

**PHASE I ENVIRONMENTAL SITE ASSESSMENT  
VACANT PARCEL  
4940 SOUTH 26<sup>TH</sup> STREET  
OMAHA, DOUGLAS COUNTY, NEBRASKA**

*Prepared for:*

**Juan Mora & the Omaha Brownfields Coalition**



**Benesch Project No. 00120137.00  
February 2014**

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## 1.0 SUMMARY

This Phase I Environmental Site Assessment (ESA) was conducted on behalf of the Omaha Brownfields Coalition (lead coalition partner Metropolitan Area Planning Agency [MAPA]) ("User") in conformance with the scope and limitations of ASTM Standard Practice E 1527-05. The Property ESA was conducted under the Brownfields Coalition Assessment Grant (Grant) awarded by the United States Environmental Protection Agency to the Omaha Brownfields Coalition (USEPA Cooperative Agreement Nos. BF-97727801 & BF-97727901, dated October 1, 2011). The Omaha Brownfields Coalition (Coalition) subsequently directed Alfred Benesch & Company (Benesch) to perform an ESA on the Vacant Parcel located at 4940 South 26<sup>th</sup> Street in Omaha, Douglas County, Nebraska (the "Property").

The Property was first developed in 1890 with a printing shop and an office on the east half of the Property along 26<sup>th</sup> Street, with the Penmar Hotel located on the second floor. A female boarding house was present on the western portion of the Property. In 1901 the building on 26<sup>th</sup> Street was occupied by three stores with a bakery in the basement. From circa 1926 to 1931 the eastern portion of the Property was occupied by a cigar store, furniture store, and locksmith. The western portion of the Property was occupied by a barber shop. From circa 1936 to 1965 the Property was occupied by a variety of restaurants/bars, and an auto accessories store. The building on the western portion of the Property was occupied by Farmers Serum Company and a restaurant. This building was not listed after 1956. From circa 1975 to 1985 the Property was occupied by a wood products store. A fire damaged the structure circa 1990, and it was demolished in the spring of 2013 after the roof collapsed.

Currently no structures are present on the Property and the site contains gravel, brick, and construction debris from the former building. The western edge of the Property is wooded and drops steeply, sloping to the west. The east edge of the Property, along South 26<sup>th</sup> Street, sits at a higher elevation and overlooks the rest of the Property, as the building excavation was not backfilled and brought to grade after it was demolished.

The area surrounding the Property is characterized by commercial and industrial use to the north, commercial use further east across the South Kennedy Freeway (US-75), with light and heavy industrial use to the south and west of the Property, including a Union Pacific (U.P.) railroad corridor to the west. Access to the Property is from South 26<sup>th</sup> Street.

The Property is located within the Omaha Lead National Priority List (NPL) and CERCLIS project boundaries (aka Omaha Lead Site [OLS]) which encompass a significant portion of east Omaha. Although the OLS source areas have been abated, the impact of the OLS on the Property itself is unknown at this time, and may still be significant with regard to either potential contamination or environmental liability. As such the OLS represents a *recognized environmental condition* for the Property.

Based on current regulatory status, distance and/or estimated groundwater gradient relative to the Property, none of the other Federal Agency Database listings represent a *recognized environmental condition* for the Property at this time.

The Property is depicted on the 1890 Sanborn® map as a printing shop. This historical use is considered a *recognized environmental condition* due to the potential use of printing solvents and spent solvents, which could impact the soils and groundwater beneath the site if a release occurred.

In the spring of 2013 during demolition and disposal of the building that was previously located on site, an aboveground storage tank (AST) was discovered in the basement of the structure. The contents of the tank were drained on-site and the tank disposed of as scrap. The prior use and the contents of the AST are unknown; therefore, the AST represents a *recognized environmental condition* for the Property.

The review of city directories and Sanborn® maps identified an adjacent listing to the north that may be indicative of *recognized environmental conditions* (Precision Auto Body and Pete's Body Shop located at 4932 South 26<sup>th</sup> Street). There are no known historic petroleum tanks, leaks or spills at this facility; however, if leaks occurred there is the potential that the material may have impacted the soil or groundwater beneath the site and migrated onto the Property. The historical use of the adjacent property represents a *recognized environmental concern* for the Property.

## 2.0 INTRODUCTION

### 2.1 Purpose

The purpose of the Phase I ESA process is to identify, to the extent feasible, recognized environmental conditions in connection with the Property. The term *recognized environmental condition* (REC) shall mean the presence or likely presence of any hazardous substances or petroleum products on the 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 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 would not be subject to an enforcement action if brought to the attention of the appropriate governmental agencies.

### 2.2 Scope of Services

The scope of services included a Phase I Environmental Site Assessment performed in general accordance with ASTM Standard E 1527-05.

### 2.3 Significant Assumptions

None.

### 2.4 Limitations and Exceptions

The following potential environmental issues are beyond the scope of ASTM Practice E 1527-05:

- Asbestos-containing materials,
- Radon,
- Lead-based paint,
- Lead in drinking water,
- Wetlands,
- Regulatory compliance,
- Cultural and historic resources,
- Industrial hygiene,
- Health and safety,
- Ecological resources,
- Endangered species,
- Indoor air quality,
- Biological agents, and
- Mold.

In the course of this assessment, Benesch has relied on information from outside parties, such as regulatory agencies and interview sources. Benesch has made no independent investigation as to the validity, completeness or accuracy of such information provided by third parties. Benesch does not express or imply any warranty regarding information provided by third party sources.

Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs in connection with the Property. The material in this report reflects our best judgment in light of information that was readily available at the time of preparation.

## **2.5 Special Terms and Conditions**

None.

## **2.6 User Reliance**

This report was prepared by Benesch at the request of and for the sole benefit and use of the “User”; Jose Mora and his assigns; and the Omaha Brownfields Coalition (lead coalition partner Metropolitan Area Planning Agency [MAPA]), subject to the limitations described in the report and in the contracting agreement between Benesch and the Omaha Brownfields Coalition.

Benesch acknowledges that this report will become a matter of public record and copies of this report will be available for review and reproduction through the MAPA website and/or the Freedom of Information Act (FOIA). Nevertheless, this report is intended for the exclusive use and reliance of the User in assessing environmental issues associated with the Property, and any use or reliance of this report by other parties is prohibited without the express written consent of the User and Benesch.

This report is complete only as an entire document and no section is intended to be used separately. Any unauthorized use a third party makes of this report, or any reliance on or decision made on the basis of it, is the responsibility of such third party. The User and Benesch are indemnified against any liability resulting from such third party use, reliance or decisions.

### **3.0 SITE DESCRIPTION**

#### **3.1 Location and Legal Description**

The Property parcel, located at 4940 South 26<sup>th</sup> Street in Omaha, Douglas County, Nebraska, encompasses approximately 0.18-acres (7,964 square feet [s.f.]) with portions of a foundation from the former Property structure still present. The western portion of the Property is undeveloped and currently wooded.

A legal description of the Property is provided in Appendix D (Assessor). According to the *Omaha South, Nebraska-Iowa Quadrangle* USGS 7.5-minute topographic map dated 1994; the Property is located in the NE  $\frac{1}{4}$  of Section 4, Township 14 North, Range 13 East of the 6<sup>th</sup> Principal Meridian, Douglas County, Nebraska.

A Site Location Map and Site Diagram depicting the Property are provided in Appendix A. Site Photographs are provided in Appendix B. Additional maps and figures are provided in Appendix D (Historical Research Documentation) and Appendix F (Other Supporting Documentation).

#### **3.2 Surrounding Area General Characteristics**

The area surrounding the Property is characterized by commercial and industrial use to the north, commercial use further east across the South Kennedy Freeway, light and heavy industrial use to the south, and a U.P. railroad corridor to the west.

#### **3.3 Current Use of the Property**

The Property is currently a vacant, undeveloped parcel.

#### **3.4 Description of Property Improvements**

The following table provides general descriptions of the Property improvements.



PROPERTY IMPROVEMENTS	
<b>Size of Property parcel (approx.)</b>	0.18-acres, 7,964 s.f.
<b>Size of Property structure (approx.)</b>	N/A
<b>Construction Date</b>	N/A, no structures present.
<b>General Building Description</b>	N/A
<b>General Topography of Property</b>	The Property slopes down gradient to the west.
<b>Adjoining and/or Access/Egress Roads</b>	Access is provided via South 26 <sup>th</sup> Street.
<b>Paved or Concrete Areas (including parking)</b>	South 26 <sup>th</sup> Street is concrete or asphalt surfaced with an adjoining concrete sidewalk. The vacant lot to the north has a concrete foundation from an apparent prior structure. The adjoining parcel to the west is gravel surfaced.
<b>Landscaped, Unimproved and/or Undeveloped Areas</b>	The Property parcel includes a remnant foundation on the eastern portion of the Property and a vacant wooded area located on the western portion of the Property.
<b>Surface Water</b>	None
<b>Potable Water Source</b>	Metropolitan Utilities District (MUD) is the service provider for the Property.
<b>Sanitary Sewer Utility</b>	The City of Omaha Department of Public Works (DPW) is the service provider for the Property.
<b>Storm Sewer Utility</b>	DPW is the service provider for the Property.
<b>Electrical Utility</b>	The Omaha Public Power District (OPPD) is the service provider for the Property.
<b>Natural Gas Utility</b>	MUD is the service provider for the Property.
<b>Emergency Power</b>	None.
<b>Current Occupancy Status</b>	Vacant parcel.

Sources: Douglas County Assessor Property Records and site reconnaissance observations

### 3.5 Current Uses of the Adjoining Properties

The current uses of the parcels adjoining the Property are identified below.

North: Vacant parcel with remnant foundation.

East: South 26<sup>th</sup> Street followed by South Kennedy Freeway and commercial district.

South: An apparent vacant building.

West: A gravel surfaced alley and parking area followed by a U.P. railroad corridor.

## 4.0 USER PROVIDED INFORMATION

In order to qualify for one of the Landowner Liability Protections (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the “Brownfields Amendments”), the User must provide the following information (if available) to the Environmental Professional. Failure to provide this information could result in a determination that “All Appropriate Inquiry” is not complete. The following information was provided by Mr. Jose Mora, Owner of the Property (User representative) with regard to the Property and adjoining parcels. A copy of the Phase I ESA User Questionnaire completed by Mr. Mora is provided in Appendix E.

- The User reported no environmental cleanup liens for the Property.
- The User reported no Activity and Use Limitations (AULs) for the Property.
- The User reported no specialized knowledge or experience related to the Property or nearby properties.
- The User reported the negotiated purchase price reflected fair market value at the time.
- The User reported no knowledge of specific chemicals that are currently present or may have once been present on the Property.
- The User reported no knowledge of any spills or other chemical releases that have taken place on the Property.
- The User reported no knowledge of any environmental cleanups that have taken place on the Property.
- The User reported that during clean-up of the prior building on site an AST was found in the basement and the contents were emptied on site. No other obvious indicators regarding the presence or likely presence of contamination at the Property were reported.

The User provided the following additional information to assist the Environmental Professional:

- The Phase I ESA is being performed for managing risk associated with the potential redevelopment of the Property.
- The Property consists of a vacant commercial use parcel located at 4940 South 26<sup>th</sup> Street in Omaha, Douglas County, Nebraska. According to the Property owner, the former Property structure was vacant for several years due to fire damage. Prior to that the Property structure was utilized for restaurants and/or retail stores.
- The parties who will rely on the Phase I ESA report are Jose Mora and the Omaha Brownfields Coalition (lead coalition partner MAPA).
- The site contact was identified as Mr. Jose Mora, Owner.
- No special terms and conditions were agreed upon by the Environmental Professional.

## 5.0 RECORDS REVIEW

### 5.1 Standard Environmental Record Sources

The regulatory agency database report discussed in this section, provided by Environmental Data Resources, Inc. (EDR) of Milford, Connecticut, was reviewed for information regarding reported releases of hazardous substances and petroleum products on or near the Property. Benesch also conducted a limited review of the unmapped or orphan listings within the database report, cross-referencing available address information and facility names, where feasible. Unmapped sites are listings that could not be plotted with confidence, but are potentially in the general area of the Property based on the partial street address, city, or zip code. Any unmapped site that was identified by Benesch as being within the approximate minimum search distance from the Property based on the site reconnaissance and/or cross-referencing to mapped listings has been included in the discussion in the following section. A copy of the EDR Radius Map Report is provided in Appendix C. The following is a summary of the findings of the database review.

<b>SUMMARY OF FEDERAL, STATE AND TRIBAL DATABASE FINDINGS</b>			
<b>Regulatory Database</b>	<b>Approx. Minimum Search Distance</b>	<b>Property Listed?</b>	<b>Total # Sites Listed</b>
Federal National Priority (NPL)	1 mile	No	1
Federal Delisted NPL	1 mile	No	0
Federal Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)	½ mile	No	2
Federal CERCLIS No Further Remedial Action Planned (NFRAP)	½ mile	No	0
Federal Resource Conservation and Recovery Act (RCRA), Corrective Action facilities (CORRACTS)	1 mile	No	2
Federal RCRIS non-CORRACTS Treatment, Storage, and Disposal Facilities (TSD)	½ mile	No	1
Federal RCRA Generators	¼ mile	No	3
Federal Institutional Control/Engineering Control Registry	½ mile	No	2
Federal Emergency Response Notification System (ERNS) list	½ mile	No	0
State and Tribal (equivalent) NPL	1 mile	No	0
State and Tribal CERCLIS	½ mile	No	3
State and Tribal Landfill or Solid Waste Disposal Sites	½ mile	No	0
State and Tribal Leaking Underground and Aboveground Storage Tanks (LUST/LAST) sites	½ mile	Yes	30
State and Tribal Registered Underground Storage Tanks (UST) and Aboveground Storage Tanks (AST)	¼ mile	Yes	10
State and Tribal Institutional Control or Engineering Control Registry	¼ mile	No	0
State and Tribal Voluntary Cleanup Site	½ mile	No	0
Federal, State and Tribal Brownfield Sites	½ mile	No	10
Former Manufactured Gas Plant (FMGP) Sites	1 mile	No	0
US Historical Auto Station/Cleaners	¼ mile	No	106

### *Federal Agency Database Listings*

The Property is located within the Omaha Lead National Priority List (NPL) and CERCLIS project boundaries (aka Omaha Lead Site [OLS]) which encompass a significant portion of Omaha. In addition, one Federal Institutional and Engineering Control site is associated with the OLS.

The OLS listing on the NPL is resultant from airborne lead particulate contamination of near surface soils over a widespread area of north-central, south-central, and downtown Omaha resulted from historic lead smelting and recycling activities conducted at two former industrial facilities (Asarco and Gould Battery) which were located approximately 4.5-miles northeast of the Property. The area of the former Asarco facility was redeveloped circa 2000 into a city park (Lewis and Clark Landing) with regulatory oversight provided by the Nebraska Department of Environmental Quality (NDEQ) and the U.S. Environmental Protection Agency (USEPA). The area of the former Gould Battery facility was redeveloped as part the ConAgra corporate campus approximately 20 years ago with regulatory oversight provided by the NDEQ and USEPA.

Although the OLS source areas have been abated, the impact of the OLS on the Property itself is unknown at this time, and may still be significant with regard to either potential contamination or environmental liability. As such the OLS represents a *recognized environmental condition* (REC) for the Property.

The Property was listed as a RCRA Non-Generator facility when it was occupied by Wood Products Company from approximately 1975 to 1985. According to the EDR report, this facility did not generate hazardous waste and no violations were found. This listing is most likely due to the storage of retail products at this location and does not represent a REC for the Property at this time.

One additional CERCLIS site (Former Carter White Lead Facility, J Avenue and 22<sup>nd</sup> Street, 0.47 miles northeast) is located within the relevant search distance from the Property. Based on current regulatory status and distance from the Property, this CERCLIS facility does not represent a REC for the Property at this time.

Two (2) RCRA-CORRACTS (corrective action) sites are located within the relevant search distances from the Property (Vopak USA Inc., 4120 Buckingham Place, 0.73-miles north-northwest; and Van Waters & Roger, 3002 F Street, 0.75 miles north-northwest). Based on current regulatory status, distance, and their estimated down-gradient location relative to the Property, the RCRA-CORRACTS sites do not represent a REC for the Property at this time.

One RCRA non-CORRACTS TSD (treat, store, dispose) site (Greenbrier Rail Services, 4901 S. 28<sup>th</sup> Street, 0.06 miles northwest) is located within the relevant search distance from the Property. Numerous violations have been reported at this facility between 1992 and 2008; however, the violations do not appear to be based on improper storage, handling, or disposal of materials. Based on current regulatory status or estimated down or cross-gradient location relative to the Property, this RCRA non-CORRACTS TSD facility does not represent a REC for the Property at this time.

Three (3) RCRA Generator sites (Metropolitan Community College, 2907 Edward Babe Gomez Avenue, 0.23 miles southwest; Greenbrier Rail Services, 4901 S. 28<sup>th</sup> Street, 0.06 miles northwest; United Parcel Service, 2535 Gomez Avenue, 0.20 miles south-southwest) are located within the relevant search distances from the Property. Based on current regulatory status, distance, and/or estimated down or cross-gradient location relative to the Property, the RCRA Generator sites do not represent a REC for the Property at this time.

#### *State Agency Database Listings*

The Property was not listed in the EDR state database report. However, several listings are located in the vicinity of the Property.

There are three (3) State equivalent CERCLIS sites (Gutter Company, 3520 'I' Street, 0.86 miles west-northwest; Millard Refrigeration Services, 4401 S. 36<sup>th</sup> Street, 0.90 miles west-northwest; Salvation Army Kroc Center, 2825 'Y' Street, 0.79 miles south-southeast) located within the relevant search radius of the Property. Based on current regulatory status, distance, and/or estimated down or cross-gradient location relative to the Property, these sites do not represent a REC for the Property at this time.

There are twenty-eight (28) leaking underground storage tank (LUST) sites, and two leaking aboveground storage tank (LAST) sites located within the relevant search radius of the Property. The NDEQ has issued a 'No Further Action' (NFA) letter for both of the LAST sites and 20 of the 28 LUST sites. Based on distance and estimated down or cross-gradient location relative to the Property, none of the remaining LUST sites represent a REC for the Property at this time.

Ten (10) NE Brownfield sites are located within the relevant search distances from the Property. Based on current regulatory status, distance, and/or estimated down or cross-gradient location relative to the Property, these sites do not represent a REC for the Property at this time.

There are seventy-five (75) US Historical Auto Station sites located within the relevant search distances from the Property. These are listings of potential gas station/filling station/service stations sites that were available to EDR researchers; however, there is no certainty that these sites sold or stored gasoline. Art & Rod's Body Shop (4930 South 26<sup>th</sup> Street, two parcels north and cross/down gradient) is listed as a Historical Gas Station. This parcel is depicted as an auto body shop on the 1962 and 1964 Sanborn® maps. There is no historical indication that this facility was utilized as a gas station and there are no reported leaks spills associated with this facility. Based on lack of regulatory data and down or cross-gradient location relative to the Property, this US Historical Gas Station site does not represent a REC for the Property at this time.

There are thirty-one (31) US Historical Cleaners sites located within the relevant search distances from the Property. These are listings of potential dry cleaner sites that were available to EDR researchers; however, there is no certainty that these sites performed dry cleaning activities. According to EDR a Historical Dry Cleaner was formerly located north of the Property along 'N' Street, approximately a half of block north. However, there are no reported leaks or

spills associated with this facility. Therefore, based on distance from the Property and facility status, this US Historical Dry Cleaner site does not represent a REC for the Property at this time.

### *Orphan Summary Listings*

The Property is not listed in the Orphan Summary. Sites in the Orphan Summary of the EDR report have insufficient address information for an exact location to be mapped. Based on the limited information available, none of the sites listed in the Orphan Summary appear to be located in the Property vicinity, and therefore, are not considered significant at this time.

## **5.2 Additional Environmental Record Sources**

### *Douglas County Health Department*

Benesch contacted Mr. Jon Ruff, Environmental Health Specialist with the Sanitary Engineering Section of the Douglas County Health Department (DCHD) for environmental records regarding the Property located at 4940 South 26<sup>th</sup> Street. According to Mr. Ruff, the DCHD does not have any environmental records regarding the Property.

A Record of Conversation documenting the information Mr. Ruff researched for Benesch is provided in Appendix E.

### *Nebraska Department of Environmental Quality*

Benesch performed a NDEQ file search for additional regulatory information, if any, regarding the Property. Based on review of the NDEQ files, the location of one of the NDEQ mapped sites is incorrect. NDEQ indicates that the ConAgra Nixon Feeds facility, located at 5022 South 26<sup>th</sup> Street, is located on the Property. However, the NDEQ description has the ConAgra Nixon Feeds facility located south of 'O' Street. The 1962 and 1964 Sanborn® maps also depict this facility as being located south of 'O' Street. The ConAgra Nixon Feeds site is listed as an AIR facility. Based on the NDEQ mapping information and the nature of the AIR listing, the ConAgra Nixon Feeds facility does not represent a REC for the Property at this time.

### *Nebraska Department of Natural Resources*

Benesch obtained water well registration information for the Property from the Nebraska Department of Natural Resources (NDNR) website at <http://dnrdata.dnr.ne.gov/wells>. According to the NDNR information, no registered water wells are located at the Property. A copy of the NDNR water well registration information for the area of the Property is provided in Appendix C.

### *Omaha Fire Department*

Benesch submitted a Public Records Request to the Omaha Fire Department (OFD), Office of the Assistant Fire Marshal for available tank, fuel storage or hazardous substances information for

the Property. The OFD responded that they have no records of fire related responses to the Property. In addition the OFD has no record of hazardous materials or petroleum product incidents, or records of ASTs and/or USTs at the Property. The OFDs records only go back to 2000, and the fire occurred on the Property in the late 1980s or early 1990s. A copy of the OFD information for the Property is provided in Appendix C.

#### *Omaha Public Power District*

Benesch contacted Mr. Marty Wetenkamp, Supervisor of Environmental Health & Safety, Safety and Technical Training Division with the Omaha Public Power District (OPPD) for general information regarding OPPD owned and operated electrical transformers in the Property vicinity. OPPD acknowledges responsibility for cleanup of any potential contamination associated with their electrical transformers. OPPD records indicate no reported spillage of poly-chlorinated biphenyls (PCBs) from electrical transformers in the immediate vicinity of the Property.

#### *State Fire Marshal*

Benesch requested the Nebraska State Fire Marshal (SFM) provide file information for the UST formerly discovered at the Property during the demolition and disposal of the former structure. The SFM database does not contain a registered tank for the Property address.

### **5.3 Physical Setting Sources**

#### *Topography*

Based on a review of the USGS 7.5 Minute Series Topographic Map *Omaha South, Nebraska-Iowa Quadrangle* dated 1994, the Property is located approximately 1,110 feet above mean sea level (msl) along the western boundary; the elevation decreases across the site from east to west. Part of the Property is depicted with a structure located thereon located east of a railroad corridor and west of US-75. No urban drainage ways are depicted in the vicinity of the Property. A copy of a portion of the USGS Map for the area of the Property is provided as Figure 1 in Appendix A.

#### *Soils*

The United States Department of Agriculture (USDA) Soil Conservation Service *Soil Survey of Douglas and Sarpy Counties, Nebraska*, classifies the soils in the vicinity of the Property as Monona silt loam, 3 to 7 percent slopes (MoC). Monona series soils are deep, well-drained, nearly level to very steep soils that formed in loess. Monona soils are fine textured and exhibit moderate permeability and high available water capacity.



## Hydrology

Based on the topography of the area of the Property, local groundwater is estimated to flow to the west toward the railroad corridor. Regionally groundwater flows to the east toward the Missouri River. Based on information contained in the EDR report and NDNR well information, Benesch estimates that shallow groundwater exists at depths greater than 30 feet below ground surface (bgs) at the Property. Note that the topography of the Property slopes downward 10 to 20 feet across the site from east to west. Estimated groundwater levels and/or flow direction(s) may vary due to seasonal fluctuations in precipitation, local usage demands, geology, underground structures, or dewatering operations.

## 5.4 Historical Use Information

The following table summarizes the findings of the research presented below pertaining to historical use of the Property and surrounding areas.

HISTORICAL USE SUMMARY				
Approximate Time Period	Identified Historical Uses		Source(s)	Intervals/Comments
	Property	Surrounding Area		
1887	Property was apparently undeveloped land located in South Omaha	South Omaha	Sanborn® Maps	No significant data gaps
1890	The eastern portion of the Property was developed with two stores, a printing shop and an office, with the Penmar Hotel located on the second floor. A separate building utilized for female boarding was located on the western portion of the Property.	Stores, a railroad corridor, and the South Omaha Electric Light, Heat and Power Company.	Sanborn® Maps	No significant data gaps
1901	The eastern portion of the Property was developed with three attached stores and a bakery in the basement. The western portion of the Property was occupied by a boarding house.	Stores, railroad tracks, and the South Omaha Electric Light, Heat and Power Company.	Sanborn® Maps	No significant data gaps
1926-1931	Walter Slate Cigars, Wagner Hos Furniture and MW Griest Locksmith, were located on the eastern portion of the Property. Mrs. Leila Mangan Barber was located on the western portion of the Property.	Generally commercial use to the north and east and industrial use to the south and west.	City Directories	No significant data gaps



HISTORICAL USE SUMMARY				
Approximate Time Period	Identified Historical Uses		Source(s)	Intervals/Comments
	Property	Surrounding Area		
1936-1965	The Property was utilized by a variety of restaurant/bars and an auto accessories store on the eastern portion of the Property during this time period. The building on the western portion was utilized as a Farmers Serum Co and a restaurant. This building was not listed after 1956.	Generally commercial use to the north and east and industrial use to the south and west. An auto repair shop was adjacent to the north of the Property.	Aerial Photographs City Directories Sanborn® Maps Topographic Map	No significant data gaps
1975-1985	A wood products store was located on the Property within two buildings, and the third attached building was vacant on the eastern portion of the Property.	Generally commercial use to the north, US-75 to the east, and industrial use to the south and west.	City Directories Aerial Photographs Topographic Map	No significant data gaps
Circa 1990-Spring 2013	The building on the Property was vacant due to a fire.	Generally commercial use to the north, US-75 to the east, and industrial use to the south and west.	Aerial Photographs City Directories Interviews Property Appraisal Topographic Maps	No significant data gaps; unknown exactly when fire occurred
Spring 2013-Present	Vacant parcel with rubble from previous building located thereon.	Generally commercial use or vacant lots to the north US-75 to the east, and industrial use to the south and west.	Interviews Site Reconnaissance	No significant data gaps

### *Aerial Photographs*

Available aerial photographs of the Property and surrounding area ranged from 1941 to 2012. Benesch obtained aerial photographs from the following sources: the Douglas County Engineer's office dated 1941, 1955, 1965 and 1971; and *The EDR Aerial Photo Decade Package* with aerial photographs dated 1952, 1969, 1975, 1982, 1988, 1990, 1994, 1999, 2002, 2006, 2007, 2009, 2010, and 2012. The following table provides descriptions and interpretations from the aerial photograph review.

AERIAL PHOTOGRAPH SUMMARY	
Year	Comments
2012, 2010, 2009, 2007, 2006 and 2002	<p><b>Property:</b> the Property is depicted with an apparent commercial building located on the eastern portion. The western portion of the Property is undeveloped.</p> <p><b>Surrounding Area:</b> the area surrounding the Property is depicted similar to site observations except for an apparent commercial building appears to be located north of the Property. South 26<sup>th</sup> Street followed by US-75 is located to the east, a vacant structure followed by 'O' Street and industrial development is located to the south, and a railroad corridor is located to the west.</p>

AERIAL PHOTOGRAPH SUMMARY	
Year	Comments
1999, 1994, 1990, 1988, 1982	<p><b>Property:</b> the Property is depicted with an apparent commercial building located on the eastern portion. The western portion of the Property is undeveloped.</p> <p><b>Surrounding Area:</b> the area surrounding the Property is depicted with an apparent commercial building located to the north of the Property, South 26<sup>th</sup> Street followed by US-75 is located to the east, an apparent commercial building followed by 'O' Street and industrial development is located to the south, and a railroad corridor is located to the west.</p>
1975, 1971, 1969, and 1965	<p><b>Property:</b> the Property is depicted with an apparent commercial building located on the eastern portion. The western portion of the Property has a building on part of it off of 'O' Street.</p> <p><b>Surrounding Area:</b> the area surrounding the Property is depicted with an apparent commercial building located to the north of the Property. To the east is South 26<sup>th</sup> Street followed by apparent commercial buildings. An apparent commercial building followed by 'O' Street and industrial development is located to the south, and a railroad corridor is located to the west followed by the South Omaha Stockyards.</p>
1955, 1952 and 1941	<p><b>Property:</b> the Property is depicted with an apparent commercial building located on the eastern portion. The western portion of the Property is undeveloped.</p> <p><b>Surrounding Area:</b> the area surrounding the Property is depicted with an apparent commercial building located north of the Property, South 26<sup>th</sup> Street followed by apparent commercial buildings are located to the east, two apparent commercial buildings followed by 'O' Street and industrial and commercial development to the south, and a railroad corridor to the west followed by the South Omaha Stockyards.</p>

The review of aerial photographs did not identify features indicative of recognized environmental conditions at the Property. The former South Omaha Stockyards district located west of the Property does not represent an environmental concern based on its estimated down or cross-gradient location relative to the Property. In addition, the entire area has been extensively redeveloped over the past 20 years. Copies of historical aerial photographs for the Property are provided in Appendix D.

### *Historic Topographic Maps*

Benesch reviewed available historical USGS Topographic Maps for the Property, including the *Omaha South, Nebraska-Iowa Quadrangle*, dated 1956 (photo-revised 1969, 1975 and 1984); the *Omaha South, Nebraska-Iowa Quadrangle*, dated 1994; and the *Omaha Vicinity, Nebraska Sheet*, dated 1898 for information regarding past uses of the Property. The Property is depicted on the 1898-1984 USGS maps as platted urban land. On the 1994 USGS map, the Property is depicted with a structure located thereon which connects to buildings located to the north and south.

The former South Omaha Stockyards district located west from the Property does not represent an environmental concern based on its location and estimated down-gradient location relative to the Property. In addition, the entire area has been extensively redeveloped over the past 20 years.

The review of historical USGS Maps did not identify other features indicative of *recognized environmental conditions* at the Property and/or the immediate surrounding area. Copies of historical USGS Topographic maps for the Property are provided in Appendix D.

### City Directories

Benesch reviewed historical city street directory information provided in *The EDR City Directory Abstract*. EDR generally researched *Polk City Directories* and *Cole Information Services* (or predecessor versions) for the area of the Property in approximate 5-year intervals dating from 1915 to 2013. The following table has Property and adjoining listings based on a review of the historical city directory information.

CITY DIRECTORIES SUMMARY		
Address	Listed Dates	City Directory Listing
Property 4940 South 26 <sup>th</sup> Street (Current Address)	1995	Vacant
	1990	Vacant
	1985-1975	Wood Products
	1970	Vacant
	1965-1961	Howard's Charro Cafe
	1956	Joe's Cafe
	1951-1941	Scott Wm. L Restaurant; Burt & Lois Café & Bar (1946)
	1936	Dixon's Restaurant
4938 South 26 <sup>th</sup> Street (Former Address)	1931-1926	Slate Walter J Cigars
	1990	Cycle Supply and Salvage
	1985	Wood Products Storage
	1980-1975	Vacant
	1965	Charlie's Bar
	1961-1956	Darcy's Bar
	1936	Henry B. Deprez soft drinks
	1931-1926	Wagner Hos furniture; vacant
4936 South 26 <sup>th</sup> Street (Former Address)	1995-1985	Cycle Supply and Salvage Motorcycle Parts Used
	1980-1975	Vacant
	1965	Betty's Café; Bruce Hotel
	1961-1956	South Side Smoke Shop; Bruce Hotel
	1936	Green Meyer E Auto Accessories
	1931	Vacant
	1926	MW Griest Locksmith
2610 'O' Street (Former Address)- Portion of building on Property parcel	1956	Bridge Café; C & QRR Underpass; UPRR Underpass
	1951	Vacant
	1946	Vacant; Farmers Serum Co
	1941	Vacant
	1936-1931	Mrs. Leila Mangan Barber
4932 South 26 <sup>th</sup> Street (North)	1995-1990	Vacant
	1985	Precision Auto Body
	1980	Pete's Body Shop
	1975-1955	Midwest Refrigeration Inc.
	1931-1926	Grocery Mor Feed products Company

CITY DIRECTORIES SUMMARY		
Address	Listed Dates	City Directory Listing
4930 South 26 <sup>th</sup> Street (North)	1961	Art & Rod's Body Shop
	1956	Sipp Truck Lacing
	1951	Tire Traders & Treaders
	1946	United Tire Shop
	1941	Tire Traders & Treaders
	1936	Western States Grocery Company
4929 South 26 <sup>th</sup> Street (North)	1965-1956	Joseph Slezak Barber
	1936-1931	Roach Shoe Repair; Miller Hotel Barber Shop
	1926	Roch Wesoloski Shoe Repair; EF Slezak barber
4928 South 26 <sup>th</sup> Street (North)	1995	Lenny Bar; vacant residential
	1965-1990	Andy and Ruby's Bar; residential
	1956-1926	Photimos Nicholas grocery
4931 South 26 <sup>th</sup> Street (East)	1936	Vacant
	1926	Gus Coshka Hotel
4933 South 26 <sup>th</sup> Street (East)	1936	Stockyards Tire Company
	1931-1926	Ginaitis Anton soft drinks
5001 South 25 <sup>th</sup> Street (East)	1961	Al's Auto & Truck Service
	1956-1931	Wachlter Jos. A tire repair
	1926	Overland Tire Sales Co
4937 South 26 <sup>th</sup> Street (North)	1936-1931	4937 39 Stockmen's Cafe
	1926	A J Milberger Restaurant
4939 South 26 <sup>th</sup> Street (East)	1965	Army Surplus Inc.
	1961-1956	Jubilee Bar
	1936-1931	4937 39 Stockmen's Cafe
	1926	Vacant
4932 South 25 <sup>th</sup> Street (East)	1965-1956	Atlantic Hotel
	1936-1931	Manvitz furniture
	1926	Hyman Manevitz furniture
4931 South 25 <sup>th</sup> Street (East)	1931	Miller Arthur horses
	1926	MD Reihard feed barn
4928 South 25 <sup>th</sup> Street (East)	1965-1956	Covig Hotel
	1936-1931	Bighia John furniture
	1926	Mrs. Alida Knutson furniture
4927 South 25 <sup>th</sup> Street (East)	1985	Vacant
	1931	Miller Arthur horses
4926 South 25 <sup>th</sup> Street (East)	1936	Sedlacek Auto Service
	1931-1926	Murphy & Ratigan Horseshoers
4925 South 25 <sup>th</sup> Street (East)	1931	Omaha Parlor Frame Company furniture manufactures
	1926	Vacant
5001 South 26 <sup>th</sup> Street (South)	1995-1975	Vacant
	1965-1961	Trucking Inc.; Trans American Freight Lines
	1956	Reliable Furniture Co
	1936	Hofman Louis
	1931	Sokolof Henry fruits
	1926	Rob Edes Tanning Co.

CITY DIRECTORIES SUMMARY		
Address	Listed Dates	City Directory Listing
5002 South 26 <sup>th</sup> Street (South)	1995-1990	Greater Omaha Packing Company parking lot
	1980	Vacant
	1975-1961	Nixon & Co. feeds
	1956	Farmers & Truckers Bar
	1936	Farmers and Truckers Cafe
	1931	Stockmen's Pharmacy
	1926	RR Carly Café
5007 South 26 <sup>th</sup> Street (South)	1975	Vacant
	1965-1961	Allison Tire Service
	1956	Sallach & Sons produce
	1936	South Omaha Produce
	1931	Midwest Hatcheries
5008 South 26 <sup>th</sup> Street (South)	1961-1956	Nixon & Company feeds
	1936	Northwest Cargo Company
	1931	Cooperative Auto Salvage
	1926	L Bradford Lumber Company
4925 South 27 <sup>th</sup> Street (West)	1931	Vacant
4925 South 27 <sup>th</sup> Street (Southwest West)	1961	Omaha Public Power District Plant; Nixon Co. Warehouse
	1956	Swift & Co. Meat Packers; Nixon Company Warehouse
	1936-1931	UP RBR Co. Freight depot
	1926	HP System Freight Depot
4919 South 27 <sup>th</sup> Street (West)	1980	Vacant
	1956-1975	Nixon Company Warehouse
4913 South 27 <sup>th</sup> Street (West)	1995-1936	South Omaha Terminal
	1931	Omaha Tanning Company Warehouse
4911 South 27 <sup>th</sup> Street (West)	1965-1936	South Omaha Terminal
	1931	Omaha Tanning Company Warehouse
	1926	Vacant

Based on review of city directories, the Property was developed with one building along 26<sup>th</sup> Street (4936, 4938, and 4940). Prior to fire destroying the Property structure circa 1990, the Property was primarily occupied by restaurants and/or retail stores on the first floor and a hotel on the second floor. In addition, the north portion of a building along 'O' Street (2610) occupied the western portion of the Property from approximately 1931-1956. This structure was utilized as a store or restaurant.

The review of city directories identified adjacent address listings that are indicative of a REC (Precision Auto Body, Pete's Body Shop) for the Property. If any spills of materials used or stored by these businesses have occurred on the adjacent property, there is the potential that the material may have impacted the soil or groundwater beneath the site and migrated onto the Property. The Omaha Public Power District Plant, Swift & Company Meat Packers and Omaha Tanning Company Warehouse facilities were located adjacent west of the Property; however they were located down gradient and are not considered a REC for the Property.

EDR provided Benesch with Sanborn® maps for the Property and vicinity for the years 1887, 1890, 1901, 1962 and 1964. The following addresses for the Property were depicted on the Sanborn® maps: 4940, 4938, 4936 South 26<sup>th</sup> Street, and 2610 'O' Street. The following are descriptions and interpretations from the review of historic fire insurance maps for the Property.

FIRE INSURANCE MAP SUMMARY	
Year	Comments
1962 and 1964	<p><b>Property:</b> The Property is occupied by one two-story building along 26<sup>th</sup> Street, with another building on 'O' Street depicted as a restaurant, partially located on the western portion of the Property. The main building on 26<sup>th</sup> Street is depicted as having two restaurants and a store on the first floor and a hotel on the second floor.</p> <p><b>Surrounding Area:</b> To the north of the Property are two auto body repair shops followed by stores and restaurants. To the east of the Property stores and residential houses are depicted. To the south of the Property a store followed by a viaduct approach, another store, and the Nixon &amp; Company feed mixing plant are depicted.</p>
1901	<p><b>Property:</b> The Property is occupied by three stores, and a bakery in the basement, along with a boarding house on the western portion of the Property.</p> <p><b>Surrounding Area:</b> A stable, stores, and a hand laundry facility are depicted to the north of the Property. Stores and residential houses are depicted to the east of the Property. To the South of the Property a residence is depicted followed by 'O' Street and the South Omaha Foundry. To the west of South 27<sup>th</sup> Street the A. Bloom &amp; Company Mill followed by railroad tracks are depicted.</p>
1890	<p><b>Property:</b> The Property is occupied by a Printing shop and an office. The Penmar Hotel is located on the second floor of the Property structure. A separate building utilized as a female boarding house is depicted on the western portion of the Property.</p> <p><b>Surrounding Area:</b> Stores and hotels are depicted north of the Property along South 26<sup>th</sup> Street. To the east of the Property a boarding and carriage house are depicted. To the south of the Property a store is depicted followed by a residence. The South Omaha Electric Light, Heat, and Power Company is depicted southwest of South 26<sup>th</sup> and 'O' Street. To the west of South 27<sup>th</sup> Street railroad tracks are depicted.</p>
1887	<p><b>Property:</b> The Property is depicted on the 1887 Sanborn® map as vacant land.</p> <p><b>Surrounding Area:</b> Stores are depicted north of the Property along South 26<sup>th</sup> Street, one unnamed and the other a Tin Shop. To the east of the Property stores are depicted. To the south of the Property a vacant structure is depicted. To the west of the Property a depot and rail corridor along with a black smith building are depicted.</p>

The review of Sanborn® maps for the Property and vicinity identified features indicative of *recognized environmental conditions* for the Property and the immediate surrounding area (the printing shop located on the Property and adjacent auto repair shops to the north). If any spills of materials used or stored by these businesses have occurred on the adjacent properties, there is the potential that the material may have impacted the soil or groundwater beneath the site and migrated onto the Property. The South Omaha Electric Light, Heat, and Power Company was located southwest and down gradient of the Property, and is not considered a REC for the Property. Copies of historical Sanborn® maps for the Property are provided in Appendix D.

#### County Assessor Property Tax Files

Benesch accessed real estate tax information for the Property on the Douglas County Assessor's website at <http://douglasne.wgxtreme.com>. Information about the Property parcel is provided below.

Address	Parcel ID	Parcel Size (Ac)	Structure Size (ft <sup>2</sup> )	Const. Date
4940 South 26 <sup>th</sup> St.	0411310002	0.18	NA	NA

A copy of the Douglas County Assessor information is provided in Appendix F.

#### *Douglas County Health Department Publications*

Benesch reviewed the following publications issued by the Douglas County Health Department (DCHD) for information regarding historic landfills, if any, located in the vicinity of the Property:

*Status of Dumps and Dumping in Omaha and Douglas County*, dated August 1968; and  
*Report on DUMP SITES AND LANDFILLS within City and Three Mile Limit*, dated December 23, 1963.

Prior to 1965, Douglas County did not operate a landfill and vendors generally used private, unregulated landfills for trash and waste disposal. A review of the DCHD historical landfill information indicates the nearest such landfill in the vicinity of the Property was located at 36<sup>th</sup> and 'Q' Streets approximately 0.75 miles west-southwest of the Property. In addition, a landfill used for disposal of demolition debris was located at South 19<sup>th</sup> and 'N' Streets approximately 0.5 miles east of the Property. Neither of these landfills represents a REC for the Property at this time. A copy of the DCHD landfill information is provided in Appendix D.

#### *Land Title Records and Environmental Liens*

The acquisition of recorded land title records was not conducted within the scope of services for this Phase I ESA. Benesch assumes any prospective buyers and sellers of the Property will arrange for title search services at an appropriate time, which would include a review and evaluation of environmental liens or AULs regarding the Property (activity and use limitations, e.g. restrictive or protective covenants regarding environmental issues), if any.

#### *Prior Reports*

No previous reports were provided to Benesch for review and inclusion in this ESA report.

#### *Building Department Records*

Historical building department records, if any, were not reviewed. In the opinion of the environmental professionals, no additional significant information is expected from this source.

#### *Zoning/Land Use Records*

Historical Zoning/Land Use Records were not reviewed. In the opinion of the environmental professionals, no additional significant information is expected from this source. According to information obtained from the Douglas County Assessor via <http://douglasne.mapping-online.com>, the Property is currently zoned for commercial use. The vacant parcel adjoining the

north Property boundary is zoned HI (heavy industrial), the other properties to the north are zoned for commercial use. The area to the west of the Property occupied by railroad tracks is zoned RR District. The parcels to the south of the Property are zoned HI. The Kennedy Expressway (US-75) is located east of the Property. A copy of the zoning map for the south Omaha vicinity is provided in Appendix F.

#### *Other Historical Sources*

No additional historical sources were reviewed.



## 6.0 SITE RECONNAISSANCE

### 6.1 Methodology and Limiting Conditions

Site reconnaissance methodology involved a walking and driving inspection of the Property and vicinity on November 26, 2013 by Brian Fettin and Jessica Engelbart of Benesch. The Benesch Environmental Professionals were accompanied during the reconnaissance by Juan Mora (owner). All areas of the Property were accessed with observations noted. Photographic documentation of the site reconnaissance is provided in Appendix B.

### 6.2 General Site Setting

The Property consists of undeveloped, vacant land located at 4940 South 26<sup>th</sup> Street in Omaha, Douglas County, Nebraska. According to interview information, the Property had previously consisted of vacant office buildings for several years due to fire damage. The entrance to the Property is off of South 26<sup>th</sup> Street.

### 6.3 Site Reconnaissance Observations

The objective of a site reconnaissance is to obtain information indicating the likelihood of identifying *recognized environmental conditions* in connection with the Property. The observations made during the site reconnaissance are identified in the following table and described in the following sections.

SITE CHARACTERISTICS		
Category	Site Feature	Observed
Site Operations, Processes and Equipment	Emergency Generators	
	Elevators	
	Air Compressors	
	Hydraulic Lifts	
	Dry Cleaning	
	Photo Processing	
	Ventilation Hoods and/or Incinerators	
	Waste Water Treatment Systems	
	Heating and/or Cooling Systems	
Aboveground Chemical or Waste Storage	Aboveground Storage Tanks (ASTs)	
	Drums, Barrels and/or Containers > 5 gallons	
	MSDS	
Underground Chemical or Waste Storage, Drainage or Collection Systems	Underground Storage Tanks (USTs)	
	Sumps, Cisterns, Catch Basins and/or Dry Wells	
	Grease Traps	
	Septic Tanks and/or Leach Fields	
	Oil/Water Separators	
	Pipelines	
	Interior Floor Drains	

SITE CHARACTERISTICS		
Category	Site Feature	Observed
Electrical Transformers and/or PCBs	Transformers and/or Capacitors	X
	Other Equipment	
Releases or Potential Releases	Stressed Vegetation	
	Stained Soil	
	Stained Pavement	
	Leachate and/or Waste Seeps	
	Trash, Debris, Waste Materials	
	Dumping or Disposal Areas	
	Construction/Demolition Debris	X
	Surface Water Discoloration, Odor, Sheen and/or Free Phase Product	
	Strong, Pungent or Noxious Odors	
	Exterior Pipe Discharges, Effluent Discharges	
Other Notable Site Features	Surface Water Bodies	
	Quarries or Pits	
	Wells	

#### *Transformers and/or PCBs*

During the site reconnaissance, one (1) pole-mounted transformer was observed on the western boundary of the Property. No leaks or spills were observed in the vicinity of the Property electrical transformer.

Benesch contacted Mr. Marty Wetenkamp, Supervisor of Environmental Health & Safety and PCBs with the Omaha Public Power District (OPPD) for information regarding OPPD owned and electrical transformers in the Property vicinity. OPPD acknowledge responsibility for cleanup of any potential contamination associated with their electrical transformers in the vicinity of the Property. A copy of the OPPD information is provided in Appendix F.

#### *Construction/Demolition Debris*

Minor amounts of brick, concrete, and other building debris is located on the Property. The prior structure was demolished and removed in 2013 for off-site disposal.

## 7.0 INTERVIEWS

The following persons were contacted to obtain information regarding *recognized environmental conditions* in connection with the Property:

Role	Name	Title	Entity	Interview Type
User Representative/Current Property Owner	Mr. Juan Mora	Owner	N/A	In person, User Questionnaire, Telephone 402.208.6626
Local Utility	Mr. Marty Wetenkamp	Supervisor Environmental Health & Safety	Safety & Training Division, Omaha Public Power District (OPPD)	Benesch request and OPPD response via letter and email <a href="mailto:mjwetenkamp@oppd.com">mjwetenkamp@oppd.com</a>
Local Government Agency	Mr. Jon Ruff	Environmental Health Specialist, Sanitary Engineering Dept.	Douglas County Health Department	Electronic mail via <a href="mailto:jon.ruff@douglascounty-ne.gov">jon.ruff@douglascounty-ne.gov</a> Telephone 402.444.7485
Fire Department	Steve Morrissey	Fire Inspector	Omaha Fire Department	Mail, Public Records Request, 1516 Jackson Street, Omaha, NE 68102

Relevant interview information has been incorporated into the appropriate sections of this ESA report. A Record of Conversation form documenting the interview information and the User Questionnaire for the Property is provided in Appendix E.

## 8.0 FINDINGS

### 8.1 Findings

#### Site Reconnaissance

The Property consists of a vacant, undeveloped parcel located at 4940 South 26<sup>th</sup> Street in Omaha, Douglas County, Nebraska. Portions of a foundation and building rubble from a former Property structure are present on the eastern portion of the Property, while the western portion of the Property is currently undeveloped and wooded. A sidewalk along South 26<sup>th</sup> Street forms the eastern Property boundary.

The area surrounding the Property is characterized by commercial use to the north and south, industrial use further to the south, Kennedy Freeway (US-75) to the east, and a large Union Pacific railroad corridor to the west. Portions of the former South Omaha Stockyards located further west of the railroad corridor have been extensively redeveloped over the past 20 years for commercial use.

No *recognized environmental conditions* (RECs) were observed during the site reconnaissance.

### **Regulatory Records Review**

The Property is located within the Omaha Lead National Priority List (NPL) and CERCLIS project boundaries (aka Omaha Lead Site [OLS]) which encompass a significant portion of east Omaha. Although the OLS source areas have been abated, the impact of the OLS on the Property itself is unknown at this time, and may still be significant with regard to either potential contamination or environmental liability. As such the OLS represents a *recognized environmental condition* for the Property.

The Property was listed as a RCRA Non-Generator facility when it was occupied by Wood Products Company from approximately 1975 to 1985. According to the EDR report, this facility did not generate hazardous waste and no violations were found. This listing is most likely due to the storage of retail products at this location and does not represent a REC for the Property at this time.

Additional federal database sites located within the relevant search distances from the Property include one (1) CERCLIS site, one (1) RCRA –CORRACTS sites, and three (3) RCRA Generator sites. Based on current regulatory status, distance, and/or estimated down or cross-gradient location relative to the Property, these federal database sites do not represent a *recognized environmental condition* for the Property at this time.

In addition, there are three (3) State equivalent CERCLIS sites, twenty-eight (28) LUST sites, two (2) LAST sites, ten (10) NE Brownfield sites, seventy-five (75) US Historical Auto Station sites, and thirty-one (31) US Historical Cleaner sites located within the relevant search radius of the Property. Based on current regulatory status, distance, and/or estimated down or cross-gradient location relative to the Property, these additional database sites do not represent a *recognized environmental condition* for the Property at this time.

The Property is not listed in the Orphan Summary. Sites in the Orphan Summary of the EDR report have insufficient address information for an exact location to be mapped. Based on the limited information available, none of the sites listed in the Orphan Summary appear to be located in the Property vicinity, and therefore, are not considered significant at this time.

### **Interviews**

Relevant interview information has been incorporated into the appropriate sections of this ESA report and is summarized in Section 7.0. According to the Property owner, Mr. Juan Mora, the building was destroyed by a fire circa 1990. Prior to that, it was most recently used as office space. The building sat vacant until he acquired the Property in 2009. The building was undergoing renovations when the roof collapsed in the spring of 2013, after which time the remaining structure was demolished and the site cleared. During clean-up of the Property an aboveground storage tank (AST) located in the basement of the building was drained on site prior to being removed. The contents and the amount of material in the AST were not known, but reportedly had a strong odor. Review of historical records did not indicate the presence of an AST on the Property; however, it most likely was used to fuel a boiler.

OPPD records indicate no reported spillage of poly-chlorinated biphenyls (PCBs) from electrical transformers in the vicinity of the Property. OFD's records only go back until 2000 and did not have any records of the fire on the Property.

## 8.2 Historical Summary

The Property was first developed in 1890 with a printing shop and an office on the east half of the Property along 26<sup>th</sup> Street, with the Penmar Hotel located on the second floor. A female boarding house was present on the western portion of the Property. In 1901 the building on 26<sup>th</sup> Street was occupied by three stores with a bakery in the basement. From circa 1926 to 1931 the eastern portion of the Property was occupied by a cigar store, furniture store, and locksmith. The western portion of the Property was occupied by a barber shop. From circa 1936 to 1965 the Property was occupied by a variety of restaurants/bars, and an auto accessories store. The building on the western portion of the Property was occupied by Farmers Serum Company and a restaurant. This building was not listed after 1956. From circa 1975 to 1985 the Property was occupied by a wood products store. A fire damaged the structure circa 1990, and it was demolished in the spring of 2013 after the roof collapsed. Currently no structures are present on the Property and the site contains gravel, brick, and construction debris from the previous building. The western portion of the Property is wooded and drops steeply, sloping to the west.

Historically, the area surrounding the Property has been occupied by various stores, restaurants, auto body/repair shops, hotels to the north and east, and various industrial facilities to the south and west, including a freight depot and railroad corridor to the west, and the South Omaha Stockyards further west. The South Omaha Stockyards area has been redeveloped into commercial and industrial properties over the last 20 years. The freight depot was demolished in early 2013. The South Omaha Power Plant was historically located approximately ½ block south, down gradient of the Property.

The presence of the AST in the basement of the building, and the emptying of its contents prior to removal constitutes a *recognized environmental condition* for the Property.

## 8.3 Data Gap Analysis

A data gap is a lack of or inability to obtain information by the environmental professional that could affect the ability of the environmental professional to identify conditions indicative of releases or threatened releases. The ASTM standard specifies that all obvious uses of the Property shall be identified back to first developed use or 1940, whichever is earlier; and that review of standard historical sources at intervals of less than five years is not required. Further, if the use of the Property appears unchanged over a period longer than five years, then it is not required to research the use during that period.

The history of the Property has been researched to 1887 (fire insurance map), 1898 (topographic map), 1926 (city directory), and 1941 (aerial photograph). Minor data gaps spanning more than five years exist. The use of the Property has changed several times since its

initial development. These historic uses include retail stores, a bakery, offices, a printing shop, hotels and/or boarding houses, restaurants and bars, and a wood products store. The building on the Property was vacant from circa 1990 until the roof collapsed in the spring of 2013, after which the entire structure was demolished. Although there are data gaps regarding the historic use of the Property (i.e. 1890-1901; 1901-1926; 1931-1936; 1965-1975; 1975-1990), it is the opinion of the environmental professionals that these minor data gaps are not significant and do not affect our ability to identify *recognized environmental conditions* in connection with the Property.

## 9.0 OPINION

Benesch performed a Phase I Environmental Site Assessment of the Property in general conformance with the scope and limitations of ASTM Practice E 1527-05. Any exceptions to, or deviations from, this practice are described in Sections 2.2 and 2.4 of this report. This assessment has revealed evidence of *recognized environmental conditions* in connection with the Property as follows:

The Property is located within the Omaha Lead Site (OLS) boundaries which encompass a significant portion of Omaha. Although the OLS source areas have been abated, the impact of the OLS on the Property itself is unknown at this time, and may still be significant with regard to either potential contamination or environmental liability when redeveloping the Property. As such the OLS represents a *recognized environmental condition* for the Property.

The 1890 Sanborn® Map depicted a printing shop on the Property. This historical use is considered a *recognized environmental condition* for the Property due to the potential use of printing solvents and spent solvents, which could impact the soils and groundwater beneath the site if a release occurred.

Interview information indicated that an AST was located in the basement of the former structure, which was emptied on-site when the building was demolished. The contents of the tank, and the amount of material emptied on site were unknown. The presence of the AST and the reported emptying of its contents onto the Property is considered a *recognized environmental condition* for the Property.

The review of city directories and Sanborn® Maps identified an adjacent listing to the north that may be indicative of *recognized environmental conditions* (Precision Auto Body and Pete's Body Shop located at 4932 South 26<sup>th</sup> Street). There are no known historic petroleum tanks, leaks or spills at either of these facilities; however, if leaks occurred there is the potential that the material may have impacted the soil or groundwater beneath the site and migrated onto the Property. The historical use of these adjacent properties represents a *recognized environmental concern* for the Property.

If the user desires further investigation to assess the impacts to the Property as a result of the above noted *recognized environmental conditions*, Benesch recommends conducting a Phase II Environmental Site Assessment (ESA) at the Property, which would involve limited sampling of the soil and groundwater to assess for the presence of chemicals of potential concern (COPCs).

## 10.0 DEVIATIONS

There were no significant deviations from ASTM Standard Practice E 1527-05 noted during the course of this assessment.



## **11.0 ADDITIONAL SERVICES**

No additional services beyond the scope of ASTM Standard E 1527-05 were requested by the User for this assessment.

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USGS, aerial photograph obtained from [GoogleEarth™](#) dated 2012.

### 13.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in 40 CFR 312.10. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history and setting of the subject Property. We have developed and performed the all appropriate inquiries in general conformance with the standards and practices set forth in 40 CFR Part 312. Resumes for the Benesch environmental professionals are provided in Appendix G.

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