

Site-Specific Phase I Environmental Site Assessment

Chestnut Ridge Chestnut Ridge Drive Knott County, KY

Prepared for: The Commonwealth of Kentucky

Prepared by:
Kentucky Energy and Environment Cabinet
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1.0 Summary

The Kentucky Energy and Environment Cabinet (EEC) has completed a Phase I Environmental Site Assessment (ESA) of the Chestnut Ridge property in Knott County, Kentucky. This ESA was prepared in accordance with the scope and limitations of ASTM's Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM E1527-21), recognized by the U.S. Environmental Protection Agency (USEPA) as compliant with standards and practices for All Appropriate Inquires (AAI) promulgated at 40 CFR part 312.

The visual inspection of the subject property took place on May 17, 2023 and was conducted by Chris Jung, Ken Logsdon, Caitlin Mullins, Jean Weaver, and Sarah Yount of the EEC Division of Waste Management.

A summary of the findings is provided below. Details were not included or fully developed in this section. The report must be read in its entirety for a comprehensive understanding of the subject property.

- No historic, controlled, or recognized environmental conditions were identified in relation to the subject property.
- All findings identified in Section 7.1 in relation to the subject property were deemed de minimis.
- Three business environmental risks (BERs) were identified including:
 - 1. Mineral owners/rights issues
 - 2. Potential for radon
 - 3. Utility expansion costs

2.0 Purpose

The purpose of this Phase I Environmental Site Assessment (ESA) was to document current and historical information on the subject property and surrounding area in order to identify, to the extent possible, recognized environmental conditions.

A recognized environmental condition (REC) is defined by ASTM E1527-21 as the presence or likely presence of any hazardous substance or petroleum products in, on, or at the 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.

A historical recognized environmental condition (HREC), is defined by ASTM E1527-21 as a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority (as evidenced by the issuance of a no further action letter or other equivalent closure documentation) or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (e.g., property use restriction, activity and use limitations, institutional controls, or engineering controls).

A controlled recognized environmental condition (CREC), is defined by ASTM E1527-21 as a REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (e.g., as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substance or petroleum products allowed to remain in place subject to the implementation of required controls (e.g., property use restrictions, activity and use limitations, institutional controls, or engineering controls).



De minimis conditions are defined in ASTM E1527-21 as 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. Conditions determined to be de minimis conditions are not recognized environmental conditions nor controlled recognized environmental conditions.

Business Environmental Risk is a risk which can have a material environmental or environmentally driven impact on the business associated with the current or planned use of a parcel of commercial real estate, not necessarily limited to those environmental issues required to be investigated in this practice. Consideration of business environmental risk issues may involve addressing one or more non-scope considerations.

A *Finding* is defined in ASTM E1527-21 as any activities, uses, or conditions that may indicate the presence or likely presence of hazardous substances or petroleum products at the subject property. Findings may be indicative of any of the above definitions and subject to the environmental professional's judgment.

2.1 Scope of Work

The scope of work, based on ASTM E1527-21, is to identify whether RECs, HRECs or CRECs are present on the site. The report is a general characterization of environmental concerns based on available information and site observations. The scope of work for this ESA included an evaluation of the following:

- General evaluation of the physical characteristics of the surface in the area of the site using both area reconnaissance and published references.
- Historical usage of the subject property, adjoining properties and the surrounding area through a
 review of reasonably ascertainable sources such as land title records, fire insurance maps, city
 directories, aerial photographs, and interviews with persons familiar with the past land use.
- Current land use and existing condition of the subject property including observation and
 interviews regarding the use, treatment, storage, disposal or generation of hazardous substances,
 petroleum products, and hazardous or regulated wastes; storage tanks and drums; wells, drains,
 and sumps; and pits, ponds, or lagoons.
- Current land use of adjoining and surrounding area properties and the likelihood of known or suspected releases of hazardous substances or petroleum products to impact the subject property.
- Environmental regulatory database information and local environmental records within specified minimum search distances.

In addition, the subject property was evaluated for Business Environmental Risks (BER). A BER is a risk, which can have a material environmental or environmentally driven impact on the business associated with the current or planned use of a parcel of commercial real estate, not necessarily limited to those environmental issues required to be investigated in this practice. There may be environmental issues or conditions at a property that parties may wish to assess in connection with commercial real estate that are outside the scope of this practice. As noted in the legal analyses of this practice, some substances may be present on a property but are not included in CERCLA's definition of hazardous substances or do not otherwise present potential CERCLA liability.



2.2 Significant Assumptions

No significant assumptions were made while preparing this report. It is possible that unreported disposal of waste or illegal activities impairing the environmental status of the subject property or adjoining properties may have occurred which could not be identified.

2.3 Limitations and Exceptions

This ESA was prepared in accordance with the scope and limitation of ASTM's E1527-21 process and is recognized by the U.S. Environmental Protection Agency (USEPA) as compliant with Standards and Practices for All Appropriate Inquiries (AAI). It has been prepared to assess the property with respect to hazardous substances defined in the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and petroleum products.

A thorough attempt was made to identify recognized environmental conditions at or associated with the subject property. However, potential sources of contamination may have escaped detection due to: (1) the limited scope of this assessment, (2) the inaccuracy of public records, (3) unreported environmental incidents, and (4) lack of institutional memory.

Other limitations for this assessment include, but are not limited to the following:

- The size of the subject property made it difficult to view and access all areas.
- This site is undeveloped and tall vegetation may have covered some indicators of contamination.
- EDR searched their Sanborn Fire Insurance database but did not find map coverage for the subject property.
- EDR's radius search did not indicate any previous mining operations at or around the subject property.
- The topo maps for the subject property were not updated to display elevation changes.

2.4 Special Terms and Conditions

This assessment was performed for the Commonwealth of Kentucky by the Kentucky Energy and Environment Cabinet (EEC). This report is public record and is subject to the Kentucky Open Records Act.

2.5 User Reliance

Reasonable care was taken by EEC in checking information gained through interviews and any other secondary sources of data. This report was developed with the presumption that information obtained during the course of the assessment activities was factual in nature and was developed based on physical conditions observed during the May 17, 2023 site visit.

2.6 Location and Description

The property is located off Kentucky State Highway 80 at Chestnut Ridge Drive in Leburn, Knott County, Kentucky. Site coordinates for the approximate center of the site are latitude 37.41600 decimal degrees and longitude –82.926600 decimal degrees. According to the Knott County Property Valuation Administrator's (PVA) office, the subject site is listed as parcel ID# 057-00-00-006.00 and contains 916.7 acres. Please note that the user intends to obtain and redevelop a portion (approximately 100 - 300 acres) of the subject property, but this assessment will contain a review of the full parcel. A site map is included in Appendix A.



3.0 User-Provided Information

User-provided information is intended to help identify the possibility of recognized environmental conditions in connection with the subject property. A user may include, without limitation, a potential purchaser of property, a potential tenant of property, an owner of property, a lender, or a property manager.

The Commonwealth of Kentucky is the user of this ESA. The subject property is being investigated for its potential to be redeveloped into subsidized housing in conjunction with nonprofit organizations, as a "high grounds" housing location for the eastern Kentucky 2022 flood victims.

3.1 Title Records

Crown Title, on behalf of the Finance and Administration Cabinet, conducted a title search of the subject site. The Title Opinion is attached as Appendix D. Crown Title performed a 60-year title search, including surface and mineral interests, by examination of the record title to the property known and designated as the Western Pocahontas Property (PVA PIDN# 057-00-00-006.00) (the "Property"). For reference purposes, the Property is primarily a composite of a portion of two (2) historical Parcels, namely 1) The Jenkins Company Parcel (the "Jenkins Parcel"), best described in Deed Book 74, Page 182, said Parcel containing 1,646 total acres, and including three of the identified source tracts as provided by the owner: the Bolen Tract (478 acres), the Taulbee Tract (161.21 acres) and the Bailey Tract (194.10 acres); and 2) The Evans and LaViers Trust Property Parcel (the "Evans Parcel") as best described in Deed Book 49, Page 160, said Parcel being Tract No. 23 in the aforementioned deed and containing 3,973 total acres, and being the fourth identified source tract provided by the owner, a/k/a the Head of Laurel Fork property. There is also a small portion (3.13 acres) of the subject Property that was obtained from the Commonwealth of Kentucky, Transportation Cabinet by deed dated July 24, 2008 of record in Deed Book 244, Page 31. The historic parcels cover a larger area than the subject site.

3.2 Environmental Liens or Activity and Use Limitations (AULs)

No environmental liens or activity use limitations were found on the subject property.

However, the following judgement and tax liens were identified in the title search conducted by Crown Title:

- 2016 Delinquent Tax Bill against Kentucky Fuel Corporation of record in Book 15, Page 276;
- 2017 Delinquent Tax Bill against Kentucky Fuel Corporation of record in Book 15, Page 278;
- Judgment lien recorded February 18, 2014 against Kentucky Fuel Corporation in favor 713 Millpond Road, Suite 4 859-621-3910 (phone) Lexington, Kentucky 40514 859-251-5460 (fax) of Miller & Sons, Inc. in the face amount of \$308,270.00 of record in Lis Pendens Book 28, Page 543.
- Judgment lien recorded March 13, 2015 against Kentucky Fuel Corporation in favor of Commonwealth of Kentucky, et al, in the face amount of \$1,205,006.72 of record in Lis Pendens Book 29, Page 404.
- Judgment lien recorded September 21, 2015 against Kentucky Fuel Corporation in favor of Commonwealth of Kentucky, et al, in the face amount of \$263,071.54 of record in Lis Pendens Book 29, Page 695; see supporting judgment of record in Lis Pendens Book 29, Page 710.
- May be subject to Judgment lien recorded July 1, 2014 against Kentucky Fuels in favor of American Contracting Group, in the face amount of \$97,000.00 of record in Lis Pendens Book 29, Page 30. See next entry as possible correction regarding debtor name.



- Judgment lien recorded November 2, 2015 against Kentucky Fuel Corporation in favor of American Contracting Group, in the face amount of \$97,000.00 of record in Lis Pendens Book 30, Page 8.
- State Tax Lien (unemployment insurance) recorded March 3, 2020 against Blackstone Energy Ltd. of record in Lis Pendens Book 33, Page 103.
- May be subject to railroad easements of record in Deed Book 157, Page 69; Deed Book 158, Page 469; and Deed Book 168, Page 236.

In addition, the following rights-of-way, leases, easements, and licenses were identified in the title search conducted by Crown Title:

- Roadway License dated December 4, 1989 from Western Pocahontas Properties Limited
 Partnership to Ashland Exploration, Inc. of record in Lease Book 40, Page 686. Title Note: While
 the roadway in this instrument appears to lie west of Highway 80 (and inapplicable to the subject
 Property), the undersigned could not determine with certainty, due to the quality of the map,
 whether any portion of the subject Property is burdened, so it is included herein.
- Roadway License dated December 16, 1999 from Western Pocahontas Properties Limited Partnership to Eastern States Oil and Gas, Inc. of record in Lease Book 53, Page 350.
- Roadway License dated March 10, 2009 from Western Pocahontas Properties Limited Partnership
 to Cut Through Hydrocarbon LLC; as assigned on December 28, 2020 to Kinzer Business Realty
 Ltd., of record in Deed Book 293, Page 632 (with attached copy of the original license
 agreement).
- Pipeline license dated December 1, 1976 from Western Pocahontas Corporation to The Inland Gas Company of record in Deed Book 107, Page 359.
- Electrical transmission line easement dated December 12, 1980 in favor of Kentucky Power Company of record in Deed Book 127, Page 367; as amended by deed dated February 22, 1982 of record in Deed Book 127, Page 383; as amended by deed dated February 22, 1982 of record in Deed Book 128, Page 504; as modified by that certain settlement agreement dated June 16, 2003 of record in Deed Book 215, Page 33; and as modified by that certain settlement agreement dated April 6, 2009 of record in Deed Book 248, Page 216.
- Easement and agreement dated May 14, 1984 in favor of the Commonwealth of Kentucky, for installation, maintenance and use of microwave transmission tower and related items for the Kentucky Emergency Warning System, of record in Deed Book 131, Page 494; and including an agreement dated September 15, 1990 which operates as a release of claims regarding mineable coal against the Commonwealth, of record in Deed Book 155, Page 330.
- Electrical transmission line easement dated April 5, 2019 in favor of Kentucky Power Company of record in Deed Book 287, Page 460.
- Electrical transmission line easement dated April 4, 2012 in favor of Kentucky Power Company of record in Deed Book 261, Page 439.
- Electrical transmission line easement dated July 5, 2011 in favor of Kentucky Power Company of record in Deed Book 258, Page 611.
- Electrical transmission line easement dated September 25, 2008 in favor of Kentucky Power Company of record in Deed Book 245, Page 209.
- Electrical transmission line easement dated November 10, 2006 in favor of Kentucky Power Company of record in Deed Book 235, Page 116.



- Electrical transmission line easement dated June 28, 1991 in favor of Kentucky Power Company of record in Deed Book 158, Page 381.
- Electrical transmission line easement dated May 30, 1991 in favor of Kentucky Power Company of record in Deed Book 158, Page 374.
- Sanitary sewer line easement recorded December 17, 2010 in favor of Troublesome Creek Environmental Authority of record in Deed Book 255, Page 669; and as assigned to Knott County Water and Sewer, Inc. by assignment dated January 20, 2016 of record in Deed Book 275, Page 603.
- Water line easement recorded January 1, 2007 in favor of Knott County Water and Sewer, Inc. of record in Deed Book 235, Page 288.
- Electrical transmission line easement dated May 31, 2005 in favor of Big Sandy Rural Electric Cooperative of record in Deed Book 228, Page 616.
- Pipeline right-of-way agreement dated February 1, 2003 in favor of Columbia Natural Resources of record in Deed Book 213, Page 415.
- May be subject to Memorandum of ROW License Agreement dated March 5, 1999 in favor of J.W. Kinzer Drilling Company of record in Deed Book 190, Page 243. Title Note: The undersigned was unable to determine from the attached map whether the subject ROW extends into, or otherwise lies within the subject area south of Highway 80.
- Lease dated December 14, 2009 from Western Pocahontas Properties Limited Partnership to Knott County Youth Foundation, Inc., of record in Lease Book 73, Page 262.
- Gas pipeline right-of-way agreement dated December 20, 1990 in favor of Inland Gas Company of record in Deed Book 157, Page 246.
- Waterline right-of-way easement dated May 23, 2001 in favor of City of Hindman, KY of record in Deed Book 210, Page 28.
- Gas pipeline right-of-way agreement dated August 11, 2003 in favor of Interstate Natural Gas Company of record in Deed Book 215, Page 186.
- Waterline right-of-way easement dated May 23, 2001 in favor of City of Hindman of record in Deed Book 210, Page 28.
- Surface use agreement dated November 25, 1994 from Consol of Kentucky, Inc. to Knott-Floyd Land Company of record in Contract Book 13, Page 197.
- Access Road easement dated November 17, 2010 in favor of Viking Exploration LLC of record in Deed Book 300, Page 621.
- Pipeline right-of-way dated November 13, 2018 in favor of Diversified Southern Production, LLC of record in Deed Book 286, Page 282.
- Meter Agreement Easement in favor of Troublesome Creek Gas Corp. dated May 27, 2011 of record in Lease Book 75, Page 652.
- Sewer line easement in favor of Troublesome Creek Environmental Authority dated September 27, 2010 of record in Deed Book 255, Page 663.
- May be subject to pipeline easement in favor of Diversified Southern Production dated November 13, 2018 of record in Deed Book 286, Page 282.

3.3 Specialized Knowledge

No previous Environmental Site Assessments were provided for the subject property. However, the EEC Division of Waste Management (DWM) conducted a limited site investigation for the subject property on December 16, 2022. The full report from this screening is included in Appendix E. The investigation



included collecting and analyzing surface soil samples for signs of acid mine drainage. Sixteen samples were collected and analyzed for metals using a handheld X–Ray Florescence (XRF) device. Five of the samples were analyzed by the EEC Department for Environmental Protection Laboratory for quality control purposes. Results from this investigation indicated two samples (plus one duplicate) with elevated levels of arsenic. The three samples were collected within close proximity to each other in a visibly barren area that exhibited a shale/coal appearance. The area was observed during the site reconnaissance on May 17, 2023 and it was determined that it is de minimis in relation to the size of the subject property. Photos are included in Appendix C.

4.0 Records Review

An electronic database search of files maintained by the U.S. EPA and the Kentucky Department of Environmental Protection (KDEP) was conducted by EDR on May 15, 2023 to evaluate the regulatory history of the subject property and surrounding properties. The search of standard federal and state regulatory agency databases was conducted to identify listings for the subject property and adjoining properties and evaluate sites within applicable ASTM E1527-21 and AAI defined search radii that could cause actual or potential environmental impacts. EEC personnel conducted additional searches. Information used in evaluating the subject property include the following sources:

- USGS 7.5 Minute Geologic Quadrangle Map, Handshoe Quadrangle, KY.
- Kentucky Department for Environmental Protection: TEMPO Database.
- United States Department of Agriculture, Natural Resources Conservation Service: http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm.
- US Fish and Wildlife Service National Wetlands Inventory: https://www.fws.gov/wetlands/Data/Mapper.html.
- Environmental Data Resources, Inc. (EDR) EDR Radius MapTM Report with GeoCheck.
- EDR Certified® Sanborn Map Report.
- EDR Historical Topo Map Report.
- EDR Aerial Photo Decade Package.
- EDR City Directory Report.

4.1 Site Vicinity and General Characteristics

The site is located off Kentucky State Highway 80, at the end of Chestnut Ridge Drive in Leburn, Knott County, Kentucky. The site is largely undeveloped – hilly with vegetation and a small creek (Bolen Branch) running laterally across the southern side of the property. The property neighbors the Knott County Sportsplex, a sports complex and recreation center, and contains a portion of the access road Kenny Champion Loop. In addition, there are two water towers on the north-central portion of the subject property.

Water and sewer lines for the Knott County Sportsplex follow Kenny Champion Loop and slightly overlap onto the subject property. There is a second water line present on-site which connects to the water towers along the upper elevation of the subject property. The water and sewer lines located on-site have the capacity to be expanded for future development. Additionally, AEP primary and secondary transmission lines located adjacent to the subject property are available to provide electricity for future development.



4.2 Soil

The subject property is located in a mixed-use area approximately 7 miles north of Hindman, KY. Soil data for the subject property was obtained from the United States Department of Agriculture (USDA) Web Soil Survey. According to the database, there are four soil types present on-site that are summarized in the table below. The dominant soil type for the subject property is the Handshoe-Fedscreek-Shelocta complex. A soil map of the site is located in Appendix A.

	Table 1.0: Soil Map Overview				
Map Unit Symbol	Map Unit Name	Acres in Area of Interest (AOI)	Percent of AOI		
uCskF	Cloverlick- Shelocta- Kimper complex, 20 to 80	228.1	24.9%		
	percent slopes, very stony				
uHfsF	Handshoe- Fedscreek- Shelocta complex, 30 to 80	396.8	43.3%		
	percent slopes, very stony				
uMgmF	Matewan- Gilpin- Marrowbone complex, 12 to 80	269.7	29.4%		
	percent slopes, very rocky				
uUduE	Udorthents- Urban land- Rock outcrop complex, 0	22.1	2.4%		
	to 35 percent slopes				

4.3 Geology

According to the Kentucky Geological Survey, the site is mainly underlain by two main geologic units: the Four Corners Formation (Pfc) and the Princess Formation (Ppr). The Four Corners Formation is a formation of the Breathitt Group with the primary lithology consisting of sandstone, siltstone, shale, underclay, and coal. The top 0 to 40 feet below ground surface is mostly sandstone, siltstone and shale underlain by coal beds. Most commonly, below 40 feet from ground surface, there are coal beds of varying thickness which are separated by numerous shale partings. Coal beds present include the following: the Knob coal zone, the Hindman Coal bed, Francis coal bed, Hazard coal beds, Haddix coal bed, Hamlin coal zone, Fire Clay coal beds, Whitesburg coal beds, and the Amburgy coal bed. The Princess Formation is also a formation of the Breathitt Group, with the primary lithology being comprised of sandstone, siltstone, shale, and coal, with minor limestone and underclay. The lower sandstone forms cliffs up to 60 feet high. There are multiple unnamed coal beds present in this formation, as well as the following coal beds: Hindman, Francis, Hazard, Haddix, Copland, Hamlin, Fire Clay, Whitesburg, and Amburgy.

4.4 Groundwater

While a couple of water lines run through the property, potable water service is not available. Utilities onsite and at an adjacent property will likely be expanded to service the subject site in the future.

The regulatory database search included an EDR Radius Map TM with GeoCheck® provided to the EEC on May 17, 2023. A copy of the report is included in Appendix B. The report found records of 5 water wells on or within 1 mile of the site. More information about these wells is listed below.

	Table 2.0: Water Wells						
AKGWA# Name Status Usage L					Longitude	On- site?	
80008812	Tight Rope Inc.	Active	Monitoring well	37.414167°	-82.916111°	Yes	



00050522	Randy Slone	Active	Domestic	37.405250°	-82.923556	No
60001982	N/A	Not Reported	Domestic	37.415556°	-82.942500	No
00062830	Voncel Thacker	Active	Domestic	37.403611°	-82.921389°	No
	Property					
00011834	Robert H.	Active	Domestic	37.403889°	-82.917664°	No
	Smith					

4.5 Standard Environmental Records Review

The services of Environmental Data Resources, Inc. (EDR) were used by the EEC to review the required federal and state databases for records regarding possible hazardous material handling, spills, storage, production, or remediation at the Property or in the vicinity areas of the subject property that could constitute a recognized environmental condition.

4.6 EDR Radius Map™ with GeoCheck®

The regulatory database search included an EDR Radius Map ™ with GeoCheck® provided to the EEC on May 17, 2023. A copy of the report is included in Appendix B. The records searched include publicly available information from federal, state, tribal, and local databases containing known or suspected sites of environmental contamination and sites of potential environmental significance.

A search of federal, state, and local records resulted in the following finding within one mile of the subject property.

Table 3.0: Radius Map Results				
Site Name	Database	Report Details		
Ni-Source Mercury Meter Stations	CERCLIS KY SHWS: State hazardous	Closed,		
*X	waste site records equivalent CERCLIS	10/10/2008		
	List.			

The EDR Radius Search did not indicate any mine sites at or around the subject property. However, based on other historical documents the subject property and surrounding properties east of KY-80 were used for coal mining operations as shown in Appendix B.

Additionally, a search of the Kentucky Environmental and Energy Cabinet's site database indicated 19 findings within one mile of the subject property. The EEC database "TEMPO" is comprised of a collection of environmental audits, reports, permits, correspondence, ect. overseen by state authorities.

Table 4.0: TEMPO Records				
Site Name:	Distance from SP:	Incident Description:		
Leonard Lopp Lease K1616 Mill Branch (AI#90754) *A	0.87 miles	No documentation available (2001)		
WT Bailey Heirs Lease K1499 (AI# 90766) *B	0.52 miles	Oil-gas well documentation (2007-2021)		
J L Triplett Lease (AI# 90457) *C	0.96 miles	Oil-gas well documentation (1985-2015)		
J L Triplett Lease E 35 (AI# 90461) *D	0.0	Oil-gas well documentation (1999-2015)		
W H May Lease #5264	0.88 miles	Oil-gas well documentation (1995-2015)		



(AI# 90667) *E		
Robert H Smith Property (AI# 119516) *F	0.87 miles	Water well documentation (1988- 2013)
Joshua Rudolph Property (AI# 169424) *G	0.84 miles	Stream construction permit & documentation (2021-2022)
Voncel Thacker Property (AI# 77531) *H	0.94 miles	Water well documentation (2005-2006)
Thacker Subd (AI# 35040) *I	0.97 miles	Stream construction permit & documentation (2003-2007)
Kenneth R Terry Property (AI# 115529) *J	0.99 miles	Water well documentation (2004-2012)
Vernon Smith Residence (AI# 129539) *K	0.72 miles	Water well documentation (2001-2016)
Laurel Mountain Resources LLC(860-0519) (AI# 14216) *L	0.73 miles	Coal mining activities permits & records (2004-2014)
Consol of KY Inc - Yellow Mountain Mine Site (AI# 78765) *M	0.80 miles	Surface mining permits & records (2006-2012)
KY Fuel Corp (860-0505) (AI# 83065) *N	0.80 miles	Surface mining permits & records (2007-2023)
Quality Natural Gas LLC - Leonard Lopp Et Al K1501 (AI# 130175) *O	0.84 miles	Oil-gas well documentation (2012-2017)
KY 1087 Ball Mtn Dump (AI#77382) *P	0.99 miles	RCLA site. Open dump consisting of household trash, metal, and appliances was reported in 2005 and closed in 2007.
Chestnut Ridge Loop Storm Debris Site (AI# 174083) *Q	0.0 miles	Area was used for stockpiling/staging flood debris material including natural wood and vegetative debris generated from the Flood of July 28, 2022.
Knott Co East Division Storm Debris Staging Area (AI# 174491) *R	0.0 miles	Area was used for stockpiling/staging flood debris material including orphaned hazardous material & containers generated from the Flood of July 28, 2022.
Diversified Midstream LLC - Sportsplex Compressor Station (AI# 113477) *S	0.20 miles	Mining oil & gas extraction permit & documentation for Sportsplex compressor (2011-2022)

SP=Subject Property

4.7 Aerial Photographs

Aerial photographs are generally of small scale and only provide a general idea of the activity in the area. Aerial photographs provide a 'snapshot' in time as the photo only represents the activities at the time the picture was taken. A search for aerial photographs of the subject property was conducted by EDR and



^{*} Indicates the site location on the TEMPO map provided in Appendix A. Some sites are shown multiple times on the map indicating multiple locations owned by the same leasee.

provided to KDEP on May 16, 2023. The search resulted in various maps between the years 1952-2020. Comments are provided below and a copy of the photo is included in Appendix B.

Table 5.0: Aerial Timeline Overview				
Year	Observations			
2020	The subject property and adjoining properties remain consistent. The southeastern pond is full and southwest of the subject property there is a road that leads to two small unidentified structures.			
2016	The subject property remains consistent. The western adjoining property has a driving range and two small building structures.			
2012	The subject property remains consistent with no structures or evidence of property usage. The southern ponds seem to have dried, but a small creek is visible in the area. West of the subject property, the adjoining property has been flattened and ready for development. There seem to be a few small objects along the leveled area that could be vehicles or small buildings.			
2008	The subject property is void of any activity. The access roads along the property are still accessible, but there is no evidence of mining operations or use. There is a water tower upgradient along the northern adjoining property and two remaining ponds south of the subject property.			
1995	Evidence of mining operations at and around the subject property. There are several areas of leveled ground with many roads running through the property. There seem to be a few vehicles on the subject property and a few small ponds. There are no structures present on or around the subject property.			
1991	The quality of this aerial is poor and hard to discern any identifying features. There seem to be more roads present and possible mining operations taking place on the subject property.			
1988	The quality of this aerial is poor and hard to discern any identifying features. However, the property looks consistent with the 1983 observations.			
1983	The subject property and surrounding properties seem to be undeveloped and consist of woody vegetation. There is evidence of road development northeast and southwest of the subject property.			
1977	The subject property and surrounding properties seem to be undeveloped and consist of woody vegetation. No evidence of structures or roads.			
1960	Consistent with 1952 observations.			
1952	The subject property and surrounding properties seem to be undeveloped and consist of woody vegetation. There seem to be a couple of leveled areas with unpaved roads west of the subject property. No structures or evidence of current use is noted.			

4.8 Topographic Maps

Historical topographic maps provide information related to the land configuration such as elevation, ground slope, surface water, buildings, and other land features. A search for historic topographic maps of the subject property and surrounding area was conducted by EDR and provided to DEP in a Historical Topographic Map Report dated May 16, 2023. Topographic maps were provided for various years between 1890 and 2019. A copy of the report is included in Appendix B. A summary of the report is provided below.



	Table 6.0: Topo Map Timeline Overview
Year	Observations
2019	 Changes in elevation reflected in Topo map. Contour lines spaced far apart indicating the subject property is level.
2016	 Long Branch creek splits and the water flow changes directions.
2013	 There are no labeled building structures present on the subject property. Surrounding mines seem to be closed or abandoned. Elevation closest to KY-80 had
1992	 KY-80 added west of the subject property and the trails along the subject property are labeled 4WD. HWY 1087 located south of the subject property. Mines are labeled east and south of the subject property. One strip mine is labeled southwest of the subject property. Addition of power lines north of the subject property running east and west. Elevation remains consistent.
1954	 Subject property is located between Mine Branch and Chestnut Mountain. East of the subject property along Bruce Trail are a few mine tunnel entrances. There are a few structures labeled along the outskirts of the subject property and one well located on the subject property near Long Branch. A Graticule intersection is marked along the east side of the subject property. Elevation remains consistent.
1915 1912	 Subject property is located near Chestnut Mountain north of Troublesome Creek and east of Mine Branch. There is a school located southwest of the subject property on the opposite side of Troublesome Creek and building structures are present along the valleys close to the creeks on and around the subject property. Several unimproved roads are labeled in the area. Elevation: The highest elevation goes from north to south of the subject property approximately 1825 ft. to 1250 ft.
1892 1890	 The subject property is located upgradient of several creeks and west of the road outlined in the map. There are no indications of any structures, depressions, tracts, or other defining characteristics noted on the map for the subject property. Elevation of the subject property is around +1500 ft.

It should be noted that the Historic Topo Maps prior to 2019 were not properly updated to reflect the change in topography during former mining operations. When compared to the aerial overview pictures it is evident that the subject property was leveled around 1995.

4.9 Sanborn Fire Insurance Maps

A search for Sanborn fire insurance maps for the subject property and surrounding area was conducted by EDR and provided to EEC in a Certified Sanborn® Map Report dated May 15, 2023. The Certified Sanborn Results indicate that the complete holdings of the Sanborn Library, LLC collection were searched and based on the target property information; fire insurance maps covering the target property were not found. A copy of the certified Sanborn map report is provided in Appendix B.



4.10 City Directories

A search of historical city directories for the subject property and surrounding properties was conducted by EDR and provided to the KDEP in an EDR City Directory Image Report dated May 17, 2023. The report contained addresses and phone records for Highway 80 and Kenny Champion Loop from the year 2005 to 2020. A condensed summary of the listings is provided below. The full report is included in Appendix B. It is important to note that city directories are published by private or public sources that show ownership, occupancy, and/or use of sites by reference to street addresses. Discrepancies in addresses are likely the result of changes in ownership and/or property usage.

	Table 7.0: Adjacent Property Listings					
Year	KY-80	Kenny Champion Loop				
2020	- 3 Residential Homes	- ATM - Knott County Sportsplex				
2017	- Residential homes	- Knott County Sportsplex				
2014	- 10+ Residential Homes	- Knott County Sportsplex				
2010	- 5+ Residential Homes	- Knott County Sportsplex & Gift Shop				
2005	5+ Residential HomesGodsey Auto SalvageBearville Trucking Co.	- None				

The surrounding properties listed in the City Directory were reported south of the subject property between 1-2 miles away. None of the above properties referenced in the historic directories warrant any environmental concern for the subject property.

5.0 Site Reconnaissance

As part of a Phase I ESA, a site reconnaissance is performed in an effort to identify recognized environmental conditions. Chris Jung, Ken Logsdon, Caitlin Mullins, Jean Weaver, and Sarah Yount (EEC Division of Waste Management) conducted the site reconnaissance of the subject property and general vicinity on May 17, 2023. The property owner, Western Pocahontas Properties Limited Partnership represented by Senior Vice President Gregory Wooten, granted access to the property via a signed Right of Entry Consent form dated November 23, 2022.

5.1 Site Reconnaissance Methodologies

The objective of the site reconnaissance was to obtain information regarding the environmental condition of the subject property and surrounding areas. The visual reconnaissance consisted of walking and driving through around the perimeter of the property and traversing the interior of the site to provide an overlapping view. Most adjacent properties were viewed from the subject property and surrounding streets. The adjacent property with the Knott County Sportsplex was visited directly.

Photographs of the property were taken during the site reconnaissance and copies are provided in Appendix C.

5.2 Current Use of the Property

The property is currently undeveloped with no structures. There were a few hunting stands present on the subject property during the site reconnaissance, but all were in poor condition indicating lack of activity.



5.3 Current use of Adjoining Properties

Adjacent properties were observed from the subject property to the extent feasible. The adjoining properties directly to the north, east, and south of the subject property are predominately composed of undeveloped wooded land and residential homesteads. However, the western border of the subject property adjoins KY-80 and the Knott County Sportsplex. While a coal processing plant flanks the northeast section of the subject property.

5.4 Past Uses of Property

Historic data for the subject property has been evaluated using historical documentation provided by EDR, TEMPO, Property Deeds, and site interview information dating back to 1890. Records indicate that the subject property remained undeveloped until around the early 1990s. In 1993 the property was permitted for surfacing mining activities and mined for coal until the late 1990s or early 2000s. The mining permit was transferred several times, but ultimately the property obtained a Phase III bond release and was considered reclaimed in 2014. Post-mining operations, the subject property remained unused until 2008 when Western Pocahontas Properties, LLC donated a small tract of the land to the Knott County Fiscal Court which developed it into the Knott County Sportsplex. The remaining property was left unused until the 2022 Eastern Kentucky flood disaster. The western portion of the subject property adjoining KY-80 was used as a staging area for vegetation/wood debris and orphaned hazardous material containers accumulated from the 2022 floods in Knott County. All hazardous substances handled on the subject property during the emergency response was sampled and properly disposed of. In addition, there was a hydraulic scale and fuel tank located on the subject property containing petroleum products. The Kentucky Division of Waste Management inspected and sampled the staging area after operations ceased. All sample results came back below regional screening levels with no significant findings.

Crown Title, on behalf of the Finance and Administration Cabinet, conducted a title search of the subject site. Their Title Opinion is included as Appendix D. EEC personnel also reviewed the deeds from the Knott County Clerk's office back to 1930. The below table shows a summary of the approximate historical ownership of the subject property.

	Table 8.0: Chestnut Ridge Property Surface Owners					
Dates	Grantor	Grantee	Deed Book Page #	Description		
2/3/	CSX Minerals, Inc.	Western	139/635	All of the real property rights,		
1987		Pocahontas		title and interests as are		
		Properties Limited		covered by and described in		
		Partnership		the following 5 deeds. The		
				parcels are designated as tracts		
				in this table but the deed does		
				not provide a name for these		
				properties.		
10/1/	National Mines	Western	92/183	Tract 1		
1968	Corporation	Pocahontas				
		Corporation				
5/31/	Cecil N Conkwright,	Western	90/131	Tract 2		
1967	Mildred H. and Arthur	Pocahontas				
	B. Conkwright	Corporation				



5/15/1 963	David L. Francis, Garnette J. Stollings, Harry LaViers	Western Pocahontas Corporation	86/93	Tract 3 Evans & LaViers Real Estate Trust
				Evans Parcel
5/15/1	Jewell Coal & Timber	Western	86/86	Tract 4
963	Co.	Pocahontas		
		Corporation		
5/22/1	Elk Horn Coal Corp.	Western	58/555	Tract 5
939		Pocahontas		
		Corporation		
12/31/	Beaver Creek	National Mines	81/515	Tract 1
1957	Consolidated Coal	Corporation		
	Company			
4/14/1	E. J. and Maybel Evans,	James D. Francis,	77/251	Deed of Trust
949	Harry and Maxie	David L. Francis,		Evans Parcel
	LaViers, Rolla D. and	Rolla D.		
	Ruth C. Campbell,	Campbell, Permele		
	Raymond E. and	and David E. K.		
	Beatrice Salvati, David	Frischkorn		
	L. and Nancy L. Francis,			
	Garnette J. and Maude			
	B. Stollings, James D.			
	Francis			
	David L. Francis,			
	Permele Francis			
	Frischkorn			
5/16/1	The Jenkins Company	E. J. Evans	74/182	Jenkins Parcel
949				
10/1/1	Virginia- Kentucky Coal	Evans Oil & Gas	64/421	Evans Parcel
944	Corporation	Company	70/04:	
12/10/	Carbreath Gas	Virginia Kentucky	50/341	Evans Parcel
1930	Company, Breathitt Coal & Timber	Coal Corporation		
	Corporation			
4/14/1	Westova Gas Company	Carbreath Gas	49/160	Evans Parcel
930	4. 4. 4. 4	Company		

Please note that the current parcel boundary was subdivided from much larger parcels and the information below may be for an area larger than the subject property. The property is primarily a composite of a portion of two historical parcels: the Jenkins parcel and the Evans parcel. The Jenkins parcel is best described in Deed Book 74 Page 182 and the Evans parcel in Deed Book 49 Page 160. The current deed is dated February 3, 1987 and is recorded in Deed Book 139 Page 635 of the Knott County Clerk's office.

5.5 Past Uses of Adjoining Properties

Historic data for the adjoining properties has been evaluated using documentation provided by Google Earth, TEMPO, and EDR including city directories, topo maps, aerial imagery and mining permits. Based on the provided documentation, the historical use of the adjoining properties has remained consistent over



the years consisting mostly of undeveloped land with a few homesteads along the adjoining properties. Around the 1950s property usage east of the subject property shifted to coal mining operations which are still evident to this day. There is a permitted down-gradient slurry impoundment located northeast and adjacent to the subject property. Additional mining operations took place west of the subject property on the opposite side of KY-80 within the same time period. The most recent development along the adjoining properties includes the Knott County Sportsplex which was constructed around 2008. Western Pocahontas Properties, LLC donated a tract of land west of the subject property to the Knott County Fiscal Court which was developed into the current fitness center.

5.6 Descriptions of Structures, Roads and other Improvements

No structures were observed on the subject property. However, there are two water towers located at the highest elevation of the property. Two locked gates restricting access to the property were observed during the site reconnaissance. One gate was located beyond Chestnut Ridge Drive restricting access to the lower acreage of the subject property and the other was a locked wire restricting access to the upper elevated area of the subject property. The reconnaissance team was able to bypass the lower gate and fence, however, the upper acreage was not accessed. Road conditions along the subject property were poor consisting of neglected unofficial vehicle trails.

5.7 Exterior Observations

The subject property is composed of 916.17 acres of vacant land with no current structures or evidence of activity. The property includes two different elevations of leveled land. The northern section of the property was leveled at an elevation of 1650 ft. while the southern section was leveled at an elevation of 1520 ft. Shrubby vegetation was noted along the level areas of the property and woody vegetation was noted along the inclined areas. Additionally, the subject property had poor drainage in leveled areas which resulted in marshy conditions with pooling water along the surface of the property.

5.8 Underground Storage Tanks (USTs) and Aboveground Storage Tanks (ASTs)

No evidence of underground storage tanks or above ground storage tanks were observed during the visual inspection. Physical features associated with the presence of storage tanks include, but are not limited to, fill ports, slumped pavement/ground surface, patches of pavement, piping, and pump stations. None of these features were observed at, on, or in the subject property.

5.9 Hazardous Substances/Waste and Petroleum Products

No hazardous substances, petroleum products, unidentified wastes or other substances were observed on the subject property.

5.10 Odors

No odors associated with hazardous substances, petroleum products or industrial activities were observed at the subject property during the site reconnaissance.

5.11 Pits, Ponds, and Lagoons

No pits, ponds, or lagoons associated with hazardous substances, petroleum products or industrial activities were observed at the subject property during the site reconnaissance.



5.12 Stained Soil/Pavement

No significant stained soil or pavement associated with hazardous substances, petroleum products or industrial activities were observed at the subject property during the site reconnaissance.

5.13 Wastewater

No evidence of wastewater was observed at the subject property during the site reconnaissance. Storm water flows off the subject property in different directions based on the topography. Stormwater runoff in the southern part of the property flows into Bolen Branch. Some areas of stormwater ponding in low spots and ruts created from vehicle traffic was observed in the leveled portions of the property, as well as small spots with general marshy conditions.

5.14 Wells

The regulatory database search included an EDR Radius Map TM with GeoCheck® provided to the EEC on May 17, 2023. A copy of the report is included in Appendix B. The report found records of 5 water wells on or within 1 mile of the site. The report also found records of 22 oil or gas wells on or within 1 mile of the site.

Wells on adjacent sites were not investigated. Only one water well was on-site. More information about it is listed below.

Table 9.0: Water Well On-Site						
AKGWA#	Name	Status	Usage	Latitude	Longitude	On- site?
80008812	Tight Rope Inc.	Active	Monitoring well	37.414167°	-82.916111°	Yes

EEC personnel looked for this well during the site reconnaissance but were unable to locate it. The GPS coordinates for this well are very close to Bolen Branch which flows on-site.

The EDR report also found records of 22 oil or gas wells. Almost all of the wells listed were dry and abandoned, plugged, or terminated (permit expired or cancelled). One oil or gas well on-site was investigated. More information is listed about it below. Records indicate that the oil or gas well KGS# 56140 was also located on the subject property, but it has a plug date of July 3, 2001 listed.

Table 10: Oil and Gas Wells On-Site						
KGS Record #	Original Farm/ Lease Name	Original Operator	How Completed	Plug Date	Latitude	Longitude
148047	The Jenkins	Chesapeake	Location (new	Not	37.252649	-83.269349
	Co	Appalachia,	permit issued or	Reported		
		LLC	insufficient data)			

This well was not identified during the site reconnaissance, likely due to incorrect or insufficient location data.

5.15 Septic Systems

No on-site septic systems or cesspools were observed on the subject property.



6.0 Interviews

Interviews were conducted with persons familiar with the subject property in order to obtain information regarding the presence or possible presence or recognized environmental conditions in connection with the subject property.

6.1 Current Property Owner

The current property owner is Western Pocahontas Properties Limited Partnership. Employees from Western Pocahontas property were asked to complete a user questionnaire via email. Allan Robinson, Mine Engineer/ Regional Manager for Natural Resources Partners, completed the questionnaire on behalf of Western Pocahontas Properties and provided it to the EEC on May 31, 2023. Mr. Robinson's responses were consistent with the information found in the historical records review of the subject property. Mr. Robinson was not aware of any environmental cleanup liens against the property or of any AULs. No environmental or risk assessments were provided during this user survey. Additionally, Mr. Robinson stated "yes" when asked if the purchase price/ loan amount for the property reasonably reflected the fair market value of the property.

6.2 State Government Representative

Courtney Skaggs, an Environmental Scientist Consultant Senior in the Commissioner's Office for the Department of Natural Resources (DNR), was interviewed as a state government representative for the site. Working in the DNR, Ms. Skaggs is familiar with the past mining uses of the property. She provided the following information about the site's history:

"The Chestnut Ridge project area was initially permitted under the Surface Mining Control and Reclamation Act of 1977 (SMCRA) by the Commonwealth of Kentucky, Department for Natural Resources (DNR) on January 22, 1993. The DNR is the state primacy agency with the regulatory authority for permitting, inspection and enforcement under SMCRA.

Laurel Mountain Resources, LLC permit no 860-0519 was initially permitted to Western Consolidated Corporation, permit no. 860-0317. The permit transferred four (4) times over the life of the mine due to ownership and control changes. The first transfer of rights was issued to Miller Bros Coal, Inc. on January 26, 2000; the second transfer of rights to Miller Bros Coal, LLC on September 21, 2005; a third transfer of rights to Laurel Mountain Resources, LLC, permit no. 860-0497 on April 29, 2010; and a fourth transfer of rights to Laurel Mountain Resources, LLC, permit no. 860-0519 on June 29, 2011. Laurel Mountain Resources, LLC, permit no. 860-0519 obtained a Phase III bond release on February 14, 2014.

405 KAR Chapter 10:040, Section (2) defines the criteria and schedule for release of the permit and performance bond upon successful completion of the approved reclamation plan. The regulation defines three (3) phases of release, with each phase requiring achievement of different reclamation requirements. Reclamation Phase III release, "...is deemed to have been completed on the entire permit area or increment when the permittee has successfully completed all coal mining and reclamation operations in accordance with the approved reclamation plan, such that the land is capable of supporting the post mining land used approved pursuant to 405 KAR 16:210; and has achieved compliance with the requirements of KRS Chapter 350, 405 KAR Chapters 7 through 24, and the permit; and the applicable liability period under 405 KAR 10:020, Section 3(2) has expired."

The "approved reclamation plan" in the SMCRA permit required the permittee to:



- Backfill, regrade, replace topsoil, and restore drainage patterns consistent with the approximate original contour (AOC) of the land prior to mining;
- Revegetate the permit area in accordance with the approved post mining land uses; and
- Ensure the reclaimed area was capable of supporting the approved post mining land uses upon expiration of the 5-year liability period required in 405 KAR Chapter 10.

Per bond release documentation, each permit was successfully reclaimed and granted Phase III bond release on February 14, 2014."

7.0 Evaluation

The EEC has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM E1527-21 of the vacant property located along Chestnut Ridge Drive in Knott County, Kentucky.

7.1 Findings

Through this environmental assessment and records review, it was determined that the property has largely been unused except for some mining purposes. There was no indication that the previous mining activities had any relation to hazardous substances or petroleum products. In addition, the mining permit had a Phase III release in 2014. This aspect is seen as complete from a regulatory standpoint and therefore is not considered a recognized environmental condition (REC).

There is a record of one monitoring well on-site but there are no plugging records; it was not found during the site reconnaissance so there is the possibility that it exists on-site. However, due to the difficulty to reach the coordinate location recorded for the well, it is likely unused if it does still exist.

One state hazardous waste site (Ni-Source Mercury Meter Stations) was identified in the EDR radius report within one mile of the subject property. The site was restored and closed in 2008 and no longer poses a risk to the subject property. Additionally, EEC TEMPO records indicate that part of the subject property was used for staging operations involving vegetative debris and hazardous substance cleanup relating to the 2022 Eastern Kentucky floods. The cleanup process included the use of a hydraulic scale and petroleum AST however, sample results post-staging operations indicate no evidence of a release. Several sites were registered under the EEC TEMPO database, but all have been closed with the exception of the Diversified Midstream LLC - Sportsplex Compressor Station which is regularly inspected by the Division of Air Quality.

Additionally, the December 2022 Limited Site Screening report provided in Appendix E, flagged one area of elevated arsenic levels on the lower part of the subject property. While this finding should be considered before future development, it is considered de minimis in regards to the overall investigation of the 900+ acres of the subject property.

Based on this information, no recognized environmental conditions (RECs), HRECs, or CRECs were identified for the site during this assessment.

7.2 Business Environmental Risks (BER)

The property is largely undeveloped; extending the necessary utilities and creating appropriate property access may incur additional costs.

Radon is not within the scope of this assessment. However, the site is listed in the Federal EPA Radon Zone 2 which the indoor average level of radon is 2.0 - 4.0 pCi/L. However, the EPA tested one site in



Knott County and an average of 0.200 pCi/L in a first-floor living area. EPA suggested radon action level is 4.0 pCi/L or greater, and the World Health Organization suggested action level is 2.7 pCi/L or greater. Radon testing may be necessary for site development which could incur additional costs.

In addition, in the Title Opinion conducted by Crown Title, it is the opinion of the reviewing attorney that it may be difficult to complete residential redevelopment due to the property having different owners for the mineral rights. The Title Opinion states the following:

"Legally, all of this will require a mutual agreement among the various title interest holders that creates a balance of rights that will allow all estate holders to achieve their objectives. During that process, the location of future structures needs to be considered and negotiated so as to minimally impact the surface estate as well as allowing for access to the mineral estate. If feasible, acquisition of the entirety of the surface and mineral estates by the developer would be optimal."

Based on this, the property having differing surface and mineral estate owners may incur additional costs and be seen as a BER.

7.3 Opinions

Based on the history of the property and documents reviewed, it is unlikely that the property has contamination remaining on site that warrants regulatory action at this time.

7.4 Conclusions

The EEC performed a Phase I ESA in conformance with the scope and limitation of AST Practice E1527-21 at the site located at the end of Chestnut Ridge Drive, Leburn, Kentucky. Any exceptions to or deletions from, this practice are described in Section 7.6 of this report. This assessment did not reveal recognized environmental conditions in connection with the property as described above. Further environmental assessments are not recommended at this time with the exception of assessments (such as geotechnical or radon) that may be related to future property development.

7.5 Additional Investigations

This assessment and review of current and historical information has not revealed evidence of Recognized Environmental Conditions. At this time, it is the opinion of the Environmental Professional that additional environmental assessment is not necessary.

7.6 Deletions and Exceptions

No exceptions to, or deletions from, ASTM E1527-21 were noted in the preparation of this report.

8.0 Non-Scope Services

Additional services beyond the scope of ASTM E1527-21 were not performed in conjunction with this assessment.

The presence of asbestos containing materials, mold, lead-based paint and other biological agents are not part of the ASTM Practice 1527-21 and are beyond the scope of this report. As no permanent structures were observed on-site, it is unlikely that there is a vessel for these materials.

Per- and Polyfluorinated Substances (PFAS) are considered emerging contaminants and are not within this scope of work.



Radon is not within the scope of this assessment.

9.0 Signature of the Environmental Professional

I, Ken Logsdon, declare that, to the best of my professional knowledge and belief, I meet the definition of an Environmental Professional as defined in 40 CFR 312.0. I possess sufficient specific education, training and experience necessary to exercise professional judgement to develop opinion and conclusion regarding conditions indicative of releases or threatened releases on, at, in, or to the subject property. I have developed and performed all the appropriate enquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Kenneth Logsdon, P.G. Registered Geologist Supervisor Petroleum Cleanup Section

Hen Chogodon

Superfund Branch

May 31, 2023

10.0 References

- 1. Kentucky Division of Geographic Information. Kentucky Soils Data Viewer with Detailed NRCS Soils Data. https://kygeonet.ky.gov/kysoils/
- 2. Kentucky Geological Survey. (1977). Geologic Map of the Handshoe Quadrangle, Eastern, Kentucky. (GQ-1372). https://kgs.uky.edu/kygeode/geomap/
- 3. Kentucky Geological Survey. (2005). Groundwater Resources of Knott County, Kentucky. County Report 60, Series XII. http://www.uky.edu/KGS/water/library/gwatlas/Knott/Knott.htm
- 4. Kentucky Environmental and Public Protection Cabinet. Kentucky Department for Environmental Protection TEMPO Database.
- 5. Knott County Clerk Online Records Search. Courthouse Computer System Client Access Portal. https://www.onlinecountyrecords.com/CCSPortal/?SetUserRoleID=1
- 6. U.S. Department of Agriculture, Natural Resources Conservation Service: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx
- 7. U.S. Fish and Wildlife Service National Wetlands Inventory. https://www.fws.gov/wetlands/Data/Mapper.html
- 8. University of Kentucky Geological Survey. BREATH Interactive Radon Potential Map, Knott County. https://www.uky.edu/KGS/radon/
- 9. Environmental Data Resources, Inc. The EDR Radius Map™ Report with GeoCheck®, KY-80, Mousie, KY 41839. Inquiry Number: 7336672.2s. May 15, 2023.



- 10. Environmental Data Resources, Inc. Certified Sanborn Map Report, KY-80, Mousie, KY 41839. Inquiry Number: 7336672.3. May 15, 2023.
- 11. Environmental Data Resources, Inc. EDR Aerial Photo (1952), KY-80, Mousie, KY 41839. Inquiry Number: 7336672.8. May 16, 2023.
- 12. Environmental Data Resources, Inc. EDR City Directory Image Report, KY-80, Mousie, KY 41839. Inquiry Number: 7336672.5. May 17, 2023.
- 13. Environmental Data Resources, Inc. EDR Historical Topo Map Report, KY-80, Mousie, KY 41839. Inquiry Number: 7336672.4. May 15, 2023.

Personal Interviews

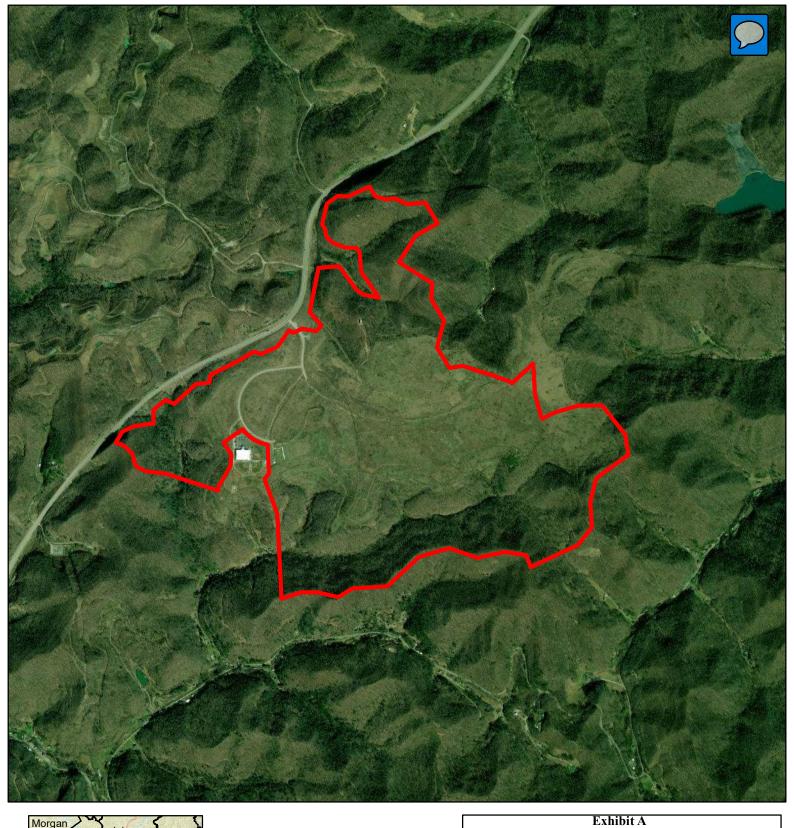
- A. Allan Robinson, on behalf of Property Owner
- B. Courtney Skaggs, State Government Representative

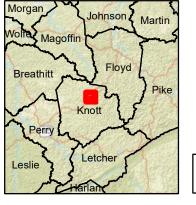
Appendices

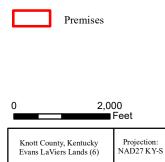
- A: Site Maps
 - i. Site Overview Map
 - ii. Fish and Wildlife Wetlands Map
 - iii. Soil Map
 - iv. Geologic Quadrangle Map
 - v. Tempo Map
- **B**: Historic Documents
 - i. EDR Radius Map ReportTM with GeoCheck®
 - ii. EDR Certified Sanborn® Map Report
 - iii. EDR Historical Topo Map Report
 - iv. EDR Aerial Photo Decade Package
 - v. EDR City Directory
 - vi. Current Deed
 - vii. Bond Release Documents
- C: Property Photographs
- D: Title Opinion
- E: Limited Site Screening Report
- F: Qualifications



Appendix A: Site Maps







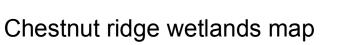
Map to Accompany
Right of Entry Agreement
WPC-1004
by and between
Western Pocahontas Properties
Limited Partnership
and
Secretary of the Finance Cabinet, Holly Johnson
November 16, 2022

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		9/20/2022	T:\GIS_Repository\Exhibit\0006_EvansLaviers\WPC_1004\WPC_1004.mxd		



U.S. Fish and Wildlife Service

National Wetlands Inventory







May 24, 2023

Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

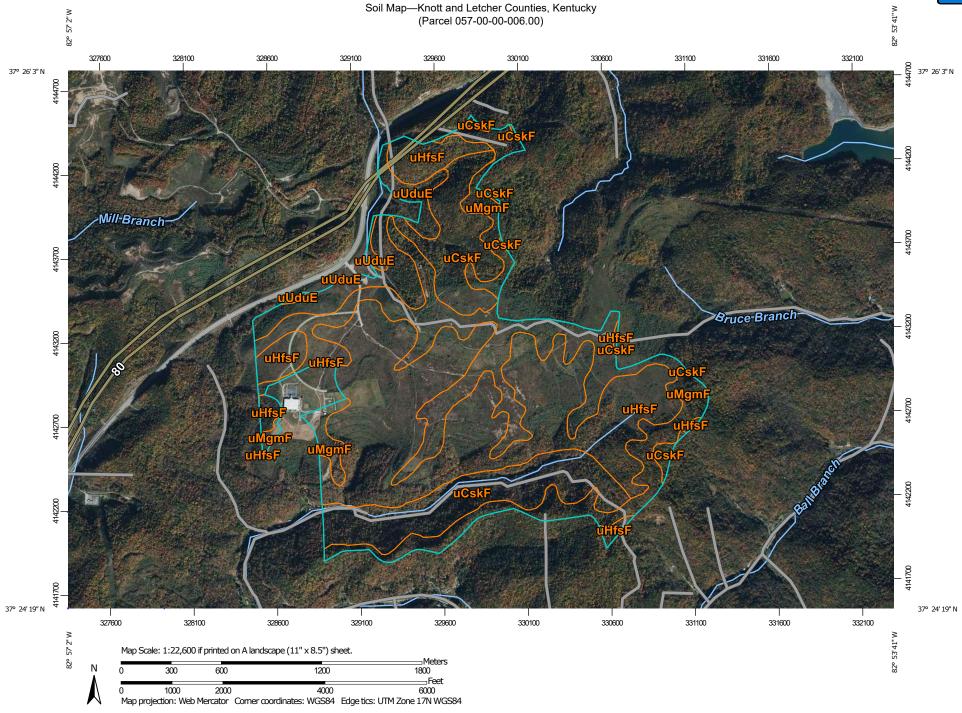
Lake

Other

Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.







MAP LEGEND

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Water Features

Transportation

Background

Spoil Area

Stony Spot

Wet Spot

Other

Rails

US Routes

Major Roads

Local Roads

Very Stony Spot

Special Line Features

Streams and Canals

Interstate Highways

Aerial Photography

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Map Unit Polygons



Soil Map Unit Points

Special Point Features

Blowout

Borrow Pit

Clay Spot

Closed Depression

Gravel Pit

Gravelly Spot

Landfill

Lava Flow

Marsh or swamp

Mine or Quarry

Miscellaneous Water

Perennial Water

→ Saline Spot

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Knott and Letcher Counties, Kentucky

Survey Area Data: Version 18, Sep 2, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 14, 2020—Dec 10, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
uCskF	Cloverlick-Shelocta-Kimper complex, 20 to 80 percent slopes, very stony	228.1	24.9%
Handshoe-Fedscreek-Shelocta complex, 30 to 80 percent slopes, very stony		396.8	43.3%
uMgmF	Matewan-Gilpin-Marrowbone complex, 12 to 80 percent slopes, very rocky	269.7	29.4%
uUduE	Udorthents-Urban land-Rock outcrop complex, 0 to 35 percent slopes	22.1	2.4%
Totals for Area of Interest	·	916.7	100.0%

DESCRIPTION

Alluvium is silt, sand, clay, and gravel, generally mixed, locally interbedded; coalesces with colluvium unmapped) and landslide debris along sides of valleys. Landslide deposits are a random mixture of locally derived disintegrated shale, sandstone

Sandstone, siltstone, shale, and coal, minor limestone and underclay: Sandstone, medium-light to light-gray, weathers grayish orange; grains medium to fine, angular to subangular; very thick bedded; lower sandstone forms cliffs as much as 60 feet high. Siltstone and shale, medium- to dark-gray and brownish-black; contain abundant siderite nodules. Lost Creek Limestone of Morse (1931) is calcareous shale with abundant marine fossils, locally contains a basal bed of pyrite-rich shaly limestone, and in the lower and middle parts, lenses

of coquina-like limestone; well exposed in a stripping highwall east of Trace Branch near southwest corner of quadrangle where it rests directly on the Hindman coal bed; elsewhere the Lost Creek is represented by fossil-rich shale that overlies the Hindman or, where the coal is absent, notably at places north of Patter Fork, the shale rests directly on a sandstone bed. The Knob coal zone occupies the stratigraphic position of three coal beds that were named the Knob 1, Knob 2 and Knob 3 in the Troublesome 15-minute quadrangle by Williamson and Adkison

(1953). However, these coal beds cannot be

differentiated in the Handshoe guadrangle with any

certainty. The uppermost Knob coal bed of the

Handshoe quadrangle may be equivalent to the lower Skyline coal bed mapped by Welch (1958) in the

iptop quadrangle to the northwest; the lowermost

the David quadrangle (Outerbridge,

Knob coal bed stripped along the north edge of the

quadrangle is the lowermost Richardson coal bed

1968). Hindman coal bed is thickest in southwestern

part of quadrangle, locally absent or very thin in northern part; is probably the same as the Lower Broas coal bed (Outerbridge, 1968). Underclay, present under most coal beds of this and underlying

units, is light gray to pale yellowish gray, generally

Sandstone, siltstone, shale, underclay, and coal: Sandstone, very light to medium-light-gray, very fine

to fine-grained, poorly sorted, thick-bedded, locally crossbedded; consists of angular quartz grains in a

clay matrix; abundant mica, sparse feldspar and rock fragments; slightly calcareous locally; commonly

well cemented with silica. Siltstone and shale,

medium- to dark-gray, locally sandy, platy to

thin-bedded. Francis coal zone includes Upper Peach Orchard coal bed (Outerbridge, 1968) and

Fugate coal bed (Welch, 1958). Most commonly the zone consists of a thick upper coal bed and a lower bed that has numerous shale partings (included in thickness figure); these coal beds are separated by a siltstone sequence 20 to 60 feet thick; both coal beds are very thin or absent in northern part of quadrangle. Hazard No. 7 coal bed correlates with

he Lower Peach Orchard coal bed (Outerbridge,

Sandstone, siltstone, underclay, and coal: Sandstone is light gray, very fine to fine-grained, poorly sorted; matrix; abundant mica, sparse feldspar and rock fragments; commonly well cemented with silica; locally distinctively even bedded. Siltstone,

medium-dark-gray, platy. Hazard coal zone

generally includes three coal beds in a shale

generally poorly exposed.

sequence as much as 50 feet thick. The basal bed of the zone may correlate with the Prater coal bed bed is nonpersistent, irregularly distributed, commonly at base of cliff-forming sandstone; it is

The Magoffin Member (Outerbridge, 1976) of the Breathitt Formation is approximately equivalent to the Magoffin Beds of Morse (1931) of earlier workers; it consists of siltstone, shale, and limestone: Siltstone, medium-dark-gray, laminated, contains abundant siderite nodules and laminae, forms upper, nonfossiliferous part of member, grades downward into carbonaceous, calcareous, fossiliferous, very fissile shale. Locally basal part of member includes

a bed of coguinoid limestone as much as 1 foot thick

that grades laterally into beds and nodules of calcareous sandstone. A zone containing two beds of shaly limestone separated by shale 35 feet above

base of the Magoffin was named the Saltlick Beds by

Morse (1931) for an exposure along the road at the head of Saltlick Creek; the beds are included within

the Magoffin Member. In other parts of the

quadrangle these beds are represented by a zone of

ossiliferous aphanitic limestone concretions.

Siltstone, sandstone, shale, underclay, and coal:

Siltstone, medium- to dark-gray, locally sandy, platy to thin-bedded; commonly interbedded with or grades laterally into thin-bedded very fine grained

sandstone. Sandstone, light-gray, very fine to medium-grained, poorly sorted; grains angular to subangular; contains abundant mica and clay, sparse

feldspar; thin to medium bedded. Shale, dark-gray

to gravish-black, commonly carbonaceous; shale

overlying Fire Clay rider coal bed is calcareous and

contains marine fossils. Upper coal bed of Copland zone is equivalent to the Taylor coal bed

(Outerbridge, 1968); it is very thin and irregular in

distribution; lower bed, generally very thin but persistent, commonly is immediately overlain by

thick, even-bedded sandstone. Fire Clay coal bed

contains characteristic flint-clay parting commonly in lowermost third, locally in uppermost third; parting is rarely more than two inches thick, absent at places.

Sandstone, siltstone, shale, underclay, and coal:

Sandstone, light- to medium-gray, fine- to medium-grained, contains sparse mica, silty; locally

crossbedded; commonly grades laterally into

interbedded sandstone and siltstone. Siltstone, dark-gray to grayish-black, platy, generally

sandy. Kendrick Shale of Jillson (1919) is siltstone in upper part that grades laterally and downward to dark-gray to black platy shale containing marine fossils in basal part. Coal beds of Whitesburg zone poorly exposed; upper bed fairly persistent, equivalent to Little Fire Clay coal bed (Outerbridge, 1968); lower bed locally splits into three thin beds separated by clay partings or by a shale bed as much

Siltstone, sandstone, shale, underclay, and coal:

Siltstone, dark-gray, weathers grayish-orange,

platy. Sandstone, light-gray, very fine grained, medium- to thin-bedded, locally crossbedded; flaggy

at places; grades laterally to siltstone and silty

shale. Elkins Fork Shale of Morse (1931) is commonly laminated, calcareous, very fine grained

sandstone beds that contain abundant casts and

shells of marine invertebrates; locally the

fossil-bearing zone is carbonaceous shale; at places

two zones contain spheroidal silty limestone

concretions as much as three feet in diameter. Amburgy coal zone locally consists of

two coal beds; the upper is the Williamson coal bed

(Outerbridge, 1968) and is very thin and irregular in

Elkhorn No. 3 coal bed persistent, overlain by crossbedded sandstone in southeastern part of quadrangle, by very carbonaceous, very fissile shale

Siltstone, sandstone, shale, coal, and underclay: Siltstone, medium-gray, sandy to clayey, platy. Sandstone, medium-light- to light-gray, very

fine to fine-grained, grades laterally to

siltstone. Shale, dark-gray to black, splits into very thin sheets; contains abundant coalified plant

fragments and impressions; overlies lower coal bed in Upper Elkhorn No. 2 coal zone. Interval between the two coal beds of Upper Elkhorn No. 2 zone is 10 to 20 feet. Upper Elkhorn No. 1 coal bed exposed

above stream bed immediately east of Mousie.

distribution; lower bed is more persistent. Upper

zone 17, shown in blue

as 10 feet thick.

1968) and Oakley coal bed (Welch, 1958).

boulders, and earth with tree remains.

FORMATION, MEMBER,

AND BED

Alluvium and

landslide deposits

Knob coal zone <

Lost Creek

Limestone of

Morse (1931)

Francis coal zone <

Hazard No. 7

Hazard coal zone <

Haddix coal bed

Magoffin Member

Copland

Fire Clay rider

coal bed

Fire Clay coal bed *

Whitesburg

Kendrick

Jillson (1919)

Amburgy

coal zone

Elkins Fork

Shale of

Morse (1931)

Upper Elkhorn No. 3 coal bed *

Upper Elkhorn

Upper Elkhorn

No. 1 coal bed

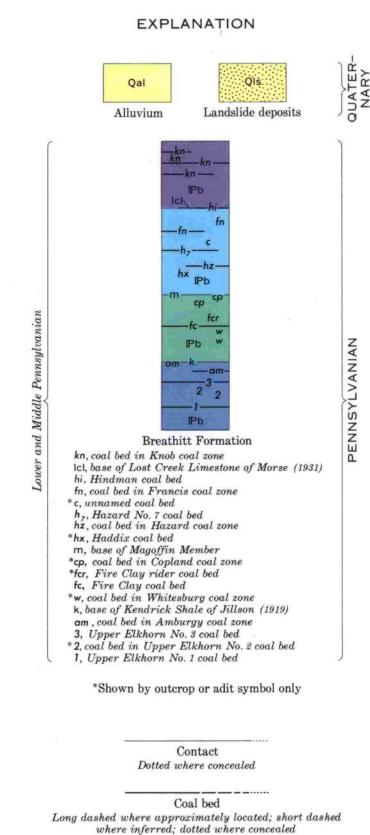
†Thickness of exposed part of Breathitt Formation: 1100 feet

No. 2 coal zone

coal zone

Hindman coal bed *

GEOLOGIC QUADRANGLE MAP HANDSHOE QUADRANGLE, KENTUCKY GQ-1372



where inferred; dotted where concealed

Structure contours Drawn on base of Magoffin Member; projected where contoured horizon is above land surface. Contour interval 40 feet

> Location determined by geologic mapping Prospect or outcrop

Caved adit

Letter symbol identifies coal bed Strip mine

Strip mine Area completely stripped

Selected outcrop of marine fossil-bearing strata

ECONOMIC GEOLOGY

Gas, oil, and coal are the principal mineral resources of the quadrangle. It is in the western part of the Big Sandy gas field; gas and a small amount of oil are produced from the Ohio Shale (Black shale) of Devonian age; from sandstone (Maxon sand) of the Pennington Formation, and Greenbrier Limestone (Big Lime), both of Mississippian age (Hunter and Young, 1953); and from sandstone (Salt sands) of the Lee Formation of Pennsylvanian age. More than 120 holes have been drilled in the quadrangle; depths to producing horizons range from 1,000 feet (top of "Salt sands") to more than 1,800 feet (top of "Black

Little commercial coal has been mined within the quadrangle. At the time of mapping only one strip mine was active, in the Hindman coal bed near the head of Trace Branch of Balls Branch near the southwest corner of the quadrangle. Most of the adits were made for household coal. However, there have been extensive drilling and prospecting in the quadrangle: exploration targets include coal beds in the Knob and Francis zones, Fire Clay coal bed, and the Upper Elkhorn coal beds. The thickest coal beds are in the Knob zone but their reserve is very small; the uppermost bed is the thickest, but is present at only three isolated knobs-one on Chestnut Mountain between Mine and Long Branches of Bolen Branch, another at the head of Ball Branch of Jones Fork, and the third along the west edge of the quadrangle south of Grithy Branch of the Middle Fork of Quicksand Creek. Lower coal beds in the Knob zone occur in many parts of the quadrangle, but only near hilltops, and their reserve is small. Dowd and others (1952, fig. 3) indicated that this quadrangle contains large reserves in what they called the "Flag" coal bed; however, it seems that their estimate included data from as many as seven different coal beds above the Magoffin Member. The upper coal bed of the Francis zone is probably represented at only a few localities along the west margin of the quadrangle where it is the thickest coal bed of the zone and attains a thickness, including partings, of as much as 5 feet. The lower coal bed of the Francis zone is best exposed along a road that crosses the gap at the head of Little Branch of Mill Branch of Balls Fork where it is 31/2 feet thick; it has been opened but not mined in an exploratory drift near the head of Newman Branch of Laurel Fork of Quicksand Creek, and has been mined from an exploratory drift (now abandoned) west of Big Branch of Laurel Fork; in the subsurface this bed is as much as 6 feet thick, including shale partings. The Fire Clay and Upper Elkhorn coal beds contain the largest reserves. They have been mined at many places from outcrops along Saltlick Creek, Rock Fork, Jones Fork, and their tributaries, where the outcropping coal beds are fairly consistently more than 21/2 feet thick. The beds probably underlie the quadrangle west of their outcrop area. In the southwest quarter of the quadrangle the Fire Clay coal bed lies as little as 25 feet below stream level of

Balls Fork, but its thickness there is not known. Reserves and analyses of coal beds in areas that include this quadrangle have been published by Dowd and others (1952) and by Englund (1963); these data and analytic data on coal beds in nearby areas given by Dowd and others (1951), and Welch (1958) indicate that the mapped coals in this quadrangle are ranked as high-volatile A bituminous and have properties and constituents within the following ranges of values: calorific value—12,100 to 14,900 Btu; volatile matter—31 to 41 percent; fixed carbon—48 to 60 percent; ash—3 to 13 percent; sulfur—0.5 to 2.5 percent. (Lower calorific values are probably from weathered coals.) The analyses indicate that the Upper Elkhorn coals are the highest in calorific value and lowest in sulfur content; Hindman coal is highest in sulfur. Analyses of shale of the Breathitt Formation in nearby areas suggest that this rock can be used to

make acid-resistant brick, possibly vitrified sewer pipe, and lightweight aggregate (Floyd and Kendall, 1955; Hauser, 1958; McGrain, 1957, 1958). Many wells drilled in the Breathitt Formation yield enough water for a modern domestic supply. At many places water sufficient for small public and industrial supplies may be available. Additional data on availability and quality of water from the Breathitt Formation and alluvium are given by Price and others (1962); they describe water from bedrock as of the calcium magnesium bicarbonate or sodium bicarbonate type; iron is the most objectionable constituent of water from shallow wells in the area.

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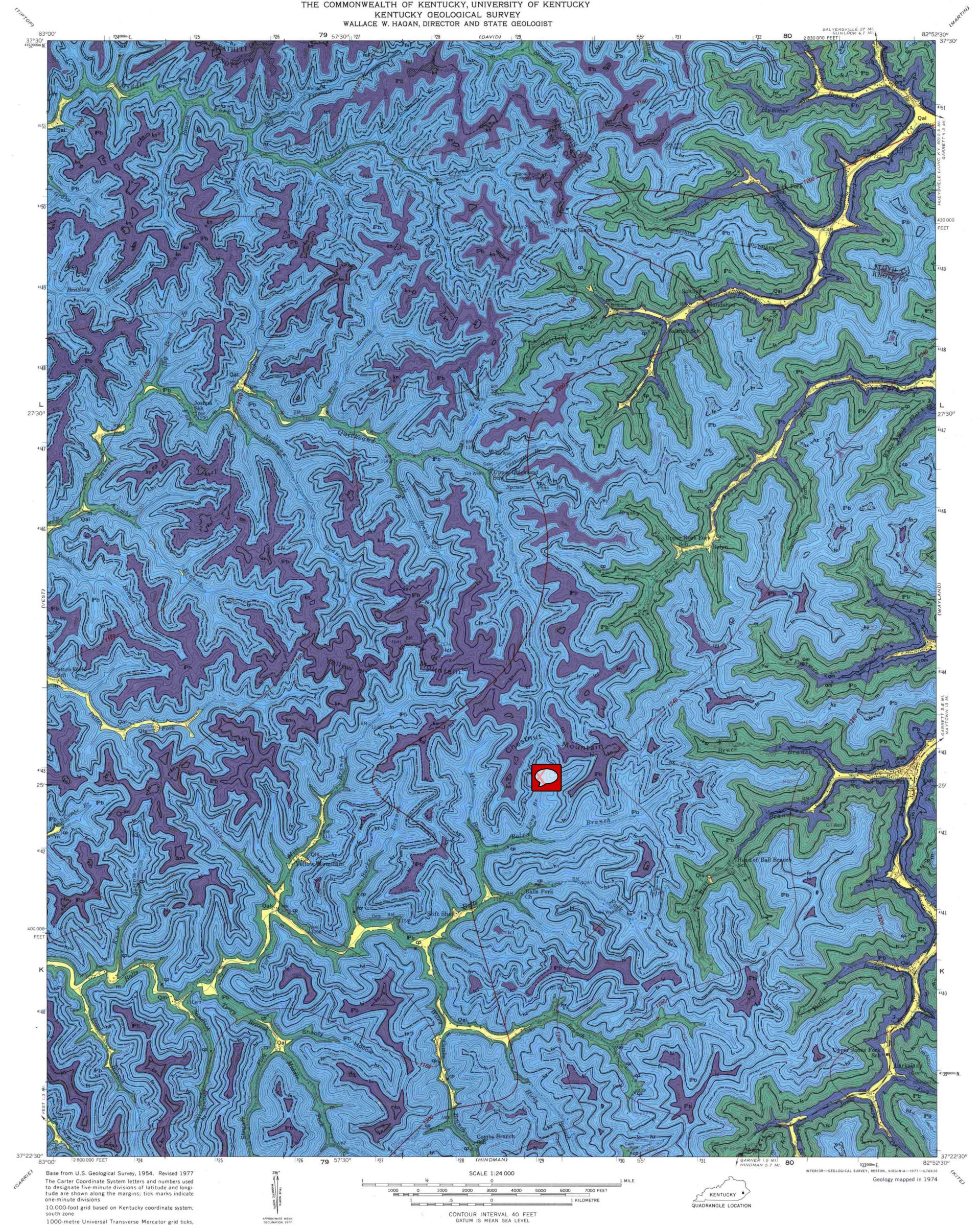
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PREPARED IN COOPERATION WITH

GEOLOGIC MAP OF THE HANDSHOE QUADRANGLE, EASTERN KENTUCKY

 $\mathbf{B}\mathbf{y}$ Walter Danilchik



Appendix B: Historic Documents



KY-80 KY-80 Mousie, KY 41839

Inquiry Number: 7336672.2s

May 15, 2023

The EDR Radius Map™ Report with GeoCheck®



6 Armstrong Road, 4th floor Shelton, CT 06484 Toll Free: 800.352.0050 www.edrnet.com

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Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

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A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-13), the ASTM Standard Practice for Environmental Site Assessments for Forestland or Rural Property (E 2247-16), the ASTM Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process (E 1528-14) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

TARGET PROPERTY INFORMATION

ADDRESS

KY-80

MOUSIE, KY 41839

COORDINATES

Latitude (North): 37.4164000 - 37° 24' 59.04" Longitude (West): 82.9266000 - 82° 55' 35.76"

Universal Tranverse Mercator: Zone 17 UTM X (Meters): 329505.3 UTM Y (Meters): 4142604.5

Elevation: 1558 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map: 13046138 HANDSHOE, KY

Version Date: 2019

AERIAL PHOTOGRAPHY IN THIS REPORT

Portions of Photo from: 20140829 Source: USDA

MAPPED SITES SUMMARY

Target Property Address: KY-80 MOUSIE, KY 41839

Click on Map ID to see full detail.

MAP RELATIVE DIST (ft. & mi.)

ID SITE NAME ADDRESS DATABASE ACRONYMS ELEVATION DIRECTION

NO MAPPED SITES FOUND

TARGET PROPERTY SEARCH RESULTS

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

DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records either on the target property or within the search radius around the target property for the following databases:

STANDARD ENVIRONMENTAL RECORDS

Lists of Federal NPL (Super	fund) sites
	Proposed National Priority List Sites
NPL LIENS	Federal Superfund Liens
Lists of Federal Delisted NF	PL sites
Delisted NPL	National Priority List Deletions
Lists of Federal sites subject	ct to CERCLA removals and CERCLA orders
	Federal Facility Site Information listing Superfund Enterprise Management System
Lists of Federal CERCLA si	tes with NFRAP
SEMS-ARCHIVE	Superfund Enterprise Management System Archive
Lists of Federal RCRA facili	ities undergoing Corrective Action
CORRACTS	Corrective Action Report
Lists of Federal RCRA TSD	facilities
RCRA-TSDF	RCRA - Treatment, Storage and Disposal
Lists of Federal RCRA gene	erators
	RCRA - Large Quantity Generators
	RCRA - Small Quantity Generators RCRA - Very Small Quantity Generators (Formerly Conditionally Exempt Small Quantity Generators)
Federal institutional control	ls / engineering controls registries
LUCIS	Land Use Control Information System

US ENG CONTROLS..... Engineering Controls Sites List US INST CONTROLS...... Institutional Controls Sites List

Federal ERNS list

ERNS..... Emergency Response Notification System

Lists of state- and tribal hazardous waste facilities

SHWS...... State Leads List

Lists of state and tribal landfills and solid waste disposal facilities

SWF/LF..... Solid Waste Facilities List

Lists of state and tribal leaking storage tanks

PSTEAF..... Facility Ranking List

INDIAN LUST..... Leaking Underground Storage Tanks on Indian Land

SB193 Branch Site Inventory List

Lists of state and tribal registered storage tanks

FEMA UST..... Underground Storage Tank Listing UST...... Underground Storage Tank Database

State and tribal institutional control / engineering control registries

ENG CONTROLS..... Engineering Controls Site Listing INST CONTROL..... State Superfund Database

Lists of state and tribal voluntary cleanup sites

INDIAN VCP..... Voluntary Cleanup Priority Listing VCP..... Voluntary Cleanup Program Sites

Lists of state and tribal brownfield sites

BROWNFIELDS..... Kentucky Brownfield Inventory

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS..... A Listing of Brownfields Sites

Local Lists of Landfill / Solid Waste Disposal Sites

HIST LF..... Historical Landfills SWRCY..... Recycling Facilities

ODI...... Open Dump Inventory IHS OPEN DUMPS..... Open Dumps on Indian Land

Local Lists of Hazardous waste / Contaminated Sites

US HIST CDL..... Delisted National Clandestine Laboratory Register

CDL...... Clandestine Drub Lab Location Listing US CDL...... National Clandestine Laboratory Register

Local Land Records

LIENS 2..... CERCLA Lien Information

Records of Emergency Release Reports

HMIRS..... Hazardous Materials Information Reporting System

SPILLS..... State spills

Other Ascertainable Records

RCRA NonGen / NLR RCRA - Non Generators / No Longer Regulated

FUDS..... Formerly Used Defense Sites DOD..... Department of Defense Sites

SCRD DRYCLEANERS...... State Coalition for Remediation of Drycleaners Listing

US FIN ASSUR..... Financial Assurance Information

EPA WATCH LIST..... EPA WATCH LIST

2020 COR ACTION........... 2020 Corrective Action Program List

TSCA Toxic Substances Control Act
TRIS Toxic Chemical Release Inventory System

SSTS..... Section 7 Tracking Systems ROD...... Records Of Decision RMP..... Risk Management Plans

RAATS...... RCRA Administrative Action Tracking System

PRP...... Potentially Responsible Parties PADS..... PCB Activity Database System

ICIS______Integrated Compliance Information System

Act)/TSCA (Toxic Substances Control Act)

MLTS..... Material Licensing Tracking System COAL ASH DOE..... Steam-Electric Plant Operation Data

COAL ASH EPA..... Coal Combustion Residues Surface Impoundments List

PCB TRANSFORMER_____ PCB Transformer Registration Database

RADINFO...... Radiation Information Database

HIST FTTS..... FIFRA/TSCA Tracking System Administrative Case Listing

DOT OPS...... Incident and Accident Data

CONSENT..... Superfund (CERCLA) Consent Decrees

INDIAN RESERV..... Indian Reservations

FUSRAP..... Formerly Utilized Sites Remedial Action Program

UMTRA..... Uranium Mill Tailings Sites

LEAD SMELTERS..... Lead Smelter Sites

US AIRS...... Aerometric Information Retrieval System Facility Subsystem

US MINES..... Mines Master Index File ABANDONED MINES..... Abandoned Mines

FINDS......Facility Index System/Facility Registry System ECHO..... Enforcement & Compliance History Information

UXO...... Unexploded Ordnance Sites

DOCKET HWC..... Hazardous Waste Compliance Docket Listing

FUELS PROGRAM..... EPA Fuels Program Registered Listing

PFAS NPL..... Superfund Sites with PFAS Detections Information

PFAS FEDERAL SITES Federal Sites PFAS Information

PFAS TSCA..... PFAS Manufacture and Imports Information

PFAS RCRA MANIFEST..... PFAS Transfers Identified In the RCRA Database Listing

PFAS NPDES...... Clean Water Act Discharge Monitoring Information

PFAS ECHO...... Facilities in Industries that May Be Handling PFAS Listing PFAS ECHO FIRE TRAINING Facilities in Industries that May Be Handling PFAS Listing

PFAS PART 139 AIRPORT... All Certified Part 139 Airports PFAS Information Listing

AQUEOUS FOAM NRC..... Aqueous Foam Related Incidents Listing

PFAS Detections Site Listing
AIRS Permitted Airs Facility Listing
ASBESTOS Asbestos Notification Listing
COAL ASH Coal Ash Disposal Sites
DRYCLEANERS Drycleaner Listing

Financial Assurance Financial Assurance Information Listing

LEAD..... Environmental Lead Program Report Tracking Database

NPDES...... Permitted Facility Listing

UIC......UIC Information

PFAS TRIS_____List of PFAS Added to the TRI MINES MRDS_____ Mineral Resources Data System

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP...... EDR Proprietary Manufactured Gas Plants
EDR Hist Auto..... EDR Exclusive Historical Auto Stations
EDR Hist Cleaner... EDR Exclusive Historical Cleaners

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were not identified.

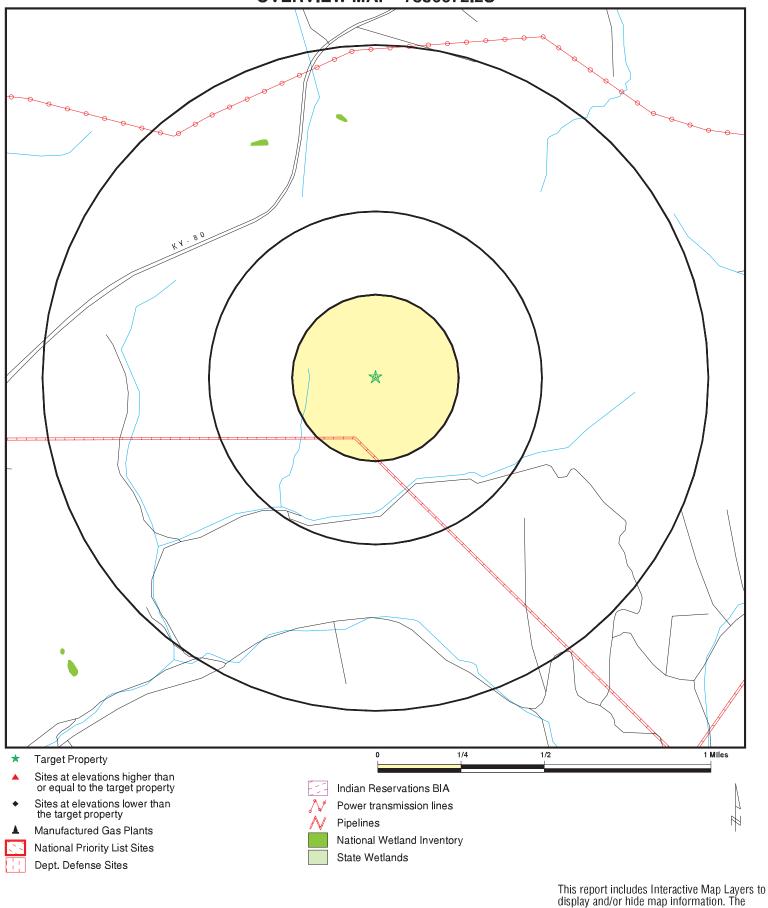
Unmappable (orphan) sites are not considered in the foregoing analysis.

Due to poor or inadequate address information, the following sites were not mapped. Count: 1 records.

Site Name Database(s) SHWS

NI-SOURCE MERCURY METER STATIONS -

OVERVIEW MAP - 7336672.2S



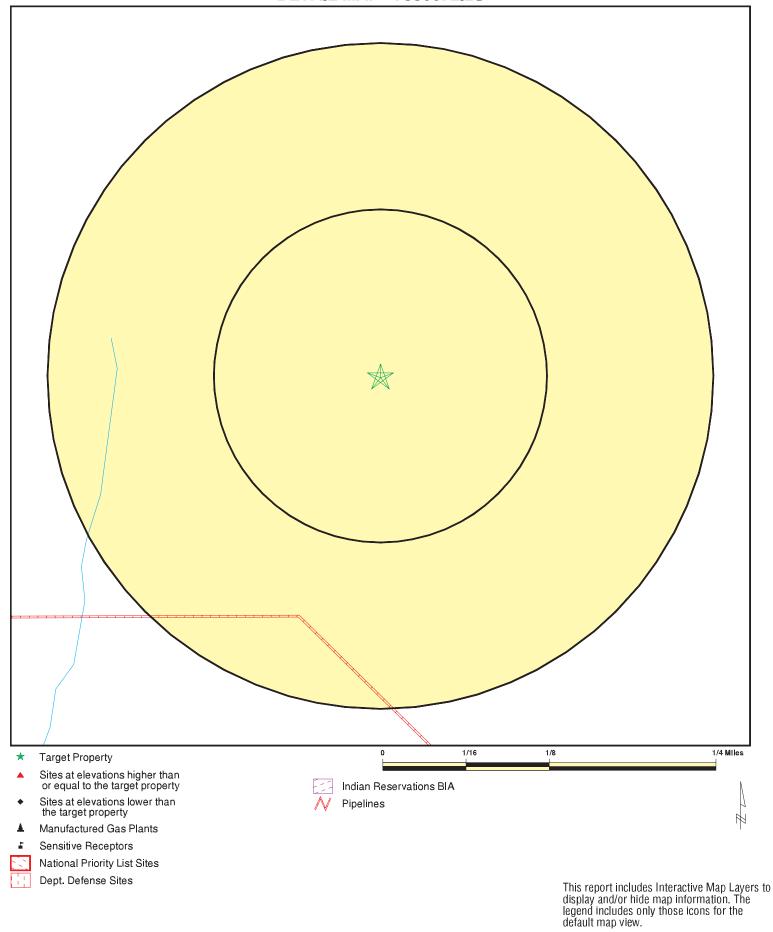
display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: KY-80
ADDRESS: KY-80

CLIENT: Kentucky Division of Compliance CONTACT: Derek Bozzell

Mousie KY 41839 INQUIRY #: 7336672.2s LAT/LONG: 37.4164 / 82.9266 DATE: May 15, 2023 12:47 pm

DETAIL MAP - 7336672.2S



SITE NAME: KY-80
ADDRESS: KY-80
Mousie KY 41839
LAT/LONG: 37.4164 / 82.9266

CLIENT: Kentucky Division of Compliance
CONTACT: Derek Bozzell
INQUIRY #: 7336672.2s
DATE: May 15, 2023 12:49 pm

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
STANDARD ENVIRONMEN	TAL RECORDS							
Lists of Federal NPL (Su	perfund) site	s						
NPL Proposed NPL NPL LIENS	1.000 1.000 1.000		0 0 0	0 0 0	0 0 0	0 0 0	NR NR NR	0 0 0
Lists of Federal Delisted	I NPL sites							
Delisted NPL	1.000		0	0	0	0	NR	0
Lists of Federal sites su CERCLA removals and		ers						
FEDERAL FACILITY SEMS	0.500 0.500		0	0	0	NR NR	NR NR	0 0
Lists of Federal CERCL	A sites with N	FRAP						
SEMS-ARCHIVE	0.500		0	0	0	NR	NR	0
Lists of Federal RCRA facilities undergoing Corrective Action								
CORRACTS	1.000		0	0	0	0	NR	0
Lists of Federal RCRA 7	SD facilities							
RCRA-TSDF	0.500		0	0	0	NR	NR	0
Lists of Federal RCRA g	enerators							
RCRA-LQG RCRA-SQG RCRA-VSQG	0.250 0.250 0.250		0 0 0	0 0 0	NR NR NR	NR NR NR	NR NR NR	0 0 0
Federal institutional cor engineering controls re								
LUCIS US ENG CONTROLS US INST CONTROLS	0.500 0.500 0.500		0 0 0	0 0 0	0 0 0	NR NR NR	NR NR NR	0 0 0
Federal ERNS list								
ERNS	TP		NR	NR	NR	NR	NR	0
Lists of state- and tribal hazardous waste facilitie								
SHWS	1.000		0	0	0	0	NR	0
Lists of state and tribal and solid waste disposa								
SWF/LF	0.500		0	0	0	NR	NR	0
Lists of state and tribal	leaking storag	ge tanks						
PSTEAF	0.500		0	0	0	NR	NR	0

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
INDIAN LUST SB193	0.500 0.500		0 0	0 0	0 0	NR NR	NR NR	0 0
Lists of state and tribal I	registered sto	rage tanks						
FEMA UST UST AST INDIAN UST	0.250 0.250 0.250 0.250		0 0 0	0 0 0 0	NR NR NR NR	NR NR NR NR	NR NR NR NR	0 0 0 0
State and tribal institution control / engineering control		s						
ENG CONTROLS INST CONTROL	0.500 0.500		0 0	0 0	0 0	NR NR	NR NR	0 0
Lists of state and tribal	voluntary clea	anup sites						
INDIAN VCP VCP	0.500 0.500		0 0	0 0	0 0	NR NR	NR NR	0 0
Lists of state and tribal l	brownfield sit	es						
BROWNFIELDS	0.500		0	0	0	NR	NR	0
ADDITIONAL ENVIRONMEN	ITAL RECORDS	<u>s</u>						
Local Brownfield lists								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
Local Lists of Landfill / S Waste Disposal Sites	Solid							
HIST LF SWRCY INDIAN ODI DEBRIS REGION 9 ODI IHS OPEN DUMPS	0.500 0.500 0.500 0.500 0.500 0.500		0 0 0 0 0	0 0 0 0 0	0 0 0 0 0	NR NR NR NR NR	NR NR NR NR NR	0 0 0 0 0
Local Lists of Hazardous Contaminated Sites	s waste /							
US HIST CDL CDL US CDL	TP TP TP		NR NR NR	NR NR NR	NR NR NR	NR NR NR	NR NR NR	0 0 0
Local Land Records								
LIENS 2	TP		NR	NR	NR	NR	NR	0
Records of Emergency I	Release Repo	rts						
HMIRS SPILLS	TP TP		NR NR	NR NR	NR NR	NR NR	NR NR	0 0
Other Ascertainable Red	ords							
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
FUDS	1.000		0	0	0	0	NR	0
DOD	1.000		Ö	Ö	ő	Ö	NR	Ö
SCRD DRYCLEANERS	0.500		Ö	Ö	Ö	NR	NR	Ö
US FIN ASSUR	TP		NR	NR	NR	NR	NR	0
EPA WATCH LIST	TP		NR	NR	NR	NR	NR	0
2020 COR ACTION	0.250		0	0	NR	NR	NR	0
TSCA	TP		NR	NR	NR	NR	NR	0
TRIS	TP		NR	NR	NR	NR	NR	0
SSTS	TP		NR	NR	NR	NR	NR	0
ROD	1.000		0	0	0	0	NR	0
RMP	TP		NR	NR	NR	NR	NR	0
RAATS	TP		NR	NR	NR	NR	NR	0
PRP	TP		NR	NR	NR	NR	NR	0
PADS	TP		NR	NR	NR	NR	NR	0
ICIS	TP		NR	NR	NR	NR	NR	0
FTTS	TP		NR	NR	NR	NR	NR	0
MLTS COAL ASH DOE	TP TP		NR	NR	NR	NR	NR	0
COAL ASH DOE	0.500		NR 0	NR 0	NR 0	NR NR	NR NR	0 0
PCB TRANSFORMER	TP		NR	NR	NR	NR	NR	0
RADINFO	TP		NR	NR	NR	NR	NR	0
HIST FTTS	TP		NR	NR	NR	NR	NR	0
DOT OPS	TP		NR	NR	NR	NR	NR	0
CONSENT	1.000		0	0	0	0	NR	0
INDIAN RESERV	1.000		Ö	Ö	Ö	Ö	NR	Ö
FUSRAP	1.000		Ö	Ö	Ö	Ö	NR	Ö
UMTRA	0.500		0	Ō	Ö	NR	NR	Ō
LEAD SMELTERS	TP		NR	NR	NR	NR	NR	0
US AIRS	TP		NR	NR	NR	NR	NR	0
US MINES	0.250		0	0	NR	NR	NR	0
ABANDONED MINES	0.250		0	0	NR	NR	NR	0
FINDS	TP		NR	NR	NR	NR	NR	0
ECHO	TP		NR	NR	NR	NR	NR	0
UXO	1.000		0	0	0	0	NR	0
DOCKET HWC	TP		NR	NR	NR	NR	NR	0
FUELS PROGRAM	0.250		0	0	NR	NR	NR	0
PFAS NPL	0.250		0	0	NR	NR	NR	0
PFAS FEDERAL SITES	0.250		0	0	NR	NR	NR	0
PFAS TSCA PFAS RCRA MANIFEST	0.250 0.250		0	0	NR NR	NR NR	NR NR	0
	0.050		0	0				0 0
PFAS ATSDR PFAS WQP	0.250 0.250		0 0	0 0	NR NR	NR NR	NR NR	0
PFAS NPDES	0.250		0	0	NR	NR	NR	0
PFAS ECHO	0.250		0	0	NR	NR	NR	0
PFAS ECHO FIRE TRAINI			0	0	NR	NR	NR	0
PFAS PART 139 AIRPOR			0	Ö	NR	NR	NR	Ő
AQUEOUS FOAM NRC	0.250		0	Ö	NR	NR	NR	Ő
PFAS	0.250		Ő	Ö	NR	NR	NR	Ö
AIRS	TP		NR	NR	NR	NR	NR	Ö
ASBESTOS	TP		NR	NR	NR	NR	NR	Õ
COAL ASH	0.500		0	0	0	NR	NR	0

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
DRYCLEANERS	0.250		0	0	NR	NR	NR	0
Financial Assurance	TP		NR	NR	NR	NR	NR	0
LEAD	TP		NR	NR	NR	NR	NR	0
NPDES	TP		NR	NR	NR	NR	NR	0
UIC	TP		NR	NR	NR	NR	NR	0
PFAS TRIS	0.250		0	0	NR	NR	NR	0
MINES MRDS	0.250		0	0	NR	NR	NR	0
EDR HIGH RISK HISTORICAL RECORDS								
EDR Exclusive Records	s							
EDR MGP	1.000		0	0	0	0	NR	0
EDR Hist Auto	0.125		0	NR	NR	NR	NR	0
EDR Hist Cleaner	0.125		0	NR	NR	NR	NR	0
EDR RECOVERED GOVER	RNMENT ARCHIV	<u>/ES</u>						
Exclusive Recovered G	ovt. Archives							
RGA HWS	TP		NR	NR	NR	NR	NR	0
RGA LF	TP		NR	NR	NR	NR	NR	0
- Totals		0	0	0	0	0	0	0

NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

Map ID Direction		MAP FINDINGS	1	
Distance				EDR ID Number
Elevation	Site		Database(s)	EPA ID Number

NO SITES FOUND

Count: 1 records. ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
MOUSIE	S111026278	NI-SOURCE MERCURY METER STATIONS -	BRUCE BRANCH	41839	SHWS

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

Number of Days to Update: Provides confirmation that EDR is reporting records that have been updated within 90 days from the date the government agency made the information available to the public.

STANDARD ENVIRONMENTAL RECORDS

Lists of Federal NPL (Superfund) sites

NPL: National Priority List

National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 01/25/2023 Source: EPA
Date Data Arrived at EDR: 02/03/2023 Telephone: N/A

Number of Days to Update: 25 Next Scheduled EDR Contact: 07/10/2023
Data Release Frequency: Quarterly

NPL Site Boundaries

Sources

EPA's Environmental Photographic Interpretation Center (EPIC)

Telephone: 202-564-7333

EPA Region 1 EPA Region 6

Telephone 617-918-1143 Telephone: 214-655-6659

EPA Region 3 EPA Region 7

Telephone 215-814-5418 Telephone: 913-551-7247

EPA Region 4 EPA Region 8

Telephone 404-562-8033 Telephone: 303-312-6774

EPA Region 5 EPA Region 9

Telephone 312-886-6686 Telephone: 415-947-4246

EPA Region 10

Telephone 206-553-8665

Proposed NPL: Proposed National Priority List Sites

A site that has been proposed for listing on the National Priorities List through the issuance of a proposed rule in the Federal Register. EPA then accepts public comments on the site, responds to the comments, and places on the NPL those sites that continue to meet the requirements for listing.

Date of Government Version: 01/25/2023 Source: EPA
Date Data Arrived at EDR: 02/02/2023 Telephone: N/A

e: 26 Next Scheduled EDR Contact: 07/10/2023
Data Release Frequency: Quarterly

NPL LIENS: Federal Superfund Liens

Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

Date of Government Version: 10/15/1991 Date Data Arrived at EDR: 02/02/1994 Date Made Active in Reports: 03/30/1994

Number of Days to Update: 56

Source: EPA

Telephone: 202-564-4267 Last EDR Contact: 08/15/2011

Next Scheduled EDR Contact: 11/28/2011 Data Release Frequency: No Update Planned

Lists of Federal Delisted NPL sites

Delisted NPL: National Priority List Deletions

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Source: EPA

Date of Government Version: 01/25/2023 Date Data Arrived at EDR: 02/02/2023 Date Made Active in Reports: 02/28/2023

Number of Days to Update: 26

Telephone: N/A Last EDR Contact: 05/02/2023

Next Scheduled EDR Contact: 07/10/2023 Data Release Frequency: Quarterly

Lists of Federal sites subject to CERCLA removals and CERCLA orders

FEDERAL FACILITY: Federal Facility Site Information listing

A listing of National Priority List (NPL) and Base Realignment and Closure (BRAC) sites found in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) Database where EPA Federal Facilities Restoration and Reuse Office is involved in cleanup activities.

Date of Government Version: 12/20/2022 Date Data Arrived at EDR: 12/21/2022 Date Made Active in Reports: 03/10/2023

Number of Days to Update: 79

Source: Environmental Protection Agency Telephone: 703-603-8704

Last EDR Contact: 03/28/2023

Next Scheduled EDR Contact: 07/10/2023 Data Release Frequency: Varies

SEMS: Superfund Enterprise Management System

SEMS (Superfund Enterprise Management System) tracks hazardous waste sites, potentially hazardous waste sites, and remedial activities performed in support of EPA's Superfund Program across the United States. The list was formerly know as CERCLIS, renamed to SEMS by the EPA in 2015. The list 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). This dataset also contains sites which are either proposed to or on the National Priorities List (NPL) and the sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 01/25/2023 Date Data Arrived at EDR: 02/02/2023 Date Made Active in Reports: 02/28/2023

Number of Days to Update: 26

Source: EPA

Telephone: 800-424-9346 Last EDR Contact: 05/02/2023

Next Scheduled EDR Contact: 07/24/2023 Data Release Frequency: Quarterly

Lists of Federal CERCLA sites with NFRAP

SEMS-ARCHIVE: Superfund Enterprise Management System Archive

SEMS-ARCHIVE (Superfund Enterprise Management System Archive) tracks sites that have no further interest under the Federal Superfund Program based on available information. The list was formerly known as the CERCLIS-NFRAP, renamed to SEMS ARCHIVE by the EPA in 2015. EPA may perform a minimal level of assessment work at a site while it is archived if site conditions change and/or new information becomes available. Archived sites have been removed and archived from the inventory of SEMS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list the site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. The decision does not necessarily mean that there is no hazard associated with a given site; it only means that based upon available information, the location is not judged to be potential NPL site.

Date of Government Version: 01/25/2023 Date Data Arrived at EDR: 02/02/2023 Date Made Active in Reports: 02/28/2023

Number of Days to Update: 26

Source: EPA

Telephone: 800-424-9346 Last EDR Contact: 05/02/2023

Next Scheduled EDR Contact: 07/24/2023 Data Release Frequency: Quarterly

Lists of Federal RCRA facilities undergoing Corrective Action

CORRACTS: Corrective Action Report

CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 03/06/2023 Date Data Arrived at EDR: 03/09/2023 Date Made Active in Reports: 03/20/2023

Number of Days to Update: 11

Source: EPA

Telephone: 800-424-9346 Last EDR Contact: 03/09/2023

Next Scheduled EDR Contact: 07/03/2023 Data Release Frequency: Quarterly

Lists of Federal RCRA TSD facilities

RCRA-TSDF: RCRA - Treatment, Storage and Disposal

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). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 03/06/2023 Date Data Arrived at EDR: 03/09/2023 Date Made Active in Reports: 03/20/2023

Number of Days to Update: 11

Source: Environmental Protection Agency

Telephone: (404) 562-8651 Last EDR Contact: 03/09/2023

Next Scheduled EDR Contact: 07/03/2023 Data Release Frequency: Quarterly

Lists of Federal RCRA generators

RCRA-LQG: RCRA - Large Quantity Generators

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). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month.

Date of Government Version: 03/06/2023 Date Data Arrived at EDR: 03/09/2023 Date Made Active in Reports: 03/20/2023

Number of Days to Update: 11

Source: Environmental Protection Agency

Telephone: (404) 562-8651 Last EDR Contact: 03/09/2023

Next Scheduled EDR Contact: 07/03/2023 Data Release Frequency: Quarterly

RCRA-SQG: RCRA - Small Quantity Generators

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.

Date of Government Version: 03/06/2023 Date Data Arrived at EDR: 03/09/2023 Date Made Active in Reports: 03/20/2023

Number of Days to Update: 11

Source: Environmental Protection Agency

Telephone: (404) 562-8651 Last EDR Contact: 03/09/2023

Next Scheduled EDR Contact: 07/03/2023 Data Release Frequency: Quarterly

RCRA-VSQG: RCRA - Very Small Quantity Generators (Formerly Conditionally Exempt Small Quantity Generators)
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). Very small quantity generators (VSQGs) generate
less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

Date of Government Version: 03/06/2023 Date Data Arrived at EDR: 03/09/2023 Date Made Active in Reports: 03/20/2023

Number of Days to Update: 11

Source: Environmental Protection Agency

Telephone: (404) 562-8651 Last EDR Contact: 03/09/2023

Next Scheduled EDR Contact: 07/03/2023 Data Release Frequency: Quarterly

Federal institutional controls / engineering controls registries

LUCIS: Land Use Control Information System

LUCIS contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.

Date of Government Version: 02/08/2023 Date Data Arrived at EDR: 02/09/2023 Date Made Active in Reports: 05/02/2023

Number of Days to Update: 82

Source: Department of the Navy Telephone: 843-820-7326 Last EDR Contact: 05/03/2023

Next Scheduled EDR Contact: 08/21/2023 Data Release Frequency: Varies

US ENG CONTROLS: Engineering Controls Sites List

A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.

Date of Government Version: 02/20/2023 Date Data Arrived at EDR: 02/21/2023 Date Made Active in Reports: 05/02/2023

Number of Days to Update: 70

Source: Environmental Protection Agency

Telephone: 703-603-0695 Last EDR Contact: 02/21/2023

Next Scheduled EDR Contact: 06/05/2023 Data Release Frequency: Varies

US INST CONTROLS: Institutional Controls Sites List

A listing of sites with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

Date of Government Version: 02/20/2023 Date Data Arrived at EDR: 02/21/2023 Date Made Active in Reports: 05/02/2023

Number of Days to Update: 70

Source: Environmental Protection Agency

Telephone: 703-603-0695 Last EDR Contact: 02/21/2023

Next Scheduled EDR Contact: 06/05/2023

Federal ERNS list

ERNS: Emergency Response Notification System

Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous

substances.

Date of Government Version: 12/12/2022 Date Data Arrived at EDR: 12/14/2022 Date Made Active in Reports: 12/19/2022

Number of Days to Update: 5

Source: National Response Center, United States Coast Guard

Telephone: 202-267-2180 Last EDR Contact: 03/21/2023

Next Scheduled EDR Contact: 07/03/2023 Data Release Frequency: Quarterly

Lists of state- and tribal hazardous waste facilities

SHWS: State Leads List

State Hazardous Waste Sites. State hazardous waste site records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. Available information varies by state.

Date of Government Version: 12/12/2022 Date Data Arrived at EDR: 12/15/2022 Date Made Active in Reports: 03/09/2023

Number of Days to Update: 84

Source: Department of Environmental Protection

Telephone: 502-564-6716 Last EDR Contact: 02/17/2023

Next Scheduled EDR Contact: 06/05/2023 Data Release Frequency: Quarterly

Lists of state and tribal landfills and solid waste disposal facilities

SWF/LF: Solid Waste Facilities List

Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 08/25/2022 Date Data Arrived at EDR: 10/24/2022 Date Made Active in Reports: 01/12/2023

Number of Days to Update: 80

Source: Department of Environmental Protection

Telephone: 502-564-6716 Last EDR Contact: 05/03/2023

Next Scheduled EDR Contact: 08/07/2023 Data Release Frequency: Semi-Annually

Lists of state and tribal leaking storage tanks

PSTEAF: Facility Ranking List

The Underground Storage Tank Branch (USTB) has ranked all PSTEAF reimbursable facilities requiring corrective action, in accordance with 401 KAR 42:290. Directive letters will be issued on the basis of facility ranking and available PSTEAF funding in sequential order as ranked. For example, Rank 2 facilities will be issued directives before Rank 3 facilities.

Date of Government Version: 12/01/2022 Date Data Arrived at EDR: 01/04/2023 Date Made Active in Reports: 03/22/2023

Number of Days to Update: 77

Source: Department of Environmental Protection

Telephone: 502-564-5981 Last EDR Contact: 04/04/2023

Next Scheduled EDR Contact: 07/17/2023 Data Release Frequency: Quarterly

INDIAN LUST R1: Leaking Underground Storage Tanks on Indian Land
A listing of leaking underground storage tank locations on Indian Land.

Date of Government Version: 10/19/2022 Date Data Arrived at EDR: 12/06/2022 Date Made Active in Reports: 03/03/2023

Number of Days to Update: 87

Source: EPA Region 1 Telephone: 617-918-1313 Last EDR Contact: 05/09/2023

Next Scheduled EDR Contact: 07/31/2023

INDIAN LUST R4: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Florida, Mississippi and North Carolina.

Date of Government Version: 11/26/2022 Date Data Arrived at EDR: 12/06/2022 Date Made Active in Reports: 03/03/2023

Number of Days to Update: 87

Source: EPA Region 4 Telephone: 404-562-8677 Last EDR Contact: 05/09/2023

Next Scheduled EDR Contact: 07/31/2023 Data Release Frequency: Varies

INDIAN LUST R7: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Iowa, Kansas, and Nebraska

Date of Government Version: 10/14/2022 Date Data Arrived at EDR: 12/06/2022 Date Made Active in Reports: 03/03/2023

Number of Days to Update: 87

Source: EPA Region 7 Telephone: 913-551-7003 Last EDR Contact: 05/09/2023

Next Scheduled EDR Contact: 07/31/2023 Data Release Frequency: Varies

INDIAN LUST R8: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Date of Government Version: 11/23/2022 Date Data Arrived at EDR: 12/06/2022 Date Made Active in Reports: 03/03/2023

Number of Days to Update: 87

Source: EPA Region 8 Telephone: 303-312-6271 Last EDR Contact: 05/08/2023

Next Scheduled EDR Contact: 07/31/2023

Data Release Frequency: Varies

INDIAN LUST R9: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Arizona, California, New Mexico and Nevada

Date of Government Version: 11/23/2022 Date Data Arrived at EDR: 12/06/2022 Date Made Active in Reports: 03/03/2023

Number of Days to Update: 87

Source: Environmental Protection Agency

Telephone: 415-972-3372 Last EDR Contact: 05/09/2023

Next Scheduled EDR Contact: 07/31/2023 Data Release Frequency: Varies

INDIAN LUST R6: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in New Mexico and Oklahoma.

Date of Government Version: 11/23/2022 Date Data Arrived at EDR: 12/06/2022 Date Made Active in Reports: 03/03/2023

Number of Days to Update: 87

Source: EPA Region 6 Telephone: 214-665-6597 Last EDR Contact: 05/09/2023

Next Scheduled EDR Contact: 07/31/2023 Data Release Frequency: Varies

INDIAN LUST R10: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Alaska, Idaho, Oregon and Washington.

Date of Government Version: 11/23/2022 Date Data Arrived at EDR: 12/06/2022 Date Made Active in Reports: 04/19/2023

Number of Days to Update: 134

Source: EPA Region 10 Telephone: 206-553-2857 Last EDR Contact: 05/09/2023

Next Scheduled EDR Contact: 07/31/2023 Data Release Frequency: Varies

INDIAN LUST R5: Leaking Underground Storage Tanks on Indian Land

Leaking underground storage tanks located on Indian Land in Michigan, Minnesota and Wisconsin.

Date of Government Version: 10/14/2022 Date Data Arrived at EDR: 12/06/2022 Date Made Active in Reports: 03/03/2023

Number of Days to Update: 87

Source: EPA, Region 5 Telephone: 312-886-7439 Last EDR Contact: 05/09/2023

Next Scheduled EDR Contact: 07/31/2023

SB193: SB193 Branch Site Inventory List

The inventory indicates facilities that have performed permanent closure activities at a regulated underground storage tank facility and have known soil and/or groundwater contamination.

Date of Government Version: 09/05/2006 Date Data Arrived at EDR: 09/13/2006 Date Made Active in Reports: 10/18/2006

Number of Days to Update: 35

Source: Department of Environmental Protection

Telephone: 502-564-5981 Last EDR Contact: 04/08/2016

Next Scheduled EDR Contact: 07/25/2016

Data Release Frequency: No Update Planned

Lists of state and tribal registered storage tanks

FEMA UST: Underground Storage Tank Listing

A listing of all FEMA owned underground storage tanks.

Date of Government Version: 10/14/2021 Date Data Arrived at EDR: 11/05/2021 Date Made Active in Reports: 02/01/2022

Number of Days to Update: 88

Source: FEMA

Telephone: 202-646-5797 Last EDR Contact: 03/29/2023

Next Scheduled EDR Contact: 07/17/2023

Data Release Frequency: Varies

UST: Underground Storage Tank Database

Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available information varies by state program.

Date of Government Version: 05/02/2023 Date Data Arrived at EDR: 05/09/2023 Date Made Active in Reports: 05/11/2023

Number of Days to Update: 2

Source: Department of Environmental Protection

Telephone: 502-564-5981 Last EDR Contact: 05/09/2023

Next Scheduled EDR Contact: 06/05/2023 Data Release Frequency: Quarterly

AST: Above Ground Storage Tanks

A listing of aboveground storage tank site locations.

Date of Government Version: 06/01/2021 Date Data Arrived at EDR: 06/02/2021 Date Made Active in Reports: 08/23/2021

Number of Days to Update: 82

Source: Office of State Fire Marshal Telephone: 502-564-4010 Last EDR Contact: 05/05/2023

Next Scheduled EDR Contact: 06/05/2023

Data Release Frequency: Varies

INDIAN UST R1: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont and ten Tribal Nations).

Date of Government Version: 10/19/2022 Date Data Arrived at EDR: 12/06/2022 Date Made Active in Reports: 03/03/2023

Number of Days to Update: 87

Source: EPA, Region 1 Telephone: 617-918-1313 Last EDR Contact: 05/09/2023

Next Scheduled EDR Contact: 07/31/2023

Data Release Frequency: Varies

INDIAN UST R7: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 7 (Iowa, Kansas, Missouri, Nebraska, and 9 Tribal Nations).

Date of Government Version: 10/14/2022 Date Data Arrived at EDR: 12/06/2022 Date Made Active in Reports: 03/03/2023

Number of Days to Update: 87

Source: EPA Region 7 Telephone: 913-551-7003 Last EDR Contact: 05/09/2023

Next Scheduled EDR Contact: 07/31/2023

INDIAN UST R8: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and 27 Tribal Nations).

Date of Government Version: 11/23/2022 Date Data Arrived at EDR: 12/06/2022 Date Made Active in Reports: 03/03/2023

Number of Days to Update: 87

Source: EPA Region 8 Telephone: 303-312-6137 Last EDR Contact: 05/09/2023

Next Scheduled EDR Contact: 07/31/2023 Data Release Frequency: Varies

INDIAN UST R9: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 9 (Arizona, California, Hawaii, Nevada, the Pacific Islands, and Tribal Nations).

Date of Government Version: 11/23/2022 Date Data Arrived at EDR: 12/06/2022 Date Made Active in Reports: 03/03/2023

Number of Days to Update: 87

Source: EPA Region 9 Telephone: 415-972-3368 Last EDR Contact: 05/09/2023

Next Scheduled EDR Contact: 07/31/2023 Data Release Frequency: Varies

INDIAN UST R4: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and Tribal Nations)

Date of Government Version: 11/23/2022 Date Data Arrived at EDR: 12/06/2022 Date Made Active in Reports: 03/03/2023

Number of Days to Update: 87

Source: EPA Region 4 Telephone: 404-562-9424 Last EDR Contact: 05/09/2023

Next Scheduled EDR Contact: 07/31/2023 Data Release Frequency: Varies

INDIAN UST R10: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 10 (Alaska, Idaho, Oregon, Washington, and Tribal Nations).

Date of Government Version: 11/23/2022 Date Data Arrived at EDR: 12/06/2022 Date Made Active in Reports: 04/19/2023

Number of Days to Update: 134

Source: EPA Region 10 Telephone: 206-553-2857 Last EDR Contact: 05/09/2023

Next Scheduled EDR Contact: 07/31/2023

Data Release Frequency: Varies

INDIAN UST R5: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 5 (Michigan, Minnesota and Wisconsin and Tribal Nations).

Date of Government Version: 10/14/2022 Date Data Arrived at EDR: 12/06/2022 Date Made Active in Reports: 03/03/2023

Number of Days to Update: 87

Source: EPA Region 5 Telephone: 312-886-6136 Last EDR Contact: 05/09/2023

Next Scheduled EDR Contact: 07/31/2023 Data Release Frequency: Varies

INDIAN UST R6: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 6 (Louisiana, Arkansas, Oklahoma, New Mexico, Texas and 65 Tribes).

Date of Government Version: 11/23/2022 Date Data Arrived at EDR: 12/06/2022 Date Made Active in Reports: 03/03/2023

Number of Days to Update: 87

Source: EPA Region 6 Telephone: 214-665-7591 Last EDR Contact: 05/09/2023

Next Scheduled EDR Contact: 07/31/2023 Data Release Frequency: Varies

State and tribal institutional control / engineering control registries

ENG CONTROLS: Engineering Controls Site Listing A listing of sites that use engineering controls.

Date of Government Version: 12/12/2022 Date Data Arrived at EDR: 12/15/2022 Date Made Active in Reports: 03/09/2023

Number of Days to Update: 84

Source: Department of Environmental Protection

Telephone: 502-564-6716 Last EDR Contact: 02/17/2023

Next Scheduled EDR Contact: 06/05/2023 Data Release Frequency: Varies

INST CONTROL: State Superfund Database

A list of closed sites in the State Superfund Database. Institutional controls would be in place at any site that uses Contained or Managed as a Closure Option.

Date of Government Version: 12/12/2022 Date Data Arrived at EDR: 12/15/2022 Date Made Active in Reports: 03/09/2023

Number of Days to Update: 84

Source: Department of Environmental Protection

Telephone: 502-564-6716 Last EDR Contact: 02/17/2023

Next Scheduled EDR Contact: 06/05/2023

Data Release Frequency: Varies

Lists of state and tribal voluntary cleanup sites

VCP: Voluntary Cleanup Program Sites

Sites that have been accepted into the Voluntary Cleanup Program or have submitted an application.

Date of Government Version: 01/09/2023 Date Data Arrived at EDR: 01/11/2023 Date Made Active in Reports: 03/29/2023

Number of Days to Update: 77

Source: Department of Environmental Protection

Telephone: 502-564-6716 Last EDR Contact: 03/23/2023

Next Scheduled EDR Contact: 07/10/2023

Data Release Frequency: Varies

INDIAN VCP R7: Voluntary Cleanup Priority Lisitng

A listing of voluntary cleanup priority sites located on Indian Land located in Region 7.

Date of Government Version: 03/20/2008 Date Data Arrived at EDR: 04/22/2008 Date Made Active in Reports: 05/19/2008

Number of Days to Update: 27

Source: EPA, Region 7 Telephone: 913-551-7365 Last EDR Contact: 07/08/2021

Next Scheduled EDR Contact: 07/20/2009

Data Release Frequency: Varies

INDIAN VCP R1: Voluntary Cleanup Priority Listing

A listing of voluntary cleanup priority sites located on Indian Land located in Region 1.

Date of Government Version: 07/27/2015 Date Data Arrived at EDR: 09/29/2015 Date Made Active in Reports: 02/18/2016

Number of Days to Update: 142

Source: EPA, Region 1 Telephone: 617-918-1102 Last EDR Contact: 03/17/2023

Next Scheduled EDR Contact: 07/03/2023 Data Release Frequency: Varies

Lists of state and tribal brownfield sites

BROWNFIELDS: Kentucky Brownfield Inventory

The Kentucky Brownfield Program has created an inventory of brownfield sites in order to market the properties to those interested in brownfield redevelopment. The Kentucky Brownfield Program is working to promote the redevelopment of these sites by helping to remove barriers that prevent reuse, providing useful information to communities, developers and the public and encouraging a climate that fosters redevelopment of contaminated sites.

Date of Government Version: 04/24/2023 Date Data Arrived at EDR: 04/26/2023 Date Made Active in Reports: 05/05/2023

Number of Days to Update: 9

Source: Division of Compliance Assistance

Telephone: 502-564-0323 Last EDR Contact: 04/05/2023

Next Scheduled EDR Contact: 07/24/2023 Data Release Frequency: Varies

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS: A Listing of Brownfields Sites

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. Assessment, Cleanup and Redevelopment Exchange System (ACRES) stores information reported by EPA Brownfields grant recipients on brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. A listing of ACRES Brownfield sites is obtained from Cleanups in My Community. Cleanups in My Community provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields grant programs.

Date of Government Version: 04/06/2023 Date Data Arrived at EDR: 04/13/2023 Date Made Active in Reports: 04/19/2023

Number of Days to Update: 6

Source: Environmental Protection Agency Telephone: 202-566-2777

Last EDR Contact: 04/06/2023

Next Scheduled EDR Contact: 06/26/2023 Data Release Frequency: Semi-Annually

Local Lists of Landfill / Solid Waste Disposal Sites

SWRCY: Recycling Facilities

A listing of recycling facilities located in the state of Kentucky.

Date of Government Version: 09/04/2020 Date Data Arrived at EDR: 10/14/2020 Date Made Active in Reports: 01/04/2021

Number of Days to Update: 82

Source: Department of Environmental Protection

Telephone: 502-564-6716 Last EDR Contact: 04/13/2023

Next Scheduled EDR Contact: 07/24/2023 Data Release Frequency: Varies

HIST LF: Historical Landfills

This solid waste facility listing contains detail information that is not included in the landfill listing. A listing with detail information is no longer available by the Department of Environmental Protection.

Date of Government Version: 05/01/2003 Date Data Arrived at EDR: 03/30/2006 Date Made Active in Reports: 05/01/2006

Number of Days to Update: 32

Source: Department of Environmental Protection

Telephone: 502-564-6716 Last EDR Contact: 02/23/2009

Next Scheduled EDR Contact: 05/25/2009 Data Release Frequency: No Update Planned

INDIAN ODI: Report on the Status of Open Dumps on Indian Lands

Location of open dumps on Indian land.

Date of Government Version: 12/31/1998 Date Data Arrived at EDR: 12/03/2007 Date Made Active in Reports: 01/24/2008

Number of Days to Update: 52

Source: Environmental Protection Agency

Telephone: 703-308-8245 Last EDR Contact: 04/19/2023

Next Scheduled EDR Contact: 08/07/2023 Data Release Frequency: Varies

DEBRIS REGION 9: Torres Martinez Reservation Illegal Dump Site Locations

A listing of illegal dump sites location on the Torres Martinez Indian Reservation located in eastern Riverside County and northern Imperial County, California.

Date of Government Version: 01/12/2009 Date Data Arrived at EDR: 05/07/2009 Date Made Active in Reports: 09/21/2009

Number of Days to Update: 137

Source: EPA, Region 9 Telephone: 415-947-4219 Last EDR Contact: 04/12/2023

Next Scheduled EDR Contact: 07/31/2023 Data Release Frequency: No Update Planned

ODI: Open Dump Inventory

An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258

Subtitle D Criteria.

Date of Government Version: 06/30/1985 Date Data Arrived at EDR: 08/09/2004 Date Made Active in Reports: 09/17/2004

Number of Days to Update: 39

Source: Environmental Protection Agency

Telephone: 800-424-9346 Last EDR Contact: 06/09/2004 Next Scheduled EDR Contact: N/A

Data Release Frequency: No Update Planned

IHS OPEN DUMPS: Open Dumps on Indian Land

A listing of all open dumps located on Indian Land in the United States.

Date of Government Version: 04/01/2014 Date Data Arrived at EDR: 08/06/2014 Date Made Active in Reports: 01/29/2015

Number of Days to Update: 176

Source: Department of Health & Human Serivces, Indian Health Service

Telephone: 301-443-1452 Last EDR Contact: 04/27/2023

Next Scheduled EDR Contact: 08/07/2023

Data Release Frequency: Varies

Local Lists of Hazardous waste / Contaminated Sites

US HIST CDL: National Clandestine Laboratory Register

A listing of clandestine drug lab locations that have been removed from the DEAs National Clandestine Laboratory Register.

Date of Government Version: 01/06/2023

Date Of Government Version: 01/06/2023 Date Data Arrived at EDR: 02/02/2023 Date Made Active in Reports: 02/10/2023

Number of Days to Update: 8

Source: Drug Enforcement Administration

Telephone: 202-307-1000 Last EDR Contact: 02/02/2023

Next Scheduled EDR Contact: 06/05/2023 Data Release Frequency: No Update Planned

CDL: Clandestine Drub Lab Location Listing Clandestine drug lab site locations.

Date of Government Version: 12/12/2022 Date Data Arrived at EDR: 12/15/2022 Date Made Active in Reports: 03/09/2023

Number of Days to Update: 84

Source: Department of Environmental Protection

Telephone: 502-564-6716 Last EDR Contact: 02/17/2023

Next Scheduled EDR Contact: 06/05/2023

Data Release Frequency: Varies

US CDL: Clandestine Drug Labs

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 01/06/2023 Date Data Arrived at EDR: 02/02/2023 Date Made Active in Reports: 02/10/2023

Number of Days to Update: 8

Source: Drug Enforcement Administration

Telephone: 202-307-1000 Last EDR Contact: 02/02/2023

Next Scheduled EDR Contact: 06/05/2023 Data Release Frequency: Quarterly

Local Land Records

LIENS 2: CERCLA Lien Information

A Federal CERCLA ('Superfund') lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. These monies are spent to investigate and address releases and threatened releases of contamination. CERCLIS provides information as to the identity of these sites and properties.

Date of Government Version: 01/25/2023 Date Data Arrived at EDR: 02/02/2023 Date Made Active in Reports: 02/28/2023

Number of Days to Update: 26

Source: Environmental Protection Agency

Telephone: 202-564-6023 Last EDR Contact: 05/02/2023

Next Scheduled EDR Contact: 07/10/2023 Data Release Frequency: Semi-Annually

Records of Emergency Release Reports

HMIRS: Hazardous Materials Information Reporting System

Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 12/13/2022 Date Data Arrived at EDR: 12/14/2022 Date Made Active in Reports: 03/10/2023

Number of Days to Update: 86

Source: U.S. Department of Transportation

Telephone: 202-366-4555 Last EDR Contact: 03/21/2023

Next Scheduled EDR Contact: 07/03/2023 Data Release Frequency: Quarterly

SPILLS: State spills

A listing of spill and/or release related incidents.

Date of Government Version: 02/08/2023 Date Data Arrived at EDR: 02/09/2023 Date Made Active in Reports: 05/08/2023

Number of Days to Update: 88

Source: DEP, Emergency Response

Telephone: 502-564-2380 Last EDR Contact: 04/10/2023

Next Scheduled EDR Contact: 07/24/2023 Data Release Frequency: Varies

Other Ascertainable Records

RCRA NonGen / NLR: RCRA - Non Generators / No Longer Regulated

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.

Date of Government Version: 03/06/2023 Date Data Arrived at EDR: 03/09/2023 Date Made Active in Reports: 03/20/2023

Number of Days to Update: 11

Source: Environmental Protection Agency

Telephone: (404) 562-8651 Last EDR Contact: 03/09/2023

Next Scheduled EDR Contact: 07/03/2023 Data Release Frequency: Quarterly

FUDS: Formerly Used Defense Sites

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.

Date of Government Version: 02/01/2023 Date Data Arrived at EDR: 02/14/2023 Date Made Active in Reports: 05/02/2023

Number of Days to Update: 77

Source: U.S. Army Corps of Engineers

Telephone: 202-528-4285 Last EDR Contact: 02/14/2023

Next Scheduled EDR Contact: 05/29/2023 Data Release Frequency: Varies

DOD: Department of Defense Sites

This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

Date of Government Version: 06/07/2021 Date Data Arrived at EDR: 07/13/2021 Date Made Active in Reports: 03/09/2022

Number of Days to Update: 239

Source: USGS Telephone: 888-275-8747

Last EDR Contact: 04/11/2023

Next Scheduled EDR Contact: 07/24/2023

FEDLAND: Federal and Indian Lands

Federally and Indian administrated lands of the United States. Lands included are administrated by: Army Corps of Engineers, Bureau of Reclamation, National Wild and Scenic River, National Wildlife Refuge, Public Domain Land, Wilderness, Wilderness Study Area, Wildlife Management Area, Bureau of Indian Affairs, Bureau of Land Management, Department of Justice, Forest Service, Fish and Wildlife Service, National Park Service.

Date of Government Version: 04/02/2018 Date Data Arrived at EDR: 04/11/2018 Date Made Active in Reports: 11/06/2019

Number of Days to Update: 574

Source: U.S. Geological Survey Telephone: 888-275-8747 Last EDR Contact: 04/03/2023

Next Scheduled EDR Contact: 07/17/2023

Data Release Frequency: N/A

SCRD DRYCLEANERS: State Coalition for Remediation of Drycleaners Listing

The State Coalition for Remediation of Drycleaners was established in 1998, with support from the U.S. EPA Office of Superfund Remediation and Technology Innovation. It is comprised of representatives of states with established drycleaner remediation programs. Currently the member states are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.

Date of Government Version: 07/30/2021 Date Data Arrived at EDR: 02/03/2023 Date Made Active in Reports: 02/10/2023

Number of Days to Update: 7

Source: Environmental Protection Agency

Telephone: 615-532-8599 Last EDR Contact: 05/11/2023

Next Scheduled EDR Contact: 08/21/2023 Data Release Frequency: Varies

US FIN ASSUR: Financial Assurance Information

All owners and operators of facilities that treat, store, or dispose of hazardous waste are required to provide proof that they will have sufficient funds to pay for the clean up, closure, and post-closure care of their facilities.

Date of Government Version: 12/13/2022 Date Data Arrived at EDR: 12/14/2022 Date Made Active in Reports: 03/10/2023

Number of Days to Update: 86

Source: Environmental Protection Agency

Telephone: 202-566-1917 Last EDR Contact: 03/21/2023

Next Scheduled EDR Contact: 07/03/2023 Data Release Frequency: Quarterly

EPA WATCH LIST: EPA WATCH LIST

EPA maintains a "Watch List" to facilitate dialogue between EPA, state and local environmental agencies on enforcement matters relating to facilities with alleged violations identified as either significant or high priority. Being on the Watch List does not mean that the facility has actually violated the law only that an investigation by EPA or a state or local environmental agency has led those organizations to allege that an unproven violation has in fact occurred. Being on the Watch List does not represent a higher level of concern regarding the alleged violations that were detected, but instead indicates cases requiring additional dialogue between EPA, state and local agencies - primarily because of the length of time the alleged violation has gone unaddressed or unresolved.

Date of Government Version: 08/30/2013 Date Data Arrived at EDR: 03/21/2014 Date Made Active in Reports: 06/17/2014

Number of Days to Update: 88

Source: Environmental Protection Agency

Telephone: 617-520-3000 Last EDR Contact: 05/01/2023

Next Scheduled EDR Contact: 08/14/2023 Data Release Frequency: Quarterly

2020 COR ACTION: 2020 Corrective Action Program List

The EPA has set ambitious goals for the RCRA Corrective Action program by creating the 2020 Corrective Action Universe. This RCRA cleanup baseline includes facilities expected to need corrective action. The 2020 universe contains a wide variety of sites. Some properties are heavily contaminated while others were contaminated but have since been cleaned up. Still others have not been fully investigated yet, and may require little or no remediation. Inclusion in the 2020 Universe does not necessarily imply failure on the part of a facility to meet its RCRA obligations.

Date of Government Version: 09/30/2017 Date Data Arrived at EDR: 05/08/2018 Date Made Active in Reports: 07/20/2018

Number of Days to Update: 73

Source: Environmental Protection Agency

Telephone: 703-308-4044 Last EDR Contact: 05/04/2023

Next Scheduled EDR Contact: 08/14/2023

TSCA: Toxic Substances Control Act

Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Source: EPA

Date of Government Version: 12/31/2020 Date Data Arrived at EDR: 06/14/2022 Date Made Active in Reports: 03/24/2023 Number of Days to Update: 283

R: 06/14/2022 Telephone: 202-260-5521 last EDR Contact: 03/13/2023

Next Scheduled EDR Contact: 06/26/2023 Data Release Frequency: Every 4 Years

TRIS: Toxic Chemical Release Inventory System

Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Source: EPA

Date of Government Version: 12/31/2021 Date Data Arrived at EDR: 02/16/2023 Date Made Active in Reports: 05/02/2023

Telephone: 202-566-0250 Last EDR Contact: 02/16/2023

Number of Days to Update: 75

Next Scheduled EDR Contact: 05/29/2023 Data Release Frequency: Annually

SSTS: Section 7 Tracking Systems

Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

Date of Government Version: 01/17/2023 Date Data Arrived at EDR: 01/18/2023 Date Made Active in Reports: 04/19/2023

Number of Days to Update: 91

Source: EPA

Telephone: 202-564-4203 Last EDR Contact: 04/18/2023

Next Scheduled EDR Contact: 07/31/2023 Data Release Frequency: Annually

ROD: Records Of Decision

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 01/25/2023 Date Data Arrived at EDR: 02/02/2023 Date Made Active in Reports: 02/28/2023

Number of Days to Update: 26

Source: EPA

Telephone: 703-416-0223 Last EDR Contact: 05/02/2023

Next Scheduled EDR Contact: 06/12/2023 Data Release Frequency: Annually

RMP: Risk Management Plans

When Congress passed the Clean Air Act Amendments of 1990, it required EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The Risk Management Program Rule (RMP Rule) was written to implement Section 112(r) of these amendments. The rule, which built upon existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program, which includes a(n): Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases; Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

Date of Government Version: 04/27/2022 Date Data Arrived at EDR: 05/04/2022 Date Made Active in Reports: 05/10/2022

Number of Days to Update: 6

Source: Environmental Protection Agency

Telephone: 202-564-8600 Last EDR Contact: 04/13/2023

Next Scheduled EDR Contact: 07/31/2023 Data Release Frequency: Varies

RAATS: RCRA Administrative Action Tracking System

RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

Date of Government Version: 04/17/1995 Date Data Arrived at EDR: 07/03/1995 Date Made Active in Reports: 08/07/1995

Number of Days to Update: 35

Source: EPA

Telephone: 202-564-4104 Last EDR Contact: 06/02/2008

Next Scheduled EDR Contact: 09/01/2008 Data Release Frequency: No Update Planned

PRP: Potentially Responsible Parties

A listing of verified Potentially Responsible Parties

Date of Government Version: 10/27/2022 Date Data Arrived at EDR: 11/01/2022 Date Made Active in Reports: 11/15/2022

Number of Days to Update: 14

Source: EPA

Telephone: 202-564-6023 Last EDR Contact: 05/02/2023

Next Scheduled EDR Contact: 08/14/2023 Data Release Frequency: Quarterly

PADS: PCB Activity Database System

PCB Activity Database. PADS Identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

Date of Government Version: 11/03/2022 Date Data Arrived at EDR: 01/04/2023 Date Made Active in Reports: 04/03/2023

Number of Days to Update: 89

Source: EPA

Telephone: 202-566-0500 Last EDR Contact: 04/04/2023

Next Scheduled EDR Contact: 07/17/2023 Data Release Frequency: Annually

ICIS: Integrated Compliance Information System

The Integrated Compliance Information System (ICIS) supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.

Date of Government Version: 11/18/2016 Date Data Arrived at EDR: 11/23/2016 Date Made Active in Reports: 02/10/2017

Number of Days to Update: 79

Source: Environmental Protection Agency

Telephone: 202-564-2501 Last EDR Contact: 03/29/2023

Next Scheduled EDR Contact: 07/17/2023
Data Release Frequency: Quarterly

FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/09/2009 Date Data Arrived at EDR: 04/16/2009 Date Made Active in Reports: 05/11/2009

Number of Days to Update: 25

Source: EPA/Office of Prevention, Pesticides and Toxic Substances

Telephone: 202-566-1667 Last EDR Contact: 08/18/2017

Next Scheduled EDR Contact: 12/04/2017 Data Release Frequency: No Update Planned

FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
A listing of FIFRA/TSCA Tracking System (FTTS) inspections and enforcements.

Date of Government Version: 04/09/2009 Date Data Arrived at EDR: 04/16/2009 Date Made Active in Reports: 05/11/2009

Number of Days to Update: 25

Source: EPA

Telephone: 202-566-1667 Last EDR Contact: 08/18/2017

Next Scheduled EDR Contact: 12/04/2017 Data Release Frequency: No Update Planned

MLTS: Material Licensing Tracking System

MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 10/26/2022 Date Data Arrived at EDR: 11/22/2022 Date Made Active in Reports: 12/05/2022

Number of Days to Update: 13

Source: Nuclear Regulatory Commission

Telephone: 301-415-7169 Last EDR Contact: 04/13/2023

Next Scheduled EDR Contact: 07/31/2023 Data Release Frequency: Quarterly

COAL ASH DOE: Steam-Electric Plant Operation Data

A listing of power plants that store ash in surface ponds.

Date of Government Version: 12/31/2020 Date Data Arrived at EDR: 11/30/2021 Date Made Active in Reports: 02/22/2022

Number of Days to Update: 84

Source: Department of Energy Telephone: 202-586-8719 Last EDR Contact: 03/03/2023

Next Scheduled EDR Contact: 06/12/2023 Data Release Frequency: Varies

COAL ASH EPA: Coal Combustion Residues Surface Impoundments List

A listing of coal combustion residues surface impoundments with high hazard potential ratings.

Date of Government Version: 01/12/2017 Date Data Arrived at EDR: 03/05/2019 Date Made Active in Reports: 11/11/2019

Number of Days to Update: 251

Source: Environmental Protection Agency

Telephone: N/A

Last EDR Contact: 02/27/2023

Next Scheduled EDR Contact: 06/12/2023 Data Release Frequency: Varies

PCB TRANSFORMER: PCB Transformer Registration Database

The database of PCB transformer registrations that includes all PCB registration submittals.

Date of Government Version: 09/13/2019 Date Data Arrived at EDR: 11/06/2019 Date Made Active in Reports: 02/10/2020

Number of Days to Update: 96

Source: Environmental Protection Agency

Telephone: 202-566-0517 Last EDR Contact: 05/04/2023

Next Scheduled EDR Contact: 08/14/2023 Data Release Frequency: Varies

RADINFO: Radiation Information Database

The Radiation Information Database (RADINFO) contains information about facilities that are regulated by U.S. Environmental Protection Agency (EPA) regulations for radiation and radioactivity.

Date of Government Version: 07/01/2019 Date Data Arrived at EDR: 07/01/2019 Date Made Active in Reports: 09/23/2019

Number of Days to Update: 84

Source: Environmental Protection Agency

Telephone: 202-343-9775 Last EDR Contact: 03/23/2023

Next Scheduled EDR Contact: 07/10/2023 Data Release Frequency: Quarterly

HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing

A complete administrative case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007

Number of Days to Update: 40

Source: Environmental Protection Agency

Telephone: 202-564-2501 Last EDR Contact: 12/17/2007

.ast EDR Contact: 12/17/2007 Jext Scheduled EDR Contact: 03/17/

Next Scheduled EDR Contact: 03/17/2008 Data Release Frequency: No Update Planned

HIST FTTS INSP: FIFRA/TSCA Tracking System Inspection & Enforcement Case Listing

A complete inspection and enforcement case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006 Date Data Arrived at EDR: 03/01/2007 Date Made Active in Reports: 04/10/2007

Number of Days to Update: 40

Source: Environmental Protection Agency

Telephone: 202-564-2501 Last EDR Contact: 12/17/2008

Next Scheduled EDR Contact: 03/17/2008 Data Release Frequency: No Update Planned

DOT OPS: Incident and Accident Data

Department of Transporation, Office of Pipeline Safety Incident and Accident data.

Date of Government Version: 01/02/2020 Date Data Arrived at EDR: 01/28/2020 Date Made Active in Reports: 04/17/2020

Number of Days to Update: 80

Source: Department of Transporation, Office of Pipeline Safety

Telephone: 202-366-4595 Last EDR Contact: 04/25/2023

Next Scheduled EDR Contact: 08/07/2023 Data Release Frequency: Quarterly

CONSENT: Superfund (CERCLA) Consent Decrees

Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: 12/31/2022 Date Data Arrived at EDR: 01/12/2023 Date Made Active in Reports: 04/07/2023

Number of Days to Update: 85

Source: Department of Justice, Consent Decree Library

Telephone: Varies

Last EDR Contact: 04/03/2023

Next Scheduled EDR Contact: 07/17/2023 Data Release Frequency: Varies

BRS: Biennial Reporting System

The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/31/2021 Date Data Arrived at EDR: 03/09/2023 Date Made Active in Reports: 03/20/2023

Number of Days to Update: 11

Source: EPA/NTIS Telephone: 800-424-9346 Last EDR Contact: 03/09/2023

Next Scheduled EDR Contact: 07/03/2023 Data Release Frequency: Biennially

INDIAN RESERV: Indian Reservations

This map layer portrays Indian administered lands of the United States that have any area equal to or greater

than 640 acres.

Date of Government Version: 12/31/2014 Date Data Arrived at EDR: 07/14/2015 Date Made Active in Reports: 01/10/2017

Number of Days to Update: 546

Source: USGS

Telephone: 202-208-3710 Last EDR Contact: 04/06/2023

Next Scheduled EDR Contact: 07/17/2023 Data Release Frequency: Semi-Annually

FUSRAP: Formerly Utilized Sites Remedial Action Program

DOE established the Formerly Utilized Sites Remedial Action Program (FUSRAP) in 1974 to remediate sites where radioactive contamination remained from Manhattan Project and early U.S. Atomic Energy Commission (AEC) operations.

Date of Government Version: 07/26/2021 Date Data Arrived at EDR: 07/27/2021 Date Made Active in Reports: 10/22/2021

Number of Days to Update: 87

Source: Department of Energy Telephone: 202-586-3559 Last EDR Contact: 04/26/2023

Next Scheduled EDR Contact: 08/14/2023

Data Release Frequency: Varies

UMTRA: Uranium Mill Tailings Sites

Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized.

Date of Government Version: 08/30/2019 Date Data Arrived at EDR: 11/15/2019 Date Made Active in Reports: 01/28/2020

Number of Days to Update: 74

Source: Department of Energy Telephone: 505-845-0011 Last EDR Contact: 05/10/2023

Next Scheduled EDR Contact: 08/28/2023

Data Release Frequency: Varies

LEAD SMELTER 1: Lead Smelter Sites

A listing of former lead smelter site locations.

Date of Government Version: 01/25/2023 Date Data Arrived at EDR: 02/02/2023 Date Made Active in Reports: 02/28/2023

Number of Days to Update: 26

Source: Environmental Protection Agency

Telephone: 703-603-8787 Last EDR Contact: 05/02/2023

Next Scheduled EDR Contact: 07/10/2023

Data Release Frequency: Varies

LEAD SMELTER 2: Lead Smelter Sites

A list of several hundred sites in the U.S. where secondary lead smelting was done from 1931and 1964. These sites may pose a threat to public health through ingestion or inhalation of contaminated soil or dust

Date of Government Version: 04/05/2001 Date Data Arrived at EDR: 10/27/2010 Date Made Active in Reports: 12/02/2010

Number of Days to Update: 36

Source: American Journal of Public Health

Telephone: 703-305-6451 Last EDR Contact: 12/02/2009 Next Scheduled EDR Contact: N/A

Data Release Frequency: No Update Planned

US AIRS (AFS): Aerometric Information Retrieval System Facility Subsystem (AFS)

The database is a sub-system of Aerometric Information Retrieval System (AIRS). AFS contains compliance data on air pollution point sources regulated by the U.S. EPA and/or state and local air regulatory agencies. This information comes from source reports by various stationary sources of air pollution, such as electric power plants, steel mills, factories, and universities, and provides information about the air pollutants they produce. Action, air program, air program pollutant, and general level plant data. It is used to track emissions and compliance data from industrial plants.

Telephone: 202-564-2496

Last EDR Contact: 09/26/2017

Date of Government Version: 10/12/2016 Date Data Arrived at EDR: 10/26/2016 Date Made Active in Reports: 02/03/2017

Number of Days to Update: 100

US AIRS MINOR: Air Facility System Data A listing of minor source facilities.

Date of Government Version: 10/12/2016
Date Data Arrived at EDR: 10/26/2016
Date Made Active in Reports: 02/03/2017

Number of Days to Update: 100

Source: EPA

Source: EPA

Telephone: 202-564-2496 Last EDR Contact: 09/26/2017

Next Scheduled EDR Contact: 01/08/2018 Data Release Frequency: Annually

Next Scheduled EDR Contact: 01/08/2018
Data Release Frequency: Annually

MINES VIOLATIONS: MSHA Violation Assessment Data

Mines violation and assessment information. Department of Labor, Mine Safety & Health Administration.

Date of Government Version: 02/27/2023 Date Data Arrived at EDR: 03/01/2023 Date Made Active in Reports: 03/24/2023

Number of Days to Update: 23

Source: DOL, Mine Safety & Health Admi

Telephone: 202-693-9424 Last EDR Contact: 04/04/2023

Next Scheduled EDR Contact: 06/12/2023 Data Release Frequency: Quarterly

US MINES: Mines Master Index File

Contains all mine identification numbers issued for mines active or opened since 1971. The data also includes violation information.

Date of Government Version: 11/07/2022 Date Data Arrived at EDR: 11/17/2022 Date Made Active in Reports: 02/10/2023

Number of Days to Update: 85

Source: Department of Labor, Mine Safety and Health Administration

Telephone: 303-231-5959 Last EDR Contact: 02/22/2023

Next Scheduled EDR Contact: 06/05/2023 Data Release Frequency: Semi-Annually

US MINES 2: Ferrous and Nonferrous Metal Mines Database Listing

This map layer includes ferrous (ferrous metal mines are facilities that extract ferrous metals, such as iron ore or molybdenum) and nonferrous (Nonferrous metal mines are facilities that extract nonferrous metals, such as gold, silver, copper, zinc, and lead) metal mines in the United States.

Date of Government Version: 05/06/2020 Date Data Arrived at EDR: 05/27/2020 Date Made Active in Reports: 08/13/2020

Number of Days to Update: 78

Source: USGS

Telephone: 703-648-7709 Last EDR Contact: 02/24/2023

Next Scheduled EDR Contact: 06/05/2023 Data Release Frequency: Varies

US MINES 3: Active Mines & Mineral Plants Database Listing

Active Mines and Mineral Processing Plant operations for commodities monitored by the Minerals Information Team of the USGS.

Date of Government Version: 04/14/2011 Date Data Arrived at EDR: 06/08/2011 Date Made Active in Reports: 09/13/2011

Number of Days to Update: 97

Source: USGS

Telephone: 703-648-7709 Last EDR Contact: 02/24/2023

Next Scheduled EDR Contact: 06/05/2023

Data Release Frequency: Varies

ABANDONED MINES: Abandoned Mines

An inventory of land and water impacted by past mining (primarily coal mining) is maintained by OSMRE to provide information needed to implement the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The inventory contains information on the location, type, and extent of AML impacts, as well as, information on the cost associated with the reclamation of those problems. The inventory is based upon field surveys by State, Tribal, and OSMRE program officials. It is dynamic to the extent that it is modified as new problems are identified and existing problems are reclaimed.

Date of Government Version: 12/20/2022 Date Data Arrived at EDR: 12/20/2022 Date Made Active in Reports: 03/10/2023

Number of Days to Update: 80

Source: Department of Interior Telephone: 202-208-2609 Last EDR Contact: 03/16/2023

Next Scheduled EDR Contact: 06/19/2023 Data Release Frequency: Quarterly

FINDS: Facility Index System/Facility Registry System

Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

Date of Government Version: 02/02/2023 Date Data Arrived at EDR: 02/28/2023 Date Made Active in Reports: 03/24/2023

Number of Days to Update: 24

Source: EPA Telephone: (404) 562-9900 Last EDR Contact: 02/28/2023

Next Scheduled EDR Contact: 06/12/2023 Data Release Frequency: Quarterly

ECHO: Enforcement & Compliance History Information

ECHO provides integrated compliance and enforcement information for about 800,000 regulated facilities nationwide.

Date of Government Version: 01/01/2023 Date Data Arrived at EDR: 01/04/2023 Date Made Active in Reports: 04/03/2023

Number of Days to Update: 89

Source: Environmental Protection Agency

Telephone: 202-564-2280 Last EDR Contact: 03/31/2023

Next Scheduled EDR Contact: 07/17/2023 Data Release Frequency: Quarterly

DOCKET HWC: Hazardous Waste Compliance Docket Listing

A complete list of the Federal Agency Hazardous Waste Compliance Docket Facilities.

Date of Government Version: 05/06/2021 Date Data Arrived at EDR: 05/21/2021 Date Made Active in Reports: 08/11/2021

Number of Days to Update: 82

Source: Environmental Protection Agency

Telephone: 202-564-0527 Last EDR Contact: 02/24/2023

Next Scheduled EDR Contact: 06/05/2023 Data Release Frequency: Varies

UXO: Unexploded Ordnance Sites

A listing of unexploded ordnance site locations

Date of Government Version: 11/09/2021 Date Data Arrived at EDR: 10/20/2022 Date Made Active in Reports: 01/10/2023

Number of Days to Update: 82

Source: Department of Defense Telephone: 703-704-1564 Last EDR Contact: 04/27/2023

Next Scheduled EDR Contact: 07/24/2023 Data Release Frequency: Varies

FUELS PROGRAM: EPA Fuels Program Registered Listing

This listing includes facilities that are registered under the Part 80 (Code of Federal Regulations) EPA Fuels Programs. All companies now are required to submit new and updated registrations.

Date of Government Version: 02/13/2023 Date Data Arrived at EDR: 02/14/2023 Date Made Active in Reports: 04/19/2023

Number of Days to Update: 64

Source: EPA

Telephone: 800-385-6164 Last EDR Contact: 02/14/2023

Next Scheduled EDR Contact: 05/29/2023 Data Release Frequency: Quarterly

PFAS NPL: Superfund Sites with PFAS Detections Information

EPA's Office of Land and Emergency Management and EPA Regional Offices maintain data describing what is known about site investigations, contamination, and remedial actions under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) where PFAS is present in the environment.

Date of Government Version: 02/23/2022 Date Data Arrived at EDR: 07/08/2022 Date Made Active in Reports: 11/08/2022

Number of Days to Update: 123

Source: Environmental Protection Agency

Telephone: 703-603-8895 Last EDR Contact: 04/04/2023

Next Scheduled EDR Contact: 07/17/2023 Data Release Frequency: Varies

PFAS FEDERAL SITES: Federal Sites PFAS Information

Several federal entities, such as the federal Superfund program, Department of Defense, National Aeronautics and Space Administration, Department of Transportation, and Department of Energy provided information for sites with known or suspected detections at federal facilities.

Date of Government Version: 03/30/2023 Date Data Arrived at EDR: 03/30/2023 Date Made Active in Reports: 04/07/2023

Number of Days to Update: 8

Source: Environmental Protection Agency

Telephone: 202-272-0167 Last EDR Contact: 03/30/2023

Next Scheduled EDR Contact: 07/17/2023 Data Release Frequency: Varies

PFAS TSCA: PFAS Manufacture and Imports Information

EPA issued the Chemical Data Reporting (CDR) Rule under the Toxic Substances Control Act (TSCA) and requires chemical manufacturers and facilities that manufacture or import chemical substances to report data to EPA. EPA publishes non-confidential business information (non-CBI) and includes descriptive information about each site, corporate parent, production volume, other manufacturing information, and processing and use information.

Date of Government Version: 01/03/2022 Date Data Arrived at EDR: 03/31/2022 Date Made Active in Reports: 11/08/2022

Number of Days to Update: 222

Source: Environmental Protection Agency

Telephone: 202-272-0167 Last EDR Contact: 03/30/2023

Next Scheduled EDR Contact: 07/17/2023

Data Release Frequency: Varies

PFAS RCRA MANIFEST: PFAS Transfers Identified In the RCRA Database Listing

To work around the lack of PFAS waste codes in the RCRA database, EPA developed the PFAS Transfers dataset by mining e-Manifest records containing at least one of these common PFAS keywords: PFAS, PFOA, PFOS, PERFL, AFFF, GENX, GEN-X (plus the VT waste codes). These keywords were searched for in the following text fields: Manifest handling instructions (MANIFEST_HANDLING_INSTR), Non-hazardous waste description (NON_HAZ_WASTE_DESCRIPTION), DOT printed information (DOT_PRINTED_INFORMATION), Waste line handling instructions (WASTE_LINE_HANDLING_INSTR), Waste residue comments (WASTE_RESIDUE_COMMENTS).

Date of Government Version: 03/30/2023 Date Data Arrived at EDR: 03/30/2023 Date Made Active in Reports: 05/02/2023

Number of Days to Update: 33

Source: Environmental Protection Agency

Telephone: 202-272-0167 Last EDR Contact: 03/30/2023

Next Scheduled EDR Contact: 07/17/2023 Data Release Frequency: Varies

PFAS ATSDR: PFAS Contamination Site Location Listing

PFAS contamination site locations from the Department of Health & Human Services, Center for Disease Control & Prevention. ATSDR is involved at a number of PFAS-related sites, either directly or through assisting state and federal partners. As of now, most sites are related to drinking water contamination connected with PFAS production facilities or fire training areas where aqueous film-forming firefighting foam (AFFF) was regularly used.

Date of Government Version: 06/24/2020 Date Data Arrived at EDR: 03/17/2021 Date Made Active in Reports: 11/08/2022

Number of Days to Update: 601

Source: Department of Health & Human Services

Telephone: 202-741-5770 Last EDR Contact: 04/20/2023

Next Scheduled EDR Contact: 08/07/2023

Data Release Frequency: Varies

PFAS WQP: Ambient Environmental Sampling for PFAS

The Water Quality Portal (WQP) is a part of a modernized repository storing ambient sampling data for all environmental media and tissue samples. A wide range of federal, state, tribal and local governments, academic and non-governmental organizations and individuals submit project details and sampling results to this public repository. The information is commonly used for research and assessments of environmental quality.

Date of Government Version: 03/30/2023 Date Data Arrived at EDR: 03/30/2023 Date Made Active in Reports: 05/02/2023

Number of Days to Update: 33

Source: Environmental Protection Agency

Telephone: 202-272-0167 Last EDR Contact: 03/30/2023

Next Scheduled EDR Contact: 07/17/2023 Data Release Frequency: Varies

PFAS NPDES: Clean Water Act Discharge Monitoring Information

Any discharger of pollutants to waters of the United States from a point source must have a National Pollutant Discharge Elimination System (NPDES) permit. The process for obtaining limits involves the regulated entity (permittee) disclosing releases in a NPDES permit application and the permitting authority (typically the state but sometimes EPA) deciding whether to require monitoring or monitoring with limits.

Date of Government Version: 03/30/2023 Date Data Arrived at EDR: 03/30/2023 Date Made Active in Reports: 04/07/2023

Number of Days to Update: 8

Source: Environmental Protection Agency

Telephone: 202-272-0167 Last EDR Contact: 03/30/2023

Next Scheduled EDR Contact: 07/17/2023

Data Release Frequency: Varies

PFAS ECHO: Facilities in Industries that May Be Handling PFAS Listing

Regulators and the public have expressed interest in knowing which regulated entities may be using PFAS. EPA has developed a dataset from various sources that show which industries may be handling PFAS. Approximately 120,000 facilities subject to federal environmental programs have operated or currently operate in industry sectors with processes that may involve handling and/or release of PFAS.

Date of Government Version: 03/30/2023 Date Data Arrived at EDR: 03/30/2023 Date Made Active in Reports: 04/03/2023

Number of Days to Update: 4

Source: Environmental Protection Agency

Telephone: 202-272-0167 Last EDR Contact: 03/30/2023

Next Scheduled EDR Contact: 07/17/2023 Data Release Frequency: Varies

PFAS ECHO FIRE TRAINING: Facilities in Industries that May Be Handling PFAS Listing

A list of fire training sites was added to the Industry Sectors dataset using a keyword search on the permitted facilitys name to identify sites where fire-fighting foam may have been used in training exercises. Additionally, you may view an example spreadsheet of the subset of fire training facility data, as well as the keywords used in selecting or deselecting a facility for the subset. as well as the keywords used in selecting or deselecting a facility for the subset. These keywords were tested to maximize accuracy in selecting facilities that may use fire-fighting foam in training exercises, however, due to the lack of a required reporting field in the data systems for designating fire training sites, this methodology may not identify all fire training sites or may potentially misidentify them.

Date of Government Version: 03/30/2023 Date Data Arrived at EDR: 03/30/2023 Date Made Active in Reports: 04/03/2023

Number of Days to Update: 4

Source: Environmental Protection Agency

Telephone: 202-272-0167 Last EDR Contact: 03/30/2023

Next Scheduled EDR Contact: 07/17/2023

Data Release Frequency: Varies

PFAS PART 139 AIRPORT: All Certified Part 139 Airports PFAS Information Listing

Since July 1, 2006, all certified part 139 airports are required to have fire-fighting foam onsite that meet military specifications (MIL-F-24385) (14 CFR 139.317). To date, these military specification fire-fighting foams are fluorinated and have been historically used for training and extinguishing. The 2018 FAA Reauthorization Act has a provision stating that no later than October 2021, FAA shall not require the use of fluorinated AFFF. This provision does not prohibit the use of fluorinated AFFF at Part 139 civilian airports; it only prohibits FAA from mandating its use. The Federal Aviation Administration?s document AC 150/5210-6D - Aircraft Fire Extinguishing Agents provides guidance on Aircraft Fire Extinguishing Agents, which includes Aqueous Film Forming Foam (AFFF).

Date of Government Version: 03/30/2023 Date Data Arrived at EDR: 03/30/2023 Date Made Active in Reports: 04/03/2023

Number of Days to Update: 4

Source: Environmental Protection Agency

Telephone: 202-272-0167 Last EDR Contact: 03/30/2023

Next Scheduled EDR Contact: 07/17/2023

Data Release Frequency: Varies

AQUEOUS FOAM NRC: Aqueous Foam Related Incidents Listing

The National Response Center (NRC) serves as an emergency call center that fields initial reports for pollution and railroad incidents and forwards that information to appropriate federal/state agencies for response. The spreadsheets posted to the NRC website contain initial incident data that has not been validated or investigated by a federal/state response agency. Response center calls from 1990 to the most recent complete calendar year where there was indication of Aqueous Film Forming Foam (AFFF) usage are included in this dataset. NRC calls may reference AFFF usage in the ?Material Involved? or ?Incident Description? fields.

Date of Government Version: 04/27/2023 Date Data Arrived at EDR: 04/27/2023 Date Made Active in Reports: 05/02/2023

Number of Days to Update: 5

Source: Environmental Protection Agency

Telephone: 202-272-0167 Last EDR Contact: 04/27/2023

Next Scheduled EDR Contact: 07/17/2023 Data Release Frequency: Varies

PFAS: PFAS Detections Site Listing

The presence of PFAS contamination at locations, including water treatment plants.

Date of Government Version: 12/01/2022 Date Data Arrived at EDR: 12/01/2022 Date Made Active in Reports: 02/22/2023

Number of Days to Update: 83

Source: Department of Environmental Protection

Telephone: 502-564-3410 Last EDR Contact: 03/02/2023

Next Scheduled EDR Contact: 06/19/2023 Data Release Frequency: Varies

AIRS: Permitted Airs Facility Listing
A listing of permitted Airs facilities.

Date of Government Version: 02/16/2023 Date Data Arrived at EDR: 02/16/2023 Date Made Active in Reports: 03/16/2023

Number of Days to Update: 28

Source: Department of Environmental Protection

Telephone: 502-573-3382 Last EDR Contact: 04/19/2023

Next Scheduled EDR Contact: 08/07/2023 Data Release Frequency: Semi-Annually

ASBESTOS: Asbestos Notification Listing Asbestos sites

> Date of Government Version: 12/20/2022 Date Data Arrived at EDR: 12/20/2022 Date Made Active in Reports: 03/15/2023

Number of Days to Update: 85

Source: Department of Environmental Protection

Telephone: 502-782-6780 Last EDR Contact: 02/23/2023

Next Scheduled EDR Contact: 06/12/2023

Data Release Frequency: Varies

COAL ASH: Coal Ash Disposal Sites
A listing of coal ash pond site locations.

Date of Government Version: 01/04/2023 Date Data Arrived at EDR: 01/24/2023 Date Made Active in Reports: 04/12/2023

Number of Days to Update: 78

Source: Department of Environmental Protection

Telephone: 502-564-6716 Last EDR Contact: 05/03/2023

Next Scheduled EDR Contact: 08/07/2023 Data Release Frequency: No Update Planned

DRYCLEANERS: Drycleaner Listing
A listing of drycleaner facility locations.

Date of Government Version: 02/16/2023 Date Data Arrived at EDR: 02/16/2023 Date Made Active in Reports: 02/27/2023

Number of Days to Update: 11

Source: Department of Environmental Protection

Telephone: 502-573-3382 Last EDR Contact: 04/19/2023

Next Scheduled EDR Contact: 08/07/2023 Data Release Frequency: Semi-Annually

Financial Assurance 1: Financial Assurance Information Listing

A listing of financial assurance information.

Date of Government Version: 11/14/2022 Date Data Arrived at EDR: 11/16/2022 Date Made Active in Reports: 02/03/2023

Number of Days to Update: 79

Source: Department of Environmental Protection

Telephone: 502-564-6716 Last EDR Contact: 04/19/2023

Next Scheduled EDR Contact: 08/07/2023 Data Release Frequency: Varies

Financial Assurance 2: Financial Assurance Information Listing

Financial Assurance information for underground storage tank facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 05/14/2014 Date Data Arrived at EDR: 06/06/2014 Date Made Active in Reports: 06/24/2014

Number of Days to Update: 18

Source: Department of Environmental Protection

Telephone: 502-564-5981 Last EDR Contact: 04/19/2023

Next Scheduled EDR Contact: 08/07/2023 Data Release Frequency: Varies

Financial Assurance 3: Financial Assurance Information Listing

A listing of financial assurance information for solid waste facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 11/14/2022 Date Data Arrived at EDR: 11/16/2022 Date Made Active in Reports: 02/03/2023

Number of Days to Update: 79

Source: Department of Environmental Protection

Telephone: 502-564-6716 Last EDR Contact: 04/19/2023

Next Scheduled EDR Contact: 08/07/2023

Data Release Frequency: Varies

LEAD: Environmental Lead Program Report Tracking Database

Lead Report Tracking Database

Date of Government Version: 01/27/2017 Date Data Arrived at EDR: 02/02/2017 Date Made Active in Reports: 08/21/2017

Number of Days to Update: 200

Source: Department of Public Health

Telephone: 502-564-4537 Last EDR Contact: 04/27/2023

Next Scheduled EDR Contact: 08/14/2023

Data Release Frequency: Varies

NPDES: Permitted Facility Listing

A listing of permitted wastewater facilities.

Date of Government Version: 02/21/2023 Date Data Arrived at EDR: 02/23/2023 Date Made Active in Reports: 02/27/2023

Number of Days to Update: 4

Source: Department of Environmental Protection

Telephone: 502-564-3410 Last EDR Contact: 04/27/2023

Next Scheduled EDR Contact: 08/14/2023 Data Release Frequency: Semi-Annually

UIC: UIC Information

A listing of wells identified as underground injection wells, in the Kentucky Oil & Gas Wells data base.

Date of Government Version: 12/01/2022 Date Data Arrived at EDR: 01/10/2023 Date Made Active in Reports: 03/29/2023

Number of Days to Update: 78

Source: Kentucky Geological Survey Telephone: 859-323-0544 Last EDR Contact: 04/11/2023

Next Scheduled EDR Contact: 07/24/2023 Data Release Frequency: Quarterly

PFAS TRIS: List of PFAS Added to the TRI

Section 7321 of the National Defense Authorization Act for Fiscal Year 2020 (NDAA) immediately added certain per- and polyfluoroalkyl substances (PFAS) to the list of chemicals covered by the Toxics Release Inventory (TRI) under Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) and provided a framework for additional PFAS to be added to TRI on an annual basis.

Date of Government Version: 03/07/2023 Date Data Arrived at EDR: 03/07/2023 Date Made Active in Reports: 03/24/2023

Number of Days to Update: 17

Source: Environmental Protection Agency Telephone: 202-566-0250

Last EDR Contact: 03/30/2023

Next Scheduled EDR Contact: 07/17/2023 Data Release Frequency: Varies

MINES MRDS: Mineral Resources Data System

Mineral Resources Data System

Date of Government Version: 08/23/2022 Date Data Arrived at EDR: 11/22/2022 Date Made Active in Reports: 02/28/2023

Number of Days to Update: 98

Source: USGS

Telephone: 703-648-6533 Last EDR Contact: 02/24/2023

Next Scheduled EDR Contact: 06/05/2023 Data Release Frequency: Varies

PCS ENF: Enforcement data

No description is available for this data

Date of Government Version: 12/31/2014 Date Data Arrived at EDR: 02/05/2015 Date Made Active in Reports: 03/06/2015

Number of Days to Update: 29

Source: EPA

Telephone: 202-564-2497 Last EDR Contact: 03/30/2023

Next Scheduled EDR Contact: 07/17/2023 Data Release Frequency: Varies

PCS: Permit Compliance System

PCS is a computerized management information system that contains data on National Pollutant Discharge Elimination System (NPDES) permit holding facilities. PCS tracks the permit, compliance, and enforcement status of NPDES facilities.

Date of Government Version: 07/14/2011 Date Data Arrived at EDR: 08/05/2011 Date Made Active in Reports: 09/29/2011

Number of Days to Update: 55

Source: EPA, Office of Water Telephone: 202-564-2496 Last EDR Contact: 03/30/2023

Next Scheduled EDR Contact: 07/17/2023 Data Release Frequency: No Update Planned

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP: EDR Proprietary Manufactured Gas Plants

The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

Date of Government Version: N/A Date Data Arrived at EDR: N/A Date Made Active in Reports: N/A

Number of Days to Update: N/A

Source: EDR, Inc. Telephone: N/A Last EDR Contact: N/A

Next Scheduled EDR Contact: N/A

Data Release Frequency: No Update Planned

EDR Hist Auto: EDR Exclusive Historical Auto Stations

EDR has searched selected national collections of business directories and has collected listings of potential gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include gas station/filling station/service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, service station, etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Source: EDR, Inc.

Date of Government Version: N/A Date Data Arrived at EDR: N/A Date Made Active in Reports: N/A Number of Days to Update: N/A

ved at EDR: N/A
tive in Reports: N/A
Last EDR Contact: N/A
Next Scheduled EDR C

Next Scheduled EDR Contact: N/A Data Release Frequency: Varies

EDR Hist Cleaner: EDR Exclusive Historical Cleaners

EDR has searched selected national collections of business directories and has collected listings of potential dry cleaner sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning establishments. The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A Source: EDR, Inc.
Date Data Arrived at EDR: N/A Telephone: N/A
Date Made Active in Reports: N/A Last EDR Contact: N/A

Number of Days to Update: N/A Next Scheduled EDR Contact: N/A Data Release Frequency: Varies

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGA HWS: Recovered Government Archive State Hazardous Waste Facilities List

The EDR Recovered Government Archive State Hazardous Waste database provides a list of SHWS incidents derived from historical databases and includes many records that no longer appear in current government lists.

Date of Government Version: N/A
Date Data Arrived at EDR: 07/01/2013
Date Made Active in Reports: 01/03/2014
Number of Days to Update: 186

Telephone: N/A Last EDR Contact: 06/01/2012 Next Scheduled EDR Contact: N/A Data Release Frequency: Varies

RGA LF: Recovered Government Archive Solid Waste Facilities List

The EDR Recovered Government Archive Landfill database provides a list of landfills derived from historical databases and includes many records that no longer appear in current government lists.

Date of Government Version: N/A Date Data Arrived at EDR: 07/01/2013 Date Made Active in Reports: 01/15/2014 Number of Days to Update: 198 Source: Department of Environmental Protection Telephone: N/A

Source: Department of Environmental Protection

Last EDR Contact: 06/01/2012 Next Scheduled EDR Contact: N/A Data Release Frequency: Varies

OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

CT MANIFEST: Hazardous Waste Manifest Data

Facility and manifest data. Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a tsd facility.

Date of Government Version: 11/16/2022 Date Data Arrived at EDR: 11/16/2022 Date Made Active in Reports: 02/06/2023 Number of Days to Update: 82 Source: Department of Energy & Environmental Protection Telephone: 860-424-3375

Last EDR Contact: 05/11/2023

Next Scheduled EDR Contact: 08/21/2023 Data Release Frequency: No Update Planned

NJ MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 12/31/2018 Date Data Arrived at EDR: 04/10/2019 Date Made Active in Reports: 05/16/2019

Number of Days to Update: 36

Source: Department of Environmental Protection

Telephone: N/A

Last EDR Contact: 03/30/2023

Next Scheduled EDR Contact: 07/17/2023 Data Release Frequency: Annually

NY MANIFEST: Facility and Manifest Data

Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD

facility.

Date of Government Version: 01/01/2019 Date Data Arrived at EDR: 10/29/2021 Date Made Active in Reports: 01/19/2022

Number of Days to Update: 82

Source: Department of Environmental Conservation

Telephone: 518-402-8651 Last EDR Contact: 04/27/2023

Next Scheduled EDR Contact: 08/07/2023 Data Release Frequency: Quarterly

PA MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 06/30/2018 Date Data Arrived at EDR: 07/19/2019 Date Made Active in Reports: 09/10/2019

Number of Days to Update: 53

Source: Department of Environmental Protection

Telephone: 717-783-8990 Last EDR Contact: 04/06/2023

Next Scheduled EDR Contact: 07/24/2023 Data Release Frequency: Annually

RI MANIFEST: Manifest information
Hazardous waste manifest information

Date of Government Version: 12/31/2020 Date Data Arrived at EDR: 11/30/2021 Date Made Active in Reports: 02/18/2022

Number of Days to Update: 80

Source: Department of Environmental Management

Telephone: 401-222-2797 Last EDR Contact: 05/10/2022

Next Scheduled EDR Contact: 08/28/2023 Data Release Frequency: Annually

WI MANIFEST: Manifest Information
Hazardous waste manifest information.

Date of Government Version: 05/31/2018 Date Data Arrived at EDR: 06/19/2019 Date Made Active in Reports: 09/03/2019

Number of Days to Update: 76

Source: Department of Natural Resources

Telephone: N/A

Last EDR Contact: 03/06/2023

Next Scheduled EDR Contact: 06/19/2023 Data Release Frequency: Annually

Oil/Gas Pipelines

Source: Endeavor Business Media

Petroleum Bundle (Crude Oil, Refined Products, Petrochemicals, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)) N = Natural Gas Bundle (Natural Gas, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)). This map includes information copyrighted by Endeavor Business Media. This information is provided on a best effort basis and Endeavor Business Media does not guarantee its accuracy nor warrant its fitness for any particular purpose. Such information has been reprinted with the permission of Endeavor Business Media.

Electric Power Transmission Line Data

Source: Endeavor Business Media

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Sensitive Receptors: There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

AHA Hospitals:

Source: American Hospital Association, Inc.

Telephone: 312-280-5991

The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals.

Medical Centers: Provider of Services Listing

Source: Centers for Medicare & Medicaid Services

Telephone: 410-786-3000

A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services,

a federal agency within the U.S. Department of Health and Human Services.

Nursing Homes

Source: National Institutes of Health

Telephone: 301-594-6248

Information on Medicare and Medicaid certified nursing homes in the United States.

Public Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on elementary

and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.

Private Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on private school locations in the United States.

Daycare Centers: Certified Child Care Homes Source: Cabinet for Families & Children

Telephone: 502-564-7130

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.

Source: FEMA

Telephone: 877-336-2627

Date of Government Version: 2003, 2015

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005, 2010 and 2015 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Wetland Inventory

Source: Environmental & Public Protection Cabinet

Telephone: 502-564-6736

Current USGS 7.5 Minute Topographic Map Source: U.S. Geological Survey

STREET AND ADDRESS INFORMATION

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GEOCHECK®-PHYSICAL SETTING SOURCE ADDENDUM

TARGET PROPERTY ADDRESS

KY-80 KY-80

MOUSIE, KY 41839

TARGET PROPERTY COORDINATES

Latitude (North): 37.4164 - 37° 24' 59.04" Longitude (West): 82.9266 - 82° 55' 35.76"

Universal Tranverse Mercator: Zone 17 UTM X (Meters): 329505.3 UTM Y (Meters): 4142604.5

Elevation: 1558 ft. above sea level

USGS TOPOGRAPHIC MAP

Target Property Map: 13046138 HANDSHOE, KY

Version Date: 2019

EDR's GeoCheck Physical Setting Source Addendum is provided to assist the environmental professional in forming an opinion about the impact of potential contaminant migration.

Assessment of the impact of contaminant migration generally has two principle investigative components:

- 1. Groundwater flow direction, and
- 2. Groundwater flow velocity.

Groundwater flow direction may be impacted by surface topography, hydrology, hydrogeology, characteristics of the soil, and nearby wells. Groundwater flow velocity is generally impacted by the nature of the geologic strata.

GROUNDWATER FLOW DIRECTION INFORMATION

Groundwater flow direction for a particular site is best determined by a qualified environmental professional using site-specific well data. If such data is not reasonably ascertainable, it may be necessary to rely on other sources of information, such as surface topographic information, hydrologic information, hydrogeologic data collected on nearby properties, and regional groundwater flow information (from deep aquifers).

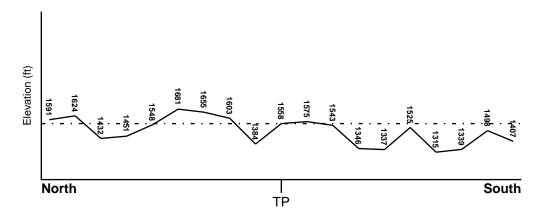
TOPOGRAPHIC INFORMATION

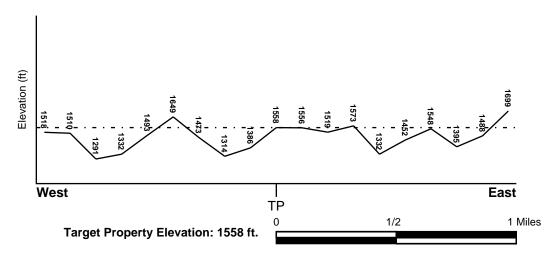
Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General WSW

SURROUNDING TOPOGRAPHY: ELEVATION PROFILES





Source: Topography has been determined from the USGS 7.5' Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified.

HYDROLOGIC INFORMATION

Surface water can act as a hydrologic barrier to groundwater flow. Such hydrologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Refer to the Physical Setting Source Map following this summary for hydrologic information (major waterways and bodies of water).

FEMA FLOOD ZONE

Flood Plain Panel at Target Property FEMA Source Type

21119C0125D FEMA FIRM Flood data

Additional Panels in search area: FEMA Source Type

Not Reported

NATIONAL WETLAND INVENTORY

NWI Quad at Target Property Data Coverage

HANDSHOE YES - refer to the Overview Map and Detail Map

HYDROGEOLOGIC INFORMATION

Hydrogeologic information obtained by installation of wells on a specific site can often be an indicator of groundwater flow direction in the immediate area. Such hydrogeologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

AQUIFLOW®

Search Radius: 1.000 Mile.

EDR has developed the AQUIFLOW Information System to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted by environmental professionals to regulatory authorities at select sites and has extracted the date of the report, groundwater flow direction as determined hydrogeologically, and the depth to water table.

 MAP ID
 FROM TP
 GROUNDWATER FLOW

 Not Reported
 GROUNDWATER FLOW

GROUNDWATER FLOW VELOCITY INFORMATION

Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY

Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

ROCK STRATIGRAPHIC UNIT

GEOLOGIC AGE IDENTIFICATION

Era: Paleozoic Category: Stratifed Sequence

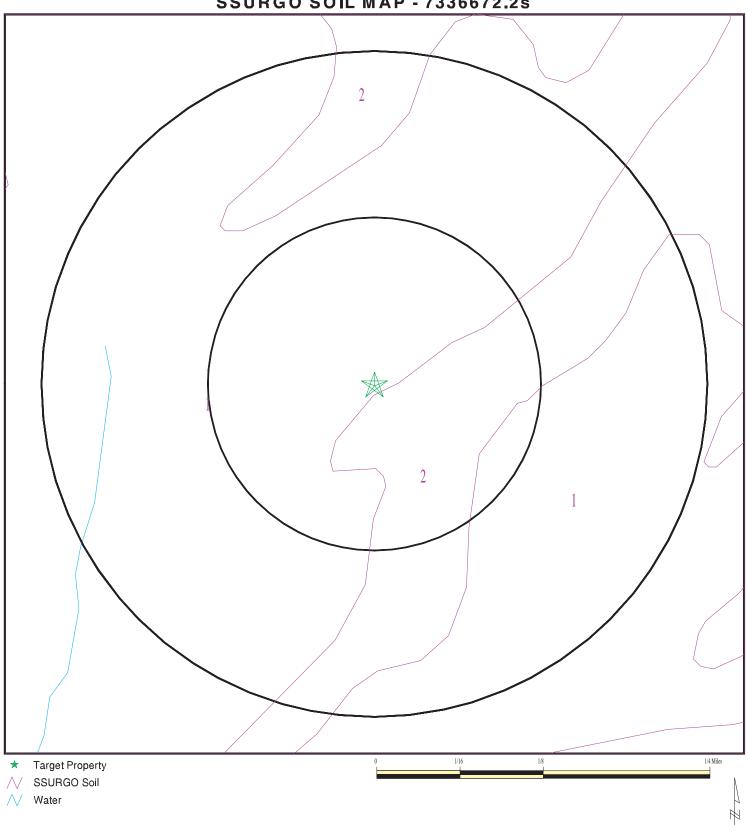
System: Pennsylvanian

Series: Atokan and Morrowan Series

Code: PP1 (decoded above as Era, System & Series)

Geologic Age and Rock Stratigraphic Unit Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - a digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

SSURGO SOIL MAP - 7336672.2s



SITE NAME: KY-80 ADDRESS: KY-80

Mousie KY 41839 LAT/LONG: 37.4164 / 82.9266 CLIENT: Kentucky Division of Compliance CONTACT: Derek Bozzell INQUIRY #: 7336672.2s

DATE: May 15, 2023 12:50 pm

DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. The following information is based on Soil Conservation Service SSURGO data.

Soil Map ID: 1

Soil Component Name: Fedscreek

Soil Surface Texture: sandy loam

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep,

moderately well and well drained soils with moderately coarse

textures.

Soil Drainage Class: Well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Low

Depth to Bedrock Min: > 155 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
Boundary			Classification		Saturated hydraulic		
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil	conductivity micro m/sec	
1	0 inches	3 inches	sandy loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	Not reported	Max: Min:	Max: Min:
2	3 inches	61 inches	sandy loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	Not reported	Max: Min:	Max: Min:
3	61 inches	64 inches	unweathered bedrock	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	Not reported	Max: Min:	Max: Min:

Soil Map ID: 2

Soil Component Name: Dekalb

Soil Surface Texture: channery sandy loam

Hydrologic Group: Class C - Slow infiltration rates. Soils with layers impeding downward

movement of water, or soils with moderately fine or fine textures.

Soil Drainage Class: Well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Low

Depth to Bedrock Min: > 64 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic	
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil	conductivity micro m/sec	Soil Reaction (pH)
1	0 inches	1 inches	channery sandy loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	Not reported	Max: Min:	Max: Min:
2	1 inches	25 inches	very channery sandy loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	Not reported	Max: Min:	Max: Min:
3	25 inches	29 inches	unweathered bedrock	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	Not reported	Max: Min:	Max: Min:

LOCAL / REGIONAL WATER AGENCY RECORDS

EDR Local/Regional Water Agency records provide water well information to assist the environmental professional in assessing sources that may impact ground water flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

WELL SEARCH DISTANCE INFORMATION

DATABASE SEARCH DISTANCE (miles)

Federal USGS 1.000

Federal FRDS PWS Nearest PWS within 1 mile

State Database 1.000

FEDERAL USGS WELL INFORMATION

MAP ID WELL ID LOCATION FROM TP

No Wells Found

FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION

MAP ID WELL ID LOCATION FROM TP

No PWS System Found

Note: PWS System location is not always the same as well location.

STATE DATABASE WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
1	KY70000000063221	1/2 - 1 Mile ESE
2 3	KY700000029983 KY700000055361	1/2 - 1 Mile SSE 1/2 - 1 Mile West
3 4	KY7000000033381 KY70000000337898	1/2 - 1 Mile VVest
5	KY700000008785	1/2 - 1 Mile SSE

OTHER STATE DATABASE INFORMATION

STATE OIL/GAS WELL INFORMATION

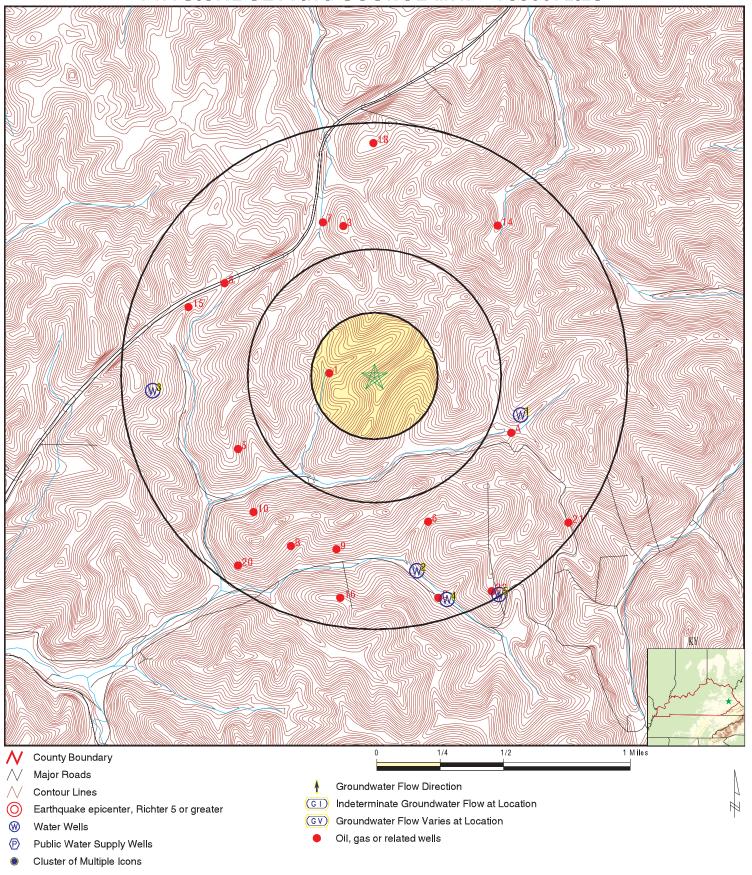
MAP ID	WELL ID	LOCATION FROM TP
1	KYOG14000053203	1/8 - 1/4 Mile West
A2	KYOG14000053204	1/2 - 1 Mile ESE
3	KYOG14000084046	1/2 - 1 Mile NNW
A4	KYOG14000118257	1/2 - 1 Mile ESE
5	KYOG14000110047	1/2 - 1 Mile WSW
6	KYOG14000053207	1/2 - 1 Mile SSE
7	KYOG14000127571	1/2 - 1 Mile NNW
8	KYOG14000054139	1/2 - 1 Mile WNW
9	KYOG14000112781	1/2 - 1 Mile SSW
10	KYOG14000121545	1/2 - 1 Mile SW
B11	KYOG14000110367	1/2 - 1 Mile SSW
B12	KYOG14000112364	1/2 - 1 Mile SSW
B13	KYOG14000117467	1/2 - 1 Mile SSW
14	KYOG14000054097	1/2 - 1 Mile NE
15	KYOG14000127544	1/2 - 1 Mile WNW

GEOCHECK[®] - PHYSICAL SETTING SOURCE SUMMARY

STATE OIL/GAS WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
16	KYOG14000121378	1/2 - 1 Mile South
C17	KYOG14000010985	1/2 - 1 Mile SSE
18	KYOG14000084048	1/2 - 1 Mile North
C19	KYOG14000026890	1/2 - 1 Mile SSE
20	KYOG14000110232	1/2 - 1 Mile SW
21	KYOG14000099481	1/2 - 1 Mile SE
22	KYOG14000053285	1/2 - 1 Mile SSE

PHYSICAL SETTING SOURCE MAP - 7336672.2s



SITE NAME: KY-80 ADDRESS: KY-80

Mousie KY 41839 LAT/LONG: 37.4164 / 82.9266 CLIENT: CONTACT: Kentucky Division of Compliance Derek Bozzell

INQUIRY#: 7336672.2s

May 15, 2023 12:49 pm DATE:

Map ID Direction Distance

Elevation Database EDR ID Number

ESE 1/2 - 1 Mile

KY WELLS KY700000063221

Lower

End Date:

Lower

AKGWA ID: 80008812 Well Type: Monitoring Well 0001-8994 Well Status: Alt ID: Active PWS ID: Well Name: Not Reported Tight Rope Inc

Surface Elevation: Monitoring Well - Ambient Monitoring 1440 Usage:

Total Depth: 82 Depth to Bedrock: End Date: 16-MAY-91

2 SSE **KY WELLS** KY700000029983 1/2 - 1 Mile Lower

AKGWA ID: 00050522 Well Type: Water Well Well Status: Active Alt ID: Not Reported

PWS ID: Not Reported Well Name: Residence - Randy Slone Surface Elevation: 1520 Usage: Domestic - Single Household

Total Depth: 255 Depth to Bedrock: End Date: 01-JAN-00

KY WELLS KY700000055361 1/2 - 1 Mile

AKGWA ID: 60001982 Well Type: Water Well Well Status: Alt ID: Not Reported Not Reported PWS ID: Well Name: Not Reported Not Reported

Surface Elevation: 0 Usage: Domestic - Single Household

Total Depth: 0 Depth to Bedrock:

01-JAN-88

KY WELLS KY700000037898 SSE 1/2 - 1 Mile

AKGWA ID: 00062830 Well Type: Water Well Alt ID: Well Status: Active Not Reported

PWS ID: Well Name: **Voncel Thacker Property** Not Reported Surface Elevation: 1480 Usage: Domestic - Single Household

Total Depth: Depth to Bedrock: 123 End Date: 26-OCT-05

Map ID Direction Distance

Elevation Database EDR ID Number

5 SSE 1/2 - 1 Mile

KY700000008785 **KY WELLS**

Lower

AKGWA ID: 00011834 Well Type: Water Well Alt ID: Well Status: Active Not Reported

PWS ID: Not Reported Well Name: Residence - Robert H Smith Surface Elevation: 1720 Usage: Domestic - Single Household

Depth to Bedrock: Total Depth: 82

23-JUN-88 End Date:

Map ID Direction Distance

Distance Database EDR ID Number

1 West OIL_GAS KYOG14000053203 1/8 - 1/4 Mile

OIL_GAS:

API#: 16119009160000 KGS#: 56140

Well Elevation: 1271 Original Farm/Lease Name: THE JENKINS CO

Original Operator: INLAND GAS CO, INC

Original Well #: 249 Permit #: 3405E
Formation: 3410HIO Deepest Formation: 3410HIO
Init Open or Potential Flow: 94 MCFGPD description in result_desc field: GAS

Original API Classification:

How Completed:

Development Well

Gas producer

Bore Type: Conventional vertical well bore

Completion Date: 26-JAN-44 Plug Date: 03-JUL-01
Documentation on Plug: PA Core Call #: Not Reported

Cutting Call #: Not Reported Log on File: ELOG

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=56140

A2
ESE OIL_GAS KYOG14000053204
1/2 - 1 Mile

OIL_GAS:

API #: 16119021590000 KGS #: 56141

Well Elevation: 1254 Original Farm/Lease Name: THE JENKINS CO

Original Operator: INLAND GAS CO, INC

 Original Well #:
 246
 Permit #:
 N13411

 Formation:
 357RHLL
 Deepest Formation:
 000

 Init Open or Potential Flow:
 Not Reported
 description in result_desc field:
 D&A

Original API Classification:

How Completed:

Deeper Pool Test
Dry and abandoned

Bore Type: Conventional vertical well bore

Completion Date: 24-SEP-43 Plug Date: Not Reported Documentation on Plug: Not Reported Cutting Call #: Not Reported Log on File: ELOG

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=56141

3 NNW OIL_GAS KYOG14000084046 1/2 - 1 Mile

OIL_GAS:

API #: 16119013560000 KGS #: 89814

Well Elevation: 1674 Original Farm/Lease Name: EVANS, E J (TR 23)

Original Operator: ASHLAND EXPLORATION, INC

Original Well #:45Permit #:78130Formation:000Deepest Formation:000Init Open or Potential Flow:Not Reporteddescription in result_desc field:TRM

Original API Classification: Unclassified

How Completed: Terminated (permit expired or cancelled)

Bore Type: Conventional vertical well bore

Completion Date: Not Reported Plug Date: Not Reported

Documentation on Plug: Not Reported Core Call #: Not Reported Cutting Call #: Not Reported Log on File: Not Reported

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=89814

A4
ESE OIL_GAS KYOG14000118257
1/2 - 1 Mile

OIL_GAS:

API#: 16119023060000 KGS#: 137052

Well Elevation: 1365 Original Farm/Lease Name: THE JENKINS COMPANY

Original Operator: CHESAPEAKE APPALACHIA, LLC

Original Well #:826973Permit #:104829Formation:000Deepest Formation:3410HIOInit Open or Potential Flow:Not Reporteddescription in result_desc field:TRM

Original API Classification: Unclassified

How Completed: Terminated (permit expired or cancelled)

Bore Type: Horizontal, may include multiple laterals, pinnate deviations

Completion Date:Not ReportedPlug Date:Not ReportedDocumentation on Plug:Not ReportedCore Call #:Not ReportedCutting Call #:Not ReportedLog on File:Not Reported

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=137052

5 WSW OIL_GAS KYOG14000110047 1/2 - 1 Mile

OIL_GAS:

API#: 16119020810000 KGS#: 128605

Well Elevation: 1361

Original Farm/Lease Name: FAMILY TREE PROPERTIES, LLC ET A

Original Operator: VIKING EXPLORATION, LLC

Original Well #: VE-001 Permit #: 97154
Formation: 341OHIO Deepest Formation: 341OHIO
Init Open or Potential Flow: Not Reported description in result_desc field: GAS

Original API Classification:

Development Well
How Completed:

Gas producer

Bore Type: Conventional vertical well bore

Completion Date: 18-MAY-05 Plug Date: Not Reported Documentation on Plug: Not Reported Core Call #: Not Reported

Cutting Call #: Not Reported Log on File: ELOG

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=128605

6
SSE OIL_GAS KYOG14000053207

1/2 - 1 Mile

 OIL_GAS:
 API #:
 Not Reported
 KGS #:
 56144

Well Elevation: 1350 Original Farm/Lease Name: TRIPLETT, J L

Original Operator: HAMILTON OIL & GAS CO

Original Well #:E28Permit #:Not ReportedFormation:3410HIODeepest Formation:3410HIO

Init Open or Potential Flow: 169 MCFGPD description in result_desc field: GAS

Original API Classification:

How Completed:

Development Well
Gas producer

Bore Type: Conventional vertical well bore

Completion Date:09-MAR-43Plug Date:Not ReportedDocumentation on Plug:Not ReportedCore Call #:Not ReportedCutting Call #:Not ReportedLog on File:ELOG

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=56144

7 NNW OIL_GAS KYOG14000127571 1/2 - 1 Mile

OIL_GAS:

API#: 16119009480000 KGS #: 148074

Well Elevation: 0 Original Farm/Lease Name: CONLEY, ALBERT

Original Operator: EQT PRODUCTION COMPANY

Original Well #:5592Permit #:N10260Formation:000Deepest Formation:000Init Open or Potential Flow:Not Reporteddescription in result_desc field:LOC

Original API Classification: Unclassified

How Completed: Locaton (new permit issued or insufficient data)

Bore Type: Conventional vertical well bore

Completion Date:Not ReportedPlug Date:Not ReportedDocumentation on Plug:Not ReportedCore Call #:Not ReportedCutting Call #:Not ReportedLog on File:Not Reported

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=148074

8 WNW OIL_GAS KYOG14000054139 1/2 - 1 Mile

OIL_GAS:

API #: Not Reported KGS #: 57122

Well Elevation: 1266 Original Farm/Lease Name: THE JENKINS CO

Original Operator: INLAND GAS CO, INC

Original Well #: 253 Permit #: Not Reported Formation: 3410HIO Deepest Formation: 3410HIO description in result_desc field: GAS

Original API Classification:

Development Well
How Completed:

Gas producer

Bore Type: Conventional vertical well bore

Completion Date: 14-APR-44 Plug Date: Not Reported Documentation on Plug: Not Reported Core Call #: Not Reported

Cutting Call #: Not Reported Log on File: ELOG

SSW OIL_GAS KYOG14000112781

https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=57122

1/2 - 1 Mile
OIL_GAS:

URL:

API#: 16119021890000 KGS #: 131445

Well Elevation: 1331

Original Farm/Lease Name: KINZER BUSINESS REALTY LTD Original Operator: VIKING EXPLORATION, LLC

Original Well #: 99914 VE-005 Permit #: Formation: 3410HIO Deepest Formation: 3410HIO Init Open or Potential Flow: Not Reported description in result_desc field: O&G

Original API Classification: **Development Well**

How Completed: Combined oil and gas producer Bore Type: Conventional vertical well bore

Completion Date: 29-JAN-07 Not Reported Plug Date: Core Call #: Documentation on Plug: Not Reported Not Reported Cutting Call #: Not Reported Log on File: **ELOG**

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=131445

10 KYOG14000121545 OIL_GAS 1/2 - 1 Mile

OIL_GAS:

API#: 16119024130000 KGS #: 140632

HORTON, C C HEIRS Well Elevation: 1334 Original Farm/Lease Name:

Original Operator: VIKING EXPLORATION, LLC

Original Well #: VE-012 Permit #: 107563 Formation: 000 Deepest Formation: 000 Init Open or Potential Flow: description in result_desc field: GAS Not Reported

Original API Classification: Unclassified How Completed: Gas producer

Bore Type: Conventional vertical well bore

Completion Date: 18-NOV-10 Plug Date: Not Reported Documentation on Plug: Not Reported Core Call #: Not Reported

ELOG Cutting Call #: Not Reported Log on File:

https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=140632 URL:

B11 SSW OIL GAS KYOG14000110367 1/2 - 1 Mile

OIL_GAS:

API#: 16119021080000 KGS #: 128926

Well Elevation: Original Farm/Lease Name: OWENS, JASPER 1324

Original Operator: VIKING EXPLORATION, LLC

Original Well #: VE003 Permit #: 97711 Formation: Deepest Formation: 000 000 Init Open or Potential Flow: Not Reported description in result_desc field: TRM

Original API Classification: Unclassified

Terminated (permit expired or cancelled) How Completed:

Bore Type: Conventional vertical well bore

Completion Date: Not Reported Plug Date: Not Reported Not Reported Core Call #: Not Reported Documentation on Plug: Cutting Call #: Not Reported Log on File: Not Reported

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=128926

Map ID Direction Distance

Distance Database EDR ID Number

B12 SSW OIL_GAS KYOG14000112364 1/2 - 1 Mile

OIL_GAS:

API #: 16119021820000 KGS #: 131027

Well Elevation: 1347 Original Farm/Lease Name: OWENS, JASPER

Original Operator: VIKING EXPLORATION, LLC

 Original Well #:
 VE-003
 Permit #:
 99521

 Formation:
 000
 Deepest Formation:
 000

 Init Open or Potential Flow:
 Not Reported
 description in result_desc field:
 TRM

Original API Classification: Unclassified

How Completed: Terminated (permit expired or cancelled)

Bore Type: Conventional vertical well bore

Completion Date:Not ReportedPlug Date:Not ReportedDocumentation on Plug:Not ReportedCore Call #:Not ReportedCutting Call #:Not ReportedLog on File:Not Reported

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=131027

B13 SSW OIL_GAS KYOG14000117467 1/2 - 1 Mile

OIL_GAS:

API#: 16119022800000 KGS #: 136251

Well Elevation: 1347 Original Farm/Lease Name: OWENS, JASPER

Original Operator: VIKING EXPLORATION, LLC

 Original Well #:
 VE-003
 Permit #:
 104124

 Formation:
 3410HIO
 Deepest Formation:
 3410HIO

 Init Open or Potential Flow:
 175 MCFGPD
 description in result_desc field:
 GAS

Original API Classification:

How Completed:

Development Well
Gas producer

Bore Type: Conventional vertical well bore

Completion Date: 06-AUG-08 Plug Date: Not Reported Documentation on Plug: Not Reported Cutting Call #: Not Reported Log on File: ELOG

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=136251

14
NE
OIL_GAS
KYOG14000054097
1/2 - 1 Mile

OIL_GAS:

API #: Not Reported KGS #: 57078

Well Elevation: 1200 Original Farm/Lease Name: CONLEY, ALBERT

Original Operator: KENTUCKY WEST VIRGINIA GAS CO

Original Well #:5592Permit #:N10260Formation:3410HIODeepest Formation:3410HIOInit Open or Potential Flow:42 MCFGPDdescription in result_desc field:GAS

Original API Classification:

How Completed:

Development Well
Gas producer

Bore Type: Conventional vertical well bore

Completion Date: 31-JUL-45 Plug Date: Not Reported

Core Call #: Documentation on Plug: Not Reported Not Reported Cutting Call #: Not Reported Log on File: Not Reported

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=57078

WNW OIL_GAS KYOG14000127544 1/2 - 1 Mile

OIL_GAS:

API#: 16119009180000 KGS #: 148047

Well Elevation: Original Farm/Lease Name: THE JENKINS CO 0

Original Operator: CHESAPEAKE APPALACHIA, LLC

3453E Original Well #: 253 Permit #: Formation: 000 Deepest Formation: 000 Init Open or Potential Flow: Not Reported description in result_desc field: LOC

Unclassified Original API Classification:

How Completed: Locaton (new permit issued or insufficient data)

Conventional vertical well bore Bore Type:

Completion Date: Not Reported Plug Date: Not Reported Documentation on Plug: Not Reported Core Call #: Not Reported Not Reported Cutting Call #: Log on File: Not Reported

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=148047

16 KYOG14000121378 South OIL_GAS 1/2 - 1 Mile

OIL_GAS:

API#: 16119024060000 KGS #: 140463

Well Elevation: 1501

KINZER BUSINESS REALTY LTD Original Farm/Lease Name: Original Operator: VIKING EXPLORATION, LLC

Original Well #: VE-010 Permit #: 107447 Formation: 000 Deepest Formation: 332BIGL 186 MCFGPD Init Open or Potential Flow: description in result_desc field: GAS

Original API Classification: How Completed: Gas producer Unclassified

Bore Type: Conventional vertical well bore

20-OCT-10 Completion Date: Plug Date: Not Reported Documentation on Plug: Not Reported Core Call #: Not Reported

Cutting Call #: Not Reported Log on File: **ELOG** https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=140463

OIL_GAS KYOG14000010985 1/2 - 1 Mile

OIL_GAS:

URL:

API#: 16119013220000 KGS #: 11280

Well Elevation: 1319

Original Farm/Lease Name: SLOAN, CHRISTOPHER ADM TRIPLETT

SOUTHEASTERN GAS CO Original Operator:

Original Well #: 51963 E37 Permit #: Formation: 000 Deepest Formation: 000

Init Open or Potential Flow: Not Reported description in result_desc field: TRM

Original API Classification: Unclassified

How Completed: Terminated (permit expired or cancelled)

Bore Type: Conventional vertical well bore

Completion Date:Not ReportedPlug Date:Not ReportedDocumentation on Plug:Not ReportedCore Call #:Not ReportedCutting Call #:Not ReportedLog on File:Not Reported

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=11280

18
North
OIL_GAS KYOG14000084048
1/2 - 1 Mile

OIL_GAS:

API#: 16119013570000 KGS#: 89816

Well Elevation: 1679 Original Farm/Lease Name: EVANS, E J (TRACT 23)

Original Operator: ASHLAND EXPLORATION, INC

Original Well #:62Permit #:78132Formation:000Deepest Formation:000Init Open or Potential Flow:Not Reporteddescription in result_desc field:TRM

Original API Classification: Unclassified

How Completed: Terminated (permit expired or cancelled)

Bore Type: Conventional vertical well bore

Completion Date:Not ReportedPlug Date:Not ReportedDocumentation on Plug:Not ReportedCore Call #:Not ReportedCutting Call #:Not ReportedLog on File:Not Reported

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=89816

C19
SSE
OIL_GAS KYOG14000026890
1/2 - 1 Mile

OIL_GAS:

API#: 16119019060000 KGS#: 28310

Well Elevation: 1309

Original Farm/Lease Name: SLOAN, CHRISTOPHER (JL TRIPLETT)

Original Operator: SOUTHEASTERN GAS CO

Original Well #:E37Permit #:53166Formation:3410HIODeepest Formation:3410HIOInit Open or Potential Flow:200 MCFGPDdescription in result_desc field:0&G

Original API Classification: Development Well

How Completed: Combined oil and gas producer Bore Type: Conventional vertical well bore

Completion Date: 20-JUN-83 Plug Date: 26-MAR-87 Documentation on Plug: PA Core Call #: Not Reported

Cutting Call #: Not Reported Log on File: ELOG

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=28310

20 SW OIL_GAS KYOG14000110232 1/2 - 1 Mile

OIL_GAS:

API #: 16119020990000 KGS #: 128790

Well Elevation: 1356 Original Farm/Lease Name: OWENS, JASPER

Original Operator: VIKING EXPLORATION, LLC

Original Well #: VE002 Permit #: 97469
Formation: 3410HIO Deepest Formation: 3410HIO
Init Open or Potential Flow: Not Reported description in result_desc field: GAS

Original API Classification:

How Completed:

Development Well
Gas producer

Bore Type: Conventional vertical well bore

Completion Date: 08-JUL-05 Plug Date: Not Reported Documentation on Plug: Not Reported Cutting Call #: Not Reported Log on File: ELOG

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=128790

21 SE OIL_GAS KYOG14000099481 1/2 - 1 Mile

OIL_GAS:

 API #:
 16119013150000
 KGS #:
 112419

 Well Elevation:
 1411
 Original Farm/Lease Name:
 TRIPLETT, J L

Original Operator: EASTERN STATES OIL & GAS CO, INC

 Original Well #:
 1
 Permit #:
 87112

 Formation:
 3410HIO
 Deepest Formation:
 3410HIO

 Init Open or Potential Flow:
 198 MCFGPD
 description in result_desc field:
 GAS

Original API Classification:

How Completed:

Development Well
Gas producer

Bore Type: Conventional vertical well bore

Completion Date:16-AUG-95Plug Date:Not ReportedDocumentation on Plug:Not ReportedCore Call #:Not ReportedCutting Call #:1301Log on File:ELOG

URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=112419

22 SSE OIL_GAS KYOG14000053285 1/2 - 1 Mile

OIL_GAS:

API #: 16119017950000 KGS #: 56224

Well Elevation: 1562 Original Farm/Lease Name: TRIPLETT, J L

Original Operator: SOUTHEASTERN GAS CO

Original Well #:E38Permit #:51959Formation:3410HIODeepest Formation:000Init Open or Potential Flow:Not Reporteddescription in result_desc field:D&A

Original API Classification:

How Completed:

Development Well

Dry and abandoned

Bore Type: Conventional vertical well bore

Completion Date: 24-OCT-83 Plug Date: 15-APR-87
Documentation on Plug: PA Core Call #: Not Reported
Cutting Call #: Log on File: ELOG

Cutting Call #: Not Reported Log on File: EL URL: https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=56224

AREA RADON INFORMATION

Federal EPA Radon Zone for KNOTT County: 2

Note: Zone 1 indoor average level > 4 pCi/L.

: Zone 2 indoor average level >= 2 pCi/L and <= 4 pCi/L.

: Zone 3 indoor average level < 2 pCi/L.

Federal Area Radon Information for KNOTT COUNTY, KY

Number of sites tested: 1

Area	Average Activity	% <4 pCi/L	% 4-20 pCi/L	% >20 pCi/L
Living Area - 1st Floor Living Area - 2nd Floor	0.200 pCi/L Not Reported	100% Not Reported	0% Not Reported	0% Not Reported
Basement	Not Reported	Not Reported	Not Reported	Not Reported

PHYSICAL SETTING SOURCE RECORDS SEARCHED

TOPOGRAPHIC INFORMATION

USGS 7.5' Digital Elevation Model (DEM)

Source: United States Geologic Survey

EDR acquired the USGS 7.5' Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

Current USGS 7.5 Minute Topographic Map

Source: U.S. Geological Survey

HYDROLOGIC INFORMATION

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.

Source: FEMA

Telephone: 877-336-2627

Date of Government Version: 2003, 2015

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005, 2010 and 2015 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Wetland Inventory

Source: Environmental & Public Protection Cabinet

Telephone: 502-564-6736

HYDROGEOLOGIC INFORMATION

AQUIFLOW^R Information System

Source: EDR proprietary database of groundwater flow information

EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

GEOLOGIC INFORMATION

Geologic Age and Rock Stratigraphic Unit

Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - A digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

STATSGO: State Soil Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)

The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

SSURGO: Soil Survey Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)

Telephone: 800-672-5559

SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Service, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.

PHYSICAL SETTING SOURCE RECORDS SEARCHED

LOCAL / REGIONAL WATER AGENCY RECORDS

FEDERAL WATER WELLS

PWS: Public Water Systems

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

PWS ENF: Public Water Systems Violation and Enforcement Data

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Violation and Enforcement data for Public Water Systems from the Safe Drinking Water Information System (SDWIS) after August 1995. Prior to August 1995, the data came from the Federal Reporting Data System (FRDS).

USGS Water Wells: USGS National Water Inventory System (NWIS)

This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

STATE RECORDS

Kentucky Water Well Records Database Source: Kentucky Geological Survey

Telephone: 859-257-5500

Water Wells in Kentucky. Data from the Kentucky Ground Water Data Repository.

OTHER STATE DATABASE INFORMATION

Oil and Gas Well Locations

Source: Kentucky Geological Survey

Telephone: 859-257-5500

Oil and gas well locations in the state of Kentucky

RADON

State Database: KY Radon

Source: Department of Public Health

Telephone: 502-564-4856 Radon Test Results

Area Radon Information Source: USGS

Telephone: 703-356-4020

The National Radon Database has been developed by the U.S. Environmental Protection Agency

(USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

EPA Radon Zones

Source: EPA

Telephone: 703-356-4020

Sections 307 & 309 of IRAA directed EPA to list and identify areas of U.S. with the potential for elevated indoor

radon levels.

OTHER

Airport Landing Facilities: Private and public use landing facilities

Source: Federal Aviation Administration, 800-457-6656

Epicenters: World earthquake epicenters, Richter 5 or greater

Source: Department of Commerce, National Oceanic and Atmospheric Administration

Earthquake Fault Lines: The fault lines displayed on EDR's Topographic map are digitized quaternary faultlines, prepared in 1975 by the United State Geological Survey

PHYSICAL SETTING SOURCE RECORDS SEARCHED

STREET AND ADDRESS INFORMATION

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KY-80

KY-80

Mousie, KY 41839

Inquiry Number: 7336672.3

May 15, 2023

Certified Sanborn® Map Report



Certified Sanborn® Map Report

05/15/23

Site Name: Client Name:

KY-80 Kentucky Division of Compliance

KY-80 300 Sower Blvd.

Mousie, KY 41839 Frankfort, KY 40601

EDR Inquiry # 7336672.3 Contact: Derek Bozzell



The Sanborn Library has been searched by EDR and maps covering the target property location as provided by Kentucky Division of Compliance were identified for the years listed below. The Sanborn Library is the largest, most complete collection of fire insurance maps. The collection includes maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow, and others. Only Environmental Data Resources Inc. (EDR) is authorized to grant rights for commercial reproduction of maps by the Sanborn Library LLC, the copyright holder for the collection. Results can be authenticated by visiting www.edrnet.com/sanborn.

The Sanborn Library is continually enhanced with newly identified map archives. This report accesses all maps in the collection as of the day this report was generated.

Certified Sanborn Results:

Certification # AAF0-4C7B-9A13

PO# NA

Project Chestnut Ridge

UNMAPPED PROPERTY

This report certifies that the complete holdings of the Sanborn Library, LLC collection have been searched based on client supplied target property information, and fire insurance maps covering the target property were not found.



Sanborn® Library search results

Certification #: AAF0-4C7B-9A13

The Sanborn Library includes more than 1.2 million fire insurance maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow and others which track historical property usage in approximately 12,000 American cities and towns. Collections searched:

Library of Congress

University Publications of America

▼ EDR Private Collection

The Sanborn Library LLC Since 1866™

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page 2



KY-80

KY-80

Mousie, KY 41839

Inquiry Number: 7336672.4

May 15, 2023

EDR Historical Topo Map Report

with QuadMatch™



EDR Historical Topo Map Report

05/15/23

Site Name: Client Name:

KY-80 Kentucky Division of Compliance

KY-80 300 Sower Blvd.

Mousie, KY 41839 Frankfort, KY 40601

EDR Inquiry # 7336672.4 Contact: Derek Bozzell



EDR Topographic Map Library has been searched by EDR and maps covering the target property location as provided by Kentucky Division of Compliance were identified for the years listed below. EDR's Historical Topo Map Report is designed to assist professionals in evaluating potential liability on a target property resulting from past activities. EDRs Historical Topo Map Report includes a search of a collection of public and private color historical topographic maps, dating back to the late 1800s.

Search Results:		Coordinates:	Coordinates:		
P.O.#	NA	Latitude:	37.4164 37° 24' 59" North		
Project:	Chestnut Ridge	Longitude:	-82.9266 -82° 55' 36" West		
-	· ·	UTM Zone:	Zone 17 North		
		UTM X Meters:	329509.52		
		UTM Y Meters:	4142808.62		
		Elevation:	1566.31' above sea level		
Maps Provid	led:				
2010	4000				
2019	1890				
2016					
2013					
1992					
1954					
1915					
1912					
1892					

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Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

2019 Source Sheets



Handshoe 2019 7.5-minute, 24000

2016 Source Sheets



Handshoe 2016 7.5-minute, 24000

2013 Source Sheets



Handshoe 2013 7.5-minute, 24000

1992 Source Sheets



Handshoe 1992 7.5-minute, 24000 Aerial Photo Revised 1988

Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

1954 Source Sheets



Handshoe 1954 7.5-minute, 24000 Aerial Photo Revised 1952

1915 Source Sheets



Hindman 1915 15-minute, 62500

1912 Source Sheets



Hindman 1912 15-minute, 48000

1892 Source Sheets



Whitesburg 1892 30-minute, 125000

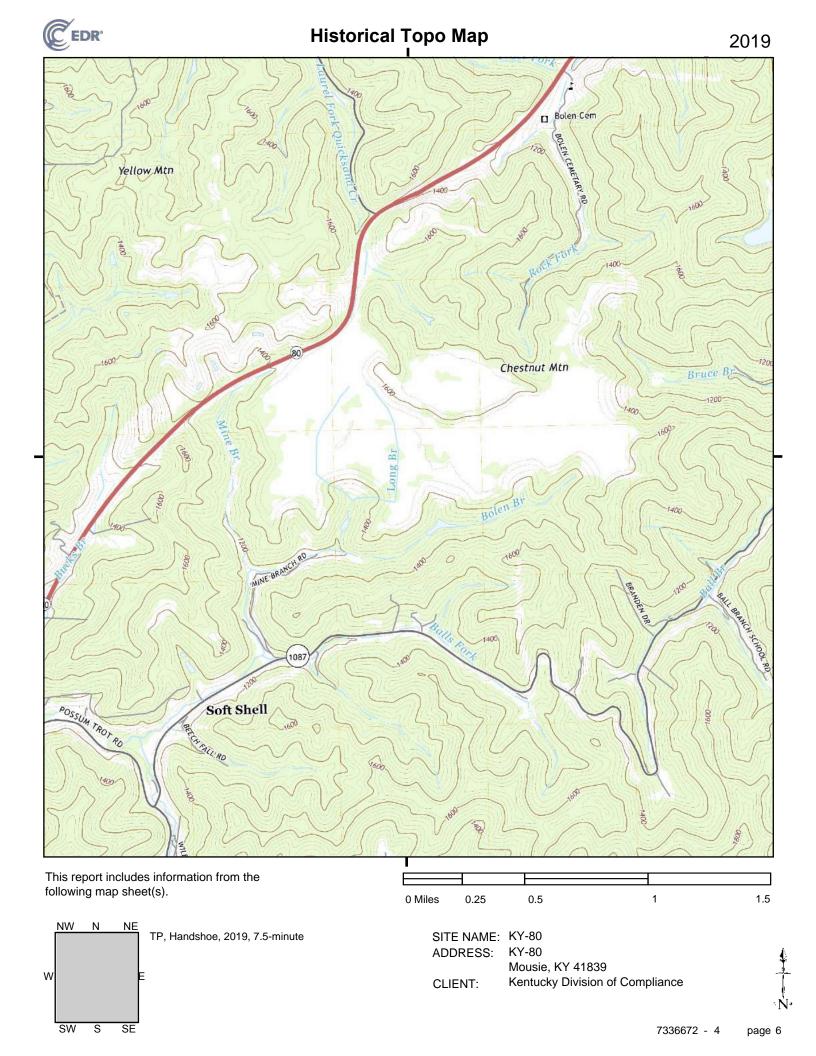
Topo Sheet Key

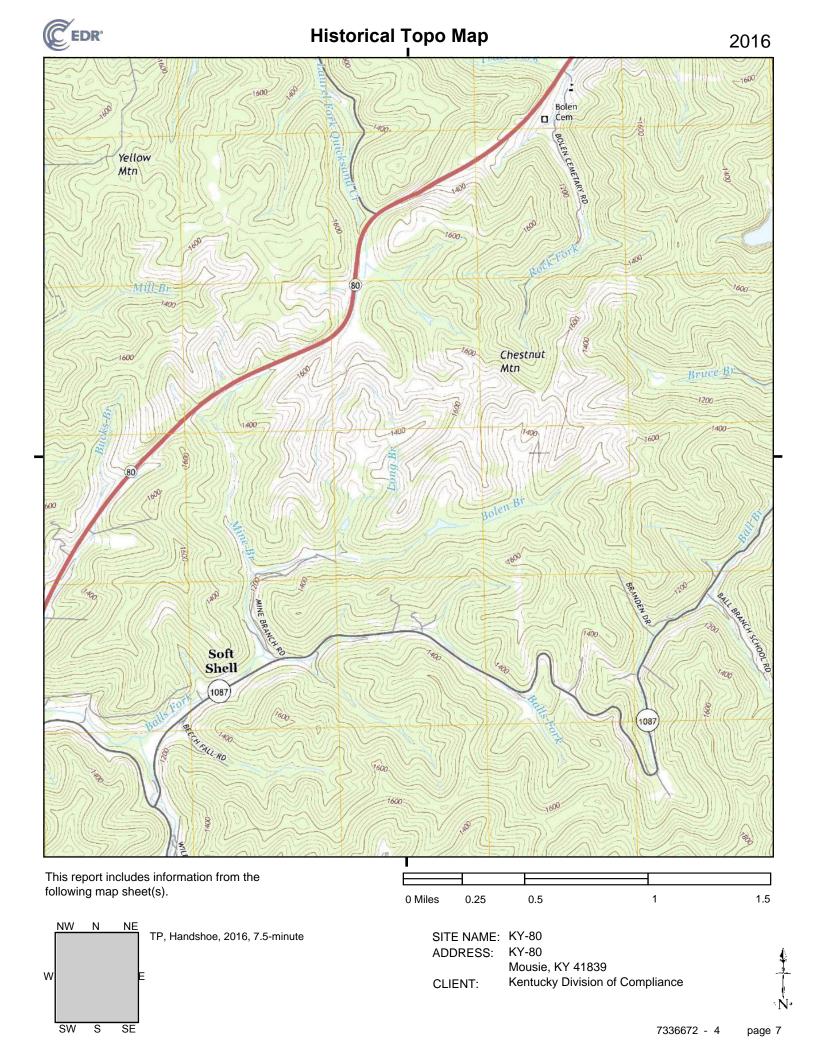
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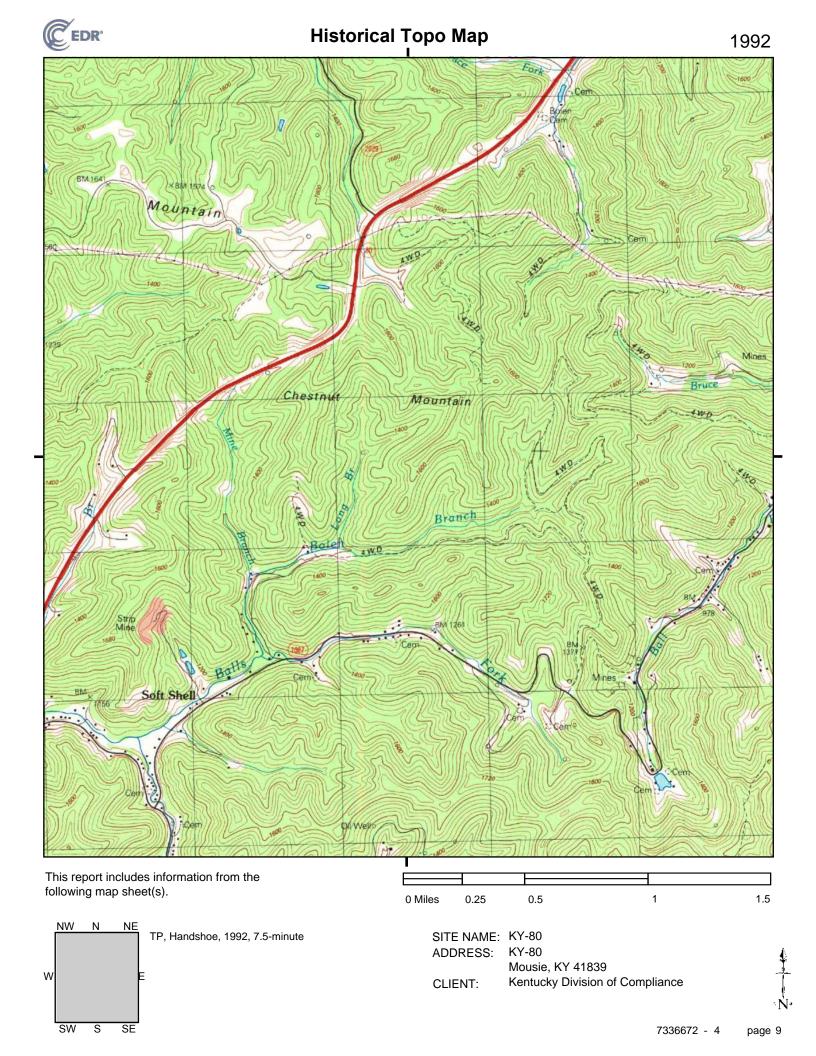
1890 Source Sheets

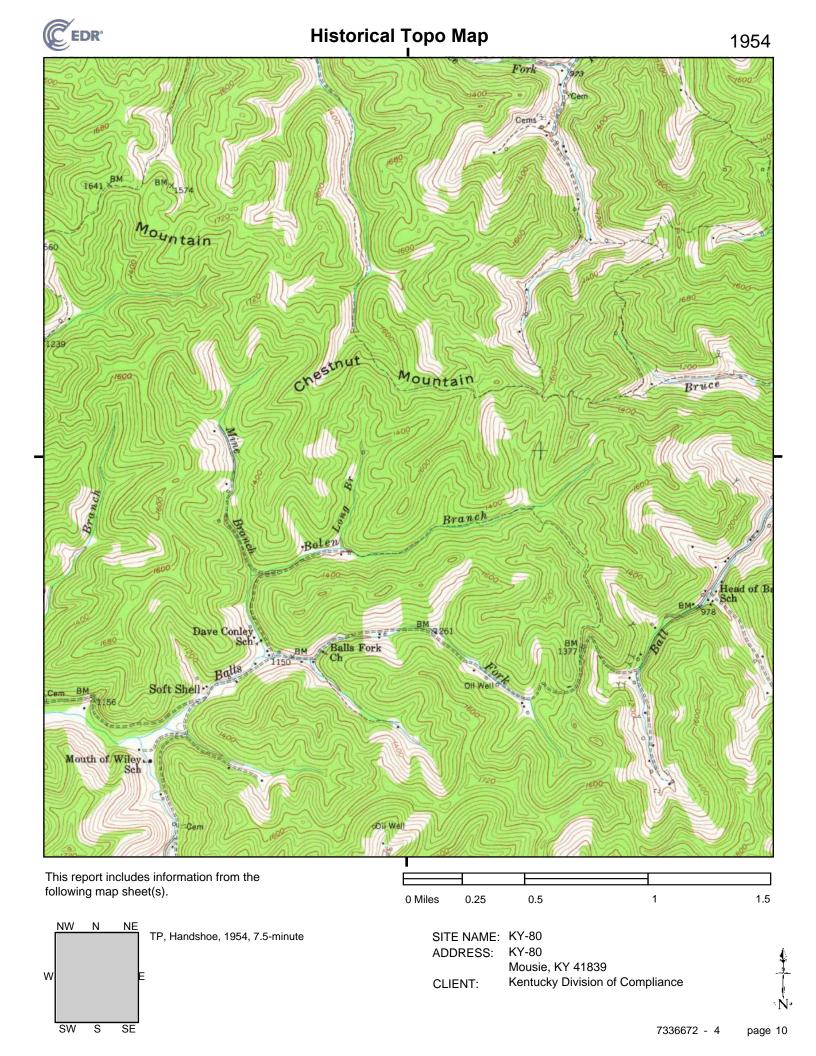


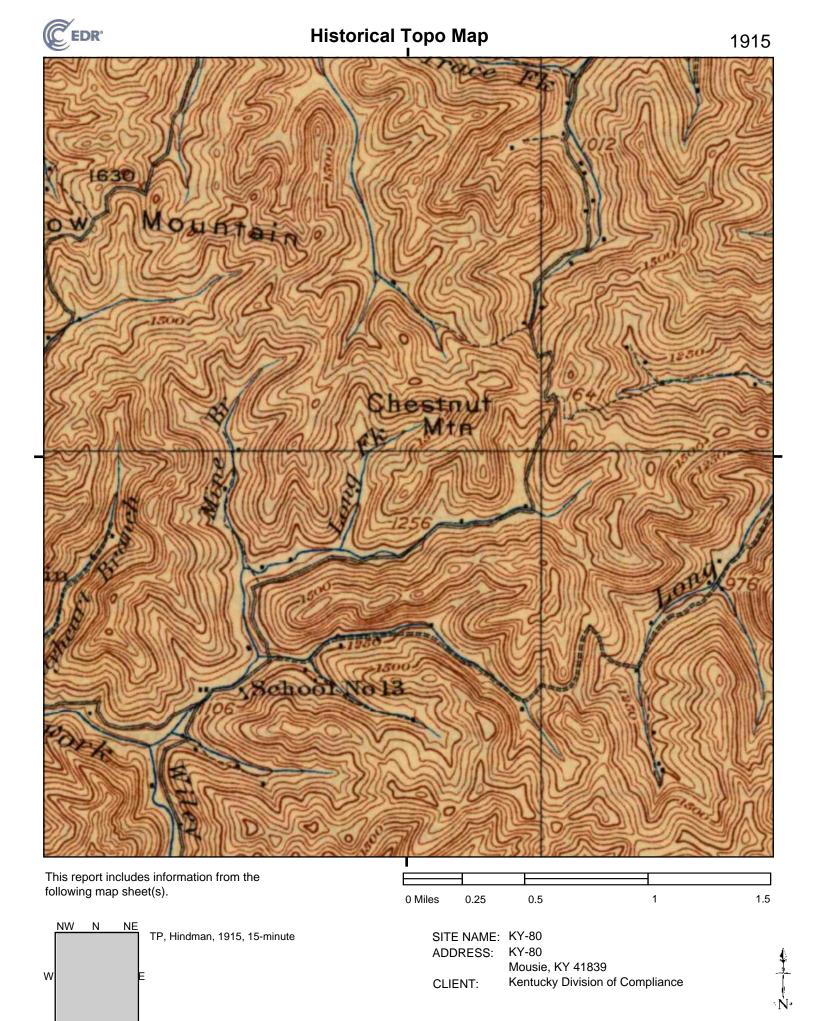
Whitesburg 1890 30-minute, 125000

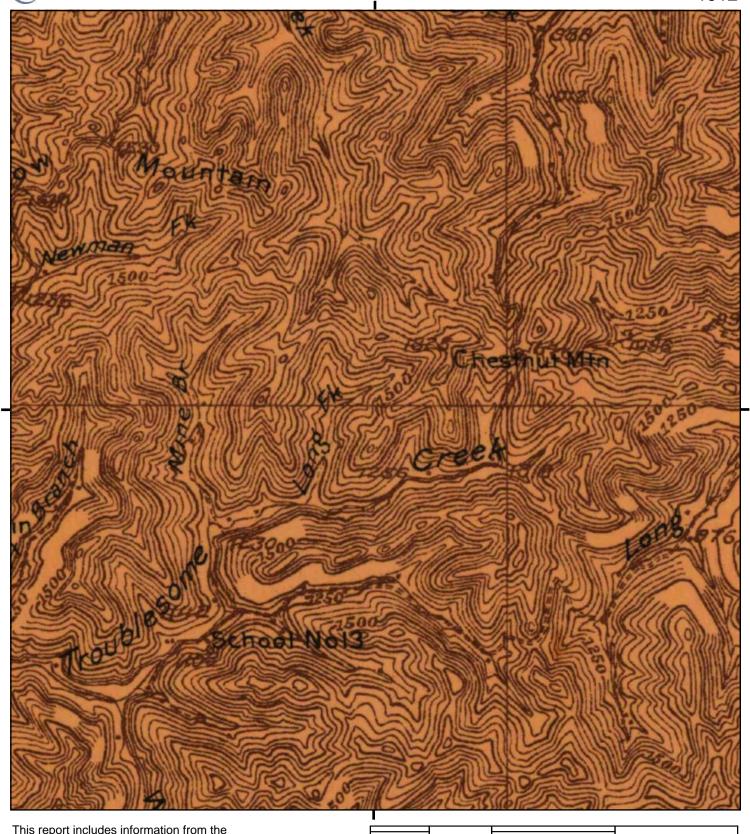




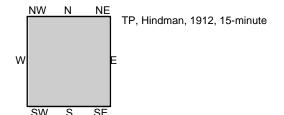








This report includes information from the following map sheet(s).



SITE NAME: KY-80 ADDRESS: KY-80

0.25

0 Miles

Mousie, KY 41839

0.5

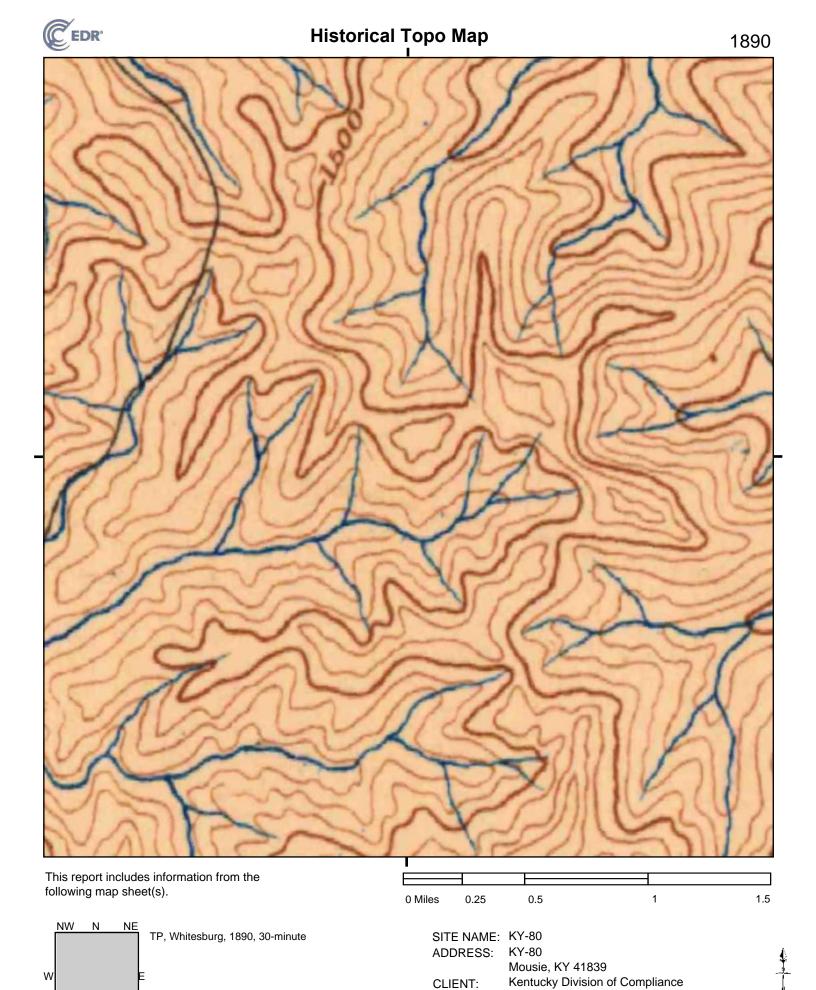
CLIENT: Kentucky Division of Compliance

1.5

Mousie, KY 41839

Kentucky Division of Compliance

CLIENT:





KY-80

KY-80

Mousie, KY 41839

Inquiry Number: 7336672.8

May 16, 2023

The EDR Aerial Photo Decade Package



EDR Aerial Photo Decade Package

05/16/23

Site Name: Client Name:

KY-80 Kentucky Division of Compliance

KY-80 300 Sower Blvd.

Mousie, KY 41839 Frankfort, KY 40601

EDR Inquiry # 7336672.8 Contact: Derek Bozzell



Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

Search Results:

Year	Scale	Details	Source
2020	4" 500	Flight Voor: 2020	
2020	1"=500'	Flight Year: 2020	USDA/NAIP
2016	1"=500'	Flight Year: 2016	USDA/NAIP
2012	1"=500'	Flight Year: 2012	USDA/NAIP
2008	1"=500'	Flight Year: 2008	USDA/NAIP
1995	1"=500'	Acquisition Date: January 01, 1995	USGS/DOQQ
1991	1"=500'	Flight Date: March 28, 1991	USGS
1988	1"=500'	Flight Date: March 28, 1988	USGS
1983	1"=500'	Flight Date: April 26, 1983	USDA
1977	1"=500'	Flight Date: March 08, 1977	USGS
1960	1"=500'	Flight Date: October 12, 1960	USGS
1952	1"=500'	Flight Date: April 17, 1952	USGS

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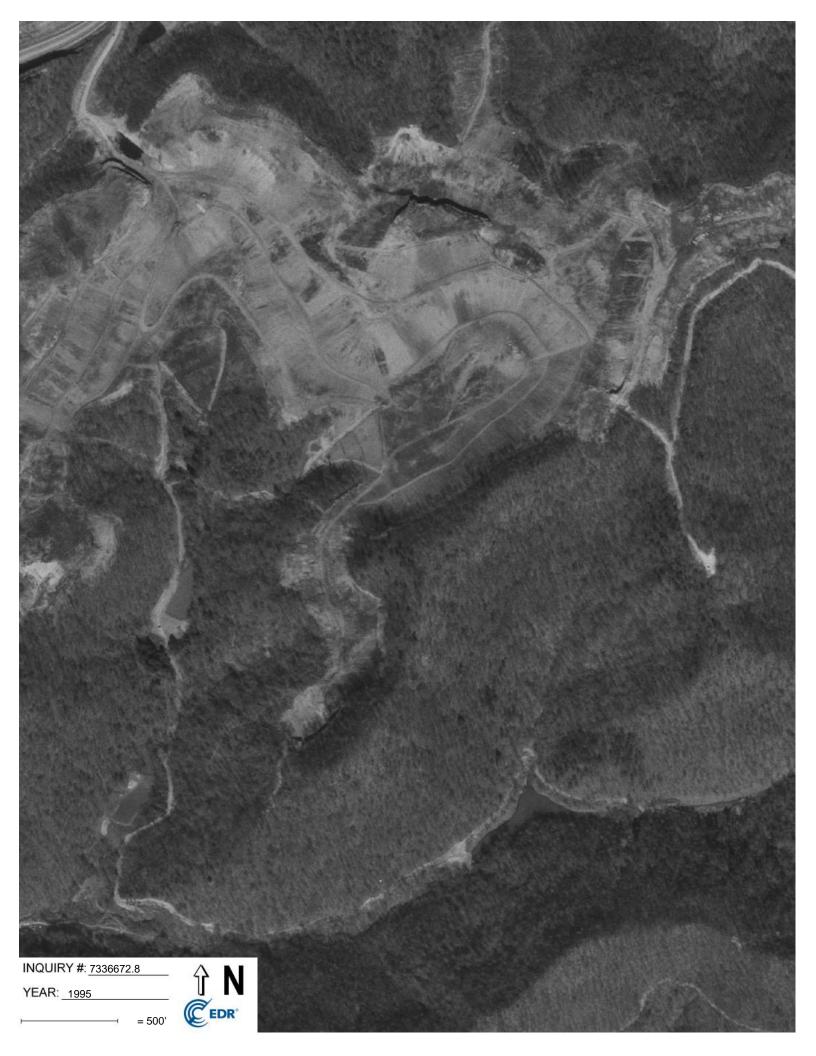
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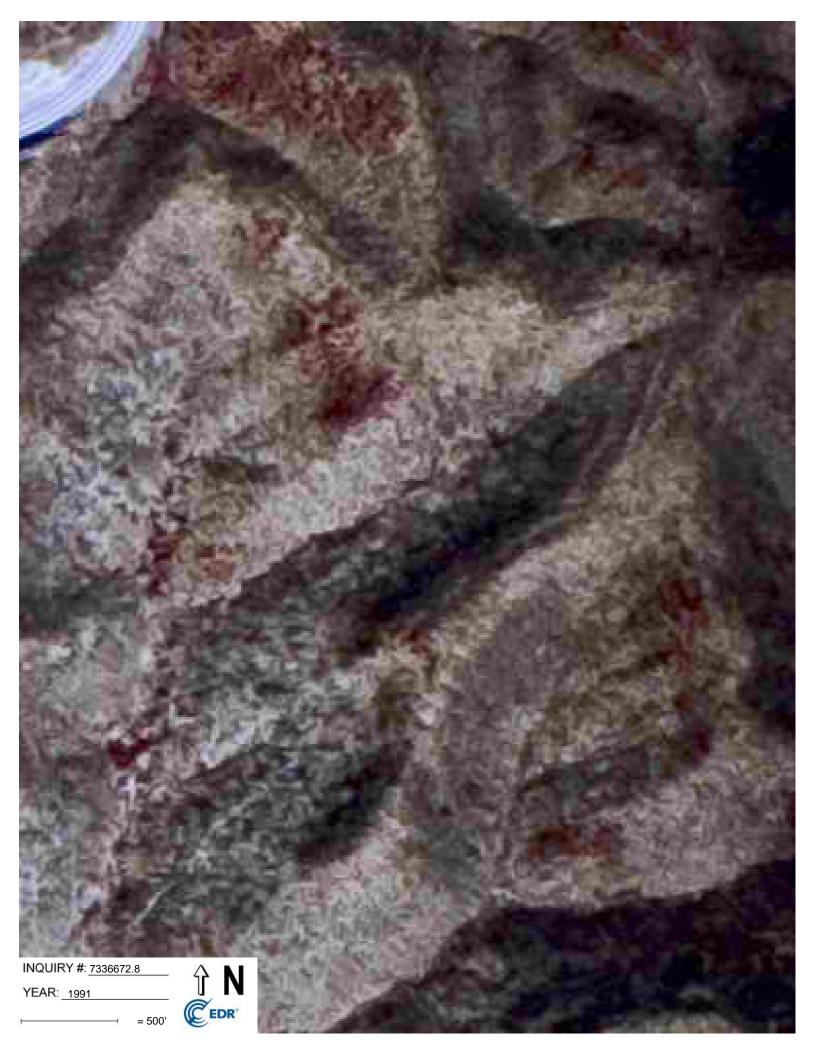








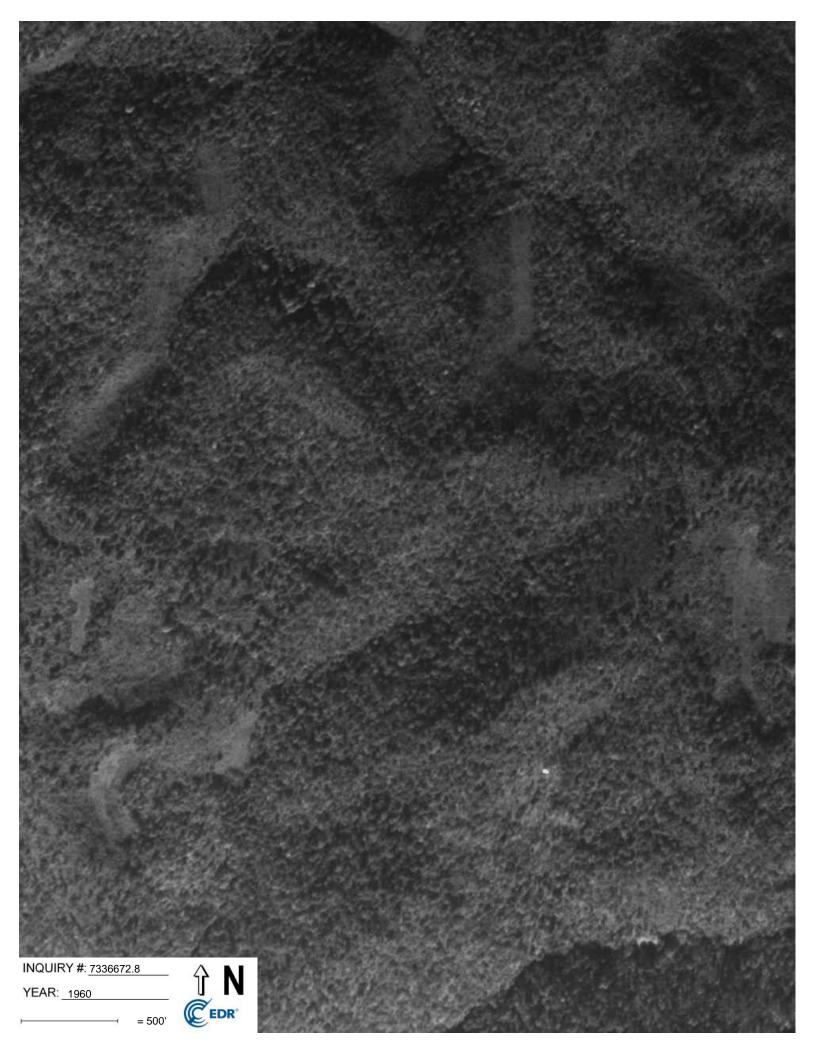


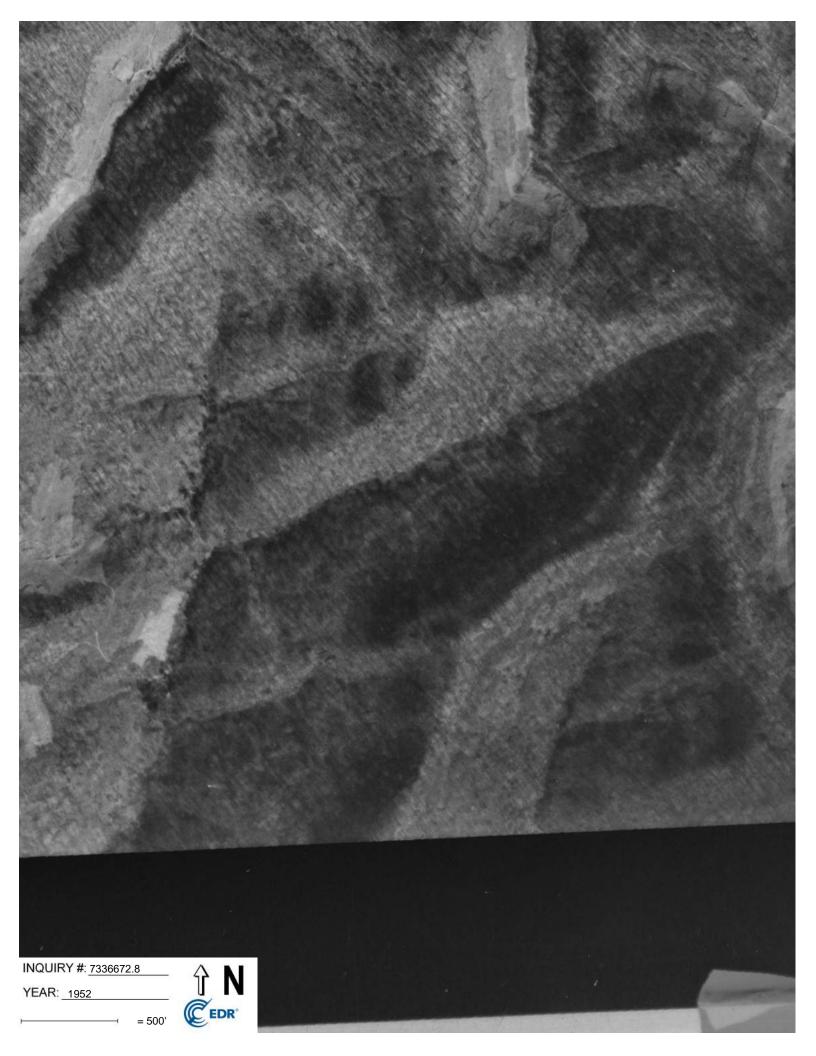














KY-80 KY-80 Mousie, KY 41839

Inquiry Number: 7336672.5

May 17, 2023

The EDR-City Directory Image Report

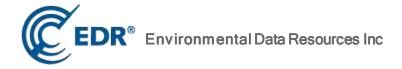


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Thank you for your business.

Please contact EDR at 1-800-352-0050 with any questions or comments.

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EXECUTIVE SUMMARY

DESCRIPTION

Environmental Data Resources, Inc.'s (EDR) City Directory Report is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's City Directory Report includes a search of available business directory data at approximately five year intervals.

RECORD SOURCES

The EDR City Directory Report accesses a variety of business directory sources, including Haines, InfoUSA, Polk, Cole, Bresser, and Stewart. Listings marked as EDR Digital Archive access Cole and InfoUSA records. The various directory sources enhance and complement each other to provide a more thorough and accurate report.

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RESEARCH SUMMARY

The following research sources were consulted in the preparation of this report. A check mark indicates where information was identified in the source and provided in this report.

<u>Year</u>	<u>Target Street</u>	Cross Street	<u>Source</u>
2020	$\overline{\checkmark}$		EDR Digital Archive
2017		$\overline{\checkmark}$	Cole Information
2014	$\overline{\checkmark}$	$\overline{\checkmark}$	Cole Information
2010	$\overline{\checkmark}$	$\overline{\checkmark}$	Cole Information
2005	$\overline{\checkmark}$		Cole Information
2000			Cole Information
1995			Cole Information
1992			Cole Information

FINDINGS

TARGET PROPERTY STREET

KY-80

Mousie, KY 41839

<u>Year</u>	<u>CD Image</u>	<u>Source</u>	
HIGHWAY 8	80 E		
2020	pg A1	EDR Digital Archive	
2014	pg A4	Cole Information	
2010	pg A6	Cole Information	
2005	pg A8	Cole Information	
2000	-	Cole Information	Target and Adjoining not listed in Source
1995	-	Cole Information	Target and Adjoining not listed in Source
1992	-	Cole Information	Target and Adjoining not listed in Source

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FINDINGS

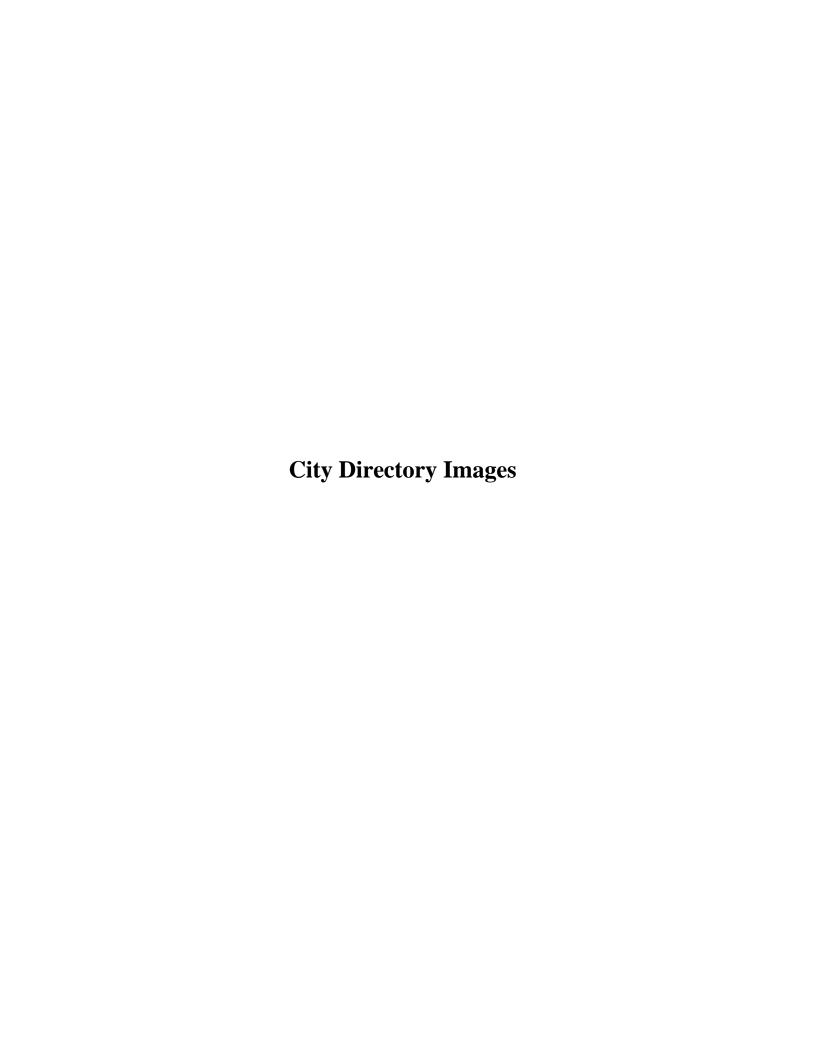
CROSS STREETS

<u>Year</u>	CD Image	<u>Source</u>
-------------	----------	---------------

KENNY CHAMPION LOOP

2020	pg. A2	EDR Digital Archive	
2017	pg.A3	Cole Information	
2014	pg.A5	Cole Information	
2010	pg. A7	Cole Information	
2005	-	Cole Information	Target and Adjoining not listed in Source
2000	-	Cole Information	Target and Adjoining not listed in Source
1995	-	Cole Information	Target and Adjoining not listed in Source
1992	-	Cole Information	Target and Adjoining not listed in Source

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Target Street Cross Street Source

→ EDR Digital Archive

HIGHWAY 80 E 2020

4454 **NORMAN THOMAS** 4773 AMBER SMITH KEITH SMITH 4999 **DEREK WATTS DILLON WATTS** KAREN WATTS

Target Street Cross Street Source
- Source EDR Digital Archive

KENNY CHAMPION LOOP 2020

450	ATM KNOTT COUNTY SPORTSPLEX

Target Street Cross Street Source
- Cole Information

KENNY CHAMPION LOOP 2017

450	COUNTY OF KNOTT
450	KNOTT COUNTY SPORTSPLEX
	KNOTT COUNTY SPORTSPLEX

Target Street **Cross Street** <u>Source</u> Cole Information

	HIGHWAY 80 E	2014
3485 3822 3882 4016 4269 4369 4371 4374 4454 4773 4999	HUNTER, SCOTT W DEATON, MARY E EVE, ANNETTA J REED, DAVID CASEY, RANDAL HALL, MELISSA PRATT, STACEY R PRATT, KELL SLONE, CHERYL OCCUPANT UNKNOWN, SMITH, KEITH OCCUPANT UNKNOWN,	

Target Street Cross Street Source
- Cole Information

KENNY CHAMPION LOOP 2014

450	KNOTT COUNTY SPORTSPLEX SPORTSPLEX

<u>Target Street</u> <u>Cross Street</u> <u>Source</u>

✓ - Cole Information

HIGHWAY 80 E 2010

	HIGHWAT OU E	2010
3485	HUNTER, SCOTT W	
3822	DEATON, PAUL	
3882	HALL, COSHEL W	
4369	PRATT, STACEY R	
4374	SEXTON, DOUGLAS A	
4454	THOMAS, NORMAN	
4773	SMITH, KEITH	
4999	WATTS, DEREK G	
1000	Willia, Belleik G	

Target Street Cross Street Source
- Cole Information

KENNY CHAMPION LOOP 2010

450	KNOTT COUNTY SPORTSPLEX SPORTSPLEX GIFT SHOP

<u>Target Street</u> <u>Cross Street</u> <u>Source</u>

✓ - Cole Information

	HIGHWAY 80 E	2005	
3480	RITCHIE, SAMMY		
3676	MULLINS, BETTY J		
3822	DEATON, PAUL		
3882	BROWN, ALICE		
	COLLINS, LEW W		
	HOLLIFIELD, ELIZABETH N		
	HUFF, KENNETH R SMITH, BRAD		
4267	TERRY, NADINE		
4773	SMITH, KEITH		
4883	GODSEY AUTO SALVAGE		
5115	BEARVILLE TRUCKING CO		

DEED OF CONVEYANCE

This DEED OF CONVEYANCE, made and entered into on the date set forth below, by and between CSX MINERALS, INC., a Virginia corporation, with offices at One James Center, Richmond, Virginia 23219 ("Grantor"), and WESTERN POCAHONTAS PROPERTIES LIMITED PARTNERSHIP, a Texas limited partnership, with offices at 601 Jefferson Street, Suite 4000, Rouston, Harris County, Texas 77002 ("Grantee");

WITNESSETH, that for and in consideration of the sum of Ten and NO/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor does hereby GRANT, BARGAIN, SELL, CONVEY and ASSIGN unto the said Grantee, its successors and assigns, all of the following (all of the following, less and except the Oil and Gas Rights, as hereinafter defined, and the Deferred Interest, as hereinafter defined, are hereby called the "Conveyed Interests"):

- (a) an undivided seventy-five percent (75%) interest in and to all of the following:
 - (i) all of the real property rights, titles and interests (the "Properties") described in Exhibit "A" attached hereto and made a part hereof for all purposes; and
 - (ii) all of the coal mining leases, timber cutting contracts, wheelages, contract rights, permits, licenses, servitudes, easements, rights of ways, and surface leases, to the extent owned by Grantor, in whole or in part, and which are (A) appurtenant to the Properties, or (B) used or held for use in connection with the ownership or operation of the Properties; and

(iii) all of Grantor's interest, if any, in and to any buildings, machinery, fixtures, equipment, washing plants, tipples, personal property and improvements primarily used in the operation of and located on the Properties; and

(b) subject to the provisions hereinbelow, an undivided twenty-five percent (25%) interest in and to the following (the "25% Interest"):

(i) the Properties;

(ii) all of the coal mining leases, timber cutting contracts, wheelages, contract rights, permits, licenses, servitudes, easements, rights of ways, and surface leases, to the extent owned by Grantor, in whole or in part, and which are (A) appurtenant to the Properties, or (B) used or held for use in connection with the ownership or operation of the Properties; and

(iii) all of Grantor's interest, if any, in and to any buildings, machinery, fixtures, equipment, washing plants, tipples, personal property and improvements primarily used in the operation of and located on the Properties.

This Conveyance is made and accepted subject to the following:

(i) Grantor expressly EXCEPTS and RESERVES unto itself, its successors and assigns, all of Grantor's right, title and interest in and to the following (herein collectively "Oil and Gas"): all oil, gas and constituent liquids and gaseous substances or minerals (including sulphur) which may be produced from the well bore of an oil and/or gas well in association with oil or gas and, subject to the Special Conditions, the right of ingress and egress over, upon and across the

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Properties for the purpose of exploring for (including, but not by way of limitation, seismographic exploration) Oil and Gas and for drilling wells or producing the same and for storing and removing the same when so produced. right of ingress and egress shall include the right to make use of so much of the surface of the Properties as may be reasonably incident or () convenient to any exploration, development, storage or production of Oil and Gas, including construction of pipe lines, storage tanks, slush puts, roads and other surface structures incident or convenient to such exploration, development, production, storage or removal, but shall be expressly subject to and in accordance with the conditions attached as Exhibit "B" hereto (the "Special, Conditions"). All such structures, material machinery or equipment placed upon the Properties by Grantor or anyone claiming under Grantor may be removed by Grantor or those claiming under thin a reasonable time after the `. use of said Properties permanently ceases. Grantee shall have no title or interest in or to any consideration, rentals or royalties received by Grantor (as/the owner of the Oil and Gas) under any lease for Oll and Gas on the Properties. Grantor further reserves from the Properties, its present right, title and interest in all existing leases and operations for Oil and Gas, including all right, title and interest of Grantor in any royalties, overriding royalties, production payments, net profits, interests or carried interests, and any reversion or conversion rights related thereto. In this regard, this Conveyance is made expressly subject to the oil and gas leases listed on Exhibit \"A" hereto, but only to the extent same are valid, existing and enforceable on the date hereof, as same may be amended or supplemented; provided, Grantor agrees not to amend any of said oil and gas leases in a manner which would contravene or impair Grantee's rights as described in this Conveyance,

As between Grantor and Grantee, and except as specifically covered by the Special Conditions, Grantor's estate and rights in and to the Oil and Gas hereinabove reserved in and under the

Properties, shall be reasonably accommodated, so that Grantor, its successors and assigns, shall have rights of ingress and egress to explore, develop, use and occupy the Properties to the extent reasonably necessary for Grantor's Oil and Gas operations thereon. This reservation by Grantor is not intended to prevent Grantee from Odrilling water wells upon the Properties Otaking water therefrom, and Grantee is expressly given such right. Grantor and those claiming Under it shall also have the right to drill water wells and take water therefrom, but only to the extent reasonably necessary or incident to its Oil and Gas operations or development of the Properties. Neither Grantor nor Grantee nor any of their respective successors or assigns shall have any obligation, express or implied, to maintain or perpetuate any of the Properties or any interests therein in force or effect for the benefit of the rights or estates owned by the other. Grantor further reserves the right at its sole cost, risk and expense to use any easements, servitudes, rights-of-way; surface leases and other surface rights (subject to the terms and conditions thereof) included in the Properties covered hereby to the extent and only to the extent reasonably necessary in connection with Grantor's operations and only so long as Grantor's use thereof does not unreasonably interfere with the exploration, development, operation or maintenance of the Properties by Grantee in connection with its mineral operations thereon; provided that Grantee shall not be required to maintain any such easements, servitudes, rights-of-way, surface leases or other surface rights and may deal with same or release same in its sole discretion without any duty (express or implied) or liability to Grantor. All of the rights, titles and interests reserved by Grantor in this paragraph (ii) shall be referred to herein as the "Oil and Gas Rights".

(ii) The reservation by Grantor, and Grantor hereby reserves unto itself, its successors and assigns forever, the Deferred Interest, as defined and described as follows:

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At 7 o'clock a.m., local time, July 1, 2001 (the "Reversion Date"), ownership of and title to the 25% Interest assigned and conveyed hereby shall automatically terminate and ownership thereof and title thereto shall automatically revert to and vest in Grantor as stated in the sentence next following. This Conveyance creates, and for all purposes hereof shall be construed as creating, as to the 25% Interest, a determinable estate in Grantee, and accordingly, on the Reversion Date, regardless of whether evidenced or confirmed by any assignment or other document, Grantee shall be automatically, unconditionally, completely and irrevocable divested of, and Grantor shall be vested with, the 25% Interest, any language herein or inferences herefrom to the contrary notwithstanding. The 25% Interest to be so vested in Grantor on the Reversion Date is herein called the "Deferred Interest".

The interests of Grantor and Grantee, their respective successors and assigns, in the Conveyed Interests and the Deferred Interest are and shall be subject to the provisions of that certain Deferred Interest Agreement of even date herewith, between Grantor, Grantee and others, the form of which is attached hereto as Exhibit "D" and which Agreement will be executed and recorded in the county in which this Conveyance is recorded.

(iii) Grantee covenants and agrees that, to the extent any Railroad Rights of Way (hereinafter defined) are located over or within the Properties, any lessee, subléssee, operator or other person or entity proposing to extract coal or other minerals under, within or adjacent to and on land abutting a Railroad Right of Way, including Grantee, its successors and assigns (an "Operator"), shall comply with and be subject to, and each lease, sublease, license or other agreement entered into hereafter with respect to the exsuch coal or other mimerals expressly', provide, shall Agreement") following:

(a) No mining or other extraction work shall be commenced until detailed plans therefor have been submitted to and approved by the Chief Engineer of the Railroad (hereinafter defined), and thereafter such work shall be carried out only in accordance with, and the Operator shall drive, pass through, operate, maintain and use for mining purposes only those entries and cross-cuts shown on, the plans so approved by the Chief Engineer. Approval of said plans shall in no way affect the liability of the Railroad as assumed by the Operator.

- (b) No mining is permitted under Railroad tunnels. No open pit or strip mining is permitted within any Railroad Right of Way or within five feet of the boundary line of any Railroad Right of Way. In addition all overburden slopes in proximity to a Railroad Right of Way shall be cut on a non-erodable gradient.
- (c) All mining operations shall be carried on in conformity with all the valid laws of the state in which mining operations are conducted and the United States of America, now or hereafter in force.
- (d) The soal pillars left for support shall be rectangular, inasmuch as possible, and in a uniform configuration.
- (e) The Operator shall at all times maintain all entries and cross-cuts in a condition satisfactory to the Railroad's Chief Engineer, or his authorized representative, in a manner that will not endanger or interfere with the subterranean, lateral or subjacent support of the Railroad's tracks, rail facilities and other property.
- (f) In the event faults, limitations or other conditions are encountered which may cause cave-ins or other dangerous conditions, the Operator, at its sole cost and expense, shall promptly arrange to support the mine

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entries and cross-cuts and take any other steps deemed necessary by the Railroad's Chief Engineer to immediately remedy such dangerous conditions.

- In the event the Operator shall at any time fail to maintain and operate said mine entries and cross-cuts in the manner as provided for herein, and the support of Railroad's railroad track, facilities or other property is endangered by any failure, the Railroad, its agents or contractors, upon 30 days notice to the Operator which notice shall specify the particulars by which such operations are deficient, shall have the right to enter said mine entries and crosscuts and to make repairs, erect posts or do any other act or thing which shall be necessaxy to protect the Railroad's right to support and to place inspectors therefor, at the sole cost and expense of the Operator.
- During the continuance of any right to drive, operate and maintain said mine entries and cross-cuts, the Operator shall indemnify defend and save Grantor, the Railroad and their respective officers, agents and employees, harmless from and against all claims, demands, suits, damages, awards, judgments (judicial or administrative), costs and expenses whatsoever (including reásonable attorneys' fees) suffered or incurred by Grantee, the Railroad, or their zespective officers, agents and employees, and due to, caused by, or arising in any mannex, out of the possession, use and occupancy by the Operator of any property located under or within the Railroad Right of Way, and specifically any such claims, etc., arising from or under the Federal Black Lung Act or comparable state statute.
 - (i) Upon termination of a Mining Agreement, by expiration of the term thereof or any other reason, the Operator shall remove all movable chattels, fixtures, or

structures, except those designated as the Railroad's property, or those necessary to provide post-closure support, within the time specified in any notice of termination or at the latest within thirty (30) days after such termination.

The Operator, prior to commencement of any activities provided for herein, shall procure and maintain during continuance of its mining activity, at its sole cost and expense, liability insurance covering liability assumed by the Operator under this Conveyance with a limit of not less than \$3 million (or such greater amount as may be reasonably required by Grantor) Combined Single Limit for personal injury and property damage per occurrence and naming Grantor and the Railroad as co-insureds. The Railroad shall) be furnished a certificate of insurance stating that the policy of insurance includes Contractual Liability Coverage, referring to this Conveyance by date, the names of the Grantor and the Railroad and the location covered. Said policy shall provide for post-cosure liability for a minimum of three (3) and maximum of seven (7) years after the 'cessation of mining operations. The certificate shall provide for thirty (30) days' notice to the Railroad prior to termination of or change in the coverage provided. The furnishing of this insurance shall not · limit the Operator's liability assumption but shall be additional security therefor.

(k) For purposes of this subparagraph (iii):

"Railroad" shall mean CSX Transportation, Inc., a Virginia corporation, it successors and assigns, whose principal address is 500 Water Street, Jacksonville, Florida 32202. The address of the Chief Engineer of the Railroad is the same. All notices, demands, approvals, requests and other communications with respect to the

Q)

foregoing matters shall be in writing and shall be deemed to have been given when delivered in person or when sent by registered or certified mail, return receipt requested, postage prepaid to the address stated herein, with a copy to CSX Realty, Inc., One James Center, Richmond, Virginia 23219. The Railroad and the Railroad's Chief Engineer may designate by notice to Grantee any further or different addresses to which subsequent notices shall be sent, and

"Railroad Right of Way" shall mean those parcels, strips or corridors of standard width in the area but not less than sixty (60) feet in width nor more than 100 feet in width crossing certain of the Properties (x) which are currently used by the Railroad or any of its Affiliates for railroad purposes, or (x) which have been used by the Railroad or any of its Affiliates (including any predecessor companies) for railroad purposes and have not been abandoned for such purposes pursuant to any order, rule or regulation of the Interstate Commerce Commission or other appropriate government authority.

TO HAVE AND TO HOLD the Conveyed Interests, together with all and singular the rights and appurtenances thereunto belonging, unto the said Grantee, its successors and assigns forever. Subject to the express reservations herein contained, it is the intent of this conveyance to transfer and convey to Grantee, and Grantor does hereby convey and transfer to Grantee all rights and interests now owned by Grantor, its successors and assigns, including, but not limited to all future interests, reversionary or deferred rights, or other vested or contingent rights or estates in the Conveyed Interests, so that upon Grantor's acquisition of such after acquired interests, the same shall, ipso facto, become vested in Grantee as fully and effectively as though Grantor had fully warranted title to the Conveyed Interests, notwithstanding that this Conveyance is otherwise made without warranty.

Grantor hereby also conveys to Grantee, its successors and assigns, all rights of Grantor and its Affiliates, to the extent assignable, in and to all covenants and warranties by Grantor's and the Affiliates' predecessors in title (other than any such covenants or warranties made by Affiliates of Grantor or by Grantor's corporate predecessors) and with full subrogation of all rights accruing under the statutes of limitation or prescription under the laws of various states in which the Conveyed Interests are located and all rights of action of warranty against all former owners (other than Affiliates or corporate predecessors of Grantor) of the Conveyed Interests.

For the purposes of this Conveyance, the term "Affiliate" shall mean, with respect to any entity, a person or entity that either now or in the past has directly or indirectly controlled, been controlled by or been under common control with, such entity or its corporate predecessors. For the purposes of this Conveyance, CSX Corporation and its Affiliates shall be Affiliates of Grantor.

Except as set forth in the two immediately preceding paragraphs, this Conveyance is made and accepted without recourse, covenant or warranty, expressed, implied or statutory.

The parties agree that, to the extent required by the applicable law to be operative, the disclaimers of certain warranties contained in this paragraph are "conspicuous" disclaimers for the purposes of any applicable law, rule or order. WITHOUT LIMITATION OF THE GENERALITY OF THE IMMEDI-ATELY PRECEDING SENTENCE, GRANTOR HEREBY EXPRESSLY DISCLAIMS AND NEGATES, ANY REPRESENTATION OR WARRANTY, EXPRESSED, IMPLIED, AT COMMON LAW, BY STATUTE OR OTHERWISE RELATING TO THE CONDITION OF THE PROPERTIES (INCLUDING WITHOUT LIMITA-TION, ANY IMPLIED OR EXPRESSEDX WARRANTY OF MERCHANTABILITY, OF FITNESS FOR A PARTICULAR PURPOSE, OF WORTHINESS OR OF CONFORMITY TO MODELS OR SAMPLES OF MATERIALS), IT BEING THE INTENTION OF GRANTOR AND GRANTEE THAT THE PROPERTIES ARE TO BE CONVEYED IN THEIR PRESENT CONDITION AND STATE OF REPAIR AND THAT GRANTEE HAS MADE OR CAUSED TO BE MADE SUCH IN-SPECTION AS IT DEEMS APPROPRIATE.

In addition to, and not in lieu of the conveyance evidenced by the foregoing, Grantor hereby quitclaims, remises and relinquishes unto Grantee any and all lands and interests described in the Coal Leases described in Exhibit

6)

"C" hereto, but only to the extent such lands and interests are not described in Exhibit "A" hereto. To the extent any property passes to Grantee by virtue of this paragraph, the preservations, exceptions and stipulations contained herein relating to the Conveyed Interests are, and shall be, applicable thereto.

This Conveyance shall be binding upon and shall inure to the benefit of Grantor and Grantee and their respective successors, legal representatives and assigns, including without limitation any lessees from Grantor of the Oil and Gas Rights, and any lessees or sublessees from Grantee of any coal or other mineral rights.

Dated on the 31st day of December, 1986.

GRANTOR

CSX MINERALS, INC.

v: 1. m.

Authorized Representative

GRANTEE:

WESTERN POCAHONTAS PROPERTIES LIMITED PARTNERSHIP, a Limited Partnership

By Western Pocahontas Corporation, its General Partner

By:

Corbin J. Robertson, Jr.

President

-11-

GRANTEE'S MAILING ADDRESS:

Western Pocahontas Corporation 9601 Jefferson Street Suite 4000 Houston, Texas 77002

This Instrument was Prepared By:

Douglas B. Glass Daugla B. Has Vinson Elkins 3500 Filyst City Tower 1001 Fannin

77002-6760 Houston, Texas

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State of Texas
County of Harris

The foregoing instrument was acknowledged before me this 31st day of December, 1986, by P. MICHAEL GIFTOS, Authorized Representative of CSX MINERALS, INC., a Virginia corporation, on behalf of the corporation.

My Commission Expires:

Notary Public in and for The State of Texas

Printed Name of Notary:

Linda L. Scott & Sommission Expires: July 30, 1488

State of Texas

County of Harris

The foregoing instrument was acknowledged before me this 31st day of December, 1986, by CORBIN J. ROBERTSON, JR., President of WESTERN POCAHONTAS CORPORATION, General Partner of WESTERN POCAHONTAS LIMITED PARTNERSHIP, a Texas Limited Partnership, on behalf of the limited partnership.

My Commission Expires:

Linda L. Scott

My Commission Expires: July 30, 1988

Notary Public in and for The State of Texas

Printed Name of Notary:

EXHIBIT "A"
TO
CONVEYANCE

PREAMBLE

This Exhibit describes the Properties, as defined in the Conveyance to which it is attached.

The Properties shall mean all of the real property, rights, pitles and interests as described in the following pages. The Properties are conveyed subject to (a) those matters set forth in the Conveyance, (b) the reservations, exceptions, exclusions and terms of the respective instruments listed on the following pages by, through or under which Grantor or its predecessors in title, acquired the Properties, (c) conveyances of land given in consideration or exchange pursuant to the instruments listed on the following pages and (d) all of the terms, provisions and conditions of the other instruments listed in Part III of of this Exhibit "A", but only to the extent that same are valid and subsisting and in full force and effect and affect the Properties.

For purposes of this Exhibit the following terms shall have the following meanings:

- 1. "Grantor" shall mean the grantor, assignor, lessor or contracting party of the first part, as the case may be, as described in the instrument to which reference is made.
- "Grantee" shall mean the grantee, assignee, lessee or contracting party of the second part, as the case may be, as described in the instrument to which reference is made.
- 3. "Date" shall mean the date of the instrument, agreement, document or order to which reference is made on this Exhibit.
- 4. "Book" and "page" shall mean the applicable recording book, volume, page, folio or other index in which the applicable county chooses

and the state of

to index its instruments of the type described herein. Where no Book and page information is listed, reference is hereby made to the record of the document, where same may be found.

For informational purposes, the following companies are predecessors in title (either by merger or mesne conveyance) of Grantor:

Western Pocahontas Corporation (herein "Western Pocahantas Corp.")

Western Maryland Company

West Virginia Central and Pittsburg
Railway Company (herein "W. Va. & P RY Co.")

Eastern Pocahontas Corporation (herein "Eastern Pocahontas Corp.")

Dodson Bituminous Coal Corp.

Chesapeake & Ohio Railroad Company (herein "C&O RR Co.")

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EXHIBIT "A"

Kentucky	Knott
STATE:	COUNTY:

. ALL of the real property rights, titles and interests as are covered by and described in the following:

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BOOK N 90 86 9 $\boldsymbol{\omega}$ S œ g 10/01/1968 05/15/1963 05/31/1967 INSTRUMENT 05/22/1939 05/15/1963 DATE Corp. Corp. Corp Corp Corp. Pocakonkas tas Pocahontas Pocahontas Pocahontas Pocahon GRANTEE Western P Western Western Western et wright, Tr rimber Corp is, Horn Jewell Cecil EIK

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EXHIBIT "A"

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supplemen and any following the that enforceable hereof: and extended, extent by, the date granted only to the existing and of amended, the conditions **Б** estates Properties peen but valid, and have modified, 4 provisions are the SUBJECT same fect same OK

GRANTOR	GRANTEE	INSTRUMENT	BOOK	
Western Pocahontas Corp.	National Witnes Corp.	12/31/1968		
Western Pocahontas Corp.	Evanston Coal & Land Co.	01/01/1971		
Western Pocahontas Cokp.	The Inland Gas Co.	12/01/1976		
Western Pogahontas Corp.	Kentucky Power Co.	12/12/1980	127	
(csx Minerals, Inc.	Commonwealth of Kentucky	05/14/1984		

EXHIBIT "B"
TO
CONVEYANCE

The Oil and Gas Rights and Grantor's exercise thereof are subject to the following limitations and restrictions:

- Except as may be provided by Statute, Grantor agrees that its Oil and Gas Rights and the rights of any present or future Oil and Gas lessees or operators on any lands occovered by the Properties shall not unreasonably interfete with Grantee's operations (or those of its lessees, permitees and licensees) with respect to the Conveyed Interest's, including, without limitation, mining operations, commercial and surface development operations, timber operations and other operations that Grantee or its successors or assigns conduct relating in any way to the Conveyed Interests; provided that the present terms of any existing Oil and Gas Yeases shall govern the activities of lessees or sublessees claiming thereunder. To this end, Grantor agrees that it will proxide to Grantee, prior to institution or any Oil and Gas relàted operations a detailed plan of activities setting forth the proposed use and extent of the use of the surface, the proposed depth and drilling pattern of any wells to be drilled, the bottom hole location and a schematic of the well bore if any directional drilling is anticipated, and such other information as Grantor shall have or Grantee reasonably shall request. At the time of such notice, Grantee shall Likewise provide such information as Grantor may request relating to Grantee's mining operations, commercial and surface development operations, timber operations and other operations as are then known by Grantee. Grantee shall have the right to modify Grantor's plans by responding within ninety (90) days from the receipt thereof so as to minimize any interference by Grantor with Grantees known or proposed operations. Grantee shall not have the right to summarily refuse or reject a development plan submitted in good faith by Grantor without stating reasons for such refusal or rejection; but Grantee shall be required to modify such plans, stating its reasons therefor. Grantor shall not have the right to conduct operations for Oil and Gas until Grantee has approved a development plan in its discretion, exercised in good faith.
- 2. With respect to any Property now or hereafter developed by Grantee for commercial, residential or

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industrial purposes, Grantor and Grantee agree to negotiate in good faith a plan by which Grantor will exercise its Oil and Gas Rights at specified drilling sites, other facility sites, access roads and pipeline rights-of-way that, to the largest extent possible, avoid interference with the use by Grantee of the affected Property.

- Grantee's rights to develop the Conveyed Interests are Of equal dignity to the Oil and Gas Rights, although as between Grantor and Grantee, and their successors and assign's the Conveyed Interests shall have priority. Therefore, in the event any Oil and Gas well is completed as a well capable of producing Oil or Gas, each party agrees to develop and exchange plans in accordance with paragraph l above whereby both parties may still utilize the property but with priority for a plan whereby any coal or other minerals that Grantee or its lessees or sublessee may be mining or planning to mine can be recovered. Likewise, the parties agree/)for all purposes (notwithstanding the provisions of paragraph 2 above) to accommodate Grantor or its lessees or sublessee to the end that anticipated recoverable reserves attributable to a well producing oil or gas may be fully recovered over the economic life of said well, subject to the provisions of paragraph 4 below.
- 4. After the approval of an agreed plan of development pursuant to paragraph 1 above, if any Oil and Gas well is producing or is capable of producing commercially pursuant thereto, Grantor or its lessees or sublessees agree to temporarily suspend operations and shut-in such well, remove all equipment and roads at Grantee's request if made on or after five (5) years from the date of the approval of the said development plan. Sugh initial shut-in removal and relocation shall be, on a one time basis (as to the wells, roads or facilities covered by each request), at the cost of Grantor or its lessees or sublessees. At such time, Grantee shall give Grantor ninety (90) days notice in writing of the anticipated date by which any coal surface mining or related backsloping operation shall occur. Grantor agrees, at such time as Grantee shall have mined within 500 feet of such well site location, or to such other distance as may be permitted under the applicable regulations of governmental authorities having jurisdiction over the premises, but in no event later than such time as Grantee shall have mined within 200 feet of such well site location, to temporarily suspend operations and to shut-in such Well, as follows:

- (a) In the event Grantor is required to shut-in the well in accordance herewith, the shut-in procedures for such well shall be as follows:
 - (i) Remove any and all of Grantor's surface facilities, including pipelines, gathering lines, roads or other improvements located on said lands;
 - (ii) Set a drillable bridge plug in the production casing at a depth at least 150 feet below the projected ultimate depth of the mine pit floor in the well site location area;
 - (iii) Cut off the production casing at a point approximately fifty (50) feet above the drillable bridge plug and remove said casing above said cut-off point;
 - (iv) Set a retrievable bridge plug in the surface casing at a depth approximately seventy-five (75) feet below the projected ultimate depth of the mine pit floor in the well site location area; and
 - (v) Thereafter, spot approximately twentyfive (25) feet of sand on top of the retrievable bridge plug; or
 - (vi) Employ any other procedure approved by the governmental agency having juris-diction thereof, and agreed upon by the parties at the time.
- (b) Upon completion of such operation, Grantor shall give Grantee written notice hereof, together with a copy of a survey of the actual well location prepared by a registered surveyor. All costs of expenses of suspension and shut-in of the well shall be borne by Grantor or its lessees or sublessee.

If Grantee requires further removal) suspension or relocation of wells or facilities beyond the initial request,

such further activities shall be at Grantee's cost and expense.

- If any oil and gas well is declared to be dry, or at any time abandoned by Grantor or its lessees or sublessees, it shall be plugged and abandoned as required by then controlling laws, rules and regulations pertaining thereto. In addition, Grantor or its lessees or sublessees agree to set a substantial cement plug in any such oil and gas well at a depth below the coal deposits, as mutually determaned, but if no mutual determination can be made, then as determined by a third party professional mining engineer acceptable to Grantee. Grantor, or its lessees or sublessees, upon completion of any operations upon any affected property, also shall remove all equipment and structures placed by it thereon, fill and level all holes and excavations made by it, and restore the property in a manner that complies with all applicable federal, state and local laws, rules, regulations and orders governing Oil and Gas operations, and as near as possible to original contour.
- 6. Grantor agrees to comply with such reasonable security measures and procedures as Grantee may establish relative to Grantor's access to and utilization of the affected property.
- 7. Grantee is granted and shall have for itself, its assigns and lessees, the right to farm, graze, mine, develop and otherwise enjoy the use of the Conveyed Interests. Grantor, or its assigns or lessees or sublessees, shall be responsible to Grantee, or its assigns or lessees, for any reasonable damages to improvements, growing crops and timber, livestock and/or significant disruption of mining, timber, ranching or other operations as a result of Grantor's operations with respect to the Conveyed Interests, the Properties or the Oil and Gas Rights.
- 8. Grantor understands that a portion of the property upon which certain rights have been retained hereunder is currently leased to third parties for farming, ranching, mining, oil and gas, residential and other purposes, and any right to enter upon the Conveyed Interests or any access route is not warranted or guaranteed and Grantor's activities thereunder shall be at Grantor's sole cost, risk and expense.

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- 9. Upon Grantee's request, Grantor agrees to provide Grantee with all geological data and information, to a depth of 10,000 feet from the surface, which is obtained through the drilling of any Oil and Gas wells an to allow Grantee access to any cores, samples, or well logs developed in connection with the drilling and coring of any Oil and Gas wells to such depth unless such data is subject to a confidentiality agreement with a third party. Grantee agrees to reimburse Grantor for copying and direct out of pocket costs related to the furnishing of such information. Grantor shall use its best efforts to exclude Grantee from the application of any confidentiality agreement which would
 - 10. Grantor agrees to comply with all laws, rules, regulations and orders of federal, state, and local government authorities having jurisdiction over Grantor or any of the work associated with any exercise of the Oil and Gas Rights. Grantor further agrees to comply with all laws, rules, regulations and orders of any governmental authorities having jurisdiction over Grantee relative to the mining of coal or other operations of Grantee to the extent that such may also be applicable to Grantor's activities hereunder.

limit Grantee's right of access to the information specified

herein.

- 11. Grantor agrees that its operations in exercising its Oil and Gas Rights will utilize only so much of Grantee's water supplies, quantities or quality as may be reasonably necessary in connection with Grantor's operations including water flooding operations; provided that water supplies may only be utilized for water flooding operations in the same field (as may be defined by the regulatory authority with jurisdiction) from which the water is produced. Further, Grantor agrees that its operations in exercising its Oil and Gas Rights will not interfere with, nor cause damage to, Grantee's water supplies, quantities or quality.
- 12. Grantor or its lessees or sublessees, assigns and successors, shall assume and bear responsibility for, and agrees to indemnify and hold Grantee harmless from, any and all costs, expenses, liabilities, claims or losses arising out of or resulting from the exercise or use by Grantor or its lessees or sublessees, of the oil and Gas Rights. Likewise, Grantee and its assigns and successors, shall assume and bear responsibility for and agrees to indemnify

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and hold Grantor harmless from, any and all costs, expenses, liabilities, claims or losses arising out of or resulting from the exercise or use by Grantee of the Conveyed Interests.

13. References herein to Grantor and Grantee shall include such parties and their respective successors, assigns, lessees, sublessees, permitees or others claiming by, through or under said parties.

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EXHIBIT "D"
TO
CONVEYANCE

DEFERRED INTEREST AGREEMENT

THIS DEFERRED INTEREST AGREEMENT (this "Agreement"), dated as of December 31, 1986, is between CSX MINERALS, INC., a Virginia corporation ("CSXM"), CSX TRANSPORTATION, INC., a Virginia corporation ("CSXT"), and MID ALLEGHENY CORPORATION, a West Wirginia corporation ("MAC") (CSXM, CSXT and MAC are sometimes collectively referred to as "Principal Sellers"); BALTIMORE AND OHIO RAILROAD COMPANY, a Maryland corporation ("B&O"), THE REAL ESTATE AND IMPROVEMENT COMPANY OF BALTIMORE CITY, a Maryland corporation ("RE&I"), ADRIAN REALTY COMPANY, a Pennsylvania corporation ("ARC"), THE SCHUYLKILL IMPROVEMENT LAND COMPANY OF PHILADELPHIA, a Pennsylvania corporation ("SILC"), WESTERN MARYLAND RAILWAY COMPANY, a Maryland corporation ("WMRC"), MARYLAND AND WEST VIRGINIA COMPANY, a West Virginia corporation ("M&WVC"), CHICAGO AND INDIANAPOLIS COAL COMPANY, INC., an Indiana corporakton ("CICC") (B&O, RE&I, ARC, SILC, WMRC, M&WVC and CICC are sometimes collectively referred to as "Other ', Sellers"; Principals Sellers and Other Sellers are sometimes collectively referred to as "Sellers" and sometimes individually as a "Seller"); and (WESTERN POCAHONTAS PROPERTIES LIMITED PARTNERSHIP, a Texas limited partnership ("Buyer").

RECITALS

- A. Pursuant to the Burchase Agreement, dated as of the date hereof, among CSX Corporation, a Virginia corporation ("CSX"), Principal Sellers and Buyer (the "Purchase Agreement"), Principal Sellers have sold, and CSX has caused Other Sellers to sell, to Buyer certain real property and related interests in West Virginia, Kentucky, Maryland, Alabama, Indiana and Pennsylvania (collectively, the "Properties" and individually, a "Property"), more particularly described in the Conveyances listed in Schedule A attached hereto (the "Conveyances").
- B. Pursuant to the Conveyances, Sellers retained a reversionary interest, to be effective July 1, 2001, of 25% (28% in the case of MAC) of Sellers' respective interests in the Properties.
- C. In order to facilitate the sale, leasing, use and development of their respective interests in the Properties before and after July 1, 2001, Sellers and Buyer have entered into this Agreement.

NOW, THEREFORE, in consideration of the mutual benefits derived and to be derived herefrom by each party, Sellers and Buyer hereby agree as follows:

ARTICLE I

DEFINITIONS

Capitalized terms not defined elsewhere in this Agreement shall have the meaning set forth below unless the context otherwise requires:

Affiliate" means, with respect to an entity or person, any entity or person directly or indirectly controlling, controlled by or under common control with such person or entity.

"Affected Seller" means the Seller of a Property which is the subject of a proposed or actual Sale.

"Affected Property" means a Property which is the subject of a proposed or actual Sale.

"Allocated Purchase Price" means the portion of the purchase price paid by Buyer for each of the Properties under the Purchase Agreement, such purchase price having been allocated to certain groups of the Properties in accordance with the purchase price allocation attached to the Purchase Agreement as Schedule 3.6(a). The Allocated Purchase Price of any Properties which constitute less than an entire group of Properties as listed on such schedule shall be determined by an independent consultant chosen in the manner provided in Section 3.7 of the Purchase Agreement, unless the parties otherwise mutually agree upon the Allocated Purchase Price. Beginning January 1, 1988 and on each January 1 thereafter until January 10 2001, the Allocated Purchase Price shall be reduced by seven percent (7%) of the original amount set forth on such schedule, and such reduced price shall be the Allocated Purchase Price for purposes of any Sale made on such January 1 or during the remainder of the calendar year; provided, that in no event shall the Allogated Purchase Price be less than zero. From and after the Reversion Date, the Allocated Purchase Price for each of the Properties shall be zero. Seller shall have the right to review and object to any of the values listed on such schedule as provided in Section 3.7(c) of the Purchase Agreement, and if any of such values are changed in the manner provided in such section, the Allocated Purchase Price of the Properties for purposes of this Agreement shall also be changed accordingly.

"Code" means the U.S. Internal Revenue Code of 1986, as amended.

"Deferred Interests" means the reversionary interests of Sellers in the Properties to be effective on the Reversion Date, as more particularly described in the Conveyances.

"Excluded Transaction" means any of the following:

- (i) any transfer to or among any Affiliate of Buyer or any entity directly or indirectly controlled by any descendants of the late H. R. Cullen and Lillie C. Cullen of Houston, Texas, or by any trust or trusts primarily for the benefit of any of them;
- (ii) the reformation of Buyer as a Delaware plimited partnership (in which case the term Buyer shall thereafter mean such Delaware limited partnership);
- (iii) any transfer by one or more of Sellers to one or more of the other Sellers or to an Affiliate of one or more Sellers;
- (iv) the granting by Buyer or Sellers of any lien, mortgage, security interest or other encumbrance on their respective interests in all or any portion of the Properties in connection with any financing secured by their respective interests in the Properties or any portion thereof;
- any other transfer which the other party or parties agree to treat as an Excluded Transaction; or
- (vi) the granting of any coal mining lease, surface lease, timber harvesting contract, easement, license or similar agreement.

"Fiscal Year" means the six-month period beginning on the Reversion Date and ending December 31, 2001 and each twelve-month period thereafter beginning January 1 and ending the following December 31.

"Net Revenues" means the Operating Revenues attributable to and accrued in any Fiscal Year less (i) the Operating Expenses incurred during and accrued in such Fiscal Year and (ii) any Operating Expenses incurred during and accrued in any of the previous Fiscal Years to the expent such Operating Expenses incurred in any of such years exceeded the Operating Revenues during the same year and were not already subtracted from the Operating Revenues of any subsequent Fiscal Year in determining Net Revenues payable hereunder during such subsequent Fiscal Year.

"Operating Expenses" means all reasonable costs, expenses and liabilities, determined in accordance with generally accepted accounting principles, consistently applied, incurred and accrued by Buyer during any Fiscal Year in the business of owning, maintaining, managing, leasing and selling the Properties (including Sellers' interests therein) for the purpose of generating Operating Revenues currently or in the future or for the purpose of selling the combined interests of Buyer and Sellers pursuant to Sales currently or in the future, including, without

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limitation, the following expenses and liabilities incurred in such business and for such purposes: overhead expenses, ad valorem taxes, liability insurance premiums, engineering and marketing studies, survey expenses, the cost of constructing roads reasonably required for managing timber properties or providing access thereto and all "Damages" for which Buyer is liable under Section 5.2 (other than due to Buyer's gross regligence or willful misconduct). Operating Expenses shall not include any costs, expenses or liabilities associated with coal mines operated by Buyer (as distinguished from those which it leases to others) or attributable to any commercial real estate development activities referred to in Section 4.2 and not of the type which Sellers conducted on the Properties before the date hereof.

"Operating Revenues" means all revenues, determined in accordance with generally accepted accounting principles, consistently appared, generated and properly accrued during any Fiscal Year from, (i) coal mining leases, surface leases, timber harvesting contracts, ground leases, and other similar agreements relating to the Properties (subject to adjustment for uncollectible accounts), (ii) the fair value of any consideration paid to Buyer For any such leases, contracts or other agreements to the extent such consideration is not paid in the form of rents or royalties, and x(iii) any payments (other than recoupable' royalties) made under any such leases, contracts or other agreements before the Reyersion Date to the extent such payments constitute consideration for the period of time after the Reversion Date (in which case such payments shall be amortized over the term of the lease contract or other agreement) and (iv) recoupable royalties under coal mining leases paid to Buyer before the Reversion Date but only to, as and when lessees receive credit therefor after the Reversion Date, but excluding (A) the proceeds of any Sale, (B) the proceeds from any sale, financing, refinancing, or transfer by Sellers or Buyer of their respective interests in the Properties, and (C) revenues attributable to any coal mines operated by Buyer (as distinguished from those which it leases to others) or attributable to any commercial real estate development activities referred to in Section 4.2 and not of the type which Sellers conducted on the Properties before the date hereof.

"Reversion Date" means July 1, 2001.

"Sale" means any sale, conveyance or transfer of all or part of the interest of Buyer or of any Seller in any one or more of the Properties, other than an Excluded Transaction.

ARTICLE II

SALES OF PROPERTIES

- 2.1. Right to Sell General. Each party hereto agrees not to make a Sale of all or any portion of its interests in the Properties without first complying with the provisions of this Article II. Any Sale which does not comply with the provisions of this Article II shall be void and shall not transfer legal or beneficial title to the interests intended to be sold.
- 2.2. Transfers, etc. Other Than Sales. Any sale, exchange, lease, license, easement, or other transfer or disposition of any interest in the Properties, including the granting of a lien, mortgage, security interest or other encumbrance, which does not constitute a "Sale" as defined in Article I shall be subject in all respects to the rights, interests and obligations of the parties hereunder, including, without limitation, Sellers' right to participate in any Sales of the Properties and Sellers' Deferred Interests. Any person or entity acquiring the interest of Buyer or any of Sellers in any of the Properties, other than through a Sale of the combined interests of Buyer and Sellers in such Property and other than pursuant to the exercise of a right of first refusal granted herein, shall not thereafter make a Sale of such interest without first complying with the provisions of this Article II.

2.3. Sales by Buyer.

- (a) Sellers Right of First Refusal. Buyer hereby grants to Sellers a right of first refusal to purchase Buyer's interests in the Properties upon a Sale of any of such interests, subject to the terms and Conditions of this Section 2.3.
- (b) Sale of Buyer's Interest. If Buyer obtains a bona fide, written offer from a third party for the Sale of Buyer's interest in any of the Properaies (subject to Sellers' Deferred Interests and the rights and interests of Seller hereunder) and such offer is acceptable to Buyer, Buyer shall deliver a copy of such offer to the Affected Sellèr(s), together with any other information reasonably available to Buyer concerning the prospective purchaser, the terms of the offer and the Affected Property. Within thirty (30) days after its receipt of such offer and such other information, the Affected Seller shall notify Buyer whether it intends to exercise its right of first refusal. If the Affected Seller duly notifies Buyer of its intention to exercise its right of first refusal, Buyer shall thereupon be obligated to sell to the Affected Seller or its designee, and the Affected Seller shall be obligated to purchase or to cause its designee to purchase, Buyer's interest in the Affected Property upon the terms and conditions of the offer. If the Affected Seller notifies Buyer that it does not intend to exercise its right of first refusal or if the Affected Seller fail's to notify Buyer within such 30-day period that it intends to exercise such right,

Buyer may thereupon consummate the Sale of its interest in the Property or Properties to the third party upon the terms and conditions of the offer, free and clear of the Affected Seller's right of first refusal with respect to such Sale, but otherwise subject to the Affected Seller's rights and interests hereunder and subject to its Deferred Interest in such Property. However, if Buyer fails to consummate such Sale within one year after the expiration of such 30-day period, the Affected Seller's right of first refusal shall thereupon be reinstated with respect to such Sale, and in any event the Affected Seller shall continue to have a right of first refusal with respect to all subsequent Sales of the same interest in the Properties.

(c) Sale of Combined Interests of Buyer and Seller. If Buyer obtains a bona fide offer from a third party for the Sale of the combined interests of Buyer and Seller in any of the Properties and such offer is acceptable to Buyer, Buyer shall deliver to the Affected Seller(s) a copy of such offer, together with any other information reasonably available to Buyer concerning the prospective purchaser, the terms of the offer and the Affected Property. Within thirty (30) days after its receipt of such offer and such other information, the Affected Seller shall notify Buyer to the effect that (i) it intends to exercise its right of first refusal to purchase only Buyer's interest in the Affected Property or (ii) it will participate in such Sale. If the Affected Seller notifies Buyer as specified in (i) above, Buyer shall thereupon be obligated to sell to the Affected Seller or its designee, and the Affected Seller shall be obligated to purchase or to cause its designee to purchase, Buyer's interest in the Affected Property upon the terms and conditions of the offer obtained by Buyer; provided, however, that the purchase price for Buyer's interest shall be an amount equal to the purchase price stated in such offer reduced by an amount equal to 25% (28% in the case of Affected Property owned by MAC) of the excess (if any) of (A) such, stated purchase price less the reasonable expenses of such sale over (B) the Allocated Purchase Price of the Affected Property. If the Affected Seller notifies Buyer as specified in (ii) above or if the Affected Seller fails to notify Buyer within such 300 day period in the manner specified in either of clauses (i) or (ii) above, Buyer and the Affected Seller shall sell their respective interests in the Affected Property to the third party in accordance with the terms of the offer. If the Sale of the combined interests of Buyer and the Affected Seller in the Affected Property is not consummated within one year after the expiration of such 30-day period, Buyer shall thereupon be obligated to renotify the Affected Seller of such offer or any subsequent offer and the Affected Seller shall then have all of the rights specified in this Section 2.3(c) with respect to such offer as if the original offer had never been made.

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2.4. Sales by Sellers.

- grant to Buyer a right of first refusal to purchase Sellers'
 respective interests in the Properties upon a Sale of any of such interests. If any of the Sellers obtains a bona fide, written offer from a third party for the Sale of Seller's interests in any of the Properties and such offer is acceptable to the Affected Seller, the Affected Seller shall deliver a copy of such offer to Buyer, together with any other information reasonably available to the Affected Seller concerning the prospective purchaser or the terms of the offer. Within thirty (30) days after its receipt of such offer and other information, Buyer shall notify the Affected Seller whether Buyer intends to exercise its right of first refusal.
 - Buyer notifies the Affected Seller that Buyer does not intend to exercise its right of first refusal or if Buyer fails to notify the Affected Seller within such 30-day period that it intends to exercise such right, the Affected Seller may thereupon consummate the Sale of its interest in the Affected Property upon the terms and conditions of the offer, free and clear of Buyer's right of first refusal with respect to such Sale, but otherwise subject to Buyer's rights and interests hereunder. However, if the Affected Seller fails to consummate such Sale within one year after the expiration of such 30-day period, Buyer's right of first refusal shall thereupon be reinstated, and in any event Buyer shall continue to have a right of first refusal with respect to all subsequent Sales of the Affected Seller's interest in the Affected Property.
 - (c) Exercise of Right of First Refusal. If Buyer duly exercises its right of first refusal to purchase Seller's interest in the Affected Property as provided in Section 2.4(a), Seller thereupon shall be obligated to sell to Buyer or its designee, and Buyer shall be obligated to purchase or to cause its designee to purchase, the affected Seller's interest in the Affected Property upon the terms and conditions of the offer obtained by the Affected Seller.
 - 2.5. Merger of Interests. If any of Sellers acquires Buyer's interest in any of the Properties or if Buyer acquires any of Sellers' interest (including the Deferred Interest) in any of the Properties, or if any other party acquires the interests of both Buyer and Seller in any of the Properties, the rights, interests and obligations of the parties under this Agreement and the Conveyances with respect to such Properties shall be merged and this Agreement shall terminate with respect to such Properties. However, any such termination of this Agreement shall not affect the rights and obligations of the parties arising before the effective date of such merger, and such termination shall not affect this Agreement as it applies to the

remainder of the Properties in which both Sellers and Buyer still retain an interest.

- 2.6. Proceeds of Sales. If the Affected Seller and Buyer join in a Sale of their respective interests in the Affected Properties, then the proceeds of such Sale shall be owned by and distributed to such parties in accordance with the provisions of this Section. The Affected Seller shall be entitled to 25% (28% in the case of the Sale of any Affected Property owned by MAC) of the excess (if any) of (i) the gross sales proceeds less reasonable expenses of the Sale, over (ii) the Allocated Purchase Price of the Affected Property. Buyer shall be entitled to the balance of any sales proceeds. If any portion of the sales proceeds is to be paid in installments, then the entitlement of the Affected Seller and Buyer to the downpayment and each installment received shall be in the same proportions stated in the preceding sentence.
 - 2.7. Notification by Purchaser. If Buyer or a Seller consummates a sale or transfer of any of their respective interests in any of the Properties to a third party as permitted by this Article II (whether a Sale or other transfer or disposition), the purchaser or transferee shall promptly notify the other party to this Agreement that such sale or transfer has been consummated and shall provide to the other party the address of such purchaser or transferee for purposes of notices and other communications hereunder.

ARTICLE III

OPERATIONS

- 3.1. Operations Before the Reversion Date. Before the Reversion Date, Buyer shall be entitled to exercise, receive and retain all of the rights and benefits of ownership of the Properties undiminished by the Deferred Interests, except as otherwise expressly stated in this Agreement.
- 3.2. Management of Properties after Reversion Date. On and after the Reversion Date, Buyer shall have the exclusive right and obligation to manage the respective interests of Buyer and Sellers in the Properties. Buyer shall use its reasonable efforts to collect all Operating Revenues and pay all Operating Expenses, and Buyer shall disburse Net Revenues not less often than semi-annually, 25% to Sellers and 75% to Buyer (28% and 72%, respectively, in the case of Net Revenues attributable to Properties in which MAC has a Deferred Interest).
- 3.3. Operating Agreement. Buyer and Sellers shall commence negotiating in good faith promptly after the date of this Agreement to enter into an operating agreement governing the management of those Properties in which Sellers and Buyer both retain interests on and after the Reversion Date (the "Operating

Agreement"). The Operating Agreement shall contain the terms set forth in Section 3.2 and such additional or different terms as the parties may mutually agree. If Buyer and Sellers enter into the Operating Agreement, the terms and conditions thereof shall control in the case of any inconsistency or conflict with the provisions of this Article III. If Buyer and Sellers enter into a limited partnership agreement as provided in Section 3.4, the Operating Agreement shall be between Buyer and the limited partnership formed under such partnership agreement.

- 3.4. Right to Enter into Limited Partnership. At the request of Sellers before or after the Reversion Date, Buyer and Sellers/shall enter into and form a limited partnership pursuant to an agreement complying with the provisions of this Section 3.4 and otherwise upon terms mutually satisfactory to Buyer and Sellers (such partnership being herein called the "Partnership"). The sole asset of the Partnership shall be the Deferred Interests of Sellers, and the business of the Partnership shall be the ownership and operation of the Deferred Interests. Buyer shall be the sole general partner of the Partnership, and Sellers shall be the sole limited partners of the Partnership. The general partner shall dwm a 1% partnership interest, and the limited partners shall own the remaining 99% partnership interest. Buyer as the general partner of the Partnership shall have full and complete authority to manage the affairs of the Partnership, but shall not borrow money or encumber in connection with any financing any of the Parthership's assets without the express approval of the limited partners. The Partnership's interest in the Properties shall be súbject to the Operating Agreement described in Section 3.3. Buyer, as the general partner of the Partnership, shall not permit the Operating Agreement to be amended without the consent of the Sellers as limited partners. If Buyer and Sellers enter into the Partnership, Buyer shall, at Sellers' request, pay to Sellers upon formation of the Partnership an amount equal to one percent(11%) of the fair market value of Sellers' Deferred Interests in the Properties determined as of the date of such formation. If Buyer and Sellers are unable to agree upon such fair market vallue, it shall be determined in accordance with Section 3.5 below,
- 3.5. Fair Market Value Determination. If the parties hereto are unable to agree upon the fair market value of any Property or interest therein for purposes of this Agreement, each party shall appoint, within 30 days after the date as of which such fair market value was to have been determined, a disinterested, reputable appraiser with at least ten years' experience in appraising property comparable to the Property in question. If the two appraisers do not agree upon the fair market value within 30 days after their appointment, they shall, within 30 days thereafter, jointly appoint a third appraiser having the qualifications specified above, and such appraiser shall determine the fair market value within 30 days after his appointment. If the third appraiser agrees with either of the valuations made by the first two appraisers, then such agreed

upon valuation shall govern. If the third appraiser does not agree with either valuation, then the valuation of the three appraisers which is neither the highest nor the lowest shall govern. Each party shall pay for the fees and other costs of the appraiser appointed by it, and the Seller of the Property and Buyer shall share equally the cost of the third appraiser.

ARTICLE IV

DEVELOPMENT

- O4.1. Buyer's Authority; Power of Attorney. Subject to the qualifications hereinafter stated, Sellers hereby grant and convey to Buyer, its successors and assigns, forever, the irrevocable and exclusive right and option (from time to time as Buyer may elect) to exercise any of the following powers with respect to the Deferred Interest:
- (a) to negotiate and execute leases for the development and extraction of coal or other minerals (excluding, however, Oil and Gas, as defined in the Conveyances) in, under and attributable to the Deferred Interest or any segregated portion thereof, and to negotiate and execute surface leases, easements, rights-of-way, timber harvesting contracts, and other similar instruments covering and binding upon the Deferred Interest or any segregated portion thereof;
- (b) to amend, modify, or rescind any of the instruments described in clause (a) above (in whole or in part) and to settle any disagreement with third parties arising under any of the same;
- (c) to execute and deliver division orders, agency declarations and any other documents as may be requested by lessees and other third parties as evidence of authority to pay the rents, royalties and other amounts accruing thereunder directly to Buyer; and
- (d) to execute and file applications for construction or occupancy permits (if any) requiring joinder by an owner of a Deferred Interest;
- all of such documents and instruments (collectively, the "Development Agreements") to be subject to the conditions set forth in the Conveyances and otherwise to be upon such terms as Buyer shall deem appropriate in its sole discretion, and all of such actions to be taken by Buyer in its sole discretion. The foregoing powers granted to Buyer shall be deemed powers coupled with an interest and shall be irrevocable and shall be exercisable by Buyer, its successors and assigns. However, none of the Development Agreements which Buyer is authorized hereunder to execute shall (i) impose any obligations on Sellers or any encumbrances on Sellers' interests in the Properties except to the extent imposed on Buyer and Buyer's interest in the Properties in

proportion to the respective interests of Sellers and Buyers in the Properties or (ii) confer on or grant to Sellers less than 25% (28% in the case of MAC) of the benefits, revenues or other consideration which inure or are payable to the owner of the Properties on account of such Development Agreement. In addi-(tion, Sellers shall have no personal liability under any of the Development Agreements to any party thereto or to Buyer, it being the intention hereof that Sellers' sole liability thereunder shall be limited to its interest in the Properties; provided, however, that if any coal mining lease, surface lease or timber harvesting contract requires the repayment to the other party to such instruments of royalties or rents on account of a failure of or defect in title to any of the Properties, any Net Revenues which Sellers received and which are attributable to the Properties with the failed or defective title shall be subject to such repayment obligation in proportion to Sellers' Deferred Interest in such Property.

4.2. Independent Development by Buyer. If at any time during the term of this Agreement Buyer decides to develop and operate any of its own coal mines on the Properties or to engage in any significant commercial real estate development activities on the Properties, Buyer shall so notify Sellers. Buyer and Sellers agree in such event to negotiate in good faith for a sale, lease or other mutually acceptable arrangement applicable to the Deferred Interest in the Properties affected thereby which will enable Buyer to realize all of the benefits of such activity and to bear all of the costs and liabilities associated therewith. In the event Bayer and Sellers are not able to negotiate a mutually acceptable arrangement, Sellers shall sell and Buyer shall purchase the Deferred Interest in any Properties on which Buyer proposes to conduct such activity at a cash price equal to the fair market value of such interest in such Properties at the time of such sale. If the parties are unable to agree upon the fair market value of the Property, the fair market value shall be determined in accordance with Section 3.5. Upon the closing of any transaction contemplated by this Section, the lands affected by such transaction shall cease to constitute part of the Properties for all purposes of this Agreement, the Operating Agreement and the Partnership.

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ARTICLE V

INDEMNIFICATION

- parties that Sellers shall have no liability whatsoever in connection with its ownership of the Deferred Interests and its right to participate in the sale of the Properties and that Buyer shall have sole and exclusive responsibility for all costs and liabilities arising out of ownership, use and development of the Properties from and after the date hereof; accordingly, the indemnification in Section 5.2 shall be liberally construed to carry out such intention.
- 5.20 Indemnification. Buyer agrees to pay and to indemnify fully, hold harmless and defend Sellers, their Affiliates and their respective agents, officers, directors, shareholders, employees, servants, consultants, representatives, successors and assigns, from and against any and all Damages (as hereinafter defined) arising out of or relating to (i) any coal mining leases, timber contracts, surface leases, easements, rights of way, licenses and other agreements which Buyer hereafter enters into with respect to the Properties, (ii) any ad valorem, property and similar taxes and assessments levied against or relating to the Properties, including the Deferred Interests, to the extent attributable, to the period after the date hereof, (iii) the failure of Buyer, the Properties or any use or development of the Properties to comply with any laws (statutory, judicial or otherwise), ordinancés, and regulations, any judgments, orders or decrees of any court, arbitrator or administrative or governmental authority or agency, or with any permits, authorizations, approvals or licenses issued by any governmental authority, (iv) any suit, action, claim or legal, administrative or arbitration proceeding instituted after the date of this Agreement and relating to the Properties or any use or development thereof, (v) any damage or personal injury of any kind to any person or property on or near the Properties, any unsafe condition on the Properties or any accident, fixe or other casualty occurring on or near the Properties, (vi) any act or omission by Buyer, its agents, employees, contractors, subcontractors, licensees, invitees, lessees or sublessees with respect to the Properties and (vii) all other costs, claims, liabilities and expenses relating to the ownership, development, leasing, sale, occupancy or use of the Properties. The term "Damages" means any and all obligations, liabilities, damages, penalties, deficiencies, losses, investigations, proceedings, Judgments, costs and expenses (including, but not limited to, costs and expenses incurred in connection with performing obligations interest, bonding and court costs and attorneys', accountants (engineers' and investigators' fees and disbursements), but only to the extent (a) such Damages are attributable to the period of time after the date hereof, (b) such Damages are not the result) of Sellers' willful misconduct, (c) Sellers were not responsible for such Damages on - account of their ownership of the Properties before the date

hereof or under any of the provisions of the Purchase Agreement.
Nothing contained herein is intended to or shall be construed to
modify the understandings of the parties contained in Section
11.4 of the Purchase Agreement. Notwithstanding the foregoing,
any such Damages which constitute "Operating Expenses" may be
deducted from the Operating Revenues for purposes of determining
that Revenues, but Sellers shall have no liability for, and Buyer
shall indemnify and hold Sellers harmless against, any liability
to third parties on account of Operating Expenses.

ARTICLE VI

REPORTS; AUDITS

- 6.4 Reports by Buyer. During the term of this Agreement, Buyer shall maintain proper books of record and account in which proper entries shall be made in accordance with good accounting practices and (to the extent applicable) generally accepted accounting principles; consistently applied, of all its business and affairs relating to the Properties. Within 90 days after the end of each calendar year before the Reversion Date and within 90 days after the end of each Fiscal Year thereafter, Buyer shall furnish to Sellers an accurate and detailed summary of all Sales made by Buyer and all material Development Agreements entered into by Buyer during the preceding calendar year or Fiscal Year, as the case may be, certified by the chief financial officer of Buyer, and at all other times Buyer shall furnish to Sellers upon request such other information with respect to the Properties as Sellers may reasonably request, including copies of all Development Agreements and copies of settlement statements for Sales or other dispositions of the Properties. Within 90 days after the end of each Fiscal Year, Buyer also shall furnish to Sellers unaudited statements of income and expenses with respect to the Properties for each such Fiscal Year, prepared in accordance with generally accepted accounting principles, consistently applied.
- 6.2. Audits by Sellers. Sellers shall have the right from time to time to review and audit and make copies of during reasonable business hours and at their expense, the books and records of Buyer relating to the Properties and activities contemplated by this Agreement. If any such review or audit discloses that Buyer has not paid Sellers all of the proceeds of Sales or Net Revenues to which it is entitled during the 36-month period preceding the effective date of such audit, Buyer shall promptly remit the deficiency to Sellers, together with interest thereon at the rate of 10% per annum from the date on which payment should have been made.

ARTICLE VII

TERMINATION BY SELLERS

At any time during the term of this Agreement Sellers may terminate this Agreement by so notifying Buyer not less than five

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> days in advance of the effective date of such termination. If Sellers elect to terminate this Agreement, they shall promptly A assign all of their interests in the Properties to Buyer. Such assignment shall transfer to Buyer all of Sellers' interests in all of the Properties, forever, and shall be free and clear of Vall liens, mortgages, security interests or other encumbrances securing Debt (as defined below) of Sellers. If Sellers execute and deliver such an assignment to Buyer, Buyer shall accept the same and assume all of the obligations of Sellers relating to the transferred interests other than Debt of Sellers. As used herein, the term "Debt" shall mean all obligations of Sellers evidenced by bonds, debentures, notes or similar instruments, and all debts of others secured by a lien on the Properties or any interest therein. Such termination shall not affect the rights and liabilities of the parties arising hereunder before the effective date of such termination.

ARTICLE VIII

MISCELLANEOUS

- 8.1. Term. The term of this Agreement shall commence on the date of this Agreement and shall continue until terminated by the mutual agreement of all of the parties hereto or until the interests of Buyer and Sellers in all of the Properties have merged pursuant to Section 2.5, whichever occurs first, subject, however, to the provisions of Section 8.8 and Article VII. However, such termination shall not affect any rights or liabilities of the parties arising under this Agreement before the effective date of such termination.
- 8.2. No Partnership. This Agreement is not intended and shall not be construed to create a partnership or mining partnership or other relationship imposing fiduciary obligations (except in connection with the Partnership, if any, formed pursuant to Section 3.4) or joint or several liability upon any party hereto, within the meaning of the law of any state in which the Properties are located or under the laws of the state in which any party hereto is incorporated, organized or conducting business.
- 8.3. Tax Election. This Agreement does not create a partnership for United States income tax purposes. The parties hereto agree to make a timely election to be excluded from the application of Subchapter K of Chapter 1, Subtitle A of the Code ("Subchapter K"). If the income tax laws of any state in which the Properties are located now or hereafter contain provisions similar to those contained in Subchapter K of the Code, the parties hereby agree to elect to be excluded from the application of such provisions which are similar to Subchapter K and to execute all forms or consents necessary to effect such election.
- 8.4. No Duty. Notwithstanding the rights granted to Buyer hereunder to negotiate for and enter into sales of the Properties or portions thereof upon and subject to the provisions of Article

II, and the rights granted to Buyer hereunder to develop the Properties through leasing or other similar means, Buyer shall have no duty to cause the Properties to be sold or developed by the granting of leases or otherwise.

8.5. Waiver of Partition. Sellers and Buyer hereby waive any right to partition the Properties in kind.

- 8.6. Binding Effect; Assignment. This Agreement is binding upon and shall inure to the benefit of Buyer and Sellers and their respective successors and permitted assigns. Any assignee of all or any part of a party's interest in the Properties shall take such interest subject to the terms and conditions of this Agreement.
- 8.7 Notices; Agents. All notices or communications required or permitted under this Agreement shall be in writing and shall be sufficiently given if personally delivered or sent by registered or certified mail, return receipt requested as follows:

If to Sellers:

c/o CSX Realty, Inc.
One James Center
Richmond, Virginia 23219
Attn: General Counsel

If to Buyer:

40th Floor 601 Jefferson Street Houston, Texas 77002 Attn: Chief Executive Officer

or to such other address as hereafter shall be furnished in the manner provided in this Section 8.7 by any of the parties to the other parties. Sellers hereby appoint CSXR as their agent for the sole purpose of receiving notices, communications, and payments of Net Revenues under this Agreement on behalf of those Sellers which are and remain Affiliates of CSX Corporation. Sellers may substitute any other person(s) or entity(ies) as their agent for such purposes upon giving Buyer notice of such appointment and the address of the agent. Buyer may give to such agent all notices and communications and make all payments of Net Revenues to the agent of those Sellers which are Affiliates of CSX Corporation at the time each notice, communication or payment is given or made in lieu of giving such notices and communications and making such payments to each such Seller; provided, however, that Buyer shall also provide to such agent such information as it may need to allocate Net Revenue payments among such Sellers. If any of Buyer's interests in the Properties is at any time held by more than one party, all such parties shall appoint an agent for the sole purpose of receiving notices and communications hereunder, and making payments and furnishing reports hereunder to Sellers. Any agent appointed by Sellers or Buyer may, at the direction of the parties appointing such agent,

also send notices and other communications hereunder on behalf of such parties.

- 8.8. Savings Clause. All of the rights and options of the parties hereunder will expire in accordance with their terms but not later than 21 years after the date of the death of the last to die of all descendants of the late H. R. Cullen and Lillie C. Cullen of Houston, Texas, who are living on the date hereof, except to the extent such rights and options are not subject to the Rule Against Perpetuities. All provisions hereof other than those subject to the Rule Against Perpetuities shall survive for the full term stated in this Agreement.
 - 8.9. Entire Agreement. This instrument states the entire agreement between the parties with respect to the subject matter hereof and may be supplemented, altered, amended, modified or revoked only by a written instrument signed by all of the parties hereto.
 - 8.10. Governing Law: Venue. This Agreement shall be construed in accordance with and governed by the internal laws of the State of West Virginia, except to the extent the laws of another jurisdiction are mandatorily applicable. In addition, any action instituted by any party hereto in connection with this Agreement shall be brought and maintained only in the courts of West Virginia or the federal courts in West Virginia.
 - 8.11. Titles of Articles and Sections. All titles or headings to articles or sections or other divisions contained in this Agreement or the schedules hereto are used only for the convenience of the parties and shall not be construed to have any effect or meaning with respect to the other content of such articles or sections or other divisions, such other content being controlling as to the agreement between the parties hereto.
 - 8.12. Articles; Sections: Schedules; Etc. Except as otherwise herein provided with respect to express references to other writings, all references herein to any Article, Section or other subdivision or any Schedule are to the corresponding Article, Section or subdivision of or Schedule to this Agreement.
 - 8.13. Counterparts. This Agreement may be executed in two or more counterparts, and it shall not be necessary that the signatures of all parties hereto be contained on any one counterpart hereof; each counterpart shall be deemed an original, but all of such counterparts together shall constitute one and the same instrument.
 - 8.14. No Right of Offset. Buyer agrees that its obligation to pay Sellers their proportionate share of Net Revenues under this Agreement and Buyer's other obligations hereunder shall be independent obligations and shall not be subject to any right of offset on account of any liability which Sellers may have to Buyer or any of its Affiliates under the Purchase Agreement, the

Stock Purchase Agreement of even date herewith among The New River Company, CSXM and Shenandoah Minerals Corporation, or any other Collateral Agreement (as defined in the Purchase Agreement).

8.15 Severability. If any provision of this Agreement or the application thereof in any circumstance shall be held invalid or unenforceable to any extent, the remainder of this Agreement and the application of any such provision to any other circumstance shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

8.16. Purpose of Agreement; Supplemental Agreements. The parties hereto acknowledge that the principal purposes of this Agreement are to provide that (a) Sellers shall have the right to receive 25% (28% in the case of MAC) of the Net Revenues from and after the Reversion Date, (b) if the interest of both a Seller and a Buyer in any of the Properties is sold before the Reversion Date pursuant to a Sale, the Seller will receive 25% (28% in the case of MAC) of the net proceeds from such Sale after deducting the Allocated Purchase Price of such Property, (c) Sellers shall have no liability with respect to the Properties except to the extent that its share of the Operating Revenues are reduced by a proportionate share of Operating Expenses or except to the extent that Sellers are Viable under the terms of the Purchase Agreement and (d) Buyer shall have sole responsibility for and the right to control the management and leasing of the Properties, subject to all of the terms and conditions expressly set forth in this Agreement. The foregoing statement of the purposes of this Agreement is not intended to contradict any of the express provisions hereof but rather to provide guidance in interpreting such provisions. In addition, after the date of this Agreement, each party hereto at the request of any other party and without additional consideration shall execute and deliver or shall cause to be executed and delivered from time to time such supplemental documents and agreements and shall take such other action (not requiring significant expense or obligations) as the other party may reasonably request to carky out the purposes of this Agreement or to clarify any of the provisions hereof consistent with such purposes.

EXECUTED as of the date first above mentioned.

CSX MINERALS,	INC.
By:	
Title:	
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STY AUTO-EFT CTAT DOCUMENT

CSX TRANSPORTATION, INC. Title: MID ALLEGHENY CORPORATION By: Title: BALTIMORE AND OHIO RAILROAD COMPANY By: Title: THE REAL ESTATE AND IMPROVEMENT COMPANY OF BALTIMORE CITY By: Title: ADRIAN REALTY COMPANY By: Title:

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THE SCHUYLKILL IMPROVEMENT LAND COMPANY OF PHILADELPHIA

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By: WESTERN POCAHONTAS CORPORATION, a Texas corporation, its general
corporation, its general partner
By:
Title:
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This Instrument Was Prepared By:
F.B Cochran, III
Vinson & Elkins
3500 First City Tower
1001 Fannin
Houston, Texas 77002-6760

State of Kustucky

County of figure

i, who best short, Cleak of the County Court in and for the County and State aforessid do partify that the long one instrument of writing was on the longed at my office for record, who reupon the same with the long one and this continuate has born duly recorded in my office.

Given under my hand this ______ any of

Robert Short, Clerk
Knott County Court

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Leonard K. Peters

Steve Hohmann

Commissioner

Secretary

ENERGY AND ENVIRONMENT CABINET DEPARTMENT FOR NATURAL RESOURCES

Steven L. Beshear Governor

2 Hudson Hollow Frankfort, Kentucky 40601 Phone (502) 564-6940 Fax (502) 564-5698 www.naturalresources.ky.gov www.kentucky.gov

3140 SOUTH LAKE DR, SUITE 6 Prestonsburg, KY 41653-3167 January 27, 2014

LAUREL MOUTAINS RESOURCES, LLC PO BOX 189 LACKEY KY 41643

RE: Permit Name: LAUREL MOUNTAIN RESOURCES LLC

Permit Number: 860-0519 Increment Number: Inc. 4

Bond ID Number: (SR) 01I-003281 & 01I-003282

Phase Number: PIII

Dear Sir/Madam:

Pursuant to 405 KAR 10:040 and KRS 350.093, the Department for Natural Resources, Division of Mine Reclamation and Enforcement has determined that the above-named permit has satisfactorily achieved the requirements for a Phase PIII bond release. Therefore, a bond release is warranted at this time.

The release shall occur fourteen (14) days after this date unless temporary relief is granted under 405 KAR 7:092, Section 12.

Please be aware that 405 KAR 7:092, Section 9 provides that you may contest the above decision by filing a petition for administrative review within thirty (30) days of receipt of this letter. Please contact the Office of Administrative Hearing at (502) 564-7312 for information on the filing of a petition.

Sincerely,

Greg Weddington

Environmental Control Manager DMRE/Prestonsburg Regional Office

new Weddington

cc: Jesse Lacy





ENERGY AND ENVIRONMENT CABINET DEPARTMENT FOR NATURAL RESOURCES

Steven L. Beshear Governor

2 Hudson Hollow Frankfort, Kentucky 40601 Phone (502) 564-6940 Fax (502) 564-5698 www.naturalresources.ky.gov www.kentucky.gov

3140 SOUTH LAKE DR, SUITE 6 Prestonsburg, KY 41653-3167 January 27, 2014 Steve Hohmann

Commissioner

Leonard K. Peters

INDEMNITY NATIONAL CO. 4800 OLD KINGSTON PIKE, SUITE 220 KNOXVILLE TN 37919

RE: Permit Name: LAUREL MOUNTAIN RESOURCES LLC

Permit Number: 860-0519 Increment Number: Inc. 4

Bond ID Number: (SR) 01I-003281 & 01I-003282

Phase Number: PIII

Dear Sir/Madam:

Pursuant to 405 KAR 10:040 and KRS 350.093, the Department for Natural Resources, Division of Mine Reclamation and Enforcement has determined that the above-named permit has satisfactorily achieved the requirements for a Phase PIII bond release. Therefore, a bond release is warranted at this time.

The release shall occur fourteen (14) days after this date unless temporary relief is granted under 405 KAR 7:092, Section 12.

Please be aware that 405 KAR 7:092, Section 9 provides that you may contest the above decision by filing a petition for administrative review within thirty (30) days of receipt of this letter. Please contact the Office of Administrative Hearing at (502) 564-7312 for information on the filing of a petition.

Sincerely,

Greg Weddington

Environmental Control Manager DMRE/Prestonsburg Regional Office

Trey Weeklington

cc: Jesse Lacy





ENERGY AND ENVIRONMENT CABINET DEPARTMENT FOR NATURAL RESOURCES

Steven L. Beshear Governor

2 Hudson Hollow Frankfort, Kentucky 40601 Phone (502) 564-6940 Fax (502) 564-5698 www.naturalresources.ky.gov www.kentucky.gov

3140 SOUTH LAKE DR, SUITE 6 Prestonsburg, KY 41653-3167 January 27, 2014 **Leonard K. Peters** Secretary

Steve HohmannCommissioner

WILLIS OF TENNESSEE 265 BROOKVIEW CENTRE WAY, SUITE 505 KNOXVILLE TN 37919

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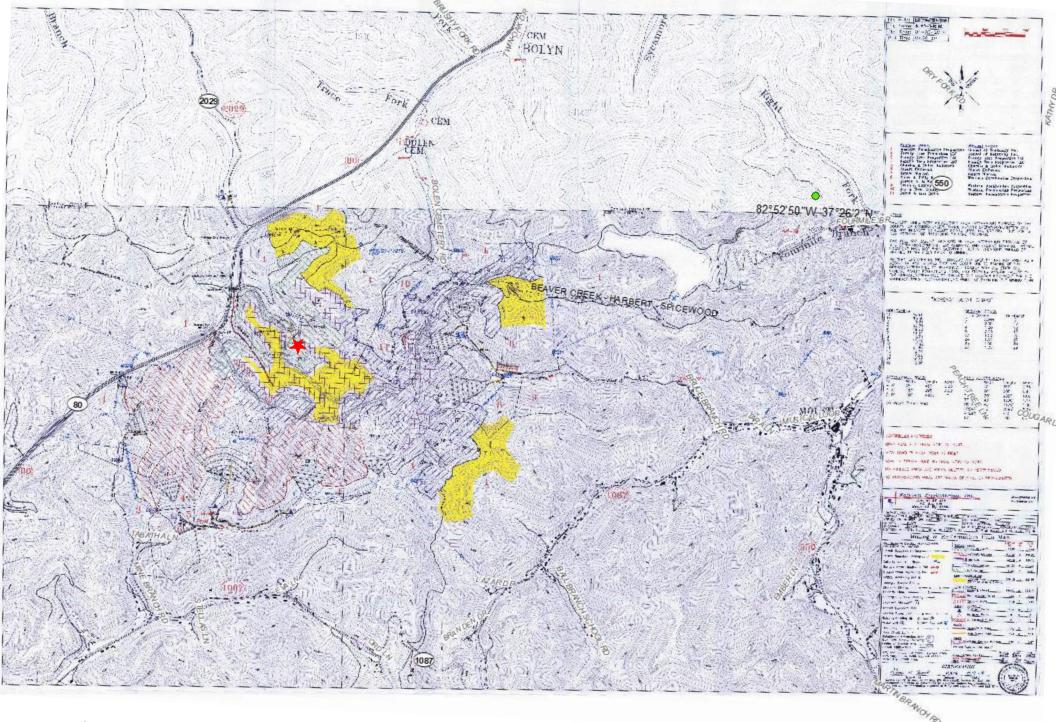
Greg Weddington

Environmental Control Manager DMRE/Prestonsburg Regional Office

Trey Weddington

cc: Jesse Lacy





Appendix C: Property Photographs



Photo 1: View of the lower leveled area in the center of the site. Orientation: South facing view



Photo 3: View of the lower leveled area in the center of the site. Orientation: Northeast facing view.



Photo 2: View of the lower leveled area in the center of the site. Orientation: Southwest facing view.



Photo 4: View of the lower leveled area in the center of the site. Orientation: North facing view



Photo 5: View of the lower leveled area in the center of the site. Orientation: North facing view.



Photo 7: View up the access road to the northern part of the property.

Orientation: Southeast facing view.



Photo 6: A wire and lock restricting access to the road on the northern part of the site.

Orientation: Northwest facing view.



Photo 8: A wire and lock restricting access to the road on the northern part of the site.

Orientation: South facing view.



Photo 9: View down the access road to the northern part of the property.

Orientation: Northwest facing view.



Photo 11: View from KY-80 of the west side of the northern portion of the site; close to the coordinated for well KGS# 148047. Orientation: East facing view.



Photo 10: Location near the coordinates for the oil or gas well KGS# 148047 on the north portion of the property.

Orientation: North facing view.



Photo 12: Location near the coordinates for the oil or gas well KGS# 148047 on the north portion of the property.

Orientation: South facing view.



Photo 13: View of the edge of the forested area where the coordinates for well KGS# 148047.

Orientation: North facing view.



Photo 15: View from the edge of the forested area where the coordinates for well KGS# 148047.

Orientation: East facing view.



Photo 14: View towards KY-80 from the northwestern edge of the property.

Orientation: Northwest facing view.



Photo 16: View of the driving range on the adjacent property with the Knott County Sportsplex.

Orientation: West facing view.



Photo 17: View of the driving range on the adjacent property with the Knott County Sportsplex.

Orientation: South facing view.



Photo 19: Southern part of subject site. Picture taken from adjacent property.

Orientation: Southwest facing view.



Photo 18: Central portion of site. Picture taken from adjacent property.

Orientation: East facing view.



Photo 20: Southern part of subject site. Picture taken from adjacent property.

Orientation: South facing view.



Photo 21: Western portion of site, close to adjacent Knott County Sportsplex.

Orientation: West facing view.



Photo 23: Western portion of site, close to adjacent Knott County Sportsplex.

Orientation: Southwest facing view.



Photo 22: View of the road running north to south on the west central portion of the site.

Orientation: South facing view.



Photo 24: Surveying equipment located near the gate at the center of the site.

Orientation: Northwest facing view.



Photo 25: Area that has a shale/coal appearance with elevated arsenic located in the center of the site near the road. Orientation: West facing view.



Photo 27: Center of site. Picture taken from shale/coal area. Orientation: South facing view.



Photo 26: Center of site. Picture taken from shale/coal area. Orientation: North facing view.



Photo 28: Survey marker located on the southwestern portion of site.

Orientation: West facing view.



Photo 29: View of east central side of the subject property. Orientation: South facing view.



Photo 31: Eastern side of property. Orientation: Northeast facing view.



Photo 30: View of east central side of the subject property. Orientation: North facing view.



Photo 32: Eastern side of property. Orientation: East facing view.



Photo 33: Eastern side of property. Orientation: West facing view.



Photo 35: Road on southeast portion of site going towards Bolen Branch.

Orientation: South facing view.



Photo 34: Road on southeast portion of site going towards Bolen Branch.

Orientation: South facing view.



Photo 36: Southeast portion of site facing Bolen Branch. Orientation: Southeast facing view.



Photo 37: View of Bolen Branch on the southern portion of the property.

Orientation: South facing view



Photo 39: View of Bolen Branch on the southern portion of the property.

Orientation: West facing view.



Photo 38: Eastern edge of property. Orientation: East facing view.



Photo 40: A metal stake covered in a PVC pipe. May be for surveying or geotechnical study purposes on the eastern edge of property. Orientation: East facing view.



Photo 41: Trail leading down to Bolen Branch. Orientation: Northwest facing view.



Photo 43: At base of property along Bolen Branch. Orientation: West facing view.



Photo 42: View uphill from Bolen Branch. Orientation: North facing view.



Photo 44: At base of property along Bolen Branch. Orientation: West facing view.



Photo 45: At base of property along Bolen Branch. Orientation: East facing view.

Appendix D: Title Opinion



Lexington, KY * Florence, KY * Covington, KY

January 4, 2023

Commonwealth of Kentucky
Finance and Administration Cabinet
Department for Facilities and Support Services
Division of Real Properties
Attn: Scott Aubrey
Bush Building, 3rd Floor
403 Wapping Street
Frankfort, KY 40601

Re: **Title Opinion**: Western Pocahontas Property - Source Deed Book 139, Page 635 in

the Knott County Clerk's Office

Effective Date of Opinion: December 7, 2022 at 08:00am EST

Beneficiary of Opinion: Commonwealth of Kentucky, Finance and Administration Cabinet, Department for Facilities and Support Services, Division of Real Properties

Dear Mr. Aubrey,

Pursuant to your request, the undersigned has performed a 60-year title search, including surface and mineral interests, by examination of the record title to the property known and designated as the Western Pocahontas Property (PVA PIDN# 057-00-00-006.00) (the "Property"). For reference purposes, the Property is primarily a composite of a portion of two (2) historical Parcels, namely 1) **The Jenkins Company Parcel (the "Jenkins Parcel")**, best described in Deed Book 74, Page 182, said Parcel containing 1,6466 total acres, and including three of the identified source tracts as provided by the owner: the Bolen Tract (478 acres), the Taulbee Tract (161.21 acres) and the Bailey Tract (194.10 acres); and 2) **The Evans and LaViers Trust Property Parcel (the "Evans Parcel")** as best described in Deed Book 49, Page 160, said Parcel being Tract No. 23 in the aforementioned deed and containing 3,973 total acres, and being the fourth identified source tract provided by the owner, a/k/a the Head of Laurel Fork property. There is also a small portion (3.13 acres) of the subject Property that was obtained from the Commonwealth of Kentucky, Transportation Cabinet by deed dated July 24, 2008 of record in Deed Book 244, Page 31.

Title Note: The undersigned is aware the Commonwealth is considering a purchase of approximately 300 surface acres out of the Western Pocahontas Property, however, as this prospective 300 acres has not been surveyed or otherwise sufficiently identified, the undersigned has included items in this

opinion that fall within the Western Pocahontas Property boundary lines, but which may or may not impact the 300 acre tract once it is properly identified by the parties to the transaction.

All record and instrument references are of record in the Knott County Clerk's Office unless specifically notated herein.

- 1. SURFACE OWNER: The surface owner of the subject Property is Western Pocahontas **Properties Limited Partnership, a Delaware limited partnership,** by virtue of the following:
- a) a 75% interest in the subject Property as granted to Western Pocahontas Properties Limited Partnership by CSX Minerals, Inc., a Virginia corporation, by deed dated December 31, 1986, of record in Deed Book 139, Page 635;
- b) a 25% interest in the subject Property as granted to Western Pocahontas Properties Limited Partnership by RDC Projects, LLC by deed dated July 1, 2001, of record in Deed Book 205, Page 403;
- c) the surface interest in the subject Property retained by Western Pocahontas Properties Limited Partnership by deed dated October 14, 2002, of record in Deed Book 210, Page 386; and
- d) a 3.13 acre portion of the subject Property as conveyed to Western Pocahontas Properties Limited Partnership from the Commonwealth of Kentucky, Transportation Cabinet by deed dated July 24, 2008 of record in Deed Book 244, Page 31.
- 2. **COAL/MINERAL OWNERS:** The coal and mineral owners of the subject Property are as follows:
 - a) The Jenkins Parcel: The coal/mineral ownership of this Parcel is currently held by the following:
 - 1) Blackstone Energy, Ltd., a Virginia Corporation, by deed dated December 31, 2018 from Kentucky Fuel Corporation, of record in Deed Book 287, Page 314.
 - Title Note: The grantee, Kentucky Fuel Corporation received title to the coal interests by deed dated March 4, 2010 from Consol of Kentucky Inc. in Deed Book 251, Page 78 with Consol of Kentucky retaining overriding royalty (ORR) and advanced minimum royalty (AMR) rights. On October 16, 2017, Consol of Kentucky transferred its payment interests to CNX Resource Holdings of record in Deed Book 282, Page 74.
 - 2) Commonwealth of Kentucky, Department of Transportation "Commonwealth") by virtue of a right-of-way (ROW) out-conveyance to the Commonwealth from Matewan Minerals, Inc., by deed dated September 21, 1981, of record in Deed Book 126, Page 608. This off-conveyance to the Commonwealth includes all coal located 80 feet under the ROW, while the remainder of the coal interest is retained by the grantor (and being currently owned by Blackstone Energy,

Ltd. - see above).

- b) **The Evans Parcel**: The coal/mineral ownership of this Parcel is currently held by the following:
 - 1) **WPP LLC, a Delaware limited liability company,** by virtue of a deed dated October 14, 2002, from Western Pocahontas Properties Limited Partnership, a Delaware limited partnership, of record in Deed Book 210, Page 386.

3. OIL & GAS (AND RELATED INTERESTS) OWNERS:

- a) <u>The Jenkins Parcel</u>: The oil and gas ownership of this Parcel is currently held by the following:
 - 1) Great Southern Energy Company, LLC (1/3rd interest) by virtue of Master Commissioner's deed dated May 19, 2022, of record in Deed Book 299, Page 118.
 - 2) Elizabeth D. McCall, Trustee of the Elizabeth D. McCall Inter Vivos Trust (1/3rd interest) by virtue of a deed dated November 5, 2002, from Elizabeth D. McCall, Trustee of the John M. McCall Inter Vivos Trust, of record in Deed Book 210, Page 596.
 - 3) Excalibur Energy Company (1/3rd interest) by virtue of deed dated November 19, 2008, from the First Church of Christ, Scientist, of record in Deed Book 245, Page 645.
- b) <u>The Evans Parcel</u>: The oil and gas ownership of this Parcel (Tract 23 containing 3,973 acres) is currently held by the following:
 - 1) United Carbon Company by two (2) oil and gas deeds from E. J. Evans, namely a) deed dated August 4, 1945 of record in Deed Book 64, Page 279 and b) deed dated May 27, 1949 of record in Deed Book 74, Page 294. In 1962, United Carbon merged into Ashland Oil & Refining Company, which later became Ashland Oil, Inc. On October 1, 1976, Ashland Oil, Inc. assigned its interest to **Ashland Exploration, Inc.** in Lease Book 28, Page 150.

Title Note: It appears Ashland Exploration, Inc., its successors and/or assigns, have by unrecorded instruments, or by merger, transferred all, or a portion of the oil and gas ownership to Blazer Energy Corporation, a/k/a Equitable Production – Eastern States, Inc. (EPES). On May 11, 2011, EPES through merger with Appalachia Natural Gas Trust became EQT Production Company, a Pennsylvania corporation, of record in Deed Book 247, Page 644. On July 18, 2018, EQT Production entered into a property/lease division agreement allocating certain interests between Diversified Southern Production, LLC and EQT Production Company, of record in Lease Book 81, Page 1.

c) <u>CSX Minerals, Inc. Oil & Gas Tracts</u>: These tracts are comprised of all the oil and gas interests retained by CSX Minerals, Inc. in that deed dated December 31, 1986 to Western

Pocahontas Properties Limited Partnership of record in Deed Book 139, Page 635. In this deed, CSX Minerals ostensibly retains ownership of the oil and gas interests in over 20,000 acres of property in Knott County, Kentucky including the Evans Parcel (containing 3,973 acres) and the Jenkins Parcel, however, as set forth above, the oil and gas rights for the Evans Parcel and Jenkins Parcel were already transferred to, or retained by third parties by previous conveyances of record in Deed Book 64, Page 79 (Evans Parcel) and in Deed Book 74, Page 182 (Jenkins Parcel). Accordingly, it is unlikely the oil and gas interests retained by CSX Minerals, Inc. are against the subject Property, but because the precise location of the prospective 300 acre tract is unknown, the undersigned has included these oil and gas interests in this opinion. The owners of the oil and gas are:

- 1) Energen Resources Corporation (69% interest) by virtue of that certain Oil and Gas deed from CSX Minerals, Inc. dated April 15, 1988 to CSX Oil & Gas Corporation, of record in Deed Book 143, Page 585. CSX Oil & Gas Corporation became Total Minatome Corporation by merger on May 16, 1988 of record in Deed Book 145, Page 109. On December 9, 1998, Total Minatome Corporation changed its name to Energen Resources MAQ, Inc., a Delaware corporation, of record in Deed Book 198, Page 223. On September 27, 2000, Energen Resources MAQ, Inc. became Energen Resources Corporation, an Alabama corporation, by merger of record in Deed Book 198, Page 227. On January 19, 2001, Energen Resources Corporation executed a quitclaim oil and gas deed (with effective date of January 1, 1998) of record in Deed Book 200, Page 78, conveying a 31% interest to Westport Oil & Gas Company, Inc. thereby retaining a 69% interest in and to itself.
- 2) Westport Oil & Gas Company, Inc. (31% interest) by virtue of the deed dated January 1, 1998, of record in Deed Book 200, Page 78 from Energen Resources Corporation. Title Issue: Anecdotal evidence supports a 2002 merger between Westport Oil & Gas Company, Inc. and Westport Oil & Gas LP, a Delaware limited partnership (the surviving entity), however, the undersigned did not find any records in the Knott County Clerk's Office which support such a merger. But, if the merger did occur, then the owner of the 31% interest would be Kerr-McGee Oil & Gas Onshore LP following another merger on January 1, 2006 with Westport Oil & Gas LP of record in Deed Book 230, Page 428.

I found of record in the Knott County Clerk's Office no Mortgages, no liens nor any other encumbrances of record except:

1. SURFACE MORTGAGES, FINANCING STATEMENTS, FIXTURE FILINGS, AND RELATED SECURITY INTERESTS

- (a) Mortgage, Assignment of Rents, Security Agreement, and Fixture Filing dated November 18, 2021, as given by Western Pocahontas Properties Limited Partnership to Agamerica Lending, LLC in the principal amount of \$16,760,000.00 of record in Mortgage Book 263, Page 49; and as assigned to AGRI-A1, LLC on November 18, 2021 of record in Mortgage Book 263, Page 76.
- (b) Open-End Mortgage, Assignment of Rents, Security Agreement, and Fixture Filing dated November 18, 2021, as given by Western Pocahontas Properties Limited Partnership to

- Agamerica Lending, LLC in the principal amount of \$22,500,000.00 of record in Mortgage Book 263, Page 85; and as assigned to AGRI-A1, LLC on November 18, 2021 of record in Mortgage Book 263, Page 113.
- (c) Assignment of Leases and Rents dated November 18, 2021, as given by Western Pocahontas Properties Limited Partnership to Agamerica Lending, LLC, of record in Deed Book 297, Page 95.
- (d) Financing Statement recorded December 10, 2021, as given by Western Pocahontas Properties Limited Partnership to Agamerica Lending, LLC, of record in Mortgage Book 263, Page 78; and as assigned to AGRI-A1, LLC on December 10, 2021 of record in Mortgage Book 263, Page 84.
- (e) Financing Statement recorded December 10, 2021, as given by Western Pocahontas Properties Limited Partnership to Agamerica Lending, LLC, of record in Mortgage Book 263, Page 115; and as assigned to AGRI-A1, LLC on December 10, 2021 of record in Mortgage Book 263, Page 120.
- (f) Assignment of Leases and Rents dated November 18, 2021, as given by Western Pocahontas Properties Limited Partnership to Agamerica Lending, LLC, of record in Deed Book 297, Page 103.

2. BOUNDARY LINE AGREEMENTS:

- (a) Boundary line agreement dated January 15, 2005, by and between Ancel Smith, et al, and WPP LLC, of record in Deed Book 224, Page 643.
- (b) Boundary line agreement dated September 17, 2009, by and between William G. Foulke, et al, and WPP LLC, of record in Deed Book 250, Page 549.

3. OTHER MINERAL INTEREST(S):

- (a) Unreleased Mineral Leases and related transfers: The following mineral leases are unreleased in the records of the Knott County Clerk:
 - (1) Oil & Gas Lease from The Jenkins Company to Oscar A. Sears dated October 1, 1924, of record in Lease Book 11, Page 33; as assigned on October 17, 1924, to Fych Oil & Gas Co. of record in Lease Book 11, Page 36; as assigned on April 25, 1927, to Inland Gas Corporation of record in Lease Book 11, Page 520; as assigned on October 1, 1992, to Columbia Natural Resources, Inc., of record in Lease Book 44, Page 447; and acquired via merger on February 1, 2006 by Chesapeake Appalachia LLC, of record in Deed Book 229, Page 555; as assigned on December 22, 2016 to Core Appalachia Production LLC, of record in Lease Book 80, Page 265; also subject to the term mineral conveyance dated December 22, 2016 to Core Appalachia Production LLC, of record in Lease Book 80, Page 348; also subject to memorandum of oil and gas lease from Chesapeake Appalachia LLC to Core Appalachia Production LLC dated December 22, 2016 of record in Lease Book 80, Page 364; and as acquired via merger by **Diversified Production LLC**, on November 6, 2019 of record in Miscellaneous Book 11, Page 618. Diversified Production LLC has allocated interests and established

an operating agreement regarding its oil and gas leasehold interest(s) and wellbores as follows:

- a. Operating Agreement dated May 26, 2020 of record in Lease Book 83, Page 17; and
- b. Allocation of interests (as of May 25, 2022) in LB 81, Page 464; MB 251, Page 248; LB 83, Page 359:

Old Wellbores

Diversified Production, LLC	0.23%
Diversified ABS V Upstream LLC	22.47%
Diversified ABS III Upstream LLC	26.30%
Diversified ABS Phase II LLC	29.40%
Diversified ABS LLC	21.60%

New Wellbores

Diversified Production, LLC 0.46% Diversified ABS V Upstream LLC 45.86% Diversified ABS III Upstream LLC 53.68%

- (2) Assignment of oil and gas pipeline assets from Chesapeake Appalachia to Core Appalachia Midstream on December 22, 2016, of record in Lease Book 80, Page 289; as acquired via merger by Diversified Midstream LLC on November 6, 2019, of record in Miscellaneous Book 11, Page 618.
- (3) Unrecorded coal lease dated January 1, 1971 from Western Pocahontas Corporation to Evanston Coal & Land Company as referenced in source deed dated December 31, 1986 of record in Deed Book 139, Page 635. On March 31, 1971 Evanston Coal & Land Company merged into Evans Industries, Inc. which merged into National Mines Corporation on December 31, 1972. The lease was then assigned by unrecorded assignment to National Steel Corporation on January 1, 1979 and later amended by unrecorded amendment on August 6, 1979. The amended lease was assigned by Western Pocahontas Corporation to Matewan Minerals, Inc. with consent of National Steel Corporation on March 27, 1980 of record in Lease Book 31, Page 160. Thereafter, Western Pocahontas Corporation recorded a Memorandum of Coal Lease, with the same terms and conditions as the original January 1, 1971 lease from Western Pocahontas Corporation and Evanston Coal & Land Company, said new lease being dated March 31, 1980 from Western Pocahontas Corporation to Matewan Minerals, Inc. of record in Lease Book 31, Page 184. On September 24, 1986, Matewan Minerals, Inc. became Consol Land Development Company by merger of record in Deed Book 143, Page 382. Consol Land Development Company became known as Consolidation Coal Company, a Delaware corporation upon merger dated June 1, 1987, of record in Deed Book 143, Page 385. Thereafter, on February 1, 1988, Consolidation Coal Company transferred its interest in the coal and other minerals (except oil and gas) to Consolidation Coal Company of Kentucky, a Delaware corporation of record in Lease Book 38, Page 3. Consolidation Coal Company of Kentucky changed its name on March 24,

- 1993, to Consol of Kentucky Inc., a Delaware corporation, of record in Deed Book 168, Page 72. On October 14, 1994, Consol of Kentucky Inc. entered into three (3) coal sublease agreements with **Miller Brothers Construction Company** for the Hazard No. 9 coal seam and all seams above, said leases covering 837 acres, and being of record in Lease Book 46, Pages 611, 616, and 620. Thereafter, on April 16, 2010, Consol of Kentucky Inc. assigned its leasehold interests to **Kentucky Fuel Corporation**, a Delaware corporation, of record in Lease Book 73, Page 379; and as amended in Lease Book 74, Page 212, including overriding royalty (ORR) and advanced minimum royalty (AMR) rights retained by **Consol of Kentucky**. Also, WPP LLC, successor to Western Pocahontas under the original, and Kentucky Fuel Corporation modified the original lease on April 16, 2010 in Lease Book 73, Page 363 adding ORR and AMR interests to be held by **WPP LLC**.
- (4) May be subject to Memorandum of Lease dated August 1, 2005 from Consol of Kentucky for oil & gas, and coalbed methane in favor of CNX Gas Company LLC, of record in Lease Book 68, Page 199; and as assigned on February 8, 2008 to Deane Mining LLC and Reserve Holdings, LLC of record in Lease Book 68, Page 372; and subject to well assignments to Knox Energy, LLC dated December 14, 2016 of record in Lease Book 80, Page 381. In March 2010, Consol of Kentucky assigned its rights under this lease to Kentucky Fuel Corporation of record in Mortgage Book 193, Page 52.
- (5) Memorandum of Lease dated August 4, 2005 from WPP LLC for coal mining lease in favor of Appalachian Fuels, LLC of record in Lease Book 63, Page 301.
- (6) Memorandum of Lease dated August 3, 2005 from Consol of Kentucky LLC for coal mining lease in favor of Appalachian Fuels, LLC of record in Lease Book 63, Page 297.

(b) Mineral Mortgages, Other Leasehold Mortgages and related Security Instruments

- (1) General Security Agreement dated March 31, 2015 from Kentucky Fuel Corporation in favor of Carter Bank & Trust of record in Mortgage Book 226, Page 424.
- (2) Mortgage of record against Diversified ABS LLC in Mortgage Book 251, Page 99 in favor of UMB Bank, NA in the principal amount of \$450,000,000.00 as recorded on November 13, 2019; and Fixture filing in MB 253, Page 405. See also the Security Agreement in Mortgage Book 251, Page 248.
- (3) Mortgage of record against Diversified Midstream, LLC in Mortgage Book 245, Page 548 in favor of UMB Bank, NA in the principal amount of \$2,000,000,000.00 as recorded on November 8, 2018; as amended in MB 256, Page 533; and amended in MB 262, Page 222.
- (4) Mortgage and Fixture Filing of record against Diversified ABS V Upstream, LLC in Mortgage Book 266, Page 272 in favor of UMB Bank, NA in the principal amount of \$1,000,000,000.00 as recorded on June 28, 2022.

- (5) Mortgage and Fixture Filing of record against Diversified ABS III Upstream, LLC in Mortgage Book 264, Page 500 in favor of UMB Bank, NA in the principal amount of \$1,000,000,000.00 as recorded on March 8, 2022.
- (6) Mortgage of record against Diversified ABS Phase II, LLC in Mortgage Book 254, Page 257 in favor of UMB Bank, NA in the principal amount of \$1,000,000,000.00 as recorded on June 23, 2020; and Fixture Filing in MB 256, Page 177.
- (7) Mortgage, Assignment of Production, Security Agreement, Financing Statement, and Fixture Filing dated April 3, 2019 from Blackstone Energy, Ltd. to Greensill Capital (UK) Limited in the principal amount of \$405,000,000.00, of record in Mortgage Book 247, Page 606.
- (8) Mortgage, Assignment of As-Extracted Collateral, Security Agreement, Financing Statement, and Fixture Filing dated January 9, 2018 from Core Appalachia Production to Key Bank, NA in the principal amount of \$500,000,000.00, of record in Mortgage Book 242, Page 691.
- (9) Mortgage dated January 9, 2018 from Core Appalachia Midstream LLC to Key Bank, NA of record in Mortgage Book 243, Page 232 in the principal amount of \$500,000,000.00; as amended on December 7, 2018 in Mortgage Book 246, Page 625 (changing loan amount to \$2,000,000,000.00).
- (10) Mortgage dated January 9, 2018 from Core Appalachia Production LLC to Key Bank, NA of record in Mortgage Book 242, Page 691 in the principal amount of \$500,000,000.00; as amended on December 7, 2018 in Mortgage Book 246, Page 586 (changing loan amount to \$2,000,000,000.00).
- (11) Fixture Filing dated January 9, 2018 from Core Appalachia Production LLC to Key Bank, NA of record in Mortgage Book 242, Page 678.
- (12) The following UCC Statements and amendments against Consol of Kentucky:
 - a. Mortgage Book 126, Page 339; as amended in MB 172, Page 623; as amended in MB 186, Page 508; as continued in MB 211, Page 473.
 - b. Mortgage Book 126, Page 347; as amended in MB 172, Page 627; as continued in MB 176, Page 427; as continued in MB 211, Page 481.
 - c. Mortgage Book 126, Page 358; as continued in MB 176, Page 431; as continued in MB 211, Page 479.
 - d. Mortgage Book 140, Page 635; as amended in MB 149, Page 435; as amended in MB 171, Page 392.

4. RIGHTS-OF WAY, LEASES, EASEMENTS, AND LICENSES

(a) Roadway License dated December 4, 1989 from Western Pocahontas Properties Limited

Partnership to Ashland Exploration, Inc. of record in Lease Book 40, Page 686. **Title Note:** While the roadway in this instrument appears to lie west of Highway 80 (and inapplicable to the subject Property), the undersigned could not determine with certainty, due to the quality of the map, whether any portion of the subject Property is burdened, so it is included herein.

- (b) Roadway License dated December 16, 1999 from Western Pocahontas Properties Limited Partnership to Eastern States Oil and Gas, Inc. of record in Lease Book 53, Page 350.
- (c) Roadway License dated March 10, 2009 from Western Pocahontas Properties Limited Partnership to Cut Through Hydrocarbon LLC; as assigned on December 28, 2020 to Kinzer Business Realty Ltd., of record in Deed Book 293, Page 632 (with attached copy of the original license agreement).
- (d) Pipeline license dated December 1, 1976 from Western Pocahontas Corporation to The Inland Gas Company of record in Deed Book 107, Page 359.
- (e) Electrical transmission line easement dated December 12, 1980 in favor of Kentucky Power Company of record in Deed Book 127, Page 367; as amended by deed dated February 22, 1982 of record in Deed Book 127, Page 383; as amended by deed dated February 22, 1982 of record in Deed Book 128, Page 504; as modified by that certain settlement agreement dated June 16, 2003 of record in Deed Book 215, Page 33; and as modified by that certain settlement agreement dated April 6, 2009 of record in Deed Book 248, Page 216.
- (f) Easement and agreement dated May 14, 1984 in favor of the Commonwealth of Kentucky, for installation, maintenance and use of microwave transmission tower and related items for the Kentucky Emergency Warning System, of record in Deed Book 131, Page 494; and including an agreement dated September 15, 1990 which operates as a release of claims regarding mineable coal against the Commonwealth, of record in Deed Book 155, Page 330.
- (g) Electrical transmission line easement dated April 5, 2019 in favor of Kentucky Power Company of record in Deed Book 287, Page 460.
- (h) Electrical transmission line easement dated April 4, 2012 in favor of Kentucky Power Company of record in Deed Book 261, Page 439.
- (i) Electrical transmission line easement dated July 5, 2011 in favor of Kentucky Power Company of record in Deed Book 258, Page 611.
- (j) Electrical transmission line easement dated September 25, 2008 in favor of Kentucky Power Company of record in Deed Book 245, Page 209.
- (k) Electrical transmission line easement dated November 10, 2006 in favor of Kentucky Power Company of record in Deed Book 235, Page 116.

- (l) Electrical transmission line easement dated June 28, 1991 in favor of Kentucky Power Company of record in Deed Book 158, Page 381.
- (m) Electrical transmission line easement dated May 30, 1991 in favor of Kentucky Power Company of record in Deed Book 158, Page 374.
- (n) Sanitary sewer line easement recorded December 17, 2010 in favor of Troublesome Creek Environmental Authority of record in Deed Book 255, Page 669; and as assigned to Knott County Water and Sewer, Inc. by assignment dated January 20, 2016 of record in Deed Book 275, Page 603.
- (o) Water line easement recorded January 1, 2007 in favor of Knott County Water and Sewer, Inc. of record in Deed Book 235, Page 288.
- (p) Electrical transmission line easement dated May 31, 2005 in favor of Big Sandy Rural Electric Cooperative of record in Deed Book 228, Page 616.
- (q) Pipeline right-of-way agreement dated February 1, 2003 in favor of Columbia Natural Resources of record in Deed Book 213, Page 415.
- (r) May be subject to Memorandum of ROW License Agreement dated March 5, 1999 in favor of J.W. Kinzer Drilling Company of record in Deed Book 190, Page 243. **Title Note:** The undersigned was unable to determine from the attached map whether the subject ROW extends into, or otherwise lies within the subject area south of Highway 80.
- (s) Lease dated December 14, 2009 from Western Pocahontas Properties Limited Partnership to Knott County Youth Foundation, Inc., of record in Lease Book 73, Page 262.
- (t) Gas pipeline right-of-way agreement dated December 20, 1990 in favor of Inland Gas Company of record in Deed Book 157, Page 246.
- (u) Waterline right-of-way easement dated May 23, 2001 in favor of City of Hindman, KY of record in Deed Book 210, Page 28.
- (v) Gas pipeline right-of-way agreement dated August 11, 2003 in favor of Interstate Natural Gas Company of record in Deed Book 215, Page 186.
- (w) Waterline right-of-way easement dated May 23, 2001 in favor of City of Hindman of record in Deed Book 210, Page 28.
- (x) Surface use agreement dated November 25, 1994 from Consol of Kentucky, Inc. to Knott-Floyd Land Company of record in Contract Book 13, Page 197.
- (y) Access Road easement dated November 17, 2010 in favor of Viking Exploration LLC of record in Deed Book 300, Page 621.
- (z) Pipeline right-of-way dated November 13, 2018 in favor of Diversified Southern Production, LLC of record in Deed Book 286, Page 282.

- (aa) Meter Agreement Easement in favor of Troublesome Creek Gas Corp. dated May 27, 2011 of record in Lease Book 75, Page 652.
- (bb) Sewer line easement in favor of Troublesome Creek Environmental Authority dated September 27, 2010 of record in Deed Book 255, Page 663.
- (cc) May be subject to pipeline easement in favor of Diversified Southern Production dated November 13, 2018 of record in Deed Book 286, Page 282.

5. OFF-CONVEYANCES AND RELATED RIGHTS FROM SOURCE DEED 139, PAGE 635:

- (a) Deed dated June 15, 2009 from Western Pocahonta Properties Limited Partnership to Knott County Fiscal Court of record in Deed Book 247, Page 498.
- (b) Deed dated August 21, 2006 to Knott County Youth Foundations, Inc. of record in Deed Book 235, Page 263, said deed containing conditions, covenants, restrictions, easements, and reversion rights.
- (c) Quitclaim deed and easement dated July 1, 2004 for communication facility to New Gauley Coal Corporation of record in Deed Book 219, Page 594, said deed reserving mineral rights to the grantor; and as conveyed back to Western Pocahontas Properties Limited Partnership by quitclaim deed dated June 9, 2005 of record in Deed Book 225, Page 517.
- (d) Deed to the Commonwealth of Kentucky, Department of Transportation from Western Pocahontas Corporation, recorded April 6, 1979 of record in Deed Book 114, Pages 214.
- (e) Deed to the Commonwealth of Kentucky, Department of Transportation from Western Pocahontas Corporation, dated February 7, 1979 and recorded April 10, 1979 of record in Deed Book 114, Pages 262.
- (f) Quitclaim surface deed dated November 13, 1989 to John Moore, Jr. of record in Deed Book 161, Page 161.
- (g) Quitclaim surface deed dated July 11, 1994 to David K. Smith and Romana A. Smith of record in Deed Book 171, Page 517.

6. JUDGMENT LIENS, TAX LIENS, AND SIMILAR LIENS

- (a) 2016 Delinquent Tax Bill against Kentucky Fuel Corporation of record in Book 15, Page 276;
- (b) 2017 Delinquent Tax Bill against Kentucky Fuel Corporation of record in Book 15, Page 278;
- (c) Judgment lien recorded February 18, 2014 against Kentucky Fuel Corporation in favor

- of Miller & Sons, Inc. in the face amount of \$308,270.00 of record in Lis Pendens Book 28, Page 543.
- (d) Judgment lien recorded March 13, 2015 against Kentucky Fuel Corporation in favor of Commonwealth of Kentucky, et al, in the face amount of \$1,205,006.72 of record in Lis Pendens Book 29, Page 404.
- (e) Judgment lien recorded September 21, 2015 against Kentucky Fuel Corporation in favor of Commonwealth of Kentucky, et al, in the face amount of \$263,071.54 of record in Lis Pendens Book 29, Page 695; see supporting judgment of record in Lis Pendens Book 29, Page 710.
- (f) May be subject to Judgment lien recorded July 1, 2014 against Kentucky Fuels in favor of American Contracting Group, in the face amount of \$97,000.00 of record in Lis Pendens Book 29, Page 30. See next entry as possible correction regarding debtor name.
- (g) Judgment lien recorded November 2, 2015 against Kentucky Fuel Corporation in favor of American Contracting Group, in the face amount of \$97,000.00 of record in Lis Pendens Book 30, Page 8.
- (h) State Tax Lien (unemployment insurance) recorded March 3, 2020 against Blackstone Energy Ltd. of record in Lis Pendens Book 33, Page 103.
- (i) May be subject to railroad easements of record in Deed Book 157, Page 69; Deed Book 158, Page 469; and Deed Book 168, Page 236.
- 7. Right of 1st refusal for oil and gas rights as set forth in Deed Book 64, Page 137.
- 8. Subject to the conditions, agreements, covenants, restrictions and easements contained in the following source deeds:
 - (a) Deed dated December 31, 1986 of record in Deed Book 139, Page 635. Specifically, the deed delineates the rights of the surface owner versus the rights of the mineral owner.
 - (b) Deed dated July 1, 2001 of record in Deed Book 205, Page 403. Like the previous source deed, this deed also delineates the rights of the surface owner versus the rights of the mineral owner.
 - (c) Deed dated October 14, 2002 of record in Deed Book 210, Page 386. This deed establishes that the mineral estate is dominant over the surface estate. In fact, the mineral owner has the right to use any mining method without leaving support for the surface, and further, is not liable for any damage so caused.
- 9. Subject to instruments contained in Contract Book 12 and Lease Book 24 as these items were unavailable for review at the time of the title examination. The undersigned will supplement this opinion as soon as these items are available.
- 10. State, County, School, unmined mineral, and ad valorem taxes assessed a lien for 2023, not

yet due and payable. The undersigned is also supplementing this opinion with a spreadsheet itemizing taxes assessed against the property.

- 11. What an accurate survey might reveal.
- 12. The undersigned makes no representation as to any matters outside the scope and parameter of this 60-year title examination. The opinions regarding ownership and current interests set forth herein are based upon the records filed in the Knott County Clerk's Office during the time frame requested by the Commonwealth.
- 13. The undersigned makes no warranty or representation regarding the acreage of the subject tract.
- 14. Existing building regulations and zoning restrictions.
- 15. The rights of the persons in possession of said property.
- 16. Any tenancies, conditions, or encroachments which a visual inspection of the property may reveal.
- 17. The undersigned does not express an opinion as to whether the property or any part thereof lies in the flood plain.
- 18. The foregoing title opinion is based upon all documents, instruments and records pertaining to the subject property which are properly indexed and filed of record in the Office of the Knott County Clerk. The attorney makes no representations or warranties regarding documents, instruments or records improperly filed or indexed.

As for the suitability for the subject Property to be developed for residential use, the undersigned is of the legal opinion that it can be done, however, there are several matters which would need to be resolved, including:

- 1. The various mineral owners would need to relinquish certain rights to pursue the mineral estates insofar as they conflict with the development of a residential area. For example, the rights granted to the mineral owner, WPP LLC in Deed Book 210, Page 386 are extremely hostile and adverse to the surface estate. In fact, several of the oil and gas and coal deeds/leases contain similar rights which would seemingly render residential development near impossible. Additionally, the related considerations regarding support and subsidence issues, and the location and types of equipment allowed on the surface also need to be addressed. Legally, all of this will require a mutual agreement among the various title interest holders that creates a balance of rights that will allow all estate holders to achieve their objectives. During that process, the location of future structures needs to be considered and negotiated so as to minimally impact the surface estate as well as allowing for access to the mineral estate. If feasible, acquisition of the entirety of the surface and mineral estates by the developer would be optimal.
- 2. Deed restrictions may be necessary to force surface owner(s) to comply with any agreements reached with the mineral estate owners.
- 3. Federal and State reclamation and permitting requirements for mining operations often conflict with the surface use of property. Coordination with the appropriate agencies prior to acquisition would be helpful in drafting any agreements needed between the parties. Often,

- the legal issues and problems in this area include gullying, subsidence, accelerated water runoff, poor vegetation cover, erosion and poor soil structure.
- 4. Environmental hazards should also be contemplated prior to acquisition. This includes appropriate inspections for prior contamination as well as planning for issues in relation to any future mining operations near a residential development.
- 5. As the area has undergone substantial mining activity, appropriate engineering opinions would need to be obtained to certify the property as being suitable for the type of development being considered. Site evaluations will be key in determining if development is possible, and if so, what type of structures will be required.

If you have any questions, need additional information or further assistance, please let me know.

Sincerely,

Mark E. Yonts

Attorney

Urbon Yonts, PLLC

Appendix E: Site Screening Summary

Site Screening Summary of the Western Pocahontas Property

The Energy and Environment Cabinet's Department for Environmental Protection (DEP) has been tasked with evaluating former surface mining sites as a due diligence step prior to the potential relocation of eastern Kentuckians from flood prone areas. The former surface mines of interest are located at higher elevations and would be a low flash flood risk. To some, surface mines may have the perception as being contaminated properties; therefore, DEP has endeavored to determine if any realistic adverse environmental conditions exist at various prospective residential sites.

On December 16, 2022, the former surface mine owned by Western Pocahontas, adjacent to the Knott County Sportsplex, was evaluated (See Figure 1). The area assessed is roughly 300 acres. Target elements arsenic, lead and iron were chosen as constituents to indicate if any potential oxidation of sulfide minerals and subsequent transport of those elements was occurring. This condition can occur when freshly exposed sulfide minerals (often found in shale and coal) encounter water. The result is lower pH waters that can mobilize toxic elements. This process is often called acid mine drainage although the condition can occur whenever sulfide materials are exposed at ground surface.

DEP staff selected 17 sample locations prior to accessing the site. Sample locations were generally selected to represent the full extent of the potential development. Due to inaccessibility, some locations were not sampled. A total of 16 X-Ray Fluorescence (XRF) readings were taken. Five of those samples were collected and later analyzed by the State Lab utilizing sample method SW846 6020B. XRF concentrations were analyzed by a portable Brucker S1 Titan Model 600 set to 45 seconds per reading. The Brucker was standardized prior to conducting any field screening. Lead, arsenic and iron readings were within their acceptable calibration error.

In all cases, the laboratory analysis was higher than the XRF field screening (See Figure 2). Once factoring in the +/- field error, the XRF samples were roughly ½ the lab concentration.

Assuming a conservative multiplier of two for all field screening results, all samples apart from Sample 6 fell below any level of concern relative to the state background (Kentucky Guidance for Ambient Background Assessment, January 8, 2004). A photo of the Sample 6 area was taken (See Figure 3), and field observation put the visible impact area as approximately 1500 square feet. This area exhibits a shale/coal appearance (sulfide containing materials) that likely produces a minor acid mine drainage condition. The fact that all metals analyzed were elevated, rather than one, indicates the same process of deposition. The field screening team took three field samples in the general area of sample #6, lab results confirmed the isolated impacts observed by the XRF. Although DEP wouldn't call this area a KRS 224.1-400 release, DEP staff do recommend all noticeable spoil areas to be scraped and removed prior to residential development. Areas immediately down slope of spoils should also be removed or characterized further.

Arsenic and lead are the primary drivers of many risk scenarios when assessing releases to the environment. Unfortunately, each element is a naturally occurring substance found in almost all soil and rock types of Kentucky. Iron can be toxic, but typically it is more of an indicator parameter (such as acid mine drainage) rather than it being the risk driver. Arsenic and Iron tend to occur in a proportional relationship within the same depositional environment with Iron being the much more abundant element. If there is no correlation between iron and arsenic, then there is the possibility of a release or the possibility of mixed soil types. Other than a possible acid drainage condition adjacent to Sample #6, no environmental concerns can be inferred at the Western Pocahontas property.

This report is a good faith attempt to analyze reasonable environmental scenarios associated at a former surface mine. It does not and cannot account for every theoretical release possibility. A developer should understand their obligation to properly assess and remove any potential environmental conditions observed during development.

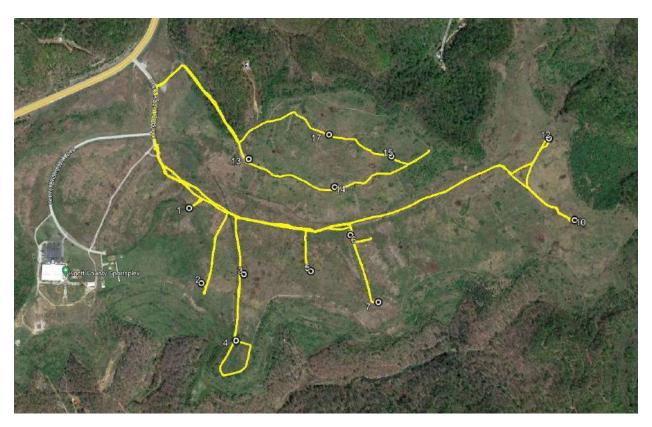


Figure 1: Western Pocahontas property, yellow lines represent GPS transect, numbers represent the sampling locations.

December 16, 2022 Western Pocahontas Analytical Results

Sample ID	Time	As (ppm)	plus/minus	As Adjusted	As Lab	Fe (ppm)	plus/minus	Fe Lab	Pb (ppm)	plus/minus	Pb Lab
SS-1	10:28	<lod< td=""><td>4</td><td>4</td><td></td><td>8,445</td><td>143</td><td></td><td><lod< td=""><td>29</td><td></td></lod<></td></lod<>	4	4		8,445	143		<lod< td=""><td>29</td><td></td></lod<>	29	
SS-2*	10:43	2	2	4	5.49	19,000	218	17100	<lod< td=""><td>17</td><td>11.2</td></lod<>	17	11.2
SS-3	10:53	<lod< td=""><td>2</td><td>2</td><td>60 - 10 50</td><td>20,000</td><td>223</td><td></td><td><lod< td=""><td>17</td><td></td></lod<></td></lod<>	2	2	60 - 10 50	20,000	223		<lod< td=""><td>17</td><td></td></lod<>	17	
SS-4	11:04	<lod< td=""><td>2</td><td>2</td><td></td><td>14,000</td><td>189</td><td></td><td><lod< td=""><td>17</td><td></td></lod<></td></lod<>	2	2		14,000	189		<lod< td=""><td>17</td><td></td></lod<>	17	
SS-5*	11:15	4	2	6	7.57	22,000	242	24800	<lod< td=""><td>14</td><td>10.6</td></lod<>	14	10.6
SS-6A	11:25	<lod< td=""><td>10</td><td>10</td><td></td><td>3,893</td><td>129</td><td></td><td><lod< td=""><td>73</td><td></td></lod<></td></lod<>	10	10		3,893	129		<lod< td=""><td>73</td><td></td></lod<>	73	
SS-6B*	11:31	30	4	34	101	41,000	319	57100	37	20	40.6
SS-6B 2nd reading		26		26		46,000			<lod< td=""><td></td><td></td></lod<>		
SS-6C	11:34	16	3	19		40,000	319		56	19	
SS-7	11:47	<lod< td=""><td>2</td><td>2</td><td></td><td>11,000</td><td>171</td><td></td><td><lod< td=""><td>17</td><td></td></lod<></td></lod<>	2	2		11,000	171		<lod< td=""><td>17</td><td></td></lod<>	17	
SS-10	1:04	<lod< td=""><td>2</td><td>2</td><td>us sa</td><td>20,000</td><td>226</td><td></td><td><lod< td=""><td>16</td><td></td></lod<></td></lod<>	2	2	us sa	20,000	226		<lod< td=""><td>16</td><td></td></lod<>	16	
SS-12*	12:56	3	3	6	9	9,651	155	24100	<lod< td=""><td>23</td><td>15</td></lod<>	23	15
SS-13	1:27	<lod< td=""><td>2</td><td>2</td><td></td><td>16,000</td><td>202</td><td></td><td><lod< td=""><td>17</td><td></td></lod<></td></lod<>	2	2		16,000	202		<lod< td=""><td>17</td><td></td></lod<>	17	
SS-14*	1:33	5	2	7	13.4	25,000	250		<lod< td=""><td>17</td><td></td></lod<>	17	
SS-15	1:44	<lod< td=""><td>2</td><td>2</td><td></td><td>11,000</td><td>176</td><td></td><td><lod< td=""><td>13</td><td></td></lod<></td></lod<>	2	2		11,000	176		<lod< td=""><td>13</td><td></td></lod<>	13	
SS-17	1:48	<lod< td=""><td>2</td><td>2</td><td>11.</td><td>21,000</td><td>230</td><td></td><td><lod< td=""><td>16</td><td></td></lod<></td></lod<>	2	2	11.	21,000	230		<lod< td=""><td>16</td><td></td></lod<>	16	

^{* =} sample taken to EEC Lab

Figure 2: Field and Lab Analytical for Arsenic, Iron and Lead



Figure 3: Photo of Spoils Area at Sample #6.

Appendix A Analytical Data Sheets



ANDY BESHEAR GOVERNOR

REBECCA GOODMAN SECRETARY

ENERGY AND ENVIRONMENT CABINET DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON COMMISSIONER

100 SOWER BOULEVARD, STE. 104 FRANKFORT, KENTUCKY 40601

Friday, January 13, 2023

Lab Sample Number: AT05318 **Station/Project ID:**

Division of Waste Management **Re:** Knott Co Sportsplex - Pocahontas Prop

300 Sower Blvd

Frankfort, KY 40601 **Program Code: B25**

ATTN: Tammi Hudson **AKGWA: County:** Knott **Facility:**

Collected By: Sarah Yount **Date:** 12/16/2022 **Time:** 10:43 **Delivered By:** Sarah Yount **Date:** 12/19/2022 **Time:** 10:26 **Received By:** Jennifer Clark **Date:** 12/19/2022 **Time:** 10:26

Sample Matrix: SOIL **Collection Method:**

Sample Description: SS-2 Sample Type: Field Sample

Sample ID: SS-2 **Container ID:**

Shipment Temp: 8.1C REPORT OF ANALYSIS **Analyte Count: 4**

LAB ACODE CAS NUM CONSTITUENTS **RESULT UNIT** LOQ LOD **FLAG**

TESTCODE \$3130S ASCALC BY: SW846 6020B ON: 1/9/2023 1:13:00 PM

\$3130S ASCALC 7440-38-2 Arsenic 5.49 mg/Kg DW 0.206 0.103

TESTCODE \$3130S_FECALC BY: SW846 6020B ON: 1/9/2023 1:13:00 PM

\$3130S FECALC 7439-89-6 Iron 17100 mg/Kg DW 10.3 5.15

TESTCODE \$3130S PBCALC BY: SW846 6020B ON: 1/9/2023 1:13:00 PM

\$3130S PBCALC 7439-92-1 Lead 11.2 mg/Kg DW 0.206 0.103

TESTCODE %SOLIDS BY: SM20 2540 G Mod ON: 1/6/2023 9:05:00 AM

%SOLIDS Percent solids, dry weight 77.9 %

Container Preservation Status at Sample Login

@P-WHIRL Plastic WHIRLPACK pH not tested

Unit Description

DW = Analyzed on a Dry Weight Basis

Case Narrative

This report has been prepared and reviewed by personnel within the Department for Environmental Protection

Laboratory (DEPLAB) and has been approved for release.

for Tony Hatton, Acting Director Report Format: DESFinal-Full

Report Version 1 Page 1 of 1 AT05318 Sample Number:



ANDY BESHEAR

REBECCA GOODMAN

ENERGY AND ENVIRONMENT CABINET DEPARTMENT FOR ENVIRONMENTAL PROCESSAM SUPPORT

DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104 FRANKFORT, KENTUCKY 40601

Friday, January 13, 2023

Lab Sample Number: AT05319 Station/Project ID:

To: Division of Waste Management **Re:** Knott Co Sportsplex - Pocahontas Prop

300 Sower Blvd

Frankfort, KY 40601 **Program Code:** B25

ATTN: Tammi Hudson

County: Knott

AKGWA:
Facility:

 Collected By:
 Sarah Yount
 Date:
 12/16/2022
 Time:
 11:15

 Delivered By:
 Sarah Yount
 Date:
 12/19/2022
 Time:
 10:26

 Received By:
 Jennifer Clark
 Date:
 12/19/2022
 Time:
 10:26

Sample Matrix: SOIL Collection Method: Grab

Sample Description: SS-5 Sample Type: Field Sample

Sample ID: SS-5 Container ID:

Analyte Count: 4 <u>REPORT OF ANALYSIS</u> Shipment Temp: 8.1C

<u>LAB ACODE CAS NUM CONSTITUENTS</u>
<u>RESULT UNIT LOQ LOD FLAG</u>

TESTCODE \$3130S_ASCALC BY: SW846 6020B ON: 1/9/2023 2:14:00 PM

\$3130S_ASCALC 7440-38-2 Arsenic 7.57 mg/Kg DW 0.202 0.101

TESTCODE \$3130S_FECALC **BY:** SW846 6020B **ON:** 1/9/2023 2:14:00 PM

\$3130S FECALC 7439-89-6 Iron 14800 mg/Kg DW 10.1 5.06

TESTCODE \$3130S PBCALC BY: SW846 6020B ON: 1/9/2023 2:14:00 PM

\$3130S PBCALC 7439-92-1 Lead 10.6 mg/Kg DW 0.202 0.101

TESTCODE %SOLIDS BY: SM20 2540 G Mod ON: 1/6/2023 9:05:00 AM

% SOLIDS Percent solids, dry weight 69.4 %

Container Preservation Status at Sample Login

@P-WHIRL Plastic WHIRLPACK pH not tested

Unit Description

DW = Analyzed on a Dry Weight Basis

Case Narrative

This report has been prepared and reviewed by personnel within the Department for Environmental Protection

Laboratory (DEPLAB) and has been approved for release.

Report Format: DESFinal-Full for Tony Hatton, Acting Director

Sample Number: AT05319 Report Version 1 Page 1 of 1



ANDY BESHEAR
GOVERNOR

REBECCA GOODMAN

ENERGY AND ENVIRONMENT CABINET DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

100 SOWER BOULEVARD, STE. 104 FRANKFORT, KENTUCKY 40601 TONY HATTON COMMISSIONER

Friday, January 13, 2023

Lab Sample Number: AT05320 **Station/Project ID:**

To: Division of Waste Management Re: Knott Co Sportsplex - Pocahontas Prop

300 Sower Blvd

Frankfort, KY 40601 **Program Code:** B25

ATTN: Tammi Hudson

County: Knott

AKGWA:
Facility:

 Collected By:
 Sarah Yount
 Date:
 12/16/2022
 Time:
 11:31

 Delivered By:
 Sarah Yount
 Date:
 12/19/2022
 Time:
 10:26

 Received By:
 Jennifer Clark
 Date:
 12/19/2022
 Time:
 10:26

Sample Matrix: SOIL Collection Method: Grab

Sample Description: SS-6B Sample Type: Field Sample

Sample ID: SS-6B Container ID:

Analyte Count: 4 <u>REPORT OF ANALYSIS</u> Shipment Temp: 8.1C

<u>LAB ACODE CAS NUM CONSTITUENTS</u>
<u>RESULT UNIT LOQ LOD FLAG</u>

TESTCODE \$3130S_ASCALC BY: SW846 6020B ON: 1/9/2023 2:26:00 PM

\$3130S_ASCALC 7440-38-2 Arsenic 101 mg/Kg DW 0.264 0.132

TESTCODE \$3130S_FECALC BY: SW846 6020B ON: 1/9/2023 2:26:00 PM

\$3130S_FECALC 7439-89-6 Iron 57100 mg/Kg DW 13.2 6.61

TESTCODE \$3130S_PBCALC **BY:** SW846 6020B **ON:** 1/9/2023 2:26:00 PM

\$3130S_PBCALC 7439-92-1 Lead 40.6 mg/Kg DW 0.264 0.132

TESTCODE %SOLIDS **BY:** SM20 2540 G Mod **ON:** 1/6/2023 9:05:00 AM

%SOLIDS Percent solids, dry weight 69.7 %

Container Preservation Status at Sample Login

@P-WHIRL Plastic WHIRLPACK pH not tested

Unit Description

DW = Analyzed on a Dry Weight Basis

Case Narrative

This report has been prepared and reviewed by personnel within the Department for Environmental Protection

Laboratory (DEPLAB) and has been approved for release.

Report Format: DESFinal-Full for Tony Hatton, Acting Director

Sample Number: AT05320 Report Version 1 Page 1 of 1



ANDY BESHEAR

REBECCA GOODMAN

ENERGY AND ENVIRONMENT CABINET DEPARTMENT FOR ENVIRONMENTAL PROCESSAM SUPPORT

DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104 FRANKFORT, KENTUCKY 40601

Friday, January 13, 2023

Lab Sample Number: AT05321 Station/Project ID:

To: Division of Waste Management **Re:** Knott Co Sportsplex - Pocahontas Prop

300 Sower Blvd

Frankfort, KY 40601 **Program Code:** B25

ATTN: Tammi Hudson

County: Knott

AKGWA:
Facility:

 Collected By:
 Sarah Yount
 Date:
 12/16/2022
 Time:
 12:56

 Delivered By:
 Sarah Yount
 Date:
 12/19/2022
 Time:
 10:26

 Received By:
 Jennifer Clark
 Date:
 12/19/2022
 Time:
 10:26

Sample Matrix: SOIL Collection Method: Grab

Sample Description: SS-12 Sample Type: Field Sample

Sample ID: SS-12 Container ID:

Analyte Count: 4 REPORT OF ANALYSIS Shipment Temp: 8.1C

<u>LAB ACODE CAS NUM CONSTITUENTS</u>
<u>RESULT UNIT LOQ LOD FLAG</u>

TESTCODE \$3130S ASCALC BY: SW846 6020B ON: 1/9/2023 2:36:00 PM

\$3130S_ASCALC 7440-38-2 Arsenic 8.98 mg/Kg DW 0.336 0.168

TESTCODE \$3130S_FECALC **BY:** SW846 6020B **ON:** 1/9/2023 2:36:00 PM

\$3130S FECALC 7439-89-6 Iron 24100 mg/Kg DW 16.8 8.38

TESTCODE \$3130S_PBCALC BY: SW846 6020B ON: 1/9/2023 2:36:00 PM

\$3130S PBCALC 7439-92-1 Lead 15.0 mg/Kg DW 0.336 0.168

TESTCODE %SOLIDS BY: SM20 2540 G Mod ON: 1/6/2023 9:05:00 AM

% SOLIDS Percent solids, dry weight 56.4 %

Container Preservation Status at Sample Login

@P-WHIRL Plastic WHIRLPACK pH not tested

Unit Description

DW = Analyzed on a Dry Weight Basis

Case Narrative

This report has been prepared and reviewed by personnel within the Department for Environmental Protection

Laboratory (DEPLAB) and has been approved for release.

Report Format: DESFinal-Full for Tony Hatton, Acting Director

Sample Number: AT05321 Report Version 1 Page 1 of 1



ANDY BESHEAR

REBECCA GOODMAN

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

ENERGY AND ENVIRONMENT CABINET

DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

100 SOWER BOULEVARD, STE. 104 FRANKFORT, KENTUCKY 40601 TONY HATTON COMMISSIONER

Friday, January 13, 2023

Lab Sample Number: AT05322 Station/Project ID:

To: Division of Waste Management Re: Knott Co Sportsplex - Pocahontas Prop

300 Sower Blvd

Frankfort, KY 40601 **Program Code:** B25

ATTN: Tammi Hudson

County: Knott

AKGWA:
Facility:

 Collected By:
 Sarah Yount
 Date:
 12/16/2022
 Time:
 13:33

 Delivered By:
 Sarah Yount
 Date:
 12/19/2022
 Time:
 10:26

 Received By:
 Jennifer Clark
 Date:
 12/19/2022
 Time:
 10:26

Sample Matrix: SOIL Collection Method: Grab

Sample Description: SS-14 Sample Type: Field Sample

Sample ID: SS-14 Container ID:

Analyte Count: 4 <u>REPORT OF ANALYSIS</u> Shipment Temp: 8.1C

<u>LAB ACODE CAS NUM CONSTITUENTS</u>
<u>RESULT UNIT LOQ LOD FLAG</u>

TESTCODE \$3130S ASCALC BY: SW846 6020B ON: 1/9/2023 2:53:00 PM

\$3130S_ASCALC 7440-38-2 Arsenic 13.4 mg/Kg DW 0.224 0.112

TESTCODE \$3130S_FECALC **BY:** SW846 6020B **ON:** 1/9/2023 2:53:00 PM

\$3130S_FECALC 7439-89-6 Iron 30800 mg/Kg DW 11.2 5.62

TESTCODE \$3130S_PBCALC **BY:** SW846 6020B **ON:** 1/9/2023 2:53:00 PM

\$3130S_PBCALC 7439-92-1 Lead 10.9 mg/Kg DW 0.224 0.112

TESTCODE %SOLIDS **BY:** SM20 2540 G Mod **ON:** 1/6/2023 9:05:00 AM

% SOLIDS Percent solids, dry weight 82.9 %

Container Preservation Status at Sample Login

@P-WHIRL Plastic WHIRLPACK pH not tested

Unit Description

DW = Analyzed on a Dry Weight Basis

Case Narrative

This report has been prepared and reviewed by personnel within the Department for Environmental Protection

Laboratory (DEPLAB) and has been approved for release.

Report Format: DESFinal-Full for Tony Hatton, Acting Director

Sample Number: AT05322 Report Version 1 Page 1 of 1

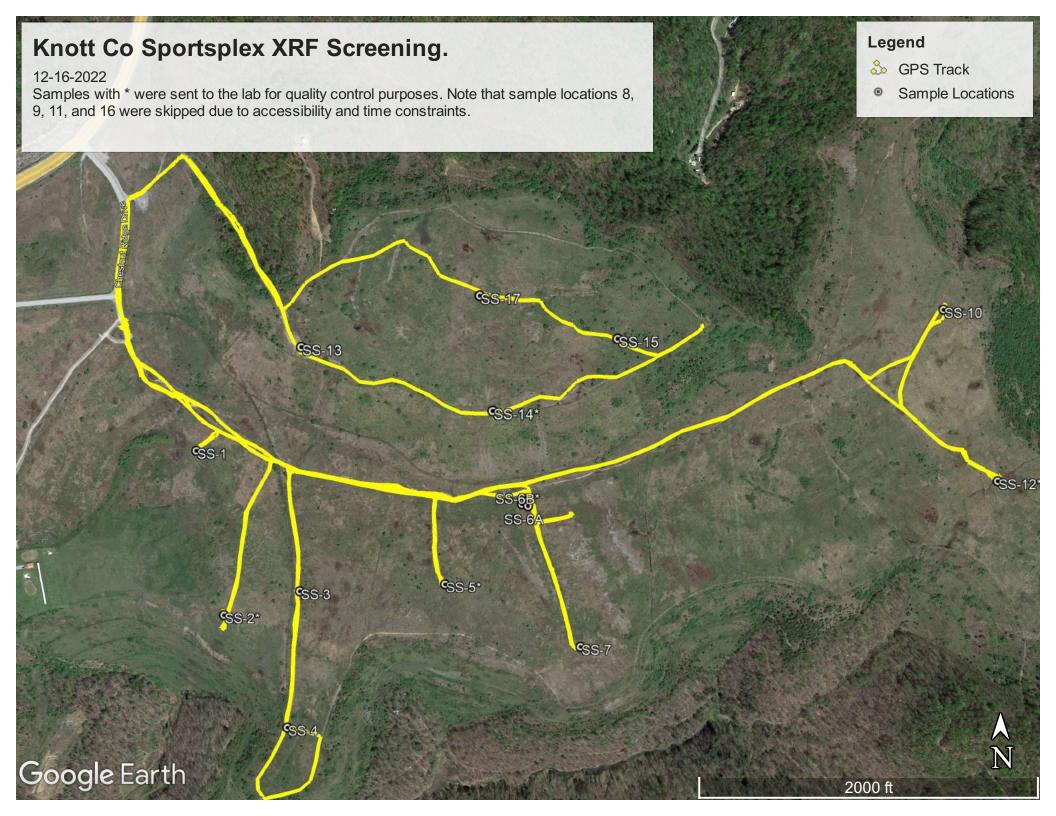
CHAIN OF CUSTODY RECORD DEPARTMENT FOR ENVIRONMENTAL PROTECTION

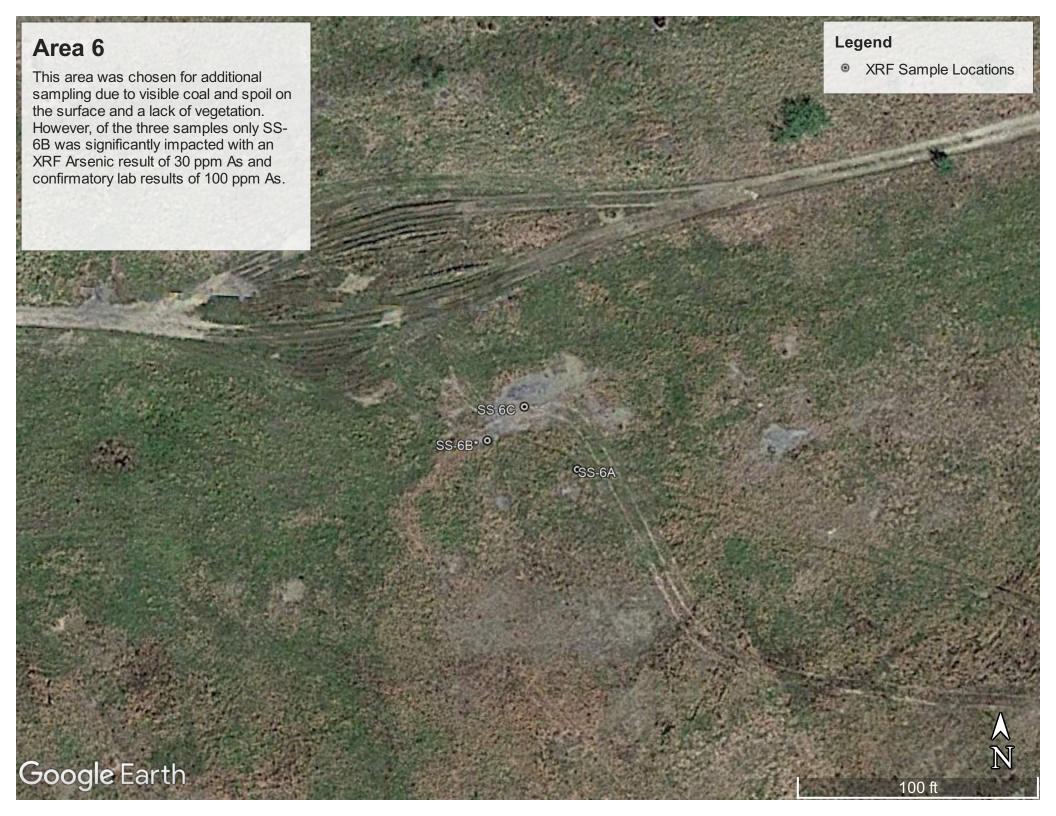
Program/D Program/D Program/A	WM: □R	06 NPS SDWA Stream CRA UST TSCA Sol ir Toxics/Canister #	id Waste			□ Ref. Reach □ Lakes □ Pretreatment □	BMP □EF	RT		
Fund Sour	ce/MARS#_	Site #			Other Program	Incident #/A	.1 #			
SITE LOC	ATION: V	nott Co. Sportsplex	- Pocahontas Properto	FA0	CILITY NO.:	COUNTY: K-Y	10++	Incident		
FIELD ID#	DATE TIME	DESCRIPTION OF SITE	MATRIX	NUMBER GI CONTAINER		ANALYSIS REQUESTED	рН	LAB USE ONLY		
55-2	Date: 12/16/22 Time: 10:43	AKGWA #:	Liquid Solid Chemical Grab Composite Other	Glass 1000 m Plastic 1000 VOA 48 ml Glass 140 m 280 ml	ml ☐ H,SO, ☐ NaOH	□ ABN □ VOC □ NH, □ TO14 □ TOC □ TSS □ C1 □ HERB □ TKN □ BOD □ CN □ T. METALS □ O&G □ PAH □ FP □ PEST/PCB □ TDS □ ALK □ TCLP □ N/P PEST □ BTEX □ ORTHO/P □ OTHER: Pelow me to S		Sample # ATO 5318 Report #		
ss-5	Date: 12/16/27 Time: ☑ am 11 : 15	AKGWA #:	Liquid Solid Chemical Grab Composite Other	Glass 1000 i Plastic 1000 VOA 40 ml Glass 140 ml 280 ml	ml □H.SO. □NaOH	□ ABN □ VOC □ NH, □ TO14 □ TOC □ TSS □ CI □ HERB □ TKN □ BOD □ CN □ T. METALS □ 0&G □ PAH □ FP □ PEST/PCB □ TDS □ ALK □ TCLP □ N/P PEST □ BTEX □ ORTHO/P □ OTHER: BLOW me tals		Sample # ATO 5 3 19 Report #		
ss-68	Date: 12/16/22 Time: 2 am 11_:31_ □ pm	AKGWA #:	Liquid Solid Chemical Grab Composite Other	Glass 1000 n Plastic 1000 VOA 40 ml Glass 140 m 280 ml	ml H.SO	□ ABN □ VOC □ NH, □ TO14 □ TOC □ TSS □ CI □ HERB □ TKN □ BOD □ CN □ T. METALS □ 0&G □ PAH □ FP □ PEST/PCB □ TDS □ ALK □ TCLP □ N/P PEST □ BTEX □ ORTHO/P □ OTHER: Below metals		Sample # ATO5320 Report #		
Inspector(s): SY, KL, JB, JW - sarch Yourt, Ken Logsdan, Josh Brant Cu BFe Mn Zn Other 81°C										
Relinquished	by: Sar	wh yount Sanah	yound	Dat	12/19/22	Received by: Telah Jar Clank		1R-18		
Representin	= KDE	Sourouh Yount Sanah Yount Date 12/19/22 Received by: Greening: Representing: Wills								
Relinquisher	1 Бу:			Dat	le	Received by:				
Representin	-			Tim		Representing:				
DEP5005	DEP5005 (5146GP) Distribution: White Copy-Central Office Yellow Copy-DE5 Pink Copy-Field Inspector Rev. February 28, 2011									

CONTINUATION PAGE 2 of 2

		tt Co. Sports plex-	Propi	CL JU #73				
FIELD ID#	DATE TIME	DESCRIPTION OF SITE	MATRIX	NUMBER OF CONTAINERS	PRESER- VATION	ANALYSIS REQUESTED	рH	LAB USE ONL
55-12	Date: 12/16/22 Time: □ am 12:56 □ pm	AKGWA #:	Liquid Solid Chemical Solid Chemical Composite Other	Glass 1000 ml Plastic 1000 ml VOA 40 ml Glass 140 ml 280 ml		□ABN □VOC □NH, □TO14 □TOC □TSS □CI □HERB □TKN □BOD □CN □T. METALS □O&G □PAH □FP □PEST/PCB □TDS □ALK □TCLP □N/P PEST □BTEX □ORTHO/P □OTHER: Below metals		Sample # ATO5321 Report #
85-14	Date: 12_/16/27 Time: □ am 1 : 33	AKGWA #:	☐ Liquid Solid ☐ Chemical ☐ Grab ☐ Composite ☐ Other	Glass 1000 ml Plastic 1000 ml VOA 40 ml Glass 140 ml 280 ml Other:	MaoH HINO, HCI HOther	ABN		Sample # ATO 53 2 2 Report #
	Date: Time: am : pm	AKGWA #:	☐ Liquid ☐ Solid ☐ Chemical ☐ Grab ☐ Composite ☐ Other	Glass 1000 ml Plastic 1000 ml VOA 40 ml Glass 140 ml 280 ml Other:		□ABN □VOC □NH, □TOL4 □TOC □TSS □CI □HERB □TKN □BOD □CN □T. METALS □0&G □PAH □FP □PEST/PCB □TDS □ALK □TCLP □N/P PEST □BTEX □ORTHO/P □OTHER:		Sample # Report #
	Date: Time: am : pm	AKGWA #:	Liquid Solid Chemical Grab Composite	Glass 1000 ml Plastic 1000 ml VOA 40 ml Glass 140 ml 280 ml Other:	☐ Ice ☐ H,SO, ☐ NaOH ☐ HNO, ☐ HCI ☐ Other	□ ABN □ VOC □ NH, □ TO14 □ TOC □ TSS □ CI □ HERB □ TKN □ BOD □ CN □ T. METALS □ O&G □ PAH □ FP □ PEST/PCB □ TDS □ ALK □ TCLP □ N/P PEST □ BTEX □ ORTHO/P □ OTHER:		Sample # Report #
	Date: Time: am ::	AKGWA #:	Liquid Solid Chemical Grab Composite Other	Glass 1000 ml Plastic 1000 ml VOA 40 ml Glass 140 ml 280 ml Other:	☐ lce ☐ H,SO, ☐ NaOH ☐ HNO, ☐ HC1 ☐ Other	□ ABN □ VOC □ NH, □ TO14 □ TOC □ TSS □ CI □ HERB □ TKN □ BOD □ CN □ T. METALS □ O&G □ PAH □ FP □ PEST/PCB □ TDS □ ALK □ TCLP □ N/P PEST □ BTEX □ ORTHO/P □ OTHER:		Sample #

ID 61 14CD-7





Appendix F: Qualifications

Qualifications of Environmental Professional

Environmental Professional

Kenneth C. Logsdon Geologist Registered Supervisor Petroleum Cleanup Section Superfund Branch Division of Waste Management

Education

Bachelor of Science in Biology and Geology, Western Kentucky University 1995

Professional Certification

Professional Geologist, 2005

Professional Experience

Kentucky Department for Environmental Protection -- 24 years

Mr. Logsdon has over 24 years of experience in the assessment, investigation, and remediation of Underground Storage Tank, Superfund, and Hazardous Waste sites.