

**PHASE I ENVIRONMENTAL SITE ASSESSMENT  
AGGREGATE PRODUCTION ASSOCIATES PARCEL  
2623 CENTER STREET  
OMAHA, DOUGLAS COUNTY, NEBRASKA**

*Prepared for:*

**Aggregate Production Associates, Inc. & the Omaha Brownfields Coalition**



**Benesch Project No. 00120138.00  
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*Prepared By:*



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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 No. BF-97727801, dated October 1, 2011). The Omaha Brownfields Coalition (Coalition) subsequently directed Alfred Benesch & Company (Benesch) to perform an ESA on the Aggregate Production Associates, Inc. parcel located at 2623 Center Street in Omaha, Douglas County, Nebraska (the “Property”).

The Property consists of an office building, maintenance shop, warehouse and outdoor storage yard located at 2623 Center Street in an industrial area of Omaha. The Property parcel encompasses approximately 2.87-acres (125,296 square feet [s.f.]) with three structures located thereon (4,000 s.f. office, 4,200 s.f. shop, and 3,200 s.f. warehouse). The Property is currently leased by Aggregate Production Associates, Inc. (owner) to Utility Services Group (USG), which utilizes the Property for office space, fleet maintenance, and equipment storage for their business operations (underground utilities contractor). The area surrounding the Property is characterized by highway and railroad corridors, industrial land, and single-family residential use.

In the opinion of the environmental professionals, there are no significant data gaps that affect our ability to identify *recognized environmental conditions* in connection with the Property. Based on historical sources, the Property was apparently undeveloped land until the 1930s. From the 1930s to 1945, the Property was part of the adjoining cereal mill facility and was utilized as a seven bay shop facility for the mill. From 1945 to 1980, the Property was a portion of the adjoining cereal mill facility or Salvation Army facility. From 1980 to present the Property has been utilized by (oldest listing to current, respectively) Drum Industries, Mid-American Industrial Storage, JJ Parks Asphalt, Aggregate Production Associates, and USG. Adjoining parcels to the east have historically been utilized for bulk oil storage. The historic land use of the Property is a concern, and the historic utilization of adjoining parcels for bulk oil storage represents a *recognized environmental condition* for the Property.

The existence of numerous floor stains in the area on the shop floor is indicative of general poor housekeeping in the conduct of maintenance operations and, in combination with nearby floor drains, represents a *recognized environmental condition*. In addition, an apparent unused waste pit/receptacle was observed on the concrete shop floor during the site reconnaissance. The unknown status of the waste pit/receptacle at the Property with a site history of equipment maintenance represents a *recognized environmental condition*.

The Property is located within the Omaha Lead National Priority List (NPL) and CERCLIS project boundaries which encompass a significant portion of Omaha. In addition, there is a Federal Institutional and/or Engineering Control associated with the OLS.

The OLS listing on the NPL is a result of airborne lead particulate contamination of near surface soils over a widespread area of north-central, south-central, and downtown Omaha from historic lead smelting and recycling activities conducted at two former industrial facilities (Asarco and Gould Battery) which were located approximately 2.0-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* for the Property.

The Property (Drum Industries, 2623 Center Street) is listed as a CERCLIS-NFRAP site. According to EDR, the USEPA commenced discovery at the Drum Industries (DI) site in 1988 and DI was identified as a Potential Responsible Party (PRP) in 1989. A Preliminary Assessment (PA) was conducted in 1995 and the site was designated 'No Further Remedial Action Planned' (NFRAP) at that time. The USEPA archived the site in 2008. Benesch conducted a review of NDEQ files regarding the DI site and concluded that the DI site is not located on the current Property parcel, even though the DI cleanup site street address is the same as the current Property street address. In addition, the EPA determined there was no additional threat to public or environment from the DI site. Therefore, the DI CERCLIS-NFRAP site does not appear to represent a *recognized environmental condition* for the Property at this time.

Additional federal database sites located within the relevant search distances from the Property include two CERCLIS sites, one CERCLIS-NFRAP site, and three RCRA generator sites. Based on current regulatory status and/or distance and estimated groundwater gradient relative to the Property, the above noted federal database sites do not represent a *recognized environmental condition* for the Property at this time.

The Property is listed in the EDR State Agency Database Listings as a State equivalent CERCLIS site which parallels the Federal CERCLIS-NFRAP designation previously discussed. Based on distance and estimated groundwater gradient relative to the Property and/or current regulatory status, the other five State equivalent CERCLIS sites do not represent a *recognized environmental condition* for the Property at this time.

There are eighteen (18) leaking underground storage tank (LUST) sites located within the relevant search radius of the Property; however only two of the LUST sites appear significant (Salvation Army, 2501 Center Street, adjoining parcel located east of the Property, 'No Further Action' [NFA] letter issued by the NDEQ; and Paxton-Mitchell steel facility, 2614 Martha Street, adjoining parcel located south of the Property, NFA letter issued by the NDEQ). Based on distance and estimated groundwater gradient relative to the Property and/or current regulatory

status, none of the LUST sites represent a *recognized environmental condition* for the Property at this time.

There are six leaking above ground storage tank (LAST) sites located on the adjoining parcel east of the Property. The LAST sites are associated with Red Giant Oil or Milder Oil facilities, and five of the LAST sites are considered active or designated as 'Priority List' sites by the NDEQ. The adjoining Property LAST sites represent a *recognized environmental condition* for the Property.

The Property was not listed in the Orphan Summary. 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.

## 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”; Aggregate Production Associates, Inc. (and their assigns, if any) 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.



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## 3.0 SITE DESCRIPTION

### 3.1 Location and Legal Description

The Property consists of an office building, maintenance shop, warehouse and outdoor storage yard located at 2623 Center Street in an industrial area of Omaha, Douglas County, Nebraska (the “Property”). The Property parcel encompasses approximately 2.87-acres (125,296 square feet [s.f.]) with three structures located thereon (4,000 s.f. office, constructed 1945; 4,200 s.f. shop, constructed 1982; and 3,200 s.f. warehouse, constructed 1983). The Property also includes a fenced outdoor storage yard.

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 ¼ of Section 28, Township 15 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 highway and railroad corridors, industrial land, and single-family residential use.

### 3.3 Current Use of the Property

The Property is currently leased by Aggregate Production Associates, Inc. (owner) to Utility Services Group (USG), which utilizes the Property for office space, fleet maintenance, and warehouse/storage for their business operations. USG is an underground utilities contractor.

### 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>	2.87-acres (125,296 s.f.)
<b>Size of Property Structures (approx.)</b>	4,000 s.f. office, constructed 1945, concrete block/brick, flat roof, concrete footings with no basement.
<b>Date of Construction</b>	
<b>General Building Description</b>	4,200 s.f. maintenance shop, constructed 1982, concrete block with sloped roof, concrete slab on grade. 3,200 s.f. warehouse, constructed 1983, steel frame and siding, pitched roof with dirt floors.
<b>General Topography of Property</b>	Rolling to flat urban land sloping down-gradient to the east and south toward the railroad corridor.
<b>Adjoining and/or Access/Egress Roads</b>	The office, maintenance shop, warehouse and outdoor storage yard are accessed from Center Street which forms the northern site boundary. The Property can also be entered from Dorcas Street (southern site boundary) on a crushed rock access road.
<b>Paved or Concrete Areas (including parking)</b>	Perimeter streets (South-Dorcas Street, West-South 27 <sup>th</sup> Street, North-Center Street) are concrete or asphalt surfaced with some adjoining concrete sidewalks.
<b>Landscaped, Unimproved and/or Undeveloped Areas</b>	The Property includes a large undeveloped area south of the office which is generally used for an outdoor storage yard.
<b>Surface Water</b>	None
<b>Potable Water Source</b>	Metropolitan Utilities District (MUD)
<b>Sanitary Sewer Utility</b>	MUD
<b>Storm Sewer Utility</b>	City of Omaha, Department of Public Works
<b>Electrical Utility</b>	Omaha Public Power District (OPPD)
<b>Natural Gas Utility</b>	MUD
<b>Emergency Power</b>	None
<b>Current Occupancy Status</b>	Utility Services Group office, fleet maintenance and equipment storage.

Source: Douglas County Assessor Property Records

### 3.5 Current Uses of the Adjoining Properties

The current uses of the properties adjoining the Aggregate Production Associates, Inc. site are identified below.

North: Center Street followed by a residential use neighborhood.

East: From north to south, respectively; Virgil Anderson parcels (former Salvation Army mill site and abandoned railroad sidings) and Allied Oil parcels followed by South 26<sup>th</sup> Street, the former Salvation Army warehouse site and vacant R Roadlands warehouse site, and the Union Pacific Railroad corridor.

South: Dorcas Street followed by the Paxton Mitchell steel mill facility.

West: South 27<sup>th</sup> Street followed by a residential use neighborhood.

## 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. Donald D. Graham, Owner of Aggregate Production Associates, Inc. (User representative) with regard to the Property and adjoining parcels. A copy of the Phase I ESA User Questionnaire completed by Mr. Graham 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 purchase price would likely reflect fair market value.
- 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 no obvious indicators regarding the presence or likely presence of contamination at the Property.

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 sale of the Property.
- The Property consists of an office, shop and storage facility located at 2623 Center Street in an industrial area of Omaha, Douglas County, Nebraska.
- The Property is currently leased to Utilities Services Group.
- The parties who will rely on the Phase I ESA report are Aggregate Production Associates, Inc. (and their assigns, if any) and the Omaha Brownfields Coalition (lead coalition partner MAPA).
- The site contact was identified as Mr. Ken Harding, Project Manager with Graham Enterprises, Inc.
- 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	Yes	3
Federal Resource Conservation and Recovery Act (RCRA), Corrective Action facilities (CORRACTS)	1 mile	No	0
Federal RCRIS non-CORRACTS Treatment, Storage, and Disposal Facilities (TSD)	½ mile	No	0
Federal RCRA Generators	¼ mile	Yes	3
Federal Institutional Control/Engineering Control Registry	½ mile	No	1
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	Yes	6
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	No	24
State and Tribal Registered Underground Storage Tanks (UST) and Aboveground Storage Tanks (AST)	¼ mile	No	1
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	1
Former Manufactured Gas Plant (FMGP) Sites	1 mile	No	2

### *Federal Agency Database Listings*

The Property is located within the Omaha Lead National Priority List (NPL) and CERCLIS project boundaries which encompass a significant portion of Omaha. In addition, there is a Federal Institutional or Engineering Control sites associated with the OLS.

The OLS listing on the NPL is a result of airborne lead particulate contamination of near surface soils over a widespread area of north-central, south-central, and downtown Omaha from historic lead smelting and recycling activities conducted at two former industrial facilities (Asarco and Gould Battery) which were located approximately 2.0-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* for the Property.

Two additional CERCLIS sites (Omaha Former Manufactured Gas Plant [FMGP] and Former Omaha White Lead, both located at 20<sup>th</sup> & Center Streets) are situated approximately 0.4-miles east of the Property in an estimated cross-gradient location. Investigation into these CERCLIS sites is ongoing, and the City of Omaha and the Metropolitan Utilities District (MUD) have been identified as responsible parties. Based on distance and estimated groundwater gradient relative to the Property and/or current regulatory status, none of the above-noted CERCLIS sites appear to represent a *recognized environmental condition* for the Property at this time.

The Property (Drum Industries, 2623 Center Street) is listed as a CERCLIS-NFRAP site. According to EDR, the USEPA commenced discovery at the Drum Industries (DI) site in 1988 and DI was identified as a Potential Responsible Party (PRP) in 1989. A Preliminary Assessment (PA) was conducted in 1995 and the site was designated 'No Further Remedial Action Planned' (NFRAP) following the PA in 1995. The USEPA archived the DI site in 2008. In addition, the DI facility was a RCRA-NonGen site which received a 'Written Informal' notice from the USEPA in 1987, and was the subject of several focused compliance inspections and a compliance order in 1988. Based on current regulatory status, the Drum Industries CERCLIS-NFRAP site does not appear to represent a *recognized environmental condition* for the Property at this time. NDEQ file search information regarding the DI site is provided in the following ESA report section (5.2).

Two additional CERCLIS-NFRAP sites were identified in the EDR Federal Agency Database Listings: Omaha Gas Company, 20<sup>th</sup> & Center Streets located approximately 0.4-miles east of the Property in an estimated cross-gradient location; and Anderson Excavating Co., 1824 South 20<sup>th</sup> Street located approximately 0.45-miles northeast of the Property in an estimated cross-

gradient location. The USEPA conducted a PA for both sites in the 1980s and determined that no further remedial assessment was required at these CERCLIS sites. Note that the Omaha Gas Co. site is connected to the Omaha FMGP and White Lead sites, and the Anderson Excavating site is also listed in the EDR database report as a state brownfields site. Based on current regulatory status and distance relative to the Property, the above noted CERCLIS-NFRAP sites do not represent a *recognized environmental condition* at this time.

In addition to the above noted Drum Industries RCRA-NonGen site, there are two RCRA generator sites located on parcels adjoining the Property. These are the Paxton-Mitchell steel facility (RCRA-CESQG) located at 2614 Martha Street south of the Property, and Milder Oil Company located at 1940 South 26<sup>th</sup> Street east of the Property. Neither RCRA designation for the adjoining facilities is considered significant at this time; however, the Milder bulk oil facility is identified as a *recognized environmental condition* in other sections of this ESA report.

#### *State Agency Database Listings*

The Property is listed in the EDR State Agency Database Listings as a State equivalent CERCLIS site which parallels the Federal CERCLIS-NFRAP designation previously discussed. Based on distance and estimated groundwater gradient relative to the Property and/or current regulatory status, the remaining State equivalent CERCLIS sites (Don Shafer Display, 1325 Park Avenue, located 0.5-miles northwest of the Property; Don Blazek Motors, 1020 South 20<sup>th</sup> Street, located 0.8-miles northeast of the Property; Anderson Excavating Co., 1824 South 20<sup>th</sup> Street, 0.45-miles northeast of the Property; Omaha USARC, 2101 Woolworth Ave., 0.5-miles northeast of the Property; and Omaha Shot & Lead Works, 1709 Mason Street, 0.9-miles northeast of the Property; all in an estimated cross-gradient direction) do not represent a *recognized environmental condition* for the Property at this time.

There are eighteen (18) leaking underground storage tank (LUST) sites located within the relevant search radius of the Property; however only two of the LUST sites appear significant (Salvation Army, 2501 Center Street, adjoining parcel located east of the Property, 'No Further Action' [NFA] letter issued by the NDEQ; and Paxton-Mitchell steel facility, 2614 Martha Street, adjoining parcel located south of the Property, NFA letter issued by the NDEQ). Based on distance and estimated groundwater gradient relative to the Property and/or current regulatory status, none of the LUST sites represent a *recognized environmental condition* for the Property at this time.

There are six leaking above ground storage tank (LAST) sites located on the adjoining parcel east of the Property. The LAST sites are associated with Red Giant Oil or Milder Oil facilities, and five of the LAST sites are considered active or designated as 'Priority List' sites by the NDEQ. The adjoining Property LAST sites represent a *recognized environmental condition* for the Property.

### *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. John Ruff, Environmental Health Specialist with the Sanitary Engineering Section of the Douglas County Health Department (DCHD) for information regarding the Property. According to Mr. Ruff, the DCHD has the following file information regarding the Property located at 2623 Center Street in Omaha, Douglas County, Nebraska:

- There are 16 monitoring wells located east of the Property along the Union Pacific Railroad corridor. These are likely associated with the FMGP site located near Lynch Park for which the City of Omaha and MUD have been identified as responsible parties.
- In 1994, the DCHD received a complaint regarding improper disposal and/or storage of industrial coating materials at the Property. The owner/occupant at that time was identified as Mid-American Industrial Storage.
- On 3/8/1991 DCHD received a complaint that five 55-gallon drums (contents not identified) and some tires were dumped at the Property.

For the 1991 and 1994 incidents, it is not known what follow up action, if any, the DCHD or Property owner took regarding the DCHD complaint. A Record of Conversation documenting the Benesch conversation with Mr. Ruff is provided in Appendix E.

### *Omaha Public Power District*

Benesch contacted Mr. Richard Varner, Supervisor of Environmental Health & Safety and PCBs with the Omaha Public Power District (OPPD) for information regarding OPPD owned and operated electrical transformers at the Property. OPPD acknowledges responsibility for cleanup of any potential contamination associated with their electrical transformers. OPPD records indicate no spillage of poly-chlorinated biphenyls (PCBs) from electrical transformers in the vicinity of the Property. A copy of the OPPD information is provided in Appendix F.

### *Nebraska Department of Environmental Quality File Search*

Benesch reviewed file information provided by Records Management, Nebraska Department of Environmental Quality (NDEQ) regarding the 2623 Center Street Drum Industries (DI) site, which has the same street address as the Property. Following table provides a summary of selected NDEQ file information for the Property address.



SUMMARY OF NDEQ FILE INFORMATION FOR DRUM INDUSTRIES SITE		
DATE	SOURCE/AGENCY	SUMMARY OF INFORMATION
12/21/1987	NDEC (predecessor NDEC)	Letter apparently informing Drum Industries (DI) of change of status from RCRA small quantity generator facility (RCRA-SQG) to a RCRA transportation-storage-disposal facility (RCRA-TSD).
2/3/1988	Owner letter to NDEC	Fire on 2/3/1988 at DI site destroyed building and drum recycling operation.
2/8/1988	NDEC Fire Investigation	NDEC investigation concluded four 55-gallon steel drums exploded in the DI fire (contents believed to be toluene). A drainage trough containing acetone also caught fire and naphtha AST likely exploded. Omaha Fire Department pooled water for testing prior to disposal.
2/10/1988	NDEC Emergency Complaint and Order	NDEC goes to state court to force responsibility for assessment and cleanup of 2623 Center Street DI site on Mr. Bill Hindman (owner).
8/31/1988	Stipulation between NDEC & Drum Industries	NDEC court enforced stipulation Bill Hindman for responsibility of assessment and cleanup at the DI site.
10/1988	NDEC Administrative Settlement	NDEC settlement and agreement with DI that all drums will be removed and no further drums accepted at the site.
11/18/1988	Site Plan, Martha Street Viaduct Loop Road Environmental Assessment	Loop Road on Site Plan appears to correspond with current Dorcas Street, and the DI site is depicted south of Loop Road.
2/15/1989	Omaha World Herald (OWH)	OWH newspaper article regarding DI site at 2623 Center Street. Site cleanup work has not commenced following February 1988 fire. DI has moved business operation from Omaha site to Blair.
3/3/1989	NDEC Removal Plan Memorandum	Letters of liability sent to 44 clients that DI picked up waste drums for. Most notifications were to auto service facilities in the Omaha area. Removal plan in action for cleanup of 2623 Center Street DI site
3/1989	EPA Letter	Response and removal activities at DI site scheduled for later in 1989.
3/30/1989	NDEC Site Photos	Interpretation of photos of fire, drum storage and cleanup operations indicates the DI site is located south of Dorcas Street and south of the former Salvation Army Mill, and therefore, is not located on the current Property parcel, even though the DI street address is the same as the current Property street address.
4/3/1989	NDEC News Release	Cleanup of drums begins at DI site.
4/13/1989	NDEC News Release	Cleanup completed at DI site. Similar article published by the OWH on 4/20/1989.
3/24/1995	Ecology & Environment, Abbreviated Preliminary Assessment	DI commenced operations in 1986 and a fire destroyed much of the facility on 2/3/1988. Over 100 drums containing solvents were damaged along with storage facilities. DI did not comply with repeated orders to remedy the contaminated site and was subsequently fined and subject to administrative orders. The 43 PRPs that had arranged for drum disposal with DI contracted for drum removal with a hazardous waste contractor. Following removal actions, the EPA determined there was no additional threat to public or environment from the site.

In summary, interpretation of maps and site photos indicates the Drum Industries site is not located on the current Property parcel, even though the DI cleanup site street address is the same as the current Property street address. In addition, the EPA determined there was no additional threat to public or environment from the DI site.

A copy of the NDEQ Records Management file information is provided in Appendix C.



### 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 1,090 feet above mean sea level (msl). The Property is depicted as gently rolling to relatively flat industrial land located west of the Union Pacific Railroad corridor and east of the US Interstate Highway 480 (I-480) corridor. The Property slopes significantly downward from South 27<sup>th</sup> Street (eastern site boundary) toward the railroad corridor situated on flat bottom land east of the Property. The Missouri River is located approximately 1.9-miles to the east. 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, 11-17% slopes (MoE). Monona series soils are deep, well-drained, nearly level to moderately steep soils that formed in loess. Monona soils are fine textured and exhibit moderate permeability and high available water capacity. Monona soils are located on bluffs adjacent to the Missouri River valley.

#### *Hydrology*

Based on the topography of the area of the Property, groundwater is estimated to flow to the east toward and along the Missouri River floodplain. Based on information contained in the EDR report, Benesch estimates that shallow groundwater exists at depths approximately 30 to 40 feet below ground surface (bgs) at the Property. However, perched groundwater conditions could exist at the Property, and 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		
Prior to 1930	Property was apparently undeveloped land located in the City of Omaha.	Unknown land use and railroad use. Residences to the north and west.	City Directories Sanborn® Map Topographic Map	No significant data gaps.

HISTORICAL USE SUMMARY				
Approximate Time Period	Identified Historical Uses		Source(s)	Intervals/Comments
	Property	Surrounding Area		
1930s to 1945	Property was part of adjoining cereal mill facility.	Generally industrial land and railroad use. Residences to the north and west.	Aerial Photograph City Directories County Assessor Sanborn® Map	No significant data gaps.
1945 to 1980	Property was part of adjoining cereal mill facility or Salvation Army facility.	Generally industrial land and railroad use. Residences to the north and west.	Aerial Photographs City Directories Sanborn® Maps Topographic Maps	No significant data gaps.
1980 to present	Drum Industries, Inc. Mid-American Industrial Storage JJ Parks Asphalt Aggregate Production Associates Utilities Services Group	Generally vacant land or industrial and railroad use. Residences to the north and west.	Aerial Photographs City Directories County Assessor Interviews Topographic Map Zoning Map	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; *The EDR Aerial Photo Decade Package* with aerial photographs dated 1994, 1990, 1988, 1982, and 1975; and from [GoogleEarth™](#) dated 2012, 2009, 2006, 2003 and 1999. The following table provides descriptions and interpretations from the aerial photograph review.

AERIAL PHOTOGRAPH SUMMARY	
Year	Comments
2012, 2009 and 2006	<p><b>Property:</b> The Property is depicted similar to site observations with three structures (office, maintenance shop and equipment building) located thereon and an access road from the south.</p> <p><b>Surrounding Area:</b> The area surrounding the Property is depicted similar to site observations with residences to the north and west, rail sidings and apparent warehouses to the east, and the Salvation Army buildings to the northeast.</p>
2003, 1999, 1994, 1990 and 1988	<p><b>Property:</b> The Property is depicted with three structures located thereon and an access road from the south.</p> <p><b>Surrounding Area:</b> The area surrounding the Property is depicted with residences to the north and west, rail sidings and bulk oil facilities to the east, and the Salvation Army buildings to the northeast.</p>
1982	<p><b>Property:</b> The Property is depicted with two structures (office and shop) located thereon.</p> <p><b>Surrounding Area:</b> The area surrounding the Property is depicted with residences to the north and west, rail sidings and bulk oil facilities to the east, and the Salvation Army buildings to the northeast.</p>
1975, 1971, 1965 and 1955	<p><b>Property:</b> The Property is depicted with one structure (office) located thereon.</p> <p><b>Surrounding Area:</b> The area surrounding the Property is depicted with residences to the north and west, rail sidings and bulk oil facilities to the east, and the cereal mill buildings to the northeast.</p>
1941	<p><b>Property:</b> The Property is depicted with one smaller structure located thereon.</p> <p><b>Surrounding Area:</b> The area surrounding the Property is depicted with residences to the north and west, rail sidings and bulk oil facilities to the east, and the cereal mill buildings to the northeast.</p>

The review of aerial photographs identified bulk oil facilities with more than 40 ASTs located along the adjoining railroad sidings east of the Property. The long term presence of bulk oil facilities adjoining the Property represents a *recognized environmental condition*.

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 USGS map as developed urban land located west of a railroad corridor. The Property office building structure is depicted on the 1956 through 1984 USGS maps; with the 1994 USGS map depicting all three current Property structures. On the 1956 through 1994 USGS maps, several large apparent industrial use structures are depicted on adjoining parcels located west and south of the Property. In addition, several apparent ASTs are depicted on the adjoining parcels located east of the Property, residential land use is depicted north and west of the Property, and the Union Pacific Railroad corridor is depicted approximately 0.15-miles east of the Property. Also of significance is the FMGP site depicted near Lynch Park located approximately 0.30-miles east of the Property with numerous ASTs.

The review of historical USGS Maps identified several features indicative of *recognized environmental conditions* at the Property and/or the immediate surrounding area. These features include the adjoining heavy industrial use facilities, adjoining ASTs, and the FMGP in the Property vicinity. 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* (or predecessor versions) for the area of the Property in approximate 5-year intervals dating from 1915 to 2012. The following are significant listings based on a review of the historical city directory information:

ADDRESS	DATE	CITY DIRECTORY LISTING
2623 Center Street	2012, 2007, 2001, 1995 and 1990	Utilities Services Group
	1975 and 1970	Salvation Army Men's Social Service Center
	1975	vacant
2410 Center Street	2007, 1995, 1990, 1985 and 1975	Salvation Army thrift store
2501 Center Street	2007	Larson Auctions
	2001, 1995, 1990 and 1985	Salvation Army Adult Rehabilitation Center
	1995, 1990 and 1985	Salvation Army warehouse

ADDRESS	DATE	CITY DIRECTORY LISTING
2502 Center Street	1965, 1961, 1956, 1951, 1946 and 1941	Kellogg Company Cereal Mill
2601 Center Street	1936	Miller Cereal Mills
	2001 and 1970	Peter Cedillo
1746 South 26 <sup>th</sup> Street	1951, 1946 and 1941	Milder Oil Co., Railroad Concrete Products, Prohaska Coal Co.
	1995, 1990, 1985, 1980, 1975, 1970, 1965 and 1961	Milder Oil Company
1939 South 26 <sup>th</sup> Street	1995	Milder Oil Company
1940 South 26 <sup>th</sup> Street	1990 and 1985	Johnson Hardware Co.
	1980	vacant
	1975, 1970 and 1965	Velron Automotive Products
	2001, 1961 and 1956	Milder Oil Company
1941 South 26 <sup>th</sup> Street	1961 and 1956	Milder Oil Company

The review of city street directories identified bulk oil facilities located on adjoining parcels east of the Property. The long term presence of bulk oil facilities adjoining the Property represents a *recognized environmental condition*. A copy of *The EDR City Directory Abstract* is provided in Appendix D.

### Fire Insurance Maps

EDR provided Benesch with Sanborn® maps for the Property and vicinity for the years 1890, 1901, 1934, 1962 and 1969. The following are descriptions and interpretations from the review of historic fire insurance maps for the Property.

FIRE INSURANCE MAP SUMMARY	
Year	Comments
1890 and 1901	<b>Property:</b> The Property is not depicted on either map. <b>Surrounding Area:</b> A residential neighborhood is depicted west of the Property.
1934	<b>Property:</b> The southwest corner of the Property is depicted as the location of Douglas Coal Company with 2 coal sheds and an office along the railroad siding. The northwest corner of the Property is depicted as the location of a 7-stall automotive shop for the Miller Cereal Mills. <b>Surrounding Area:</b> A residential neighborhood is depicted north and west of the Property. East of the Property (from north to south, respectively) are the Miller Cereal Mills factory, 3 railroad sidings with bulk oil facilities (Panbianca Oil Co., Derby Oil Co., Premium Oil Co., American Oil Co., Vogel Oil Co., and Champlin Refining Co.), and the Asphalt Paving Contractors facility and Western Mineral Products Co. Plant No. 1.
1962	<b>Property:</b> The southwest corner of the Property is depicted as the location of an asphalt facility. The northwest corner of the Property is depicted as the location of an office building for the Kellogg Co. Cereal Factory. <b>Surrounding Area:</b> A residential neighborhood is depicted north and west of the Property. East of the Property (from north to south, respectively) are the Kellogg Co. Cereal Factory, 3 railroad sidings with bulk oil facilities (Panbianca Oil Co., Derby Oil Co., Premium Oil Co., American Oil Co., and Milder Oil Co.), and the Asphalt Paving Contractors facility and Western Mineral Products Co. Plant No. 1.

FIRE INSURANCE MAP SUMMARY	
Year	Comments
1969	<p><b>Property:</b> The southwest corner of the Property is depicted as vacant land. The northwest corner of the Property is depicted as the location of an office building for the Salvation Army facility (former cereal mill).</p> <p><b>Surrounding Area:</b> A residential neighborhood is depicted north and west of the Property. The Salvation Army Store is depicted northeast of the Property. East of the Property (from north to south, respectively) are the Salvation Army facility, 3 railroad sidings with the Milder Oil Co. bulk oil facility, and the asphalt facility.</p>

The review of fire insurance maps identified the following features indicative of *recognized environmental conditions* at the Property and/or the immediate surrounding area:

- Vehicle service facility formerly located at the Property in the 1930s in vicinity of the current office building.
- Numerous bulk oil facilities with more than 40 ASTs located along the adjoining railroad sidings east of the Property.
- The Western Mineral Products Plant No. 1 located east of the Property. The EPA has documented that from the 1940s to 1989 the W.R. Grace Company processed more than 165,000 tons of vermiculite at their Western Mineral Products facility located at 3520 I Street in Omaha. The vermiculite was shipped to Omaha from their Libby, MT mine. It is unknown what, if any relationship exists between the Western Mineral Products Plant No. 1 located east of the Property and the 3520 I Street facility.

Copies of 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.com>. The Assessor Parcel ID number for the Property located at 2623 Center Street is 0224590001 and the Property parcel encompasses approximately 2.87-acres (125,296 square feet). Three structures are situated on the Property as follows: 4,000 s.f. office building constructed in 1945; 4,200 s.f. maintenance shop constructed in 1982; and 3,200 s.f. warehouse constructed in 1983. 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 provided no indication that any landfills were located in the vicinity of the Property. 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 work 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*

Benesch was not provided with any prior environmental reports for the Property to review for inclusion in this ESA report.

#### *Building Department Records*

According to Douglas County Assessor information accessed via the internet website <http://douglasne.mapping-online.com>, the Property buildings were constructed in 1945 (4,000 s.f. office), 1982 (4,200 s.f. maintenance shop) and 1983 (3,200 s.f. warehouse). A copy of the Douglas County Assessor information is provided in Appendix F. 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 HI (Heavy Industrial District). Properties in the area (east and south) are zoned HI, GI (General Industrial District) or RR (Railroad District). The residential neighborhoods to the north and west of the Property are zoned R7 (Medium Density Multiple Family Residential District). 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 July 31 and November 11, 2012 by Brian Fettin of Benesch. Mr. Fettin was accompanied by Mr. Ken Harding, Project Manager with Graham Enterprises, Inc. (Property Owner Representative). During the site reconnaissance, there were no conditions limiting observations (e.g. access issues, physical barriers, or weather). Photographic documentation of the site reconnaissance is provided in Appendix B.

### 6.2 General Site Setting

The Property consists of an office building, maintenance shop, warehouse and outdoor storage yard located at 2623 Center Street in an industrial area of Omaha. The Property parcel encompasses approximately 2.87-acres (125,296 square feet [s.f.]) with three structures located thereon (4,000 s.f. office, 4,200 s.f. shop, and 3,200 s.f. warehouse). The Property is currently leased by Aggregate Production Associates, Inc. (owner) to Utility Services Group, which utilizes the Property for office space, fleet maintenance, and equipment storage for their business operations. The area surrounding the Property is characterized by highway and railroad corridors, industrial land, and single-family residential use.

### 6.3 Site Reconnaissance Observations

The objective of the 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	
	Other Processes or Equipment	
Aboveground Chemical or Waste Storage	Aboveground Storage Tanks (ASTs)	
	Drums, Barrels and/or Containers > 5 gallons	X
	MSDS	X



SITE CHARACTERISTICS – CONTINUED		
Category	Site Feature	Observed
Underground Chemical or Waste Storage, Drainage or Collection Systems	Underground Storage Tanks (USTs)	X
	Sumps, Cisterns, Catch Basins and/or Dry Wells	X
	Grease Traps	
	Septic Tanks and/or Leach Fields	
	Oil/Water Separators	
	Pipelines	
	Interior Floor Drains	X
Electrical Transformers/PCBs	Transformers and/or Capacitors	
	Other Equipment	
Releases or Potential Releases	Stressed Vegetation	
	Stained Soil	X
	Stained Pavement	X
	Leachate and/or Waste Seeps	
	Trash, Debris, Waste Materials	
	Dumping or Disposal Areas	
	Construction/Demolition Debris	
	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	

#### *Drums, Barrels and/or Containers > 5 gallons*

During the site reconnaissance, five 55-gallon drums containing motor oil and waste oil were observed in the shop building at the Property. The drums at the Property are situated on concrete floors; however, numerous floor stains were observed in the area on the shop floor. According to Mr. Hal Kephart, General Manager with USG, waste oil and anti-freeze generated at the Property are stored in empty 55-gallon drums for off-site recycling and/or disposal by Jebro, Inc. Based on the extensive floor staining, the 55-gallon drum storage represents a *recognized environmental condition* for the Property.

#### *MSDS*

According to Mr. Kephart, USG keeps a repository of material safety data sheets (MSDS) for products it uses at the Property which is available to USG employees. The existence of MSDS at the Property in conjunction with their shop and equipment maintenance operations is not considered significant at this time.



### *Floor Drains & Catch Basins*

Several floor drains and two catch basins (silt traps) were observed in the shop building during the site reconnaissance. The floor drains at the Property are connected to the City of Omaha municipal waste water system. The existence of numerous floor stains in the area on the shop floor is indicative of general poor housekeeping in the conduct of maintenance operations and, in combination with nearby floor drains, represents a *recognized environmental condition*.

### *Electrical Transformers/PCBs*

No electrical transformers were observed at the Property during the site reconnaissance. Benesch contacted Mr. Richard Varner, Supervisor of Environmental Health & Safety and PCBs with the Omaha Public Power District (OPPD) for 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 spillage of poly-chlorinated biphenyls (PCBs) from electrical transformers in the vicinity of the Property. A copy of the OPPD information is provided in Appendix F.

### *Stained Soil and Pavement*

Numerous floor stains were observed on the concrete shop floor and the dirt floor of the equipment building during the site reconnaissance. The existence of numerous floor stains at the Property buildings is indicative of general poor housekeeping in the conduct of maintenance shop operations and represents a *recognized environmental condition*.

### *Potential UST or Mechanics Pit*

An apparent unused waste pit/receptacle was observed on the concrete shop floor during the site reconnaissance. The unknown status of the waste pit/receptacle at the Property with a site history of equipment maintenance represents a *recognized environmental condition*.

## 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
Property Owner	Mr. Donald D. Graham	President and Principal Owner	Aggregate Production Associates, Inc. and Graham Enterprises, Inc.	In-person site interview. User Questionnaire Telephone 402.895.5160
Property Representative	Mr. Ken Harding	Project Manager	Graham Enterprises, Inc.	In-person during site interview and site reconnaissance. Telephone 402. 895.5160
Current Property Occupant	Mr. Hal Kephart	General Manager	Utilities Services Group	In-person during portions of the site reconnaissance. Telephone 402. 342.3626
Local Utility	Mr. Richard Varner	Supervisor Environmental Health & Safety and PCBs	Omaha Public Power District (OPPD)	Benesch information request via electronic mail and OPPD hard copy response
Local Government Agency	Mr. Jon Ruff	Environmental Health Specialist, Sanitary Engineering Department	Douglas County Health Department	Telephone 402.444.7485

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

## 8.0 FINDINGS

### 8.1 Findings

#### Site Reconnaissance

The Property consists of an office building, maintenance shop, warehouse and outdoor storage yard located at 2623 Center Street in an industrial area of Omaha. The Property parcel encompasses approximately 2.87-acres (125,296 square feet [s.f.]) with three structures located thereon (4,000 s.f. office, 4,200 s.f. shop, and 3,200 s.f. warehouse). The Property is currently leased by Aggregate Production Associates, Inc. (owner) to Utility Services Group, which utilizes the Property for office space, fleet maintenance, and equipment storage for their business operations (underground utilities contractor). The area surrounding the Property is characterized by highway and railroad corridors, industrial land, and single-family residential use.

The existence of numerous floor stains in the area on the shop floor is indicative of general poor housekeeping in the conduct of maintenance operations and, in combination with nearby floor drains, represents a *recognized environmental condition*. In addition, an apparent unused waste pit/receptacle was observed on the concrete shop floor during the site reconnaissance. The unknown status of the waste pit/receptacle at the Property with a site history of equipment maintenance represents a *recognized environmental condition*.

#### Regulatory Records Review

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

The OLS listing on the NPL is a result of airborne lead particulate contamination of near surface soils over a widespread area of north-central, south-central, and downtown Omaha from historic lead smelting and recycling activities conducted at two former industrial facilities (Asarco and Gould Battery) which were located approximately 2.0-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* for the Property.

The Property (Drum Industries, 2623 Center Street) is listed as a CERCLIS-NFRAP site. According to EDR, the USEPA commenced discovery at the Drum Industries (DI) site in 1988, DI was identified as a Potential Responsible Party (PRP) in 1989 and a Preliminary Assessment (PA) was conducted in 1995. The site was designated 'No Further Remedial Action Planned' (NFRAP) following the PA in 1995 and the USEPA archived the site in 2008. Benesch conducted a review of NDEQ files regarding the DI site and concluded that the DI site is not located on the current Property parcel, even though the DI cleanup site street address is the same as the current Property street address. In addition, the EPA determined there was no additional threat to public or environment from the DI site. Therefore, the DI CERCLIS-NFRAP site does not appear to represent a *recognized environmental condition* for the Property at this time.

Additional federal database sites located within the relevant search distances from the Property include two CERCLIS sites, one CERCLIS-NFRAP site, and three RCRA generator sites. Based on current regulatory status and/or distance and estimated groundwater gradient relative to the Property, the above noted federal database sites do not represent a *recognized environmental condition* for the Property at this time.

The Property is listed in the EDR State Agency Database Listings as a State equivalent CERCLIS site which parallels the Federal CERCLIS-NFRAP designation previously discussed. Based on distance and estimated groundwater gradient relative to the Property and/or current regulatory status, the other five State equivalent CERCLIS sites do not represent a *recognized environmental condition* for the Property at this time.

There are eighteen (18) leaking underground storage tank (LUST) sites located within the relevant search radius of the Property; however only two of the LUST sites appear significant (Salvation Army, 2501 Center Street, adjoining parcel located east of the Property, 'No Further Action' [NFA] letter issued by the NDEQ; and Paxton-Mitchell steel facility, 2614 Martha Street, adjoining parcel located south of the Property, NFA letter issued by the NDEQ). Based on distance and estimated groundwater gradient relative to the Property and/or current regulatory status, none of the LUST sites represent a *recognized environmental condition* for the Property at this time.

There are six leaking above ground storage tank (LAST) sites located on the adjoining parcel east of the Property. The LAST sites are associated with Red Giant Oil or Milder Oil facilities, and five of the LAST sites are considered active or designated as 'Priority List' sites by the NDEQ. The adjoining Property LAST sites represent a *recognized environmental condition* for the Property.

The Property was not listed in the Orphan Summary. 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 Interview information, the Property is currently utilized by USG for office space, fleet maintenance, and equipment storage for their business operations (underground utilities contractor).

### **8.2 Historical Summary**

Based on historical sources, the Property was apparently undeveloped land until the 1930s. From the 1930s to 1945, the Property was part of the adjoining cereal mill facility and was utilized as a seven bay shop facility for the mill. From 1945 to 1980, the Property was a portion of the adjoining cereal mill facility or Salvation Army facility. From 1980 to present the Property has been utilized by (oldest listing to current, respectively) Drum Industries, Mid-American Industrial Storage, JJ Parks Asphalt, Aggregate Production Associates, and USG. Adjoining parcels to the east have historically been utilized for bulk oil storage. The historic land use of the Property is a concern, and the historic utilization of adjoining parcels for bulk oil storage represents 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 1890 (fire insurance map), 1898 (topographic map), 1915 (city directory), 1941 (aerial photograph) and 1945 (county assessor). Data gaps spanning more than five years exist and the use of the Property appears primarily unchanged during these data gaps. Therefore, in the opinion of the environmental professionals, these data gaps are not considered significant and do not affect our ability to identify *recognized environmental conditions* in connection with the Property.

## 9.0 OPINION

Benesch has 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 deletions from, this practice are described in Sections 2.2 and 2.4 of this report. This assessment has revealed evidence of *recognized environmental conditions* (RECs) in connection with the Property, and therefore, Benesch makes recommendations as described below.

This Phase I Environmental Site Assessment (ESA) was conducted on behalf of Aggregate Production Associates, Inc. and 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 in utilization of a Brownfields community wide assessment grant awarded by the United States Environmental Protection Agency to the Omaha Brownfields Coalition (USEPA Cooperative Agreement No. BF-97727801, dated October 1, 2011). The Omaha Brownfields Coalition subsequently directed Alfred Benesch & Company (Benesch) to perform an ESA on the Aggregate Production Associates parcel located at 2326 Center Street in Omaha, Douglas County, Nebraska (the “Property”).

The Property consists of an office building, maintenance shop, warehouse and outdoor storage yard located at 2623 Center Street in an industrial area of Omaha. The Property parcel encompasses approximately 2.87-acres (125,296 square feet [s.f.]) with three structures located thereon (4,000 s.f. office, 4,200 s.f. shop, and 3,200 s.f. warehouse). The Property is currently leased by Aggregate Production Associates, Inc. (owner) to Utility Services Group, which utilizes the Property for office space, fleet maintenance, and equipment storage for their business operations (underground utilities contractor). The area surrounding the Property is characterized by highway and railroad corridors, industrial land, and single-family residential use.

In the opinion of the environmental professionals, there are no significant data gaps that affect our ability to identify *recognized environmental conditions* in connection with the Property. Based on historical sources, the Property was apparently undeveloped land until the 1930s. From the 1930s to 1945, the Property was part of the adjoining cereal mill facility and was utilized as a seven bay shop facility for the mill. From 1945 to 1980, the Property was a portion of the adjoining cereal mill facility or Salvation Army facility. From 1980 to present the Property has been utilized by (oldest listing to current, respectively) Drum Industries, Mid-American Industrial Storage, JJ Parks Asphalt, Aggregate Production Associates, and USG.

Adjoining parcels located to the east of the Property have historically been utilized for bulk oil storage. The historic land use of the Property as a shop facility is a concern, and the historic utilization of adjoining parcels for bulk oil storage represents a *recognized environmental condition* for the Property. Therefore, Benesch recommends assessment of adjoining parcels for petroleum impacts to soil and groundwater in accordance with NDEQ Risk Based Corrective Action (RBCA) Tier 1 guidelines prior to redevelopment and reuse of the Property and vicinity.

The existence of numerous floor stains in the area on the shop floor is indicative of general poor housekeeping in the conduct of maintenance operations and, in combination with nearby floor drains, represents a *recognized environmental condition*. Therefore, Benesch recommends USG power wash the concrete shop floor surfaces to remove petroleum residues where practical, implement a 55-gallon drum storage containment system, and perform periodic maintenance of floor drains including silt traps and sumps. In addition, an apparent unused waste pit/receptacle was observed on the concrete shop floor during the site reconnaissance. The unknown status of the waste pit/receptacle at the Property with a site history of equipment maintenance represents a *recognized environmental condition*. Therefore, Benesch recommends further assessment to determine if, in fact, a waste oil UST is located at the shop on the Property. If a waste oil UST is discovered at the Property, Benesch recommends it be excavated and abandoned in accordance with applicable Nebraska State Fire Marshal regulations for fuel tanks.

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

The OLS listing on the NPL is a result of airborne lead particulate contamination of near surface soils over a widespread area of north-central, south-central, and downtown Omaha from historic lead smelting and recycling activities conducted at two former industrial facilities (Asarco and Gould Battery) which were located approximately 2.0-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* for the Property. Therefore, Benesch recommends sampling of site soils for lead contamination to determine what level of control (if any) may be appropriate for the Property.

The Property (Drum Industries, 2623 Center Street) is listed as a CERCLIS-NFRAP site. According to EDR, the USEPA commenced discovery at the Drum Industries (DI) site in 1988 and DI was identified as a Potential Responsible Party (PRP) in 1989. A Preliminary Assessment (PA) was conducted in 1995 and the site was designated 'No Further Remedial Action Planned' (NFRAP) at that time. The USEPA archived the site in 2008. Benesch conducted a review of NDEQ files regarding the DI site and concluded that the DI site is not located on the current Property parcel, even though the DI cleanup site street address is the same as the current Property street address. In addition, the EPA determined there was no additional threat to public or environment from the DI site. Therefore, the DI CERCLIS-NFRAP site does not appear to represent a *recognized environmental condition* for the Property at this time.



Additional federal database sites located within the relevant search distances from the Property include two CERCLIS sites, one CERCLIS-NFRAP site, and three RCRA generator sites. Based on current regulatory status and/or distance and estimated groundwater gradient relative to the Property, the above noted federal database sites do not represent a *recognized environmental condition* for the Property at this time.

The Property is listed in the EDR State Agency Database Listings as a State equivalent CERCLIS site which parallels the Federal CERCLIS-NFRAP designation previously discussed. Based on distance and estimated groundwater gradient relative to the Property and/or current regulatory status, the other five State equivalent CERCLIS sites do not represent a *recognized environmental condition* for the Property at this time.

There are eighteen (18) leaking underground storage tank (LUST) sites located within the relevant search radius of the Property; however only two of the LUST sites appear significant (Salvation Army, 2501 Center Street, adjoining parcel located east of the Property, 'No Further Action' [NFA] letter issued by the NDEQ; and Paxton-Mitchell steel facility, 2614 Martha Street, adjoining parcel located south of the Property, NFA letter issued by the NDEQ). Based on distance and estimated groundwater gradient relative to the Property and/or current regulatory status, none of the LUST sites represent a *recognized environmental condition* for the Property at this time.

There are six leaking above ground storage tank (LAST) sites located on the adjoining parcel east of the Property. The LAST sites are associated with Red Giant Oil or Milder Oil facilities, and five of the LAST sites are considered active or designated as 'Priority List' sites by the NDEQ. The adjoining Property LAST sites represent a *recognized environmental condition* for the Property. Therefore, Benesch recommends assessment of adjoining parcels for petroleum Impacts to soil and groundwater in accordance with NDEQ Risk Based Corrective Action (RBCA) Tier 1 guidelines prior to redevelopment and reuse of the Property and vicinity.

The Property was not listed in the Orphan Summary. 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.



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## 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.

## 12.0 REFERENCES

ASTM International, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*, ASTM Designation E 1527-05, November 2005.

Douglas County Assessor, Property records, parcel maps, and a zoning map accessed via the internet website <http://douglasne.mapping-online.com>.

Douglas County Engineer, aerial photographs dated 1941, 1955, 1965 and 1971.

Douglas County Health Department, *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.

Environmental Data Resources, Inc. (EDR), *The EDR Radius Map™ Report*; Inquiry No. 03371270.2r dated July 19, 2012.

EDR, *The EDR Aerial Photo Decade Package*, Inquiry No. 3371293.4 dated July 20, 2012. Aerial photographs dated 1994, 1990, 1988, 1982 and 1975.

EDR, *The EDR City Directory Abstract*, Inquiry No. 3446665.1 dated November 2, 2012. Includes R.L. Polk and Company, *Omaha, Nebraska Area Wide Directories* (and predecessor editions) dated 1915, 1926, 1931, 1936, 1941, 1946, 1951, 1956, 1961, 1965, 1970, 1975, 1980, 1985, 1990, 1995, 2001, 2007 and 2012.

EDR, *Certified Sanborn® Map Report*, Inquiry No. 3371270.3 dated July 20, 2012. Sanborn® fire insurance maps dated 1890, 1901, 1934, 1962 and 1969.

EDR, *EDR Historical Topographic Map Report*,  
United States Geological Society (USGS), 7.5 Minute Topographic Map Series *Omaha South, Nebraska-Iowa Quadrangle*, dated 1956 (photo-revised 1969, 1975 and 1984) and *Omaha South, Nebraska-Iowa Quadrangle*, dated 1994. USGS, 30 Minute Topographic Map Series *Omaha Vicinity, Nebraska Sheet*, dated 1898.

Nebraska Geologic Survey, *Geologic Bedrock Map of Nebraska*, compiled by Raymond Burchet, et al, Conservation & Survey Division, Institute of Agriculture and Natural Resources, University of Nebraska-Lincoln, dated 1986.

Conservation & Survey Division, Institute of Agriculture and Natural Resources, University of Nebraska-Lincoln, *Configuration of the Water Table, Nebraska-Spring 1979*, dated 1980.

United States Department of Agriculture (USDA) Soil Conservation Service, *Soil Survey of Douglas and Sarpy Counties, Nebraska*, published 1975; soils and geology information.

USGS, aerial photographs obtained from [GoogleEarth™](#) dated 2012, 2009, 2006, 2003 and 1999.

### 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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