

July 23, 2012

Terry and Cheryl Baggett
4268 Indian Valley Road
Birmingham, AL 35212



ATTENTION: Cheryl Baggett

SUBJECT: Phase I Environmental Site Assessment Report
Avondale Office Building
3720 4th Avenue South
Birmingham, Jefferson County, Alabama
Spectrum Project No. 2572-001

Dear Mrs. Baggett:

Spectrum Environmental, Inc., (Spectrum) is pleased to provide this report on the Phase I Environmental Site Assessment (PESA) conducted on the above referenced site.

Please be aware that according to ASTM Practice E1527-00, this document is generally valid for 180 days, unless changes in site usage have occurred which would impact the environmental conditions of the property. If you have any questions or comments, please contact me at (205) 664-2000.

Sincerely,
SPECTRUM ENVIRONMENTAL, INC.

A handwritten signature in black ink that reads "Jamie R. Davies".

Jamie R. Davies
Geologist

A handwritten signature in blue ink that reads "Scott Hassler".

Scott E. Hassler, ALPG No.409
Vice President

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ACRONYMS

STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list

NPL National Priority List
Proposed NPL Proposed National Priority List Sites
NPL LIENS Federal Superfund Liens

Federal Delisted NPL site list

Delisted NPL National Priority List Deletions

Federal CERCLIS list

CERCLIS Comprehensive Environmental Response, Compensation, and Liability
Information System
FEDERAL FACILITY Federal Facility Site Information listing

Federal RCRA CORRACTS facilities list

CORRACTS Corrective Action Report

Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF RCRA - Treatment, Storage and Disposal

Federal institutional controls / engineering controls registries

US ENG CONTROLS Engineering Controls Sites List
US INST CONTROL Sites with Institutional Controls

State and tribal landfill and/or solid waste disposal site lists

SWF/LF Permitted Landfills

State and tribal leaking storage tank lists

LAST List of AST Release Incidents
INDIAN LUST Leaking Underground Storage Tanks on Indian Land

State and tribal registered storage tank lists

INDIAN UST Underground Storage Tanks on Indian Land
FEMA UST Underground Storage Tank Listing

State and tribal institutional control / engineering control registries

ENG CONTROLS Engineering Controls Site Listing
AUL Environmental Covenants

State and tribal voluntary cleanup sites

INDIAN VCP Voluntary Cleanup Priority Listing

State and tribal Brownfields sites

BROWNFIELDS Land Division Brownfields 128(a) Program Site Listing

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS A Listing of Brownfields Sites

Local Lists of Landfill / Solid Waste Disposal Sites

ODI Open Dump Inventory
DEBRIS REGION 9 Torres Martinez Reservation Illegal Dump Site Locations
INDIAN ODI Report on the Status of Open Dumps on Indian Lands

Local Lists of Hazardous waste / Contaminated Sites

US CDL Clandestine Drug Labs
AOCONCERN Area of Concern
CDL Clandestine Methamphetamine Lab Sites
US HIST CDL National Clandestine Laboratory Register

Local Land Records

LIENS 2 CERCLA Lien Information
LUCIS Land Use Control Information System

Records of Emergency Release Reports

HMIRS Hazardous Materials Information Reporting System
SPILLS Emergency Response Data

Other Ascertainable Records

COAL ASH Coal Ash Disposal Sites
COAL ASH DOE STEAM-ELECTRIC PLANT OPERATION DATA
COAL ASH EPA Coal Combustion Residues Surface Impoundments List
CONSENT Superfund (CERCLA) Consent Decrees
DOT OPS Incident and Accident Data
DOD Department of Defense Sites
DRYCLEANERS Drycleaner Facility Listing
FUDS Formerly Used Defense Sites
FTTS FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide,
& Rodenticide Act)/TSCA (Toxic Substances Control Act)
HIST FTTS FIFRA/TSCA Tracking System Administrative Case Listing
ICIS Integrated Compliance Information System
INDIAN RESERV Indian Reservations
MINES Mines Master Index File
MLTS Material Licensing Tracking System
PADS PCB Activity Database System
PCB TRANSFORMER PCB Transformer Registration Database
RAATS RCRA Administrative Action Tracking System
RADINFO Radiation Information Database
ROD Records Of Decision
SCRD DRYCLEANERS State Coalition for Remediation of Drycleaners Listing
SSTS Section 7 Tracking Systems
TRIS Toxic Chemical Release Inventory System
TSCA Toxic Substances Control Act
UMTRA Uranium Mill Tailings Sites

1.0 EXECUTIVE SUMMARY

Spectrum Environmental, Inc. (Spectrum) has prepared this Phase I Environmental Site Assessment (PESA) report for the property located at 3720 4th Avenue South in Birmingham, Alabama in accordance with ASTM Practice E 1527-05, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

The objective of this PESA was to identify, to the extent feasible *recognized environmental conditions* in association with the property, if any. To accomplish this objective, Spectrum conducted a review of reasonably ascertainable¹ records (and practically reviewable²), conducted a site reconnaissance, conducted interviews of persons knowledgeable of the site/surrounding areas, and evaluated the data for reporting.

The target property was developed in the early 1920's for residential use and remained residential until the early 1970s; when the property became commercial. The target property remains commercial and currently consists of a vacant office building and parking lot. The current adjacent properties consist of offices, a café, a contractor's office and storage yard, and residential homes.

Based on the site reconnaissance and review of available records, Spectrum did not identify any recognized environmental conditions associated with the target property. It should be noted that this section is only intended to represent a brief summary of our findings, and is not a detailed account of all the information compiled in preparation of this report. The user should review the PESA in its entirety prior to drawing any final conclusions as to potential environmental conditions associated with the site.

¹ Reasonably ascertainable – Information that is (1) publicly available, (2) obtainable from its source within reasonable time and cost constraints, and (3) practically reviewable.

² Practically Reviewable – Mean that information provided by source in a manner and in a form that, upon examination, yields information relevant to the property without the need for extraordinary analysis of irrelevant data.

Table of Critical Dates	
Report Issuance Date	July 23, 2012
Date of Interview of Past and Present Owners and Occupants Identified in Section 10 of ASTM 1527-05	July 19, 2012
Date of Recorded Environmental Clean-up Lien Search	Not Provided
Date of Government Record Review	July 18, 2012
Date of Visual Inspection of Subject and Adjoining Properties	July 19, 2012
Earliest Date of Interviews, Lien Search, Records Reviews and Inspections	July 18, 2012
Report Viability Date	January 14, 2013

2.0 INTRODUCTION

2.1 Purpose

The purpose of this PESA is to identify, to the extent feasible pursuant to the processes prescribed in the American Society of Testing and Materials (ASTM), E 1527-05 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, *recognized environmental conditions* (RECs) in connection with the property. The term REC means “the presence of likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property”. This term also includes hazardous substances or petroleum products even under conditions in compliance with laws. This term is not intended to include *de minimis* conditions that generally do not present a threat to human health of the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be *de minimis* are specifically excluded from the definition of RECs and are not considered RECs.

The PESA Process is intended to permit a *user* to satisfy one of the requirements to qualify for the *innocent landowner*³, *contiguous property owner*⁴, or *bona fide*

³ Innocent Landowner Defense: A person may qualify as one of three types of innocent landowners: (i) a person who “did not know and had no reason to know” that contamination existed on the property at the time the purchaser acquired the property; (ii) a government entity which acquired the property by escheat, or through any other involuntary transfer or acquisition, or through the exercise of eminent domain authority by purchase or condemnation; and (iii) a person who “acquired the facility by inheritance or bequest.”

⁴ Contiguous Property Owner Liability Protection: A person may qualify for the contiguous property owner liability protection if, among other requirements, such person owns real property that is contiguous to, and that is or may be contaminated by hazardous substances from other real property that is not owned by that person. Furthermore, such person conduct All Appropriate Inquiry at the time of acquisition of the property and did not know or have reason to know that the property was, or could be, contaminated by a release or threatened release from the contiguous property.

*prospective purchaser*⁵ limitations on CERCLA liability (*landowner liability protections*).

2.2 Detailed Scope of Services

Spectrum employs a phased approach to site investigations by outlining and completing specific work tasks. A PESA usually consists of a records review, site reconnaissance, personal interviews, and the generation of a report. Results of the initial PESA help assess whether further investigations may be necessary.

2.2.1 Records Review

The purpose of the records review is to obtain and review records that will help identify RECs in connection with the property. Accuracy and completeness of record information varies among information sources, including governmental sources. Record information is often inaccurate or incomplete. The user or environmental professional is not obligated to identify mistakes or insufficiencies in information provided. A listing of standard environmental record sources is listed below.

⁵ Bona fide prospective purchaser liability protection: A person may qualify as a bona fide prospective purchaser if, among other requirements, such person made “all appropriate inquiries into the previous ownership and uses of the facility in accordance with generally accepted good commercial practices.” Knowledge of contamination resulting from all appropriate inquiry would not generally preclude this liability protection. A person must make all appropriate inquiry on or before the date of purchase and the facility must have been purchased after January 11, 2002.

<i>Standard Environmental Records Sources (where available)</i>	<i>Approximate Minimum Search Distance (miles)</i>
Federal NPL Site List	1.0
Federal delisted NPL	0.5
Federal CERCLIS list	0.5
Federal CERCLIS NFRAP list	0.5
Federal RCRA CORRACTS list	1
Federal RCRA TSD list	0.5
Federal RCRA Generators list	Property and Adjoining
Federal institutional control/ engineering control registries	Property only
Federal ERNS list	Property only
State/tribal list of hazardous waste sites	
State NPL	1.0
State CERCLIS	0.5
State Landfill	0.5
State LUST	0.5
State Registered UST/AST	Property and Adjoining
State institutional control/ engineering control registries	Property only
State VCP sites list	0.5

Other sources of information that could be reviewed include, but is not limited to, the Alabama Department of Environmental Management (ADEM), the Fire Department, Planning Department, Building Permits Department, aerial photographs, fire insurance maps, property tax files, recorded land title records, topographic maps, and city directories.

2.2.2 Site Reconnaissance

The objective of the site reconnaissance was to obtain information indicating the likelihood of identifying RECs in connection with the target property. A site reconnaissance was conducted by Spectrum personnel experienced in hazardous materials/petroleum product surveys. Surface conditions and current activities on the target property and on adjoining properties were observed. An inventory of potential contaminant sources on, and adjoining, the target property was completed on the basis of regulatory agency record reviews and visual observations. Limitations encountered during the site reconnaissance are included in the discussion of the report.

2.2.3 Interviews

The objective of interviews was to obtain information indicating RECs in connection with the target property. Interviews with past and present owner, operators, and/or occupants of the target property, where possible, were conducted as part of this PESA. Other persons potentially interview could include State and local government officials, local fire department personnel, local historians, and others that may have specialized knowledge of the target site and/or surrounding properties.

2.2.4 Evaluation and Report Preparation

This PESA report summarizes the findings from the tasks described above. Spectrum has provided a discussion of potential and existing contamination sources, and conclusions regarding our evaluation of the likelihood of contamination on the target property.

2.3 Significant Assumptions

No significant assumptions were made during the conduct of this PESA unless otherwise stated.

2.4 Limitations and Exceptions

Spectrum has performed our services for this project in accordance with Spectrum Proposal Number 12-8188 and ASTM Practice E 1527-05. No guarantees are either expressed or implied.

The records search was limited to information available from public sources; this information is changing continually and is frequently incomplete. Unless we have actual knowledge to the contrary, all information obtained from interviews or provided to us has been assumed to be correct and complete. We do not assume any liability for misrepresentation of information or for items not visible, accessible, or present on the subject property at the time of the site visit.

There is no investigation that is thorough enough to preclude the presence of materials on the target property that presently, or in the future, may be considered hazardous. Because regulatory evaluation criteria are constantly changing, concentrations of contaminants present and considered to be acceptable may, in the future, become subject to different regulatory standards and require remediation. Opinions and judgments expressed herein, which are based on our understanding and interpretation of current regulatory standards, should not be construed as legal opinions.

2.5 Special Terms and Conditions

There are no special terms and/or conditions pertaining to this PESA.

2.6 User Reliance

This report is certified to, can be relied upon by, and has been prepared for the exclusive use by Cheryl and Terry Baggett. Any reliance on this report by other parties shall be at such party's sole risk.

3.0 SITE DESCRIPTION

3.1 Location and Legal Description

The target property encompasses approximately 0.32 acres and currently includes a vacant office building and a parking lot. The target property is located at 3720 4th Avenue South in Birmingham, Alabama (Figure 1). This property is further described as being located at approximately 33°31' 14.82" North Latitude and -86° 46' 41.51" West Longitude. An aerial overview of the target property is provided in Figure 2.

3.2 Site and Vicinity General Characteristics

The target property is located in a predominantly commercial area of Birmingham, Alabama with some residential property located throughout. Adjacent establishments include NOMIS Seismographs, Inc., Meals on Wheels Association, Bottletree Café, Bryant and Co Inc., and residential homes.

3.3 Current Use of Property

The target property is currently vacant and the last known use of the property was for various commercial office space.

3.4 Descriptions of Structures, Roads, and Other Site Improvements

The target property is located on the north side of 4th Avenue South and the south side of 3rd Alley South. The target property was residential from approximately 1917 to 1970 and has been commercial since the 1970s. The site currently contains an office building and a parking lot.

3.5 Current Uses of Adjoining Properties

The current use of adjoining properties is provided in the table below.

Direction	Use
North	Commercial
South	Commercial/Residential
East	Residential
West	Commercial

4.0 USER PROVIDED INFORMATION

The property owner completed a User Questionnaire to aid in the completion of the following Sections of this PESA. A copy of the completed User Questionnaire is provided in Appendix A. Based on a review of user questionnaire, is the property owner is not aware of any environmental encumbrances or recognized environmental conditions associated with the target property.

4.1 Title Records

Title Records associated with the target property were not provided to Spectrum in the preparation of this PESA.

4.2 Environmental Liens or Activity/Use Limitations

Spectrum was not provided an environmental lien or activity/use limitation report for review as part of the preparation of this report.

4.3 Specialized Knowledge

The user did not know any information or have any specialized knowledge or experience that is material to the identification of recognized environmental conditions to the target property.

4.4 Reasonably Ascertainable Information

The user did not know of any reasonably ascertainable information within the local community about the property that is material to the identification of recognized environmental conditions to the target property.

4.5 Valuation Reduction for Environmental Issues

The value of the target property will be determined at an upcoming auction. However, the user did not know of any environmental issues with the property.

4.6 Property Owner, Manager, and/or Occupant Information

The property owners are Terry and Cheryl Baggett, and the building is currently vacant.

4.7 Reason for Performing PESA

This PESA has been conducted prior to the sale of the target property at auction to identify potential RECs that might exist in connection with the target property.

5.0 RECORDS REVIEW

5.1 Standard Environmental Record Sources

Environmental Data Resources, Inc. (EDR) conducted a search of available environmental records. The report, dated July 18, 2012, was designed to assist parties seeking to meet the requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-05) or custom requirements developed for the evaluation of environmental risks associated with a parcel of real estate.

EDR's search of available ("reasonably ascertainable") government records on the target property and within the search radius around the target property included the databases listed on Pages 3 through 6 of the Radius Search database report (Appendix B).

Target Property

The target property was not identified in any of the databases searched by EDR.

Surrounding Properties

Surrounding sites were identified in the following databases. Further, a discussion of each site, as applicable will follow the site's listing and an opinion as to whether that site represents a REC to the target property.

CERCLIS: The Comprehensive Environmental Response, Compensation and Liability Information System contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). CERCLIS contains sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL.

A review of the CERCLIS list, as provided by EDR, and dated 12/27/2011 has revealed that there is one CERCLIS site within approximately 0.297 miles of the target property. The property, IDS Warehouse, is located at 3500 1ST Avenue South and west-northwest of the target property. Ground water flow is generally in the northwesterly direction, so this site is downgradient of the target property. Based on this information and the distance between the site and target property, *this site does not represent a recognized environmental condition to the target property.*

RCRA-SQG: RCRAInfo 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 the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

A review of the RCRA-SQG list, as provided by EDR, and dated 3/15/2012 has revealed there is one RCRA-SQG site within approximately 0.217 miles. The listed property, Alabama Engraving/Platemakes, located at 3507 3RD Avenue South; which is west-southwest of the target property. Alabama Engraving/Platemakes is listed as a generator of D001 and D002 hazardous wastes. There were listed violations that were reported in 1989 and 1995. Compliance was achieved in 1990 on the first violations; however, 1995 compliance achievement was not reported. Based on the distance between the site and the target property and the cross gradient groundwater flow, *this site does not represent a recognized environmental condition to the target property.*

RCRA-CESQG: RCRAInfo 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 the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

A review of the RCRA-CESQG, as provided by EDR, and dated 03/15/2012 has revealed there is one RCRA-CESQG site approximately 0.240 miles to the north. Reliable Body and Paint Inc. is listed as a generator of D001, F003, and F005 hazardous waste. The conditionally exempt generator had general generator violations in 1993 and 1994 that have achieved compliance on both violations. Further, this site is located in an area interpreted to be downgradient of the target property. Based on this information and the distance between the site and the target property, *this site does not represent a recognized environmental condition to the target property.*

SHWS: Alabama uses the federal CERCLIS list in place of a state hazardous waste site list. The Comprehensive Environmental Response, Compensation and Liability Information System database contains information on sites identified by the United States Environmental Protection Agency as abandoned, inactive or uncontrolled hazardous waste sites that may require cleanup. The data come from the United States Environmental Protection Agency.

A review of the SHWS list, as provided by EDR, and dated 03/19/2012 has revealed that there are six SHWS sites within approximately 1 mile of the target property. A summary of these sites is provided in the table below.

Site Name	Address	Distance/Direction	Relative Elevation
MCS, LLC.	738 29 th Street South	0.816 mi SW	Equal/Higher
Industrial Distribution Service	3500 1 st Ave South	0.297 mi WNW	Lower
Saiia Contruccion	3608 Messer Airport Hwy	0.675 mi NW	Lower
Kenworth of Birmingham	3330 Messer Airport Hwy	0.728 mi NW	Lower
B'ham South Precision Drum	4400 Powell Avenue	0.858 mi NE	Lower
O'Neal Real Estate, LLC.	720 39 th Street North	0.932 mi N	Lower

Industrial Distribution Service is the only site listed less than a half mile away. It is not only down gradient of the target property, but it has been entered into the Voluntary Clean Up Program administered by the ADEM. Based on this information and the distance between the target property and the SHWS sites, *these sites do not represent a recognized environmental condition to the target property.*

LUST: The Leaking Underground Storage Tank Incident Reports contain an inventory of reported leaking underground storage tank incidents. The data come from the Department of Environmental Management's Leaking Underground Storage Tank Listing.

A review of the LUST list, as provided by EDR, and dated 3/05/2012 has revealed that there are 8 LUST sites within approximately 0.5 miles of the target property. A summary of these sites is provided in the table below.

Site Name	Address	Distance/Direction	Relative Elevation
Clairmont Texaco	3800 Clairmont Ave S	0.458 mi SSE	Equal/Higher
Sharron Motor Lines Inc	3730 1 st Ave S	0.209 mi NW	Lower
Phillips 66	4011 1 st Ave	0.295 mi NNE	Lower
Trammels Body Shop	4101 4 th Ave S	0.332 mi ENE	Lower
Avondale BP	300 41 st Street South	0.332 mi NE	Lower
Muchies Chevron	4101 3 rd Ave South	0.366 mi NE	Lower
Mazer Lumber Co	41 st Street & 1 st Ave S	0.388 mi NNE	Lower
Recycle America	9 S 41 st Street	0.437 mi NNE	Lower

Due the distances between these sites and the target property, *these sites do not represent a recognized environmental condition to the target property.*

UST: The Underground Storage Tank database contains registered USTs. USTs are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA). The data come from the Department of Environmental Management's UST Data with Owner/Site/Tank Information database.

A review of the UST list, as provided by EDR, and dated 03/12/2012 has revealed that there are three UST sites within approximately 0.25 miles of the target property. A summary of these sites is provided in the table below.

Site Name	Address	Distance/Direction	Relative Elevation
TCW – Birmingham	3730 1 st Ave South	0.209 mi NW	Lower
Sharron Motor Lines Inc.	3730 1 st Ave S	0.209 mi NW	Lower
Harvey Ragland Co Inc.	3500 3 rd Ave S	0.223 mi WSW	Equal/Higher

Due the distances between these sites and the target property, *these sites do not represent a recognized environmental condition to the target property.*

SWRCY: Department of Economic & Community Affairs Recycling/Recovered Materials Processors Database.

A review of the SWRCY list, as provided by EDR, and dated 09/01/2009 has revealed that there is one SWRCY site within approximately 0.5 miles of the target property. The SWRCY site is the Recycle American of Birmingham, which is located 0.438 miles to the north-northeast. Due the distance between this site and the target property, *this site does not represent a recognized environmental condition to the target property.*

RCRA-NonGen: RCRAInfo 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 the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

A review of the RCRA-NonGen list, as provided by EDR, and dated 03/15/2012 has revealed that there are 5 RCRA-NonGen sites within approximately 0.25 miles of the target property. A summary of these sites is provided in the table below.

Site Name	Address	Distance/Direction	Relative Elevation ⁶
Brawco, Inc.	3800 3 rd Avenue South	0.083 mi NNE	Equal/Higher
APAC Alabama Inc.	700 South 37 th Street	0.242 mi SSE	Equal/Higher
Bryant & Co Inc.	3709 3 rd Avenue South	0.058 mi NW	Lower
Printing Place	3703 5 th Avenue South	0.093 mi S	Lower
C L Truck and Trailer Inc.	3730 1 st Avenue South	0.209 mi NW	Lower

The Printing Place was formerly a generator of hazardous waste, but does not presently generate hazardous waste. No violations have been found. Based on this information, *this site does not represent a recognized environmental condition to the target property.*

Bryant & Co Inc. General Contracting was formerly a generator of hazardous waste, but does not presently generate hazardous waste. There were a couple violations in 1997 but they all achieved compliance within a year. Based on this information above and that Bryant & Co is downgradient for the target property, *this site does not represent a recognized environmental condition to the target property.*

C L Truck and Trailer Inc. was formerly listed as a conditionally exempt small generator. They had violations in 1996, but compliance was achieved by 1997. Based on this information and the distance between this site and target property, *this site does not represent a recognized environmental condition to the target property.*

APAC does not currently produce hazardous waste. In 1987 a general generator violation was received; however, compliance was achieved the next month. Based on this information and the distance between this site and target property, *this site does not represent a recognized environmental condition to the target property.*

VCP: Voluntary Cleanup Program Sites.

A review of the VCP list, as provided by EDR, and dated 04/12/2011 has revealed that there is one VCP site within approximately 0.5 miles of the target property. The VCP site the Industrial Distribution Services that is located about 0.297 miles to the west-northwest. This site was discussed previously in the SHWS section and further discussion is not provided in this section.

FUDS: The Listing includes locations of Formerly Used Defense Sites Properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

A review of the FUDS list, as provided by EDR, and dated 12/31/2009 has revealed that there is 1 FUDS site within approximately 1 mile of the target property. The FUDS site the CWS Mixing Plant No. 2 located 0.952 miles to the WNW. Based on the distance between this site and the target property, *this site does not represent a recognized environmental condition to the target property.*

Orphan Sites

Twenty (20) sites were identified in the database report that due to inaccurate or incomplete address information could not be mapped and are listed as Orphan Sites. None of these sites were readily identified during the reconnaissance and as such, should not represent a recognized environmental condition to the target property.

5.2 Additional Environmental Record Sources

No additional environmental records sources were considered necessary by the environmental professional to supplement the standard environmental records to assist in evaluating recognized environmental conditions in association with the subject property.

5.3 Physical Setting Sources

TARGET PROPERTY INFORMATION ADDRESS

3720 4TH AVE SOUTH
BIRMINGHAM, AL 35222

COORDINATES

Latitude (North): 33.5206000 - 33° 31' 14.16''
Longitude (West): 86.7783000 - 86° 46' 41.88''
Universal Transverse Mercator: Zone 16
UTM X (Meters): 520588.3
UTM Y (Meters): 3708832.2
Elevation: 642 ft. above sea level

5.4 Historical Property Use Information

Historical property use information was obtained through a search of readily available and reasonably ascertainable sources that included a review of Sanborn Fire Insurance Maps, Historical Aerial Photographs, Historical Maps, City Directories and interviews with persons knowledgeable of the site. A Discussion of the Sanborn Fire Insurance maps, Historical Aerial Photographs, Historical Topographic Maps, and City Directories is provided in Sections 5.4.1, 5.4.2, 5.4.3 and 5.4.4 while interviews with persons knowledgeable of the site are provided in Section 7.0.

5.4.1 Sanborn Fire Insurance Map Review

A review of available Sanborn Fire Insurance Map indexes, as provided by EDR, indicates coverage for the subject property area. A summary of each map is provided below and a copy is provided in Appendix C.

Year	Discussion
1902	The target property appears to be undeveloped or otherwise not depicted on the map.
1911	The target property is depicted but no structures are shown.
1929	The target property has a large structure labeled dwelling and two smaller structures, one labeled as a garage and the other not labeled.
1950	The target property has not changed significantly from the 1929 map.
1969	The target property has not changed significantly from the 1950 map.

5.4.2 Historical Aerial Photographs

Historical aerial photographs for the target property were obtained through the University of Alabama Cartography Lab or Google Earth archives. The historical aerial photographs are provided in Appendix E and summaries for each map are provided below:

Year	Discussion
1956	The target property appears to contain a large building and a parking area associated with the building.
1967	Due to the quality of the photograph structures cannot be seen, but the target property appears to be residential.
1997	A building and a parking lot are located on the target property.
2002	The target property has not changed significantly since the 1997 photograph.
2005	The target property has not changed significantly since the 2002 photograph.

5.4.3 Historical Maps

Historical maps for the target property were obtained through the University of Alabama Cartography lab. The historical maps are provided in Appendix D (along with the historical aerial photographs) and summaries for each map are provided below.

Year	Discussion
1903	The historical map of Birmingham shows the streets around the target property are in existence, but there is no listed owner or structures associated with the target property.
1906	The topographic map show the target property contains structures.
1911	The historical map of Birmingham shows the streets around the target property.
1959	The topographic map shows a railroad spur on the northwest corner of the target property.

5.4.4 Historical City Directory

Historical City Directory listings were collected at the Birmingham Library to determine the past uses of the target property. The directory information collected is provided in the table below.

Year	Description
1923	Residential
1928	Residential
1932	Residential
1937	Residential
1942	Residential
1949	Residential
1954	Residential
1959	Residential
1965	Residential
1970	Residential
1978	Ritchie Organization the architects
1980	Ritchie Organization the architects & Dictaphone Corp. sales and services
1983	Ritchie Organization the architects & Dictaphone Corp. sales and services
1990	Suite 100) Allied Marketing and Sale Inc. Suite 105) Merry Maid Employment agency Suite 201) Credit Service Corporations Suite 205) Animotion Graphics Corp. Computer systems and Equipment Suite 210) Weaver Miller Martin Inc.

	Suite 225) Kee Realty
1995	Suite 100) American Building Maintenance Services Suite 103) Vacant Suite 105) C & J Tax Consultant Inc. Suite 205) Animotion Graphics Corp. Computer systems and Equipment Suite 210 & 215) Taylor and Miree Construction Contractors
2000	COMPAQ computer software, equipment and services
2005	CESCO computer equipment and SVC computer software
2010	CESCO computer equipment and SVC computer software HP-CESCO attorney law partners Novell-CESCO computer software Toshiba Bell – CESCO electronic equipment supply

5.5 Historical Adjoining Property Use Information

Historical use(s) information of adjoining property was obtained through a search of readily available and reasonable ascertainable sources that included a review of Sanborn Fire Insurance Maps, Historical Aerial Photographs, Historical Maps, and interviews with persons knowledgeable of these sites. A Discussion of the Sanborn Fire Insurance maps and Historical Aerial Photographs is provided below and interviews with persons knowledgeable of the site are provided in Section 7.0 Interviews.

5.5.1 Sanborn Fire Insurance Map Review

A review of available Sanborn Fire Insurance Map indexes, as provided by EDR, indicates coverage for the surrounding property area. A summary of each map is provided below and a copy of the maps is provided in Appendix C.

Year	Discussion
1902	Adjoining property to the north, west, south, and east appears to be undeveloped or not drawn.
1911	Adjoining property to the north, south, west and east is depicted as residential or undeveloped.
1929	Adjoining properties have not changed significantly from the 1911 map.
1950	Adjoining property to the north, south, west and east is depicted as residential or undeveloped. One property to the northwest is labeled at a paint shop.
1969	Adjoining property to the south, west and east is depicted as residential or undeveloped. The adjoining property to the north across 3 rd Alley S is labeled as a store, and to the northwest is the paint shop.

5.5.2 Historical Aerial Photographs

Historical aerial photographs for the surrounding properties were obtained through, EDR, the University of Alabama Cartography Laboratory, and Google earth. Historical maps are provided in Appendix E and summaries of the historical maps for the subject property are provided below:

Year	Direction	Discussion
1956	N & W	Surrounding properties appear to be commercial.
	S & E	Surrounding properties appear to be residential.
1967	ALL	The image is difficult to discern but the surrounding property appears to be a mix of residential and commercial.
1997	N, W & E	Adjacent properties appear to be commercial.
	S	Properties appear to be residential.
2002	ALL	The surrounding land use does not appear to have changed significantly from the 1997 photograph.
2005	ALL	Surrounding land use does not appear to have changed significantly from the 2002 photograph.

5.5.3 *Historical Maps*

Historical maps for adjacent properties were obtained through EDR. The historical maps are provided in Appendix D (along with the historical aerial photographs) and summaries for each map are provided below:

Year	Discussion
1903	No structures are depicted on adjoining properties on the historical map.
1906	Many small structures are depicted on the adjoining properties on the topographic map.
1911	No structures are depicted on adjoining properties on the historical map.
1959	One large structure is depicted northwest of the target property.

6.0 SITE RECONNAISSANCE

6.1 Methodology and Limiting Conditions

Spectrum conducted a visual reconnaissance of the subject property on July 19th, 2012. Spectrum personnel walked the property in attempt to identify potential RECs, if any. During the reconnaissance, no limiting conditions prohibited Spectrum from observing the property. Photographs taken during the site reconnaissance are provided in Appendix E.

6.2 General Site Setting

The target property is located approximately 215 miles north of the Gulf of Mexico in the Birmingham-Big Canoe Valley section of the Alabama Valley and Ridge Physiographic Region. The area is underlain by the Cambrian age Ketona Dolomite (Osborne, et.al., 1989). The Ketona dolomite is described as a light to medium gray, thick-bedded coarsely crystalline dolomite.

6.3 Exterior Observations

The target property currently includes a two story 8,760 square foot building and parking lot with 27 spaces. The office building on the target property is currently vacant.

6.3.1 USTs

Spectrum did not identify any fill ports, manways, vent lines or similar features that would indicate the presence or former presence of USTs. Further, the property owner stated that they were not aware of any underground storage tanks on the target property.

6.3.2 *ASTs*

Spectrum did not identify any aboveground storage tanks on the subject property. Furthermore, the property owner stated that they were aware of any aboveground storage tanks on the target property.

6.3.3 *Drums*

During the reconnaissance, Spectrum did not identify any drums on the target property. Furthermore, the property owner stated that they were aware of any drums on the target property.

6.3.4 *Drains/Sumps*

During the reconnaissance, Spectrum did not identify any floor drains on the target property.

6.3.5 *Stained Soil/Stressed Vegetation*

No stained soils or stressed vegetation were identified on the target property.

6.3.6 *Water Wells*

No water wells were identified on the target property.

6.3.7 *Septic Tanks/Field Lines*

No evidence of a septic tank system was identified on the target property. Further, none of the property owners were aware of septic tanks on the target property.

6.3.8 *Electrical Transformers*

One pole-mounted transformer was identified near the northeastern corner of the target property. No signs of leaking or staining were observed on the transformer directly or on the ground beneath the transformer.

6.3.9 *Solid Wastes*

Spectrum did not identify any areas where solid wastes were managed on the property.

6.3.10 Pits, Ponds, and Lagoons

No pits, ponds, or lagoons were identified in connection to the target property.

6.3.11 In-Ground Hydraulic Lifts

Spectrum did not identify any underground hydraulic lifts on the property.

6.3.12 Waste Incineration

Spectrum did not identify any areas indicative of waste incineration on the target property.

6.3.13 Chemical and/or Waste Materials

Spectrum did not identify any chemicals or waste materials on the target property other than typical household amounts.

6.3.14 Mercury-Containing Items

No mercury-containing items were identified on the target property.

6.3.15 PCB-Containing Items

No PCB-containing items were identified on the target property.

6.4 Interior Observations

The interior of the office building consisted of 15 offices, seven reception areas, and four large common areas. There was one floor drain in maintenance closet where the hot water heater was located. All of the rooms were vacant with no signs of historical storage of hazardous waste or petroleum products.

6.5 Adjoining Properties

Direction	Use(s)
North (across 3 rd Alley S)	Bottletree Cafe Bryant & Co., Inc
South	Residential Homes
East	Commercial office space
West	Birmingham Meals on Wheels

7.0 INTERVIEWS

Spectrum received a user questionnaire from the owner of the target property. The property owner, Mrs. Cheryl Baggett, was not aware of any indicators of contamination. Mrs. Baggett knew the past uses of the property, and she was not aware of any chemicals present, spilled, or cleaned up on the target property. She has no knowledge of any activity and lands use limitations (AULs) or environmental cleanup liens against the target property. Lastly, Mrs. Baggett believes the price of the property does not reflect any known or believed contamination of the target property.

An employee from NOMIS Seismographs, Inc., the building to the east of the target property was interviewed during this PESA process. He informed Spectrum that the previous use of the property was for office space, but the building has been vacant for a few years.

None of the above person's interviewed indicated that they were aware of environmental concerns associated with the target property.

8.0 FINDINGS

Spectrum has conducted a review of readily available and reasonably ascertainable records for the site, conducted a site reconnaissance along with interviews with persons knowledgeable of the site and surrounding properties, and evaluated the data during the preparation of this report. Based on our evaluation of the data, Spectrum presents the following findings:

- The target property has been used primarily for residential purposes since at least 1923;
- One pole-mounted transformer was identified on the target property;

9.0 OPINION

Based on the information obtained during the site reconnaissance, records reviews, and interviews, Spectrum has evaluated current and historical information pertaining to the subject and surrounding properties as listed in Section 9.0. Based on these evaluations, opinions regarding conditions observed and the classification of these conditions is presented below. For each condition, Spectrum has classified each as a REC⁶, a historical REC⁷, or presents an opinion why the condition is not a REC.

Historical Use of Target Property

The target property was predominantly for residential purposes from at least 1923 to 1970. In the Mid-1970s the target property became commercial. The commercial use of the property has been office space for different companies. After the site reconnaissance; historical information review; and interviews, there is no readily available information to suggest the use of petroleum products and/or hazardous materials on the target property. ***As such, it is Spectrum's opinion that the historical use of the target property does not represent a recognized environmental condition to the target property.***

⁶ *Recognized Environmental Condition* - The presence or likely presence of any *hazardous substances* or *petroleum products* on a *property* under conditions that indicate an existing release, a past release, or a *material threat* of a release of any *hazardous substances* or *petroleum products* into structures on the *property* or into the ground, ground water, or surface water of the *property*. The term includes *hazardous substances* or *petroleum products* even under conditions in compliance with laws. The term is not intended to include de minimis conditions that generally do not present a 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. Conditions determined to be de minimis are not *recognized environmental conditions*.

⁷ *Historical Recognized Environmental Condition*—an environmental condition which in the past would have been considered a *recognized environmental condition*, but which may or may not be considered a *recognized environmental condition* currently. The final decision rests with the *environmental professional* and will be influenced by the current impact of the *historical recognized environmental condition* on the *property*. If a past release of any *hazardous substances* or *petroleum products* has occurred in connection with the *property* and has been remediated, with such remediation accepted by the responsible regulatory agency (for example, as evidenced by the issuance of a no further action letter or equivalent), this condition shall be considered an *historical recognized environmental condition* and included in the findings section of the *Phase I Environmental Site Assessment* report. The *environmental professional* shall provide an opinion of the current impact on the *property* of this *historical recognized environmental condition* in the opinion section of the *report*. If this *historical recognized environmental condition* is determined to be a *recognized environmental condition* at the time the *Phase I Environmental Site Assessment* is conducted, the condition shall be identified as such and listed in the conclusions section of the *report*.

Pole-Mounted Electrical Transformers

Spectrum identified one pole-mounted electrical transformer on the target property near the northeast corner of the target property. During the site reconnaissance, no stains were observed on the transformer nor were any stains/stressed vegetation observed on the ground beneath the transformers. *As such, it is Spectrum's opinion that the pole-mounted electrical transformer does not represent a recognized environmental condition to the target property.*

10.0 CONCLUSION

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527 of the property located at 3720 4th Avenue South in Birmingham, Alabama. Any exceptions to, or deletions from, this practice are described in Section 11.0 of this report. This assessment has revealed no recognized environmental conditions in connection with the target property.

11.0 DEVIATIONS

Historical information regarding the subject site has been obtained through the use of historical topographic maps, aerial photographs and individuals cognizant of the site. Because of the availability of historical maps (Sanborn Fire Insurance maps, aerial photographs, and historical topographic maps), the use of the target property could not be independently evaluated on 5 year increments back to a time where the property was not developed. However, the property ownership/occupancy is known in five year increments from the city directory listings. As such, this gap in the data is considered an acceptable deviation.

12.0 REFERENCES

40 CFR Part 312 – Innocent Landowners, Standard for Conducting All Appropriate Inquiry.

American Society of Testing and Materials (ASTM), Practice E 1527-05. Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

Environmental Data Resources Radius Map Report dated July 18, 2012.

Environmental Data Resources Certified Sanborn Map Report dated July 19, 2012.

Geologic Map of Alabama, 1989, Compiled by W. Edward Osborne, Michael W. Szabo, Charles W. Copeland, Jr., and Thornton L. Neathery.

13.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

I declare that to the best of my professional knowledge and belief, I meet the definition of Environmental Professional⁸ responsible for conducting the Phase I Environmental Site Assessment and preparation of the report, as defined in §312.10 of 40 CFR Part 312. I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Spectrum Environmental, Inc.



Scott E. Hassler, P.G., ALPG 409
Vice President

⁸ Environmental Professional – (1) a person who possesses sufficient specific education, training, and experience necessary to exercise professional judgment to develop opinions and conclusions regarding conditions indicative of releases or threatened releases on, at, in, or to a property, sufficient to meet the objectives and performance factors in §312.20(e) and (f). (2) Such a person must (i) hold a current Professional Engineer's or Professional Geologist's license or registration from a state, tribe, or U.S. territory or have the equivalent of three years full-time relevant experience; or be licensed/certified by the Federal government, a state, tribe, or U.S. Territory to perform environmental inquiries as defined in §312.21 and have the equivalent of three years full-time relevant experience; or have a baccalaureate or higher degree from an accredited institution from an accredited institution of higher education in a discipline of engineering or science and the equivalent of five years of full time relevant experience; or have the equivalent of ten years of full time relevant experience.

14.0 QUALIFICATIONS

15.0 APPENDICES

Figures

Appendix A – User Questionnaire

Appendix B – EDR Radius Map Report

Appendix C – EDR Sanborn Map Report

Appendix D – Historical Maps and Aerial Photographs

Appendix E – Site Reconnaissance Photographs