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EXECUTIVE SUMMARY, FINDINGS AND CONCLUSIONS

Environmental Resources & Consulting, LLC (ERC) under contract to Mag & Research Development has prepared this Phase I Environmental Site Assessment (ESA) in conformance with the scope and limitations of the American Society for Testing and Materials (ASTM) Practice E1527-13 and the Environmental Protection Agency All Appropriate Inquiry (AAI) rule for the former National Fruit property located at 122 Five Point Avenue, in Martinsburg, Berkeley County, West Virginia (Site).

The Phase I ESA included a site reconnaissance, review of the Site history, review of selected local, state and federal regulatory records, interviews with persons and agencies familiar with the Site, and preparation of this report (Report). No subsurface explorations or chemical testing of soil or groundwater was conducted as part of this Phase I ESA, and no assessment for the presence of lead hazards, asbestos-containing materials, or radon was completed.

The findings below are based on the work conducted as part of this assessment:

ERC's Site reconnaissance and review of available information in regard to the Site and Site area revealed the presence of the following:

- No visible evidence of hazardous material usage was noted on the exterior of properties located within ¼-mile of the Subject Site.
- The area surrounding the Site was first generally developed in the 1800s. Area land use was largely a mix of residential and some commercial use.
- No active private or public water supply wells are known to be on the Site or adjacent properties.
- No underground storage tanks were evident.
- No active septic systems are known to exist on or in the vicinity of the Site.
- The properties adjacent to the Site are not listed in federal or state environmental regulatory databases.

CONCLUSION AND RECOMMENDATIONS:

On the basis of the observations made and the information reviewed during the course of this Site assessment, it is ERC's opinion that the available historical and visual evidence did identify recognized environmental conditions for the Site.

RECOGNIZED ENVIRONMENTAL CONDITIONS (RECS)

A REC indicates "the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment." This Phase I ESA revealed the following RECs in connection with the Site:

- Building No. 5 – the presence of several unlabeled 55-gallon drums. No staining or leakage was noted beneath these drums. As such, the removal and appropriate disposal of the drums should be sufficient for addressing this REC.

- Building No. 6 – suspect ACM material was noted in the building. ERC would recommend that a complete asbestos inspection be performed that identifies the type of asbestos and quantities for abatement purposes.

- Building 10A – the presence of 25 to 30 or more unlabeled, and in some cases unsealed 55-gallon drums and other larger and smaller containers and open buckets of what appeared to be petroleum hydrocarbons were noted to be stored throughout the building with significant petroleum hydrocarbon staining and leakage noted beneath stored vehicles and beneath automotive parts/engines. ERC would recommend that the drums and other waste oil containers be removed and properly disposed, and the floors cleaned and inspected. If after removal it is determined that petroleum hydrocarbons have potentially impacted the environment, limited surficial soil samples outside the building should be considered.

- Building No. 11 – two spray paint booths were noted in this building and had been used for the spray painting of vehicles. A number of vehicles were stored in this building and petroleum staining and leakage was noted beneath the vehicles. A considerable amount of petroleum leakage was noted to the rear of the building where automotive parts/engines were stored, and a strong petroleum odor was noted. Spray painting cans and larger containers of spray painting material and cleaning solvents were noted to be stored within the building. ERC would recommend that the spray painting booths, cans/containers, stored vehicles and automotive parts/engines be removed and properly disposed, and the floors cleaned and inspected. If

after removal it is determined that petroleum hydrocarbons have potentially impacted the environment, limited surficial soil samples outside the building should be considered. We would also recommend that surficial soil samples be analyzed for volatiles organic compounds (VOCs) that may be present due to the venting of VOCs from the building and air deposition to the surface soils.

- Debris Piles – ERC noted several piles of used railroad ties and other debris located adjacent to the B&O Railroad Line. Debris piles were also noted in the wooded area to the north of the main operational area of the Site. One of the piles of debris included a former homeless encampment where local police indicated methamphetamine (meth) had been cooked by the former occupants. ERC would recommend that surficial soil samples be collected and analyzed for heavy metals, PAHs and PCBs that may have leached from the railroad ties. ERC cannot make recommendations in regard to the potential for methamphetamine impacts to the Site soils and would refer any subsequent investigation to the State Police who have more expertise in regard to these impacts.

- The historical presence of a number of rail spurs that crossed the Site. Similar to the debris piles and railroad ties noted above, we would recommend that soil samples be collected in the former rail spurs to determine whether impacts from heavy metals, PAHs and/or PCBs have occurred.

- The historical presence of USTs and their closure would normally be considered a Historic Recognized Environmental Condition (HREC) and not considered a REC. However, based upon our review of the closure report and the potential presence of PAHs above the Industrial de minimis standard, we have listed this as a REC. An HREC is defined as follows: A "historic recognized environmental condition" (HREC) is "a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls.)" A HREC typically is not a REC. However, if regulatory standards have changed since the HREC achieved closure, and the data used to close the case indicate the occurrence of chemical constituents that are above their respective regulatory standard(s), then the prepared may choose to identify the HREC as a REC.

- The historic presence of an Oil House (shown on the 1885 Sanborn map). It is unclear as to whether oil was stored for powering operations or for other purposes. We would recommend that limited surficial soil sampling be conducted and the soils analyzed for benzene, toluene, ethylbenzene and xylenes (BTEX) and PAHs.

- The presence of a Coal House to the northwest associated with the B&O Railroad operations on the 1891 map, another Coal House that was present in the central area of the Site in 1897 with Coal Piles also present and shown on the 1913 map north of the Granary. Based upon our experience with former coal storage areas, arsenic and other heavy metals may have leached from the coal and impacted the environment. We would recommend that limited surficial soil sampling be conducted and the soils the RCRA 8 metals.

- The presence of a Lab on the western side of the Site on the 1922 Sanborn map and a lab in the southern portion of the Site shown on the 1963 Sanborn map. It is unclear as to what the lab was used for; however, the lab may have been utilized for measuring the pH of the vinegar and other products developed during that period and as such would not constitute a threat to the Site. If an investigation is conducted to analyze soils in other areas of the Site, we would recommend collecting a surficial soil sample and analyzing the sample for VOCs.

- The presence of a Machine Shop (shown on the 1946 and 1963 maps). It is unclear as to the type of operations that were conducted in the Machine Shop and whether petroleum products and/or solvents were used in the machining of parts/tools used in the Site's operation. We would recommend that a surficial soil samples be collected and analyzed for the RCRA 8 metals and VOCs.

- The presence of a former Maintenance Shop (Building No. 9). It is unclear as to the type of operations that were conducted in the Maintenance Shop and whether petroleum products and/or solvents were used in the machining of parts/tools used in the Site's operation. We would recommend that a surficial soil samples be collected and analyzed for the RCRA 8 metals and VOCs.

HISTORIC RECOGNIZED ENVIRONMENTAL CONDITIONS (HRECS)

A "historic recognized environmental condition" (HREC) is "a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls.)" A HREC typically is not a REC. However, if regulatory standards have changed since the HREC achieved closure, and the data used to close the case indicate the occurrence of chemical constituents that are above their respective regulatory standard(s), then we will identify the HREC as a REC in the conclusions Section of this Phase I ESA Report.

This Phase I ESA identified the following HRECs in connection with the Site. Both LUST sites shown below have been addressed by the appropriate regulatory entity and closed:

- Burkhart Oil Company, located at PO Box 907, and doing business as (DBA) John's Pool Supplies, with a physical address of 237 Eagle School Road. This site is located approximately ¾-mile northeasterly of the Site and would be considered potentially hydraulically up-gradient of the Site.
    - LUST ID No.: 91-84-L02. The priority is shown as groundwater, but no known drinking water contamination. The confirmed release date was September 4, 1991, and the cleanup completion date was December 8, 2008. Three USTs were removed from ground in 1991 and included a 550-gallon used oil tank; a 1,000-gallon gasoline tank and a 3,000-gallon gasoline tank.
- North End Texaco, located at 1005 N. Queen Street. This property is located approximately 1,800-feet east/northeasterly of the Site, and would be considered potentially hydraulically up-gradient of the Site.
    - LUST ID No.: 95-022. The priority is shown as groundwater, but no known drinking water contamination. The confirmed release date was January 9, 1995, and the cleanup completion date was September 18, 2001. Four USTs were removed from the site and closed on December 3, 2012 and included: three 8,000-gallon gasoline USTs and an 8,000-gallon kerosene UST.
    - LUST ID No.: 12-066. The priority is shown as groundwater, but no known drinking water contamination. The confirmed release date was December 12, 2012. The cleanup completion date was not reported.

DATA GAPS AND THEIR SIGNIFICANCE

This Phase I ESA identified the following data gaps in connection with the Site:

- Building 1 – a small locked cabinet that reportedly contains over-the-counter spray paints and other miscellaneous materials could not be viewed by ERC. Considering that the buyer may ask the current tenant to remove all materials and vacate the property, including the locked cabinet, ERC does not consider this a significant data gap.

- Building 10A – due to the amount of material stored and stacked with the building, ERC could not readily access all areas of the building, nor could we view the entire floor to assess for additional petroleum leaks and/or spills or other materials that may impact the environment. A large number of 55-gallon drums and other containers of what appeared to be petroleum hydrocarbons were noted within the building; however, the drums and/or containers were not labeled, the labels had been damaged or removed which prevented the identification of the materials stored within the drums/containers. Considering that the buyer and seller have requested that the tenant remove all materials stored within the building and an inspection of the floors can be performed following removal, ERC does not consider this a significant data gap.

- Building 10B – due to the vast amount of used tires that were stacked from floor to ceiling, ERC was unable to access the building beyond the doorway. ERC considers this a significant data gap; however, it is our understanding that the tenant is in the process of removing all materials and that a re-inspection will be performed which will resolve this data gap.

- Building 3 – ERC could not access this fenced and locked building. ERC considers this a significant data gap. During re-inspection of the Site buildings as noted above, ERC will inspect this building and provide an addendum to this report, if warranted.

- Building 4 – ERC did not access this building during the Site visit. The building may have been overlooked. Ms. Johnson visited the Site again on February 23rd and provided ERC with photos of the interior and exterior of the building. ERC considers this a significant data gap. During re-inspection of the Site buildings as noted above, ERC will inspect this building and provide an addendum to this report, if warranted.

- ERC personnel did not inspect the roofs of the Site buildings. No access to the building rooftops was available. ERC does not consider this as a significant data gap.

RECOMMENDATIONS

- Building No. 5 – the removal and appropriate disposal of the drums should be sufficient for addressing this REC.

- Building No. 6 – ERC would recommend that a complete asbestos inspection be performed that identifies the type of asbestos and quantities for abatement purposes.

- Building 10A –ERC would recommend that the drums and other waste oil containers be removed and properly disposed, and the floors cleaned and inspected. If after removal it is determined that petroleum hydrocarbons have potentially impacted the environment, limited surficial soil samples outside the building should be considered.

- Building No. 11 – ERC would recommend that the spray painting booths, cans/containers, stored vehicles and automotive parts/engines be removed and properly disposed, and the floors cleaned and inspected. If after removal it is determined that petroleum hydrocarbons have potentially impacted the environment, limited surficial soil samples outside the building should be considered. We would also recommend that

surficial soil samples be analyzed for volatiles organic compounds (VOCs) that may be present due to the venting of VOCs from the building and air deposition to the surface soils.

- Debris Piles – ERC would recommend that surficial soil samples be collected and analyzed for heavy metals, PAHs and PCBs that may have leached from the railroad ties. ERC cannot make recommendations in regard to the potential for methamphetamine impacts to the Site soils and would refer any subsequent investigation to the State Police who have more expertise in regard to these impacts.

- Rail Spurs – ERC would recommend that soil samples be collected in the former rail spurs to determine whether impacts from heavy metals, PAHs and/or PCBs have occurred.

- Historical USTs – ERC would recommend limited surficial and subsurface soil samples be collected in the former UST area and analyzed for BTEX and PAHs.

- Historic Oil House - ERC would recommend that limited surficial soil sampling be conducted and the soils analyzed for benzene, toluene, ethylbenzene and xylenes (BTEX) and PAHs.

- Coal House and Coal Storage - ERC would recommend that limited surficial soil sampling be conducted and the soils analyzed for RCRA 8 metals.

- Historic Lab (two locations) – ERC would recommend collecting a surficial soil sample and analyzing the sample for VOCs.

- Historic Machine Shop – ERC would recommend that a surficial soil samples be collected and analyzed for RCRA 8 metals and VOCs.

- Historic Maintenance Shop – ERC would recommend that a surficial soil samples be collected and analyzed for the RCRA 8 metals and VOCs.

1.00 ACKNOWLEDGMENTS and INTRODUCTION

This Phase I Environmental Site Assessment (ESA) Report (Report) presents the field observations, research results, and opinions generated during preparation of this Phase I ESA conducted by Environmental Resources & Consulting, LLC (ERC) under contract to Mag & Research Development (MRD) also referred to herein as "Client" or "User") at the property identified as the former National Fruit Products property, located at 122 Five Point Avenue, Martinsburg, Berkeley County, West Virginia (hereafter referred to as the "Site").

ERC prepared this Phase I ESA Report in conformance with the limitations presented in **Section 1.8** and **14.0** and with the terms and conditions of our subcontract with Client dated January 7, 2019. This Phase I ESA Report is subject to modification if ERC or any other party develops subsequent information.

1.10 Purpose

This Phase I ESA was requested by the Client as part of their environmental due diligence prior to the potential purchase and redevelopment of the Site.

Under the Small Business Liability Relief and Brownfields Revitalization Act (the Brownfields Amendments to Comprehensive Environmental Response, Compensation and Liability Act [CERCLA]) the Environmental Protection Agency (EPA) established the All Appropriate Inquiry Rule (AAI Rule) that establishes specific regulatory requirements for conducting all appropriate inquiries into the previous ownership, uses, and environmental conditions of a property for the purpose of qualifying certain landowner liability protections under CERCLA, and is intended to satisfy the statutory requirements for conducting an all appropriate inquiry.

A Phase I Environmental Site Assessment (ESA) must be conducted in compliance with the AAI Rule or the American Society for Testing and Materials (ASTM) E1527-13 Phase I Environmental Site Assessment (ESA) process in order to obtain protection from potential liability under CERCLA as an innocent landowner, a contiguous property owner, or a bona fide prospective purchaser. One of the goals of this practice is to identify *recognized environmental conditions (RECs).*

1.20 Project Objectives

ERC designed the Scope of Services described below in general conformance with ASTM International's Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process – E1527-13 (ASTM E1527-13) and the AAI Rule. The objectives of this Phase I ESA were:

- To render an opinion as to whether surficial or historical evidence indicates the presence of recognized environmental conditions (RECs) that could result in the presence of hazardous substances or petroleum products in the environment, as defined in ASTM E1527-13; and

- To permit the User of this Phase I ESA to satisfy one of the requirements for qualifying for certain Landowner Liability Protections under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

1.30 Definitions

As defined in ASTM E1527-13:

- A REC indicates "the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment."

- The term "Controlled REC" (CREC) applies to a site that has reached regulatory closure with the implementation of an engineering control, such as an impermeable cap, and/or an institutional control, such as a deed restriction or property use restriction.

- A "historic recognized environmental condition" (HREC) is "a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls.)" A HREC typically is not a REC. However, if regulatory standards have changed since the HREC achieved closure, and the data used to close the case indicate the presence of chemical constituents that are above their respective regulatory standard(s), then we will identify the HREC as a REC in the conclusions Section of this Phase I ESA Report.

- A "*de minimis*" condition, as defined by ASTM E1527-13, is "a condition that generally does not present a threat to human 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." ASTM E1527-13 does not consider *de minimis* conditions RECs.

- A data gap refers to a lack of, or inability to, obtain information required by the ASTM / AAI practice despite good faith efforts by the environmental professional to gather such information. Data gaps may result from

incompleteness in any of the activities required by this practice. A data gap is only significant if other information and/or professional experience raises reasonable concerns involving the data gap.

1.40 Scope of Services

ERC's Scope of Services consisted of the following activities:

- A review of federal and state regulatory agency databases for the Site and the minimum search distance from the Site;
- Contact with certain local regulatory agencies to inquire about environmental conditions at the Site and in its vicinity;
- A review of the Site history through available Standard Historical Sources;
- A Site reconnaissance to observe current Site conditions for evidence of recognized environmental conditions;
- The completion of a reconnaissance of the Site vicinity;
- A review of adjoining properties to identify the use of hazardous substances or petroleum products;
- Interviews with the Key Site Manager, as well as certain other available occupants and major tenants regarding the current and past Site usage and facility operations; and
- The preparation of this Phase I ESA Report of our findings.

Limitations to ERC's assessment included the following:

- Building No. 10B could not be accessed beyond the doorway due to the extensive amount of tires and other materials that were stacked from floor to ceiling. ERC considers this to be a significant data gap;
- Building No. 10A, similar to Building No. 10B had considerable amounts of tires, used vehicles, automotive parts and numerous waste oil drums stored throughout the building which made it difficult to assess the floors for staining;
- Building No. 4 was inadvertently overlooked during the Site walkover. Photographs of the interior and exterior of the building were provided to ERC for review. ERC considers this to be a data gap; and
- Building 3 could not be accessed. ERC considers this to be a significant data gap.

This Phase I ESA does not include an evaluation of the following environmental issues or conditions that ASTM E1527-13 considers non-scope considerations:

- Vapor encroachment;
- Asbestos containing materials; and
- Lead based paint.

1.50 Project Authorization

The Project was authorized in accordance with the Contract Agreement (Contract) signed and dated on January 7, 2019 between ERC and MRD.

1.60 Assumptions

No significant assumptions were made regarding the use of the Site.

1.70 Special Terms and Conditions

This Report was prepared for the exclusive use of the Client. Any other subsequent distribution without ERC's written consent and understanding is at the users' sole and exclusive risk as to any decisions, conclusions, judgments, or alleged findings.

The scope of work for this Phase I ESA did not include the collection or analyses of any building material, soil, water or other media. This Report has been prepared in accordance with generally accepted environmental practices, and is subject to the limitations presented in **Sections 1.8** and **14.0**.

1.80 Limiting Conditions and Methodology Used

Site access was granted by Mr. Lane McIntosh the real estate representative for Mr. Vincent Groh, the current owner of the Site. No limitations on access were made by Messrs. McIntosh or Groh; however, during the Site visit Mr. McIntosh was not able to provide access to Building No. 3 that was locked and fenced.

Limiting conditions were encountered in several buildings that prevented ERC from viewing specific areas of the Site. These included a locked cabinet in Building No. 1 that the individual renting the building stated contained

over-the-counter type spray cans. This could not be confirmed by ERC and remains a data gap. The former office building attached to Building No. 6 upper floors could not be completely viewed due to structural floor safety concerns; and Building No. 10B could not be accessed beyond the doorway due to being filled floor to ceiling with used tires and other materials – this would constitute a significant data gap.

ERC prepared this Phase I ESA Report on behalf of, and for the exclusive use of Mag Research & Development for the stated purposes for the Site as identified in this Phase I ESA Report. Use of this Phase I ESA Report, in whole or in part, at other locations, or for other purposes, might lead to inappropriate conclusions, and we do not accept any responsibility for the consequences of such use. Further, reliance by any party not identified in the agreement, for any use, shall be at that party's sole risk, and without any liability to ERC.

ERC performed its services in order to render an opinion in regard to the presence of RECs in connection with the Site. We performed our services using the degree of skill and care ordinarily exercised by qualified professionals performing the same type of services, during similar time periods and under similar conditions, and as would be performed on the same or similar property. We make no further warranty, express or implied.

Our findings and conclusions are based on the work conducted as part of the Scope of Services as set forth in this Phase I ESA Report, and reflect our professional judgment. Our findings and conclusions should not be considered as scientific certainties or engineering certainties, but rather as our professional opinion concerning the limited data gathered during the course of our work.

No environmental site assessment can eliminate the uncertainty of the possible presence of RECs. This Phase I ESA Report was prepared to help reduce, but not to eliminate, such uncertainties. Consistent with ASTM E1527-13, we developed our opinions based upon the readily available information obtained during the time frame requested, and budget.

As indicated within this Phase I ESA Report, we observed conditions at the Site and at adjoining properties for evidence of RECs at the Site. Where access to portions of the Site or to structures on the Site was unavailable or limited, ERC renders no opinion as to the presence of hazardous substances, hazardous waste, or petroleum products, or to the presence of indirect evidence relating to these materials, in those portions of the Site or structure. In addition, ERC renders no opinion as to the presence of hazardous substances, hazardous waste, or petroleum products, or to the presence of indirect evidence relating to these materials, where direct observation of the interior walls, floors, and/or ceilings of a structure on the Site was obstructed by objects and/or coverings on and/or over such surfaces. We based our opinions on such limited observations. Additionally, some activities or events

impacting environmental conditions at the Site or on adjoining properties might have been transient and not observable at the time of ERC's Site reconnaissance.

We relied upon information made available by federal, state, and local authorities, interviews with individuals who reportedly had knowledge in regard to the Site, and others as documented in this Report. We did not attempt to independently verify the accuracy or completeness of that information, and where discrepancies or inconsistencies were found they have been noted within the Report.

The lender, seller, buyer, or other parties that might become involved with the Site might develop additional opinions or information regarding the presence or absence of RECs at the Site. Such additional opinions or information might not fully support the opinions provided in this Phase I ESA Report. In the event such additional opinions or information is developed, we recommend retaining ERC to review this material so that we have the opportunity to evaluate and modify, as necessary, the opinions provided in this Phase I ESA Report.

Unless otherwise specified within this Phase I ESA Report, we have rendered no opinion on the compliance of Site conditions or activities with federal, state, and local codes, laws, or regulations.

ERC based the opinions expressed in this Phase I ESA Report on conditions observed during the course of our work on this Site; these conditions might change over time. ASTM E1527-13 / AAI specifies that observations and opinions rendered in this Report are only valid for 180 days from the date the underlying information is developed. After 180 days, portions of this Phase I ESA Report may need to be updated

2.00 SITE DESCRIPTION

ERC obtained the following information from our Site reconnaissance, our research, and from interviews with people knowledgeable about the Site. Photographs depicting Site conditions during ERC's reconnaissance are presented in **Appendix A**.

2.10 Site Location

The Site consists of the former National Fruit Products property, located at 122 Five Point Avenue, Martinsburg, Berkeley County, West Virginia ("Site").

The Site is bounded on the northwest by Raleigh Street, and on the northeast by W. Moler Avenue. On the south by several residential properties with Five Point Avenue located beyond, and by Five Point Avenue. On the east by Adams Street with the exception of a 0.85-acre property owned by Cecil's Properties (Cecil's Building Supply). On the west in part by the B&O Railroad Line. Refer to Figure No. 2 which depicts the Site boundaries as provided by a review of the Berkeley County Tax Maps.

Land use in the Site vicinity consists primarily of residential properties intermixed with commercial properties. A topographic map showing the location of the Site is provided as **Figure 1**.

2.11 Descriptions of Site and Site Buildings

The Site consists of approximately 19.42-acres of land according our review of the Berkeley County Assessor's Office tax maps. The Site consists of one parcel identified as Parcel No. 055. Parcel information is provided in Deed Book 434, page 586.

A number of the Site buildings are interconnected by doorways, rather than as stand-alone structures. Where applicable building connections will be documented.

The Site property has been developed with 44 buildings or more during its history. It should be noted that numerous modifications and additions to these buildings has occurred since the Site was developed in the late 1800s. The tables below identify and describe the buildings that currently exist at the Site. The building numbering is defined as follows: the building number as shown on Figure No. 2 followed by the building number and description as found on a historical, undated, map of the facility. Estimates of the building size were obtained by a rough measurement of the buildings using Google Earth®, but should not be considered accurate.

Building 1 (Building 15 – South Warehouse)

Feature	Description
Year of Construction	Per our review of Sanborn Fire Insurance maps this building was likely constructed after 1963; however, Sanborn coverage of the southernmost portion of the Site was not provided on the maps.
Square Footage	The building is approximately 11,875 square feet in size based upon measurements taken from a Google Earth® map.
# Stories/Basement	1 story, no basement.
Building Features	The building is of brick construction, slab-on-grade concrete floors, and a flat roof supported by steel beams and wood girders. The building interior is primarily open area with one small room located toward the rear of the building. The building is currently leased to Mr. John Leisinger (according to his sons Ed and Rhett Leisinger who were present during the Site visit) and used to store Volkswagens and miscellaneous materials including lumber, empty propane tanks, appliances, used tires, and furniture. A locked cabinet reportedly containing miscellaneous spray cans could not be accessed by ERC. Multiple oxygen and acetylene tanks were noted to be stored in the building. A propane-powered fork truck was noted to be stored in the building. An empty 250-gallon above ground storage (AST) tank was noted to be stored in the building. No floor drains were noted. No floor staining was noted; however, in some areas the amount of material covering the floor prevented ERC personnel from adequately viewing the floor surface.
Photographs	Refer to Photograph Nos. 1 thru 4.

Building 2 (Building 30 – Surplus Storage)

Feature	Description
Year of Construction	Per our review of Sanborn Fire Insurance maps this building may have been constructed prior to 1963. The southernmost portion of the Site was not covered by the Sanborn Fire Insurance Map on earlier maps although some notations do appear on the 1931 and later maps indicating that there may have been buildings located further to the south. On the 1963 map, a small building labeled as a "machine shop" is shown.

Feature	Description
Square Footage	The building is approximately 1,600 square feet in size based upon measurements taken from a Google Earth® map.
# Stories/Basement	One story with no basement.
Building Features	The building is of block construction in considerable disrepair. The roof has caved in. Miscellaneous debris was scattered throughout the interior of the building that included small ½-gallon containers with unknown content. Some small antifreeze and petroleum buckets were noted in the debris.
Photographs	Refer to Photograph Nos. 5 thru 6.

Building 3 (Building 12 - Warehouse)

Feature	Description
Year of Construction	This building was likely part of Warehouse No. 12 that was constructed on the Site in 1955 and was shown on the 1963 Sanborn Fire Insurance map; however, the shape of the building is dissimilar. The building was locked and fenced, and ERC was not able to access the interior of this building.
Square Footage	This building is approximately 3,600 square foot in size based upon measurements taken from a Google Earth® map.
# Stories/Basement	One story. It is unclear whether a basement is located beneath this building.
Building Features	The building is of brick and wood construction with a flat roof.
Photographs	Refer to Photograph Nos. 7 thru 8.

Building 4 (Building 13 – Boiler House)

Feature	Description
Year of Construction	This building is likely the former Boiler House. A building presumed to be a boiler house first appeared on the 1922 Sanborn Fire Insurance map, and was expanded in size on the 1946 and 1963 maps. ERC and the Site representatives inadvertently overlooked this building during our Site walkover. ERC reviewed photographs taken by Ms. Johnson obtained in late February to provide an opinion.

Feature	Description
Square Footage	This building is approximately 4,800 square foot in size based upon our estimation from a Google Earth® map.
# Stories/Basement	The eastern half of the building is two stories, with the western half of the building being one story.
Building Features	The building is of block construction with a flat roof. A large chimney is located adjacent to the building on the north. A large AST was noted on the southern exterior of this building. The AST was insulated and it is suspected that the AST held water used to provide steam heat for the Site operations. Three underground storage tanks (USTs) had been located on the southern side of Building No. 4, to the east of the existing AST, and were removed from the ground in 1991. Additional information is provided in **Section 6.11.**
Photographs	Refer to Photograph Nos. 9 thru 16.

Building 5 – (Building 9 - Machine Shop)

Feature	Description
Year of Construction	This building first appears on Sanborn Fire Insurance maps in 1907 as a "Bonded Bottling Warehouse" and continues use as a warehouse until 1946 when the building is labeled as a Machine Shop.
Square Footage	This building is approximately 2,400 square feet in size based upon measurements taken from a Google Earth® map.
# Stories/Basement	2 stories, no basement.
Building Features	The building is a mix of block and brick construction with wood beams and girders. Several 55-gallon drums were noted to be stored in the building.
Photographs	Refer to Photograph Nos. 17 thru 23.

Building 6 – (Building 1 - Office)

Feature	Description
Year of Construction	This building first appears in 1946 as an office.
Square Footage	This building is approximately 1,000 square feet in size based upon measurements taken from a Google Earth® map.
# Stories/Basement	2 stories, no basement.
Building Features	Debris and evidence of homeless occupation was noted. The first floor had paneled walls with a dropped ceiling. Ceiling tiles noted above the dropped ceiling tiles were 12 x 12 in size and should be considered as suspect asbestos-containing-material (ACM). ERC did not enter into the attic area due to safety concerning (flooring integrity) but did observe the area from the adjacent stairway. Considerable debris that included presumed operational paperwork, peeling wallpaper and exposed ceiling wall slats.
Photographs	Refer to Photograph Nos. 24 thru 27.

Building 7 – (Building 6 – Press House)

Feature	Description
Year of Construction	This building first appears in 1946 as a cider mill.
Square Footage	This building is approximately 20,000 square feet in size based upon measurements taken from a Google Earth® map.
# Stories/Basement	2 stories, no basement.
Building Features	Concrete floors, steel girders, supports and stairways, open access. An empty 250-gallon AST was noted on the 1st floor. The area between this building and Building No. 9 to the north was littered with broken concrete. What appears to be a turntable was also located in this area.
Photographs	Refer to Photograph Nos. 28 thru 41.

Building 8 – (Building 25 – Maintenance Shop & Stockroom)

Feature	Description
Year of Construction	This building appears to have been in place since at least 1885, and was labeled historically as a Fermentation and/or Press Room.
Square Footage	This building is approximately 4,000 square feet in size based upon measurements taken from a Google Earth® map
# Stories/Basement	2 stories, no basement.
Building Features	Concrete floors, brick and block construction and a flat roof. Evidence of homeless occupation was noted.
Photographs	Refer to Photograph Nos. 42 thru 44.

Building 9 – (Building 33 – Process Building)

Feature	Description
Year of Construction	This building first appears in 1946 as a process building.
Square Footage	This building is approximately 5,250 square feet in size based upon measurements taken from a Google Earth® map
# Stories/Basement	2 stories, no basement.
Building Features	Concrete floors, steel girders and flat roof.
Photographs	Refer to Photograph Nos. 45 thru 46.

Building 10A – (Building 22B – Warehouse)

Feature	Description
Year of Construction	This building first appears in 1922 and is labeled as a Tank House, and remains unchanged through 1963.
Square Footage	This portion of the building is approximately 15,000 square feet in size based upon measurements taken from a Google Earth® map
# Stories/Basement	2 stories, no basement.

Feature	Description
Building Features	Concrete floors, wood post and a flat roof. At the time of the Site visit the building was leased to Mr. Guy Ridler who was storing numerous automobiles, automotive parts/engines, multiple 55-gallon drums and other larger containers reportedly containing waste oil. A number of drums were noted to be open with oil and other materials laying on top of the drums. Significant petroleum leaks and/or spillage was noted around the stored automobiles, drums and automotive parts.
Photographs	Refer to Photograph Nos. 47 thru 54.

Building 10B – (Building 22A – Warehouse)

Feature	Description
Year of Construction	This building first appears in 1922 and is labeled as a Tank House, and remains unchanged through 1963.
Square Footage	This portion of the building is approximately 10,900 square feet in size based upon measurements taken from a Google Earth® map
# Stories/Basement	2 stories, no basement.
Building Features	Concrete floors, wood post and a flat roof. At the time of the Site visit the building was leased to Mr. Guy Ridler who was storing used tires and waste oil containers (reportedly empty) in the building. ERC could not enter the building past the doorway due to the vast number of tires stored.
Photographs	Refer to Photograph Nos. 55 thru 56.

Building 11 – (Building 22 – Warehouse)

Feature	Description
Year of Construction	This building first appears in 1922 and is labeled as a Tank House, and remains unchanged through 1963.
Square Footage	This portion of the building is approximately 8,000 square feet in size based upon measurements taken from a Google Earth® map
# Stories/Basement	2 stories, no basement.

Feature	Description
Building Features	Concrete floors, wood post and a flat roof. The building was being used to house two or more spray painting booths, several automobiles and automotive parts/engines. Considerable petroleum staining was noted beneath the stored vehicles as well as around parts/engines stored near the rear of the building. Spray painting supplies in quantities ranging from over-the-counter spray cans to 5-gallon or larger containers were noted to be stored throughout the building.
Photographs	Refer to Photograph Nos. 58 thru 63.

Building 12 – (Building 34 and 34A – Warehouse)

Feature	Description
Year of Construction	The southern portion of this building first appears in 1946 and is labeled as a Warehouse. The northern portion of this building first appears in 1963 and is labeled as a Warehouse.
Square Footage	This building is approximately 40,000 square feet in size based upon measurements taken from a Google Earth® map
# Stories/Basement	2 stories, no basement.
Building Features	Concrete floors, steel joists and decks, and a flat roof. This building had recently been occupied by a paper-shredding company.
Photographs	Refer to Photograph Nos. 64 thru 66.

Building 13 – (Building 31 – Pump House)

Feature	Description
Year of Construction	This building first appears in 1931 as a small office, and again appears as an office in 1946. In 1963 the building is labeled as a Pump House.
Square Footage	This building is approximately 1,000 square feet in size based upon measurements taken from a Google Earth® map
# Stories/Basement	1 stories, no basement.

Feature	Description
Building Features	Concrete floor, brick construction. Three 55-gallon drums were noted to be stored within the building. Considerable debris and evidence of homeless occupation was noted.
Photographs	Refer to Photograph Nos. 67 thru 68.

Building 14 – (Building 40 – Sizing)

Feature	Description
Year of Construction	This building first appears in 1963 as a Sorting Shed.
Square Footage	This building is approximately 1,800 square feet in size based upon measurements taken from a Google Earth® map
# Stories/Basement	1 story, no basement.
Building Features	Concrete floor, block construction with steel girders and a slightly peaked roof. Sorting machinery remains within the building along with lumber and other miscellaneous materials.
Photographs	Refer to Photograph Nos. 69 thru 70.

The following potential environmental concerns were noted during our Site visit:

- Building No. 5 – several unlabeled 55-gallon drums were noted to be stored within the building. ERC did not observe any staining or leakage beneath these drums;
- Building No. 6 – suspect ACM material was noted within the building;
- Building No. 10A – more than 25 or 30 55-gallon drums of what was reportedly used oil was stored in the building along with larger waste oil containers and smaller containers including open buckets. The drums were not appropriately labeled, were in some cases open and had oils and other materials stored on top of the drums. Leakage and spillage from the drums were noted. In addition, petroleum spillage and leakage was noted beneath a number of vehicles and automotive parts/engines stored within the building.

- Building No. 10B – this building could not be accessed beyond the doorway due to the vast amount of used tires stacked from the floor to the ceiling. What appeared to be empty used oil containers were noted to be mixed in with the tires, and according to Mr. Ridler were empty.

- Building No. 11 – two spray paint booths were noted in this building and had been used for the spray painting of vehicles. A number of vehicles were stored in this building and petroleum staining and leakage was noted beneath the vehicles. A considerable amount of petroleum leakage was noted to the rear of the building where automotive parts/engines were stored, and a strong petroleum odor was noted. Spray painting cans and larger containers of spray painting material and cleaning solvents were noted to be stored within the building.

2.12 Current Site Use

At the time of ERC's Site reconnaissance, Site operations were no longer ongoing, and it is our understanding that operations ceased in approximately 1965, and that Mr. Groh purchased the property on March 11, 1988.

Several buildings were leased to others, and included Building Nos. 1 – used VW storage, Building 10A – used vehicle storage, 55-gallon drums of used oil, used tires and automotive parts/engines, Building 10B – used tires, and Building 11 – automotive spray painting, vehicle storage and automotive parts/engines.

A wooded area located north of the main Site operations was the location of several homeless encampments. Two of the camps were active at the time of the Site visit, a third camp was abandoned and according to the Martinsburg City Police officers (Officers Ryan Fritz and Danny North) accompanying ERC, methamphetamine (meth) had been "cooked" at this abandoned encampment, and considerable debris was noted around this unoccupied encampment. Railroad ties and concrete presumed to be former foundation remnants were noted in several areas in the wooded area. Refer to Photograph Nos.: 71 thru 75.

2.13 Adjoining Properties

The following lists the properties that adjoin the Site and describes their current use.

North

Cecil's Building Supply, located at 210 Adams Street adjoins the Site to the northeast. Building material, including stone and sand was stored outside the building. No drums or other materials that would be anticipated to impact the Site were noted.

The Reddy Ice Corporation (ice plant), located at the intersection of Factory Street and W. Moler Avenue is located across Moler Avenue to the northeast, and approximately 400-feet northeast of the northeastern corner of Building 12. It is ERC's understanding that Reddy Ice closed within the last two years and is currently non-operational and for sale.

With the exception of the above business, the area to the north is primarily residential.

South

Sprint Communications, located at 124 Five Point Avenue adjoins the Site to the southwest. No evidence of materials that would be anticipated to impact the environment were noted.

In addition to the above business, 11 residential properties located along Five Point Avenue adjoin the Site to the south.

East

Residential properties adjoin the Site to the east.

West

The B&O Railroad Line adjoins the Site to the west with residential and some commercial properties located beyond.

2.14 Vicinity Properties

As part of this Phase I ESA, ERC performed a reconnaissance from public properties of the Site vicinity within 1/4 mile of the Site. The Site vicinity consists of a limited number of commercial and industrial properties to the north and south, with primarily residential properties occupying the area surrounding the Site. Petroleum products, hazardous materials or other chemical use or storage was not noted.

2.15 Environmental Liens

ERC contacted Ms. Karen Butcher, Berkeley County Chief Deputy on January 10, 2019 to inquire about environmental liens at the property. Ms. Butcher indicated that there are no records of any environmental liens associated with the Site.

2.16 Valuation Reductions

ERC was not provided with a current appraisal for the property, and an appraisal may not exist for the Site property. According to the User Questionnaires filled out by the prospective buyer – Mr. Doug Magyari, and the seller's agent – Mr. Lane McIntosh, the asking price of the property was considered to fall within the fair market value.

The ASTM E1527-13 guidance does not require that a real estate appraisal be obtained in order to ascertain the fair market value of the property."

3.00 ENVIRONMENTAL SETTING

This section provides information regarding the general physiographic, hydrogeologic, hydrologic, and soil conditions in the area of the Site.

3.10 Regional Physiography

Based on the Geologic Map of West Virginia, bedrock near the Site consists of Paleozoic to Ordovician aged limestone, dolomite, sandstone, shale and metabentonite, and we anticipate bedrock to be encountered at a depth of approximately 10 feet below ground surface (bgs). Field measurements reported during other investigations performed by ERC in the area, and our research indicate that the groundwater is located at depths ranging from 30 to 50 feet or more below ground surface (bgs). Based on local topography and surface water flow patterns, the inferred general direction of groundwater flow is to the west. It is likely that the flow direction on-Site may vary due to Tuscarora Creek / Dry Run Creek crossing the Site from the northeast to the west. In addition, the localized direction of groundwater flow near the Site might vary because of underground utilities, subsurface preferential pathways, variations in weather or heterogeneous geological and/or anthropogenic conditions. We subsequently refer to upgradient and downgradient properties in this Phase I ESA Report based on the inferred direction of groundwater flow to the west.

Based on a review of the Google Earth map of the Site, the Site elevations range from approximately 460-feet on the south of Building No. 1, to approximately 455-feet north of Building No. 12. The wooded area to the north ranges from 460-feet to just over 500-feet above mean sea level (msl).

3.20 Geologic, Hydrogeologic, and Hydrologic Conditions

Based on a review of the 1997 U.S. Geological Survey (USGS) 7.5-minute quadrangle of Martinsburg, West Virginia, the Site elevations range from approximately 460 to 475 feet above mean sea level. The topographic gradient near the Site is variable, with gentle slopes down from the Site to the west and southeast. The nearest water body is Tuscarora Creek / Dry Run Creek which cross the Site.

3.30 Groundwater Conditions

Based on our experience in the area of the Site, the estimated depth to groundwater in the general area of the Site is approximately 30 to 50-feet or more below grade surface (bgs). Tuscarora Creek / Dry Run Creek cross the Site and are visible in some areas beneath the Site buildings. The Site is known to be in a flood-prone area, and most

recently flooded during the summer of 2018 although it is our understanding that no buildings were impacted by floodwaters.

3.40 Soil and Rock Conditions

Bedrock near the Site consists of Paleozoic to Ordovician aged limestone, dolomite, sandstone, shale and metabentonite, and we anticipate bedrock to be encountered at a depth of approximately 10 feet below ground surface (bgs).

4.00 HISTORICAL USE INFORMATION

The Site history was developed from "Standard Historical Sources" as defined in ASTM E1527-13 and interviews with knowledgeable parties. Specific information obtained from standard historical sources is contained in the following subsections. **Appendix B** includes copies of relevant historic documents provided by Environmental Data Resources, Inc. (EDR) of Shelton, Connecticut, a database subcontractor, or obtained during development of this Report.

The Site history was developed from AAI/ASTM Standard Historical Sources and available files including:

- Sanborn Fire Insurance Maps dated 1885, 1891, 1897, 1902, 1907, 1913, 1922, 1931, 1946 and 1963;
- Historic topographic maps dated 1884, 1891, 1893, 1914, 1916, 1944, 1955, 1971, 1979, 1997 and 2014;
- Aerial photographs dated 1943, 1947, 1959, 1960, 1971, 1974, 1980, 1989, 1991, 1997, 2007, 2011 and 2016;
- City Directories dated 1964, 1969, 1973, 1978, 1982, 1987, 1992, 1995, 2000, 2005, 2010 and 2014; and
- Interviews with individuals with potential knowledge about the Site.

The following historical information sources were not readily available to ERC:

- Tax Assessors Records; and
- Title Search Information provided by a title search professional – a title search was beyond the scope of this Phase I ESA.

4.10 Site and Area History Summary

Martinsburg History

Martinsburg was established by an act of the Virginia General Assembly that was adopted in December 1778 during the American Revolutionary War. Founder Major General Adam Stephen named the gateway town to the Shenandoah Valley along Tuscarora Creek in honor of Colonel Thomas Bryan Martin, a nephew of Thomas Fairfax, 6th Lord Fairfax of Cameron.

The first United States post office in what is now West Virginia was established at Martinsburg in 1792. At that time, Martinsburg and the larger territory were still part of Virginia.

The Baltimore and Ohio Railroad (B&O) reached Martinsburg in 1842. The Baltimore and Ohio Railroad Martinsburg Shops were constructed in 1849 and rebuilt after the American Civil War.

According to William Still, "The Father of the Underground Railroad" and its historian, Robert Brown, alias Thomas Jones, escaped from slavery in Martinsburg on Christmas night, 1856. He rode a horse and had it swim across the freezing Potomac River. After riding forty miles, he walked in cold wet clothes for two days, to Harrisburg, Pennsylvania. He received assistance there from the Underground Railroad and traveled by train to Philadelphia, and the office of William Still with the Pennsylvania Anti-Slavery Society. Brown's wife and four children had been sold; he sought help to find them. He had a likeness of his wife, and locks of hair from each of them.

Hannis Distillery History

May 20, 1886, a New York Times news story began: "Henry S. Hannis, a well known distiller, died this afternoon at the Norristown Asylum. He was one of the largest operators in whiskey in the United States, and just after the war was rated as one of the millionaires of Philadelphia, his native city." About 1850, he went to work for John Gibson, an immigrant from Northern Ireland. Gibson ran a successful liquor business in Philadelphia and in 1856 had purchased 40 acres of land on the east side of the Monongahela River, just to the south of Pittsburgh, and erected the Gibsonton Mills distillery. Gibson whiskey commanded a national customer base. Hannis worked his way up in the firm.

Sometime around 1855, Hannis married a woman of English descent whose name was Poole. They had three sons, one of whom, Herbert E. Hannis, was born in 1856 when Henry was just 22 years old. Henry worked for John Gibson for more than a dozen years, with increasing responsibility. When he had accumulated sufficient funds, despite the tumult of the Civil War, he struck out on his own in 1863. For the next 15 years the growth of his firm must be considered phenomenal.

Establishing his headquarters in Philadelphia at 216-218 Front Street, he bought the Mount Vernon Distillery in Baltimore, located at the corner of Russell and West Ostend in the southwestern part of the city. It had been operated by a local partnership for about a decade when Hannis took over, enlarged and modernized it. There were three stills, one wood and two copper, all heated by steam. He built two four-story warehouses and one of a single story. The Baltimore distillery, which employed 14 workers, is shown here in a sketch drawn by an insurance surveyor.

Hannis soon changed the name to the Hannis Distilling Company, It produced Mount Vernon Rye that could be purchased by the barrel or in glass bottles. The company advertised it heavily, eventually in a distinctive square bottle, both in newspapers and through giveaway items such as signs to saloons.

In 1867, finding that the Baltimore facility could not provide sufficient whiskey for his market, Hannis ventured further afield. From John Quincy Adams Nadenboush, a former Confederate officer, he purchased a distillery near Martinsburg, West Virginia, for $25,000. It had been partially destroyed by Union soldiers during the Civil War, troops that drank all the stored whiskey. Hannis wasted no time in repairing the damage and as he had in Baltimore modernized and expanded the distillery. Calling the location "Hannisville," he employed two stills, one copper and heated by open flame and another of wood heated by steam. He also built a new warehouse.

Hannis' efforts soon drew recognition. At the 1876 Philadelphia Centennial Exposition, a key exhibit at the Agriculture Building was a model distillery, displaying the state of the whiskey-making in world-class terms. Selected for that honor was the updated Hannis distillery in Baltimore; its design was reproduced for the display. Hannis also took a first-place award for Mount Vernon Rye at the Exposition just as his whiskey would later win prizes at world fairs at New Orleans in 1885, Australia in 1887 and Chicago in 1893.

From Hannis' two distilleries, in addition to Mt. Vernon Rye, came nine other brands including "Acme", "Acme X", "Hannis", "Hannis Copper Distilled Pure Rye", "Hannisville", "Hannisville Pure Rye", "Pure Rye Whiskey", "Tidal Wave", and "Victor." These labels also were merchandised through giveaways to customers, including fancy back of the bar bottles.

As the company continued to flourish, however, something seemed increasingly wrong with Henry. Perhaps, as suggested in a newspaper account, it was having his whiskey "swept away by the conflagration," or perhaps the death of his wife. He began to have mental problems. By the early 1880's his condition had grown so dire that he was declared mentally incompetent and confined to the Pennsylvania State Insane Asylum at Norristown. Prominent Philadelphia businessmen were brought in to manage the whiskey empire he had built.

The Hannis Distilling Company continued in business another 31 years, until 1917 and the coming of Prohibition. Herbert Hannis would spend the rest of his life in Martinsburg, managing the distillery there, until his premature death in 1906 at age 50. The Mount Vernon brand would survive Prohibition as a medicinal whiskey released through American Medicinal Spirits. Acquired by National Distillers after Repeal, Mount Vernon became one of that company's flagship labels into the 1950s.

National Fruit History

According to the Shepherdstown Register in 1921, the National Fruit Products Company who had operations in Alexandria and Winchester, VA purchased the Hannis Distillery in 1921 for $50,000 making the company one of

the largest in the country. The former distillery buildings were turned into warehouses into cold storage buildings where up to 100,000 barrels of apples could be stored, and installed machinery to make apple butter, jelly and sauces under the "White House Brand". A quote from the newspaper article states that "The new concern will employ hundreds of men, and women – and thus a real, live, beneficial industry once more supplants an objectionable liquor distillery."

Over the years the plant appeared to have boom years with as many as 1,300 people employed during peak season and approximately 200 during the off-season. During the peak in 1949, National Fruit operated two shifts according to a historical 1949 newspaper article in the Beckley Herald Dispatch.

4.20 Interviews with Site Personnel

ERC was not able to find a former employee or owner to speak with in regard to the Site. We spoke with Mr. Steve Knipe on February 26th. Mr. Knipe worked at the Martinsburg Municipal Waste Water Plant from approximately 1975 to 1993 and frequently visited the Site. Mr. Knipe said that he was not aware of any USTs on the Site, or of operations that would have impacted the environment with the exception of a number of accidental spills of organic materials such as apple sauce and pulp, and vinegars that were spilled into Tuscarora Creek. He said that he had not entered into the former Machine Shop and could not speculate on whether any activities in that building may have impacted the Site.

4.30 Aerial Photograph Review

ERC reviewed historical aerial photographs provided by EDR. The table below contains ERC's description of the Site and vicinity properties as shown in the aerial photographs.

Year	Scale	Description of Site	Description of Vicinity
1943 1947	1" = 500' 1" = 500'	The property appears to be fully developed with multiple buildings in place, vinegar tanks are shown adjacent to the Tank House. No specific details could be discerned from the photographs.	North – with the exception of the Ice Plant and Brick/Block Manufacturing to the northeast, there is little development shown. South – residential properties are shown bounding the Site on the south, and the area further to the south appears to be heavily developed. East of the B&ORR – the area appears to be heavily residential.

Year	Scale	Description of Site	Description of Vicinity
			West – residential properties are shown, but development is less dense than that shown to the south and west.
1959 1960	1" = 500' 1" = 500'	The poor quality of these images made it difficult to identify individual Site features; however, the Site appears generally consistent with the previous photographs.	The surrounding area appears relatively unchanged.
1971	1" = 1000'	The poor quality and small scale of this image made it difficult to identify Site features.	The poor quality and small scale of this image made it difficult to identify features of the surrounding area.
1974	1" = 500'	The poor quality of this image made it difficult to identify individual Site features; however, the Site appears generally consistent with the previous photographs.	The surrounding area appears relatively unchanged.
1980	1" = 500'	The Site appears relatively unchanged.	The surrounding area appears relatively unchanged.
1989	1" = 750'	The poor quality and small scale of this image and made it difficult to identify individual Site features.	The poor quality and small scale of this image made it difficult to identify features of the surrounding area.
1991	1" = 500'	The Site appears relatively unchanged.	The surrounding area appears relatively unchanged.
1997	1" = 500'	The poor quality this image and made it difficult to identify individual Site features.	The poor quality of this image made it difficult to identify features of the surrounding area.
2007 2011 2016	1" = 500' 1" = 500' 1" = 500'	The Site appears relatively unchanged, and similar to how it appears today.	The surrounding area appears relatively unchanged.

4.40 Sanborn Fire Insurance Maps

ERC reviewed historic Sanborn® fire insurance maps provided by EDR dated 1885, 1891, 1897, 1902, 1907, 1913, 1922, 1931, 1946 and 1963. The table below contains ERC's description of the Site and vicinity properties as shown in the historic fire insurance maps.

Year	Description of Site	Description of Vicinity
1885 The 1885 map shows the central portion of the current Site property. It appears that there is no Sanborn Map coverage shown for the areas to the north, south, east and west.	The Site is occupied by the Hannis Distilling Company. Tuscarora Creek is shown wrapping around the central portion of the Site, with Dry Run Creek intersecting Tuscarora Creek on the northeast. Three warehouses are shown with one labeled as a "Free Warehouse" and two others labeled as "US Bonded Warehouses", a fourth building presumed to be another warehouse was cut-off on the bottom portion of the Sanborn Map. Labeling indicates that the buildings were heated with steam, and fired by coal. An unnamed road, presumed to be Pennsylvania Avenue is shown entering the Site from the southeast. To the north of the unnamed road is a smaller Bonded Warehouse building with a "Master Tank" (water tank) a brick chimney and furnace. The B&O Railroad Line shown to the west and bounding the Site is depicted with five rail lines. Where the railroad lines meet the northern segment of Tuscarora Creek, the lines split with two spurs that arc across the northern portion of the Site to the northeast. Two single railroad spurs are shown east	The area to the west of the Site and across the Baltimore & Ohio (B&O) Railroad Line shows Tuscarora Creek to the north of the Alex Parsons Jr. Martinsburg Flour Mill with Tail Race transecting the mill prior to merging again with Tuscarora Creek. No coverage of the areas to the north, south and east are shown. In the area between where the B&O Railroad splits into two segments on the northern portion of what may currently be part of the Site, are several buildings with the center one labeled as the B&ORR steam house/pump house, two other adjacent buildings are labeled as sand houses.

Year	Description of Site	Description of Vicinity
	of the Granary Building extending north and connecting to the two railroad lines that arced from the main lines. Additional buildings shown include: two small office buildings just south of a bridge that crosses the southern segment of Tuscarora Creek. To the north of the bridge is a shed with what appears to be an "oil house" adjacent. Further to the north and adjacent to the railroad lines to the west is a large building split into approximately seven areas that include (from south to north) a copper still, two water tanks, a furnace and a brick chimney; what appears to be a power house with three furnaces and two water tanks/cisterns; the central room appears to house a wood still, with an attic and cupula also being shown; a fermentation and mash area is shown with what appears to be an area labeled as a "beer still" with three additional water tanks/cisterns shown. Adjacent to the east an additional fermentation room is shown as under construction. A conveyor belt crosses Tuscarora Creek to the north and connects to the Granary building. North of Tuscarora Creek are two small buildings labeled as "slop tanks" and shed. Where Dry Run Creek meets Tuscarora Creek on the eastern portion of the Site is a small building labeled as a "hose house", further to the east are several buildings/areas labeled as "hog pens".	

Year	Description of Site	Description of Vicinity
1891	The Site appears relatively similar to what was depicted on the 1885 map with the exception that the fermentation building under construction has been finished; that the furnaces that were shown in one of the buildings along the railroad line has been moved to a new building located adjacent and south of the new fermentation building; that the two water tanks shown in one of the buildings are no longer shown, that the slop shed has been significantly enlarged, and an additional building labeled as "elevated slop tanks" is now also shown. Several additional sheds are shown further to the northeast. The hose house is no longer shown at the junction of Dry Run Creek and Tuscarora Creek, an unlabeled building with three segments/rooms is now shown in this area. An office is shown near the northern terminus of the unnamed road. Two dwellings are shown to the east of the unnamed road (likely Pennsylvania Avenue). Several sheds associated with the dwellings are located nearby.	The B&ORR buildings shown to the northwest of the Site on what may currently be part of the Site has been expanded to show a coal house that connects the pump house to the sand house, and a water tank is shown further to the east. Further to the north across the railroad line spurs a dwelling is shown. The Alex Parks Jr., Martinsburg Flour Mill is no longer shown to the west across the B&O Railroad lines, and have been replaced by a Free Warehouse, a bottling house, and a mill house with a crib and an unnamed building shown further to the west along with a large dwelling.
1897	One of the warehouses shown to the south is no longer present and it is unclear whether a roadway or tramway has replaced this building. Further to the north, but south of Tuscarora Creek a cistern is shown just north of the warehouses, and coal house has been added to the small warehouse building shown previously with a furnace and brick chimney.	The area to the west across the B&O Railroad line appears relatively unchanged. The B&O Railroad lines shown to the west of the Site now only show four rail lines.

Year	Description of Site	Description of Vicinity
	The building shown previously with three segments/rooms is now labeled as a storage house. The unnamed road entering the Site from the south is now labeled as "private road". Adams Street is shown further to the east on the southern portion of the Site, but is not shown extending further to the north. The two water tanks shown in 1885 but not in 1891 are now shown again. The new fermentation building is shown with what appears to be six large tanks. A scale room has been added to the Granary building. The smaller slop tank building has been significantly enlarged with a furnace and brick chimney, and a slop feed drying building is shown attached to the east. A platform for the storage of slop tanks is shown to the east of the slop sheds.	The area to the east of the Site appears relatively unchanged, and Adams Street is now shown further to the east. A small lumber yard is shown to the southeast (it is unclear from this map whether the lumber yard is on- or off-Site).
1902	The Site appears relatively unchanged with the exception that a slop feed drying plant building is now shown to the east of the slop tank building.	The area to the west across the B&O Railroad lines appears relatively unchanged.
1907	The Site appears relatively unchanged from the 1902 Sanborn Map.	The surrounding areas of the Site appear relatively unchanged.
1913	The Site appears relatively unchanged with the following exceptions:	The area to the west across the B&O Railroad line appears relatively unchanged.

Year	Description of Site	Description of Vicinity
	A coal pile is shown to the north of the Granary. The northeastern portion of the Site shows several additional buildings labeled as: General Storage; two Stave Sheds; Corn Crib; Barrel Shed, and Woodworking Shed. Smaller areas are labeled as pig pens. Railroad lines now extend to the northeast across the Site north of the main operations area. To the north of the railroad lines a Cooperage Shop that shows a furnace for heating. Further to the northeast is an additional storage building.	The B&ORR buildings shown to the northwest of the Site on what may currently be part of the Site has been expanded to show a tool house. The water tank shown further to the east is no longer shown, but an additional water tank is now shown adjacent to the water tank adjacent to the buildings. Further to the north and east of the dwelling is a building labeled "vacant tenement houses".
1922	The Site has undergone considerable change, and is now labeled as the National Fruit Product Company. The three warehouses shown on the southern portion of the Site, now only show the two northern warehouses, with the warehouse shown to the west labeled as "bottling storage". The cistern and platform shown previously to the north of the warehouses are no longer shown. The coal house and adjacent building that housed what appeared to be two furnaces/boilers is no longer shown, and what may be a large chimney is currently shown. The area south of Tuscarora Creek and east of the Private Road appears relatively unchanged. The former Hannis operations area situated between the southern and northern segments of Tuscarora Creek now only shows one building divided into four areas, labeled as a Press Room, Jelly Room and a	W. Adams Street is now shown extending from the south to the northeast of the Site. The B&O Railroad lines shown to the west of the Site now only show two rail lines. The B&ORR buildings shown to the northwest of the Site on what may currently be part of the Site no longer shows the two water tanks, and this area is now labeled as the B&O RR Pumping Station.

Year	Description of Site	Description of Vicinity
	Lab. To the north across the northern segment of Tuscarora Creek, the building previously labeled as the Granary is now shown as the **Generator Room**. One rail spur has replaced the two rail spurs that arced to the northeast across the Site, and the two single rail spurs shown to the east of the Granary previously are no longer shown. The buildings that housed feed bins, air drying, and several slop houses, or storage platforms shown to the east of the Granary and north of Tuscarora Creek have been removed or repurposed. The map now shows a warehouse, a number of sheds, and a tank house with 21 vinegar tanks to the west adjacent to another tank house. To the north across the railroad spur the cooper shop is now shown as vacant.	
1931	The Site appears relatively unchanged with the exception that one of the two warehouses shown on the southern portion of the Site now only shows the eastern warehouse. An apple bin is shown north of the warehouse. The presumed "large chimney" that replaced the coal house/furnace building is now shown as a building with two furnaces and what may be a fire pump or chimney adjacent to the north, and a railroad spur is now shown to extend from this building to the northeast where it merges with the other railroad spur. A loading platform is shown just south of the Jelly Room and Lab building.	The area to the west of the Site across the B&ORR no longer shows the warehouses. The area to the east of the Site appears relatively unchanged with the exception that what appears to be a business is shown to the north and west of W. Adams Street.

Year	Description of Site	Description of Vicinity
		The B&ORR Pumping Station now only shows the furnace/generator building and one smaller building.
1946 .	The railroad spur transecting the Site extends slightly further to the south. Two new buildings are shown near the southern most warehouse and include a Vinegar House and a BLR House. A building north of the No. 12 Warehouse that had previously been labeled as a Warehouse is now shown as a Machine Shop. The sheds that had been located south of Tuscarora Creek have been replaced by a Cider Mill, and a Process Building with one shed located further to the east. To the north across Tuscarora Creek the small warehouse has been replaced with a larger warehouse, with one shed located to the northeast. Additional vinegar tanks are shown outside the Tank House.	The area to the west of the Site across the B&ORR now shows the dwelling as apartments. What had been labeled the B&ORR Pumping Station now only shows a transfer station building. The area to the east of the Site appears relatively unchanged.
1963	On the southern portion of the Site, to the east of the Private Road, a building that had previously been labeled as a dwelling is now shown as a Lab. To the north of the lab is a sorting shed, two large apple bins. Further to the north an additional building is now shown south of the Cider Mill, and a steel deck has been placed over Tuscarora Creek.	The area to the west of the Site across the B&ORR appears relatively unchanged. The block manufacturing business located to the north and west of W. Adams Street has been expanded.

Year	Description of Site	Description of Vicinity
	A cooling tower and another small building are shown to the west of the wood vinegar tank storage area.	

Based upon our review of the Sanborn Fire Insurance maps, the following may pose a concern for the environment:

- The presence of an Oil House (shown on the 1885 map). It is unclear as to whether oil was stored for powering operations;
- The presence of a Coal House to the northwest associated with the B&O Railroad operations on the 1891 map;
- The presence of a Coal House in the central area of the Site in 1897 with Coal Piles also present and shown on the 1913 map north of the Granary;
- The presence of a Lab on the western side of the Site on the 1922 map. It is unclear as to what the lab was used for; however, the lab may have been utilized for measuring the pH of the vinegar and other products developed during that period;
- The presence of a Machine Shop (shown on the 1946 and 1963 maps). It is unclear as to the type of operations that were conducted in the Machine Shop and whether petroleum products and/or solvents were used in the machining of parts/tools used in the Site's operation; and
- The presence of a former Maintenance Shop (Building No. 9). It is unclear as to the type of operations that were conducted in the Maintenance Shop and whether petroleum products and/or solvents were used in the machining of parts/tools used in the Site's operation; and
- The presence of a Lab in the southern portion of the Site on the 1963 map.

4.50 Property Tax Files

The Site consists of approximately 19.42-acres of land according our review of the Berkeley County Assessor's Office tax maps. The Parcel No. is 055 and parcel information is provided in Deed Book 434, page 586.

4.60 Recorded Land Title Records

ERC was not provided with an abstract of title for our review, and a title search was not included in the scope of this Phase I ESA. A limited Activity and Use Limitation (AUL) review conducted by EDR did not identify AULs or other institutional or engineering controls associated with the Site.

4.70 Historic USGS Topographic Maps

ERC reviewed historic USGS topographic maps provided by EDR. The table below contains ERC's description of the Site and vicinity properties as shown on the historic topographic maps.

Year	Description of Site	Description of Vicinity
1884, 1891 and 1893	It was unclear as to whether the Site was developed.	Development in the Site vicinity appears to be densely developed to the south and east.
1914	The Site appears to be developed.	Increased development is shown to the south and east.
1916	The site appears to be densely developed	The areas surrounding the Site are shaded indicating dense development.
1944, 1955, 1971, 1979, 1997 and 2014	The site appears to be densely developed	The areas surrounding the Site are shaded indicating dense development.

4.80 City Directory Review

ERC reviewed a city directory abstract provided by EDR. The table below contains ERC's description of the Site and adjoining properties as presented in the city directory abstract.

The following table provides an overview of residential and businesses properties listed for the years reviewed.

Physical Address	Listings for the Site
100 Five Point Avenue	Prestige Auto Exchange (2005)
102 Five Point Avenue	Residential (2010)
104 Five Point Avenue	Occupant Unknown (2005, 2010, 2014)
108 Five Point Avenue	Occupant Unknown (2005), Residential (2010, 2014)
112 Five Point Avenue	Residential (2005), Occupant Unknown (2010, 2014)
116 Five Point Avenue	Jr. Order United American (2005) Residential (2010, 2014)
118 Five Point Avenue	Residential (2010), Occupant Unknown (2014)
120 Five Point Avenue	Miss Irene's Childcare Center (2005), Occupant Unknown (2010), Residential (2014)
122 Five Point Avenue	Occupant Unknown (2005)
124 Five Point Avenue	Sprint (2014)
131 Five Point Avenue	Residential (2005)
102 Pennsylvania Avenue	Residential (2010)
105 Pennsylvania Avenue	Residential (1995)
107 Pennsylvania Avenue	Residential (2000, 2010, 2014)
113 Pennsylvania Avenue	Occupant Unknown (2000), Residential (1992, 1995, 2010, 2014)
115 Pennsylvania Avenue	Residential (1995, 2005)
120 Pennsylvania Avenue	Occupant Unknown (1995)
124 Pennsylvania Avenue	Occupant Unknown (1995, 2000), Martinsburg Apostolic Church (2005, 2010, 2014)
125 Pennsylvania Avenue	Occupant Unknown (2000), Nolz Convenience & Subs (2010), Residential (1995, 2014)
126 Pennsylvania Avenue	Occupant Unknown (1995, 2000), Residential (2010, 2014)
127 Pennsylvania Avenue	Residential (1992, 1995, 2000, 2005, 2010, 2014)
128 Pennsylvania Avenue	Occupant Unknown (2000), Residential (1992, 1995, 2005, 2010, 2014)
130 Pennsylvania Avenue	Residential (1992, 1995, 2000, 2005, 2010, 2014)
133 Pennsylvania Avenue	Residential (1992, 1995, 2005, 2010), Occupant Unknown (2000, 2014)
134 Pennsylvania Avenue	Occupant Unknown (1995), Residential (2014)

135 Pennsylvania Avenue	Occupant Unknown (2010), Residential (1995, 2000, 2005, 2014)
136 Pennsylvania Avenue	Occupant Unknown (1995)
201 Pennsylvania Avenue	Residential (1995, 2000, 2005, 2014)
202 Pennsylvania Avenue	Residential (2010, 2014)
203 Pennsylvania Avenue	Occupant Unknown (2000), Residential (1995, 2005, 2010, 2014)
204 Pennsylvania Avenue	Residential (1995), Occupant Unknown (2000)
205 Pennsylvania Avenue	Occupant Unknown (2000, 2010), Residential (1995, 2005, 2014)
206 Pennsylvania Avenue	Occupant Unknown (2000), Residential (1992, 1995, 2010, 2014)
208 Pennsylvania Avenue	Occupant Unknown (1995, 2000), Residential (2005, 2010)
210 Pennsylvania Avenue	Occupant Unknown (1995), Residential (1992, 2000, 2005), DJS Masonry Contractor (2010, 2014)
214 Pennsylvania Avenue	Occupant Unknown (1995, 2000), Residential (1992, 2014)
217 Pennsylvania Avenue	Occupant Unknown (2000), Residential (1992, 1995, 2005, 2010)
218 Pennsylvania Avenue	Residential (1992, 1995, 2005, 2010, 2014)
219 Pennsylvania Avenue	Residential (1995, 2000, 2005)
220 Pennsylvania Avenue	Occupant Unknown (1995), Residential (1992, 2000, 2005, 2010, 2014)
221 Pennsylvania Avenue	Residential (1992, 1995, 2000, 2005, 2010, 2014)
222 Pennsylvania Avenue	Residential (2005), Occupant Unknown (1995, 2000, 2014)
224 Pennsylvania Avenue	Residential (1995, 2005, 2010, 2014)
225 Pennsylvania Avenue	Residential (1992, 2005, 2010, 2014)
227 Pennsylvania Avenue	Residential (1992, 1995, 2000), Occupant Unknown (2005), Anointed Entrapment Enterprise Inc. (2010, 2014)
228 Pennsylvania Avenue	Residential (1992, 1995, 2000), Occupant Unknown (2010, 2014)
300 Pennsylvania Avenue	Occupant Unknown (2000), Residential (1992, 1995, 2005, 2010, 2014)
301 Pennsylvania Avenue	Occupant Unknown (1995, 2005), Residential (1992, 2010)
310 Pennsylvania Avenue	Residential (1992, 1995, 2000, 2005, 2010, 2014)
311 Pennsylvania Avenue	Occupant Unknown (2000), Residential (1992, 1995, 2010, 2014)
314 Pennsylvania Avenue	Residential (1995, 2000, 2005, 2010, 2014)
315 Pennsylvania Avenue	Occupant Unknown (1995, 2000, 2005), Residential (2010, 2014)

316 Pennsylvania Avenue	Residential (1992, 1995, 2000, 2010, 2014)
319 Pennsylvania Avenue	Residential 1995, (2000, 2005, 2010, 2014)
403 Pennsylvania Avenue	Occupant Unknown (2000)
404 Pennsylvania Avenue	Occupant Unknown (2000), Residential (2005)
405 Pennsylvania Avenue	Occupant Unknown (2000, 2010), Residential (1992, 1995, 2005, 2014)
406 Pennsylvania Avenue	Residential (2010, 2014)
407 Pennsylvania Avenue	Residential (1992, 1995, 2000, 2010, 2014)
410 Pennsylvania Avenue	Residential (2010, 2014)
413 Pennsylvania Avenue	Occupant Unknown (2005), Residential (1992, 1995, 2000, 2010, 2014)
1073 Pennsylvania Avenue	Residential (1992)
1074 Pennsylvania Avenue	Residential (1992)
22712 Pennsylvania Avenue	Residential (1992)
Pennsylvania Avenue W – From 526 N. Queen Street	National Fruit Product Company Inc. (1964, 1969, 1973, 1978, 1982, 1987)

The city directory abstract did not contain listings for properties that are or might be associated with the use or storage of hazardous substances or petroleum products, with the following exceptions.

- Prestige Auto Exchange – 100 Five Point Avenue.

Based upon the location of the above site and the presumed westerly groundwater flow direction, ERC would not anticipate that this site has impacted the Subject Site.

4.90 Building Department Records

ERC requested records from the City of Martinsburg. No records were readily available for review.

5.00 PREVIOUS ENVIRONMENTAL INVESTIGATIONS

Based upon our discussions with the real estate agent representing the property owner – Mr. Lane McIntosh, and the real estate agent representing the buyer – Ms. Angela Johnson, there have been no previous environmental investigations performed at the Site.

6.00 SITE RECONNAISSANCE

The purpose of ERC's Site reconnaissance was to observe current Site conditions for evidence of recognized environmental conditions that could result in the presence of hazardous substances or petroleum products in the environment at the Site. Ms. Dawn Seeburger, the owner/manager of ERC and a West Virginia Licensed Remediation Specialist (LRS) conducted a Site reconnaissance at the Site on January 11, 2019. Ms. Seeburger was accompanied by Mr. McIntosh, Ms. Johnson and two City of Martinsburg Police Officers.

ERC documented our observations and photo-documented pertinent features and/or areas of environmental concern, which we reference in this Phase I ESA Report. Selected photographs are included in **Appendix A**, and **Figure 2** depicts the Site layout.

The following factor(s) limited or temporarily limited ERC's Site reconnaissance:

- Building 1 – a small locked cabinet that reportedly contains over-the-counter spray paints and other miscellaneous materials could not be viewed by ERC.

- Building 10A – due to the amount of material stored and stacked with the building, ERC could not readily access all areas of the building, nor could we view the entire floor to assess for additional petroleum leaks and/or spills or other materials that may impact the environment. A large number of 55-gallon drums and other containers of what appeared to be petroleum hydrocarbons were noted within the building; however, the drums and/or containers were not labeled, the labels had been damaged or removed which prevented the identification of the materials stored within the drums/containers.

- Building 10B – due to the vast amount of used tires that were stacked from floor to ceiling, ERC was unable to access the building beyond the doorway. ERC considers this a significant data gap.

- Building 3 – ERC could not access this fenced and locked building. ERC considers this a significant data gap.

- Building 4 – ERC did not access this building during the Site visit. The building may have been overlooked. Ms. Johnson visited the Site again on February 23rd and provided ERC with photos of the interior and exterior of the building.

- Debris Piles – ERC noted several piles of used railroad ties and other debris located adjacent to the B&O Railroad Line. Debris piles were also noted in the wooded area to the north of the main operational area of the Site. One of the piles of debris included a former homeless encampment where local police indicated methamphetamine (meth) had been cooked by the former occupants. ERC considers the cooking of methamphetamine to be a REC.

- ERC personnel did not inspect the roofs of the Site buildings.

The following subsections discuss features identified at the Site.

6.10 Above Ground Storage Tanks

One aboveground storage tank (AST) that appeared to be approximately 20,000-gallons in size was noted on the southern side of Building 4 (Boiler House). The AST was wrapped in insulation. ERC contacted the WVDEP under the Freedom of Information Act (FOIA) to request information on the AST. The WVDEP indicated that they did not have any information on the AST, that the AST may have been exempt if used for food products, or that the AST was never registered with WVDEP. According to a discussion with the buyer's realtor, the AST may have contained water used in the steam boiler to heat the Site buildings.

6.11 Underground Ground Storage Tanks

ERC did not observe vent and fill pipes on the Site that may be associated with an UST system.

ERC requested information on the USTs from the WVDEP, and received a copy of a report that documented the removal of several USTs from the Site. The report is included in **Appendix D**. According to the documents reviewed, the USTs were removed on July 3, 1991. Photographs depicted two tanks, approximately 20,000-gallons in size. Correspondence was included in the report from Kremer Oil Corporation, dated November 25, 1991 that stated that four USTs were removed by National Fruit for insurance purposes. Based upon our review of the information, it appears that three USTs were originally installed on the Site in 1960 (although April 6, 1971 is listed on other forms), and were removed from the ground on July 3, 1991. One UST, 2000 gallons in size contained gasoline, and the remaining two USTs were 15,100 gallons in size and contained #6 heating oil. The two latter

USTs containing heating oil would be exempt from regulatory oversite.

Based upon our review of the soil analytical data collected following the removal of the USTs, there were elevated levels of ethylbenzene and total xylenes. The ethylbenzene concentrations (shown on page 64 of the report) was 3,500 micrograms per kilogram (µg/kg) or 3.5 milligrams per kilogram (mg/kg) which is below the current Industrial de minimis standard for Industrial soils of 280 mg/kg. The total xylene concentration was 13,000 µg/kg or 13.0 mg/kg which is below the current Industrial de minimis standard for Industrial soils of 10,000 µg/kg. Total petroleum hydrocarbon (TPH) analysis showed TPH at 2,650 which is above the current action level of 1000 minimis. Polycyclic aromatic hydrocarbons (PAHs) were also detected in the Site soils. The concentrations of the individual PAHs detected is a concern since the analyses shown on page 65 were reported in the mg/kg range, and the method detection limits (limits of quantitation) are well above the published Industrial de minimis standards for soils. It is ERC's opinion that concentration of PAHs in the Site soils represents a REC.

6.12 Rail Car Loading and Unloading

A number of rail spurs were noted during our review of historical Sanborn Fire Insurance maps; however, none of the former spurs were visible to ERC during our Site walkover. ERC did note that railroad ties had been disposed of on-Site in a number of piles along the western side of the Site and in the wooded area north of the Site.

ERC presumes that these spurs were used to move fruit, livestock and other materials in and out of the various operations buildings. The location of the railroad sidings has altered through the years based upon our review of historic Sanborn® and topographic maps. Based upon our experience with railroad lines, the railroad grade may be impacted with heavy metals, PAHs and possibly PCBs from historic "oiling" of the tracks. It is ERC's opinion that these railroad sidings/spurs and disposal piles represent a REC.

6.13 Drywells, Sumps and Subsurface Pits

ERC did not observe any drywells, sumps or subsurface pits with the exception of a number of open pits west of Building 6 and east of Building No. 13. The pits appear to be conduits for the repair and maintenance of conveyors that moved materials in/out of the building, or as access to Tuscarora Creek as an on-Site water supply. Refer to Photograph Nos. 30 and 31.

6.14 Storage and Staging Areas

Site Feature	Currently Exists?
Storage pads, including drum and/or waste storage	Yes

Site Feature	Currently Exists?
Surface impoundments and lagoons	No
Dumpsters	No
Hazardous material storage or handling areas	No

Storage Pads

To the west of Building No. 3 are 10 circular concrete pads flush with the ground. According to Mr. Knipe, these concrete pads were put in place to support large stainless steel vats that held vinegar. Mr. Knipe said that there were additional supports that kept the vats from directly contacting the pads, and allowed for room for drainage of the vats. He further said that the concrete blocks found on the northern portion of the Site to the west of Building 10A/10B were also used in a similar manner to support smaller wooden vats of vinegar on-Site.

6.15 Dumpsters

No dumpsters were noted during the Site walkover.

6.16 Drainage Systems and Floor Drains

Site Feature	Currently Exists?
Floor drains, trenches, sumps and associated piping	No
Oil/water separators (historically an oil/water separator was located north of the Paint Shop)	No
Process area sinks and piping which receive process waste	No
Roof leaders when process operations vent to the roof	No
Storm water drains, grates and associated piping	Yes
Drainage swales and culverts	No
Storm water detention ponds	No
Surface water bodies and fire ponds	Yes

Stormwater Drainage

ERC did not observe stormwater grates on the Site. What appeared to be open pits or access to Tuscarora Creek were noted west of Building No. 7. Some openings were noted in the open-air area between Building No. 9 and No. 12 that allowed the viewer to see Dry Run Creek/Tuscarora Creek flowing beneath the building. Refer to Photograph No. 55.

Surface Water Bodies

The closest surface water body is Tuscarora Creek / Dry Run Creek which transects the Site. Dry Run Creek enters the Site from the northeast and flows beneath the area between Building 9 and Building 12. Refer to Photograph No. 55.

Discharge and Disposal Areas:

Site Feature	Currently Exists?
Waste water disposal systems including septic systems, leach fields, seepage pits, or dry wells	No
Landfills	No
Sprayfields or landfarms	No
Incinerators	No
Historic fill or any other fill material	No
Open pipe discharges	No
Evidence of dumping	Yes

Evidence of Dumping

A number of piles of railroad ties were noted along the western side of the Site and in the wooded area north of the Site. In addition, considerable domestic debris (e.g., plastic bottles, cans, bags, clothing, etc.) was noted in many of the buildings throughout the Site, primarily from homeless occupation.

Other Site Features, including:

Site Feature	Currently Exists?
Electrical transformers or capacitors	Yes

Site Feature	Currently Exists?
Generators	No
Hydraulic equipment (e.g., lifts, elevators, compactors, loading dock lifts)	Yes
Waste treatment areas	No
Discoloration, staining or spillage	Yes
Areas of stressed vegetation	No
Compressor vent discharges	No
Non-contact cooling water discharges	No
Active or inactive production wells	No
Monitoring wells, former boreholes, or other evidence of former environmental investigations	No

Electrical Transformers or Capacitors

ERC was not able to access the former Boiler House (Building 4); however, based upon photographs provided of the interior of the building, electrical capacitors were noted to be present.

Hydraulic Equipment

Operations at the Site were reportedly powered by steam from the Boiler House. ERC did not observe hydraulic equipment, but did observe what appeared to be a possible turntable in the area between Building No. 7 and No. 9. Based upon our review of historical newspaper articles, hydraulic fruit presses were utilized at the Site and included the Farquhar Hydraulic Fruit Press. Hydraulic equipment are often found to leak petroleum hydrocarbons to the environment, and often the hydraulic units are contained beneath the equipment where leaks may not be readily apparent. Further investigation in areas where hydraulic equipment was used may be warranted.

Discoloration, Staining or Spillage

Staining from what appeared to be petroleum hydrocarbons/lubricating oils were noted in several buildings (Building 10A, 10B and 11) on the floors, especially around stored automobiles and automotive parts/engines.

6.17 Drinking Water and Monitoring Wells

No drinking water wells are currently located on the Site.

6.18 Septic System

No surficial evidence of septic systems was noted and/or are known to exist at the Site. The Site is reportedly connected to the Martinsburg Sanitary sewerage system. It is unknown as to when the Site was connected to this system and whether septic tanks and/or outhouses were utilized, but are highly likely, during the Site's history prior to connection to the Sanitary Board's sewerage system.

6.19 Pits, Ponds or Lagoons

No surficial evidence of pits, ponds, or lagoons was observed on the exterior of the Site.

6.20 Oil/Water Separators

No oil/water separators were observed.

6.21 Process Wastewater

No surficial evidence of on-Site process wastewater disposal was observed at the Site.

6.22 Surface Water Runoff

Surface water runoff would be expected to discharge radially from the on-Site buildings. No stormwater drains were noted on the Site, and ERC would anticipate that stormwater would drain toward Dry Run Creek / Tuscarora Creek.

6.23 Stressed Vegetation

No stressed vegetation was noted during the Site visit. However, it should be noted that the Site visit was conducted in January and stressed vegetation would not be readily apparent during that time period.

6.24 Other Observations

No other observations were noted.

6.10 Hazardous Materials Use at Adjoining and Vicinity Properties

The area surrounding the Site is primarily residential with only a few commercial/industrial properties to the northeast and to the south. No visible evidence of hazardous materials storage was noted during our Site reconnaissance.

6.20 Hazardous Materials Use at Vicinity Properties

The area within ¼ mile is primarily residential with only a few commercial/industrial properties to the northeast and to the south. No visible evidence of hazardous materials storage was noted during our Site reconnaissance.

7.00 REGULATORY REVIEW

The following sub-sections are based on public information obtained from various federal, state, and local agencies that maintain environmental regulatory databases. These databases provide information about the regulatory status of a property and incidents involving use, storage, spilling or transportation of oil or hazardous materials.

Information was gathered by ERC personnel and by a professional data search service, Environmental Data Resources, Inc. (EDR) of Shelton, Connecticut. Numerous Federal, State, and Tribal regulatory database searches and proprietary records searches were performed for the Site by EDR. Federal, state and local regulatory information is presented in **Appendix B**. In addition, EDR provides what they reference as "Exclusive Records" that include listings of potential gasoline filling stations and dry cleaning/laundry facilities based upon historical records searches. The EDR Exclusive Records database is provided following the Federal and State regulatory databases.

A discussion of the reviewed information is presented in the following sections.

7.10 Federal Agency Databases

The following databases supplied by EDR were reviewed by ERC. These reports and the search distance used to review these databases are presented below.

Database	Radius Searched
National Priorities List (NPL), Proposed NPL and/or Delisted NPL	1 mile
NPL Liens List	Target Property
Delisted NPL List	1 mile
Federal CERCLIS, SEMs and SEMS-Archive (NFRAP) List	½-mile
Federal RCRA Generators (LQG, SQG, CESQG) List	¼-mile
Resource Conservation and Recovery Information System (RCRIS) CORRACTS List	1 mile
RCRIS Treatment, Storage or Disposal Facility (RCRIS-TSD) non-CORRACTS List	½-mile
Federal Institutional Controls/Engineering Controls Registries List (institutional/engineering controls)	½-mile
Federal ERNS List	Target Property

The Site and/or sites in the immediate Site area were listed on the following Federal lists within the respective search radii: SEMS-Archive; US Brownfields and RCRA NonGen / NLR Lists.

References in the following subsections for each site identified also includes ERC's opinion in regard to their upgradient, downgradient or cross-gradient location, and is based each site's location in relation to Dry Run Creek

and/or Tuscarora Creek. A generally presumed groundwater flow direction to the west was utilized by ERC for the Site and immediate surrounding area since Dry Run Creek and Tuscarora Creek flow across the Site to the west, and will likely influence the groundwater flow direction both on- and off-Site.

7.10.1 Federal SEMS-Archive

The Superfund Enterprise Management System (SEMS) Archive tracks sites that have no further interest under the Federal Superfund Program based upon available information. Archived status indicates that to the best of EPA's knowledge, assessment of a site has been completed and that EPA will take no additional steps to list the site on the National Priorities List (NPL).

The SEMS listing was for a sulfuric acid tanker incident that occurred on May 5, 2018 on or near the intersection of Factory Street and West Moler Street, and was completed on May 15, 2018 with EPA oversight. No additional information was available. ERC does not consider this a REC for the Site.

The SEMS-Archive listing was for the City of Martinsburg. It is unclear from our review as to the nature of the listing. The EPA ID is: WVD988786208. ERC does not consider this a REC for the Site.

7.10.2 Federal RCRA Generators List

The RCRA NonGen / NLR List is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by RCRA. Non-generators do not presently generate hazardous waste.

- Stephens Tire Center, located at 321 W. Adams Street. This property is currently named the D&N Auto Center and is located approximately 800-feet north of the Site and across Raleigh and Tavern Streets. Based upon the distance to the Site and the likely westerly groundwater flow direction, this site would be considered likely hydraulically cross-gradient of the Site.
- Select Used Auto Exchange, located at 544 N. Queen Street. This property is located approximately 120-feet south of the Site. Based upon the likely westerly to northwesterly groundwater flow direction, this site would be considered likely hydraulically cross-gradient of the Site; however, due to the close proximity to the Site, this property should be considered to be potentially hydraulically upgradient for

limited portions of the Site.

The presence of an upgradient RCRA non-generator does not indicate impacts to the soil or groundwater at the registered facility or to the Subject Site. ERC does not consider the above sites to be RECs for the Site.

7.10.3 Local and/or State Brownfield Sites

U.S. Brownfields is the EPA's listing of brownfields properties from Cleanups in My Community program, which provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields Grant Programs.

- Matthews Foundry, located at 420 North Queen Street. The WV Brownfield Assistance Center provided limited funding for redevelopment visioning to be performed on this property. No environmental assessments were performed. This property is located approximately 1,000-feet southwesterly of the Site, across the B&O Railroad Line and would not be expected to impact the Site.
- Thorn Lumber, located at 310 N. Raleigh Street. This site had a Phase I and II ESA conducted under the City of Martinsburg Hazardous Assessment Grant. The assessments were performed by ERC. This property is located approximately 1,700-feet west/southwesterly of the Site, across the B&O Railroad Line and would not be expected to impact the Site.

Based upon the distance and location of the sites listed above, ERC would anticipate that these sites do not have the potential to impact the Site.

7.20 State Agency Databases

Database	Radius Searched
State and Tribal – Equivalent CERCLIS (SHWS)	N/A
State and Tribal Landfill and/or Solid Waste Disposal Site Lists	½-mile
State and Tribal Leaking Storage Tank Lists	½-mile
State and Tribal Registered Storage Tank Lists	¼-mile
State and Tribal Institutional Control/Engineering Control Registries List	½-mile
State and Tribal Voluntary Cleanup Sites List	½-mile
State and Tribal Brownfields Sites List	½-mile

Local Brownfields List (US Brownfields)	½-mile
Local Landfill/Solid Waste Disposal Sites List	½-mile
Local Hazardous Waste/Contaminated Sites List	Target Property
Local Land Records (Liens 2)	Target Property
Records of Emergency Release Reports (HMIRS, SPILLS)	Target Property
Other Ascertainable Records (RCRA Non-Generator, MINES, DRYCLEANERS)	¼-mile
Other Ascertainable Records (DOT OPS, TRIS, TSCA, FTTS, HIST FTTS, SSTS, ICIS, PADS, MLTS, RAD INFO, FINDS, RAATS, UIC, NPDES, AIRS, COAL ASH DOE, PCB TRANSFORMER)	Target Property
Other Ascertainable Records (DOD, FUDS, CONSENT, ROD, INDIAN RESERVATION)	1 mile
Other Ascertainable Records (UMTRA, SCRD DRYCLEANERS, COAL ASH EPA)	½-mile
EDR High Risk Historical Records for MGP Sites	1 mile
EDR High Risk Historical Records for Historic Auto and Cleaner Sites	¼-mile
EDR Recovered Government Archives	Target Property

The Site was listed on the following above State lists: None.

References in the following subsections for each site identified also includes ERC's opinion in regard to their upgradient, downgradient or cross-gradient location, and is based upon a generally presumed westerly groundwater flow direction for the general Site area.

7.20.1 West Virginia Registered Underground Storage Tank (UST) Database

The West Virginia Registered UST database identifies all registered active and inactive underground storage tanks in the state of West Virginia. The following information was provided by EDR:

The following active or inactive USTs were reported by EDR to be located in Martinsburg and within ¼ mile of the Subject Site:

- Sprint Pop, located at 124 Williamsport Avenue. ERC could not locate this property based upon the address as provided by EDR. ERC searched on the address 124 Williamsport Pike which is located over a mile north of the Site, and also searched for the site name on the internet with no results found. ERC presumes that this property is not located near the Site.

The presence of an upgradient UST does not indicate impacts to the soil or groundwater at the registered UST facility or to the Subject Site. However, the potential of leakage or over-filling at a UST facility may occur, and therefore the regulatory status of the UST facility should be obtained periodically.

7.20.2 West Virginia Registered Leaking Underground Storage Tank (LUST) Database

The West Virginia LUST database identifies all active and inactive leaking underground storage tank sites in the state of West Virginia. The following information was provided by EDR. ERC has included leak detail for sites considered to be upgradient of the Site:

- Hutzler Bulk Plant, located at 425 Williams Street. This site could not be located by the address provided by EDR. ERC performed an Internet search with no results found. ERC presumes that this property is located across the B&O Railroad Line, and approximately 1,100 westerly and likely hydraulically downgradient of the Site.
- Burkhart Oil Company, located at PO Box 907, and doing business as (DBA) John's Pool Supplies, with a physical address of 237 Eagle School Road. This site is located approximately ¾-mile northeasterly of the Site and would be considered potentially hydraulically up-gradient of the Site.
    - LUST ID No.: 91-84-L02. The priority is shown as groundwater, but no known drinking water contamination. The confirmed release date was September 4, 1991, and the cleanup completion date was December 8, 2008. Three USTs were removed from ground in 1991 and included a 550-gallon used oil tank; a 1,000-gallon gasoline tank and a 3,000-gallon gasoline tank.
- Thorn Lumber, located at 310 Raleigh Street. This property is located approximately 1,700-feet west/southwesterly of the Site, and potentially downgradient of the Site. This site had a Phase I and II ESA conducted under the City of Martinsburg Hazardous Assessment Grant. The assessments were performed by ERC. This property is located approximately 1,700-feet west/southwesterly of the Site, across the B&O Railroad Line and would not be expected to impact the Site.
- North End Texaco, located at 1005 N. Queen Street. This property is located approximately 1,800-feet east/northeasterly of the Site, and would be considered potentially hydraulically up-gradient of the Site.
    - LUST ID No.: 95-022. The priority is shown as groundwater, but no known drinking water contamination. The confirmed release date was January 9, 1995, and the cleanup completion date was September 18, 2001. Four USTs were removed from the site and closed on December 3, 2012 and included: three 8,000-gallon gasoline USTs and an

8,000-gallon kerosene UST.

- LUST ID No.: 12-066. The priority is shown as groundwater, but no known drinking water contamination. The confirmed release date was December 12, 2012. The cleanup completion date was not reported.

- Mid-town BP, located at Race & Raleigh Street. This property is located approximately 1,800-feet south/southwesterly of the Site, and would be considered likely hydraulically cross-gradient of the Site.
- Martinsburg Water Works, located at William & Baltimore. This property is located approximately 950-feet westerly of the Site, and would be considered likely hydraulically down-gradient of the Site.
- Sheetz Inc. #156, located at 300 N. Queen Street. This property is located approximately 1,400-feet south of the Site, and would be considered likely hydraulically cross-gradient of the Site.

EDR also identified the Martinsburg Town Gas site (former manufactured gas plant [MGP]) as an EDR High Risk Historical Record site. The address provided by EDR is E. John Street. ERC could not locate this property by address. However, E. John Street is located approximately 5,000-feet southwesterly of the Site, and likely cross-gradient. ERC would not anticipate that this property would impact the Site.

7.20.3 West Virginia Registered Aboveground Storage Tank (AST) Database

ERC contacted the WVDEP in regard to the AST located on the Site adjacent to Building 4. The WVDEP had no record for this AST and indicated that the AST may have been exempt, or may not have been registered.

7.20.4 West Virginia & Tribal Institutional Control / Engineering Control Sites

None were noted in the Site area.

7.20.5 West Virginia & Tribal Voluntary Remediation Program Sites

No sites were noted within a ½-mile radius of the Site.

7.20.6 West Virginia Drycleaner Sites

- None noted.

Facilities with inadequate address information are unplottable based upon database review alone. An automobile reconnaissance was conducted within a ¼-mile radius of the Site in order to identify facility types with potential environmental conditions, and to evaluate if any of the unplottable facilities were located within a ¼-mile radius of the Site. The reconnaissance did not reveal any of the identified unplottable sites or other facilities within a ¼-mile radius of the Site.

7.30 EDR Exclusive Records

EDR MGP. The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants complied by EDR's researchers.

The following facility addresses were provided by EDR and indicated to be located within 1-mile of the Subject Site:

- Martinsburg Town Gas, located on E. John Street. Based upon the distance and location of this site, ERC would not anticipate that this MGP site would impact the Subject Site.

7.40 Local Regulatory Databases

ERC contacted local regulatory agencies for Site file information and information regarding incidents or spills of hazardous materials or petroleum products at or near (within ¼-mile) of the Site. The following subsections provide a summary of findings.

7.40.1 Cabell – Berkeley County Health Department

ERC spoke with Mr. Keith Allison, Sanitarian for the Site area on February 26th. Mr. Allison was not aware of any issues with the Site, or issues with sites surrounding the Site.

7.40.2 Martinsburg Police Department

ERC spoke with Lieutenant Scott Dole on February 26th. Lt. Dole indicated that they occasionally receive calls in regard to someone "fleeing" from a store, or make visits to the homeless encampments in the wooded northern area of the Site. He could not recall any major incidents at the Site. He did say that a few years ago that someone had tried to set a fire in one of the buildings with the intent of burning the complex, but that they had been unsuccessful.

7.40.3 Martinsburg Fire Department

ERC spoke with the Martinsburg Fire Department on February 26th, and spoke with Captain Greg Hoover. Captain Hoover said that over the years that they have responded to minor fires that had been set by vagrants/homeless, and that there was one fire that burned lumber stored within one of the "open air" buildings; but that there had been no major responses for the Site.

8.00 ENVIRONMENTAL PROFESSIONAL'S OPINION ON SALE PRICE

This Phase I ESA was performed in regard to the potential purchase of the Site.

It is ERC's understanding that the asking price for the sale of the property is $1.3 million. Per the User Questionnaire filled out by both the seller's agent and the prospective buyer, both indicated that the price was the fair market value for the property.

9.00 USER PROVIDED INFORMATION

ERC requested information from the Client regarding title information, environmental liens, Activity and Use Limitations, and specialized knowledge or commonly known information regarding the Site and, if applicable, the reason for a significantly discounted purchase price. A copy of the User Questionnaires are provided in **Appendix C**.

ERC requested a "User Questionnaire" be filled out by Mr. Doug Magyari – prospective purchaser; and by Mr. Lane McIntosh – agent for the seller, Mr. Vincent Groh.

Messrs. Magyari and McIntosh did not have any specialized knowledge in regard to environmental liens, engineering or institutional controls, or other specific information in regard to environmental impairments at the Site.

10.00 NON-ASTM E-1527-13 and AAI CONSIDERATIONS

This Phase I ESA did not include an evaluation of the following environmental issues or conditions that ASTM E1527-13 stipulates as non-scope considerations:

ERC performed a visual survey for the presence of asbestos-containing material (ACM) at the Site. Based on their age, fire doors noted in several operations buildings may consist of ACM, and suspect ACM was noted in the former Boiler House (Building 4) in the form of pipe wrap.

The former Office Building (Building 6) had 12x12-inch ceiling tiles above a dropped ceiling that may be suspect ACM.

ERC performed a visual survey for the presence of lead-based paint (LBP) at the Site. The paint on the interior ceilings and walls of several operations buildings were noted to be peeling, typical of LBP.

No ACM and/or LBP samples were collected for analyses.

10.1 Vapor Encroachment ASSESSMENT

ERC performed the area reconnaissance portion of the vapor encroachment assessment on January 11, 2019. ASTM E2600-15 requires identification of potential petroleum-related volatile organic compound (VOC) sources within 1/10 mile of the Site and potential non-petroleum related VOC sources within 1/3 mile of the Site. No current, open regulatory cases involving a release of VOCs have been identified within these radii.

During our Site reconnaissance, ERC observed oil spillage throughout a number of the Site operations buildings including Building Nos.: 10A, 10B and 11. Oil spills were noted beneath stored vehicles and beneath automotive parts/engines stored in the buildings. Only minor odors were noted with the exception of Building 11 where a strong petroleum odor was noted at the rear of the building near a number of automotive parts/engines. However it should be noted that the buildings were unheated and the ambient air temperature was in the mid-30s to 40s, and as such volatilization of the petroleum hydrocarbons would be highly limited. Vapors emanating from these areas could potentially affect future workers or occupants of these buildings. However, these buildings are currently unoccupied.

11.00 FINDINGS, CONCLUSIONS & RECOMMENDATIONS

ERC performed a Phase I ESA in general conformance with the scope and limitation of ASTM E1527-13 for the National Fruit Products property located at 122 Five Point Avenue in Martinsburg, West Virginia. Any exceptions to, or deletions from, this practice are described in **Section 1.4** of this Phase I ESA Report.

11.1 RECOGNIZED ENVIRONMENTAL CONDITIONS (RECS)

A REC indicates "the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment." This Phase I ESA revealed the following RECs in connection with the Site:

- Building No. 5 – the presence of several unlabeled 55-gallon drums. No staining or leakage was noted beneath these drums. As such, the removal and appropriate disposal of the drums should be sufficient for addressing this REC.

- Building No. 6 – suspect ACM material was noted in the building. ERC would recommend that a complete asbestos inspection be performed that identifies the type of asbestos and quantities for abatement purposes.

- Building 10A – the presence of 25 to 30 or more unlabeled, and in some cases unsealed 55-gallon drums and other larger and smaller containers and open buckets of what appeared to be petroleum hydrocarbons were noted to be stored throughout the building with significant petroleum hydrocarbon staining and leakage noted beneath stored vehicles and beneath automotive parts/engines. ERC would recommend that the drums and other waste oil containers be removed and properly disposed, and the floors cleaned and inspected. If after removal it is determined that petroleum hydrocarbons have potentially impacted the environment, limited surficial soil samples outside the building should be considered.

- Building No. 11 – two spray paint booths were noted in this building and had been used for the spray painting of vehicles. A number of vehicles were stored in this building and petroleum staining and leakage was noted beneath the vehicles. A considerable amount of petroleum leakage was noted to the rear of the building where automotive parts/engines were stored, and a strong petroleum odor was noted. Spray painting cans and larger containers of spray painting material and cleaning solvents were noted to be stored within the building. ERC would recommend that the spray painting booths, cans/containers, stored vehicles

and automotive parts/engines be removed and properly disposed, and the floors cleaned and inspected. If after removal it is determined that petroleum hydrocarbons have potentially impacted the environment, limited surficial soil samples outside the building should be considered. We would also recommend that surficial soil samples be analyzed for volatiles organic compounds (VOCs) that may be present due to the venting of VOCs from the building and air deposition to the surface soils.

- Debris Piles – ERC noted several piles of used railroad ties and other debris located adjacent to the B&O Railroad Line. Debris piles were also noted in the wooded area to the north of the main operational area of the Site. One of the piles of debris included a former homeless encampment where local police indicated methamphetamine (meth) had been cooked by the former occupants. ERC would recommend that surficial soil samples be collected and analyzed for heavy metals, PAHs and PCBs that may have leached from the railroad ties. ERC cannot make recommendations in regard to the potential for methamphetamine impacts to the Site soils and would refer any subsequent investigation to the State Police who have more expertise in regard to these impacts.

- The historical presence of a number of rail spurs that crossed the Site. Similar to the debris piles and railroad ties noted above, we would recommend that soil samples be collected in the former rail spurs to determine whether impacts from heavy metals, PAHs and/or PCBs have occurred.

- The historical presence of USTs and their closure would normally be considered a Historic Recognized Environmental Condition (HREC) and not considered a REC. However, based upon our review of the closure report and the potential presence of PAHs above the Industrial de minimis standard, we have listed this as a REC. An HREC is defined as follows: A "historic recognized environmental condition" (HREC) is "a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls.)" A HREC typically is not a REC. However, if regulatory standards have changed since the HREC achieved closure, and the data used to close the case indicate the occurrence of chemical constituents that are above their respective regulatory standard(s), then the prepared may choose to identify the HREC as a REC.

- The historic presence of an Oil House (shown on the 1885 Sanborn map). It is unclear as to whether oil was stored for powering operations or for other purposes. We would recommend that limited surficial soil sampling be conducted and the soils analyzed for benzene, toluene, ethylbenzene and xylenes (BTEX) and PAHs.

- The presence of a Coal House to the northwest associated with the B&O Railroad operations on the 1891 map, another Coal House that was present in the central area of the Site in 1897 with Coal Piles also present and shown on the 1913 map north of the Granary. Based upon our experience with former coal storage areas, arsenic and other heavy metals may have leached from the coal and impacted the environment. We would recommend that limited surficial soil sampling be conducted and the soils the RCRA 8 metals.

- The presence of a Lab on the western side of the Site on the 1922 Sanborn map and a lab in the southern portion of the Site shown on the 1963 Sanborn map. It is unclear as to what the lab was used for; however, the lab may have been utilized for measuring the pH of the vinegar and other products developed during that period and as such would not constitute a threat to the Site. If an investigation is conducted to analyze soils in other areas of the Site, we would recommend collecting a surficial soil sample and analyzing the sample for VOCs.

- The presence of a Machine Shop (shown on the 1946 and 1963 maps). It is unclear as to the type of operations that were conducted in the Machine Shop and whether petroleum products and/or solvents were used in the machining of parts/tools used in the Site's operation. We would recommend that a surficial soil samples be collected and analyzed for the RCRA 8 metals and VOCs.

- The presence of a former Maintenance Shop (Building No. 9). It is unclear as to the type of operations that were conducted in the Maintenance Shop and whether petroleum products and/or solvents were used in the machining of parts/tools used in the Site's operation. We would recommend that a surficial soil samples be collected and analyzed for the RCRA 8 metals and VOCs.

11.2 HISTORIC RECOGNIZED ENVIRONMENTAL CONDITIONS (HRECS)

A "historic recognized environmental condition" (HREC) is "a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls.)" A HREC typically is not a REC. However, if regulatory standards have changed since the HREC achieved closure, and the data used to close the case indicate the occurrence of chemical constituents that are above their respective regulatory standard(s), then we will identify the HREC as a REC in the conclusions Section of this Phase I ESA Report.

This Phase I ESA identified the following HRECs in connection with the Site. Both LUST sites shown below have been addressed by the appropriate regulatory entity and closed:

- Burkhart Oil Company, located at PO Box 907, and doing business as (DBA) John's Pool Supplies, with a physical address of 237 Eagle School Road. This site is located approximately ¾-mile northeasterly of the Site and would be considered potentially hydraulically up-gradient of the Site.
    - LUST ID No.: 91-84-L02. The priority is shown as groundwater, but no known drinking water contamination. The confirmed release date was September 4, 1991, and the cleanup completion date was December 8, 2008. Three USTs were removed from ground in 1991 and included a 550-gallon used oil tank; a 1,000-gallon gasoline tank and a 3,000-gallon gasoline tank.
- North End Texaco, located at 1005 N. Queen Street. This property is located approximately 1,800-feet east/northeasterly of the Site, and would be considered potentially hydraulically up-gradient of the Site.
    - LUST ID No.: 95-022. The priority is shown as groundwater, but no known drinking water contamination. The confirmed release date was January 9, 1995, and the cleanup completion date was September 18, 2001. Four USTs were removed from the site and closed on December 3, 2012 and included: three 8,000-gallon gasoline USTs and an 8,000-gallon kerosene UST.
    - LUST ID No.: 12-066. The priority is shown as groundwater, but no known drinking water contamination. The confirmed release date was December 12, 2012. The cleanup completion date was not reported.

11.3 DATA GAPS AND THEIR SIGNIFICANCE

This Phase I ESA identified the following data gaps in connection with the Site:

- Building 1 – a small locked cabinet that reportedly contains over-the-counter spray paints and other miscellaneous materials could not be viewed by ERC. Considering that the buyer may ask the current tenant to remove all materials and vacate the property, including the locked cabinet, ERC does not consider this a significant data gap.

- Building 10A – due to the amount of material stored and stacked with the building, ERC could not readily access all areas of the building, nor could we view the entire floor to assess for additional petroleum leaks and/or spills or other materials that may impact the environment. A large number of 55-gallon drums and other containers of what appeared to be petroleum hydrocarbons were noted within the building; however, the drums and/or containers were not labeled, the labels had been damaged or removed which prevented the identification of the materials stored within the drums/containers. Considering that the buyer and seller have requested that the tenant remove all materials stored within the building and an inspection of the floors can be performed following removal, ERC does not consider this a significant data gap.

- Building 10B – due to the vast amount of used tires that were stacked from floor to ceiling, ERC was unable to access the building beyond the doorway. ERC considers this a significant data gap; however, it is our understanding that the tenant is in the process of removing all materials and that a re-inspection will be performed which will resolve this data gap.

- Building 3 – ERC could not access this fenced and locked building. ERC considers this a significant data gap. During re-inspection of the Site buildings as noted above, ERC will inspect this building and provide an addendum to this report, if warranted.

- Building 4 – ERC did not access this building during the Site visit. The building may have been overlooked. Ms. Johnson visited the Site again on February 23rd and provided ERC with photos of the interior and exterior of the building. ERC considers this a significant data gap. During re-inspection of the Site buildings as noted above, ERC will inspect this building and provide an addendum to this report, if warranted.

- ERC personnel did not inspect the roofs of the Site buildings. No access to the building rooftops was available. ERC does not consider this as a significant data gap.

11.3 RECOMMENDATIONS

- Building No. 5 – the removal and appropriate disposal of the drums should be sufficient for addressing this REC.

- Building No. 6 – ERC would recommend that a complete asbestos inspection be performed that identifies the type of asbestos and quantities for abatement purposes.

- Building 10A –ERC would recommend that the drums and other waste oil containers be removed and properly disposed, and the floors cleaned and inspected. If after removal it is determined that petroleum hydrocarbons have potentially impacted the environment, limited surficial soil samples outside the building should be considered.

- Building No. 11 – ERC would recommend that the spray painting booths, cans/containers, stored vehicles and automotive parts/engines be removed and properly disposed, and the floors cleaned and inspected. If after removal it is determined that petroleum hydrocarbons have potentially impacted the environment, limited surficial soil samples outside the building should be considered. We would also recommend that

surficial soil samples be analyzed for volatiles organic compounds (VOCs) that may be present due to the venting of VOCs from the building and air deposition to the surface soils.

- Debris Piles – ERC would recommend that surficial soil samples be collected and analyzed for heavy metals, PAHs and PCBs that may have leached from the railroad ties. ERC cannot make recommendations in regard to the potential for methamphetamine impacts to the Site soils and would refer any subsequent investigation to the State Police who have more expertise in regard to these impacts.

- Rail Spurs – ERC would recommend that soil samples be collected in the former rail spurs to determine whether impacts from heavy metals, PAHs and/or PCBs have occurred.

- Historical USTs – ERC would recommend limited surficial and subsurface soil samples be collected in the former UST area and analyzed for BTEX and PAHs.

- Historic Oil House - ERC would recommend that limited surficial soil sampling be conducted and the soils analyzed for benzene, toluene, ethylbenzene and xylenes (BTEX) and PAHs.

- Coal House and Coal Storage - ERC would recommend that limited surficial soil sampling be conducted and the soils analyzed for RCRA 8 metals.

- Historic Lab (two locations) – ERC would recommend collecting a surficial soil sample and analyzing the sample for VOCs.

- Historic Machine Shop – ERC would recommend that a surficial soil samples be collected and analyzed for RCRA 8 metals and VOCs.

- Historic Maintenance Shop – ERC would recommend that a surficial soil samples be collected and analyzed for the RCRA 8 metals and VOCs.

12.0 REFERENCES

EDR GeoCheck Report with Radius Map dated January 8, 2019.

13.0 ENVIRONMENTAL PROFESSIONAL

As specified in the All Appropriate Inquiry (AAI) Rule promulgated by the Environmental Protection Agency (EPA) and finalized on November 1, 2006, this document provides information regarding the Environmental Professional conducting the Phase I Environmental Site Assessment (ESA) activities for the National Fruit Products property; located in Martinsburg, Berkeley County, West Virginia (Site) under the AAI rule.

The undersigned, Ms. Dawn E. Seeburger is the Environmental Professional that performed the Site visit and prepared this Phase I ESA. The following provides Ms. Seeburger's educational background, licensure, and professional experience.

EDUCATION:

Master of Science Degree – Toxicology/Biology. Central Michigan University, 1994; and
Bachelor of Science Degree – Biology. Central Michigan University, 1992.

CONTINUING EDUCATION:

Annual Licensed Remediation Specialist Training, 2000 – to date;
EPA CERCLA Site Assessment Training, 2005;
Risk Communication Training, 2004;
Risk-based Corrective Action (RBCA), 1995; and
Assessment and Remediation of Petroleum Hydrocarbons Course, 1995.

LICENSURE:

Licensed Remediation Specialist, No. 87. State of West Virginia. April 2000 to date.

A Licensed Remediation Specialist (LRS) is an individual certified by the Director of the West Virginia Department of Environmental Protection as qualified to perform professional remediation services and to supervise the remediation of contaminated sites. The overriding duty of the LRS is to protect the safety, health and welfare of the public in the performance of his/her professional duties. The LRS is responsible for any release of contaminants from the site that occurs during approved remediation activities. It is expected that a single LRS will supervise all site remediation activities. The LRS must be highly qualified, and must be completely objective in developing and reviewing work plans, reports and opinions. The LRS represents the interests of the public as well as providing technical supervision of all remediation activities.

PROFESSIONAL EXPERIENCE:

Ms. Seeburger has over 30 years of experience in the fields of toxicology and environmental sciences. Ms. Seeburger has performed hundreds of Phase I ESAs throughout her professional career, and was a member of the American Society for Testing and Materials (ASTM) Sub-committee E-50 that reviewed and developed guidance/rules for performing environmental investigations including Phase I ESAs for approximately 10 years.

2003 – to date:	Environmental Resources & Consulting, LLC (Owner/Manager);
2000 – 2003:	Gannett Fleming, Inc. (Office Manager/Senior Project Manager);
1999 – 2000:	GAI Consultants, Inc. (Environmental Program Manager);
1996 – 1999:	GZA GeoEnvironmental, Inc. (Office Manager/Project Manager);
1994 – 1996:	Aqua-Terra, Inc. (Office Manager/Project Manager); and
1989 – 1994:	The Dow Chemical Health and Environmental Science Research Laboratories (Inhalation Toxicology Research and Pathology/Histology Research Laboratories).

As shown, Ms. Seeburger possesses more than sufficient specific education, training, and/or the experience necessary to qualify as an Environmental Professional, and as such, to exercise professional judgment in developing opinions and conclusions regarding conditions that may be indicative of releases or threatened releases (per Section 312.1(c)) on, at, in or to a property sufficient to meet the objectives and performance factors in Section 312.20(e) and (f) (Section 3.10).

The following provides a brief overview of the activities performed at a minimum, as specified in the AAI rule and the applicable Section of the Rule.

- Interviews with Past and Present Owners, Operators, and Occupants (§ 312.23);
- Reviews of Historical Sources of Information (§ 312.24);
- Searches for Recorded Environmental Cleanup Liens (§ 312.25);
- Reviews of Federal, State, Tribal and Local Government Records (§ 312.26);
- Visual Inspections of the Facility and of Adjoining Properties (§ 312.27);
- Specialized Knowledge or Experience on the Part of the Defendant (§ 312.28);
- The Relationship of the Purchase Price to the Value of the Property, if the Property Were Not Contaminated (§ 312.29);
- Commonly Known or Reasonably Ascertainable Information About the Property (§ 312.30);

- The Degree of Obviousness of the Presence or Likely Presence of Contamination at the Property, and the Ability to Detect the Contamination by Appropriate Investigation (§ 312.31); and
- Additional Requirements (§ 312.32).

If any of the above listed activities have not been performed, it is specified in the Report as a data gap.

14.0 LIMITATIONS

ERC's Site assessment was performed in accordance with generally accepted practices of other consultants undertaking similar studies at the same time and in the same geographical area, and ERC observed the degree of care and skill generally exercised by other consultants under similar circumstances and conditions. ERC's findings and conclusions must be considered not as scientific certainties, but rather as our professional opinion concerning the significance of the limited data gathered during the course of the environmental site assessment. No other warranty, express or implied, is made. Specifically, ERC does not and cannot represent that the Site contains no hazardous material, petroleum products or other latent conditions beyond that observed by ERC during its site assessment.

It should be noted that when an assessment is completed without subsurface explorations and chemical screening of soil and groundwater beneath the Site, no data can be generated regarding latent subsurface conditions which may be the result of on-Site or off-Site sources.

This study and report have been prepared on behalf of Mag Research & Development solely for use in an environmental assessment of the Site. This Report and the findings contained herein shall not, in whole or in part, be disseminated or conveyed to any other party, nor used by any other party in whole or in part, without the prior written consent of ERC.

We relied upon information made available by federal, state, and local authorities, the Key Site Manager, and others. We did not attempt to independently verify the accuracy or completeness of that information.

The lender, seller, buyer, or other parties that might become involved with the Site might develop additional opinions or information regarding the presence or absence of RECs at the Site. Such additional opinions or information might not fully support the opinions provided in this Phase I ESA Report. In the event such additional opinions or information is developed, we recommend retaining ERC to review this material so that we have the opportunity to evaluate and modify, as necessary, the opinions provided in this Phase I ESA Report.

Unless otherwise specified within this Phase I ESA Report, we have rendered no opinion on the compliance of Site conditions or activities with federal, state, and local codes, laws, or regulations.

ERC based the opinions expressed in this Phase I ESA Report on conditions observed during the course of our work on this Site and on the materials reviews, and it should be noted that these conditions might change over time.

ASTM E1527-13 specifies that observations and opinions are only valid for 180 days from the date the underlying information is developed. After 180 days, portions of this Phase I ESA Report may need to be updated