN BEAR CAR WASH OVERLAKE 15248 BELLEVUE REDMOND RD BELLEVUE, WA 98007 | 5844349 0.07 MI E | | | | | | | | | | | | X |
| 3 | POLYSET INTL DBA KWIK N CLEAN 2311 156TH AVE NE BELLEVUE, WA 98008 | 4071754 0.11 MI E | | | | | | | | | | | | X |

| MAP ID | SITES IN THE SURROUNDING AREA (within 1/8 - 1/4 mile) | VISTA ID DISTANCE DIRECTION | A | | | B | | | | C | | D | | |
|--------|--|-----------------------------------|-----|---------------|-----|-----|---------------|-----|------|------|--------|-----|------|--------|
| | | | NPL | CORRACTS(TSD) | SPL | SCL | CERCLIS/NFRAP | TSD | IUST | SWLF | TOXICS | UST | ERNS | LG GEN |
| 4 | GROUP HEALTH EASTSIDE HOSPITAL 2700 156TH AVE NE REDMOND, WA 98052 | 5731846 0.15 MI NE | | | | | | X | | | X | | | |
| 5 | EXOTIC MOTORS 2040 152ND AVE REDMOND, WA 98052 | 2882900 0.19 MI SW | | | | | | X | | | X | | | |
| 5 | NICKOLS REALTY 2040 152ND AVE NE REDMOND, WA 98052 | 3269998 0.19 MI SW | | | | | | | | X | | | | |
| 5 | EXOTIC MOTORS (TWO REPORTS) 2040 152ND AVE. NE REDMOND, WA 98052 | 6808123 0.20 MI SW | | | | | | | | X | | | | |
| 6A | BROWN BEAR CAR WASH #5476 15248 BEL-RED RD BELLEVUE, WA 98007 | 5749271 0.20 MI S | | | | | | | | X | X | | | |
| 6A | BELLEVUE SCH HIGHLAND MIDDLE 15027 BEL-RED RD BELLEVUE, WA | 1854118 0.21 MI SW | | | | | | X | | X | | | | |



X = search criteria; • = tag-along (beyond search criteria).

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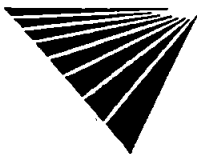
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| MAP ID | SITES IN THE SURROUNDING AREA (within 1/8 - 1/4 mile) | VISTA ID DISTANCE DIRECTION | A | | | B | | | | C | D | | | |
|--------|--|-----------------------------------|-----|---------------|-----|-----|---------------|-----|------|------|--------|-----|------|--------|
| | | | NPL | CORRACTS(TSD) | SPL | SCL | CERCLIS/NFRAP | TSD | LUST | SWLF | TOXICS | UST | ERNS | LG GEN |
| 6B | SALES/SERVICES ENTERPRISES INC 15238 NE 20TH STREET BELLEVUE, WA 98007 | 1840775 0.20 MI S | | | | | | | | | X | | | |

| MAP ID | SITES IN THE SURROUNDING AREA (within 1/4 - 1/2 mile) | VISTA ID DISTANCE DIRECTION | A | | | B | | | | C | D | | | |
|--------|--|-----------------------------------|-----|---------------|-----|-----|---------------|-----|------|------|--------|-----|------|--------|
| | | | NPL | CORRACTS(TSD) | SPL | SCL | CERCLIS/NFRAP | TSD | LUST | SWLF | TOXICS | UST | ERNS | LG GEN |
| 7 | STAR RENTALS INC 12900 NORTHRUP WY BELLEVUE, WA 98005 | 1847269 0.30 MI SE | | | | | | X | | X | • | | | |
| 7 | ROBERTS' RENTS BUILDING 12611 NORTHUP WAY BELLEVUE, WA 98005 | 4267323 0.30 MI SE | | | | | | | | X | | | | |
| 8 | BP 11066 2421-148TH AVE NE BELLEVUE, WA 98007 | 1844928 0.30 MI W | | | | | | X | | | • | | | |
| 8 | BP #11066 (TWO REPORTS) 2421 148TH AVE. NE BELLEVUE, WA 98007 | 6808110 0.30 MI W | | | | | | | | X | | | | |
| 8 | BP OIL SITE 11066 2421 148TH AVE NE BELLEVUE, WA 98007 | 3269965 0.30 MI W | | | | | | | | X | | | | • |
| 8 | INTERLAKE PORSCHE AUDI INC 14640 NE 24TH ST BELLEVUE, WA 98007 | 210292 0.34 MI W | | | | | | X | | X | • | | | |
| 9 | GOODYEAR AUTO SVC CTR 8836 BELLEVUE 14923 NE 20TH ST BELLEVUE, WA 98007 | 175806 0.34 MI SW | | | | | | X | | | • | | | • |
| 9 | GOODYEAR TIRE #8836 14923 NE 20TH 14922 BEL-RED ROAD BELLEVUE, WA 98007 | 4917649 0.34 MI SW | | | | | | | | X | | | | |
| 10 | FRED MEYER, INC. 2041 148TH NE BELLEVUE, WA 98007 | 1850585 0.38 MI SW | | | | | | X | | | • | | | |
| 10 | EXXON CO USA CONST MAINT REDMOND 148TH 1960 148TH AVE NE REDMOND, WA 98052 | 146247 0.40 MI SW | | | | | | | | X | | | | |
| 10 | EXXON #7-0037 1960 148TH AVE. NE BELLEVUE, WA 98007 | 6808107 0.41 MI SW | | | | | | | | X | | | | |
| 10 | EXXON #7-0337 (TWO REPORTS) 1960 148TH AVE. NE BELLEVUE, WA 98007 | 6808109 0.41 MI SW | | | | | | | | X | | | | |



X = search criteria; • = tag-along (beyond search criteria).

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Report ID: OverLake1

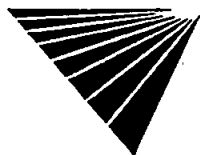
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| MAP ID | SITES IN THE SURROUNDING AREA (within 1/4 - 1/2 mile) | A | | | B | | | | C | | D | | |
|--------|--|-----|---------------|-----|-----|---------------|-----|------|------|--------|-----|------|--------|
| | | NPL | CORRACTS(TSD) | SPL | SCL | CERCLIS/NFRAP | TSD | LUST | SWLF | TOXICS | UST | ERNS | LG GEN |
| 10 | BP 03102 1960 148TH NE BELLEVUE, WA 98007 | | | | | | X | | | • | | | |
| 10 | EXXON #7-0337 1960 148TH AVE. NE REDMOND, WA 98052 | | | | | | | | X | | | | |
| 10 | FRED MEYER 2041 148TH NE BELLEVUE, WA 98008 | | | | | | | | X | | | | |

| MAP ID | SITES IN THE SURROUNDING AREA (within 1/2 - 1 mile) | A | | | B | | | | C | | D | | |
|--------|--|-----|---------------|-----|-----|---------------|-----|------|------|--------|-----|------|--------|
| | | NPL | CORRACTS(TSD) | SPL | SCL | CERCLIS/NFRAP | TSD | LUST | SWLF | TOXICS | UST | ERNS | LG GEN |
| 11 | SUNDSTRAND DATA CONTROL INC 15001 NE 36TH ST OVERLAKE IND PK REDMOND, WA 98052 | X | | | | | | | | | | • | |



X = search criteria; • = tag-along (beyond search criteria).

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APPENDIX D
PERSONNEL QUALIFICATIONS

OWEN T. THORNBERRY

GEOLOGIST

Education:

Bachelor of Science, Geology, University of Florida, 1992

Professional Registrations and Certifications:

OSHA-certified

Career Summary:

Mr. Thornberry joined LAW Companies in 1993 as a Hydrogeologist with Law Environmental in Tampa, Florida. Under a major contract with the local county regulatory authority at that time, he was primarily involved in contamination assessment and remedial action at sites impacted by leaking petroleum UST systems. Subsequent to the merger of Law Environmental and Law Engineering in 1994, and a suspension of state-funded UST work in 1995, he has worked with a wide variety of public and private clients in a variety of settings throughout the state of Florida and elsewhere. He has a thorough knowledge of QA/QC protocols and sampling techniques, and has provided support on projects throughout the state. Emphasis areas in Mr. Thornberry's career are presented in the following brief paragraphs.

Professional Experience:

Hazardous Waste

- WRB pesticide burial site, Tampa, Florida - A former Landia Chemical Company site contaminated with pesticides, including Aldrin, Chlordane, Dieldrin, and Endrin, under consent order with the FDEP. Mr. Thornberry implemented a Phase II CAP at the property in August 1997, consisting of sampling of soils, sediments, surface water, and ground-water; Type III well installation; characterization of site hydrogeology; and Level B conduct. The project is ongoing, with oversight by Al Hubbard and Tom Cross of LAW Orlando and Kennesaw, respectively.
- LAW Tampa Due Diligence Study - Mr. Thornberry performed a Phase I and subsequent Phase II audit of the LAW Tampa facility in 1995 and 1996. Chlorinated solvents used in CMT asphalt-testing were identified in ground-water samples obtained during the Phase II, and a contamination assessment subsequently performed. The project is ongoing, with oversight by Eric Silvers of LAW Jacksonville.
- Olin/Primex ordnance facility, St. Marks, Florida - Mr. Thornberry has performed field assessment and monitoring at this facility since 1993 in advance of closure permits at two onsite waste management areas. In June 1997, he provided training for Primex personnel who were taking over this work.
- Florida Power & Light (FPL) - Mr. Thornberry conducted Clean Closure Equivalency Demonstrations at steam and nuclear power-generating facilities in Port Everglades, Port Manatee, Sanford, and St. Lucie, Florida.

Solid Waste

- Pasco County Resource Recovery, Pasco County, Florida - Mr. Thornberry was involved in the construction of a new ash cell at this facility over a two-year period. In 1994, he performed soil borings and a ground-penetrating radar study to characterize site geology for siting of the cell. Subsequently, during construction of the cell in 1996, he provided oversight of onsite borrow clay excavation and the placing of filter sands on the newly installed liner. With George Ellsworth of LAW Tampa.
- Desoto County Landfill, Arcadia, Florida - Mr. Thornberry implemented a ground-water monitoring plan at this facility from 1993 to 1996. In addition, he provided oversight during repair of the onsite leachate pond and construction of a stormwater retention system.
- Hilton Hotel, Tampa, Florida - Mr. Thornberry oversees annual methane monitoring at this facility, constructed on a former landfill.

Petroleum/UST Site Assessment and Remediation

- Environmental Protection Commission of Hillsborough County, Florida - Mr. Thornberry has performed a large number of contamination assessments throughout the county under contract with this local regulatory authority since 1993, and has authored numerous CARs. Responsibilities include tank excavation; well installation; soil and ground-water sampling; hydraulic conductivity testing; and data reduction, interpretation, and reporting.
- Reese Chevron, Sarasota, Florida - Mr. Thornberry recently completed a full contamination assessment at this facility under the FDEP's Pre-Approval program. A significant conclusion of the study was the effect of underground utility corridors on the movement of contaminated ground-water off the site. With Bob Sheridan of LAW Tampa.
- FDEP Source Mass Estimation Studies, Tampa and Plant City, Florida - Mr. Thornberry recently completed two pilot studies for the Florida Department of Environmental Protection which attempted to estimate contaminate mass within free product, vadose, and saturated zones by correlating OVA-FID data with laboratory analytical data. A significant conclusion of the study was to discourage any expansion of the role of the OVA-FID on petroleum sites. With Jon Sink of LAW Tampa.
- American Stores Properties, Palmetto, Florida - Mr. Thornberry currently oversees a passive remediation system at a former tank site where one well consistently reports above maximum contaminate levels. LAW surrounded the well with four piezometers containing ORC (oxygen-releasing compound) socks. The socks slowly release dissolved oxygen (DO) to increase microbial respiration and activity, and enhance natural biodegradation of hydrocarbons. Increased DO and decreased levels of hydrocarbons are apparent after two quarters. The project is ongoing, and Mr. Thornberry is involved in several other similar efforts in the Tampa area.
- Arvida Islandside, Longboat Key, Florida - Mr. Thornberry currently oversees implementation of a RAP at this site utilizing soil vapor extraction and ground-water recovery with air stripping and NPDES discharge. Ongoing since 1993, with Bob Sheridan and Richard Mayer of LAW Tampa.

Environmental Site Assessment

- Mr. Thornberry has extensive experience in the performance of transaction screenings, Phase I, and Phase II environmental site assessments throughout the state of Florida, as well as in Massachusetts and the U.S. Virgin Islands, including
- Department of Transportation (PD&E) corridor studies for proposed roadway improvements; and
- Federal Communications Commission environmental compliance for communication tower sites.
- Recent portfolio clients include American Oncology Resources, Applesouth, Bell South, The Coca-Cola Company, GE Capital, Lennar Homes, Magellan Health Services, Mutual of New York, Starwood Lodging, and the U.S. Postal Service.

Professional Memberships and Associations:

Florida Association of Professional Geologists
Geological Society of America
National Ground Water Association
Southeastern Geological Society

Career History:

06/93 - Present Law Engineering and Environmental Services, Inc.
Tampa, Florida
Geologist

RICHARD E. MAYER, P.E.

PRINCIPAL ENGINEER

Education:

B.S., Agricultural Engineering, Colorado State University
Graduate Studies, Environmental Engineering, State University of New York at Buffalo
Continuing Studies, Business Information Systems, Aims College

Professional Registrations and Certifications:

Professional Engineer/1976 - New York, 054502
Florida, 41759

Career Summary:

Mr. Mayer has been with LAW since 1989. He is currently a Principal Engineer responsible for the technical quality of contamination assessments, remediation systems, landfills, and storm-water management systems. Before joining LAW he was a Project Engineer for numerous water resources and other types of planning studies, hydraulic models, and construction projects. His background also includes agricultural engineering experience.

Professional Experience:

Solid Waste Management Experience

Mr. Mayer has considerable experience with the design and permitting solid waste facilities and providing engineering services during construction. He has been the Engineer of Record for all phases of work from permitting through construction for five landfill closures, one expansion and leachate holding ponds and a citizens drop off site. Mr. Mayer was the Engineer of Record for the siting, design, permitting, and preparation of contract documents for construction of a new 40-acre landfill to contain ash and sludge from a paper mill operation.

He was the Principal-In-Charge of waste composition studies completed for Hendry and Pasco Counties. The studies were completed to fulfill the Recycling and Education Grant annual reporting requirements.

Mr. Mayer was the Principal-In-Charge of an environmental compliance audit for two Class I landfills. The audit included an assessment of design features, operations, and a regulatory file search of the site and surrounding area. In addition it included a peer review of the landfill gas management system design, installation and operation.

Assessments

Mr. Mayer was the Principal-In-Charge for more than 50 Preliminary Environmental Site Assessments, 20 Phase II Assessments, and 20 full Contamination Assessments for private and governmental clients.

Remediation System Design

Mr. Mayer was the Engineer of Record for the design, permitting, and/or the construction of more than 20 treatment systems for remediation of petroleum contaminated sites.

Water Resource Experience

Mr. Mayer is currently the Engineer of Record for design and permitting a surface-water management system in Collier County (Water Management District No. 6). This project included the hydrologic and

hydraulic modeling (XPSWMM32), wetland aspects, and preparing the Environmental Resource Permit Applications to South Florida Water Management District and US Army Corps of Engineers. He is responsible for design of weirs and other water control structures for this 8,000-acre system.

Mr. Mayer was the Engineer of Record for a project to create littoral zones in existing storm-water ponds and modifying outlet control structures. The scope of services also includes pre- and post-construction sampling of storm-water events to determine the effectiveness of the improvements.

Mr. Mayer has designed, permitted and prepared contract documents for the stormwater management system for a vehicle maintenance facility, a parking area and a large recycling operation. He has assisted clients with the design, contract document preparation and services during construction of corrective measures for existing stormwater management systems.

Mr. Mayer provided design and permitting services for optimizing the stormwater management system at a landfill for a large waste management company.

Mr. Mayer was responsible for three basins of a city-wide Drainage Master Plan. The project required evaluation of the existing drainage system and preparation of structure designs and cost estimates for improvements to increase the level of flood protection. He calculated damages and benefits and used economic and non-economic factors to set priorities for development. These data were used to form a Drainage Utility.

Mr. Mayer was Project Engineer for numerous water resources projects. He conducted a critical review of a Flood Insurance Study completed by the Corps of Engineers that led to a revised floodway being adopted. Mr. Mayer lead a project team in completing a 13-community flood insurance study. The project scope included preparation of the RFP, selection and coordination of the aerial and ground survey team, and completing the HEC2 analysis and Flood Plain Maps.

Mr. Mayer was responsible for examining alternatives for improving the power generated from run-of-river hydroelectric plants along the Oswego River in New York through modifications to dams and plant operating schemes. He was the Project Engineer for numerous physical and analytical hydraulic models of large pumping stations and offshore diffusers of cooling water from thermal electric generating plants.

Mr. Mayer began his career as a Hydraulic Engineer for Watershed Planning Staff-USDA Soil Conservation Service. In this position, he evaluated the hydrology and completed the hydraulic design for flood control dams and stream channel improvement projects to update proposed features to reflect environmental concerns using the computer software TR20, WSP2, and DAMS2.

General Engineering

He was the Engineer of Record for the design, preparation of contract documents, and construction observation for six fleet-type fueling installations.

Mr. Mayer was the author of a manual for use in estimating the costs of tunneling, off-shore construction, and other types of heavy civil construction. The EPA used this manual to evaluate estimates by utilities for modifying cooling water discharges to comply with regulations.

APPENDIX E
SECONDARY CLIENT AGREEMENT

SECONDARY CLIENT AGREEMENT

This Agreement between _____ and Law Engineering and Environmental Services, Inc., is being entered in consideration of \$250.00, the promises and obligations herein and other good and valuable consideration, the adequacy of which is hereby acknowledged by the parties. At the express request of _____ ("Client"), and with full disclosure to and approval from same, Law Engineering and Environmental Services, Inc., ("Law") through its subsidiaries, affiliates, branches, or divisions, as an independent consultant, agrees to provide _____, its corporate successors and assigns (collectively "Secondary Client") for its additional benefit and use, copies of certain final reports, prepared for Client by Law. Secondary Client may rely on the contents of these reports as if these reports were expressly prepared for Secondary Client but only to the extent appropriate in light of any limitations placed on the scope, nature and type of Law's services as stated in Law's proposal and/or report and subject to these terms and conditions. The services provided have been performed for Client and our report may or may not be suitable for all purposes of Secondary Client.

STANDARD OF CARE AND WARRANTY. Law warrants that it has performed its services with that degree of skill and care ordinarily exercised by reputable members of the environmental engineering and scientific profession of Law in the same or similar locality. **NO OTHER WARRANTY, EXPRESS OR IMPLIED, IS MADE OR INTENDED.**

PROFESSIONAL LIABILITY. Secondary Client along with Client, agrees to limit Law's aggregate liability to Client and Secondary Client due to any negligent professional acts, errors, omissions, or breach of contract to one million dollars (\$1,000,000). This limitation shall not apply to the extent prohibited by law.

DOCUMENTS. Secondary Client agrees that Law's report is intended for Client and Secondary Client's exclusive reliance and internal use, and is not for general distribution or publication. Without the prior consent of Law, any unauthorized use or further distribution by Secondary Client shall be at Secondary Client's and recipient's sole risk and without liability to Law.

CONFLICT OF INTEREST. By request and use of the referenced report, Secondary Client expressly agrees to waive all claims existing or potential conflicts of interest that may now exist or hereafter arise by Law's providing the requested report and acknowledges Law's right to support Client if requested should any dispute arise between Client and Secondary Client.

Law Engineering and Environmental Services, Inc.

Secondary Client

Signed: _____

Signed: _____

Title: Principal Engineer

Title: _____

Date: _____

Date: _____