



Phase I Environmental Site Assessment

Nye County Courthouse

1 Frankie Street
Tonopah, Nevada 89049

Nye County
Assessor's Parcel Number 008-311-01

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Environmental Services

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STANDARD ABBREVIATIONS

ACM	Asbestos Containing Material
APN	Assessor's Parcel Number
AST	Aboveground Storage Tank
ASTM	American Society for Testing and Materials
AUL	Activity and Use Limitation
BER	Business Environmental Risk
bgs	Below Ground Surface
CEM	Certified Environmental Manager
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CERCLIS	Comprehensive Environmental Response, Compensation, and Liability Information System
CFR	Code of Federal Regulations
CORRACTS	Corrective Actions
CREC	Controlled Recognized Environmental Condition
DRI	Desert Research Institute
ECHO	Enforcement and Compliance History Online
EDR	Environmental Data Resources, Inc.
EPA	United States Environmental Protection Agency
ERNS	Emergency Response Notification System
ESA	Environmental Site Assessment
FEMA	Federal Emergency Management Agency
GIS	Geographic Information System
HREC	Historical Recognized Environmental Condition
LBP	Lead Based Paint
LUST	Leaking Underground Storage Tank
NDEP	Nevada Division of Environmental Protection
NFRAP	No Further Remedial Action Planned
NPL	National Priority List
PAH	Polycyclic Aromatic Hydrocarbon
PCB	Polychlorinated Biphenyl
RCRA	Resource Conservation and Recovery Act
REC	Recognized Environmental Condition
SEMS	Superfund Enterprise Management System
SHWS	State Hazardous Waste Site
SVOC	Semivolatile Organic Compound
TSD	Treatment, Storage, and Disposal
UST	Underground Storage Tank
VEC	Vapor Encroachment Condition
VOC	Volatile Organic Compound
WRCC	Western Regional Climate Center

COMMON UNITS OF MEASURE

ft ²	Square foot
gal	Gallon
mg/kg	Milligram per kilogram
µg/kg	Microgram per kilogram
°F	degrees Fahrenheit

EXECUTIVE SUMMARY

BEC Environmental, Inc. (BEC) was retained by the Nevada Division of Environmental Protection (NDEP) Brownfields Program (Client) to perform a Phase I Environmental Site Assessment (ESA) of the Nye County Courthouse, located on Nye County Assessor's Parcel Number (APN) 008-311-01. The NDEP Brownfields Program is funded by a U.S. Environmental Protection Agency (EPA) 128(a) Brownfields Program Grant. The purpose of the Phase I ESA was to identify, to the extent feasible, recognized environmental conditions (RECs) in connection with the subject site. BEC performed the site reconnaissance on September 1, 2020. It should be acknowledged details were not included or fully developed in this section, and the report must be read in its entirety for a comprehensive understanding of the items contained herein. In summary, the following items were noted:

- The Nye County Courthouse is comprised of a 2.01-acre parcel located in Tonopah, Nevada on Nye County APN 008-311-01. The parcel has one 22,689-square-foot (ft²) building listed as "Old Courthouse" constructed in 1940 and one "outbuilding structure." However, according to historical records, the courthouse was constructed in 1905, with a two-story jail added in 1907. Additional renovations to the courthouse were completed in 1965. The additional building on the eastern side of the parcel was constructed in approximately 1981. A 2015 Building Sketch from the Assessor's Office depicted three sheds on the parcel. The original building was used as a courthouse and jail for Nye County until approximately 1995. At the time of this report, Nye County was renting space to non-profit organizations for daily use in the courthouse building and the additional building on the parcel.
- Historical documents obtained from the Nye County Assessor's Office list the Nye County Commissioners as the owner of the property at the time of this report.
- Based on reviews of topography maps and field observations, the site is located at a higher elevation than its surroundings, almost at the top of a hill, and local topography trends downward toward the south, west, and north. A steep cliff separates the subject site from the top of the hill on the eastern side. Although there is a lack of information regarding groundwater wells in the vicinity of the subject site, the local groundwater flow direction is expected to be south-southwest, following the same trend as regional groundwater flow. As a result of a 6.5 magnitude earthquake on May 15, 2020, subsequent aftershocks, and increased geologic activity in this area, subsurface fracturing may have impacted the direction of local groundwater flow.

The following is a summary of findings associated with the ESA performed for the subject site:

- The regulatory database report was purchased through Environmental Data Resources, Inc. (EDR) and the review of the report identified the following:
 - The subject site was listed in the State Underground Storage Tanks (UST) database.
 - One Superfund Enterprise Management System Archive (SEMS-Archive) facility, eight State Hazardous Waste Site (SHWS) facilities, one UST facility, eight Brownfields sites, and two Landfill/Solid Waste Disposal Recycling database sites were listed within their respective search radii from the subject site.
- Due to discrepancies in the location of some facilities in the databases arising from incomplete or incorrect addresses, some facilities were listed as un-mappable, otherwise known as "orphan sites." Orphan sites were reviewed and those determined to be within their respective ASTM search radii were mapped to the correct location, and the EDR Summary Radius Map Report was subsequently reissued to reflect those changes. The remaining 17 orphan sites were determined to be outside the search radius and therefore did not affect this project.
- Site reconnaissance revealed what appeared to be structural and weather damage to the buildings.

- Site reconnaissance revealed what appeared to be several materials with the potential to be asbestos-containing materials (ACMs) and lead-based paint (LBP) throughout all floors of the building, and on the exterior of the eastern building.
- A 1997 asbestos survey of selected building components confirmed ACMs in vinyl floor tile and mastic in five locations in the old courthouse and sheriff's office (jail), and the electrical panel insulation in the first-floor northwest entryway.
- Six above ground propane storage tanks were observed during the site visit, each of which appeared to be in good condition.
- A significant amount of piping was observed throughout the courthouse building, which appeared to be related to either water, sewer, or electrical conduit. No piping or other indications of an underground storage tank were observed during the site visit.
- Fluorescent tube lighting was observed throughout all floors of the courthouse building and in the eastern addition building during the site visit. Many were still attached to light fixtures, and those in storage did not appear to be damaged or present any indications of a material threat of future release.
- Many electrical panels were observed throughout the courthouse building, some of which may have been installed during the timeframe when polychlorinated biphenyls were manufactured in electrical equipment. However, none of the electrical panels observed appeared to be damaged or present any indications of a material threat of future release.

The first federal restriction of asbestos containing materials (ACMs) began in 1973 when the EPA, under the National Emission Standards for Hazardous Air Pollutants (NESHAP), banned spray-applied ACM for fireproofing and insulation purposes. This is detailed in 40 Code of Federal Regulations (CFR), Part 61, Subpart M. In 1975 the EPA amended the Asbestos NESHAP to ban the use of insulation containing asbestos that is molded and friable or wet applied specifically for boilers and hot water tanks. In 1977, the Consumer Product Safety Commission (CPSC) banned the use of asbestos in artificial fireplace embers as outlined in 16 CFR Part 1305 and 16 CFR Part 1304. In 1978, the EPA again under NESHAP 40 CFR Part 61, Subpart M, banned all other spray-applied ACM materials not already banned in previous laws. In 1989, the EPA, under the Toxic Substances Control Act (TSCA) 40 CFR 763, Subpart I, banned any new uses of asbestos in commercial products. The EPA final rule, issued in June of 2019, stated the manufacturing (including importing) or processing of new uses of asbestos containing materials is prohibited under the TSCA. This regulation stated new uses of ACMs may not enter the marketplace without an EPA evaluation of its intended use, and its potential environmental and health risks (EPA, 2019).

BEC has performed this Phase I ESA in conformance with the scope and limitations of American Society of Testing and Materials (ASTM) Standard E1527-13. Any exceptions to, or deletions from, this practice are described in Section 1.3 of this report. This assessment has revealed no evidence of recognized environmental conditions in connection with the property, except the following:

- The regulatory database review identified the subject site as the Nye County Sheriff's Office in the State UST database. According to case file records, the tanks were installed in May 1974, and were determined to be out of use as of January 1975. Due to the unknown quantity of gasoline and diesel fuel remaining after the USTs ceased to be used in 1975, lack of laboratory analytical data related to the UST removals in 1987, unknown location on the subject site, and recent earthquakes possibly affecting fracture-flow pathways from possible undocumented petroleum remaining in the soil from the time of UST removal, this was considered a REC for the subject site at the time of this report.

It is the opinion of BEC the identified conditions above warrant additional investigation.

In addition, BEC considers the following to be Business Environmental Risks (BERs):

- Based on the age of the building, renovations over time, materials of construction and a limited amount of information from a 1997 asbestos survey, BEC considered ACMs to be a BER.
- Based on the age of the building, BEC considered LBP to be a BER.
- Mold and staining potentially associated with mold due to water damage was considered to be a BER at the time of this report.
- Due to the amount of propane tanks and lines observed on the property, combined with the recent history of earthquakes in the local area, propane line tightness was considered to be a BER.

Waste associated with renovation activities, including fluorescent bulbs, lighting ballasts, and electrical equipment, should be characterized and disposed of in accordance with local, state, and federal regulations as a part of the clean-up and redevelopment process.

1 INTRODUCTION

BEC was retained by the Nevada Division of Environmental Protection (NDEP) Brownfields Program (Client) to perform a Phase I ESA of the Nye County Courthouse, located on APN 008-311-01. According to the Nye County Assessor, the site is comprised of a 2.01-acre parcel. According to the Assessor's improvement listing, there is one 22,689-square-foot (ft²) building listed as "Old Courthouse," and one "Outbuilding structure." A 2015 Building Sketch from the Assessor's Office depicted three sheds on the parcel. The location of the subject site is shown in the Vicinity Map and the Assessor's Parcel Map (**Attachment 1, Figure 1 and Figure 2**, respectively), and hereinafter referenced as the subject site. The subject site is located in Tonopah, Nevada as depicted in the Area Reconnaissance Map (**Attachment 1, Figure 3**). The following sections identify the purpose, detailed scope of services, significant assumptions, limitations and exceptions, and user reliance information relevant to the preparation of this Phase I ESA report.

1.1 Purpose

The purpose of this Phase I ESA was to identify any Recognized Environmental Conditions (RECs), Controlled Recognized Environmental Conditions (CRECs), Historical Recognized Environmental Conditions (HRECs), and/or Business Environmental Risks (BERs) that may be present due to past or present land use of the subject site and/or properties in the subject site vicinity, defined by ASTM E1527-13, *Standard Practice for Phase I Environmental Site Assessment* as follows:

Recognized Environmental Condition (REC) means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions.

A Controlled Recognized Environmental Condition (CREC) [is defined as] a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

A Historical Recognized Environmental Condition (HREC) [is defined as] a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting

unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls.

A Business Environmental Risk (BER) [is defined as] a risk which can have a material environmental or environmentally driven impact on the business associated with the current or planned use a parcel of commercial real estate.

This Phase I ESA reviewed the potential for Vapor Encroachment Conditions (VECs) that may be present due to past or present land use of the subject site and/or properties in the subject site vicinity. VECs are defined, by ASTM E2600-15, *Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions*, as the presence or likely presence of Chemicals of Concern that may migrate as vapors into the vadose zone (the area between the ground surface and the water table, in which vapors may migrate) of a property as a result of contaminated soil and/or groundwater on or near the property.

During the course of this assessment, specific existing, potential, or suspect conditions were evaluated that may pose an environmental liability with respect to hazardous substances and/or petroleum products for the current owner, future owners, or operators at the subject site (ASTM, 2013).

1.2 Scope of Work

The scope of work in performing this Phase I ESA included four main tasks: a regulatory records review, site reconnaissance, personal interviews, and report preparation.

BEC reviewed readily available records from Nye County and the regulatory compliance files of the EDR Radius Map™ Report with Geocheck® dated August 20, 2020. BEC conducted a digital records review through the Nye County Recorder's Office online database on August 24, 2020. BEC conducted a digital regulatory compliance file review through the Nevada Division of Environmental Protection (NDEP) on August 25, 2020. BEC performed the site reconnaissance on September 1, 2020, to make site observations of the subject site and nearby properties. BEC interviewed the property owner representative and property users on September 1, 2020, to obtain additional current or historic site use information (**Attachment 2 – Interview Documentation**). This report comprises the fourth and final task of the Phase I ESA process.

1.3 Limitations and Exceptions

The scope of this evaluation did not include: subsurface exploration, soil or water sampling, chemical analysis, or an evaluation of asbestos, biological agents, cultural and historic resources, ecological resources, endangered species, health and safety, indoor air quality (unrelated to releases of hazardous substances or petroleum products into the environment), industrial hygiene, lead, mold, radon, regulatory compliance, or wetlands. Properties surrounding the site were visually inspected from public rights-of-way or fence lines. Our observations were made from readily accessible vantage points. Although a reasonable effort was made to view relevant site features, some features may have been concealed from view.

While this report provides an overview of potential environmental concerns, both past and present, the environmental assessment is limited by the availability of information at the time of the assessment. It is possible unreported disposal of waste or illegal activities impairing the environmental status of the property may have occurred but could not be identified by the assessment. The findings and opinions regarding environmental conditions presented in this report are based on a scope of work authorized by NDEP. Note, however, no scope of work, no matter how exhaustive, can identify all contaminants or all conditions above and below ground.

1.4 Significant Assumptions

BEC used the services of a computer database firm to provide a listing of sites within the ASTM standard search distance around the site. BEC assumed the information in this report was accurate unless conflicting information was obtained from credible sources or field observations made by BEC's environmental professional(s) during the site reconnaissance indicated otherwise. Deviations are subsequently noted in this report.

Information regarding the subject site was reasonably ascertainable. Therefore, no other significant assumptions have been made in this report.

1.5 Special Terms and Conditions

The findings, opinions, and conclusions are based on an analysis of the observed site conditions and the referenced literature. It should be understood the conditions of a site can change with time as a result of natural processes or the activities of man at the subject site or within the site vicinity. Additionally, changes to the applicable laws, regulations, codes, and standards of practice may occur due to government action or the broadening of knowledge. The findings of this report may, therefore, be invalidated over time, in part or in whole, by changes over which neither NDEP nor BEC has any control. Neither NDEP nor BEC can warrant or guarantee that not finding indicators of any particular hazardous material means that this particular hazardous material or any other hazardous materials do not exist on the site. Additional research, including invasive testing, can reduce the uncertainty, but no techniques now commonly employed can eliminate the uncertainty altogether.

The environmental services described in this report have been conducted in general accordance with current regulatory guidelines and the standard of care exercised by environmental consultants performing similar work in the State of Nevada. No other warranty, expressed or implied, is made regarding the professional opinions presented in this report. This document is intended to be used in its entirety. No portion of the document, by itself, is designed to completely represent any aspect of the project described herein. NDEP or BEC should be contacted if the reader requires any additional information or has questions regarding the content, interpretations presented, or completeness of this document.

1.6 User Reliance

This report may be relied upon and is intended exclusively for use by NDEP and their assigns for the purposes stated within a reasonable time from issuance, but in no event later than 180 days from the date of the report. Land or facility use, on- and off-site conditions, regulations, or other factors may change over time, and additional work may be required with the passage of time. Since site activities and regulations beyond our control could change at any time after the completion of this report, our observations, findings, and opinions can be considered valid only as of the date of the site visit. This report should not be relied upon after 180 days from the date of its issuance (ASTM Standard). Any use or reuse of the findings, opinions, and/or conclusions of this report by parties' other than NDEP is undertaken at said parties' sole risk.

2 SITE DESCRIPTION

This section provides an overview of the subject site, as well as detailed information regarding site location, land use and zoning information, a description of the local and regional hydrogeological characteristics of the subject site, a list of structures and other improvements, and a general description of adjoining properties. Information regarding the current use of the site and adjoining properties was obtained during records research, site reconnaissance, and personal interviews.

2.1 Location and Site Description

The subject site is located at 1 Frankie Street, Tonopah, Nevada 89049, and is comprised of 2.01 acres with one non-dwelling unit, and one outbuilding structure. A 2015 Building Sketch from the Assessor's Office also depicted three sheds on the parcel. Please refer to the Vicinity Map (**Attachment 1, Figure 1**) and the Assessor's Parcel Map (**Attachment 1, Figure 2**) for the location of the subject site addressed for the purposes of this study. The Area Reconnaissance Map (**Attachment 1, Figure 3**) depicts observations of adjoining and nearby properties. The Site Reconnaissance Map (**Attachment 1, Figure 4**) depicts observations within the subject site. The FEMA Flood Zone Map (**Appendix A, Figure 5**) depicts the location of the subject site in Flood Zone X, an Area of Minimal Flood Hazard.

Based on information obtained from the Nye County Assessor's Office, the subject site comprises a 2.01-acre parcel. The subject site is located in a mixed-use neighborhood with primarily residential buildings. According to the Nye County Assessor's Office, the land use is classified as Offices, Professional and Business Services.

At the time of this report, Nye County was leasing space within the building to three local non-profit organizations. Over half of the building is out of use due to concern about poor structural conditions.

Based on information received from the Nye County Assessor's Office, the subject site includes the following improvements: one 22,689-ft² building listed and one outbuilding structure. A 2015 Building Sketch from the Assessor's Office depicted three sheds on the parcel. (**Attachment 3 – Local and Regulatory Records**). The subject site is serviced by NV Energy for electricity and Tonopah Public Utilities for water and sewer.

2.2 Current Use of Adjoining Properties

The current adjoining property uses are summarized in **Table 2-1**, below.

Table 2-1: Subject Site Adjoining Property Overview

Direction	Description
North:	Residential parcels across a small strip of undeveloped land and alleyways.
East:	Largely undeveloped land owned by the County.
South:	Residential parcels across a small strip of undeveloped land and alleyways.
West:	Residential parcel across an alleyway and Courthouse Road.

2.3 Physical Setting - Topography and Hydrogeology

The Site is located in Tonopah, Nevada, in the western part of the Great Basin section of the Basin and Range physiographic province. Tonopah is at the southern end of the San Antonio Mountains that separate Big Smoky Valley from Ralston Valley. These elongated valleys and range result from northeast-trending block faulting, a fundamental characteristic of the Basin and Range physiographic province.

Additionally, the Site is located northeast of Brougner Mountain. The geology typical of Brougner Mountain and other mountains along the west side of the San Antonio Range is a mix of older basalts interfingering with younger felsic volcanic rocks. Near Tonopah, Tertiary volcanic rocks crop out beneath the younger Fraction Tuff. The volcanic rocks at Tonopah are distinctive and include the Mizpah Trachyte, the principal ore-bearing formation in the area. Other formations associated with the area include the Siebert Tuff and Oddie Rhyolite (Ninyo and Moore, 2007).

Ephemeral washes carry sediments to alluvial fan deposits on the mountain flank. These alluvial fan deposits underlie the Site. As the distance increases from the source rock area, the sediments carried down to the alluvial fans become increasingly finer grained.

The dominant soil composition at land surface in the vicinity of the subject sites was based on information provided by Environmental Data Resources, Inc. (EDR), as supplied from the U.S. Department of Agriculture's Soil Conservation Service. The main soil component at the subject site is named Pintwater, a very cobbly fine sandy loam with very slow infiltration rates. The soil surface texture typical of the subject sites is a 3-inch layer of well drained, very cobbly fine sandy loam with very slow infiltration rates, overlying a three to sixteen-inch layer of extremely cobbly fine sandy loam. These types of soils are clayey, have a high water table, or are shallow to an impervious layer. No natural surface water bodies, including ponds, streams, or other bodies of water, are present on the site.

Northern portions of Nye County experience four seasonal changes with heavy rainstorms prevalent during late spring (May-June) and late summer (August). According to the Tonopah, Nevada (268160) station of the Western Regional Climate Center (WRCC), Tonopah's average maximum and minimum temperatures are 38.4°F and 22.8°F in January, and 87.4°F and 61.3°F in July. The average annual precipitation in Tonopah is 4.8 inches (WRCC, 2016). The snowmelt and limited precipitation infiltrate the subsurface through the bedrock and eventually becomes the shallow groundwater aquifer.

Tonopah is located primarily within Nevada Hydrographic Region 10 Basin 137A (Big Smoky Valley/Tonopah Flat), on the border of Basin 141 (Ralston Valley) to the east. According to Esmeralda County's Water Resources Plan, "The lower portion of the Big Smoky Valley hydrographic basin discharges mostly to the Clayton Valley basin. The Division of Water Resources has indicated that some groundwater may discharge from Big Smoky Valley to Columbus Salt Marsh. Recharge to lower Big Smoky Valley is mostly from the northern portions of Big Smoky Valley." Similarly, Ralston Valley, primarily in Nye County, discharges water to the west-southwest toward the Alkali Springs Valley in Esmeralda (Farr West Engineering, 2012).

A groundwater monitoring well (NV Well #32280) located approximately 4,427 feet (ft) north-northwest the subject site and approximately 160 ft lower in elevation, was determined to have a 10.5-ft depth to groundwater when drilled in 1988. Regional groundwater flow direction is expected to be south-southwest. However, as a result of a 6.5 magnitude earthquake on May 15, 2020, subsequent aftershocks, and increased geologic activity in this area, subsurface fracturing may have impacted the direction of local groundwater flow.

Additional physical setting documentation is provided in **Attachment 4 – EDR Summary Radius Map Report**.

3 USER PROVIDED INFORMATION

The following section discusses information provided during interviews with persons associated with the subject site and/or its representatives during the course of this study (**Attachment 2**).

3.1 Reason for Performing a Phase I

Nye County requested a Phase I ESA of the Courthouse to evaluate the potential hazards associated with the building prior to renovations, including potential structural issues that resulted from a 6.5-magnitude earthquake that struck on May 15, 2020.

3.2 Owner, Property Manager, and Occupant Information

Nye County owns the property, and the Nye County Commissioners are listed as the owner on the Assessor's parcel record. At the time of this report, tenants of the courthouse building included a local 4-H chapter, WestCare Nevada, and the Nye Communities Coalition. The eastern building, likely the building referred to as the "outbuilding structure" in the Assessor's records, was occupied by a family services office and a rescue squad.

3.3 Environmental Liens or Activity and Use Limitations

Based on information provided during interviews with the property owner representative, William Allen, Nye County Facilities Director, and based on information obtained from the Nye County Recorder's office, no environmental liens or activity and use limitation (AULs) are associated with the subject site (**Attachment 3**).

The Nevada State Historic Preservation Office's Commission for Cultural Affairs and Nye County have a cultural covenant recorded on the deed of the Nye County Courthouse as of January 7, 2008 (**Attachment 3**). This covenant stipulates that no visual or structural alterations will be made to the property without written permission of the State. The covenant will expire on December 31, 2058.

3.4 Specialized Knowledge

When queried regarding specialized knowledge concerning the environmental status and potential issues of concern, Mr. Allen stated he has known of the building since 1987 and has been Nye County's Facilities Director for two years. He is responsible for building maintenance and upkeep of the Nye County Courthouse.

One of the tenants of the courthouse building, Dakota Terry of WestCare Nevada, stated she did not have any specialized knowledge concerning the environmental status and potential issues of concern for the building.

3.5 Commonly Known or Reasonably Ascertainable Information

When queried regarding commonly known or reasonably ascertainable information concerning the environmental status and potential issues of concern, Mr. Allen stated an asbestos survey was completed and confirmed some areas of ACMs within the courthouse building. He stated there were also heating oil tanks on the property that had been removed, and he did not know of any releases or cleanups associated with heating oil tanks. He was aware of six total propane tanks on the property, four for the courthouse building, and two for the building on the eastern side of the subject site. Ms. Terry stated she was aware of some staining on some ceiling tiles on the south side of the building likely related to water damage.

3.6 Valuation Reduction for Environmental Issues

When queried regarding valuation reduction for environmental issues, Mr. Allen stated the question was not applicable as this property was not for sale.

4 RECORDS REVIEW

The following sections include results and discussion of the search of local, state, and federal standard record sources.

4.1 Title Records

Although there are no title records associated with the parcel, information retrieved from the Nye County Assessor's Office on August 21, 2020, confirmed the Nye County Commissioners as the current owner(s) of the subject site (**Attachment 3**). The land for the Nye County Courthouse was donated by the Tonopah

Mining Company and construction on the courthouse was completed in 1905 (Janus Associates, 1980). The Nye County Commissioners have been the sole owners of the parcel since the donation of the land. Therefore, there was no readily accessible ownership history information related to the parcel at the time of this report.

4.2 Environmental Database Search

A search of available federal and state environmental records was obtained from EDR. A copy of the documents provided by EDR can be found in the below referenced attachments:

- **Attachment 3 – Local and Regulatory Records**
- **Attachment 4 – EDR Summary Radius Map Report**
- **Attachment 5 – Historical Map Reports and Imagery Data**

The regulatory database search contained within the EDR Summary Radius Map Report (**Attachment 4**) was reviewed to assess possible RECs within the ASTM approximate minimum search distances. Some records reviewed pertain not only to the property, but also to properties within an additional approximate minimum search distance in order to help assess the likelihood of migrating hazardous substances or petroleum products. Relevant regulatory records for the case files discussed below are included in Attachment 3.

Numerous databases were searched during the preparation of this report. Those required under ASTM Standards E1527-13 and E2600-15 (ASTM, 2015) have been selected for discussion, in addition to noteworthy sites returned from supplemental databases, as applicable. Minimum search distances established by the ASTM Standard were requested for each of the required federal and state databases. Where the ASTM Standard for Phase I Environmental Site Assessments requires the database to be searched for the property and adjoining properties the minimum search distance is 0.125 miles. The required databases, database update information, and search distances, as well as the number of sites identified within the associated search radii are summarized in **Table 4-1** and **Table 4-2**. Additional database results are summarized in **Table 4-3**.

Table 4-1: Federal Environmental Records

Record Source	ASTM / EDR Search Distance (miles)	Within Subject Site	Within Search Radii	REC Identified
National Priorities List (NPL) Facilities	1.0	0	0	No
Delisted NPL Facilities	0.5	0	0	No
Superfund Enterprise Management System (SEMS) Facilities [formerly Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) Facilities]	0.5	0	0	No
SEMS - Archive [formerly CERCLIS No Further Remedial Action Planned (NFRAP) Facilities]	0.5	0	1	No

Record Source	ASTM / EDR Search Distance (miles)	Within Subject Site	Within Search Radii	REC Identified
Resource Conservation and Recovery Act (RCRA), Corrective Actions (CORRACTS) Treatment, Storage, and Disposal (TSD Facilities)	1.0	0	0	No
RCRA Non-CORRACTS TSD Facilities	0.5	0	0	No
RCRA Non-Generators	0.125	0	0	No
RCRA Large Quantity Generators	0.125	0	0	No
RCRA Small Quantity Generators	0.125	0	0	No
RCRA Very Small Quantity Generators [formerly Conditionally Exempt Small Quantity Generators]	0.125	0	0	No
Federal Institutional/Engineering Control Registries	Property Only	0	0	No
Federal Emergency Response Notification System (ERNS) List	Property Only	0	0	No

Table 4-2: State Environmental Records

Record Source	ASTM / EDR Search Distance (miles)	Within Subject Site	Within Search Radii	REC Identified
Equivalent NPL Facilities	1.0	0	0	No
Equivalent SEMS-CERCLIS Facilities [State Hazardous Waste Site (SHWS)]	0.5	0	8	No
Leaking Underground Storage Tanks (LUST)	0.5	0	0	No
Registered Underground Storage Tanks (UST)	0.125	1	1	Yes
Registered Above Ground Storage Tanks (AST)	0.125	0	0	No
Institutional/Engineering Control	0.5	0	0	No
Voluntary Cleanup Sites	0.5	0	0	No
Brownfield Sites (State and Local Records)	0.5	0	8	No
Landfill/Solid Waste Disposal Sites	0.5	0	2	No

Table 4-3: Additional Relevant Environmental Records

Record Source	EDR Search Distance (miles)	Within Subject Site	Within Search Radii	REC Identified
EDR Manufactured Gas Plants	1.0	0	1	No

United States EPA, NPL

The EPA NPL database comprises confirmed or proposed hazardous waste sites targeted for possible long-term remedial action under the Superfund Program.

Neither the subject site nor facilities/properties within a 1-mile radius of the subject site were listed.

United States EPA, Delisted NPL

The EPA Delisted NPL database is a subset of the NPL.

Neither the subject site nor facilities within a 0.5-mile radius of the site were listed.

United States EPA, SEMS (formerly the CERCLIS List)

The Superfund Enterprise Management System (SEMS) (formerly CERCLIS) list is an EPA list of sites that are either proposed for or are on the NPL and sites that are in the screening and assessment phase for possible inclusion on the NPL. CERCLIS was renamed to SEMS by the EPA in 2015. Facilities identified by the EPA, which may have the potential for releasing hazardous substances into the environment are provided in the SEMS facilities list.

Neither the subject site nor facilities within a 0.5-mile radius of the site were listed.

United States EPA SEMS-Archive (formerly CERCLIS-NFRAP)

The SEMS-Archive tracks sites that have no further Federal Superfund Program remedial actions based on available information. CERCLIS-NFRAP was renamed SEMS-Archive by the EPA in 2015. The SEMS-Archive list is an EPA database of former SEMS sites where no further remedial action is planned (NFRAP) under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). SEMS-Archive sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly without the need for the site to be placed on the NPL, or the contamination was not serious enough to require Federal Superfund action or NPL consideration.

The EDR Summary Radius Map Report identified one site within a 0.5-mile radius of the subject site.

The MINEOP Corporation Johnson Mine, Site ID 0902958, was located 0.141 miles north of the subject site at 459 Mizpah Circle. A discovery event occurred on June 1, 1980. Contaminants were not reported in the EDR report or the database listings. A preliminary assessment took place between January 1, 1986, and June 1, 1987. On June 1, 1987, the site was archived by the EPA. Although contaminants were not listed in the reports searched, the address provided was a single-family residential parcel and it is unlikely a release for possible listing on the NPL would have occurred at this location. There were no other records of a Johnson Mine located in or near Tonopah, therefore, this was likely the business address or mailing address of the mine. This site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

United States EPA, RCRA, CORRACTS List

This list is a database of facilities subject to corrective action under RCRA. The list generally identifies EPA-listed facilities that have reported a release of hazardous waste or constituents into the environment and are undergoing corrective action. Corrective action may be required beyond the facility's boundary and can be required regardless of when the release occurred.

Neither the subject site nor facilities within a 1-mile radius of the site were listed.

United States EPA, RCRA non-CORRACTS, TSD Facilities List

This database identifies EPA-listed facilities which report storage, treatment, and/or disposal of hazardous waste under the EPA's RCRA program.

Neither the subject site nor facilities within a 0.5-mile radius of the site were listed.

United States EPA, RCRA Non-Generators List

This database identifies EPA-listed facilities which may store or transport hazardous waste or meet other RCRA requirements but do not generate hazardous waste.

Neither the subject site nor facilities within a 0.125-mile radius of the site were listed.

United States EPA, RCRA Generators List

This database identifies EPA-listed facilities which generate or transport hazardous waste or meet other RCRA requirements. The types of facilities within this database include: Large Quantity Generators, Small Quantity Generators, and Conditionally Exempt Generators.

Neither the subject site nor facilities within a 0.125-mile radius of the site were listed.

Federal Institutional Control/Engineering Control Registries

These registries comprise information obtained from two main sources. The first source, the Brownfield Management System, is a database designed to assist the EPA in collecting, tracking, and updating information relevant to federal, state, and local Brownfield programs. The Small Business Liability Relief and Brownfields Revitalization Act ("Brownfields Law," Public Law 107-118) defines a brownfield site as "real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant," as defined in CERCLA. The second source is a database of Superfund sites that have either an engineering or institutional control.

The subject site was not listed.

Federal ERNS List

This list comprises a database of emergency response actions and may include reported CERCLA hazardous substance releases or spills in quantities greater than the reportable quantity, as maintained at the National Response Center. Data since January 2001 has been received from the National Response System database as EPA no longer maintains this data.

The subject site was not listed.

State/Tribal Equivalent NPL: NDEP, Superfund Branch

The EPA NPL database comprises confirmed or proposed hazardous waste sites targeted for possible long-term remedial action under the Superfund Program. In Nevada, state equivalent NPL Facilities and/or sites are designed and overseen by NDEP, Bureau of Corrective Actions, Superfund Branch.

Neither the subject site nor facilities within a 1-mile radius of the site were listed.

State/Tribal Equivalent SEMS (formerly CERCLIS): NDEP Bureau of Corrective Actions, SHWS List

The NDEP Bureau of Correction Actions maintains a list and oversees cleanup of releases of regulated substances.

The EDR Summary Radius Map Report identified eight sites within a 0.5-mile radius of the subject site. Due to unknown groundwater conditions due to lack of well information near the subject site and

potential changes to preferential subsurface flow patterns from earthquakes, the eight sites are discussed in further detail below.

Tonopah Shell (referenced in NDEP case files as Texaco Station), Facility ID: 7-000015, was located 0.051 miles southwest of the subject site at 459 Erie Main Street. A spill was reported when a pinhole leak on a diesel fuel extraction pipe was discovered. The leak was repaired within a half hour of discovery and approximately 50 gallons of diesel were released. Confirmation sampling after site cleanup activities indicated TPH was present at 29 mg/L, 32 mg/L, and 35 mg/L. NDEP required no further action in a letter dated December 31, 1991.

In a separate event, Facility ID 7-000015 was reported to NDEP for a release of gasoline from a UST on October 10, 2000. Laboratory analytical results indicated TPH gas range organics was present at 450 mg/kg, 160 mg/kg, and 640 mg/kg in the vicinity of the release. Additional characterization indicated ethylbenzene, toluene, and xylenes were present at 7,884 micrograms per kilogram ($\mu\text{g/kg}$), 302 $\mu\text{g/kg}$, and 16,726 $\mu\text{g/kg}$, respectively. An NAC 445A.227 A-K assessment was performed, indicating depth to groundwater was understood to be at least several hundred feet deep with no drinking water wells in the vicinity of the release, as Tonopah drinking water was supplied from wells in Ralston Valley; contaminant vertical migration was limited by geology of the site; no preferred routes of migration were identified; and no evidence contamination migrated off-site. NDEP concurred and granted a NAC 459 A-K closure in a letter dated November 14, 2000. Facility maps provided with the assessment indicate this facility was located at 495 Main Street, approximately 0.66 miles north-northwest of the subject site. However, historic aerial images do not indicate the presence of fuel islands on this site and Facility ID 7-000015 has four fuel USTs currently in use on site. Based on this information, it appears the facility is located at 459 Main Street, 0.051 miles southwest of the subject site. Topographic maps indicate the Tonopah Shell Station (Texaco Station) is located at an approximately 40-ft lower elevation than the subject site. In addition, the topographical gradient decreases along Erie Main Street, indicating the preferential surface water flow path would be along this street and away from the subject site. Based on the regulatory closure and intervening topographical characteristics of this facility relative to the subject site, this site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

Nevada Department of Transportation, Facility ID: 7-000077, was located 0.156 miles southeast of the subject site at 805 Erie Main Street. The facility was reported to NDEP for a release associated with an unregulated 750-gallon UST containing waste oil. The UST was removed, and impacted soil was excavated. Confirmation sampling indicated soil remaining on site had concentrations of TPH less than the NDEP reportable concentration for TPH of 100 mg/kg. Soils weighing 34.85 tons were removed and thermally treated. NDEP issued a no further action letter on December 7, 1995. Although this site is at the same relative elevation as the subject site, any soil contamination would likely have followed the path of least resistance and flowed toward lower elevations. Based on the regulatory closure, the relative lack of mobility of waste oil through soil, and the remediation activities, this site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

First Interstate Bank, Facility ID: G-000119, was located 0.204 miles northwest of the subject site at 132 Erie Main Street. According to the NDEP case file for this site, one 500-gallon heating oil UST was removed, and the soil underneath was tested upon removal on June 1, 1993. TPH was found in excess of the regulatory limit of 100 milligrams per kilogram (mg/kg) in each location tested: along the east and west walls, and on the north and south ends of the tank pull. Remedial activities included the excavation of 30 to 40 tons of contaminated soils. One confirmation soil sample was taken from the bottom of the excavation and the analysis was non-detect for TPH. NDEP issued a No Further Action letter for the site on July 6, 1993. Based on information that soils were impacted to a shallow extent below a heating oil

tank, groundwater was not impacted, contaminated soils removal, and regulatory closure, this site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

Alltel Services Corporation, Facility ID G-000281, was located 0.250 miles west of the subject site at 185 Patrick Street. Based on the EDR Report, a release of heating oil impacted soil. The NDEP case file indicated the release was discovered when two heating oil USTs (one 1000-gallon and one 550-gallon) were closed in place by filling with concrete on July 17, 1995. Soil samples collected adjacent to the 1000-gallon tank were non-detect for TPH. One soil sample collected from adjacent to the 550-gallon tank recorded a TPH concentration of 7,890 mg/kg; the other soil sample collected adjacent to the 550-gallon tank was non-detect for TPH. Follow up soil borings collected from a location between Alltel Services Corporation and the subject site were non-detect for TPH. NDEP granted a Nevada Administrative Code (NAC) 459 A-K closure on December 26, 1995, based on the lack of groundwater impact and low potential for migration of the constituents of concern. Based on the removal of the source of contamination, lack of mobility of heating oil petroleum hydrocarbons through the soil, the time since release, and regulatory closure, this site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

Nye Regional Medical Center, Facility ID: 7-000094, was located 0.297 miles southeast of the subject site at 825 South Main Street. On December 3, 1998, a 750-gallon heating oil tank was closed in place with 176 mg/kg diesel and oil range petroleum hydrocarbons detected in one confirmation sample. NDEP issued a NAC 445 A-K closure on February 3, 1999. Based on the regulatory closure, limited mobility of diesel and oil range petroleum hydrocarbons through soil, the removal of the source of the contamination, and the distance between NRMC and the subject site, this facility was not considered a REC, CREC, or HREC for the subject site at the time of this report.

Western Energetix, Facility ID 7-000065, was reportedly located 0.298 miles north northwest of the subject site at 369 North Main Street. The NDEP case file indicated petroleum hydrocarbon impacted soils were discovered during UST upgrade activities. Remediation activities included excavation of approximately 61 tons of contaminated soil. Soil analytical data indicated one sample location contained 4,600 mg/kg diesel range petroleum hydrocarbons, one sample location contained 57 mg/kg diesel range petroleum hydrocarbons, and two samples were non-detect for total petroleum hydrocarbons. NDEP granted NAC 459 A-K closure on January 5, 1996. Based on the regulatory closure, the distance from the subject site, the lack of impact to groundwater, and lack of mobility of diesel range petroleum hydrocarbons through soil, this site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

Joe's Unocal 76 Station, Facility ID: 7-000152, was located 0.382 miles northwest of the subject site at 250 Main Street. The EDR Report indicated the facility was granted a clean closure on October 10, 1996. The NDEP case file stated confirmation soil samples collected as part of UST closure were non-detect for TPH and for toxicity characteristic leaching protocol metals. Based on the regulatory closure, analytical data, and distance from the subject site, this site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

U.S. Postal Service, Facility ID: 7-000083, was located 0.398 miles northwest of the subject site at 201 Main Street. A release of heating oil was discovered during the closure and assessment of a 5,000-gallon UST at the U.S. Main Post Office. A NAC 459 A-K closure was granted on August 14, 1997, with approximately 200 mg/kg diesel range and oil range petroleum hydrocarbon contamination remaining on site. Based on the regulatory closure and limited mobility of diesel and oil range organics through soil, this site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

Table 4-4: State/Tribal Equivalent SEMS (formerly CERCLIS) Sites

Location Name/Facility ID	Address	Distance/ Direction from Site (miles)	Media / Contaminant	Date Closed
Tonopah Shell (Texaco) / 7-000015	459 Erie Main	0.051 / Southwest	Soil / TPH	December 31, 1991
Tonopah Shell (Texaco) / 7-000015	459 Eric Main	0.051 / Southwest	Soil / Gasoline	November 14, 2000
Nevada Department of Transportation / 7-000077	805 Erie Main Street	0.156 / Southeast	Soil / Waste Oil	December 7, 1995
First Interstate Bank / G-000119	132 Eric Main Street	0.204 / Northwest	Soil / Heating Oil	July 14, 1993
Alltel Services Corporation / G-000281	185 Patrick Street	0.250 / Northwest	Soil / Heating Oil	December 26, 1995
Nye Regional Medical Center / 7-000094	825 S. Main Street	0.297 / Southeast	Soil / Diesel	February 3, 1999
Western Energetix / 7-000065	369 North Main Street	0.298 / Northwest	Soil / Diesel	January 5, 1996
Joe's Unocal 76 Station / 7-000152	250 Main Street	0.382 / Northwest	No Impact / Clean Close	October 10, 1996
U.S. Postal Service / 7-000083	201 Main St	0.398 / Northwest	Soil / Diesel and Oil	August 14, 1997

State/Tribal LUST: NDEP, Bureau of Corrective Actions, LUST List

The LUST Information System is maintained by NDEP, Bureau of Corrective Actions. The Bureau maintains an inventory of sites with leaking underground storage tanks, including sites with tanks under investigation for potential leaks, confirmed leaks, and those to be closed.

Neither the subject site nor facilities within a 0.5-mile radius of the site were listed.

State/Tribal UST/AST: NDEP, Bureau of Corrective Actions, UST/AST Registration

This list identifies facilities containing registered USTs and/or ASTs.

The EDR Summary Radius Map Report identified the subject site and one additional downgradient site within a 0.125-mile radius of the subject site.

The Nye County Sheriff's Office (now the Nye County Courthouse), Facility ID: 7-000055, was located on the subject site at 1 Frankee Street (also known as Frankie Street). One 10,000-gallon gasoline UST and one 10,000-gallon diesel UST were installed at the subject site in May 1974. Based on information contained in the EPA Form – Tank Data as of January 9, 1987, the USTs were last used on January 1, 1975, with an unknown quantity of gasoline and diesel remaining. According to a letter from the Echo Bay Management Corporation to NDEP, both tanks had been removed from the subject site as of April 8, 1988. However, no analytical data confirming the concentration of TPH in the proximity of tank closure as part of the closure process was included with available case file information. Due to the unknown quantity of gasoline and diesel fuel remaining after the USTs ceased to be used in 1975, lack of laboratory analytical data related to the UST removals, and location on the subject site, this was considered a REC for the subject site at the time of this report. Additional information for this case file is shown in bold on **Table 4-5**.

Tonopah Shell (referenced in NDEP case files as Texaco Station), Facility ID: 7-000015, was located 0.051 miles southwest of the subject site at 459 Erie Main Street. According to the EDR Report, there were four USTs in use at the property at the time of this report. Based on the information provided in the

SHWS section, this site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

Table 4-5: State/Tribal UST Database

Location Name/Facility ID	Address/Direction	Tank Status	Capacity	Containment Material
Nye County Sheriff's Office / 7-000055	1 Franklee Street / Subject Site	Removed (both)	(1) 10,000-gal gasoline (1) 10,000-gal diesel	Black iron (both)
Tonopah Shell (Texaco) / 7-000015	459 Erie Main / 0.051 miles southwest	Currently in Use (all)	(1) 10,000-gal diesel (3) 10,000-gal gasoline	Double-walled fiberglass plastic piping and lined interior steel tank (all)

State/Tribal Institutional Controls/Engineering Controls/Voluntary Cleanup Sites

Institutional controls (administrative and legal controls) and engineering controls (physical barriers or processes) are designed to minimize the potential for human exposure to contaminants. NDEP provides oversight for the Nevada Voluntary Cleanup Program, which provides relief from liability to owners who undertake cleanups of contaminated properties.

Neither the subject site nor facilities within a 0.5-mile radius of the site were listed.

State/Tribal Brownfield Sites

NDEP Bureau of Corrective Actions maintains a list of Brownfield sites as part of its listing of clean-up evaluations and actions regarding sites with actual or potential contamination.

The EDR Summary Radius Map Report identified eight sites within a 0.5-mile radius of the subject site. None were downgradient or upgradient of the subject site. Due to unknown groundwater conditions due to lack of well information near the subject site in addition to recent geologic fracturing activity from earthquakes, the cross-gradient sites are discussed in further detail below.

Belvada Apartments, EPA Assessment, Cleanup and Redevelopment Exchange System (ACRES) ID: 124561, was located approximately 0.234 miles northwest of the subject site at 14 Main Street. A Phase II ESA conducted in June 2011 identified asbestos containing materials (ACM), lead-based paint (LBP), and mold on the property. According to the EPA ACRES database, the cleanup project was completed on June 30, 2012. Based on the type of contaminants identified on this site and the completed cleanup activities, this brownfield did not appear to be a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

The Tonopah Library Expansion, EPA ACRES ID: 234989, was located 0.284 miles northwest of the subject site at 155 Central Street. A Phase II ESA conducted in January 2019 identified the following soil contaminants: TPH, volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs), polycyclic aromatic hydrocarbons (PAHs), and lead; and the following contaminants in building materials: ACMs and LBP. According to the Phase II ESA, the total volume of impacted soil appeared to be less than three cubic yards, the NDEP threshold for spill reporting. The cleanup project had not been completed at the time of this report. However, based on the limited volume of soil contamination, the type of other contaminants identified, and distance from the subject site, this site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

The Nye Regional Medical Center, EPA ACRES ID: 240403, was located 0.297 miles southeast of the subject site at 825 South Main Street. A Phase I ESA was completed on May 31, 2017. According to the ACRES database, a Phase II Hazardous Building Materials Survey identified ACMs and LBP in the building materials. Based on the type of contaminants identified on this site and distance from the subject

site, this site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

The Tonopah Convention Center, EPA ACRES ID: 132583, located approximately 0.328 miles north-northwest of the subject site at 301 Brougner Avenue, was assessed through the State of Nevada 128(a) Brownfields Program in 2012. According to the EPA ACRES database, the Phase II ESA identified non-friable asbestos in building materials, and institutional controls were implemented to maintain the non-friable condition of these building materials. All soil samples collected contained arsenic above the NDEP reportable concentration. However, background levels of arsenic are high in this region, and no further investigation was deemed necessary. Based on the type of contaminants identified on this site and distance from the subject site, this site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

Logan Field Road, EPA ACRES ID: 108561, was located 0.385 miles southeast of the subject site at Logan Field Road. A Phase I ESA was completed on December 11, 2009, in which no potential contaminants were identified. Based on no RECs connected to the site, this site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

The Silver Strike Motel (also known as the Pink Motel), EPA ACRES ID: 12037, was located 0.398 miles northwest of the subject site at 201 North Main Street. Two Phase I ESAs were completed for the site, the most recent of which was completed on March 31, 2004. A Phase II Hazardous Building Materials Survey identified ACMs in building materials and polychlorinated biphenyls (PCBs) items throughout the building. The hotel was demolished in 2005 and the site was redeveloped. Based on the type of contaminants identified on this site and the completed cleanup activities, this site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

The U.S. Postal Service, Facility ID: G-000023, was located approximately 0.398 miles north of the subject site at 201 Main Street and was discussed above under the SHWS database listings. Brownfields funding was used to remediate the site, which was granted a NAC 459 A-K closure with diesel and oil range organic soil contamination remaining on site. Based on the regulatory closure, limited mobility of diesel and oil range organics through soil, and the distance from the subject site, this site was not considered a REC, CREC, or HREC for the subject site at the time of this report.

Knapp Avenue and Central Street, EPA ACRES ID: 81821, was located 0.475 miles northwest of the subject site. The Phase I ESA, completed on October 10, 2007, did not identify any potential contaminants. Based on no RECs connected to the site, this site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

State/Tribal Landfill/Solid Waste Disposal Sites: NDEP, Bureau of Waste Management, Landfill List
NDEP Bureau of Waste Management, Solid Waste Management Branch, maintains lists of facilities including active solid waste disposal sites, inactive or closed solid waste disposal sites, transfer facilities, and solid waste recycling facilities.

The EDR Summary Radius Map Report identified two sites within a 0.5-mile radius of the subject site.

NAPA Auto Parts was located 0.302 miles northwest of the subject site at 368 North Main Street. According to the EDR Report, this site accepted batteries, used oil, and transmission fluid for recycling. As this listing was not associated with a release to the environment, no onsite recycling, and distance from the subject site, this site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

Ford-Mercury was located 0.336 miles northwest of the subject site at 325 Main Street. According to the EDR Report, this site accepted used oil and transmission fluid for recycling. As this listing was not associated with a release to the environment, and due to distance from the subject site, this site was not considered a REC, CREC, HREC, BER, or VEC for the subject site at the time of this report.

State/Tribal Open Dump Inventory

An open dump is defined as a disposal facility that does not comply with one or more of the 40 Code of Federal Regulations (CFR) Part 257 or Part 258 Subtitle D Criteria, which establish revised minimum federal criteria that include location restrictions, facility design and operating criteria, groundwater and landfill gas monitoring requirements, corrective action requirements, financial assurance requirements, and closure and post-closure care requirements.

The EDR Report identified no open dump inventory listings within the 0.5-mile search radius.

Orphan Sites

Due to discrepancies in the location of some facilities in the databases arising from incomplete or incorrect addresses, some facilities were listed as un-mappable, otherwise known as “orphan sites”. Orphan sites were reviewed and those determined to be within their respective ASTM search radii were mapped to the correct location, and the EDR Summary Radius Map Report was subsequently reissued to reflect those changes. The remaining 17 orphan sites were determined to be outside the search radius. Therefore, the remaining orphan sites were not considered RECs, CRECs, HRECs, BERs, or VECs for the subject site at the time of this report.

4.3 Local Records Documentation

Information regarding the subject site was obtained from the offices of the Nye County Assessor, the Nye County Recorder, NDEP, and the Nevada State Historic Preservation Office (**Attachment 3**).

A historical EDR-City Directory Image Report was prepared for this site. Refer to the EDR-City Directory Image Report specific details (**Attachment 3**).

In the late nineteenth century, companies, such as the Sanborn Company, began preparing maps of central business districts for use by fire insurance companies. These maps were updated periodically throughout the twentieth century. Fire insurance maps often indicate construction materials, specific property use, and the location of other features such as gasoline storage tanks. Please refer to the Certified Sanborn Map for specific details regarding the coverage for the subject site (**Attachment 5**).

Information from these reports was used to develop the site history (further discussed in Section 4.4).

The University of Nevada Radon Education Program compiles short-term radon test results that were completed by Nevada homeowners from 1989 to the present. The results were compiled for each county by zip code and a corresponding geographical information systems (GIS) map based on zip codes was designed by the University of Nevada Cooperative Extension and the Nevada Bureau of Mines and Geology. The MyHazards interactive webmap was reviewed and the Radon Potential in the vicinity of the subject site appears to be 18.18% (UNR, 2019).

4.4 Historical Use Information on Property and Adjoining Properties

This section describes the historical land use of the subject site and adjoining properties compiled from several resources, including the EDR-City Directory Image Report (**Attachment 3**), the Certified Sanborn Map Report (**Attachment 5**), Historical Topo Map Report (**Attachment 5**), and Satellite Imagery Data (**Attachment 5**).

The objective of consulting historical sources is to develop the history of the previous uses of the surrounding properties in order to help identify the likelihood of past uses having led to recognized environmental conditions in connection with the property. The historical uses of the subject site and properties in the immediate vicinity of the subject site are summarized below in **Table 4-6**.

Table 4-6: Subject Site and Vicinity Historical Land Use Observations

Year	Subject Site	Vicinity	Source(s) of Information
1905	No buildings appear on subject site.	Subject site surrounded by Erie Main to the southwest, McCulloch Avenue to the northwest, Florence Avenue to the north, small dwellings to the west and north, and Goldmill Mining Company to the south. Undeveloped to the east.	Certified Sanborn® Map
1906	Building on subject site labelled as Nye County Court House with an attached Jail. There was a note that the building was heated by stoves, one area of coal storage on the northeast side of the building, and one structure in the east corner of the subject site.	No significant changes from the 1905 Certified Sanborn® Map.	Certified Sanborn® Map
1909	An additional enclosure was depicted beside the coal storage. A single-story dwelling with a stable and another enclosure appear to the north of the courthouse. Some of these buildings may not be within the parcel boundaries due to the inaccuracy of the drawings.	No significant changes from the 1906 Certified Sanborn® Map.	Certified Sanborn® Map
1917	Building on subject site labelled as Nye County Court House. There is a note that the building is heated by stoves and has electric lighting. One Auto storage is located to the southeast of the courthouse. A stove pipe is indicated on one of the buildings on the northeast side of the courthouse. Buildings no longer depicted on the northernmost or easternmost portions of the parcel.	Goldmill Mining Company no longer depicted to the southeast. Additional development in the residential areas surrounding the courthouse.	Certified Sanborn® Map
1941	No significant changes from the 1917 Certified Sanborn® Map.	No significant changes from the 1917 Certified Sanborn® Map.	Certified Sanborn® Map
1952	Courthouse building visible on subject site.	Town of Tonopah was well-developed. Paved and unpaved roads and buildings surround the subject site.	Aerial Photo 1" = 500'
1954	No significant changes from the 1952 aerial photo.	Some increased development southeast of the subject site.	Aerial Photo 1" = 500'

Year	Subject Site	Vicinity	Source(s) of Information
1960	Courthouse building depicted on subject site.	Paved roads and buildings surround the subject site. US Highway 6 depicted to the north, and US Highway 95 depicted to the south. A military reservation appears to the southeast.	Tonopah 7.5-minute 1:24,000
1961	No significant changes from the 1960 Topo map.	No significant changes from the 1960 Topo map.	Lone Mountain 15-minute 1:62,500; Tonopah 15-minute 1:62,500
1974	No significant changes from the 1961 Topo map.	No significant changes from the 1961 Topo map.	Tonopah 7.5-minute 1:24,000
1974	No significant changes from the 1954 aerial photo.	Junction of US Highways 6 and 95 development visible to the southeast of the subject site.	Aerial Photo 1" = 500'
1976	No significant changes from the 1974 aerial photo.	No significant changes from the 1974 aerial photo.	Aerial Photo 1" = 500'
1980	Paved parking area visible to the east of the courthouse building.	The construction of the junction of US Highways 6 and 95 southeast of the subject site appeared to be paved and completed. Additional development to the southeast of the subject site.	Aerial Photo 1" = 500'
1982/ 1987	No significant changes from the 1974 Topo map.	No significant changes from the 1961 Topo map, except the military reservation no longer appears to the southeast and the junction of US Highways 6 and 95 appears to the southeast of the subject site instead of to the west.	Tonopah 7.5-minute 1:24,000; Mt. Butte 7.5-minute 1:24,000
1984	Possible development on eastern side of parcel. Not discernible due to poor quality of visual resource.	No significant changes from the 1976 aerial photo.	Aerial Photo 1" = 500'
1992	Subject site not listed in city directory.	Residential listing on Frankie Street.	EDR Digital Archive
1994	Building on eastern side of parcel clearly visible.	No significant changes from the 1984 aerial photo.	Aerial Photo 1" = 500'
1995	Subject site not listed in city directory.	Residential listing on Frankie Street.	EDR Digital Archive
1999	Not discernible due to poor quality of visual resource.	Not discernible due to poor quality of visual resource.	Aerial Photo 1" = 500'

Year	Subject Site	Vicinity	Source(s) of Information
2000	Subject site listed as Top Cuts Hair Design in city directory.	County entities, educational institution, non-profit organizations, and residential listings on Franke/Frankie Street.	EDR Digital Archive
2005	Subject site not listed in city directory.	Residential listing on Frankie Street.	EDR Digital Archive
2006	No significant changes from the 1994 aerial photo.	No significant changes from the 1994 aerial photo.	Aerial Photo 1" = 500'
2010	No significant changes from the 2006 aerial photo.	No significant changes from the 2006 aerial photo.	Aerial Photo 1" = 500'
2010	Non-Profit Organization (No to Abuse Crisis Center) listed at 1 Frankie Street in city directory.	Residential and commercial listings at Frankee/Frankie Street	EDR Digital Archive
2013	No significant changes from the 2006 aerial photo.	No significant changes from the 2006 aerial photo.	Aerial Photo 1" = 500'
2014	Topo map does not show buildings other than hospitals and schools. Therefore, the Courthouse building does not appear on the subject site.	Topo map does not show buildings other than hospitals and schools. So significant changes in roadways from the 1982/1987 Topo map.	Tonopah 7.5-minute 1:24,000; Mount Butte 7.5-minute 1:24,000
2014	"County of Nye" listed at 1 Frankee Street in city directory.	State of Nevada, residential, and commercial listings on Frankee/Frankie Street.	EDR Digital Archive
2017	No significant changes from the 2013 aerial photo.	No significant changes from the 2013 aerial photo.	Aerial Photo 1" = 500'
2017	"County of Nye" listed at 1 Frankee Street in city directory.	No other listings in city directory.	EDR Digital Archive

5 SITE RECONNAISSANCE

The site reconnaissance was conducted to obtain information indicating the likelihood of identifying historical, recognized, and controlled environmental conditions in connection with the property and adjacent area. BEC performed the site reconnaissance on September 1, 2020, beginning at approximately 10:30 AM. Rachel Kistler (Environmental Scientist, BEC) and William Allen (Nye County Facilities Director) were present for the site reconnaissance. The temperature was approximately 67.7 degrees Fahrenheit with winds approximately 12.5 miles per hour according to the Desert Research Institute's Community Environmental Monitoring Program weather station in Tonopah (DRI, 2020).

BEC performed a visual survey of the adjoining properties to the north, east, south, and west of the subject site in order to evaluate the types of businesses, structures and any conditions of the neighboring properties that may pose an environmental risk to the subject site. Structures of particular note (i.e. exposed pipes, above ground storage tanks, etc.) were photographed and observations recorded in a field log.

Conditions of the subject site and adjoining properties were visually evaluated for potential RECs. Photos taken during the site reconnaissance are provided in **Attachment 6 – Site Reconnaissance Documentation**.

5.1 General Site Setting

The subject site is comprised of a 2.01-acre parcel with one 22,689-ft² Courthouse building, one single-story pre-fabricated building, four sheds, and one CONEX storage container located at 1 Frankie Street, Tonopah, Nevada, APN 008-311-01. Features of adjoining and nearby properties are identified in the Area Reconnaissance Map (**Attachment 1, Figure 3**). Key observations made during the exterior portion of the site visit are depicted in the Site Reconnaissance Map (**Attachment 1, Figure 4**). The current use of adjoining properties to the north, east, south, and west, are described in **Table 2-1**.

5.2 Site Visit Observations

BEC walked the perimeter of the subject site and noted conditions inconsistent with those expected for a mixed-use neighborhood. The site reconnaissance began in the southeastern addition of the courthouse, then in the old sheriff's office and jail, then in the original courthouse building. The perimeter of the parcel was then walked beginning at the northwest corner toward the eastern side of the parcel. The interior and exterior of the eastern manufactured trailer building was then observed. The exterior of the parcel was then walked to the southernmost point, the western corner, and back to the northwestern corner. Finally, the interior of the northern addition of the courthouse building was observed.

Exterior portions of the original courthouse building appeared to be constructed of stone walls with metal roofing. The additions to the courthouse appeared to be constructed of cinderblock walls. The northern addition had a flat polyvinyl chloride (PVC) membrane roof and the eastern addition had a flat, painted metal roof.

5.2.1 Courthouse – Eastern Addition: Old Sheriff's Office and WestCare Nevada Office

The eastern addition of the courthouse building appeared to be constructed of cinderblock walls, and some minor cracks were observed in the grout between the blocks on the exterior. Mr. Allen discussed a new fracture had appeared on the southeast-facing wall due to the recent earthquake. However, the crack had not been clearly marked and was not noticeable or observed during the site visit. No significant cracks were observed in the exterior of the structure, either on the original building or the additions.

The north-facing side and a portion of the south-facing side of the eastern addition were not in use at the time of the site visit. It appeared this area had served as inmate intake, staff offices, and a garage for police vehicles. Generally, the offices along the north-facing walls were in good condition with minimal staining or structural issues observed. Fluorescent tube lighting was observed throughout the eastern addition. Significant water damage was observed on the ceiling throughout the interior portion of the building, and especially where the addition connected to the original structure. Staining was primarily observed on ceiling tiles, and there were some locations where portions of the ceiling and ceiling tiles had collapsed. One area near the entrance on the north-facing side showed damage to the stone wall due to water damage from the ceiling.

Small panels were observed in the corridors, providing access to water piping and plumbing, likely for showers and restroom areas. In the garage bay, one empty 5-gallon bucket was observed near electrical breaker panels. A utility room near the garage contained various electrical equipment, telecommunication panels, an electric water heater, two electric furnaces, and associated piping and conduit.

The south-facing portion of the eastern addition was currently in-use by WestCare Nevada. This portion of the building consisted of a check-in area, two offices, one conference room, a storage closet, a kitchenette, and one restroom. Fluorescent tube lighting was observed throughout and some de minimis cleaning supplies were observed in the restroom. One 5-gal container was observed in the front office, with a tube in the top of the bucket connected to a mobile air conditioning unit. It appeared the container

was being used to collect water from the condensing unit of the air conditioner and was about half full. However, the bucket was labeled as corrosive, concentrated, chlorinated bleach for laundry purposes.

5.2.2 Courthouse – Jail

The jail occupied the first two floors of a three-story portion of the building, constructed in 1907. The cells were constructed of metal and had four mechanical sliding door locking devices. Each cell had a toilet and sink, and there was one shower on each floor within the cell blocks. Piping for water, sewage, and electrical conduit was observed on the outside of the cells and along the exterior walls. Two radiators for heat were observed at each end of the jail, and thermostats for climate control were also observed. There was a groove along the outer edge of the first floor, likely used as a drainage system for water. However, no floor drain was observed.

5.2.3 Courthouse – Offices, Courtroom, Judge's Chambers, and Law Library

The original courthouse building was a three-story building consisting of offices and storage areas on the first floor, the court room and judge's chambers on the second floor, and a law library and other rooms on the third floor. There were two stairwells in the courthouse: one for public access at the northwest entrance and one for government personnel between the courthouse and the jail toward the southeast.

There was significant damage to the tiles and flooring underneath the southeast stairwell. It appeared the flooring was buckling, and the tiles had been warped and crushed.

The areas on the first floor that had previously been used as government offices were being used for storage of paperwork and office equipment. Three walk-in safes were unable to be accessed at the time of the site survey. However, it is unlikely that any hazardous materials would be stored within them and this was not considered a significant data gap for this report. What appeared to be water damage was observed on the ceiling tiles in the south-facing office area. Additionally, it appeared there was mold on an exterior wall where a radiator heating unit had been removed. Some renovation materials, including two 1-gal containers of acetone, one spray can of silicone lubricant, and one empty 1-gal paint container, were stored near the northwest entrance. An original electrical service panel was located in the northwest entrance foyer.

An interior storage area between the courthouse and the northern addition was in use, but no hazardous materials were observed. An interior utility room with an electrical panel, several telecommunications panels, a telecommunications cabinet, and an electric blower ventilation fan were also observed on the first floor.

The second floor consisted of the main courtroom, and rooms on either side likely used as court offices and the judge's chambers, including a restroom. Radiator heating units were observed in the rooms by the windows, and the lighting was primarily fluorescent tube lighting. One 5-gal bucket was being used to store some renovation materials and debris. A 20-pound propane tank was observed in the restroom. The ceiling of the courtroom had what appeared to be water damage, based on staining, bowing, and deterioration. Additional staining on the ceiling tiles, likely related to water damage, was observed in one of the rooms along the north-facing side of the second floor. In another room, a large, vertical crack was observed in the original wall under a window where a radiator heating unit was likely once installed. There appeared to be staining around the crack, indicating it had likely occurred before the most recent earthquake. However, it is important to note that the majority of the original interior had been covered in wood paneling installed during renovations completed in the 1960s. Therefore, there may be additional structural damage that was not observed during the site visit due to being covered by these cosmetic renovations.

An open-ended pipe, likely previously used with a drinking water fountain, was observed in the central hallway on the second floor. An area for accessing the courthouse dome was also observed in the central hallway. This area was not able to be accessed at the time of the site visit, but this was not considered a significant data gap. The only staining near the dome access area appeared to be due to bird feces.

The roof of the northern addition was accessed from the second floor of the courthouse. Three air handling units and sewer exhaust pipe were observed on the polyvinyl chloride roofing membrane. The original courthouse roof was observed from this area, and multiple chimney stacks were present along the north-face side. Mr. Allen stated that all the fireplaces had been sealed and covered during prior renovations and were no longer in use. The eastern addition roof was observed from this area, and it appeared to be a metal painted and sealed roof with various exhaust pipes and an antenna previously used by the sheriff's office.

The third floor of the courthouse consisted of a small office space containing some document storage and de minimis debris, and the law library. The law library is technically the third floor of the jail, but it can only be accessed from the courthouse side. Similar to the rest of the structure, the law library had radiator heating units and fluorescent tube lighting. One area of the ceiling showed significant staining and bowing likely due to water damage.

5.2.4 Northern Parcel Boundary Exterior

A total of four storage units were observed along the northern boundary of the parcel: Two sheds appearing to be constructed entirely of wood, one shed appearing to be constructed of wood and cinderblocks, and one CONEX shipping box. The three sheds were being used for storage of furniture, clothing, and supplies. One 5-gallon plastic bucket observed in the westernmost shed was being used as a trash container. No hazardous materials were observed within. One empty, plastic gas can was observed in another shed, along with boxes and furniture. The other sheds were empty. The CONEX shipping box was in use by the local rescue squad and was padlocked and inaccessible at the time of the site visit. No staining or odors were observed around the structure. Therefore, it was not considered to be a significant data gap at the time of this report.

5.2.5 Eastern Manufactured Building

The eastern building appeared to be a manufactured trailer building constructed of wood with a metal roof. The exterior showed signs of age and weather damage due to the observance of heavily flaking paint, deterioration of the wood walls and window frames, and rusted roofing panels. Two approximately 320-gallon propane tanks were observed on the exterior of this building: one on the eastern and one on the western sides. The tanks appeared to be in good condition and there were no other signs of tanks above or below ground in the vicinity of the building. Air conditioning and heating units were observed on the exterior of the building on both the western and eastern sides.

The interior of the building was divided into two parts. The western side was actively in-use by a family services organization, and contained a lobby area, restrooms, a children's playroom, approximately three offices, and storage areas. No staining on walls, floors, or ceilings were observed. Two bags of ice melt, multiple fluorescent lighting tubes, and a locked storage locker were observed in the storage area.

The eastern side of the building was in-use by the local search and rescue squad. One storage area contained non-hazardous supplies. There was a furnished conference room and office, a restroom, a storage area and the rest of the four rooms were empty. A small storage area contained an approximately 1-gal plastic bucket with a small amount of a crystallized substance, likely an ice-melt salt. An electric/gas furnace was also observed in the interior of the eastern side of the building.

5.2.6 Southern and Northwestern Parcel Boundary Exterior

A fence line near the property boundary was observed on the southeastern side of the parcel on top of a steep, rocky hill.

Another wooden shed was observed on the southeastern corner of the parcel. Mr. Allen indicated this shed was likely in use by either the 4-H Club or WestCare, but it was padlocked and inaccessible at the time of the visit. No stains or odors were observed around the shed. Therefore, this was not considered a significant data gap at the time of this report.

Three approximately 100-gal propane tanks were located on the southwest-facing side of the original courthouse building. Two electrical utility panels were also located on this side of the building.

The majority of the northwest-facing side of the courthouse is part of the original structure. Municipal sewer access covered were observed near the entrance, but no other indications of above- or below-ground tanks were observed. Access to the below-ground boiler room was located on the northwest side of the building. Mr. Allen discussed the original heating oil boiler had been switched out for an electric, gas-powered one at the time the heating oil tanks had been removed. The room was very small and contained a significant amount of electrical conduit, gas lines, and water piping. Walls had not been constructed around the bedrock, and the floor was a combination of dirt and concrete. No staining, pooling water, or evidence of historic releases associated with the heating oil boiler was observed in the boiler room.

An approximately 500-gallon (gal) propane tank and municipal water access covers were observed at the northwest corner of the parking lot behind the courthouse.

5.2.7 Courthouse – Northern Addition

The northern addition of the courthouse appeared to be constructed of cinderblock and wood walls with a metal roof, occupied by the NyE Communities Coalition as an office space. There was a conference room, two open office areas with cubicles, three individual offices, a copier and storage area, two storage closets, two restrooms, and another storage hallway. One walk-in safe was inaccessible during the site visit. However, it is unlikely chemicals or hazardous materials would be stored within. Therefore, it was not considered a significant data gap for this report. Fluorescent tube lighting was observed throughout the office area. The addition appeared to be in good structural condition, as no cracking on the walls, staining, or evidence of leaking was present. One spray bottle of household cleaner was observed in a restroom. No other hazardous or unknown chemical containers were observed.

6 INTERVIEWS

The Phase I ESA is done to identify recognized environmental conditions that may be present due to past or present land use of the subject site, and/or properties in the site vicinity. BEC conducted interviews as discussed in Section 6.1 and Section 6.2 below. Interview documentation is provided in **Attachment 2**.

6.1 Interview with Owner Representative

Mr. Allen, Nye County Facilities Director, was interviewed as the Owner Representative of the Nye County Courthouse at the time of the site survey. He stated the past uses of the property included a jail, sheriff's office, a courthouse, County Clerk's Office, and County Recorder's Office. He stated the building was in use for these purposes until approximately 1995, when the new courthouse and county offices were opened in Tonopah. At the time of this report, tenants of the courthouse building included a local 4-H chapter, WestCare Nevada, and the NyE Communities Coalition; and the eastern building was occupied by a family services office and a rescue squad. As stated in Section 3, Mr. Allen did have

specialized knowledge or experience related to the building as the County Facilities Director. He was aware of an asbestos survey that had been conducted in 1997, and provided results from the survey following the site visit. He was also aware that two heating oil tanks had been removed from the property and was not aware of any releases or cleanups associated with the tank removals.

6.2 Interview with Tenant

Ms. Dakota Terry of WestCare Nevada was interviewed as a site user. As a tenant of the building, she had was not aware of any environmental cleanup liens against the subject site or any Activity and Use Limitations involving the subject site. She did not have any specialized knowledge related to the subject site or nearby properties. She stated she had noticed some staining on the ceiling tiles in the portion of the building occupied by WestCare, which was likely related to water damage from failing structural integrity.

7 FINDINGS, OPINIONS, AND CONCLUSIONS

The following is a summary of findings associated with the ESA performed for the subject site:

- The regulatory database report was purchased through Environmental Data Resources, Inc. (EDR) and the review of the report identified the following:
 - The subject site was listed in the State UST database.
 - One SEMS-Archive facility, eight SHWS facilities, one UST facility, eight Brownfields sites, and two Landfill/Solid Waste Disposal Recycling database sites were listed within their respective search radii from the subject site.
- Due to discrepancies in the location of some facilities in the databases arising from incomplete or incorrect addresses, some facilities were listed as un-mappable, otherwise known as “orphan sites.” Orphan sites were reviewed and those determined to be within their respective ASTM search radii were mapped to the correct location, and the EDR Summary Radius Map Report was subsequently reissued to reflect those changes. The remaining 17 orphan sites were determined to be outside the search radius and therefore did not affect this project.
- Site reconnaissance revealed what appeared to be structural and weather damage to the buildings.
- Site reconnaissance revealed what appeared to be several materials with the potential to be ACMs and LBP throughout all floors of the building, and on the exterior of the eastern building.
- A 1997 asbestos survey confirmed ACMs in vinyl floor tile and mastic in five locations in the old courthouse and sheriff’s office (jail), and the electrical panel insulation in the first floor northwest entryway.
- Six above ground propane storage tanks were observed during the site visit, each of which appeared to be in good condition.
- A significant amount of piping was observed throughout the courthouse building, which appeared to be related to either water, sewer, or electrical conduit. No piping or other indications of an underground storage tank were observed during the site visit.
- Fluorescent tube lighting was observed throughout all floors of the courthouse building and in the eastern addition building during the site visit. Many were still attached to light fixtures, and those in storage did not appear to be damaged or present any indications of imminent release.
- Many electrical panels were observed throughout the courthouse building, some of which may have been installed during the timeframe when polychlorinated biphenyls were used in electrical equipment. However, none of the electrical panels observed appeared to be damaged or present any indications of imminent release.

The first federal restriction of asbestos containing materials (ACMs) began in 1973 when the EPA, under the National Emission Standards for Hazardous Air Pollutants (NESHAP), banned spray-applied ACM for fireproofing and insulation purposes. This is detailed in 40 Code of Federal Regulations (CFR), Part 61, Subpart M. In 1975 the EPA amended the Asbestos NESHAP to ban the use of insulation containing asbestos that is molded and friable or wet applied specifically for boilers and hot water tanks. In 1977, the Consumer Product Safety Commission (CPSC) banned the use of asbestos in artificial fireplace embers as outlined in 16 CFR Part 1305 and 16 CFR Part 1304. In 1978, the EPA again under NESHAP 40 CFR Part 61, Subpart M, banned all other spray-applied ACM materials not already banned in previous laws. In 1989, the EPA, under the Toxic Substances Control Act (TSCA) 40 CFR 763, Subpart I, banned any new uses of asbestos in commercial products. The EPA final rule, issued in June of 2019, stated the manufacturing (including importing) or processing of new uses of asbestos containing materials is prohibited under the TSCA. This regulation stated new uses of ACMs may not enter the marketplace without an EPA evaluation of its intended use, and its potential environmental and health risks (EPA, 2019).

BEC has performed this Phase I ESA in conformance with the scope and limitations of American Society of Testing and Materials (ASTM) Standard E1527-13. Any exceptions to, or deletions from, this practice are described in Section 1.3 of this report. This assessment has revealed no evidence of recognized environmental conditions in connection with the property except the following:

- The regulatory database review identified the subject site as the Nye County Sheriff's Office in the State UST database. According to case file records, the tanks were installed in May 1974, and were determined to be out of use as of January 1975. Due to the unknown quantity of gasoline and diesel fuel remaining after the USTs ceased to be used in 1975, lack of laboratory analytical data related to the UST removals in 1987, unknown location on the subject site, and recent earthquakes possibly affecting fracture-flow pathways from possible undocumented petroleum remaining in the soil from the time of UST removal, this was considered a REC for the subject site at the time of this report.

It is the opinion of BEC the identified conditions above warrant additional investigation.

In addition, BEC considers the following to be BERs:

- ACMs, based on the age of the building, renovations over time, materials of construction and a limited amount of information from a 1997 asbestos survey.
- LBP, based on the age of the building.
- Mold and staining potentially associated with mold due to water damage.
- Due to the amount of propane tanks and lines observed on the property, combined with the recent history of earthquakes in the local area, propane line tightness was considered to be a BER.

Waste associated with renovations, including fluorescent bulbs, should be characterized and disposed of in accordance with local, state, and federal regulations as a part of the clean-up and redevelopment process.

8 PREPARER QUALIFICATIONS

The BEC Team members responsible for the development of this report are listed below and their qualifications are provided herein (**Attachment 7 – Environmental Professional Resumes and Certifications**). The following statements are required in accordance with 40 CFR 312.21(d), and Section 12.13 *Environmental Professional Statement*, of ASTM E1527-13:

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professionals as defined in §312.10 of 40 CFR 312.

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 conformance with the standards and practices set forth in 40 CFR Part 312.

Rachel Kistler

Rachel Kistler
Preparer

February 10, 2021

Date

Rachel Schlick

Rachel Schlick
Reviewer

February 10, 2021

Date

Additionally, in accordance with the Nevada Revised Statutes 459.500, Section 1, a holder of a certificate who is responsible for service requiring certification shall ensure that each document relating to the service includes the following language:

I, Rachel O. Schlick, hereby certify that I am responsible for the services described in this document and for the preparation of this document. The services described in this document have been provided in a manner consistent with the current standards of the profession and to the best of my knowledge comply with all applicable federal, state, and local statutes, regulations, and ordinances.

Rachel Schlick

Rachel Schlick, CEM
Certified Environmental Manager
No. 2447
Expires: October 18, 2021

February 10, 2021

Date

9 REFERENCES

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ATTACHMENT 1

Figures



Figure 1 - Vicinity Map
Nye County Courthouse
1 Frankie Street
Tonopah, Nevada 89049

0 0.25 0.5 1
Miles

bec environmental, inc.
Environmental Services





Figure 3 - Area Reconnaissance Map
Nye County Courthouse
1 Frankie Street
Tonopah, Nevada 89049



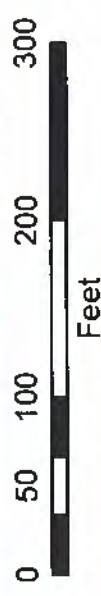


Figure 4 - Site Reconnaissance Map

Nye County Courthouse

1 Frankie Street

Tonopah, Nevada 89049



bec environmental, inc.

Environmental Services

National Flood Hazard Layer FIRMette



117°13'55"W 38°4'11"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Legend

SEE THE REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) <i>Zone A, V, APD</i>
	With BFE or Depth <i>Zone AE, A2, AH, VE, AR</i>
	Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
	Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
	Area with Reduced Flood Risk due to Levee. See Notes, <i>Zone X</i>
	Area with Flood Risk due to Levee <i>Zone U</i>
OTHER AREAS	NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>
	Effective LOMRs
GENERAL STRUCTURES	Area of Undetermined Flood Hazard <i>Zone D</i>
	Channel, Culvert, or Storm Sewer
OTHER FEATURES	Levee, Dike, or Floodwall
	Cross Sections with 1% Annual Chance Water Surface Elevation
MAP PANELS	Coastal Transect
	Base Flood Elevation Line (BFE)
OTHER FEATURES	Limit of Study
	Jurisdiction Boundary
OTHER FEATURES	Coastal Transect Baseline
	Profile Baseline
OTHER FEATURES	Hydrographic Feature
	Digital Data Available
MAP PANELS	No Digital Data Available
	Unmapped

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/26/2020 at 5:53 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Figure 5 - Flood Zone Map

Nye County Courthouse
1 Frankie Street
Tonopah, Nevada 89049

bec environmental, inc.

8/26/2020 5:53 PM

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