

**ENVIRONMENTAL SITE ASSESSMENT**

Franklin Street Site  
602 & 610 Franklin Street and 609 & 611 Tampa Street  
Hillsborough County  
Tampa, Florida

*Prepared for:*

**Wood Partners**  
701 South Howard Avenue, Suite 106  
Tampa, Florida 33606

*Prepared by:*

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*HSA Project Number 602-0005-00*

March 2006

March 30, 2006

**Wood Partners**

701 South Howard Avenue, Suite 106  
Tampa, Florida 33606

*Attn: David E. Thompson*

**Subject: PHASE I ENVIRONMENTAL SITE ASSESSMENT**  
Franklin Street Site  
602 & 610 Franklin Street and 609 & 611 Tampa Street  
Tampa, Florida 33606  
*HSA Project Number 602-0005-00*

Dear Mr. Thompson:

**HSA Engineers & Scientists** (HSA) is pleased to provide you with this report which presents the results of our findings based on the Environmental Site Assessment (**ESA**) performed at the above referenced site. Our report describes the general methodology, field investigation results, and information obtained as a result of a regulatory and historical data review. This document also includes an Executive Summary that describes our findings and our opinion as it relates to the environmental integrity of the subject property.

We believe that our services have been responsive to your needs, and will continue to assist you in whichever environmental consulting capacity you deem appropriate. Should you have any questions, please feel free to contact us.

Sincerely,  
**HSA Engineers & Scientists**

Kim Lamrouex  
Environmental Scientist

Brian Moore, P.E.  
Engineer

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## EXECUTIVE SUMMARY

HSA has completed the Environmental Site Assessment (**ESA**) for the Franklin Street Site located at 602 & 610 Franklin Street and 609 & 611 Tampa Street in Tampa, Hillsborough County, Florida (*i.e.*, the “subject property”). This ESA includes our efforts in the performance of an area reconnaissance of the properties immediately adjacent to and abutting, and readily accessible for visual examination from, the subject property. We have also reviewed maps, aerial photographs, as well as other practically reviewable, publicly available and reasonably ascertainable records and reports.

This assessment was performed in general accordance with the scope and limitations of the American Society for Testing and Materials (ASTM) Standard E 1527-00, modified and amended to comply with the contract between HSA and **Wood Partners** dated March 16, 2006. An assessment of other environmental issues to evaluate business environmental risks that are beyond the scope of the ASTM E 1527-00 standard of practice was not conducted. Several environmental issues related to the subject property that, while do not meet the definition of a Recognized Environmental Condition, should be considered when evaluating the Business Environmental Risks and are further discussed in *Section 6.0*.

Our research and findings indicate that the subject property has been residentially and commercially developed from at least 1889 to 2004. Former occupants included: Strand Theatre, Western Union Telegraph, Maas Brothers Department store, Alcazar Motion Pictures, drug stores, jewelers, restaurant, a dwelling, and various retailers. The subject property is comprised of four parcels totaling 0.98-acres of land.

**This assessment did not reveal any evidence of Recognized Environmental Conditions (RECs) in connection with the subject property.**

This summary does not contain all of the information that is found in the full report. The report should be read in its entirety to obtain a more complete understanding of the information provided, and to aid in any decisions made, or actions taken, based on this information.

## 1.0 INTRODUCTION

### 1.1 Background

In light of various promulgated federal hazardous waste statutes, it is becoming increasingly prudent for corporations, firms, banks, or individuals involved in real estate transactions to obtain professional services to evaluate the potential for Hazardous Substances, Petroleum Products, Hazardous Wastes or other contamination to occur on a site. Contamination may occur within buildings, surface waters, groundwater, soils and/or the air as a result of past or current on-site activities such as the mishandling, or improper treatment, storage or disposal of contaminants. In addition, contaminants may also be present on-site due to migration from adjacent or other off-site sources.

The first step towards the evaluation of the environmental condition of a property is a Phase I environmental site assessment (ESA). The Phase I ESA is performed to search for evidence of recognized environmental conditions that may have an adverse environmental impact upon the property being investigated.

### 1.2 Purpose

Based upon information provided to HSA, it is our understanding that this Phase I ESA was requested as part of a pending real estate transaction. Based on the information provided, HSA assumes that the purpose in requesting this Phase I ESA is to assist **Wood Partners** in their pursuit of the requirements that may be necessary to qualify for considerations under the "Innocent Landowner Defense" to CERCLA (*a.k.a.*, Superfund) liability. Although performance of an ESA in a manner that is generally consistent with the ASTM E 1527-00 Standard is of benefit, it should be realized that the Standard of "all appropriate inquiry" or "good commercial or customary practice" can only be made on a case-by-case basis, and is subject to judicial interpretation. Where applicable, we have also incorporated any site-specific requirements that have been outlined in the assessment contract dated **March 16, 2006**.

In defining a standard of good commercial and customary practice for conducting an Environmental Site Assessment of a property, the goal is to identify Recognized Environmental Conditions. The term "Recognized Environmental Conditions" means the presence or likely presence of Hazardous Substances or Petroleum Products on a Property under conditions that indicate an existing release, a past release, or a material threat of a release of Hazardous Substances or Petroleum Products into structures on the Property or into the ground, groundwater or surface water of the Property.

The term includes Hazardous Substances or Petroleum Products even under conditions in compliance with laws. The term is not intended to include *de minimis* conditions that generally do not present a material risk of harm to public health or the environment, and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. A glossary of ASTM definitions is included in **Appendix A**.

Environmental site assessment activities entail the independent investigation of key issues or facts related to a property's overall conditions and potential historical uses. A proper site assessment investigation identifies potential problem areas and often involves independent verification of important facts supplied by the buyer or seller. Environmental site assessment studies can encompass many areas, including:

- On-site contingent liabilities due to past or current practices involving the use, storage, treatment, or disposal of Petroleum Products, Hazardous Substances, or Hazardous Wastes;
- Off-site contingent liabilities involving past or current off-site disposal practices; and,
- Regulatory compliance and permit status of the subject Property.

An additional purpose of the Phase I ESA may be the user's need for evaluation of certain business environmental risks that are beyond the scope of the ASTM E 1527-00 standard of practice, but that still have a material impact on the property. When requested, the assessment of ASTM non-scope issues are performed in general accordance with the authorized contract and good commercial and customary engineering practice.

### **1.3 Limitations and Exceptions of Assessment**

No ESA can wholly eliminate uncertainty regarding the potential for Recognized Environmental Conditions in connection with the Property. The performance of the assessment is intended to reduce, *but not eliminate*, uncertainty regarding the potential for Recognized Environmental Conditions in connection with a Property. The **user** must recognize reasonable limits of time and cost.

Appropriate Inquiry does not mean an exhaustive assessment of a clean property. There is a point at which the cost of information obtained, or the time required to gather it, outweighs the usefulness of the information and, in fact, may be a material detriment to the orderly completion of this transaction. One of the purposes of our assessment was to identify a balance between the competing goals of limiting the costs and time demands inherent in performing ESA's, and the reduction of uncertainty about unknown conditions resulting from additional information.

Not every property will warrant the same level of inquiry. In an attempt to be consistent with general commercial or customary practices, the type of property subject to assessment, the expertise and risk tolerance of the user, and the information developed in the course of the inquiry will guide the appropriate level of ESA. It should not be concluded or assumed that an inquiry was not Appropriate Inquiry merely because the inquiry did not identify Recognized Environmental Conditions in connection with a Property. ESA's must be evaluated based on the reasonableness of judgments made at the time and under the circumstances in which they were made. Subsequent ESA's should not be considered valid standards to judge the appropriateness of any prior assessment based on hindsight, new information, use in developing technology or analytical techniques, or other factors.

Only a limited environmental review was performed at the Property. Such a review cannot be expected to reveal all activities or conditions where Hazardous Substances, Hazardous Wastes, or Petroleum Products, might be present on-site. It is therefore recognized that the possibility exists that some Hazardous Substances, Hazardous Wastes, or Petroleum Products, may not be detected because it is beyond the level of this type of study. In order to quantify the presence of hazardous building materials and/or the quality of soil, groundwater, and surface water conditions within a subject area, it is necessary to obtain and analyze a number of representative samples throughout the site. This ESA was conducted in a manner consistent with that level of care and skill exercised by members of the profession currently practicing under similar conditions, and was based upon the information made available to HSA representatives at the time of this assessment.

#### **1.4 Scope of Services**

Included herewith, is HSA's Environmental Site Assessment of the subject property referred to as the Franklin Street Site ESA. HSA's Scope of Services for the Phase I study (herein referred to as the "ESA") of the subject property included the following tasks:

1. Review of Reasonably Ascertainable, Practically Reviewable, and Publicly Available records, in particular, those contained within the State of Florida Department of Environmental Protection (FDEP), the Hillsborough County Environmental Protection Commission (HCEPC), and the United States Environmental Protection Agency (EPA) records. Such information may include permits, notice of violations, materials handling practices, and registered underground storage tank (UST) data.
2. Review of readily available aerial photographs and topographic records of the site and its environs for evidence of the past uses, excavations, landfills or other potential waste producing activities in the area.



3. A site reconnaissance performed by an environmental professional experienced in the observance of environmental phenomena. The purpose of the site reconnaissance is to obtain current first-hand knowledge of the site and to field verify or reverify the evidence of the review as described above. The reconnaissance identifies signs which indicate the possibility of contamination. Such signs may include spills, discolored vegetation, or any unusual soil anomalies. Such activities are primarily confined to the site under evaluation, although problematic off-site activities were also reviewed. During the site reconnaissance, a photographic record of pertinent features was obtained.

Data gathered during the review of historical records, site reconnaissance, and interviews were utilized in the preparation of this report. Although this document may not disclose all potential liabilities associated with the current environmental status of the subject property, every reasonable attempt has been made to do so within the scope of work as presented within this document, and as agreed upon by HSA and our “Client”, **Wood Partners**.

## **1.5 Authorization**

Authorization to perform this assessment was given on March 16, 2006 via written authorization from **Wood Partners** to HSA.

**Mr. David Thompson**, Wood Partners, provided instructions as to the location of the property, access, and an explanation of the property and facilities to be assessed.

## **1.6 Use By Third Parties**

This report was prepared pursuant to the contract HSA has with **Wood Partners**. That contractual relationship included an exchange of information about the property that was unique and between HSA and **Wood Partners** and serves as the basis upon which this report was prepared. Because of the importance of the communication between HSA and our client, reliance or any use of this report by anyone other than **Wood Partners, Blackrock Community Development Multifamily Equity Fund I, LLC (a Delaware LLC), 610 Franklin Condominiums, LLC (a Delaware LLC), Wood 610 Franklin Condominiums, LLC (a Georgia LLC), and LaSalle Bank National Association** for whom it was prepared, is prohibited and therefore not foreseeable to HSA.

Reliance or use by any such third party without explicit authorization in the report does not make said third party a third party beneficiary to HSA’s contract with **Wood Partners**. Any such unauthorized reliance on or use of this report, including any of its information or conclusions, will be at the third party’s risk. For the same reasons, no warranties or representations, expressed or implied in this report, are made to any such third party.

Third party reliance letters may be issued on request and upon payment of the, then current fee for such letters. All third parties relying on HSA's reports, by such reliance, agree to be bound by the proposal and HSA's General Conditions. No reliance by any party is permitted without such agreement, regardless of the content of the reliance letter itself.

### **1.7 Other Resources and Environmental Professional Qualifications**

Other resources and information accessed for purposes of this site assessment are discussed in appropriate sections of this report. Published references used in the completion of this Phase I ESA not previously listed are cited at the location they are referred to in the report. Credentials and qualifications of the environmental professionals responsible for preparation of this report are included in **Appendix B**.

## 2.0 SITE DESCRIPTION

### 2.1 Site Description and Surrounding Vicinity

The subject property is comprised of four parcels totaling 0.98-acres of land located at 602 & 610 Franklin Street and 609 & 611 Tampa Street in Tampa, Hillsborough County, Florida (see **Figure 1**). The site is developed with an eight story commercial building. Demolition activities are currently taking place at the site. The remainder of the site is vacant.

The surrounding properties are predominantly commercially developed and include: TECO Plaza to the north, Skypoint Condominiums (under construction) to the northwest; Gold Bank Plaza to the west; FirstWatch restaurant to the southwest; Express Tailors, Eddie & Sam's NY Pizza, Jerk Hut, former Walgreen's Pharmacy, and a vacant office building to the south; Nebulous Records to the southeast; Solutions General Contractors, Franklin Exchange, Florida Reprographics, and a parking garage to the east; and Lydian Bank and Trust and Hyde Park Capital Partners, LLC to the northeast (see **Figure 2**).

### 2.2 Historical Uses of the Property

The objective of consulting historical sources is to develop a history of the previous site uses or occupancies of the Property and surrounding area in order to identify those activities that are likely to have led to Recognized Environmental Conditions in connection with the Property. Several information sources were utilized to assist in determining previous owners and past land use of the subject and adjacent sites. A 50-year title search was not provided for this assessment.

A history of the previous uses of the property, and properties in the surrounding area to the extent that this information was revealed in the course of researching the subject property, was developed consistent with practices specified in ASTM Standard E 1527-00 § 7.3. A summary of the standard historical sources and data reviewed by HSA is listed below. Where considered appropriate, copies of representative historical source information are provided in applicable Appendices.

HSA performed a review of information contained within the City Directories of Tampa, published by R.L. Polk and Company at the University of South Florida Tampa Campus for the years 1929, 1934, 1944, 1953-54, 1964, and 1974. Listings for the subject property during the reviewed years were noted respectively as follows:

1929	Liggett Company Drugs is listed at 602 Franklin Street. Western Union Telegraph Company is listed at 604 Franklin Street. Mangel's Women's Wear is listed at 606 Franklin Street. Turner Music Company is listed at 608 Franklin Street.
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	Maas Brothers Department Store is listed at 612-20 Franklin Street.
1934	Liggett Company Drugs is listed at 602 Franklin Street. Western Union Telegraph Company is listed at 604 Franklin Street. Mangel's Women's Wear is listed at 606 Franklin Street. Turner Music Company is listed at 608 Franklin Street. Maas Brothers Department Store is listed at 612-20 Franklin Street. The Strand Theatre building is listed at 601 Tampa Street.
1944	Cowens Shoes is listed at 600 and 602 Franklin Street. Duval Jewelry is listed at 604 Franklin Street. Maas Brothers Tea Room is listed at 604 ½ Franklin Street. Mangel's Women's Wear is listed at 606 Franklin Street. Maas Brothers Specialty Shop is listed at 608 Franklin Street. Maas Brothers Department Store is listed at 612-20 Franklin Street. The Strand Theatre building is listed at 601 Tampa Street. Maas Office Building is listed at 205 Zack Street.
1954	Stein's Clothes is listed at 602 Franklin Street. Duval Jewelry is listed at 604 Franklin Street. Mangel's Women's Wear is listed at 606 and 608 Franklin Street. Maas Brothers Department Store is listed at 612-20 Franklin Street. Maas Brothers (rear entrance) is listed at 601 Tampa Street.
1964	Morton Williams Company is listed at 602 Franklin Street. Watchmaker and Zale's Jewelry are listed at 604 Franklin Street. Mangel's Women's Wear is listed at 606 and 608 Franklin Street. Maas Brothers Department Store is listed at 612 Franklin Street.
1974	Thrifty Discount Store is listed at 602 Franklin Street. Zale's Jewelry is listed at 604 Franklin Street. Mangel's Women's Wear is listed at 606 and 608 Franklin Street. Maas Brothers Department Store is listed at 612 Franklin Street.

A review of city directories for the properties adjacent to the subject property revealed the presence of several commercial businesses within 200 feet of the subject property including:

1929	<u>Western Adjacent</u> Vogue Dry Cleaners is listed at 618 Tampa Street. Bornstein Tires and Michelin Tire Service are listed at 622 Tampa Street.
1934	<u>Western Adjacent</u> Tampa Morning Tribune and The Tribune Press are listed at 602 Tampa Street. Vogue Dry Cleaners is listed at 618 Tampa Street <u>Northern Adjacent</u> Empire Tailors and Cleaners are listed at 711 Tampa Street.

A review of Sanborn maps of the area of the subject property was also conducted. Significant observations and interpretations of the historical Sanborn Maps are provided as follows:

- 1889 Several commercial businesses are depicted on the northeast corner of the subject property including: a grocer, barber, jeweler, and music store. The remainder of the site is vacant. Several dwellings are depicted throughout the surrounding properties.
- 1903 The Crescent Club Rooms and a drug store are depicted on the southeast portion of the subject property. A dwelling is depicted on the northern portion of the site. A cistern and water tank are depicted adjacent to the dwelling. The Tampa Steam Laundry is depicted on the southern adjacent property. Several stores are depicted along the eastern portion of the southern adjacent property. The Hotel Arno is depicted on the southwestern adjacent property. A wholesale grocery is under construction on the western adjacent property. A building is under construction on the northeastern adjacent property. A Tin Shop, Plumbing Inspector Office, "Paints and Oils" store, and dwellings are depicted on the northern adjacent property. Several additional businesses are also depicted throughout the eastern adjacent property including: the Krause Building, Florida Commercial College, Print Shop, and Bank. A twenty-foot tank is also depicted on the southern portion of the site. A drug and photo store and several additional storefronts are depicted throughout the southeastern adjacent site.
- 1915 The Strand Theatre is depicted on the southwestern portion of the site. A dwelling is depicted to the north of the Theatre. The Jackson Block American National Bank Building is depicted on the eastern portion of the site. Tenants of the building include: a bank, Alcazar Motion Pictures, office and drug store. An apparent alleyway bisects the subject site.

A "New Commercial Hotel" and Paints and Oils facility are depicted on the southern adjacent property. The Tarr Furniture Company, Tampa Morning Tribune, and automotive showroom are depicted on the southwestern adjacent property. A 285-gallon underground storage tank (UST) containing gasoline is depicted adjacent to the automotive showroom along the eastern portion of Tampa Street approximately 165 feet from the subject site. The Bentley-Gray wholesale grocery and an automotive repair and supply facility are depicted to the west of the subject property. Several storefronts, including a printing company, are depicted on the northwestern adjacent property. A clothes cleaning company, print shop, printing facility, auto tire shop, and Citizen's Bank Building are depicted on the northern adjacent properties. Several storefronts including a

jeweler and drug store are depicted on the northeastern adjacent property. The twenty-foot tank is no longer depicted on the eastern adjacent property.

- 1931 The Maas Brothers Department Store is depicted on the northern portion of the subject property. Western Union is depicted along the southeastern portion of the site. The remainder of the site is unchanged. Several storefronts are depicted throughout the southern adjacent properties. The Tampa Morning Tribune, Wallace Building, several storefronts, and an auto storage facility are depicted on the western adjacent properties. A gasoline tank is depicted within the auto storage facility. The Victory Theatre is depicted on the northwestern adjacent property. The clothes cleaning facility and printer are no longer depicted on the northern adjacent property. The Exchange National Bank is depicted on the eastern adjacent property.
- 1951 A restaurant is depicted on the southwestern portion of the subject property. The Tampa Morning Tribune and auto storage facility are no longer depicted on the eastern adjacent property. The Palace Theatre is depicted on the northeastern adjacent property. The photo shop is no longer depicted on the southeastern adjacent property. The remaining surrounding properties are largely unchanged.

A review of historical aerial photographs was performed to assess the condition of the subject property over time. This was performed by identifying structures, specific land features, and topographic attributes within the subject property, and the relationships of each, over a series of different years.

Significant observations and interpretations of the available aerial photographs are provided as follows:

- 1968 Four multi-story structures are depicted on the subject property. The Maas Brothers Department store is depicted on the northern portion of the site. The present-day Gold Bank Plaza structure is depicted on the western adjacent property. Several multi-story structures are apparent throughout the remaining surrounding properties.
- 1972 The subject and surrounding properties are substantially unchanged.
- 1976 A parking area is depicted on the western portion of the northern adjacent property. The subject and remaining surrounding properties are substantially unchanged.

- 1979 The structures located on the northern adjacent property are no longer depicted. The subject and remaining surrounding properties are substantially unchanged.
- 1982 The present-day TECO Plaza is depicted on the northern adjacent property. A parking area is depicted on the northwestern adjacent property. The subject and remaining surrounding properties are substantially unchanged.
- 1988 The subject and surrounding properties are substantially unchanged.
- 1991 The subject and surrounding properties are substantially unchanged.
- 1996 The subject and surrounding properties are substantially unchanged.
- 2000 The subject and surrounding properties are substantially unchanged.
- 2002 The subject and surrounding properties are substantially unchanged.
- 2005 The subject and surrounding properties are substantially unchanged.

Based upon our aerial photographic interpretation, HSA did not identify or observe signs of environmental distress on the subject property. Specific details concerning the types of activities taking place within the subject property and on adjacent properties could not be determined based solely on this historical aerial review.

Historical information sources researched in this assessment allowed uses of the property to be traced from the present back to 1889. This meets the 1940-minimum research limit but, does not predate the property's obvious first developed use per ASTM Standard E 1527-00 § 7.3.2, and therefore constitutes a data source failure. **Figure 3** depicts the subject property as recorded by the most recent aerial photograph (2005).

### **2.3 Physical Setting Source**

A current USGS 7.5 Minute Topographic Map illustrating the area on which the property is located, was reviewed during the ESA (see **Figure 4**). This review is required as specified in ASTM Standard E 1527-00 § 7.2.3. This map is particularly useful when conditions have been identified in which Hazardous Substances or Petroleum Products are likely to migrate to the Property or from within the Property, into the groundwater or soil. The 1995 USGS "Tampa, Florida" quadrangle map was reviewed. The subject property is located in Section 24, Township 29, and Range 18 East. The subject property is depicted as undeveloped.

According to the topographic map review, the subject property and surrounding areas are located approximately 20 feet above mean sea level. Based upon environmental investigation performed in the vicinity of the subject property, the groundwater flow in the area of the subject property is generally towards the south. Thus, properties located to the north are likely considered up gradient.

The following discretionary physical setting sources pursuant to ASTM Standard E 1527-00 § 7.2.3 were obtained and reviewed to provide supplemental information regarding the geology/hydrogeology and surficial soils in the vicinity of the property.

### **2.3.1 Hydrogeology**

Three major hydrostratigraphic divisions correspond to the major geologic sequences, which occur in Hillsborough County. These divisions include an unconfined water table aquifer, a regionally extensive confining unit known as the Hawthorn Group, and the Floridan aquifer. The unconfined water table typically represents a subdued expression of the overlying topography, whereas the Floridan aquifer, in many areas, is confined under pressure. Therefore, near-surface ground water flow typically follows surface topography to drainages that intersect the water table. An up gradient source is defined as one that lies hydraulically upstream, where released contaminants could potentially migrate and impact the property. Down gradient or cross gradient sources lie respectively either hydraulically downstream or at equal level to the property and have impact only if hydraulically connected by a geological feature. Based on environmental investigations performed within the vicinity of the subject property, the groundwater flow is generally towards the south. Thus, properties located to the north are likely considered up gradient.

### **2.3.2 Surficial Soils**

According to the United States Department of Agriculture Soil Survey for Hillsborough County, Florida (1982), soil type consists of Urban land. In most areas, the soils in this map unit are artificially drained by sewer systems, gutters, tile drains, and surface ditches.



### **3.0 RECORDS REVIEW**

Information pertaining to the standard Federal and state environmental record sources that are specified in the ASTM Standard E 1527-00 § 7.2.1.1 was obtained through DataMap Technology Corporation (DTC). The database information was reviewed to assist in the identification of evidence of recognized environmental conditions in connection with the property. Unmappable (*i.e.*, orphan) sites listed in the database with insufficient address or geocoding information to be located, were evaluated for potential location within the approximate minimum search distance (AMSD). Copies of the DTC research data and a description of the databases are included in **Appendix C** of this report.

#### **3.1 Environmental Record Sources, Federal, State, and Local**

The purpose of a records review is to obtain and review records that will assist in identifying Recognized Environmental Conditions in connection with the subject Property. Some records to be reviewed pertain not just to the Property, but also pertain to properties within an additional Approximate Minimum Search Distance in order to help assess the likelihood of problems from migrating Hazardous Substances or Petroleum Products. The term Approximate Minimum Search Distance (AMSD) is used in lieu of radius in order to include irregularly shaped properties. The authors of this document determined the AMSD for a particular record. Factors considered in reducing the AMSD included: (1) the density (*e.g.*, urban, rural or suburban) of the setting in which the property is located; (2) the distance that the Hazardous Substances or Petroleum Products are likely to migrate based on local geologic or hydrogeologic conditions; and (3) other reasonable factors. Only Reasonably Ascertainable record information was reviewed and included: (1) information that was Publicly Available, (2) information that was obtainable from its source within reasonable time and cost constraints, and (3) information that was Practically Reviewable.

It should be recognized that the accuracy and completeness of the record information may vary among information sources, including governmental sources. The availability of record information varied from information source to information source, including governmental jurisdictions.

##### **3.1.1 Federal Regulatory Agency (USEPA)**

Information from databases derived from several departments within the U.S. Environmental Protection Agency (EPA) Region IV office located in Atlanta, Georgia was reviewed. This agency publishes information regarding facilities that are involved in the generation, transportation, treatment, storage, and disposal of Hazardous Wastes; information concerning the control and use of hazardous chemicals in the environment; and permits for facilities which may

affect the environmental integrity of its surroundings. The EPA also provides information concerning sites involved in the Superfund cleanup program.

- **National Priorities List (NPL)** - The NPL was devised as a method for the EPA to prioritize confirmed contaminated sites for the purpose of initiating remedial action as funded by the Hazardous Waste Substances Superfund Program. The program was initially established under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) and reinstated under the Superfund Amendments and Reauthorization Act of 1986 (SARA). To date, EPA has identified 1,450 hazardous waste sites as being the most serious in the nation. There was **no NPL sites** located within the AMSD of *one mile* of the subject property investigated during this ESA.
- **Comprehensive Environmental Response, Compensation & Liability Index System (CERCLIS)** - The EPA maintains a list of sites nominated to (or accepted for) the Superfund program. Inclusion of sites on this list does not automatically imply the presence of an existing or threatening release of Hazardous Substances since these sites are to be field evaluated by EPA to determine their significance. These sites may also appear on the NPL list as being slated for EPA funded response action, or they may be under other Federal or State enforcement action.

Once a site has been identified as exhibiting a potential environmental inadequacy, the EPA or a duly authorized representative performs a Preliminary Assessment (PA). Based upon data gathered during the assessment, either further assessment is granted and the site is placed on a priority list according to its level of contamination, or the site is designated as “NFRAP,” or No Further Remedial Action Planned. There are currently 15,000 NFRAP sites on the CERCLIS list of 40,000 sites. There were **no CERCLIS sites** currently listed within the AMSD of *one-half of a mile* from the subject property investigated during this ESA.

- **Resource Conservation Recovery Act/Hazardous Waste Data Management System (RCRA/HWDMS)** - These facilities include 430,000 facilities whose operations generate, transport, treat, store or dispose of hazardous waste as per definitions and requirements of 40 CFR 261 and 270. These facilities are subdivided into four (4) categories: (1) Small and Very Small Quantity Generators (SQG's), (2) Large Quantity Generators (LQG's), (3) Transporters, and (4) Treatment, Storage or Disposal facilities (TSD's). There were **ten (10) RCRA sites** currently listed identified within the AMSD researched for the subject properties.

<p><b>Tampa Electric Co Plaza Garage</b>  702 North Franklin Street  Tampa, Florida 33602  Located approximately 0.06 miles northeast of the subject property  <b>SQG/NLR</b></p>
<p><b>USGSA</b>  601 North Florida Avenue  Tampa, Florida 33602  Located approximately 0.11 miles northeast of the subject property  <b>SQG/NLR</b></p>
<p><b>USGSA</b>  501 East Polk Street #600  Tampa, Florida 33602  Located approximately 0.12 miles northeast of the subject property  <b>SQG/NLR</b></p>
<p><b>NCNB Typesetting &amp; Copy Center</b>  400 North Ashley Street 16<sup>th</sup> Floor  Tampa, Florida 33602  Located approximately 0.15 miles southwest of the subject property  <b>SQG</b></p>
<p><b>Sir Speed Printing #5041</b>  202 East Cass Street  Tampa, Florida 33602  Located approximately 0.16 miles northwest of the subject property  <b>SQG</b></p>

<p><b>Hyatt Regency Tampa</b>  2 Tampa City Center  Tampa, Florida 33602  Located approximately 0.16 miles southwest of the subject property  <b>SQG</b></p>
<p><b>MCF Systems Atlanta Inc</b>  101 East Kennedy Boulevard #3170  Tampa, Florida 33602  Located approximately 0.17 miles southeast of the subject property  <b>SQG/NLR</b></p>
<p><b>Pioneer Auto Service Center</b>  1004 North Tampa Street  Tampa, Florida 33602  Located approximately 0.21 miles northwest of the subject property  <b>SQG/NLR</b></p>
<p><b>General Telephone Tampa</b>  Corner of Pierce and Zack Streets  Tampa, Florida 33602  Located approximately 0.23 miles northeast of the subject property  <b>NLR</b></p>
<p><b>One Tampa City Center</b>  201 North Franklin Street #1766  Tampa, Florida 33602  Located approximately 0.24 miles southeast of the subject property  <b>SQG/NLR</b></p>

Facilities that are designated as Small Quantity Generators (SQGs) are listed on the regulatory database because they generate small volumes of hazardous wastes. Facilities that are designated as Treatment, Storage and Disposal (TSD) facilities are licensed to respond and deal with emergency situations involving hazardous and toxic materials. In

regard to both SQGs and TSDs, it does not automatically follow that these sites are contaminated or a release has been reported (although 6,300 RCRA sites are listed on a subset database known as “CORRACTS” or Corrective Actions at RCRA Sites). In general, the listing is merely a compendium of facilities that use, store or dispose of waste materials. The database report also includes facilities which are no longer actively reporting to the EPA, either temporarily or permanently. These facilities are listed as No Longer Regulated (NLR) facilities.

While the Tampa Electric Co Plaza Garage site is listed on the northern adjacent property, this facility actually operated on the northwestern adjacent property. The USGSA site is located approximately 580 from the subject property. These sites are listed as a Small Quantity Generators (SQGs). According to the database report these facilities are no longer regulated. No violations are listed for these sites.

The remaining sites are located at least 790 feet from the subject property. Based upon their apparent separation distances from the subject property, it is unlikely that these sites have impacted the subject property.

- **The Emergency Response Notification System (ERNS)** - This database contains information reported to federal authorities (the EPA), for facilities that have reported accidental releases of oil and hazardous substances. There were **three (3) ERNS sites** identified within the AMSD researched for the subject property.

<p><b>Tampa Electric</b> Tampa Electric Gannon Station Tampa, Florida 33619 Located approximately 0.06 miles northeast of the subject property</p>
<p><b>7115/Unknown</b> Tampa Electric Power Plant Tampa, Florida 33619 Located approximately 0.06 miles northeast of the subject property</p>

**Greyhound Lines Inc**  
610 Polk Street  
Tampa, Florida 33602  
Located approximately 0.24 miles northeast of the subject property

The Tampa Electric and 7115/Unknown incidents occurred over one mile from the subject property. Based upon their apparent separation distances from the subject property, it is unlikely that these incidents have impacted the subject property.

### **3.1.2 State Regulatory Agency (FDEP)**

Although petroleum contains Hazardous Substances (*e.g.*, benzene, toluene, and xylene), petroleum and refined Petroleum Products, such as gasoline, are excluded from Superfund liability 42 U.S.C. §9601(14). This exclusion does not apply to Petroleum Products that are mixed with other Hazardous Wastes, thereby causing the entire mixture to be deemed hazardous, and therefore, subject to RCRA and CERCLA regulation.

EPA allows the State of Florida to administer a portion of the hazardous waste program authority of RCRA. Florida laws regulating hazardous wastes, such as the State Superfund, UST regulations, air pollution, and water pollution laws, tend to parallel the Federal regulations, but some sections of the State regulations differ from their Federal counterparts. For instance, although most states consider waste oil alone a listed Hazardous Waste, RCRA does not, unless the waste oil is mixed with a Federally listed hazardous waste.

It should be noted that due to a recent court case (Shell Oil Company vs. U.S. EPA), the EPA has now placed restrictions on waste oil. While it previously had a "petroleum exemption" applied to it (with relaxed restrictions), this court case identified that "hazardous waste-related constituents" could be introduced to the waste stream wherein a land disposal restricted waste had the potential to be improperly disposed.

This most recent case law has placed a temporary injunction against the "petroleum exemption" and all waste oils must now be handled as if they met the definition of "hazardous" according to the federal statutes.

- **Florida Dry Cleaners (DRYCLN)** – The DRYCLN List is maintained by the Florida Department of Environmental Protection (FDEP). The listings are maintained within the Florida Drycleaner Cleanup Program, which is designed to provide funding for assessing

and remediating drycleaner sites. There were **no DRYCLN sites** identified within the AMSD of *one-fourth of a mile* of the subject property.

- **The State Priority List (SPL)** - The Florida Department of Environmental Protection (FDEP) maintains several environmental databases. One database of specific interest is the State Priority List (SPL). The SPL database contains information on sites considered to be actually or potentially contaminated and presenting a possible threat to human health and the environment. There were **no SPL sites** within an AMSD of *one mile* for the subject property.
- **Solid Waste Landfills (SWLF)** - This report contains files for sites that are solid waste disposal facilities or landfills. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Section 2004 criteria for solid waste landfills or disposal sites. There were **no SWL listings** identified within the AMSD of one-half mile for the subject property.
- **Florida Leaking Storage Tank Report (LSTR)** - The LSTR (formerly, The Petroleum Contaminated Tracking System, or PCT) is a comprehensive listing of all reported leaking storage tanks reported within the State of Florida. Information from this database was extracted from the Florida Stationary Tank Inventory. There were **twenty-eight (28) LSTR sites** identified within the AMSD of *one-half mile* for the subject property.

**Tampa Electric Co-TECO Plaza**

700 North Tampa Street

Tampa, Florida 33602

Located approximately 0.07 miles northwest of the subject property

**Time Warner Telecom**

400 North Tampa Street

Tampa, Florida 33602

Located approximately 0.13 miles southeast of the subject property

**Sharaway Anne**

Old Chemstrand Road

Pensacola, Florida 33602

Located approximately 0.13 miles southeast of the subject property

<p><b>US Courthouse</b>  801 North Florida Avenue  Tampa, Florida 33602  Located approximately 0.14 miles northeast of the subject property</p>
<p><b>Land Trust #1</b>  401-405 East Kennedy Boulevard  Tampa, Florida 33602  Located approximately 0.18 miles southeast of the subject property</p>
<p><b>Floridan Hotel</b>  901 North Florida Avenue  Tampa, Florida 33602  Located approximately 0.19 miles northeast of the subject property</p>
<p><b>Dominos Pizza</b>  1005 North Tampa Street  Tampa, Florida 33602  Located approximately 0.20 miles northwest of the subject property</p>
<p><b>Kauffman Tire Service of GA Inc</b>  601 North Morgan Street  Tampa, Florida 33602  Located approximately 0.21 miles northeast of the subject property</p>
<p><b>Pioneer Auto Service Center Inc</b>  1004 North Florida Avenue  Tampa, Florida 33602  Located approximately 0.21 miles northwest of the subject property</p>



<p><b>Tampa City-DPW Fleet Maint-Div #7</b>  310 North Marion Street  Tampa, Florida 33602  Located approximately 0.22 miles southeast of the subject property</p>
<p><b>Castellano Property</b>  512 East Cass Street  Tampa, Florida 33602  Located approximately 0.23 miles northeast of the subject property</p>
<p><b>Southeast Financial Center</b>  401 East Jackson Street  Tampa, Florida 33602  Located approximately 0.24 miles southeast of the subject property</p>
<p><b>Courthouse Square Park</b>  600 East Kennedy Boulevard  Tampa, Florida 33602  Located approximately 0.25 miles southeast of the subject property</p>
<p><b>Air Drome Tire</b>  612 East Cass Street  Tampa, Florida 33602  Located approximately 0.26 miles northeast of the subject property</p>
<p><b>Tampa Downtown Invest Ltd Property</b>  City Blk Washington N Morgan  Tampa, Florida 33602  Located approximately 0.30 miles southeast of the subject property</p>

<p><b>Pioneer Properties Associates Ltd</b>  100 Tampa Street  Tampa, Florida 33602  Located approximately 0.30 miles southeast of the subject property</p>
<p><b>Autobond Imports</b>  1112 North Florida Avenue  Tampa, Florida 33602  Located approximately 0.31 miles northwest of the subject property</p>
<p><b>River Place</b>  238 West Kennedy Boulevard  Tampa, Florida 33606  Located approximately 0.31 miles southwest of the subject property</p>
<p><b>Tamp City – Royal St Parking Lot</b>  Royal Street &amp; Tampa Street  Tampa, Florida 33602  Located approximately 0.32 miles northwest of the subject property</p>
<p><b>Porter Property</b>  1202 North Tampa Street  Tampa, Florida 33602  Located approximately 0.32 miles northwest of the subject property</p>
<p><b>Tampa Tribune</b>  202 South Parker Street  Tampa, Florida 33606  Located approximately 0.34 miles southwest of the subject property</p>

<p style="text-align: center;"><b>Ice House</b>  818 Zack Street  Tampa, Florida 33602  Located approximately 0.35 miles northeast of the subject property</p>
<p style="text-align: center;"><b>Firestone #1889-004146</b>  900 East Kennedy Boulevard  Tampa, Florida 33602  Located approximately 0.39 miles northeast of the subject property</p>
<p style="text-align: center;"><b>Univ of Tampa</b>  401 West Kennedy Boulevard  Tampa, Florida 33606  Located approximately 0.41 miles southwest of the subject property</p>
<p style="text-align: center;"><b>Hillsborough Cnty-Jail System</b>  1308 North Morgan Street  Tampa, Florida 33602  Located approximately 0.44 miles northeast of the subject property</p>
<p style="text-align: center;"><b>Henderson Property</b>  1111 East Cass Street  Tampa, Florida 33602  Located approximately 0.44 miles northeast of the subject property</p>
<p style="text-align: center;"><b>Tampa Cty-Ribbon of Green</b>  237 South Ashley Street  Tampa, Florida 33602  Located approximately 0.46 miles southeast of the subject property</p>

**Tampa City-Convention Center**

209 South Franklin Street

Tampa, Florida 33602

Located approximately 0.48 miles southeast of the subject property

It should be noted that due to their proximity to the subject site, the FDEP Waste Management Oculus Data Management System files were reviewed and a file review was conducted at the Hillsborough County Environmental Protection Commission (HCEPC) office for several of the aforementioned facilities. Public record files for sites located on or within the immediate area of the subject property were requested and reviewed if available. The remaining facilities are unlikely to impact the subject property due to their actual separation distance from the subject property and/or apparent crossgradient/downgradient location.

While listed on the northern adjacent property, the Tampa Electric Co-TECO Plaza site is actually located on the northwestern adjacent property. This facility reported a petroleum discharge in June 1988. According to a Source Removal Report prepared by Environmental Consulting & Technology (ECT), dated April 2002, a multi-level parking garage and associated fueling facility were historically located on the site from the 1950s to the 1980s. The associated underground storage tank (USTs) were reportedly closed in place. Elevated levels of petroleum constituents were detected in groundwater and soil samples collected in the vicinity of the storage tanks. Groundwater samples collected along the southeastern portion of the site did not indicate the presence of petroleum constituents above regulatory standards. According to ECT, approximately 700 tons of impacted soils and 5,000 gallons impacted groundwater were removed from the site. Due to structures located on the subject property at the time of the initial remedial activities, a portion of the impacted soils was not excavated from the site. According to a Source Removal Report prepared by Environmental Assessments & Consulting (EAC), dated April 2005, approximately 1,839 tons of contaminated soils were subsequently excavated and transported offsite for disposal. EAC recommended continued groundwater monitoring activities at the site. According to a Post Active Remediation Monitoring Plan (PARMP) prepared by EAC, dated April 2005, EAC proposed conducting post remediation sampling. The Hillsborough County Environmental Protection Commission (HCEPC) approved the PARMP in June 2005. This facility currently has a priority score of 9 under the Petroleum Cleanup Participation Program (PCPP). The State-funded petroleum programs (*i.e.*, *Early Detection Incentive Program (EDI)*, *Abandoned Tank Restoration Program (ATRP)*, *Petroleum Liability Insurance and Restoration Program (PLIRP)*) are currently funding sites with a priority score of 31 or higher.

The Time Warner Telecom site is located approximately 629 feet southeast of the subject property. This facility reported a petroleum discharge in June 2002. According to a Spill Report prepared by Diversified Environmental Services, dated June 2002, the discharge occurred due to a malfunction of the facility's emergency generator shut-off valve. The discharge reportedly occurred on the roof of the facility. According to a letter prepared by the Hillsborough County Environmental Protection Commission (HCEPC), dated July 2003, the cleanup appeared to be satisfactory and the release was assigned "no cleanup required" status.

The Sharaway Anne site is located approximately 686 feet southeast of the subject property. This facility reported a petroleum discharge in December 1988. According to the database report, the release was assigned "no cleanup required" status.

The US Courthouse site is located approximately 739 feet northeast of the subject property and is listed as having a petroleum discharge in April 1995. According to a Contamination Assessment Report (CAR) and Limited Remedial Action Plan (LRAP) prepared by Law Engineering, dated May 1995, petroleum-impacted soils were identified onsite during construction of the Federal Courthouse building. Elevated levels of petroleum constituents were also identified in several groundwater samples collected onsite. While historical research of the site indicated that the site was historically developed for use as a filling station and auto garage, subsurface investigations conducted at the site did not indicate the presence of underground storage tanks (USTs) onsite. Further investigation indicated that the groundwater contaminant plume emanated from a former service station which operated to the north of the site. Law proposed to conduct de-watering activities onsite in order to remediate any contaminated soils or groundwater which may have been encountered during construction of the foundation for the courthouse structure. According to a letter prepared by Law, dated June 1995, the goal of the remedial activities was not to remediate the contamination in accordance with Florida Department of Environmental Protection (FDEP) cleanup target levels. A letter prepared by the HCEPC, dated May 2003, indicated that a Supplemental Site Assessment Report outlining the remedial activities performed at the site was to be submitted to the agency for review. No additional information regarding this site was found. This site is listed as having a priority score of 9 under the Petroleum Cleanup Participation Program (PCPP).

The remaining listed sites are located at least 950 feet from the subject property. Based upon their apparent separation distances from the subject property, it is unlikely that these sites have impacted the subject property.

**Registered Storage Tank (RST)** – This Florida Stationary Tank Inventory is a comprehensive listing of all registered Aboveground Storage Tanks (ASTs) and Underground Storage Tanks (USTs) within the State of Florida.

The listings in the RST database are for sites that have registered their storage tanks. The appearance of a site on the RST list does not necessarily indicate environmental inadequacies at the site, but rather that the potential for environmental degradation to occur on the site or on adjacent sites is increased should the storage tanks undergo physical damage or experience leakage. There were **forty (40) RST sites** identified within the AMSD of *one-quarter of a mile* for the subject property. The sites are identified below:

<p style="text-align: center;"><b>Hayman-Fuentes Cattle Co</b>  606 North Franklin Street  Tampa, Florida 33602  Located approximately 0.01 miles southeast of the subject property</p>
<p style="text-align: center;"><b>Epik Communications</b>  655 North Franklin Street #1200  Tampa, Florida 33602  Located approximately 0.05 miles northeast of the subject property</p>
<p style="text-align: center;"><b>FDN Communications</b>  655 North Franklin Street #900  Tampa, Florida 33602  Located approximately 0.05 miles northeast of the subject property</p>
<p style="text-align: center;"><b>Switch &amp; Data</b>  655 Franklin Street #1000  Tampa, Florida 33602  Located approximately 0.05 miles northeast of the subject property</p>
<p style="text-align: center;"><b>ITC Deltacom</b>  655 North Franklin Street #800  Tampa, Florida 33602  Located approximately 0.05 miles northeast of the subject property</p>

<p><b>Tampa Electric Co-TECO Plaza</b>  702 North Franklin Street  Tampa, Florida 33602  Located approximately 0.06 northeast of the subject property</p>
<p><b>Franklin Exchange</b>  600 North Florida Avenue  Tampa, Florida 33602  Located approximately 0.07 miles northeast of the subject property</p>
<p><b>Tampa Electric Co-TECO Plaza</b>  700 North Tampa Street  Tampa, Florida 33602  Located approximately 0.07 miles northwest of the subject property</p>
<p><b>First Florida Tower Office Building</b>  111 East Madison Street  Tampa, Florida 33602  Located approximately 0.10 miles southwest of the subject property</p>
<p><b>US Postal Service-Courthouse</b>  601 North Florida Avenue  Tampa, Florida 33602  Located approximately 0.11 miles northeast of the subject property</p>
<p><b>US Dept of General Svcs-Admin Bldg</b>  501 East Polk Street  Tampa, Florida 33602  Located approximately 0.12 miles northeast of the subject property</p>

<p><b>Hosted Ventures Corp</b>  412 East Madison Street #1100  Tampa, Florida 33602  Located approximately 0.12 miles southeast of the subject property</p>
<p><b>Madison Bldg Inc</b>  412 East Madison Street #816  Tampa, Florida 33602  Located approximately 0.12 miles southeast of the subject property</p>
<p><b>Hillsborough Cnty-John F Germany</b>  900 North Ashley Drive  Tampa, Florida 33602  Located approximately 0.13 miles northwest of the subject property</p>
<p><b>Level 3 Communications LLC</b>  400 North Tampa Street  Tampa, Florida 33602  Located approximately 0.13 miles southeast of the subject property</p>
<p><b>Use #9801794</b>  400 North Tampa Street  Tampa, Florida 33601  Located approximately 0.13 miles southeast of the subject property</p>
<p><b>Sharaway Anne</b>  Old Chemstrand Road  Pensacola, Florida 33602  Located approximately 0.13 miles southeast of the subject property</p>



<p><b>GTE Internetworking</b>  400 North Tampa Street  Tampa, Florida 33601  Located approximately 0.13 miles southeast of the subject property</p>
<p><b>Time Warner Telecom</b>  400 North Tampa Street  Tampa, Florida 33602  Located approximately 0.13 miles southeast of the subject property</p>
<p><b>US Courthouse</b>  801 North Florida Avenue  Tampa, Florida 33602  Located approximately 0.14 miles northeast of the subject property</p>
<p><b>Sykes Enterprises Inc</b>  400 North Ashley Drive  Tampa, Florida 33602  Located approximately 0.15 miles southwest of the subject property</p>
<p><b>Rivergate Tower</b>  400 North Ashley Street  Tampa, Florida 33602  Located approximately 0.15 miles southwest of the subject property</p>
<p><b>Verizon FL-Tampa Main</b>  615 Marion Street  Tampa, Florida 33601  Located approximately 0.16 miles northeast of the subject property</p>

<p><b>Sprint Comm Co LP-Tampa Pop</b>  110 North Franklin Street  Tampa, Florida 33602  Located approximately 0.16 miles southwest of the subject property</p>
<p><b>MCI</b>  101 East Kennedy Boulevard  Tampa, Florida 33602  Located approximately 0.17 miles southeast of the subject property</p>
<p><b>Verizon FL-Tampa Twigg</b>  610 Morgan Street  Tampa, Florida 33602  Located approximately 0.18 miles northeast of the subject property</p>
<p><b>Land Trust #1</b>  401-405 East Kennedy Boulevard  Tampa, Florida 33602  Located approximately 0.18 miles southeast of the subject property</p>
<p><b>Floridan Hotel</b>  901 North Florida Avenue  Tampa, Florida 33602  Located approximately 0.19 miles northeast of the subject property</p>
<p><b>Dominos Pizza</b>  1005 North Tampa Street  Tampa, Florida 33602  Located approximately 0.20 miles northwest of the subject property</p>

<p><b>Kauffman Tire Service of GA Inc</b>  601 North Morgan Street  Tampa, Florida 33602  Located approximately 0.21 miles northeast of the subject property</p>
<p><b>Grandoff Investments Inc</b>  601 North Morgan Street  Tampa, Florida 33602  Located approximately 0.21 miles northeast of the subject property</p>
<p><b>Pioneer Auto Service Center Inc</b>  1004 North Florida Avenue  Tampa, Florida 33602  Located approximately 0.21 miles northwest of the subject property</p>
<p><b>Verizon FL-Tampa EAX</b>  610 East Zack Street  Tampa, Florida 33602  Located approximately 0.22 miles northeast of the subject property</p>
<p><b>Tampa City-DPW Fleet Maint-Div #7</b>  310 North Marion Street  Tampa, Florida 33602  Located approximately 0.22 miles southeast of the subject property</p>
<p><b>Castellano Property</b>  512 East Cass Street  Tampa, Florida 33602  Located approximately 0.23 miles northeast of the subject property</p>

<p><b>Verizon FL Inc-Main Fleet</b>  Pierce Street &amp; Zack Street  Tampa, Florida 33601  Located approximately 0.23 miles northeast of the subject property</p>
<p><b>Greyhound Lines Inc</b>  610 East Polk Street  Tampa, Florida 33602  Located approximately 0.24 miles northeast of the subject property</p>
<p><b>Verizon FL-Tampa City Ctr</b>  201 North Franklin  Tampa, Florida 33602  Located approximately 0.24 miles southeast of the subject property</p>
<p><b>Southeast Financial Center</b>  401 East Jackson Street  Tampa, Florida 33602  Located approximately 0.24 miles southeast of the subject property</p>
<p><b>Courthouse Square Park</b>  600 East Kennedy Boulevard  Tampa, Florida 33602  Located approximately 0.25 miles southeast of the subject property</p>

The Hayman-Fuentes Cattle Company site is reportedly located on the subject property and is listed as having two 550-gallon aboveground storage tanks (ASTs) containing leaded fuel and vehicular diesel in service. While this site is listed as an agricultural facility, no agricultural facilities were observed on the subject property. According to Ms. Mary Joe Howell, a representative of the HCEPC, no additional information regarding this facility is available. Additionally, no additional information regarding this site was available at the FDEP. Internet research of Hayman-Fuentes indicated the presence of two Hayman-Fuentes farms over ten miles from the subject site. HSA also attempted to contact the site contact, JH Williams, registered with the FDEP. However, no such individual was available at the telephone number contacted.

The Epik Communications, FDN Communications, Switch & Data, and ITC Deltacom sites are located on the eastern adjacent property. These sites are listed as having two 1,000-gallon and two 2,000-gallon aboveground diesel generators in service. No discharges are listed for this facility.

The Franklin Exchange site is located approximately 269 feet east of the subject property. This site is listed as having one 6,000-gallon UST containing diesel fuel closed in place. No discharges are listed for this facility.

The US Postal Service - Courthouse is located approximately 360 feet northeast of the subject site. This site is listed as having one 6,000-gallon UST containing fuel oil removed. No discharges are listed for this site.

The First Florida Tower Office Building is located approximately 439 feet southwest of the subject site. This site is listed as having two 3,000-gallon and 15,000-gallon USTs closed in place. No discharges are listed for this facility.

*The Tampa Electric TECO Plaza sites were previously discussed in this section.*

### **3.1.3 County Agencies (*Hillsborough County*)**

An HSA Environmental Professional contacted the Hillsborough County Environmental Protection Commission (HCEPC), to obtain additional information regarding facility non-compliance, spills, historical contamination, and/or any other site inconsistencies which have occurred at the site or within its near proximity. Businesses that either maintain storage tanks or produce hazardous waste are required by law to have their facilities registered, where applicable.

On the other hand, it has been recognized that there are many facilities that operate tanks or use hazardous materials without proper regulatory authorization. Therefore, the standard State and Federal databases are not necessarily inclusive of all facilities.

An interview with Ms. Mary Joe Howell, a representative of the HCEPC was conducted; however, no additional information concerning any environmental issues related to the subject property or its immediate surroundings were on file. HSA also performed a drive-by inspection of the residential neighborhoods to the north, southeast and west in order to identify features considered to be inconsistent with regulatory agency findings. No additional facilities which would generate hazardous waste, or require the use of UST's, were noted during the drive-by inspection of the subject property and properties in close proximity.

### 3.2 Information Reported by User

Pursuant to ASTM E 1527-00 § 5.2 and § 5.3, HSA requested that **Wood Partners** (*i.e.*, User) provide information on any environmental liens or activity and use limitations recorded against the subject property, communicate any specialized knowledge or experience that is material to recognized environmental conditions in connection with the property, and identify key site managers for interviewing purposes. Information that was reported has been incorporated into **Appendix E**, and are discussed in, appropriate sections of this report and are discussed below:

- A Phase I ESA prepared by Envirochek, Inc., dated February 2005. The ESA indicated the presence of two suspect environmental concerns including: the possible presence of asbestos containing materials (ACM) and a potential underground storage tank (UST). During Envirochek's site reconnaissance, a "suspicious" pipe was noted to be protruding from the concrete sidewalk located along the western portion of the subject site. Envirochek indicated that the pipe may have been utilized as a fill spout for a UST.
- An Asbestos Demolition Plan prepare by Continental Industries. The plan outlines the manner in which asbestos abatement activities would be conducted at the site during demolition of the structures located on the subject property.

### 3.3 Additional Record Sources

The following are several non-scope considerations that persons may want to assess in connection with commercial real estate. No implication is intended as to the relative importance of the inquiry into such non-scope considerations, and this list of non-scope considerations is not intended to be all-inclusive:

- ~ Asbestos-containing Materials;
- ~ Radon;
- ~ Lead Based Paint;
- ~ Lead in Drinking Water.
- ~ Wetlands;
- ~ Regulatory Compliance;
- ~ Cultural and Historic Resources;
- ~ Industrial Hygiene;
- ~ Health and Safety;
- ~ Ecological Resources;
- ~ Endangered Species;
- ~ Indoor Air Quality; and
- ~ High Voltage Powerlines.

## 4.0 SITE RECONNAISSANCE

On March 14 and 20, 2006 an HSA Environmental Professional, experienced in the observance of environmental phenomena, performed a site reconnaissance of the subject property. The reconnaissance consisted of observing the periphery of the property and viewing the site from accessible adjacent public thoroughfares. Interior portions of the property were systematically traversed to provide an overlapping field of view, wherever possible. The periphery of structures, where present on the property, were observed along with interior accessible common areas, maintenance and repair areas, and a representative number of occupant spaces. Visual reconnaissance of adjoining properties was limited to areas and facilities that were readily observable from the subject property or from public access areas. Photographs were taken to document the features observed during the reconnaissance and environmental conditions of concern, where possible. A photographic log and copies of the photographs are included in **Appendix D**. Findings of the site reconnaissance have been incorporated throughout this report. During the site reconnaissance, particular attention was afforded to site features that are typically indicative of potential environmental inadequacies.

A summary of uses and conditions consistent with ASTM Standard E 1527-00 § 8.4 indicating the likelihood of recognized environmental conditions in connection with the property is provided below. For each of the uses or conditions identified on the property, detailed information is discussed following a summary along with an opinion about the significance of the listing to the analysis of recognized environmental conditions in connection with the subject property.

### 4.1 Property Reconnaissance Findings

#### IDENTIFIED

Yes	No	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hazardous Substance in connection with identified uses
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Petroleum products in connection with identified uses
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Aboveground or underground storage tanks (ASTs/USTs) or appurtenances
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Suspect containers not in connection with identified uses
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Electrical or mechanical equipment with signs of leakage
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Extreme instances of interior stains or corrosion
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Drains or sumps
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wastewater discharges
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Septic or sewage tanks
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pits, Ponds, or lagoons
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pools of liquid or standing water

**Yes    No**

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Solid waste dumping, landfills, soil subsidence, or suspect fill materials |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Non <i>de minimis</i> stained soil or pavement                             |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Stressed vegetation  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Wells  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Odors  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Other uses or conditions of concern  |

To the extent observed or identified through interviews, the following information was obtained. The weather conditions during the site reconnaissance were described as cloudy and approximately 76 degrees Fahrenheit. Access to the facility was provided along Franklin Street. The surrounding properties are predominantly commercially developed and include: TECO Plaza to the north, Skypoint Condominiums (under construction) to the northwest; Gold Bank Plaza to the west; Express Tailors, Eddie & Sam's NY Pizza, Jerk Hut, former Walgreen's Pharmacy, and a vacant office building to the south; Nebulous Records to the southeast; Solutions General Contractors, Franklin Exchange, Florida Reprographics, and a parking garage to the east; and Lydian Bank and Trust and Hyde Park Capital Partners, LLC to the northeast (see **Figure 2**).

During the site reconnaissance, the subject property received a combination driving tour and walk-through examination. The subject property is comprised of four parcels totaling 0.98-acres of land. Demolition activities were observed throughout the subject property. Construction equipment was also observed throughout the site (**Appendix D, Photograph 1**). According to Mr. David Thompson, Development Associate with Wood Partners, the site is undergoing development activities in association with a proposed condominium structure. A portion of the former Maas Brothers Department Store structure was observed on the northwest portion of the site (**Appendix D, Photograph 2**). Several stockpiles of debris including: concrete, brick, and metal debris were observed throughout the site (**Appendix D, Photograph 3**). No materials which may be considered hazardous were observed on the surface of the stockpiles.

An approximately two-inch PVC pipe was observed along the western portion of the Maas Brothers structure (**Appendix D, Photograph 4**). The pipe was observed along the exterior of the structure's boiler room. The pipe appeared to extend below ground surface and was observed to be capped. An electrical wire was observed along the exterior of the pipe. According to site demolition contractor Mr. George Riley, Continental Industries, the pipe was associated with the structure's boiler system. Mr. Riley indicated that the piping was utilized as a compression valve and was connected to a series of pipes which extended to the roof of the facility (**Appendix D, Photograph 5**). Mr. Riley further stated that the area around the piping was probed prior to demolition and no storage tanks were encountered. The piping was not observed during a subsequent site reconnaissance conducted by HSA on March 20, 2006 (**Appendix D, Photograph 6**). Mr. Riley indicated that the piping had been removed from the site.



Utility systems identified at the property, as specified in ASTM Standard E 1527-00 § 8.4.1 and § 8.4.3 are as follows:

- No heating ventilating and air conditioning (HVAC) system, sewage disposal system or potable water source were identified on the property.

## 4.2 Adjoining Property Reconnaissance Findings

A summary of uses and conditions identified on adjoining properties consistent with ASTM Standard E 1527-00 § 8.4 indicating the likelihood of recognized environmental conditions in connection with the property is provided below. For each of the uses or conditions identified on the adjoining properties, detailed information is discussed following a summary along with an opinion about the significance of the listing to the analysis of recognized environmental conditions in connection with the subject property.

### IDENTIFIED

Yes	No	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hazardous Substance in connection with identified uses
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Petroleum products in connection with identified uses
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Aboveground or underground storage tanks (ASTs/USTs) or appurtenances
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Suspect containers not in connection with identified uses
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Electrical or mechanical equipment with signs of leakage
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Extreme instances of interior stains or corrosion
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Drains or sumps
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wastewater discharges
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Septic or sewage tanks
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pits, Ponds, or lagoons
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pools of liquid or standing water
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Solid waste dumping, landfills, soil subsidence, or suspect fill materials
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Non <i>de minimis</i> stained soil or pavement
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Stressed vegetation
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wells
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Odors
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other uses or conditions of concern

Several commercial businesses were observed throughout the surrounding properties. The Gold Bank Plaza and an associated parking area were observed to the west across North Tampa Street (**Appendix D, Photograph 7**). Several commercial businesses were observed throughout the southern adjacent properties including: FirstWatch restaurant, Express Tailors, Eddie & Sam's

NY Pizza, Jerk Hut, former Walgreen's Pharmacy, a vacant office building, and Nebulous Records (**Appendix D, Photographs 8 and 9**). A multi-story office building and associated parking garage were observed on the eastern adjacent property across North Franklin Street including: Solutions General Contractors, Franklin Exchange, and Florida Reprographics (**Appendix D, Photograph 10**). Lydian Bank and Trust and Hyde Park Capital Partners, LLC were observed on the northeastern adjacent property (**Appendix D, Photograph 11**). The TECO Plaza office building was observed on the northern adjacent property (**Appendix D, Photograph 12**). The Skypoint Condominiums were observed to be under construction on the northwestern adjacent property (**Appendix D, Photograph 13**).

#### **4.3 Limitations of Assessment**

Along with all of the limitations set forth in various sections of the ASTM Standard E 1527-00 protocol, the accuracy and completeness of this report is necessarily limited by the following:

- Access Limitations – None
- Physical Obstructions to Observations – Stockpiles of debris were located throughout the subject property and prohibited a thorough observation of the underlying areas.
- Outstanding Information Requests – None
- Historical Data Source Failure – Historical information sources researched in this assessment allowed uses of the property to be traced from the present back to 1889. This meets the 1940-minimum research limit but, does not predate the property's obvious first developed use per ASTM Standard E 1527-00 § 7.3.2, and therefore constitutes a data source failure.
- Key Site Manager Contact – Mr. David Thompson and Mr. George Riley
- 50-year chain-of-title (User responsibility) – Not Reviewed
- Other – According to Mr. Thompson, the current property owner has owned the subject property for approximately two years. As such, the owner is unable to provide information regarding the environmental history of the subject site.

#### **4.4 Significant Assumptions**

HSA has made the following significant assumptions in the preparation of this report:

- Groundwater flow direction – The direction of groundwater flow in the area of the property had been inferred based on site observations of topographic slope, proximity of nearby water bodies, file record information, contamination assessment reports, an a review of the current USGS topographic map. The groundwater flow direction may be variable in this area due to a number of nearby influences.

- Regulatory Records Information – HSA assumes that all information provided by DataMap Technology Corporation regarding the regulatory status of facilities within the AMSD is complete, accurate, and current.
- Other - None

## 5.0 FINDINGS

Our research and findings indicate that the subject property has been residentially and commercially developed from at least 1889 to 2004. Former occupants included: Strand Theatre, Western Union Telegraph, Maas Brothers Department store, Alcazar Motion Pictures, drug stores, jewelers, restaurant, a dwelling, and various retailers. The subject property is comprised of four parcels totaling 0.98-acres of land.

The subject property is undergoing development activities in association with a proposed condominium structure. Demolition activities were observed throughout the site. While several stockpiles of debris including: concrete, brick, and metal debris were observed throughout the site, no materials which may be considered hazardous were observed on the surface of the stockpiles.

According to a previous environmental investigation conducted on the subject property, a “suspicious” pipe was noted along the western portion of the site. During HSA’s site reconnaissance, an approximately two-inch PVC pipe was observed along the western portion of the Maas Brothers structure. The pipe was observed along the exterior of the structure’s boiler room and was observed to be capped. According to site demolition contractor Mr. George Riley, Continental Industries, the pipe was associated with the structure’s boiler room which was located adjacent to the pipe. Mr. Riley indicated that the piping was utilized as a compression valve. Mr. Riley further stated that the area around the piping was probed prior to demolition and no storage tanks were encountered.

With respect to potential contamination from properties in close proximity, the regulatory database search identified eighty-one (81) sites within the Approximate Minimum Search Distance (AMSD) of the property including the Hayman-Fuentes Cattle Company site located on the subject property. This site is listed as an agricultural facility and as having two 550-gallon aboveground storage tanks (ASTs) containing petroleum products in service. While this site is listed on the subject property, no such facilities are known to have existed on the subject property or observed to be in operation on the subject site. According to representatives of the HCEPC and FDEP, no additional information regarding this facility is available. Internet research of Hayman-Fuentes indicated the presence of two Hayman-Fuentes Farms over ten miles from the subject site. HSA also attempted to contact the site contact registered with the FDEP. However, no such individual was available at the telephone number contacted.

The Tampa Electric Co-TECO Plaza and Garage sites are located on the northwestern adjacent property. This facility is listed as a RCRA Small Quantity Generator (SQG) and reported a petroleum discharge in June 1988. Elevated levels of petroleum constituents were detected in groundwater and soil samples collected in the vicinity of several storage tanks located onsite. Remedial activities conducted at the site included dewatering and soil removal. This facility is

undergoing Post Active Remediation Monitoring (PARM) and has a priority score of 9 under the Petroleum Cleanup Participation Program (PCPP). The State-funded petroleum programs (*i.e.*, *Early Detection Incentive Program (EDI)*, *Abandoned Tank Restoration Program (ATRP)*, *Petroleum Liability Insurance and Restoration Program (PLIRP)*) are currently funding sites with a priority score of 31 or higher.

The USGSA site is located approximately 580 from the subject property. This site is listed as a RCRA SQG and is also listed as no longer regulated. No violations are listed for this site.

The US Courthouse site is located approximately 739 feet northeast of the subject property and is listed as having a petroleum discharge in April 1995. Elevated levels of petroleum constituents were also identified in several groundwater samples collected onsite due to petroleum releases from a former service station located on a northern adjacent property. While remedial activities were conducted onsite during construction of the foundation for the courthouse structure, according to a letter prepared by Law Engineering, dated June 1995, the goal of the remedial activities was not to remediate the contamination in accordance with FDEP cleanup target levels. A letter prepared by the HCEPC, dated May 2003, indicated that a Supplemental Site Assessment outlining the remedial activities performed at the site was required to be submitted to the agency for review. No additional information regarding this site was found. This site is listed as having a priority score of 9 under the Petroleum Cleanup Participation Program (PCPP).

Several additional sites are listed as having regulated storage tanks within 500 feet of the subject property. No discharges have been reported for these sites. These sites include:

- The Epik Communications, FDN Communications, Switch & Data, and ITC Deltacom sites are located on the eastern adjacent property. These sites are listed as having two 1,000-gallon and two 2,000-gallon aboveground diesel generators in service.
- The Franklin Exchange site is located approximately 269 feet east of the subject property. This site is listed as having one 6,000-gallon UST containing diesel fuel closed in place.
- The US Postal Service - Courthouse is located approximately 360 feet northeast of the subject site. This site is listed as having one 6,000-gallon UST containing fuel oil removed.
- The First Florida Tower Office Building is located approximately 439 feet southwest of the subject site. This site is listed as having two 3,000-gallon and 15,000 gallon USTs closed in place.

A review of historic Sanborn Maps and city directories of the vicinity of the subject property indicated the presence of several commercial businesses including:

- A “Paints and Oils” store was depicted on the northern adjacent property in 1903.
- A Print Shop was depicted on the eastern adjacent property in 1903.
- A “Paints and Oils” store was depicted on the southern adjacent property in 1915.
- An automotive repair and supply facility was depicted on the western adjacent property from at least 1915 to 1931.
- A printing company was depicted on the northwestern adjacent property from at least 1915 to 1931.
- A clothes cleaning company, print shop, printing facility, automotive showroom, and auto tire shop were depicted on the northern adjacent property from at least 1915 to 1931.
- Vogue Dry Cleaners was listed on the western adjacent property from at least 1929 to 1934.
- Bornstein Tires and Michelin Tire Service was also listed on the western adjacent property in 1929.
- Empire Tailors and Cleaners were listed on the northern adjacent property in 1934.
- The Tampa Morning Tribune and The Tribune Press were listed/depicted on the western adjacent property from at least 1931 to 1951. This facility was also depicted on the southwestern adjacent property in 1915.

No additional information regarding these sites was available during a file review conducted at the Hillsborough County Environmental Protection Commission (HCEPC).

According to the review of historic Sanborn Maps, several storage tanks were also located in close proximity to the subject site. A review of the 1915 and 1931 Sanborn Maps indicated the presence of an automotive showroom on the southwestern adjacent property approximately 165 feet from the subject site. A 285-gallon underground storage tank (UST) containing gasoline was depicted adjacent to the automotive showroom. A gasoline storage tank was depicted within an auto storage facility located on the western adjacent property from at least 1931 to 1951. A “twenty-foot tank” was depicted on the eastern adjacent property in 1903. The contents of the storage tank were not noted. No additional information regarding these sites was available during a file review conducted at the HCEPC.

With respect to the remaining sites listed within the database report, these sites are located at least 750 feet from the subject property. These sites are located to the northeast, northwest, and south of the subject property. Based upon previous environmental investigations conducted in the vicinity of the subject property, the groundwater flow in the area of the subject property is to the south.

## 6.0 OPINION

Based upon our site reconnaissance, review of information obtained from our interviews and records review relative to the subject property and properties in close proximity, HSA's has formulated the following opinions. In conjunction with our opinions, HSA also cited several environmental issues related to the subject property that, while do not meet the definition of a Recognized Environmental Condition, should be considered when evaluating the Business Environmental Risks associated with the subject property.

1. With respect to the Hayman-Fuentes Cattle Company listed on the subject property as currently operating two aboveground storage tanks (ASTs) containing petroleum products, no reasonably ascertainable information indicating that this site has operated on the subject property was found. Given that the site is listed as an agricultural facility and two such facilities with similar names were listed at locations over ten miles from the subject site, it is suspected that the location reported for this site may be erroneous.
2. With respect to the petroleum-impacted groundwater reported on the northwestern adjacent TECO Plaza site, no reasonably ascertainable information indicating that this site has impacted the subject property was found and no petroleum constituents were detected in groundwater samples obtained between this site and subject property. Substantial site remediation activities have already been completed at this facility and any future site remediation work is eligible for State-funded cleanup. This facility is undergoing Post Active Remediation Monitoring (PARM) and has a priority score of 9 under the Petroleum Cleanup Participation Program (PCPP). The State-funded petroleum programs (*i.e.*, *Early Detection Incentive Program (EDI)*, *Abandoned Tank Restoration Program (ATRP)*, *Petroleum Liability Insurance and Restoration Program (PLIRP)*) are currently funding sites with a priority score of 31 or higher. Program eligibility (as well as the current cleanup ranking) is tied to the property, and not the property owner, and thus, as long as the neighboring property continues to meet eligibility requirements as specified in the law, a neighboring property transfer itself, will not affect program eligibility, or the eventual cleanup of both on and off-site groundwater impacts. In addition, Chapter 376, Florida Statutes, provides a defense to liability to property owners and their lenders with respect to the assessment and remediation of petroleum product remediation granted eligibility under PCPP.
3. Petroleum-impacted groundwater has been reported at the US Courthouse site located approximately 739 feet northeast of the subject property. No reasonably ascertainable information indicating that this site has impacted the subject property was found. This site is listed as having a priority score of 9 under the Petroleum Cleanup Participation Program (PCPP). As previously stated, the current cleanup ranking is tied to the property, and not the property owner, and thus, as long as the neighboring property continues to

meet eligibility requirements as specified in the law, a neighboring property transfer itself, will not affect program eligibility, or the eventual cleanup of both on and off-site groundwater impacts. In addition, Chapter 376, Florida Statutes, provides a defense to liability to property owners and their lenders with respect to the assessment and remediation of petroleum product remediation granted eligibility under PCPP.

4. With respect to the sites (Epik Communications, FDN Communications, Switch & Data, ITC Deltacom, and Franklin Exchange) listed as currently having regulated storage tanks within close proximity to the subject property, the mere presence of these sites does not represent a material threat to the subject property. Additionally, no documented discharges are listed for these sites.
5. With respect to the US Postal Service – Courthouse and First Florida Tower Office Building sites, the mere presence of these sites does not represent a material threat to the subject property. Additionally, these sites are no longer utilized for the storage of petroleum products and no documented discharges are listed for these facilities.
6. The mere historical presence of the “Paints and Oils” stores, print shops, automotive repair and supply facilities, clothes cleaning companies, auto tire shop, automotive showroom, Vogue Dry Cleaners, Empire Tailors and Cleaners, Tampa Morning Tribune, Tribune Press, Bornstein Tires, Michelin Tire Service facilities, and miscellaneous storage tank systems in close proximity to the subject property does not represent a material threat to the subject property. Additionally, no reasonably ascertainable information indicating that these sites have impacted the subject property was found.
7. With respect to the remaining sites identified by the database report within the ASTM minimum search criteria, HSA believes that the potential for off-site contaminants to migrate onto the subject property from the other listed sites is unlikely due to the distances of these sites from the subject property, and apparent crossgradient to downgradient locations with respect to the subject property.



## 7.0 CONCLUSIONS

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-00 of the Franklin Street Site located at 602 & 610 Franklin Street and 609 & 611 Tampa Street, in Tampa, Hillsborough County, Florida, the subject property. **This assessment did not reveal any evidence of Recognized Environmental Conditions (RECs) in connection with the subject property.**

## **8.0 WARRANTY**

HSA warrants that the findings and conclusions contained herein were accomplished in general accordance with the methodologies set forth in the ASTM Standard E 1527-00 protocol. These methodologies are described by the Standard as representing good commercial and customary practice for conducting an Environmental Site Assessment of a parcel of property for the purpose of identifying recognized environmental conditions. However, these findings and conclusions contain all of the limitations inherent in these methodologies which are referred to in the protocol and some of which that are more specifically set forth as follows.

On January 11, 2002, § 9601(35)(B) was amended to recognize the use of the previous E 1527-97 ASTM version of the Standard, until the EPA promulgates a rule effecting a new due diligence standard, as required by the statutory amendment. The statute does not explicitly state that the interim use of this previous version is to the exclusion of any other method. Further, ASTM has not promulgated any revision to the Standard in regard to the statutory change. We are not aware of consultants, at least locally, using this older Standard so as to implement the amendment's "literal" recognition, and we make no comment upon the effect of performing our services consistent with the new ASTM E 1527-00 Standard.

There is a possibility that even with proper application of these methodologies, conditions may exist on the property that could not be identified within the scope of the assessment or that were not reasonably identifiable from the available information. HSA believes that the information obtained from the records review and the interviews concerning the property is reliable. However, HSA cannot and does not warrant or guarantee that the information provided by these other sources is accurate or complete. The methodologies of this assessment are not intended to produce all inclusive or comprehensive results, but rather to provide our client with information regarding apparent suspicions of existing and potential adverse environmental conditions relating to the subject property. No other warranties are implied or expressed.

## FIGURES

## **APPENDIX A**

### **ASTM Glossary**

## **APPENDIX C**

### **Environmental First Search Report**



## **APPENDIX D**

### **Selected Site Photographs**

## **APPENDIX E**

### **Information Provided by User**



## **APPENDIX B**

### **Credentials and Qualifications**

## **APPENDIX G**

### **Laboratory Analytical Results**

## GLOSSARY AND SELECTED TERMINOLOGY FROM THE STANDARD PRACTICE FOR ENVIRONMENTAL SITE ASSESSMENTS:

### Terminology

This section provides definitions, descriptions of terms, and a list of acronyms for many of the words used in this Environmental Site Assessment. The terms are an integral part of the ESA practice and is critical to understanding the practices and it's use.

1. *Recognized Environmental Conditions*--In defining a standard of good commercial and customary practice for conducting an *environmental site assessment* of a parcel of *property*, the goal of the processes established by this practice is to identify *recognized environmental conditions*. The term *recognized environmental conditions* means the presence or likely presence of any *hazardous substances* or *petroleum products* on a *property* under conditions that indicate an existing release, a past release, or a material threat of a release of any *hazardous substances* or *petroleum products* into structures on the *property* or into the ground, groundwater, or surface water of the *property*. The term includes *hazardous substances* or *petroleum products* even under conditions in compliance with laws. The term is not intended to include *de minimis* conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.
2. *Asbestos*--six naturally occurring fibrous minerals found in certain types of rock formations. Of the six, the minerals chrysotile, amosite, and crocidolite have been most commonly used in building products. When mined and processed, asbestos is typically separated into very thin fibers. Because asbestos is strong, incombustible, and corrosion-resistant, asbestos was used in many commercial products beginning early in this century and peaking in the period from World War II into the 1970s. When inhaled in sufficient quantities, asbestos fibers can cause serious health problems. *Asbestos containing material (ACM)*--any material or product that contains more the 1% asbestos.
3. *Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)*--the list of sites compiled by EPA that EPA has investigated or is currently investigating for potential hazardous substance contamination for possible inclusion on the National Priorities List.
4. *Construction debris*--concrete, brick, asphalt, and other such building materials discarded in the construction of a building or other improvement to property.

5. *Contaminated public wells*--public wells used for drinking water that have been designated by a government entity as contaminated by toxic substances (*e.g.*, chlorinated solvents), or as having water unsafe to drink without treatment.
6. *Demolition debris*--concrete, brick, asphalt and other such building materials discarded in the demolition of a building or other improvement to property.
7. *Drum*--a container (typically, but not necessarily, holding 55 gal (208 L) of liquid) that may be used to store *hazardous substances* or *petroleum products*.
8. *Dry wells*--underground areas where soil has been removed and replaced with pea gravel, coarse sand, or large rocks. Dry wells are used for drainage, to control storm runoff, for the collection of spilled liquids (international and non-international) and wastewater disposal (often illegal).
9. *Dwelling*--structure or portion thereof used for residential habitation.
10. *Environmental lien*--a charge, security, or encumbrance upon title to a *property* to secure the payment of a cost, damage, debt, obligation, or duty arising out of response actions, cleanup, or other remediation of *hazardous substances* or *petroleum products* upon a *property*, including (but not limited to) liens imposed pursuant to CERCLA 42 USC § 9607(1) and similar state or local laws.
11. *ERNS list*--EPA's emergency response notification system list of reported CERCLA hazardous substance release or spills in quantities greater than the reportable quantity, as maintained at the National Response Center. Notification requirements for such releases or spills are codified in 40 CFR Parts 302 and 355.
12. *Federal Register, (FR)*--publication of the United States government published daily (except for federal holidays and weekends) containing all proposed and final regulations and some other activities of the federal government. When regulations become final, they are included in the Code of Federal Regulations (CFR), as well as published in the Federal Register.
13. *Fire insurance maps*--maps produced for private fire insurance map companies that indicate uses of properties at specified dates and that encompass the property. These maps are often available at local libraries, historical societies, private resellers, or from the map companies who produced them. See Question 23 of the transaction screen process in Practice E 1528 and 7.3.4.2 of this practice.

14. *Hazardous substance*--A substance defined as a hazardous substance pursuant to CERCLA 42 USC § 9601(14), as interpreted by EPA regulations and the courts: "(A) any substance designated pursuant to section 1321(b)(2)(A) of Title 33, (B) any element, compound, mixture, solution, or substance designated pursuant to section 9602 of this title, (C) any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (42 USC § 6921) (but not including any waste the regulation of which under the Solid Waste Disposal Act (42 USC § 6901 *et seq.*) has been suspended by Act of Congress), (D) any toxic pollutant listed under section 1317 (a) of Title 33, (E) any hazardous air pollutant listed under section 112 of the Clean Air Act (42 USC § 7412), and (F) any imminently hazardous chemical substance or mixture with respect to which the Administrator (of EPA) has taken action pursuant to section 2606 of Title 15.

The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (A) through (F) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas)." (See **Appendix X1**).

15. *Hazardous waste*--any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (42 USC § 6921) (but not including any waste the regulation of which under the Solid Waste Disposal Act (42 USC § 6901 *et seq.*) has been suspended by Act of Congress). The Solid Waste Disposal Act of 1980 amended RCRA. RCRA defines a hazardous waste, in 42 USC § 6903, as "a solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may--(A) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (B) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed."
16. *Landfill*--a place, location, tract of land, area, or premises used for the disposal of solid wastes as defined by stated solid waste regulations. The term is synonymous with the term *solid waste disposal site* and is also known as a garbage dump, trash dump, or similar term.
17. *Local street directories*--directories published by private (or sometimes government) sources that show ownership, occupancy, and/or use of sites by reference to street addresses. Often local street directories are available at libraries of local governments, colleges or universities, or historical societies.

18. *Material safety data sheet (MSDS)*--written or printed material concerning a hazardous substance which is prepared by chemical manufacturers, importers, and employers for hazardous chemicals pursuant to OSHA's Hazard Communication Standard, 29 CFR 1910.1200.
19. *National Contingency Plan (NCP)*--the National Oil and Hazardous Substances Pollution Contingency Plan found at 40 CFR § 300, that is the EPA's blueprint on how hazardous substances are to be cleaned up pursuant to CERCLA.
20. *National Priorities List (NPL)*--list compiled by EPA pursuant to CERCLA 42 USC § 9605(a)(8)(B) of properties with the highest priority for cleanup pursuant to EPA's Hazard Ranking System. See 40 CFR Part 300.
21. *Occupants*--those tenants, subtenants, or other persons or entities using the *property* or a portion of the *property*.
22. *Owner*--generally the fee owner of record of the *property*.
23. *Petroleum exclusion*--The exclusion from CERCLA liability provided in 42 USC §9601(14), as interpreted by the courts and EPA: "The term (hazardous substance) does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (A) through (F) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas)."
24. *Petroleum products*--those substances included within the meaning of the *petroleum exclusion* to CERCLA, 42 USC § 9601(14), as interpreted by the courts and EPA, that is: petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as hazardous substance under Subparagraphs (A) through (F) of 42 USC § 9601 (14), natural gas, natural gas liquids, liquefied natural gas, and synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas). (The word fraction refers to certain distillates of crude oil, including gasoline, kerosene, diesel oil, jet fuels, and fuel oil, pursuant to *Standard Definitions of Petroleum Statistics* --*Petroleum products* are included within the scope of inquiry because they are of concern with respect to many parcels of *commercial real estate* and current custom and usage is to include an inquiry into the presence of *petroleum products* when doing an *environmental site assessment* of *commercial real estate*.

25. *Pits, ponds, or lagoons*--man-made or natural depressions in a ground surface that are likely to hold liquids or sludge containing *hazardous substances* or *petroleum products*. The likelihood of such liquids or sludge being present is determined by evidence of factors associated with the pit, pond, or lagoon, including, but not limited to, discolored water, distressed vegetation, or the presence of an obvious wastewater discharge.
26. *Property*--the real property that is the subject of the *environmental site assessment* described in this practice. Real property includes buildings and other fixtures and improvements located on the property and affixed to the land.
27. *Property tax files*--the files kept for property tax purposes by the local jurisdiction where the property is located and includes records of past ownership, appraisals, maps, sketches, photos, or other information that is reasonably ascertainable and pertaining to the property. See 7.3.4.3.
28. *RCRA generators*--those persons or entities that generate hazardous wastes, as defined and regulated by "RCRA" (Resource Conservation and Recovery Act).
29. *RCRA generators list*--list kept by EPA of those persons or entities that generate hazardous wastes as defined and regulated by RCRA.
30. *RCRA TSD facilities*--those facilities on which treatment, storage, and/or disposal of hazardous wastes takes place, as defined and regulated by RCRA.
31. *RCRA TSD facilities list*--list kept by EPA of those facilities on which treatment, storage, and/or disposal of hazardous wastes takes place, as defined and regulated by RCRA.
32. *Recorded land title records*--records of fee ownership, leases, land contracts, easements, liens, and other encumbrances on or of the property recorded in the place where land title records are, by law or custom, recorded for the local jurisdiction in which the *property* is located. (Often such records are kept by a municipal or county recorder or clerk.) Such records may be obtained from title companies or directly from the local government agency. Information about the title to the property that is recorded in a U.S. district court or any place other than where land title records are, by law or custom, recorded for the local jurisdiction in which the property is located are not considered part of recorded land title records.
33. *Records of emergency release notifications* (SARA §304)--Section 304 of EPCRA or Title III of SARA requires operators of facilities to notify their local emergency planning committee (as defined in EPCRA) and state emergency response commission (as defined in EPCRA) of any release beyond the facility's boundary of any reportable quantity of any

extremely hazardous substance. Often the local fire department is the local emergency planning committee. Records of such notifications are "Records of Emergency Release Notifications" (SARA §304).

34. *Solid waste disposal site*--a place, location, tract of land, area, or premises used for the disposal of solid wastes as defined by state solid waste regulations. The term is synonymous with the term *landfill* and is also known as a garbage dump, trash dump, or similar term.
35. *Solvent*--a chemical compound that is capable of dissolving another substance and is itself a *hazardous substance*, used in a number of manufacturing/industrial processes including but not limited to the manufacture of paints and coatings for industrial and household purposes, equipment clean-up, and surface degreasing in metal fabricating industries.
36. *State registered USTs*--state lists of underground storage tanks required to be registered under Subtitle I, Section 9002 of RCRA.
37. *Sump*--a pit, cistern, cesspool, or similar receptacle where liquids drain, collect, or are stored.
38. *TSD facility*--treatment, storage, or disposal facility (see RCRA TSD facilities).
39. *Underground storage tank (UST)*--any tank, including underground piping connected to the tank, that is or has been used to contain *hazardous substances* or *petroleum products* and the volume of which is 10% or more beneath the surface of the ground.
40. *USGS 7.5 Minute Topographic Map*--the map (if any) available from or produced by the United States Geological Survey (USGS), entitled "USGS 7.5 Minute Topographic Map," showing the property.
41. *Wastewater*--water that (1) is or has been used in an industrial or manufacturing process, (2) conveys or has conveyed sewage, or (3) is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant. Wastewater does not include water originating on or passing through or adjacent to a site, such as stormwater flows, that has not been used in industrial or manufacturing processes, has not been combined with sewage, or is not directly related to manufacturing, processing, or raw materials storage areas at an industrial plant.
42. *Zoning/land use records*--those records of the local government in which the *property* is located indicating the uses permitted by the local government in particular zones within



its jurisdiction. The records may consist of maps and/or written records. They are often located in the planning department of a municipality or county.

*Descriptions of Terms Specific to the ASTM Standard:*

*actual knowledge*--the knowledge actually possessed by an individual who is a real person, rather than an entity. Actual knowledge is to be distinguished from constructive knowledge that is knowledge imputed to an individual or entity.

*adjoining properties*--any real property or properties the border of which is contiguous or partially contiguous with that of the property, or that would be contiguous or partially contiguous with that of the property but for a street, road, or other public thoroughfare separating them.

*aerial photographs*--photographs taken from an airplane or helicopter (from a low enough altitude to allow identification of development and activities) of areas encompassing the property. Aerial photographs are often available from government agencies or private collections unique to a local area.

*appropriate inquiry*--that inquiry constituting "all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice" as defined in CERCLA, 42 USC §9601 (35)(B), that will give a party to a *commercial real estate* transaction the *innocent landowner defense* to CERCLA liability (42 USC §9601(A) and (B) and §9607(b)(3)), assuming compliance with other elements of the defense.

*approximate minimum search distance*--the area for which records must be obtained and reviewed, subject limitations are provided specifically in the report. This may include areas outside the *property* and shall be measured from the nearest *property* boundary. This term is used in lieu of radius to include irregularly shaped properties.

*building department records*--those records of the local government in which the property is located indicating permission of the local government to construct, alter, or demolish improvements on the property. Often building department records are located in the building department of a municipality or county.

*commercial real estate*--any real property except a dwelling or property with no more than four dwelling units exclusively for residential use (except that a dwelling or property with no more than four dwelling units exclusively for residential use is included in this term when it has a commercial function, as in

the building of such dwellings for profit). This term includes but is not limited to underdeveloped real property and real property used for industrial, retail, office, agricultural, other commercial, medical, or educational purposes; property used for residential purposes that has more than four residential dwelling units; and property with no more than four dwelling units for residential use when it has a commercial function, as in the building of such dwellings for profit.

*commercial real estate transaction*--a transfer of title to or possession of real property or receipt of a security interest in real property, except that it does not include transfer of title to or possession of real property or the receipt of a security interest in real property with respect to an individual dwelling or building containing fewer than five dwelling units, nor does it include the purchase of a lot or lots to construct a dwelling for occupancy by a purchaser, but a commercial real estate transaction does include real property purchased or leased by persons or entities in the business of building or developing dwelling units.

*due diligence*--the process of inquiring into the environmental characteristics of a parcel of *commercial real estate* or other conditions, usually in connection with a commercial real estate transaction. The degree and kind of due diligence vary for different properties and differing purposes.

*environmental audit*--the investigative process to determine if the operations of an existing facility are in compliance with applicable environmental laws and regulations. This term should not be used to describe the ASTM Practice (E1528) although an environmental audit may include an *environmental site assessment* or, if prior audits are available, may be part of an environmental site assessment.

*environmental professional*--a person possessing sufficient training and experience necessary to conduct a *site reconnaissance*, *interviews*, and other activities in accordance with this practice, and from the information generated by such activities, having the ability to develop conclusions regarding *recognized environmental conditions* in connection with the *property* in question. An individual's status as an environmental professional may be limited to the type of assessment to be performed or to specific segments of the assessment for which the professional is responsible. The person may be an independent contractor or an employee of the *user*.

*environmental site assessment (ESA)*--the process by which a person or entity seeks to determine if a particular parcel of real *property* (including improvements) is subject to *recognized environmental conditions*. At the option of the user, an environmental site assessment may include more inquiry than that constituting *appropriate inquiry* or, if the user is not concerned about qualifying for the *innocent landowner defense*, less inquiry than that constituting *appropriate inquiry*. An environmental site assessment is both different from and less rigorous than an *environmental audit*.

*fill dirt*--dirt, soil, sand, or other earth, that is obtained off-site, that is used to fill holes or depressions, create mounds, or otherwise artificially change the grade or elevation of real property. It does not include material that is used in limited quantities for normal landscaping activities.

*hazardous waste/contaminated sites*--sites on which a release has occurred, or is suspected to have occurred, or any *hazardous substance*, *hazardous waste*, or *petroleum products*, and that release or suspected release has been reported to a government entity.

*innocent landowner defense*--that defense to CERCLA liability provided in 42 USC §9601(35) and §9607(b)(3). One of the requirements to qualify for this defense is that the party make "all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice" There *are* additional requirements to qualify for this defense.

*interviews*--those portions of this practice that are contained in the *Site* and *Area Reconnaissance* Sections of the report thereof and address questions to be asked of *owners* and *occupants* of the *property* and questions to be asked of local government officials.

*key site manager*--the person identified by the *owner* of a *property* as having good knowledge of the uses and physical characteristics of the property.

*local government agencies*--those agencies of municipal or county government having jurisdiction over the *property*. Municipal and county government agencies include but are not limited to cities, parishes, townships, and similar entities.

*LUST sites*--state lists of leaking underground storage tank sites. Section 9003 (h) of Subtitle I of RCRA gives EPA and states, under cooperative agreements with EPA, authority to clean up releases from UST systems or require owners and operators to do so.

*major occupants*--those tenants, subtenants, or other persons or entities each of which uses at least 40% of the leaseable area of the *property* or any anchor tenant when the *property* is a shopping center.

*obvious*--that which is plain or evident; a condition or fact that could not be ignored or overlooked by a reasonable observer while *visually or physically observing the property*.

*other historical sources*--any source or sources other than those designated in the "Historical Record Review" portion of this report that are credible to a reasonable person and that identify past uses or occupancies of the property. The term includes records in the files and/or personal knowledge of the *property owner* and/or *occupants*.

*physical setting sources*--sources that provide information about the geologic, hydrogeologic, hydrologic, or topographic characteristics of a *property*.

*practically reviewable*--information that is practically reviewable means that the information is provided by the source in a manner and in a form that, upon examination, yields information relevant to the *property* without the need for extraordinary analysis of irrelevant data. The form of the information shall be such that the user can review the records for a limited geographic area. Records that cannot be feasibly retrieved by reference to the location of the *property* or a geographic area in which the *property* is located are not generally *practically reviewable*. Most databases of public records are *practically reviewable* if they can be obtained from the source agency by the county, city, zip code, or other geographic area of the facilities listed in the record system. Records that are sorted, filed, organized, or maintained by the source agency only chronologically are not generally practically reviewable. For large databases with numerous facility records (such as RCRA hazardous waste generators and registered underground storage tanks), the records are not *practically reviewable* unless they can be obtained from the source agency in the smaller geographic area of zip codes. Even when information is provided by zip code for some large databases, it is common for an unmanageable number of sites to be identified within a given zip code. In these cases, it is not necessary to review the impact of all of the sites that are likely to be listed in any given zip code because that

information would not be *practically reviewable*. In other words, when so much data is generated that it cannot be feasibly reviewed for its impact on the *property*, it is not *practically reviewable*.

*preparer*--the person preparing the *transaction screen questionnaire* pursuant to ASTM Practice-E 1528, who may be either the user or the person to whom the user has delegated the preparation of the *transaction screen questionnaire*.

*publicly available*--information that is publicly available means that the source of the information allows access to the information by anyone upon request.

*reasonable ascertainable*--for purposes of both this practice and Practice E 1528, information that is (1) *publicly available*, (2) obtainable from its source within reasonable time and cost constraints, and (3) *practically reviewable*.

*recognized environmental conditions*--the presence of likely presence of any *hazardous substances* or *petroleum products* on a *property* under conditions that indicate an existing release, a past release, or a material threat of a release of any *hazardous substances* or *petroleum products* into structures on the *property* or into the ground, groundwater, or surface water of the *property*. The term includes *hazardous substances* or *petroleum products* even under conditions in compliance with laws. The term is not intended to include *de minimis* conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

*site reconnaissance*--that part this is contained in the designated section of the practice and addresses what should be done in connection with the *site visit*. The site reconnaissance includes, but is not limited to, the *site visit* done in connection with such a Phase I Environmental Site Assessment.

*site visit*--the visit to the property during which observations are made constituting the *site reconnaissance* section of the report and the *site visit* requirement of ASTM Practice E 1528.

*standard historical sources*--those sources of information about the history of uses of property specified within the report.

*standard physical setting source*--a current USGS 7.5 minute topographic map (if any) showing the area on which the property is located.

*standard practice(s)*--the activities set forth in either and both this practice and ASTM Practice E 1528.

*standard sources*--sources of environmental physical setting, or historical records specified in the various sections of the report.

*user*--the party seeking the use of ASTM Practice E 1528 to perform an *environmental site assessment* of the *property*. A user may include, without limitation, a purchaser of *property*, a potential tenant of property, an *owner of property*, a lender, or a property manager.

*visually and/or physically observed*--during a *site visit* pursuant to the ASTM Practice E 1528, or pursuant to this report, this term means observations made by vision while walking through a *property* and the structures located on it and observations made by the sense of smell, particularly observations of noxious or foul odors. The term "walking through" is not meant to imply that disabled persons who cannot physically walk may not conduct a *site visit*; they may do so by the means at their disposal for moving through the *property* and the structures located on it.

*Acronyms:*

*ASTM*--American Society for Testing and Materials.

*CERCLA*--Comprehensive Environmental Response, Compensation and Liability Act of 1980 (as amended, 42 USC §9601 *et seq.*).

*CERCLIS*--Comprehensive Environmental Response, Compensation and Liability Information System (maintained by EPA).

*CFR*--Code of Federal Regulations.

*EPA*--United States Environmental Protection Agency.

*EPCRA*--Emergency Planning and Community Right to Know Act (also known as SARA Title III), 42 USC §11001 *et seq.*).

*ERNS*--emergency response notification system.

*ESA*--environmental site assessment (different than an *environmental audit*; see 3.3.12).

*FOIA*--U.S. Freedom of Information Act (5 USC 552 *et seq.*).

*FR*--Federal Register.

*LUST*--leaking underground storage tank.

*MSDS*--material safety data sheet.

*NCP*--National Contingency Plan.

*NPDES*--national pollution discharge elimination system.

*NPL*--national priorities list.

*PCBs*--polychlorinated biphenyls.

*PRP*--potentially responsible party (pursuant to CERCLA 42 USC §9607(a)).

*RCRA*--Resource Conservation and Recovery Act (as amended, 42 USC §6901 *et seq.*).

*SARA*--Superfund Amendments and Reauthorization Act of 1986 (amendment to CERCLA).

*USC*--United States Code.

*USGS*--United States Geological Survey.

*UST*--underground storage tank.





**ENVIRONMENTAL SITE ASSESSMENT**

**Franklin Street Site  
602 & 610 Franklin Street and  
609 & 611 Tampa Street  
Hillsborough County  
Tampa, Florida  
HSA Project No. 602-0005-00  
March 2006**