NOTICE OF FINDING OF NO SIGNFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

November 23, 2023

Kentucky Department for Local Government
100 Airport Road, 3rd Floor
Frankfort, KY 40601
(502) 573-2382

These notices are related to Federal assistance provided in response to the Presidentially declared disaster, Kentucky Severe Storms, Flooding, Landslides, and Mudslides (DR-4663-KY, Incident Period: July 26, 2022-August 11, 2022, Declaration Date July 29, 2022). These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the Commonwealth of Kentucky.

Per 24 CFR 58.33, the combined Notice of Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds (NOI-RROF) will be published simultaneously with the submission of the Request for Release of Funds (RROF) to the U.S Department of Housing and Urban Development (HUD) for Community Development Block Grant Disaster Recovery (CDBG-DR) and Community Development Block Grant Disaster Mitigation (CDBG-MIT) funds. The funds are needed on an emergency basis due to the impacts of a Presidentially declared disaster, Kentucky Severe Storms, Flooding, Landslides, and Mudslides (DR-4663-KY, Declaration Date July 29, 2022). As a result, the comment periods required under 24 CFR 58.45 for the FONSI and NOI-RROF and the HUD objection period required under 24 CFR 58.74 have been combined to occur in the same 15-day period. Commenters may submit comments to the Kentucky Department for Local Government (DLG) and objections to HUD to ensure they will receive full consideration.

NOTE: The project also includes HOME Investment Partnerships (HOME) funding through Kentucky Housing Corporation (KHC). KHC is serving as the Responsible Entity for HOME funds and will complete a separate request of release of funds to HUD for the HOME funding for this project.

REQUEST FOR RELEASE OF FUNDS

On or about November 24, 2023, simultaneous with start of the public comment period initiated by the November 23, 2023 publication of the FONSI and NOI-RROF as allowed by 24 CFR 58.33, DLG will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant Disaster Recovery (CDBG-DR) and Mitigation (CDBG-MIT) funds (appropriated by the Continuing Appropriations Act, 2023 and the Department of Housing and Urban Development Appropriations Act, 2023 for major disasters occurring in 2022) pursuant to undertake a project known as Olive Branch, Knott County, KY-Team KY. The Commonwealth of Kentucky is invoking section "IV.A.3. Interchangeability of disaster funds" of FR-6393 to also deploy 2021 CDBG-DR funds (appropriated by the Disaster Relief Supplemental Appropriations Act, 2022 for major disaster occurring in 2020 and 2021) for this project in addition to 2022 CDBG-DR and CDBG-MIT funds. KHC will submit a separate request for release of HOME funding to HUD for this project.

Project Title:	Olive Branch, Knott County, KY-Team KY
Project Location:	County Road 1390, Talcum, Knott County, KY Geographic Coordinates: 37.382968333/ -83.1079075
Purpose of Project:	The Commonwealth of Kentucky, in partnership with Kentucky Housing Corporation (KHC), will build up to 142 single-family detached housing units in a new subdivision to on approximately 77 acres to create replacement housing following the July 2022 Southeastern Kentucky flood disaster.
Project Cost:	Up to $42,851,693 in CDBG-DR funds and up to $914,800 in CDBG-MIT funds administered by DLG, up to $1,500,000 in HOME funds administered by KHC, and $7,893,360 in non-HUD funding for a total project cost of $53,159,853 for 142 units.
Applicant/Recipient Agency:	The Commonwealth of Kentucky, 100 Airport Road 3rd Floor, Frankfort, KY 40601

FINDING OF NO SIGNIFICANT IMPACT

The Kentucky Department for Local Government (DLG) has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at https://kydlgweb.ky.gov/ or at the office of the Knott County Fiscal Court at 54 West Main Street, Hindman, KY 41822 (606-785-5592), and is available for public examination and copying, upon request, between the hours of 9A.M. and 4 P.M.

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to the Kentucky Department for Local Government-Office of Federal Grants, Attn. Jennifer Peters, at the address at the top of this notice or via email at jennifer.peters@ky.gov. All comments received by December 11, 2023, will be considered by DLG. Comments should specify which notice they are addressing.

ENVIRONMENTAL CERTIFICATION

DLG certifies to HUD that Dennis Keene in his capacity as Commissioner consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies their responsibilities under NEPA and related laws and authorities and allows DLG to use CDBG-DR and CDBG-MIT funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and DLG's certification for a period of 15 days following the anticipated submission date (concurrent with the DLG public comment period as

permitted under 24 CFR 58.33), or its actual receipt of the request (whichever is later), only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of DLG; (b) DLG has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections to funding must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to the HUD Office of Disaster Recovery at disaster_recovery@hud.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.

Dennis Keene, Commissioner- Department for Local Government

U.S. Department of Housing and Urban Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

Environmental Assessment
Determinations and Compliance Findings
for HUD-assisted Projects
24 CFR Part 58

Project Information

Project Name: Olive-Branch-Team-KY-CDBGDR-HOME

HEROS Number: 900000010347184

Responsible Entity (RE): KENTUCKY HOUSING CORPORATION, 1231 Louisville Rd Frankfort KY, 40601

RE Preparer: Curtis A. Stauffer

State / Local Identifier: KYDLG is RE for CDBG-DR/MIT

Certifying Officer: Dennis Keene

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: CR-1390, Talcum, KY 41722

Additional Location Information:
Geographic Coordinates of centerpoint of subdivision development area:
37.382968333, -83.1079075

Direct Comments to: Kentucky Department for Local Government
Office of Federal Grants
Attn. Jennifer Peters
100 Airport Road, 3rd Floor
Frankfort, KY 40601
jennifer.peters@ky.gov

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:
The Commonwealth of Kentucky, in partnership with Kentucky Housing Corporation (KHC), will build up to 142 single-family detached housing units in the new 77-acre Olive Branch subdivision in Knott County, KY (center point coordinates: 37.379586, -83.109685). The subdivision will be developed on reclaimed mine land in Knott County off of CR-1390 (aka Starfire Haul Rd.) near its intersection with KY-1087. Knott County is a Most Impacted and Distressed area for CDBG-DR and CDBG-MIT funding. The surface property consists of previously mined lands under River Coal Company Permit No. 860-0063 and Liberty Management Permit No. 860-0565. Both permits achieved Phase III bond release on March 28, 1995 and October 3, 2017, respectively, and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act. This project will create ''higher ground'' replacement housing following the July 2022 flood disaster. The project site will be divided into two development areas: *Area A (22 acres)-40 to 45 units (center point: 37.381642, -83.104906); *Area B (55 acres)-90 to100 units (center point: 37.376968, -83.110429). Within Area B there will be 9 acres dedicated to community green space, with potential amenities such trails, playground, and picnic shelters. KHC will select developers for homes to be sold to eligible homebuyers. Because developers have not yet been identified, the specific unit count is not yet known. Additionally, developers will determine the financing, design, sizes, and values of the homes to be built so they are not yet known. The Commonwealth will acquire the property and will grade the site where needed. The Commonwealth and Knott County, KY will develop road, water, power, and sewer infrastructure. Kentucky Power will construct the electric utilities (with the exception of installation of underground conduit). Electric, water and sewer lines will be extended to service the project area. Access to the site will be through improvements to CR-1390. Costs for individual housing unit underground connections to sewer, water, and electric will be considered part of total housing development costs and governed by this EA. Specific funded activities may include, but not be limited to: acquisition; soft costs such as construction financing fees, permanent financing fees, application and tax credit fees, appraisals, title searches, professional fees, reserves, syndication costs, property surveys, etc.; fees related to title transfer, recording, closing costs, etc.; preparation of plans, specifications and bid documents; infrastructure development; new construction; site utilities and amenities; contingency funds; architectural/ engineering design fees and inspection; construction inspection; and planning/administrative/developer fees. Construction activities will include resiliency investments, particularly fortified roofing and buried electrical lines for individual units. The funding to be used for the estimated total development cost of $53,159,853 may include: CDBG-DR (up to $42,851,693), CDBG-MIT (up to $914,800), and Appalachian Regional Commission ($500,000) from the KY Dept. for Local Govt.; HOME ($1.5M), KY Affordable

Housing Trust Fund ($1M), and KY Rural Housing Trust Fund ($1M) from KHC; EKSAFE Fund ($3,618,620); Broadband Equity, Access, and Development Program ($250,000), Land and Water Conservation Fund/Recreational Trails Program ($781,500), and Abandoned Mine Lands ($743,240). Funding is being estimated over future funding award cycles in addition to funds already committed and may include CDBG-DR program income. The Commonwealth is invoking section "IV A.3. Interchangeability of disaster funds" of FR-6393 to deploy 2021 CDBR-DR ($1,000 of total CDBG-DR) for this project in addition to 2022 funds. NOTE: KHC is Responsible Entity for HOME funds and will submit a separate request of release of funds to HUD for this project.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

From 7/26-8/11/22, southeastern Kentucky was devasted by torrential rains, flooding, landslides, and mudslides. This caused severe damage in 13 counties with Breathitt, Knott, Letcher, and Perry most impacted. Knott County's infrastructure (water, phones, electricity), bridges, and roads were blocked or collapsed under the debris. Deadly flooding washed away entire homes and damaged many beyond repair. According to the HUD DR-4663-KY Housing Impact Assessment most residents in the disaster area lacked insurance coverage, with 61.2% of homeowners and 98.9% of renters without a private insurance policy and just 6.1% of all households with a flood insurance policy (p. 12). Knott County is a Most Impacted and Distressed area for CDBG-DR funding (FR-6393-N-01). Per the HUD DR-4663-KY Housing Impact Per the HUD DR-4663-KY Housing Impact Assessment: 1) FEMA reported 1,898 Knott County post disaster homeowner registrants and 451 renter registrants. (p. 13) 2) FEMA verified $17,544,182 in real property loss and $3,041,758 in personal property loss in Knott County (p. 18). 3) American Red Cross completed 1,763 Knott County housing damage assessments with 75 units destroyed, 336 units with major damage, and 123 units with minor damage. (p. 19) 4) HUD estimates that Knott County has 449 homeowner households and 80 renter households with serious housing damage and unmet need. (p.20) 5) Community engagement found ''Stakeholders agree there is lack of consistent regulations and/or lack of compliance and building code enforcement. Current standards do not include building housing in the floodplain with a minimum first floor elevation. When the decision to rebuild homes is made, specific housing standards should be adhered to, and homes should be rebuilt to sustain future flooding events. Homes should be built to a higher standard than they were.'' (p.31) Additionally, ''All interviews and focus groups identified affordable housing as the number one necessity or problem to be solved regarding Eastern Kentucky housing recovery. Specifically, the need for mixed income developments, multifamily housing, and single-family homes was emphasized.'' (p.37) The Ilive Branch project will help meet these needs. 6) ''Due to the topography of the region, there is an overall lack of flat buildable land in the hardest hit areas with most of flat buildable land being reclaimed strip mines.'' (p.38) The Olive Branch project takes advantage of available reclaimed mining land. 7) There is a constricted housing market in the disaster region. ''In 2021, the median sales price of homes increased 15.4%. This

priced many potential homebuyers out of the ownership market, increased the need for rental housing and drove up rental prices due to demand. Most renters couldn't afford the prices they were paying before the flood. As increased prices are passed on by owners through high rents, the result could be renters choosing to pay less and live in substandard conditions including unsanitary housing, with insufficient heating, a lack of plumbing in units and other similar deplorable living conditions.'' (p. 30-31) According to the 2017-2021 American Community Survey (ACS) 5-year estimate for Knott County, 28.7% of homeowners with a mortgage, 10.0% of homeowners without a mortgage, and 46.6% of renters are housing cost-burdened, paying more than 30% of household income on housing costs. Median household income for the county is only $35,583, with 29.5% of Knott County residents with household incomes below the poverty line. The Olive Branch project will construct up to 142 units, and include infrastructure improvements and water, sewer, and utilities access. Construction of these affordable homes will help create housing for people displaced by flooding in Knott County and beyond and ensure replacement housing is out of the flood plain. These new energy-efficient affordable homes will also help meet the great need for affordable housing in Knott County.

Existing Conditions and Trends [24 CFR 58.40(a)]:

According to the 2017-2021 American Community Survey (ACS) 5-year estimate, the total population of Knott County is 14,506 persons, with 3,901 (71.5%) owner-occupied and 1,557 (28.5%) renter-occupied housing units. Additionally, Knott County has a much lower median household income ($35,583) and a much higher poverty rate (29.5%) than the state of Kentucky ($55,573 and 16.5%). According to the ACS 5-year estimate, 49.8% of Knott County households receive income from Social Security and 18.3% have Supplemental Security income. The Census also reports that 26.7% of residents do not have a High School diploma, and 26.1% of the population is over age 60. The surface property includes previously mined lands that have obtained Phase 3 bond release and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). In addition to the remarkable amount of downpour, some characteristics specific to Eastern Kentucky made it particularly vulnerable to the devastation. Many residences in the region sit deep in flood plains, along winding creeks and surrounded by the steep Appalachian foothills and rugged topography. Sedimentary rocks typical of the Appalachian Basin coalfield underlie the property. Specifically, the adjacent and underlying strata consist of the Princess Formation that forms the highest elevations in the immediate vicinity of the property. The formation occurs at elevations ranging from greater than 1,400 feet to 1,300 feet above sea level. The Four Corners Formation underlies the Princess Formation and is several hundred feet thick in the area and it outcrops in the lowest elevation drainage in the area of the site. Historically, mining can potentially threaten nearby communities with air and water pollution and risk of flooding. Even after reclamation, the flow of water is unregulated and the natural course of can be diverted due to

mining activities. This situation has been the source and probable cause of flooding in mining communities. As weather patterns continue to be unpredictable, flood prone communities express concern for safer alternatives and sustainable solutions. Using reclaimed mineland to create new affordable housing outside of the special flood hazard area will help mitigate these threats by putting the property to its highest and best use. The pre-disaster housing stock was made up of manufactured housing and/or mobile style homes common in rural areas. Moreso, these structures are particularly susceptible to wind and water damage in a straight-line windstorm or flood. Per the HUD DR-4663-KY Housing Impact Assessment (p.9), the pre-disaster housing stock in Knott County consisted of 7,658 total housing units, of which 58.54% were single-family detached homes, 36.93% were mobile homes, boat RV, van etc., 4.43% were in multi-family structures of 2-19 units, and 0.10% were in multi-family structures of 20 or more units (p. 9). In addition to tight market conditions, due to increasing housing costs and rents tenants may have no other choice but to live in substandard conditions including unsanitary housing, with insufficient heating, a lack of plumbing in units and other similar deplorable living conditions. Perry, Knott, Letcher, and Breathitt counties account for a combined 75% of the homes lost to flood damage. The Olive Branch project will help communities to recover and uplift economic initiatives in an area characterized by decades or more of coal mining and help meet the great need for affordable housing in Knott County. Additionally, this new ''higher ground'' community will help meet the ''need for housing and infrastructure to be developed with consideration of future climate-related natural hazard risks, such as violent storms and floods, and how to increase structural resiliency'' identified by the HUD DR-4663-KY Housing Impact Assessment (p.37).

Maps, photographs, and other documentation of project location and description:
Olive Branch Aerial Map.pdf
Olive Branch Plat Sketch w Aerial Base Map_2023-8-28.pdf
Site Photos of Areas A and B from Olive Branch-Phase I ESA_2023-5-17(1).pdf

Determination:

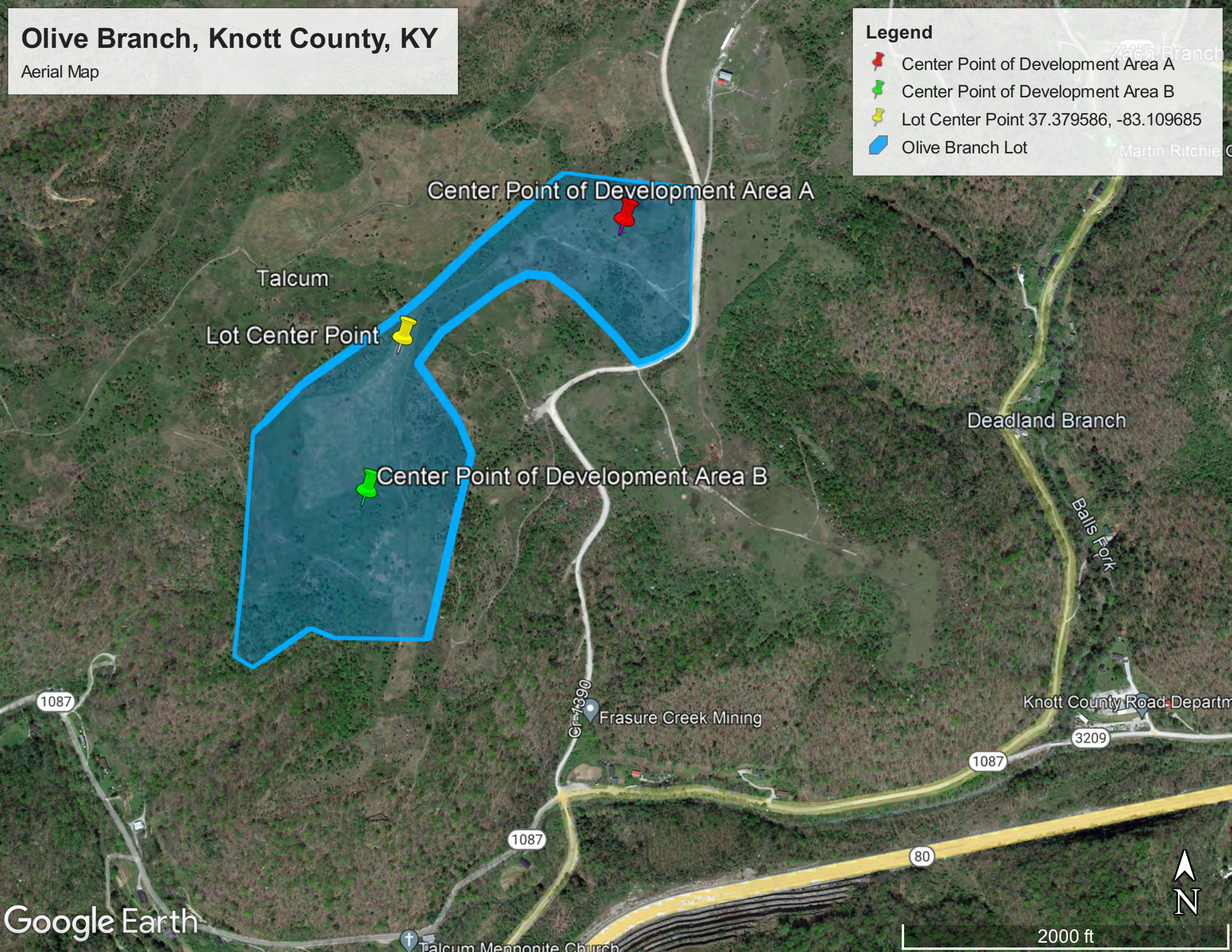
✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

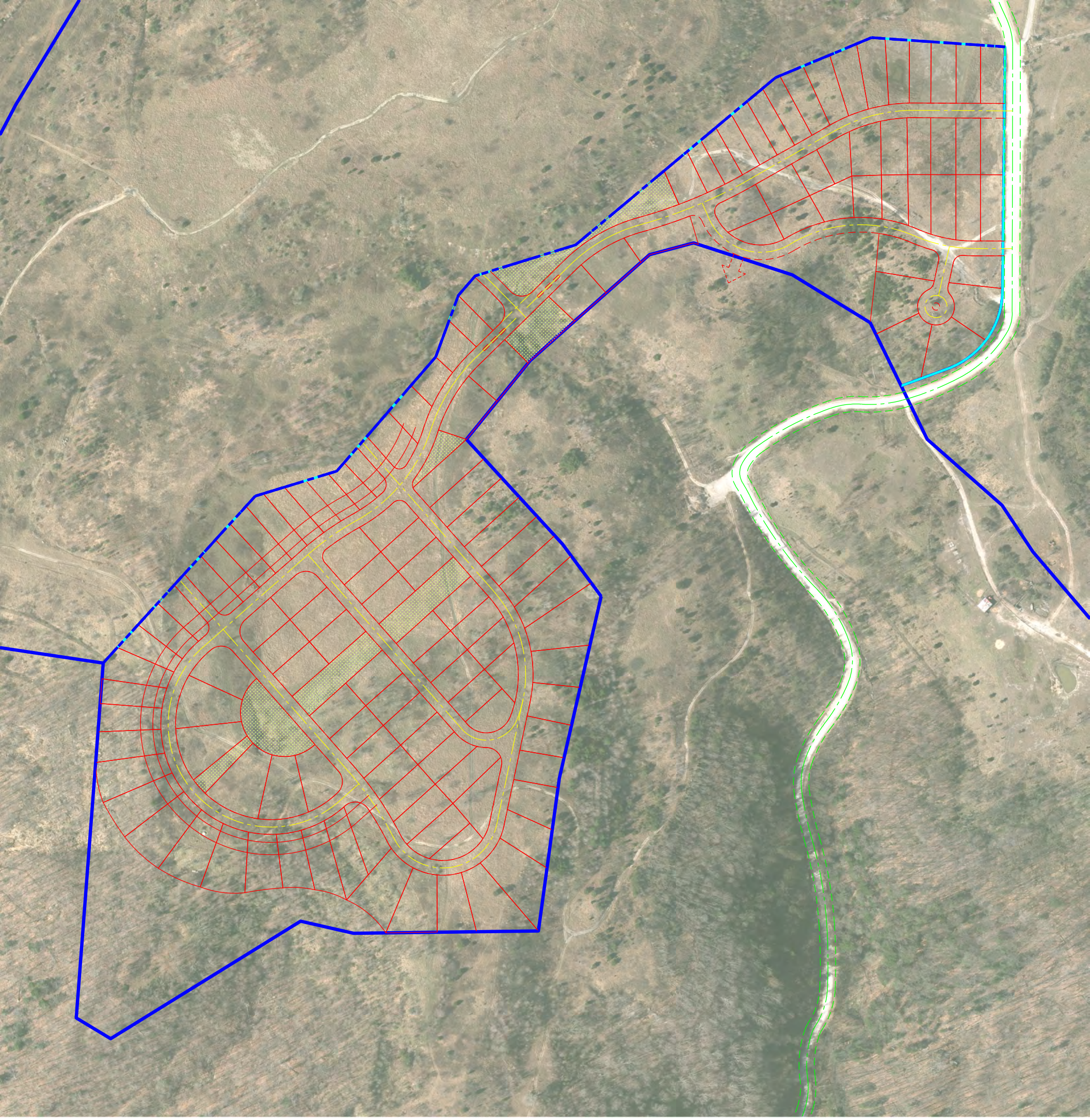
Approval Documents:

7015.15 certified by Certifying Officer on:

Olive Branch, Knott County, KY

Aerial Map





Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southwest Area B	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southwest Area B	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Northwest Area B	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southeast Area B	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field on subject property facing North Area A	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field on subject property facing North Area A	

Photographic Record of Subject Property	
Date: May 17, 2023	
Photographer: Caitlin Mullins	
Photo taken in lower field of subject property facing South Area A	

7015.16 certified by Authorizing Officer on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name
2022 CDBG-DR	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)
2022 CDBG-MIT	Community Planning and Development (CPD)	Community Development Block Grant Mitigation (CDBG-MIT)
B21DF210001	Community Planning and Development (CPD)	Community Development Block Grant Mitigation (CDBG-MIT)
B21DF210001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)
M23SG210100	Community Planning and Development (CPD)	HOME Program

Estimated Total HUD Funded, Assisted or Insured Amount: $42,851,693.00

Estimated Total Project Cost [24 CFR 58.2 (a)(5)]: $53,159,853.00

Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	☐ Yes ☑ No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. The nearest airport to the project site is Wendell H. Ford Airport, located 7.88 miles from the project center point.

Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	☐ Yes ☑ No	This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	☐ Yes ☑ No	The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements. The FIRM Map for the project site shows that it is in an area of minimal flood hazard. (Panel # 21119C0100C, eff. 9/28/2007). A search of the FEMA Flood Map Service Center "all products" database shows that there are no preliminary flood maps for this panel number.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	☐ Yes ☑ No	The project's county or air quality management district is in attainment status for all criteria pollutants. Perry County is not in non-attainment or maintenance status for any criteria pollutants. See EPA's Greenbook county list, found at: https://www3.epa.gov/airquality/green/book/ancl.html#KY. The project is in compliance with the Clean Air Act
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	☐ Yes ☑ No	This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	☐ Yes ☑ No	On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances

		requirements. Given the size of the development area, NEPAssist Reports were run from the centerpoint of the development area as a whole and from the centerpoints of development areas A and B. 5 EPA-regulated facilities were found within 3,000 feet of all centerpoints. All 5 facilities are former surface coal mines with terminated permits and no violations in the last 12 quarters. The Kentucky Energy and Environment Cabinet Department of Environmental Protection Superfund Branch prepared an ASTM Phase I Environmental Site Assessment (ESA) titled "Site-Specific Phase I Environmental Site Assessment Olive Branch Property, Bulan (Knott County), Kentucky, May 26, 2023." The ESA found "No recognized environmental conditions, historical recognized environmental conditions, or controlled recognized environmental conditions were identified in connection to the subject property." The surface property consists of previously mined lands under River Coal Company, Permit No. 860-0063, and Liberty Management, Permit No. 860-0565. Both permits achieved Phase III bond release on March 28, 1995, and October 3, 2017, respectively, and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). Per an email from the Kentucky Energy and Environment Cabinet dated May 10, 2023, ''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 post mining land uses upon expiration of the 5-year liability period required in 405 KAR Chapter 10.''
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	☐ Yes ☑ No	This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act. Kentucky Housing Corporation (KHC) reviewed the US Fish and Wildlife Service IPaC website for a list of species and critical habitats that have potential to occur within the action area on August 27, 2023. According to the endangered species list action area on May 3, 2023. According to the endangered species list generated on IPaC (Project Code: 2023-0122046) there are five species that may be present but ''there are no critical habitats within your project area under this office's jurisdiction.'' In a letter sent via email dated August 31, 2023, KHC requested US Fish and Wildlife Service concurrence with the determination that development of the proposed subdivision will have no effect on the Gray Bat (Myotis grisescens), the Northern Long-Eared Bat (Myotis septentrionalis), the Indiana Bat (Myotis sodalis), and the Monarch Butterfly (Danaus plexippus) and that the project may affect but is not likely t0adversely affect the Kentucky Arrow Darter (Etheostoma spilotum), In a letter dated September 20, 2023, the Kentucky Ecological Services Field Office (KFO) of the US Fish and Wildlife Service stated "Federally Listed Species: The KHC has determined that the proposed project will have ''no effect'' on the gray bat (Myotis grisescens), Indiana bat (Myotis sodalis), northern long-eared bat (Myotis septentrionalis), or monarch butterfly (Danaus plexippus) due to lack

		of suitable habitat at the project site. There is no requirement to request concurrence with a ''no effect'' determination; however, the KFO acknowledges this determination and has no additional comments or concerns regarding these species. The KHC has also determined that the proposed project has the potential to affect the Kentucky arrow darter (Etheostoma spilotum). Habitat assessments of the project site were performed by the Energy and Environment Cabinet on May 17 and July 14, 2023. Kentucky Arrow Darter: Based on the habitat assessments, no streams or other waterbodies are located on the project site. Additionally, the site does not drain to any streams with known occurrences of the Kentucky arrow darter or that are designated critical habitat for this species. Based on these findings, we concur with your determination that the proposed action 'may affect but is not likely to adversely affect' the Kentucky arrow darter."
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	☐ Yes ☑ No	There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements. A search of Google Earth Pro aerial maps found no aboveground storage tanks within a one-mile radius of the project site.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	☐ Yes ☑ No	The project includes activities that could convert agricultural land to a non-agricultural use, but "prime farmland","unique farmland", or "farmland of statewide or local importance" regulated under the Farmland Protection Policy Act does not occur on the project site. The project is in compliance with the Farmland Protection Policy Act. Per the USDA

		NRCS Web Soil Survey map, the project site consists of "FkE-Fiveblock and Kaymine soils, 0 to 30 percent slopes, stony" (48.3%) and "KfF-Kaymine, Fairpoint, and Fiveblock soils, benched, 2 to 70 percent slopes, very stony" (51.7%). Both soil types are "not prime farmland."
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	☐ Yes ☑ No	This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. The FIRM Map for the project site shows that it is in an area of minimal flood hazard. (Panel # 21119C0100C, eff. 9/28/2007). A search of the FEMA Flood Map Service Center "all products" database shows that there are no preliminary flood maps for this panel number.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	☐ Yes ☑ No	Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106. Kentucky Housing Corporation initiated consultation with the Kentucky Heritage Council (SHPO) on August 28, 2023. In a letter dated August 31, 2023, the Kentucky Heritage Council stated "Our review indicates that the proposed project will not impact any properties or sites that are listed in or eligible for the National Register of Historic Places. The proposed project should not require cultural resource survey. We would concur with a finding of No Historic Properties Affected." On August 28, 2023, Kentucky Housing Corporation sent letters via email to the tribes identified in the TDAT search results for Knott County, KY (the Cherokee Nation and the Eastern Band of Cherokee Indians) inviting them to become consulting parties on the Section 106 review of this project. The tribes did not respond within the 30-day threshold established by HUD CPD Notice 12-006.

Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	☐ Yes ☑ No	A Noise Assessment was conducted. The noise level was acceptable: 44.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation. The project site is 1,077 feet from KY-1087, the nearest road with available AADT, which is beyond the threshold distance. The project site is 8.94 miles from the nearest active railroad. (Note: service on the CSX Spur to Bulan and Hardourly, which is slightly closer to the project site but still beyond the threshold distance, was discontinued 1/25/2017, per the USDOT Crossing Inventory Form for Crossing Number 351732F). There are two airports within 15 miles of the project site, Duff Airport (12.65miles away) and Wendell H. Ford Airport (7.88 miles away, but the HUD Airport Noise Worksheets for both airports document that noise is not expected to be generated beyond the airport boundaries. The National Transportation Noise Map documents that the project site is beyond the 45 dB threshold.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	☐ Yes ☑ No	The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. There are no sole source aquifers in Kentucky.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	☐ Yes ☑ No	The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. There are no wetlands on the project site. US Fish and Wildlife Service National Wetlands Inventory (NWI) map identifies a 0.5-acre pond (Classification code: PUBHx) within the proposed development area for the Olive Branch subdivision. As specified in its classification code definition, the pond was human-excavated. However, the pond is no longer present. The NWI data is based on color infrared imagery from

		1983 and is significantly outdated. Page 19 of the "Site-Specific Phase I Environmental Site Assessment Olive Branch Property, Bulan (Knott County), Kentucky, May 26,2023" (Phase I ESA) conducted by the Kentucky Energy and Environment Cabinet (EEC) states "No pits, ponds, or lagoons were observed on the subject property." Additionally, in an email dated August 28, 2023, Kenneth Logsdon, Registered Geologist Supervisor for the EEC Department of Environmental Protection Superfund Branch, who was part of the Phase I ESA Site Reconnaissance Team (site inspection on May 17, 2023), stated that the pond "is definitely not there, verified on foot and via Google Earth. Additionally, the NWI map shows that there is a small riverine, Dead Land Branch, southwest of the project site. However, in the same email Kenneth Logsdon stated "As far as what used to be Deadland Branch...the site is largely flat and there is currently no remnant of a stream. Everything is fill." Therefore, the project cannot impact this former riverine.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	☐ Yes ☑ No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. The Red River is both the nearest Wild and Scenic River and the nearest Nationwide Rivers Inventory body to the project site. The Wild and Scenic portions of the Red River are 35.65 miles away and the Nationwide Rivers Inventory portions are 21.6 miles away.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	☐ Yes ☑ No	No adverse environmental impacts were identified in the project's total

		environmental review. The project is in compliance with Executive Order 12898.

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Impact Codes: An impact code from the following list has been used to make the determination of impact for each factor.
(1) Minor beneficial impact
(2) No impact anticipated
(3) Minor Adverse Impact – May require mitigation
(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	In an email dated August 29, 2023, Knott County Judge Executive Jeff Dobson stated that Knott County has no zoning requirements. He also stated that the county requires building, plumbing, HVAC and electrical permits, and a septic permit if septic tanks will be installed. The project will be beneficial in that it is providing a significant increase in new affordable housing located out of the flood zone that will help meet Knott County's significant housing need following the disaster. It will also put reclaimed mineland near the city of Hazard to its highest and best use. Buildable land of this size is difficult to find in Knott County.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	The surface property consists of previously mined lands under River Coal Company, Permit No. 860-0063, and Liberty Management, Permit No. 860-0565. Both permits achieved Phase III bond release on March 28, 1995, and October 3, 2017, respectively, and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). This aspect is seen as complete from a regulatory standpoint and therefore is not considered a recognized	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		environmental condition (REC). Geology: Per the Phase I ESA ''Geological data obtained from the Kentucky Geological Survey states that the subject property consists of the Princess Formation (Ppr) and the Four Corner Formation (Pfc). The Princess Formation consists of mainly sandstone, shale, coal, underclay and chert. The Four Corners Formation similarly contains sandstone, shale, coal and underclay, but also include siltstone and limestone. The Princess Formation's top 0-20 feet is comprised of alluvium, consisting of sand, silt, clay, and gravel. Multiple coal beds underlay the formation including Hindman, Francis, Hazard, Haddix, Copland, Hamlin, Fire Clay, and Whitesburg. The top 0-20 feet of the Four Corners formation is alluvium predominantly made up of silt, sand, and lesser amounts of silty clay and gravel. Coal beds underlying the formation including the Hindman, Francis, Hazard, Haddix, Hamlin, Fire Clay, and Whitesburg.'' Soil: Per the USDA NRCS Web Soil Survey map, the project site consists of ''FkE-Fiveblock and Kaymine soils, 0 to 30 percent slopes, stony'' (48.3%) and ''KfF-Kaymine, Fairpoint, and Fiveblock soils, benched, 2 to 70 percent slopes, very stony'' (51.7%). ''Per the Geocheck Physical Setting Source Summary attached to the Phase I ESA, the soils evaluated are a ''well-drained'' soil class. Design of the project and construction methods employed will work to ensure that the project does not negatively affect slope or erosion of the surrounding area. There are no wetlands on the project site. US Fish and Wildlife Service National Wetlands Inventory (NWI) map identifies a 0.5-acre pond (Classification code: PUBHx) within the proposed development area for the Olive Branch subdivision. As specified in its classification	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		code definition, the pond was human-excavated. However, the pond is no longer present. The NWI data is based on color infrared imagery from 1983 and is significantly outdated. Page 19 of the ''Site-Specific Phase I Environmental Site Assessment Olive Branch Property, Bulan (Knott County), Kentucky, May 26,2023'' (Phase I ESA) conducted by the Kentucky Energy and Environment Cabinet (EEC) states ''No pits, ponds, or lagoons were observed on the subject property.'' Additionally, in an email dated August 28, 2023, Kenneth Logsdon, Registered Geologist Supervisor for the EEC Department of Environmental Protection Superfund Branch, who was part of the Phase I ESA Site Reconnaissance Team (site inspection on May 17, 2023), stated that the pond ''is definitely not there, verified on foot and via Google Earth Additionally, the NWI map shows that there is a small riverine, Dead Land Branch, southwest of the project site. However, in the same email Kenneth Logsdon stated ''As far as what used to be Deadland Branch...the site is largely flat and there is currently no remnant of a stream. Everything is fill.'' Therefore, the project cannot impact this former riverine. The Commonwealth will employ nature-based solutions for stormwater mitigation to prevent increased downstream flows as a result of construction. The project must obtain a Kentucky Pollution Discharge Elimination System (KPDES) stormwater permit from the Kentucky Surface Water Permits Branch as noted in the attached letter from the Kentucky Energy and Environment Cabinet Department for Environmental Protection dated August 18, 2023. As also noted in the letter, the project must develop a Groundwater Protection Plan.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	This project involves new construction, therefore, there is no opportunity for lead-based paint or asbestos to be encountered. There are no above ground storage tanks containing flammable materials within one mile of the project site. Given the size of the development area, NEPAssist Reports were run from the centerpoint of the development area as a whole and from the centerpoints of development areas A and B. 5 EPA-regulated facilities were found within 3,000 feet of all centerpoints. All 5 facilities are former surface coal mines with terminated permits and no violations in the last 12 quarters. The Kentucky Energy and Environment Cabinet Department of Environmental Protection Superfund Branch prepared an ASTM Phase I Environmental Site Assessment (ESA) titled ''Site-Specific Phase I Environmental Site Assessment Olive Branch Property, Bulan (Knott County), Kentucky, May 26, 2023.'' The ESA found ''No recognized environmental conditions, historical recognized environmental conditions, or controlled recognized environmental conditions were identified in connection to the subject property.''. The surface property consists of previously mined lands under River Coal Company, Permit No. 860-0063, and Liberty Management, Permit No. 860-0565. Both permits achieved Phase III bond release on March 28, 1995, and October 3, 2017, respectively, and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). Per an email from the Kentucky Energy and Environment Cabinet dated May 10, 2023, ''the 'approved reclamation plan' in the SMCRA permit required the permittee to:*Backfill, regrade, replace topsoil, and restore drainage patterns consistent with the	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		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 post mining land uses upon expiration of the 5-year liability period required in 405 KAR Chapter 10.'There are 2 airports within the 15 miles of the project site, but per the HUD Airport Noise worksheets for both airports, noise is not expected to be generated beyond the airport boundaries.,. Efforts will be made to reduce noise exposure as much as possible during construction though there are no residential units nearby the project site who would be affected.	
SOCIOECONOMIC			
Employment and Income Patterns	1	The creation of up to 145 units of affordable housing should have a positive effect on the Knott County workforce and economic conditions. It will allow residents to remain in the community following the flood disaster and reside in new, safe housing located in an area of minimal flood hazard. Creation of this ''higher ground'' community will help sustain demand for businesses and services in Knott County and help preserve or enhance the county's economic strength in the aftermath of the disaster. Additionally, the construction of these housing units will provide job opportunities to Knott County residents.	
Demographic Character Changes / Displacement	1	The creation of up to 145 units of affordable housing should have a positive effect on Knott County's demographic character by preventing the permanent displacement/ relocation of households to other regions. The project will provide new, affordable, energy-efficient, resilient housing outside of the flood zone that could encourage residents seeking safer housing to remain in the community.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Environmental Justice EA Factor	1	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. The project will be the highest and best use of previously disturbed reclaimed mineland and will provide residents at risk of future flooding with safe energy-efficient, resilient housing located outside of the flood zone. The ''Site-Specific Phase I Environmental Site Assessment Olive Branch Property, Bulan (Knott County), Kentucky, May 26, 2023.'' prepared by the Kentucky Energy and Environment Cabinet Department for Environmental Protection Division of Waste Management Superfund Branch found ''no recognized environmental conditions (RECs), HRECs, or CRECs were identified for the site during this assessment.'' This affordable housing development will have a positive impact on environmental justice in Knott County be reclaiming mineland to provide much needed safe, affordable, energy-efficient, resilient housing to Knott County as it recovers from the 2022 flood disaster.	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	1	The project site is located within the Knott County School District which includes 5 elementary schools (K-8), 1 K-12 school, 1 technical school, and 1 high school. The project site is 2.33 miles from Robinson Elementary school and is 8.60 miles from Knott County Central High School. In an email dated August 29, 2023, Knott County Schools Superintendent Brent Hoover stated ''Knott County Schools and our community could greatly benefit from an additional 150-200 housing units. We are constantly hearing from families that finding affordable housing is a major challenge to staying in Knott County. A housing development of this nature is	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		greatly needed in Knott County.'' Cultural facilities that Knott County has to offer include the Alice Lloyd Fine Arts Center at Alice Lloyd College, the Appalachian Artisan's Center, the Appalachian School of Luthiery, Camp Nathaniel, the Hindman Settlement School, the Kentucky School of Craft, the Marie Stewart Craft Shop, the Museum of the Mountain Dulcimer, the Mine Made Adventure Park, and outdoor adventure tourism facilities such as ATV centers and trails, elk viewing stations, and Carr Creek State Park. By offering residents displaced by the flooding an opportunity to stay in Knott County, this project can help sustain demand for these cultural facilities.	
Commercial Facilities (Access and Proximity)	1	This project site is located on reclaimed mineland in rural Knott County in the Appalachian Mountains. It is a primarily rural area that has access to nearby urban facilities. The project site is 1.71 miles away from a Dollar General and is 6.37 miles from Bulan Meat & Grocery, the nearest full service grocery store. The project site is located between the cities of Hindman (Holly Hills Shopping Center with grocery, pharmacy, bank, other businesses is 10.14 miles away) and Hazard (Walmart Supercenter and Lowe's are 7.92 miles away) which both contain many shopping and service amenities. Creation of this higher ground community will help sustain demand for commercial facilities in Knott and Perry Counties following the flood disaster.	
Health Care / Social Services (Access and Capacity)	1	This project site is located on reclaimed mineland in rural Knott County in the Appalachian Mountains. It is a primarily rural area. Local practitioners have medical offices nearby. The nearest hospital is the Hazard ARH Regional Medical Center located 9.5 miles from the project site. Social services amenities are located in	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		Hazard and Hindman. The project site is 7.65 miles from the nearest Cabinet for Health and Family Services Office in Hindman. LKLP Community Action Partnership, the regional Community Action Agency, is located 10.69 miles from the project site. Creation of this higher ground community will help sustain demand for existing medical and social services in Knott and Perry Counties following the flood disaster.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	The project is located within a rural area with access to adequate solid waste services provided by Rumpke. The project site is 8.60 miles away from the Knott County Transfer Station, which contains a recycling center.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	The Troublesome Creek Environmental Authority will install sanitary sewer infrastructure to serve the housing development. The project will install 3,200 linear feet of 8'' gravity sewer including manholes. The project will also install a 100 gpm lift station and 7,200 linear feet of 4'' force main. Other appurtenances to be installed include: odor control system, air release valves, and SCADA.	
Water Supply (Feasibility and Capacity)	2	The Troublesome Creek Environmental Authority will install water supply infrastructure to serve the development. The project will include approximately 12,500 linear feet of 8'' HDPE waterline extension/ replacement to serve the homes. The infrastructure to provide water will also include valves, flush hydrants, meters and service tubing. A 100,000 gallon elevated water storage tank and 150 gpm booster pump station will also be constructed	
Public Safety - Police, Fire and Emergency Medical	2	The project site is located on reclaimed mineland in rural Knott County in the Appalachian Mountains. It is a primarily rural area that has access to nearby public	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		safety facilities. The project site is 7.65 miles from the Knott County Sheriff's Office and 8.11 miles from Kentucky State Police Post 13. It is 2.50 miles from Fisty Dwarf Volunteer Fire and Rescue.	
Parks, Open Space and Recreation (Access and Capacity)	2	Open Space: the project site is on reclaimed mineland and provides one of the larger areas of open space in Knott County, which is located in the mountains of Appalachia. Recreation: The project will include the development of a 9-acre community green space, with potential amenities such trails, playground and picnic shelters. The Knott County Sportsplex, which offers sports leagues, a fitness center, and indoor track, 5 basketball courts, 5 volleyball courts, 3 baseball fields, a gymnastics center, and event space. Mine Made Adventure Park offers ATV riding, camping horseback riding, and hiking. Carr Creek State Park provides camping, boating, fishing, and swimming. Knott County also has an extensive trail system for hiking and horseback riding, which are celebrated in the annual Spring and Fall Trail Rides. Elk viewing and hunting are also popular activities. Creation of this higher ground community will help sustain demand for existing recreational facilities in Knott County following the flood disaster and will also lead to the addition of new park space in the county. The project site also has access to nearby Perry County recreational resources, including Perry County Park, which consists of a walking track, skateboard park, basketball courts, five picnic shelters, baseball and softball fields, a stage area for concerts, an outdoor pool, putt-putt golf, tennis courts, a boat ramp for access to the Kentucky River, Horse Park and a playground area.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Transportation and Accessibility (Access and Capacity)	2	LKLP Community Action Council offers transportation services for a minimal fee. The subdivision will have quick access to KY-80, a major road which provides access to commercial, educational cultural, medical, and social service amenities available in the cities of Hazard (12.9-mile drive) and Hindman (9-mile drive).	
		NATURAL FEATURES	
Unique Natural Features /Water Resources	2	The project site lacks unique natural features because it is reclaimed mineland that has already been disturbed. The project site has already been disturbed as it consists of reclaimed mineland under River Coal Company, Permit No. 860-0063, and Liberty Management, Permit No. 860-0565. Both permits achieved Phase III bond release on March 28, 1995, and October 3, 2017, respectively, and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). Per an email from the Kentucky Energy and Environment Cabinet dated May 10, 2023, ''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 post mining land uses upon expiration of the 5-year liability period required in 405 KAR Chapter 10.'' There are no wetlands on the project site. US Fish and Wildlife Service National Wetlands Inventory (NWI) map identifies a 0.5-acre pond (Classification code: PUBHx) within the proposed development area for the Olive Branch subdivision. As specified in its classification code definition, the pond was human-excavated. However, the pond	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		is no longer present. The NWI data is based on color infrared imagery from 1983 and is significantly outdated. Page 19 of the ''Site-Specific Phase I Environmental Site Assessment Olive Branch Property, Bulan (Knott County), Kentucky, May 26,2023'' (Phase I ESA) conducted by the Kentucky Energy and Environment Cabinet (EEC) states ''No pits, ponds, or lagoons were observed on the subject property.'' Additionally, in an email dated August 28, 2023, Kenneth Logsdon, Registered Geologist Supervisor for the EEC Department of Environmental Protection Superfund Branch, who was part of the Phase I ESA Site Reconnaissance Team (site inspection on May 17, 2023), stated that the pond ''is definitely not there, verified on foot and via Google Earth Additionally, the NWI map shows that there is a small riverine, Dead Land Branch, southwest of the project site. However, in the same email Kenneth Logsdon stated ''As far as what used to be Deadland Branch...the site is largely flat and there is currently no remnant of a stream. Everything is fill.'' Therefore, the project cannot impact this former riverine. The Commonwealth will employ nature-based solutions for stormwater mitigation to prevent increased downstream flows as a result of construction. The project must obtain a Kentucky Pollution Discharge Elimination System (KPDES) stormwater permit from the Kentucky Surface Water Permits Branch as noted in the attached letter from the Kentucky Energy and Environment Cabinet Department for Environmental Protection dated August 18, 2023. As also noted in the letter, the project must develop a Groundwater Protection Plan.	
Vegetation / Wildlife (Introduction,	2	The project site has already been disturbed as it consists of reclaimed mineland under	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Modification, Removal, Disruption, etc.)		River Coal Company, Permit No. 860-0063, and Liberty Management, Permit No. 860-0565. Both permits achieved Phase III bond release on March 28, 1995, and October 3, 2017, respectively, and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). Per an email from the Kentucky Energy and Environment Cabinet dated May 10, 2023, ''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 post mining land uses upon expiration of the 5-year liability period required in 405 KAR Chapter 10.'' Site inspection by the Energy and Environment Cabinet in May 2023 found no portals, caves or karst on the site and that it does not appear that there is endangered species habitat present on the footprint of the old mine site and no roost trees are present that will be removed. The surface vegetation consists of autumn olive, willow, other immature trees and ground plants. Because this site is previously disturbed land with no critical habitat present it should have minimal disruption of wildlife.	
Other Factors 1			
Other Factors 2			
CLIMATE AND ENERGY			
Climate Change	2	Using data that predates the 2022 flood disaster, the FEMA National Risk Index Community Report for Knott County, KY finds that the Risk Index score of 20.94 is '' very low'' when compared to the rest of the US and that they community has a ''very low'' Expected Annual Loss Score of 16.2.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		However, the Community Report also finds that Knott County has a Social Vulnerability score of 77.3, which demonstrates ''Relatively High susceptibility to the adverse impacts of natural hazards when compared to the rest of the U.S.'' The Community Report also states that ''Communities in Knott County, KY have a Very Low ability to prepare for anticipated natural hazards, adapt to changing conditions, and withstand and recover rapidly from disruptions when compared to the rest of the U.S.'' with a Community Resilience score of only 2.6. The social vulnerability and community resilience ratings largely stem from the high poverty and low median income rates for the county. The FEMA National Risk Index Community Report for Knott County, KY also rates historic loss ratios by hazard type as follows: very low (tornado, earthquake, hurricane, ice storm); relatively low (wildfire, riverine flooding, strong wind, hail, heat wave, lightning, winter weather, cold wave); and relatively high (landslide). The report also states that ''in Knott County, KY, expected loss each year due to natural hazards is Very Low when compared to the rest of the US'' with an expected annual loss score of 16.25. The Headwaters Institute has developed a county-by-county climate projection tool to estimate changes in heat and precipitation given either higher projected emissions (RCP8.5) or lower projected emissions (RCP4.5). Under the higher emission model, Knott County is expected to experience 36 more days above 95 degrees and a 5-degree increase in average annual temperature by 2073. The model also shows that Knott County will see 0.9 more days of heavy precipitation annually and a 1-inch increase in annual average	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		precipitation by 2073. Given these risk analyses, Knott County, KY faces fewer climate risks than most of the nation. The new homes to be constructed in Olive Branch will help minimize the impact of climate risk to the homebuyers. First, the project site has minimal risk. It is a flat site on reclaimed mineland that is in an area of minimal flood hazard. Second, the homes to be built will meet energy-efficiency standards. They must meet Kentucky Housing Corporation's Minimum Design Standards for New Construction of Single-Family Units, which require that the building envelope meets or exceeds the 2012 IECC requirements, establish energy standards for building components and systems, and require Energy Star appliances, amongst other energy efficiency requirements. Per ''FR-6393 Allocations for Community Development Block Grant Disaster Recovery and Implementation of the CDBG-DR Consolidated Waivers and Alternative Requirements Notice'' governing the CDBG-DR funding, they must also meet HUD's Green and Resilient Building Standard for new construction and reconstruction of housing. KHC will also incorporate resilient building standards, including fortified roofs and flood resistant construction techniques in design guidelines for the homes to be built that will also ensure compliance with HUD's Green and Resilient Building Standard.	
Energy Efficiency	1	The state of Kentucky requires housing developments to meet the KY Residential Building Code and encourages the use of Green Building Techniques and Energy Efficient Design Components. Kentucky Housing Corporation's Minimum Design Standards for New Construction of Single-Family Units requires that the building	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		envelope meets or exceeds the 2012 IECC requirements, establish energy standards for building components and systems, and require Energy Star appliances, amongst other energy efficiency requirements. Additionally, FR-6393 ''Allocations for Community Development Block Grant Disaster Recovery and Implementation of the CDBG-DR Consolidated Waivers and Alternative Requirements Notice'' governing the CDBG-DR funding establishes a Green and Resilient Building Standard for new construction and reconstruction of housing. This requires that ''all such covered construction must achieve a minimum energy efficiency standard, such as (i) ENERGY STAR (Certified Homes or Multifamily High-Rise); (ii) DOE Zero Energy Ready Home; (iii) EarthCraft House, EarthCraft Multifamily; (iv) Passive House Institute Passive Building or EnerPHit certification from the Passive House Institute US (PHIUS), International Passive House Association; (v) Greenpoint Rated New Home, Greenpoint Rated Existing Home (Whole House or Whole Building label); (vi) Earth Advantage New Homes; or (vii) any other equivalent energy efficiency standard acceptable to HUD.'' KHC will specify which of these Green and Resilient Building Standards will be used for any building in this subdivision receiving CDBG-DR funding for construction in its CDBG-DR program policies to be developed.	

Supporting documentation

Distance to Knott County Transfer Station_Olive Branch.pdf
Distance to Fisty Dwarf Volunteer Fire and Rescue-Olive Branch.pdf
Distance to Hazard ARH Regional Medical Center_Olive Branch.pdf
Distance to Cabinet for Health and Family Services_Olive Branch.pdf
Distance to LKLP Community Action Partnership_Olive Branch.pdf
Doctors near Olive Branch.pdf
Distance to Dollar General-Olive Branch.pdf

Distance to Bulan Meat and Groceries-Olive Branch.pdf
Distance to Walmart Supercenter-Olive Branch.pdf
Distance to Holly Hills Shopping Center-Olive Branch.pdf
USDA Web Soil Survey Map_Olive Branch_2023-8-27(1).pdf
National Wetlands Inventory Map_Olive Branch Subdivision_2023-8-27(2).pdf
KY EEC email verifying pond and Deadland Branch no longer exist_2023-8-28(2).pdf
Olive Branch Phase I ESA-2023-5-26(2).pdf
Olive Branch Reclamation Documentation email-KY EEC__2023-5-10(2).pdf
NOD Phase III 860-0565_Olive Branch(1).pdf
MRP Map_River Coal Company Inc_860-0063(1).pdf
MRP Map_Liberty Management LLC_860-0565(1).pdf
MIR 860-0565_Olive Branch(1).pdf
Headwaters Institute Climate Projections-Lower Emissions-Knott County KY.pdf
Headwaters Institute Climate Projections-Higher Emissions-Knott County KY.pdf
FEMA National Risk Index Community Report-Knott County KY.pdf
KHC Minimum Design Standards_New Construction Single Family Dwelling Units.pdf
Fed Reg 6393 CDBG-DR 2022 Allocations_2023-5-18.pdf
Distance to Robinson Elementary-Olive Branch.pdf
Distance to Knott County Central High School-Olive Branch.pdf
Knott County Judge Executive Email re Zoning and Permits_2023-8-29.pdf
Knott County Schools Superintendent re project impact_2023-8-29.pdf

Additional Studies Performed:

''Site-Specific Phase I Environmental Site Assessment Olive Branch Property, Bulan (Knott County), Kentucky, May 26,2023" prepared by the Kentucky Energy and Environment Cabinet Department for Environmental Protection Division of Waste Management Superfund Branch

Olive Branch Phase I ESA-2023-5-26(3).pdf

Field Inspection [Optional]: Date and completed by:

Kenneth Logsdon 5/17/2023 12:00:00 AM

Site Photos of Areas A and B from Olive Branch-Phase I ESA_2023-5-17(1).pdf

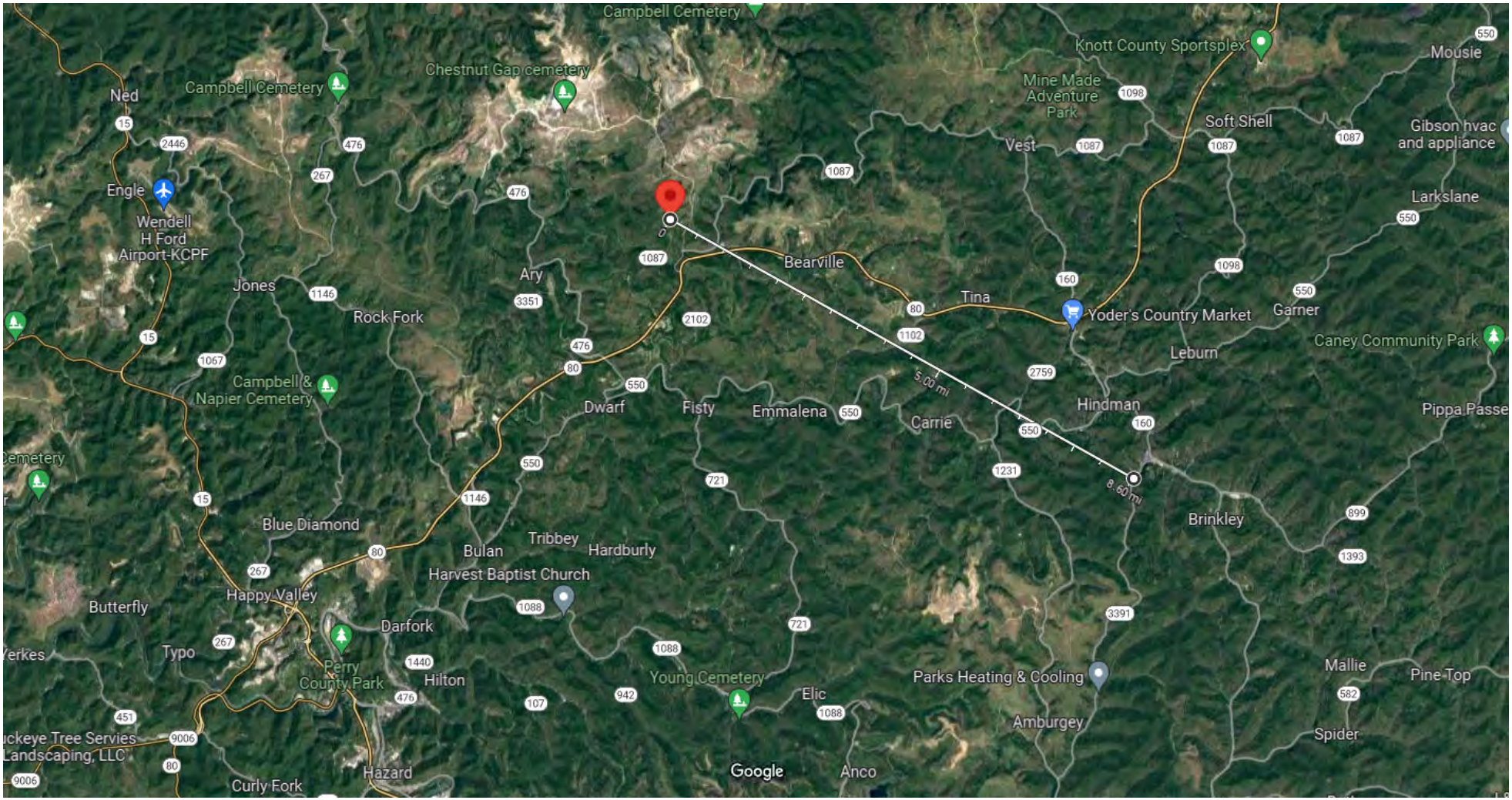
List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

Kentucky Heritage Council; Eastern Band of Cherokee Indians; Cherokee Nation; Knott County Judge Executive Jeff Dobson; Knott County Schools Superintendent Brent Hoover; Kentucky Energy and Environment Cabinet; HA Spalding Engineers, Inc.; US Fish and Wildlife Service Kentucky Field Office; US Fish and Wildlife Service IPaC; US Fish and Wildlife Service National Wetlands Inventory; FEMA Flood Map Service Center; National Wild and Scenic Rivers System; Nationwide Rivers Inventory; EPA Sole Source Aquifers for Drinking Water Interactive Map; Kentucky Transportation

Google Maps

37°22'46.5"N 83°06'34.9"W

Distance to Knott County Transfer Station from Olive Branch



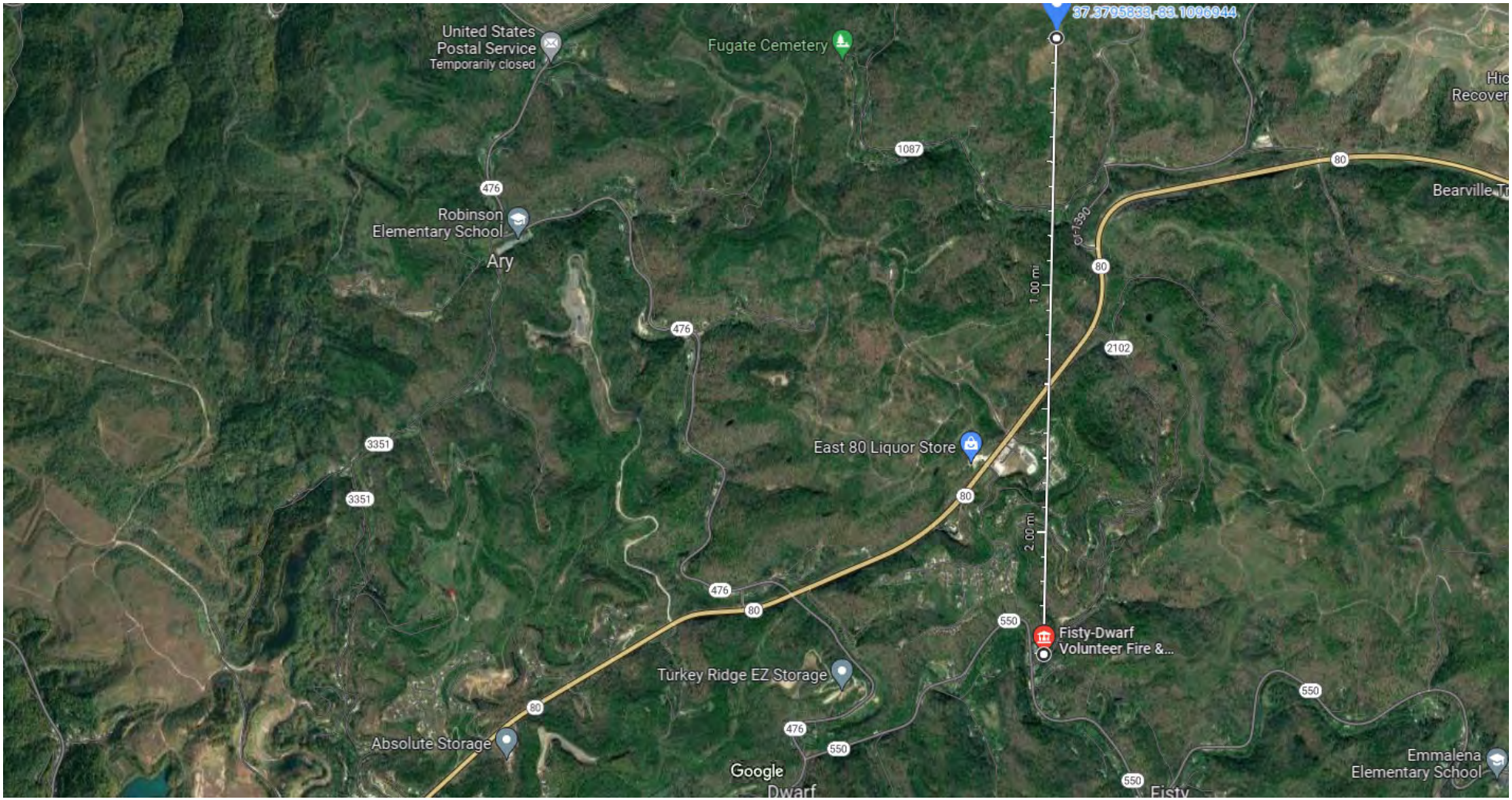
Imagery ©2023 TerraMetrics, Map data ©2023 Google 2 mi

Measure distance
Total distance: 8.60 mi (13.85 km)

Google Maps

fire station

Distance to Fisty Dwarf Volunteer Fire and Rescue from Olive Branch



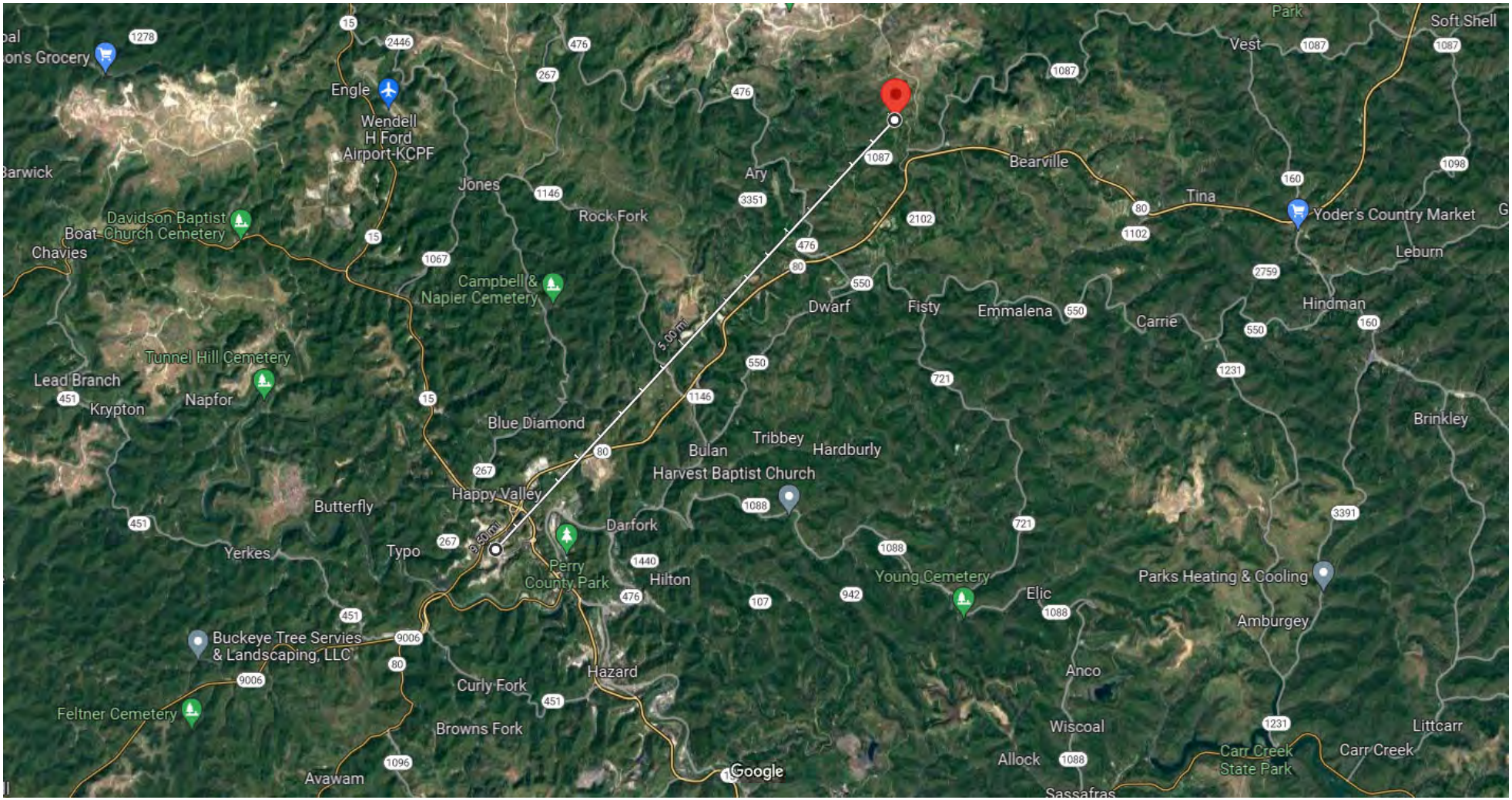
Imagery ©2023 Airbus, CNES / Airbus, Commonwealth of Virginia, Landsat / Copernicus, Maxar Technologies, USDA/FPAC/GEO, Map data ©2023 2000 ft

Measure distance
Total distance: 2.50 mi (4.02 km)

Google Maps

37°22'46.5"N 83°06'34.9"W

Distance to Hazard ARH Regional Medical Center from Olive Branch



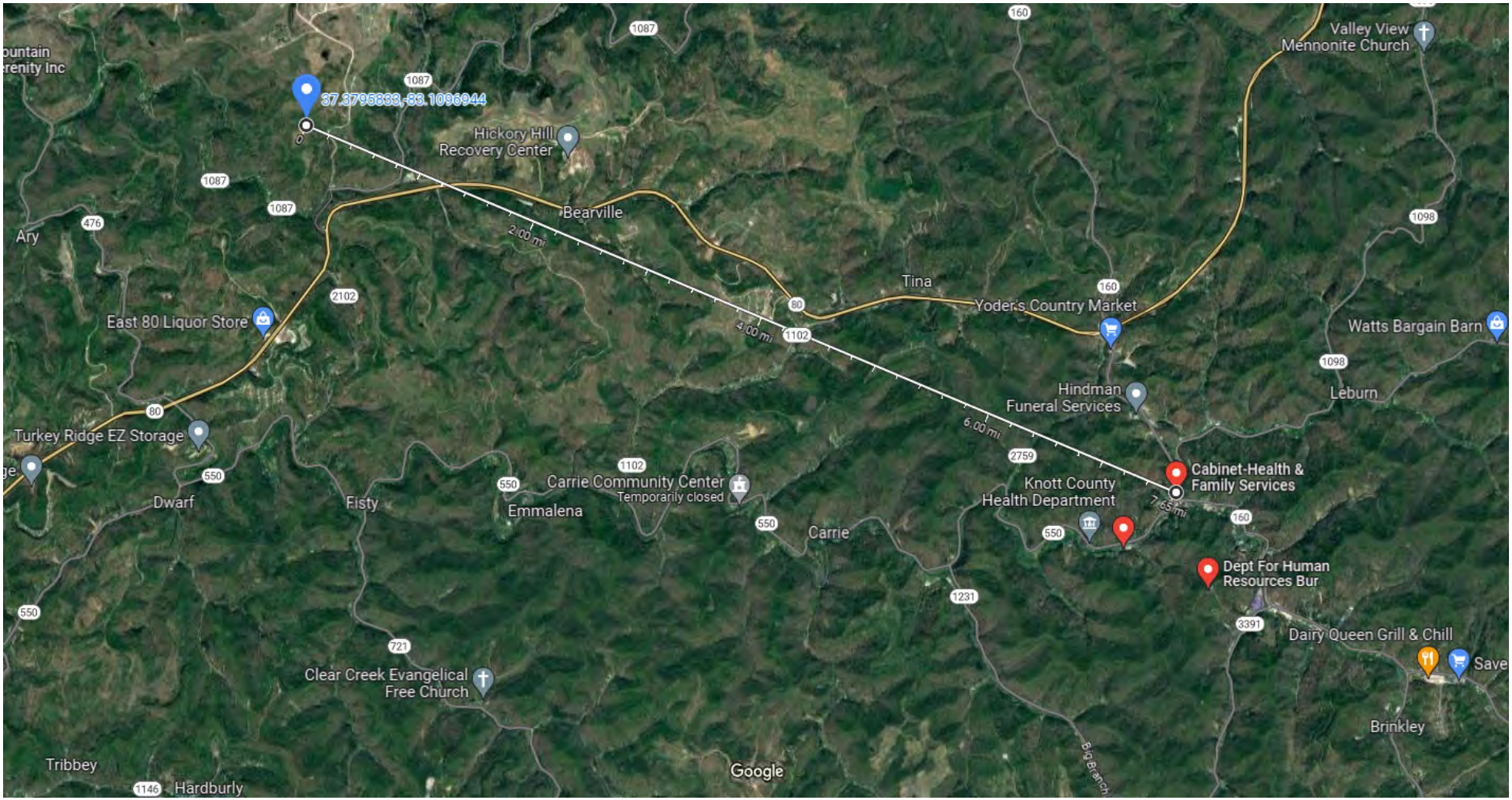
Imagery ©2023 TerraMetrics, Map data ©2023 Google 2 mi

Measure distance
Total distance: 9.50 mi (15.29 km)

Google Maps

social services

Distance to Cabinet for Health and Family Services office from Olive Branch

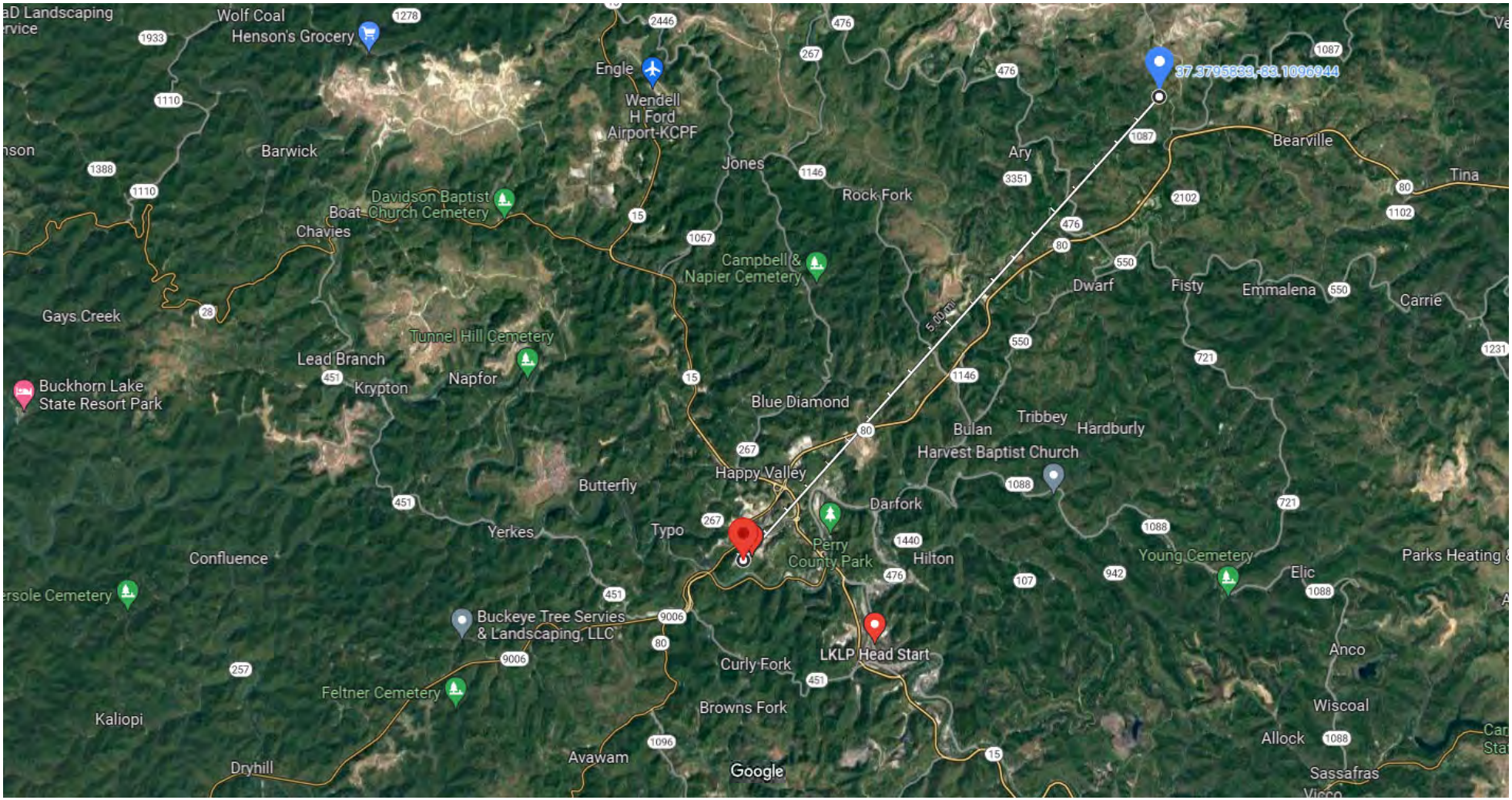


Imagery ©2023 Airbus, CNES / Airbus, Commonwealth of Virginia, Landsat / Copernicus, Maxar Technologies, USDA/FPAC/GEO, Map data ©2023 1 mi

Measure distance
Total distance: 7.65 mi (12.31 km)

Google Maps lklp

Distance to LKLP Community Action Partnership from Olive Branch



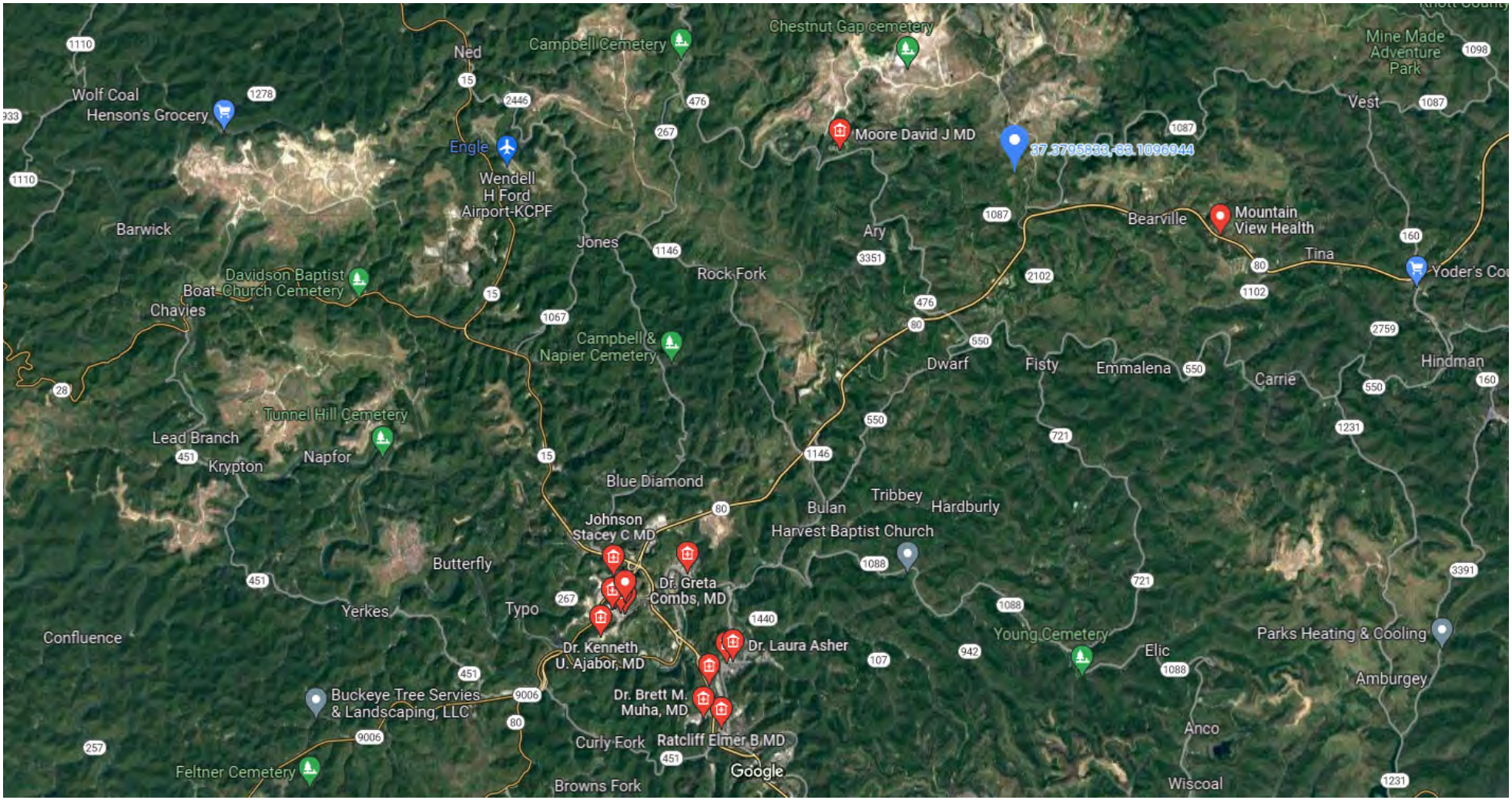
Imagery ©2023 TerraMetrics, Map data ©2023 2 mi

Measure distance
Total distance: 10.09 mi (16.23 km)

Google Maps

doctors

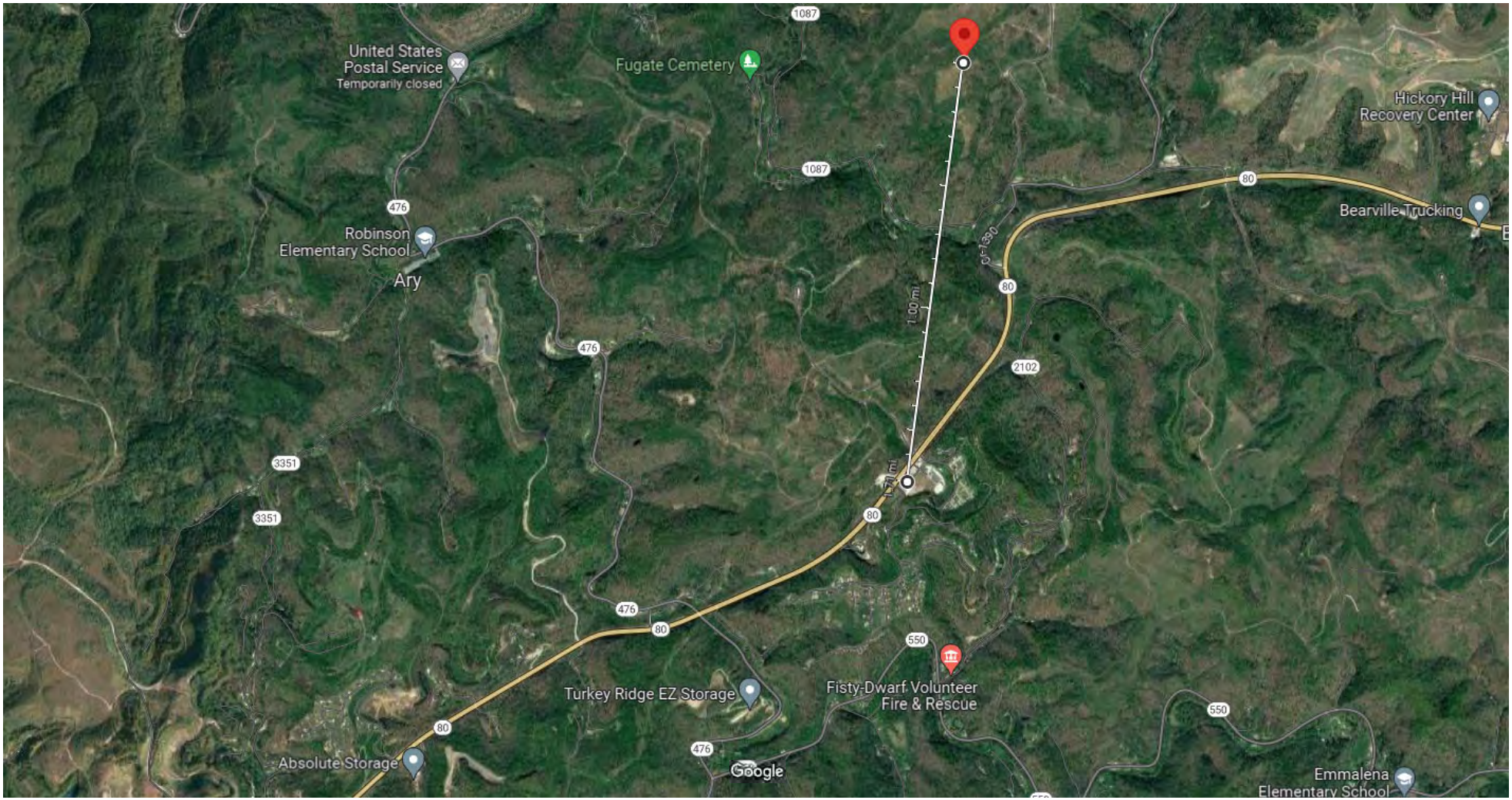
Doctors near Olive Branch



Google Maps

37°22'46.5"N 83°06'34.9"W

Distance to Dollar General from Olive Branch



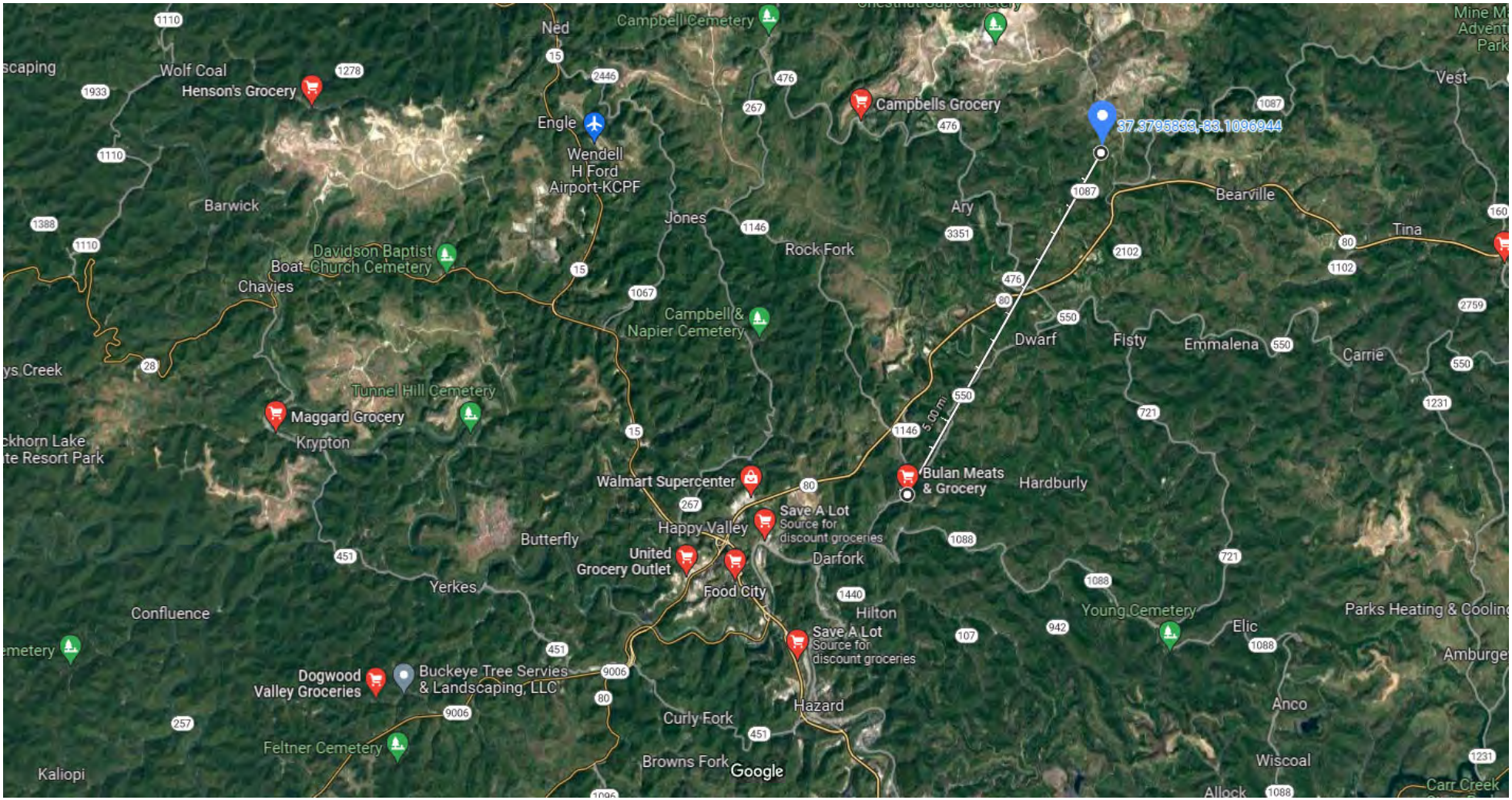
Imagery ©2023 Airbus, CNES / Airbus, Commonwealth of Virginia, Landsat / Copernicus, Maxar Technologies, USDA/FPAC/GEO, Map data ©2023 2000 ft

Measure distance
Total distance: 1.71 mi (2.76 km)

Google Maps

groceries

Distance from Bulan Meat and Groceries to Olive Branch

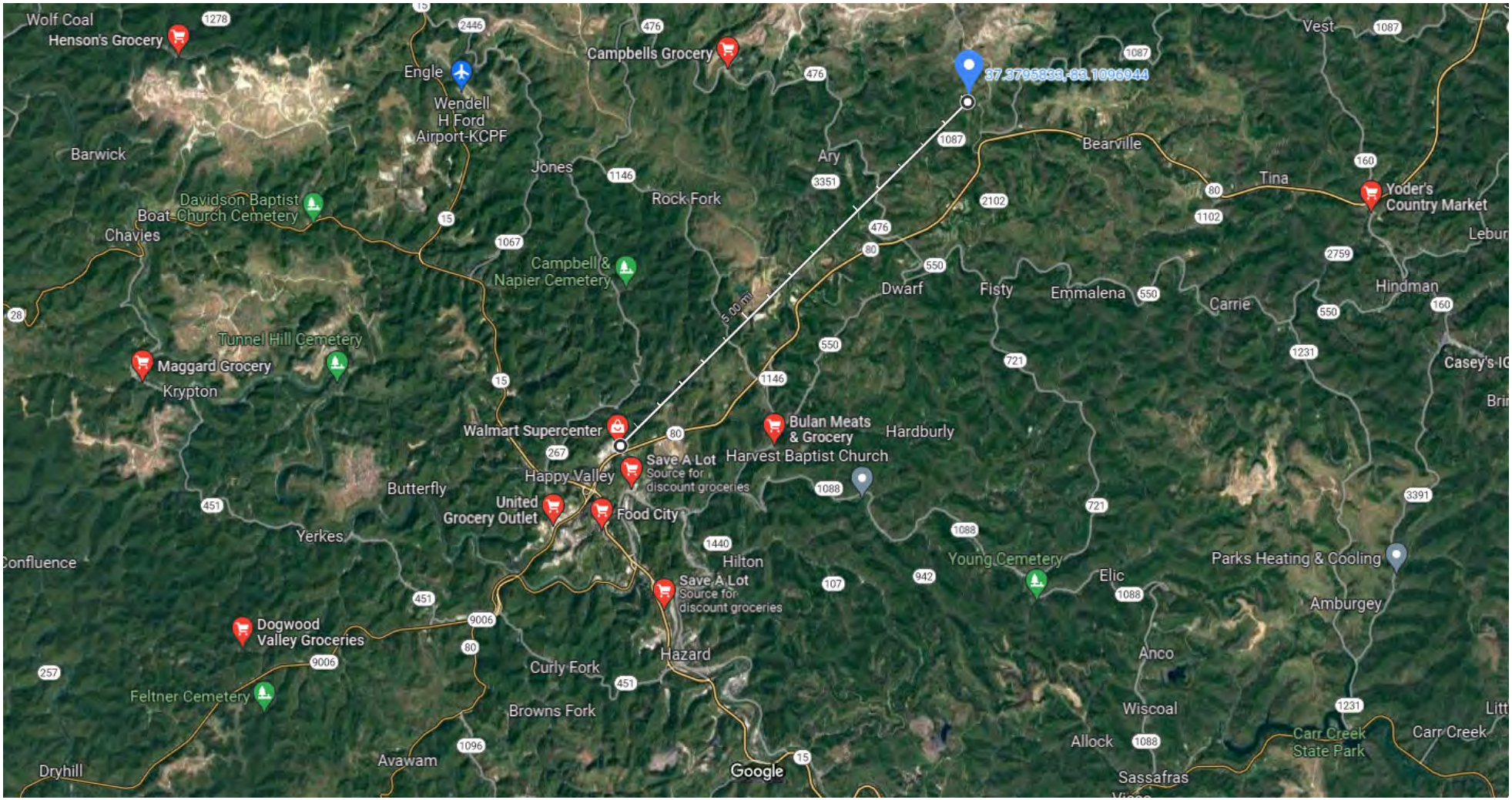


Imagery ©2023 TerraMetrics, Map data ©2023 2 mi

Measure distance
Total distance: 6.37 mi (10.25 km)

Google Maps groceries

Distance to Walmart Supercenter-Olive Branch

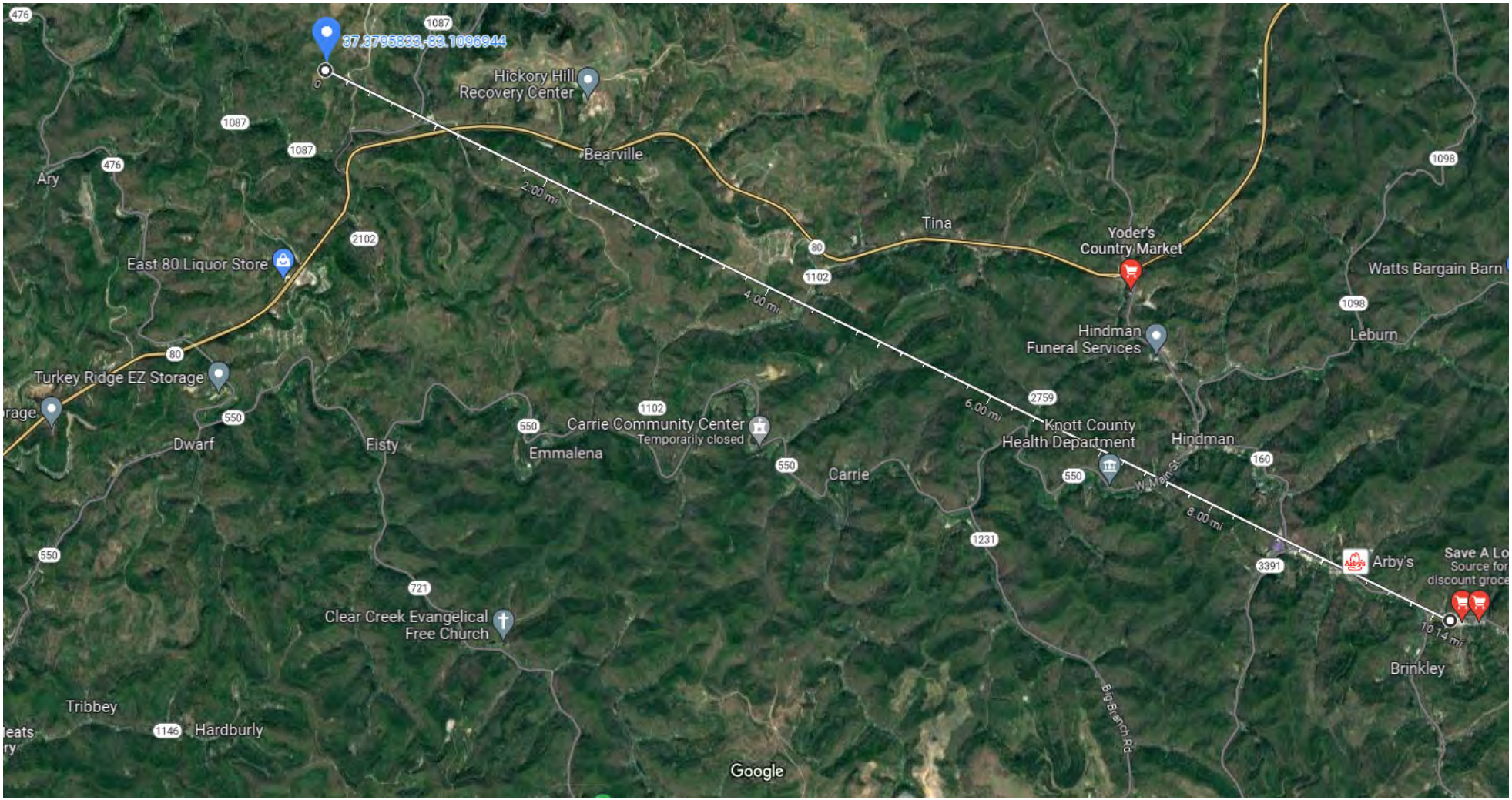


Measure distance
Total distance: 7.92 mi (12.74 km)

Google Maps

groceries

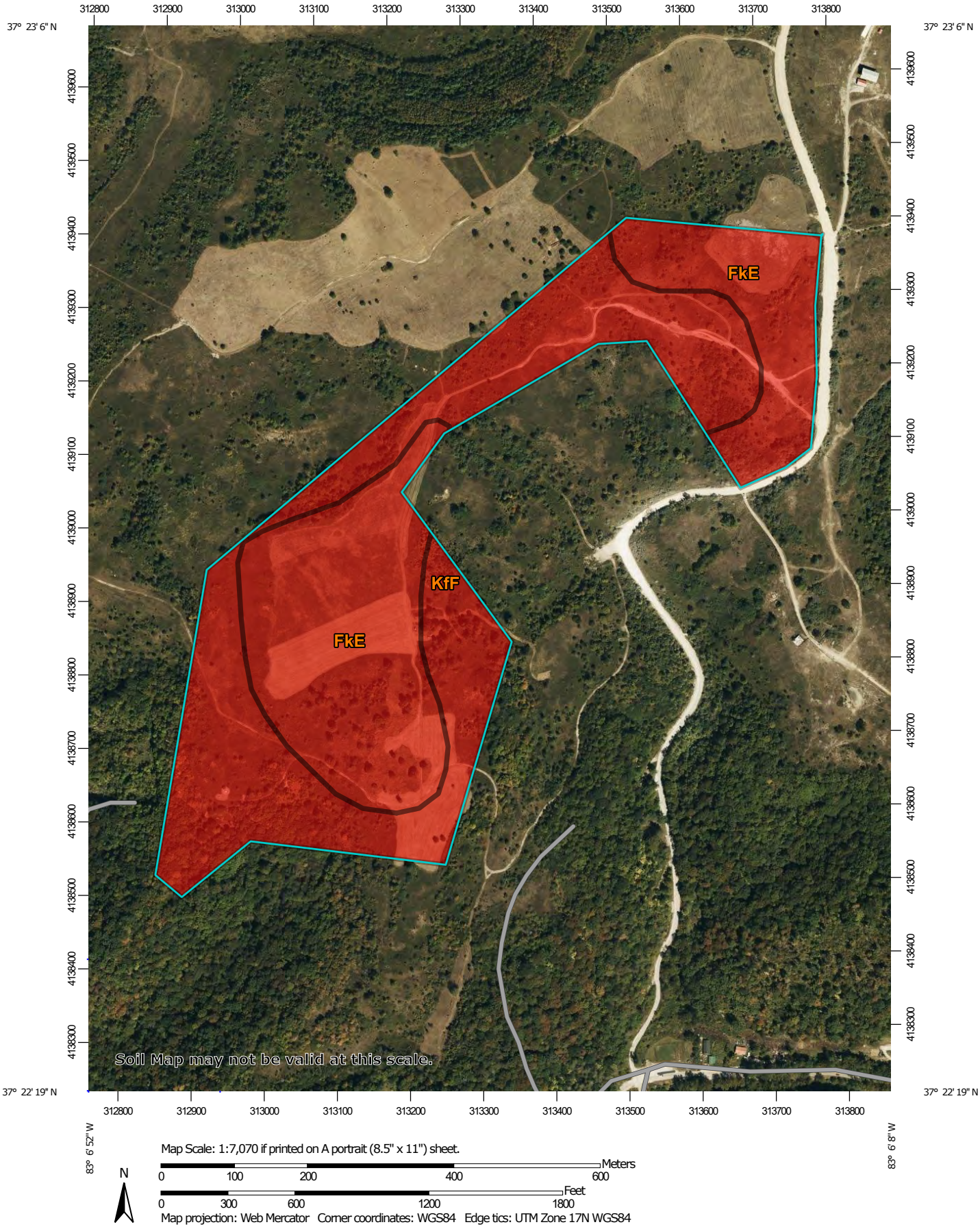
Distance to Holly Hills Shopping Center from Olive Branch



Imagery ©2023 TerraMetrics, Map data ©2023 Google 1 mi

Measure distance
Total distance: 10.14 mi (16.32 km)

Farmland Classification—Knott and Letcher Counties, Kentucky
(Olive Branch, Knott County, KY)



Map Scale: 1:7,070 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 100 200 400 600

Feet: 0 300 600 1200 1800

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

Soil Rating Polygons

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of statewide importance, if drained
- Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated
- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Soil Rating Lines

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season

- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of statewide importance, if drained
- Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated
- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Soil Rating Points

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of statewide importance, if drained
- Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated

- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

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

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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: Aug 29, 2019—Sep 15, 2019

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.

Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
FkE	Fiveblock and Kaymine soils, 0 to 30 percent slopes, stony	Not prime farmland	36.1	48.3%
KfF	Kaymine, Fairpoint, and Fiveblock soils, benched, 2 to 70 percent slopes, very stony	Not prime farmland	38.7	51.7%
Totals for Area of Interest			**74.8**	**100.0%**

Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

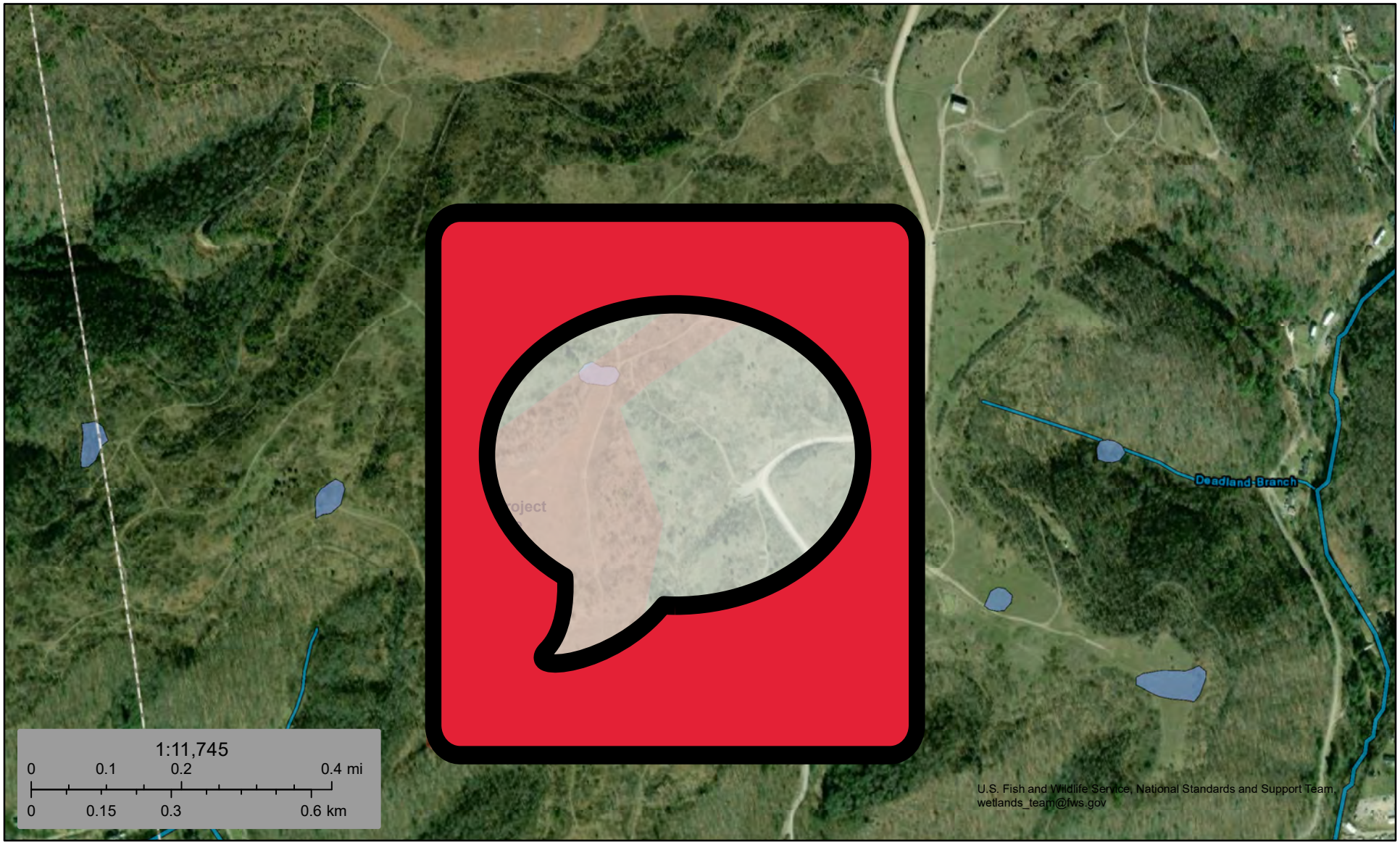
Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower

U.S. Fish and Wildlife Service
National Wetlands Inventory

Olive Branch Subdivision



August 27, 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.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

Curtis Stauffer

From: Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Sent: Monday, August 28, 2023 2:07 PM
To: Curtis Stauffer; Lyons, John (EEC); townes, lisa
Subject: Fwd: Olive Branch Development

EXTERNAL EMAIL: Do not click links or open attachments unless you recognize the sender and know the content is safe.

From our PG

From: Logsdon, Kenneth C (EEC) <Kenneth.Logsdon@ky.gov>
Sent: Monday, August 28, 2023 1:59:05 PM
To: Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Subject: Re: Olive Branch Development

If we are talking about the purple one, it is definitely not there, verified on foot and via Google Earth:

As far as what used to be deadland Branch (former line from topo map marked in yellow) the site is largely flat and there is currently no remnant of a stream. Everything is fill:

From: Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Sent: Monday, August 28, 2023 1:24 PM
To: Logsdon, Kenneth C (EEC) <Kenneth.Logsdon@ky.gov>
Subject: Fwd: Olive Branch Development

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Can you help with Curtis's question

From: Curtis Stauffer <cstauffer@kyhousing.org>
Sent: Monday, August 28, 2023 1:08:50 PM
To: Lyons, John (EEC) <john.lyons@ky.gov>; Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Cc: townes, lisa <Lisa.townes@haspaldingengineers.com>
Subject: RE: Olive Branch Development

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Hi John-

Below is what I sent Louanna yesterday.

Thanks!

Curtis

The USFWS National Wetlands Inventory Map shows a 0.5-acre pond in the proposed subdivision development area. From the NWI website "This 0.50 acre Freshwater Pond habitat is classified as a PUBHx. For a complete code description, click here. The wetlands and deepwater habitats in this area were photo interpreted using 1:58,000 scale, color infrared imagery from 1983."
Classification code: PUBHx

- System Palustrine (P) : The Palustrine System includes all nontidal wetlands dominated by trees, shrubs, persistent emergents, emergent mosses or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean-derived salts is below 0.5 ppt. It also includes wetlands lacking such vegetation, but with all of the following four characteristics: (1) area less than 8 ha (20 acres); (2) active wave-formed or bedrock shoreline features lacking; (3) water depth in the deepest part of basin less than 2.5 m (8.2 ft) at low water; and (4) salinity due to ocean-derived salts less than 0.5 ppt.
- Class Unconsolidated Bottom (UB) : Includes all wetlands and deepwater habitats with at least 25% cover of particles smaller than stones (less than 6-7 cm), and a vegetative cover less than 30%.
- Water Regime Permanently Flooded (H) : Water covers the substrate throughout the year in all years.
- Special Modifier Excavated (x) : This Modifier is used to identify wetland basins or channels that were excavated by humans.

I assume this no longer exists, due to mining, but we'll need some way to document that. Can EEC provide that documentation?

Additionally, the wetlands map shows a small riverine (Dead Land Branch) adjacent to the southwest side of the property flowing into Balls Fork at KY1087 that doesn't appear on any Google Aerial Maps, but did show up as a named body of water on the USDA NRCS Web Soil Survey. Does this riverine still exist?

_____

Curtis A. Stauffer, MA, PMP, HDFP
Managing Director,
Housing Contract Administration
Pronouns: he/him/his
Kentucky Housing Corporation
1231 Louisville Rd.
Frankfort, KY 40601
502-874-5329 (direct)
800-633-8896 x. 115 (KY only)
TTY 711
cstauffer@kyhousing.org
www.kyhousing.org

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Site Specific Phase I

Environmental Site Assessment

Olive Branch Property

Bulan (Knott County), Kentucky

May 26, 2023

Prepared for:

The Commonwealth of Kentucky

Prepared by:

Kentucky Energy and Environment Cabinet

Department of Environmental Protection

Superfund Branch

300 Sower Blvd.

Frankfort, Kentucky 40601

TABLE OF CONTENTS

1.0 Summary **4**
2.0 Introduction **4**
2.1 Purpose 5
2.2 Scope of Work 6
2.3 Significant Assumptions 6
2.4 Limitations and Exceptions 7
2.5 Special Terms and Conditions 7
2.6 User Reliance 7
2.7 Location and Description 8

3.0 USER PROVIDED INFORMATION **8**
3.1 Title Records 8
3.2 Environmental Liens or Activity and Use Limitations (AULs) 9
3.3 Specialized Knowledge 9

4.0 RECORDS REVIEW **9**
4.1 Physical Settings 9
4.2 Site Vicinity and General Characteristics 10
4.2.1 Topography 10
4.2.2 Soil 10
4.2.3 Groundwater 10
4.3 Standard Environmental Records Review 11
4.3.1 EDR Radius Map™ with GeoCheck 11
4.3.2 Historical Topographical Maps 12
4.3.3 Historical Aerial Photographs 13
4.3.4 Historical Sanborn Fire Insurance Maps 14
4.3.5 Historical City Directories 14

5.0 SITE RECONNAISSANCE **15**
5.1 Site Reconnaissance Methodologies 15
5.2 Current Use of Property 15
5.3 Current Use of Adjoining Properties 16
5.4 Past Uses of Property 16
5.5 Past Uses of Adjoining Properties 18
5.6 Descriptions of Structures, Roads, and Other Improvements 18

5.7 Exterior Observations.....18
5.8 Underground Storage Tanks (USTs) and Aboveground Storage Tanks (ASTs).....18
5.9 Hazardous Substances Waste and Petroleum Products..... 18
5.10 Odors..... 19
5.11 Pits, Ponds, and Lagoons..... 19
5.12 Stained Soil/Pavement..... 19
5.13 Wastewater 19
5.14 Wells..... 19
5.15 Septic Systems..... 21
6.0 INTERVIEWS..... 21
6.1 Current Property Owner..... 21
6.2 State/Local Representative.....21

7.0 EVALUATIONS..... 23
7.1 Findings..... 23
7.2 Recognized Environmental Conditions..... 23
7.3 Opinions 24
7.4 Conclusions..... 24
7.5 Additional Investigations..... 24
7.6 Deletions and Exceptions..... 24
8.0 NON-SCOPE SERVICES..... 25
9.0 SIGNATURE OF THE ENVIRONMENTAL PROFESSIONAL..... 26
10.0 REFERENCES..... 27

APPENDICES

A. Site Maps
B. Historic Documents
   a. EDR Radius Map™ Report with GeoCheck®
   b. EDR Certified Sanborn® Map Report
   c. EDR Historical Topo Map Report
   d. EDR Aerial Photo Decade Package
C. Olive Branch Site Investigation Report
D. Bond release Documentation
E. Photographic Record of Subject Property
F. Current Deeds
G. Qualifications

1.0 SUMMARY

The Kentucky Energy and Environment Cabinet (EEC) has completed a Phase I Environmental Site Assessment (ESA) of the property located on KY-80 in Bulan, Knott County, Kentucky (hereafter referred to as the "subject property"). The Phase I ESA is designed to provide an environmental due diligence inquiry pursuant to good commercial and customary practice, as established by the procedures in the American Society for Testing and Materials (ASTM) E1527-21. This Phase I ESA was conducted in accordance with the scope and limitations of the ASTM *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (E1527-21) and the U.S. Environmental Protection Agency (USEPA) All Appropriate Inquiry promulgated in 40 CFR 312.

A summary of the findings is provided below. It should be recognized that details were not included or fully developed in this summary, and the report must be read in its entirety for a comprehensive understanding of the findings.

- Historical surface mining operations at and around the subject property.
- Two wells were observed within ½ mile of the subject property that are of domestic or unknown use with no records of being plugged.
- Three oil and gas producing wells are observed to be on the subject property. One of the wells, Equitable Production Company (Well No: 566108), is observed on the southwestern portion of the subject property with production data available from 2005-2020. The well appears to be down-gradient from the majority of the subject property.
- One well, Ashland Oil and Refining (Well No. 74981), is observed on the northwestern portion of the property. This well was plugged in 1977.
- One well, Columbia Natural Resources (Well No. 23422), is observed on the eastern property boundary. This well is listed as "shut in" from 2013-2019. Gas production data was available from 1999-2020.

No *recognized environmental conditions*, *historical recognized environmental conditions*, or *controlled recognized environmental conditions* were identified in connection to the subject property. The subject property does have the potential for geotechnical issues in connection with soil composition of the area, which was identified as a *business environmental risk* (BER).

2.0 INTRODUCTION

The Kentucky Energy and Environment Cabinet (EEC) performed this Phase I ESA for the Commonwealth of Kentucky at the subject property located off KY-80 in Bulan, Kentucky. A site reconnaissance was performed for the subject property on May 17th, 2023 by Caitlin Mullins

(EEC), Christopher Jung (EEC), Kenneth Logsdon (EEC), Jean Weaver (EEC) and Sarah Yount (EEC).

2.1 Purpose

The purpose of this Phase I ESA is to document current and historical information on the subject property and surrounding area in order to identify, to the extent possible, *recognized environmental conditions (REC's), historical recognized environmental conditions (HRECs), controlled recognized environmental conditions (CREC's),* and *de minimus conditions* as defined by ASTM E1527-21.

A *recognized environmental condition (REC)* is defined by ASTM E1527-21 as "the presence or likely presence of any hazardous substances or petroleum products in, on, or at the property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; (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 the presence or likely presence 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 (e.g., as evidenced by the issuance of a no further action letter or 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 restrictions, activity, and use limitations, institutional controls, or engineering controls.)

A *controlled recognized environmental concern (CREC)* is defined BY ASTM E1527-21 as a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (e.g., as evidence by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances 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 minimus conditions are defined as conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of the appropriate governmental agencies. Conditions determined to be *de minimis* are not *recognized environmental conditions* nor *controlled environmental conditions.*

Business Environmental Risk (BER) is a risk that 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.

2.2 *Scope of Work*

The scope of work for this Phase I ESA, based on ASTM E1527-21, is to identify whether RECs, HRECs, and CRECs are present at the site. The report is a general characterization of environmental concerns based on available information and site observations. The procedures and methodologies used during the course of this Phase I ESA included an environmental records review, a review of historic land usage, a site reconnaissance and interviews with persons familiar with the subject property. Specifically, this Phase I ESA included:

- Research of environmental regulatory database information at the federal, state and local levels within specified minimum search distances.
- A review of standard historical resources pertinent to the historic land usage of the subject property, adjacent properties, and the surrounding area.
- A review of current land use and existing conditions 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; well, drains, and sumps; and pits, ponds, or lagoons.
- A review of 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.
- A visual site investigation and general evaluation of the physical characteristics of the subject property using both area reconnaissance and published references.
- Conversations and/or interviews with current owners, local government officials, local regulatory personnel, and other knowledgeable persons in an effort to obtain information that may indicate recognized environmental conditions in connection with past uses and/or activities at the subject property.

In addition to the above, the subject property was evaluated for Business Environmental Risks (BERs) and *de minimus conditions* observed during the site visit documented in this report.

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 analysis 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.

2.3 *Significant Assumptions*

No significant assumptions were made in the course of 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.

2.4 Limitations and Exceptions

The Phase I ESA is designed to provide an objective, independent, professional opinion of the potential environmental risks, if any, associated with the subject property. Performance of a Phase I ESA is intended to reduce, but not eliminate uncertainty regarding the potential for recognized environmental conditions in connection with the subject property. This Phase I ESA was prepared in accordance with the scope and limitation of ASTM E1527-21 process and it is recognized by the U.S. EPA as compliant with Standards and Practices for All Appropriate Inquiries (AAI). It has been prepared to access the property with respect to hazardous substance 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:

- This site is undeveloped so signs of contamination may have been hidden by overgrown vegetation at the time at site reconnaissance.
- EDR searched the Sanborn Fire Insurance map database, however, no maps were found for the subject property.
- EDR provided historical aerial photographs and topographical maps for the subject property, however, due to the large size of the subject property, the maps provided did not cover the entire area of the subject property.

2.5 *Special Terms and Conditions*

This assessment was performed by the Kentucky Energy and Environment Cabinet (EEC) for the Commonwealth of Kentucky. The Kentucky EEC understands that the Commonwealth will use the findings to evaluate redevelopment opportunities at the subject property. This report is public record and is subject to the Kentucky Open Records Act.

2.6 *User Reliance*

Reasonable care was taken by the EEC in checking information gained through interviews and other secondary sources of data. This report was developed with the presumption that

the information obtained was factual in nature and was based on the physical conditions observed on May 16th, 2023 during the site reconnaissance.

2.7 *Location and Description*

The subject property is located off of KY-80 and adjacent to the Perry County line in Bulan, Knott County, Kentucky. Subject property coordinates are Latitude 37.3892 and Longitude -83.1079. The subject property is around 300 acres of hilly terrain, consisting of seven parcels according to the Knott County Property Valuation Administrator's (PVA) office. The property can be accessed by Starfire Haul Road off of KY-80. The parcel IDs included in the subject property are listed in the table below as well as owner information, the current Deed Book and page, and the address according to Knott County's PVA office. Site maps are included in Appendix A.

Parcel ID	Current Owner Information	Address Listed	Current Deed Book/Page
005-20-00-004.00	Core Capital LLC	0 Ball Talcum	**281/498**
005-20-00-002.00	Lynn Lee Inc	0 Ball Lower	**125/193**
005-00-00-019.02	Core Capital LLC	0 Ball Lower	**281/498**
005-00-00-019.01	Core Capital LLC	0 Ball Lower	**281/498**
005-00-00-019.00	Core Capital LLC	0 Ball Lower	**281/498**
005-00-00-020.00	Core Capital LLC	0 Ball Lower	**281/498**
006-00-00-020.00	Core Capital LLC	0 Ball	**281/498**

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 the property, a potential tenant of the property, an owner of property, a lender, or a property manager.

The Commonwealth of Kentucky is the user of this ESA. The Commonwealth of Kentucky intends to redevelop the subject property into housing for victims of flooding in Eastern Kentucky.

3.1 *Title Records*

According to the Knott County Clerk's Office, six of the seven parcels included in the subject property are owned by Core Capital LLC. The current deed for six of the seven parcels is dated August 31, 2017 and is recorded in Deed Book 281 on page 419 of the Knott County Clerk's office. This deed specifically covers the following parcels: 005-00-00-019.00, 005-00-00-019.01, 005-00-00-019.02, 005-00-00-020.00, 5-20-00-004.00, 006-00-00-020.00, The remaining parcel, 005-20-00-002.00, is presently owned by Lynn Lee Inc. The current deed is

recorded in Deed Book 125 on page 193 and dated February 11, 1982. Lynn Lee Inc. previously owned the other six parcels until 2017.

A deed search and review of prior ownership was also conducted to determine if there were any indications that previous ownership might have engaged in activities that would lead to environmental contamination.

3.2 *Environmental Liens or Activity and Use Limitations*

Information on environmental liens or activity and use limitations on the subject property were not provided by the Commonwealth of Kentucky. A search for environmental liens or activity and use limitations was conducted on May 23, 2023. None were found in connection with the subject property.

3.3 *Specialized Knowledge*

No previous site assessment were performed at the subject property, however, The Kentucky Division of Waste Management (KDWM) performed a limited site screening of the subject property where soil samples were taken and analyzed for heavy metals. Results from sample analysis did not warrant regulatory action. A copy of this report is available in Appendix C.

4.0 RECORDS REVIEW

4.1 *Physical Setting*

An electronic database search of files maintained by the U.S. EPA and the Kentucky Department of Environmental Protection (KDEP) was conducted on April 27, 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 to 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:

- Environmental Data Resources, Inc. (EDR) EDR Radius Map™ Report with Geocheck;
- EDR Certified Sanborn® Map Report;
- EDR Historical Topo Map Report;
- EDR Aerial Photo Decade Package;
- EDR City Directory Image Report;
- Kentucky Department of Environmental Protection, TEMPO Database;
- US Fish and Wildlife Service National Wetlands Inventory: https://www.fws.gov/wetlands/Data/Mapper.html;

- USGS 7.5 Minute Geologic Quadrangle Map: Vest, Noble, Carrie, Hazard North, Troublesome, and Hazard, KY Quadrangles.
- United States Department of Agriculture, Natural Resources Conservation Service; http://websoilsurvey.sc.egov.usda.gov/app/HomePage.htm

4.2 *Site Vicinity and General Characteristics*

4.2.1 Soil

Soil data subject was obtained from the U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) for the subject property. Results are presented in the table below.

Unit Symbol	Name	Acres in Area of Interest (AOI)	Percent of AOI
CkF	Cloverlick-kimper-Highsplint comples, 30 – 65% slopes, very stony.	6.7	2.2%
FkE	Fiveblock and Kaymine soils, 0-30% slopes, stony,	108.6	35.3%
KfF	Kaymine Fairpoint, and Fiveblock soils, benched, 2-70% slopes, very stony.	187.5	60.9%
UsHGf	Shelocta-Highsplint-Gilpin complex, 20-70% slopes, very stony.	5.1	1.6%

Geological data obtained from the Kentucky Geological Survey states that the subject property consists of the Princess Formation (Ppr) and the Four Corner Formation (Pfc). The Princess Formation consists of mainly sandstone, shale, coal, underclay and chert. The Four Corners Formation similarly contains sandstone, shale, coal and underclay, but also include siltstone and limestone. The Princess Formation's top 0-20 feet is comprised of alluvium, consisting of sand, silt, clay, and gravel. Multiple coal beds underlay the formation including Hindman, Francis, Hazard, Haddix, Copland, Hamlin, Fire Clay, and Whitesburg. The top 0-20 feet of the Four Corners formation is alluvium predominantly made up of silt, sand, and lesser amounts of silty

clay and gravel. Coal beds underlying the formation including the Hindman, Francis, Hazard, Haddix, Hamlin, Fire Clay, and Whitesburg.

The U.S. Fish and Wildlife Service's National Wetlands Inventory did identify three areas registered with the National Wetlands Inventory as small ponds. One is located on the subject property, and the other two are located on the surrounding properties. The pond located on the property was a 0.5-acre freshwater pond classified as PUBHx, which was described as human excavated. Data collected on this pond originated from interpretation of aerial photographs dated 1983.

4.2.2 *Groundwater*

No commercial water wells appear to be on the subject property. The subject property does not currently have potable water available from local utilities, however, water lines do run adjacent to the nearby roadway KY-80 allowing for future availability. There is record of one domestic use well located within ¼ of the subject property, however, no data on the status or use of the well was provided.

4.3 *Standard Environmental Records Review*

A regulatory database search was conducted by Environmental Data Resources, Inc. (EDR) for the EEC to review the required federal and state databases for any records pertaining to the possible presence of hazardous substances, petroleum products, or industrial activities at or around the subject property which could be considered a recognized environmental condition.

4.3.1 EDR Radius Map™ with GeoCheck®

The regulatory database search included an EDR Radius Map™ with Geocheck®. A copy of the report, provided to the EEC on April 27, 2023, is included in Appendix D and a summary of the report is contained in the table below.

Regulatory Database	Minimum Search Distance	Property Listed?	# Sites Listed
Federal NPL (Superfund) Sites	1 Mile	No	0
Federal Delisted NPL Sites	½ Mile	No	0
Federal CERCLIS	½ Mile	No	0
Federal CERCLIS NFRAP	½ Mile	No	0
Federal RCRA CORRACTS	1 Mile	No	0
Federal RCRA Non-CORRACTS TSD	½ Mile	No	0
Federal RCRA Generators	¼ Mile	No	0
Federal Institutional/Engineering Control Registry	½ Mile	No	0
Federal ERNS	¼ Mile	No	0
State CERCLIS	1 Mile	No	0

State Hazardous Waste Site	1 Mile	No	0
State Solid Waste Disposal Sites	½ Mile	No	0
State Leaking Storage Tank Lists	½ Mile	No	0
State Registered Storage Tank Lists	¼ Mile	No	0
State Institutional/Engineering Control Registry	½ mile	No	0
State Voluntary Cleanup Sites	½ Mile	No	0
Federal/State Brownfield Sites	½ Mile	No	0
Records of Emergency Release Reports	½ Mile	No	0
United States Mines	¼ Mile	No	2
Abandoned Mines	¼ Mile	No	1

The EDR Report identified three potential highrisk properties less than 1/8 of a mile from the subject property. Two were listed as U.S. mine sites, and one was listed as an abandoned mine. Both sites were listed as closed or abandoned. A copy of the EDR Radius Map™ Report with Geocheck® is included in Appendix B.

4.3.2 Historical 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 historical topographic maps of the subject property and surrounding area was conducted by EDR and provided to the EEC in a *Historical Topographic Map Report* dated April 27, 2023. Topographic Maps were provided for various years between 1891 and 2019. A copy of the report is included in Appendix B and summarized as follows:

Year(s)	Topographic Map Observations
2019	Map does not depict any structures on the subject property or surrounding properties. Multiple ponds are observed on surrounding properties. Starfire Haul Road is observed leading to the subject property.
2016	No structures are observed on the subject property or surrounding properties. Changes in contour are noticeable resulting from surface mining operations. Multiple ponds are observed on the surrounding properties. Balls Fork is observed south of the subject property.
2013	Roadway, referenced as Starfire Haul Rd, is observed leading to the subject property. Contour lines widened due to surface mining operations at the subject property. No structures present on subject or surrounding properties.
1992	The map depicts approximately four areas used for strip mining operations – a pond is also present in the strip mine area located north of the subject

	property. A private roadway is also observed leading to the strip mine area located at the subject property. Contours observed to widen due to strip mining operations. One structure is observed near the private roadway in the surface mining area located at the subject property. Several structures are noted along Balls Fork. Two mines and a gas well are observed southwest of the subject property.
1987	No structures or developments ware observed on the subject property. Small structures were present north of the subject property, as well as along the Balls Fork stream. Lick Branch school is observed west of the subject property.
1976	No structures or developments observed on the subject property. Mining areas are observed southwest of the subject property and across the Perry County line. One gas well is observed southeast of the subject property. Lick Branch School is observed northwest of the subject property. A gas well is present southeast of the subject property, just west of Ball Fork.
1954	Balls Fork is observed on the southern portion of the map running below the subject property. No structures or developments are present on the subject property. Small structures can be observed along Balls Fork and its associated tributaries. Two structures appear just north of the subject property. Lick Branch School is observed northwest of the subject property. A gas well is present southeast of the subject property, just west of Balls Fork.
1914	No observable structures present on the subject property. Small structures can be observed on the surrounding properties along Lick Branch, located northwest of the subject property, and along Balls Fork, located south of the subject property. Structures are also present along Zach's Branch.
1891	Map does not depict any structures or developments on the subject property or surrounding properties. Balls fork is present south of the subject property.

4.3.3 Historical Aerial Photographs

Aerial photographs are generally of small scale and only provide a general idea of activity in the area. Aerial photographs provide a "snap shot" 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 provided to the EEC in the *Aerial Photo Decade Package* dated May 1, 2023. Photos were provided for various years from 1952 and 2020. A copy of the EDR Aerial Photo Report is included in Appendix B and a summary is presented in the following table.

Year(s)	Aerial Photograph Observations
2020	Subject property appears to be mainly grassy and wooded areas. A pond is visible on the northern adjoining property. Two structures are visible on the eastern adjoining property.
2016	Subject property comprised of mainly grassy or wooded areas. A pond is visible on northern adjoining property. Only one structure is noted on the eastern adjoining property.
2012	Subject property comprised of patchy grass and sparse woodland areas. A pond is present on eastern edge of subject property. One structure is observed on the eastern adjoining property.
2008	Subject property is observed to be mainly exposed dirt and gravel, with some grassy areas. Wooded areas are also observed on the subject property. One structure is present on the eastern adjoining property.
1995	Aerial imagery indicates heavy surface mining activity on the subject property. Several vehicles are observed on the subject property. One structure present on the eastern adjoining property. Roadways associated with surface mining operations are present on the subject property.
1983	Heavy surface mining activity observed at the subject property. No structures are present on the subject property. Several roadways associated with surface mining operations are present.
1977	Aerial image quality is poor, but subject property appears to be mainly wooded areas with some roadways visible. It appears that surface mining operations are beginning to take place.
1971	Aerial image quality is poor; however, subject property appears to be mainly forested land.
1960	Aerial image quality is poor; however, subject property and surrounding properties appear to be covered entirely in densely forested land.
1952	Aerial images are poor quality; however subject property and adjoining properties appear to be densely forested land.

4.3.4 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 the EEC in a *Certified Sanborn® Map Report* dated April 27, 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.

4.3.5 Historical City Directories

A search of historical city directories for the subject property and surrounding properties was conducted by EDR and provided to the EEC in the *City Directory Image Report* dated May 2,

2023. The report contained phone numbers and addresses for the subject property from 2010 to 2020. A condensed summary of the listings is provided below. The full report is included in Appendix B. It should be noted that city directories are published by private and public sources that show ownership, occupancy, and/or use of properties by reference to street addresses. Discrepancies in addresses are likely the results of changes in ownership and/or property usage.

Year(s)	W KY 80 HWY	Starfire Haul Rd.
2020	- Kentucky Work & Western Wear	- No records available
2017	- Kentucky Work and Western Wear	- No records available
2014	- Kentucky Work and Western Wear - Two Residential	- Frasure Creel Mining LLC Main Office
2010	- Thacker Grigsby Telephone Co. - One Residential	- No records available

5.0 SITE RECONNAISSANCE

As part of a Phase I ESA, an onsite investigation, or site reconnaissance, is performed in an effort to identify *recognized environmental conditions.* Caitlin Mullins (EEC), Christopher Jung (EEC), Kenneth Logsdon (EEC), Jean Weaver (EEC) and Sarah Yount (EEC) conducted the site reconnaissance of the subject property and general vicinity on May 17th, 2023.

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 reconnaissance consisted of visual observation of the subject property and adjacent properties as viewed from the subject property and available nearby roadways. Most areas of the subject property and surrounding properties were able to be observed from the subject property and nearby roadways. The subject property was accessible but contained tall vegetation.

Photographs taken of the subject property and adjacent properties are included in Appendix E.

5.2 Current Use of Property

The subject property is currently undeveloped with no structures present. The subject property consists of mainly grassy areas, which are mowed for hay, as well as some forested areas. Utilities are present adjacent to the subject property along KY-80 including water, sewer, and electric utilities.

5.3 Current Use of Adjoining Properties

The majority of the adjoining properties are also mainly forested land with no evidence of use or structures, excluding the property located east of the subject property. This property is observed to have three structures present which appeared to be used for cattle farming operations.

5.4 Past Uses of Property

The subject property was historically forested land until surface mining operation began in 1984. A deed search revealed that the parcels on the subject property were mainly family owned properties that were bought by Lynn Lee Inc. in the 1980s. A chain of title search was performed by EDR for one of the parcels, 005-20-00-002.00, back to 1971 and found that the property was owned by the Ritchie family until 1971 when the property was sold to Ivan Childers, W.R. Smith and Charlotte Smith. The property was sold again in 1974 to James and Olga Patrick, who sold the property to the current owner, Lynn Lee Inc, in 1982. This information is not included in the table below which describes the chain of title of the other six parcels which were included in the current deed recorded in Deed Book 281 on page 498 in the Knott County Clerk's Office.

Date	Grantor	Grantee	Deed Book/Page	Deed History			
				Grantor	Grantee	Date	Book/Page
09/03/1982	Magellan and Marie Fugate	Lynn Lee Inc.	**126/148**	Sid and Rachel Fugate	Magellan and Marie Fugate	4/4/1960	88/59
				Grantor	Grantee	Date	Book/Page
05/13/1983	Nezra and Rachel Ritchie	Lynn Lee Inc.	**128/269**	Sid and Rachel Fugate	Nezra and Rachel Ritchie	1/15/1969	92/143
				Jerry and Sally Fugate	Sidney Fugate	3/22/1919	37/331

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<tr><td>Hannah Stacy and J Stacey</td><td>Jerry Fugate</td><td>3/30/1909</td><td>23/273</td></tr>
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<tr><td>08/31/1982</td><td>Timothy and Carol Sue Fugate</td><td>Lynn Lee Inc.</td><td>126/145</td><td>
<table>
<tr><th>Grantor</th><th>Grantee</th><th>Date</th><th>Book/Page</th></tr>
<tr><td>James Tony and Shirley Fugate</td><td>Tim and Carol Fugate</td><td>8/29/1908</td><td>119/57</td></tr>
<tr><td>Elhanon and America Fugate</td><td>James Tony Fugate</td><td>4/30/57</td><td>Perry County Clerk Deed Book 81/133</td></tr>
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<tr><td>12/15/1983</td><td>Corbett Ray Fugate</td><td>Lynn Lee Inc.</td><td>130/204</td><td>
<table>
<tr><th>Grantor</th><th>Grantee</th><th>Date</th><th>Book/Page</th></tr>
<tr><td>Sid and Rachel Fugate</td><td>Buck Fugate</td><td>4/4/1960</td><td>88/119</td></tr>
</table>
Corbett Ray Fugate inherited the property, as seen in the affidavit of deceased on page 556 of Knott County Deed book 128, from Buck Fugate on 1/22/1981.
</td></tr>
<tr><td>09/24/1984</td><td>Amel and Kathy Ritchie</td><td>Lynn Lee Inc.</td><td>132/565</td><td>
<table>
<tr><th>Grantor</th><th>Grantee</th><th>Date</th><th>Book/Page</th></tr>
<tr><td>Columbus Ritchie et. al</td><td>Amel and Kathy Ritchie</td><td>10/06/1981</td><td>123/9</td></tr>
<tr><td>Delilah Ritchie</td><td>Amel and Kathy Ritchie</td><td>3/19/1981</td><td>11/587</td></tr>
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</td></tr>
<tr><td>10/21/1983</td><td>Pro Land Inc.</td><td>Lynn Lee Inc.</td><td>129/561</td><td>
<table>
<tr><th>Grantor</th><th>Grantee</th><th>Date</th><th>Book/Page</th></tr>
<tr><td>Denzil and Opal Short</td><td>Pro Land Inc.</td><td>10/22/1972</td><td>102/634</td></tr>
</table>
This property consists of four tracts. The deed between Pro Land Inc. and Lynn Lee Inc. was a surface only conveyance with exceptions and reservations of
</td></tr>
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<tr><td></td><td></td><td></td><td></td><td>mining rights as well as permanent easement and transportation rights.</td></tr>
<tr><td>06/30/1983</td><td>Treva Lynn Fugate; Victoria and Jeffrey Gilbert</td><td>Lynn Lee Inc.</td><td>128/557</td><td><table><tr><th>Grantor</th><th>Grantee</th><th>Date</th><th>Book/Page</th></tr><tr><td>Sidney and Rachel Fugate</td><td>Buck Fugate</td><td>4/4/1960</td><td>89/119</td></tr></table>Victoria Gilbert inherited this property, as seen in affidavit of deceased on page 556 of Knott County Deed book 128, from Buck Fugate on 1/22/1981.</td></tr>
</table>

5.5 Past Uses of Adjoining Properties

Usage of the surrounding properties has remained primarily undeveloped forestland with surface mining operations beginning during the late 1970s-1980s.

5.6 Descriptions of Structures, Roads, and other Improvements

The subject property is located off KY-80 near the Perry county line in the community of Talcum, Kentucky. No structures were observed on the subject property northern portion of the subject property. The subject property is accessible by roads used historically for surface mining operations. The roadway leading to the subject property, Starfire Haul Road, is clear and useable, but improvements can be made. A dirt road with a gate is used to access the lower field of the subject property. A separate dirt road just north of this entrance is used to access the upper field of the subject property. Both are in poor condition, at this time, and require a vehicle with four wheel drive to access.

5.7 Exterior Observation

The subject property is currently vacant. The majority of the subject property is used for hay fields, and the property consists of primarily of tall vegetation surrounded by forested areas.

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

The site reconnaissance included a search for physical features such as fill ports, slumped pavement/ground surface, patches, and evidence of underground piping or pump stations commonly associated with the presence of storage tanks. No visual evidence was found that would suggest the use of underground storage tanks or aboveground storage tanks on the subject property. The lack of visual evidence cannot rule out the presence or historical use of storage tanks on the subject property.

5.9 Hazardous Substances/Waste and Petroleum Products

No hazardous waste, or petroleum products were observed on the subject property during the site reconnaissance. Historical records indicate surface mining operations took place on and around the subject property, but no records indicate the use or production of hazardous substances or petroleum products which would warrant any regulatory action.

5.10 Odors

No odors associated with the release of hazardous substances, petroleum product, or industrial activities were noted at the subject property during the site reconnaissance.

5.11 Pits, Ponds, and Lagoons

No pits, ponds, or lagoons were observed on the subject property.

5.12 Stained Soil/Pavement

No significant staining associated with hazardous substances or petroleum products was found on soil or pavement at the subject property.

5.13 Wastewater

No evidence of wastewater was observed at the subject property during the site reconnaissance. No records of sewer service or septic systems on the subject property were found during historical review.

5.14 Wells

According to the EDR Physical Settings Report, there are approximately seven wells within ¼ to ½ mile of the subject property. Well data is listed in the table below.

Well ID	Status	Type	Distance from Subject Property
USGS KY Water Science Center Location: H27B0015	No reports or sampling data available	Monitoring Well	¼ - ½ Mile
USGS KY Water Science Center Location: H27B0016	No reports or sampling data available	Monitoring Well	¼ - ½ Mile
Domestic- Single Household AKGWA-40006148	Unknown	Water Well	¼ - ½ Mile
User Unknown AKGWA-40006503	Unknown	Water Well	¼ - ½ Mile
USGS KY Water Science Center Location: H27B0012	Sampled - 1982	Monitoring Well	¼ - ½ Mile

USGS KY Water Science Center Location: H27B0013	Sampled - 1982	Monitoring Well	¼ - ½ Mile
USGS KY Water Science Center Location: H27B0014	No reports or sampling data available	Monitoring Well	¼ - ½ Mile

There were also approximately six oil and gas wells within ½ of a mile from the subject property. Three of these wells were located on the subject property. One well (Ashland Oil and Refining Co, Inc. Well No. 74981) located on the subject property has been plugged since 1977. There is one well (Equitable Production Company Well No. 566108) located on the southwestern side of the subject property that is a gas producing well which has production data from 2005 – 2020. The third well (Columbia Natural Resources Well No. located on the subject property is also gas producing, with production data available from 1999-2020. This well was list as "shut in" for oil production. One well, located right at a ½ mile north of the subject property, is currently listed as a producing gas well that was completed in 2010. This well was listed as being "shut in" for around 16 months after completion, but production resumed in 2011 and continued through 2019. No production data was available after 2019. The remaining wells within ¼ mile were listed as plugged. Well data is listed in the table below.

Well ID	Elevation	Latitude	Longitude	Status	Distance from Subject Property
Equitable Production Company Original Well No: 566108	1340 ft.	37.375478	-83.112709	Gas Producing: 2005-2020	0 – 1/8 Mile
Ashland Oil & Refining Co, Inc. Original Well No: 74981	1254 ft.	37.383154	-83.111397	Plugged – 07/23/1977	0 – 1/8 Mile
Columbia Natural Resources Inc. Original Well No: 23422	1280 ft.	37.383635	-83.098377	Gas producing: 1999-2020	0 – 1/8 Mile
Inland Gas Co. Inc. Original Well No: 558	1206 ft.	37.390268	-83.106294	Plugged – 12/05/1975	1/8 – ¼ Mile

Kentucky West Virginia Gas Co. Original Well No: 1609	1220 ft.	37.387452	-83.110643	Plugged – 05/26/2005	1/8 – ¼ Mile
Clean Gas Inc. Original Well No: 442	1369 ft.	37.393562	-83.109719	Gas Producing : 2010 - 2019	¼ - ½ Mile

5.15 Septic Systems

No on-site septic systems or cesspools were observed on the subject property. No records of sewer service or septic systems on the subject property were found during historical review

6.0 INTERVIEWS

6.1 *Current Property Owner*

An interview was conducted with the property owner, Mr. Shawn Adams, via phone call on May 11, 2023 at approximately 1:13 PM (EST). Mr. Adams' family has owned the property since the 1980s and he confirmed the subject property was historically forested land until surface mining operations took place via mountain top removal. The surrounding properties were also used for surface mining but were historically forested land up until that. He also stated he wasn't aware of any spills or releases of hazardous substances or petroleum products on the subject property that would have warranted clean up or regulatory action. When asked if there were any activity use or deed restrictions on the subject property, Mr. Adam's stated that there were no deed restrictions on the property that he knew of.

6.2 State/Local Government Representative

A review of files from the Kentucky Department of Environmental Protection did not produce any records of hazardous substance spills, environmental contamination, or environmental liens at, or on the subject property. An interview was conducted with Ms. Courtney Skaggs, KY Department of Natural Resources representative, on May 18, 2023. Ms. Skaggs is familiar with the mining history of the subject property.

Ms. Skaggs confirmed that historically the subject property was unmanaged forested land until surface mining operation began in 1984 and continued through 2017. Ms. Skaggs also provided the mining history of the site. The Olive Branch 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) in 1984. The DNR is the state primacy agency with the regulatory authority for permitting, inspection and enforcement under SMCRA. The project area included two (2) reclaimed mining sites formerly permitted by River Coal Company, Inc. and Liberty Management, LLC. River Coal Company, Inc., permit no. 860-

0063, was issued on February 14, 1984 and obtained a Phase IIII bond release on March 28, 1995. Liberty Management LLC, permit no 860-0565 was initially permitted to Star Fire Mining Company, permit no. 460-0080. 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 Big Elk Mining Company, permit no. 860-0421 on October 25, 2005; the second transfer of rights to Frasure Creek Mining LLC, permit no. 860-0466 on June 1, 2007; a third transfer of rights (due to a stock purchase) to Frasure Creek Mining LLC, permit no. 860-0506 on April 7, 2011; and a fourth transfer of rights to Liberty Management LLC, permit no. 860-0565 on November 5, 2015. Liberty Management, LLC, permit no. 860-0565 obtained a Phase III bond release on October 3, 2017. Bond release documentation is available in Appendix D.

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 March 28, 1995 and October 3, 2017.

Ms. Skaggs was not aware of any spills or releases of hazardous substances or petroleum products at the subject property. She also stated she was unaware of any deed restrictions, activity use limitations or environmental liens on the subject property. Ms. Skaggs also stated she was not aware of any environmental cleanups having occurred at the subject property.

7.0 EVALUATION

The EEC performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM E1527-21 of the subject property located on KY-80 in Bulan, Kentucky. Any exceptions to, or deletions from, this practice were described in this report. The assessment did not find evidence of *recognized environmental conditions* (RECs) in connection to the subject property.

7.1 Findings

The environmental assessment performed at the subject property in Bulan, Kentucky revealed the following findings:

- Historical surface mining operations at and around the subject property.
- Two wells were observed within ½ mile of the subject property that are of domestic or unknown use with no records of being plugged.
- Three oil and gas producing wells are observed to be on the subject property. One of the wells, Equitable Production Company (Well No: 566108), is observed on the southwestern portion of the subject property with production data available from 2005-2020. The well appears to be down-gradient from the majority of the subject property.
- One well, Ashland Oil and Refining (Well No. 74981), is observed on the northwestern portion of the property. This well was plugged in 1977.
- One well, Columbia Natural Resources (Well No. 23422), is observed on the eastern property boundary. This well is listed as “shut in” from 2013-2019. Gas production data was available from 1999-2020.

7.2 Recognized Environmental Conditions

Based on the results of this Phase I ESA it was determined that the subject property and surrounding properties lacked evidence of a release or likely release that would be considered a REC based on the ASTM E1527-21 standards.

- *Recognized Environmental Condition (On-Site)*
  No on-site RECs were identified in connection with the subject property during the assessment.
- *Recognized Environmental Conditions (Off-Site)*
  No off-site RECs were identified in connection with the subject property during the assessment
- *Historic Recognized Environmental Condition*
  No HRECs were identified in connection with the subject property during the assessment.
- *Controlled Recognized Environmental Conditions*

No CRECs were identified in connection with the subject property during the assessment.

- *Business Environmental Risks (BERs)*
  The only BER identified in connection with the subject property was the potential for geotechnical issues in connection with soil composition of the area.

7.3 Opinions

Based on the historical review and site reconnaissance of the subject property, it is considered unlikely that contamination is present at the subject property.

7.4 Conclusions

This Phase I ESA did not reveal evidence of any *recognized environmental conditions* within the scope and limitations of ASTM E1527-21 at the subject property located off KY-80 in Talcum, KY. Any exceptions or deletions from this practice are described in Section 7.6 of this report. This assessment did not reveal any *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. Historic mining operations occurring at the subject property were permitted under the Surface Mining Control and Reclamation Act (SMRCA) of 1977 and are not considered to *recognized environmental conditions*. Results from radon testing performed in 2004 that was included in the EDR Radius Map™ Report with Geocheck showed radon levels at 1.50 pCi/L. These results are below the EPA suggested radon action level (4.0 pCi/L) and the World Health Organization's suggested radon action level (2.7 pCi/L). While the results were below actionable levels, it is unknown where samples were collected. Additional radon testing at the subject property would allow for more accurate representation of the area.

7.5 Additional Investigations

This assessment and review of historical documents has not revealed evidence of *recognized environmental conditions* at the subject property. It is the opinion of the environmental professional that additional environmental assessment is not necessary at this time. A geotechnical survey may be beneficial before further site development.

7.6 Deletions and Exceptions

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

8.0 ADDITIONAL (NON-SCOPE) SERVICES

Additional services beyond the scope of ASTM E1527-21 were not performed in conjunction with this assessment. The ASTM scope only includes the investigation of hazardous materials and petroleum products, therefore radon, emerging contaminants, and asbestos investigations were not performed.

9.0 SIGNATURE OF THE ENVIRONMENTAL PROFESSIONAL

I, Christopher Jung, declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in the Code of Federal Regulations (CFR), Title 40, Section 312.104. I have the specific qualifications based on education, training, and experience to assess the nature, history, and setting of the subject site. I have developed and performed the all-appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Christopher Jung

Christopher Jung, P.G.

Registered Geologist Supervisor

State Section

Superfund Branch

10.0 REFERENCES

Website Sources

Environmental Data Resources, Inc. EDR Aerial Photo Decade Package, Olive Branch-Knott County, Bulan, KY 41722. Inquiry: 7321472.8. May 1, 2023.

Environmental Data Resources, Inc. Certified Sanborn Map Report, Olive Branch – Knott County, Bulan, KY 41722. Inquiry: 7321472.3. April 27, 2023.

Environmental Data Resources, Inc. EDR City Directory Image Report, Olive Branch – Knott County, Bulan, KY 41722. Inquiry: 7321472.5. May 2, 2023.

Environmental Data Resources, Inc. EDR Historical Topo Map Report, Olive Branch – Knott County, Bulan, KY 41722. Inquiry: 7321472.3. April 27, 2023.

Kentucky Environmental and Public Protection Cabinet. Kentucky Department for Environmental Protection TEMPO Database.

Kentucky Geological Survey, Kentucky Geologic Map Information Service: https://kgs.uky.edu/kygeode/geomap/

Kentucky Geological Survey, Kentucky Groundwater Repository Data: https://kgs.uky.edu/kgsmap/KGSWater/viewer.asp

The EDR Radius Map™ Report with GeoCheck®, Olive Branch – Knott County, Bulan, KY 41722. Inquiry: 7321472.2s. April 27, 2023.

U.S. Department of Agriculture, Natural Resources Conservation Service Web Soil Survey: https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

Personal Interviews

A. Current Property Owner – Shawn Adams
B. State Government Representative – Courtney Skaggs, KDNR

Appendices

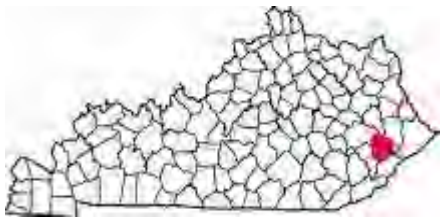
A. Site Maps
B. Historic Documents
  a. EDR Radius Map Report™ with GeoCheck®
  b. EDR Sanborn® Map Report
  c. EDR Historical Topo Map Report
  d. EDR Aerial Photo Decade Package
  e. EDR City Directory
C. Olive Branch Site Investigation Report
D. Bond Release Documentation

E. Property Photographs

F. Qualifications

Appendix A – Site Maps

Site Map of Subject Property

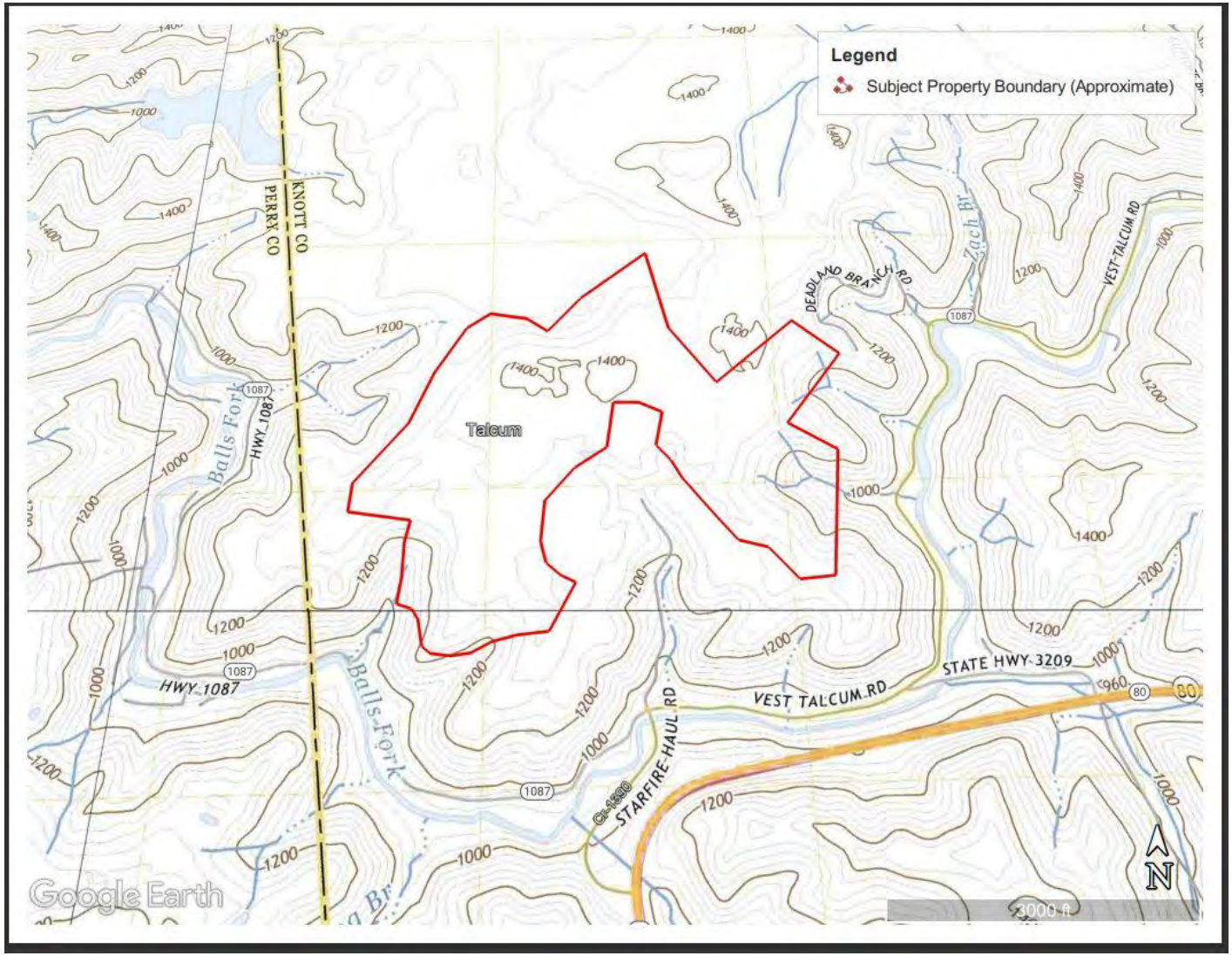


Olive Branch Property
KY-80
Bulan KY

Date: May 25, 2023
Author: Caitlin Mullins
Source: Google Earth

Disclaimer: Information on this map is from a digital database. Data is representative of information available on the date above.

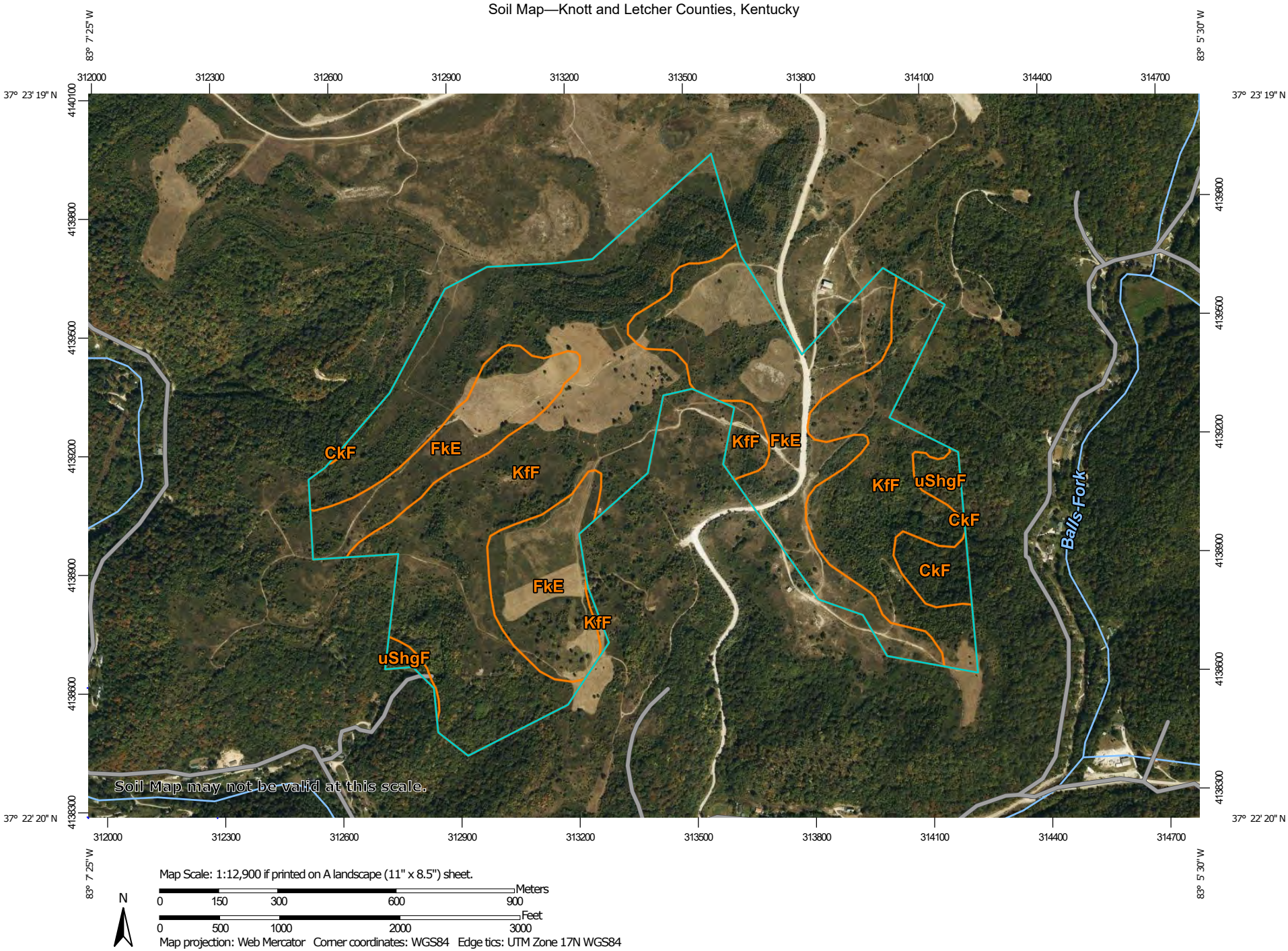
Site Map of Subject Property



Olive Branch Property
KY-80
Bulan KY

Date: May 25, 2023
Author: Caitlin Mullins
Source: Google Earth

Disclaimer: Information on this map is from a digital database. Data is representative of information available on the date above.



Map Scale: 1:12,900 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 150 300 600 900

Feet: 0 500 1000 2000 3000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Map Unit Polygons

Soil Map Unit Lines

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

Rock Outcrop

Saline Spot

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

Spoil Area

Stony Spot

Very Stony Spot

Wet Spot

Other

Special Line Features

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

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

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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 9, 2016—Sep 15, 2019

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
CkF	Cloverlick-Kimper-Highsplint complex, 30 to 65 percent slopes, very stony	6.7	2.2%
FkE	Fiveblock and Kaymine soils, 0 to 30 percent slopes, stony	108.6	35.3%
KfF	Kaymine, Fairpoint, and Fiveblock soils, benched, 2 to 70 percent slopes, very stony	187.5	60.9%
uShgF	Shelocta-Highsplint-Gilpin complex, 20 to 70 percent slopes, very stony	5.1	1.6%
Totals for Area of Interest		**307.9**	**100.0%**

U.S. Fish and Wildlife Service

National Wetlands Inventory

Olive Branch Property

May 25, 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.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

Appendix B – Historic Documents

Olive Branch - Knott County
KY-80
Bulan, KY 41722

Inquiry Number: 7321472.2s
April 27, 2023

The EDR Radius Map™ Report with GeoCheck®

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

TABLE OF CONTENTS

SECTION	PAGE
Executive Summary	ES1
Overview Map	2
Detail Map	3
Map Findings Summary	4
Map Findings	8
Orphan Summary	22
Government Records Searched/Data Currency Tracking	GR-1

GEOCHECK ADDENDUM

Physical Setting Source Addendum	A-1
Physical Setting Source Summary	A-2
Physical Setting SSURGO Soil Map	A-5
Physical Setting Source Map	A-12
Physical Setting Source Map Findings	A-14
Physical Setting Source Records Searched	PSGR-1

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

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EXECUTIVE SUMMARY

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
BULAN, KY 41722

COORDINATES

Latitude (North):	37.3892000 - 37° 23' 21.12''
Longitude (West):	83.1079000 - 83° 6' 28.44''
Universal Tranverse Mercator:	Zone 17
UTM X (Meters):	313391.8
UTM Y (Meters):	4139929.8
Elevation:	1395 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map:	13046766 VEST, KY
Version Date:	2019
Southeast Map:	13082220 CARRIE, KY
Version Date:	2019
Southwest Map:	13082236 HAZARD NORTH, KY
Version Date:	2019
Northwest Map:	13082266 NOBLE, KY
Version Date:	2019

AERIAL PHOTOGRAPHY IN THIS REPORT

Portions of Photo from:	20140711
Source:	USDA

MAPPED SITES SUMMARY

Target Property Address:
KY-80
BULAN, KY 41722

Click on Map ID to see full detail.

MAP ID	SITE NAME	ADDRESS	DATABASE ACRONYMS	RELATIVE ELEVATION	DIST (ft. & mi.) DIRECTION
A1	FRASURE CREEK MINE N	2481 STAR FIRE HAUL	US MINES, ABANDONED MINES	Lower	532, 0.101, North
A2	LICK BRANCH SLURRY I	2481 STAR FIRE HAUL	US MINES	Lower	532, 0.101, North

EXECUTIVE SUMMARY

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 (Superfund) sites

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

Lists of Federal Delisted NPL sites

Delisted NPL ..... National Priority List Deletions

Lists of Federal sites subject to CERCLA removals and CERCLA orders

FEDERAL FACILITY ..... Federal Facility Site Information listing
SEMS ..... Superfund Enterprise Management System

Lists of Federal CERCLA sites with NFRAP

SEMS-ARCHIVE ..... Superfund Enterprise Management System Archive

Lists of Federal RCRA facilities undergoing Corrective Action

CORRACTS ..... Corrective Action Report

Lists of Federal RCRA TSD facilities

RCRA-TSDF ..... RCRA - Treatment, Storage and Disposal

Lists of Federal RCRA generators

RCRA-LQG ..... RCRA - Large Quantity Generators
RCRA-SQG ..... RCRA - Small Quantity Generators
RCRA-VSQG ..... RCRA - Very Small Quantity Generators (Formerly Conditionally Exempt Small Quantity Generators)

Federal institutional controls / 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..... SB193 Branch Site Inventory List

Lists of state and tribal registered storage tanks

FEMA UST..... Underground Storage Tank Listing
UST..... Underground Storage Tank Database
AST..... Above Ground Storage Tanks
INDIAN UST..... Underground Storage Tanks on Indian Land

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

SWRCY..... Recycling Facilities
HIST LF..... Historical Landfills
INDIAN ODI..... Report on the Status of Open Dumps on Indian Lands
DEBRIS REGION 9..... Torres Martinez Reservation Illegal Dump Site Locations

EXECUTIVE SUMMARY

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
FTTS ..... FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide 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
FINDS ..... Facility Index System/Facility Registry System
DOCKET HWC ..... Hazardous Waste Compliance Docket Listing
ECHO ..... Enforcement & Compliance History Information
UXO ..... Unexploded Ordnance Sites

EXECUTIVE SUMMARY

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 ATSDR	PFAS Contamination Site Location Listing
PFAS WQP	Ambient Environmental Sampling for PFAS
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	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

RGA HWS	Recovered Government Archive State Hazardous Waste Facilities List
RGA LF	Recovered Government Archive Solid Waste Facilities List

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS 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. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property.
Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

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

EXECUTIVE SUMMARY

ADDITIONAL ENVIRONMENTAL RECORDS

Other Ascertainable Records

US MINES: Mines Master Index File. The source of this database is the Dept. of Labor, Mine Safety and Health Administration.

A review of the US MINES list, as provided by EDR, has revealed that there are 2 US MINES sites within approximately 0.25 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
FRASURE CREEK MINE N	***2481 STAR FIRE HAUL***	***N 0 - 1/8 (0.101 mi.)***	***A1***	***8***
Database: MINES VIOLATIONS, Date of Government Version: 02/27/2023				
LICK BRANCH SLURRY I	2481 STAR FIRE HAUL	N 0 - 1/8 (0.101 mi.)	A2	15
Database: MINES VIOLATIONS, Date of Government Version: 02/27/2023				

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.

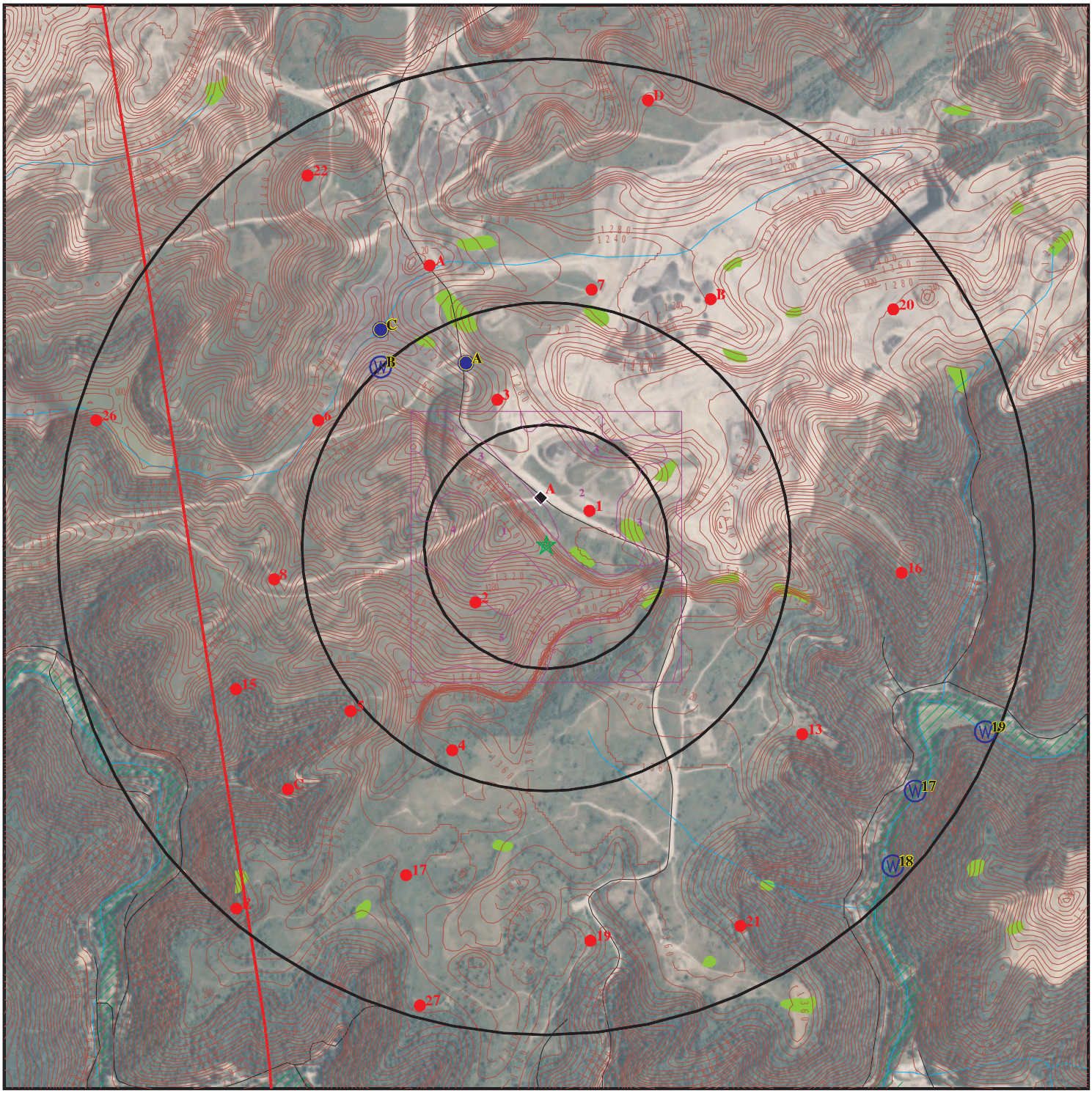
A review of the ABANDONED MINES list, as provided by EDR, and dated 12/20/2022 has revealed that there is 1 ABANDONED MINES site within approximately 0.25 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
FRASURE CREEK MINE N	***2481 STAR FIRE HAUL***	***N 0 - 1/8 (0.101 mi.)***	***A1***	***8***

EXECUTIVE SUMMARY

There were no unmapped sites in this report.

OVERVIEW MAP - 7321472.2S



- Target Property
- Sites at elevations higher than or equal to the target property
- Sites at elevations lower than the target property
- Manufactured Gas Plants
- National Priority List Sites
- Dept. Defense Sites

0 1/4 1/2 1 Miles

- Indian Reservations BIA
- County Boundary
- Special Flood Hazard Area (1%)
- 0.2% Annual Chance Flood Hazard
- National Wetland Inventory
- State Wetlands

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: Olive Branch - Knott County	CLIENT: Kentucky Division of Compliance
ADDRESS: KY-80 Bulan KY 41722	CONTACT: Derek Bozzell
LAT/LONG: 37.3892 / 83.1079	INQUIRY #: 7321472.2s
	DATE: April 27, 2023 4:23 pm

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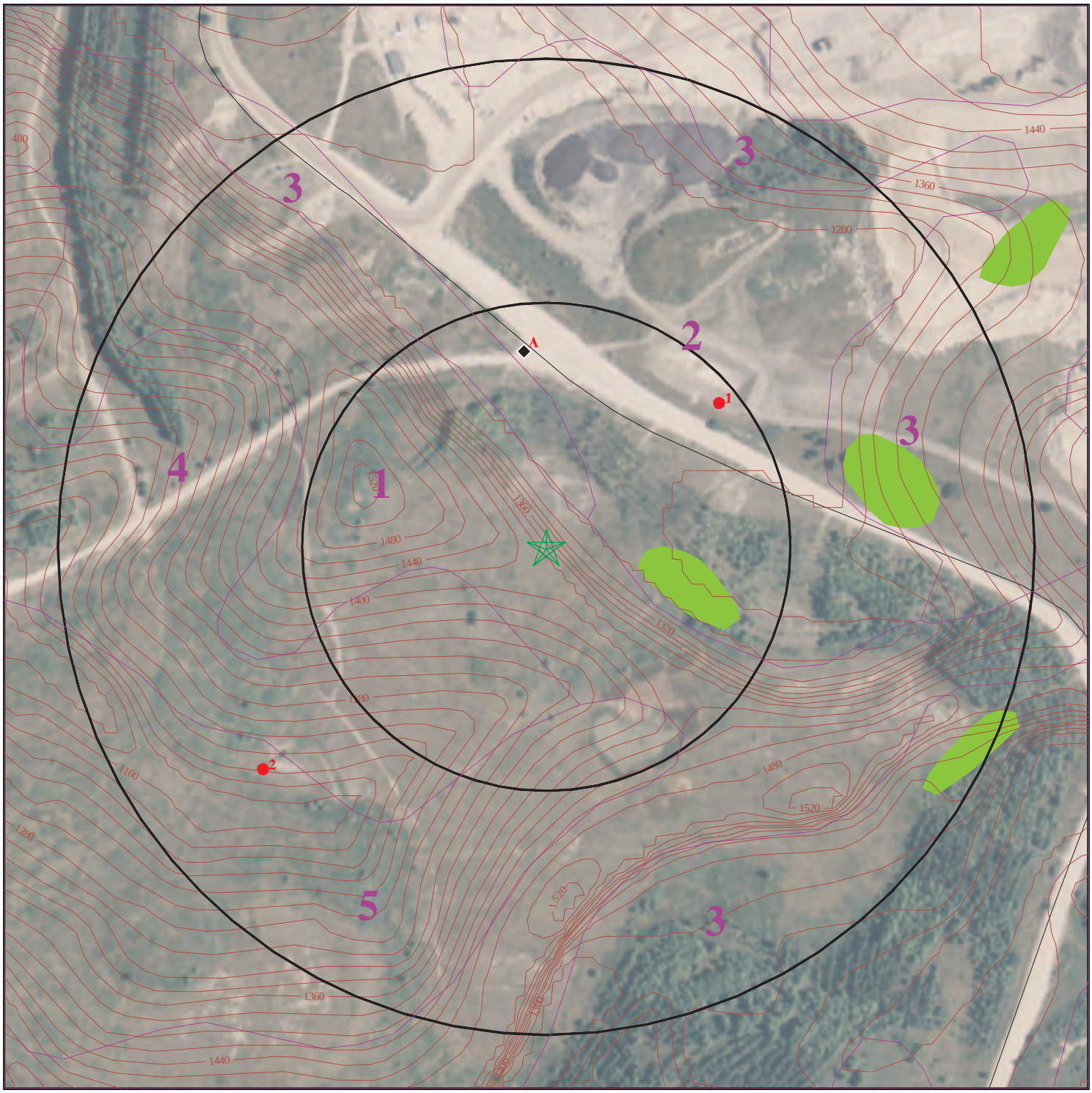
DETAIL MAP - 7321472.2S



- Target Property
- Sites at elevations higher than or equal to the target property
- Sites at elevations lower than the target property
- Manufactured Gas Plants
- Sensitive Receptors
- National Priority List Sites
- Dept. Defense Sites

0 1/16 1/8 1/4 Miles

- Indian Reservations BIA
- National Wetland Inventory
- State Wetlands

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: Olive Branch - Knott County ADDRESS: KY-80 Bulan KY 41722 LAT/LONG: 37.3892 / 83.1079	CLIENT: Kentucky Division of Compliance CONTACT: Derek Bozzell INQUIRY #: 7321472.2s DATE: April 27, 2023 4:26 pm

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MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
STANDARD ENVIRONMENTAL RECORDS								
Lists of Federal NPL (Superfund) sites								
NPL	1.000		0	0	0	0	NR	0
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	1.000		0	0	0	0	NR	0
Lists of Federal Delisted NPL sites								
Delisted NPL	1.000		0	0	0	0	NR	0
Lists of Federal sites subject to CERCLA removals and CERCLA orders								
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
SEMS	0.500		0	0	0	NR	NR	0
Lists of Federal CERCLA sites with NFRAP								
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 TSD facilities								
RCRA-TSDF	0.500		0	0	0	NR	NR	0
Lists of Federal RCRA generators								
RCRA-LQG	0.250		0	0	NR	NR	NR	0
RCRA-SQG	0.250		0	0	NR	NR	NR	0
RCRA-VSQG	0.250		0	0	NR	NR	NR	0
Federal institutional controls / engineering controls registries								
LUCIS	0.500		0	0	0	NR	NR	0
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROLS	0.500		0	0	0	NR	NR	0
Federal ERNS list								
ERNS	TP		NR	NR	NR	NR	NR	0
Lists of state- and tribal hazardous waste facilities								
SHWS	1.000		0	0	0	0	NR	0
Lists of state and tribal landfills and solid waste disposal facilities								
SWF/LF	0.500		0	0	0	NR	NR	0
Lists of state and tribal leaking storage tanks								
PSTEAF	0.500		0	0	0	NR	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
INDIAN LUST	0.500		0	0	0	NR	NR	0
SB193	0.500		0	0	0	NR	NR	0
Lists of state and tribal registered storage tanks								
FEMA UST	0.250		0	0	NR	NR	NR	0
UST	0.250		0	0	NR	NR	NR	0
AST	0.250		0	0	NR	NR	NR	0
INDIAN UST	0.250		0	0	NR	NR	NR	0
State and tribal institutional control / engineering control registries								
ENG CONTROLS	0.500		0	0	0	NR	NR	0
INST CONTROL	0.500		0	0	0	NR	NR	0
Lists of state and tribal voluntary cleanup sites								
INDIAN VCP	0.500		0	0	0	NR	NR	0
VCP	0.500		0	0	0	NR	NR	0
Lists of state and tribal brownfield sites								
BROWNFIELDS	0.500		0	0	0	NR	NR	0
ADDITIONAL ENVIRONMENTAL RECORDS								
Local Brownfield lists								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
Local Lists of Landfill / Solid Waste Disposal Sites								
SWRCY	0.500		0	0	0	NR	NR	0
HIST LF	0.500		0	0	0	NR	NR	0
INDIAN ODI	0.500		0	0	0	NR	NR	0
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
ODI	0.500		0	0	0	NR	NR	0
IHS OPEN DUMPS	0.500		0	0	0	NR	NR	0
Local Lists of Hazardous waste / Contaminated Sites								
US HIST CDL	TP		NR	NR	NR	NR	NR	0
CDL	TP		NR	NR	NR	NR	NR	0
US CDL	TP		NR	NR	NR	NR	NR	0
Local Land Records								
LIENS 2	TP		NR	NR	NR	NR	NR	0
Records of Emergency Release Reports								
HMIRS	TP		NR	NR	NR	NR	NR	0
SPILLS	TP		NR	NR	NR	NR	NR	0
Other Ascertainable Records								
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0

MAP FINDINGS SUMMARY

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		0	0	0	0	NR	0
SCRD DRYCLEANERS	0.500		0	0	0	NR	NR	0
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	TP		NR	NR	NR	NR	NR	0
COAL ASH DOE	TP		NR	NR	NR	NR	NR	0
COAL ASH EPA	0.500		0	0	0	NR	NR	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		0	0	0	0	NR	0
FUSRAP	1.000		0	0	0	0	NR	0
UMTRA	0.500		0	0	0	NR	NR	0
LEAD SMELTERS	TP		NR	NR	NR	NR	NR	0
US AIRS	TP		NR	NR	NR	NR	NR	0
US MINES	0.250		2	0	NR	NR	NR	2
ABANDONED MINES	0.250		1	0	NR	NR	NR	1
FINDS	TP		NR	NR	NR	NR	NR	0
DOCKET HWC	TP		NR	NR	NR	NR	NR	0
ECHO	TP		NR	NR	NR	NR	NR	0
UXO	1.000		0	0	0	0	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	0.250		0	0	NR	NR	NR	0
PFAS RCRA MANIFEST	0.250		0	0	NR	NR	NR	0
PFAS ATSDR	0.250		0	0	NR	NR	NR	0
PFAS WQP	0.250		0	0	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 TRAINING	0.250		0	0	NR	NR	NR	0
PFAS PART 139 AIRPORT	0.250		0	0	NR	NR	NR	0
AQUEOUS FOAM NRC	0.250		0	0	NR	NR	NR	0
PFAS	0.250		0	0	NR	NR	NR	0
AIRS	TP		NR	NR	NR	NR	NR	0
ASBESTOS	TP		NR	NR	NR	NR	NR	0
COAL ASH	0.500		0	0	0	NR	NR	0

MAP FINDINGS SUMMARY

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	TP		NR	NR	NR	NR	NR	0
EDR HIGH RISK HISTORICAL RECORDS								
EDR Exclusive Records								
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 GOVERNMENT ARCHIVES								
Exclusive Recovered Govt. Archives								
RGA HWS	TP		NR	NR	NR	NR	NR	0
RGA LF	TP		NR	NR	NR	NR	NR	0
- Totals --		0	3	0	0	0	0	3

NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

A1 North < 1/8 0.101 mi. 532 ft. | **FRASURE CREEK MINE NO 6**
2481 STAR FIRE HAUL ROAD
TALCUM, KY 41722 | **US MINES** | **1024910762**
ABANDONED MINES | **N/A**

Site 1 of 2 in cluster A

Relative: Lower
Actual: 1274 ft.

MINES VIOLATIONS:

Name:	FRASURE CREEK MINE NO 6
Address:	2481 STAR FIRE HAUL ROAD
City,State,Zip:	TALCUM, KY 41722
Facility ID:	Not reported

MINES VIOLATIONS:

Violation Number:	7425803
Mine ID:	1513936
Contractor ID:	Not reported
Date Issued:	02/16/2006
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	02/16/2006
Title 30 Code of Federal Regulations:	77.404(a)
Proposed Penalty:	177.00
Assessment Amount:	177.00
Paid Penalty Amount:	177.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2006
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7425805
Mine ID:	1513936
Contractor ID:	Not reported
Date Issued:	02/16/2006
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	02/16/2006
Title 30 Code of Federal Regulations:	77.400(a)
Proposed Penalty:	177.00
Assessment Amount:	177.00
Paid Penalty Amount:	177.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2006

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7425806
Mine ID:	1513936
Contractor ID:	Not reported
Date Issued:	02/16/2006
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	02/16/2006
Title 30 Code of Federal Regulations:	77.1104
Proposed Penalty:	177.00
Assessment Amount:	177.00
Paid Penalty Amount:	177.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2006
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7425807
Mine ID:	1513936
Contractor ID:	Not reported
Date Issued:	02/22/2006
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	03/09/2006

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

Title 30 Code of Federal Regulations:	77.404(a)
Proposed Penalty:	177.00
Assessment Amount:	177.00
Paid Penalty Amount:	177.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2006
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY
Violation Number:	7425809
Mine ID:	1513936
Contractor ID:	Not reported
Date Issued:	02/22/2006
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	02/24/2006
Title 30 Code of Federal Regulations:	77.1605(b)
Proposed Penalty:	177.00
Assessment Amount:	177.00
Paid Penalty Amount:	177.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2006
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY
Violation Number:	8245179

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

Mine ID:	1513936
Contractor ID:	VP2
Date Issued:	02/16/2011
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	02/17/2011
Title 30 Code of Federal Regulations:	77.1606(c)
Proposed Penalty:	243.00
Assessment Amount:	243.00
Paid Penalty Amount:	0.00
Assessment Case Status:	Proposed
Assessment Status:	Received
Year:	2011
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	8245180
Mine ID:	1513936
Contractor ID:	VP2
Date Issued:	02/16/2011
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	02/17/2011
Title 30 Code of Federal Regulations:	77.410(c)
Proposed Penalty:	392.00
Assessment Amount:	392.00
Paid Penalty Amount:	0.00
Assessment Case Status:	Proposed
Assessment Status:	Received
Year:	2011
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7472042
Mine ID:	1513936
Contractor ID:	CNA
Date Issued:	05/01/2002
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	Not reported
Title 30 Code of Federal Regulations:	48.28(a)
Proposed Penalty:	Not reported
Assessment Amount:	Not reported
Paid Penalty Amount:	Not reported
Assessment Case Status:	Not reported
Assessment Status:	Not reported
Year:	2002
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7472043
Mine ID:	1513936
Contractor ID:	CNA
Date Issued:	04/26/2002
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	05/01/2002
Title 30 Code of Federal Regulations:	77.410(a)(1)
Proposed Penalty:	66.00
Assessment Amount:	66.00
Paid Penalty Amount:	66.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2002
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7472044
Mine ID:	1513936
Contractor ID:	LXY
Date Issued:	04/26/2002
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	05/01/2002
Title 30 Code of Federal Regulations:	77.1605(d)
Proposed Penalty:	66.00
Assessment Amount:	66.00
Paid Penalty Amount:	66.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2002
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7472045
Mine ID:	1513936
Contractor ID:	LXY
Date Issued:	04/26/2002
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	05/01/2002
Title 30 Code of Federal Regulations:	77.1104
Proposed Penalty:	66.00
Assessment Amount:	66.00
Paid Penalty Amount:	66.00

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2002
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Click this hyperlink while viewing on your computer to access
1144 additional US_MINES_VIOLATIONS: record(s) in the EDR Site Report.

ABANDONED MINES:

Mine ID:	1513936
Mine Name:	FRASURE CREEK MINE NO 6
Mine Address:	2481 STAR FIRE HAUL ROAD
City,State,Zip:	TALCUM, KY 41722
Primary SIC Code:	Coal (Bituminous)
Mine Type:	Surface
Mine Status Description:	Abandoned
Mine Status Date:	9/12/2016
Coal (C) or Metal (M) Mine:	C
Controller ID:	0102805
Controller Name:	Essar Minerals Canada Limited
Operator ID:	P24564
Operator name:	Frasure Creek Mining, LLC.
Address of Record Street:	2481 Star Fire Haul Road
Address of Record PO Box:	Not reported
Address of Record City:	Talcum
Address of Record State:	KY
Address of Record Zip Code:	41722
Assessment Address Street:	Not reported
Assessment Address PO Box:	100
Assessment Address City:	ARY
Assessment Address State:	KY
Assessment Address Zip Code:	41722
Mine Health and Safety Address Street:	Not reported
Mine Health and Safety Address PO Box:	100
Mine Health and Safety Address City:	Ary
Mine Health and Safety Address State:	KY
Mine Health and Safety Address Zip Code:	Not reported
Latitude:	37.4375
Longitude:	-83.083056

A2 North < 1/8 0.101 mi. 532 ft. | **LICK BRANCH SLURRY IMPOUNDMENT**
2481 STAR FIRE HAUL ROAD
TALCUM, KY 41722 | **US MINES** | **1024910971**
N/A

Site 2 of 2 in cluster A

Relative: Lower

Actual: 1274 ft.

MINES VIOLATIONS:

Name:	LICK BRANCH SLURRY IMPOUNDMENT
Address:	2481 STAR FIRE HAUL ROAD
City,State,Zip:	TALCUM, KY 41722
Facility ID:	Not reported

MINES VIOLATIONS:

Violation Number:	7444607
Mine ID:	1517828
Contractor ID:	JSH
Date Issued:	05/24/2007
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	06/05/2007
Title 30 Code of Federal Regulations:	77.404(a)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	100.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2007
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	7444608
Mine ID:	1517828
Contractor ID:	JSH
Date Issued:	05/24/2007
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	06/05/2007
Title 30 Code of Federal Regulations:	77.400(a)
Proposed Penalty:	138.00
Assessment Amount:	138.00
Paid Penalty Amount:	138.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2007

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	7444609
Mine ID:	1517828
Contractor ID:	XA1
Date Issued:	05/24/2007
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	06/05/2007
Title 30 Code of Federal Regulations:	77.404(a)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	0.00
Assessment Case Status:	Proposed
Assessment Status:	Received
Year:	2007
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	7444610
Mine ID:	1517828
Contractor ID:	XA1
Date Issued:	05/24/2007
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	06/05/2007

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

Title 30 Code of Federal Regulations:	77.410(c)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	0.00
Assessment Case Status:	Proposed
Assessment Status:	Received
Year:	2007
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	7542634
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	08/15/2005
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	08/23/2005
Title 30 Code of Federal Regulations:	77.809
Proposed Penalty:	60.00
Assessment Amount:	60.00
Paid Penalty Amount:	60.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2005
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	8233098

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	10/21/2010
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	10/21/2010
Title 30 Code of Federal Regulations:	77.205(b)
Proposed Penalty:	308.00
Assessment Amount:	308.00
Paid Penalty Amount:	308.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2010
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	8233099
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	10/21/2010
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	10/21/2010
Title 30 Code of Federal Regulations:	77.205(b)
Proposed Penalty:	308.00
Assessment Amount:	308.00
Paid Penalty Amount:	308.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2010
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	6657966
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	07/02/2008
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	08/29/2008
Title 30 Code of Federal Regulations:	77.216(d)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	100.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2008
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	8237441
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	01/21/2010
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	02/24/2010
Title 30 Code of Federal Regulations:	77.215(e)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	100.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2010
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	6661651
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	10/16/2008
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	10/16/2008
Title 30 Code of Federal Regulations:	77.208(d)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	100.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2008
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	6661652
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	10/16/2008
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	10/16/2008
Title 30 Code of Federal Regulations:	77.205(b)
Proposed Penalty:	308.00
Assessment Amount:	308.00
Paid Penalty Amount:	308.00

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2008
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Click this hyperlink while viewing on your computer to access
185 additional US_MINES_VIOLATIONS: record(s) in the EDR Site Report.

Count: 0 records.

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
		NO SITES FOUND			

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

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
Date Data Arrived at EDR: 02/03/2023
Date Made Active in Reports: 02/28/2023
Number of Days to Update: 25

Source: EPA
Telephone: N/A
Last EDR Contact: 04/03/2023
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
Telephone 617-918-1143

EPA Region 6
Telephone: 214-655-6659

EPA Region 3
Telephone 215-814-5418

EPA Region 7
Telephone: 913-551-7247

EPA Region 4
Telephone 404-562-8033

EPA Region 8
Telephone: 303-312-6774

EPA Region 5
Telephone 312-886-6686

EPA Region 9
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
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: N/A
Last EDR Contact: 04/03/2023
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.

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: N/A
Last EDR Contact: 04/03/2023
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: 04/03/2023
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: 04/03/2023
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: 11/02/2022
Date Data Arrived at EDR: 11/08/2022
Date Made Active in Reports: 01/10/2023
Number of Days to Update: 63

Source: Department of the Navy
Telephone: 843-820-7326
Last EDR Contact: 02/03/2023
Next Scheduled EDR Contact: 05/22/2023
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: 10/27/2022
Date Data Arrived at EDR: 11/16/2022
Date Made Active in Reports: 02/09/2023
Number of Days to Update: 85

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: 10/27/2022
Date Data Arrived at EDR: 11/16/2022
Date Made Active in Reports: 02/09/2023
Number of Days to Update: 85

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

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: 01/24/2023
Next Scheduled EDR Contact: 05/08/2023
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: 04/20/2023
Next Scheduled EDR Contact: 07/31/2023
Data Release Frequency: Varies

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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
Next Scheduled EDR Contact: 07/31/2023
Data Release Frequency: Varies

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: 11/08/2022
Date Data Arrived at EDR: 11/16/2022
Date Made Active in Reports: 02/09/2023
Number of Days to Update: 85

Source: Department of Environmental Protection
Telephone: 502-564-5981
Last EDR Contact: 02/22/2023
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: 02/02/2023
Next Scheduled EDR Contact: 06/05/2023
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: 04/20/2023
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: 04/20/2023
Next Scheduled EDR Contact: 07/31/2023
Data Release Frequency: Varies

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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
Next Scheduled EDR Contact: 07/31/2023
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: 04/20/2023
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: 04/20/2023
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: 10/27/2022
Date Data Arrived at EDR: 10/27/2022
Date Made Active in Reports: 01/12/2023
Number of Days to Update: 77

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: 01/27/2023
Next Scheduled EDR Contact: 05/08/2023
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 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: 04/03/2023
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: 10/31/2022
Date Data Arrived at EDR: 11/02/2022
Date Made Active in Reports: 01/24/2023
Number of Days to Update: 83

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: 11/01/2022
Date Data Arrived at EDR: 11/10/2022
Date Made Active in Reports: 02/09/2023
Number of Days to Update: 91

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
Data Release Frequency: Varies

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: 02/02/2023
Next Scheduled EDR Contact: 05/22/2023
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: 01/30/2023
Next Scheduled EDR Contact: 05/15/2023
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: 02/03/2023
Next Scheduled EDR Contact: 05/15/2023
Data Release Frequency: Varies

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.

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

Source: EPA
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.

Date of Government Version: 12/31/2021
Date Data Arrived at EDR: 11/01/2022
Date Made Active in Reports: 02/09/2023
Number of Days to Update: 100

Source: EPA
Telephone: 202-566-0250
Last EDR Contact: 02/16/2023
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: 04/03/2023
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: 04/03/2023
Next Scheduled EDR Contact: 05/15/2023
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: 02/03/2023
Next Scheduled EDR Contact: 05/15/2023
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
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: 02/13/2023
Next Scheduled EDR Contact: 05/29/2023
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: 04/03/2023
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.

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
Telephone: 202-564-2496
Last EDR Contact: 09/26/2017
Next Scheduled EDR Contact: 01/08/2018
Data Release Frequency: Annually

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
Telephone: 202-564-2496
Last EDR Contact: 09/26/2017
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: 04/06/2023
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: 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 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: 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 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: 01/02/2023
Date Data Arrived at EDR: 01/05/2023
Date Made Active in Reports: 04/03/2023
Number of Days to Update: 88

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: 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: 01/24/2023
Next Scheduled EDR Contact: 05/08/2023
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: 01/30/2023
Next Scheduled EDR Contact: 05/15/2023
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: 01/30/2023
Next Scheduled EDR Contact: 05/15/2023
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.

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: 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
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: 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

Source: Department of Environmental Protection
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
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: 02/10/2023
Next Scheduled EDR Contact: 05/22/2023
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: 01/27/2023
Next Scheduled EDR Contact: 05/08/2023
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: 02/13/2022
Next Scheduled EDR Contact: 05/29/2023
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

OLIVE BRANCH - KNOTT COUNTY
KY-80
BULAN, KY 41722

TARGET PROPERTY COORDINATES

Latitude (North):	37.3892 - 37° 23' 21.12''
Longitude (West):	83.1079 - 83° 6' 28.44''
Universal Tranverse Mercator:	Zone 17
UTM X (Meters):	313391.8
UTM Y (Meters):	4139929.8
Elevation:	1395 ft. above sea level

USGS TOPOGRAPHIC MAP

Target Property Map:	13046766 VEST, KY
Version Date:	2019
Southeast Map:	13082220 CARRIE, KY
Version Date:	2019
Southwest Map:	13082236 HAZARD NORTH, KY
Version Date:	2019
Northwest Map:	13082266 NOBLE, 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.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

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).

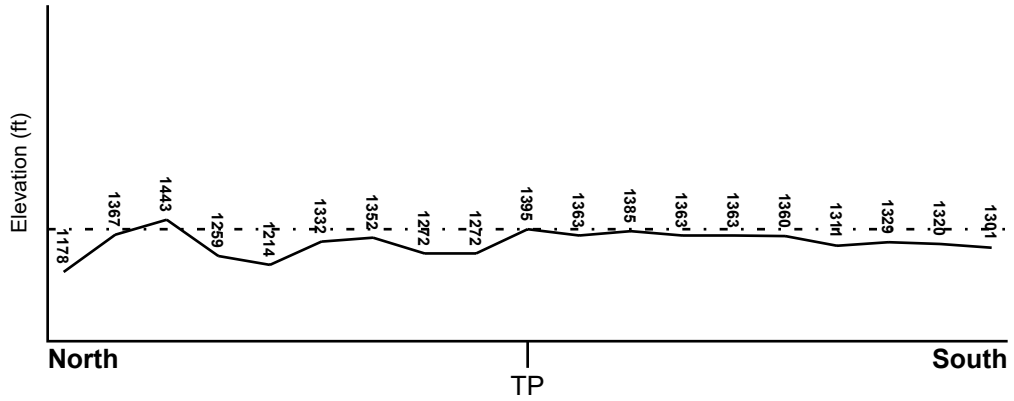
TOPOGRAPHIC INFORMATION

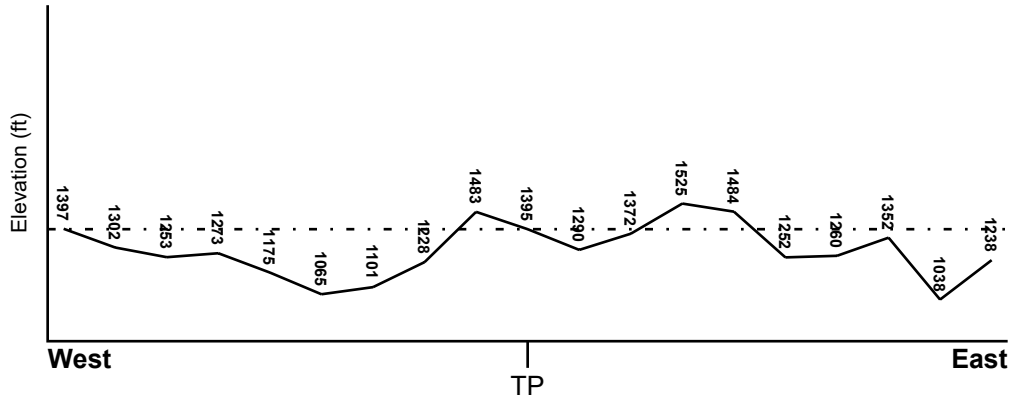
Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient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

TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General WNW

SURROUNDING TOPOGRAPHY: ELEVATION PROFILES





Target Property Elevation: 1395 ft.

0 1/2 1 Miles

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.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

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
21119C0100C	FEMA FIRM Flood data

Additional Panels in search area:	FEMA Source Type
21193C0075D	FEMA FIRM Flood data
21193C0100D	FEMA FIRM Flood data
21119C0200C	FEMA FIRM Flood data

NATIONAL WETLAND INVENTORY

NWI Quad at Target Property	NWI Electronic Data Coverage
VEST	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	LOCATION FROM TP	GENERAL DIRECTION GROUNDWATER FLOW
Not Reported		

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

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

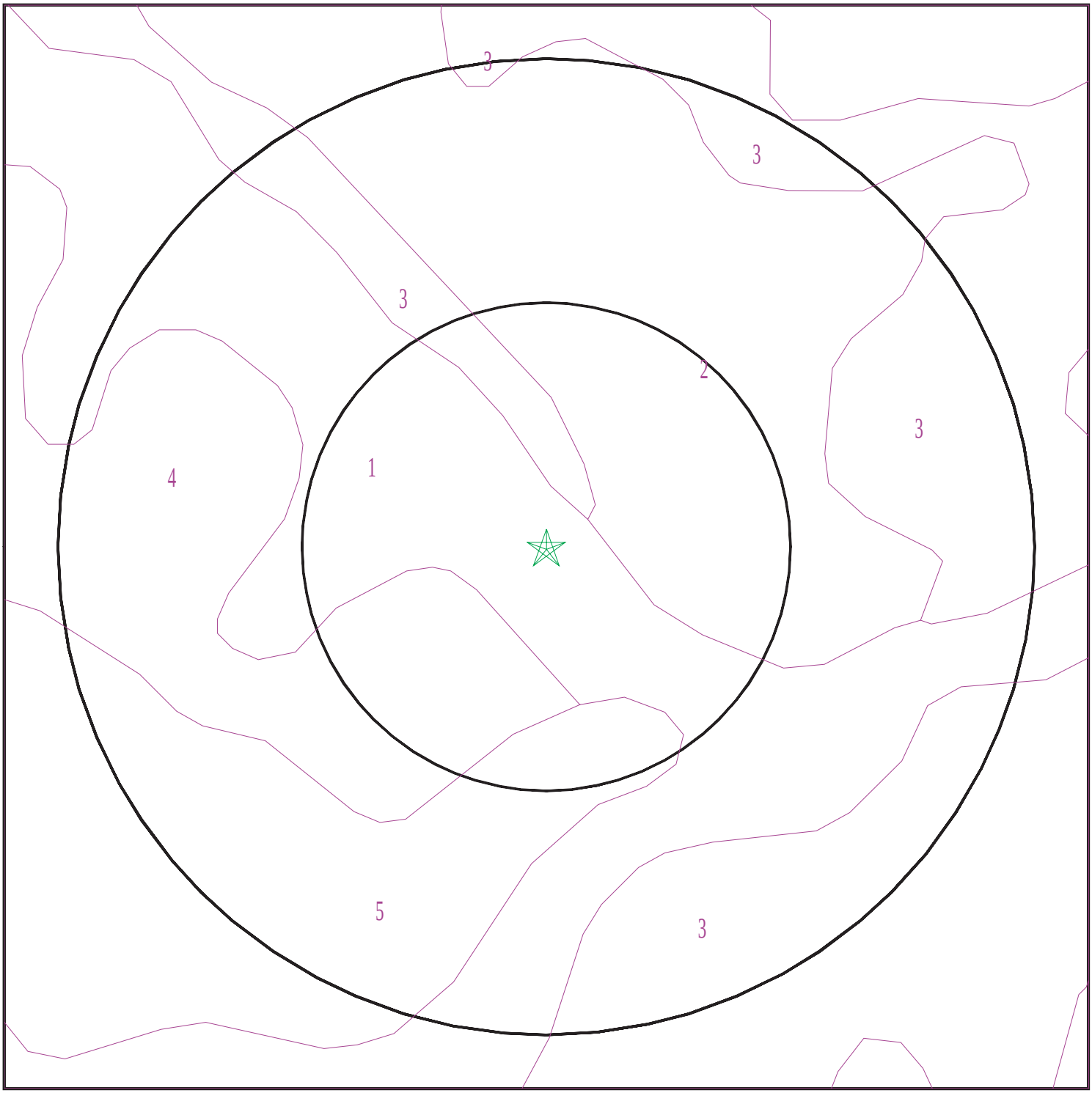
Era:	Paleozoic
System:	Pennsylvanian
Series:	Atokan and Morrowan Series
Code:	PP1 *(decoded above as Era, System & Series)*

GEOLOGIC AGE IDENTIFICATION

Category: Stratifed Sequence

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 - 7321472.2s



Target Property
SSURGO Soil
Water

0 1/16 1/8 1/4 Miles

N

SITE NAME: Olive Branch - Knott County ADDRESS: KY-80 Bulan KY 41722 LAT/LONG: 37.3892 / 83.1079	CLIENT: Kentucky Division of Compliance CONTACT: Derek Bozzell INQUIRY #: 7321472.2s DATE: April 27, 2023 4:27 pm

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GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

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: 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 conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
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:

Soil Map ID: 2

Soil Component Name: Fiveblock

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: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	14 inches	channery sandy loam	Granular materials (35 pct. or less passing No. 200), Stone Fragments, Gravel and Sand.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Silty Gravel	Max: 141 Min: 42	Max: 7.8 Min: 5.6
2	14 inches	64 inches	very channery sandy loam	Granular materials (35 pct. or less passing No. 200), Stone Fragments, Gravel and Sand.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Silty Gravel	Max: 141 Min: 42	Max: 7.8 Min: 5.6

Soil Map ID: 3

Soil Component Name: Kaymine

Soil Surface Texture: channery silt 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: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	14 inches	channery silt loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 42 Min: 4	Max: 7.8 Min: 5.6
2	14 inches	79 inches	very channery silt loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 42 Min: 4	Max: 7.8 Min: 5.6

Soil Map ID: 4

Soil Component Name: Shelocta

Soil Surface Texture: silt 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: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	3 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	Not reported	Max: Min:	Max: Min:
2	3 inches	27 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	Not reported	Max: Min:	Max: Min:
3	27 inches	55 inches	very channery silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	Not reported	Max: Min:	Max: Min:
4	55 inches	66 inches	weathered bedrock	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	Not reported	Max: Min:	Max: Min:

Soil Map ID: 5

Soil Component Name: Kimper

Soil Surface Texture: silt 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: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	5 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 14 Min: 4	Max: 6 Min: 4.5
2	5 inches	61 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 14 Min: 4	Max: 6 Min: 4.5
3	61 inches	79 inches	very channery loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 14 Min: 4	Max: 6 Min: 4.5

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
A1	USGS40000381843	1/4 - 1/2 Mile NNW
A2	USGS40000381844	1/4 - 1/2 Mile NNW
A5	USGS40000381853	1/4 - 1/2 Mile NNW
A6	USGS40000381854	1/4 - 1/2 Mile NNW
A7	USGS40000381855	1/4 - 1/2 Mile NNW

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

FEDERAL USGS WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
B8	USGS40000381850	1/2 - 1 Mile NW
B9	USGS40000381847	1/2 - 1 Mile NW
B10	USGS40000381846	1/2 - 1 Mile NW
B11	USGS40000381849	1/2 - 1 Mile NW
B12	USGS40000381848	1/2 - 1 Mile NW
C14	USGS40000381863	1/2 - 1 Mile NW
C15	USGS40000381864	1/2 - 1 Mile NW
C16	USGS40000381865	1/2 - 1 Mile NW

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
A3	KY7000000051399	1/4 - 1/2 Mile NNW
A4	KY7000000051626	1/4 - 1/2 Mile NNW
C13	KY7000000049810	1/2 - 1 Mile NW
17	KY7000000098932	1/2 - 1 Mile ESE
18	KY7000000030126	1/2 - 1 Mile SE
19	KY7000000053512	1/2 - 1 Mile ESE

OTHER STATE DATABASE INFORMATION

STATE OIL/GAS WELL INFORMATION

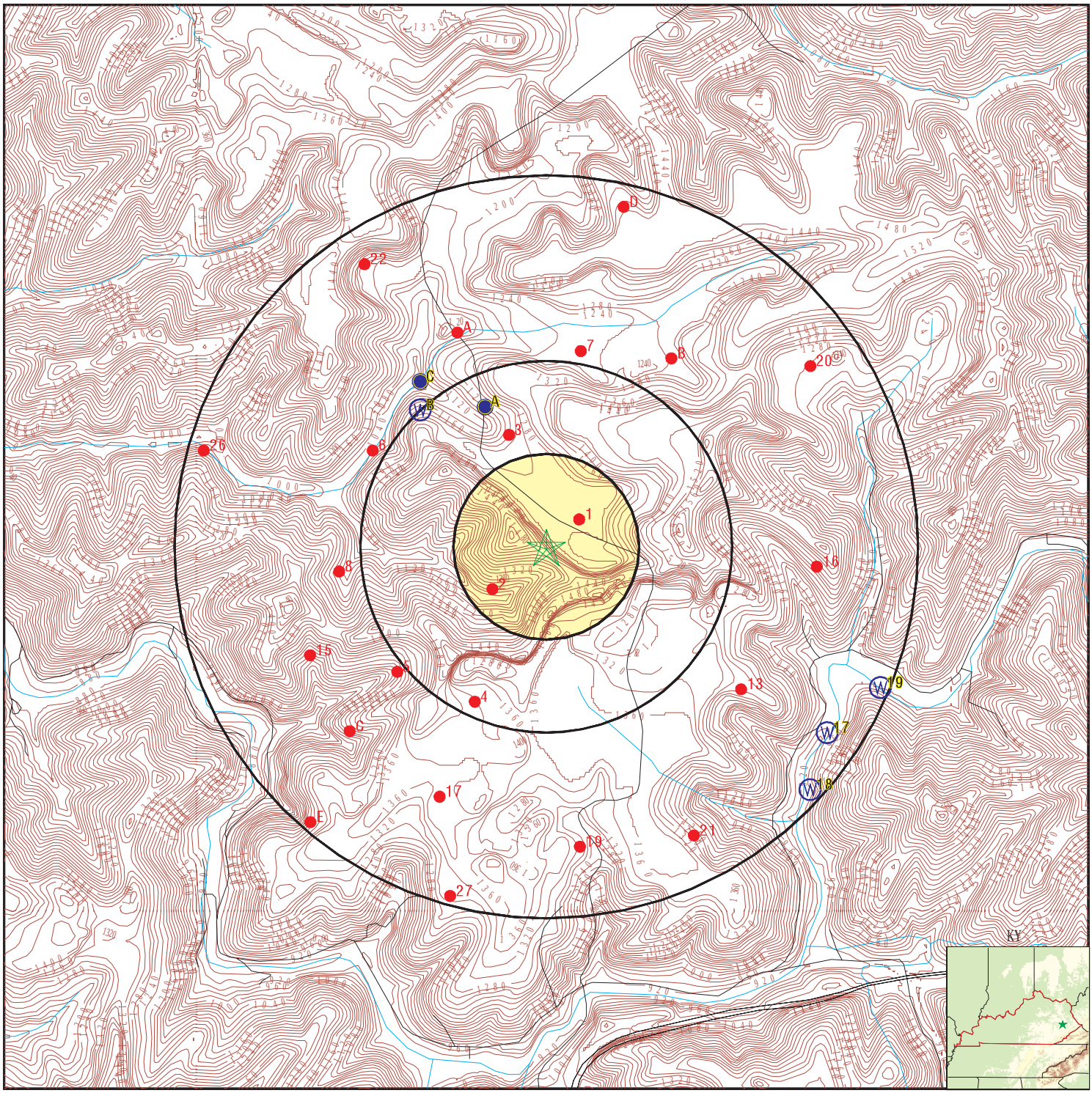
MAP ID	WELL ID	LOCATION FROM TP
1	KYOG14000052714	0 - 1/8 Mile NE
2	KYOG14000044532	1/8 - 1/4 Mile SW
3	KYOG14000120092	1/4 - 1/2 Mile NNW
4	KYOG14000044558	1/4 - 1/2 Mile SSW
5	KYOG14000052715	1/2 - 1 Mile SW
6	KYOG14000044533	1/2 - 1 Mile WNW
7	KYOG14000122130	1/2 - 1 Mile North
8	KYOG14000044534	1/2 - 1 Mile West
A9	KYOG14000052712	1/2 - 1 Mile NNW
B10	KYOG14000103262	1/2 - 1 Mile NNE
B11	KYOG14000052713	1/2 - 1 Mile NNE
A12	KYOG14000120400	1/2 - 1 Mile NNW
13	KYOG14000102467	1/2 - 1 Mile SE
C14	KYOG14000110896	1/2 - 1 Mile SW
15	KYOG14000052711	1/2 - 1 Mile WSW
16	KYOG14000102677	1/2 - 1 Mile East
17	KYOG14000010967	1/2 - 1 Mile SSW
C18	KYOG14000052717	1/2 - 1 Mile SW

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

STATE OIL/GAS WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
19	KYOG14000044518	1/2 - 1 Mile South
20	KYOG14000044525	1/2 - 1 Mile NE
21	KYOG14000102948	1/2 - 1 Mile SSE
22	KYOG14000120091	1/2 - 1 Mile NNW
D23	KYOG14000044347	1/2 - 1 Mile NNE
D24	KYOG14000052707	1/2 - 1 Mile NNE
D25	KYOG14000122131	1/2 - 1 Mile NNE
26	KYOG14000078351	1/2 - 1 Mile WNW
27	KYOG14000109543	1/2 - 1 Mile SSW
E28	KYOG14000102587	1/2 - 1 Mile SW
E29	KYOG14000102675	1/2 - 1 Mile SW

PHYSICAL SETTING SOURCE MAP - 7321472.2s



County Boundary
Major Roads
Contour Lines
Earthquake epicenter, Richter 5 or greater
Water Wells
Public Water Supply Wells
Cluster of Multiple Icons

0 1/4 1/2 1 Miles

Groundwater Flow Direction
Indeterminate Groundwater Flow at Location
Groundwater Flow Varies at Location
Oil, gas or related wells

N

SITE NAME:	Olive Branch - Knott County	CLIENT:	Kentucky Division of Compliance
ADDRESS:	KY-80 Bulan KY 41722	CONTACT:	Derek Bozzell
		INQUIRY #:	7321472.2s
LAT/LONG:	37.3892 / 83.1079	DATE:	April 27, 2023 4:27 pm

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Map ID Direction Distance Elevation	Database	EDR ID Number
A1 **NNW** **1/4 - 1/2 Mile** **Lower**	**FED USGS**	**USGS40000381843**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0015	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820428
Well Depth:	98.5	Well Depth Units:	ft
Well Hole Depth:	98.5	Well Hole Depth Units:	ft

A2 **NNW** **1/4 - 1/2 Mile** **Lower**	**FED USGS**	**USGS40000381844**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0016	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820503
Well Depth:	33	Well Depth Units:	ft
Well Hole Depth:	33	Well Hole Depth Units:	ft

A3 **NNW** **1/4 - 1/2 Mile** **Lower**	**KY WELLS**	**KY7000000051399**

AKGWA ID:	40006148	Well Type:	Water Well
Well Status:	Not Reported	Alt ID:	372341083063902
PWS ID:	Not Reported	Well Name:	Not Reported
Surface Elevation:	1179.160034	Usage:	Domestic - Single Household
Total Depth:	0	Depth to Bedrock:	0
End Date:	Not Reported		

A4 **NNW** **1/4 - 1/2 Mile** **Lower**	**KY WELLS**	**KY7000000051626**

AKGWA ID:	40006503	Well Type:	Water Well
Well Status:	Not Reported	Alt ID:	372341083063901
PWS ID:	Not Reported	Well Name:	Not Reported
Surface Elevation:	1179.800049	Usage:	UNKNOWN
Total Depth:	0	Depth to Bedrock:	0
End Date:	Not Reported		

Map ID Direction Distance Elevation	Database	EDR ID Number
A5 **NNW** **1/4 - 1/2 Mile** **Lower**	**FED USGS**	**USGS40000381853**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0012	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820217
Well Depth:	210	Well Depth Units:	ft
Well Hole Depth:	210	Well Hole Depth Units:	ft

A6 **NNW** **1/4 - 1/2 Mile** **Lower**	**FED USGS**	**USGS40000381854**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0013	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820310
Well Depth:	86	Well Depth Units:	ft
Well Hole Depth:	86	Well Hole Depth Units:	ft

A7 **NNW** **1/4 - 1/2 Mile** **Lower**	**FED USGS**	**USGS40000381855**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0014	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820401
Well Depth:	155	Well Depth Units:	ft
Well Hole Depth:	155	Well Hole Depth Units:	ft

B8 **NW** **1/2 - 1 Mile** **Lower**	**FED USGS**	**USGS40000381850**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0021	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported

Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820716
Well Depth:	51	Well Depth Units:	ft
Well Hole Depth:	51	Well Hole Depth Units:	ft

B9
NW
1/2 - 1 Mile
Lower

FED USGS **USGS40000381847**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0018	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820602
Well Depth:	115	Well Depth Units:	ft
Well Hole Depth:	115	Well Hole Depth Units:	ft

B10
NW
1/2 - 1 Mile
Lower

FED USGS **USGS40000381846**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0017	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820525
Well Depth:	174.6	Well Depth Units:	ft
Well Hole Depth:	174.6	Well Hole Depth Units:	ft

B11
NW
1/2 - 1 Mile
Lower

FED USGS **USGS40000381849**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0020	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820622
Well Depth:	52	Well Depth Units:	ft
Well Hole Depth:	52	Well Hole Depth Units:	ft

Map ID Direction Distance Elevation	Database	EDR ID Number
B12 **NW** **1/2 - 1 Mile** **Lower**	**FED USGS**	**USGS40000381848**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0019	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820609
Well Depth:	52	Well Depth Units:	ft
Well Hole Depth:	52	Well Hole Depth Units:	ft

C13 **NW** **1/2 - 1 Mile** **Lower**	**KY WELLS**	**KY7000000049810**

AKGWA ID:	40003785	Well Type:	Water Well
Well Status:	Not Reported	Alt ID:	372344083065102
PWS ID:	Not Reported	Well Name:	Not Reported
Surface Elevation:	1067.619995	Usage:	UNKNOWN
Total Depth:	0	Depth to Bedrock:	0
End Date:	Not Reported		

C14 **NW** **1/2 - 1 Mile** **Lower**	**FED USGS**	**USGS40000381863**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0009	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19811106
Well Depth:	292.7	Well Depth Units:	ft
Well Hole Depth:	292.7	Well Hole Depth Units:	ft

C15 **NW** **1/2 - 1 Mile** **Lower**	**FED USGS**	**USGS40000381864**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0010	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19811119

Well Depth:	50	Well Depth Units:	ft
Well Hole Depth:	50	Well Hole Depth Units:	ft

C16
NW
1/2 - 1 Mile
Lower

FED USGS **USGS40000381865**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0011	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19811203
Well Depth:	94.3	Well Depth Units:	ft
Well Hole Depth:	94.3	Well Hole Depth Units:	ft

17
ESE
1/2 - 1 Mile
Lower

KY WELLS **KY7000000098932**

AKGWA ID:	80061963	Well Type:	Monitoring Well
Well Status:	Active	Alt ID:	GW-01
PWS ID:	Not Reported	Well Name:	ICG Hazard LLC (860-0429)
Surface Elevation:	910.22998	Usage:	Remediation
Total Depth:	60	Depth to Bedrock:	22
End Date:	23-SEP-11		

18
SE
1/2 - 1 Mile
Lower

KY WELLS **KY7000000030126**

AKGWA ID:	00050700	Well Type:	Water Well
Well Status:	Active	Alt ID:	Not Reported
PWS ID:	Not Reported	Well Name:	Residence - Wayne Roberts
Surface Elevation:	960	Usage:	Domestic - Single Household
Total Depth:	60	Depth to Bedrock:	14
End Date:	05-OCT-98		

19
ESE
1/2 - 1 Mile
Lower

KY WELLS **KY7000000053512**

AKGWA ID:	60000051	Well Type:	Water Well
Well Status:	Not Reported	Alt ID:	0886903G0222KYOSM2
PWS ID:	Not Reported	Well Name:	Not Reported
Surface Elevation:	0	Usage:	Domestic - Single Household
Total Depth:	17.700001	Depth to Bedrock:	0
End Date:	Not Reported		

Map ID
Direction
Distance

	Database	EDR ID Number
1 **NE** **0 - 1/8 Mile**	**OIL_GAS**	**KYOG14000052714**

OIL_GAS:

API #:	16119002880000	KGS #:	55636
Well Elevation:	1206	Original Farm/Lease Name:	SCHMIDT, HENRY J
Original Operator:	INLAND GAS CO, INC		
Original Well #:	558	Permit #:	29406
Formation:	337INJN	Deepest Formation:	332BIGL
Init Open or Potential Flow:	0 MCFGPD	description in result_desc field:	O&G
Original API Classification:	Extension (outpost) Well		
How Completed:	Combined oil and gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	05-DEC-75	Plug Date:	05-DEC-75
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=55636		

---

2 **SW** **1/8 - 1/4 Mile**	**OIL_GAS**	**KYOG14000044532**

OIL_GAS:

API #:	16119003570000	KGS #:	47230
Well Elevation:	1220	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1609	Permit #:	29034
Formation:	341OHIO	Deepest Formation:	341OHIO
Init Open or Potential Flow:	94 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	15-OCT-75	Plug Date:	26-MAY-05
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=47230		

---

3 **NNW** **1/4 - 1/2 Mile**	**OIL_GAS**	**KYOG14000120092**

OIL_GAS:

API #:	16119023680000	KGS #:	139144
Well Elevation:	1369	Original Farm/Lease Name:	SCHMIDT, VIRGINIA
Original Operator:	CLEAN GAS, INC	Original Well #:	442
Permit #:	106669	Formation:	341OHIO
Deepest Formation:	341OHIO	Init Open or Potential Flow:	0 MCFGPD
description in result_desc field:	GAS	Original API Classification:	Unclassified
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	28-APR-10	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=139144		

4
SSW **OIL_GAS** **KYOG14000044558**
1/4 - 1/2 Mile

OIL_GAS:

API #:	16119013170000	KGS #:	47256
Well Elevation:	1254	Original Farm/Lease Name:	KYCOGA LAND CO
Original Operator:	ASHLAND OIL & REFINING CO, INC		
Original Well #:	74981	Permit #:	31670
Formation:	357CLNT	Deepest Formation:	000
Init Open or Potential Flow:	Not Reported	description in result_desc field:	D&A
Original API Classification:	Development Well		
How Completed:	Dry and abandoned		
Bore Type:	Conventional vertical well bore		
Completion Date:	31-MAR-77	Plug Date:	23-JUL-77
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=47256		

5
SW **OIL_GAS** **KYOG14000052715**
1/2 - 1 Mile

OIL_GAS:

API #:	16119003610000	KGS #:	55637
Well Elevation:	1202	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1619	Permit #:	29768
Formation:	332BIGL	Deepest Formation:	332BIGL
Init Open or Potential Flow:	1353 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	26-OCT-75	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=55637		

6
WNW **OIL_GAS** **KYOG14000044533**
1/2 - 1 Mile

OIL_GAS:

API #:	16119003600000	KGS #:	47231
Well Elevation:	1118	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1617	Permit #:	29653
Formation:	344CORN	Deepest Formation:	341OHIO
Init Open or Potential Flow:	119 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		

How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	20-OCT-75	Plug Date:	06-SEP-95
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=47231		

7
North **OIL_GAS** **KYOG14000122130**
1/2 - 1 Mile

OIL_GAS:

API #:	16119024290000	KGS #:	141248
Well Elevation:	1352	Original Farm/Lease Name:	SCHMIDT, VIRGINIA
Original Operator:	CLEAN GAS, INC	Original Well #:	443
Permit #:	108120	Formation:	000
Deepest Formation:	000	Init Open or Potential Flow:	Not Reported
description in result_desc field:	GAS	Original API Classification:	Unclassified
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	18-AUG-11	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=141248		

8
West **OIL_GAS** **KYOG14000044534**
1/2 - 1 Mile

OIL_GAS:

API #:	16119010810000	KGS #:	47232
Well Elevation:	1137	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1605	Permit #:	28440
Formation:	344CORN	Deepest Formation:	341OHIO
Init Open or Potential Flow:	84 MCFGPD	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:	02-MAY-75	Plug Date:	19-JAN-95
Documentation on Plug:	PA	Core Call #:	Not Reported
Cutting Call #:	13031	Log on File:	ELOG
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=47232		

A9
NNW **OIL_GAS** **KYOG14000052712**
1/2 - 1 Mile

OIL_GAS:

API #:	16119018960000	KGS #:	55634
Well Elevation:	1186	Original Farm/Lease Name:	SCHMIDT, HENRY J
Original Operator:	INLAND GAS CO, INC		
Original Well #:	556	Permit #:	29013

Formation:	337INJN	Deepest Formation:	000
Init Open or Potential Flow:	Not Reported	description in result_desc field:	D&A
Original API Classification:	New Pool Wildcat		
How Completed:	Dry and abandoned		
Bore Type:	Conventional vertical well bore		
Completion Date:	16-JUL-75	Plug Date:	03-SEP-75
Documentation on Plug:	PA	Core Call #:	Not Reported
Cutting Call #:	1449	Log on File:	ELOG
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=55634		

B10
NNE **OIL_GAS** **KYOG14000103262**
1/2 - 1 Mile

OIL_GAS:

API #:	16119015530000	KGS #:	120514
Well Elevation:	1244	Original Farm/Lease Name:	SCHMIDT, H J
Original Operator:	COLUMBIA NATURAL RES, INC		
Original Well #:	557-DD	Permit #:	89977
Formation:	341OHIO	Deepest Formation:	341OHIO
Init Open or Potential Flow:	60 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	18-JAN-99	Plug Date:	30-DEC-08
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=120514		

B11
NNE **OIL_GAS** **KYOG14000052713**
1/2 - 1 Mile

OIL_GAS:

API #:	16119002870000	KGS #:	55635
Well Elevation:	1214	Original Farm/Lease Name:	SCHMIDT, HENRY J
Original Operator:	INLAND GAS CO, INC		
Original Well #:	557	Permit #:	29341
Formation:	332BIGL	Deepest Formation:	332BIGL
Init Open or Potential Flow:	10233 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	27-AUG-75	Plug Date:	Not Reported
Documentation on Plug:	Not Reported	Core Call #:	Not Reported
Cutting Call #:	14290	Log on File:	Not Reported
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=55635		

A12
NNW **OIL_GAS** **KYOG14000120400**
1/2 - 1 Mile

OIL_GAS:

API #:	16119023810000	KGS #:	139452
Well Elevation:	1313	Original Farm/Lease Name:	SCHMIDT, VIRGINIA
Original Operator:	CLEAN GAS, INC	Original Well #:	441
Permit #:	106964	Formation:	341OHIO
Deepest Formation:	341OHIO	Init Open or Potential Flow:	0 MCFGPD
description in result_desc field:	GAS	Original API Classification:	Unclassified
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	16-JUN-10	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=139452		

13
SE
1/2 - 1 Mile **OIL_GAS** **KYOG14000102467**

OIL_GAS:

API #:	16119015370000	KGS #:	116004
Well Elevation:	1280	Original Farm/Lease Name:	EVANS OIL & GAS TRUST
Original Operator:	COLUMBIA NATURAL RESOURCES, INC		
Original Well #:	23422	Permit #:	89753
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:	02-NOV-98	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=116004		

C14
SW
1/2 - 1 Mile **OIL_GAS** **KYOG14000110896**

OIL_GAS:

API #:	16119021330000	KGS #:	129455
Well Elevation:	1224	Original Farm/Lease Name:	TURNER, CICELY ET AL
Original Operator:	EQUITABLE PRODUCTION COMPANY		
Original Well #:	566114	Permit #:	98149
Formation:	341OLNG	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:	17-DEC-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=129455		

Map ID Direction Distance	Database	EDR ID Number

15
WSW
1/2 - 1 Mile

OIL_GAS **KYOG14000052711**

OIL_GAS:

API #:	16119019210000	KGS #:	55633
Well Elevation:	1188	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1621	Permit #:	29769
Formation:	337INJN	Deepest Formation:	000
Init Open or Potential Flow:	Not Reported	description in result_desc field:	D&A
Original API Classification:	Extension (outpost) Well		
How Completed:	Dry and abandoned		
Bore Type:	Conventional vertical well bore		
Completion Date:	16-JAN-76	Plug Date:	21-JAN-76
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=55633		

16
East
1/2 - 1 Mile

OIL_GAS **KYOG14000102677**

OIL_GAS:

API #:	16119015500000	KGS #:	116214
Well Elevation:	1310	Original Farm/Lease Name:	EVANS OIL & GAS TRUST
Original Operator:	COLUMBIA NATURAL RESOURCES, INC		
Original Well #:	23423	Permit #:	89961
Formation:	341OLNG	Deepest Formation:	341OHIO
Init Open or Potential Flow:	119 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	18-JAN-99	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=116214		

17
SSW
1/2 - 1 Mile

OIL_GAS **KYOG14000010967**

OIL_GAS:

API #:	16119013180000	KGS #:	11262
Well Elevation:	1259	Original Farm/Lease Name:	KYCOGA LAND CO
Original Operator:	ASHLAND OIL & REFINING CO, INC		
Original Well #:	22	Permit #:	31671
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 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=11262		

C18
SW
1/2 - 1 Mile

OIL_GAS **KYOG14000052717**

OIL_GAS:

API #:	16119003560000	KGS #:	55639
Well Elevation:	1104	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1580	Permit #:	27861
Formation:	337INJN	Deepest Formation:	332BIGL
Init Open or Potential Flow:	678 MCFGPD	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:	20-AUG-74	Plug Date:	19-JUN-09
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=55639		

19
South
1/2 - 1 Mile

OIL_GAS **KYOG14000044518**

OIL_GAS:

API #:	16119002560000	KGS #:	47216
Well Elevation:	1144	Original Farm/Lease Name:	EVANS OIL & GAS TRUST
Original Operator:	INLAND GAS CO, INC		
Original Well #:	516	Permit #:	11945
Formation:	341OHIO	Deepest Formation:	341OHIO
Init Open or Potential Flow:	94 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	06-AUG-64	Plug Date:	Not Reported
Documentation on Plug:	Not Reported	Core Call #:	Not Reported
Cutting Call #:	7942	Log on File:	Not Reported
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=47216		

20
NE
1/2 - 1 Mile

OIL_GAS **KYOG14000044525**

OIL_GAS:

API #:	16119013550000	KGS #:	47223
Well Elevation:	1174	Original Farm/Lease Name:	GOODLOE BROTHERS CO, INC
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1517	Permit #:	25398
Formation:	357CLNT	Deepest Formation:	341OHIO
Init Open or Potential Flow:	84 MCFGPD	description in result_desc field:	GAS

Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	08-MAY-89	Plug Date:	18-MAY-89
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=47223		

21
SSE **OIL_GAS** **KYOG14000102948**
1/2 - 1 Mile

OIL_GAS:

API #:	16119015730000	KGS #:	120199
Well Elevation:	1293	Original Farm/Lease Name:	EVANS OIL & GAS TRUST
Original Operator:	COLUMBIA NATURAL RES, INC		
Original Well #:	23449	Permit #:	90229
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:	05-MAY-99	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=120199		

22
NNW **OIL_GAS** **KYOG14000120091**
1/2 - 1 Mile

OIL_GAS:

API #:	16119023670000	KGS #:	139143
Well Elevation:	1268	Original Farm/Lease Name:	SCHMIDT, VIRGINIA
Original Operator:	CLEAN GAS, INC	Original Well #:	440
Permit #:	106668	Formation:	341OHIO
Deepest Formation:	341OHIO	Init Open or Potential Flow:	0 MCFGPD
description in result_desc field:	GAS	Original API Classification:	Unclassified
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	28-APR-10	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=139143		

D23
NNE **OIL_GAS** **KYOG14000044347**
1/2 - 1 Mile

OIL_GAS:

API #:	16119018970000	KGS #:	47015
Well Elevation:	1432	Original Farm/Lease Name:	SCHMIDT, HENRY J
Original Operator:	INLAND GAS CO, INC		

Original Well #:	563	Permit #:	31538
Formation:	357RHLL	Deepest Formation:	355BGSX
Init Open or Potential Flow:	0 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Deeper pool test resulting in development of existing producing formation		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	13-MAR-77	Plug Date:	26-MAR-87
Documentation on Plug:	PA	Core Call #:	Not Reported
Cutting Call #:	1450	Log on File:	Not Reported
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=47015		

D24
NNE **OIL_GAS** **KYOG14000052707**
1/2 - 1 Mile

OIL_GAS:

API #:	16119018980000	KGS #:	55629
Well Elevation:	1432	Original Farm/Lease Name:	SCHMIDT, HENRY J
Original Operator:	INLAND GAS CO, INC		
Original Well #:	563	Permit #:	30625
Formation:	337BRDN	Deepest Formation:	000
Init Open or Potential Flow:	Not Reported	description in result_desc field:	D&A
Original API Classification:	Development Well		
How Completed:	Dry and abandoned		
Bore Type:	Conventional vertical well bore		
Completion Date:	08-OCT-76	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=55629		

D25
NNE **OIL_GAS** **KYOG14000122131**
1/2 - 1 Mile

OIL_GAS:

API #:	16119024300000	KGS #:	141249
Well Elevation:	1322	Original Farm/Lease Name:	SCHMIDT, VIRGINIA
Original Operator:	CLEAN GAS, INC	Original Well #:	444
Permit #:	108121	Formation:	000
Deepest Formation:	332BIGL	Init Open or Potential Flow:	237 MCFGPD
description in result_desc field:	GAS	Original API Classification:	Unclassified
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	08-AUG-11	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=141249		

26
WNW **OIL_GAS** **KYOG14000078351**
1/2 - 1 Mile

OIL_GAS:

API #:	16193003350000	KGS #:	83078
Well Elevation:	998	Original Farm/Lease Name:	TURNER, CICELY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1596	Permit #:	28231
Formation:	332BIGL	Deepest Formation:	332BIGL
Init Open or Potential Flow:	3130 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	31-JAN-75	Plug Date:	17-JUN-96
Documentation on Plug:	PA	Core Call #:	Not Reported
Cutting Call #:	Not Reported	Log on File:	Not Reported
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=83078		

27
SSW **OIL_GAS** **KYOG14000109543**
1/2 - 1 Mile

OIL_GAS:

API #:	16119020630000	KGS #:	128101
Well Elevation:	1340	Original Farm/Lease Name:	KYCOGA LAND CO
Original Operator:	EQUITABLE PRODUCTION COMPANY		
Original Well #:	566108	Permit #:	96833
Formation:	341OLNG	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:	27-JAN-05	Plug Date:	Not Reported
Documentation on Plug:	Not Reported	Core Call #:	Not Reported
Cutting Call #:	2197	Log on File:	ELOG
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=128101		

E28
SW **OIL_GAS** **KYOG14000102587**
1/2 - 1 Mile

OIL_GAS:

API #:	16193008970000	KGS #:	116122
Well Elevation:	1236	Original Farm/Lease Name:	CORNETT, VIOLET & LOWELL
Original Operator:	BRADLEY, CHARLES R DBA BASIN ENERGY CO		
Original Well #:	1	Permit #:	89835
Formation:	355LCKP	Deepest Formation:	341OHIO
Init Open or Potential Flow:	Not Reported	description in result_desc field:	GAS
Original API Classification:	Unclassified	How Completed:	Gas producer
Bore Type:	Conventional vertical well bore		
Completion Date:	18-SEP-98	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=116122		

Map ID Direction Distance	Database	EDR ID Number
E29 **SW** **1/2 - 1 Mile**	**OIL_GAS**	**KYOG14000102675**

OIL_GAS:

API #:	16193008980000	KGS #:	116212
Well Elevation:	1232	Original Farm/Lease Name:	CORNETT, VIOLET & LOWELL
Original Operator:	BRADLEY, CHARLES R DBA BASIN ENERGY CO		
Original Well #:	1-T	Permit #:	89925
Formation:	324BRTT	Deepest Formation:	324BRTT
Init Open or Potential Flow:	42 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	09-OCT-98	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=116212		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS
RADON

AREA RADON INFORMATION

State Database: KY Radon

Radon Test Results

Zip	Test Date	Test Result
41722	8/30/2004	1.50

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 Zip Code: 41722

Number of sites tested: 1

Area	Average Activity	% <4 pCi/L	% 4-20 pCi/L	% >20 pCi/L
Living Area - 1st Floor	0.300 pCi/L	100%	0%	0%
Living Area - 2nd Floor	Not Reported	Not Reported	Not Reported	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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Olive Branch - Knott County

KY-80

Bulan, KY 41722

Inquiry Number: 7321472.3

April 27, 2023

Certified Sanborn® Map Report

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

Certified Sanborn® Map Report

04/27/23

Site Name:	Client Name:
Olive Branch - Knott County	Kentucky Division of Compliance
KY-80	300 Sower Blvd.
Bulan, KY 41722	Frankfort, KY 40601
EDR Inquiry # 7321472.3	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 # E99E-4DC0-921F

PO # NA

Project Olive Branch Phase I

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 #: E99E-4DC0-921F

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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Olive Branch - Knott County

KY-80

Bulan, KY 41722

Inquiry Number: 7321472.4

April 27, 2023

EDR Historical Topo Map Report

with QuadMatch™

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

EDR Historical Topo Map Report

04/27/23

Site Name:	Client Name:
Olive Branch - Knott County	Kentucky Division of Compliance
KY-80	300 Sower Blvd.
Bulan, KY 41722	Frankfort, KY 40601
EDR Inquiry # 7321472.4	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:*	
P.O.#	NA	**Latitude:**	37.3892 37° 23' 21" North
Project:	Olive Branch Phase I	**Longitude:**	-83.1079 -83° 6' 28" West
		UTM Zone:	Zone 17 North
		UTM X Meters:	313396.45
		UTM Y Meters:	4140133.88
		Elevation:	1384.78' above sea level

Maps Provided:

2019	1891
2016	
2013	
1992	
1987	
1976	
1954	
1914	

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Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

2019 Source Sheets

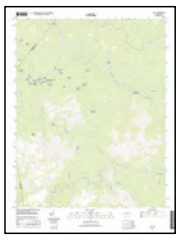
Vest
2019
7.5-minute, 24000

Noble
2019
7.5-minute, 24000

Carrie
2019
7.5-minute, 24000

Hazard North
2019
7.5-minute, 24000

2016 Source Sheets



Vest
2016
7.5-minute, 24000

Noble
2016
7.5-minute, 24000

Carrie
2016
7.5-minute, 24000

Hazard North
2016
7.5-minute, 24000

2013 Source Sheets

Vest
2013
7.5-minute, 24000

Noble
2013
7.5-minute, 24000

Carrie
2013
7.5-minute, 24000

Hazard North
2013
7.5-minute, 24000

1992 Source Sheets

Carrie
1992
7.5-minute, 24000
Aerial Photo Revised 1988

Hazard North
1992
7.5-minute, 24000
Aerial Photo Revised 1988

Vest
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.

1987 Source Sheets

Vest
1987
7.5-minute, 24000
Aerial Photo Revised 1953

1976 Source Sheets

Hazard North
1976
7.5-minute, 24000
Aerial Photo Revised 1971

Carrie
1976
7.5-minute, 24000
Aerial Photo Revised 1953

Noble
1976
7.5-minute, 24000
Aerial Photo Revised 1953

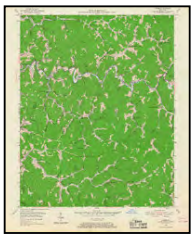
Vest
1976
7.5-minute, 24000
Aerial Photo Revised 1953

1954 Source Sheets

Noble
1954
7.5-minute, 24000
Aerial Photo Revised 1953

Hazard North
1954
7.5-minute, 24000
Aerial Photo Revised 1953

Vest
1954
7.5-minute, 24000
Aerial Photo Revised 1953



Carrie
1954
7.5-minute, 24000
Aerial Photo Revised 1953

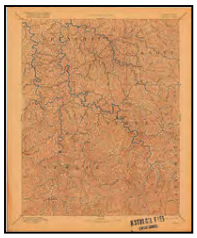
1914 Source Sheets

Troublesome
1914
15-minute, 62500

Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

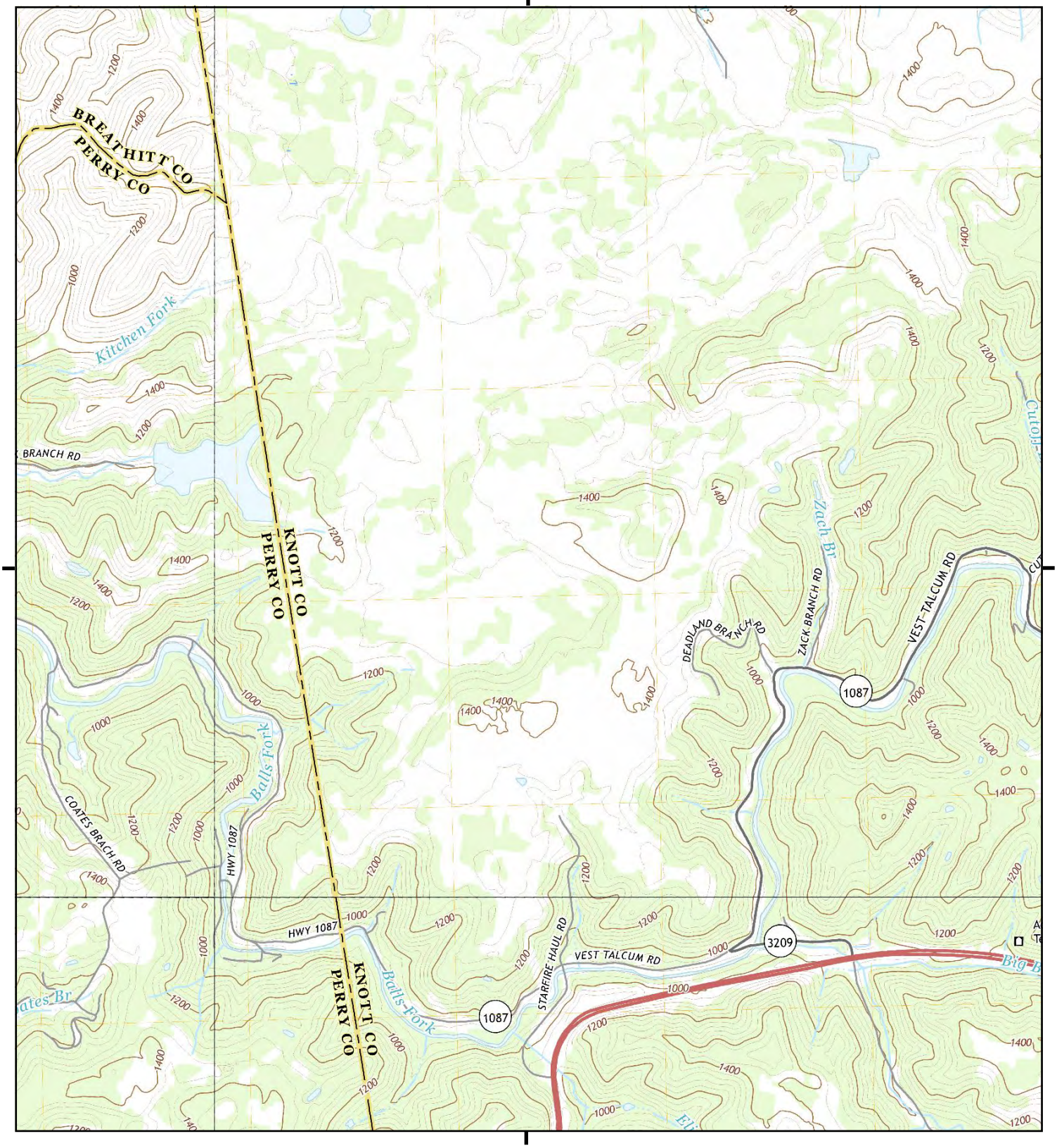
1891 Source Sheets



Hazard
1891
30-minute, 125000

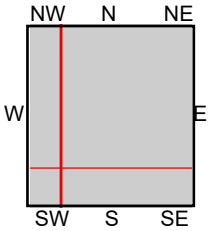
Historical Topo Map

2019



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5



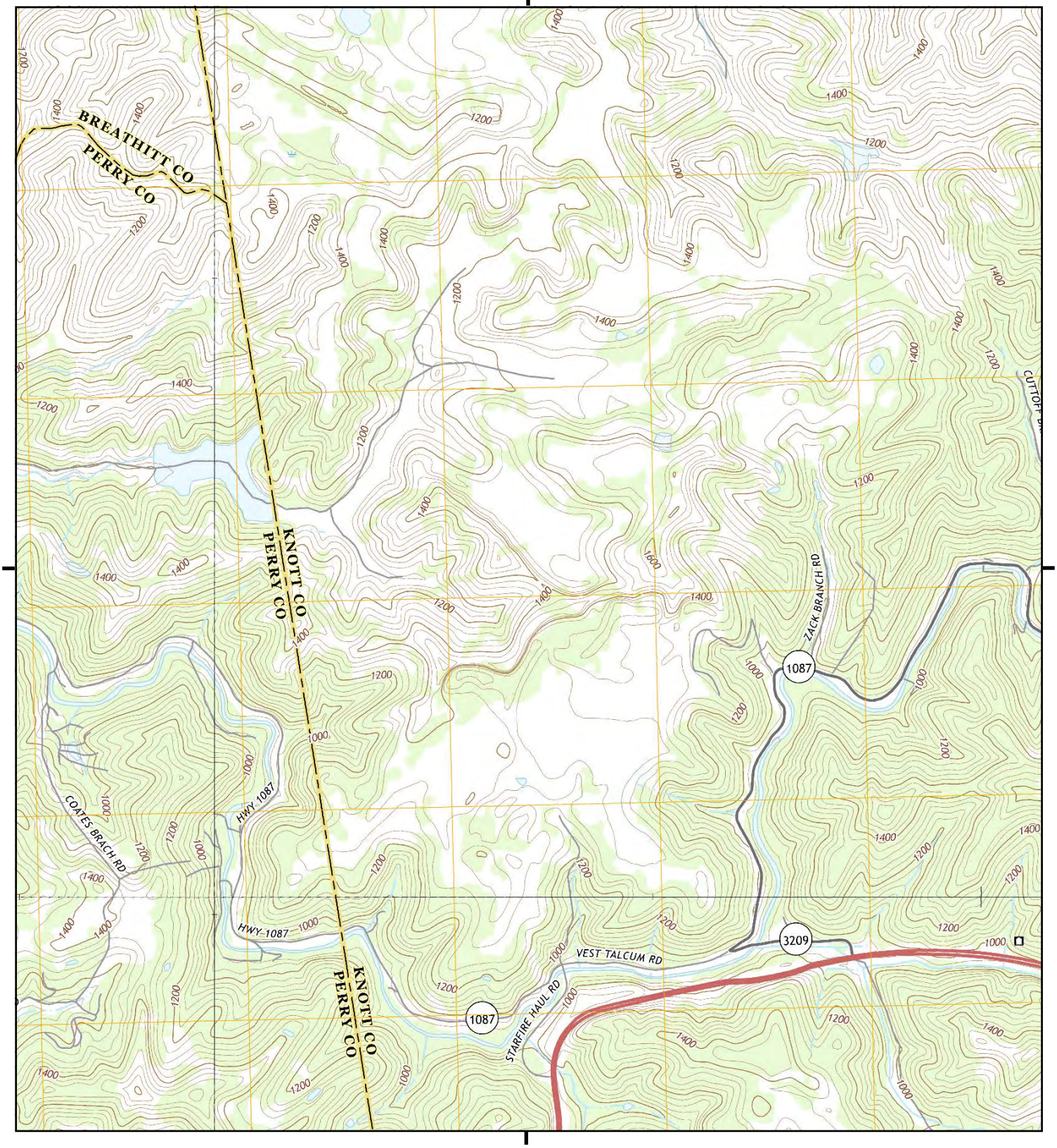
TP, Vest, 2019, 7.5-minute
SE, Carrie, 2019, 7.5-minute
SW, Hazard North, 2019, 7.5-minute
NW, Noble, 2019, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

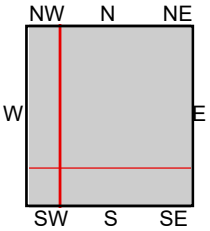
Historical Topo Map

2016



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5



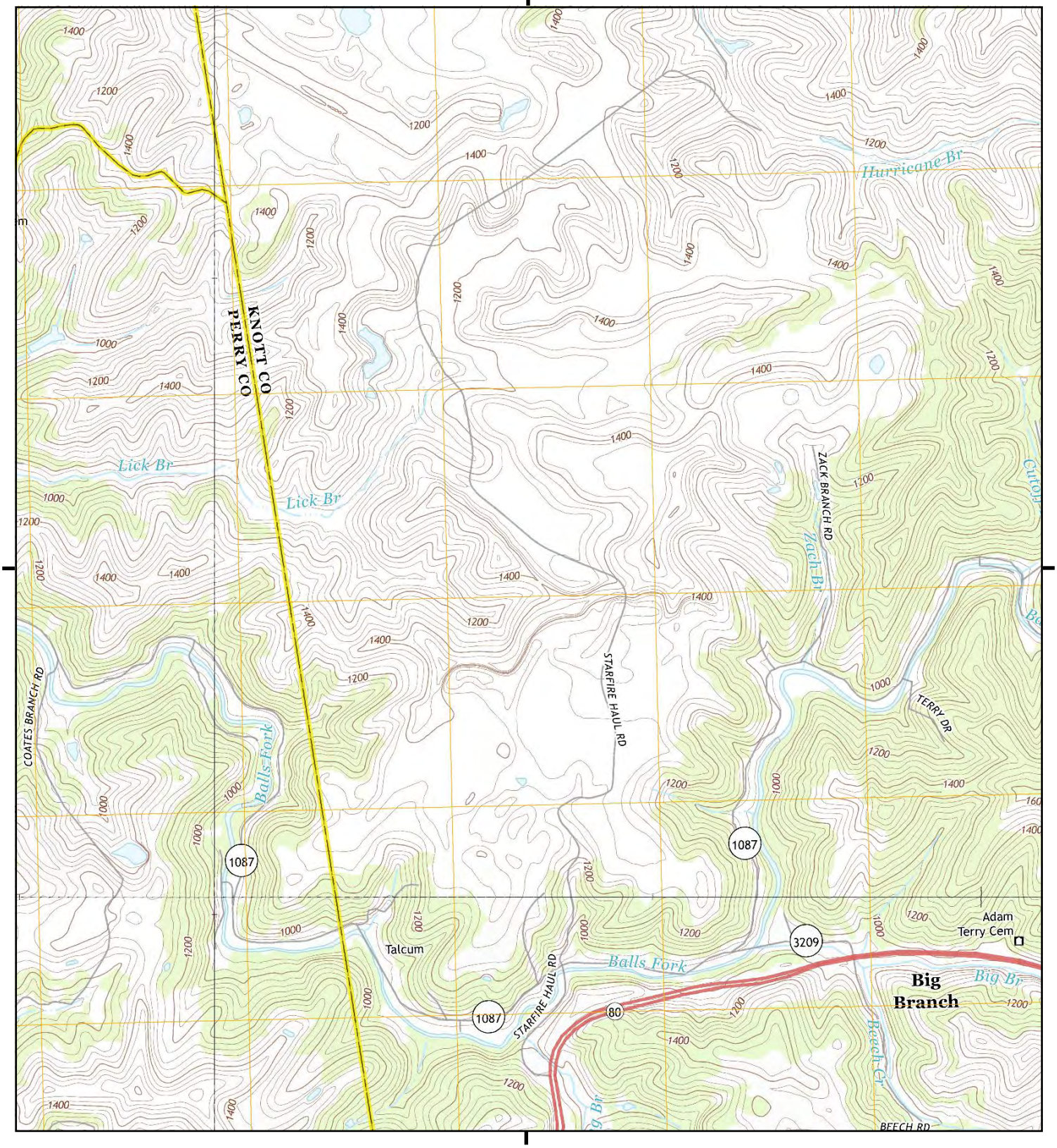
TP, Vest, 2016, 7.5-minute
SE, Carrie, 2016, 7.5-minute
SW, Hazard North, 2016, 7.5-minute
NW, Noble, 2016, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

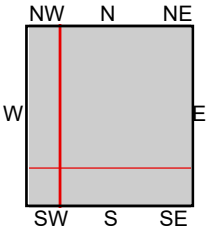
Historical Topo Map

2013



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5



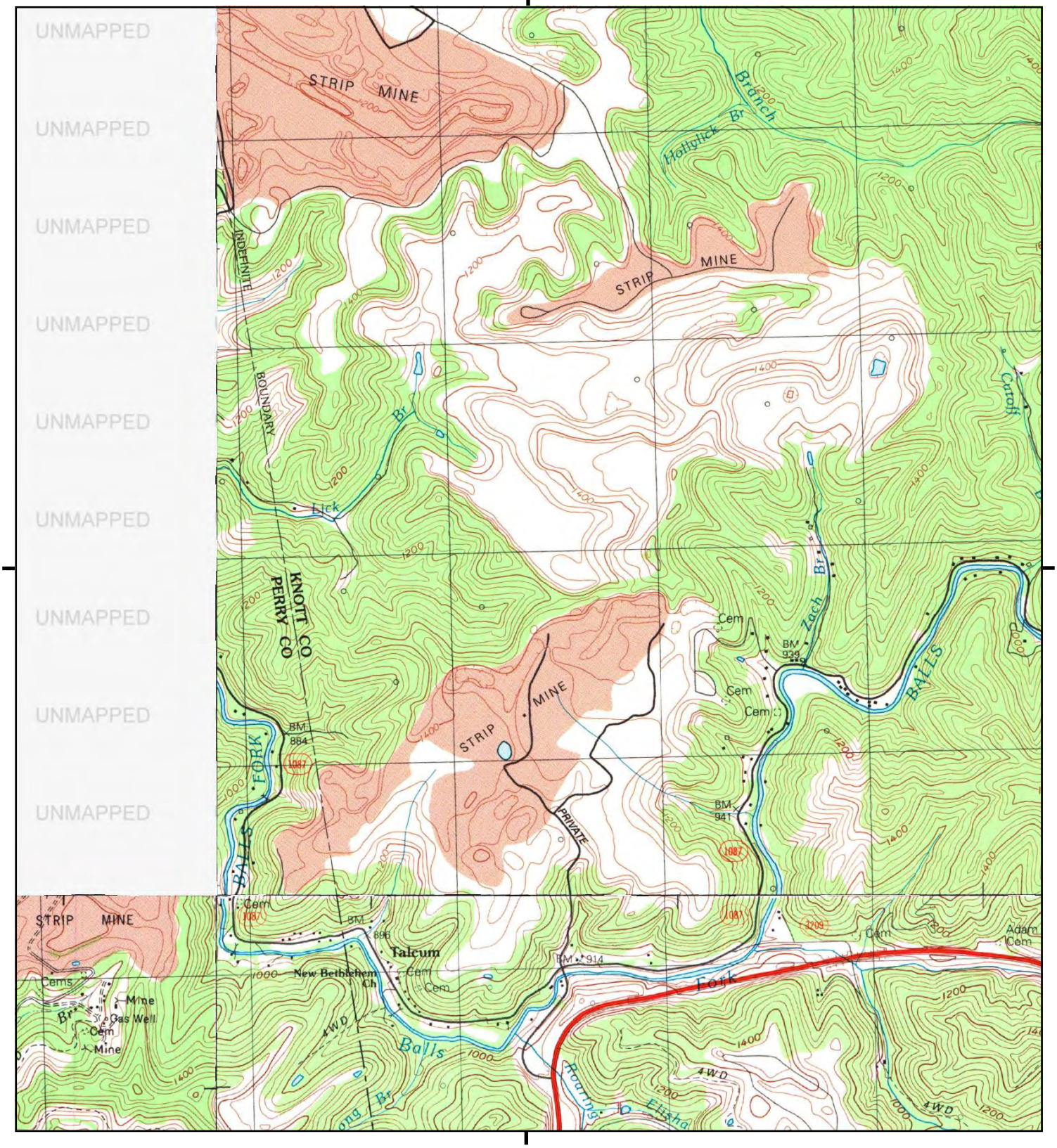
TP, Vest, 2013, 7.5-minute
SE, Carrie, 2013, 7.5-minute
SW, Hazard North, 2013, 7.5-minute
NW, Noble, 2013, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

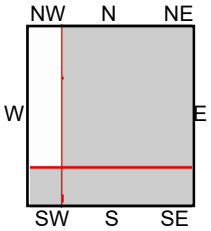
Historical Topo Map

1992



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5



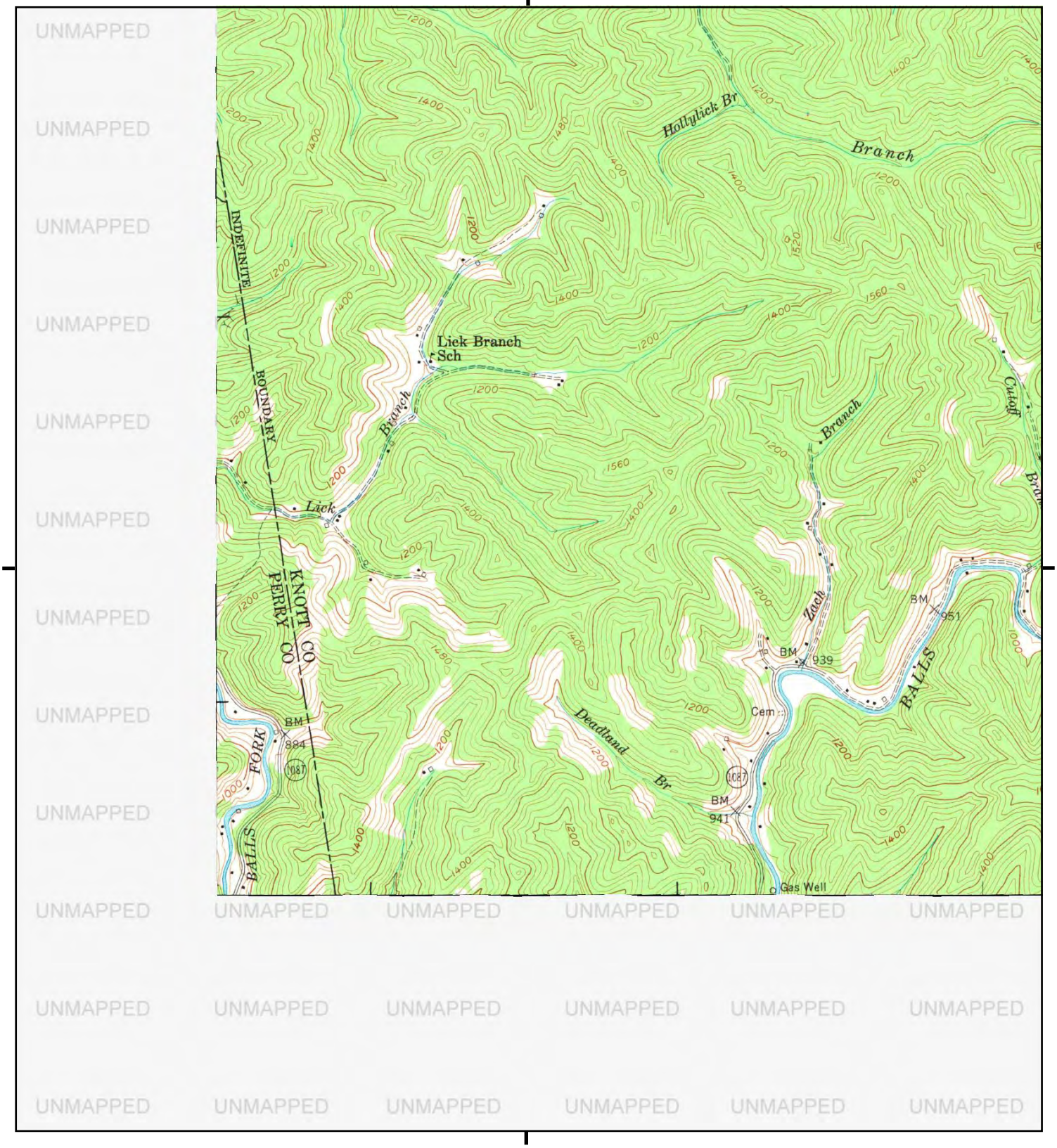
TP, Vest, 1992, 7.5-minute
SE, Carrie, 1992, 7.5-minute
SW, Hazard North, 1992, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

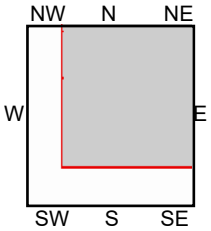
Historical Topo Map

1987



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5



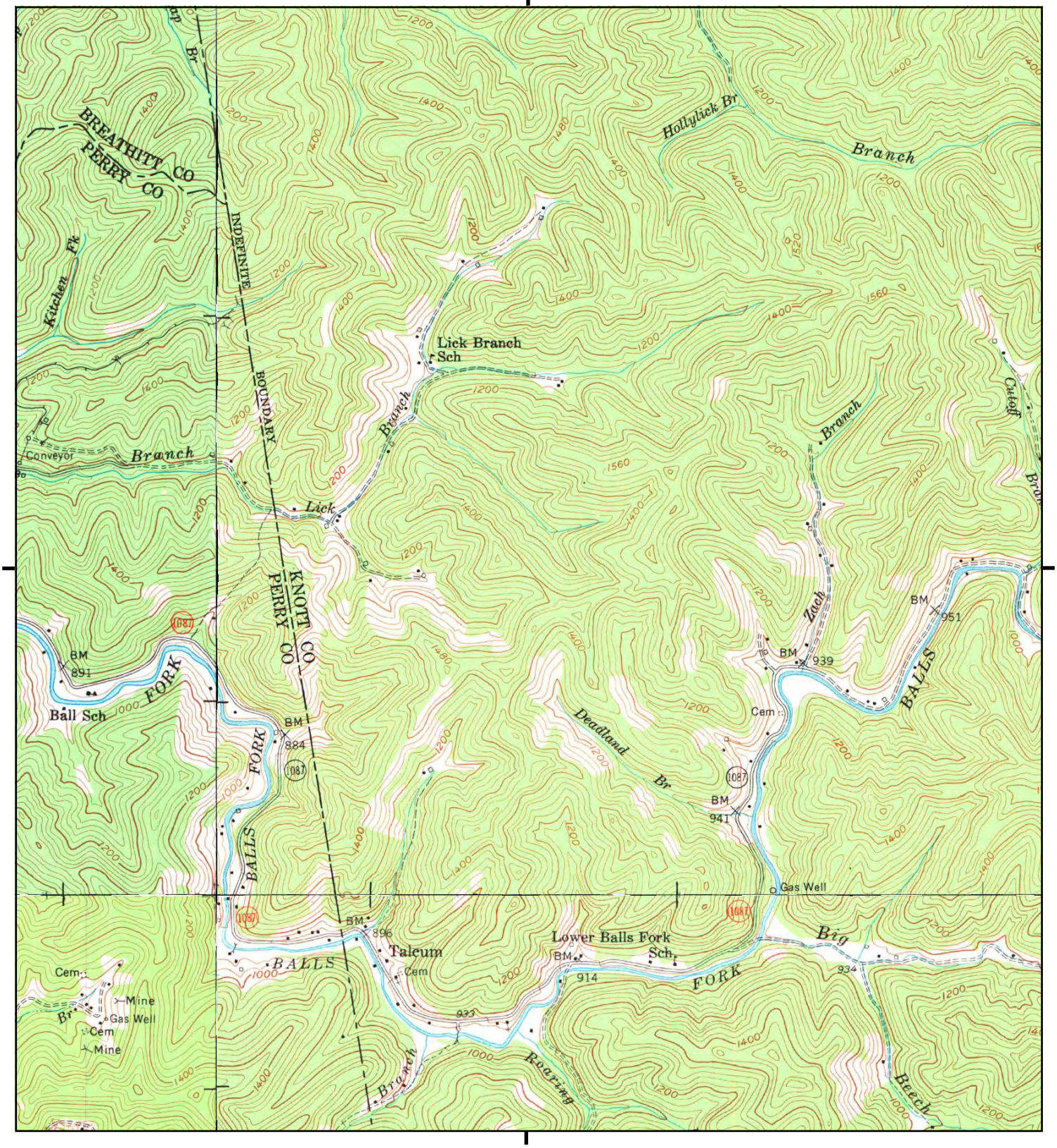
TP, Vest, 1987, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

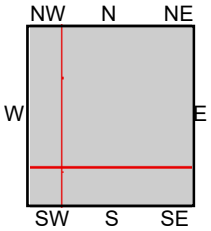
Historical Topo Map

1976



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5



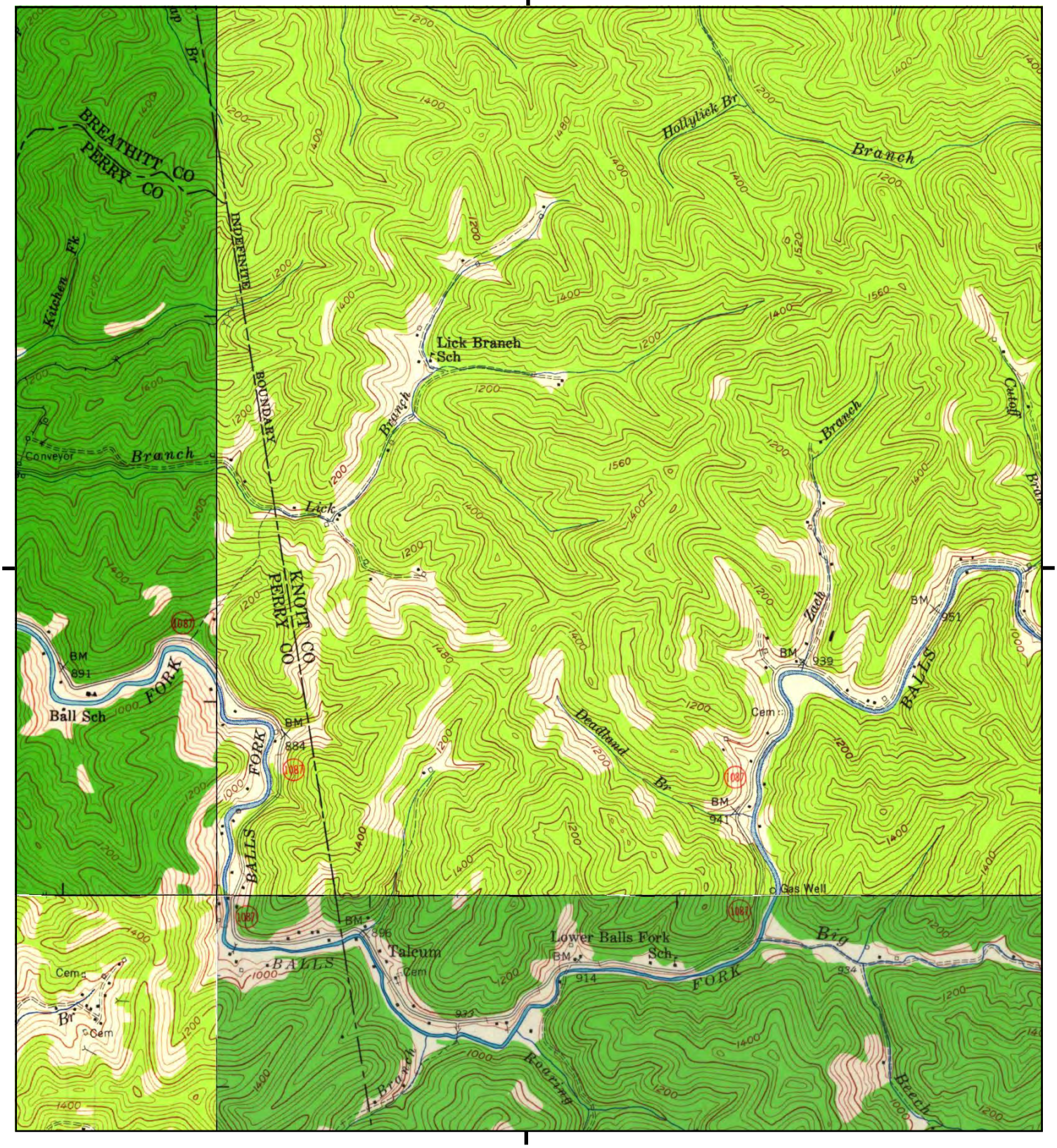
TP, Vest, 1976, 7.5-minute
SE, Carrie, 1976, 7.5-minute
SW, Hazard North, 1976, 7.5-minute
NW, Noble, 1976, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

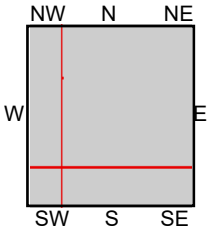
Historical Topo Map

1954



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5



TP, Vest, 1954, 7.5-minute
SE, Carrie, 1954, 7.5-minute
SW, Hazard North, 1954, 7.5-minute
NW, Noble, 1954, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

1914

This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

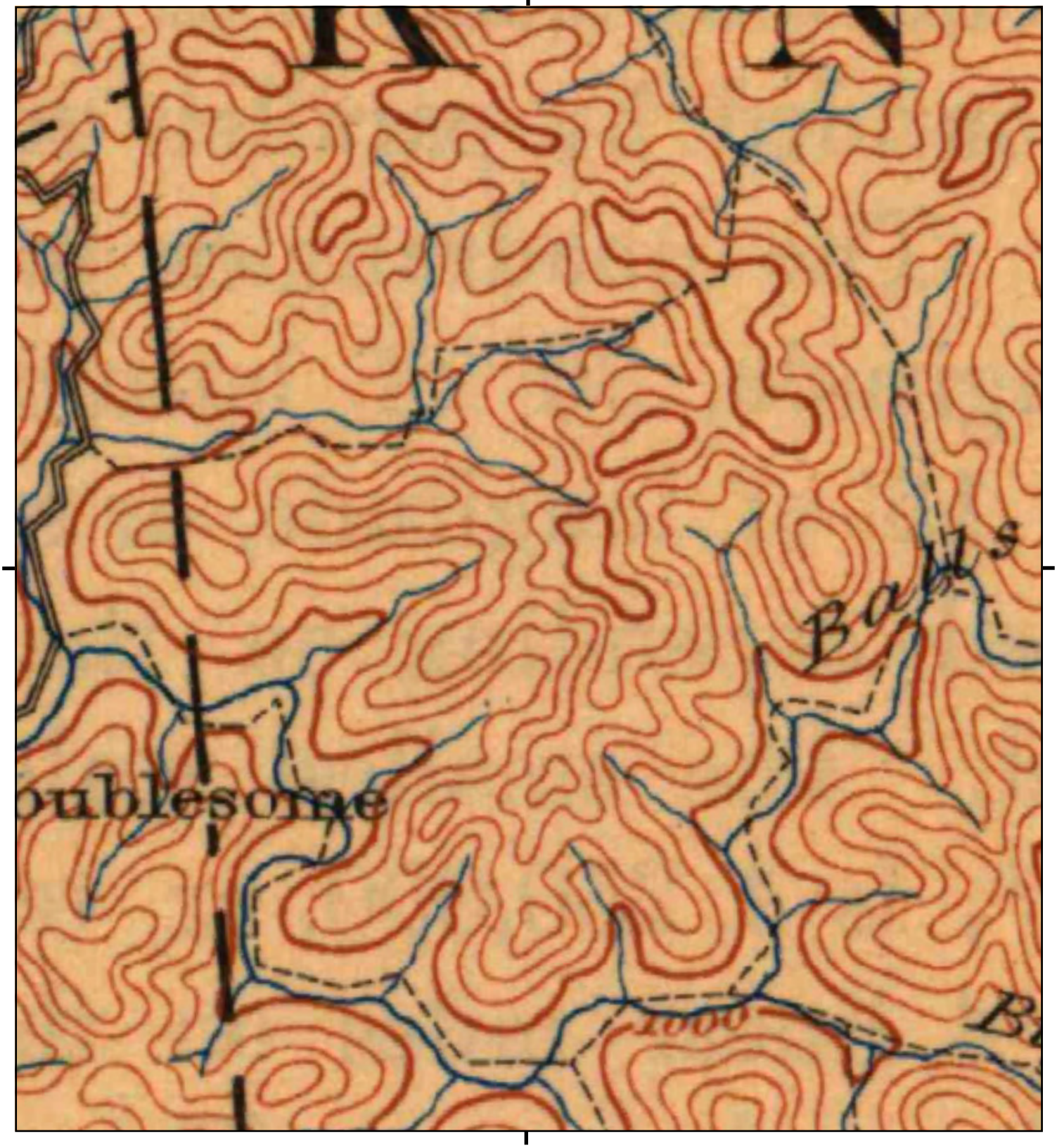
TP, Troublesome, 1914, 15-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

1891



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Hazard, 1891, 30-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Olive Branch - Knott County

KY-80

Bulan, KY 41722

Inquiry Number: 7321472.8

May 01, 2023

The EDR Aerial Photo Decade Package

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

EDR Aerial Photo Decade Package

05/01/23

Site Name:

Olive Branch - Knott County
KY-80
Bulan, KY 41722
EDR Inquiry # 7321472.8

Client Name:

Kentucky Division of Compliance
300 Sower Blvd.
Frankfort, KY 40601
Contact: Derek Bozzell

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Search Results:

Year	*Scale*	*Details*	*Source*
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: March 14, 1995	USGS/DOQQ
1983	1"=500'	Flight Date: April 26, 1983	USGS
1977	1"=500'	Flight Date: March 24, 1977	USGS
1971	1"=500'	Flight Date: April 10, 1971	USGS
1960	1"=500'	Flight Date: October 12, 1960	USGS
1952	1"=500'	Flight Date: April 17, 1952	USGS

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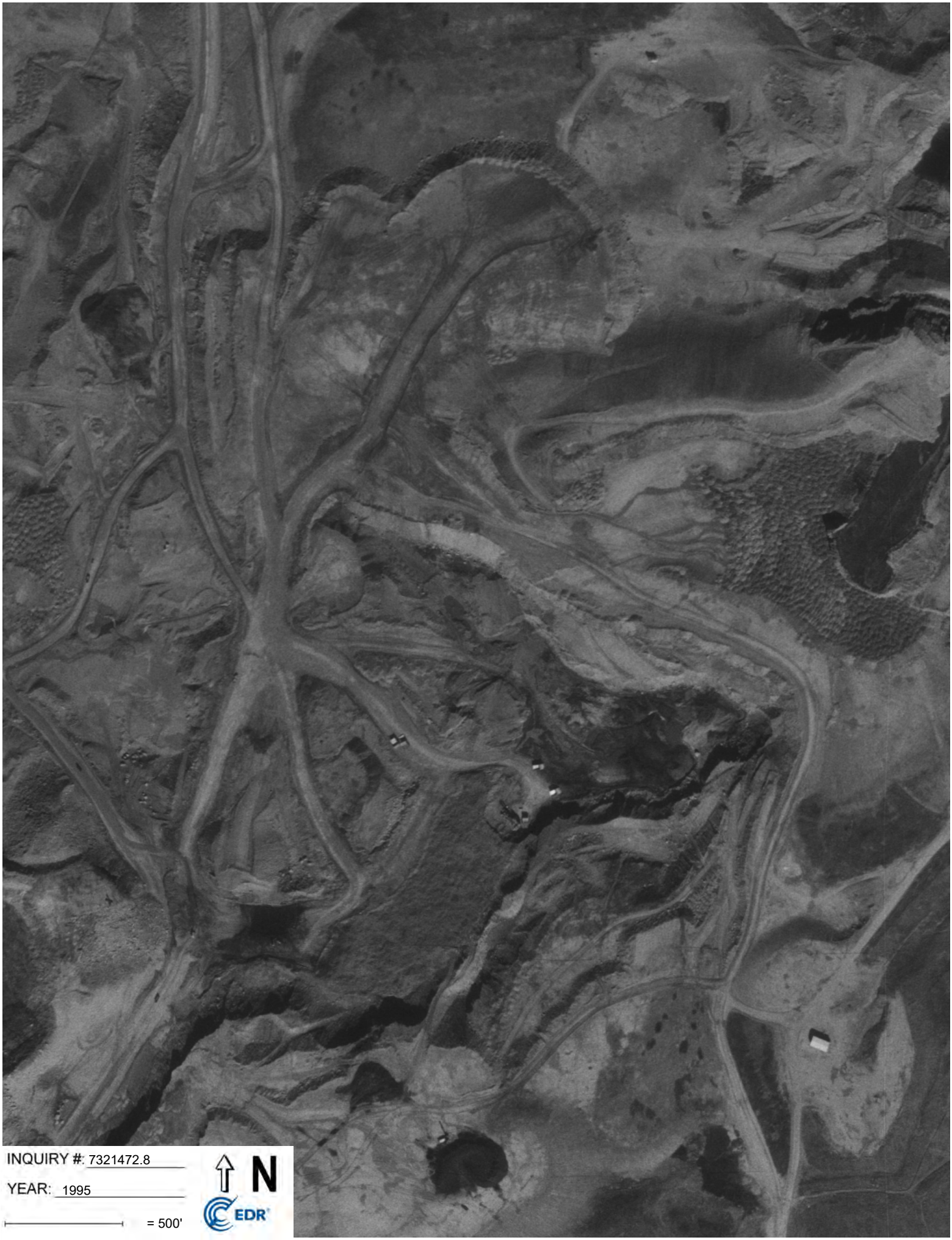
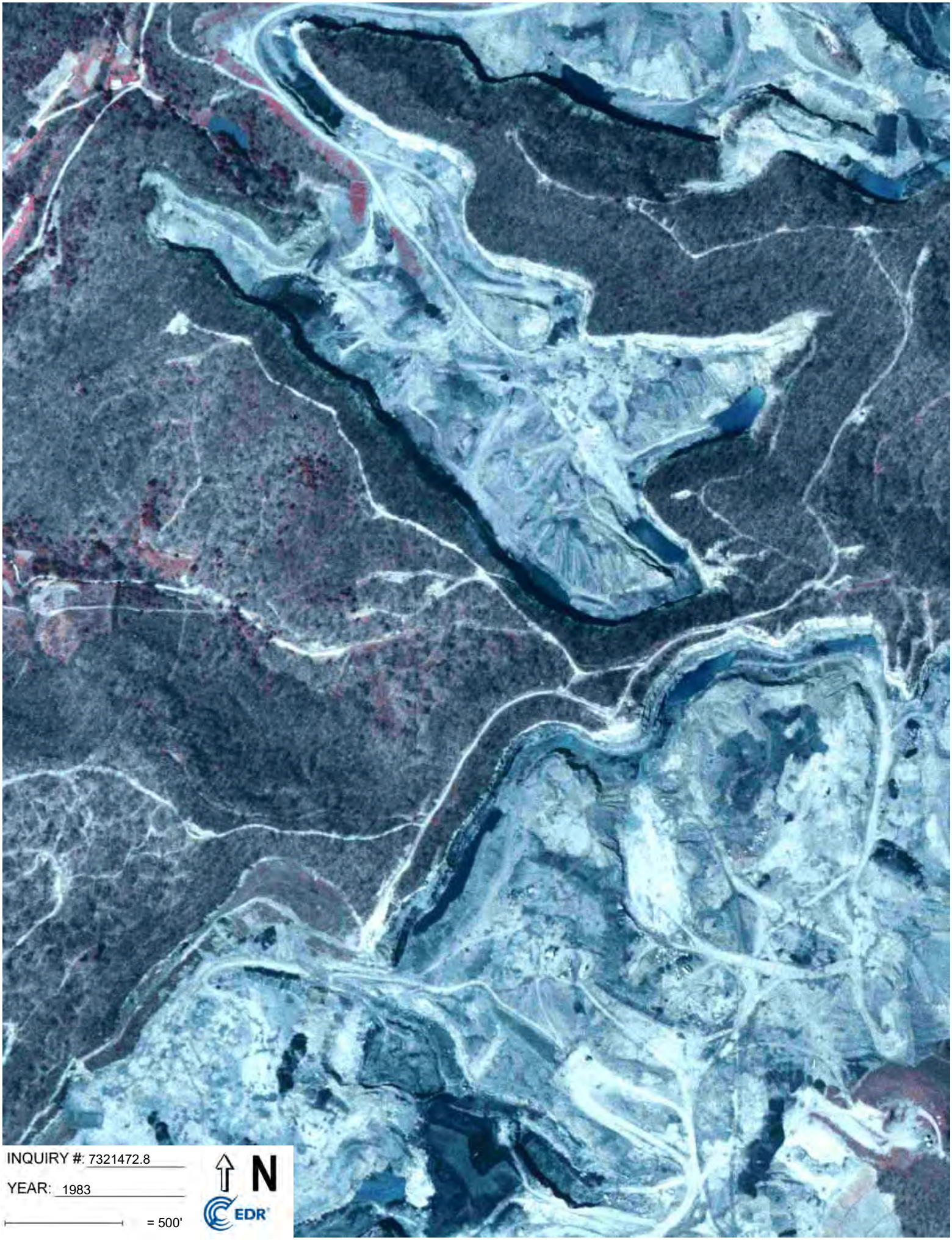
INQUIRY #: 7321472.8
YEAR: 2020
= 500'
N
EDR

INQUIRY #: 7321472.8
YEAR: 2016
= 500'
N
EDR

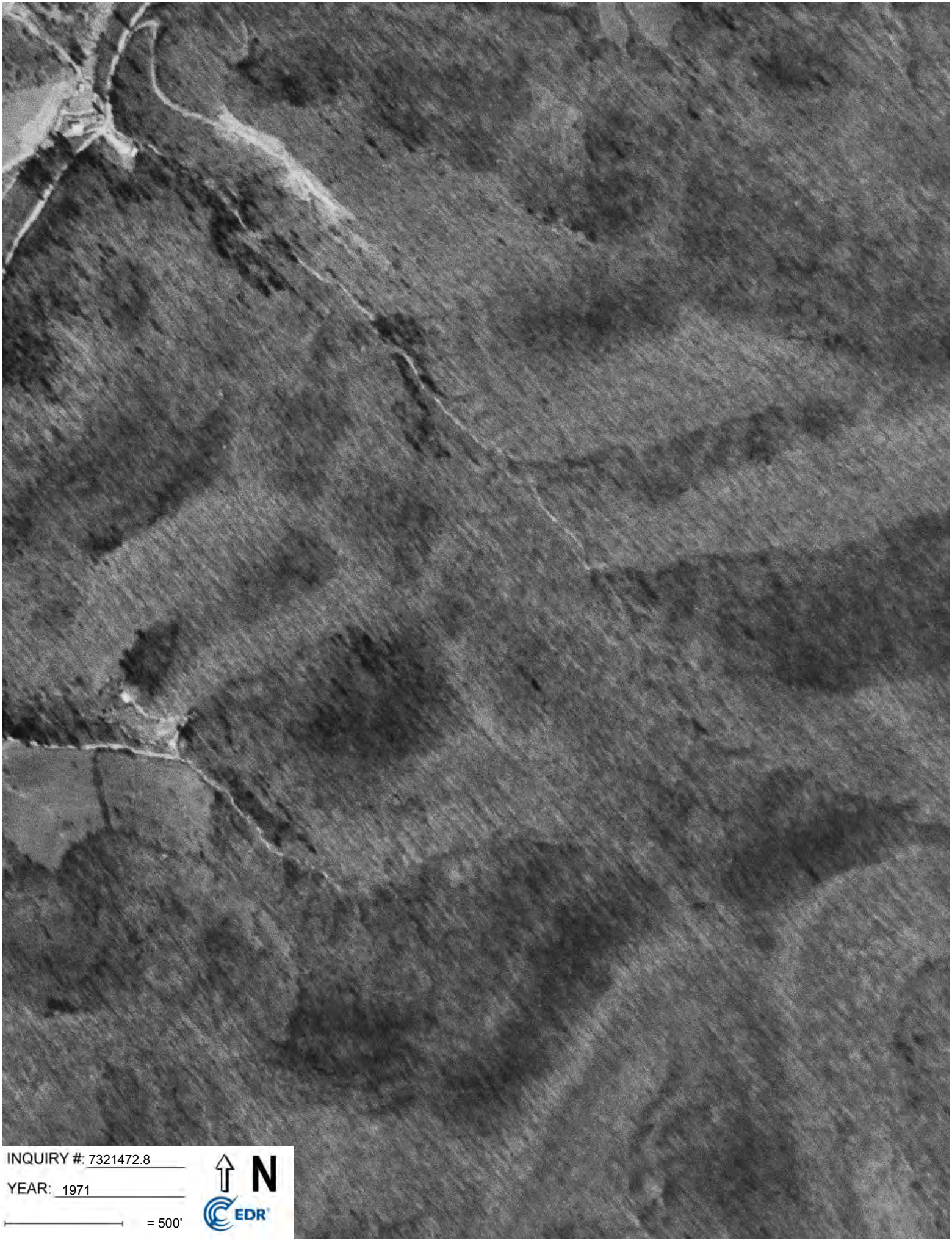
INQUIRY #: 7321472.8
YEAR: 2012
= 500'
N
EDR

INQUIRY #: 7321472.8
YEAR: 2008
= 500'
N
EDR


INQUIRY #: 7321472.8
YEAR: 1995
= 500'
N
EDR


INQUIRY #: 7321472.8
YEAR: 1983
= 500'
N
EDR

INQUIRY #: 7321472.8
YEAR: 1977
= 500'
N
EDR


INQUIRY #: 7321472.8
YEAR: 1971
= 500'
N
EDR

INQUIRY #: 7321472.8
YEAR: 1960
= 500'
N
EDR

INQUIRY #: 7321472.8
YEAR: 1952
= 500'
N
EDR

Appendix C – Olive Branch Site Investigation Report

Olive Branch (Adams Property) Former Mine Site Investigation Report

Talcum

Knott County, Kentucky

Prepared By:
Kentucky Energy and Environmental Cabinet
Department for Environmental Protection
Kentucky Superfund Branch
Petroleum Cleanup Section
300 Sower Blvd.
Frankfort, Kentucky, 40601

April 21, 2023

Site Name: **Olive Branch Former Mine Site**			Program: Superfund, PCS
Site Address: West of CR1390			
City: Talcum	State: Kentucky	Zip: 41722	County: Knott Co.
Inspection Type: Investigative	Purpose: Sample site for Fe, Pb, and As		
Sample Date: 12/1/2022	Time: 10:30 am-4:00 pm		
Latitude: 37.379661	Longitude: -83.112340		
Coordinate Collection Method: Reach RS2 GNSS with cm accuracy			
Type of Site: Mine Site			

I. Background

Several former mine site properties have been suggested as potential housing sites for the 2022 eastern Kentucky flood victims. The Kentucky Superfund Branch has been tasked with investigating these sites to determine if the site soils are appropriate for residential development. The main areas of concern for these properties are heavy metals, such as iron, arsenic, and lead levels associated with former mining operations.

II. Site Sampling

On December 1, 2022, Kentucky Division of Waste Management (KDWM) traveled to a former mine site near the Knott/Perry County line (Figure 1). Surface soils at three candidate plateaus were sampled (Figure 2). To evaluate the condition of the surface soils, an x-ray fluorescence (XRF) analyzer was utilized to analyze the elements arsenic, lead and iron. All three constituents are naturally occurring substances that are constituents of the soil and rock materials mined and used to reclaim the property. Lead and arsenic have greater toxicity and can pose a potential risk to a future residential receptor. Iron concentrations tend to show a natural correlation with arsenic. If arsenic is elevated, a correlation in iron should occur assuming the material is from the same depositional source. Sample locations were selected prior to arrival by equal spacing within the three potential areas. Photos during the sampling event are included in Appendix A.

III. Results

Forty-eight field samples were analyzed by XRF (Figure 3). Each sample was field screened in situ and screening through polyethylene bags. To further support results, ten samples were taken to the state lab for analysis utilizing method SW-846 Method 6010. According to XRF and lab analyticals, lead and arsenic were below their generic statewide ambient background as published January 8, 2004. Therefore, no site-specific background was determined. Lab results for Arsenic and Lead were reported slightly higher than the XRF readings. When taking into consideration the plus or minus values of the XRF readings the difference between the results is negligible. The state lab report and analysis breakdown is included in Appendix B.

Arsenic

Lab analytical results for arsenic were between 1.71 ppm and 9.5 ppm. The mean of the results was below Kentucky's mean background. The lone result above the mean was within one standard deviation of the

mean. No field screened soil sample indicated levels of concern. All XRF analytical results were below the generic mean for arsenic. Based on this data set no arsenic impacts are observed.

Lead

Lab analytical results for Lead at the site ranged between 8.07 ppm and 35.7 ppm. XRF analytical results ranged between limit of detection and 21 ppm. Lead concentrations fall below the states background level and below EPA's residential regional screening levels. Based on this data set no lead impacts are observed.

Iron

Iron levels at the site were collected to ensure the accuracy of arsenic results. Iron and arsenic levels have been shown to correlate due to their binding efficacy. If the results do not show a correlation between the two elements, result accuracy is either low or the results are indicative of a release. Iron levels at the site stayed consistent when compared to arsenic levels confirming sample accuracy. Iron concentrations ranged between 22,600-28,400 ppm, which fall below both the EPA's residential regional screening levels and Kentucky's average background levels.

IV. Conclusion

All sample results were reported below allowable levels when compared to the EPA's regional residential screening levels or Kentucky's ambient background levels. While this investigation does not represent a full site characterization, no findings suggest additional sampling or remediation activities necessary at this time.

Table 1: Soil Sample Thresholds (ppm)

	Iron (Fe)	Arsenic (As)	Lead (Pb)
*KY BG Levels:	47,600	8.9	84.6
*EPA R-RSL:	55,000	0.68	400

*KY BG Levels = Kentucky Ambient Background Levels
*EPA R-RSL = EPA Residential Regional Screening Levels for Soil

Table 2 Sampling Data (ppm)

Sample ID	Time	As XRF (ppm	As (Lab)	Fe XRF (ppm)	Fe (Lab)	Pb XRF (ppm)	Pb (Lab)2
XRF-1	10:40	<2		17000		<15	
XRF-2	10:46	5		16000		<17	
XRF-3	10:51	<2		13000		<13	
XRF-4	10:54	<2		13000		16	
XRF-5	11:01	<3		18000		<15	
XRF-6	11:05	<2		16000		<13	
XRF-7	11:11	<2		15000		<13	
XRF-8	11:16	2		17000		<13	
XRF-9	11:22	<2		23000		<13	
XRF-10	11:27	<2		25000		<14	
XRF-11	11:31	<2		16000		<14	
XRF-12	11:37	<2		13000		<16	
XRF-13	11:47	<2		17000		<15	
XRF-14	12:08	<2		17000		<16	
XRF-15	13:22	<2		19000		<15	
XRF-16	13:31	<2		13000		<38	
XRF-17	13:35	<2		21000		<43	
XRF-18	13:39	3		16000		<16	
XRF-19	13:43	<2		18000		<13	
XRF-20	13:51	<2		11000		<37	
XRF-21							
XRF-22	13:58	<8		16000		<15	
XRF-23	14:02	<2		15000		<14	
XRF-24	14:06	<2		15000		<14	
XRF-25	14:15	3		22000		<14	
XRF-26	14:11	<2		10000		<15	
XRF-27	14:19	<2	9.25	15000	20000	21	35.7
XRF-28	14:23	3		17000		<44	
XRF-29	14:28	2		16000		<14	
XRF-30	14:38	<2		17000		<15	
XRF-31	14:42	<1	3.43	9961	14900	<13	8.07
XRF-32	14:47	2		3000		<42	
XRF-33	14:50	4	6.66	20000	18200	<17	12.1
XRF-34	14:54	3	1.71	24000	17300	<40	16.2
XRF-35	14:58	4	7.72	23000	27900	<39	17.1
XRF-36	15:02	4		17000		<18	
XRF-37	15:07	2	5.47	19000	25800	<39	14.6
XRF-38	15:15	<2		16000		<14	
XRF-39							
XRF-40	15:20	<2		11000		<41	
XRF-41	15:26	<2		15000		<14	
XRF-42	15:34	3	3.87	19000	17400	<39	11.5
XRF-43	15:40	2		21000		<14	
XRF-44	15:43	<2	8.58	19000	22300	18	15.5
XRF-45	15:47	3		22000		<14	
XRF-46	15:51	<2	4.82	18000	16500	<13	11.6
XRF-47	15:55	<2		18000		<16	
XRF-48	15:58	6	7.1	19000	23700	<20	18.3

Figure 1 - Project Location

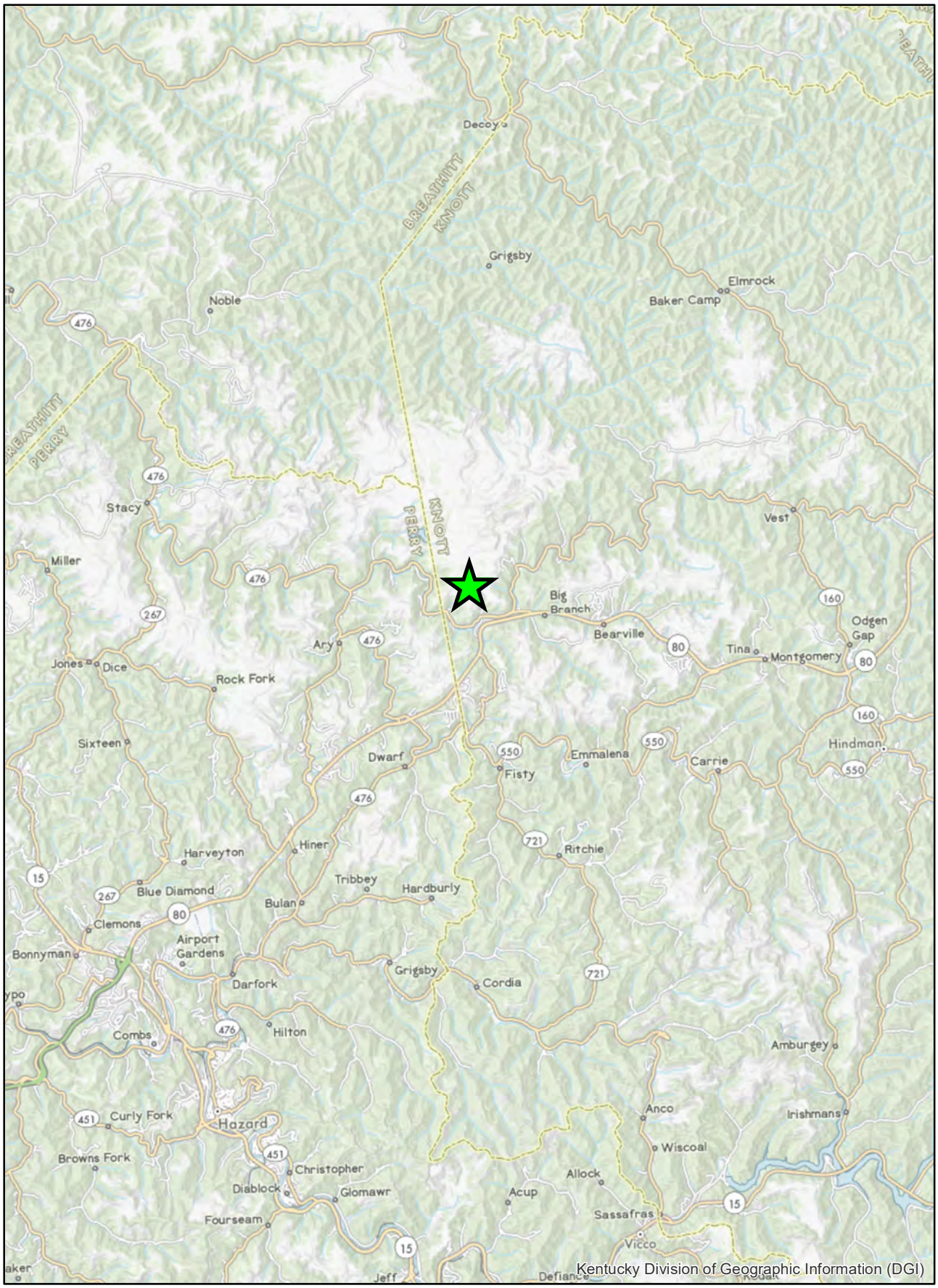
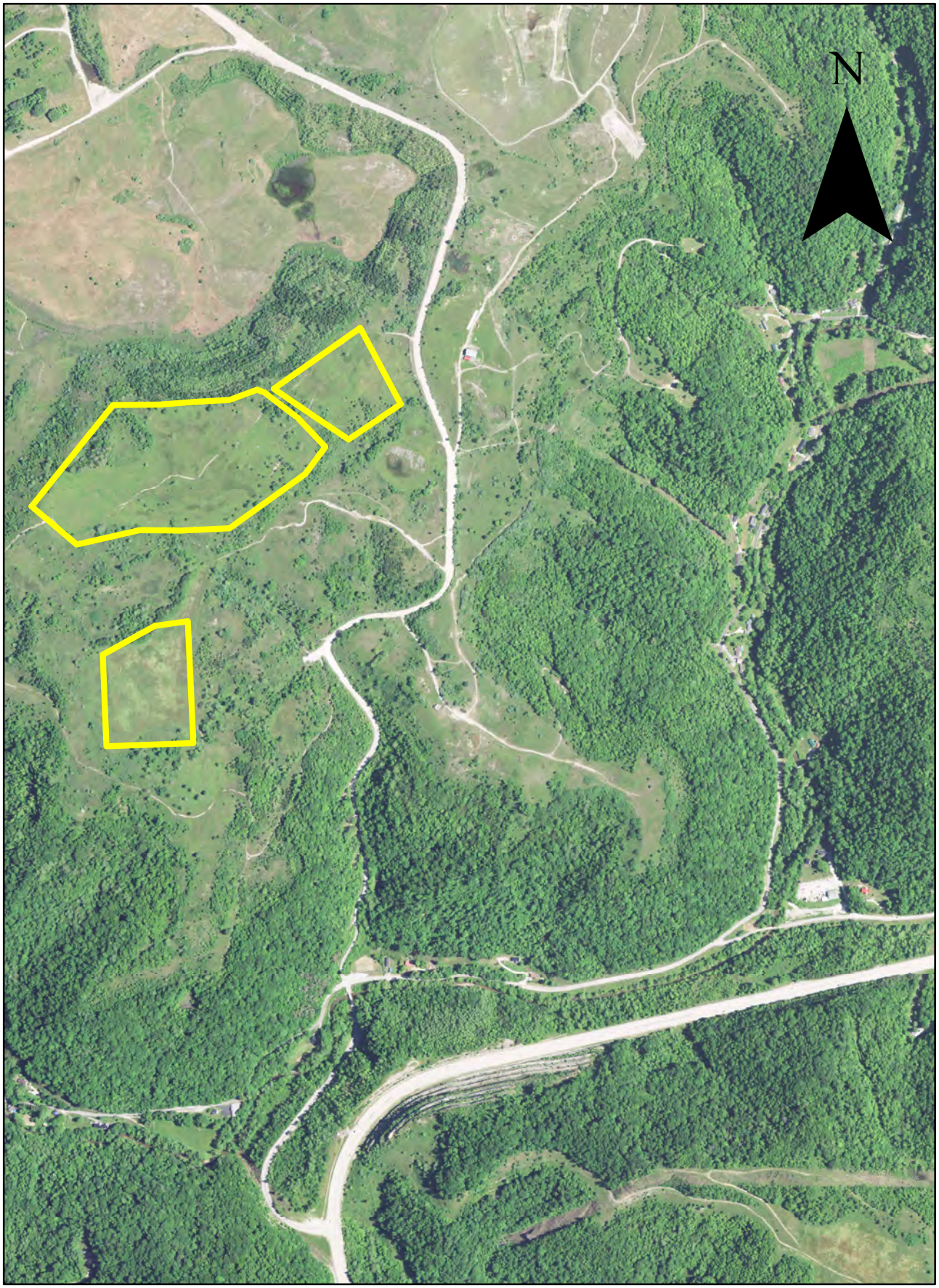


Figure 2 - Sampling Areas



1 inch = 1,000 feet

Figure 3 - Sampling Locations

1 inch = 500 feet

Appendix A
Photographs

Westernmost part of property, looking west toward Starfire Haul Road.

Central area of property with southern field in the distance on the left, looking east.

Central portion of property.

Appendix B
Laboratory Documents

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

Thursday, December 22, 2022

Lab Sample Number: AT05067
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-27
Sample ID: XRF-27

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 14:19
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	64.6	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	9.25	mg/Kg DW		0.14	
$3130S_PBC		Lead	35.7	mg/Kg DW		0.14	
$3130S_FEC		Iron	20000	mg/Kg DW		6.9	

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

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

Thursday, December 22, 2022

Lab Sample Number: AT05064
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-31
Sample ID: XRF-31

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 14:42
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	72.4	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	3.43	mg/Kg DW	0.10		
$3130S_PBC		Lead	8.07	mg/Kg DW	0.10		
$3130S_FEC		Iron	14900	mg/Kg DW	5.2		

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

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for Tony Hatton, Acting Director

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REBECCA GOODMAN
SECRETARY

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DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104
FRANKFORT, KENTUCKY 40601

Thursday, December 22, 2022

Lab Sample Number: AT05068
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-33
Sample ID: XRF-33

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 14:50
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	83.7	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	6.66	mg/Kg DW		0.095	
$3130S_PBC		Lead	12.1	mg/Kg DW		0.095	
$3130S_FEC		Iron	18200	mg/Kg DW		4.8	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

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for Tony Hatton, Acting Director

Report Format: DESFinal-Full

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GOVERNOR

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SECRETARY

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DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104
FRANKFORT, KENTUCKY 40601

Thursday, December 22, 2022

Lab Sample Number: AT05069
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-34
Sample ID: XRF-34

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 14:59
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:***	*12/7/2022 9:51:00 AM*			
%SOLIDS		Percent solids, dry weight	82.0	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	1.71	mg/Kg DW		0.086	
$3130S_PBC		Lead	16.2	mg/Kg DW		0.086	
$3130S_FEC		Iron	17300	mg/Kg DW		4.3	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

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DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104
FRANKFORT, KENTUCKY 40601

Thursday, December 22, 2022

Lab Sample Number: AT05066
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-35
Sample ID: XRF-35

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 14:58
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	62.8	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	7.72	mg/Kg DW		0.14	
$3130S_PBC		Lead	17.1	mg/Kg DW		0.14	
$3130S_FEC		Iron	27900	mg/Kg DW		7.2	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

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DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104
FRANKFORT, KENTUCKY 40601

Thursday, December 22, 2022

Lab Sample Number: AT05070
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-37
Sample ID: XRF-37

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 15:07
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	80.8	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	5.47	mg/Kg DW		0.084	
$3130S_PBC		Lead	14.6	mg/Kg DW		0.084	
$3130S_FEC		Iron	25800	mg/Kg DW		4.2	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

'

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Report Format: DESFinal-Full

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DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104
FRANKFORT, KENTUCKY 40601

Thursday, December 22, 2022

Lab Sample Number: AT05065
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-42
Sample ID: XRF-42

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 15:26
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	84.3	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	3.87	mg/Kg DW		0.090	
$3130S_PBC		Lead	11.5	mg/Kg DW		0.090	
$3130S_FEC		Iron	17400	mg/Kg DW		4.5	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

'

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for Tony Hatton, Acting Director

Report Format: DESFinal-Full

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

Thursday, December 22, 2022

Lab Sample Number: AT05071
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-44
Sample ID: XRF-44

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 15:43
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	82.2	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	8.58	mg/Kg DW		0.088	
$3130S_PBC		Lead	15.5	mg/Kg DW		0.088	
$3130S_FEC		Iron	22300	mg/Kg DW		4.4	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

'

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for Tony Hatton, Acting Director

Report Format: DESFinal-Full

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

Thursday, December 22, 2022

Lab Sample Number: AT05063
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-46
Sample ID: XRF-46

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 15:51
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:***	*12/7/2022 9:51:00 AM*			
%SOLIDS		Percent solids, dry weight	67.5	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	4.82	mg/Kg DW		0.10	
$3130S_PBC		Lead	11.6	mg/Kg DW		0.10	
$3130S_FEC		Iron	16500	mg/Kg DW		5.1	

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

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

Thursday, December 22, 2022

Lab Sample Number: AT05062
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-48
Sample ID: XRF-48

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 15:58
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:***	*12/7/2022 9:51:00 AM*			
%SOLIDS		Percent solids, dry weight	85.3	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	7.13	mg/Kg DW		0.086	
$3130S_PBC		Lead	18.3	mg/Kg DW		0.086	
$3130S_FEC		Iron	23700	mg/Kg DW		4.3	

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

CHAIN OF CUSTODY RECORD
ENERGY AND ENVIRONMENT CABINET

Program/DOW: ☐106 ☐NPS ☐SDWA ☐Stream Survey ☐Groundwater ☐Wild Rivers ☐Tox. Test ☐Ref. Reach ☐Lakes ☐Pretreatment ☐BMP ☐ERT

Program/DWM: ☐RCRA ☐UST ☐TSCA ☐Solid Waste ☐Fed. CERCLA ☐St. CERCLA

Program/DAQ: ☐Air Toxics Canister # ____ ☐Air Quality

Fund Source____ Site # ____ Other Program ____

SITE LOCATION: Shawn Adams Property FACILITY NO.: ____ COUNTY: Knott County

FIELD ID #	DATE/ TIME	DESCRIPTION OF SITE	MATRIX	NUMBER OF CONTAINERS	PRESER-VATION	ANALYSIS REQUESTED	LAB USE ONLY
XRF-48	Date: 12/1/22 Time: 15:58	AKGWA #:	☐Liquid ☑Solid ☐Chemical ☐Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: As, Pb, Fe	Sample # AT05062 Report #
XRF-46	Date: 12/1/22 Time: 15:51	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: As, Pb, Fe	Sample # AT05063 Report #
XRF-31	Date: 12/1/22 Time: 14:42	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: As, Pb, Fe	Sample # AT05064 Report #

Metals: ☑As ☐Ba ☐Cd ☐Cr ☑Pb ☐Hg ☐Se ☐Ag ☐Cu ☑Fe ☐Mn ☐Zn ☐Other ____

Inspector(s): Chris Jung 11.2°C IR-B

Relinquished by: [signature]	12/2/22	Received by: Jennifer Clark
Representing: DWM	13:37	Representing: Deps
Relinquished by:		Received by:
Representing:		Representing

CONTINUATION PAGE 2 of 3

SITE LOCATION: Shawn Adams Property FACILITY NO.: ____ COUNTY: Knott County

FIELD ID #	DATE/ TIME	DESCRIPTION OF SITE	MATRIX	NUMBER OF CONTAINERS	PRESER-VATION	ANALYSIS REQUESTED	LAB USE ONLY
XRF-42	Date: 12/1/22 Time: 15:26	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: Ar, Pb, Fe	Sample # AT05065 Report #
XRF-35	Date: 12/1/22 Time: 14:58	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: Ar, Pb, Fe	Sample # AT05066 Report #
XRF-27	Date: 12/1/22 Time: 14:19	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: Ar, Pb, Fe	Sample # AT05067 Report #
XRF-33	Date: 12/1/22 Time: 14:50	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: Ar, Pb, Fe	Sample # AT05068 Report #
XRF-34	Date: 12/1/22 Time: 14:59	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: Ar, Pb, Fe	Sample # AT05069 Report #

Inspector(s): CHJ

Metals: ☑As ☐Ba ☐Cd ☐Cr ☑Pb ☐Hg ☐Se ☐Ag ☐Cu ☑Fe ☐Mn ☐Zn ☐Other: ____

CONTINUATION PAGE 3 of 3

SITE LOCATION: Shawn Adams Property FACILITY NO.: ____ COUNTY: Knott County

FIELD ID #	DATE/ TIME	DESCRIPTION OF SITE	MATRIX	NUMBER OF CONTAINERS	PRESER-VATION	ANALYSIS REQUESTED	LAB USE ONLY
XRF-37	Date: 12/1/22 Time: 15:07	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: As, Pb, Fe	Sample # AT05070 Report #
XRF-44	Date: 12/1/22 Time: 15:43	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: As, Pb, Fe	Sample # AT05071 Report #
	Date: ____ Time: ____	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☐Grab ☑Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml ____Other: ____	☐Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☐OTHER:	Sample # Report #
	Date: ____ Time: ____	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☐Grab ☐Composite ☐Other	12 ____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml ____Other: ____	☐Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☐OTHER:	Sample # Report #
	Date: ____ Time: ____	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☐Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml ____Other: ____	☐Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☐OTHER:	Sample # Report #

Metals: ☑As ☐Ba ☐Cd ☐Cr ☑Pb ☐Hg ☐Se ☐Ag ☐Cu ☑Fe ☐Mn ☐Zn ☐Other: ____

Inspector(s): CHJ

KENTUCKY ENVIRONMENTAL SERVICES LABORATORY LOGIN GROUP RECEIPT

LogBy: JJC

Login Date and Time: 12/2/2022 13:49

RE: Shawn Adams Property

For: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson

Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark

Collection Method: Grab
Delivery Date and Time: 12/2/2022 13:37
Received Date and Time: 12/2/2022 13:37

Shipping Temp: 11.2C

LAB ID	CODE	Samp ID	DESCRIPTION	AKGWA	COUNTY	COLLECTED		MATRIX	LW CODE	PARAMETER NAME	pH
AT05062	B25	XRF-48	XRF-48		Knott	12/1/2022	15:58	SOIL			
									@P-WHIRL	Plastic WHIRLPACK	NT
									$3130S_ALL	Metals (ICP-MS) Soil ALL	
									$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
									$3130S_FECALC	Iron (ICP-MS) Soil Result	
									$3130S_PBCALC	Lead (ICP-MS) Soil Result	
									3030S	Metal Prep (ICP-MS) -Soil	
									%SOLIDS	Percent solids, dry weight	
									!COMMENT	Case Narrative	
AT05063	B25	XRF-46	XRF-46		Knott	12/1/2022	15:51	SOIL			
									@P-WHIRL	Plastic WHIRLPACK	NT
									$3130S_ALL	Metals (ICP-MS) Soil ALL	
									$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
									$3130S_FECALC	Iron (ICP-MS) Soil Result	
									$3130S_PBCALC	Lead (ICP-MS) Soil Result	
									3030S	Metal Prep (ICP-MS) -Soil	
									%SOLIDS	Percent solids, dry weight	
									!COMMENT	Case Narrative	
AT05064	B25	XRF-31	XRF-31		Knott	12/1/2022	14:42	SOIL			
									@P-WHIRL	Plastic WHIRLPACK	NT
									$3130S_ALL	Metals (ICP-MS) Soil ALL	
									$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
									$3130S_FECALC	Iron (ICP-MS) Soil Result	
									$3130S_PBCALC	Lead (ICP-MS) Soil Result	
									3030S	Metal Prep (ICP-MS) -Soil	
									%SOLIDS	Percent solids, dry weight	
									!COMMENT	Case Narrative	
AT05065	B25	XRF-42	XRF-42		Knott	12/1/2022	15:26	SOIL			
									@P-WHIRL	Plastic WHIRLPACK	NT
									$3130S_ALL	Metals (ICP-MS) Soil ALL	
									$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
									$3130S_FECALC	Iron (ICP-MS) Soil Result	
									$3130S_PBCALC	Lead (ICP-MS) Soil Result	
									3030S	Metal Prep (ICP-MS) -Soil	
									%SOLIDS	Percent solids, dry weight	
									!COMMENT	Case Narrative	
AT05066	B25	XRF-35	XRF-35		Knott	12/1/2022	14:58	SOIL			
									@P-WHIRL	Plastic WHIRLPACK	NT
									$3130S_ALL	Metals (ICP-MS) Soil ALL	
									$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
									$3130S_FECALC	Iron (ICP-MS) Soil Result	
									$3130S_PBCALC	Lead (ICP-MS) Soil Result	

LAB ID	CODE	Samp ID	DESCRIPTION	AKGWA	COUNTY	COLLECTED	MATRIX	LW CODE	PARAMETER NAME	pH
AT05066	B25	XRF-35	XRF-35		Knott	12/1/2022 14:58	SOIL			
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	
AT05067	B25	XRF-27	XRF-27		Knott	12/1/2022 14:19	SOIL			
								@P-WHIRL	Plastic WHIRLPACK	NT
								$3130S_ALL	Metals (ICP-MS) Soil ALL	
								$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
								$3130S_FECALC	Iron (ICP-MS) Soil Result	
								$3130S_PBCALC	Lead (ICP-MS) Soil Result	
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	
AT05068	B25	XRF-33	XRF-33		Knott	12/1/2022 14:50	SOIL			
								@P-WHIRL	Plastic WHIRLPACK	NT
								$3130S_ALL	Metals (ICP-MS) Soil ALL	
								$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
								$3130S_FECALC	Iron (ICP-MS) Soil Result	
								$3130S_PBCALC	Lead (ICP-MS) Soil Result	
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	
AT05069	B25	XRF-34	XRF-34		Knott	12/1/2022 14:59	SOIL			
								@P-WHIRL	Plastic WHIRLPACK	NT
								$3130S_ALL	Metals (ICP-MS) Soil ALL	
								$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
								$3130S_FECALC	Iron (ICP-MS) Soil Result	
								$3130S_PBCALC	Lead (ICP-MS) Soil Result	
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	
AT05070	B25	XRF-37	XRF-37		Knott	12/1/2022 15:07	SOIL			
								@P-WHIRL	Plastic WHIRLPACK	NT
								$3130S_ALL	Metals (ICP-MS) Soil ALL	
								$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
								$3130S_FECALC	Iron (ICP-MS) Soil Result	
								$3130S_PBCALC	Lead (ICP-MS) Soil Result	
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	
AT05071	B25	XRF-44	XRF-44		Knott	12/1/2022 15:43	SOIL			
								@P-WHIRL	Plastic WHIRLPACK	NT
								$3130S_ALL	Metals (ICP-MS) Soil ALL	
								$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
								$3130S_FECALC	Iron (ICP-MS) Soil Result	
								$3130S_PBCALC	Lead (ICP-MS) Soil Result	
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	

Appendix D – Bond Release Documentation

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

Matthew G. Bevin
Governor

2 Hudson Hollow
Frankfort, Kentucky 40601
Phone (502) 564-6940
Fax (502) 564-5698
www.naturalresources.ky.gov
www.kentucky.gov

Charles G. Snavely
Secretary

Allen Luttrell
Commissioner

1804 EAST CUMBERLAND AVENUE
Middlesboro, KY 40965-1229

September 15, 2017

LIBERTY MANAGEMENT, LLC
PO BOX 100
ARY KY 41712

RE:	Permit Name:	LIBERTY MANAGEMENT LLC
	Permit Number:	860-0565
	Increment Number:	1,5,6
	Bond ID Number:	041-001547, 041-001549, 041-001550
	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,

E-Signed by Steve Vance
VERIFY authenticity with e-Sign

Steve Vance
Environmental Control Manager
DMRE/London Regional Office

cc: Brent Gay

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

Matthew G. Bevin
Governor

2 Hudson Hollow
Frankfort, Kentucky 40601
Phone (502) 564-6940
Fax (502) 564-5698
www.naturalresources.ky.gov
www.kentucky.gov

Charles G. Snavely
Secretary

Allen Luttrell
Commissioner

1804 EAST CUMBERLAND AVENUE
Middlesboro, KY 40965-1229

September 15, 2017

INDEMNITY NATIONAL INS CO
4800 OLD KINGSTON PIKE
KNOXVILLE TN 37919

RE:	Permit Name:	LIBERTY MANAGEMENT LLC
	Permit Number:	860-0565
	Increment Number:	1,5,6
	Bond ID Number:	041-001547, 041-001549, 041-001550
	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,

E-Signed by Steve Vance
VERIFY authenticity with e-Sign

Steve Vance
Environmental Control Manager
DMRE/London Regional Office

cc: Brent Gay

Appendix E – Photographic Record of Subject Property

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southwest	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southwest	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Northwest	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southeast	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field on subject property facing North	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field on subject property facing North	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing South	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken of Starfire Haul Road facing North	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken from subject property facing East	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken from Starfire Haul Road facing West	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing West	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing Northwest	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing Southeast	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken from upper field of subject property facing East	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in the upper field of the subject property facing Southwest	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in the upper field of subject property facing Southwest	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing West	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing South	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing North	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing Northwest	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing North	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing South	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing South	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing North	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing Southeast	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken from gravel road off of Starfire Haul Road located north of the subject property facing South	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken of property North of the subject property from Starfire Haul Road.	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken of property North of the subject property from Starfire Haul Road	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken of property East of subject property from Starfire Haul Road	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken from gravel road off of Starfire Haul Road located north of subject property facing West	

Appendix F – Current Deeds

Doc ID: 001407610005 Type: DEED
Recorded: 09/26/2017 at 12:50:58 PM
Receipt#: 2017-00001237
Page 1 of 5
Fees: $23.00 Tax: $18.50
Knott County, KY
Ken Gayheart Clerk of Court
BK 281 PG 498-502

Unofficial Document

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE made and entered into the 31st day of August, 2017, by and between **LYNN LEE, INC.**, of 100 Coal Ridge Lane, Georgetown, Scott County, KY 40324, hereinafter referred to as Party of the First Part and **CORE CAPITAL, LLC.**, 176 Leesburg Pike, Georgetown, Scott County, KY 40324, hereinafter referred to as Party of the Second Part.

The in-care-of tax mailing address for the current tax year is the Grantor, Lynn Lee, Inc., 100 Coal Ridge Lane, Georgetown, KY 40324.

W I T N E S S E T H

That the Party of the First Part for and in consideration of the sum of One Hundred Twenty Six Thousand, Three Hundred Fifty Seven Dollars ($126,357.00) the receipt and sufficiency of which are hereby acknowledged, have bargained and sold and by these presents do hereby bargain, sell, grant and convey unto Party of the Second Part, real property (surface only) described below, to wit;

1) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 126, Page 148, records of the Knott County Clerk's Office.

Unofficial Document

2) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 128, Page 269, records of the Knott County Clerk's Office.

3) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 126, Page 145, records of the Knott County Clerk's Office.

4) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 130, Page 204, records of the Knott County Clerk's Office.

5) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 132, Page 565, records of the Knott County Clerk's Office.

6) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book, 129, Page 561, records of the Knott County Clerk's Office.

7) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 128, Page 557, records of the Knott County Clerk's Office.

This Deed of Conveyance is intended to include all land referenced in the Option to Purchase this property and the Map attached thereto which is incorporated by reference, whether specifically mentioned herein.

Unofficial Document

TO HAVE AND TO HOLD the same together with all the appurtenances thereunto belonging unto Party of the Second Part, with covenants of General Warranty.

We, the Grantor and Grantees, do hereby certify, pursuant to KRS Chapter 382, that the above-stated consideration is the true, correct and full consideration paid for the property herein conveyed. We further certify our understanding that falsification of the stated consideration of sale price of the property is a Class D. Felony, subject to one to five years imprisonment and fines up to $10,000.00.

IN TESTIMONY WHEREOF, WITNESS the signatures of the parties hereto the day and year first above written.

LYNN LEE, INC.
LORENE ADAMS, President GRANTOR

ANDREA ADAMS, Power of Attorney for
LORENE ADAMS

CORE CAPITAL, LLC.
SHAWN ADAMS, MEMBER GRANTEE

STATE OF KENTUCKY

COUNTY OF Fayette :

Unofficial Document

I, a notary public for the state-at-large, do hereby certify that the foregoing was produced to me in said county and state by Lorene Adams, President of Lynn Lee, Inc., by and through her Power of Attorney, Andrea Adams, and was signed, sworn and acknowledged to be her free act and deed.

Given under my hand this the 31st day of August, 2017.

Mildred Hicks, #509088
NOTARY PUBLIC, STATE AT LARGE

My Commission expires: 4/4/18.

COMMONWEALTH OF KENTUCKY

COUNTY OF Fayette:

I, a notary public for the state-at-large, do hereby certify that the foregoing was produced to me in said county and state by Core Capital, LLC, by and through Shawn Adams, a member, and was signed, sworn and acknowledged to be his free act and deed.

Mildred Hicks, #509088
NOTARY PUBLIC, STATE AT LARGE

My Commission expires: 4/4/18.

Unofficial Document

STATE OF KENTUCKY

COUNTY OF KNOTT

I, Kenneth Gayheart, Knott County Court Clerk, do hereby certify that the foregoing deed from Lynn Lee, Inc, to Core Capital, LLC., was on the 26 day of Sept. 2017, lodged in my office for record whereupon it, the foregoing, and this, my certificate, have been duly recorded in Deed Book 281, at Page 498.

Given under my hand this the 26 day of Sept, 2017.

Ken Gayheart
KENNETH GAYHEART, CLERK
KNOTT COUNTY COURT CLERK

BY Que Hay D.C.

The foregoing was prepared by Jeffrey R. Morgan, Attorney, P.O. Box 509, Hazard, KY 41701, without benefit of a title search, without preparation of a legal description or survey and without an appraisal.

JEFFREY R. MORGAN, ESQ.

Unofficial Document

193

125/193

GENERAL WARRANTY DEED

This Deed of Conveyance, made and entered into this 11 day of [illegible], 1982, by and between JAMES PATRICK and his wife, OLGA PATRICK, residents of Knott Couty, Kentucky, parties of the first part, and LYNN LEE, INC., a Kentucky corporation with offices at Hazard, Kentucky, and DANIEL G. KING, Combs Road, Hazard, Kentucky, parties of the first part,

WITNESSETH:

That the parties of the first part, for and in consideration of the sum of thirty thousand dollars ($30.000.00), cash in hand paid, the receipt of which is hereby acknowledged, have bargained and sold and by these presents do bargain, sell, grant and convey unto the parties of the second part, their heirs and assigns forever, a certain tract or parcel of land lying in Knott County, Kentucky, and described as follows, to-wit:

TRACT #1

That certain tract or parcel of land situate and being in Knott County, Kentucky, on Balls Fork and BEGINNING at a cliff of rocks on top of the point above the graveyard; thence up the point to a spotted oak at Willard Ritchie's land; thence with the said line to the Stable Branch; thence down said branch to a beech tree on the bank; thence with said Willard Ritchie's line to the top of the point between the Jack Branch and Stable Branch; thence down with the center of said point to the lines of Luna Ritchie's line; thence with said line to the Stable Branch; thence with said Luna Ritchie's line to the BEGINNING. Containing 30 acres more or less.

194

TRACT #2

A certain tract or parcel of land situate and being in Knott County, Kentucky, on the Cut Off Branch of Ball Creek and BEGINNING on a stake between a beech tree and a sugar tree on the south bank of Ball Fork in the lower end of a small bottom just below the mouth of the upper Cut Off Branch or Snag Hollow; thence running up the hill S 36¼ W 22 poles; thence S 1 E 10.6 poles S 16½ E 13.4 poles to a stake white oak pointer; thence S 22½ E 13.5 poles to a stake, sugar tree and beech pointer; thence S 34 E 18.4 poles to a stake chestnut oak pointer, S 5 E 44 poles to stake and three chestnut oak pointers, corner to Jason Ritchie's line on the ridge between Cut Off Branch and Big Branch at the head of the Ivy Hollow; thence N 83 3/4 E 26.8 poles, S 70½ E 11.9 poles; thence S 71 E 17.7 poles to the top of high knob; thence N 75 E 8 poles to a stake, three chestnut pointers, corner to Alex Francis; thence North 14.4 poles, N 13½ E 26.9 poles to a large rock, N 30 E 13.7 poles to a stake chestnut oak pointer; thence N 42 E 7.6 poles; thence N 40 E _____ poles to a stake in the road, beech pointer, thence N 22 E 27.8 poles; thence N 16 E 14.8 poles N 16½ E 30 poles to a large rock marked X on top of the ridge; thence N 58½ W 13.6 poles N 80 W 14.8 poles, N 46½ W 5.2 poles to a large chestnut oak corner to Austin Ritchie's; thence down the hill with said Ritchie's line S 83 W 17.6 poles; thence S 65 W 22.4 poles to the mouth of Upper Cut Off Branch; thence S 51-3/4 W 30 poles; thence down Balls Fruk as it meanders S 45 W 25 poles to a stake pine pointer, N 77½ W 8.4 poles to a stake, beech pointer, N 31½ W 9.9 poles N 82½ W 13.6 poles to the BEGINNING. Containing 90 acres, more or less.

Being the same land conveyed to the grantors by W. H. Smith, Marie Smith, Charlotte Smith, Bill Everage and Ada Everage, by deed dated March 19, 1974, and of record in Deed Book 97, pages 213-214, said deed of record in the office of the Knott County Clerk.

TO HAVE AND TO HOLD the same, together with all the appurtenances thereunto beloning unto the parties of the second part, their heirs and assigns forever, with covenant of General Warranty.

IN TESTIMONY WHEREOF, witness the signatures of the parties of the first part on this the day and year first above written.

James Patrick

Olga Patrick

STATE OF KENTUCKY

COUNTY OF PERRY

I hereby certify that the foregoing instrument was duly signed and acknowledged before me by James Patrick and Olga Patrick on the 11 day of ~~January~~ Feb, 1982.

Notary Public

My commission expires [illegible].

STATE OF KENTUCKY

COUNTY OF KNOTT

I, [illegible], Clerk of the Knott County Court, do hereby certify that the foregoing deed from James Patrick and Olga Patrick to Lynn-Lee, Inc. and Daniel G. King was on the 5 day of ~~January~~ February, 1982, lodged in my office for record and that it, the foregoing, and this my certificate have been duly recorded in my said office in Deed Book 125, page [illegible].

Appendix G – Qualifications

Qualifications of Environmental Professional

Environmental Professional

Christopher Jung

Geologist Registered Supervisor

State Section

Superfund Branch

Division of Waste Management

Education:

Bachelor of Science in Geology, Auburn University 1995

Professional Certification:

Professional Geologist, 2006

Professional Experience:

Mr. Jung has over 26 years of experience in the assessment, investigation and remediation of Superfund and Hazardous Waste sites.

Curtis Stauffer

From: Skaggs, Courtney (EEC) <courtney.skaggs@ky.gov>
Sent: Wednesday, May 10, 2023 10:43 AM
To: Curtis Stauffer
Cc: Aldridge, Louanna C (EEC); Lyons, John (EEC); Gaddis, Sarah J (EEC)
Subject: Olive Branch-narratives, maps and Phase III documentation
Attachments: MIR 860-0565_Olive Branch.doc; MRP Map_Liberty Management LLC_860-0565.docx; MRP Map_River Coal Company Inc_860-0063.docx; NOD Phase III 860-0565_Olive Branch.doc; Olive Branch reclamation plan narrative.docx

Follow Up Flag: Follow up
Flag Status: Flagged

EXTERNAL EMAIL: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Curtis,

Please see below information regarding site location and reclamation status related to the Olive Branch project in Knott County. I have also attached maps, a mine inspection report and Notice of Decision (NOD) letters that document the Phase III bond release for Liberty Management, LLC permit no. 860-0565. There was also a second permitted site located within the boundary of the project area that was issued to River Coal Company, Inc. The Department for Natural Resources (DNR) no longer has bond release records due to the age of the bond release; Phase III release for this permit was granted on March 28, 1995 (28 years ago).

I can provide you with a screen grab from our database that reflects the bond release granted for the permit. "RC" indicates that the permit was "released", while "P2" and "P1" indicate the prior Phase 1 and Phase 2 bond release statuses. I hope this is sufficient to document the release of this permit and termination of the DNR's SMCRA jurisdiction.

Permits

Permit Search:

Search: 8600063

Export to Excel

Permit #	Entity Id	Entity Name
8600063	002287	RIVER COAL COMPANY INC

1 5 items per page

Inspection History

Date	Inspection Type	Reasons	Mine Status	Dis
03/28/1995	P	SO	RC	159
02/13/1995	C		P2	159
12/08/1994	C	BR	P2	159
09/29/1994	C		P2	159
08/04/1994	P	BR	P2	159
05/02/1994	C		P2	159
12/08/1993	C		P1	159

Olive Branch-Knott County

Site Location:

This site is located near the community of Talcum in Knott County, Kentucky at 37.3892°W/-83.1079°N. The surface property includes previously mined lands that have obtained Phase 3 bond release and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). The project will develop approximately seventy-five (75) acres and include housing site for approximately two-hundred twenty-five (225) single family residences.
Utilities are located adjacent to the project area. Both water and sewer lines will be extended to service the project area, as well as electric utilities. Access to the site will be through existing public roads, with extension to County Road 1390 (CR-1390) anticipated.

Reclamation Status:

The Olive Branch 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) in 1984. The DNR is the state primacy agency with the regulatory authority for permitting, inspection and enforcement under SMCRA. The project area includes two (2) reclaimed mining sites formerly permitted by River Coal Company, Inc. and Liberty Management, LLC.

River Coal Company, Inc., permit no. 860-0063, was issued on February 14, 1984 and obtained a Phase IIII bond release on March 28, 1995.

Liberty Management LLC, permit no 860-0565 was initially permitted to Star Fire Mining Company, permit no. 460-0080. 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 Big Elk Mining Company, permit no. 860-0421 on October 25, 2005; the second transfer of rights to Frasure Creek Mining LLC, permit no. 860-0466 on June 1, 2007; a third transfer of rights (due to a stock purchase) to Frasure Creek Mining LLC, permit no. 860-0506 on April 7, 2011; and a fourth transfer of rights to Liberty Management LLC, permit no. 860-0565 on November 5, 2015. Liberty Management, LLC, permit no. 860-0565 obtained a Phase III bond release on October 3, 2017.

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 March 28, 1995 and October 3, 2017.

Courtney

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

Matthew G. Bevin
Governor

2 Hudson Hollow
Frankfort, Kentucky 40601
Phone (502) 564-6940
Fax (502) 564-5698
www.naturalresources.ky.gov
www.kentucky.gov

Charles G. Snavely
Secretary

Allen Luttrell
Commissioner

1804 EAST CUMBERLAND AVENUE
Middlesboro, KY 40965-1229

September 15, 2017

LIBERTY MANAGEMENT, LLC
PO BOX 100
ARY KY 41712

RE:	Permit Name:	LIBERTY MANAGEMENT LLC
	Permit Number:	860-0565
	Increment Number:	1,5,6
	Bond ID Number:	041-001547, 041-001549, 041-001550
	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,

E-Signed by Steve Vance
VERIFY authenticity with e-Sign

Steve Vance
Environmental Control Manager
DMRE/London Regional Office

cc: Brent Gay

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

Matthew G. Bevin
Governor

2 Hudson Hollow
Frankfort, Kentucky 40601
Phone (502) 564-6940
Fax (502) 564-5698
www.naturalresources.ky.gov
www.kentucky.gov

Charles G. Snavely
Secretary

Allen Luttrell
Commissioner

1804 EAST CUMBERLAND AVENUE
Middlesboro, KY 40965-1229

September 15, 2017

INDEMNITY NATIONAL INS CO
4800 OLD KINGSTON PIKE
KNOXVILLE TN 37919

RE:	Permit Name:	LIBERTY MANAGEMENT LLC
	Permit Number:	860-0565
	Increment Number:	1,5,6
	Bond ID Number:	041-001547, 041-001549, 041-001550
	Phase Number:	PIII

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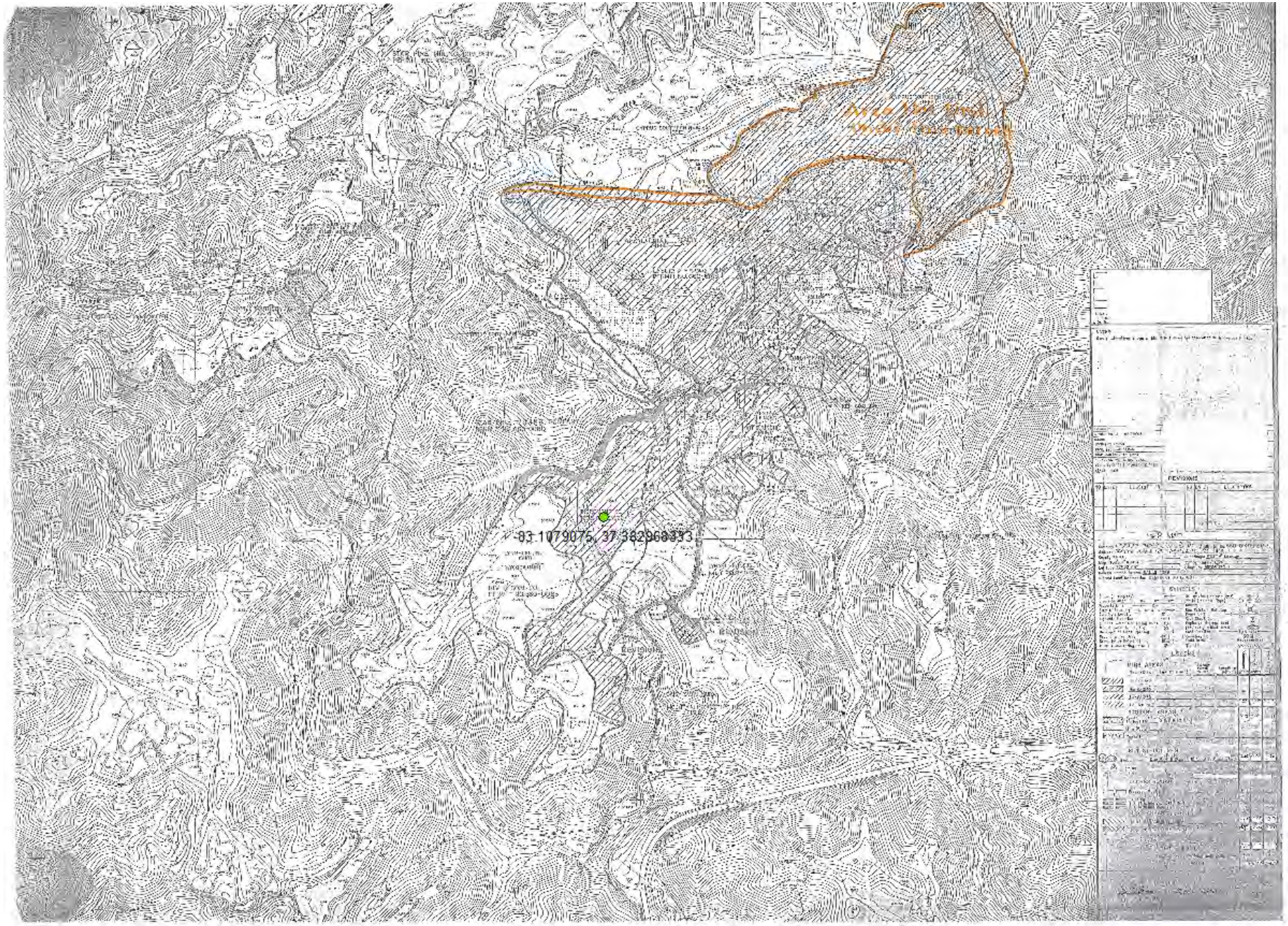
Sincerely,

E-Signed by Steve Vance
VERIFY authenticity with e-Sign

Steve Vance
Environmental Control Manager
DMRE/London Regional Office

cc: Brent Gay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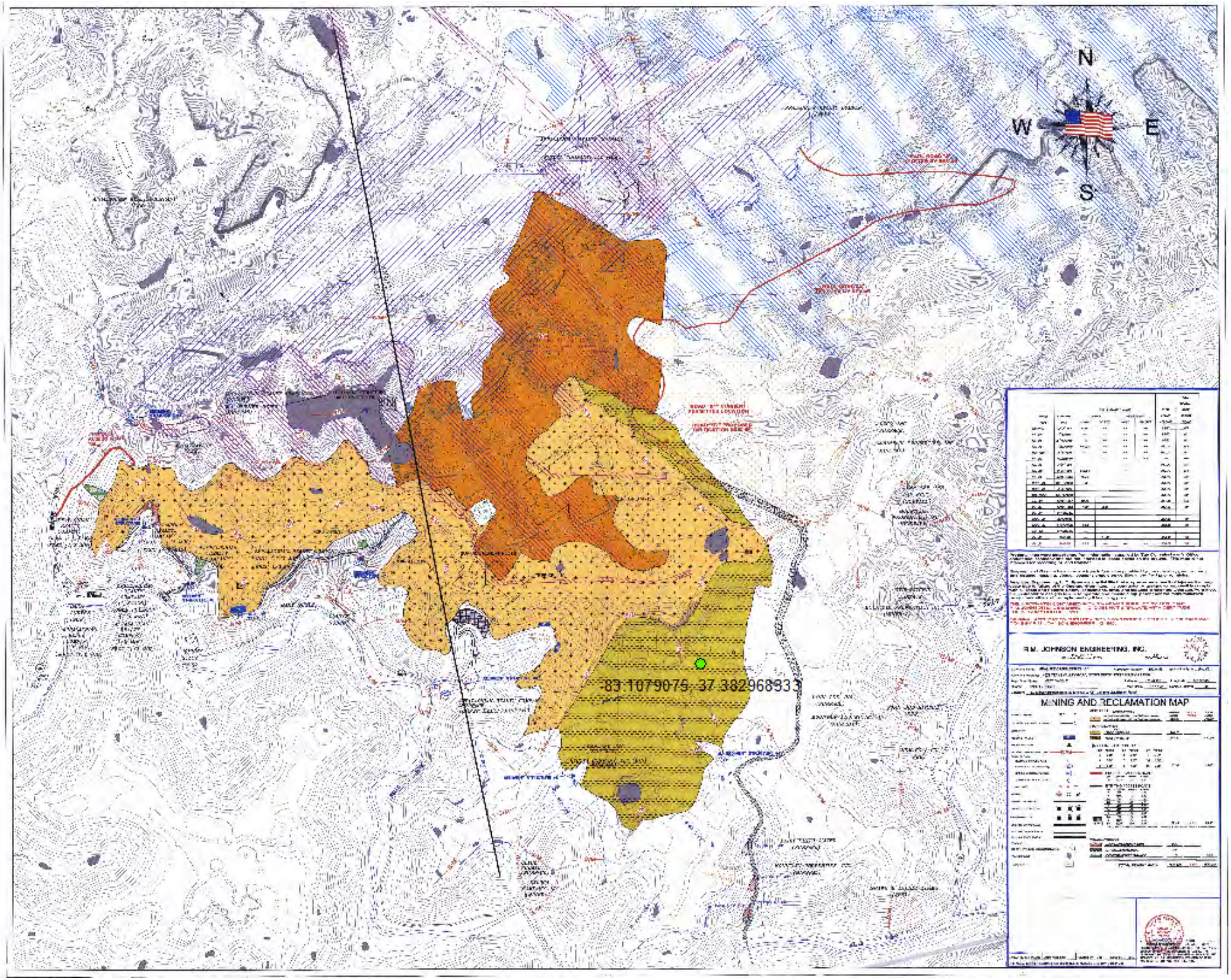
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-83.1079075, 37.38296833
R.M. JOHNSON ENGINEERING, INC.
MINING AND RECLAMATION MAP

MINE INSPECTION REPORT – PERMANENT PROGRAM

Hand Delivered? 860-0565

Company Name and Address	RG Bonded Acres	Acres Permitted	Status	Start Time	End Time
LIBERTY MANAGEMENT LLC PO BOX 100 ARY, KY 41712		808.22	RC	10:00 AM	11:00 AM
	Mine Type	Acres Bonded	Inspection Date		Type
	SURFACE	0	10/03/2017		C
	Weather	Est. Acres Disturbed			
	SUN	576.97			

Insolvent Surety	Photos	Reasons For Inspection				Overall Site Condition	Est. Acres Reclaimed	End Inspection Date
No	No					FC	576.97	10/03/2017

Non-Compliance	Cessation Order Number	Cessation Order Type	INC/ICO Number	INC/ICO Type	IAO Number	IAO Type	Modification Number	Modification Type	Permit Expiration Date
									2/1/1999

(SM)	FC	Signs and Markers KAR 16:030 or 18:030	(SC)	FC	Sedimentation Ponds KAR 16:090 or 18:090	(SS)	FC	Steep Slopes KAR 20:060
(AC)	FC	Roads KAR 16:220 or 18:230	(DV)	FC	Diversions KAR 16:080 or 18:080	(MR)	NA	Mountaintop Removal KAR 20:050
(TH)	FC	Topsoil KAR 16:050 or 18:050	(WQ)	FC	Water Quality KAR 16:070 or 18:070	(AM)	NA	Auger Mining KAR 20:030
(UE)	FC	Use of Explosives KAR 16:120 or 18:120	(HR)	FC	General Hydrologic Requirements KAR 16:060 or 18.060	(PF)	NA	Prime Farmland KAR 20:040
(DS)	FC	Disposal of Excess Spoil KAR 16:130 or 18:130	(WM)	FC	Water Monitoring KAR 16:110 or 18:110	(PP)	NA	Processing Plants KAR 20:070 or 20:080
(BG)	FC	Backfilling and Grading KAR 16:190 or 18:190	(IM)	FC	Impoundments KAR 16:100 or 18:100	(PL)	FC	Post-Mining Land Use KAR 16:210 or 18:220
(CR)	FC	Contemporaneous Reclamation KAR 16:020 or 18:020	(WD)	NA	Coal Waste Dams KAR 16:160 or 18:160	(DH)	FC	Drilled Holes KAR 16:040 or 18:040
(OF)	FC	Other Facilities KAR 16:250 or 18:260	(DC)	NA	Disposal of Coal Processing Waste KAR 16:140 or 18:140	(UO)	NA	Approved Operator KAR 8:010
(DW)	FC	Disposal of Non-Coal Waste KAR 16:150 or 18:150	(AP)	FC	Air Resources Protection KAR 16:170 or 18:170	(OC)	FC	Ownership and Control KAR 8:010
(RV)	FC	Revegetation KAR 16:200 or 18:200	(FW)	FC	Fish and Wildlife Protection KAR 16:180 or 18:180	(SB)	NA	Subsidence KAR 18:210
(OD)	FC	Off Permit Disturbance KAR 7:040	(OO)	NA	Mining Off Permit U/G KAR 7:040 or 8:010	(OT)	FC	Other Permit Conditions
(OM)	FC	Method of Operation KAR 08:010	(LI)	FC	Liability Insurance KAR 10:030	(SF)	FC	Surety Failure KAR 10:030
(EL)	FC	Effluent Limitations KAR 5:065	(FR)	FC	Flyrock KAR 16:120	(SW)	FC	Surface and Ground Water KAR 16:110, 18:110, or 5:065

Describe all changes since last inspection, including change in operator or contractor and name(s) of any person(s) who accompanied you during this inspection (citizen, chief, other federal or state inspectors); etc.

Complete inspection - All structures with KPDES sampled and in compliance. Yes☐ No☒ If Yes not selected, list points in violation.

This permit is released as of 10-03-2017 due to a phase III bond release and inspections ceased.

Env. Inspector:	Jason Mills	I.D. No:	060248	Date:	10/03/2017
Env. Control Supervisor:	E-Signed by Kevin Helton VERIFY authenticity with e-Sign Kevin Helton			Date:	10/03/2017
Env. Control Manager:				Date:	
Person On-Site To Whom Copy Was Delivered:		Signature:			
Person To Whom Copy Was Hand Delivered:		Signature:			
Certified Mail No.		Certified Date			
Contact Inspector at:	606-231-8486				

Copies Mailed To:
LIBERTY MANAGEMENT LLC
5896 HURRICANE CREEK ROAD PIKEVILLE KY 41501
PO BOX 100
ARY, KY 41712

Neighborhoods at Risk

Knott County, KY

How to use this tool

Explore Neighborhoods **Climate Projections**

Knott County is expected to experience a **298% increase in extremely hot days** and a **2% increase in days with heavy precipitation** within **50 years.**

Explore climate projections

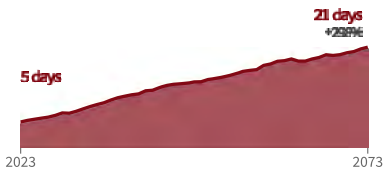
Select time range: 50 Years

Select an emissions scenario: Higher Emissions (RCP8.5) Lower Emissions (RCP4.5)

HEAT

Days per year above: 90°F 95°F 100°F

By 2073, Knott County is expected to experience **15 more days** that reach above 95°F (from 5 days to 21 days per year).



Extremely hot days are the leading cause of weather-related fatalities in the U.S. and contribute to economic stress as the need for (and cost of) air conditioning rises.

Average annual temperature

By 2073, Knott County is expected to have a **2°F increase** (from 57°F to 59°F) in average annual temperatures.

Increasing annual temperatures contribute to droughts, longer and more catastrophic wildfire seasons, and warmer oceans that fuel hurricanes and offshore storms.

PRECIPITATION

Days per year with precip. above: 1" 2" 4"

By 2073, Knott County is expected to experience **0.09 more days** of heavy precipitation per year (from 4.68 days to 4.77 days per year).

Heavy precipitation leads to both riverine flooding and flash floods as the ground fails to absorb the high volume of precipitation that falls in a short period.

Average annual precipitation

By 2073, Knott County is expected to have a **0.16" decrease** (from 47.1" to 46.93") in average annual precipitation.

Increasing annual precipitation contributes to sustained flooding. For example, in 2019 areas along the Mississippi remained above flood stage for at least three months.

This free tool is nationally available thanks to generous contributions from the **Tableau Foundation**, **Mapbox**, **Urban Sustainability Directors Network**, **M. J. Murdock Charitable Trust**, **Climate Resilience Fund**, **National Oceanic and Atmospheric Administration**, and **National Academy of Sciences, Engineering, and Medicine**. Climate data accessed via **Applied Climate Information System (ACIS)** managed by the Northeast Regional Climate Center, Cornell University.

HEADWATERS ECON

Neighborhoods at Risk

Knott County, KY

How to use this tool

Explore Neighborhoods **Climate Projections**

Knott County is expected to experience a **586% increase in extremely hot days** and a **19% increase in days with heavy precipitation** within **50 years.**

Explore climate projections

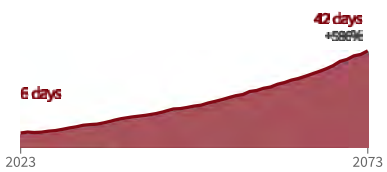
Select time range: 50 Years

Select an emissions scenario: Higher Emissions (RCP8.5) Lower Emissions (RCP4.5)

HEAT

Days per year above: 90°F 95°F 100°F

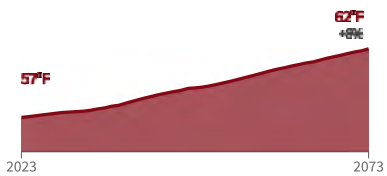
By 2073, Knott County is expected to experience **36 more days** that reach above 95°F (from 6 days to 42 days per year).



Extremely hot days are the leading cause of weather-related fatalities in the U.S. and contribute to economic stress as the need for (and cost of) air conditioning rises.

Average annual temperature

By 2073, Knott County is expected to have a **5°F increase** (from 57°F to 62°F) in average annual temperatures.



Increasing annual temperatures contribute to droughts, longer and more catastrophic wildfire seasons, and warmer oceans that fuel hurricanes and offshore storms.

PRECIPITATION

Days per year with precip. above: 1″ 2″ 4″

By 2073, Knott County is expected to experience **0.9 more days** of heavy precipitation per year (from 4.7 days to 5.6 days per year).

Heavy precipitation leads to both riverine flooding and flash floods as the ground fails to absorb the high volume of precipitation that falls in a short period.

Average annual precipitation

By 2073, Knott County is expected to have a **1″ increase** (from 47″ to 48.1″) in average annual precipitation.

Increasing annual precipitation contributes to sustained flooding. For example, in 2019 areas along the Mississippi remained above flood stage for at least three months.

This free tool is nationally available thanks to generous contributions from the **Tableau Foundation**, **Mapbox**, **Urban Sustainability Directors Network**, **M. J. Murdock Charitable Trust**, **Climate Resilience Fund**, **National Oceanic and Atmospheric Administration**, and **National Academy of Sciences, Engineering, and Medicine**. Climate data accessed via **Applied Climate Information System (ACIS)** managed by the Northeast Regional Climate Center, Cornell University.

HEADWATERS ECON

National Risk Index

September 05, 2023

Knott County, Kentucky

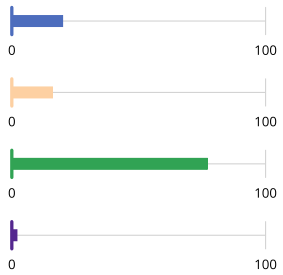
Summary

Risk Index is **Very Low** — Score **20.9**

Expected Annual Loss is **Very Low** — Score **16.2**

Social Vulnerability is **Relatively High** — Score **77.3**

Community Resilience is **Very Low** — Score **2.6**

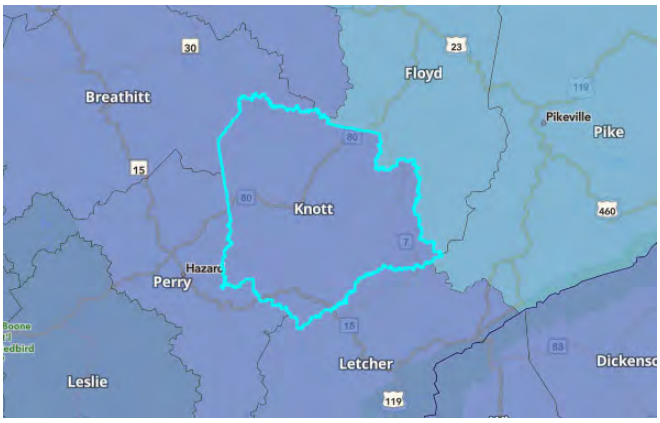


While reviewing this report, keep in mind that low risk is driven by lower loss due to natural hazards, lower social vulnerability, and higher community resilience.

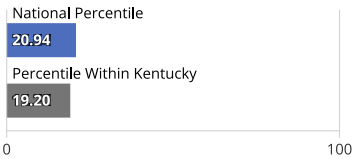
For more information about the National Risk Index, its data, and how to interpret the information it provides, please review the **About the National Risk Index** and **How to Take Action** sections at the end of this report. Or, visit the National Risk Index website at **hazards.fema.gov/nri/learn-more** to access supporting documentation and links.

Risk Index

The Risk Index rating is **Very Low** for **Knott County, KY** when compared to the rest of the U.S.



Score **20.94**



21% of U.S. counties have a lower Risk Index

19% of counties in Kentucky have a lower Risk Index

Risk Index Legend

Very High | Relatively High | Relatively Moderate | Relatively Low | Very Low

No Rating | Not Applicable | Insufficient Data

Hazard Type Risk Index

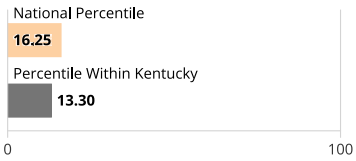
Hazard type Risk Index scores are calculated using data for only a single hazard type, and reflect a community's Expected Annual Loss value, community risk factors, and the adjustment factor used to calculate the risk value.

Hazard Type	EAL Value	Social Vulnerability	Community Resilience	CRF	Risk Value	Score
Wildfire	$432,165	Relatively High	Very Low	1.41	$600,633	81.9
Riverine Flooding	$405,551	Relatively High	Very Low	1.41	$579,282	54.4
Landslide	$404,230	Relatively High	Very Low	1.41	$567,670	97.7
Strong Wind	$197,869	Relatively High	Very Low	1.41	$278,962	39.6
Tornado	$133,431	Relatively High	Very Low	1.41	$187,999	18.2
Hail	$111,844	Relatively High	Very Low	1.41	$158,737	58.6
Heat Wave	$65,544	Relatively High	Very Low	1.41	$91,818	51.1
Earthquake	$50,348	Relatively High	Very Low	1.41	$73,118	38.3
Lightning	$43,903	Relatively High	Very Low	1.41	$61,798	32.3
Winter Weather	$34,615	Relatively High	Very Low	1.41	$48,494	44.9
Hurricane	$28,403	Relatively High	Very Low	1.41	$40,340	28.4
Cold Wave	$25,200	Relatively High	Very Low	1.41	$35,280	42.3
Ice Storm	$4,961	Relatively High	Very Low	1.41	$7,036	14.5
Drought	$0	Relatively High	Very Low	1.41	$0	0
Avalanche	--	Relatively High	Very Low	1.41	--	–
Coastal Flooding	--	Relatively High	Very Low	1.41	--	–
Tsunami	--	Relatively High	Very Low	1.41	--	–
Volcanic Activity	--	Relatively High	Very Low	1.41	--	–

Expected Annual Loss

In **Knott County, KY**, expected loss each year due to natural hazards is **Very Low** when compared to the rest of the U.S.

Score **16.25**



16% of U.S. counties have a lower Expected Annual Loss

13% of counties in Kentucky have a lower Expected Annual Loss

Expected Annual Loss Legend

Very High | Relatively High | Relatively Moderate | Relatively Low | Very Low

No Expected Annual Losses | Not Applicable | Insufficient Data

Composite Expected Annual Loss	**$1,938,063.86**
Composite Expected Annual Loss Rate National Percentile	**38.3**

Building EAL	**$913,752.05**	Population EAL	**0.09** fatalities
Building EAL Rate	**$1 per $2.30K of building value**	Population EAL Rate	**1 per 161.37K people**
Agriculture EAL	**$1,808.05**	Population Equivalence EAL	**$1,022,503.77**
Agriculture EAL Rate	**$1 per $259.08 of agriculture value**		

Expected Annual Loss for Hazard Types

Expected Annual Loss scores for hazard types are calculated using data for only a single hazard type, and reflect a community's relative expected annual loss for only that hazard type. **14 of 18** hazard types contribute to the expected annual loss for **Knott County, KY**.

Hazard Type	Expected Annual Loss Rating	EAL Value	Score
Wildfire	Relatively Low	$432,165	80.2
Riverine Flooding	Relatively Low	$405,551	50.7
Landslide	Relatively High	$404,230	97.1
Strong Wind	Relatively Low	$197,869	36.9
Tornado	Very Low	$133,431	18.2
Hail	Relatively Low	$111,844	55.3
Heat Wave	Relatively Low	$65,544	49.5
Earthquake	Very Low	$50,348	35.3
Lightning	Relatively Low	$43,903	27.8
Winter Weather	Relatively Low	$34,615	42.6
Hurricane	Very Low	$28,403	24.7
Cold Wave	Relatively Low	$25,201	42.2
Ice Storm	Very Low	$4,961	12.9
Drought	No Expected Annual Losses	$0	0.0
Avalanche	Not Applicable	--	--
Coastal Flooding	Not Applicable	--	--
Tsunami	Not Applicable	--	--
Volcanic Activity	Not Applicable	--	--

Expected Annual Loss Values

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Avalanche	--	--	--	--	--
Coastal Flooding	--	--	--	--	--
Cold Wave	$25,200	$78	$24,754	0.00	$369
Drought	$0	n/a	n/a	n/a	$0
Earthquake	$50,348	$38,510	$11,838	0.00	n/a
Hail	$111,844	$100,452	$11,202	0.00	$190
Heat Wave	$65,544	$424	$65,119	0.01	$1
Hurricane	$28,403	$28,061	$284	0.00	$59
Ice Storm	$4,961	$4,056	$906	0.00	n/a
Landslide	$404,230	$84,635	$319,595	0.03	n/a
Lightning	$43,903	$3,436	$40,467	0.00	n/a
Riverine Flooding	$405,551	$186,634	$217,920	0.02	$996
Strong Wind	$197,869	$78,696	$118,988	0.01	$185
Tornado	$133,431	$41,379	$92,047	0.01	$5
Tsunami	--	--	--	--	--
Volcanic Activity	--	--	--	--	--
Wildfire	$432,165	$347,015	$85,147	0.01	$3
Winter Weather	$34,615	$377	$34,238	0.00	$0

Exposure Values

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Avalanche	--	--	--	--	--
Coastal Flooding	--	--	--	--	--
Cold Wave	$167,096,832,822	$2,097,964,394	$164,998,400,000	14,224.00	$468,428
Drought	$0	n/a	n/a	n/a	$0
Earthquake	$167,409,514,000	$2,097,914,000	$165,311,600,000	14,251.00	n/a
Hail	$167,096,832,822	$2,097,964,394	$164,998,400,000	14,224.00	$468,428
Heat Wave	$167,096,832,822	$2,097,964,394	$164,998,400,000	14,224.00	$468,428
Hurricane	$167,096,832,822	$2,097,964,394	$164,998,400,000	14,224.00	$468,428
Ice Storm	$167,096,364,394	$2,097,964,394	$164,998,400,000	14,224.00	n/a
Landslide	$164,471,487,282	$2,066,546,159	$162,404,941,123	14,000.43	n/a
Lightning	$167,096,364,394	$2,097,964,394	$164,998,400,000	14,224.00	n/a
Riverine Flooding	$17,390,153,304	$214,715,538	$17,175,317,739	1,480.63	$120,027
Strong Wind	$167,096,832,822	$2,097,964,394	$164,998,400,000	14,224.00	$468,428
Tornado	$167,096,832,822	$2,097,964,394	$164,998,400,000	14,224.00	$468,428
Tsunami	--	--	--	--	--
Volcanic Activity	--	--	--	--	--
Wildfire	$7,033,430,345	$87,394,848	$6,946,014,732	598.79	$20,764
Winter Weather	$167,096,832,822	$2,097,964,394	$164,998,400,000	14,224.00	$468,428

Annualized Frequency Values

Hazard Type	Annualized Frequency	Events on Record	Period of Record
Avalanche	--	--	--
Coastal Flooding	--	--	--
Cold Wave	0.2 events per year	3	2005-2021 (16 years)
Drought	6.9 events per year	175	2000-2021 (22 years)
Earthquake	0.053% chance per year	n/a	2021 dataset
Hail	3.4 events per year	118	1986-2021 (34 years)
Heat Wave	0.4 events per year	6	2005-2021 (16 years)
Hurricane	0 events per year	2	East 1851-2021 (171 years) / West 1949-2021 (73 years)
Ice Storm	0.1 events per year	10	1946-2014 (67 years)
Landslide	0.2 events per year	10	2010-2021 (12 years)
Lightning	59.7 events per year	1,314	1991-2012 (22 years)
Riverine Flooding	1.1 events per year	26	1996-2019 (24 years)
Strong Wind	4.3 events per year	145	1986-2021 (34 years)
Tornado	0.1 events per year	1	1950-2021 (72 years)
Tsunami	--	--	--
Volcanic Activity	--	--	--
Wildfire	0.997% chance per year	n/a	2021 dataset
Winter Weather	2.3 events per year	37	2005-2021 (16 years)

Historic Loss Ratios

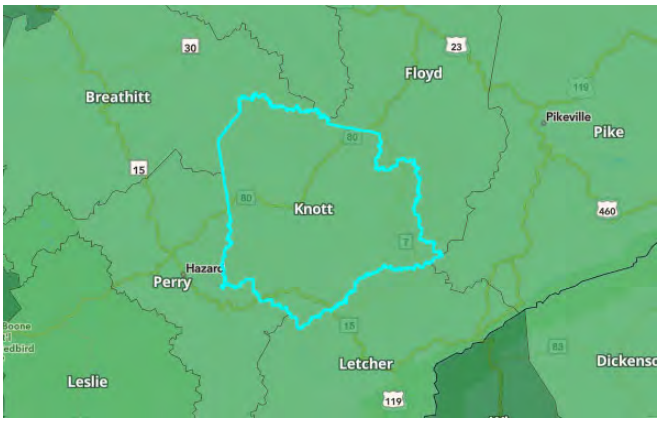
Hazard Type	Overall Rating
Avalanche	--
Coastal Flooding	--
Cold Wave	Very Low
Drought	No Rating
Earthquake	Relatively Low
Hail	Relatively Low
Heat Wave	Relatively Low
Hurricane	Relatively Low
Ice Storm	Relatively Low
Landslide	Very Low
Lightning	Relatively Low
Riverine Flooding	Very Low
Strong Wind	Relatively Low
Tornado	Relatively Moderate
Tsunami	--
Volcanic Activity	--
Wildfire	Relatively Low
Winter Weather	Relatively Low

Expected Annual Loss Rate

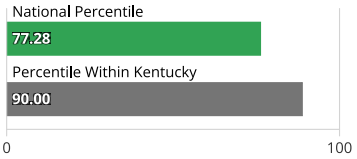
Hazard Type	Building EAL Rate (per $1M building value)	Population EAL Rate (per population)	Agriculture EAL Rate (per agriculture value)
Avalanche	--	--	--
Coastal Flooding	--	--	--
Cold Wave	$1 per $27.06M	1 per 6.67M	$1 per $1.27K
Drought	--	--	–
Earthquake	$1 per $54.48K	1 per 13.94M	–
Hail	$1 per $20.89K	1 per 14.73M	$1 per $2.47K
Heat Wave	$1 per $4.95M	1 per 2.53M	$1 per $447.90K
Hurricane	$1 per $74.77K	1 per 581.68M	$1 per $7.95K
Ice Storm	$1 per $517.27K	1 per 182.20M	–
Landslide	$1 per $24.79K	1 per 516.27K	–
Lightning	$1 per $610.59K	1 per 4.08M	–
Riverine Flooding	$1 per $11.24K	1 per 757.15K	$1 per $470.17
Strong Wind	$1 per $26.66K	1 per 1.39M	$1 per $2.53K
Tornado	$1 per $50.70K	1 per 1.79M	$1 per $100.78K
Tsunami	--	--	--
Volcanic Activity	--	--	--
Wildfire	$1 per $6.05K	1 per 1.94M	$1 per $160.45K
Winter Weather	$1 per $5.57M	1 per 4.82M	$1 per $20.96M

Social Vulnerability

Social groups in **Knott County, KY** have a **Relatively High** susceptibility to the adverse impacts of natural hazards when compared to the rest of the U.S.



Score **77.28**



77% of U.S. counties have a lower Social Vulnerability

90% of counties in Kentucky have a lower Social Vulnerability

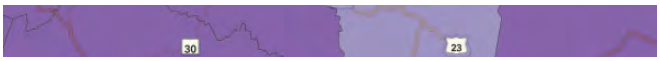
Social Vulnerability Legend

Very High | Relatively High | Relatively Moderate | Relatively Low | Very Low

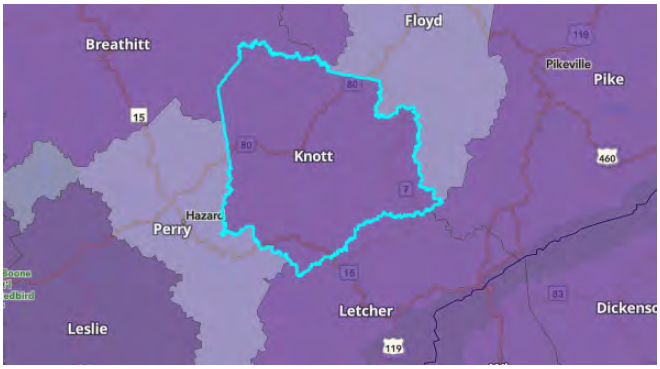
Data Unavailable

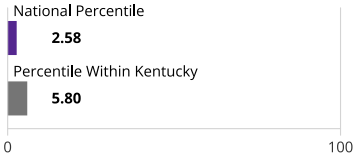
Community Resilience

Communities in **Knott County, KY** have a **Very Low** ability to prepare for anticipated natural hazards, adapt to changing conditions, and withstand and recover rapidly from disruptions when compared to the rest of the U.S.



Score **2.58**





98% of U.S. counties have a higher Community Resilience

94% of counties in Kentucky have a higher Community Resilience

Community Resilience Legend

Very High | Relatively High | Relatively Moderate | Relatively Low | Very Low

Data Unavailable

About the National Risk Index

The National Risk Index is a dataset and online tool to help illustrate the United States communities most at risk for 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hail, Heat Wave, Hurricane, Ice Storm, Landslide, Lightning, Riverine Flooding, Strong Wind, Tornado, Tsunami, Volcanic Activity, Wildfire, and Winter Weather.

The National Risk Index leverages available source data for Expected Annual Loss due to these 18 hazard types, Social Vulnerability, and Community Resilience to develop a baseline relative risk measurement for each United States county and Census tract. These measurements are calculated using average past conditions, but they cannot be used to predict future outcomes for a community. The National Risk Index is intended to fill gaps in available data and analyses to better inform federal, state, local, tribal, and territorial decision makers as they develop risk reduction strategies.

Explore the National Risk Index Map at **hazards.fema.gov/nri/map**.

Visit the National Risk Index website at **hazards.fema.gov/nri/learn-more** to access supporting documentation and links.

Calculating the Risk Index

Risk Index scores are calculated using an equation that combines scores for Expected Annual Loss due to natural hazards, Social Vulnerability and Community Resilience:

Risk Index = Expected Annual Loss × Social Vulnerability ÷ Community Resilience

Risk Index scores are presented as a composite score for all 18 hazard types, as well as individual scores for each hazard type.

For more information, visit **hazards.fema.gov/nri/determining-risk**.

Calculating Expected Annual Loss

Expected Annual Loss scores are calculated using an equation that combines values for exposure, annualized frequency, and historic loss ratios for 18 hazard types:

Expected Annual Loss = Exposure × Annualized Frequency × Historic Loss Ratio

Expected Annual Loss scores are presented as a composite score for all 18 hazard types, as well as individual scores for each hazard type.

For more information, visit **hazards.fema.gov/nri/expected-annual-loss**.

Calculating Social Vulnerability

Social Vulnerability is measured using the Social Vulnerability Index (SVI) published by the Centers for Disease Control and Prevention (CDC).

For more information, visit **hazards.fema.gov/nri/social-vulnerability**.

Calculating Community Resilience

Community Resilience is measured using the Baseline Resilience Indicators for Communities (HVRI BRIC) published by the University of South Carolina's Hazards and Vulnerability Research Institute (HVRI).

For more information, visit **hazards.fema.gov/nri/community-resilience**.

How to Take Action

There are many ways to reduce natural hazard risk through mitigation. Communities with high National Risk Index scores can take action to reduce risk by decreasing Expected Annual Loss due to natural hazards, decreasing Social Vulnerability, and increasing Community Resilience.

For information about how to take action and reduce your risk, visit **hazards.fema.gov/nri/take-action**.

Disclaimer

The National Risk Index (the Risk Index or the Index) and its associated data are meant for planning purposes only. This tool was created for broad nationwide comparisons and is not a substitute for localized risk assessment analysis. Nationwide datasets used as inputs for the National Risk Index are, in many cases, not as accurate as available local data. Users with access to local data for each National Risk Index risk factor should consider substituting the Risk Index data with local data to recalculate a more accurate risk index. If you decide to download the National Risk Index data and substitute it with local data, you assume responsibility for the accuracy of the data and any resulting data index. Please visit the **Contact Us** page if you would like to discuss this process further.

The methodology used by the National Risk Index has been reviewed by subject matter experts in the fields of natural hazard risk research, risk analysis, mitigation planning, and emergency management. The processing methods used to create the National Risk Index have produced results similar to those from other natural hazard risk analyses conducted on a smaller scale. The breadth and combination of geographic information systems (GIS) and data processing techniques leveraged by the National Risk Index enable it to incorporate multiple hazard types and risk factors, manage its nationwide scope, and capture what might have been missed using other methods.

The National Risk Index does not consider the intricate economic and physical interdependencies that exist across geographic regions. Keep in mind that hazard impacts in surrounding counties or Census tracts can cause indirect losses in your community regardless of your community's risk profile.

Nationwide data available for some risk factors are rudimentary at this time. The National Risk Index will be continuously updated as new data become available and improved methodologies are identified.

The National Risk Index Contact Us page is available at **hazards.fema.gov/nri/contact-us**.

Minimum Design Standards for New Construction Single Family Dwelling Units

Kentucky Housing Corporation
Revision 2019

Division I: General Requirements 3
Division 2: Existing Conditions 5
Division 3: Concrete 6
Division 4: Masonry 6
Division 5: Metals 6
Division 6: Woods/Plastics/Rough Carpentry/Millwork 7
Division 7: Thermal and Moisture Protection 8
Division 8: Doors, Windows, and Glazing 10
Division 9: Finishes 11
Division 10: Specialties 13
Division 11: Equipment 14
Division 12: Furnishings 14
Division 13: Special Construction 15
Division 21: Fire Suppression 17
Division 22: Plumbing 18
Division 23: Heating Ventilating and Air Conditioning 19
Division 26: Electrical 20
Division 27: Communications 21
Division 28: Electronic Safety and Security 21
Division 31: Earthwork 22
Division 32: Exterior Improvements 22
Division 33: Utilities Services 23

KHC Minimum Design Requirements

The following minimum design items are for all newly constructed single-family dwelling units constructed under the applicable Kentucky Residential Code.

For rehabilitated single family structures, refer to KHC's Minimum Design Standards: Rehabilitated Single Family at http://www.kyhousing.org/Development/Documents/MinDesignStandardsRehab.pdf

KHC's Minimum Design Standards are used as a guideline to meet and exceed all applicable local, state, and national codes. These standards also serve as a vehicle to promote and enforce modern construction and design practices for builders,

contractors, and design professionals who wish to utilize funding from Kentucky Housing Corporation. Other methods of construction and design may be acceptable on a case by case basis. If your design does not satisfy KHC's Minimum Design Standards, please contact the Department of Design and Construction Review for further assistance.

Division I: General Requirements

1) **Minimum Design Standards:** Minimum Design Standards shall apply when KHC funding exceeds ten percent (10%) or more of cost per unit to all new construction and reconstruction of single family detached homes constructed with funds from the HOME Investment Partnerships Program (HOME), Affordable Housing Trust Fund (AHTF), SMAL, Risk Sharing, Appalachian Regional Commission-Kentucky Appalachian Housing Program, Housing Tax Credits and Tax-Exempt Bonds. These funds are available through KHC's Department of Housing Contract Administration (HCA).

2) **Codes:** All construction shall comply with applicable code and standards listed below:
   a) Current version of Kentucky Residential Code in force at commencement of construction or permit application.
   b) Local planning and zoning requirements
   c) Local authorities' rules and regulations
   d) Section 504 of the Rehabilitation Act of 1973
   e) Americans with Disabilities Act of 1990

3) **Soil Treatment-Termite Protection:** An appropriate termite inspection and treatment of all property is required.
   a) **The inspection** must be completed by a licensed exterminator who shall report any termite activity located and treatment applied.
   b) Provide a **homeowner option** to extend the treatment contract.

4) **Radon Reduction:** A Radon reduction venting system is required for newly constructed houses in the following counties determined by the Environmental Protection Agency and U.S. Geological Society to have high Radon potential: Adair, Allen, Barren, Bourbon, Boyle, Bullitt, Casey, Clark, Cumberland, Fayette, Franklin, Green, Harrison, Hart, Jefferson, Jessamine, Lincoln, Marion, Mercer, Metcalfe, Monroe, Nelson, Pendleton, Pulaski, Robertson, Russell, Scott, Taylor, Warren, Woodford

5) **Energy Efficiency:** Documentation and/or calculations that the building envelope meets or exceeds the 2012 IECC requirements must be provided from REScheck or other approved software or methodology such as a HERS rating.
   a) REScheck is a US Department of Energy free download at: **http://www.energycodes.gov/rescheck/**
   b) A HERS rating of less than 62 will be an acceptable target to meet this requirement.

6) **Testing:** Building envelope tightness testing must be completed in accordance with the 2012 IECC and reported to KHC. Testing must verify compliance with ASHRAE 62.2 Standard for ventilation and acceptable indoor air quality.
   a) Diagnostic testing shall be reported by one of the following methods:
      i) Documentation from a licensed and certified HERS rater.
      ii) Documentation from a Building Analyst, Energy Auditor, or Quality Control Inspector certified, by the Building Performance Institute.
      iii) Documentation from a licensed HVAC contractor, qualified in pressure diagnostic testing of the duct systems and total air infiltration.
      iv) Documentation from a Weatherization Assistance Program trained Dwelling Needs Evaluator.
      v) Other methods will be considered upon written request.
   b) A HERS rating of less than 62 will be an acceptable target to meet this requirement.

7) **Quality Assurance:** General Contractors and/or subcontractors shall furnish a written material and labor warranty on all units for a period not less than one full year after occupancy.

8) **Unit Size Requirements:** The following minimum square foot measurements are required for different types of units. For purposes of this requirement, net square feet are the heated and cooled area of the unit.
   a) **One-bedroom and Efficiency units:** shall contain at least 600 net square feet
   b) **Two-bedroom units:** shall contain at least 800 net square feet
   c) **Three-bedroom units:** shall contain at least 1,000 net square feet

      Exception: Three-bedroom units of less than 1,000 net square feet but more than 863 net square feet may be built for sale to a homeowner meeting all the following conditions:

      (1) The unit must be built on a scattered, non-subdivision site (no more than one unit per site).
      (2) Units must be for households containing up to no more than four people and earning an annual income of less than 50 percent of the area median income.
   d) **Four-bedroom units:** shall contain at least 1,100 net square feet.

Division 2: Existing Conditions

1) **Steep Slopes:** Setbacks or clearances may occur where units are placed on slopes. Please refer to the KRC, Section R 403.1.7. Other engineered designs on sites that have adjacent steep slopes may be presented to KHC for consideration.

Division 3: Concrete

1) **Exterior Concrete:** Shall conform to the latest revised Standard Specification for Portland cement, ASTM C595.
   a) **All exterior concrete** shall have a minimum 28-day compressive strength of 4000 psi and be entrained with 5 percent air with a minimum cement content of 520 lb. per cubic yard (5.5 sacks).
   b) **Expansion-joint material** shall be ½" thick asphalt-impregnated pre-molded fiber, ASTM D1752. Follow American Concrete Institute (ACI) 318.
   c) **Concrete driveways and parking areas** shall be minimum 4" thick.
   d) **Exterior concrete for walks, porches, and stoops** shall be minimum 3 1/2" thick.
2) **Concrete Finishes:**
   a) **Driveways and Walkways:** Provide a non-slip finish and provide ¼ inch per foot crown or 2% cross slope in the direction of drainage.

Division 4: Masonry

1) **Brick Veneer:** Shall be ASTM C 216, Type FBS, Grade SW, or equivalent, modular size.

Division 5: Metals

1) **Metal Ties:** For newly constructed units, metal tie-down or "hurricane" straps shall be used at each bearing location of each roof truss, rafter and ceiling joist.
   a) Fasteners as required by the manufacturing company of the strap shall be used.
2) **Steel Lintels:** Steel lintels, when specified for openings in masonry walls, shall be primed and painted.
3) **Metal flashing** materials shall be corrosion resistant and minimum nominal thickness of 0.019 inch.
   a) Corrosion resistant flashing in contact with pressure treated lumber, containing copper, shall not be aluminum material.

Division 6: Woods/Plastics/Rough Carpentry/Millwork

1) **Wall Reinforcement**:
   a) Wall reinforcement for the toilet, tub, and/or shower shall be installed centered 33” to 36” AFF (above finished floor) and located behind and alongside these fixtures (where feasible) for universally designed bathrooms.
   b) Reinforcement materials shall be constructed of 2” x 10” wood blocking, plywood, or other approved material capable of supporting installation of grab bars with loading of 200 lbs. applied in any direction.
   c) Americans with Disability Act (ADA) compliant reinforced tubs may be used.

2) **Stair Construction:**
   a) **Exterior Stairs:** Primary exterior entrance stairs shall have risers not greater than 7” and a minimum tread depth of 11”.
      Exception: If site constraints limit the size of the stairs, then the recipient may follow Section b) with KHC approval.
   b) **All Other Stairs:** All other stair construction shall meet the current Kentucky Residential Code regarding riser height and tread depth.

3) **Guards:**
   a) All stairs with open landings, balconies, or porches that are located more than 30 inches measured vertically to the floor or grade below at any point within 36 inches horizontally to the edge of the open side, shall have guardrails.
   b) All guardrails shall be safe, securely and firmly fastened in place.
   c) Where required, guards shall be a minimum of 36” in height above the adjacent walking surface.
      i) **Exception:** Stairway guards may be 34” above the plane of the nosing of stair treads.
   d) Guards shall have infill to prevent accidental falls by providing one or more of the following:
      i) Solid wall
      ii) Railing system with solid infill
      iii) Railing system with balusters spaced so that a sphere of 4-inch diameter may not pass through.
      iv) The triangular area on stair sides at the tread, riser, and railing may not pass a 6-inch diameter sphere.
      v) Stair risers shall be closed or provided with guards spaced so that a sphere of 4-inch diameter may not pass through.
   e) Refer to Division 9 Section 2) b) for finishes.

4) **Handrails:**
   a) All stairs with four or more risers shall have a handrail on at least one side.
   b) All handrails shall be easily graspable by the occupants.
   c) All handrails shall be securely and firmly fastened in place.

d) All handrails shall return to the wall, floor, or post so that they do not constitute a hazard.
e) Where required, handrails shall be mounted no less than 34” and no more than 38” above the leading nose of the stair treads.
f) Refer to Division 9 Section 2) b) for finishes.

5) **Wood Decking and Porches:** Construction of exterior wood decks shall meet current Kentucky Residential Code and/or the American Wood Council’s, Prescriptive Residential Wood Deck Construction Guide.
   a) The Prescriptive Residential Wood Deck Construction Guide is available as a free download at: http://www.awc.org/Publications/DCA/DCA6/DCA6-09.pdf

6) **Exterior Wood:** All new exterior structural wood exposed to weathering shall consist of naturally durable hardwoods, composite materials suitable for exterior exposure, or pressure treated wood having a minimum preservative retention rate of 25% for above ground applications, and a minimum preservative retention rate of 40% for all wood in contact with the ground.
   a) All structural posts below grade shall have the factory treated end of the post below grade.

Division 7: Thermal and Moisture Protection

1) **Weather Protection:** All exposed wood shall be protected from weathering by a minimum of one or more of the following materials or methods.
   a) **Paint**: Cover with one coat primer and two coats of exterior enamel.
   b) **Metal**: 0.019” minimum thickness aluminum, manufacturer’s finish (coil stock).
   c) **Naturally Durable Wood**: Redwood, Cedar, or other naturally durable woods may be exposed to weathering conditions without cladding or other protective coverings. Stain or sealing exposed wood is required.
   d) **Composites**: Cement fiber board or other durable material may be used as approved by KHC.
   e) **Pressure treated Lumber**
      i) All pressure-treated wood shall have a minimum preservative retention rate of 25% for above ground applications and a minimum preservative retention rate of 40% for all wood in contact with the ground.

2) **Roof Covering:** Roof coverings shall be one of the following materials.
   a) **Shingles:** Seal tab type over 15 lb. felt, with minimum 25-year product warranty or better.
   b) **Metal:** 29-gauge minimum thickness galvalume or galvanized steel with manufacturer’s finish installed over solid decking, roof deck must be covered with #15 felt or KHC approved underlayment. If purlin construction is used, then 26-gauge minimum thickness aluminum or galvanized steel shall be used.

3) **Gutters and Downspouts:** All structures shall have gutters and downspouts and be appropriately designed with a minimum 5” gutter and a 2”x 3” downspout. All downspouts shall empty onto concrete or composite splash blocks or be piped to an appropriate location.

4) **Siding:** Exterior siding shall consist of one or more of the following materials.
   a) **Composite:** Fiber cement siding, primed, with two-coat minimum finish or manufacturer’s finish.
   b) **Metal:** 26-gauge minimum thickness aluminum or galvanized steel with manufacturer’s finish.
   c) **Vinyl:** 0.042” minimum thickness, UV protected.
   d) **Wood:** Cedar or redwood stained or primed once with 2-coat minimum finish.
   e) **Brick Veneer:** Shall be ASTM C 216, Type FBS, Grade SW, or equivalent, modular size.

5) **Foundation Water-Management:** Exterior surface of foundation walls of basements & crawlspaces shall be finished as follows:
   a) For poured concrete, masonry, and insulated concrete forms, finish with damp-proofing coating.
   b) For wood framed walls, finish with minimum 6 mil. (0.15 mm) polyethylene and adhesive or other equivalent waterproofing.

6) **Insulation:** The building thermal envelope shall be insulated to the following minimum values:
   Note: Alternate thermal envelope values may be used if a calculation from RESCHECK or HERS rating software will demonstrate equivalent or superior efficiency. A HERS rating of less than 62 will be an acceptable target to meet this requirement.
   a) **Floors over unconditioned space:** R-19
   b) **Exterior walls:** R-20
   c) **Ceilings:** R-49
      i) When loose fill insulation is installed, provide a wood framed or equivalent baffle or retainer to provide a permanent means of maintaining installed R-value of the loose fill insulation at walls and access hatches.
   d) **Slab Foundations:** R-10 continuous
   e) **Conditioned Crawl Walls:** R-10 continuous

7) **Air Infiltration: All structures shall be air sealed to prevent air exchange between conditioned and unconditioned spaces by the following means.**

a) Penetrations of floor, walls, and ceilings, such that occur at access openings, electrical wiring and outlet boxes, plumbing piping, and ducts, shall be sealed to prevent free passage of air between conditioned and unconditioned spaces or the exterior.
b) Exposed walls in attics, separating the conditioned space of the dwelling unit from the unconditioned space in the attic, shall have an approved air barrier installed on the attic side of the wall.
c) Access doors from conditioned spaces to unconditioned spaces, such as attics and crawl spaces, shall be weather-stripped and insulated to a level equivalent to the insulation on the surrounding surfaces.
d) Recessed luminaries installed in the building thermal envelope, shall be sealed to limit air leakage between conditioned and unconditioned spaces.
    i) All recessed luminaries shall be IC-rated and labeled as meeting ASTM E 283, when tested at 1.57 psf (75 Pa) pressure differential; with no more than 2.0 cfm (0.944 L/s) of air movement from the conditioned space to the unconditioned space.
e) A HERS rating of less than 62 will be an acceptable target to meet this requirement.

Division 8: Doors, Windows, and Glazing

1) **Exterior Doors:** Exterior Doors shall be 1 ¾" thick, made of steel or other equally durable material, insulated unless of solid wood (not particleboard) and be appropriately finished as recommended by the manufacturer.
    a) **Primary Entry Door:**
        i) The entry door threshold must not project more than 3/4" above the interior finished floor.
    b) **Exterior Door Energy Ratings:**
        i) **All opaque exterior doors** shall have a U-factor equal to or less than 0.21.
        ii) **Doors less than fifty percent (50%) glass** shall have a U-factor equal to or less than 0.27.
        iii) **Doors greater than fifty percent (50%) glass** shall posses a U-factor equal to or less than 0.32.
    c) A HERS rating of less than 62 will be an acceptable target to meet this requirement.
    d) **Exterior door hardware:**
        i) All entry doors shall be equipped with a brass plated, or other durable metal finished, key lock knob or handle and deadbolt.

ii) Latches, knobs, and hinges shall be metal with polished or brushed finish. Plastic knobs and latches are not acceptable.

2) **Interior Doors:** Solid Wood, Composite or hollow core panel doors.
   a) **Interior Doorways:** All passage doors from room to room, including all bedroom doors and at least one bedroom closet door, in each bedroom, shall have a minimum net clear opening of 32”. Doorways to smaller secondary closets, linen, storage, coat, mechanical and secondary bedroom closets that are less than 4’ wide x 2’ deep, are not required to have a net clear opening of 32” but is preferred.
   b) **Interior doors** shall be a minimum of 1 ⅜” thick.
   c) **Interior Door Hardware:** All interior doors shall be equipped with brass-plated, or other durable metal finished, knobs or handles.
      i) **All bedrooms and bathrooms** shall be equipped with privacy locks.

3) **Windows:** All windows shall meet the following requirements:
   a) **All window frames** must be of solid vinyl, thermally broken aluminum, fiberglass, wood or wood clad.
   b) **All glazing** shall be minimum double-paned.
   c) **The vapor seal** on the glazing must have a minimum ten-year warranty.
   d) **The operation** of all windows shall have a minimum one-year warranty.
   e) **All windows** shall meet the **Kentucky Residential Code** and **International Energy Conservation Code** fenestration requirements for Zone 4.
      i) **All windows** shall have a U-Factor equal to or less than 0.32 and an SHGC rating equal to or less than 0.40.
      ii) **The fenestration label shall be attached to the window for inspection purposes and may be removed upon acceptance by KHC Construction Specialists.**
      iii) A HERS rating of less than 62 will be an acceptable target to meet this requirement.

Division 9: Finishes

1) **Exterior Ceiling:** When using vinyl or aluminum material for porch ceilings, provide a rigid, solid backing such as OSB or plywood.

2) **Exterior Finishes:** Exterior building elements of the following materials shall be properly finished.

a) **Posts and Columns:** All posts and columns at deck level and above shall be factory made and finished.
b) **Guardrails and Handrails:** All guardrails and handrails shall be constructed of any combination of vinyl, metal or composite materials. Materials must be finished with a factory or field applied coating suitable for effective weather resistance.
c) **Fiber Cement Siding:** Shall be factory finished or be painted with at least two coats of exterior grade paint.

3) **Entry Door Floor Finish:** On the interior side of the main entry door within each dwelling unit, there shall be an uncarpeted, finished floor area.
   a) **This area** shall be no less than sixteen (16) square feet.

4) **Finished Floor Treatments:** All interior floor finishes shall meet one or more of the following standards:
   a) **Sheet Carpet:** 25 oz. minimum, 100 percent nylon. Other options include Berber type with blended fiber. In high traffic areas, 30 oz. Minimum is required.
   b) **Carpet Padding:** Minimum 7/16" thick, 6-lb. re-bond polyurethane.
   c) **Sheet Vinyl:** Shall be minimum 10 mil wear layer.
      i) Provide product adhesive and underlayment as recommended by the manufacturer.
      ii) All sub surfaces shall be clean, dry, and appropriate temperature during installation.
      iii) Vinyl sheet flooring shall conform to the requirements of ASTM F 1303, Type I.
   d) **Vinyl Tile:** Shall be Vinyl Composition Tile or other approved equal, 1/8" x 12" x 12".
      i) Provide product adhesive and underlayment as recommended by the manufacturer.
      ii) All sub surfaces shall be clean, dry, and appropriate temperature during installation.
      iii) Follow manufacture's recommendation for pattern layout.
   e) **Wood Flooring:** Flooring shall be tongue and groove hardwood, factory finish or have a minimum of three coats site-applied, UV-protective polyurethane.
   f) **Other Flooring Products:** Ceramic tile and laminates shall be installed in accordance with manufacturer's specifications.

5) **Interior Doors:** Interior doors shall be factory finished, painted, or stained as follows:

a) **Paint:** One coat factory or field applied primer, with two-coat satin or semi-gloss finish on all sides and faces.
b) **Stain:** Stain or oil on all sides and faces, with three-coat varnish or polyurethane finish.

6) **Moisture-Resistant Drywall:** Moisture-resistant gypsum board (commonly called "green board") or equivalent shall be used on all walls in the bathroom and within six feet in any direction of water sources, where the drywall can be splashed, such as kitchen sink, next to water heater, and/or clothes washer.
   a) Water-resistant gypsum board or equivalent shall be provided behind any tub/shower unit located on an exterior wall.
   b) Water-resistant gypsum, when used on ceilings must be rated for the span.

7) **Interior Wall Finishes:** Unless factory finished all interior walls shall be covered with one prime coat and two coats flat or satin finish Low-VOC interior latex paint.

   a) Low-VOC primer in the paint technology may be used in sufficient coats to thoroughly cover underlying colors.
   b) Low-VOC Gloss and Semi-gloss finishes are acceptable for living rooms, bedrooms, hallways, and similar areas, however; the higher sheen of these paints may reveal unacceptable imperfections in the finished wall.
   c) Use Low-VOC gloss, semi- gloss, or satin finish for bathrooms, laundry, and kitchens.
   d) Primer and flat Low-VOC paint shall have less than 100 g/l and non-flat Low-VOC paint shall have less than 150 g/l.

Division 10: Specialties

1) **Roof Pitch:** The minimum slope on all newly constructed roofs except porch roofs shall be 4" vertical to 12" horizontal.

2) **Entries:** All entries shall have a concrete, treated wood, or other hard surface exterior stoop, porch, or deck at a minimum of 5' x 5'.
   a) The main entry shall have a roof over the entry area.
      i) Only one entry is required to have a roof which shall cover at least a 5' x 5' area.

Division 11: Equipment

1) Refrigerator: A refrigerator shall be provided in all rental units on all projects including new construction.
   a) All refrigerators must be Energy Star qualified. The Energy Star mark must be clearly marked on the product, clearly displayed in product literature, and listed on the manufacturer's Internet site.
2) Range: A range shall be provided in all rental units.
3) Dishwasher: A dishwasher shall be provided in all rental units.
   a) Standard dishwashers shall use less than 4.25 gallons per cycle and 295 kWh per year.
4) Laundry: All homes shall be equipped with washer and dryer hookups.
   a) All laundry facilities located above any habitable space shall be equipped with a properly installed washer overflow pan piped to carry the overflow into the DWV, positive outside drain or an approved floor drain.
5) For all rental units' clothes washers must be provided and shall have an MEF equal to or greater than 2.0 and a WF equal to or less than 6.0.

Division 12: Furnishings

1) **Cabinets and Drawers:** Cabinet fronts shall be made of solid wood (not particleboard); doors, draws, and fronts shall be factory finished.
   a) **Cabinet ends** shall be finished with appropriate veneer.
   b) **All cabinets** shall be Kitchen Cabinet Manufacturers Association (KCMA) approved. ANSI/KCMA A161.1, Performance & Construction Standard for Kitchen and Vanity Cabinets
      Exception: Cabinets made in Kentucky do not require a KCMA label when pre-approved by KHC to the following specifications.
      (1) Cabinet fronts shall be made of solid wood (no particleboard or fiberboard); doors, draws, and fronts shall perform to ANSI/KCMA A161.1-2012 standard.
      (2) Cabinet box and shelves shall be constructed of cabinet grade plywood and braced at points where necessary to insure rigidity and proper joining of various components.
      (3) All hardware shall perform to ANSI/BHMA A156.9-2015 standard.

2) **Countertops:** Countertops shall be molded roll-backed, laminate plastic or Formica with finished ends and sealed at the cut out for sink.

a) **Other appropriate materials** may be used such as ceramic, recycled glass, or similar as approved by consulting with the KHC Department of Design and Construction Review.

3) **Closet Storage/Accessories:** Clothes closets shall contain a 12” deep shelf, including a coat rod. Shelves with integrated hangar hooks may also be used.

4) **Bath Accessories**: Dwelling unit bathrooms shall be equipped with the following:
   a) Medicine cabinet with mirror 16” wide by 20” tall (minimum)
      i) Other combinations of mirror and storage may be acceptable by approval of KHC
   b) Wall hung toilet paper dispenser
   c) 18” (minimum) towel bar
   d) Shower rod

Division 13: Special Construction

1) **Hallways:** All hallways shall have a net clear (finish wall to finish wall) opening width of 42”. Definition of hallway is any passageway that is 18” or greater in depth.

2) **Bathroom & Bedroom:** All housing shall have a minimum of one full KHC universally designed bathroom and one bedroom located on the grade level. See Division 6 and Division 22 for additional guidance for universally designed bathroom.

3) **Entry Door:** The primary entry door must meet the following requirements:

   a) An exterior level platform with a minimum of 5’x 5’ clear floor space. This platform must be within 1/2” of the interior finished floor at the point of entrance and a maximum threshold rise of 1-1/4” when approaching from the outside (structural and decorative supports may overlap perimeter of the clear floor space), the interior must have a 5’x 5’ clear floor space.
      i) Structural and decorative supports may encroach perimeter of the clear floor space.
      ii) The 5’x 5’ platform must be within 1/2” of the interior finished floor at the point of entrance.
      iii) Threshold rise of maximum 1-1/4” when approaching from the exterior platform.
   b) Provide an interior 5’x 5’ clear floor space free of (constructed) obstructions such as walls or railings.

4) **Storage areas:** Exterior or interior dedicated tenant storage areas are required on all rental units. These areas must meet the specifications of section a) below at a minimum.
   a) Minimum dimensions and provisions for all storage areas shall be as follows:
      i) Minimum headroom or ceiling height shall be 7 feet.
      ii) Minimum dimension in width and depth shall be 5 feet.
      iii) A solid concrete or wood floor shall be provided in all storage areas.
      iv) A 3 foot by 6-foot 8-inch access door with an entry lock shall be provided to all storage areas.

5) Storage areas provided by one of the following methods must also include the respective specifications listed below.
   a) A **free-standing building** architecturally similar to the house.
      i) All storage structures shall match or compliment exterior building veneer of the primary structure and/or trim, and have similar roof covering material.
         (1) **Example:** Wood buildings with T-111, or equivalent plywood siding painted the same color as the siding or soffit of the primary structure are acceptable. The roof covering of the house is metal and the roof of the storage shed is similar in color and type.
      ii) The storage area shall be a minimum of twenty-five (25) square feet.
      iii) Prefabricated metal or plastic structures are prohibited.
      iv) Structures must satisfy applicable building code requirements.
   b) **Attached to the unit** exterior storage structures.
      i) Structures shall match exterior building veneer and/or trim and possess identical shingles.
      ii) Attached storage structures shall be finished with a minimum 20-minute fire rated finish on all walls and ceiling.
      iii) Attached storage structures shall be provided with a switched light fixture.
      iv) Attached storage structures shall be provided with adequate natural ventilation within 12” of the top and bottom of the wall to prevent buildup of hazardous or explosive fumes.
   c) **Unfinished crawl space** for storage.
      i) Crawl space storage areas must create an appropriately-sized finished room with a concrete floor.
      ii) Crawl space storage areas shall be finished with a minimum 20-minute fire rated finish on all walls and ceiling.
      iii) Crawl space storage areas shall be provided with a switched light fixture.
      iv) Crawl space storage areas shall be provided with adequate natural or mechanical ventilation to prevent buildup of hazardous or explosive fumes.

6) **Ramps:** All newly constructed residential ramps shall meet the following specifications:
   a) Ramps shall be constructed a minimum of 42” wide.
   b) Each landing shall have 5’ turning areas at the top and bottom of each ramp run.
   c) Ramps shall not exceed a maximum slope of 1:12 and a maximum rise of 30”.
   d) Ramps and landings shall have a minimum load capacity of 300 lbs. concentrated load applied in a 4 square inch area and a uniform live load of 100 pounds per square foot.
   e) Ramps may be constructed of the following materials:
      i) Composite: PVC or other with non-skid surface.
      ii) Concrete: with non-skid surface.
      iii) Metal: galvanized steel, or aluminum with non-skid surface.
      iv) Wood: All exposed exterior structural wood shall have a minimum preservative retention rate of 25 percent for above ground applications and a minimum preservative retention rate of 40 percent for all wood in contact with the ground. Use of CCA treated lumber is prohibited.
7) Playgrounds: If a playground is provided, as part of a multifamily development, the playground shall meet the following standards and be approved by KHC prior to installation.
   a) ASTM F1487-11, Standard Consumer Safety Performance Specification for Playground Equipment for Public Use
   b) ASTM F1292-09, Standard Specification for Impact Attenuation of Surfacing Materials Within the Use Zone of Playground Equipment
   c) ASTM F1951-09b, Standard Specification for Determination of Accessibility of Surface Systems Under and Around Playground Equipment
   d) ASTM F2223-10, Standard Guide for ASTM Standards on Playground Surfacing
   e) ASTM F2479-12, Standard Guide for Specification, Purchase, Installation and Maintenance of Poured-in-Place Playground Surfacing
   f) ASTM F2049-11, Standard Guide for Fences/Barriers for Public, Commercial, and Multifamily Residential Use Outdoor Play Areas
   g) ASTM F2075-10a, Standard Specification for Engineered Wood Fiber for Use as a Playground Safety Surface Under and Around Playground Equipment
   h) DOJ 2010 ADA Standard for Accessible Design

Division 21: Fire Suppression

1) **Reserved for future use**

Division 22: Plumbing

1) **Minimum Grade of Fixtures:** The following specifications shall be the minimum size and/or quality for plumbing fixtures.
   a) **Bath Tub:** Tubs shall be 30” minimum width; made of fiberglass, acrylic, porcelain, or cultured marble.
   b) **Shower:** Showers shall be 36” x 36” minimum; made of fiberglass, acrylic, ceramic, or, cultured marble.
   c) **Water Closets:** Water closets shall be maximum 1.28 GPF and made of porcelain.
      i) Universally designed toilets shall be centered 18” from any sidewall finish, base cabinet, or tub.
   d) **Faucets:** Single-lever faucets or ADA-approved faucets shall be installed at all sinks, showers and tubs. Faucets containing plastic material for exterior housing are prohibited.
   e) **Lavatories:** Sinks shall be 15” minimum diameter; made of fiberglass, acrylic, porcelain, or, cultured marble.
      i) Universally designed lavatories shall have a 30” x 48” clear floor space. The clear floor space may be rotated or angled, depending upon approach and design. In a side approach, the 48” dimension shall be parallel to the lavatory. In a forward approach, the 48” dimension shall be perpendicular to the lavatory. The bowl shall be centered in either the 30” or 48” dimension. The clear area shall be free from all wall projections, tub, shower, toilet or the lavatory base. If a wall-hung, “breakaway-style” base or pedestal lavatory is used, the clear space may encroach a maximum of 19” underneath the base in a forward approach design.
   f) **Kitchen Sink:** Sinks shall be a minimum double bowl eight inches (8”) deep, stainless steel or other approved material.
      i) **Exception:** When providing roll under accessible clearance, 6 inch depth sinks are acceptable

2) **Water Supply Piping:** Water Supply Lines shall be of approved material.
   a) Installation in exterior walls except for hose bibs is prohibited.
      i) Where necessary to install water supply lines on an outside wall the lines may be stubbed up from the floor near the wall or other required location in the floor to serve the fixture.
   b) Lines located in all unconditioned crawl areas shall be insulated equal to or greater than R-3.

3) **Overflow Protection Accessories:** Water heaters located above any habitable space shall have an overflow pan properly plumbed into DWV, positive drain to exterior, or an approved floor drain.

4) **Water Heater Efficiency:**
   a) **Electric water heaters** shall have a minimum Energy Factor (EF) equal to or greater than 2.0.
   b) **Gas fired water heaters** shall an EF equal to or greater than 0.67.
   c) **Instantaneous gas water heaters** shall have an EF equal to or greater than 0.82.
   d) A HERS rating of less than 62 will be an acceptable target to meet this requirement.

Division 23: Heating Ventilating and Air Conditioning

1) **Heating Ventilating and Air Conditioning Equipment:** All units shall be heated and cooled using high-efficiency equipment.
   a) **Heat pump systems** shall have a minimum SEER (Seasonal Energy Efficiency Rating) rating of 15.0 with a minimum HSPF (Heating Seasonal Performance Factor) rating of 9.0.
   b) **Fuel oil, gas fired furnaces and boilers** shall have an Annual Fuel Utilization Efficiency (AFUE) equal to or greater than ninety-two percent (92%).
   c) **Electric-resistance-only** heat systems are **prohibited.**
   d) All PTHP units must have a minimum 11 EER (Energy Efficiency Ratio) rating and a minimum 3.0 COP (Coefficient of Performance) rating.
   e) Alternative HVAC systems may be considered for approval by KHC.
   f) A HERS rating of less than 62 will be an acceptable target to meet this requirement.

2) **Duct Insulation:** All supply air, return air, and exhaust air ducts installed in unconditioned spaces shall be sealed and insulated with a minimum R-8 insulation wrap and installed free of restrictions.
   a) A HERS rating of less than 62 will be an acceptable target to meet this requirement.

3) **Programmable Thermostats:** All HVAC systems shall be controlled by a programmable thermostat as required by Kentucky Residential Code.
   a) Thermostats must be located on the floor of the home which contains the central living area.

4) **Range Hoods:** All dwelling units shall be equipped with an Energy Star qualified minimum 150 CFM range hood vented to the exterior.
   a) The ENERGY STAR mark must be clearly displayed on the front/inside of the product, in product literature (i.e., user manuals, spec sheets, etc.), and on the manufacturer's Internet site where information about ENERGY STAR qualified models is displayed. It is also recommended that the mark appear on the product packaging.
   b) Use ducting sized and ducting material per manufacturer recommendation.
   c) Exposed ducting is prohibited and where installed above cabinets, ducts shall have a finished cover.
   d) In circumstances where whole house ventilation is provided by other means and a recirculating range hood is used, recirculation hoods shall be equipped with an activated charcoal filter.
   e) A HERS rating of less than 62 will be an acceptable target to meet this requirement.

5) **Exhaust and Ceiling Paddle Fans:** All paddle and ventilation fans shall be Energy Star qualified.
   a) The ENERGY STAR mark must be clearly displayed on the product packaging, in product literature (i.e., user manuals, spec sheets, etc.) and on the manufacturer's Internet site where information about ENERGY STAR qualified models is displayed.
   b) A HERS rating of less than 62 will be an acceptable target to meet this requirement.

Division 26: Electrical

1) **Common Area Lighting:** Luminaries shall be located at all entrances.

2) **Dwelling Unit Lighting:** Each room, hall, stair, and walk in closet shall have a minimum of one switch-operated overhead light.
   a) Kitchens shall include switch-operated lighting over the cooking area, sink and the general or dining area.

b) Bathrooms shall be equipped with switch-operated lighting over the lavatory area and the general area.

3) **Energy Efficient Lighting:** A Minimum of 75% interior luminaries shall be Energy Star qualified. The remaining 25% shall be equipped with CFL, LED, or other high efficiency luminaires.
   a) A HERS rating of less than 62 will be an acceptable target to meet this requirement.

4) **Electrical Device and Control Mounting heights**:
   a) Light switches, fan switches and thermostats shall have a maximum height of 48” to the top of the switch or thermostat.
   b) Mounting heights or electrical outlets shall have minimum height of 15” AFF from the bottom outlet or a maximum height of 48” from the top outlet. Note: If an outlet or switch is obstructed by a base cabinet or countertop, then the maximum height for a switch or outlet shall be 46” AFF.

Division 27: Communications

1) **Telephone Access:** All units shall be wired for telephone service.

2) **Cable Access:** All units shall be wired for cable service or a local antennae system.

3) **Internet Connectivity:** If available, units shall have the optional ability to connect to the internet by one or more of the following means.
   a) **Telephone Connection:** Connectivity may be accomplished by prewired telephone jacks installed within the dwelling.
   b) **Cable Modem:** Connectivity may be accomplished by prewired cable jacks installed within the dwelling.
   c) **Other Means:** Other means as technology allows for connection to the internet.

Division 28: Electronic Safety and Security

1) **Fire Detection and Alarm:** Installation of smoke alarms is required in all new construction projects.
   a) All local ordinances shall be observed.

b) Written manufacturer specifications for the proper installation of individual alarms shall be observed and maintained on site throughout construction.

i) Manufacturer's installation instructions for specific locations and other installation details shall be strictly observed.

ii) Individual smoke alarms shall be installed on all floors, within all bedrooms, and hallways no more than eight (8) feet from any bedroom door within the dwelling unit.

2) **Carbon Monoxide Alarms:** UL listed carbon monoxide alarm(s) shall be installed outside each sleeping area no more than eight (8) feet from any bedroom door within the dwelling unit if the unit contains fuel burning appliances or has an attached garage.

3) **Security system controls**, if provided, must be located on the floor of the home which contains the central living area.

Division 31: Earthwork

1) **Steep Slopes:** Setbacks or clearances may occur where units are placed on sites that have adjacent steep slopes of 33.3% (1 foot rise: 3 feet run) or greater.

a) Setbacks indicated in the current Kentucky Residential Code, from the top or bottom of the slope, shall be observed and included in the building's design.

2) **Final Grade:** Final grade shall be completed before final draw and before occupancy. Grade shall provide minimum 6" in 10' (5%) fall from the structure and divert surface drainage away from the structure to the nearest drainage easement or natural drain.

Division 32: Exterior Improvements

1) **Landscaping:** Each home shall include a basic landscaping package as a minimum requirement.

a) **Turf: All lawn** areas shall be seeded with the seed variety, lime, and fertilizer application rate and covered with straw or straw-blanket, which is appropriate for soil conditions to establish a good lawn cover.
   i) **All slopes more than 33.3%** (1:3) shall receive sod or other approved erosion control materials which will enhance the establishment of a permanent ground cover.

2) **Parking/Driveways:** All units shall have a minimum of one paved or gravel parking space per unit.
   a) Homes located in a subdivision, required by zoning regulation or subdivision restrictions to have a paved driveway, shall have driveways provided by one of the following minimum standards.
      i) **Asphalt parking/driveways:** Asphalt shall consist of a hot mix asphaltic concrete pavement, manufactured by plants and be placed a minimum of 2" thick over a compacted 4" crushed stone base.
      ii) **Concrete parking/driveways:** Minimum concrete thickness shall be 4" and placed over a minimum 4" thick compacted crushed stone base.
         (1) Pervious concrete parking surfaces shall be properly drained to prevent accumulation of water.
   b) **Gravel parking/driveways** shall be constructed with 4" thick compacted crushed #57 limestone gravel.

   c) **Exterior Access:** Access from the vehicular parking to the entry door shall be considered in the site design unless it is impractical to do so because of terrain or unusual characteristics of the site. The walkway from the parking area to the entry door must be 42" wide and made of concrete, asphalt, wood or other hard surface material approved by KHC.
      i) Provide 2% cross slope or crown sloped to edges to allow proper drainage.

Division 33: Utilities Services

1) **Availability:** Required building utility services shall be available before construction begins at the building site in sufficient size to adequately provide sufficient power, flow, volume, pressure, and drainage during and after construction to allow for safe, dependable service of construction equipment, appliances, and fixtures.
   a) **Septic or sewage treatment systems** may be constructed onsite as construction progresses and shall be capable of performing intended functions prior to occupancy.
   b) **Provide temporary onsite sanitary facilities during construction.**

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6393–N–01]

Allocations for Community Development Block Grant Disaster Recovery and Implementation of the CDBG–DR Consolidated Waivers and Alternative Requirements Notice

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: In March 2023, HUD allocated more than $3 billion in Community Development Block Grant Disaster Recovery (CDBG–DR) funds appropriated by the Continuing Appropriations Act, 2023 and the Department of Housing and Urban Development Appropriations Act, 2023 for major disasters occurring in 2022. This Allocation Announcement Notice identifies grant requirements for these funds, including requirements in HUD's CDBG–DR Consolidated Notice (''Consolidated Notice'') found in Appendix B, and a limited number of amendments to the Consolidated Notice that apply to CDBG–DR grants for disasters occurring in 2020, 2021, and 2022. The Consolidated Notice, as amended by this Allocation Announcement Notice, includes waivers and alternative requirements, relevant regulatory requirements, the grant award process, criteria for action plan approval, and eligible disaster recovery activities.

DATES: *Applicability Date:* May 23, 2023.

FOR FURTHER INFORMATION CONTACT: Tennille Smith Parker, Director, Office of Disaster Recovery, Department of Housing and Urban Development, 451 7th Street SW, Room 7282, Washington, DC 20410, telephone number 202–708–3587 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit: *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.* Facsimile inquiries may be sent to Ms. Parker at 202–708–0033 (this is not a toll-free number). Email inquiries may be sent to *disaster_recovery@hud.gov.*

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Allocations
II. Use of Funds
  A. Allocations of CDBG–DR Funds for Smaller Grants
III. Overview of Grant Process
  A. Requirements Related to Administrative Funds
IV. Applicable Rules, Statutes, Waivers, and Alternative Requirements
  A. Grant Administration
  B. Clarifications to the Consolidated Notice
V. Duration of Funding
VI. Assistance Listing Numbers (formerly known as the CFDA Number)
VII. Finding of No Significant Impact
Appendix A: Allocation Methodology
Appendix B: CDBG–DR Consolidated Notice

I. Allocations

The Continuing Appropriations Act, 2023 (Pub. L. 117–180, Division A) approved September 30, 2022, makes available $2,000,000,000 in CDBG–DR funds. These CDBG–DR funds are for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 *et seq.*) (HCDA) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the ''most impacted and distressed'' (MID) areas resulting from a qualifying major disaster in 2021 or 2022. Additionally, the Department of Housing and Urban Development Appropriations Act, 2023 (Pub. L. 117–328, Division L, Title II) approved December 29, 2022, makes available $3,000,000,000 in CDBG–DR funds for major disasters that occurred in 2022 or later until such funds are fully allocated. This notice announces allocations of $3,391,220,000 from Public Laws 117–180 and 117–328 (collectively, the ''Appropriations Acts'') for disasters occurring in 2022. The Appropriations Acts require HUD to include with any final allocation for the total estimate of unmet need an additional amount of 15 percent of that estimate for mitigation activities that reduce risk in the MID areas (see Table 1).

The Appropriations Acts provide that grants shall be awarded directly to a state, local government, or Indian tribe at the discretion of the Secretary.

Pursuant to the Appropriations Acts, HUD has identified MID areas based on the best available data for all eligible affected areas. A detailed explanation of HUD's allocation methodology is provided in Appendix A of this notice. To comply with requirements that all funds are expended in MID areas, Lee County, Florida; Volusia County, Florida; Orange County, Florida; Sarasota County, Florida; St. Clair County, Illinois; St. Louis County, Missouri; and St. Louis City, Missouri must use 100 percent of the total funds allocated to address unmet disaster needs or mitigation activities within the HUD-identified MID areas identified in the last column in Table 2.

All other grantees must use at least 80 percent of their allocations to address unmet disaster needs or mitigation activities in the HUD-identified MID areas, as identified in the last column of Table 2. These grantees may use the remaining 20 percent of their allocation to address unmet disaster needs or mitigation activities in those areas that the grantee determines are ''*most* impacted and distressed'' within an area that received a Presidential major disaster declaration identified by the Federal Emergency Management Agency (FEMA) disaster numbers listed in column two of Table 1. However, these grantees are not precluded from spending 100 percent of their allocation in the HUD-identified MID areas if they choose to do so. Detailed requirements related to MID areas are provided in section II.A.3. of the Consolidated Notice.

Based on a review of the impacts from the eligible disasters, and estimates of unmet need, HUD made the following allocations for disasters occurring in 2022:

TABLE 1—ALLOCATIONS FOR UNMET NEEDS AND MITIGATION ACTIVITIES UNDER PUBLIC LAW 117–180 AND 117–328 FOR DISASTERS OCCURING IN 2022

Year	FEMA disaster No.	State	Grantee	Allocation for unmet needs from Public Law 117–180	CDBG–DR mitigation set-aside amounts from Public Law 117–180	Allocation for unmet needs from Public Law 117–328	CDBG–DR mitigation set-aside amounts from Public Law 117–328	Total allocated under this notice from Public Law 117–180 and 117–328
2022	4672	Alaska	State of Alaska	$0	$0	$33,472,000	$5,021,000	$38,493,000
2022	4673	Florida	Lee County	0	0	963,375,000	144,506,000	1,107,881,000
2022	4673	Florida	Volusia County	0	0	286,009,000	42,901,000	328,910,000

TABLE 1—ALLOCATIONS FOR UNMET NEEDS AND MITIGATION ACTIVITIES UNDER PUBLIC LAW 117–180 AND 117–328 FOR DISASTERS OCCURING IN 2022—Continued

Year	FEMA disaster No.	State	Grantee	Allocation for unmet needs from Public Law 117–180	CDBG–DR mitigation set-aside amounts from Public Law 117–180	Allocation for unmet needs from Public Law 117–328	CDBG–DR mitigation set-aside amounts from Public Law 117–328	Total allocated under this notice from Public Law 117–180 and 117–328
2022	4673	Florida	Orange County	0	0	191,054,000	28,658,000	219,712,000
2022	4673	Florida	Sarasota County	0	0	175,248,000	26,287,000	201,535,000
2022	4673	Florida	State of Florida	0	0	791,847,000	118,777,000	910,624,000
2022	4676	Illinois	St. Clair County	0	0	26,110,000	3,917,000	30,027,000
2022	4663	Kentucky	State of Kentucky	259,125,000	38,869,000	0	0	297,994,000
2022	4665	Missouri	St. Louis County	49,065,000	7,360,000	0	0	56,425,000
2022	4665	Missouri	St. Louis City	22,464,000	3,370,000	0	0	25,834,000
2022	4657 & 4670	Oklahoma	State of Oklahoma	6,498,000	975,000	0	0	7,473,000
2022	4649 & 4671	Commonwealth of Puerto Rico.	Commonwealth of Puerto Rico.	144,039,000	21,606,000	580,000	87,000	166,312,000
Totals				481,191,000	72,180,000	2,467,695,000	370,154,000	3,391,220,000

Note: Grantees in Kentucky, Missouri, and Oklahoma are funded under PL 117–180; the grant for Puerto Rico is split $165,645,000 under PL 117–180 and $667,000 under PL 117–328; Grantees in Alaska, Florida, and Illinois are funded completely under PL 117–328. The Oklahoma allocation is based on both a county and tribal geography because declarations include both a tribal area and counties.

TABLE 2—MOST IMPACTED AND DISTRESSED AREAS FOR DISASTERS OCCURING IN 2022

Grantee	Minimum amount from Public Law 117–180 that must be expended in the HUD-identified ''most impacted and distressed'' areas in column 4	Minimum amount from Public Law 117–328 that must be expended in the HUD-identified ''most impacted and distressed'' areas in column 4	''Most impacted and distressed'' areas
State of Alaska	$0	$30,794,400	Bering Strait Regional Education, Lower Yukon Regional Education; 99563 (Kashunamiut Regional Education).
Lee County	0	1,107,881,000	Lee County.
Volusia County	0	328,910,000	Volusia County.
Orange County	0	219,712,000	Orange County.
Sarasota County	0	201,535,000	Sarasota County.
State of Florida	0	728,499,200	Brevard, Charlotte, Collier, DeSoto, Hardee, Highlands, Hillsborough, Manatee, Monroe, Osceola, Pinellas, Polk, Seminole Counties; 32177 (Putnam County).
St. Clair County	0	30,027,000	St. Clair County.
State of Kentucky	238,395,200	0	Breathitt, Knott, Letcher, Perry Counties; 41572 (Pike County).
St. Louis County	56,425,000	0	St. Louis County.
St. Louis City	25,834,000	0	St. Louis City.
State of Oklahoma	5,978,400	0	Muscogee (Creek) OTSA/74447 (Okmulgee County).
Commonwealth of Puerto Rico.	132,516,000	533,600	Salinas Municipio; 00610 (Anasco Municipio), 00612 (Arecibo Municipio), 00794 (Barranquitas Municipio), 00623 (Cabo Rojo Municipio), 00725 (Caguas Municipio), 00729 (Canovanas Municipio), 00646 (Dorado Municipio), 00784 (Guayama Municipio), 00660 (Hormigueros Municipio), 00791 (Humacao Municipio), 00795 (Juana Diaz Municipio), 00667 (Lajas Municipio), 00771 (Las Piedras Municipio), 00719 (Naranjito Municipio), 00720 (Orocovis Municipio), 00728 (Ponce Municipio), 00754 (San Lorenzo Municipio), 00757 (Santa Isabel Municipio), 00949 (Toa Baja Municipio), 00693 (Vega Baja Municipio), 00767 (Yabucoa Municipio), 00698 (Yauco Municipio).

II. Use of Funds

Funds for disasters occurring in 2022 announced in this notice are subject to the requirements of this Allocation Announcement Notice and the Consolidated Notice, included as Appendix B, as amended. HUD makes amendments to the Consolidated Notice in this Allocation Announcement Notice to reflect the terms of the Appropriations Acts. However, the Consolidated Notice in Appendix B is the same Consolidated Notice included as Appendix B in previous Allocation Announcements Notices published in the **Federal Register** (87 FR 6364, 87 FR 31636, and 88 FR 3198). Sections III.A.1, III.A.1.a, and III.A.1.b of this Allocation Announcement Notice include instructions for a grantee submitting an early action plan for program administrative costs and will replace the alternative requirement in the Consolidated Notice at III.C.1 for purposes of accessing funds for program administrative costs prior to the Secretary's certification.

To comply with the statutory requirement in the Appropriations Acts, grantees shall not use CDBG–DR funds

for activities reimbursable by or for which funds are made available by FEMA or the U.S. USACE of Engineers (USACE). Grantees must verify whether FEMA or USACE funds are available prior to awarding CDBG–DR funds to specific activities or beneficiaries. Grantees may use CDBG–DR funds as the non-Federal match as described in section II.C.3 of the Consolidated Notice.

II.A. Allocations of CDBG–DR Funds for Smaller Grants

Paragraph III.C.1.b of the Consolidated Notice requires that CDBG–DR action plans ''demonstrate a reasonably proportionate allocation of resources relative to areas and categories (*i.e.,* housing, economic revitalization, and infrastructure) of greatest needs identified in the grantee's impact and unmet needs assessment or provide an acceptable justification for a disproportional allocation.'' Additionally, paragraph III.C.1.g of the Consolidated Notice requires grantees to ''provide a budget for the full amount of the allocation that is reasonably proportionate to its unmet needs (or provide an acceptable justification for disproportional allocation) and is consistent with the requirements to integrate hazard mitigation measures into all its programs and projects.''

HUD recognizes that grantees receiving a relatively small allocation of funds for 2022 disasters in this notice may most effectively advance recovery by more narrowly targeting these limited recovery and mitigation resources. Accordingly, for grantees receiving an allocation of less than $20 million for 2022 disaster(s) announced in this notice, HUD will consider the small size of the grant and HUD's allocation methodology as acceptable justification for a grantee to propose a disproportional allocation when the grantee is allocating funds to address unmet affordable rental housing needs caused by or exacerbated by the disaster(s). Grantees exercising this option must continue to comply with the applicable requirements of this notice and the Consolidated Notice, including the CDBG–DR mitigation set-aside requirement in section IV.A.2 of this notice.

III. Overview of Grant Process

III.A. Requirements Related to Administrative Funds

III.A.1. Action plan submittal for program administrative costs. The Appropriations Acts allow grantees receiving an award under this notice to access funding for program administrative costs prior to the Secretary's certification of financial controls and procurement processes, and adequate procedures for proper grant management. To implement this authority, the following alternative requirement will replace the alternative requirement in the Consolidated Notice at III.C.1.

If a grantee chooses to access funds for program administrative costs prior to the Secretary's certification, it must first prepare an action plan describing its use of funds for program administrative costs, subject to the five percent cap on the use of grant funds for such costs. Instead of following requirements in section III.C.1 of the Consolidated Notice, which require grantees to use the Public Action Plan in HUD's DRGR system to submit their action plans, grantees will follow a different process to access funds for program administrative costs prior to the Secretary's certification.

As part of the process of accessing funds for these costs, grantees must submit to HUD an action plan describing their use of funds for program administrative costs. The action plan will be developed outside of DRGR and must include all proposed uses of funds for program administrative costs incurred prior to a final action plan being submitted and approved. The action plan for program administrative costs must also include the criteria for eligibility and the amount to be budgeted for that activity. If a grantee chooses to submit the action plan for program administrative costs, the grantee should calculate its need to cover program administrative costs over the life of the grant and consider how much of its available program administrative funds may be reasonably budgeted at this very early stage of its grant lifecycle.

III.A.1.a. Publication of the action plan for program administrative costs and opportunity for public comment. The grantee must publish the proposed action plan for program administrative costs, and substantial amendments to the plan, for public comment. To permit a more streamlined process and ensure that grants for program administrative costs are awarded in a timely manner in order to allow grantees to more rapidly design and launch recovery activities, provisions of 42 U.S.C. 5304(a)(2) and (3), 42 U.S.C. 12707, 24 CFR 570.486, 24 CFR 1003.604, 24 CFR 91.105(b) through (d), and 24 CFR 91.115(b) through (d), with respect to citizen participation requirements, are waived and replaced by the alternative requirements in section III.A.1 that apply only to action plans for program administrative costs and substantial amendments to these plans. Additionally, for these action plans only, grantees are not subject to the Consolidated Notice action plan requirements in sections III.B.2.i, III.C.2, III.C.3, III.C.6, and III.D.1.a–c.

The manner of publication of the action plan for program administrative costs must include prominent posting on the grantee's official disaster recovery website and must afford residents, affected local governments, and other interested parties a reasonable opportunity to review the contents of the plan or substantial amendment. Subsequent to publication of the action plan or substantial amendment to that plan, the grantee must provide a reasonable time frame (no less than seven days) and multiple methods (including electronic submission) for receiving comments on the action plan or substantial amendment for program administrative costs. At a minimum, the topic of disaster recovery on the grantee's website, including the posted action plan or substantial amendment, must be navigable by interested parties from the grantee homepage and must link to the disaster recovery website as required by section III.D.1.e of the Consolidated Notice. The grantee's records must demonstrate that it has notified affected parties through electronic mailings, press releases, statements by public officials, media advertisements, public service announcements, and/or contacts with neighborhood organizations. Grantees are not required to hold any public hearings on the proposed action plan or substantial amendment for program administrative costs.

The grantee must consider all oral and written comments on the action plan or any substantial amendment. Any updates or changes made to the action plan in response to public comments should be clearly identified in the action plan. A summary of comments on the plan or amendment, and the grantee's response to each, must be included with the action plan or substantial amendment. Grantee responses shall address the substance of the comment rather than merely acknowledge that the comment was received.

After the grantee responds to public comments, it will then submit its action plan or substantial amendment for program administrative costs (which includes Standard Form 424 (SF–424)) to HUD for approval. There is no due date for this plan as it may be submitted any time prior to the grantee's Public Action Plan. HUD will review the action plan or substantial amendment for

program administrative costs within 15 days from date of receipt and determine whether to approve the action plan or substantial amendment to that plan per the criteria identified in this notice.

III.A.1.b. Certifications waiver and alternative requirement. Sections 104(b)(4), (c), and (m) of the HCDA (42 U.S.C. 5304(b)(4), (c), and (m)), sections 106(d)(2)(C) and (D) of the HCDA (42 U.S.C. 5306(d)(2)(C) and (D)), and section 106 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12706), and regulations at 24 CFR 91.225 and 91.325 are waived and replaced with the following alternative. Each grantee choosing to submit an action plan for program administrative costs must make the following certifications listed in section III.F.7 of the Consolidated Notice and include them with the submission of this plan: paragraphs b, c, d, g, i, j, k, l, p, and q. Additionally, HUD is waiving section 104(a)–(c) and (d)(1) of the HCDA (42 U.S.C. 5304), section 106(c)(1) and (d) of the HCDA (42 U.S.C. 5306), section 210 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) (42 U.S.C. 4630), section 305 of the URA (42 U.S.C. 4655), and regulations at 24 CFR 91.225(a)(2), (6), and (7), 91.225(b)(7), 91.325(a)(2), (6), and (7), 49 CFR 24.4(a), and 24 CFR 42.325 only to the extent necessary to allow grantees to receive a portion of their allocation as a grant for program administrative costs before submitting other statutorily required certifications. Each grantee must make all certifications included in section III.F.7 of the Consolidated Notice and submit them to HUD when it submits its Public Action Plan in DRGR described in III.C.1.

III.A.1.c. Submission of the action plan for program administrative costs in DRGR. After HUD's approval of the action plan for program administrative costs, the grantee enters the activities from its approved action plan into the DRGR system if it has not previously done so and submits its DRGR action plan to HUD (funds can be drawn from the line of credit only for activities that are established in the DRGR system). HUD has previously provided additional guidance (''Fact Sheet'') with screenshots and step-by-step instructions describing the submittal process for this DRGR action plan for program administrative costs.[1] This process will allow a grantee to access funds for program administrative costs while the grantee begins developing its Public Action Plan in DRGR as provided in section III.C.1 of the Consolidated Notice.

III.A.1.d. Incorporation of the action plan for program administrative costs into the Public Action Plan. The grantee shall describe the use of all grant funds for administrative costs in the Public Action Plan required by section III.C.1. Use of grant funds for administrative costs before approval of the Public Action Plan must be consistent with the action plan for administrative costs. Once the Public Action Plan is approved, the use of all grant funds must be consistent with the Public Action Plan. Upon HUD's approval of the Public Action Plan, the action plan for administrative costs shall only be relevant to administrative costs charged to the grant before the date of approval of the Public Action Plan.

III.A.2. Use of administrative funds across multiple grants. The Appropriations Acts authorize special treatment of grant administrative funds. Grantees that are receiving awards under this notice, and that have received CDBG–DR or Community Development Block Grant mitigation (CDBG–MIT) grants in the past or in any future acts, may use eligible administrative funds (up to five percent of each grant award plus up to five percent of program income generated by the grant) appropriated by these acts for the cost of administering any CDBG–DR or CDBG–MIT grant without regard to the particular disaster appropriation from which such funds originated. If the grantee chooses to exercise this authority, the grantee must have appropriate financial controls to comply with the requirement that the amount of grant administration expenditures for each CDBG–DR or CDBG–MIT grant will not exceed five percent of the total grant award for each grant (plus five percent of program income generated by the grant), review and modify its financial management policies and procedures regarding the tracking and accounting of administration costs, as necessary, and address the adoption of this treatment of administrative costs in the applicable portions of its Financial Management and Grant Compliance submissions as referenced in section III.A.1 of the Consolidated Notice. Grantees are reminded that all uses of funds for program administrative activities must qualify as an eligible administration cost.

IV. Applicable Rules, Statutes, Waivers, and Alternative Requirements

The Appropriations Acts authorize the Secretary to waive or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary, or use by the recipient, of these funds, except for requirements related to fair housing, nondiscrimination, labor standards, and the environment. This section of the notice and the Consolidated Notice describe rules, statutes, waivers, and alternative requirements that apply to allocations under this notice. For each waiver and alternative requirement in this notice and incorporated through the Consolidated Notice, the Secretary has determined that good cause exists, and the waiver or alternative requirement is not inconsistent with the overall purpose of title I of the HCDA. The waivers and alternative requirements provide flexibility in program design and implementation to support full and swift recovery following eligible disasters, while ensuring that statutory requirements are met.

Grantees may request additional waivers and alternative requirements from the Department as needed to address specific needs related to their recovery and mitigation activities. Grantees should work with the assigned CPD representative to request any additional waivers or alternative requirements from HUD headquarters. The waivers and alternative requirements described below apply to all grantees under this notice. Under the requirements of the Appropriations Acts, waivers and alternative requirements are effective five days after they are published in the **Federal Register** or on the website of the Department.

IV.A. Grant Administration

IV.A.1. Duplication of Benefits (DOB). Grantees that received funds for disasters occurring in 2022 must follow the requirements located in section IV.A. of the Consolidated Notice and the DOB requirements described in this section. The **Federal Register** notice published on June 2019, titled ''Updates to Duplication of Benefits Requirements Under the Stafford Act for Community Development Block Grant (CDBG) Disaster Recovery Grantees'' (84 FR 28836) (''2019 DOB Notice''), revised the DOB requirements that apply to CDBG–DR grants for disasters declared between January 1, 2016, and December 31, 2021. For these disasters, the 2019 DOB Notice also implemented

[1] The Fact Sheet describing the process to submit an action plan for program administrative costs in DRGR can be viewed at *https://files.hudexchange.info/resources/documents/DRGR-Fact-Sheet-PL117-43-Appropriation-Grantees.pdf.*

temporary changes to the treatment of loans made by the Disaster Recovery Reform Act of 2018 (DRRA) (division D of Pub. L. 115–254), which sunsets on October 5, 2023.

This DRRA loan exception does not apply to disasters occurring in 2022, therefore, subsidized loans may be a duplication of benefits for CDBG–DR grants announced in this notice (depending on a grantee's DOB analysis). Without the DRRA loan exception, most subsidized loans duplicate CDBG–DR funds for the same purpose (there are limited exceptions for declined, cancelled, or subsidized short-term loans to pay for eligible costs before CDBG–DR funds became available, as described in section IV.A.1. of the Consolidated Notice). Therefore, HUD's time-limited policy in the 2019 DOB Notice to permit reimbursement of costs paid with the proceeds of subsidized loans does not apply after the DRRA loan exception sunsets. Additionally, because the DRRA loan exception never applied to disasters occurring in 2022 or later, grantees receiving CDBG–DR funds for those disasters are not able to reimburse the costs paid by subsidized loans, including SBA loans, unless the exceptions in section IV.A.1.a. of the Consolidated Notice applies. These grantees must follow the duplication of benefits requirements described below and in section IV.A. of the Consolidated Notice.

This section of the notice describes the applicable laws and requirements related to DOB, including the general framework to calculate DOB. Section IV.A. of the Consolidated Notice describes the exceptions for when a subsidized loan that is cancelled or declined is not considered a duplication of benefits.

IV.A.1.(a). The Stafford Act. The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121–5207) (Stafford Act) is the primary legal authority establishing the framework for the Federal government to provide disaster and emergency assistance.

Section 312 of the Stafford Act directs Federal agencies that provide disaster assistance to assure that people, businesses, or other entities do not receive financial assistance that duplicates any part of their disaster loss covered by insurance or another source (42 U.S.C. 5155(a)). Section 312 also makes recipients of Federal disaster assistance liable for repayment of the amount of Federal disaster assistance that duplicates benefits available for the same purpose from another source (42 U.S.C. 5155(c)).

The Stafford Act also provides that when assistance covers only a part of the recipient's disaster needs, additional assistance to cover needs not met by other sources will not cause a DOB (42 U.S.C. 5155(b)(3)). CDBG–DR assistance may only pay for eligible activities to address unmet needs. This section advises grantees on the calculation of unmet needs through a duplication of benefits analysis.

IV.A.1.(b). CDBG–DR Appropriations Acts and ***Federal Register*** Notices. CDBG–DR funds are made available for ''necessary expenses'' by the Appropriations Acts that contain statutory requirements on the use of the grant funds. Grantees are subject to the requirements of the Appropriations Acts, this notice, and the Consolidated Notice.

Since 2013, as a condition of making any CDBG–DR grant, the Secretary must certify that the grantee has established adequate procedures to prevent DOB. To meet this requirement, grantees must submit DOB policies to HUD for review before HUD will award non-administrative funds. ''Adequate'' procedures are those that meet the requirements that HUD established in this notice, in the Consolidated Notice, and as reflected in the related checklists that are available online. HUD requires grantees to establish DOB policies that incorporate certain steps before committing or awarding assistance. Typically, the steps include determining the total need for assistance, verifying the total assistance available from all sources of disaster assistance (using recent data available from FEMA, SBA, and other sources), excluding non-duplicative assistance from total assistance to calculate DOB, reducing the total award by the amount of the DOB, and obtaining an agreement from applicants to repay duplicative assistance.

This notice and the Consolidated Notice also require CDBG–DR grantees to consider projected sources of disaster assistance in the needs assessment that is part of an action plan for disaster recovery. Consideration of other potential sources of assistance when planning for the use of grant funds helps to limit the possibility of duplication between CDBG–DR and other assistance.

IV.A.1.(c). Necessary and Reasonable Requirements. The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in subpart E of 2 CFR part 200 (the Cost Principles) applicable to all CDBG–DR grantees and their subrecipients require that costs are necessary and reasonable. The Cost Principles are made applicable to states by 24 CFR 570.489(p) and to local governments through 24 CFR 570.502. State grantees are also subject to 24 CFR 570.489(d), which requires that states shall have fiscal and administrative requirements to ensure that grant funds are used ''for reasonable and necessary costs of operating programs.''

Under the Cost Principles, a cost assigned to a grant ''is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost'' (2 CFR 200.404).

Grantees must consider factors described at 2 CFR 200.404(a) through (e) when determining which types and amounts of cost items are necessary and reasonable. Based on these factors, HUD generally presumes that if a cost has been paid by another source, charging it to the Federal award violates the necessary and reasonable standard unless grant requirements permit reimbursement.

IV.A.1.(d). Basic Duplication of Benefits Calculation Framework. The Stafford Act requires a fact specific inquiry into assistance received by each applicant. This notice refers to the subject of a DOB review as an ''applicant'' or ''CDBG–DR applicant'' and uses the term ''applicant'' to include individuals, businesses, households, or other entities that apply to the grantee or a subrecipient for CDBG–DR assistance, as well as entities that use CDBG–DR assistance for an activity without submitting an application (*e.g.,* the department or agency of the grantee administering the grant, other state or local departments or agencies, or local governments).

A grantee is prohibited from making a blanket determination that CDBG–DR assistance under one of its programs or activities does not duplicate another category or source of assistance. The grantee must conduct an individualized review of each applicant to determine that the amount of assistance will not cause a DOB by exceeding the unmet needs of that applicant. A review specific to each applicant is necessary because assistance available to each applicant varies widely based on individual insurance coverage, eligibility for various sources of assistance, and other factors.

This section establishes the primary considerations that must be part of a DOB analysis when providing CDBG–DR assistance, and a framework for analyzing need and avoiding DOB when calculating awards. CDBG–DR grantees have discretion to develop policies and procedures that tailor their DOB

analyses to their own programs and activities so long as the grantee's policies and procedures are consistent with the requirements of this notice. If the grantee modifies its DOB procedures after the Secretary certifies that the grantee's DOB procedures are adequate, the grantee's modified procedures must meet standards HUD adopts to determine adequacy.

IV.A.1.(d)(i). Assess Applicant Need. A grantee must determine an applicant's total need. Total need is calculated based on need estimates at a point in time; total need is the current need. However, if the grantee's action plan permits CDBG–DR assistance to reimburse costs of CDBG–DR eligible activities undertaken by the applicant before submitting an application the total need also includes these costs. Generally, total need is calculated without regard to the grantee's program-specific caps on the amount of assistance.

For rehabilitation, reconstruction, or new construction activities, the need can be reasonably documented using construction cost estimates.

For recovery programs of the grantee that do not entail physical rebuilding, such as special economic development activities to provide an affected business with working capital, the total need will be determined by the requirements or parameters of the program or activity. For special economic development activities, total need should be guided by standard underwriting guidelines (when required by section II.D.6. of the Consolidated Notice, CDBG–DR grantees and subrecipients must comply with the underwriting guidelines in Appendix A to 24 CFR part 570 when assisting a for-profit entity as part of a special economic development project).

The grantee's assessment of total need must consider in-kind donations of materials or services that are known to the grantee at the time it calculates need and makes the award. In-kind donations are non-cash contributions, such as donations of professional services, use of construction equipment, or contributions of building materials. In-kind donations are not ''financial assistance'' that creates a DOB under the Stafford Act, but they do reduce the amount of CDBG–DR assistance for unmet need because the donated goods or services reduce activity costs.

IV.A.1.(d)(ii). Identify Total Assistance. To calculate DOB, grantees are required to identify ''total assistance.'' For this notice, total assistance includes all reasonably identifiable financial assistance available to an applicant.

Total assistance includes resources such as cash awards, insurance proceeds, grants, and loans received by or available to each CDBG–DR applicant, including awards under local, state or Federal programs, and from private or nonprofit charity organizations. At a minimum, the grantee's efforts to identify total assistance must include a review to determine whether the applicant received FEMA, SBA, insurance, and any other major forms of assistance (*e.g.,* state disaster assistance programs) generally available to applicants.

Total assistance does not include personal assets such as money in a checking or savings account (excluding insurance proceeds or disaster assistance deposited into the applicant's account); retirement accounts; credit cards and lines of credit; in-kind donations (although these non-cash contributions known to the grantee reduce total need); and private loans.

For this notice, a private loan is a loan that is not provided by or guaranteed by a governmental entity, and that requires the CDBG–DR applicant (the borrower) to repay the full amount of the loan (principal and interest) under typical commercial lending terms, *e.g.,* the loan is not forgivable. For DOB calculations, private loans are not financial assistance and need not be considered in the DOB calculation, regardless of whether the borrower is a person or entity.

By contrast, subsidized loans for the same purpose are to be included in the DOB calculation unless an exception applies (see sections IV.A.1.a. or IV.A.1.b. of the Consolidated Notice).

Total assistance includes available assistance. Assistance is available if an applicant: (1) would have received it by acting in a reasonable manner, or in other words, by taking the same practical steps toward funding recovery as would disaster survivors faced with the same situation but not eligible to receive CDBG–DR assistance; or (2) has received the assistance and has legal control over it. Available assistance includes reasonably anticipated assistance that has been awarded and accepted but has not yet been received. For example, if a local government seeks CDBG–DR assistance to fund part of a project that also has been awarded FEMA Hazard Mitigation Grant Program (HMGP) assistance, the entire HMGP award must be included in the calculation of total assistance even if FEMA obligates the first award increment for the project, but subsequent increments remain unfunded until certain project milestones are met.

Applicants for CDBG–DR assistance are expected to seek insurance or other assistance to which they are legally entitled under existing policies and contracts, and to behave reasonably when negotiating payments to which they may be entitled. For example, it may be reasonable for an applicant to elect to receive an immediate lump sum insurance settlement based on estimated cost of rehabilitation instead of waiting for a longer period of time for the insurance company to calculate reimbursement based on actual replacement costs, even if the reimbursement based on actual costs would exceed the lump sum insurance settlement.

HUD generally considers assistance to be available if it is awarded to the applicant but is administered by another party instead of being directly deposited with the applicant. For example, if an entity administering homeowner rehabilitation assistance pays a contractor directly to complete the rehabilitation, the assistance is still considered available to the applicant.

By contrast, funds that are not available to an applicant must be excluded from the final CDBG–DR award calculation. For example, insurance or rehabilitation assistance received by a previous owner of a disaster damaged housing unit is not available to a current owner that acquired the unit by sale or transfer (including a current owner that inherited the unit as a result of the death of the previous owner) unless the current owner is a co-recipient of that assistance.

Funds are not available to an applicant if the applicant does not have legal control of the funds when they are received. For example, if a homeowner's mortgage requires insurance proceeds to be applied to reduce the unpaid mortgage principal, then the lender/mortgage holder (not the homeowner) has legal control over those funds. The homeowner is legally obligated to use insurance proceeds for the purpose of reducing the unpaid mortgage principal and does not have a choice in using them for any other purpose, such as to rehabilitate the house. Under these circumstances, insurance proceeds do not reduce CDBG–DR rehabilitation assistance eligibility.

Alternatively, if a lender requires use of insurance for rehabilitation, or a disaster-affected homeowner chooses to apply insurance proceeds received for damage to the building to reduce an unpaid mortgage principal, these insurance proceeds are treated as a DOB and reduce the amount of CDBG–DR

funds the grantee may provide for rehabilitation.

IV.A.1.(d)(iii). Exclude Non-Duplicative Amounts. Once a grantee has determined the total need and the total assistance, it determines which sources it must exclude as non-duplicative for the DOB calculation. Grantees must exclude amounts that are: (1) provided for a different purpose; or (2) provided for the same purpose (eligible activity), but for a different, allowable use (cost). Below, each of these categories is explained in greater detail.

IV.A.1.(d)(iii)(1). Funds for a Different Purpose. Any assistance provided for a different purpose than the CDBG–DR eligible activity, or a general, non-specific purpose (*e.g.,* ''disaster relief/recovery'') and not used for the same purpose must be excluded from total assistance when calculating the amount of the DOB.

Insurance proceeds for damage or destruction of a building are for the same purpose as CDBG–DR assistance to rehabilitate or reconstruct that building. On the other hand, grantees may exclude, as non-duplicative, insurance provided for a different purpose (*e.g.,* insurance proceeds for loss of contents and personal property, or insurance proceeds for loss of buildings (such as a detached garage) that the grantee has determined it will not assist with CDBG–DR funds). However, a grantee may treat all insurance proceeds as duplicative if it is impractical to identify the portion of insurance proceeds that are non-duplicative because they are for a different purpose than the CDBG–DR assistance.

Similarly, CDBG–DR assistance paid to a homeowner as a housing incentive for the purpose of inducing the homeowner to sell the home to the grantee (*e.g.,* in conjunction with a buyout) are for a different purpose than funds provided for interim housing (*e.g.,* temporary assistance for rental housing during a period when a household is unable to reside in its home). In such a case, interim housing assistance may be excluded from the final DOB calculation as non-duplicative of funds paid for the housing incentive.

IV.A.1.(d)(iii)(2). Funds for Same Purpose, Different Allowable Use. Assistance provided for the same purpose as the CDBG–DR purpose (the CDBG–DR eligible activity) must be excluded when calculating the amount of the DOB if the applicant can document that actual specific use of the assistance was an allowable use of that assistance and was different than the use (cost) of the CDBG–DR assistance (*e.g.,* the purpose is housing rehabilitation, the use of the other assistance was roof replacement and the use of the CDBG–DR assistance is rehabilitation of the interior of the house). Grantees are advised to consult with HUD to determine what documentation is appropriate in this circumstance. As a starting point, grantees should consider whether the source of the assistance requires beneficiaries to maintain documentation of how the assistance was used.

Whether the use of the non-CDBG–DR assistance is an allowable use depends on the rules imposed by the source that provided the assistance. For example, assume that a CDBG–DR grantee is administering a homeowner rehabilitation program and an applicant to the program can document that he/she previously received and used FEMA funds for interim housing costs (*i.e.,* rent). If FEMA permitted the applicant to use its assistance for the general purpose of meeting any housing need, the CDBG–DR grantee can exclude the FEMA assistance used for interim housing as non-duplicative of the CDBG–DR assistance for rehabilitation.

If, on the other hand, FEMA limited the use of FEMA funds to housing rehabilitation, then the full amount of the FEMA assistance must be considered for the specific purpose of housing rehabilitation and cannot be excluded if the applicant used those funds for interim housing. If interim housing is not an allowable use, the amount of the FEMA housing rehabilitation assistance used for interim housing is considered a DOB. If the grantee thinks the actual use of the FEMA assistance may be allowable, the CDBG–DR grantee should contact FEMA for clarification.

Assistance provided for the purpose of housing rehabilitation, including assistance provided for temporary or minor rehabilitation, is for the same purpose as CDBG–DR rehabilitation assistance. However, the grantee can exclude assistance used for different costs of the rehabilitation, which are a different allowable use (rehabilitation costs not assisted with CDBG–DR). For example, if the other assistance is used for minor or temporary rehabilitation which enabled the applicant family to live in their home instead of moving to temporary housing until rehabilitation can be completed, the grantee can undertake remaining work necessary to complete rehabilitation. The grantee's assessment of total need at the time of application may include the costs of replacing temporary materials with permanent construction and of completing mold remediation by removing drywall installed with other assistance. These types of costs to modify partially completed rehabilitation that the grantee determines are necessary to comply with the requirements of CDBG–DR assistance do not duplicate other assistance used for the partial rehabilitation.

Grantees are encouraged to contact HUD for further guidance in cases when it is unclear whether non-CDBG–DR assistance for the same general purpose can be excluded from the DOB calculation because it was used for a different allowable use.

IV.A.1.(d)(iv). Identify DOB Amount and Calculate the Total CDBG–DR Award. The total DOB is calculated by subtracting non-duplicative exclusions from total assistance. Therefore, to calculate the total maximum amount of the CDBG–DR award, the grantee must: (1) identify total need; (2) identify total assistance; (3) subtract exclusions from total assistance to determine the amount of the DOB; and (4) subtract the amount of the DOB from the amount of the total need to determine the maximum amount of the CDBG–DR award.

Three considerations may change the maximum amount of the CDBG–DR award.

First, the grantee may impose a program cap that limits the amount of assistance an applicant is eligible to receive, which may reduce the potential CDBG–DR assistance available to the applicant.

Second, the grantee may increase the amount of an award if the applicant agrees to repay duplicative assistance it receives in the future (unless prohibited by a statutory order of assistance, as in the requirement to use FEMA or USACE assistance before CDBG–DR assistance discussed in sections II. and IV.A.1.(f)). Section 312(b) of the Stafford Act permits a grantee to provide CDBG–DR assistance to an applicant who is or may be entitled to receive assistance that would be duplicative if: (1) the applicant has not received the other assistance at the time the CDBG–DR grantee makes its award; and (2) the applicant agrees to repay the CDBG–DR grantee for any duplicative assistance once it is received. The agreement to repay from future funds may enable a faster recovery in cases when other sources of assistance are delayed (*e.g.,* due to insurance litigation). HUD requires all grantees to enter into agreements with applicants before the applicant receives CDBG–DR assistance.

Third, the applicant's CDBG–DR award may increase if a reassessment shows that the applicant has additional unmet need.

IV.A.1.(d)(v). Reassess Unmet Need When Necessary. Although long-term recovery is a process, disaster recovery needs are calculated at points in time. As a result, a subsequent change in an applicant's circumstances can affect that applicant's remaining unmet need, meaning the need that was not met by CDBG–DR and other sources of assistance. Oftentimes, unmet need does not become apparent until after CDBG–DR assistance has been provided. Examples may include: a subsequent disaster that causes further damage to a partially rehabilitated home or business; an increase in the cost of construction materials; vandalism; contractor fraud; or theft of materials. Unmet need may also change if other resources become available to pay for costs of the activity (such as FEMA or USACE), and reduce the need for CDBG–DR.

To the extent that an original disaster recovery need was not fully met or was exacerbated by factors beyond the control of the applicant, the grantee may provide additional CDBG–DR funds to meet the increased unmet need.

Grantees must be able to identify and document additional unmet need, for example, by completing a professional inspection to verify the revised estimate of costs to rehabilitate or reconstruct damaged property.

IV.A.1.(e). Special Considerations. The potential for DOB arises most frequently under homeowner rehabilitation programs but is not limited solely to that type of activity. The following examples do not form an exhaustive list of all CDBG–DR funded programs or activities. They are included to illustrate instances when duplicative assistance can occur when assisting other recovery activities:

1. Assistance to businesses. Many grantees carry out economic revitalization programs that provide working capital assistance to businesses. Generally, working capital assistance is calculated after assessing a business's ability to use its current assets to pay its current liabilities. The grantee's DOB analysis must consider total assistance, which includes all sources of financial assistance available to the applicant to pay a portion of liabilities that will become due. For example, a downtown business alliance might award business recovery grants from its funds to cover some of the same liabilities. Even if the downtown business alliance does not call its assistance ''working capital'' assistance, the amount the business received from the downtown business alliance to pay the same costs as the CDBG–DR funds is a DOB. Therefore, a grantee's basis for calculating CDBG–DR economic development assistance and the purposes for which the applicant can use the assistance should be clearly identified so that grantees can prevent a DOB. As discussed above, assets such as cash and cash equivalents (excluding deposits of insurance proceeds or other disaster assistance), inventories, short-term investments and securities, accounts receivable, and other assets of the business are not financial assistance, although those assets may be relevant to underwriting.

2. Assistance for infrastructure. State grantees may assist state or local government entities by providing funding to restore infrastructure (public facilities and improvements) after a disaster. CDBG–DR funds used directly by state and local governments for public facilities and improvements, or other purposes are also subject to the DOB requirements of the Stafford Act. For example, a wastewater treatment facility owned by a local government may need to be rehabilitated. In this instance, total assistance, for a DOB analysis, would not only include any other Federal assistance available to rehabilitate the facility, but it must also include any local funds that are available for this activity. And if local funds were previously designated or planned for the activity, but are no longer available, the grantee should document that the local government recipient does not have funds set aside for the activity in any capital improvement plan (or similar document showing planned use of funds).

3. Payments made under the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA). Grantees may provide a displaced person (as defined under 24 CFR 570.606) with rental assistance payments under the URA or provide temporary relocation assistance (as described in 49 CFR part 24, *Appendix A, 49 CFR 24.2(a)(9)(ii)(D)*) to persons temporary relocated as a result of a project. Relocation payments made under the URA, as well as under CDBG's optional relocation assistance provisions of 24 CFR 570.606(d), are subject to DOB requirements in this notice and the Consolidated Notice, as well as DOB requirements under the URA that prohibit payments for the same ''purpose and effect'' as another payment to a displaced person (49 CFR 24.3). To comply with CDBG–DR DOB requirements, before issuance of rental assistance payments required by the URA, grantees must complete a DOB analysis. For example, a CDBG–DR grantee must check FEMA assistance data to determine that FEMA did not provide rental assistance payments during the same time period (under the URA or as part of a FEMA Individual Assistance Award). Please note that while you cannot duplicate assistance for the same purpose, advisory services and the provision of notices required under the URA are not subject to this analysis because they are not financial assistance to the person, and therefore must be provided in accordance with the URA.

Subsidized Loans. For this notice, subsidized loans (including forgivable loans) are loans other than private loans. Subsidized loans are assistance that must be included in the DOB analysis, unless an exception applies. Section IV.A. of the Consolidated Notice discusses these exceptions and related requirements for the treatment of subsidized loans in a duplication of benefits analysis. The full amount of a subsidized loan available to the applicant for the same purpose as CDBG–DR assistance is assistance that must be included in the DOB calculation unless one of the exceptions in IV.A.1. of the Consolidated Notice applies. A subsidized loan is available when it is accepted, meaning that the borrower has signed a note or other loan document that allows the lender to advance loan proceeds. Both SBA and FEMA provide subsidized loans for disaster recovery. Note that the statutory order of assistance provision pertaining to assistance from FEMA and USACE applies to grants and subsidized loans made by these agencies. Subsidized loans may also be available from other sources.

IV.A.1.(f). Order of Assistance. CDBG–DR appropriations acts generally include a statutory order of assistance for Federal agencies. Although the language may vary among appropriations, the statutory order of assistance typically provides that CDBG–DR funds may not be used for activities reimbursable by or for which funds are made available by FEMA or USACE. This means that grantees must verify whether FEMA or USACE funds are available for an activity (*i.e.* the application period is open) or the costs are reimbursable by FEMA or USACE (*i.e.,* the grantee will receive FEMA or USACE assistance to reimburse the costs of the activity) before awarding CDBG–DR assistance for costs of carrying out the same activity. If FEMA or USACE are accepting applications for the activity, the applicant must seek assistance from those sources before receiving CDBG–DR assistance. If the applicant's costs for the activity will be reimbursed by FEMA or USACE, the grantee cannot provide the CDBG–DR assistance for those costs. In the event that FEMA or USACE assistance is

awarded after CDBG–DR to pay the same costs, it is the CDBG–DR grantee's responsibility to recapture CDBG–DR assistance that duplicates assistance from FEMA or USACE.

Under the Stafford Act, a Federal agency that provides duplicative assistance must collect that assistance. For CDBG–DR grants, the grantee is required to collect duplicative assistance it provides. A grantee that does not collect duplicative CDBG–DR assistance that it provides may resolve this noncompliance by reimbursing its program account with non-Federal funds in the amount of the duplication and reprograming the use of the funds in accordance with applicable requirements to avoid other corrective or remedial actions.

FEMA regulations at 44 CFR 206.191 set forth a delivery sequence that establishes which source of assistance is duplicative for certain programs. CDBG–DR assistance is not listed in FEMA's sequence, but as a practical matter, CDBG–DR assistance duplicates other sources received before CDBG–DR assistance for the same purpose and portion of need. Any amount received from other sources before the CDBG–DR assistance that is determined to be duplicative must be collected by the grantee. The mandatory agreement to repay (discussed in section IV.A.1.(i)below) can be used to prevent duplication by assistance that is available, but not yet received. If the duplicative assistance is received after CDBG–DR, the grantee must collect the DOB or contact HUD if it has questions about whether another Federal agency is responsible for collecting the duplication.

IV.A.1.(g). Multiple Disasters. When multiple disasters occur in the same location, and the applicant has not recovered from the first disaster at the time of a second disaster, the assistance provided in response to the second disaster may duplicate assistance for the same purpose and need as assistance provided after the first disaster. HUD recognizes that in this scenario, DOB calculations can be complicated. Damage from a second disaster, for example, may destroy work funded and completed in response to the first disaster. The second disaster may also damage or destroy receipts and other documentation of how applicants expended assistance provided after the first disaster.

Therefore, HUD is adopting the following policy that is applicable to circumstances when two disasters occur in the same area, and the applicant has not fully recovered from the first disaster before the second disaster occurs: Applicants are not required to maintain documentation related to the use of public disaster assistance (Federal, state, and local) beyond the period required by the agency that provided the assistance. If documentation cannot be provided, the grantee may accept a self-certification regarding how the applicant used the other agency's assistance, provided that the applicant is advised of the criminal and civil penalties that apply in cases of false claims and fraud, and the grantee determines that the applicant's total need is consistent with data the grantee has about the nature of damage caused by the disasters (*e.g.,* flood inundation levels). For example, a second disaster strikes three years after an agency provided assistance in response to the first disaster, and that agency required applicants to maintain documentation for two years, the grantee may accept a self-certification regarding how the applicant used the other agency's assistance.

IV.A.1.(h). Recordkeeping. The grantee must document compliance with DOB requirements. Policies and procedures for DOB may be specific for each program funded by the CDBG–DR grantee and should be commensurate with risk. Grantees should be especially careful to sufficiently document the DOB analysis for activities they are carrying out directly. Insufficient documentation on DOB can lead to findings, which can be difficult to resolve if records are missing, inadequate, or inaccurate to demonstrate compliance with DOB requirements.

When documenting its DOB analysis, grantees cannot rely on certification alone for proof of other sources of funds for the same purpose (unless authorized by this notice, see section IV.A.1.(g). above). Any certification by an applicant must be based on supporting evidence that will be kept available for inspection by HUD. For example, if an applicant certifies that other sources of funds were received and expended for a different purpose than the CDBG–DR funds, grantees must substantiate this assertion with an additional source of information (*e.g.,* physical inspections, credit card statements, work estimates, contractor invoices, flood inundation records, or receipts). For these reasons, HUD recommends that as soon as possible after a disaster, grantees advise the public and potential applicants to retain all receipts that document expenditures for recovery needs. Grantees should consult their CPD specialist or CPD Representative with questions about the sufficiency of documentation.

IV.A.1.(i). Agreement to Repay. The Stafford Act requires grantees to ensure that applicants agree to repay all duplicative assistance to the agency providing that Federal assistance. To address any potential DOB, each applicant must also enter into an agreement with the CDBG–DR grantee to repay any assistance later received for the same purpose for which the CDBG–DR funds were provided. This agreement can be in the form of a subrogation agreement or similar document and must be signed by every applicant before the grantee disburses any CDBG–DR assistance to the applicant.

In its policies and procedures, the grantee must establish a method to monitor each applicant's compliance with the agreement for a reasonable period after project completion (*i.e.,* a time period commensurate with risk). Additionally, section III.A.1. of the Consolidated Notice requires a grantee's agreement to also include the following language: ''Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001 and 31 U.S.C. 3729.''

IV.A.1.(j). Collecting a Duplication. If a potential DOB is discovered after CDBG–DR assistance has been provided, the grantee must reassess the applicant's need at that time (see section IV.A.1.(d)(v) above). If additional need is not demonstrated, CDBG–DR funds shall be recaptured to the extent they are in excess of the remaining need and duplicate other assistance received by the applicant for the same purpose. However, this determination may depend on what sources of assistance were last received by the applicant.

If a grantee fails to recapture funds from an applicant, HUD may impose corrective actions pursuant to 24 CFR 570.495, 24 CFR 570.910, and **Federal Register** notices, as applicable. Also, HUD reminds grantees that the Stafford Act states that ''A person receiving Federal assistance for a major disaster or emergency shall be liable to the United States to the extent that such assistance duplicates benefits available to the person for the same purpose from another source.'' A grantee's failure to collect duplication of benefits does not remove an applicant's potential liability to the United States. A grantee that does not collect duplicative CDBG–DR assistance that it provides, should review HUD's guidance in the second paragraph of section *IV.A.1.(f).* above.

The grantee may refer to any relevant guidance or the debt collection procedures in place for the state or local government. HUD is available to

provide guidance to grantees in establishing or revising the grantee's duplication of benefits policies and procedures.

CDBG–DR grantees awarded funds for disasters occurring in 2022 can find the additional DOB requirements in Section IV.A. of the Consolidated Notice.

IV.A.2. CDBG–DR mitigation set-aside. The Appropriations Acts require HUD to include in any allocation of CDBG–DR funds for unmet needs an additional amount of 15 percent for mitigation activities (''CDBG–DR mitigation set-aside''). Grantees should consult Table 1 for the amount allocated specifically for the CDBG–DR mitigation set-aside. For purposes of grants under this notice, mitigation activities are defined as those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters.

In the grantee's action plan, it must identify how the proposed use of the CDBG–DR mitigation set-aside will: (1) meet the definition of mitigation activities; (2) address the current and future risks as identified in the grantee's mitigation needs assessment in the MID areas; (3) be CDBG-eligible activities under title I of the HCDA or otherwise eligible pursuant to a waiver or alternative requirement; and (4) meet a national objective.

Unlike recovery activities where grantees must demonstrate that their activities ''tie-back'' to the specific disaster and address a specific unmet recovery need for which the CDBG–DR funds were appropriated, activities funded by the CDBG–DR mitigation set-aside do not require such a ''tie-back'' to the specific qualified disaster that has served as the basis for the grantee's allocation. Instead, grantees must demonstrate that activities funded by the CDBG–DR mitigation set-aside meet the provisions included as (1) through (4) in the prior paragraph, to be eligible. Grantees must report activities as a ''MIT'' activity type in DRGR so that HUD and the public can determine that the grantee has fulfilled the requirement for the CDBG–DR mitigation set-aside.

Grantees may also meet the requirement of the CDBG–DR mitigation set-aside by including eligible recovery activities that both address the impacts of the disaster (*i.e.,* have ''tie-back'' to the specific qualified disaster) and incorporate mitigation measures into the recovery activities. In section II.A.2.b of the Consolidated Notice, grantees are instructed to incorporate mitigation measures when carrying out activities to construct, reconstruct, or rehabilitate residential or non-residential structures with CDBG–DR funds as part of activities eligible under 42 U.S.C. 5305(a) (including activities authorized by waiver and alternative requirement). Additionally, in section II.A.2.c of the Consolidated Notice, grantees are required to establish resilience performance metrics for those activities.

If grantees wish to count those activities towards the grantee's CDBG–DR mitigation set-aside, grantees must: (1) Document how those activities and the incorporated mitigation measures will meet the definition of mitigation, as provided above; and (2) Report those activities as a ''MIT'' activity type in DRGR so they are easily tracked.

IV.A.2.a. Mitigation needs assessment. In addition to the requirements prescribed in section III.C.1.a of the Consolidated Notice that grantees must develop an impact and unmet needs assessment, grantees receiving an award under this Allocation Announcement Notice must also include in their action plan a mitigation needs assessment to inform the activities funded by the CDBG–DR mitigation set-aside. Each grantee must assess the characteristics and impacts of current and future hazards identified through its recovery from the qualified disaster and any other Presidentially declared disaster. Mitigation solutions designed to be resilient only for threats and hazards related to a prior disaster can leave a community vulnerable to negative effects from future extreme events related to other threats or hazards. When risks are identified among other vulnerabilities during the framing and design of mitigation projects, implementation of those projects can enhance protection and save lives, maximize the utility of scarce resources, and benefit the community long after the projects are complete.

Accordingly, each grantee receiving a CDBG–DR allocation under this notice must conduct a risk-based assessment to inform the use of its CDBG–DR mitigation set-aside considering identified current and future hazards. Grantees must assess their mitigation needs in a manner that effectively addresses risks to indispensable services that enable continuous operation of critical business and government functions and are critical to human health and safety or economic security. In the mitigation needs assessment, each grantee must cite data sources and must, at a minimum, use the risks identified in the current FEMA-approved state or local Hazard Mitigation Plan (HMP). If a jurisdiction is currently updating an expired HMP, the grantee's agency administering the CDBG–DR funds must consult with the agency administering the HMP update to identify the risks that will be included in the assessment. Mitigation needs evolve over time and grantees are to amend the mitigation needs assessment and action plan as conditions change, additional mitigation needs are identified, and additional resources become available.

IV.A.2.b. Connection of programs and projects to the mitigation needs assessment. Grantees are required by section III.C.1.b of the Consolidated Notice to describe the connection between identified unmet needs and the allocation of CDBG–DR resources. In a similar fashion, the plan must provide a clear connection between a grantee's mitigation needs assessment and its proposed activities in the MID areas funded by the CDBG–DR mitigation set-aside (or outside in connection to the MID areas as described in section II.A.3 of the Consolidated Notice). To maximize the impact of all available funds, grantees are encouraged to coordinate and align these funds with other projects funded with CDBG–DR and CDBG–MIT funds, as well as other disaster recovery activities funded by FEMA, USACE, the U.S. Forest Service, and other agencies as appropriate. Grantees are encouraged to fund planning activities that complement FEMA's Building Resilient Infrastructure and Communities (BRIC) program and to upgrade mapping, data, and other capabilities to better understand evolving disaster risks.

IV.A.3. Interchangeability of disaster funds. The Appropriations Acts gives the Secretary authority to authorize grantees that receive an award in this Allocation Announcement Notice and under prior or future appropriations to use those funds interchangeably and without limitation for the same activities related to unmet recovery needs in the MID areas resulting from a major disaster in the Appropriations Acts or in prior or future appropriation acts, when the MID areas overlap and when the use of the funds will address unmet recovery needs of major disasters in the Appropriations Acts or in any prior or future appropriation acts.

Based on this authority, the Secretary authorizes grantees receiving a CDBG–DR grant under the Appropriations Acts and prior or future appropriation acts for activities authorized under title I of the HCDA for a specific qualifying disaster(s) to use these funds interchangeably and without limitation for the same activities in MID areas resulting from a major disaster in prior or future appropriation acts, as long as the MID areas overlap and the activities address unmet needs of both disasters.

Grantees are reminded that expanding the eligible beneficiaries of activities in an action plan funded by any prior or future acts to include those impacted by the specific qualifying disaster(s) in this notice requires the submission of a substantial action plan amendment in accordance with section III.C.6 of the Consolidated Notice. Additionally, all waivers and alternative requirements associated with a CDBG–DR grant apply to the use of the funds provided by that grant, regardless of which disaster the funded activity will address.

For example, if a grantee is receiving funds under this notice for a disaster occurring in 2022 and the MID areas for the 2022 disaster overlap with the MID areas for a disaster that occurred in 2017, the grantee may choose to use the funds allocated under this notice to address unmet needs of both the 2017 disaster and the 2022 disaster. In doing so, the grantee must follow the rules and requirements outlined in this notice. However, if the grantee chooses to use its CDBG–DR grant awarded due to a disaster that occurred in 2017 to address unmet needs of both that disaster and the 2022 disaster, the grantee must follow the rules and requirements outlined in the **Federal Register** notices applicable to its CDBG–DR grant for 2017 disasters.

IV.A.4. Assistance to utilities. The Appropriations Acts provide that funds ''may be used by a grantee to assist utilities as part of a disaster-related eligible activity under section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)).''

Accordingly, paragraph III.G.3 of the Consolidated Notice does not apply to funds under the Appropriations Acts, and HUD is adding a modified alternative requirement that applies in lieu of paragraph III.G.3.

While it is possible that not every CDBG–DR assisted utility will serve predominantly low- and moderate-income (LMI) populations, HUD recognizes that LMI populations would benefit especially from the increased resilience and recovery of private utilities. HUD also recognizes that privately-owned, for-profit utilities have a means of obtaining private investment or otherwise recapturing costs from ratepayers. Therefore, HUD's alternative requirement below includes basic safeguards that HUD has determined are necessary to ensure that costs comply with the certification to give maximum feasible priority to activities that benefit LMI persons and that costs are necessary and reasonable and do not duplicate other financial assistance. The modified alternative requirement also makes clear that assistance to utilities is subject to all other requirements that apply to the use of funds, consistent with the requirement in the Appropriations Acts that funds must be for an ''eligible activity under section 105(a).'' If a grantee needs to submit a substantial amendment to add any activity based on these new alternative requirements, they must follow section III.C.6.a in the Consolidated Notice.

For grants made in response to 2022 disasters under the Appropriations Acts, the following alternative requirement applies:

A grantee may assist private for-profit, non-profit, or publicly owned utilities as part of disaster-related activities that are eligible under section 105(a) of the HCDA, or otherwise made eligible through a waiver or alternative requirement, provided that the grantee complies with the following:

1. The funded activity must comply with applicable CDBG–DR requirements, including the requirements that the assisted activity will meet a national objective, the activity will address an unmet recovery need or a risk identified in the grantee's mitigation needs assessment, and if the assistance is provided to a for-profit entity for an economic development project under section 105(a)(17), the grantee must first comply with the underwriting requirements in section II.D.6 of the Consolidated Notice.

2. Each grantee must carry out the grant consistent with the grantee's certification that ''With respect to activities expected to be assisted with CDBG–DR funds, the action plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families.''

To fortify compliance with the existing certification, if the grantee carries out activities that assist privately-owned, for-profit utilities, the grantee must prioritize assistance to for-profit utilities that will benefit areas where at least 51 percent of the residents are LMI persons and demonstrate how assisting the private, for-profit utility will benefit those areas.

3. The grantee must determine that the costs of the activity to assist a utility are necessary and reasonable and that they do not duplicate other financial assistance. To fortify these requirements and achieve a targeted use of funds and to safeguard against the potential over-subsidization when assistance is used to carry out activities that benefit private, for-profit utilities, the grantee must document that the level of assistance provided to a private, for-profit utility addresses only the actual identified needs of the utility. Additionally, the grantee must establish policies and procedures to ensure that the CDBG–DR funds that assist private, for-profit utilities reflect the actual identified financing needs of the assisted businesses by establishing a mix of financing terms (loan, forgivable loan, and/or grant) for each assisted private, for-profit utility, based on the business's financial capacity, in order to ensure that assistance is based on actual identified need.

IV.B. Clarifications to the Consolidated Notice

IV.B.1. Reimbursement Requirements for Grants Under the Appropriations Acts. This section sets out requirements for 2022 disasters under the Appropriations Acts. In paragraph III.F.5 of the Consolidated Notice, HUD permits grantees to charge to grants the pre-award and pre-application costs of homeowners, renters, businesses, and other qualifying entities for eligible costs these applicants have incurred in response to an eligible disaster covered under a grantee's applicable Allocation Announcement Notice. In addition to other requirements, paragraph III.F.5 stipulates that grantees may charge the eligible pre-application costs to the grant only if (1) the person or private entity incurred the expenses within one year after the applicability date of the grantee's Allocation Announcement Notice (or within one year after the date of the disaster, whichever is later); and (2) the person or entity pays for the cost before the date on which the person or entity applies for CDBG–DR assistance.

Congress may enact multiple supplemental appropriations of CDBG–DR funds for disasters occurring in the same year and HUD may then publish multiple notices announcing CDBG–DR grants for the same disaster. For example, HUD announced CDBG–DR grants for disasters occurring in 2022 in this notice. If Congress appropriates additional funds for 2022 disasters in a future appropriations act, grantees may find it difficult to track expenses incurred within one year after the applicability date of this notice and another Allocation Announcement Notice, given that funds for disasters occurring in 2022 would be announced in different notices. To avoid confusion and to apply a uniform time frame to reimbursement of all pre-application costs for 2022 disasters, the requirement in III.F.5.(1) in the Consolidated Notice that states, ''The person or private entity incurred the expenses within one year after the applicability date of the grantee's Allocation Announcement Notice (or within one year after the date

of the disaster, whichever is later)'' shall not apply, and instead, grantees shall comply with the following alternative to that requirement in III.F.5.(1): ''The person or private entity incurred the expenses within one year after the applicability date of the notice that announced the *initial* allocation of CDBG–DR funds (or within one year after the date of the disaster, whichever is later).'' For grantees receiving an allocation for a 2022 disaster, the notice that announced the initial allocation of CDBG–DR funds is this notice.

IV.B.2. Clarification of the green and resilient building standard. Paragraph II.B.2.a. of the Consolidated Notice requires that all covered construction (new construction, reconstruction, and rehabilitation) that is assisted with CDBG–DR funds meet an industry-recognized standard that has achieved certain certifications described in the notice. HUD updated its building standards to support the adoption and enforcement of modern and resilient codes for grants subject to the **Federal Register** notices published on February 3, 2022, at 87 FR 6364; May 24, 2022 at 87 FR 31636; January 18, 2023, at 88 FR 3198; and this notice (including requirements identified as the ''Consolidated Notice'' incorporated by each of these notices as an Appendix B). During this update, HUD inadvertently omitted a standard.

Accordingly, HUD clarifies that paragraph II.B.2.a. in the ''Consolidated Notice '' (as defined in the previous sentence) allows a grantee to use either the ICC–700 National Green Building Standard (NGBS) Green or NGBS Green+ Resilience standard, among other industry-recognized standards. For grants made in response to disasters occurring in 2020, 2021, and 2022, this notice replaces paragraph II.B.2.a. in the Appendix B Consolidated Notice attached to this notice and to the document titled ''Consolidated Notice'' in Appendix B to each of the **Federal Register** notices published on February 3, 2022, at 87 FR 6364; May 24, 2022 at 87 FR 31636; January 18, 2023, at 88 FR 3198; and this notice. In lieu of the text originally published in paragraph II.B.2.a. of those appendices (which is hereby replaced), the following alternative requirement applies:

II.B.2.a. Green and resilient building standard for new construction and reconstruction of housing. Grantees must meet the Green and Resilient Building Standard, as defined in this subparagraph, for: (i) all new construction and reconstruction (*i.e.,* demolishing a housing unit and rebuilding it on the same lot in substantially the same manner) of residential buildings and (ii) all rehabilitation activities of substantially damaged residential buildings, including changes to structural elements such as flooring systems, columns, or load-bearing interior or exterior walls.

The Green and Resilient Building Standard requires that all construction covered by the paragraph above and assisted with CDBG–DR funds meet an industry-recognized standard that has achieved certification under (i) Enterprise Green Communities; (ii) LEED (New Construction, Homes, Midrise, Existing Buildings Operations and Maintenance, or Neighborhood Development); (iii) ICC–700 National Green Building Standard (NGBS) Green or NGBS Green+ Resilience; (iv) Living Building Challenge; or (v) any other equivalent comprehensive green building program acceptable to HUD.

IV.B.3. Clarification of the Use of ''Uncapped'' Income Limits. The Quality Housing and Work Responsibility Act of 1998 (Title V of Pub. L. 105–276) enacted a provision that directs the Department to grant exceptions to at least 10 jurisdictions that are currently ''capped' under HUD's low and moderate-income limits. Under this exception, several CDBG entitlement grantees may use ''uncapped'' income limits that reflect 80 percent of the actual median income for the area. Each year, HUD publishes guidance on its website identifying which grantees may use uncapped limits.

Accordingly, HUD clarifies that, the annual uncapped income limits published by HUD applies to CDBG–DR funded activities in jurisdictions covered by the uncapped limits, including jurisdictions that receive disaster recovery funds from a state CDBG–DR grantee. This alternative requirement applies to grants made in response to disasters occurring in 2020, 2021, and 2022 that are subject to **Federal Register** notices published on February 3, 2022, at 87 FR 6364; May 24, 2022 at 87 FR 31636; January 18, 2023, at 88 FR 3198; and this notice (including requirements identified as a ''Consolidated Notice'' incorporated by each of these notices as an Appendix B).

V. Duration of Funding

The Appropriations Acts make the funds available for obligation by HUD until expended. HUD waives the provisions at 24 CFR 570.494 and 24 CFR 570.902 regarding timely distribution and expenditure of funds and establishes an alternative requirement providing that each grantee must expend 100 percent of its allocation within six years of the date HUD signs the grant agreement. HUD may extend the time period in this alternative requirement and associated grant period of performance administratively, if good cause for such an extension exists at that time, as requested by the grantee, and approved by HUD. When the period of performance has ended, HUD will close out the grant and any remaining funds not expended by the grantee on appropriate programmatic purposes will be recaptured by HUD.

VI. Assistance Listing Numbers (Formerly Known as the CFDA Number)

The Assistance Listing Numbers (formerly known as the Catalog of Federal Domestic Assistance numbers) for the disaster recovery grants under this notice are as follows: 14.218; 14.228.

VII. Finding of No Significant Impact

A Finding of No Significant Impact (FONSI) with respect to the environment has been made in accordance with HUD regulations at 24 CFR part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)). The FONSI is available online on HUD's CDBG–DR website at *https://www.hud.gov/program_offices/comm_planning/cdbg-dr.* Due to security measures at the HUD Headquarters building, an advance appointment to review the docket file must be scheduled by calling the Regulations Division at 202–708–3055 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

Adrianne Todman,
Deputy Secretary.

Appendix A

Allocation of CDBG–DR Funds to Most Impacted and Distressed Areas Due to Presidentially Declared Disasters Occurring in 2022

Background

The Continuing Appropriation Act, 2023 (Pub. L. 117–180, Division A) (approved September 30, 2022) appropriated $2 billion in CDBG-Disaster Recovery (CDBG–DR) funds for ''major disasters that occurred in 2021 or 2022'' and the Department of Housing and Urban Development Appropriations Act, 2023 (Pub. L. 117–328, Division L, Title II) (approved on December

29, 2022) appropriated $3 billion of CDBG–DR for disasters ''that occurred in 2022 or later until such funds are fully allocated''. Both laws instruct HUD that the funds are ''for the same purposes and under the same terms and conditions as funds appropriated under such heading in title VIII of the Disaster Relief Supplemental Appropriations Act, 2022 (division B of Pub. L. 117–43)''.

The statutory text related to the allocation in Public Law 117–43 is as follows:

''. . . for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 *et seq.*) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation, in the most impacted and distressed areas resulting from a major disaster. . . . *Provided,* That amounts made available under this heading in this Act shall be awarded directly to the State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) at the discretion of the Secretary: *Provided further,* That the Secretary shall allocate, using the best available data, an amount equal to the total estimate for unmet needs for qualifying disasters under this heading in this Act: *Provided further,* That any final allocation for the total estimate for unmet need made available under the preceding proviso shall include an additional amount of 15 percent of such estimate for additional mitigation: ''

This methodology applies to allocations for disasters occurring on or after January 1, 2022 and had been declared major disasters as of October 30, 2022. It reflects the $553,371,000 remaining from the $2 billion appropriated under Public Law 117–180 ($1.44 billion had been provided for 2021 disasters in an earlier allocation) and $2,837,849,000 under Public Law 117–328.

Most Impacted and Distressed Areas

As with prior CDBG–DR appropriations, HUD is not obligated to allocate funds for all major disasters occurring in the statutory timeframes. HUD is directed to use the funds ''in the most impacted and distressed areas.'' HUD has implemented this directive by limiting CDBG–DR formula allocations to grantees with major disasters that meet these standards:

(1) Individual and Households Program (IHP) designation. HUD has limited allocations to those disasters where the Federal Emergency Management Agency (FEMA) had determined the damage was sufficient to declare the disaster as eligible to receive IHP funding.

(2) Concentrated damage. HUD has limited its estimate of serious unmet housing need to counties and/or counties with zip codes with high levels of damage, collectively referred to as ''most impacted areas.'' For this allocation, HUD is defining most impacted areas as either most impacted counties—counties exceeding $10 million in serious unmet housing needs—and most impacted Zip Codes—Zip Codes with $2 million or more of serious unmet housing needs. The calculation of serious unmet housing needs is described below.

For disasters that meet the most impacted threshold described above, the unmet need allocations are based on the following factors summed together:

(1) Repair estimates for seriously damaged owner-occupied units without insurance (with some exceptions) in most impacted areas after FEMA and Small Business Administration (SBA) repair grants or loans;

(2) Repair estimates for seriously damaged rental units occupied by very low-income renters in most impacted areas;

(3) Repair and content loss estimates for small businesses with serious damage denied by SBA; and

(4) The estimated local cost share for Public Assistance Category C to G projects.

Methods for Estimating Serious Unmet Needs for Housing

The data HUD uses to calculate unmet needs for 2022 qualifying disasters come from the FEMA IHP data on housing-unit damage as of January 10, 2023, and reflect disasters occurring in 2022 and declared on or before October 30, 2022.

The core data on housing damage for both the unmet housing needs calculation and the concentrated damage are based on home inspection data for FEMA's IHP and SBA's disaster loan program. HUD calculates ''unmet housing needs'' as the number of housing units with unmet needs times the estimated cost to repair those units less repair funds estimated to be provided by FEMA and SBA.

Each of the FEMA IHP inspected owner units are categorized by HUD into one of five categories:

- *Minor-Low:* Less than $3,000 of FEMA inspected real property damage.
- *Minor-High:* $3,000 to $7,999 of FEMA inspected real property damage.
- *Major-Low:* $8,000 to $14,999 of FEMA inspected real property damage and/or 1 to 3.9 feet of flooding on the first floor.
- *Major-High:* $15,000 to $28,800 of FEMA inspected real property damage and/or 4 to 5.9 feet of flooding on the first floor.
- *Severe:* Greater than $28,800 of FEMA inspected real property damage or determined destroyed and/or six or more feet of flooding on the first floor.

When owner-occupied properties also have a personal property inspection or only have a personal property inspection, HUD reviews the personal property damage amounts such that if the personal property damage places the home into a higher need category over the real property assessment, the personal property amount is used. The personal property-based need categories for owner-occupied units are defined as follows:

- *Minor-Low:* Less than $2,500 of FEMA inspected personal property damage.
- *Minor-High:* $2,500 to $3,499 of FEMA inspected personal property damage.
- *Major-Low:* $3,500 to $4,999 of FEMA inspected personal property damage or 1 to 3.9 feet of flooding on the first floor.
- *Major-High:* $5,000 to $9,000 of FEMA inspected personal property damage or 4 to 5.9 feet of flooding on the first floor.
- *Severe:* Greater than $9,000 of FEMA inspected personal property damage or determined destroyed and/or 6 or more feet of flooding on the first floor.

To meet the statutory requirement of ''most impacted'' in this legislative language, homes are determined to have a high level of damage if they have damage of ''major-low'' or higher. That is, they have a FEMA inspected real property damage of $8,000 or above, personal property damage $3,500 or above, or flooding 1 foot or above on the first floor.

Furthermore, a homeowner with flooding outside the one percent risk flood hazard area is determined to have unmet needs if they reported damage and no flood insurance to cover that damage. For homeowners inside the one percent risk flood hazard area, homeowners without flood insurance with flood damage below the greater of national median or 120 percent of Area Median Income are determined to have unmet needs. For non-flood damage, homeowners without hazard insurance with incomes below the greater of national median or 120 percent of Area Median Income are included as having unmet needs. The unmet need categories for these types of homeowners are defined as above for real and personal property damage.

FEMA IHP does not inspect rental units for real property damage so personal property damage is used as a proxy for unit damage. Each of the FEMA-inspected renter units are categorized by HUD into one of five categories:

- *Minor-Low:* Less than $1,000 of FEMA inspected personal property damage.
- *Minor-High:* $1,000 to $1,999 of FEMA inspected personal property damage or determination of ''Moderate'' damage by the FEMA inspector.
- *Major-Low:* $2,000 to $3,499 of FEMA inspected personal property damage or 1 to 3.9 feet of flooding on the first floor or determination of ''Major'' damage by the FEMA inspector.
- *Major-High:* $3,500 to $7,500 of FEMA inspected personal property damage or 4 to 5.9 feet of flooding on the first floor.
- *Severe:* Greater than $7,500 of FEMA inspected personal property damage or determined destroyed and/or 6 or more feet of flooding on the first floor or determination of ''Destroyed'' by the FEMA inspector.

To meet the statutory requirement of ''most impacted'' for rental properties, homes are determined to have a high level of damage if they have damage of ''major-low'' or higher. That is, they have a FEMA personal property damage assessment of $2,000 or greater or flooding 1 foot or above on the first floor.

Furthermore, landlords are presumed to have adequate insurance coverage unless the unit is occupied by a renter with income less than the greater of the Federal poverty level or 50 percent of the area median income. Units occupied by a tenant with income less than the greater of the poverty level or 50 percent of the area median income are used to calculate likely unmet needs for affordable rental housing.

The average cost to fully repair a home for a specific disaster to code within each of the damage categories noted above is calculated using the median real property damage repair costs determined by the SBA for its disaster loan program based on a match comparing FEMA and SBA inspections by each of the FEMA damage categories described above.

If there is a match of 20 or more SBA inspections to FEMA inspections for any damage category, the median damage estimate for the SBA properties is used less the estimated average FEMA IHP repair grant and average SBA disaster loan grant weighted on take-up rates, which are generally high for IHP and low and for SBA. Except that no matched multiplier can be less than the 25th percentile for all IHP eligible disasters combined in eligible disaster years at the time of the allocation calculation or more than the 75th percentile for all IHP eligible disasters combined with data available as of the allocation.

If there is a match of fewer than 20 SBA inspections to FEMA inspections within individual damage categories, these multipliers are used which are based on the 2020 and 2021 disaster years:

Disaster type	Multipliers by disaster type		
	Major-low	Major-high	Severe
Dam/Levee Break	$33,007	$47,078	$47,078
Earthquake	27,141	33,714	134,503
Fire	22,971	82,582	134,503
Flood	47,074	57,856	64,513
Hurricane	36,800	45,952	45,952
Severe Ice Storm	33,528	33,714	36,592
Severe Storm(s)	22,971	37,299	37,299
Tornado	52,961	82,582	134,503

A separate multiplier is applied to mobile homes for all disaster types. Where there are fewer than 20 mobile homes for a match for a disaster, the mobile home multipliers are $49,571 for major-low, $60,189 for major-high, and $67,594 for severe. If there are 20 or more matches for a specific disaster's mobile homes, that specific disaster multiplier is used.

Methods for Estimating Serious Unmet Economic Revitalization Needs

Based on SBA disaster loans to businesses using data for 2022 disasters from as of January 4, 2023, HUD calculates the median real estate and content loss by the following damage categories for each disaster:

- *Category 1:* real estate + content loss = below $12,000
- *Category 2:* real estate + content loss = $12,000–$29,999
- *Category 3:* real estate + content loss = $30,000–$64,999
- *Category 4:* real estate + content loss = $65,000–$149,999
- *Category 5:* real estate + content loss = $150,000 and above

For properties with real estate and content loss of $30,000 or more, HUD calculates the estimated amount of unmet needs for small businesses by multiplying the median damage estimates for the categories above by the number of small businesses denied an SBA loan, including those denied a loan prior to inspection due to inadequate credit or income (or a decision had not been made), under the assumption that damage among those denied at pre-inspection have the same distribution of damage as those denied after inspection.

Methods for Estimating Unmet Infrastructure Needs

To calculate 2022 unmet needs for infrastructure projects, HUD received FEMA cost estimates on January 10, 2023, of the expected local cost share to repair the permanent public infrastructure (Categories C to G) to their pre-storm condition.

Allocation Calculation

Once eligible entities are identified using the above criteria, the allocation to individual grantees represents their proportional share of the estimated unmet needs. For the formula allocation, HUD calculates total unmet recovery needs for eligible disasters as the aggregate of:

- Serious unmet housing needs in most impacted and distressed areas;
- Serious unmet business needs; and
- Unmet infrastructure need.

Mitigation is calculated as 15 percent of the unmet need calculation, and then rounded to the nearest $1,000.

Sub-Disaster Allocations for Local Governments

Sub-allocations to local governments are made from this disaster level allocation. Each disaster that has allocations to local governments has a slightly different methodology reflecting best available data for that disaster at the local level and program administration considerations.

- DR4665–MO. This disaster is concentrated in two entitlement areas. Local data from this July 2022 disaster allows for consideration of housing, business, and infrastructure data for all impacted counties. St. Louis County has the greatest serious housing damage for a most impacted and distressed area designation while St. Louis City has the greatest concentration of public assistance category C to G match requirements in excess of $10 million for a Most Impacted and Distressed area designation.
- DR4657 & DR4670–OK. These two Oklahoma major disaster declarations were for the same event, DR 4657 received an IHP designation for several counties in Oklahoma and DR 4670 a Public Assistance designation for Muscogee (Creek). This disaster was made eligible based on a concentration of damage in a zip code. To ease program administration the Most Impacted and Distressed Areas are defined as both Okmulgee County and Muscogee (Creek) Oklahoma Tribal Statistical Area (OTSA). These areas overlap and HUD has identified both as most impacted and distressed areas for purposes of this allocation.
- DR 4673–FL. Hurricane Ian has led to the designation of 18 Most Impacted Counties and 1 Most Impacted Zip Code. Within those areas are dozens of affected regular CDBG entitlement areas. There are four counties, however, that are entitlement counties under the regular CDBG Urban County program and, when their need is combined with the 6 city entitlement cities within them, each have more than $100 million in serious unmet housing needs, which is a natural break in the distribution from the other CDBG program entitlement communities. With administrative costs capped at 5 percent, larger grants offer more program efficiencies, HUD is allocating directly to the most seriously impacted counties to serve their entire county (including all cities within them) and the state to serve the areas for the other counties where funds are not directly allocated.

Appendix B—The Consolidated Notice

CDBG–DR Consolidated Notice Waivers and Alternative Requirements

Table of Contents

I. Waivers and Alternative Requirements
II. Eligible Activities
A. Clarification of Disaster-Related Activities
B. Housing and Related Floodplain Issues
C. Infrastructure (Public Facilities, Public Improvements)
D. Economic Revitalization
III. Grant Administration
A. Pre-Award Evaluation of Management and Oversight of Funds
B. Administration, Planning, and Financial Management
C. Action Plan for Disaster Recovery Waiver and Alternative Requirement
D. Citizen Participation Requirements
E. Program Income
F. Other General Waivers and Alternative Requirements
G. Ineligible Activities in CDBG–DR
IV. Other Program Requirements
A. Duplication of Benefits
B. Procurement
C. Use of the ''Upper Quartile'' or ''Exception Criteria''
D. Environmental Requirements
E. Flood Insurance Requirements
F. URA, Section 104(d) and Related CDBG Program Requirements
V. Performance Reviews
A. Timely Distribution and Expenditure of Funds

B. HUD's Review of Continuing Capacity
C. Grantee Reporting Requirements in the DRGR System

I. Waivers and Alternative Requirements

CDBG–DR grantees that are subject to this Consolidated Notice, as indicated in each **Federal Register** notice that announces allocations of the appropriated CDBG–DR funds (''Allocation Announcement Notice''), must comply with all waivers and alternative requirements in the Consolidated Notice, unless expressly made inapplicable (*e.g.,* a waiver that applies to states only does not apply to units of general local governments and Indian tribes). Except as described in applicable waivers and alternative requirements, the statutory and regulatory provisions governing the CDBG program (and for Indian tribes, the Indian CDBG program) shall apply to grantees receiving a CDBG–DR allocation. Statutory provisions (title I of the HCDA) that apply to all grantees can be found at 42 U.S.C. 5301 *et seq.* and regulatory requirements, which differ for each type of grantee, are described in each of the three paragraphs below.

Except as modified, the State CDBG program rules shall apply to state grantees receiving a CDBG–DR allocation. Applicable State CDBG program regulations are found at 24 CFR part 570, subpart I. For insular areas, HUD waives the provisions of 24 CFR part 570, subpart F and imposes the following alternative requirement: Insular areas shall administer their CDBG–DR allocations in accordance with the regulatory and statutory provisions governing the State CDBG program, as modified by the Consolidated Notice.

Except as modified, statutory and regulatory provisions governing the Entitlement CDBG Program shall apply to unit of general local government grantees (often referred to as local government grantees in appropriations acts). Applicable Entitlement CDBG Program regulations are found at 24 CFR part 570, as described in 570.1(a).

Except as modified, CDBG–DR grants made by HUD to Indian tribes shall be subject to the statutory provisions in title I of the HCDA that apply to Indian tribes and the regulations in 24 CFR part 1003 governing the Indian CDBG program, except those requirements in part 1003 related to the funding application and selection process.

References to the action plan in the above regulations shall refer to the action plan required by the Consolidated Notice and not to the consolidated plan action plan required by 24 CFR part 91. All references pertaining to timelines and/or deadlines are in terms of calendar days unless otherwise noted.

II. Eligible Activities

II.A. Clarification of Disaster-Related Activities

CDBG–DR funds are provided for necessary expenses for activities authorized under title I of the HCDA related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation of risk associated with activities carried out for these purposes, in the ''most impacted and distressed'' areas (identified by HUD or the grantee) resulting from a major disaster. All CDBG–DR funded activities must address an impact of the disaster for which funding was allocated. Accordingly, each activity must: (1) address a direct or indirect impact from the disaster in a most impacted and distressed area; (2) be a CDBG-eligible activity (or be eligible under a waiver or alternative requirement); and (3) meet a national objective. When appropriations acts provide an additional allocation amount for mitigation of hazard risks that does not require a connection to the qualifying major disaster, requirements for the use of those funds will be included in the Allocation Announcement Notice.

II.A.1. *Documenting a Connection to the Disaster.* Grantees must maintain records that document how each funded activity addresses a direct or indirect impact from the disaster. Grantees may do this by linking activities to a disaster recovery need that is described in the impact and unmet needs assessment in the action plan (requirements for the assessment are addressed in section III.C.1.a.). Sufficient documentation of physical loss must include damage or rebuilding estimates, insurance loss reports, images, or similar information that documents damage caused by the disaster. Sufficient documentation for non-physical disaster-related impacts must clearly show how the activity addresses the disaster impact, *e.g.,* for economic development activities, data about job loss or businesses closing after the disaster or data showing how pre-disaster economic stressors were aggravated by the disaster; or for housing activities, a post-disaster housing analysis that describes the activities that are necessary to address the post-disaster housing needs.

II.A.2. *Resilience and hazard mitigation.* The Consolidated Notice will help to improve long-term community resilience by requiring grantees to fully incorporate mitigation measures that will protect the public, including members of protected classes, vulnerable populations, and underserved communities, from the risks identified by the grantee among other vulnerabilities. This approach will better ensure the revitalization of the community long after the recovery projects are complete.

Accordingly, HUD is adopting the following alternative requirement to section 105(a): Grantees may carry out the activities described in section 105(a), as modified by waivers and alternative requirements, to the extent that the activities comply with the following:

II.A.2.a. *Alignment with mitigation plans.* Grantees must ensure that the mitigation measures identified in their action plan will align with existing hazard mitigation plans submitted to the Federal Emergency Management Agency (FEMA) under section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165) or other state, local, or tribal hazard mitigation plans.

II.A.2.b. *Mitigation measures.* Grantees must incorporate mitigation measures when carrying out activities to construct, reconstruct, or rehabilitate residential or non-residential structures with CDBG–DR funds as part of activities eligible under 42 U.S.C. 5305(a) (including activities authorized by waiver and alternative requirement). To meet this alternative requirement, grantees must demonstrate that they have incorporated mitigation measures into CDBG–DR activities as a construction standard to create communities that are more resilient to the impacts of recurring natural disasters and the impacts of climate change. When determining which mitigation measures to incorporate, grantees should design and construct structures to withstand existing and future climate impacts expected to occur over the service life of the project.

II.A.2.c. *Resilience performance metrics.* Before carrying out CDBG–DR funded activities to construct, reconstruct, or rehabilitate residential or non-residential structures, the grantee must establish resilience performance metrics for the activity, including: (1) an estimate of the projected risk to the completed activity from natural hazards, including those hazards that are influenced by climate change (*e.g.,* high winds destroying newly built homes), (2) identification of the mitigation measures that will address the projected risks (*e.g.,* using building materials that are able to withstand high winds), and (3) an assessment of the benefit of the grantee's measures through verifiable data (*e.g.,* 10 newly built homes will withstand high winds up to 100 mph).

II.A.3. *Most impacted and distressed (MID) areas.* Funds must be used for costs related to unmet needs in the MID areas resulting from qualifying disasters. HUD allocates funds using the best available data that cover the eligible affected areas and identifies MID areas. Grantees are required to use 80 percent of all CDBG–DR funds to benefit the HUD-identified MID areas. The HUD-identified MID areas and the minimum dollar amount that must be spent to benefit those areas will be identified for each grantee in the applicable Allocation Announcement Notice. If a grantee seeks to add other areas to the HUD-identified MID area, the grantee must contact its CPD Representative or CPD Specialist and submit the request with a data-driven analysis that illustrates the basis for designating the additional area as most impacted and distressed as a result of the qualifying disaster.

Grantees may use up to five percent of the total grant award for grant administration. Therefore, HUD will include 80 percent of a grantee's expenditures for grant administration in its determination that 80 percent of the total award has benefited the HUD-identified MID area. Expenditures for planning activities may also be counted towards the HUD-identified MID area requirement, if the grantee describes in its action plan how those planning activities benefit those areas.

HUD may identify an entire jurisdiction or a ZIP code as a MID area. If HUD designates a ZIP code as a MID area for the purposes of allocating funds, the grantee may expand program operations to the whole county or counties that overlap with the HUD designated ZIP code. A grantee must indicate the decision to expand eligibility to the whole county or counties in its action plan.

Grantees must determine where to use the remaining amount of the CDBG–DR grant, but

that portion of the allocation may only be used to address unmet needs and that benefit those areas that the grantee determines are most impacted and distressed (''grantee-identified MID areas'') within areas that received a presidential major disaster declaration identified by the disaster numbers listed in the applicable Allocation Announcement Notice. The grantee must use quantifiable and verifiable data in its analysis, as referenced in its action plan, to identify the MID areas where it will use the remaining amount of CDBG–DR funds.

Grantee expenditures for eligible unmet needs outside of the HUD-identified or grantee-identified MID areas are allowable, provided that the grantee can demonstrate how the expenditure of CDBG–DR funds outside of the MID areas will address unmet needs identified within the HUD-identified or grantee-identified MID area (*e.g.,* upstream water retention projects to reduce downstream flooding in the HUD-identified MID area).

II.B. Housing Activities and Related Floodplain Issues

Grantees may use CDBG–DR funds for activities that may include, but are not limited to, new construction, reconstruction, and rehabilitation of single-family or multifamily housing, homeownership assistance, buyouts, and rental assistance. The broadening of eligible CDBG–DR activities related to housing under the HCDA is necessary following major disasters in which housing, including large numbers of affordable housing units, have been damaged or destroyed. The following waivers and alternative requirements will assist grantees in addressing the full range of unmet housing needs arising from a disaster.

II.B.1. *New housing construction waiver and alternative requirement.* 42 U.S.C. 5305(a) and 24 CFR 570.207(b)(3) are waived to the extent necessary to permit new housing construction, subject to the following alternative requirement. When a CDBG–DR grantee carries out a new housing construction activity, 24 CFR 570.202 shall apply and shall be read to extend to new construction in addition to rehabilitation assistance. Private individuals and entities must remain compliant with federal accessibility requirements as well as with the applicable site selection requirements of 24 CFR 1.4(b)(3) and 8.4(b)(5).

II.B.2. *Construction standards for new construction, reconstruction, and rehabilitation.* HUD is adopting an alternative requirement to require grantees to adhere to the applicable construction standards in II.B.2.a. through II.B.2.d. when carrying out activities to construct, reconstruct, or rehabilitate residential structures with CDBG–DR funds as part of activities eligible under 42 U.S.C. 5305(a) (including activities authorized by waiver and alternative requirement). For purposes of the Consolidated Notice, the terms ''substantial damage'' and ''substantial improvement'' shall be as defined in 44 CFR 59.1 unless otherwise noted.

II.B.2.a. *Green and resilient building standard for new construction and reconstruction of housing.* Grantees must meet the Green and Resilient Building Standard, as defined in this subparagraph, for: (i) all new construction and reconstruction (*i.e.,* demolishing a housing unit and rebuilding it on the same lot in substantially the same manner) of residential buildings and (ii) all rehabilitation activities of substantially damaged residential buildings, including changes to structural elements such as flooring systems, columns, or load-bearing interior or exterior walls.

The Green and Resilient Building Standard requires that all construction covered by the paragraph above and assisted with CDBG–DR funds meet an industry-recognized standard that has achieved certification under (i) Enterprise Green Communities; (ii) LEED (New Construction, Homes, Midrise, Existing Buildings Operations and Maintenance, or Neighborhood Development); (iii) ICC–700 National Green Building Standard Green+ Resilience; (iv) Living Building Challenge; or (v) any other equivalent comprehensive green building program acceptable to HUD. Additionally, all such covered construction must achieve a minimum energy efficiency standard, such as (i) ENERGY STAR (Certified Homes or Multifamily High-Rise); (ii) DOE Zero Energy Ready Home; (iii) EarthCraft House, EarthCraft Multifamily; (iv) Passive House Institute Passive Building or EnerPHit certification from the Passive House Institute US (PHIUS), International Passive House Association; (v) Greenpoint Rated New Home, Greenpoint Rated Existing Home (Whole House or Whole Building label); (vi) Earth Advantage New Homes; or (vii) any other equivalent energy efficiency standard acceptable to HUD. Grantees must identify, in each project file, which of these Green and Resilient Building Standards will be used for any building subject to this paragraph. However, grantees are not required to use the same standards for each project or building.

II.B.2.b. *Standards for rehabilitation of nonsubstantially damaged residential buildings.* For rehabilitation other than the rehabilitation of substantially damaged residential buildings described in section II.B.2.a. above, grantees must follow the guidelines specified in the HUD CPD Green Building Retrofit Checklist.

Grantees must apply these guidelines to the extent applicable for the rehabilitation work undertaken, for example, the use of mold resistant products when replacing surfaces such as drywall. Products and appliances replaced as part of the rehabilitation work, must be ENERGY STAR-labeled, WaterSense-labeled, or Federal Energy Management Program (FEMP)-designated products or appliances.

II.B.2.c. *Elevation standards for new construction, reconstruction, and rehabilitation of substantial damage, or rehabilitation resulting in substantial improvements.* The following elevation standards apply to new construction, rehabilitation of substantial damage, or rehabilitation resulting in substantial improvement of residential structures located in an area delineated as a special flood hazard area or equivalent in FEMA's data sources. 24 CFR 55.2(b)(1) provides additional information on data sources, which apply to all floodplain designations. All structures, defined at 44 CFR 59.1, designed principally for residential use, and located in the one percent annual chance (or 100-year) floodplain, that receive assistance for new construction, reconstruction, rehabilitation of substantial damage, or rehabilitation that results in substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least two feet above the one percent annual chance floodplain elevation (base flood elevation). Mixed-use structures with no dwelling units and no residents below two feet above base flood elevation, must be elevated or floodproofed, in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or successor standard, up to at least two feet above base flood elevation.

All Critical Actions, as defined at 24 CFR 55.2(b)(3), within the 500-year (or 0.2 percent annual chance) floodplain must be elevated or floodproofed (in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(2)–(3) or successor standard) to the higher of the 500-year floodplain elevation or three feet above the 100-year floodplain elevation. If the 500-year floodplain is unavailable, and the Critical Action is in the 100-year floodplain, then the structure must be elevated or floodproofed (in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(2)–(3) or successor standard) at least three feet above the 100-year floodplain elevation. Critical Actions are defined as ''any activity for which even a slight chance of flooding would be too great, because such flooding might result in loss of life, injury to persons or damage to property.'' For example, Critical Actions include hospitals, nursing homes, emergency shelters, police stations, fire stations, and principal utility lines.

In addition to other requirements in this section, grantees must comply with applicable state, local, and tribal codes and standards for floodplain management, including elevation, setbacks, and cumulative substantial damage requirements. Grantees using CDBG–DR funds as the non-Federal match in a FEMA-funded project may apply the alternative requirement for the elevation of structures described in section III.F.6. Structures that are elevated must meet federal accessibility standards.

II.B.2.d. *Broadband infrastructure in housing.* Any substantial rehabilitation, as defined by 24 CFR 5.100, reconstruction, or new construction of a building with more than four rental units must include installation of broadband infrastructure, except where the grantee documents that: (i) the location of the new construction or substantial rehabilitation makes installation of broadband infrastructure infeasible; (ii) the cost of installing broadband infrastructure would result in a fundamental alteration in the nature of its program or activity, or in an undue financial burden; or (iii) the structure of the housing to be substantially rehabilitated makes installation of broadband infrastructure infeasible.

II.B.3. *Applicable affordability periods for new construction of affordable rental housing.* To meet the low- and moderate-income housing national objective, rental

housing assisted with CDBG–DR funds must be rented to low- and moderate-income (LMI) households at affordable rents, and a grantee must define ''affordable rents'' in its action plan. Because the waiver and alternative requirement in II.B.1. authorizes the use of grant funds for new housing construction, HUD is imposing the following alternative requirement to modify the low- and moderate-income housing national objective criteria in 24 CFR 570.208(a)(3) and 570.483(b)(3) for activities involving the new construction of affordable rental housing of five or more units. For activities that will construct five or more units, in addition to other applicable criteria in 24 CFR 570.208(a)(3) and 570.483(b)(3), in its action plan, a grantee must define the affordability standards, including ''affordable rents,'' the enforcement mechanisms, and applicable timeframes, that will apply to the new construction of affordable rental housing, *i.e.,* when the activity will result in construction of five or more units, the affordability requirements described in the action plan apply to the units that will be occupied by LMI households. The minimum timeframes and other related requirements acceptable for compliance with this alternative requirement are the HOME Investment Partnerships Program (HOME) requirements at 24 CFR 92.252(e), including the table listing the affordability periods at the end of 24 CFR 92.252(e). Therefore, the grantee must adopt and implement enforceable affordability standards that comply with or exceed requirements at 24 CFR 92.252(e)(1) for the new construction of affordable rental housing in structures containing five or more units.

II.B.4. *Affordability period for new construction of homes built for LMI households.* In addition to alternative requirements in II.B.1., the following alternative requirement applies to activities to construct new single-family units for homeownership that will meet the LMI housing national objective criteria. Grantees must establish affordability restrictions on all newly constructed single-family housing (for purposes of the Consolidated Notice, single-family housing is defined as four units or less), that, upon completion, will be purchased and occupied by LMI homeowners. The minimum affordability period acceptable for compliance are the HOME requirements at 24 CFR 92.254(a)(4). If a grantee applies other standards, the periods of affordability applied by a grantee must meet or exceed the applicable HOME requirements in 24 CFR 92.254(a)(4) and the table of affordability periods directly following that provision. Grantees shall establish resale or recapture requirements for housing funded pursuant to this paragraph and shall describe those requirements in the action plan or substantial amendment in which the activity is proposed. The resale or recapture requirements must clearly describe the terms of resale or recapture and the specific circumstances under which resale or recapture will be used. Affordability restrictions must be enforceable and imposed by recorded deed restrictions, covenants, or other similar mechanisms. The affordability restrictions, including the affordability period requirements in this paragraph do not apply to housing units newly constructed or reconstructed for an owner-occupant to replace the owner-occupant's home that was damaged by the disaster.

II.B.5. *Homeownership assistance waiver and alternative requirement.* 42 U.S.C. 5305(a)(24) is waived and replaced with the following alternative requirement:

''Provision of direct assistance to facilitate and expand homeownership among persons at or below 120 percent of area median income (except that such assistance shall not be considered a public service for purposes of 42 U.S.C. 5305(a)(8)) by using such assistance to—

(A) subsidize interest rates and mortgage principal amounts for homebuyers with incomes at or below 120 percent of area median income;

(B) finance the acquisition of housing by homebuyers with incomes at or below 120 percent of area median income that is occupied by the homebuyers;

(C) acquire guarantees for mortgage financing obtained by homebuyers with incomes at or below 120 percent of area median income from private lenders, meaning that if a private lender selected by the homebuyer offers a guarantee of the mortgage financing, the grantee may purchase the guarantee to ensure repayment in case of default by the homebuyer. This subparagraph allows the purchase of mortgage insurance by the household but not the direct issuance of mortgage insurance by the grantee;

(D) provide up to 100 percent of any down payment required from homebuyers with incomes at or below 120 percent of area median income; or

(E) pay reasonable closing costs (normally associated with the purchase of a home) incurred by homebuyers with incomes at or below 120 percent of area median income.''

While homeownership assistance, as described above, may be provided to households with incomes at or below 120 percent of the area median income, HUD will only consider those funds used for households with incomes at or below 80 percent of the area median income to qualify as meeting the LMI person benefit national objective.

II.B.6. *Limitation on emergency grant payments—interim mortgage assistance.* 42 U.S.C. 5305(a)(8), 24 CFR 570.201(e), 24 CFR 570.207(b)(4), and 24 CFR 1003.207(b)(4) are modified to extend interim mortgage assistance (IMA) to qualified individuals from three months to up to twenty months. IMA must be used in conjunction with a buyout program, or the rehabilitation or reconstruction of single-family housing, during which mortgage payments may be due but the home is not habitable. A grantee using this alternative requirement must document, in its policies and procedures, how it will determine that the amount of assistance to be provided is necessary and reasonable.

II.B.7. *Buyout activities.* CDBG–DR grantees may carry out property acquisition for a variety of purposes, but buyouts are a type of acquisition for the specific purpose of reducing the risk of property damage. HUD has determined that creating a new activity and alternative requirement for buyouts is necessary for consistency with the application of other Federal resources commonly used for this type of activity. Therefore, HUD is waiving 42 U.S.C. 5305(a) and establishing an alternative requirement only to the extent necessary to create a new eligible activity for buyouts. The term ''buyouts'' means the acquisition of properties located in a floodway, floodplain, or other Disaster Risk Reduction Area that is intended to reduce risk from future hazards. Grantees can designate a Disaster Risk Reduction Area, as defined below.

Grantees carrying out buyout activities must establish an open space management plan or equivalent, if one has not already been established, before implementation. The plan must establish full transparency about the planned use of acquired properties post-buyout, or the process by which the planned use will be determined and enforced.

Buyout activities are subject to all requirements that apply to acquisition activities generally including but not limited to, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) (42 U.S.C. 4601, *et seq.*) and its implementing regulations at 49 CFR part 24, subpart B, unless waived or modified by alternative requirements. Only acquisitions that meet the definition of a ''buyout'' are subject to the post-acquisition land use restrictions imposed by the alternative requirement (II.B.7.a. below). The key factor in determining whether the acquisition is a buyout is whether the intent of the purchase is to reduce risk of property damage from future flooding or other hazards in a floodway, floodplain, or a Disaster Risk Reduction Area. A grantee that will buyout properties in a Disaster Risk Reduction Area must establish criteria in its policies and procedures to designate an area as a Disaster Risk Reduction Area for the buyout, pursuant to the following requirements:

(1) the area has been impacted by the hazard that has been caused or exacerbated by the disaster for which the grantee received its CDBG–DR allocation;

(2) the hazard identified must be a predictable environmental threat to the safety and well-being of program beneficiaries, including members of protected classes, vulnerable populations, and underserved communities, as evidenced by the best available data (*e.g.,* FEMA Repetitive Loss Data, EPA's Environmental Justice Screening and Mapping Tool, HHS's climate change related guidance and data, etc.) and science (such as engineering and structural solutions propounded by FEMA, USACE, other federal agencies, etc.); and

(3) the area must be clearly delineated so that HUD and the public may easily determine which properties are located within the designated area.

Grantees may only redevelop an acquired property if the property is not acquired through a buyout program (*i.e.,* the purpose of acquisition was something other than risk reduction). When acquisitions are not acquired through a buyout program, the purchase price must be consistent with 2 CFR part 200, subpart E—Cost Principles

(''cost principles'') and the pre-disaster fair market value may not be used.

II.B.7.a. *Buyout requirements:*

(i) Property to be acquired or accepted must be located within a floodway, floodplain, or Disaster Risk Reduction Area.

(ii) Any property acquired or accepted must be dedicated and maintained in perpetuity for a use that is compatible with open space, recreational, floodplain and wetlands management practices, or other disaster-risk reduction practices.

(iii) No new structure will be erected on property acquired or accepted under the buyout program other than:

(a) a public facility that is open on all sides and functionally related to a designated open space (*e.g.,* a park, campground, or outdoor recreation area);

(b) a restroom; or

(c) a flood control structure, provided that:

(1) the structure does not reduce valley storage, increase erosive velocities, or increase flood heights on the opposite bank, upstream, or downstream; and

(2) the local floodplain manager approves the structure, in writing, before commencement of construction of the structure.

(iv) After the purchase of a buyout property with CDBG–DR funds, the owner of the buyout property (including subsequent owners) is prohibited from making any applications to any Federal entity in perpetuity for additional disaster assistance for any purpose related to the property acquired through the CDBG–DR funded buyout, unless the assistance is for an allowed use as described in paragraph (ii) above. The entity acquiring the property may lease or sell it to adjacent property owners or other parties for compatible uses that comply with buyout requirements in return for a maintenance agreement.

(v) A deed restriction or covenant running with the property must require that the buyout property be dedicated and maintained for compatible uses that comply with buyout requirements in perpetuity.

(vi) Grantees must choose from one of two valuation methods (pre-disaster value or post-disaster value) for a buyout program (or a single buyout activity). The grantee must apply its valuation method for all buyouts carried out under the program. If the grantee determines the post-disaster value of a property is higher than the pre-disaster value, a grantee may provide exceptions to its established valuation method on a case-by-case basis. The grantee must describe the process for such exceptions and how it will analyze the circumstances to permit an exception in its buyout policies and procedures. Each grantee must adopt policies and procedures on how it will demonstrate that the amount of assistance for a buyout is necessary and reasonable.

(vii) All buyout activities must be classified using the ''buyout'' activity type in the Disaster Recovery and Grant Reporting (DRGR) system.

(viii) Any state grantee implementing a buyout program or activity must consult with local or tribal governments within the areas in which buyouts will occur.

II.B.8. *Safe housing incentives in disaster-affected communities.*

The limitation on eligible activities in section 42 U.S.C. 5305(a) is waived and HUD is establishing the following alternative requirement to establish safe housing incentives as an eligible activity. A safe housing incentive is any incentive provided to encourage households to relocate to suitable housing in a lower risk area or in an area promoted by the community's comprehensive recovery plan. Displaced persons must receive any relocation assistance to which they are entitled under other legal authorities, such as the URA, section 104(d) of the HCDA, or those described in the Consolidated Notice. The grantee may offer safe housing incentives in addition to the relocation assistance that is legally required.

Grantees must maintain documentation, at least at a programmatic level, describing how the grantee determined the amount of assistance for the incentive was necessary and reasonable, how the incentive meets a national objective, and that the incentives are in accordance with the grantee's approved action plan and published program design(s). A grantee may require the safe housing incentive to be used for a particular purpose by the household receiving the assistance. However, this waiver does not permit a compensation program meaning that funds may not be provided to a beneficiary to compensate the beneficiary for an estimated or actual amount of loss from the declared disaster. Grantees are prohibited from offering housing incentives to a homeowner as an incentive to induce the homeowner to sell a second home, consistent with the prohibition and definition of second home in section II.B.12.

II.B.9. *National objectives for buyouts and safe housing incentives.*

Activities that assist LMI persons and meet the criteria for the national objectives described below, including in II.B.10., will be considered to benefit LMI persons unless there is substantial evidence to the contrary and will count towards the calculation of a grantee's overall LMI benefit requirement as described in section III.F.2. The grantee shall appropriately ensure that activities that meet the criteria for any of the national objectives below do not benefit moderate-income persons to the exclusion of low-income persons.

When undertaking buyout activities, to demonstrate that a buyout meets the low- and moderate-income housing (LMH) national objective, grantees must meet all requirements of the HCDA, and applicable regulatory criteria described below. 42 U.S.C. 5305(c)(3) provides that any assisted activity that involves the acquisition of property to provide housing shall be considered to benefit LMI persons only to the extent such housing will, upon completion, be occupied by such persons. In addition, 24 CFR 570.483(b)(3), 24 CFR 570.208(a)(3), and 24 CFR 1003.208(c) apply the LMH national objective to an eligible activity carried out for the purpose of providing or improving permanent residential structures that, upon completion, will be occupied by LMI households.

A buyout program that merely pays homeowners to leave their existing homes does not guarantee that those homeowners will occupy a new residential structure. Therefore, acquisition-only buyout programs cannot satisfy the LMH national objective criteria.

To meet a national objective that benefits a LMI person, buyout programs can be structured in one of the following ways:

(1) The buyout activity combines the acquisition of properties with another direct benefit—LMI housing activity, such as down payment assistance—that results in occupancy and otherwise meets the applicable LMH national objective criteria;

(2) The activity meets the low- and moderate-income area (LMA) benefit criteria and documents that the acquired properties will have a use that benefits all the residents in a particular area that is primarily residential, where at least 51 percent of the residents are LMI persons. Grantees covered by the ''exception criteria'' as described in section IV.C. of the Consolidated Notice may apply it to these activities. To satisfy LMA criteria, grantees must define the service area based on the end use of the buyout properties; or

(3) The program meets the criteria for the low- and moderate-income limited clientele (LMC) national objective by restricting buyout program eligibility to exclusively LMI persons and benefiting LMI sellers by acquiring their properties for more than current fair market value (in accordance with the valuation requirements in section II.B.7.a.(vi)).

II.B.10. *For LMI Safe Housing Incentive (LMHI).* The following alternative requirement establishes new LMI national objective criteria that apply to safe housing incentive (LMHI) activities that benefit LMI households. HUD has determined that providing CDBG–DR grantees with an additional method to demonstrate how safe housing incentive activities benefit LMI households will ensure that grantees and HUD can account for and assess the benefit that CDBG–DR assistance for these activities has on LMI households.

The LMHI national objective may be used when a grantee uses CDBG–DR funds to carry out a safe housing incentive activity that benefits one or more LMI persons. To meet the LMHI national objective, the incentive must be (a.) tied to the voluntary acquisition of housing (including buyouts) owned by a qualifying LMI household and made to induce a move outside of the affected floodplain or disaster risk reduction area to a lower-risk area or structure; or (b.) for the purpose of providing or improving residential structures that, upon completion, will be occupied by a qualifying LMI household and will be in a lower risk area.

II.B.11. *Redevelopment of acquired properties.* Although properties acquired through a buyout program may not be redeveloped, grantees may redevelop other acquired properties. For non-buyout acquisitions, HUD has not permitted the grantee to base acquisition cost on pre-disaster fair market value. The acquisition cost must comply with applicable cost principles and with the acquisition requirements at 49 CFR 24, Subpart B, as revised by the Consolidated Notice waivers

and alternative requirements. In addition to the purchase price, grantees may opt to provide optional relocation assistance, as allowable under section 104 and 105 of the HCDA (42 U.S.C. 5304 and 42 U.S.C. 5305) and 24 CFR 570.606(d), and as expanded by section IV.F.5. of the Consolidated Notice, to the owner of a property that will be redeveloped if: (a.) the property is purchased by the grantee or subrecipient through voluntary acquisition; and (b.) the owner's need for additional assistance is documented. Any optional relocation assistance must provide equal relocation assistance within each class of displaced persons, including but not limited to providing reasonable accommodation exceptions to persons with disabilities. See 24 CFR 570.606(d) for more information on optional relocation assistance. In addition, tenants displaced by these voluntary acquisitions may be eligible for URA relocation assistance. In carrying out acquisition activities, grantees must ensure they are in compliance with the long-term redevelopment plans of the community in which the acquisition and redevelopment is to occur.

II.B.12. *Alternative requirement for housing rehabilitation—assistance for second homes.* HUD is instituting an alternative requirement to the rehabilitation provisions at 42 U.S.C. 5305(a)(4) as follows: properties that served as second homes at the time of the disaster, or following the disaster, are not eligible for rehabilitation assistance or safe housing incentives. This prohibition does not apply to acquisitions that meet the definition of a buyout. A second home is defined for purposes of the Consolidated Notice as a home that is not the primary residence of the owner, a tenant, or any occupant at the time of the disaster or at the time of application for CDBG–DR assistance. Grantees can verify a primary residence using a variety of documentation including, but not limited to, voter registration cards, tax returns, homestead exemptions, driver's licenses, and rental agreements. Acquisition of second homes at post-disaster fair market value is not prohibited.

II.C. Infrastructure (Public Facilities, Public Improvements), Match, and Elevation of Non-Residential Structures

HUD is adopting an alternative requirement to require grantees to adhere to the applicable construction standards and requirements in II.C.1., II.C.2. and II.C.4., which apply only to those eligible activities described in those paragraphs.

II.C.1. *Infrastructure planning and design.* All newly constructed infrastructure that is assisted with CDBG–DR funds must be designed and constructed to withstand extreme weather events and the impacts of climate change. To satisfy this requirement, the grantee must identify and implement resilience performance metrics as described in section II.A.2.

For purposes of this requirement, an infrastructure activity includes any activity or group of activities (including acquisition or site or other improvements), whether carried out on public or private land, that assists the development of the physical assets that are designed to provide or support services to the general public in the following sectors: Surface transportation, including roadways, bridges, railroads, and transit; aviation; ports, including navigational channels; water resources projects; energy production and generation, including from renewable, nuclear, and hydro sources; electricity transmission; broadband; pipelines; stormwater and sewer infrastructure; drinking water infrastructure; schools, hospitals, and housing shelters; and other sectors as may be determined by the Federal Permitting Improvement Steering Council. For purposes of this requirement, an activity that falls within this definition is an infrastructure activity regardless of whether it is carried out under sections 105(a)(2), 105(a)(4), 105(a)(14), another section of the HCDA, or a waiver or alternative requirement established by HUD. Action plan requirements related to infrastructure activities are found in section III.C.1.e. of the Consolidated Notice.

II.C.2. *Elevation of nonresidential structure.* Nonresidential structures, including infrastructure, assisted with CDBG–DR funds must be elevated to the standards described in this paragraph or floodproofed, in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or successor standard, up to at least two feet above the 100-year (or one percent annual chance) floodplain. All Critical Actions, as defined at 24 CFR 55.2(b)(3), within the 500-year (or 0.2 percent annual chance) floodplain must be elevated or floodproofed (in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(2)–(3) or successor standard) to the higher of the 500-year floodplain elevation or three feet above the 100-year floodplain elevation. If the 500-year floodplain or elevation is unavailable, and the Critical Action is in the 100-year floodplain, then the structure must be elevated or floodproofed at least three feet above the 100-year floodplain elevation. Activities subject to elevation requirements must comply with applicable federal accessibility mandates.

In addition to the other requirements in this section, the grantee must comply with applicable state, local, and tribal codes and standards for floodplain management, including elevation, setbacks, and cumulative substantial damage requirements. Grantees using CDBG–DR funds as the non-Federal match in a FEMA-funded project may apply the alternative requirement for the elevation of structures described in section IV.D.5.

II.C.3. *CDBG–DR funds as match.* As provided by the HCDA, grant funds may be used to satisfy a match requirement, share, or contribution for any other Federal program when used to carry out an eligible CDBG–DR activity. This includes programs or activities administered by the FEMA or the U.S. Army Corps of Engineers (USACE). By law, (codified in the HCDA as a note to section 105(a)) only $250,000 or less of CDBG–DR funds may be used for the non-Federal cost-share of any project funded by USACE. Appropriations acts prohibit the use of CDBG–DR funds for any activity reimbursable by, or for which funds are also made available by FEMA or USACE.

In response to a disaster, FEMA may implement, and grantees may elect to follow, alternative procedures for FEMA's Public Assistance Program, as authorized pursuant to section 428 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (''Stafford Act''). Like other projects, grantees may use CDBG–DR funds as a matching requirement, share, or contribution for section 428 Public Assistance Projects. For all match activities, grantees must document that CDBG–DR funds have been used for the actual costs incurred for the assisted project and for costs that are eligible, meet a national objective, and meet other applicable CDBG requirements.

II.C.4. *Requirements for flood control structures.* Grantees that use CDBG–DR funds to assist flood control structures (*i.e.,* dams and levees) are prohibited from using CDBG–DR funds to enlarge a dam or levee beyond the original footprint of the structure that existed before the disaster event, without obtaining pre-approval from HUD and any Federal agencies that HUD determines are necessary based on their involvement or potential involvement with the levee or dam. Grantees that use CDBG–DR funds for levees and dams are required to: (1) register and maintain entries regarding such structures with the USACE National Levee Database or National Inventory of Dams; (2) ensure that the structure is admitted in the USACE PL 84–99 Program (Levee Rehabilitation and Inspection Program); (3) ensure the structure is accredited under the FEMA National Flood Insurance Program; (4) enter the exact location of the structure and the area served and protected by the structure into the DRGR system; and (5) maintain file documentation demonstrating that the grantee has conducted a risk assessment before funding the flood control structure and documentation that the investment includes risk reduction measures.

II.D. Economic Revitalization and Section 3 Requirements on Economic Opportunities

CDBG–DR funds can be used for CDBG–DR eligible activities related to economic revitalization. The attraction, retention, and return of businesses and jobs to a disaster-impacted area is critical to long-term recovery. Accordingly, for CDBG–DR purposes, economic revitalization may include any CDBG–DR eligible activity that demonstrably restores and improves the local economy through job creation and retention or by expanding access to goods and services. The most common CDBG–DR eligible activities to support economic revitalization are outlined in 24 CFR 570.203 and 570.204 and sections 105(a)(14), (15), and (17) of the HCDA.

Based on the U.S. Change Research Program's Fourth National Climate Assessment, climate-related natural hazards, extreme events, and natural disasters disproportionately affect LMI individuals who belong to underserved communities because they are less able to prepare for, respond to, and recover from the impacts of extreme events and natural hazards, or are members of communities that have experienced significant disinvestment and historic discrimination. Therefore, HUD is imposing the following alternative

requirement: When funding activities under section 105(a) of the HCDA that support economic revitalization, grantees must prioritize those underserved communities that have been impacted by the disaster and that were economically distressed before the disaster, as described further below in II.D.1.

The term ''underserved communities'' refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life. Underserved communities that were economically distressed before the disaster include, but are not limited to, those areas that were designated as a Promise Zone, Opportunity Zone, a Neighborhood Revitalization Strategy Area, a tribal area, or those areas that meet at least one of the distress criteria established for the designation of an investment area of Community Development Financial Institution at 12 CFR 1805.201(b)(3)(ii)(D).

Grantees undertaking an economic revitalization activity must maintain supporting documentation to demonstrate how the grantee has prioritized underserved communities for purposes of its activities that support economic revitalization, as described below in II.D.1.

II.D.1. *Prioritizing economic revitalization assistance—alternative requirement.* When funding activities outlined in 24 CFR 570.203 and 570.204 and sections 105(a)(14), (15), and (17) of the HCDA, HUD is instituting an alternative requirement in addition to the other requirements in these provisions to require grantees to prioritize assistance to disaster-impacted businesses that serve underserved communities and spur economic opportunity for underserved communities that were economically distressed before the disaster.

II.D.2. *National objective documentation for activities that support economic revitalization.* 24 CFR 570.208(a)(4)(i)&(ii), 24 CFR 570.483(b)(4)(i)&(ii), 24 CFR 570.506(b)(5)&(6), and 24 CFR 1003.208(d) are waived to allow the grantees under the Consolidated Notice to identify the LMI jobs benefit by documenting, for each person employed, the name of the business, type of job, and the annual wages or salary of the job. HUD will consider the person income-qualified if the annual wages or salary of the job is at or under the HUD-established income limit for a one-person family. This method replaces the standard CDBG requirement—in which grantees must review the annual wages or salary of a job in comparison to the person's total household income and size (*i.e.,* the number of persons). Thus, this method streamlines the documentation process by allowing the collection of wage data for each position created or retained from the assisted businesses, rather than from each individual household.

II.D.3. *Public benefit for activities that support economic revitalization.* When applicable, the public benefit provisions set standards for individual economic development activities (such as a single loan to a business) and for the aggregate of all economic development activities. Economic development activities support economic revitalization. Currently, public benefit standards limit the amount of CDBG assistance per job retained or created, or the amount of CDBG assistance per LMI person to whom goods or services are provided by the activity. These dollar thresholds can impede recovery by limiting the amount of assistance the grantee may provide to a critical activity.

HUD waives the public benefit standards at 42 U.S.C. 5305(e)(3), 24 CFR 570.482(f)(1), (2), (3), (4)(i), (5), and (6), and 570.209(b)(1), (2), (3)(i), (4), and 24 CFR 1003.302(c) for all economic development activities. Paragraph (g) of 24 CFR 570.482 and paragraph (c) and (d) under 570.209 are also waived to the extent these provisions are related to public benefit. However, grantees that choose to take advantage of this waiver in lieu of complying with public benefit standards under the existing regulatory requirements shall be subject to the following condition: grantees shall collect and maintain documentation in the project file on the creation and retention of total jobs; the number of jobs within appropriate salary ranges, as determined by the grantee; the average amount of assistance provided per job, by activity or program; and the types of jobs. Additionally, grantees shall report the total number of jobs created and retained and the applicable national objective in the DRGR system.

II.D.4. *Clarifying note on Section 3 worker eligibility and documentation requirements.* Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (section 3) applies to CDBG–DR activities that are section 3 projects, as defined at 24 CFR 75.3(a)(2). The purpose of section 3 is to ensure that economic opportunities, most importantly employment, generated by certain HUD financial assistance shall be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing or residents of the community in which the Federal assistance is spent. CDBG–DR grantees are directed to HUD's guidance published in CPD Notice 2021–09, ''Section 3 of the Housing and Urban Development Act of 1968, as amended by the Housing and Community Development Act of 1992, final rule requirements for CDBG, CDBG–CV, CDBG–DR, CDBG-Mitigation (CDBG–MIT), NSP, section 108, and RHP projects,'' as amended (*https://www.hud.gov/sites/dfiles/OCHCO/documents/2021-09cpdn.pdf*). All direct recipients of CDBG–DR funding must report section 3 information through the DRGR system.

II.D.5. *Waiver and modification of the job relocation clause to permit assistance to help a business return.* CDBG requirements prevent program participants from providing assistance to a business to relocate from one labor market area to another if the relocation is likely to result in a significant loss of jobs in the labor market from which the business moved. This prohibition can be a critical barrier to reestablishing and rebuilding a displaced employment base after a major disaster. Therefore, 42 U.S.C. 5305(h), 24 CFR 570.210, 24 CFR 570.482(h), and 24 CFR 1003.209, are waived to allow a grantee to provide assistance to any business that was operating in the disaster-declared labor market area before the incident date of the applicable disaster and has since moved, in whole or in part, from the affected area to another state or to another labor market area within the same state to continue business.

II.D.6. *Underwriting.* Notwithstanding section 105(e)(1) of the HCDA, no CDBG–DR funds may be provided to a for-profit entity for an economic development project under section 105(a)(17) of the HCDA unless such project has been evaluated and selected in accordance with guidelines developed by HUD pursuant to section 105(e)(2) of the HCDA for evaluating and selecting economic development projects. Grantees and their subrecipients are required to comply with the underwriting guidelines in Appendix A to 24 CFR part 570 if they are using grant funds to provide assistance to a for-profit entity for an economic development project under section 105(a)(17) of the HCDA. The underwriting guidelines are found at Appendix A of 24 CFR part 570.

II.D.7. *Limitation on use of funds for eminent domain.* CDBG–DR funds may not be used to support any Federal, state, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use. For purposes of this paragraph, public use shall not be construed to include economic development that primarily benefits private entities. The following shall be considered a public use for the purposes of eminent domain: any use of funds for (1) mass transit, railroad, airport, seaport, or highway projects; (2) utility projects that benefit or serve the general public, including energy related, communication-related, water related, and wastewater-related infrastructure; (3) other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government; and (4) projects for the removal of an immediate threat to public health and safety, including the removal of a brownfield as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Pub. L. 107–118).

III. Grant Administration

III.A. Pre-Award Evaluation of Management and Oversight of Funds

III.A.1. *Certification of financial controls and procurement processes, and adequate procedures for proper grant management.* Appropriations acts require that the Secretary certify that the grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Stafford Act, 42 U.S.C. 5155, to ensure timely expenditure of funds, to maintain a comprehensive website regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds.

III.A.1.a. *Documentation requirements.* To enable the Secretary to make this certification, each grantee must submit to HUD the certification documentation listed below. This information must be submitted within 60 days of the applicability date of the

Allocation Announcement Notice, or with the grantee's submission of its action plan in DRGR as described in section III.C.1, whichever date is earlier. If required by appropriations acts, grant agreements will not be executed until the Secretary has issued a certification for the grantee. For each of the items (1) through (6) below (collectively referred to as the ''Financial Management and Grant Compliance Certification Requirements'') the grantee must certify to the accuracy of its submission when submitting the Financial Management and Grant Compliance Certification Checklist (the ''Certification Checklist''). The Certification Checklist is a document that incorporates all of the Financial Management and Grant Compliance Certification Requirements. Not all of the requirements in (1) through (6) below are appropriate or applicable to Indian tribes. Therefore, Indian tribes that receive an allocation directly from HUD may request an alternative method to document support for the Secretary's certification.

(1) Proficient financial management controls. A grantee has proficient financial management controls if each of the following criteria is satisfied:

(a) The grantee agency administering this grant submits its most recent single audit and consolidated annual financial report (CAFR), which in HUD's determination indicates that the grantee has no material weaknesses, deficiencies, or concerns that HUD considers to be relevant to the financial management of CDBG, CDBG–DR, or CDBG–MIT funds. If the single audit or CAFR identified weaknesses or deficiencies, the grantee must provide documentation satisfactory to HUD showing how those weaknesses have been removed or are being addressed.

(b) The grantee has completed and submitted the certification documentation required in the applicable Certification Checklist. The grantee's documentation must demonstrate that the standards meet the requirements in the Consolidated Notice and the Certification Checklist.

(2) Each grantee must provide HUD its procurement processes for review, so HUD may evaluate the grantee's processes to determine that they are based on principles of full and open competition. A grantee's procurement processes must comply with the procurement requirements at section IV.B.

(a) A state grantee has proficient procurement processes if HUD determines that its processes uphold the principles of full and open competition and include an evaluation of the cost or price of the product or service, and if its procurement processes reflect that it:

(i) adopted 2 CFR 200.318 through 200.327;

(ii) follows its own state procurement policies and procedures and establishes requirements for procurement processes for local governments and subrecipients based on full and open competition pursuant to 24 CFR 570.489(g), and the requirements for the state, its local governments, and subrecipients include evaluation of the cost or price of the product or service; or

(iii) adopted 2 CFR 200.317, meaning that it will follow its own state procurement processes and evaluate the cost or price of the product or service, but impose 2 CFR 200.318 through 200.327 on its subrecipients.

(b) A local government grantee has proficient procurement processes if the processes are consistent with the specific applicable procurement standards identified in 2 CFR 200.318 through 200.327. When the grantee provides a copy of its procurement processes, it must indicate the sections that incorporate these provisions.

(c) An Indian tribe grantee has proficient procurement processes if its procurement standards are consistent with procurement requirements in 2 CFR part 200 imposed by 24 CFR 1003.501, and additional procurement requirements in 1003.509(e) and 1003.510.

(3) Duplication of benefits. A grantee has adequate policies and procedures to prevent the duplication of benefits (DOB) if the grantee submits and identifies a uniform process that reflects the requirements in section IV.A of the Consolidated Notice, including:

(a) determining all disaster assistance received by the grantee or applicant and all reasonably identifiable financial assistance available to the grantee or applicant, as applicable, before committing funds or awarding assistance;

(b) determining a grantee's or an applicant's unmet need(s) for CDBG–DR assistance before committing funds or awarding assistance; and

(c) requiring beneficiaries to enter into a signed agreement to repay any duplicative assistance if they later receive additional assistance for the same purpose for which the CDBG–DR award was provided. The grantee must identify a method to monitor compliance with the agreement for a reasonable period (*i.e.,* a time period commensurate with risk) and must articulate this method in its policies and procedures, including the basis for the period during which the grantee will monitor compliance. This agreement must also include the following language: ''Warning: Any person who knowingly makes a false claim or statement to HUD or causes another to do so may be subject to civil or criminal penalties under 18 U.S.C. 2, 287, 1001 and 31 U.S.C. 3729.''

Policies and procedures of the grantee submitted to support the certification must provide that before the award of assistance, the grantee will use the best, most recent available data from FEMA, the Small Business Administration (SBA), insurers, and any other sources of local, state, and Federal sources of funding to prevent the duplication of benefits.

(4) Timely expenditures. A grantee has adequate policies and procedures to determine timely expenditures if it submits policies and procedures that indicate the following to HUD: how it will track and document expenditures of the grantee and its subrecipients (both actual and projected reported in performance reports); how it will account for and manage program income; how it will reprogram funds in a timely manner for activities that are stalled; and how it will project expenditures of all CDBG–DR funds within the period provided for in section V.A.

(5) Comprehensive disaster recovery website. A grantee has adequate policies and procedures to maintain a comprehensive accessible website if it submits policies and procedures indicating to HUD that the grantee will have a separate web page dedicated to its disaster recovery activities assisted with CDBG–DR funds that includes the information described at section III.D.1.d.—e. The procedures must also indicate the frequency of website updates. At minimum, grantees must update their website quarterly.

(6) Procedures to detect and prevent fraud, waste, and abuse. A grantee has adequate procedures to detect and prevent fraud, waste, and abuse if it submits procedures that indicate:

(a) how the grantee will verify the accuracy of information provided by applicants;

(b) the criteria to be used to evaluate the capacity of potential subrecipients;

(c) the frequency with which the grantee will monitor other agencies of the grantee that will administer CDBG–DR funds, and how it will monitor subrecipients, contractors, and other program participants, and why monitoring is to be conducted and which items are to be monitored;

(d) it has or will hire an internal auditor that provides both programmatic and financial oversight of grantee activities, and has adopted policies that describes the auditor's role in detecting fraud, waste, and abuse, which policies must be submitted to HUD;

(e) (i) for states or grantees subject to the same requirements as states, a written standard of conduct and conflicts of interest policy that complies with the requirements of 24 CFR 570.489(g) and (h) and subparagraph III.A.1.a(2)(a) of the Consolidated Notice, which policy includes the process for promptly identifying and addressing such conflicts;

(ii) for units of general local government or grantees subject to the same requirements as units of general local government, a written standard of conduct and conflicts of interest policy that complies with 24 CFR 570.611 and 2 CFR 200.318, as applicable, which includes the process for promptly identifying and addressing such conflicts;

(iii) for Indian tribes, a written standard of conduct and conflicts of interest policy that complies with 24 CFR 1003.606, as applicable; and

(f) it assists in investigating and taking action when fraud occurs within the grantee's CDBG–DR activities and/or programs. All grantees receiving CDBG–DR funds for the first time shall attend and require subrecipients to attend fraud related training provided by HUD OIG, when offered, to assist in the proper management of CDBG–DR grant funds. Instances of fraud, waste, and abuse should be referred to the HUD OIG Fraud Hotline (phone: 1–800–347–3735 or email: *hotline@hudoig.gov*).

Following a disaster, property owners and renters are frequently the targets of persons fraudulently posing as government employees, creditors, mortgage servicers, insurance adjusters, and contractors. The grantee's procedures must address how the grantee will make CDBG–DR beneficiaries

aware of the risks of contractor fraud and other potentially fraudulent activity that can occur in communities recovering from a disaster. Grantees must provide CDBG–DR beneficiaries with information that raises awareness of possible fraudulent activity, how the fraud can be avoided, and what local or state agencies to contact to take action and protect the grantee and beneficiary investment. The grantee's procedures must address the steps it will take to assist a CDBG–DR beneficiary if the beneficiary experiences contractor or other fraud. If the beneficiary is eligible for additional assistance as a result of the fraudulent activity and the creation of remaining unmet need, the procedures must also address what steps the grantee will follow to provide the additional assistance.

III.A.1.b. *Relying on prior submissions—financial management and grant compliance certification requirements.* This section only applies once a grantee has received a CDBG–DR grant through an Allocation Announcement Notice that makes the Consolidated Notice applicable. After that original grant, if a CDBG–DR grantee is awarded a subsequent CDBG–DR grant, HUD will rely on the grantee's prior submissions provided in response to the Financial Management and Grant Compliance Certification Requirements in the Consolidated Notice. HUD will continue to monitor the grantee's submissions and updates made to policies and procedures during the normal course of business. The grantee must notify HUD of any substantial changes made to these submissions.

If a CDBG–DR grantee is awarded a subsequent CDBG–DR grant, and it has been more than three years since the executed grant agreement for the original CDBG–DR grant or a subsequent grant is equal to or greater than ten times the amount of the original CDBG–DR grant, grantees must update and resubmit the documentation required by paragraph III.A.1.a. with the completed Certification Checklist to enable the Secretary to certify that the grantee has in place proficient financial controls and procurement processes, and adequate procedures for proper grant management. However, the Secretary may require any CDBG–DR grantee to update and resubmit the documentation required by paragraph III.A.1.a., if there is good cause to require it.

III.A.2. *Implementation plan.* HUD requires each grantee to demonstrate that it has sufficient capacity to manage the CDBG–DR funds and the associated risks. Grantees must evidence their management capacity through their implementation plan submissions. These submissions must meet the criteria below and must be submitted within 120 days of the applicability date of the governing Allocation Announcement Notice or with the grantee's submission of its action plan, whichever is earlier, unless the grantee has requested, and HUD has approved an extension of the submission deadline.

III.A.2.a. To enable HUD to assess risk as described in 2 CFR 200.206, the grantee will submit an implementation plan to HUD. The implementation plan must describe the grantee's capacity to carry out the recovery and how it will address any capacity gaps. HUD will determine that the grantee has sufficient management capacity to adequately reduce risk if the grantee submits implementation plan documentation that addresses (1) through (3) below:

(1) Capacity assessment. The grantee identifies the lead agency responsible for implementation of the CDBG–DR award and indicates that the head of that agency will report directly to the chief executive officer of the jurisdiction. The grantee has conducted an assessment of its capacity to carry out CDBG–DR recovery efforts and has developed a timeline with milestones describing when and how the grantee will address all capacity gaps that are identified. The assessment must include a list of any open CDBG–DR findings and an update on the corrective actions undertaken to address each finding.

(2) Staffing. The grantee must submit an organizational chart of its department or division and must also provide a table that clearly indicates which personnel or organizational unit will be responsible for each of the Financial Management and Grant Compliance Certification Requirements identified in section III.A.1.a. along with staff contact information, if available (*i.e.,* personnel responsible for conducting DOB analysis, timely expenditure, website management, monitoring and compliance, and financial management). The grantee must also submit documentation demonstrating that it has assessed staff capacity and identified positions for the purpose of: case management in proportion to the applicant population; program managers who will be assigned responsibility for each primary recovery area; staff who have demonstrated experience in housing, infrastructure (as applicable), and economic revitalization (as applicable); staff responsible for procurement/contract management, regulations implementing section 3 of the Housing and Urban Development Act of 1968, as amended (24 CFR part 75) (section 3), fair housing compliance, and environmental compliance. An adequate plan must also demonstrate that the internal auditor and responsible audit staff report independently to the chief elected or executive officer or board of the governing body of any designated administering entity.

The grantee's implementation plan must describe how it will provide technical assistance for any personnel that are not employed by the grantee at the time of action plan submission, and to fill gaps in knowledge or technical expertise required for successful and timely recovery. State grantees must also include how it plans to provide technical assistance to subgrantees and subrecipients, including units of general local government.

(3) Internal and interagency coordination. The grantee's plan must describe how it will ensure effective communication between different departments and divisions within the grantee's organizational structure that are involved in CDBG–DR-funded recovery efforts, mitigation efforts, and environmental review requirements, as appropriate; between its lead agency and subrecipients responsible for implementing the grantee's action plan; and with other local and regional planning efforts to ensure consistency. The grantee's submissions must demonstrate how it will consult with other relevant government agencies, including the State Hazard Mitigation Officer (SHMO), State or local Disaster Recovery Coordinator, floodplain administrator, and any other state and local emergency management agencies, such as public health and environmental protection agencies, that have primary responsibility for the administration of FEMA or USACE funds.

III.A.2.b. *Relying on prior submissions—Implementation plan.* This section only applies once a grantee has received a CDBG–DR grant through an Allocation Announcement Notice that makes the Consolidated Notice applicable. After that original grant, if a CDBG–DR grantee is awarded a subsequent CDBG–DR grant, HUD will rely on the grantee's implementation plan submitted for its original CDBG–DR grant unless it has been more than three years since the executed grant agreement for the original CDBG–DR grant or the subsequent grant is equal to or greater than ten times the amount of its original CDBG–DR grant.

If a CDBG–DR grantee is awarded a subsequent CDBG–DR grant, and it has been more than three years since the executed grant agreement for its original CDBG–DR grant or a subsequent grant is equal to or greater than ten times the amount of the original CDBG–DR grant, the grantee is to update and resubmit its implementation plan to reflect any changes to its capacity, staffing, and coordination.

III.B. Administration, Planning, and Financial Management

III.B.1. *Grant administration and planning.*

III.B.1.a. *Grantee responsibilities.* Each grantee shall administer its award in compliance with all applicable laws and regulations and shall be financially accountable for the use of all awarded funds. CDBG–DR grantees must comply with the recordkeeping requirements of 24 CFR 570.506 and 24 CFR 570.490, as amended by the Consolidated Notice waivers and alternative requirements. All grantees must maintain records of performance in DRGR, as described elsewhere in the Consolidated Notice.

III.B.1.b. *Grant administration cap.* Up to five percent of the grant (plus five percent of program income generated by the grant) can be used for administrative costs by the grantee, units of general local government, or subrecipients. Thus, the total of all costs classified as administrative for a CDBG–DR grant must be less than or equal to the five percent cap (plus five percent of program income generated by the grant). The cap for administrative costs is subject to the combined technical assistance and administrative cap for state grantees as discussed in section III.B.2.a.

III.B.1.c. *Use of funds for administrative costs across multiple grants.* The Additional Supplemental Appropriations for Disaster Relief Act, 2019 (Pub. L. 116–20) authorized special treatment for eligible administrative costs for grantees that received awards under Public Laws 114–113, 114–223, 114–254, 115–31, 115–56, 115–123, 115–254, 116–20, or any future act. The Consolidated Notice

permits grantees to use eligible administrative funds (up to five percent of each grant award plus up to five percent of program income generated by the grant) for the cost of administering any of these grants awarded under the identified Public Laws (including future Acts) without regard to the particular disaster appropriation from which such funds originated. To exercise this authority, the grantee must ensure that it has appropriate financial controls to guarantee that the amount of grant administration expenditures for each of the aforementioned grants will not exceed five percent of the total grant award for each grant (plus five percent of program income generated by the grant). The grantee must review and modify any financial management policies and procedures regarding the tracking and accounting of administration costs as necessary.

III.B.1.d. *Planning expenditures cap.* Both state and local government grantees are limited to spending a maximum of fifteen percent of their total grant amount on planning costs. Planning costs subject to the 15 percent cap are those defined in 42 U.S.C. 5305(a)(12) and more broadly in 24 CFR 570.205.

III.B.2. *State grantees only.*

III.B.2.a. *Combined technical assistance and administrative cap (state grantees only).* The provisions of 42 U.S.C. 5306(d) and 24 CFR 570.489(a)(1)(i) and (iii), and 24 CFR 570.489(a)(2) shall not apply to the extent that they cap administration and technical assistance expenditures, limit a state's ability to charge a nominal application fee for grant applications for activities the state carries out directly, and require a dollar-for-dollar match of state funds for administrative costs exceeding $100,000. 42 U.S.C. 5306(d)(5) and (6) are waived and replaced with the alternative requirement that the aggregate total for administrative and technical assistance expenditures must not exceed five percent of the grant, plus five percent of program income generated by the grant.

III.B.2.b. *Planning-only activities (state grantees only).* The State CDBG Program requires that, for planning-only grants, local government grant recipients must document that the use of funds meets a national objective. In the CDBG Entitlement Program, these more general planning activities are presumed to meet a national objective under the requirements at 24 CFR 570.208(d)(4). HUD notes that almost all effective recoveries in the past have relied on some form of area-wide or comprehensive planning activity to guide overall redevelopment independent of the ultimate source of implementation funds. To assist state grantees, HUD is waiving the requirements at 24 CFR 570.483(b)(5) and (c)(3), which limit the circumstances under which the planning activity can meet a low- and moderate-income or slum-and-blight national objective. Instead, as an alternative requirement, 24 CFR 570.208(d)(4) applies to states when funding disaster recovery-assisted, planning-only grants, or when directly administering planning activities that guide disaster recovery. In addition, 42 U.S.C. 5305(a)(12) is waived to the extent necessary so the types of planning activities that states may fund or undertake are expanded to be consistent with those of CDBG Entitlement grantees identified at 24 CFR 570.205.

III.B.2.c. *Direct grant administration and means of carrying out eligible activities (state grantees only).* Requirements at 42 U.S.C. 5306(d) are waived to allow a state to use its disaster recovery grant allocation directly to carry out state-administered activities eligible under the Consolidated Notice, rather than distribute all funds to local governments. Pursuant to this waiver and alternative requirement, the standard at 24 CFR 570.480(c) and the provisions at 42 U.S.C. 5304(e)(2) will also include activities that the state carries out directly. Activities eligible under the Consolidated Notice may be carried out by a state, subject to state law and consistent with the requirement of 24 CFR 570.200(f), through its employees, through procurement contracts, or through assistance provided under agreements with subrecipients. State grantees continue to be responsible for civil rights, labor standards, and environmental protection requirements, for compliance with 24 CFR 570.489(g) and (h), and subparagraph III.A.1.a.(2)(a) of the Consolidated Notice relating to conflicts of interest, and for compliance with 24 CFR 570.489(m) relating to monitoring and management of subrecipients.

A state grantee may also carry out activities in tribal areas. A state must coordinate with the Indian tribe with jurisdiction over the tribal area when providing CDBG–DR assistance to beneficiaries in tribal areas. State grantees carrying out projects in tribal areas, either directly or through its employees, through procurement contracts, or through assistance provided under agreements with subrecipients, must obtain the consent of the Indian tribe with jurisdiction over the tribal area to allow the state grantee to carry out or to fund CDBG–DR projects in the area.

III.B.2.d. *Waiver and alternative requirement for distribution to CDBG metropolitan cities and urban counties (state grantees only).* 42 U.S.C. 5302(a)(7) (definition of ''nonentitlement area'') and related provisions of 24 CFR part 570, including 24 CFR 570.480, are waived to permit state grantees to distribute CDBG–DR funds to units of local government and Indian tribes.

III.B.2.e. *Use of subrecipients (state grantees only).* Paragraph III.B.2.c. provides a waiver and alternative requirement that a state may carry out activities directly, including through assistance provided under agreements with subrecipients. Therefore, when states carry out activities directly through subrecipients, the following alternative requirements apply: the state is subject to the definition of subrecipients at 24 CFR 570.500(c) and must adhere to the requirements for agreements with subrecipients at 24 CFR 570.503. Additionally, 24 CFR 570.503(b)(4) is modified to require the subrecipient to comply with applicable uniform requirements, as described in 24 CFR 570.502, except that the subrecipient shall follow procurement requirements imposed by the state in accordance with subparagraph III.A.1.a.(2) of the Consolidated Notice. When 24 CFR 570.503 applies, notwithstanding 24 CFR 570.503(b)(5)(i), units of general local government that are subrecipients are defined as recipients under 24 CFR part 58 and are therefore responsible entities that assume environmental review responsibilities, as described in III.F.5. Grantees are reminded that they are responsible for providing on-going oversight and monitoring of subrecipients and are ultimately responsible for subrecipient compliance with all CDBG–DR requirements.

III.B.2.f. *Recordkeeping (state grantees only).* When a state carries out activities directly, 24 CFR 570.490(b) is waived and the following alternative provision shall apply: a state grantee shall establish and maintain such records as may be necessary to facilitate review and audit by HUD of the state's administration of CDBG–DR funds, under 24 CFR 570.493 and reviews and audits by the state under III.B.2.h. Consistent with applicable statutes, regulations, waivers and alternative requirements, and other Federal requirements, the content of records maintained by the state shall be sufficient to: (a) enable HUD to make the applicable determinations described at 24 CFR 570.493; (b) make compliance determinations for activities carried out directly by the state; and (c) show how activities funded are consistent with the descriptions of activities proposed for funding in the action plan and/or DRGR system. For fair housing and equal opportunity purposes, and as applicable, such records shall include data on the racial, ethnic, and gender characteristics of persons who are applicants for, participants in, or beneficiaries of the program.

III.B.2.g. *Change of use of real property (state grantees only).* This alternative requirement conforms the change of use of real property rule to the waiver allowing a state to carry out activities directly. For purposes of these grants, all references to ''unit of general local government'' in 24 CFR 570.489(j), shall be read as ''state, local governments, or Indian tribes (either as subrecipients or through a method of distribution), or other state subrecipient.''

III.B.2.h. *Responsibility for review and handling of noncompliance (state grantees only).* This change is in conformance with the waiver allowing a state to carry out activities directly. 24 CFR 570.492 is waived, and the following alternative requirement applies for any state receiving a direct award: the state shall make reviews and audits, including on-site reviews of any local governments or Indian tribes (either as subrecipients or through a method of distribution) designated public agencies, and other subrecipients, as may be necessary or appropriate to meet the requirements of section 104(e)(2) of the HCDA, as amended, and as modified by the Consolidated Notice. In the case of noncompliance with these requirements, the state shall take such actions as may be appropriate to prevent a continuance of the deficiency, mitigate any adverse effects or consequences, and prevent a recurrence. The state shall establish remedies for noncompliance by any subrecipients, designated public agencies, or local governments.

III.B.2.i. *Consultation (state grantees only).* Currently, the HCDA and regulations require

a state grantee to consult with affected local governments in nonentitlement areas of the state in determining the state's proposed method of distribution. HUD is waiving 42 U.S.C. 5306(d)(2)(C)(iv), 42 U.S.C. 5306(d)(2)(D), 24 CFR 91.325(b)(2), and 24 CFR 91.110, and imposing an alternative requirement that states receiving an allocation of CDBG–DR funds consult with all disaster-affected local governments (including any CDBG-entitlement grantees), Indian tribes, and any public housing authorities in determining the use of funds. This approach ensures that a state grantee sufficiently assesses the recovery needs of all areas affected by the disaster.

III.C. Action Plan for Disaster Recovery Waiver and Alternative Requirement

Requirements for CDBG actions plans, located at 42 U.S.C. 5304(a)(1), 42 U.S.C. 5304(m), 42 U.S.C. 5306(a)(1), 42 U.S.C. 5306(d)(2)(C)(iii), 42 U.S.C. 12705(a)(2), and 24 CFR 91.220 and 91.320, are waived for CDBG–DR grants. Instead, grantees must submit to HUD an action plan for disaster recovery which will describe programs and activities that conform to applicable requirements as specified in the Consolidated Notice and the applicable Allocation Announcement Notice. HUD will monitor the grantee's actions and use of funds for consistency with the plan, as well as meeting the performance and timeliness objectives therein. The Secretary will disapprove all action plans that are substantially incomplete if it is determined that the plan does not satisfy all of the required elements identified in the Consolidated Notice and the applicable Allocation Announcement Notice.

III.C.1. *Action plan.* The grantee's action plan must identify the use of all funds—including criteria for eligibility and how the uses address long-term recovery needs, restoration of infrastructure and housing, economic revitalization, and the incorporation of mitigation measures in the MID areas. HUD created the Public Action Plan in DRGR which is a function that allows grantees to develop and submit their action plans for disaster recovery directly into DRGR. Grantees must use HUD's Public Action Plan in DRGR to develop all CDBG–DR action plans and substantial amendments submitted to HUD for approval. The Public Action Plan is different from the DRGR Action Plan, which is a comprehensive description of projects and activities in DRGR.

The grantee must describe the steps it will follow to make the action plan, substantial amendments, performance reports, and other relevant program materials available in a form accessible to persons with disabilities and those with limited English proficiency (LEP). All grantees must include sufficient information in its action plan so that all interested parties will be able to understand and comment on the action plan. The action plan (and subsequent amendments) must include a single chart or table that illustrates, at the most practical level, how all funds are budgeted (*e.g.,* by program, subrecipient, grantee-administered activity, or other category). The grantee must certify, as required by section III.F.7., that activities to be undertaken with CDBG–DR funds are consistent with its action plan.

The action plan must contain:

III.C.1.a. *An impact and unmet needs assessment.* Each grantee must develop an impact and unmet needs assessment to understand the type and location of community needs and to target limited resources to those areas with the greatest need. CDBG–DR grantees must conduct an impact and unmet needs assessment to inform the use of the grant. Grantees must cite data sources in the impact and unmet needs assessment. At a minimum, the impact and unmet needs assessment must:

- Evaluate all aspects of recovery including housing (interim and permanent, owner and rental, single family and multifamily, affordable and market rate, and housing to meet the needs of persons who were experiencing homelessness pre-disaster), infrastructure, and economic revitalization needs, while also incorporating mitigation needs into activities that support recovery as required in section II.A.2.;
- Estimate unmet needs to ensure CDBG–DR funds meet needs that are not likely to be addressed by other sources of funds by accounting for the various forms of assistance available to, or likely to be available to, affected communities (*e.g.,* projected FEMA funds) and individuals (*e.g.,* estimated insurance) and, using the most recent available data, estimating the portion of need unlikely to be addressed by insurance proceeds, other Federal assistance, or any other funding sources;
- Assess whether public services (*e.g.,* housing counseling, legal advice and representation, job training, mental health, and general health services) are necessary to complement activities intended to address housing, infrastructure, and economic revitalization and how those services would need to be made accessible to individuals with disabilities including, but not limited to, mobility, sensory, developmental, emotional, cognitive, and other impairments;
- Describe the extent to which expenditures for planning activities, including the determination of land use goals and policies, will benefit the HUD-identified MID areas, as described in section II.A.3.;
- Describe disaster impacts geographically by type at the lowest level practicable (*e.g.,* county/parish level or lower if available for states, and neighborhood or census tract level for cities); and
- Take into account the costs and benefits of incorporating hazard mitigation measures to protect against the specific identified impacts of future extreme weather events and other natural hazards. This analysis should factor in historical and projected data on risk that incorporates best available science (*e.g.,* the most recent National Climate Assessment).

Disaster recovery needs evolve over time and grantees must amend the impact and unmet needs assessment and action plan as additional needs are identified and additional resources become available. At a minimum, grantees must revisit and update the impact and unmet needs assessment when moving funds from one program to another through a substantial amendment.

III.C.1.b. *Connection of programs and projects to unmet needs.* The grantee must describe the connection between identified unmet needs and the allocation of CDBG–DR resources. The plan must provide a clear connection between a grantee's impact and unmet needs assessment and its proposed programs and projects in the MID areas (or outside in connection to the MID areas as described in section II.A.3). Such description must demonstrate a reasonably proportionate allocation of resources relative to areas and categories (*i.e.,* housing, economic revitalization, and infrastructure) of greatest needs identified in the grantee's impact and unmet needs assessment or provide an acceptable justification for a disproportional allocation, while also incorporating hazard mitigation measures to reduce the impacts of recurring natural disasters and the long-term impacts of climate change. Grantee action plans may provide for the allocation of funds for administration and planning activities and for public service activities, subject to the caps on such activities as described in the Consolidated Notice.

III.C.1.c. *Public housing, affordable rental housing, and housing for vulnerable populations.* Each grantee must include a description of how it has analyzed, identified, and will address (with CDBG–DR or other sources) the disaster-related rehabilitation, reconstruction, and new construction needs in the MID-area of the types of housing described below. Specifically, a grantee must assess and describe how it will address unmet needs in the following types of housing, subject to the applicable HUD program requirements: public housing, affordable rental housing (including both subsidized and market rate affordable housing), and housing for vulnerable populations (*See* section III.C.1.c.iii below), including emergency shelters and permanent housing for persons experiencing homelessness, in the areas affected by the disaster. Grantees must coordinate with local public housing authorities (PHA) in the MID areas to ensure that the grantee's representation in the action plan reflects the input of those entities as well as coordinating with State Housing Finance agencies to make sure that all funding sources that are available and opportunities for leverage are noted in the action plan.

(i) Public housing: Describe unmet public housing needs of each disaster-impacted PHA within its jurisdiction, if applicable. The grantee must work directly with impacted PHAs in identifying necessary and reasonable costs and ensuring that adequate funding from all available sources is dedicated to addressing the unmet needs of damaged public housing (*e.g.,* FEMA, insurance, and funds available from programs administered by HUD's Office of Public and Indian Housing).

(ii) Affordable rental housing: Describe unmet affordable rental housing needs for LMI households as a result of the disaster or exacerbated by the disaster, including private market units receiving project-based rental assistance or with tenants that participate in the section 8 Housing Choice Voucher Program, and any other housing that is

assisted under a HUD program in the MID areas. Identify funding to specifically address these unmet needs for affordable rental housing to LMI households. If a grantee is proposing an allocation of CDBG–DR funds for affordable rental housing needs, the action plan must, at a minimum, meet the requirements described in II.B.3.

(iii) Housing for vulnerable populations: Describe how CDBG–DR or other funding sources available will promote housing for vulnerable populations, as defined in section III.C.1.d., in the MID area, including how it plans to address: (1) transitional housing, including emergency shelters and housing for persons experiencing homelessness, permanent supportive housing, and permanent housing needs of individuals and families (including subpopulations) that are experiencing or at risk of experiencing homelessness; (2) the prevention of low-income individuals and families with children (especially those with incomes below thirty percent of the area median) from becoming homeless; (3) the special needs of persons who are not experiencing homelessness but require supportive housing (*i.e.,* elderly, frail elderly, persons with disabilities (mental, physical, developmental, etc.), victims of domestic violence, persons with alcohol or other substance-use disorder, persons with HIV/AIDS and their families, and public housing residents, as identified in 24 CFR 91.315(e)).

III.C.1.d. *Fair housing, civil rights data, and advancing equity.*

The grantee must use its CDBG–DR funds in a manner that complies with its fair housing and nondiscrimination obligations, including title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d *et seq.,* the Fair Housing Act, 42 U.S.C. 3601—19, section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, the Americans with Disabilities Act of 1990, 42 U.S.C. 12131 *et seq.,* and section 109 of the HCDA, 42 U.S.C. 5309. To ensure that the activities performed in connection with the action plan will comply with these requirements, the grantee must provide an assessment of whether its planned use of CDBG–DR funds will have an unjustified discriminatory effect on or failure to benefit racial and ethnic minorities in proportion to their communities' needs, particularly in racially and ethnically concentrated areas of poverty, and how it will address the recovery needs of impacted individuals with disabilities.

Grantees should also consider the impact of their planned use of CDBG–DR funds on other protected class groups under fair housing and civil rights laws, vulnerable populations, and other historically underserved communities. For purposes of the Consolidated Notice, HUD defines vulnerable populations as a group or community whose circumstances present barriers to obtaining or understanding information or accessing resources. In the action plan, grantees should identify those populations (*i.e.,* which protected class, vulnerable population, and historically underserved groups were considered) and how those groups can be expected to benefit from the activities set forth in the plan consistent with the civil rights requirements set forth above.

To perform such an assessment, grantees must include data for the HUD-identified and grantee-identified MID areas that identifies the following information, as it is available:

- Racial and ethnic make-up of the population, including relevant sub-populations depending on activities and programs outlined in the plan (this would include renters and homeowners if eligibility is dependent on housing tenure) and the specific sub- geographies in the MID areas in which those programs and activities will be carried out;
- LEP populations, including number and percentage of each identified group;
- Number and percentage of persons with disabilities;
- Number and percentage of persons belonging to Federally protected classes under the Fair Housing Act (race, color, national origin, religion, sex—which includes sexual orientation and gender identity—familial status, and disability) and other vulnerable populations as determined by the grantee;
- Indigenous populations and tribal communities, including number and percentage of each identified group;
- Racially and ethnically concentrated areas and concentrated areas of poverty; and
- Historically distressed and underserved communities;

Grantees must explain how the use of funds will reduce barriers that individuals may face when enrolling in and accessing CDBG–DR assistance, for example, barriers imposed by a lack of outreach to their community or by the lack of information in non-English languages or accessible formats for individuals with different types of disabilities.

Grantees are strongly encouraged to include examples of how their proposed allocations, selection criteria, and other actions can be expected to advance equity for protected class groups. Grantees are strongly encouraged to explain and provide examples of how their actions can be expected to advance the following objectives:

- Equitably benefit protected class groups in the MID areas, including racial and ethnic minorities, and sub geographies in the MID areas in which residents belonging to such groups are concentrated;
- To the extent consistent with purposes and uses of CDBG–DR funds, overcome prior disinvestment in infrastructure and public services for protected class groups, and areas in which residents belonging to such groups are concentrated, when addressing unmet needs;
- Enhance for individuals with disabilities in the MID areas (a) the accessibility of disaster preparedness, resilience, or recovery services, including the accessibility of evacuation services and shelters; (b) the provision of critical disaster-related information in accessible formats; and/or (c) the availability of integrated, accessible housing and supportive services.

Grantees must identify the proximity of natural and environmental hazards (*e.g.,* industrial corridors, sewage treatment facilities, waterways, EPA superfund sites, brownfields, etc.) to affected populations in the MID area, including members of protected classes, vulnerable populations, and underserved communities and explore how CDBG–DR activities may mitigate environmental concerns and increase resilience among these populations to protect against the effects of extreme weather events and other natural hazards.

Grantees must also describe how their use of CDBG–DR funds is consistent with their obligation to affirmatively further fair housing. HUD regulations at 24 CFR 5.151 provide that affirmatively furthering fair housing means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

State and local government grantees must submit a certification to AFFH in accordance with 24 CFR 5.150, et. seq. CDBG–DR grantees must also comply with the recordkeeping requirements of 24 CFR 570.506 and 24 CFR 570.490(b), as amended by the Consolidated Notice.

III.C.1.e. *Infrastructure.* In its action plan, each grantee must include a description of how it plans to meet the requirements of the Consolidated Notice, including how it will: promote sound, sustainable long-term recovery planning as described in this section; adhere to the elevation requirements established in section II.C.2.; and coordinate with local and regional planning efforts as described in section III.B.2.i and III.D.1.a. All infrastructure investments must be designed and constructed to withstand chronic stresses and extreme events by identifying and implementing resilience performance metrics as described in section II.A.2.c.

If a grantee is allocating funds for infrastructure, its description must include:

(1) How it will address the construction or rehabilitation of disaster-related systems (*e.g.,* storm water management systems) or other disaster-related community-based mitigation systems (*e.g.,* using FEMA's community lifelines). State grantees carrying out infrastructure activities must work with units of general local government and Indian tribes in the MID areas to identify the unmet needs and associated costs of needed disaster-related infrastructure improvements;

(2) How mitigation measures and strategies to reduce natural hazard risks, including climate-related risks, will be integrated into rebuilding activities;

(3) The extent to which CDBG–DR funded infrastructure activities will achieve objectives outlined in regionally or locally established plans and policies that are designed to reduce future risk to the jurisdiction;

(4) How the grantee will evaluate the costs and benefits in selecting infrastructure projects to assist with CDBG–DR funds;

(5) How the grantee will align infrastructure investments with other planned federal, state, or local capital improvements and infrastructure development efforts, and will work to foster the potential for additional infrastructure funding from multiple sources, including state and local capital improvement projects in planning, and the potential for private investment;

(6) How the grantee will employ adaptable and reliable technologies to prevent premature obsolescence of infrastructure; and

(7) How the grantee will invest in restoration of infrastructure and related long-term recovery needs within historically underserved communities that lacked adequate investments in housing, transportation, water, and wastewater infrastructure prior to the disaster.

III.C.1.f. *Minimize Displacement.* A description of how the grantee plans to minimize displacement of persons or entities, and assist any persons or entities displaced, and ensure accessibility needs of displaced persons with disabilities. Specifically, grantees must detail how they will meet the Residential Anti-displacement and Relocation Assistance Plan (RARAP) requirements in section IV.F.7. Grantees must indicate to HUD whether they will be amending an existing RARAP or creating a new RARAP specific to CDBG–DR. Grantees must meet the requirements related to the RARAP prior to implementing any activity with CDBG–DR grant funds, such as buyouts and other disaster recovery activities. Grantees must seek to minimize displacement or adverse impacts from displacement, consistent with the requirements of Section IV.F of the Consolidated Notice, section 104(d) of the HCDA (42 U.S.C. 5304(d)) and implementing regulations at 24 CFR part 42, and 24 CFR 570.488 or 24 CFR 570.606, as applicable. Grantees must describe how they will plan and budget for relocation activities in the action plan.

III.C.1.g. *Allocation and award caps.* The grantee must provide a budget for the full amount of the allocation that is reasonably proportionate to its unmet needs (or provide an acceptable justification for disproportional allocation) and is consistent with the requirements to integrate hazard mitigation measures into all its programs and projects. The grantee shall provide a description of each disaster recovery program or activity to be funded, including the CDBG–DR eligible activities and national objectives associated with each program and the eligibility criteria for assistance. The grantee shall also describe the maximum amount of assistance (*i.e.,* award cap) available to a beneficiary under each of the grantee's disaster recovery programs. A grantee may find it necessary to provide exceptions on a case-by-case basis to the maximum amount of assistance and must describe the process it will use to make such exceptions in its action plan. At a minimum, each grantee must adopt policies and procedures that communicate how it will analyze the circumstances under which an exception is needed and how it will demonstrate that the amount of assistance is necessary and reasonable. Each grantee must also indicate in its action plan that it will make exceptions to the maximum award amounts when necessary, to comply with federal accessibility standards or to reasonably accommodate a person with disabilities.

III.C.1.h. *Cost controls and warranties.* The grantee must provide a description of the standards to be established for construction contractors performing work in the jurisdiction and the mechanisms to be used by the grantee to assist beneficiaries in responding to contractor fraud, poor quality work, and associated issues. Grantees must require a warranty period post-construction with a formal notification to beneficiaries on a periodic basis (*e.g.,* 6 months and one month before expiration date of the warranty). Each grantee must also describe its controls for assuring that construction costs are reasonable and consistent with market costs at the time and place of construction.

III.C.1.i. *Resilience planning.* Resilience is defined as a community's ability to minimize damage and recover quickly from extreme events and changing conditions, including natural hazard risks. At a minimum, the grantee's action plan must contain a description of how the grantee will: (a) emphasize high quality design, durability, energy efficiency, sustainability, and mold resistance; (b) support adoption and enforcement of modern and/or resilient building codes that mitigate against natural hazard risks, including climate-related risks (*e.g.,* sea level rise, high winds, storm surge, flooding, volcanic eruption, and wildfire risk, where appropriate and as may be identified in the jurisdiction's rating and identified weaknesses (if any) in building code adoption using FEMA's Nationwide Building Code Adoption Tracking (BCAT) portal), and provide for accessible building codes and standards, as applicable; (c) establish and support recovery efforts by funding feasible, cost-effective measures that will make communities more resilient against a future disaster; (d) make land-use decisions that reflect responsible and safe standards to reduce future natural hazard risks, *e.g.,* by adopting or amending an open space management plan that reflects responsible floodplain and wetland management and takes into account continued sea level rise, if applicable, and (e) increase awareness of the hazards in their communities (including for members of protected classes, vulnerable populations, and underserved communities) through outreach to the MID areas.

While the purpose of CDBG–DR funds is to recover from a Presidentially declared disaster, integrating hazard mitigation and resilience planning with recovery efforts will promote a more resilient and sustainable long-term recovery. The action plan must include a description of how the grantee will promote sound, sustainable long-term recovery planning informed by a post-disaster evaluation of hazard risk, including climate-related natural hazards and the creation of resilience performance metrics as described in paragraph II.A.2.c. of the Consolidated Notice. This information should be based on the history of FEMA and other federally-funded disaster mitigation efforts and, as appropriate, take into account projected increases in sea level, the frequency and intensity of extreme weather events, and worsening wildfires. Grantees must use the FEMA-approved Hazard Mitigation Plan (HMP), Community Wildfire Protection Plan (CWPP), or other resilience plans to inform the evaluation, and it should be referenced in the action plan.

III.C.2. *Additional action plan requirements for states.* For state grantees, the action plan must describe how the grantee will distribute grant funds, either through specific programs and projects the grantee will carry out directly (through employees, contractors, or through subrecipients), or through a method of distribution of funds to local governments and Indian tribes (as permitted by III.B.2.d.). The grantee shall describe how the method of distribution to local governments or Indian tribes, or programs/projects carried out directly, will result in long-term recovery from specific impacts of the disaster.

All states must include in their action plan the information outlined in (1) through (7) below (in addition to other information required by section III.C.). For states using a method of distribution, if some required information is unknown when the grantee is submitting its action plan to HUD (*e.g.,* the list of programs or activities required by III.C.1.g. or the projected use of CDBG–DR funds by responsible entity as required by subparagraph (5) below), the grantee must update the action plan through a substantial amendment once the information is known. If necessary to comply with a statutory requirement that a grantee shall submit a plan detailing the proposed use of all funds prior to HUD's obligation of grant funds, HUD may obligate only a portion of grant funds until the substantial amendment providing the required information is submitted and approved by HUD.

(1) How the impact and unmet needs assessment informs funding determinations, including the rationale behind the decision(s) to provide funds to most impacted and distressed areas.

(2) When funds are subgranted to local governments or Indian tribes (either as subrecipients or through a method of distribution), all criteria used to allocate and award the funds including the relative importance of each criterion (including any priorities). If the criteria are unknown when the grantee is submitting the initial action plan to HUD, the grantee must update the action plan through a substantial amendment once the information is known. The substantial amendment must be submitted and approved before distributing the funds to a local government or Indian tribe.

(3) How the distribution and selection criteria will address disaster-related unmet needs in a manner that does not have an unjustified discriminatory effect based on race or other protected class and ensure the participation of minority residents and those belonging to other protected class groups in the MID areas. Such description should include an assessment of who may be expected to benefit, the timing of who will be prioritized, and the amount or proportion of benefits expected to be received by different communities or groups (*e.g.,* the

proportion of benefits going to different locations within the MID or to homeowners versus renters).

(4) The threshold factors and recipient or beneficiary grant size limits that are to be applied.

(5) The projected uses for the CDBG–DR funds, by responsible entity, activity, and geographic area.

(6) For each proposed program and/or activity, its respective CDBG activity eligibility category (or categories), national objective(s), and what disaster-related impact is addressed, as described in section II.A.1.

(7) When applications are solicited for programs carried out directly, all criteria used to select applications for funding, including the relative importance of each criterion, and any eligibility requirements. If the criteria are unknown when the grantee is submitting the initial action plan to HUD, the grantee must update the action plan through a substantial amendment once the information is known. The substantial amendment must be submitted and approved before selecting applications.

III.C.3. *Additional action plan requirements for local governments.* For local governments grantees, the action plan shall describe specific programs and/or activities they will carry out. The action plan must also describe:

(1) How the impact and unmet needs assessment informs funding determinations, including the rationale behind the decision(s) to provide funds to most impacted and distressed areas.

(2) All criteria used to select applications (including any priorities), including the relative importance of each criterion, and any eligibility requirements. If the criteria are unknown when the grantee is submitting the initial action plan to HUD, the grantee must update the action plan through a substantial amendment once the information is known. The substantial amendment must be submitted and approved before selecting applications.

(3) How the distribution and selection criteria will address disaster-related unmet needs in a manner that does not have an unjustified discriminatory effect and ensures the participation of minority residents and those belonging to other protected class groups in the MID areas, including with regards to who may benefit, the timing of who will be prioritized, and the amount or proportion of benefits expected to be received by different communities or groups (*e.g.,* the proportion of benefits going to different locations within the MID or to homeowners versus renters).

(4) The threshold factors and grant size limits that are to be applied.

(5) The projected uses for the CDBG–DR funds, by responsible entity, activity, and geographic area.

(6) For each proposed program and/or activity, its respective CDBG activity eligibility category (or categories), national objective(s), and what disaster-related impact is addressed, as described in section II.A.1. of the Consolidated Notice.

III.C.4. *Waiver of 45-day review period for CDBG–DR action plans to 60 days.* HUD may disapprove an action plan or substantial action plan amendment if it is incomplete. HUD works with grantees to resolve or provide additional information during the review period to avoid the need to disapprove an action plan or substantial action plan amendments. There are several issues related to the action plan as submitted that can be fully resolved via further discussion and revision during an extended review period, rather than through HUD disapproval of the plan, which in turn would require grantees to take additional time to revise and resubmit their respective plan. Therefore, the Secretary has determined that good cause exists and waives 24 CFR 91.500(a) to extend HUD's action plan review period from 45 days to 60 days.

The action plan (including SF–424 and certifications) must be submitted to HUD for review and approval using DRGR. By submitting required standard forms (that must be submitted with the action plan), the grantee is providing assurances that it will comply with statutory requirements, including, but not limited to civil rights requirements. Applicants and recipients are required to submit assurances of compliance with federal civil rights requirements. A grantee will use DRGR's upload function to include the SF 424 (including SF 424B and SF 424D, as applicable) and certifications with its action plan. Grantees receiving an allocation are required to submit an action plan within 120 days of the applicability date of the Allocation Announcement Notice, unless the grantee has requested, and HUD has approved an extension of the submission deadline. HUD will then review each action plan within 60 days from the date of receipt.

During its review, HUD typically provides grantees with comments on the submitted plan to avoid the need to disapprove an action plan and offers a grantee the opportunity to make updates to the action plan during the first forty-five days of HUD's initial sixty-day review period. If a grantee wants to make updates to the action plan, HUD will reject the Public Action Plan in DRGR to return the plan to the grantee. Then, once the grantee resubmits the plan, HUD reviews the revised plan within the initial sixty-day period. HUD is establishing an alternative process that offers a grantee the option to voluntarily provide a revised action plan, updated to respond to HUD's comments, no later than day forty-five in HUD's sixty-day review. A grantee is not required to participate in the revisions of the action plan during this time, but with the understanding that an action plan may be determined to be substantially incomplete. The Secretary may disapprove an action plan as substantially incomplete if HUD determines that the action plan does not meet the requirements of the Consolidated Notice and the applicable Allocation Announcement Notice.

III.C.5. *Obligation and expenditure of funds.* Once HUD approves the action plan and approves certifications if required by appropriations acts, it will then sign a grant agreement obligating allocated funds to the grantee. The grantee will continue the action plan process in DRGR to draw funds (see section V.C.1.).

The grantee must meet the applicable environmental requirements before the use or commitment of funds for each activity. After the Responsible Entity (1) completes environmental review(s) pursuant to 24 CFR part 58 and receives from HUD an approved Request for Release of Funds and certification (as applicable), or (2) adopts another Federal agency's environmental review, approval, or permit and receives from HUD (or the state) an approved Request for Release of Funds and certification (as applicable), the grantee may draw down funds from the line of credit for an activity. The disbursement of grant funds must begin no later than 180 calendar days after HUD executes a grant agreement with the grantee. Failure to draw funds within this timeframe may result in HUD's review of the grantee's certification of its financial controls, procurement processes, and capacity, and may result in the imposition of any corrective actions deemed appropriate by HUD pursuant to 24 CFR 570.495, 24 CFR 570.910, or 24 CFR 1003.701.

III.C.6. *Amending the action plan.* The grantee must amend its action plan to update its needs assessment, modify or create new activities, or reprogram funds, as necessary, in the DRGR system. Each amendment must be published on the grantee's official website and describe the changes within the context of the entire action plan. A grantee's current version of its entire action plan must be accessible for viewing as a single document at any given point in time, rather than require the public or HUD to view and cross-reference changes among multiple amendments. HUD's DRGR system will include the capabilities necessary for a grantee to sufficiently identify the changes for each amendment. When a grantee has finished amending the content in the Public Action Plan, the grantee will click ''Submit Plan'' in the DRGR system. The DRGR system will prompt the grantee to select the ''Public Action Plan'' and identify the amendment type (substantial or nonsubstantial). The grantee will complete this cover page to describe each amendment. At a minimum, the grantee must: (1) identify exactly what content is being added, deleted, or changed; (2) clearly illustrate where funds are coming from and where they are moving to; and (3) include a revised budget allocation table that reflects the entirety of all funds, as amended.

III.C.6.a. *Substantial amendment.* In its action plan, each grantee must specify criteria for determining what changes in the grantee's plan constitute a substantial amendment to the plan. At a minimum, the following modifications will constitute a substantial amendment: a change in program benefit or eligibility criteria; the addition or deletion of an activity; a proposed reduction in the overall benefit requirement, as outlined in III.F.2.; or the allocation or reallocation of a monetary threshold specified by the grantee in their action plan. For all substantial amendments, the grantee must follow the same procedures required for the preparation and submission of an action plan for disaster recovery, with the exception of the public hearing requirements described in section III.D.1.b. and the consultation requirements described in section III.D.1.a., which are not required for substantial amendments. A substantial action plan

amendment shall require a 30-day public comment period.

III.C.6.b *Nonsubstantial amendment.* The grantee must notify HUD, but is not required to seek public comment, when it makes any plan amendment that is not substantial. Although nonsubstantial amendments do not require HUD's approval to become effective, the DRGR system must approve the amendment to change the status of the Public Action Plan to ''reviewed and approved.'' The DRGR system will automatically approve the amendment by the fifth day, if not completed by HUD sooner.

III.C.7. *Projection of expenditures and outcomes.* Each grantee must submit projected expenditures and outcomes with the action plan. The projections must be based on each quarter's expected performance—beginning with the first quarter funds are available to the grantee and continuing each quarter until all funds are expended. The grantee will use DRGR's upload feature to include projections and accomplishments for each program created.

III.D. Citizen Participation Requirements

III.D.1. *Citizen participation waiver and alternative requirement.* To permit a more streamlined process and ensure disaster recovery grants are awarded in a timely manner, provisions of 42 U.S.C. 5304(a)(2) and (3), 42 U.S.C. 12707, 24 CFR 570.486, 24 CFR 1003.604, 24 CFR 91.105(b) through (d), and 24 CFR 91.115(b) through (d), with respect to citizen participation requirements, are waived and replaced by the alternative requirements in this section. The streamlined requirements require the grantee to include public hearings on the proposed action plan and provide a reasonable opportunity (at least 30 days) for citizen comment.

The grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.115 or 91.105 (except as provided for in notices providing waivers and alternative requirements). Each local government receiving assistance from a state grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements).

In addition to the requirements above, the streamlined citizen participation alternative requirements for CDBG–DR grants are as follows:

III.D.1.a. *Requirement for consultation during plan preparation.* All grantees must consult with states, Indian tribes, local governments, Federal partners, nongovernmental organizations, the private sector, and other stakeholders and affected parties in the surrounding geographic area, including organizations that advocate on behalf of members of protected classes, vulnerable populations, and underserved communities impacted by the disaster, to ensure consistency of the action plan with applicable regional redevelopment plans. A grantee must consult with other relevant government agencies, including state and local emergency management agencies that have primary responsibility for the administration of FEMA funds, if applicable.

III.D.1.b. *Publication of the action plan and opportunity for public comment.* Following the creation of the action plan or substantial amendment in DRGR and before the grantee submits the action plan or substantial amendment to HUD, the grantee must publish the proposed plan or amendment for public comment. The manner of publication must include prominent posting on the grantee's official disaster recovery website and must afford citizens, affected local governments, and other interested parties a reasonable opportunity to review the plan or substantial amendment. Grantees shall consider if there are potential barriers that may limit or prohibit vulnerable populations or underserved communities and individuals affected by the disaster from providing public comment on the grantee's action plan or substantial amendment. If the grantee identifies barriers that may limit or prohibit equitable participation, the grantee must take reasonable measures to increase coordination, communication, affirmative marketing, targeted outreach, and engagement with underserved communities and individuals, including persons with disabilities and persons with LEP.

At a minimum, the topic of disaster recovery on the grantee's website must be navigable by all interested parties from the grantee homepage and must link to the disaster recovery website required by section III.D.1.e. The grantee's records must demonstrate that it has notified affected citizens through electronic mailings, press releases, statements by public officials, media advertisements, public service announcements, and/or contacts with neighborhood organizations.

Additionally, the CDBG–DR grantee must convene at least one public hearing on the proposed action plan after it has published on its website to solicit public comment and before submittal of the action plan to HUD. If the grantee holds more than one public hearing, it must hold each hearing in a different location within the MID area in locations that the grantee determines will promote geographic balance and maximum accessibility. The minimum number of public hearings a grantee must convene on the action plan to obtain interested parties' views and to respond to comments and questions shall be determined by the amount of the grantee's CDBG–DR allocation: (1) CDBG–DR grantees with allocations under $500 million are required to hold at least one public hearing in a HUD-identified MID area; and (2) CDBG–DR grantees with allocations over $500 million or more shall convene at least two public hearings in HUD-identified MID areas.

Grantees may convene public hearings virtually (alone, or in concert with an in-person hearing). All in-person hearings must be held in facilities that are physically accessible to persons with disabilities. HUD's implementing regulations for section 504 of the Rehabilitation Act (24 CFR part 8, subpart C) provide that where physical accessibility is not achievable, grantees must give priority to alternative methods of product or information delivery that offer programs and activities to qualified individuals with disabilities in the most integrated setting appropriate. When conducting a virtual hearing, the grantee must allow questions in real time, with answers coming directly from the grantee representatives to all ''attendees.''

For both virtual and in person hearings, grantees must update their citizen participation plans to provide that hearings be held at times and locations convenient to potential and actual beneficiaries, with accommodation for persons with disabilities and appropriate auxiliary aids and services to ensure effective communication, and specify how they will meet these requirements. See 24 CFR 8.6 for HUD's regulations about effective communication. Grantees must also provide meaningful access for individuals with LEP at both in-person and virtual hearings. In their citizen participation plan, state and local government grantees shall identify how the needs of non-English speaking residents will be met in the case of virtual and in-person public hearings where a significant number of non-English speaking residents can be reasonably expected to participate. In addition, for both virtual or in-person hearings, the grantee shall provide reasonable notification and access for citizens in accordance with the grantee's certifications at III.F.7.g., timely responses to all citizen questions and issues, and public access to all questions and responses.

III.D.1.c. *Consideration of public comments.* The grantee must provide a reasonable time frame (no less than 30 days) and method(s) (including electronic submission) for receiving comments on the action plan or substantial amendment. The grantee must consider all oral and written comments on the action plan or any substantial amendment. Any updates or changes made to the action plan in response to public comments should be clearly identified in the action plan. A summary of comments on the plan or amendment, and the grantee's response to each, must be included (*e.g.,* uploaded) in DRGR with the action plan or substantial amendment. Grantee responses shall address the substance of the comment rather than merely acknowledge that the comment was received.

III.D.1.d. *Availability and accessibility of documents.* The grantee must make the action plan, any substantial amendments, vital documents, and all performance reports available to the public on its website. See the following guidance for more information on vital documents: *https://www.lep.gov/guidance/HUD_guidance_Jan07.pdf.* In addition, the grantee must make these documents available in a form accessible to persons with disabilities and those with LEP. Grantees must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons, including members of protected classes, vulnerable populations, and individuals from underserved communities. In their citizen participation plan, state and local government grantees shall describe their procedures for assessing their language needs and identify any need for translation of notices and other vital documents. At a minimum, the citizen participation plan shall require that the state or local government grantee take reasonable steps to provide language assistance to ensure meaningful access to participation by non-English-speaking residents of the grantee's jurisdiction.

III.D.1.e. *Public website.* The grantee must maintain a public website that permits individuals and entities awaiting assistance and the general public to see how all grant funds are used and administered. The website must include copies of all relevant procurement documents and, except as noted in the next paragraph, all grantee administrative contracts, details of ongoing procurement processes, and action plans and amendments. The public website must be accessible to persons with disabilities and individuals with LEP.

To meet this requirement, each grantee must make the following items available on its website: the action plan created using DRGR (including all amendments); each performance report (as created using the DRGR system); citizen participation plan; procurement policies and procedures; all contracts, as defined in 2 CFR 200.22, that will be paid with CDBG–DR funds (including, but not limited to, subrecipients' contracts); and a summary including the description and status of services or goods currently being procured by the grantee or the subrecipient (*e.g.,* phase of the procurement, requirements for proposals, etc.). Contracts and procurement actions that do not exceed the micro-purchase threshold, as defined in 2 CFR 200.1, are not required to be posted to a grantee's website.

III.D.1.f. *Application status.* The grantee must provide multiple methods of communication, such as websites, toll-free numbers, TTY and relay services, email address, fax number, or other means to provide applicants for recovery assistance with timely information to determine the status of their application.

III.D.1.g. *Citizen complaints.* The grantee will provide a timely written response to every citizen complaint. The grantee response must be provided within fifteen working days of the receipt of the complaint, or the grantee must document why additional time for the response was required. Complaints regarding fraud, waste, or abuse of government funds should be forwarded to the HUD OIG Fraud Hotline (phone: 1–800–347–3735 or email: *hotline@hudoig.gov*).

III.D.1.h. *General requirements.* For plan publication, the comprehensive disaster recovery website and vital documents must ensure effective communication for individuals with disabilities, as required by 24 CFR 8.6 and the Americans with Disabilities Act, as applicable. In addition to ensuring the accessibility of the comprehensive disaster recovery website and vital documents, this obligation includes the requirement to provide auxiliary aids and services where necessary to ensure effective communication with individuals with disabilities, which may take the form of the furnishing of the above referenced materials in alternative formats (24 CFR 8.6(a)(1)). When required by III.D.1.d., grantees must take reasonable steps to ensure meaningful access for individuals with LEP.

III.E. Program Income

III.E.1. *Program income waiver and alternative requirement.* For state and unit of general local government grantees, HUD is waiving all applicable program income rules at 42 U.S.C. 5304(j), 24 CFR 570.489(e), 24 CFR 570.500, and 24 CFR 570.504 and providing the alternative requirement described below. Program income earned by Indian tribes that receive an allocation from HUD will be governed by the regulations at 24 CFR 1003.503 until grant closeout and not by the waivers and alternative requirements in this Consolidated Notice. Program income earned by Indian tribes that are subrecipients of state grantees or local government grantees will be subject to the program income requirements for subrecipients of those grantees.

III.E.1.a. *Definition of program income.* ''Program income'' is defined as gross income generated from the use of CDBG–DR funds, except as provided in III.E.1.b., and received by a state, local government, Indian tribe receiving funds from a grantee, or their subrecipients. When income is generated by an activity that is only partially assisted with CDBG–DR funds, the income shall be prorated to reflect the percentage of CDBG–DR funds used (*e.g.,* a single loan supported by CDBG–DR funds and other funds, or a single parcel of land purchased with CDBG–DR funds and other funds). If CDBG funds are used with CDBG–DR funds on an activity, any income earned on the CDBG portion would not be subject to the waiver and alternative requirement in the Consolidated Notice.

Program income includes, but is not limited to, the following:

(i) Proceeds from the disposition by sale or long-term lease of real property purchased or improved with CDBG–DR funds.

(ii) Proceeds from the disposition of equipment purchased with CDBG–DR funds.

(iii) Gross income from the use or rental of real or personal property acquired by a state, local government, or subrecipient thereof with CDBG–DR funds, less costs incidental to generation of the income.

(iv) Gross income from the use or rental of real property owned by a state, local government, or subrecipient thereof, that was constructed or improved with CDBG–DR funds, less costs incidental to generation of the income.

(v) Payments of principal and interest on loans made using CDBG–DR funds.

(vi) Proceeds from the sale of loans made with CDBG–DR funds.

(vii) Proceeds from the sale of obligations secured by loans made with CDBG–DR funds.

(viii) Interest earned on program income pending disposition of the income, including interest earned on funds held in a revolving fund account.

(ix) Funds collected through special assessments made against nonresidential properties and properties owned and occupied by non-LMI households, where the special assessments are used to recover all or part of the CDBG–DR portion of a public improvement.

(x) Gross income paid to a state, local government, or subrecipient thereof, from the ownership interest in a for-profit entity in which the income is in return for the provision of CDBG–DR assistance.

III.E.1.b. *Program income—does not include:*

(i) The total amount of funds that is less than $35,000 received in a single year and retained by a state, local government, or a subrecipient thereof.

(ii) Amounts generated by activities eligible under section 105(a)(15) of the HCDA and carried out by an entity under the authority of section 105(a)(15) of the HCDA.

III.E.1.c. *Retention of program income.* State grantees may permit a local government that receives or will receive program income to retain the program income but are not required to do so.

III.E.1.d. *Program income—use, close out, and transfer.*

(i) Program income received (and retained, if applicable) before or after closeout of the grant that generated the program income, and used to continue disaster recovery activities, is treated as additional CDBG–DR funds subject to the requirements of the Consolidated Notice and must be used in accordance with the grantee's action plan for disaster recovery. To the maximum extent feasible, program income shall be used or distributed before additional withdrawals from the U.S. Treasury are made, except as provided in III.E.1.e. below.

(ii) In addition to the alternative requirements dealing with program income required above, the following rules apply:

(1) a state or local government grantee may transfer program income to its annual CDBG program before closeout of the grant that generated the program income. In addition, state grantees may transfer program income before closeout to any annual CDBG-funded activities carried out by a local government within the state.

(2) Program income received by a grantee, or received and retained by a subrecipient, after closeout of the grant that generated the program income, may also be transferred to a grantee's annual CDBG award.

(3) In all cases, any program income received that is not used to continue the disaster recovery activity will not be subject to the waivers and alternative requirements of the Consolidated Notice. Rather, those funds will be subject to the state or local government grantee's regular CDBG program rules. Any other transfer of program income not specifically addressed in the Consolidated Notice may be carried out if the grantee first seeks and then receives HUD's approval.

III.E.1.e. *Revolving funds.* State and local government grantees may establish revolving funds to carry out specific, identified activities. State grantees may also establish a revolving fund to distribute funds to local governments or tribes to carry out specific, identified activities. A revolving fund, for this purpose, is a separate fund (with a set of accounts that are independent of other program accounts) established to carry out specific activities. These activities must generate payments used to support similar activities going forward. These payments to the revolving fund are program income and must be substantially disbursed from the revolving fund before additional grant funds are drawn from the U.S. Treasury for payments that could be funded from the revolving fund. Such program income is not required to be disbursed for nonrevolving fund activities. A revolving fund established by a CDBG–DR grantee shall not be directly

funded or capitalized with CDBG–DR grant funds, pursuant to 24 CFR 570.489(f)(3).

III.F. Other General Waivers and Alternative Requirements

III.F.1. *Consolidated Plan waiver.* HUD is temporarily waiving the requirement for consistency with the consolidated plan (requirements at 42 U.S.C. 12706, 24 CFR 91.225(a)(5), and 24 CFR 91.325(a)(5)), because the effects of a major disaster alter a grantee's priorities for meeting housing, employment, and infrastructure needs. In conjunction, 42 U.S.C. 5304(e) is also waived, to the extent that it would require HUD to annually review grantee performance under the consistency criteria. These waivers apply only for 24 months after the applicability date of the grantee's applicable Allocation Announcement Notice. If the grantee is not scheduled to submit a new three-to five-year consolidated plan within the next two years, the grantee must update its existing three-to five-year consolidated plan to reflect disaster-related needs no later than 24 months after the applicability date of the grantee's applicable Allocation Announcement Notice.

III.F.2. *Overall benefit requirement.* The primary objective of the HCDA is the ''development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income'' (42 U.S.C. 5301(c)). Consistent with the HCDA, this notice requires grantees to comply with the overall benefit requirements in the HCDA and 24 CFR 570.484, 24 CFR 570.200(a)(3), and 24 CFR 1003.208, which require that 70 percent of funds be used for activities that benefit LMI persons. For purposes of a CDBG–DR grant, HUD is establishing an alternative requirement that the overall benefit test shall apply only to the grant of CDBG–DR funds described in the Allocation Announcement Notice and related program income.

A grantee may seek to reduce the overall benefit requirement below 70 percent of the total grant, but must submit a substantial amendment as provided in section III.C.6.a. in the Consolidated Notice, and provide a justification that, at a minimum: (a) identifies the planned activities that meet the needs of its LMI population; (b) describes proposed activities and programs that will be affected by the alternative requirement, including their proposed location(s) and role(s) in the grantee's long-term disaster recovery plan; (c) describes how the activities/programs identified in (b) prevent the grantee from meeting the 70 percent requirement; (d) demonstrates that LMI persons' disaster-related needs have been sufficiently met and that the needs of non-LMI persons or areas are disproportionately greater, and that the jurisdiction lacks other resources to serve non-LMI persons; and (e) demonstrates a compelling need for HUD to lower the percentage of the grant that must benefit low- and moderate-income persons.

III.F.3. *Use of the urgent need national objective.* Because HUD provides CDBG–DR funds only to grantees with documented disaster-related impacts and each grantee is limited to spending funds only for the benefit of areas that received a Presidential disaster declaration, the Secretary finds good cause to waive the urgent need national objective criteria in section 104(b)(3) of the HCDA and to establish the following alternative requirement for any CDBG–DR grantee using the urgent need national objective for a period of 36 months after the applicability date of the grantee's Allocation Announcement Notice.

Pursuant to this alternative requirement, grantees that use the urgent need national objective must: (1) describe in the impact and unmet needs assessment why specific needs have a particular urgency, including how the existing conditions pose a serious and immediate threat to the health or welfare of the community; (2) identify each program or activity in the action plan that will use the urgent need national objective—either through its initial action plan submission or through a substantial amendment submitted by the grantee within 36 months of the applicability date of the grantee's Allocation Announcement Notice; and (3) document how each program and/or activity funded under the urgent need national objective in the action plan responds to the urgency, type, scale, and location of the disaster-related impact as described in the grantee's impact and unmet needs assessment.

The grantee's action plan must address all three criteria described above to use the alternative urgent need national objective for the program and/or activity. This alternative urgent need national objective is in effect for a period of 36 months following the applicability date of the grantee's Allocation Announcement Notice. After 36 months, the grantee will be required to follow the criteria established in section 104(b)(3) of the HCDA and its implementing regulations in 24 CFR part 570 when using the urgent need national objective for any new programs and/or activities added to an action plan.

III.F.4. *Reimbursement of disaster recovery expenses by a grantee or subrecipient.* The provisions of 24 CFR 570.489(b) are applied to permit a state grantee to charge to the grant otherwise allowable costs incurred by the grantee, its recipients or subrecipients (including Indian tribes and PHAs) on or after the incident date of the covered disaster. A local government grantee is subject to the provisions of 24 CFR 570.200(h) but may reimburse itself or its subrecipients for otherwise allowable costs incurred on or after the incident date of the covered disaster. Section 570.200(h)(1)(i) is waived to the extent that it requires pre-agreement activities to be included in the local government's consolidated plan. As an alternative requirement, grantees must include any pre-agreement activities in their action plans, including any costs of eligible activities that were funded with short-term loans (*e.g.,* bridge loans) and that the grantee intends to reimburse or otherwise charge to the grant, consistent with applicable program requirements.

III.F.5. *Reimbursement of pre-application costs of homeowners, renters, businesses, and other qualifying* entities. Grantees are permitted to charge to grants the pre-award and pre-application costs of homeowners, renters, businesses, and other qualifying entities for eligible costs these applicants have incurred in response to an eligible disaster covered under a grantees' applicable Allocation Announcement Notice. For purposes of the Consolidated Notice, pre-application costs are costs incurred by an applicant to CDBG–DR funded programs before the time of application to a grantee or subrecipient, which may be before (pre-award) or after the grantee signs its CDBG–DR grant agreement. In addition to the terms described in the remainder of the Consolidated Notice, grantees may only charge costs to the grant that meet the following requirements:

- Grantees may only charge the costs for rehabilitation, demolition, and reconstruction of single family, multifamily, and nonresidential buildings, including commercial properties, owned by private individuals and entities, incurred before the owner applies to a CDBG–DR grantee, recipient, or subrecipient for CDBG–DR assistance;
- For rehabilitation and reconstruction costs, grantees may only charge costs for activities completed within the same footprint of the damaged structure, sidewalk, driveway, parking lot, or other developed area;
- As required by 2 CFR 200.403(g), costs must be adequately documented; and
- Grantees must complete a duplication of benefits check before providing assistance pursuant to section IV.A. in the Consolidated Notice.

Grantees are required to ensure that all costs charged to a CDBG–DR grant are necessary expenses related to authorized recovery purposes. Grantees may charge to CDBG–DR grants the eligible pre-application costs of individuals and private entities related to single family, multifamily, and nonresidential buildings, only if: (1) the person or private entity incurred the expenses within one year after the applicability date of the grantee's Allocation Announcement Notice (or within one year after the date of the disaster, whichever is later); and (2) the person or entity pays for the cost before the date on which the person or entity applies for CDBG–DR assistance. Exempt activities as defined at 24 CFR 58.34, but not including 24 CFR 58.34(a)(12), and categorical exclusions as defined at 24 CFR 58.35(b) are not subject to the time limit on pre-application costs outlined above. Actions that convert or potentially convert to exempt under 24 CFR 58.34(a)(12) remain subject to the reimbursement requirements provided herein. If a grantee cannot meet all requirements at 24 CFR part 58, the pre-application costs cannot be reimbursed with CDBG–DR or other HUD funds.

Grantees must comply with the necessary and reasonable cost principles for state, local, and Indian tribal governments (described at 2 CFR 200.403). Grantees must incorporate into their policies and procedures the basis for determining that the assistance provided under the terms of this provision is necessary and reasonable.

A grantee may not charge such pre-award or pre-application costs to grants if the grantee cannot meet all requirements at 24 CFR part 58. Under CDBG–DR authorizing

legislation and HUD's environmental regulations in 24 CFR part 58, the CDBG–DR ''recipient'' (as defined in 24 CFR part 58.2(a)(5), which differs from the definition in 2 CFR part 200) is the responsible entity that assumes the responsibility for completing environmental reviews under Federal laws and authorities. The responsible entity assumes all legal liability for the application, compliance, and enforcement of these requirements. Pre-award costs are also allowable when CDBG–DR assistance is provided for the rehabilitation, demolition, or reconstruction of government buildings, public facilities, and infrastructure. However, in such instances, the environmental review must occur before the underlying activity (*e.g.,* rehabilitation of a government building) begins.

Grantees are also required to consult with the State Historic Preservation Officer, Fish and Wildlife Service, and National Marine Fisheries Service, to obtain formal agreements for compliance with section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) when designing a reimbursement program.

All grantees must follow all cross-cutting requirements, as applicable, for all CDBG–DR funded activities including but not limited to the environmental requirements above, the Davis Bacon Act, Civil Rights Requirements, HUD's Lead Safe Housing Rule, and the URA.

III.F.6. *Alternative requirement for the elevation of structures when using CDBG–DR funds as the non-Federal match in a FEMA-funded project.* Currently, CDBG–DR grantees using FEMA and CDBG–DR funds on the same activity have encountered challenges in certain circumstances in reconciling CDBG–DR elevation requirements and those established by FEMA. FEMA regulations at 44 CFR 9.11(d)(3)(i) and (ii) prohibit new construction or substantial improvements to a structure unless the lowest floor of the structure is at or above the level of the base flood and, for Critical Actions, at or above the level of the 500-year flood. However, 44 CFR 9.11(d)(3)(iii) allows for an alternative to elevation to the 100- or 500-year flood level, subject to FEMA approval, which would provide for improvements that would ensure the substantial impermeability of the structure below flood level. While FEMA may change its standards for elevation in the future, as long as the CDBG–DR grantee is following a FEMA-approved flood standard this waiver and alternative requirement will continue to apply.

FEMA funded projects generally commence well in advance of the availability of CDBG–DR funds and when CDBG–DR funds are used as match for a FEMA project that is underway, the alignment of HUD's elevation standards with any alternative standard allowed by FEMA may not be feasible and may not be cost reasonable. For these reasons, the Secretary finds good cause to establish an alternative requirement for the use of an alternative, FEMA-approved flood standard instead of the elevation requirements established in section II.B.2.c. and II.C.2. of the Consolidated Notice.

The alternative requirements apply when: (a) CDBG–DR funds are used as the non-Federal match for FEMA assistance; (b) the FEMA-assisted activity, for which CDBG–DR funds will be used as match, commenced before HUD's obligation of CDBG–DR funds to the grantee; and (c) the grantee has determined and demonstrated with records in the activity file that implementation costs of the required CDBG–DR elevation or flood proofing requirements are not reasonable costs, as that term is defined in the applicable cost principles at 2 CFR 200.404.

III.F.7. *Certifications waiver and alternative requirement.* Sections 104(b)(4), (c), and (m) of the HCDA (42 U.S.C. 5304(b)(4), (c) & (m)), sections 106(d)(2)(C) & (D) of the HCDA (42 U.S.C. 5306(d)(2)(C) & (D)), and section 106 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12706), and regulations at 24 CFR 91.225 and 91.325 are waived and replaced with the following alternative. Each grantee receiving an allocation under an Allocation Announcement Notice must make the following certifications with its action plan:

a. The grantee certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan (RARAP) in connection with any activity assisted with CDBG–DR grant funds that fulfills the requirements of section 104(d), 24 CFR part 42, and 24 CFR part 570, as amended by waivers and alternative requirements.

b. The grantee certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.

c. The grantee certifies that the action plan for disaster recovery is authorized under state and local law (as applicable) and that the grantee, and any entity or entities designated by the grantee, and any contractor, subrecipient, or designated public agency carrying out an activity with CDBG–DR funds, possess(es) the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations as modified by waivers and alternative requirements.

d. The grantee certifies that activities to be undertaken with CDBG–DR funds are consistent with its action plan.

e. The grantee certifies that it will comply with the acquisition and relocation requirements of the URA, as amended, and implementing regulations at 49 CFR part 24, as such requirements may be modified by waivers or alternative requirements.

f. The grantee certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR part 75.

g. The grantee certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.115 or 91.105 (except as provided for in waivers and alternative requirements). Also, each local government receiving assistance from a state grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in waivers and alternative requirements).

h. State grantee certifies that it has consulted with all disaster-affected local governments (including any CDBG-entitlement grantees), Indian tribes, and any local public housing authorities in determining the use of funds, including the method of distribution of funding, or activities carried out directly by the state.

i. The grantee certifies that it is complying with each of the following criteria:

(1) Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas for which the President declared a major disaster pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 *et seq.*).

(2) With respect to activities expected to be assisted with CDBG–DR funds, the action plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families.

(3) The aggregate use of CDBG–DR funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 70 percent (or another percentage permitted by HUD in a waiver) of the grant amount is expended for activities that benefit such persons.

(4) The grantee will not attempt to recover any capital costs of public improvements assisted with CDBG–DR grant funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless: (a) disaster recovery grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (a).

j. State and local government grantees certify that the grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601–3619), and implementing regulations, and that it will affirmatively further fair housing. An Indian tribe grantee certifies that the grant will be conducted and administered in conformity with the Indian Civil Rights Act.

k. The grantee certifies that it has adopted and is enforcing the following policies, and, in addition, state grantees must certify that they will require local governments that receive their grant funds to certify that they have adopted and are enforcing:

(1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and

(2) A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location

that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

l. The grantee certifies that it (and any subrecipient or administering entity) currently has or will develop and maintain the capacity to carry out disaster recovery activities in a timely manner and that the grantee has reviewed the requirements applicable to the use of grant funds.

m. The grantee certifies to the accuracy of its Financial Management and Grant Compliance Certification Requirements, or other recent certification submission, if approved by HUD, and related supporting documentation as provided in section III.A.1. of the Consolidated Notice and the grantee's implementation plan and related submissions to HUD as provided in section III.A.2. of the Consolidated Notice.

n. The grantee certifies that it will not use CDBG–DR funds for any activity in an area identified as flood prone for land use or hazard mitigation planning purposes by the state, local, or tribal government or delineated as a Special Flood Hazard Area (or 100-year floodplain) in FEMA's most current flood advisory maps, unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain, in accordance with Executive Order 11988 and 24 CFR part 55. The relevant data source for this provision is the state, local, and tribal government land use regulations and hazard mitigation plans and the latest-issued FEMA data or guidance, which includes advisory data (such as Advisory Base Flood Elevations) or preliminary and final Flood Insurance Rate Maps.

o. The grantee certifies that its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K, and R.

p. The grantee certifies that it will comply with environmental requirements at 24 CFR part 58.

q. The grantee certifies that it will comply with the provisions of title I of the HCDA and with other applicable laws.

Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001, and 31 U.S.C. 3729.

III.G. Ineligible Activities in CDBG–DR

Any activity that is not authorized under section 105(a) of the HCDA is ineligible to be assisted with CDBG–DR funds, unless explicitly allowed by waiver and alternative requirement in the Consolidated Notice. Additionally, the uses described below are explicitly prohibited.

III.G.1. *Prohibition on compensation.* Grantees shall not use CDBG–DR funds to provide compensation to beneficiaries for losses stemming from disaster related impacts. Grantees may, however, reimburse disaster-impacted beneficiaries based on the pre-application costs incurred by the beneficiary to complete an eligible activity. Reimbursement of beneficiaries for eligible activity costs are subject to the requirements established in section III.F.5. of the Consolidated Notice.

III.G.2. *Prohibition on forced mortgage payoff.* A forced mortgage payoff occurs when homeowners with an outstanding mortgage balance are required, under the terms of their loan agreement, to repay the balance of the mortgage loan before using assistance to rehabilitate or reconstruct their homes. CDBG–DR funds, however, shall not be used for a forced mortgage payoff. The ineligibility of a forced mortgage payoff with CDBG–DR funds does not affect HUD's longstanding guidance that when other non-CDBG disaster assistance is taken by lenders for a forced mortgage payoff, those funds are not considered to be available to the homeowner and do not constitute a duplication of benefits for the purpose of housing rehabilitation or reconstruction.

III.G.3. *Prohibiting assistance to private utilities.* HUD is adopting the following alternative requirement to section 105(a) and prohibiting the use of CDBG–DR funds to assist a privately-owned utility for any purpose.

IV. Other Program Requirements

IV.A. Duplication of Benefits

The grantee must comply with section 312 of the Stafford Act, as amended, which prohibits any person, business concern, or other entity from receiving financial assistance with respect to any part of a loss resulting from a major disaster for which such person, business concern, or other entity has received financial assistance under any other program or from insurance or any other source. To comply with section 312, a person or entity may receive financial assistance only to the extent that the person or entity has a disaster recovery need that has not been fully met. Grantees must also establish policies and procedures to provide for the repayment of a CDBG–DR award when assistance is subsequently provided for that same purpose from any other source. Grantees may be subject to additional DOB requirements described in a separate notice. The applicable Allocation Announcement Notice will describe any additional requirements, as applicable.

Subsidized loans are financial assistance and therefore can duplicate financial assistance provided from another source unless an exception in IV.A.1. applies.

IV.A.1. *Exceptions when subsidized loans are not a duplication.* When an exception described in paragraphs IV.A.1.a. or IV.A.1.b. applies, documentation required by those paragraphs must be maintained by the grantee. Without this documentation, any approved but undisbursed portion of a subsidized loan must be included in the grantee's calculation of the total assistance amount unless another exception applies. For cancelled SBA loans, the grantee must notify the SBA that the applicant has agreed to not take any actions to reinstate the cancelled loan or draw any additional undisbursed loan amounts.

IV.A.1.a. *Short-term subsidized loans for costs later reimbursed with CDBG–DR.* CDBG–DR funds may be used to reimburse pre-award costs of the grantee or subrecipient for eligible activities on or after the date of the disaster. If the grantee or subrecipient obtained a subsidized short-term loan to pay for eligible costs before CDBG–DR funds became available (for example, a low-interest loan from a local tax increment financing fund), the reimbursement of the costs paid by the loan does not create a duplication.

IV.A.1.b. *Declined or cancelled subsidized loans.* The amount of a subsidized loan that is declined or cancelled is not a DOB. To exclude declined or cancelled loan amounts from the DOB calculation, the grantee must document that all or a portion of the subsidized loan is cancelled or declined.

(i) *Declined SBA Loans:* Declined loan amounts are loan amounts that were approved or offered by a lender in response to a loan application, but were turned down by the applicant, meaning the applicant never signed loan documents to receive the loan proceeds.

CDBG–DR grantees shall not treat declined subsidized loans, including declined SBA loans, as a DOB (but are not prohibited from considering declined subsidized loans for other reasons, such as underwriting). A grantee is only required to document declined loans if information available to the grantee (*e.g.,* the data the grantee receives from FEMA, SBA, or other sources) indicates that the applicant received an offer for subsidized loan assistance, and the grantee is unable to determine from that available information that the applicant declined the loan. If the grantee is aware that the applicant received an offer of loan assistance and cannot ascertain from available data that the applicant declined the loan, the grantee must obtain a written certification from the applicant that the applicant did not accept the subsidized loan by signing loan documents and did not receive the loan.

(ii) *Cancelled Loans:* Cancelled loans are loans (or portions of loans) that were initially accepted, but for a variety of reasons, all or a portion of the loan amount was not disbursed and is no longer available to the applicant.

The cancelled loan amount is the amount that is no longer available. The loan cancellation may be due to default of the borrower, agreement by both parties to cancel the undisbursed portion of the loan, or expiration of the term for which the loan was available for disbursement. The following documentation is sufficient to demonstrate that any undisbursed portion of an accepted subsidized loan is cancelled and no longer available: (a) A written communication from the lender confirming that the loan has been cancelled and undisbursed amounts are no longer available to the applicant; or (b) a legally binding agreement between the CDBG–DR grantee (or local government, Indian tribe, or subrecipient administering the CDBG–DR assistance) and the applicant that indicates that the period of availability of the loan has passed and the applicant agrees not to take actions to reinstate the loan or draw any additional undisbursed loan amounts.

IV.B. Procurement

For a grantee to have proficient procurement processes, a grantee must: indicate the procurement standards that apply to its use of CDBG–DR funds; indicate the procurement standards for subrecipients or local governments as applicable; comply with the standards it certified to HUD that it follows (and update the certification

submissions when substantial changes are made); post the required documentation to the official website as described below; and include periods of performance and date of completion in all CDBG–DR contracts.

State grantees must comply with the procurement requirements at 24 CFR 570.489(g) and the following alternative requirements: The grantee must evaluate the cost or price of the product or service being procured. State grantees shall establish requirements for procurement processes for local governments and subrecipients based on full and open competition consistent with the requirements of 24 CFR 570.489(g), and shall require a local government or subrecipient to evaluate the cost or price of the product or service being procured with CDBG–DR funds. Additionally, if the state agency designated as the administering agency chooses to provide funding to another state agency, the administering agency must specify in its procurement processes whether the agency implementing the CDBG–DR activity must follow the procurement processes that the administering agency is subject to, or whether the agency must follow the same processes to which other local governments and subrecipients are subject, or its own procurement processes.

A grantee shall administer CDBG–DR grant funds in accordance with all applicable laws and regulations. As an alternative requirement, grantees may not delegate, by contract, or otherwise, the responsibility for administering such grant funds.

HUD is establishing an additional alternative requirement for all contracts with contractors used to provide goods and services, as follows:

1. The grantee (or procuring entity) is required to clearly state the period of performance or date of completion in all contracts;

2. The grantee (or procuring entity) must incorporate performance requirements and liquidated damages into each procured contract. Contracts that describe work performed by general management consulting services need not adhere to the requirement on liquidated damages but must incorporate performance requirements; and

3. The grantee (or procuring entity) may contract for administrative support, in compliance with 2 CFR 200.459, but may not delegate or contract to any other party any inherently governmental responsibilities related to oversight of the grant, including policy development, fair housing and civil rights compliance, and financial management.

IV.C. Use of the ''Upper Quartile'' or ''Exception Criteria''

The LMA benefit requirement is modified when fewer than one quarter of the populated-block groups in its jurisdictions contain 51 percent or more LMI persons. In such a community, activities must serve an area that contains a percentage of LMI residents that is within the upper quartile of all census-block groups within its jurisdiction in terms of the degree of concentration of LMI residents. HUD determines the lowest proportion a grantee may use to qualify an area for this purpose and advises the grantee, accordingly. The ''exception criteria'' applies to CDBG–DR funded activities in jurisdictions covered by such criteria, including jurisdictions that receive disaster recovery funds from a state. Disaster recovery grantees are required to use the most recent data available in implementing the exception criteria (*https://www.hudexchange.info/programs/acs-low-mod-summary-data/acs-low-mod-summary-data-exception-grantees/*).

IV.D. Environmental Requirements

IV.D.1. *Clarifying note on the process for environmental release of funds when a state carries out activities directly.* For CDBG–DR grants, HUD allows state grantees to carry out activities directly and to distribute funds to subrecipients. Per 24 CFR 58.4(b)(1), when a state carries out activities directly (including through subrecipients that are not units of general local government), the state must submit the Certification and Request for Release of Funds to HUD for approval.

IV.D.2. *Adoption of another agency's environmental review.* Appropriations acts allow recipients of funds that use such funds to supplement Federal assistance provided under section 402, 403, 404, 406, 407, 408(c)(4), or 502 of the Stafford Act to adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency. Such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval, or permit.

This provision allows the recipient of supplemental assistance to adopt another Federal agency's review where the HUD assistance supplements the Stafford Act, and the other Federal agency performed an environmental review for assistance under section 402, 403, 404, 406, 407, or 502 of the Stafford Act.

The other agency's environmental review must cover all project activities funded by the HUD recipient for each project. The grantee is only required to supplement the other agency's environmental review to comply with HUD regulations (*e.g.,* publication or posting requirements for Notice of Finding of No Significant Impact (FONSI), Notice of Intent to Request Release of Funds (NOI–RROF), concurrent or combined notices, or HUD approval period for objections) if the activity is modified so the other agency's environmental review no longer covers the activity. The recipient's environmental review obligations are considered complete when adopting another agency's environmental review. To be adequate:

1. The grantee must obtain a completed electronic or paper copy of the Federal agency's review and retain a copy in its environmental records.

2. The grantee must notify HUD on the Request for Release of Funds (RROF) Form 7015.15 (or the state, if the state is acting as HUD under 24 CFR 58.18) that another agency review is being used. The grantee must include the name of the other Federal agency, the name of the project, and the date of the project's review as prepared by the other Federal agency.

When permitted by the applicable appropriations acts, and notwithstanding 42 U.S.C. 5304(g)(2), the Secretary or a state may, upon receipt of a Request for Release of Funds and Certification, immediately approve the release of funds for an activity or project assisted with CDBG–DR funds if the recipient has adopted an environmental review, approval, or permit under this section, or if the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) (NEPA).

IV.D.3. *Historic preservation reviews.* The responsible entity must comply with section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. 306108). Early coordination under section 106 is important to the recovery process and required by 24 CFR 58.5(a).

IV.D.4. *Tiered environmental reviews.* Tiering, as described at 40 CFR 1508.1(ff) and 24 CFR 58.15, is a means of making the environmental review process more efficient by allowing parties to ''eliminate repetitive discussions of the same issues, focus on the actual issues ripe for decision, and exclude from consideration issues already decided or not yet ripe at each level of environmental review'' (40 CFR 1501.11(a)). Tiering is appropriate when a responsible entity is evaluating a single-family housing program with similar activities within a defined local geographic area and timeframe (*e.g.,* rehabilitating single-family homes within a city district or county over the course of one to five years) but where the specific sites and activities are not yet known. Public notice and the Request for Release of Funds (HUD-Form 7015.15) are processed at a broad-level, eliminating the need for publication at the site-specific level. However, funds cannot be spent or committed on a specific site or activity until the site-specific review has been completed and approved.

IV.E. Flood Insurance Requirements

Grantees, recipients, and subrecipients must implement procedures and mechanisms to ensure that assisted property owners comply with all flood insurance requirements, including the purchase and notification requirements described below, before providing assistance.

IV.E.1. *Flood insurance purchase requirements.* When grantees use CDBG–DR funds to rehabilitate or reconstruct existing residential buildings in a Special Flood Hazard Area (or 100-year floodplain), the grantee must comply with applicable Federal, state, local, and tribal laws and regulations related to both flood insurance and floodplain management. The grantee must comply with section 102(a) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) which mandates the purchase of flood insurance protection for any HUD-assisted property within a Special Flood Hazard Area. Therefore, a HUD-assisted homeowner for a property located in a Special Flood Hazard Area must obtain and maintain flood insurance in the amount and duration prescribed by FEMA's National Flood Insurance Program.

IV.E.2. *Federal assistance to owners remaining in a floodplain.*

IV.E.2.a. *Prohibition on flood disaster assistance for failure to obtain and maintain*

flood insurance. Grantees must comply with section 582 of the National Flood Insurance Reform Act of 1994, as amended, (42 U.S.C. 5154a), which prohibits flood disaster assistance in certain circumstances. No Federal disaster relief assistance made available in a flood disaster area may be used to make a payment (including any loan assistance payment) to a person for ''repair, replacement, or restoration'' for damage to any personal, residential, or commercial property if that person at any time has received Federal flood disaster assistance that was conditioned on the person first having obtained flood insurance under applicable Federal law and the person has subsequently failed to obtain and maintain flood insurance as required under applicable Federal law on such property.

A grantee may not provide disaster assistance for the repair, replacement, or restoration of a property to a person who has failed to satisfy the Federal requirement to obtain and maintain flood insurance and must implement a process to verify and monitor for compliance with section 582 and the requirement to obtain and maintain flood insurance. Grantees are reminded that CDBG–DR funds may be used to assist beneficiaries in the purchase of flood insurance to comply with this requirement, subject to the requirements of cost reasonableness and other federal cost principles.

IV.E.2.b. *Prohibition on flood disaster assistance for households above 120 percent of AMI for failure to obtain flood insurance.* When a homeowner located in the floodplain allows their flood insurance policy to lapse, it is assumed that the homeowner is unable to afford insurance and/or is accepting responsibility for future flood damage to the home. Higher income homeowners who reside in a floodplain, but who failed to secure or decided to not maintain their flood insurance, should not be assisted at the expense of lower income households. To ensure that adequate recovery resources are available to assist lower income homeowners who reside in a floodplain but who are unlikely to be able to afford flood insurance, the Secretary finds good cause to establish an alternative requirement.

The alternative requirement to 42 U.S.C. 5305(a)(4) is as follows: Grantees receiving CDBG–DR funds are prohibited from providing CDBG–DR assistance for the rehabilitation/reconstruction of a house, if (i) the combined household income is greater than either 120 percent of AMI or the national median, (ii) the property was located in a floodplain at the time of the disaster, and (iii) the property owner did not obtain flood insurance on the damaged property, even when the property owner was not required to obtain and maintain such insurance.

IV.E.2.c. *Responsibility to inform property owners to obtain and maintain flood insurance.* Section 582 of the National Flood Insurance Reform Act of 1994, as amended, (42 U.S.C. 5154a) is a statutory requirement that property owners receiving disaster assistance that triggers the flood insurance purchase requirement have a statutory responsibility to notify any transferee of the requirement to obtain and maintain flood insurance and to maintain such written notification in the documents evidencing the transfer of the property, and that the transferring owner may be liable if he or she fails to do so. A grantee or subrecipient receiving CDBG–DR funds must notify property owners of their responsibilities under section 582.

IV.F. URA, Section 104(d), and Related CDBG Program Requirements

Activities and projects undertaken with CDBG–DR funds may be subject to the URA, section 104(d) of the HCDA (42 U.S.C. 5304(d)), and CDBG program requirements related to displacement, relocation, acquisition, and replacement of housing, except as modified by waivers and alternative requirements provided in this notice. The implementing regulations for the URA are at 49 CFR part 24. The regulations implementing section 104(d) are at 24 CFR part 42. The regulations for applicable CDBG program requirements are at 24 CFR 570.488 and 24 CFR 570.606. HUD is waiving or providing alternative requirements in this section for the purpose of promoting the availability of decent, safe, and sanitary housing with respect to the use of CDBG–DR funds allocated under the Consolidated Notice.

IV.F.1. *Section 104(d) one-for-one replacement of lower-income dwelling units.* One-for-one replacement requirements at section 104(d)(2)(A)(i) and (ii) and 104(d)(3) of the HCDA and 24 CFR 42.375 are waived for owner-occupied lower-income dwelling units that are damaged by the disaster and not suitable for rehabilitation. The section 104(d) one-for-one replacement housing requirements apply to occupied and vacant occupiable lower-income dwelling units demolished or converted in connection with a CDBG assisted activity. This waiver exempts all disaster-damaged owner-occupied lower-income dwelling units that meet the grantee's definition of ''not suitable for rehabilitation,'' from the one-for-one replacement housing requirements of 24 CFR 42.375. Before carrying out activities that may be subject to the one-for-one replacement housing requirements, the grantee must define ''not suitable for rehabilitation'' in its action plan or in policies/procedures governing these activities. Grantees are reminded that tenant-occupied and vacant occupiable lower-income dwelling units demolished or converted to another use other than lower-income housing in connection with a CDBG–DR assisted activity are generally subject to one-for-one replacement requirements at 24 CFR 42.375 and that these provisions are not waived.

HUD is waiving the section 104(d) one-for-one replacement requirement for owner-occupied lower-income dwelling units that are damaged by the disaster and not suitable for rehabilitation because the one-for-one replacement requirements do not account for the large, sudden changes that a major disaster may cause to the local housing stock, population, or economy. Disaster-damaged housing structures that are not suitable for rehabilitation can pose a threat to public health and safety and to economic revitalization. Prior to the implementation of this waiver and alternative requirement, grantees must reassess post-disaster population and housing needs to determine the appropriate type and amount of lower-income dwelling units (both rental and owner-occupied units) to rehabilitate and/or reconstruct. Grantees should note that the demolition and/or disposition of public housing units continue to be subject to section 18 of the United States Housing Act of 1937, as amended, and 24 CFR part 970.

IV.F.2. *Section 104(d) relocation assistance.* The relocation assistance requirements at section 104(d)(2)(A)(iii) and (B) of the HCDA and 24 CFR 42.350, are waived to the extent that an eligible displaced person, as defined under 24 CFR 42.305 of the section 104(d) implementing regulations, may choose to receive either assistance under the URA and implementing regulations at 49 CFR part 24, or assistance under section 104(d) and implementing regulations at 24 CFR 42.350. This waiver does not impact a person's eligibility as a displaced person under section 104(d), it merely limits the amounts and types of relocation assistance that a section 104(d) eligible displaced person is eligible to receive. A section 104(d) eligible displaced person is eligible to receive the amounts and types of assistance for displaced persons under the URA, as may be modified by the waivers and alternative requirements in this notice for activities related to disaster recovery. Without this waiver, disparities exist in relocation assistance associated with activities typically funded by HUD and FEMA (*e.g.,* buyouts and relocation). Both FEMA and CDBG funds are subject to the requirements of the URA; however, CDBG funds are subject to section 104(d), while FEMA funds are not. This limited waiver of the section 104(d) relocation assistance requirements assures uniform and equitable treatment for individuals eligible to receive benefits under section 104(d) by establishing that all forms of relocation assistance to those individuals must be in the amounts and for the types of assistance provided to displaced persons under URA requirements.

IV.F.3. *URA replacement housing payments for tenants.* The requirements of sections 204 and 205 of the URA (42 U.S.C. 4624 and 42 U.S.C. 4625), and 49 CFR 24.2(a)(6)(vii), 24.2(a)(6)(ix), and 24.402(b) are waived to the extent necessary to permit a grantee to meet all or a portion of a grantee's replacement housing payment obligation to a displaced tenant by offering rental housing through a rental housing program subsidy (to include, but not limited to, a housing choice voucher), provided that comparable replacement dwellings are made available to the tenant in accordance with 49 CFR 24.204(a) where the owner is willing to participate in the program and the period of authorized assistance is at least 42 months. This waiver and alternative requirement is subject to the following: if assistance is provided through a HUD program, it is subject to the applicable HUD program requirements, including the requirement that the tenant must be eligible for the rental housing program. Failure to grant this waiver would impede disaster recovery whenever

rental program subsidies are available but funds for cash replacement housing payments are limited and such payments are required by the URA to be based on a 42-month term.

IV.F.4. *URA voluntary acquisition—homebuyer primary residence purchase.* Grantees may implement disaster recovery program activities that provide financial assistance to eligible homebuyers to purchase and occupy residential properties as their primary residence. Such purchases are generally considered voluntary acquisitions under the URA and subject to the URA regulatory requirements at 49 CFR 24.101(b)(2). For CDBG–DR, 49 CFR 24.101(b)(2) is waived to the extent that it applies to a homebuyer, who does not have the power of eminent domain, and uses CDBG–DR funds in connection with the voluntary purchase and occupancy of a home the homebuyer intends to make their primary residence. This waiver is necessary to reduce burdensome administrative requirements for homebuyers following a disaster. Tenants displaced by these voluntary acquisitions may be eligible for relocation assistance.

IV.F.5. *CDBG displacement, relocation, acquisition, and replacement housing program regulations—Optional relocation assistance.* The regulations at 24 CFR 570.606(d) are waived to the extent that they require optional relocation policies to be established at the grantee level. Unlike with the regular CDBG program, states may carry out disaster recovery activities directly or through subrecipients, but 24 CFR 570.606(d) does not account for this distinction. This waiver makes clear that grantees receiving CDBG–DR funds may establish optional relocation policies or permit their subrecipients to establish separate optional relocation policies. The written policy must: be available to the public, describe the relocation assistance that the grantee, state recipient (*i.e.,* a local government receiving a subgrant from the state through a method of distribution), or subrecipient (as applicable) has elected to provide, and provide for equal relocation assistance within each class of displaced persons according to 24 CFR 570.606(d). This waiver is intended to provide states with maximum flexibility in developing optional relocation policies with CDBG–DR funds.

IV.F.6. *Waiver of Section 414 of the Stafford Act.* Section 414 of the Stafford Act (42 U.S.C. 5181) provides that ''Notwithstanding any other provision of law, no person otherwise eligible for any kind of replacement housing payment under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Pub. L. 91–646) [42 U.S.C. 4601 *et seq.*] [''URA''] shall be denied such eligibility as a result of his being unable, because of a major disaster as determined by the President, to meet the occupancy requirements set by [the URA].'' Accordingly, homeowner occupants and tenants displaced from their homes as a result of the identified disasters and who would have otherwise been displaced as a direct result of any acquisition, rehabilitation, or demolition of real property for a federally funded program or project may become eligible for a replacement housing payment notwithstanding their inability to meet occupancy requirements prescribed in the URA. Section 414 of the Stafford Act and its implementing regulation at 49 CFR 24.403(d)(1) are waived to the extent that they would apply to real property acquisition, rehabilitation, or demolition of real property for a CDBG–DR funded project commencing more than one year after the date of the latest applicable Presidentially declared disaster undertaken by the grantees, or subrecipients, provided that the project was not planned, approved, or otherwise underway before the disaster.

For purposes of this waiver, a CDBG–DR funded project shall be determined to have commenced on the earliest of: (1) the date of an approved Request for Release of Funds and certification; (2) the date of completion of the site-specific review when a program utilizes Tiering; or (3) the date of sign-off by the approving official when a project converts to exempt under 24 CFR 58.34(a)(12).

The waiver will simplify the administration of the disaster recovery process and reduce the administrative burden associated with the implementation of Stafford Act section 414 requirements for projects commencing more than one year after the date of the Presidentially declared disaster considering most of such persons displaced by the disaster will have returned to their dwellings or found another place of permanent residence.

This waiver does not apply with respect to persons that meet the occupancy requirements to receive a replacement housing payment under the URA nor does it apply to persons displaced or relocated temporarily by other HUD-funded programs or projects. Such persons' eligibility for relocation assistance and payments under the URA is not impacted by this waiver.

IV.F.7. *RARAP Section 104(d).* CDBG–DR grantees must certify that they have in effect and are following a RARAP as required by section 104(d)(1) and (2) of the HCDA and 24 CFR 42.325. In addition to the requirements in 24 CFR 42.325 and 24 CFR 570.488 or 24 CFR 570.606(c), as applicable, HUD is specifying the following alternative requirements:

Grantees who are following an existing RARAP for CDBG purposes must either: (1) amend their existing RARAP; or (2) create a separate RARAP for CDBG–DR purposes, to reflect the following requirements and applicable waivers and alternative requirements as modified by the Consolidated Notice.

Grantees who do not have an existing RARAP in place because they do not manage CDBG programs must create a separate RARAP for CDBG–DR purposes, to reflect the following CDBG–DR requirements and applicable waivers and alternative requirements as modified by the Consolidated Notice.

(1) RARAP requirements for CDBG–DR. As each grantee establishes and supports feasible and cost-effective recovery efforts to make communities more resilient against future disasters, the CDBG–DR RARAP must describe how the grantee plans to minimize displacement of members of families and individuals from their homes and neighborhoods as a result of any CDBG–DR assisted activities, including disaster recovery activities where displacement can be prevented (*e.g.,* housing rehabilitation programs). Across disaster recovery activities—such as buyouts and other eligible acquisition activities, where minimizing displacement is not reasonable, feasible, or cost-efficient and would not help prevent future or repetitive loss—the grantee must describe how it plans to minimize the adverse impacts of displacement.

The description shall focus on proposed disaster recovery activities that may directly or indirectly result in displacement and the assistance that shall be required for those displaced. This description must focus on relocation assistance under the URA and its implementing regulations at 49 CFR part 24, section 104(d) and implementing regulations at 24 CFR part 42 (to the extent applicable), 24 CFR 570.488 and/or 24 CFR 570.606, and relocation assistance pursuant to this section of the Consolidated Notice, as well as any other assistance being made available to displaced persons. The CDBG–DR RARAP must include a description of how the grantee will plan programs or projects in such a manner that recognizes the substantial challenges experienced by displaced individuals, families, businesses, farms, and nonprofit organizations and develop solutions to minimize displacement or the adverse impacts of displacement especially among vulnerable populations. The description must be scoped to the complexity and nature of the anticipated displacing activities, including the evaluation of the grantee's available resources to carry out timely and orderly relocations in compliance with all applicable relocation requirements.

V. Performance Reviews

Under 42 U.S.C. 5304(e) and 24 CFR 1003.506(a), the Secretary shall, at least on an annual basis, make such reviews and audits as may be necessary or appropriate to determine whether the grantee has carried out its activities in a timely manner (consistent process to meet its expenditure requirement), whether the grantee's activities and certifications are carried out in accordance with the requirements and the primary objectives of the HCDA and other applicable laws, and whether the grantee has the continuing capacity to carry out those activities in a timely manner.

V.A. Timely Distribution and Expenditure of Funds

HUD waives the provisions at 24 CFR 570.494 and 24 CFR 570.902 regarding timely distribution and expenditure of funds, and establishes an alternative requirement providing that each grantee must expend 100 percent of its allocation within six years of the date HUD signs the grant agreement. HUD may extend the period of performance administratively, if good cause for such an extension exists at that time, as requested by the grantee, and approved by HUD. When the period of performance has ended, HUD will close out the grant and any remaining funds not expended by the grantee on appropriate programmatic purposes will be recaptured by HUD.

V.B. Review of Continuing Capacity

Upon a determination by HUD that the grantee has not carried out its CDBG–DR activities and certifications in accordance with the requirements in the Consolidated Notice, HUD will undertake a further review to determine if the grantee has the continuing capacity to carry out its activities in a timely manner. In making this determination, HUD will consider the nature and extent of the recipient's performance deficiencies, the actions taken by the recipient to address the deficiencies, and the success or likely success of such actions. HUD may then apply the following corrective and remedial actions as appropriate:

V.B.1. *Corrective and remedial actions.* To effectively administer the CDBG–DR program in a manner that facilitates recovery, particularly the alternative requirements permitting states to act directly to carry out eligible activities, HUD is waiving 42 U.S.C. 5304(e) to the extent necessary to establish the following alternative requirement: HUD may undertake corrective and remedial actions for states in accordance with the authorities for CDBG Entitlement grantees in subpart O (including corrective and remedial actions in 24 CFR 570.910, 570.911, and 570.913) or under subpart I of the CDBG regulations at 24 CFR part 570. In response to a deficiency, HUD may issue a warning letter followed by a corrective action plan that may include a management plan which assigns responsibility for further administration of the grant to specific entities or persons. Failure to comply with a corrective action may result in the termination, reduction, or limitation of payments to grantees receiving CDBG–DR funds.

V.B.2. *Reduction, withdrawal, or adjustment of a grant, or other appropriate action.* Before a reduction, withdrawal, or adjustment of a CDBG–DR grant, or other actions taken pursuant to this section, the recipient shall be notified of the proposed action and be given an opportunity for an informal consultation. Consistent with the procedures described in the Consolidated Notice, HUD may adjust, reduce, or withdraw the CDBG–DR grant (except funds that have been expended for eligible, approved activities) or take other actions as appropriate.

V.B.3. *Additional criteria and specific conditions to mitigate risk.* To ensure effective grantee implementation of the financial controls, procurement processes, and other procedures that are the subject of the certification by the Secretary, HUD has and may continue to establish specific criteria and conditions for each grant award as provided for at 2 CFR 200.206 and 200.208, respectively, to mitigate the risk of the grant. The Secretary shall specify any such criteria and the resulting conditions in the grant conditions governing the award. These criteria may include, but need not be limited to, a consideration of the internal control framework established by the grantee to ensure compliant implementation of its financial controls, procurement processes and payment of funds to eligible entities, as well as the grantee's risk management strategy for information technology systems established to implement CDBG–DR funded programs. Additionally, the Secretary may amend the grant conditions to mitigate risk of a grant award at any point at which the Secretary determines a condition to be required to protect the Federal financial interest or to advance recovery.

V.C. Grantee Reporting Requirements in the DRGR System

V.C.1. *DRGR-related waivers and alternative requirements.* The Consolidated Notice waives the requirements for submission of a performance report pursuant to 42 U.S.C. 12708(a), 24 CFR 91.520, and annual status and evaluation reports that are due each fiscal year under 24 CFR 1003.506(a). Alternatively, HUD is requiring that grantees enter information in the DRGR system on a quarterly basis through the performance reports. The information in DRGR and the performance reports must contain sufficient detail to permit HUD's review of grantee performance and to enable remote review of grantee data to allow HUD to assess compliance and risk.

At a minimum, each grantee must:

a. Enter its action plan and amendments as described in III.C.1, including performance measures, into the Public Action Plan in DRGR;

b. Enter activities into the DRGR Action Plan at a level of detail sufficient to allow HUD to determine grantee compliance (when the activity type, national objective, and the organization that will be responsible for the activity is known);

c. Categorize activities in DRGR under a ''project'';

d. Enter into the DRGR system summary information on grantees' monitoring visits and reports, audits, and technical assistance it conducts as part of its oversight of its disaster recovery programs;

e. Use the DRGR system to draw grant funds for each activity;

f. Use the DRGR system to track program income receipts, disbursements, revolving loan funds, and leveraged funds (if applicable);

g. Submit a performance report through the DRGR system no later than 30 days following the end of each calendar quarter. For all activities, the address of each CDBG–DR assisted property must be recorded in the performance report; and

h. Publish a version of the performance report that omits personally identifiable information reported in the performance reports submitted to HUD on the grantee's official website within three days of submission to HUD, or in the event a performance report is rejected by HUD, publish the revised version, as approved by HUD, within three days of HUD approval.

The grantee's first performance report is due after the first full quarter after HUD signs the grant agreement. Performance reports must be submitted on a quarterly basis until all funds have been expended and all expenditures and accomplishments have been reported. If a satisfactory report is not submitted in a timely manner, HUD may suspend access to CDBG–DR funds until a satisfactory report is submitted, or may withdraw and reallocate funding if HUD determines, after notice and opportunity for a hearing, that the jurisdiction did not submit a satisfactory report.

[FR Doc. 2023–10598 Filed 5–17–23; 8:45 am]

BILLING CODE 4210–67–P

Google Maps

schools

Distance to Robinson Elementary School from Olive Branch subdivision, Knott County, KY

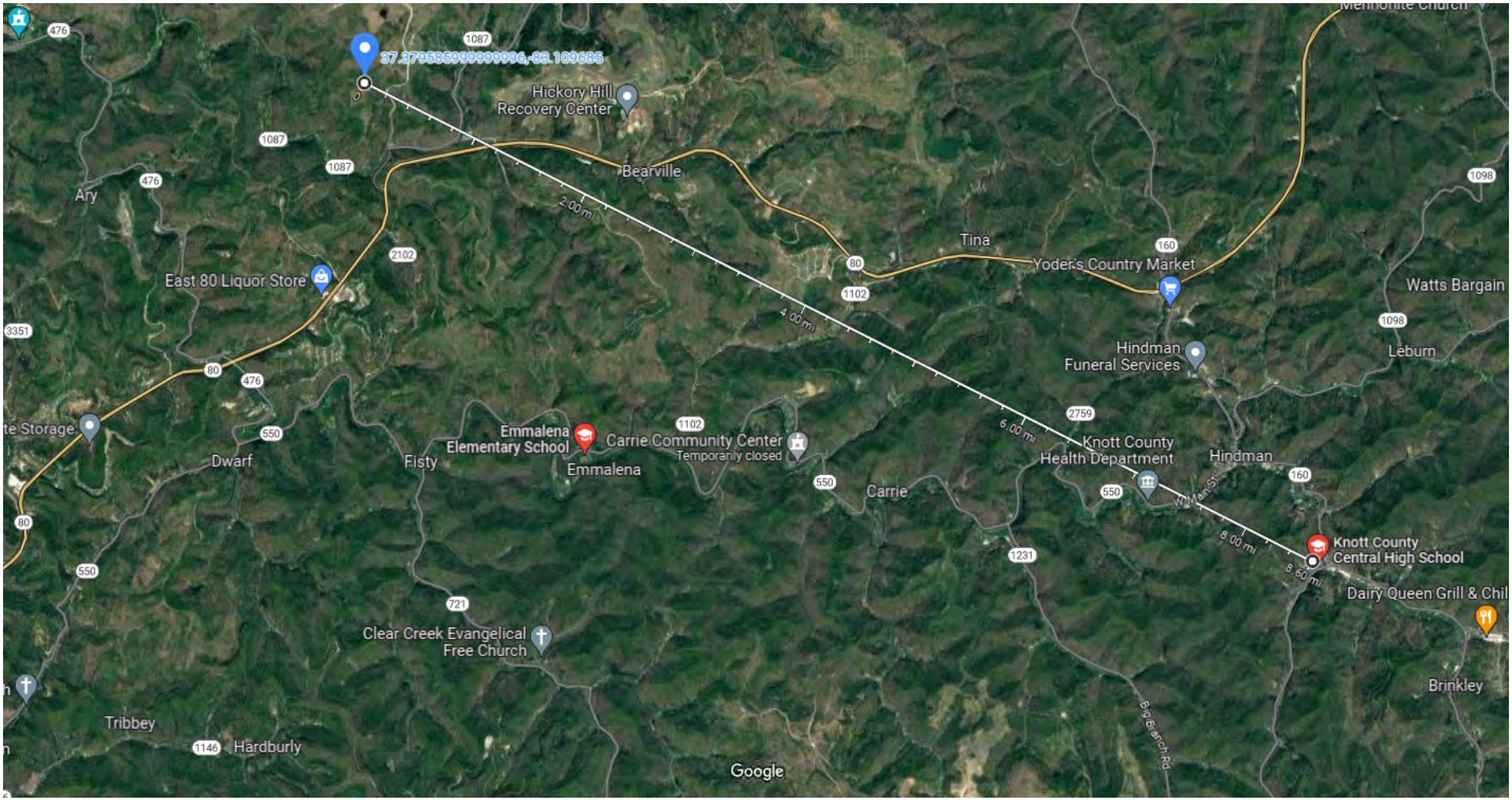
Imagery ©2023 Airbus, CNES / Airbus, Commonwealth of Virginia, Landsat / Copernicus, Maxar Technologies, USDA/FPAC/GEO, Map data ©2023 2000 ft

Measure distance
Total distance: 2.33 mi (3.74 km)

Google Maps

high schools

Distance to Knott County Central High School from Olive Branch subdivision, Knott County, KY



Imagery ©2023 Airbus, CNES / Airbus, Commonwealth of Virginia, Landsat / Copernicus, Maxar Technologies, USDA/FPAC/GEO, Map data ©2023 1 mi

Measure distance
Total distance: 8.60 mi (13.85 km)

Cabinet Functional Class Mapping Tool; USDA Web Soil Survey; Federal Railroad Administration Pop Up Viewer; Federal Aviation Administration Airport Master Record; EPA Greenbook; EPA NEPAssist Tool; EPA ECHO Report; EPA Facility Reports; US Department of Housing and Urban Development DR-4663 Housing Impact Assessment; US Census Bureau; FEMA National Risk Index Community Report; Headwaters Institute; Google Earth Pro; and Google Maps.

Knott County Judge Executive Email re Zoning and Permits_2023-8-29(1).pdf
KY DEP Letter_Olive Branch_2023-8-18.pdf

List of Permits Obtained:

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Public Outreach [24 CFR 58.43]:

The Kentucky Department of Local Government (DLG) is the Responsible Entity (RE) for CDBG-DR/MIT funds. Kentucky Housing Corporation (KHC) is the Responsible Entity for HOME funds. Each RE will submit a separate request for release of funds (RROF) to HUD for the funding source for which they are responsible. The public was notified about the DLG CDBG-DR/MIT Combined Notice of Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds (NOIRROF) via publication of classified ads in the Troublesome Creek Times, Lexington Herald Leader, and the Louisville-Courier Journal on November 23, 2023. The public was notified about the KHC HOME FONSI and NOIRROF via publication of a classified ad in the Troublesome Creek Times on November 23, 2023. Both DLG and KHC will accept comment for 17 days following the publication of the classified ads with the public comment period ending December 11, 2023 (due to the 15th day falling on a weekend). Because this activity is in response to a declared disaster, both DLG and KHC will invoke 24 CFR 58.33, which allows the Combined Notice of FONSI and NOIRROF to be published simultaneously with the submission of the RROF to HUD. The Combined Notices invite commenters to submit their comments to both HUD and the respective RE for the funding source. The Environmental Review Record (ERR) for this project will be made available for public review during the comment period via a physical copy at the offices of the Knott County Fiscal Court at 54 West Main Street, Hindman, KY 41822. The physical copy will be made available for public examination

Curtis Stauffer

From: Jeff Dobson <jdobson@knottky.com>
Sent: Tuesday, August 29, 2023 9:54 AM
To: Curtis Stauffer
Subject: Re: Information Needed for High Ground Subdivisions

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Sent from my iPhone

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Thanks again for your time and help!

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<image001.jpg>
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From: Curtis Stauffer
Sent: Wednesday, August 9, 2023 2:34 PM
To: 'Jeff Dobson' <jdobson@knottky.com>; Scott McReynolds <scott@hdahome.org>
Subject: RE: Information Needed for High Ground Subdivisions

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What are the current Knott County zoning and permitting requirements for these proposed developments? The exact unit counts and types aren't yet known, as developers have yet to be selected and proposed plat maps are still in preliminary phases.

Thank again for your time and help!

Curtis

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Subject: RE: Information Needed for High Ground Subdivisions

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Thank you, we will be happy to answer any questions he may have.

From: Scott McReynolds <scott@hdahome.org>
Sent: Wednesday, August 9, 2023 12:05 PM
To: Jeff Dobson <jdobson@knottky.com>; Curtis Stauffer <cstauffer@kyhousing.org>
Subject: Information Needed for High Ground Subdivisions

Judge Dobson,

I want to introduce you virtually to Curtis Stauffer. Curtis works for the Kentucky Housing Corporation and is working on the environmental reviews for the High Ground communities. Curtis needs some information about zoning and permitting in the county and maybe a couple of other things. I think Curtis will be sending you an email with his specific questions. Can you either help him out or let him know who at the county would be the best person to speak to?

Thanks,

Scott

<image002.jpg>

Building Homes,
Building Communities

Scott McReynolds
Executive Director, NMLS #165507

Phone: 606-436-0497 | Cell: 606-438-0530
PO Box 7284, Hazard, KY 41702
www.hdahome.org

Curtis Stauffer

From: Hoover, Brent <brent.hoover@knott.kyschools.us>
Sent: Tuesday, August 29, 2023 11:09 AM
To: Curtis Stauffer
Subject: RE: Information needed from Knott County Schools for the Environmental Reviews for the proposed "Higher Ground" communities

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Mr. Stauffer,

Knott County Schools and our community could greatly benefit from an additional 150-200 housing units. We are constantly hearing from families that finding affordable housing is a major challenge to staying in Knott County. A housing development of this nature is greatly needed in Knott County. If you need additional information, please feel free to reach out to me.

Thanks,

Brent Hoover
Superintendent
Knott County Schools
(606) 785.3153

Knott County School District Mission Statement:
To encourage all students to persist, excel, & succeed in a safe, supportive environment, while fostering a love of learning through challenging opportunities that develop creativity and teach them to think critically, solve problems, & work collaboratively.

From: Curtis Stauffer <cstauffer@kyhousing.org>
Sent: Tuesday, August 29, 2023 10:31 AM
To: Hoover, Brent <brent.hoover@knott.kyschools.us>
Cc: Scott McReynolds <scott@hdahome.org>; Lisa Townes (Lisa.townes@haspaldingengineers.com) <Lisa.townes@haspaldingengineers.com>; Lyons, John (EEC) <john.lyons@ky.gov>; Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Subject: Information needed from Knott County Schools for the Environmental Reviews for the proposed "Higher Ground" communities

Hello Superintendent Hoover-

My name is Curtis Stauffer. I work for Kentucky Housing Corporation and I'm assisting the Commonwealth with the HUD Environmental Reviews required for the Olive Branch and Chestnut Ridge "Higher Ground" communities proposed to be built in Knott County. As part of the environmental review process we need to report on the expected impact that these

new subdivisions may have on the Knott County Schools and your students. Chestnut Ridge will be located off Chestnut Ridge Drive in Leburn to the east of the Knott County Sportsplex (geographic coordinates 37.416604/-82.920686). Estimated to be 159-195 units. Olive Branch will be located to the west of Starfire Haul Road (CR-1390) in Talcum (geographic coordinates 37.379586, -83.109685). Estimated to be 130-145 units.

I'd greatly appreciate if Knott County Schools could provide your assessment of the impact these projects will have on the district and the Knott County community. An email response would be great. It doesn't need to be super detailed. A short response is appropriate.

Thanks for your time and help!

Sincerely,

Curtis Stauffer

_____

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Field Inspection [Optional]: Date and completed by:
Kenneth Logsdon 5/17/2023 12:00:00 AM

Site Photos of Areas A and B from Olive Branch-Phase I ESA_2023-5-17(1).pdf

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:
Kentucky Heritage Council; Eastern Band of Cherokee Indians; Cherokee Nation; Knott County Judge Executive Jeff Dobson; Knott County Schools Superintendent Brent Hoover; Kentucky Energy and Environment Cabinet; HA Spalding Engineers, Inc.; US Fish and Wildlife Service Kentucky Field Office; US Fish and Wildlife Service IPaC; US Fish and Wildlife Service National Wetlands Inventory; FEMA Flood Map Service Center; National Wild and Scenic Rivers System; Nationwide Rivers Inventory; EPA Sole Source Aquifers for Drinking Water Interactive Map; Kentucky Transportation Cabinet Functional Class Mapping Tool; USDA Web Soil Survey; Federal Railroad Administration Pop Up Viewer; Federal Aviation Administration Airport Master Record; EPA Greenbook; EPA NEPAssist Tool; EPA ECHO Report; EPA Facility Reports; US Department of Housing and Urban Development DR-4663 Housing Impact Assessment; US Census Bureau; FEMA National Risk Index Community Report; Headwaters Institute; Google Earth Pro; and Google Maps.

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List of Permits Obtained:
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<image002.jpg>

Building Homes,
Building Communities

Scott McReynolds
Executive Director, NMLS #165507

Phone: 606-436-0497 | Cell: 606-438-0530
PO Box 7284, Hazard, KY 41702
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ANTHONY R. HATTON
COMMISSIONER

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601
TELEPHONE: 502-564-2150
TELEFAX: 502-564-4245

August 18, 2023

RE: Olive Branch Housing Construction Project

The Department for Environmental Protection does not have any concerns about the Housing Construction for Olive Branch or the Phase I Environmental Assessment and its findings and conclusions.

BACKGROUND
This is a Phase I Environmental Site Assessment looking at a potential site for residential housing development.

A bend in Balls Fork encloses the site on 3 sides: approximately 1,850 feet W of the site, approximately 1,640 feet S of the site, and approximately 820 feet E of the site.

The site is a former coal surface mining operation located near Bulan, KY. The Phase I ESA states there are two mining sites on the property (860-0063 River Coal Company, Inc., and 860-0565 Liberty Management). The Phase I ESA states that both sites obtained Phase I bond release.

This is a Google Map site showing an aerial view of the site. Note the reference points marked in yellow. These reference points enclose the site boundaries: clockwise - pond at N end of site, bend on Vest Talcum Road, bend on the haul road, and the end of Dead Land Branch Road.

The map below is from the Phase I ESA and outlines the property in red.

The map below is from the TEMPO (KyDEP database) global feature which identified Agency Interests near the location.

These agency interests are:

- AI #70427 – Nettie Dean Property
- AI #131339 – Fugate Heirs #2 Lease 747067
- AI #90415 – Cicley Turner Lease – Loadsite K139-1580
- AI #94254 - #1624 Cicley Turner Et. Al. Lease
- AI #90412 – Cicley Turner Well K139-1580
- AI #94333 – International Coal Group Well #566114
- AI #90416 – Cicley Turner Well K140-1605
- AI #90453 – Henry J. Schmidt Lease 2
- AI #106818 – ICG Hazard LLC Multiple
- AI #119973 – Diversified Production LLC – Evans O & G Trust 28 Pad
- AI #101567 – ICG Hazard LLC (860-0539)

DEP initiated a formal enforcement action with AI #101567 along with multiple other AIs owned by ICG Hazard. The Cabinet and ICG Hazard entered into an Agreed Order executed on 09/26/2018 (AI #125441 ERF20170002) to resolve wastewater effluent violations the company reported on its Discharge Monitoring Reports (DMRs). The Division of Enforcement closed the case on 10/31/2018.

AI #106818 and AI #101567 were likely included in the consent decrees with ICG and Frasure Creek Mining that were filed in 2010.

<u>Division of Water</u>

<u>Water Quality Branch</u>
Comment: Laurel Fork Quicksand Creek, which is within the northern portion of the red boundary shown in Appendix A, Exhibit A, Map to Accompany Right of Entry Agreement, is an Outstanding State Resource Water (OSRW) that supports the presence of federally listed

threatened or endangered species. 401 KAR 10:031 Section 8 specifies surface water quality criteria that apply to OSRWs. In addition, best management practices should be utilized to reduce runoff from any project activities into nearby waters.
Questions should be directed to Andrea Fredenburg, (502) 782-6950, Andrea.Fredenburg@ky.gov.

Field Operations Branch
Comment: Endorse.
Questions should be directed to Constance Coy, (502) 782-6587, Constance.Coy@ky.gov.

Watershed Management Branch
Water Supply Section:
Comment: The Chestnut Ridge project has the potential to overlap slightly with the Southern Water and Sewer District's source water protection zone 3 in the northeast quadrant of the property. These zones are based on potential time of travel of a contaminant to the drinking water intake and are defined as follows:
Zone 1 (Critical Zone/Less than 1 hour Time of Travel)
Zone 2 (Zone of Responsibility/1 hour to 5 hour Time of Travel)
Zone 3 (Zone of Potential Impact/2.5 to 12.5 hour Time of Travel)

While it is not expected that the project activities will be of significant concern, it is recommended that appropriate measures be taken to prevent contamination.
Source Water Protection should include best management practices or BMP's that prevent, reduce, or eliminate storm water runoff, soil erosion, and movement of nutrients, bacteria, and contaminants into unprotected waterways that may pose threats to public drinking water supplies. It should also include contingency planning strategies if protective measures fail or accidents and/or disasters occur and emergency response planning for water supply contamination or service interruption. Examples can be referenced here:
https://www.epa.gov/sourcewaterprotection/source-water-protection-practices or
https://eec.ky.gov/Environmental-Protection/Water/Protection/Pages/SWP.aspx
Questions should be directed to Dale Booth at (502) 782-6895, Dale.Booth@ky.gov.

Groundwater Section:
Comment: It is the recommendation of the Groundwater Section of the Watershed Management Branch that the project be made aware of the requirements of 401 KAR 5:037 and the need to develop a groundwater protection plan (GPP) for the protection of groundwater resources. This will include installation, construction, operation or abandonment of wells, bore holes or core holes and any other project activities that may need a GPP. 401 KAR 5:037 § 2(2)(m) references the scope and applicability of the proposed project. Also, the project needs to be aware of 401 KAR Chapter 6 and the need for licensed well drillers in the Commonwealth of Kentucky in addition to well construction and installation will have to meet standards of 401 KAR 6:350.
Questions should be directed to Bronson McQueen at (502) 782-6036, Bronson.McQueen@ky.gov or Adam Smith at (502) 782-6453, Adam.Smith@ky.gov

Water Resources Branch
Floodplain Management Section:

Comment: Based on the mapping provided, this project appears to be outside the regulated floodplain and will not impact WOTUS. Permitting/certification from the Division of Water, Water Resources Branch is not required.
Questions should be directed to Shawn Hokanson at (502) 782-6977, Shawn.Hokanson@ky.gov.

Water Quality Certification Section:
Comment: If the activity requires a federal permit due to activities in or near Waters of the U.S., a Clean Water Act Section 401 Water Quality Certification from the DOW may be required for this project.
Questions should be directed to the Water Quality Certification Section, (502) 564-3410, 401WQC@ky.gov.

Surface Water Permits Branch
Permit Support Section:
Comment: If the construction area disturbed is equal to or greater than 1 acre, the applicant will need to apply for a Kentucky Pollutant Discharge Elimination System (KPDES) stormwater discharge permit.
Questions should be directed to the Permit Support Section, (502) 564-3410, SWPBsupport@ky.gov.

Drinking Water Branch
Comment: Endorse. No comments.
Questions should be directed to Kevin Stewart, (502) 782-7081, Kevin.Stewart@ky.gov

Water Infrastructure Branch
Engineering Section:
Comment: Prior to the start of construction of any water or sewer lines, plans and specifications that have been signed, stamped and dated by a Licensed Professional Engineer shall be submitted to the Division of Water for review and approval
Questions should be directed to Terry Humphries, Engineering Section, at (502) 782-6983, Terry.Humphries@ky.gov.

Municipal Planning Section:
Comment: It appears this site will be served by Knott Co. Water District. Their last Sanitary Survey (2023) showed that they lacked Technical and Managerial capacity and had 4 non-significant deficiencies. With their new plant rating of 3.0 MGD, they are operating at 102.3% GPM and 78.5% GPD of the design capacity. They do have the ability to purchase water from the City of Hindman and Southern Water and Sewer, but the amounts available to purchase are unknown (no contracts and possible other limiting factors). Water loss was estimated at 12%. Besides the water plant needing to lower their GPM, and the system keeping a close eye on their %GPD, I don't see any immediate issues.
Endorse
Questions should be directed to Jason Lambert, (502) 782-7001, Jason.Lambert@ky.gov.

The Kentucky Division of Water supports the goals of EPA's Sustainable Infrastructure Initiative. This Initiative seeks to promote sustainable practices that will help to reduce the potential gap between funding needs and spending at the local and national level. The

Sustainable Infrastructure Initiative will guide our efforts in changing how Kentucky views, values, manages, and invests in its water infrastructure. This website, www.epa.gov/waterinfrastructure/, contains information that will help you ensure your facility and operations are consistent with and can benefit from the aims of the Sustainable Infrastructure Initiative.

Water Infrastructure Branch
Engineering Section:
Comment: Prior to the start of construction of any water or sewer lines, plans and specifications that have been signed, stamped and dated by a Licensed Professional Engineer shall be submitted to the Division of Water for review and approval
Questions should be directed to Terry Humphries at (502) 782-6983, Terry.Humphries@ky.gov.

Municipal Planning Section:
Comment: If the development areas will construct new wastewater collection lines and the flow will be sent to the nearest wastewater treatment facility then the receiving system may need to complete a facility plan if the projected flow will cause the treatment facility to increase the design treatment capacity by 30% or if the population served is increased by 30%. If the development areas will construct a new wastewater treatment plant and it is owned by the municipality then a facility plan is required, but if the new development areas will be served by their own privately owned package treatment plant then a facility plan is not required.
Questions should be directed to Lori Dials at (502) 782-6937, Lori.Dials@ky.gov.

Division for Waste Management

Based on the information provided by the applicant for this project:

UST Branch records indicate no underground storage tank site issues identified within the project impact area. If any UST's are encountered during the project construction they should be reported to KDWM. Any UST issues or questions should be directed to the UST Branch.

Superfund Branch records indicate no superfund site identified within the project impact area. Any superfund issues or questions should be directed to the Superfund Branch.

Solid Waste Branch records indicate no active or historic landfill sites within the project impact area. Any solid waste issues or questions should be directed to the Solid Waste Branch.

Hazardous Waste Branch records indicate no hazardous waste issues identified within the project impact area. Any hazardous waste issues or questions should be directed to the Hazardous Waste Branch.

RLA Branch records indicate no RLA tracked open dumps identified within the project impact area. Any issues or questions should be directed to the RLA Branch.

All solid waste generated by this project must be disposed of at a permitted facility.

If asbestos, lead paint and/or other contaminants are encountered during this project contact the Division of Waste Management for proper disposal and closure.

The information provided is based on those facilities or sites that KDWM currently has in its database. If you would like additional information on any of these facilities or sites, you may contact the file room custodian at (502) 782-6357. Please keep in mind additional locations of releases, potential contamination or waste facilities may be present but unknown to the agency. Therefore, it is recommended that appropriate precautions be taken during construction activities. Please report any evidence of illegal waste disposal facilities and releases of hazardous substances, pollutants, contaminants or petroleum to the 24-hour Environmental Response Team at 1-800-928-2380.

Division for Air Quality

401 KAR 63:010, Fugitive Emissions, states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored without taking reasonable precaution to prevent particulate matter from becoming airborne. Additional requirements include the covering of open bodied trucks, operating outside the work area transporting materials likely to become airborne, and that no one shall allow earth or other material being transported by truck or earth-moving equipment to be deposited onto a paved street or roadway. Please note the Fugitive Emissions Fact Sheet located at https://eec.ky.gov/Environmental-Protection/Air/Documents/Fugitive%20Dust%20Fact%20Sheet.pdf

401 KAR 63:005 states that open burning shall be prohibited except as specifically provided. Open Burning is defined as the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the Open Burning Brochure located at
https://eec.ky.gov/Environmental-Protection/Air/Pages/Open-Burning.aspx

The Division would like to offer the following suggestions on how this project can help us stay in compliance with the National Ambient Air Quality Standards (NAAQS). These air quality control strategies are beneficial to the health of citizens of Kentucky.

- Utilize alternatively fueled equipment.
- Utilize other emission controls that are applicable to your equipment.
- Reduce idling time on equipment.

The Division also suggests an investigation into compliance with applicable local government regulations.

Kentucky Nature Preserves

Your project might have the potential of impacting federally or state listed species and natural communities. Go to the Kentucky Biological Assessment Tool (kynaturepreserves.org) to obtain a Standard Occurrence Report for information regarding listed species known within your project area. The report will also provide information on public and private conservation lands, areas of

biodiversity significance, and other natural resources in your project area for which the Office of Kentucky Nature Preserves maintains data.

This review is based upon the information that was provided by the applicant. An endorsement of this project does not satisfy, or imply, the acceptance or issuance of any permits, certifications or approvals that may be required from this agency under Kentucky Revised Statutes or Kentucky Administrative Regulations. Such endorsement means this agency has found no major concerns from the review of the proposed project as presented other than those stated as conditions or comments. If you should have any questions, please contact me at (502) 782-0863 or e-mail Louanna.Aldridge@ky.gov.

Sincerely,

Louanna Aldridge
Environmental Scientist Consultant Sr.
Office of the Commissioner
Department for Environmental Protection
Energy and Environment Cabinet

and copying, upon request, between the hours of 9 A.M. and 4 P.M. An electronic version of the Environmental Assessment will be posted on KHC's website at https://www.kyhousing.org, on DLG's website at https://kydlgweb.ky.gov/, and on the HUD Environmental Review Records website at https://cpd.hud.gov/cpd-public/environmental-reviews for the duration of the public comment period.

Cumulative Impact Analysis [24 CFR 58.32]:

There are no mitigating environmental factors resulting from the proposed project. The project will greatly benefit Knott County by creating up to 142 new, safe, decent, affordable housing units in a ''higher ground'' community that will help address the community's enormous need for additional affordable housing located out of a special flood hazard area following the devastating 2022 flood disaster. The project will put reclaimed mine land to its highest and best use as affordable housing for Knott County residents. As stated by Knott County Schools Superintendent Brent Hoover in an email dated August 29, 2023, ''Knott County Schools and our community could greatly benefit from an additional 150-200 housing units. We are constantly hearing from families that finding affordable housing is a major challenge to staying in Knott County. A housing development of this nature is greatly needed in Knott County.'' This project helps meet a need identified in the HUD DR-Housing Impacts Assessment, which stated ''Due to the topography of the region, there is an overall lack of flat buildable land in the hardest hit areas with most of flat buildable land being reclaimed strip mines.'' This housing construction project is key to the post-disaster future of Knott County and Southeastern Kentucky. The HUD DR-Housing Impacts Assessment also affirmed that ''Without replacement of housing in rural areas, there will be a continued migration of the next generation into more densely populated city centers leaving these isolated areas further neglected. The impacted rural areas were already disproportionally populated with low-income and aging residents. Lack of housing and residents will lead to a lack of business investment as well as lesser opportunities for future generations.''

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

No action - leave the area as it is with no corrective action. It is possible that this property would remain undeveloped without the creation of these affordable housing units. Furthermore, Knott County has an enormous need for quality, affordable housing located out of a special flood hazard area following the 2022 flood disaster.
2. Acquire a different piece of property - there are few comparable pieces of land of this size available in Knott County that could support the development of up to 142 units of affordable housing that is out of the flood plain. The location is ideal for the project as this is a relatively flat piece of vacant land within a reasonable drive to commercial, medical, social, educational, cultural, and public safety facilities in the cities of Hindman and Hazard. The project is located in a primarily rural, mountainous

area where adequate housing and is a need for the community. Additionally, the project will put a piece of reclaimed surface mine land to its highest and best use. 3. Proceed with Project. This is the best use of the project site and will be a vital to Knott County's efforts to rebuild and retain residents following the 2022 flood disaster.

No Action Alternative [24 CFR 58.40(e)]

The "do nothing" alternative is unacceptable as there is a critical need for affordable housing located out of the special flood hazard area in Knott County following the 2022 flood disaster. The move to an alternate site is also unacceptable as there is not a significant amount of vacant, flat land suitable for an affordable housing development project of this scale located out of the floodplain.

Summary of Findings and Conclusions:

There are no mitigating environmental factors resulting from the proposed project, which is in compliance with all related laws and authorities. The project site is not located in a wetland or floodplain area. There are no historical preservation concerns. The site is not located close to a Wild and Scenic River or Nationwide Rivers Inventory body. There are no sole source aquifers in Kentucky. The site will not impact endangered species. The land is not comprised of Prime Farmland or Farmland of Statewide Importance. There are no noise generators that exceed the 65 dB threshold nearby to the site. There are no explosive or flammable hazards in aboveground storage tanks within one mile of the project site. Knott County's air quality is in compliance with federal standards. There is no evidence of contamination or toxic substances that would pose a threat to residents at the project site as verified in the Phase I Environmental Site Assessment. There are no airport hazards in proximity to the project site. This ''higher ground'' project will help meet Knott County's great need for safe, affordable, energy-efficient, and resilient housing located in an area of minimal flood hazard and enhance the community's recovery from the 2022 flood disaster.

Mitigation Measures and Conditions [CFR 1505.2(c)]:

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete

Project Mitigation Plan

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

✓ **No**

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

Screen Summary

Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. The nearest airport to the project site is Wendell H. Ford Airport, located 7.88 miles from the project center point.

Supporting documentation

Airports in 15 mi radius-Olive Branch.pdf
Distance to Wendell H Ford Airport-Olive Branch.pdf

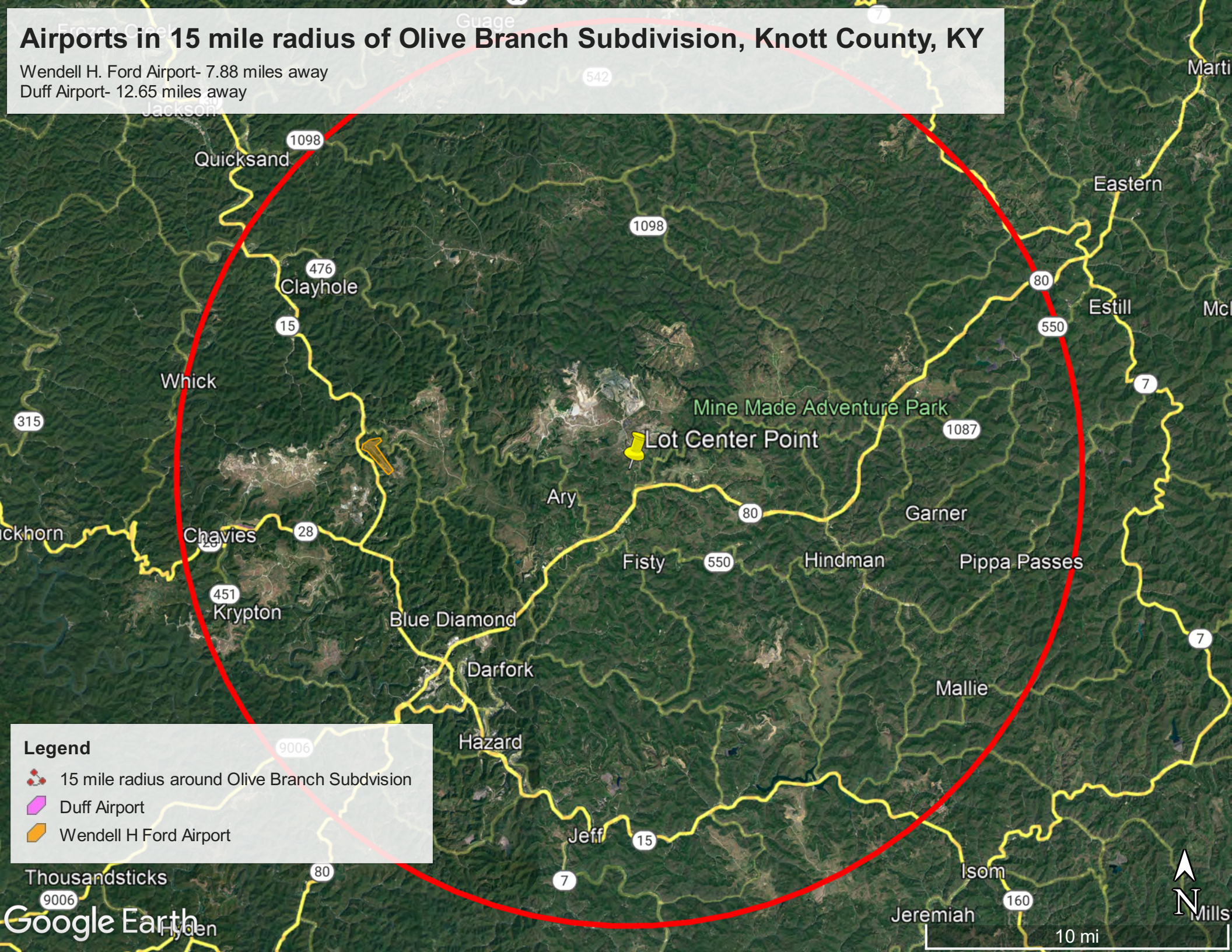
Are formal compliance steps or mitigation required?

Yes

✓ No

Airports in 15 mile radius of Olive Branch Subdivision, Knott County, KY

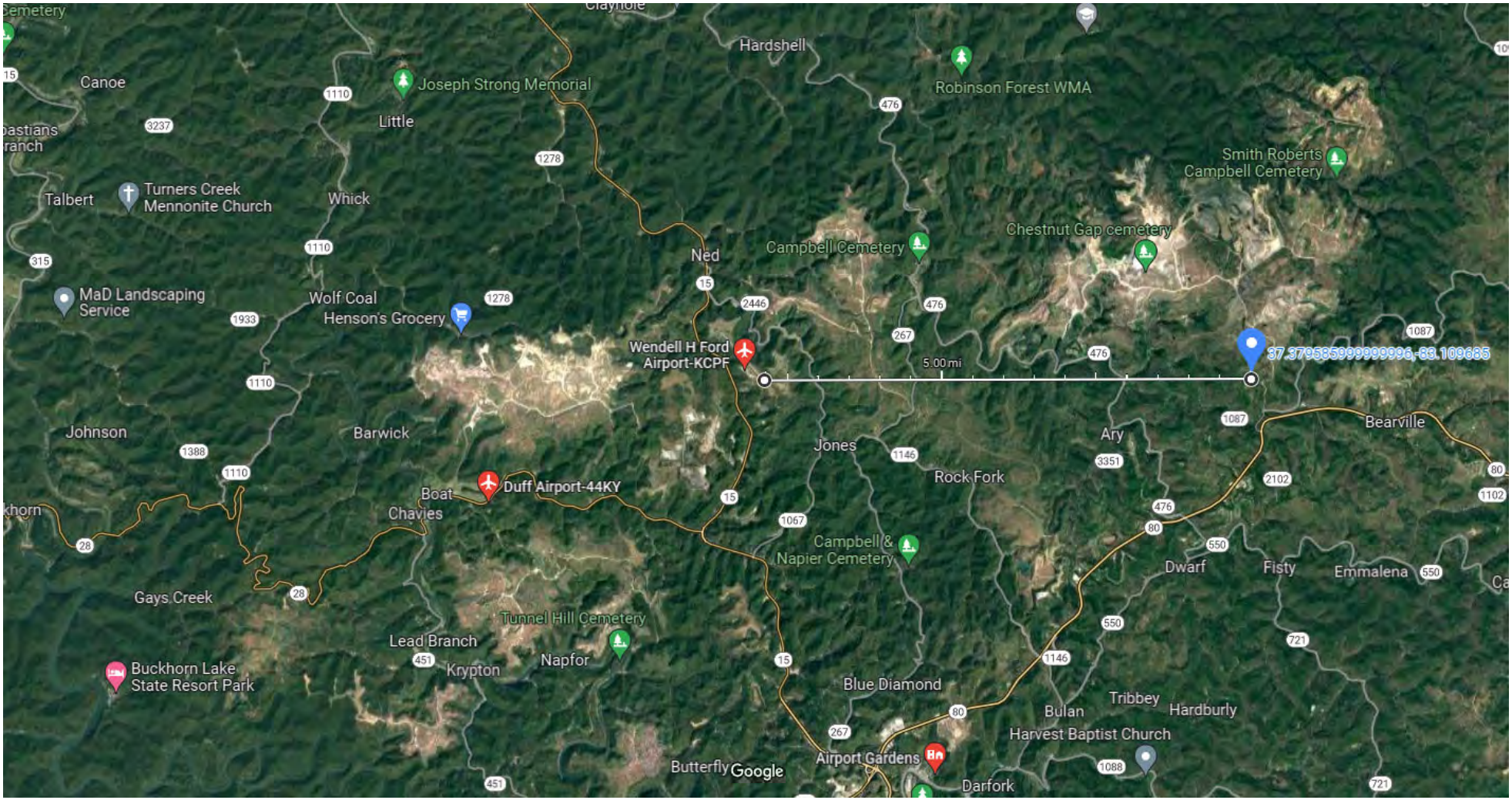
Wendell H. Ford Airport- 7.88 miles away
Duff Airport- 12.65 miles away



Google Maps

airports

Distance to Wendell H Ford Airport from Olive Branch subdivision



Imagery ©2023 TerraMetrics, Map data ©2023 2 mi

Measure distance
Total distance: 7.88 mi (12.68 km)

Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Compliance Determination

This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

No. This project does not require flood insurance or is excepted from flood insurance.

✓ Yes

2. Upload a FEMA/FIRM map showing the site here:

FIRM_Olive Branch_Zone X.pdf

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

✓ No

Based on the response, the review is in compliance with this section.

Yes

4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?

Yes

✓ No

Screen Summary

Compliance Determination

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements. The FIRM Map for the project site shows that it is in an area of minimal flood hazard. (Panel # 21119C0100C, eff. 9/28/2007). A search of the FEMA Flood Map Service Center "all products" database shows that there are no preliminary flood maps for this panel number.

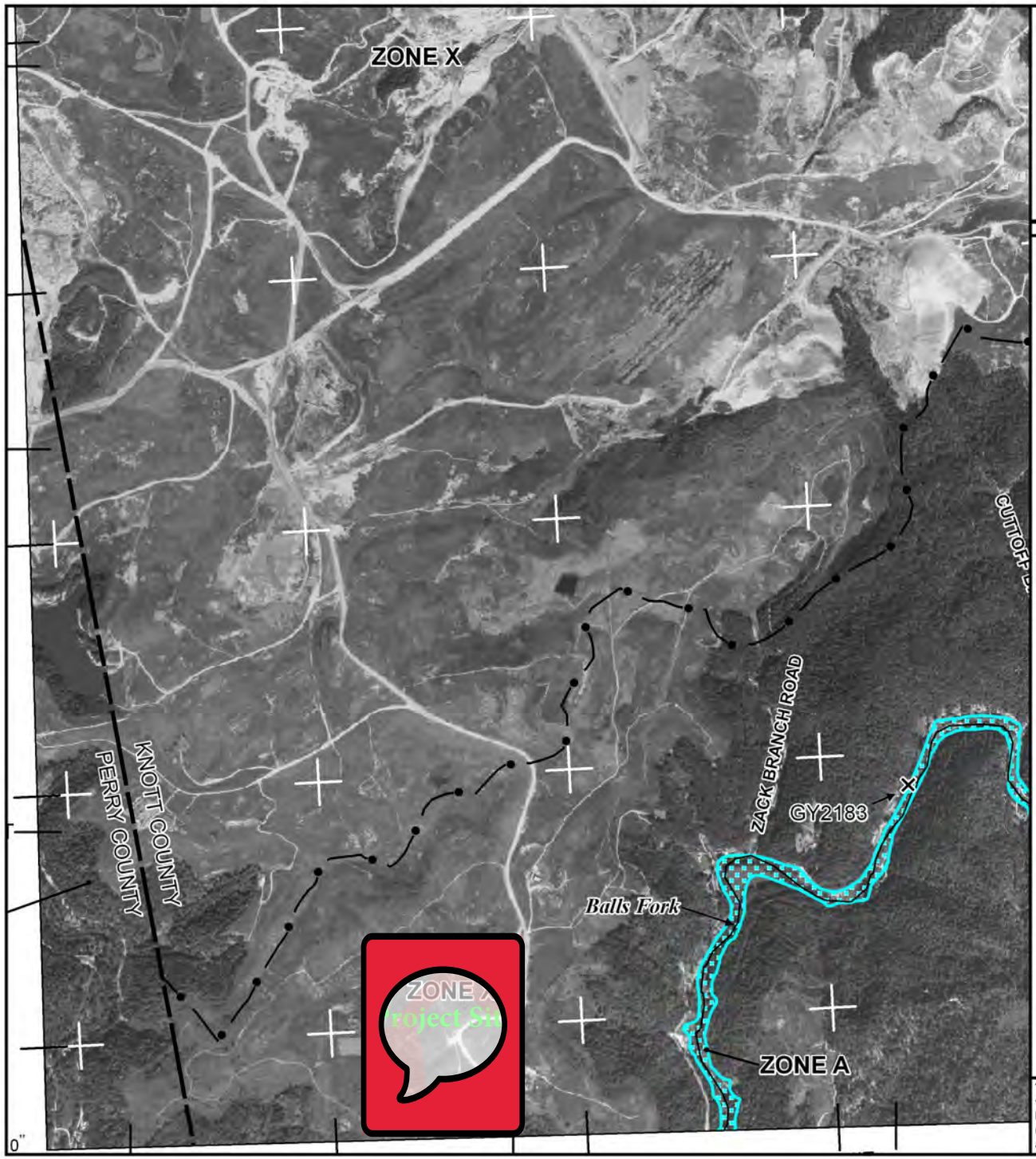
Supporting documentation

FEMA Flood Map Service Center Search Results Panel 21119C0100C_2023-8-30.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No



MAP SCALE 1" = 2000'

1000 0 2000 4000 FEET

600 0 600 1200

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0100C

FIRM

FLOOD INSURANCE RATE MAP

KNOTT COUNTY, KENTUCKY

AND INCORPORATED AREAS

PANEL 100 OF 375

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
KNOTT COUNTY	210340	0100	C

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
21119C0100C

EFFECTIVE DATE
SEPTEMBER 28, 2007

Federal Emergency Management Agency

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at https://msc.fema.gov.

FEMA (//www.fema.gov/)

Navigation

Search

MSC Home (/portal/)

MSC Search by Address (/portal/search)

MSC Search All Products (/portal/advanceSearch)

MSC Products and Tools (/portal/resources/productsandtools)

Hazus (/portal/resources/hazus)

LOMC Batch Files (/portal/resources/lomc)

Product Availability (/portal/productAvailability)

MSC Frequently Asked Questions (FAQs) (/portal/resources/faq)

MSC Email Subscriptions (/portal/subscriptionHome)

Contact MSC Help (/portal/resources/contact)

FEMA Flood Map Service Center: Search All Products

Choose one of the three search options below and optionally enter a posting date range.

Jurisdiction

State

-- Select --

Jurisdiction Name

Jurisdiction Name or FEMA ID

(Ex. Fairfax County-wide or 51059C)

Product ID

Product ID

21119C0100C

(Ex. Panel Number, LOMC Case Number)

Filter By Posting Date Range *(Optional)*

Search | Clear All Fields

Search Results for Product 21119C0100C

Click subscribe to receive email notifications when products are updated. If you are a person with a disability, are blind, or have low vision, and need assistance, please contact a map specialist (https://msc.fema.gov/portal/resources/contact).

Effective Products (1)

FIRM Panels (1)

Please note: Searches often result in many map files listed under a given section. You can determine the Product ID for the individual map panel needed by looking at the Map Index file. The index map files have "IND" within the Product ID and appear at the start of the list. These index files show an overview of a jurisdiction and how it is subdivided into map panels with the Product ID for each panel shown.

Show 100 **entries**

Showing 1 to 1 of 1 entries

Previous 1 Next

Product ID	Effective Date	LOMC	Size	Download
21119C0100C	09/28/2007	LOMC	15MB	DL (/portal/downloadProduct?productTypeID=FINAL_PRODUCT&productSubTypeID=FIRM

FIS Reports (0)

LOMC (0)

NFHL Data-State (0)

NFHL Data-County (0)

Preliminary Products (0)

Pending Product (0)

Historic Products (0)

Flood Risk Products (0)

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OIG HOTLINE Report Fraud, Waste & Abuse (https://www.oig.dhs.gov/hotline)

Official website of the Department of Homeland Security

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

✓ Yes

No

Air Quality Attainment Status of Project's County or Air Quality Management District

2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?

✓ No, project's county or air quality management district is in attainment status for all criteria pollutants.

Yes, project's management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

Screen Summary

Compliance Determination

The project's county or air quality management district is in attainment status for all criteria pollutants. Perry County is not in non-attainment or maintenance status for any criteria pollutants. See EPA's Greenbook county list, found at: https://www3.epa.gov/airquality/green/book/ancl.html#KY. The project is in compliance with the Clean Air Act

Supporting documentation

Current Nonattainment Counties for All Criteria Pollutants _ Green Book _ US EPA_2023-6-30.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

logo

Current Nonattainment Counties for All Criteria Pollutants

Data is current as of May 31, 2023

The 8-hour Ozone (1997) standard was revoked on April 6, 2015 and the 1-hour Ozone (1979) standard was revoked on June 15, 2005.
The asterisk (*) indicates only a portion of the county is included in the designated nonattainment area (NA).

Download National Dataset of all designated areas (currently nonattainment, maintenance, revoked):
dbf | xls | Data dictionary (PDF)

Listed by State, County, NAAQS * Part County NA NA Area Name (Classification, if applicable)

ALASKA
Fairbanks North Star Borough
PM-2.5 (2006) *Fairbanks, AK - (Serious)
ARIZONA
Cochise County
PM-10 (1987) *Cochise County; Paul Spur/Douglas planning area, AZ - (Moderate)
Gila County
Lead (2008) *Hayden, AZ
PM-10 (1987) *Hayden, AZ - (Moderate)
PM-10 (1987) *Miami, AZ - (Moderate)
Sulfur Dioxide (2010) *Hayden, AZ
Sulfur Dioxide (2010) *Miami, AZ
8-Hour Ozone (2015) *Phoenix-Mesa, AZ - (Moderate)
Maricopa County
PM-10 (1987) *Maricopa and Pinal Counties; Phoenix planning area, AZ - (Serious)
8-Hour Ozone (2008) *Phoenix-Mesa, AZ - (Moderate)
8-Hour Ozone (2015) *Phoenix-Mesa, AZ - (Moderate)
Pima County
PM-10 (1987) *Pima County; Rillito planning area, AZ - (Moderate)
Pinal County
Lead (2008) *Hayden, AZ
PM-10 (1987) *Hayden, AZ - (Moderate)
PM-10 (1987) *Maricopa and Pinal Counties; Phoenix planning area, AZ - (Serious)
PM-10 (1987) *Miami, AZ - (Moderate)
PM-10 (1987) *Pinal County (part); West Pinal, AZ - (Serious)
PM-2.5 (2006) *West Central Pinal, AZ - (Moderate)
Sulfur Dioxide (1971) *Hayden (Pinal County), AZ
Sulfur Dioxide (2010) *Hayden, AZ
8-Hour Ozone (2008) *Phoenix-Mesa, AZ - (Moderate)
8-Hour Ozone (2015) *Phoenix-Mesa, AZ - (Moderate)
Santa Cruz County
PM-10 (1987) *Santa Cruz County; Nogales planning area, AZ - (Moderate)
Yuma County
PM-10 (1987) *Yuma, AZ - (Moderate)
8-Hour Ozone (2015) *Yuma, AZ - (Marginal)
CALIFORNIA
Alameda County
PM-2.5 (2006) San Francisco Bay Area, CA - (Moderate)
8-Hour Ozone (2008) San Francisco Bay Area, CA - (Marginal)
8-Hour Ozone (2015) San Francisco Bay Area, CA - (Marginal)
Amador County
8-Hour Ozone (2015) Amador County, CA - (Marginal)
Butte County
8-Hour Ozone (2008) Chico (Butte County), CA - (Marginal)
8-Hour Ozone (2015) Butte County, CA - (Marginal)
Calaveras County
8-Hour Ozone (2008) Calaveras County, CA - (Marginal)
8-Hour Ozone (2015) Calaveras County, CA - (Marginal)
Contra Costa County
PM-2.5 (2006) San Francisco Bay Area, CA - (Moderate)
8-Hour Ozone (2008) San Francisco Bay Area, CA - (Marginal)
8-Hour Ozone (2015) San Francisco Bay Area, CA - (Marginal)
El Dorado County
PM-2.5 (2006) *Sacramento, CA - (Moderate)
8-Hour Ozone (2008) *Sacramento Metro, CA - (Severe 15)
8-Hour Ozone (2015) *Sacramento Metro, CA - (Serious)
Fresno County
PM-2.5 (1997) San Joaquin Valley, CA - (Serious)
PM-2.5 (2006) San Joaquin Valley, CA - (Serious)
PM-2.5 (2012) San Joaquin Valley, CA - (Serious)
8-Hour Ozone (2008) San Joaquin Valley, CA - (Extreme)
8-Hour Ozone (2015) San Joaquin Valley, CA - (Extreme)
Imperial County
PM-2.5 (2006) *Imperial County, CA - (Moderate)
PM-2.5 (2012) *Imperial County, CA - (Moderate)
8-Hour Ozone (2008) Imperial County, CA - (Moderate)
8-Hour Ozone (2015) Imperial County, CA - (Marginal)
Inyo County
PM-10 (1987) *Inyo County; Owens Valley planning area, CA - (Serious)
Kern County
PM-10 (1987) *East Kern County, CA - (Serious)

PM-2.5 (1997) *San Joaquin Valley, CA - (Serious)
PM-2.5 (2006) *San Joaquin Valley, CA - (Serious)
PM-2.5 (2012) *San Joaquin Valley, CA - (Serious)
8-Hour Ozone (2008) *Kern County (Eastern Kern), CA - (Severe 15)
8-Hour Ozone (2008) *San Joaquin Valley, CA - (Extreme)
8-Hour Ozone (2015) *Kern County (Eastern Kern), CA - (Serious)
8-Hour Ozone (2015) *San Joaquin Valley, CA - (Extreme)

Kings County
PM-2.5 (1997) San Joaquin Valley, CA - (Serious)
PM-2.5 (2006) San Joaquin Valley, CA - (Serious)
PM-2.5 (2012) San Joaquin Valley, CA - (Serious)
8-Hour Ozone (2008) San Joaquin Valley, CA - (Extreme)
8-Hour Ozone (2015) San Joaquin Valley, CA - (Extreme)

Los Angeles County
Lead (2008) *Los Angeles County-South Coast Air Basin, CA
PM-2.5 (1997) *Los Angeles-South Coast Air Basin, CA - (Moderate)
PM-2.5 (2006) *Los Angeles-South Coast Air Basin, CA - (Serious)
PM-2.5 (2012) *Los Angeles-South Coast Air Basin, CA - (Serious)
8-Hour Ozone (2008) *Los Angeles-San Bernardino Counties (West Mojave Desert), CA - (Severe 15)
8-Hour Ozone (2008) *Los Angeles-South Coast Air Basin, CA - (Extreme)
8-Hour Ozone (2015) *Los Angeles-San Bernardino Counties (West Mojave Desert), CA - (Severe 15)
8-Hour Ozone (2015) *Los Angeles-South Coast Air Basin, CA - (Extreme)

Madera County
PM-2.5 (1997) San Joaquin Valley, CA - (Serious)
PM-2.5 (2006) San Joaquin Valley, CA - (Serious)
PM-2.5 (2012) San Joaquin Valley, CA - (Serious)
8-Hour Ozone (2008) San Joaquin Valley, CA - (Extreme)
8-Hour Ozone (2015) San Joaquin Valley, CA - (Extreme)

Marin County
PM-2.5 (2006) San Francisco Bay Area, CA - (Moderate)
8-Hour Ozone (2008) San Francisco Bay Area, CA - (Marginal)
8-Hour Ozone (2015) San Francisco Bay Area, CA - (Marginal)

Mariposa County
8-Hour Ozone (2008) Mariposa County, CA - (Moderate)
8-Hour Ozone (2015) Mariposa County, CA - (Moderate)

Merced County
PM-2.5 (1997) San Joaquin Valley, CA - (Serious)
PM-2.5 (2006) San Joaquin Valley, CA - (Serious)
PM-2.5 (2012) San Joaquin Valley, CA - (Serious)
8-Hour Ozone (2008) San Joaquin Valley, CA - (Extreme)
8-Hour Ozone (2015) San Joaquin Valley, CA - (Extreme)

Mono County
PM-10 (1987) *Mono Basin, CA - (Moderate)

Napa County
PM-2.5 (2006) San Francisco Bay Area, CA - (Moderate)
8-Hour Ozone (2008) San Francisco Bay Area, CA - (Marginal)
8-Hour Ozone (2015) San Francisco Bay Area, CA - (Marginal)

Nevada County
8-Hour Ozone (2008) *Nevada County (Western part), CA - (Serious)
8-Hour Ozone (2015) *Nevada County (Western part), CA - (Serious)

Orange County
PM-2.5 (1997) Los Angeles-South Coast Air Basin, CA - (Moderate)
PM-2.5 (2006) Los Angeles-South Coast Air Basin, CA - (Serious)
PM-2.5 (2012) Los Angeles-South Coast Air Basin, CA - (Serious)
8-Hour Ozone (2008) Los Angeles-South Coast Air Basin, CA - (Extreme)
8-Hour Ozone (2015) Los Angeles-South Coast Air Basin, CA - (Extreme)

Placer County
PM-2.5 (2006) *Sacramento, CA - (Moderate)
8-Hour Ozone (2008) *Sacramento Metro, CA - (Severe 15)
8-Hour Ozone (2015) *Sacramento Metro, CA - (Serious)

Plumas County
PM-2.5 (2012) *Plumas County, CA - (Serious)

Riverside County
PM-10 (1987) *Riverside County; Coachella Valley planning area, CA - (Serious)
PM-2.5 (1997) *Los Angeles-South Coast Air Basin, CA - (Moderate)
PM-2.5 (2006) *Los Angeles-South Coast Air Basin, CA - (Serious)
PM-2.5 (2012) *Los Angeles-South Coast Air Basin, CA - (Serious)
8-Hour Ozone (2008) *Los Angeles-South Coast Air Basin, CA - (Extreme)
8-Hour Ozone (2008) *Morongo Band of Mission Indians, CA - (Severe 15)
8-Hour Ozone (2008) *Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, CA - (Moderate)
8-Hour Ozone (2008) *Riverside County (Coachella Valley), CA - (Extreme)
8-Hour Ozone (2015) *Los Angeles-South Coast Air Basin, CA - (Extreme)
8-Hour Ozone (2015) *Morongo Band of Mission Indians, CA - (Serious)
8-Hour Ozone (2015) *Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, CA - (Moderate)
8-Hour Ozone (2015) *Riverside County (Coachella Valley), CA - (Severe 15)

Sacramento County
PM-2.5 (2006) Sacramento, CA - (Moderate)
8-Hour Ozone (2008) Sacramento Metro, CA - (Severe 15)
8-Hour Ozone (2015) Sacramento Metro, CA - (Serious)

San Bernardino County
PM-10 (1987) *San Bernardino County, CA - (Moderate)
PM-10 (1987) *Trona, CA - (Moderate)
PM-2.5 (1997) *Los Angeles-South Coast Air Basin, CA - (Moderate)
PM-2.5 (2006) *Los Angeles-South Coast Air Basin, CA - (Serious)
PM-2.5 (2012) *Los Angeles-South Coast Air Basin, CA - (Serious)
8-Hour Ozone (2008) *Los Angeles-San Bernardino Counties (West Mojave Desert), CA - (Severe 15)
8-Hour Ozone (2008) *Los Angeles-South Coast Air Basin, CA - (Extreme)
8-Hour Ozone (2015) *Los Angeles-San Bernardino Counties (West Mojave Desert), CA - (Severe 15)
8-Hour Ozone (2015) *Los Angeles-South Coast Air Basin, CA - (Extreme)

San Diego County
8-Hour Ozone (2008) *Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, CA - (Moderate)
8-Hour Ozone (2008) *San Diego County, CA - (Severe 15)

8-Hour Ozone (2015) *Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, CA - (Moderate)
8-Hour Ozone (2015) *San Diego County, CA - (Severe 15)
San Francisco County
PM-2.5 (2006) San Francisco Bay Area, CA - (Moderate)
8-Hour Ozone (2008) San Francisco Bay Area, CA - (Marginal)
8-Hour Ozone (2015) San Francisco Bay Area, CA - (Marginal)
San Joaquin County
PM-2.5 (1997) San Joaquin Valley, CA - (Serious)
PM-2.5 (2006) San Joaquin Valley, CA - (Serious)
PM-2.5 (2012) San Joaquin Valley, CA - (Serious)
8-Hour Ozone (2008) San Joaquin Valley, CA - (Extreme)
8-Hour Ozone (2015) San Joaquin Valley, CA - (Extreme)
San Luis Obispo County
8-Hour Ozone (2008) *San Luis Obispo (Eastern San Luis Obispo), CA - (Marginal)
8-Hour Ozone (2015) *San Luis Obispo (Eastern part), CA - (Marginal)
San Mateo County
PM-2.5 (2006) San Francisco Bay Area, CA - (Moderate)
8-Hour Ozone (2008) San Francisco Bay Area, CA - (Marginal)
8-Hour Ozone (2015) San Francisco Bay Area, CA - (Marginal)
Santa Clara County
PM-2.5 (2006) San Francisco Bay Area, CA - (Moderate)
8-Hour Ozone (2008) San Francisco Bay Area, CA - (Marginal)
8-Hour Ozone (2015) San Francisco Bay Area, CA - (Marginal)
Solano County
PM-2.5 (2006) *Sacramento, CA - (Moderate)
PM-2.5 (2006) *San Francisco Bay Area, CA - (Moderate)
8-Hour Ozone (2008) *Sacramento Metro, CA - (Severe 15)
8-Hour Ozone (2008) *San Francisco Bay Area, CA - (Marginal)
8-Hour Ozone (2015) *Sacramento Metro, CA - (Serious)
8-Hour Ozone (2015) *San Francisco Bay Area, CA - (Marginal)
Sonoma County
PM-2.5 (2006) *San Francisco Bay Area, CA - (Moderate)
8-Hour Ozone (2008) *San Francisco Bay Area, CA - (Marginal)
8-Hour Ozone (2015) *San Francisco Bay Area, CA - (Marginal)
Stanislaus County
PM-2.5 (1997) San Joaquin Valley, CA - (Serious)
PM-2.5 (2006) San Joaquin Valley, CA - (Serious)
PM-2.5 (2012) San Joaquin Valley, CA - (Serious)
8-Hour Ozone (2008) San Joaquin Valley, CA - (Extreme)
8-Hour Ozone (2015) San Joaquin Valley, CA - (Extreme)
Sutter County
8-Hour Ozone (2008) *Sacramento Metro, CA - (Severe 15)
8-Hour Ozone (2015) *Sacramento Metro, CA - (Serious)
8-Hour Ozone (2015) *Sutter Buttes, CA - (Marginal)
Tehama County
8-Hour Ozone (2008) *Tuscan Buttes, CA - (Marginal)
8-Hour Ozone (2015) *Tuscan Buttes, CA - (Marginal (Rural Transport))
Tulare County
PM-2.5 (1997) San Joaquin Valley, CA - (Serious)
PM-2.5 (2006) San Joaquin Valley, CA - (Serious)
PM-2.5 (2012) San Joaquin Valley, CA - (Serious)
8-Hour Ozone (2008) San Joaquin Valley, CA - (Extreme)
8-Hour Ozone (2015) San Joaquin Valley, CA - (Extreme)
Tuolumne County
8-Hour Ozone (2015) Tuolumne County, CA - (Marginal)
Ventura County
8-Hour Ozone (2008) *Ventura County, CA - (Serious)
8-Hour Ozone (2015) *Ventura County, CA - (Serious)
Yolo County
PM-2.5 (2006) *Sacramento, CA - (Moderate)
8-Hour Ozone (2008) Sacramento Metro, CA - (Severe 15)
8-Hour Ozone (2015) Sacramento Metro, CA - (Serious)

COLORADO
Adams County
8-Hour Ozone (2008) Denver-Boulder-Greeley-Ft. Collins-Loveland, CO - (Severe 15)
8-Hour Ozone (2015) Denver Metro/North Front Range, CO - (Moderate)
Arapahoe County
8-Hour Ozone (2008) Denver-Boulder-Greeley-Ft. Collins-Loveland, CO - (Severe 15)
8-Hour Ozone (2015) Denver Metro/North Front Range, CO - (Moderate)
Boulder County
8-Hour Ozone (2008) Denver-Boulder-Greeley-Ft. Collins-Loveland, CO - (Severe 15)
8-Hour Ozone (2015) Denver Metro/North Front Range, CO - (Moderate)
Broomfield County
8-Hour Ozone (2008) Denver-Boulder-Greeley-Ft. Collins-Loveland, CO - (Severe 15)
8-Hour Ozone (2015) Denver Metro/North Front Range, CO - (Moderate)
Denver County
8-Hour Ozone (2008) Denver-Boulder-Greeley-Ft. Collins-Loveland, CO - (Severe 15)
8-Hour Ozone (2015) Denver Metro/North Front Range, CO - (Moderate)
Douglas County
8-Hour Ozone (2008) Denver-Boulder-Greeley-Ft. Collins-Loveland, CO - (Severe 15)
8-Hour Ozone (2015) Denver Metro/North Front Range, CO - (Moderate)
Jefferson County
8-Hour Ozone (2008) Denver-Boulder-Greeley-Ft. Collins-Loveland, CO - (Severe 15)
8-Hour Ozone (2015) Denver Metro/North Front Range, CO - (Moderate)
Larimer County
8-Hour Ozone (2008) *Denver-Boulder-Greeley-Ft. Collins-Loveland, CO - (Severe 15)
8-Hour Ozone (2015) *Denver Metro/North Front Range, CO - (Moderate)
Weld County
8-Hour Ozone (2008) *Denver-Boulder-Greeley-Ft. Collins-Loveland, CO - (Severe 15)
8-Hour Ozone (2015) Denver Metro/North Front Range, CO - (Moderate)

CONNECTICUT
Fairfield County

8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)
Hartford County
8-Hour Ozone (2008) Greater Connecticut, CT - (Serious)
8-Hour Ozone (2015) Greater Connecticut, CT - (Moderate)
Litchfield County
8-Hour Ozone (2008) Greater Connecticut, CT - (Serious)
8-Hour Ozone (2015) Greater Connecticut, CT - (Moderate)
Middlesex County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)
New Haven County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)
New London County
8-Hour Ozone (2008) Greater Connecticut, CT - (Serious)
8-Hour Ozone (2015) Greater Connecticut, CT - (Moderate)
Tolland County
8-Hour Ozone (2008) Greater Connecticut, CT - (Serious)
8-Hour Ozone (2015) Greater Connecticut, CT - (Moderate)
Windham County
8-Hour Ozone (2008) Greater Connecticut, CT - (Serious)
8-Hour Ozone (2015) Greater Connecticut, CT - (Moderate)

DELAWARE
New Castle County
8-Hour Ozone (2008) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Marginal)
8-Hour Ozone (2015) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Moderate)
Sussex County
8-Hour Ozone (2008) Seaford, DE - (Marginal)

DISTRICT OF COLUMBIA
District of Columbia
8-Hour Ozone (2015) Washington, DC-MD-VA - (Moderate)

GUAM
Guam
*Sulfur Dioxide (1971)**Piti, GU
*Sulfur Dioxide (1971)**Tanguisson, GU
*Sulfur Dioxide (2010)**Piti-Cabras, GU

IDAHO
Bannock County
PM-10 (1987) *Power-Bannock Counties; Fort Hall Indian Reservation, ID - (Moderate)
Power County
PM-10 (1987) *Power-Bannock Counties; Fort Hall Indian Reservation, ID - (Moderate)

ILLINOIS
Cook County
8-Hour Ozone (2015) Chicago, IL-IN-WI - (Moderate)
DuPage County
8-Hour Ozone (2015) Chicago, IL-IN-WI - (Moderate)
Grundy County
8-Hour Ozone (2015) *Chicago, IL-IN-WI - (Moderate)
Kane County
8-Hour Ozone (2015) Chicago, IL-IN-WI - (Moderate)
Kendall County
8-Hour Ozone (2015) *Chicago, IL-IN-WI - (Moderate)
Lake County
8-Hour Ozone (2015) Chicago, IL-IN-WI - (Moderate)
Madison County
*Sulfur Dioxide (2010)**Alton Township, IL
8-Hour Ozone (2015) St. Louis, MO-IL - (Moderate)
McHenry County
8-Hour Ozone (2015) Chicago, IL-IN-WI - (Moderate)
Monroe County
8-Hour Ozone (2015) St. Louis, MO-IL - (Moderate)
St. Clair County
8-Hour Ozone (2015) St. Louis, MO-IL - (Moderate)
Will County
8-Hour Ozone (2015) Chicago, IL-IN-WI - (Moderate)

INDIANA
Huntington County
*Sulfur Dioxide (2010)**Huntington, IN
Lake County
8-Hour Ozone (2015) *Chicago, IL-IN-WI - (Moderate)
Porter County
8-Hour Ozone (2015) *Chicago, IL-IN-WI - (Moderate)

IOWA
Muscatine County
*Sulfur Dioxide (2010)**Muscatine, IA

KANSAS
Saline County
Lead (2008) *Saline County, KS

KENTUCKY
Boone County
8-Hour Ozone (2015) *Cincinnati, OH-KY - (Moderate)
Bullitt County
8-Hour Ozone (2015) Louisville, KY-IN - (Moderate)
Campbell County
8-Hour Ozone (2015) *Cincinnati, OH-KY - (Moderate)
Henderson County
*Sulfur Dioxide (2010)**Henderson-Webster Counties, KY
Jefferson County
8-Hour Ozone (2015) Louisville, KY-IN - (Moderate)
Kenton County
8-Hour Ozone (2015) *Cincinnati, OH-KY - (Moderate)

Oldham County
8-Hour Ozone (2015) Louisville, KY-IN - (Moderate)
Webster County
Sulfur Dioxide (2010) *Henderson-Webster Counties, KY

LOUISIANA
Evangeline Parish
Sulfur Dioxide (2010) *Evangeline Parish (Partial), LA
St. Bernard Parish
Sulfur Dioxide (2010) St. Bernard Parish, LA

MARYLAND
Anne Arundel County
Sulfur Dioxide (2010) *Anne Arundel County and Baltimore County, MD
8-Hour Ozone (2008) Baltimore, MD - (Moderate)
8-Hour Ozone (2015) Baltimore, MD - (Moderate)
Baltimore County
Sulfur Dioxide (2010) *Anne Arundel County and Baltimore County, MD
8-Hour Ozone (2008) Baltimore, MD - (Moderate)
8-Hour Ozone (2015) Baltimore, MD - (Moderate)
Baltimore city
8-Hour Ozone (2008) Baltimore, MD - (Moderate)
8-Hour Ozone (2015) Baltimore, MD - (Moderate)
Calvert County
8-Hour Ozone (2015) Washington, DC-MD-VA - (Moderate)
Carroll County
8-Hour Ozone (2008) Baltimore, MD - (Moderate)
8-Hour Ozone (2015) Baltimore, MD - (Moderate)
Cecil County
8-Hour Ozone (2008) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Marginal)
8-Hour Ozone (2015) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Moderate)
Charles County
8-Hour Ozone (2015) Washington, DC-MD-VA - (Moderate)
Frederick County
8-Hour Ozone (2015) Washington, DC-MD-VA - (Moderate)
Harford County
8-Hour Ozone (2008) Baltimore, MD - (Moderate)
8-Hour Ozone (2015) Baltimore, MD - (Moderate)
Howard County
8-Hour Ozone (2008) Baltimore, MD - (Moderate)
8-Hour Ozone (2015) Baltimore, MD - (Moderate)
Montgomery County
8-Hour Ozone (2015) Washington, DC-MD-VA - (Moderate)
Prince George's County
8-Hour Ozone (2015) Washington, DC-MD-VA - (Moderate)

MASSACHUSETTS
Dukes County
8-Hour Ozone (2008) Dukes County, MA - (Marginal)

MICHIGAN
Allegan County
8-Hour Ozone (2015) *Allegan County, MI - (Moderate)
Berrien County
8-Hour Ozone (2015) Berrien County, MI - (Moderate)
Muskegon County
8-Hour Ozone (2015) *Muskegon County, MI - (Moderate)
St. Clair County
Sulfur Dioxide (2010) *St. Clair, MI
Wayne County
Sulfur Dioxide (2010) *Detroit, MI

MINNESOTA
Dakota County
Lead (2008) *Eagan, MN

MISSOURI
Dent County
Lead (2008) *Iron, Dent, and Reynolds Counties, MO
Franklin County
8-Hour Ozone (2015) *St. Louis, MO-IL - (Moderate)
Iron County
Lead (2008) *Iron, Dent, and Reynolds Counties, MO
Jefferson County
Lead (1978) *Jefferson County (part); Herculaneum, MO
Lead (2008) *Jefferson County, MO
8-Hour Ozone (2015) St. Louis, MO-IL - (Moderate)
New Madrid County
Sulfur Dioxide (2010) *New Madrid County, MO
Reynolds County
Lead (2008) *Iron, Dent, and Reynolds Counties, MO
St. Charles County
8-Hour Ozone (2015) St. Louis, MO-IL - (Moderate)
St. Louis County
8-Hour Ozone (2015) St. Louis, MO-IL - (Moderate)
St. Louis city
8-Hour Ozone (2015) St. Louis, MO-IL - (Moderate)

MONTANA
Lake County
PM-10 (1987) *Lake County; Polson, MT - (Moderate)
PM-10 (1987) *Lake County; Ronan, MT - (Moderate)
Lincoln County
PM-2.5 (1997) *Libby, MT - (Moderate)
Rosebud County
PM-10 (1987) *Rosebud County; Lame Deer, MT - (Moderate)
Yellowstone County
Sulfur Dioxide (1971) *Laurel Area (Yellowstone County), MT

NEVADA

Clark County
8-Hour Ozone (2015) *Las Vegas, NV - (Moderate)

NEW JERSEY

Atlantic County
8-Hour Ozone (2008) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Marginal)
8-Hour Ozone (2015) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Moderate)

Bergen County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

Burlington County
8-Hour Ozone (2008) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Marginal)
8-Hour Ozone (2015) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Moderate)

Camden County
8-Hour Ozone (2008) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Marginal)
8-Hour Ozone (2015) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Moderate)

Cape May County
8-Hour Ozone (2008) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Marginal)
8-Hour Ozone (2015) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Moderate)

Cumberland County
8-Hour Ozone (2008) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Marginal)
8-Hour Ozone (2015) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Moderate)

Essex County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

Gloucester County
8-Hour Ozone (2008) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Marginal)
8-Hour Ozone (2015) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Moderate)

Hudson County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

Hunterdon County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

Mercer County
8-Hour Ozone (2008) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Marginal)
8-Hour Ozone (2015) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Moderate)

Middlesex County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

Monmouth County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

Morris County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

Ocean County
8-Hour Ozone (2008) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Marginal)
8-Hour Ozone (2015) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Moderate)

Passaic County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

Salem County
8-Hour Ozone (2008) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Marginal)
8-Hour Ozone (2015) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Moderate)

Somerset County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

Sussex County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

Union County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

Warren County
Sulfur Dioxide (1971) *Warren County, NJ
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

NEW MEXICO

Dona Ana County
PM-10 (1987) *Dona Ana County; Anthony, NM - (Moderate)
8-Hour Ozone (2015) *El Paso-Las Cruces, TX-NM - (Marginal)

NEW YORK

Bronx County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

Chautauqua County
8-Hour Ozone (2008) Jamestown, NY - (Marginal)

Kings County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

Nassau County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

New York County
PM-10 (1987) New York County, NY - (Moderate)
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

Queens County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

Richmond County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)

8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)
Rockland County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)
St. Lawrence County
*Sulfur Dioxide (2010)**St. Lawrence County, NY
Suffolk County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)
Westchester County
8-Hour Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Severe 15)
8-Hour Ozone (2015) New York-Northern New Jersey-Long Island, NY-NJ-CT - (Moderate)

OHIO
Cuyahoga County
8-Hour Ozone (2015) Cleveland, OH - (Moderate)
Geauga County
8-Hour Ozone (2015) Cleveland, OH - (Moderate)
Lake County
8-Hour Ozone (2015) Cleveland, OH - (Moderate)
Lorain County
8-Hour Ozone (2015) Cleveland, OH - (Moderate)
Medina County
8-Hour Ozone (2015) Cleveland, OH - (Moderate)
Morgan County
*Sulfur Dioxide (2010)**Muskingum River, OH
Portage County
8-Hour Ozone (2015) Cleveland, OH - (Moderate)
Stark County
Lead (2008) *Canton-Stark County, OH
Summit County
8-Hour Ozone (2015) Cleveland, OH - (Moderate)
Washington County
*Sulfur Dioxide (2010)**Muskingum River, OH

OREGON
Klamath County
PM-2.5 (2006) *Klamath Falls, OR - (Moderate)

PENNSYLVANIA
Allegheny County
PM-2.5 (1997) *Liberty-Clairton, PA - (Moderate)
PM-2.5 (2006) *Liberty-Clairton, PA - (Moderate)
PM-2.5 (2012) Allegheny County, PA - (Moderate)
*Sulfur Dioxide (2010)**Allegheny, PA
8-Hour Ozone (2008) Pittsburgh-Beaver Valley, PA - (Marginal)
Armstrong County
*Sulfur Dioxide (1971)**Armstrong County: Madison, Mahoning, Boggs, Washington, Pine, PA
*Sulfur Dioxide (2010)**Indiana, PA
8-Hour Ozone (2008) Pittsburgh-Beaver Valley, PA - (Marginal)
Beaver County
Lead (2008) *Lower Beaver Valley, PA
*Sulfur Dioxide (2010)**Beaver, PA
8-Hour Ozone (2008) Pittsburgh-Beaver Valley, PA - (Marginal)
Berks County
Lead (2008) *Lyons, PA
Lead (2008) *North Reading, PA
8-Hour Ozone (2008) Reading, PA - (Marginal)
Bucks County
8-Hour Ozone (2008) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Marginal)
8-Hour Ozone (2015) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Moderate)
Butler County
8-Hour Ozone (2008) Pittsburgh-Beaver Valley, PA - (Marginal)
Carbon County
8-Hour Ozone (2008) Allentown-Bethlehem-Easton, PA - (Marginal)
Chester County
8-Hour Ozone (2008) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Marginal)
8-Hour Ozone (2015) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Moderate)
Delaware County
8-Hour Ozone (2008) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Marginal)
8-Hour Ozone (2015) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Moderate)
Fayette County
8-Hour Ozone (2008) Pittsburgh-Beaver Valley, PA - (Marginal)
Indiana County
Sulfur Dioxide (2010) Indiana, PA
Lancaster County
8-Hour Ozone (2008) Lancaster, PA - (Marginal)
Lehigh County
8-Hour Ozone (2008) Allentown-Bethlehem-Easton, PA - (Marginal)
Montgomery County
8-Hour Ozone (2008) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Marginal)
8-Hour Ozone (2015) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Moderate)
Northampton County
8-Hour Ozone (2008) Allentown-Bethlehem-Easton, PA - (Marginal)
Philadelphia County
8-Hour Ozone (2008) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Marginal)
8-Hour Ozone (2015) Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE - (Moderate)
Warren County
*Sulfur Dioxide (2010)**Warren, PA
Washington County
8-Hour Ozone (2008) Pittsburgh-Beaver Valley, PA - (Marginal)
Westmoreland County
8-Hour Ozone (2008) Pittsburgh-Beaver Valley, PA - (Marginal)

PUERTO RICO
Arecibo Municipio

Lead (2008) *Arecibo, PR
Bayamon Municipio
*Sulfur Dioxide (2010)*San Juan, PR
Catano Municipio
Sulfur Dioxide (2010) San Juan, PR
Guaynabo Municipio
*Sulfur Dioxide (2010)*San Juan, PR
Salinas Municipio
*Sulfur Dioxide (2010)*Guayama-Salinas, PR
San Juan Municipio
*Sulfur Dioxide (2010)*San Juan, PR
Toa Baja Municipio
*Sulfur Dioxide (2010)*San Juan, PR

TENNESSEE
Sullivan County
*Sulfur Dioxide (2010)*Sullivan County, TN

TEXAS
Anderson County
*Sulfur Dioxide (2010)*Freestone and Anderson Counties, TX
Bexar County
8-Hour Ozone (2015) San Antonio, TX - (Moderate)
Brazoria County
8-Hour Ozone (2008) Houston-Galveston-Brazoria, TX - (Severe 15)
8-Hour Ozone (2015) Houston-Galveston-Brazoria, TX - (Moderate)
Chambers County
8-Hour Ozone (2008) Houston-Galveston-Brazoria, TX - (Severe 15)
8-Hour Ozone (2015) Houston-Galveston-Brazoria, TX - (Moderate)
Collin County
8-Hour Ozone (2008) Dallas-Fort Worth, TX - (Severe 15)
8-Hour Ozone (2015) Dallas-Fort Worth, TX - (Moderate)
Dallas County
8-Hour Ozone (2008) Dallas-Fort Worth, TX - (Severe 15)
8-Hour Ozone (2015) Dallas-Fort Worth, TX - (Moderate)
Denton County
8-Hour Ozone (2008) Dallas-Fort Worth, TX - (Severe 15)
8-Hour Ozone (2015) Dallas-Fort Worth, TX - (Moderate)
El Paso County
PM-10 (1987) *El Paso County, TX - (Moderate)
8-Hour Ozone (2015) El Paso-Las Cruces, TX-NM - (Marginal)
Ellis County
8-Hour Ozone (2008) Dallas-Fort Worth, TX - (Severe 15)
8-Hour Ozone (2015) Dallas-Fort Worth, TX - (Moderate)
Fort Bend County
8-Hour Ozone (2008) Houston-Galveston-Brazoria, TX - (Severe 15)
8-Hour Ozone (2015) Houston-Galveston-Brazoria, TX - (Moderate)
Freestone County
*Sulfur Dioxide (2010)*Freestone and Anderson Counties, TX
Galveston County
8-Hour Ozone (2008) Houston-Galveston-Brazoria, TX - (Severe 15)
8-Hour Ozone (2015) Houston-Galveston-Brazoria, TX - (Moderate)
Harris County
8-Hour Ozone (2008) Houston-Galveston-Brazoria, TX - (Severe 15)
8-Hour Ozone (2015) Houston-Galveston-Brazoria, TX - (Moderate)
Howard County
*Sulfur Dioxide (2010)*Howard County, TX
Hutchinson County
*Sulfur Dioxide (2010)*Hutchinson County, TX
Johnson County
8-Hour Ozone (2008) Dallas-Fort Worth, TX - (Severe 15)
8-Hour Ozone (2015) Dallas-Fort Worth, TX - (Moderate)
Kaufman County
8-Hour Ozone (2008) Dallas-Fort Worth, TX - (Severe 15)
8-Hour Ozone (2015) Dallas-Fort Worth, TX - (Moderate)
Liberty County
8-Hour Ozone (2008) Houston-Galveston-Brazoria, TX - (Severe 15)
Montgomery County
8-Hour Ozone (2008) Houston-Galveston-Brazoria, TX - (Severe 15)
8-Hour Ozone (2015) Houston-Galveston-Brazoria, TX - (Moderate)
Navarro County
*Sulfur Dioxide (2010)*Navarro County, TX
Panola County
*Sulfur Dioxide (2010)*Rusk and Panola Counties, TX
Parker County
8-Hour Ozone (2008) Dallas-Fort Worth, TX - (Severe 15)
8-Hour Ozone (2015) Dallas-Fort Worth, TX - (Moderate)
Rockwall County
8-Hour Ozone (2008) Dallas-Fort Worth, TX - (Severe 15)
Rusk County
*Sulfur Dioxide (2010)*Rusk and Panola Counties, TX
Tarrant County
8-Hour Ozone (2008) Dallas-Fort Worth, TX - (Severe 15)
8-Hour Ozone (2015) Dallas-Fort Worth, TX - (Moderate)
Titus County
*Sulfur Dioxide (2010)*Titus County, TX
Waller County
8-Hour Ozone (2008) Houston-Galveston-Brazoria, TX - (Severe 15)
Wise County
8-Hour Ozone (2008) Dallas-Fort Worth, TX - (Severe 15)
8-Hour Ozone (2015) Dallas-Fort Worth, TX - (Moderate)

UTAH
Box Elder County
PM-2.5 (2006) *Salt Lake City, UT - (Serious)

Davis County
PM-2.5 (2006) Salt Lake City, UT - (Serious)
8-Hour Ozone (2015) Northern Wasatch Front, UT - (Moderate)
Duchesne County
8-Hour Ozone (2015) *Uinta Basin, UT - (Marginal)
Salt Lake County
PM-2.5 (2006) Salt Lake City, UT - (Serious)
Sulfur Dioxide (1971) Salt Lake County, UT
8-Hour Ozone (2015) Northern Wasatch Front, UT - (Moderate)
Tooele County
PM-2.5 (2006) *Salt Lake City, UT - (Serious)
Sulfur Dioxide (1971) *Tooele County, UT
8-Hour Ozone (2015) *Northern Wasatch Front, UT - (Moderate)
Uintah County
8-Hour Ozone (2015) *Uinta Basin, UT - (Marginal)
Utah County
PM-2.5 (2006) *Provo, UT - (Serious)
8-Hour Ozone (2015) *Southern Wasatch Front, UT - (Marginal)
Weber County
PM-2.5 (2006) *Salt Lake City, UT - (Serious)
8-Hour Ozone (2015) *Northern Wasatch Front, UT - (Moderate)

VIRGINIA
Alexandria city
8-Hour Ozone (2015) Washington, DC-MD-VA - (Moderate)
Arlington County
8-Hour Ozone (2015) Washington, DC-MD-VA - (Moderate)
Fairfax County
8-Hour Ozone (2015) Washington, DC-MD-VA - (Moderate)
Fairfax city
8-Hour Ozone (2015) Washington, DC-MD-VA - (Moderate)
Falls Church city
8-Hour Ozone (2015) Washington, DC-MD-VA - (Moderate)
Giles County
Sulfur Dioxide (2010) *Giles County, VA
Loudoun County
8-Hour Ozone (2015) Washington, DC-MD-VA - (Moderate)
Manassas Park city
8-Hour Ozone (2015) Washington, DC-MD-VA - (Moderate)
Manassas city
8-Hour Ozone (2015) Washington, DC-MD-VA - (Moderate)
Prince William County
8-Hour Ozone (2015) Washington, DC-MD-VA - (Moderate)

WASHINGTON
Whatcom County
Sulfur Dioxide (2010) *Whatcom County, WA

WISCONSIN
Kenosha County
8-Hour Ozone (2015) *Chicago, IL-IN-WI - (Moderate)
Milwaukee County
8-Hour Ozone (2015) Milwaukee, WI - (Moderate)
Ozaukee County
8-Hour Ozone (2015) Milwaukee, WI - (Moderate)
Racine County
8-Hour Ozone (2015) *Milwaukee, WI - (Moderate)
Sheboygan County
8-Hour Ozone (2015) *Sheboygan County, WI - (Moderate)
Washington County
8-Hour Ozone (2015) *Milwaukee, WI - (Moderate)
Waukesha County
8-Hour Ozone (2015) *Milwaukee, WI - (Moderate)

WYOMING
Lincoln County
8-Hour Ozone (2008) *Upper Green River Basin Area, WY - (Marginal)
Sublette County
8-Hour Ozone (2008) Upper Green River Basin Area, WY - (Marginal)
Sweetwater County
8-Hour Ozone (2008) *Upper Green River Basin Area, WY - (Marginal)

Discover. **Connect.** **Ask.**
Follow.

2023-05-31

Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.

Screen Summary

Compliance Determination

This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Contamination and Toxic Substances

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)

1. Evaluate the site for contamination. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property?

✓ No

Explain:

Given the size of the development area, NEPAssist Reports were run from the centerpoint of the development area as a whole and from the centerpoints of development areas A and B. 5 EPA-regulated facilities were found within 3,000 feet of all centerpoints. All 5 facilities are former surface coal mines with terminated permits and no violations in the last 12 quarters. The Kentucky Energy and Environment Cabinet Department of Environmental Protection Superfund Branch prepared an ASTM Phase I Environmental Site Assessment (ESA) titled "Site-Specific Phase I Environmental Site Assessment Olive Branch Property, Bulan (Knott County), Kentucky, May 26, 2023." The ESA found "No recognized environmental conditions, historical recognized environmental conditions, or controlled recognized environmental conditions were identified in connection to the subject property."

Based on the response, the review is in compliance with this section.

Yes

✓ Check here if an ASTM Phase I Environmental Site Assessment (ESA) report was utilized. [Note: HUD regulations does not require an ASTM Phase I ESA report for single family homes]

Screen Summary

Compliance Determination

On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. Given the size of the development area, NEPAssist Reports were run from the centerpoint of the development area as a whole and from the centerpoints of development areas A and B. 5 EPA-regulated facilities were found within 3,000 feet of all centerpoints. All 5 facilities are former surface coal mines with terminated permits and no violations in the last 12 quarters. The Kentucky Energy and Environment Cabinet Department of Environmental Protection Superfund Branch prepared an ASTM Phase I Environmental Site Assessment (ESA) titled "Site-Specific Phase I Environmental Site Assessment Olive Branch Property, Bulan (Knott County), Kentucky, May 26, 2023." The ESA found "No recognized environmental conditions, historical recognized environmental conditions, or controlled recognized environmental conditions were identified in connection to the subject property." The surface property consists of previously mined lands under River Coal Company, Permit No. 860-0063, and Liberty Management, Permit No. 860-0565. Both permits achieved Phase III bond release on March 28, 1995, and October 3, 2017, respectively, and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). Per an email from the Kentucky Energy and Environment Cabinet dated May 10, 2023, ''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 post mining land uses upon expiration of the 5-year liability period required in 405 KAR Chapter 10.''

Supporting documentation

NOD Phase III 860-0565_Olive Branch.pdf
MRP Map_River Coal Company Inc_860-0063.pdf
MRP Map_Liberty Management LLC_860-0565.pdf
MIR 860-0565_Olive Branch.pdf
Olive Branch Reclamation Documentation email-KY EEC__2023-5-10.pdf
Olive Branch Phase I ESA-2023-5-26(1).pdf
NEPAssist Report-Olive Branch Lot Centerpoint.pdf
NEPAssist Report-Olive Branch Area B Centerpoint.pdf

NEPAssist Report-Olive Branch Area A Centerpoint.pdf
EPA Facility Report-Red Star Coal Co 897-0182.pdf
EPA Facility Report-ICG HAZARD LLC 860-7019.pdf
EPA Facility Report-ICG HAZARD LLC 860-7018.pdf
EPA Facility Report-ICG HAZARD LLC 860-7017.pdf
EPA Facility Report-Big Elk Mining Co Llc 860-0425.pdf
ECHO Report-Red Star Coal Co 897-0182_Terminated.pdf
ECHO Report-Icg Hazard Llc (860-7019)_Terminated.pdf
ECHO Report-Icg Hazard Llc (860-7018)_Terminated.pdf
ECHO Report-Icg Hazard Llc (860-7017)_Terminated.pdf
ECHO Report-Big Elk Mining Co Llc 860-0425_Terminated.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

Matthew G. Bevin
Governor

2 Hudson Hollow
Frankfort, Kentucky 40601
Phone (502) 564-6940
Fax (502) 564-5698
www.naturalresources.ky.gov
www.kentucky.gov

Charles G. Snavely
Secretary

Allen Luttrell
Commissioner

1804 EAST CUMBERLAND AVENUE
Middlesboro, KY 40965-1229

September 15, 2017

LIBERTY MANAGEMENT, LLC
PO BOX 100
ARY KY 41712

RE:	Permit Name:	LIBERTY MANAGEMENT LLC
	Permit Number:	860-0565
	Increment Number:	1,5,6
	Bond ID Number:	041-001547, 041-001549, 041-001550
	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,

E-Signed by Steve Vance
VERIFY authenticity with e-Sign

Steve Vance
Environmental Control Manager
DMRE/London Regional Office

cc: Brent Gay

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

Matthew G. Bevin
Governor

2 Hudson Hollow
Frankfort, Kentucky 40601
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Charles G. Snavely
Secretary

Allen Luttrell
Commissioner

1804 EAST CUMBERLAND AVENUE
Middlesboro, KY 40965-1229

September 15, 2017

INDEMNITY NATIONAL INS CO
4800 OLD KINGSTON PIKE
KNOXVILLE TN 37919

RE:	Permit Name:	LIBERTY MANAGEMENT LLC
	Permit Number:	860-0565
	Increment Number:	1,5,6
	Bond ID Number:	041-001547, 041-001549, 041-001550
	Phase Number:	PIII

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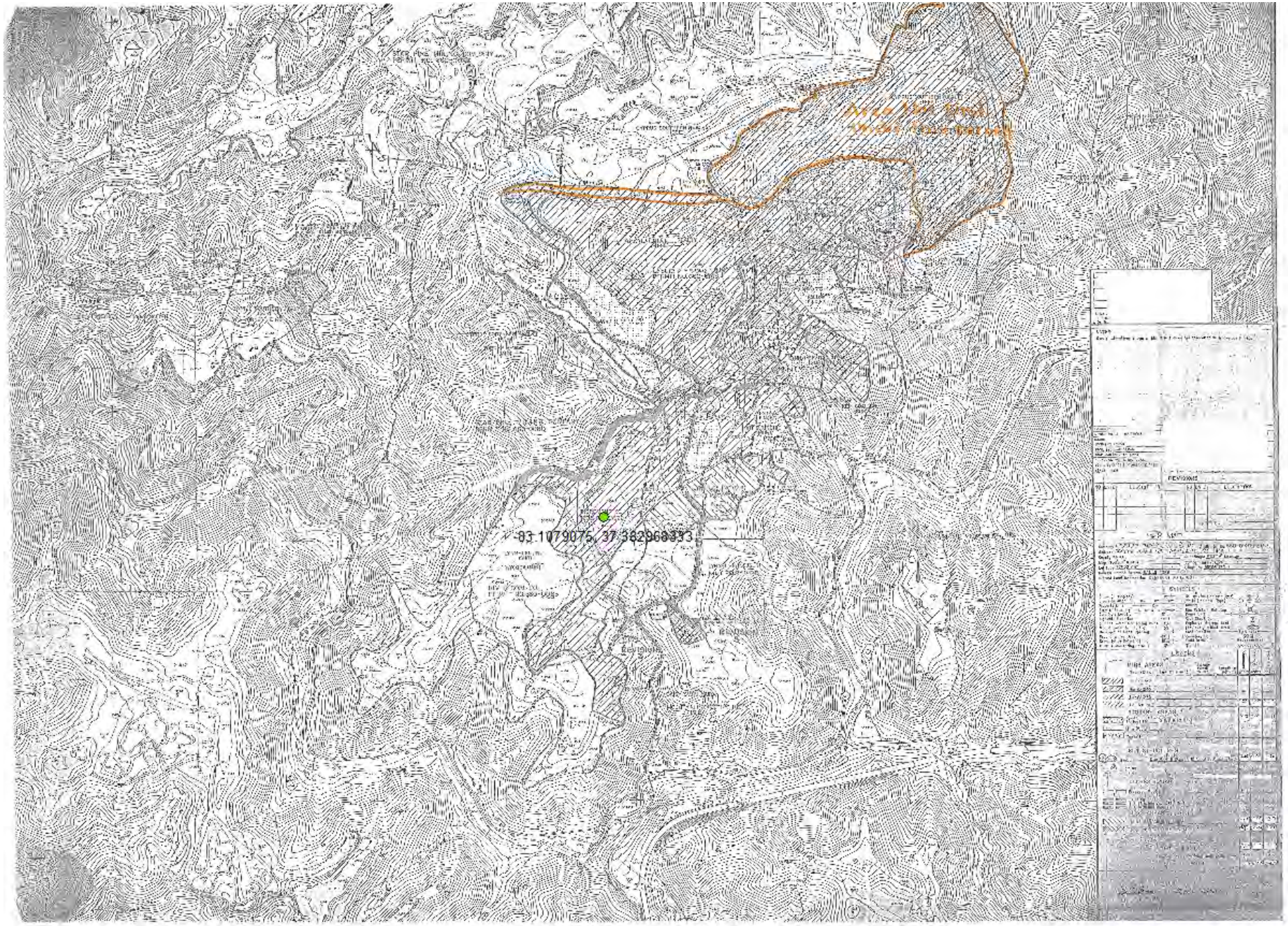
Sincerely,

E-Signed by Steve Vance
VERIFY authenticity with e-Sign

Steve Vance
Environmental Control Manager
DMRE/London Regional Office

cc: Brent Gay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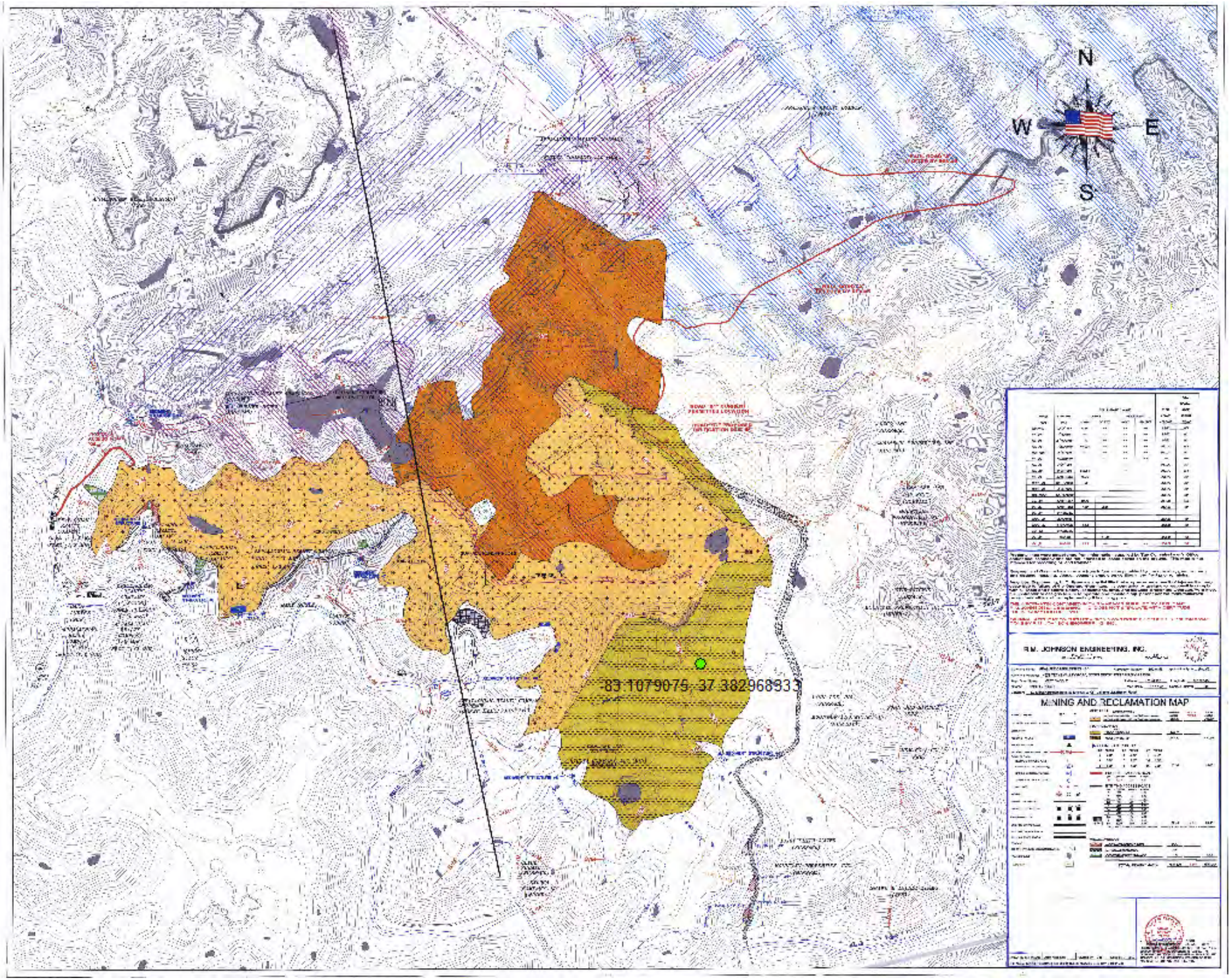
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R.M. JOHNSON ENGINEERING, INC.
MINING AND RECLAMATION MAP

MINE INSPECTION REPORT – PERMANENT PROGRAM

Hand Delivered? 860-0565

Company Name and Address	RG Bonded Acres	Acres Permitted	Status	Start Time	End Time
LIBERTY MANAGEMENT LLC PO BOX 100 ARY, KY 41712		808.22	RC	10:00 AM	11:00 AM
	Mine Type	Acres Bonded	Inspection Date		Type
	SURFACE	0	10/03/2017		C
	Weather	Est. Acres Disturbed			
	SUN	576.97			

Insolvent Surety	Photos	Reasons For Inspection				Overall Site Condition	Est. Acres Reclaimed	End Inspection Date
No	No					FC	576.97	10/03/2017

Non-Compliance	Cessation Order Number	Cessation Order Type	INC/ICO Number	INC/ICO Type	IAO Number	IAO Type	Modification Number	Modification Type	Permit Expiration Date
									2/1/1999

(SM)	FC	Signs and Markers KAR 16:030 or 18:030	(SC)	FC	Sedimentation Ponds KAR 16:090 or 18:090	(SS)	FC	Steep Slopes KAR 20:060
(AC)	FC	Roads KAR 16:220 or 18:230	(DV)	FC	Diversions KAR 16:080 or 18:080	(MR)	NA	Mountaintop Removal KAR 20:050
(TH)	FC	Topsoil KAR 16:050 or 18:050	(WQ)	FC	Water Quality KAR 16:070 or 18:070	(AM)	NA	Auger Mining KAR 20:030
(UE)	FC	Use of Explosives KAR 16:120 or 18:120	(HR)	FC	General Hydrologic Requirements KAR 16:060 or 18.060	(PF)	NA	Prime Farmland KAR 20:040
(DS)	FC	Disposal of Excess Spoil KAR 16:130 or 18:130	(WM)	FC	Water Monitoring KAR 16:110 or 18:110	(PP)	NA	Processing Plants KAR 20:070 or 20:080
(BG)	FC	Backfilling and Grading KAR 16:190 or 18:190	(IM)	FC	Impoundments KAR 16:100 or 18:100	(PL)	FC	Post-Mining Land Use KAR 16:210 or 18:220
(CR)	FC	Contemporaneous Reclamation KAR 16:020 or 18:020	(WD)	NA	Coal Waste Dams KAR 16:160 or 18:160	(DH)	FC	Drilled Holes KAR 16:040 or 18:040
(OF)	FC	Other Facilities KAR 16:250 or 18:260	(DC)	NA	Disposal of Coal Processing Waste KAR 16:140 or 18:140	(UO)	NA	Approved Operator KAR 8:010
(DW)	FC	Disposal of Non-Coal Waste KAR 16:150 or 18:150	(AP)	FC	Air Resources Protection KAR 16:170 or 18:170	(OC)	FC	Ownership and Control KAR 8:010
(RV)	FC	Revegetation KAR 16:200 or 18:200	(FW)	FC	Fish and Wildlife Protection KAR 16:180 or 18:180	(SB)	NA	Subsidence KAR 18:210
(OD)	FC	Off Permit Disturbance KAR 7:040	(OO)	NA	Mining Off Permit U/G KAR 7:040 or 8:010	(OT)	FC	Other Permit Conditions
(OM)	FC	Method of Operation KAR 08:010	(LI)	FC	Liability Insurance KAR 10:030	(SF)	FC	Surety Failure KAR 10:030
(EL)	FC	Effluent Limitations KAR 5:065	(FR)	FC	Flyrock KAR 16:120	(SW)	FC	Surface and Ground Water KAR 16:110, 18:110, or 5:065

Describe all changes since last inspection, including change in operator or contractor and name(s) of any person(s) who accompanied you during this inspection (citizen, chief, other federal or state inspectors); etc.

Complete inspection - All structures with KPDES sampled and in compliance. Yes☐ No☒ If Yes not selected, list points in violation.

This permit is released as of 10-03-2017 due to a phase III bond release and inspections ceased.

Env. Inspector:	Jason Mills	I.D. No:	060248	Date:	10/03/2017
Env. Control Supervisor:	E-Signed by Kevin Helton VERIFY authenticity with e-Sign Kevin Helton			Date:	10/03/2017
Env. Control Manager:				Date:	
Person On-Site To Whom Copy Was Delivered:		Signature:			
Person To Whom Copy Was Hand Delivered:		Signature:			
Certified Mail No.		Certified Date			
Contact Inspector at:	606-231-8486				

Copies Mailed To:
LIBERTY MANAGEMENT LLC
5896 HURRICANE CREEK ROAD PIKEVILLE KY 41501
PO BOX 100
ARY, KY 41712

Curtis Stauffer

From: Skaggs, Courtney (EEC) <courtney.skaggs@ky.gov>
Sent: Wednesday, May 10, 2023 10:43 AM
To: Curtis Stauffer
Cc: Aldridge, Louanna C (EEC); Lyons, John (EEC); Gaddis, Sarah J (EEC)
Subject: Olive Branch-narratives, maps and Phase III documentation
Attachments: MIR 860-0565_Olive Branch.doc; MRP Map_Liberty Management LLC_860-0565.docx; MRP Map_River Coal Company Inc_860-0063.docx; NOD Phase III 860-0565_Olive Branch.doc; Olive Branch reclamation plan narrative.docx

Follow Up Flag: Follow up
Flag Status: Flagged

EXTERNAL EMAIL: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Curtis,

Please see below information regarding site location and reclamation status related to the Olive Branch project in Knott County. I have also attached maps, a mine inspection report and Notice of Decision (NOD) letters that document the Phase III bond release for Liberty Management, LLC permit no. 860-0565. There was also a second permitted site located within the boundary of the project area that was issued to River Coal Company, Inc. The Department for Natural Resources (DNR) no longer has bond release records due to the age of the bond release; Phase III release for this permit was granted on March 28, 1995 (28 years ago).

I can provide you with a screen grab from our database that reflects the bond release granted for the permit. "RC" indicates that the permit was "released", while "P2" and "P1" indicate the prior Phase 1 and Phase 2 bond release statuses. I hope this is sufficient to document the release of this permit and termination of the DNR's SMCRA jurisdiction.

Permits

Permit Search:

Search: 8600063

Export to Excel

Permit #	Entity Id	Entity Name
8600063	002287	RIVER COAL COMPANY INC

1 5 items per page

Inspection History

Date	Inspection Type	Reasons	Mine Status	Dis
03/28/1995	P	SO	RC	159
02/13/1995	C		P2	159
12/08/1994	C	BR	P2	159
09/29/1994	C		P2	159
08/04/1994	P	BR	P2	159
05/02/1994	C		P2	159
12/08/1993	C		P1	159

Olive Branch-Knott County

Site Location:

This site is located near the community of Talcum in Knott County, Kentucky at 37.3892°W/-83.1079°N. The surface property includes previously mined lands that have obtained Phase 3 bond release and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). The project will develop approximately seventy-five (75) acres and include housing site for approximately two-hundred twenty-five (225) single family residences.
Utilities are located adjacent to the project area. Both water and sewer lines will be extended to service the project area, as well as electric utilities. Access to the site will be through existing public roads, with extension to County Road 1390 (CR-1390) anticipated.

Reclamation Status:

The Olive Branch 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) in 1984. The DNR is the state primacy agency with the regulatory authority for permitting, inspection and enforcement under SMCRA. The project area includes two (2) reclaimed mining sites formerly permitted by River Coal Company, Inc. and Liberty Management, LLC.

River Coal Company, Inc., permit no. 860-0063, was issued on February 14, 1984 and obtained a Phase IIII bond release on March 28, 1995.

Liberty Management LLC, permit no 860-0565 was initially permitted to Star Fire Mining Company, permit no. 460-0080. 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 Big Elk Mining Company, permit no. 860-0421 on October 25, 2005; the second transfer of rights to Frasure Creek Mining LLC, permit no. 860-0466 on June 1, 2007; a third transfer of rights (due to a stock purchase) to Frasure Creek Mining LLC, permit no. 860-0506 on April 7, 2011; and a fourth transfer of rights to Liberty Management LLC, permit no. 860-0565 on November 5, 2015. Liberty Management, LLC, permit no. 860-0565 obtained a Phase III bond release on October 3, 2017.

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 March 28, 1995 and October 3, 2017.

Courtney

Site Specific Phase I

Environmental Site Assessment

Olive Branch Property

Bulan (Knott County), Kentucky

May 26, 2023

Prepared for:

The Commonwealth of Kentucky

Prepared by:

Kentucky Energy and Environment Cabinet

Department of Environmental Protection

Superfund Branch

300 Sower Blvd.

Frankfort, Kentucky 40601

TABLE OF CONTENTS

1.0 Summary **4**
2.0 Introduction **4**
2.1 Purpose 5
2.2 Scope of Work 6
2.3 Significant Assumptions 6
2.4 Limitations and Exceptions 7
2.5 Special Terms and Conditions 7
2.6 User Reliance 7
2.7 Location and Description 8

3.0 USER PROVIDED INFORMATION **8**
3.1 Title Records 8
3.2 Environmental Liens or Activity and Use Limitations (AULs) 9
3.3 Specialized Knowledge 9

4.0 RECORDS REVIEW **9**
4.1 Physical Settings 9
4.2 Site Vicinity and General Characteristics 10
4.2.1 Topography 10
4.2.2 Soil 10
4.2.3 Groundwater 10
4.3 Standard Environmental Records Review 11
4.3.1 EDR Radius Map™ with GeoCheck 11
4.3.2 Historical Topographical Maps 12
4.3.3 Historical Aerial Photographs 13
4.3.4 Historical Sanborn Fire Insurance Maps 14
4.3.5 Historical City Directories 14

5.0 SITE RECONNAISSANCE **15**
5.1 Site Reconnaissance Methodologies 15
5.2 Current Use of Property 15
5.3 Current Use of Adjoining Properties 16
5.4 Past Uses of Property 16
5.5 Past Uses of Adjoining Properties 18
5.6 Descriptions of Structures, Roads, and Other Improvements 18

5.7 Exterior Observations.....18
5.8 Underground Storage Tanks (USTs) and Aboveground Storage Tanks (ASTs).....18
5.9 Hazardous Substances Waste and Petroleum Products..... 18
5.10 Odors..... 19
5.11 Pits, Ponds, and Lagoons..... 19
5.12 Stained Soil/Pavement..... 19
5.13 Wastewater 19
5.14 Wells..... 19
5.15 Septic Systems..... 21
6.0 INTERVIEWS..... 21
6.1 Current Property Owner..... 21
6.2 State/Local Representative.....21

7.0 EVALUATIONS..... 23
7.1 Findings..... 23
7.2 Recognized Environmental Conditions..... 23
7.3 Opinions 24
7.4 Conclusions..... 24
7.5 Additional Investigations..... 24
7.6 Deletions and Exceptions..... 24
8.0 NON-SCOPE SERVICES..... 25
9.0 SIGNATURE OF THE ENVIRONMENTAL PROFESSIONAL..... 26
10.0 REFERENCES..... 27

APPENDICES

A. Site Maps
B. Historic Documents
   a. EDR Radius Map™ Report with GeoCheck®
   b. EDR Certified Sanborn® Map Report
   c. EDR Historical Topo Map Report
   d. EDR Aerial Photo Decade Package
C. Olive Branch Site Investigation Report
D. Bond release Documentation
E. Photographic Record of Subject Property
F. Current Deeds
G. Qualifications

1.0 SUMMARY

The Kentucky Energy and Environment Cabinet (EEC) has completed a Phase I Environmental Site Assessment (ESA) of the property located on KY-80 in Bulan, Knott County, Kentucky (hereafter referred to as the "subject property"). The Phase I ESA is designed to provide an environmental due diligence inquiry pursuant to good commercial and customary practice, as established by the procedures in the American Society for Testing and Materials (ASTM) E1527-21. This Phase I ESA was conducted in accordance with the scope and limitations of the ASTM *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (E1527-21) and the U.S. Environmental Protection Agency (USEPA) All Appropriate Inquiry promulgated in 40 CFR 312.

A summary of the findings is provided below. It should be recognized that details were not included or fully developed in this summary, and the report must be read in its entirety for a comprehensive understanding of the findings.

- Historical surface mining operations at and around the subject property.
- Two wells were observed within ½ mile of the subject property that are of domestic or unknown use with no records of being plugged.
- Three oil and gas producing wells are observed to be on the subject property. One of the wells, Equitable Production Company (Well No: 566108), is observed on the southwestern portion of the subject property with production data available from 2005-2020. The well appears to be down-gradient from the majority of the subject property.
- One well, Ashland Oil and Refining (Well No. 74981), is observed on the northwestern portion of the property. This well was plugged in 1977.
- One well, Columbia Natural Resources (Well No. 23422), is observed on the eastern property boundary. This well is listed as "shut in" from 2013-2019. Gas production data was available from 1999-2020.

No *recognized environmental conditions*, *historical recognized environmental conditions*, or *controlled recognized environmental conditions* were identified in connection to the subject property. The subject property does have the potential for geotechnical issues in connection with soil composition of the area, which was identified as a *business environmental risk* (BER).

2.0 INTRODUCTION

The Kentucky Energy and Environment Cabinet (EEC) performed this Phase I ESA for the Commonwealth of Kentucky at the subject property located off KY-80 in Bulan, Kentucky. A site reconnaissance was performed for the subject property on May 17th, 2023 by Caitlin Mullins

(EEC), Christopher Jung (EEC), Kenneth Logsdon (EEC), Jean Weaver (EEC) and Sarah Yount (EEC).

2.1 Purpose

The purpose of this Phase I ESA is to document current and historical information on the subject property and surrounding area in order to identify, to the extent possible, *recognized environmental conditions (REC's), historical recognized environmental conditions (HRECs), controlled recognized environmental conditions (CREC's),* and *de minimus conditions* as defined by ASTM E1527-21.

A *recognized environmental condition (REC)* is defined by ASTM E1527-21 as "the presence or likely presence of any hazardous substances or petroleum products in, on, or at the property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; (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 the presence or likely presence 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 (e.g., as evidenced by the issuance of a no further action letter or 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 restrictions, activity, and use limitations, institutional controls, or engineering controls.)

A *controlled recognized environmental concern (CREC)* is defined BY ASTM E1527-21 as a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (e.g., as evidence by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances 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 minimus conditions are defined as conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of the appropriate governmental agencies. Conditions determined to be *de minimis* are not *recognized environmental conditions* nor *controlled environmental conditions.*

Business Environmental Risk (BER) is a risk that 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.

2.2 *Scope of Work*

The scope of work for this Phase I ESA, based on ASTM E1527-21, is to identify whether RECs, HRECs, and CRECs are present at the site. The report is a general characterization of environmental concerns based on available information and site observations. The procedures and methodologies used during the course of this Phase I ESA included an environmental records review, a review of historic land usage, a site reconnaissance and interviews with persons familiar with the subject property. Specifically, this Phase I ESA included:

- Research of environmental regulatory database information at the federal, state and local levels within specified minimum search distances.
- A review of standard historical resources pertinent to the historic land usage of the subject property, adjacent properties, and the surrounding area.
- A review of current land use and existing conditions 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; well, drains, and sumps; and pits, ponds, or lagoons.
- A review of 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.
- A visual site investigation and general evaluation of the physical characteristics of the subject property using both area reconnaissance and published references.
- Conversations and/or interviews with current owners, local government officials, local regulatory personnel, and other knowledgeable persons in an effort to obtain information that may indicate recognized environmental conditions in connection with past uses and/or activities at the subject property.

In addition to the above, the subject property was evaluated for Business Environmental Risks (BERs) and *de minimus conditions* observed during the site visit documented in this report.

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 analysis 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.

2.3 *Significant Assumptions*

No significant assumptions were made in the course of 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.

2.4 Limitations and Exceptions

The Phase I ESA is designed to provide an objective, independent, professional opinion of the potential environmental risks, if any, associated with the subject property. Performance of a Phase I ESA is intended to reduce, but not eliminate uncertainty regarding the potential for recognized environmental conditions in connection with the subject property. This Phase I ESA was prepared in accordance with the scope and limitation of ASTM E1527-21 process and it is recognized by the U.S. EPA as compliant with Standards and Practices for All Appropriate Inquiries (AAI). It has been prepared to access the property with respect to hazardous substance 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:

- This site is undeveloped so signs of contamination may have been hidden by overgrown vegetation at the time at site reconnaissance.
- EDR searched the Sanborn Fire Insurance map database, however, no maps were found for the subject property.
- EDR provided historical aerial photographs and topographical maps for the subject property, however, due to the large size of the subject property, the maps provided did not cover the entire area of the subject property.

2.5 *Special Terms and Conditions*

This assessment was performed by the Kentucky Energy and Environment Cabinet (EEC) for the Commonwealth of Kentucky. The Kentucky EEC understands that the Commonwealth will use the findings to evaluate redevelopment opportunities at the subject property. This report is public record and is subject to the Kentucky Open Records Act.

2.6 *User Reliance*

Reasonable care was taken by the EEC in checking information gained through interviews and other secondary sources of data. This report was developed with the presumption that

the information obtained was factual in nature and was based on the physical conditions observed on May 16th, 2023 during the site reconnaissance.

2.7 *Location and Description*

The subject property is located off of KY-80 and adjacent to the Perry County line in Bulan, Knott County, Kentucky. Subject property coordinates are Latitude 37.3892 and Longitude -83.1079. The subject property is around 300 acres of hilly terrain, consisting of seven parcels according to the Knott County Property Valuation Administrator's (PVA) office. The property can be accessed by Starfire Haul Road off of KY-80. The parcel IDs included in the subject property are listed in the table below as well as owner information, the current Deed Book and page, and the address according to Knott County's PVA office. Site maps are included in Appendix A.

Parcel ID	Current Owner Information	Address Listed	Current Deed Book/Page
005-20-00-004.00	Core Capital LLC	0 Ball Talcum	**281/498**
005-20-00-002.00	Lynn Lee Inc	0 Ball Lower	**125/193**
005-00-00-019.02	Core Capital LLC	0 Ball Lower	**281/498**
005-00-00-019.01	Core Capital LLC	0 Ball Lower	**281/498**
005-00-00-019.00	Core Capital LLC	0 Ball Lower	**281/498**
005-00-00-020.00	Core Capital LLC	0 Ball Lower	**281/498**
006-00-00-020.00	Core Capital LLC	0 Ball	**281/498**

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 the property, a potential tenant of the property, an owner of property, a lender, or a property manager.

The Commonwealth of Kentucky is the user of this ESA. The Commonwealth of Kentucky intends to redevelop the subject property into housing for victims of flooding in Eastern Kentucky.

3.1 *Title Records*

According to the Knott County Clerk's Office, six of the seven parcels included in the subject property are owned by Core Capital LLC. The current deed for six of the seven parcels is dated August 31, 2017 and is recorded in Deed Book 281 on page 419 of the Knott County Clerk's office. This deed specifically covers the following parcels: 005-00-00-019.00, 005-00-00-019.01, 005-00-00-019.02, 005-00-00-020.00, 5-20-00-004.00, 006-00-00-020.00, The remaining parcel, 005-20-00-002.00, is presently owned by Lynn Lee Inc. The current deed is

recorded in Deed Book 125 on page 193 and dated February 11, 1982. Lynn Lee Inc. previously owned the other six parcels until 2017.

A deed search and review of prior ownership was also conducted to determine if there were any indications that previous ownership might have engaged in activities that would lead to environmental contamination.

3.2 *Environmental Liens or Activity and Use Limitations*

Information on environmental liens or activity and use limitations on the subject property were not provided by the Commonwealth of Kentucky. A search for environmental liens or activity and use limitations was conducted on May 23, 2023. None were found in connection with the subject property.

3.3 *Specialized Knowledge*

No previous site assessment were performed at the subject property, however, The Kentucky Division of Waste Management (KDWM) performed a limited site screening of the subject property where soil samples were taken and analyzed for heavy metals. Results from sample analysis did not warrant regulatory action. A copy of this report is available in Appendix C.

4.0 RECORDS REVIEW

4.1 *Physical Setting*

An electronic database search of files maintained by the U.S. EPA and the Kentucky Department of Environmental Protection (KDEP) was conducted on April 27, 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 to 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:

- Environmental Data Resources, Inc. (EDR) EDR Radius Map™ Report with Geocheck;
- EDR Certified Sanborn® Map Report;
- EDR Historical Topo Map Report;
- EDR Aerial Photo Decade Package;
- EDR City Directory Image Report;
- Kentucky Department of Environmental Protection, TEMPO Database;
- US Fish and Wildlife Service National Wetlands Inventory: https://www.fws.gov/wetlands/Data/Mapper.html;

- USGS 7.5 Minute Geologic Quadrangle Map: Vest, Noble, Carrie, Hazard North, Troublesome, and Hazard, KY Quadrangles.
- United States Department of Agriculture, Natural Resources Conservation Service; http://websoilsurvey.sc.egov.usda.gov/app/HomePage.htm

4.2 *Site Vicinity and General Characteristics*

4.2.1 Soil

Soil data subject was obtained from the U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) for the subject property. Results are presented in the table below.

Unit Symbol	Name	Acres in Area of Interest (AOI)	Percent of AOI
CkF	Cloverlick-kimper-Highsplint comples, 30 – 65% slopes, very stony.	6.7	2.2%
FkE	Fiveblock and Kaymine soils, 0-30% slopes, stony,	108.6	35.3%
KfF	Kaymine Fairpoint, and Fiveblock soils, benched, 2-70% slopes, very stony.	187.5	60.9%
UsHGf	Shelocta-Highsplint-Gilpin complex, 20-70% slopes, very stony.	5.1	1.6%

Geological data obtained from the Kentucky Geological Survey states that the subject property consists of the Princess Formation (Ppr) and the Four Corner Formation (Pfc). The Princess Formation consists of mainly sandstone, shale, coal, underclay and chert. The Four Corners Formation similarly contains sandstone, shale, coal and underclay, but also include siltstone and limestone. The Princess Formation's top 0-20 feet is comprised of alluvium, consisting of sand, silt, clay, and gravel. Multiple coal beds underlay the formation including Hindman, Francis, Hazard, Haddix, Copland, Hamlin, Fire Clay, and Whitesburg. The top 0-20 feet of the Four Corners formation is alluvium predominantly made up of silt, sand, and lesser amounts of silty

clay and gravel. Coal beds underlying the formation including the Hindman, Francis, Hazard, Haddix, Hamlin, Fire Clay, and Whitesburg.

The U.S. Fish and Wildlife Service's National Wetlands Inventory did identify three areas registered with the National Wetlands Inventory as small ponds. One is located on the subject property, and the other two are located on the surrounding properties. The pond located on the property was a 0.5-acre freshwater pond classified as PUBHx, which was described as human excavated. Data collected on this pond originated from interpretation of aerial photographs dated 1983.

4.2.2 *Groundwater*

No commercial water wells appear to be on the subject property. The subject property does not currently have potable water available from local utilities, however, water lines do run adjacent to the nearby roadway KY-80 allowing for future availability. There is record of one domestic use well located within ¼ of the subject property, however, no data on the status or use of the well was provided.

4.3 *Standard Environmental Records Review*

A regulatory database search was conducted by Environmental Data Resources, Inc. (EDR) for the EEC to review the required federal and state databases for any records pertaining to the possible presence of hazardous substances, petroleum products, or industrial activities at or around the subject property which could be considered a recognized environmental condition.

4.3.1 EDR Radius Map™ with GeoCheck®

The regulatory database search included an EDR Radius Map™ with Geocheck®. A copy of the report, provided to the EEC on April 27, 2023, is included in Appendix D and a summary of the report is contained in the table below.

Regulatory Database	Minimum Search Distance	Property Listed?	# Sites Listed
Federal NPL (Superfund) Sites	1 Mile	No	0
Federal Delisted NPL Sites	½ Mile	No	0
Federal CERCLIS	½ Mile	No	0
Federal CERCLIS NFRAP	½ Mile	No	0
Federal RCRA CORRACTS	1 Mile	No	0
Federal RCRA Non-CORRACTS TSD	½ Mile	No	0
Federal RCRA Generators	¼ Mile	No	0
Federal Institutional/Engineering Control Registry	½ Mile	No	0
Federal ERNS	¼ Mile	No	0
State CERCLIS	1 Mile	No	0

State Hazardous Waste Site	1 Mile	No	0
State Solid Waste Disposal Sites	½ Mile	No	0
State Leaking Storage Tank Lists	½ Mile	No	0
State Registered Storage Tank Lists	¼ Mile	No	0
State Institutional/Engineering Control Registry	½ mile	No	0
State Voluntary Cleanup Sites	½ Mile	No	0
Federal/State Brownfield Sites	½ Mile	No	0
Records of Emergency Release Reports	½ Mile	No	0
United States Mines	¼ Mile	No	2
Abandoned Mines	¼ Mile	No	1

The EDR Report identified three potential highrisk properties less than 1/8 of a mile from the subject property. Two were listed as U.S. mine sites, and one was listed as an abandoned mine. Both sites were listed as closed or abandoned. A copy of the EDR Radius Map™ Report with Geocheck® is included in Appendix B.

4.3.2 Historical 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 historical topographic maps of the subject property and surrounding area was conducted by EDR and provided to the EEC in a *Historical Topographic Map Report* dated April 27, 2023. Topographic Maps were provided for various years between 1891 and 2019. A copy of the report is included in Appendix B and summarized as follows:

Year(s)	Topographic Map Observations
2019	Map does not depict any structures on the subject property or surrounding properties. Multiple ponds are observed on surrounding properties. Starfire Haul Road is observed leading to the subject property.
2016	No structures are observed on the subject property or surrounding properties. Changes in contour are noticeable resulting from surface mining operations. Multiple ponds are observed on the surrounding properties. Balls Fork is observed south of the subject property.
2013	Roadway, referenced as Starfire Haul Rd, is observed leading to the subject property. Contour lines widened due to surface mining operations at the subject property. No structures present on subject or surrounding properties.
1992	The map depicts approximately four areas used for strip mining operations – a pond is also present in the strip mine area located north of the subject

	property. A private roadway is also observed leading to the strip mine area located at the subject property. Contours observed to widen due to strip mining operations. One structure is observed near the private roadway in the surface mining area located at the subject property. Several structures are noted along Balls Fork. Two mines and a gas well are observed southwest of the subject property.
1987	No structures or developments ware observed on the subject property. Small structures were present north of the subject property, as well as along the Balls Fork stream. Lick Branch school is observed west of the subject property.
1976	No structures or developments observed on the subject property. Mining areas are observed southwest of the subject property and across the Perry County line. One gas well is observed southeast of the subject property. Lick Branch School is observed northwest of the subject property. A gas well is present southeast of the subject property, just west of Ball Fork.
1954	Balls Fork is observed on the southern portion of the map running below the subject property. No structures or developments are present on the subject property. Small structures can be observed along Balls Fork and its associated tributaries. Two structures appear just north of the subject property. Lick Branch School is observed northwest of the subject property. A gas well is present southeast of the subject property, just west of Balls Fork.
1914	No observable structures present on the subject property. Small structures can be observed on the surrounding properties along Lick Branch, located northwest of the subject property, and along Balls Fork, located south of the subject property. Structures are also present along Zach's Branch.
1891	Map does not depict any structures or developments on the subject property or surrounding properties. Balls fork is present south of the subject property.

4.3.3 Historical Aerial Photographs

Aerial photographs are generally of small scale and only provide a general idea of activity in the area. Aerial photographs provide a "snap shot" 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 provided to the EEC in the *Aerial Photo Decade Package* dated May 1, 2023. Photos were provided for various years from 1952 and 2020. A copy of the EDR Aerial Photo Report is included in Appendix B and a summary is presented in the following table.

Year(s)	Aerial Photograph Observations
2020	Subject property appears to be mainly grassy and wooded areas. A pond is visible on the northern adjoining property. Two structures are visible on the eastern adjoining property.
2016	Subject property comprised of mainly grassy or wooded areas. A pond is visible on northern adjoining property. Only one structure is noted on the eastern adjoining property.
2012	Subject property comprised of patchy grass and sparse woodland areas. A pond is present on eastern edge of subject property. One structure is observed on the eastern adjoining property.
2008	Subject property is observed to be mainly exposed dirt and gravel, with some grassy areas. Wooded areas are also observed on the subject property. One structure is present on the eastern adjoining property.
1995	Aerial imagery indicates heavy surface mining activity on the subject property. Several vehicles are observed on the subject property. One structure present on the eastern adjoining property. Roadways associated with surface mining operations are present on the subject property.
1983	Heavy surface mining activity observed at the subject property. No structures are present on the subject property. Several roadways associated with surface mining operations are present.
1977	Aerial image quality is poor, but subject property appears to be mainly wooded areas with some roadways visible. It appears that surface mining operations are beginning to take place.
1971	Aerial image quality is poor; however, subject property appears to be mainly forested land.
1960	Aerial image quality is poor; however, subject property and surrounding properties appear to be covered entirely in densely forested land.
1952	Aerial images are poor quality; however subject property and adjoining properties appear to be densely forested land.

4.3.4 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 the EEC in a *Certified Sanborn® Map Report* dated April 27, 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.

4.3.5 Historical City Directories

A search of historical city directories for the subject property and surrounding properties was conducted by EDR and provided to the EEC in the *City Directory Image Report* dated May 2,

2023. The report contained phone numbers and addresses for the subject property from 2010 to 2020. A condensed summary of the listings is provided below. The full report is included in Appendix B. It should be noted that city directories are published by private and public sources that show ownership, occupancy, and/or use of properties by reference to street addresses. Discrepancies in addresses are likely the results of changes in ownership and/or property usage.

Year(s)	W KY 80 HWY	Starfire Haul Rd.
2020	- Kentucky Work & Western Wear	- No records available
2017	- Kentucky Work and Western Wear	- No records available
2014	- Kentucky Work and Western Wear - Two Residential	- Frasure Creel Mining LLC Main Office
2010	- Thacker Grigsby Telephone Co. - One Residential	- No records available

5.0 SITE RECONNAISSANCE

As part of a Phase I ESA, an onsite investigation, or site reconnaissance, is performed in an effort to identify *recognized environmental conditions.* Caitlin Mullins (EEC), Christopher Jung (EEC), Kenneth Logsdon (EEC), Jean Weaver (EEC) and Sarah Yount (EEC) conducted the site reconnaissance of the subject property and general vicinity on May 17th, 2023.

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 reconnaissance consisted of visual observation of the subject property and adjacent properties as viewed from the subject property and available nearby roadways. Most areas of the subject property and surrounding properties were able to be observed from the subject property and nearby roadways. The subject property was accessible but contained tall vegetation.

Photographs taken of the subject property and adjacent properties are included in Appendix E.

5.2 Current Use of Property

The subject property is currently undeveloped with no structures present. The subject property consists of mainly grassy areas, which are mowed for hay, as well as some forested areas. Utilities are present adjacent to the subject property along KY-80 including water, sewer, and electric utilities.

5.3 Current Use of Adjoining Properties

The majority of the adjoining properties are also mainly forested land with no evidence of use or structures, excluding the property located east of the subject property. This property is observed to have three structures present which appeared to be used for cattle farming operations.

5.4 Past Uses of Property

The subject property was historically forested land until surface mining operation began in 1984. A deed search revealed that the parcels on the subject property were mainly family owned properties that were bought by Lynn Lee Inc. in the 1980s. A chain of title search was performed by EDR for one of the parcels, 005-20-00-002.00, back to 1971 and found that the property was owned by the Ritchie family until 1971 when the property was sold to Ivan Childers, W.R. Smith and Charlotte Smith. The property was sold again in 1974 to James and Olga Patrick, who sold the property to the current owner, Lynn Lee Inc, in 1982. This information is not included in the table below which describes the chain of title of the other six parcels which were included in the current deed recorded in Deed Book 281 on page 498 in the Knott County Clerk's Office.

Date	Grantor	Grantee	Deed Book/Page	Deed History			
				Grantor	Grantee	Date	Book/Page
09/03/1982	Magellan and Marie Fugate	Lynn Lee Inc.	**126/148**	Sid and Rachel Fugate	Magellan and Marie Fugate	4/4/1960	88/59
				Grantor	Grantee	Date	Book/Page
05/13/1983	Nezra and Rachel Ritchie	Lynn Lee Inc.	**128/269**	Sid and Rachel Fugate	Nezra and Rachel Ritchie	1/15/1969	92/143
				Jerry and Sally Fugate	Sidney Fugate	3/22/1919	37/331

<table>
<tr><td></td><td></td><td></td><td></td><td>
<table>
<tr><td>Hannah Stacy and J Stacey</td><td>Jerry Fugate</td><td>3/30/1909</td><td>23/273</td></tr>
</table>
</td></tr>
<tr><td>08/31/1982</td><td>Timothy and Carol Sue Fugate</td><td>Lynn Lee Inc.</td><td>126/145</td><td>
<table>
<tr><th>Grantor</th><th>Grantee</th><th>Date</th><th>Book/Page</th></tr>
<tr><td>James Tony and Shirley Fugate</td><td>Tim and Carol Fugate</td><td>8/29/1908</td><td>119/57</td></tr>
<tr><td>Elhanon and America Fugate</td><td>James Tony Fugate</td><td>4/30/57</td><td>Perry County Clerk Deed Book 81/133</td></tr>
</table>
</td></tr>
<tr><td>12/15/1983</td><td>Corbett Ray Fugate</td><td>Lynn Lee Inc.</td><td>130/204</td><td>
<table>
<tr><th>Grantor</th><th>Grantee</th><th>Date</th><th>Book/Page</th></tr>
<tr><td>Sid and Rachel Fugate</td><td>Buck Fugate</td><td>4/4/1960</td><td>88/119</td></tr>
</table>
Corbett Ray Fugate inherited the property, as seen in the affidavit of deceased on page 556 of Knott County Deed book 128, from Buck Fugate on 1/22/1981.
</td></tr>
<tr><td>09/24/1984</td><td>Amel and Kathy Ritchie</td><td>Lynn Lee Inc.</td><td>132/565</td><td>
<table>
<tr><th>Grantor</th><th>Grantee</th><th>Date</th><th>Book/Page</th></tr>
<tr><td>Columbus Ritchie et. al</td><td>Amel and Kathy Ritchie</td><td>10/06/1981</td><td>123/9</td></tr>
<tr><td>Delilah Ritchie</td><td>Amel and Kathy Ritchie</td><td>3/19/1981</td><td>11/587</td></tr>
</table>
</td></tr>
<tr><td>10/21/1983</td><td>Pro Land Inc.</td><td>Lynn Lee Inc.</td><td>129/561</td><td>
<table>
<tr><th>Grantor</th><th>Grantee</th><th>Date</th><th>Book/Page</th></tr>
<tr><td>Denzil and Opal Short</td><td>Pro Land Inc.</td><td>10/22/1972</td><td>102/634</td></tr>
</table>
This property consists of four tracts. The deed between Pro Land Inc. and Lynn Lee Inc. was a surface only conveyance with exceptions and reservations of
</td></tr>
</table>

<table>
<tr><td></td><td></td><td></td><td></td><td>mining rights as well as permanent easement and transportation rights.</td></tr>
<tr><td>06/30/1983</td><td>Treva Lynn Fugate; Victoria and Jeffrey Gilbert</td><td>Lynn Lee Inc.</td><td>128/557</td><td><table><tr><th>Grantor</th><th>Grantee</th><th>Date</th><th>Book/Page</th></tr><tr><td>Sidney and Rachel Fugate</td><td>Buck Fugate</td><td>4/4/1960</td><td>89/119</td></tr></table>Victoria Gilbert inherited this property, as seen in affidavit of deceased on page 556 of Knott County Deed book 128, from Buck Fugate on 1/22/1981.</td></tr>
</table>

5.5 Past Uses of Adjoining Properties

Usage of the surrounding properties has remained primarily undeveloped forestland with surface mining operations beginning during the late 1970s-1980s.

5.6 Descriptions of Structures, Roads, and other Improvements

The subject property is located off KY-80 near the Perry county line in the community of Talcum, Kentucky. No structures were observed on the subject property northern portion of the subject property. The subject property is accessible by roads used historically for surface mining operations. The roadway leading to the subject property, Starfire Haul Road, is clear and useable, but improvements can be made. A dirt road with a gate is used to access the lower field of the subject property. A separate dirt road just north of this entrance is used to access the upper field of the subject property. Both are in poor condition, at this time, and require a vehicle with four wheel drive to access.

5.7 Exterior Observation

The subject property is currently vacant. The majority of the subject property is used for hay fields, and the property consists of primarily of tall vegetation surrounded by forested areas.

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

The site reconnaissance included a search for physical features such as fill ports, slumped pavement/ground surface, patches, and evidence of underground piping or pump stations commonly associated with the presence of storage tanks. No visual evidence was found that would suggest the use of underground storage tanks or aboveground storage tanks on the subject property. The lack of visual evidence cannot rule out the presence or historical use of storage tanks on the subject property.

5.9 Hazardous Substances/Waste and Petroleum Products

No hazardous waste, or petroleum products were observed on the subject property during the site reconnaissance. Historical records indicate surface mining operations took place on and around the subject property, but no records indicate the use or production of hazardous substances or petroleum products which would warrant any regulatory action.

5.10 Odors

No odors associated with the release of hazardous substances, petroleum product, or industrial activities were noted at the subject property during the site reconnaissance.

5.11 Pits, Ponds, and Lagoons

No pits, ponds, or lagoons were observed on the subject property.

5.12 Stained Soil/Pavement

No significant staining associated with hazardous substances or petroleum products was found on soil or pavement at the subject property.

5.13 Wastewater

No evidence of wastewater was observed at the subject property during the site reconnaissance. No records of sewer service or septic systems on the subject property were found during historical review.

5.14 Wells

According to the EDR Physical Settings Report, there are approximately seven wells within ¼ to ½ mile of the subject property. Well data is listed in the table below.

Well ID	Status	Type	Distance from Subject Property
USGS KY Water Science Center Location: H27B0015	No reports or sampling data available	Monitoring Well	¼ - ½ Mile
USGS KY Water Science Center Location: H27B0016	No reports or sampling data available	Monitoring Well	¼ - ½ Mile
Domestic- Single Household AKGWA-40006148	Unknown	Water Well	¼ - ½ Mile
User Unknown AKGWA-40006503	Unknown	Water Well	¼ - ½ Mile
USGS KY Water Science Center Location: H27B0012	Sampled - 1982	Monitoring Well	¼ - ½ Mile

USGS KY Water Science Center Location: H27B0013	Sampled - 1982	Monitoring Well	¼ - ½ Mile
USGS KY Water Science Center Location: H27B0014	No reports or sampling data available	Monitoring Well	¼ - ½ Mile

There were also approximately six oil and gas wells within ½ of a mile from the subject property. Three of these wells were located on the subject property. One well (Ashland Oil and Refining Co, Inc. Well No. 74981) located on the subject property has been plugged since 1977. There is one well (Equitable Production Company Well No. 566108) located on the southwestern side of the subject property that is a gas producing well which has production data from 2005 – 2020. The third well (Columbia Natural Resources Well No. located on the subject property is also gas producing, with production data available from 1999-2020. This well was list as "shut in" for oil production. One well, located right at a ½ mile north of the subject property, is currently listed as a producing gas well that was completed in 2010. This well was listed as being "shut in" for around 16 months after completion, but production resumed in 2011 and continued through 2019. No production data was available after 2019. The remaining wells within ¼ mile were listed as plugged. Well data is listed in the table below.

Well ID	Elevation	Latitude	Longitude	Status	Distance from Subject Property
Equitable Production Company Original Well No: 566108	1340 ft.	37.375478	-83.112709	Gas Producing: 2005-2020	0 – 1/8 Mile
Ashland Oil & Refining Co, Inc. Original Well No: 74981	1254 ft.	37.383154	-83.111397	Plugged – 07/23/1977	0 – 1/8 Mile
Columbia Natural Resources Inc. Original Well No: 23422	1280 ft.	37.383635	-83.098377	Gas producing: 1999-2020	0 – 1/8 Mile
Inland Gas Co. Inc. Original Well No: 558	1206 ft.	37.390268	-83.106294	Plugged – 12/05/1975	1/8 – ¼ Mile

Kentucky West Virginia Gas Co. Original Well No: 1609	1220 ft.	37.387452	-83.110643	Plugged – 05/26/2005	1/8 – ¼ Mile
Clean Gas Inc. Original Well No: 442	1369 ft.	37.393562	-83.109719	Gas Producing : 2010 - 2019	¼ - ½ Mile

5.15 Septic Systems

No on-site septic systems or cesspools were observed on the subject property. No records of sewer service or septic systems on the subject property were found during historical review

6.0 INTERVIEWS

6.1 *Current Property Owner*

An interview was conducted with the property owner, Mr. Shawn Adams, via phone call on May 11, 2023 at approximately 1:13 PM (EST). Mr. Adams' family has owned the property since the 1980s and he confirmed the subject property was historically forested land until surface mining operations took place via mountain top removal. The surrounding properties were also used for surface mining but were historically forested land up until that. He also stated he wasn't aware of any spills or releases of hazardous substances or petroleum products on the subject property that would have warranted clean up or regulatory action. When asked if there were any activity use or deed restrictions on the subject property, Mr. Adam's stated that there were no deed restrictions on the property that he knew of.

6.2 State/Local Government Representative

A review of files from the Kentucky Department of Environmental Protection did not produce any records of hazardous substance spills, environmental contamination, or environmental liens at, or on the subject property. An interview was conducted with Ms. Courtney Skaggs, KY Department of Natural Resources representative, on May 18, 2023. Ms. Skaggs is familiar with the mining history of the subject property.

Ms. Skaggs confirmed that historically the subject property was unmanaged forested land until surface mining operation began in 1984 and continued through 2017. Ms. Skaggs also provided the mining history of the site. The Olive Branch 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) in 1984. The DNR is the state primacy agency with the regulatory authority for permitting, inspection and enforcement under SMCRA. The project area included two (2) reclaimed mining sites formerly permitted by River Coal Company, Inc. and Liberty Management, LLC. River Coal Company, Inc., permit no. 860-

0063, was issued on February 14, 1984 and obtained a Phase IIII bond release on March 28, 1995. Liberty Management LLC, permit no 860-0565 was initially permitted to Star Fire Mining Company, permit no. 460-0080. 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 Big Elk Mining Company, permit no. 860-0421 on October 25, 2005; the second transfer of rights to Frasure Creek Mining LLC, permit no. 860-0466 on June 1, 2007; a third transfer of rights (due to a stock purchase) to Frasure Creek Mining LLC, permit no. 860-0506 on April 7, 2011; and a fourth transfer of rights to Liberty Management LLC, permit no. 860-0565 on November 5, 2015. Liberty Management, LLC, permit no. 860-0565 obtained a Phase III bond release on October 3, 2017. Bond release documentation is available in Appendix D.

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 March 28, 1995 and October 3, 2017.

Ms. Skaggs was not aware of any spills or releases of hazardous substances or petroleum products at the subject property. She also stated she was unaware of any deed restrictions, activity use limitations or environmental liens on the subject property. Ms. Skaggs also stated she was not aware of any environmental cleanups having occurred at the subject property.

7.0 EVALUATION

The EEC performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM E1527-21 of the subject property located on KY-80 in Bulan, Kentucky. Any exceptions to, or deletions from, this practice were described in this report. The assessment did not find evidence of *recognized environmental conditions* (RECs) in connection to the subject property.

7.1 Findings

The environmental assessment performed at the subject property in Bulan, Kentucky revealed the following findings:

- Historical surface mining operations at and around the subject property.
- Two wells were observed within ½ mile of the subject property that are of domestic or unknown use with no records of being plugged.
- Three oil and gas producing wells are observed to be on the subject property. One of the wells, Equitable Production Company (Well No: 566108), is observed on the southwestern portion of the subject property with production data available from 2005-2020. The well appears to be down-gradient from the majority of the subject property.
- One well, Ashland Oil and Refining (Well No. 74981), is observed on the northwestern portion of the property. This well was plugged in 1977.
- One well, Columbia Natural Resources (Well No. 23422), is observed on the eastern property boundary. This well is listed as “shut in” from 2013-2019. Gas production data was available from 1999-2020.

7.2 Recognized Environmental Conditions

Based on the results of this Phase I ESA it was determined that the subject property and surrounding properties lacked evidence of a release or likely release that would be considered a REC based on the ASTM E1527-21 standards.

- *Recognized Environmental Condition (On-Site)*
  No on-site RECs were identified in connection with the subject property during the assessment.
- *Recognized Environmental Conditions (Off-Site)*
  No off-site RECs were identified in connection with the subject property during the assessment
- *Historic Recognized Environmental Condition*
  No HRECs were identified in connection with the subject property during the assessment.
- *Controlled Recognized Environmental Conditions*

No CRECs were identified in connection with the subject property during the assessment.

- *Business Environmental Risks (BERs)*
  The only BER identified in connection with the subject property was the potential for geotechnical issues in connection with soil composition of the area.

7.3 Opinions

Based on the historical review and site reconnaissance of the subject property, it is considered unlikely that contamination is present at the subject property.

7.4 Conclusions

This Phase I ESA did not reveal evidence of any *recognized environmental conditions* within the scope and limitations of ASTM E1527-21 at the subject property located off KY-80 in Talcum, KY. Any exceptions or deletions from this practice are described in Section 7.6 of this report. This assessment did not reveal any *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. Historic mining operations occurring at the subject property were permitted under the Surface Mining Control and Reclamation Act (SMRCA) of 1977 and are not considered to *recognized environmental conditions*. Results from radon testing performed in 2004 that was included in the EDR Radius Map™ Report with Geocheck showed radon levels at 1.50 pCi/L. These results are below the EPA suggested radon action level (4.0 pCi/L) and the World Health Organization's suggested radon action level (2.7 pCi/L). While the results were below actionable levels, it is unknown where samples were collected. Additional radon testing at the subject property would allow for more accurate representation of the area.

7.5 Additional Investigations

This assessment and review of historical documents has not revealed evidence of *recognized environmental conditions* at the subject property. It is the opinion of the environmental professional that additional environmental assessment is not necessary at this time. A geotechnical survey may be beneficial before further site development.

7.6 Deletions and Exceptions

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

8.0 ADDITIONAL (NON-SCOPE) SERVICES

Additional services beyond the scope of ASTM E1527-21 were not performed in conjunction with this assessment. The ASTM scope only includes the investigation of hazardous materials and petroleum products, therefore radon, emerging contaminants, and asbestos investigations were not performed.

9.0 SIGNATURE OF THE ENVIRONMENTAL PROFESSIONAL

I, Christopher Jung, declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in the Code of Federal Regulations (CFR), Title 40, Section 312.104. I have the specific qualifications based on education, training, and experience to assess the nature, history, and setting of the subject site. I have developed and performed the all-appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Christopher Jung

Christopher Jung, P.G.

Registered Geologist Supervisor

State Section

Superfund Branch

10.0 REFERENCES

Website Sources

Environmental Data Resources, Inc. EDR Aerial Photo Decade Package, Olive Branch-Knott County, Bulan, KY 41722. Inquiry: 7321472.8. May 1, 2023.

Environmental Data Resources, Inc. Certified Sanborn Map Report, Olive Branch – Knott County, Bulan, KY 41722. Inquiry: 7321472.3. April 27, 2023.

Environmental Data Resources, Inc. EDR City Directory Image Report, Olive Branch – Knott County, Bulan, KY 41722. Inquiry: 7321472.5. May 2, 2023.

Environmental Data Resources, Inc. EDR Historical Topo Map Report, Olive Branch – Knott County, Bulan, KY 41722. Inquiry: 7321472.3. April 27, 2023.

Kentucky Environmental and Public Protection Cabinet. Kentucky Department for Environmental Protection TEMPO Database.

Kentucky Geological Survey, Kentucky Geologic Map Information Service: https://kgs.uky.edu/kygeode/geomap/

Kentucky Geological Survey, Kentucky Groundwater Repository Data: https://kgs.uky.edu/kgsmap/KGSWater/viewer.asp

The EDR Radius Map™ Report with GeoCheck®, Olive Branch – Knott County, Bulan, KY 41722. Inquiry: 7321472.2s. April 27, 2023.

U.S. Department of Agriculture, Natural Resources Conservation Service Web Soil Survey: https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

Personal Interviews

A. Current Property Owner – Shawn Adams
B. State Government Representative – Courtney Skaggs, KDNR

Appendices

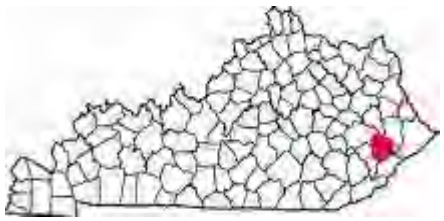
A. Site Maps
B. Historic Documents
  a. EDR Radius Map Report™ with GeoCheck®
  b. EDR Sanborn® Map Report
  c. EDR Historical Topo Map Report
  d. EDR Aerial Photo Decade Package
  e. EDR City Directory
C. Olive Branch Site Investigation Report
D. Bond Release Documentation

E. Property Photographs

F. Qualifications

Appendix A – Site Maps

Site Map of Subject Property

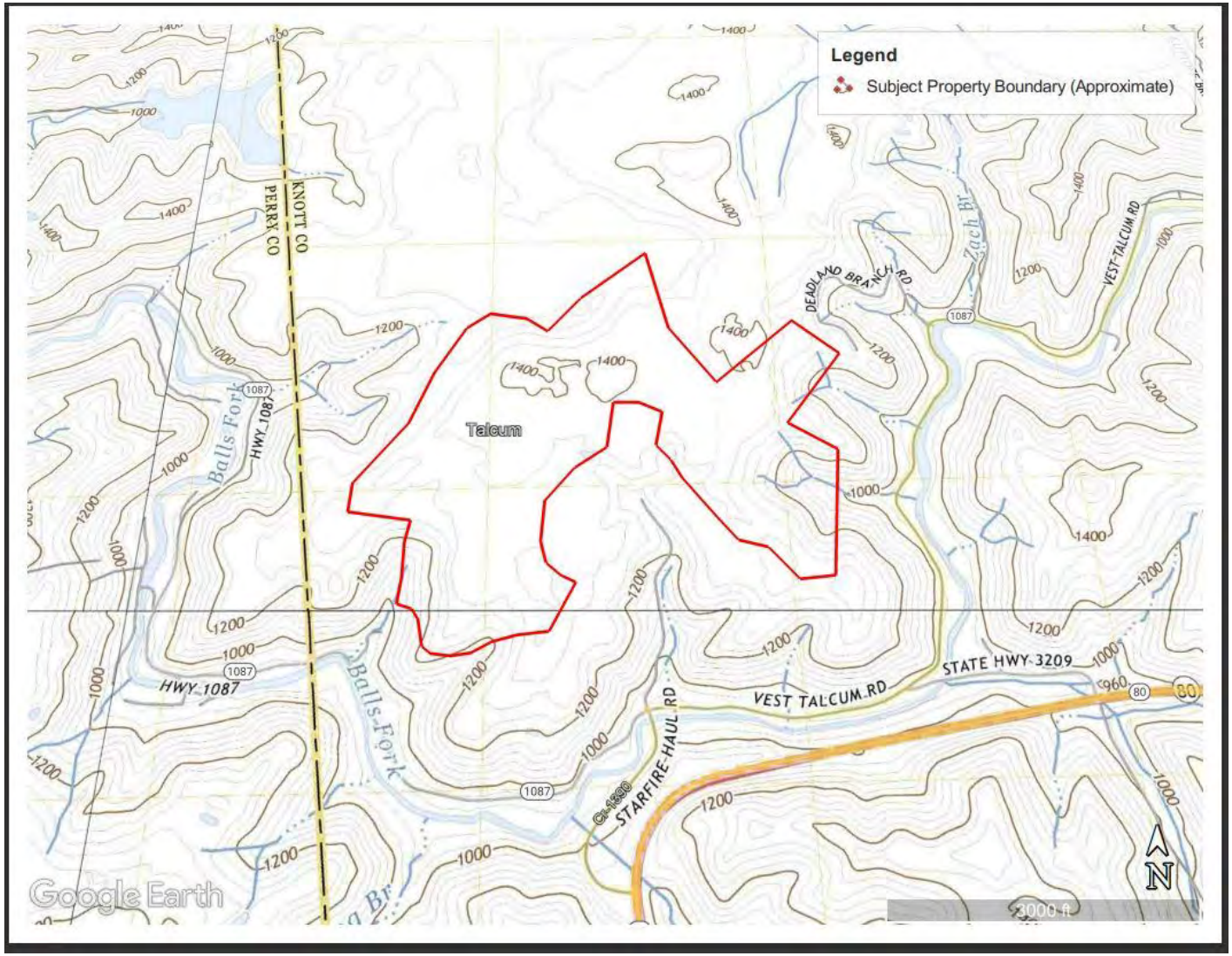


Olive Branch Property
KY-80
Bulan KY

Date: May 25, 2023
Author: Caitlin Mullins
Source: Google Earth

Disclaimer: Information on this map is from a digital database. Data is representative of information available on the date above.

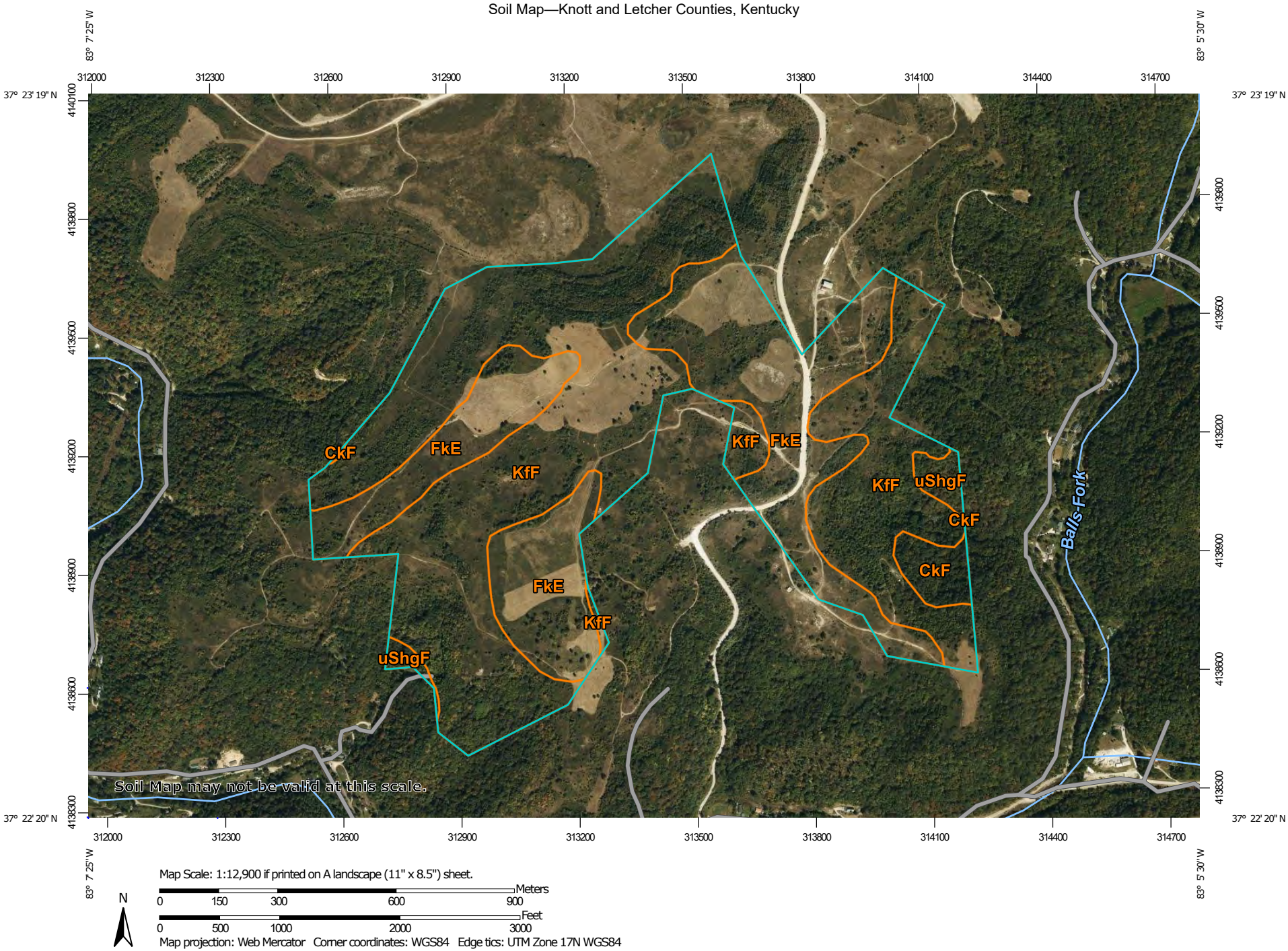
Site Map of Subject Property



Olive Branch Property
KY-80
Bulan KY

Date: May 25, 2023
Author: Caitlin Mullins
Source: Google Earth

Disclaimer: Information on this map is from a digital database. Data is representative of information available on the date above.



Map Scale: 1:12,900 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 150 300 600 900

Feet: 0 500 1000 2000 3000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Map Unit Polygons

Soil Map Unit Lines

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

Rock Outcrop

Saline Spot

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

Spoil Area

Stony Spot

Very Stony Spot

Wet Spot

Other

Special Line Features

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

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

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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 9, 2016—Sep 15, 2019

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
CkF	Cloverlick-Kimper-Highsplint complex, 30 to 65 percent slopes, very stony	6.7	2.2%
FkE	Fiveblock and Kaymine soils, 0 to 30 percent slopes, stony	108.6	35.3%
KfF	Kaymine, Fairpoint, and Fiveblock soils, benched, 2 to 70 percent slopes, very stony	187.5	60.9%
uShgF	Shelocta-Highsplint-Gilpin complex, 20 to 70 percent slopes, very stony	5.1	1.6%
Totals for Area of Interest		**307.9**	**100.0%**

U.S. Fish and Wildlife Service

National Wetlands Inventory

Olive Branch Property

May 25, 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.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

Appendix B – Historic Documents

Olive Branch - Knott County
KY-80
Bulan, KY 41722

Inquiry Number: 7321472.2s
April 27, 2023

The EDR Radius Map™ Report with GeoCheck®

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

TABLE OF CONTENTS

SECTION	PAGE
Executive Summary	ES1
Overview Map	2
Detail Map	3
Map Findings Summary	4
Map Findings	8
Orphan Summary	22
Government Records Searched/Data Currency Tracking	GR-1

GEOCHECK ADDENDUM

Physical Setting Source Addendum	A-1
Physical Setting Source Summary	A-2
Physical Setting SSURGO Soil Map	A-5
Physical Setting Source Map	A-12
Physical Setting Source Map Findings	A-14
Physical Setting Source Records Searched	PSGR-1

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

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EXECUTIVE SUMMARY

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
BULAN, KY 41722

COORDINATES

Latitude (North):	37.3892000 - 37° 23' 21.12''
Longitude (West):	83.1079000 - 83° 6' 28.44''
Universal Tranverse Mercator:	Zone 17
UTM X (Meters):	313391.8
UTM Y (Meters):	4139929.8
Elevation:	1395 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map:	13046766 VEST, KY
Version Date:	2019
Southeast Map:	13082220 CARRIE, KY
Version Date:	2019
Southwest Map:	13082236 HAZARD NORTH, KY
Version Date:	2019
Northwest Map:	13082266 NOBLE, KY
Version Date:	2019

AERIAL PHOTOGRAPHY IN THIS REPORT

Portions of Photo from:	20140711
Source:	USDA

MAPPED SITES SUMMARY

Target Property Address:
KY-80
BULAN, KY 41722

Click on Map ID to see full detail.

MAP ID	SITE NAME	ADDRESS	DATABASE ACRONYMS	RELATIVE ELEVATION	DIST (ft. & mi.) DIRECTION
A1	FRASURE CREEK MINE N	2481 STAR FIRE HAUL	US MINES, ABANDONED MINES	Lower	532, 0.101, North
A2	LICK BRANCH SLURRY I	2481 STAR FIRE HAUL	US MINES	Lower	532, 0.101, North

EXECUTIVE SUMMARY

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 (Superfund) sites

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

Lists of Federal Delisted NPL sites

Delisted NPL ..... National Priority List Deletions

Lists of Federal sites subject to CERCLA removals and CERCLA orders

FEDERAL FACILITY ..... Federal Facility Site Information listing
SEMS ..... Superfund Enterprise Management System

Lists of Federal CERCLA sites with NFRAP

SEMS-ARCHIVE ..... Superfund Enterprise Management System Archive

Lists of Federal RCRA facilities undergoing Corrective Action

CORRACTS ..... Corrective Action Report

Lists of Federal RCRA TSD facilities

RCRA-TSDF ..... RCRA - Treatment, Storage and Disposal

Lists of Federal RCRA generators

RCRA-LQG ..... RCRA - Large Quantity Generators
RCRA-SQG ..... RCRA - Small Quantity Generators
RCRA-VSQG ..... RCRA - Very Small Quantity Generators (Formerly Conditionally Exempt Small Quantity Generators)

Federal institutional controls / 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..... SB193 Branch Site Inventory List

Lists of state and tribal registered storage tanks

FEMA UST..... Underground Storage Tank Listing
UST..... Underground Storage Tank Database
AST..... Above Ground Storage Tanks
INDIAN UST..... Underground Storage Tanks on Indian Land

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

SWRCY..... Recycling Facilities
HIST LF..... Historical Landfills
INDIAN ODI..... Report on the Status of Open Dumps on Indian Lands
DEBRIS REGION 9..... Torres Martinez Reservation Illegal Dump Site Locations

EXECUTIVE SUMMARY

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
FTTS ..... FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide 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
FINDS ..... Facility Index System/Facility Registry System
DOCKET HWC ..... Hazardous Waste Compliance Docket Listing
ECHO ..... Enforcement & Compliance History Information
UXO ..... Unexploded Ordnance Sites

EXECUTIVE SUMMARY

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 ATSDR	PFAS Contamination Site Location Listing
PFAS WQP	Ambient Environmental Sampling for PFAS
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	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

RGA HWS	Recovered Government Archive State Hazardous Waste Facilities List
RGA LF	Recovered Government Archive Solid Waste Facilities List

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS 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. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property.
Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

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

EXECUTIVE SUMMARY

ADDITIONAL ENVIRONMENTAL RECORDS

Other Ascertainable Records

US MINES: Mines Master Index File. The source of this database is the Dept. of Labor, Mine Safety and Health Administration.

A review of the US MINES list, as provided by EDR, has revealed that there are 2 US MINES sites within approximately 0.25 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
FRASURE CREEK MINE N	***2481 STAR FIRE HAUL***	***N 0 - 1/8 (0.101 mi.)***	***A1***	***8***
Database: MINES VIOLATIONS, Date of Government Version: 02/27/2023				
LICK BRANCH SLURRY I	2481 STAR FIRE HAUL	N 0 - 1/8 (0.101 mi.)	A2	15
Database: MINES VIOLATIONS, Date of Government Version: 02/27/2023				

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.

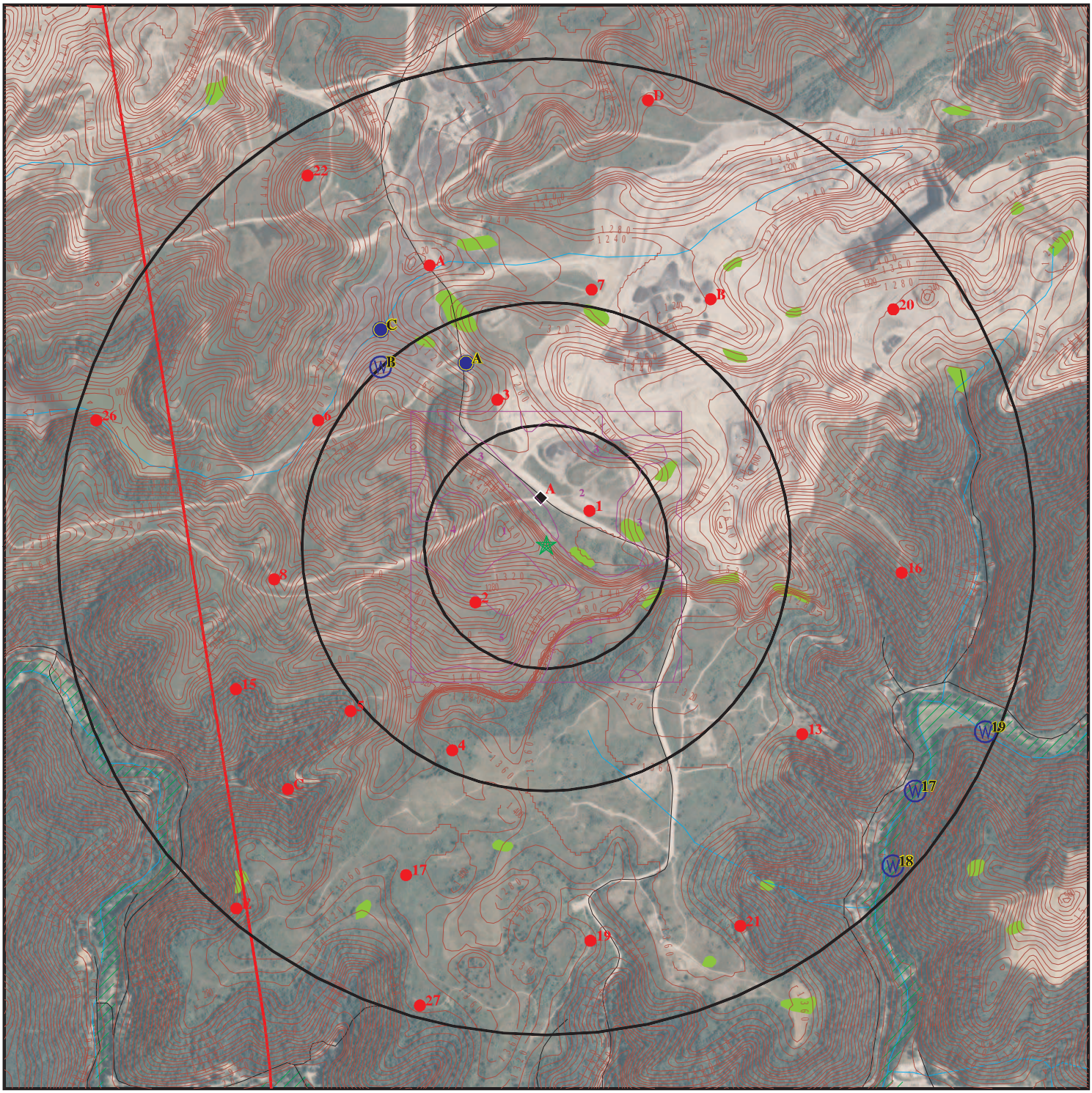
A review of the ABANDONED MINES list, as provided by EDR, and dated 12/20/2022 has revealed that there is 1 ABANDONED MINES site within approximately 0.25 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
FRASURE CREEK MINE N	***2481 STAR FIRE HAUL***	***N 0 - 1/8 (0.101 mi.)***	***A1***	***8***

EXECUTIVE SUMMARY

There were no unmapped sites in this report.

OVERVIEW MAP - 7321472.2S



- Target Property
- Sites at elevations higher than or equal to the target property
- Sites at elevations lower than the target property
- Manufactured Gas Plants
- National Priority List Sites
- Dept. Defense Sites

0 1/4 1/2 1 Miles

- Indian Reservations BIA
- County Boundary
- Special Flood Hazard Area (1%)
- 0.2% Annual Chance Flood Hazard
- National Wetland Inventory
- State Wetlands

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: Olive Branch - Knott County	CLIENT: Kentucky Division of Compliance
ADDRESS: KY-80 Bulan KY 41722	CONTACT: Derek Bozzell
LAT/LONG: 37.3892 / 83.1079	INQUIRY #: 7321472.2s
	DATE: April 27, 2023 4:23 pm

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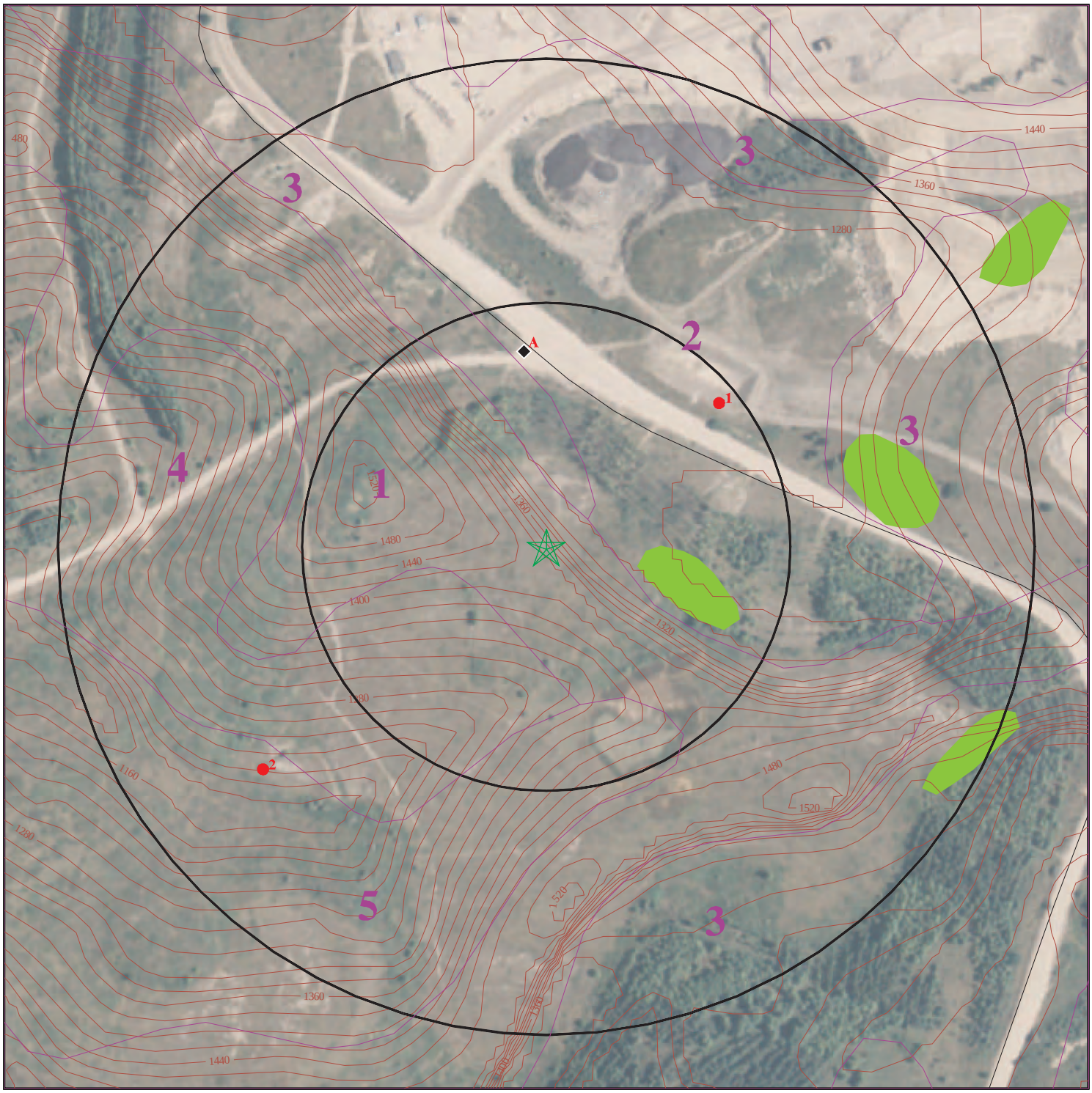
DETAIL MAP - 7321472.2S



- Target Property
- Sites at elevations higher than or equal to the target property
- Sites at elevations lower than the target property
- Manufactured Gas Plants
- Sensitive Receptors
- National Priority List Sites
- Dept. Defense Sites

0 1/16 1/8 1/4 Miles

- Indian Reservations BIA
- National Wetland Inventory
- State Wetlands

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: Olive Branch - Knott County ADDRESS: KY-80 Bulan KY 41722 LAT/LONG: 37.3892 / 83.1079	CLIENT: Kentucky Division of Compliance CONTACT: Derek Bozzell INQUIRY #: 7321472.2s DATE: April 27, 2023 4:26 pm

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MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
STANDARD ENVIRONMENTAL RECORDS								
Lists of Federal NPL (Superfund) sites								
NPL	1.000		0	0	0	0	NR	0
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	1.000		0	0	0	0	NR	0
Lists of Federal Delisted NPL sites								
Delisted NPL	1.000		0	0	0	0	NR	0
Lists of Federal sites subject to CERCLA removals and CERCLA orders								
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
SEMS	0.500		0	0	0	NR	NR	0
Lists of Federal CERCLA sites with NFRAP								
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 TSD facilities								
RCRA-TSDF	0.500		0	0	0	NR	NR	0
Lists of Federal RCRA generators								
RCRA-LQG	0.250		0	0	NR	NR	NR	0
RCRA-SQG	0.250		0	0	NR	NR	NR	0
RCRA-VSQG	0.250		0	0	NR	NR	NR	0
Federal institutional controls / engineering controls registries								
LUCIS	0.500		0	0	0	NR	NR	0
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROLS	0.500		0	0	0	NR	NR	0
Federal ERNS list								
ERNS	TP		NR	NR	NR	NR	NR	0
Lists of state- and tribal hazardous waste facilities								
SHWS	1.000		0	0	0	0	NR	0
Lists of state and tribal landfills and solid waste disposal facilities								
SWF/LF	0.500		0	0	0	NR	NR	0
Lists of state and tribal leaking storage tanks								
PSTEAF	0.500		0	0	0	NR	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
INDIAN LUST	0.500		0	0	0	NR	NR	0
SB193	0.500		0	0	0	NR	NR	0
Lists of state and tribal registered storage tanks								
FEMA UST	0.250		0	0	NR	NR	NR	0
UST	0.250		0	0	NR	NR	NR	0
AST	0.250		0	0	NR	NR	NR	0
INDIAN UST	0.250		0	0	NR	NR	NR	0
State and tribal institutional control / engineering control registries								
ENG CONTROLS	0.500		0	0	0	NR	NR	0
INST CONTROL	0.500		0	0	0	NR	NR	0
Lists of state and tribal voluntary cleanup sites								
INDIAN VCP	0.500		0	0	0	NR	NR	0
VCP	0.500		0	0	0	NR	NR	0
Lists of state and tribal brownfield sites								
BROWNFIELDS	0.500		0	0	0	NR	NR	0
ADDITIONAL ENVIRONMENTAL RECORDS								
Local Brownfield lists								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
Local Lists of Landfill / Solid Waste Disposal Sites								
SWRCY	0.500		0	0	0	NR	NR	0
HIST LF	0.500		0	0	0	NR	NR	0
INDIAN ODI	0.500		0	0	0	NR	NR	0
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
ODI	0.500		0	0	0	NR	NR	0
IHS OPEN DUMPS	0.500		0	0	0	NR	NR	0
Local Lists of Hazardous waste / Contaminated Sites								
US HIST CDL	TP		NR	NR	NR	NR	NR	0
CDL	TP		NR	NR	NR	NR	NR	0
US CDL	TP		NR	NR	NR	NR	NR	0
Local Land Records								
LIENS 2	TP		NR	NR	NR	NR	NR	0
Records of Emergency Release Reports								
HMIRS	TP		NR	NR	NR	NR	NR	0
SPILLS	TP		NR	NR	NR	NR	NR	0
Other Ascertainable Records								
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0

MAP FINDINGS SUMMARY

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		0	0	0	0	NR	0
SCRD DRYCLEANERS	0.500		0	0	0	NR	NR	0
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	TP		NR	NR	NR	NR	NR	0
COAL ASH DOE	TP		NR	NR	NR	NR	NR	0
COAL ASH EPA	0.500		0	0	0	NR	NR	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		0	0	0	0	NR	0
FUSRAP	1.000		0	0	0	0	NR	0
UMTRA	0.500		0	0	0	NR	NR	0
LEAD SMELTERS	TP		NR	NR	NR	NR	NR	0
US AIRS	TP		NR	NR	NR	NR	NR	0
US MINES	0.250		2	0	NR	NR	NR	2
ABANDONED MINES	0.250		1	0	NR	NR	NR	1
FINDS	TP		NR	NR	NR	NR	NR	0
DOCKET HWC	TP		NR	NR	NR	NR	NR	0
ECHO	TP		NR	NR	NR	NR	NR	0
UXO	1.000		0	0	0	0	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	0.250		0	0	NR	NR	NR	0
PFAS RCRA MANIFEST	0.250		0	0	NR	NR	NR	0
PFAS ATSDR	0.250		0	0	NR	NR	NR	0
PFAS WQP	0.250		0	0	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 TRAINING	0.250		0	0	NR	NR	NR	0
PFAS PART 139 AIRPORT	0.250		0	0	NR	NR	NR	0
AQUEOUS FOAM NRC	0.250		0	0	NR	NR	NR	0
PFAS	0.250		0	0	NR	NR	NR	0
AIRS	TP		NR	NR	NR	NR	NR	0
ASBESTOS	TP		NR	NR	NR	NR	NR	0
COAL ASH	0.500		0	0	0	NR	NR	0

MAP FINDINGS SUMMARY

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	TP		NR	NR	NR	NR	NR	0
EDR HIGH RISK HISTORICAL RECORDS								
EDR Exclusive Records								
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 GOVERNMENT ARCHIVES								
Exclusive Recovered Govt. Archives								
RGA HWS	TP		NR	NR	NR	NR	NR	0
RGA LF	TP		NR	NR	NR	NR	NR	0
- Totals --		0	3	0	0	0	0	3

NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

A1 North < 1/8 0.101 mi. 532 ft. | **FRASURE CREEK MINE NO 6**
2481 STAR FIRE HAUL ROAD
TALCUM, KY 41722 | **US MINES** | **1024910762**
ABANDONED MINES | **N/A**

Site 1 of 2 in cluster A

Relative: Lower
Actual: 1274 ft.

MINES VIOLATIONS:

Name:	FRASURE CREEK MINE NO 6
Address:	2481 STAR FIRE HAUL ROAD
City,State,Zip:	TALCUM, KY 41722
Facility ID:	Not reported

MINES VIOLATIONS:

Violation Number:	7425803
Mine ID:	1513936
Contractor ID:	Not reported
Date Issued:	02/16/2006
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	02/16/2006
Title 30 Code of Federal Regulations:	77.404(a)
Proposed Penalty:	177.00
Assessment Amount:	177.00
Paid Penalty Amount:	177.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2006
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7425805
Mine ID:	1513936
Contractor ID:	Not reported
Date Issued:	02/16/2006
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	02/16/2006
Title 30 Code of Federal Regulations:	77.400(a)
Proposed Penalty:	177.00
Assessment Amount:	177.00
Paid Penalty Amount:	177.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2006

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7425806
Mine ID:	1513936
Contractor ID:	Not reported
Date Issued:	02/16/2006
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	02/16/2006
Title 30 Code of Federal Regulations:	77.1104
Proposed Penalty:	177.00
Assessment Amount:	177.00
Paid Penalty Amount:	177.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2006
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7425807
Mine ID:	1513936
Contractor ID:	Not reported
Date Issued:	02/22/2006
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	03/09/2006

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

Title 30 Code of Federal Regulations:	77.404(a)
Proposed Penalty:	177.00
Assessment Amount:	177.00
Paid Penalty Amount:	177.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2006
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY
Violation Number:	7425809
Mine ID:	1513936
Contractor ID:	Not reported
Date Issued:	02/22/2006
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	02/24/2006
Title 30 Code of Federal Regulations:	77.1605(b)
Proposed Penalty:	177.00
Assessment Amount:	177.00
Paid Penalty Amount:	177.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2006
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY
Violation Number:	8245179

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

Mine ID:	1513936
Contractor ID:	VP2
Date Issued:	02/16/2011
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	02/17/2011
Title 30 Code of Federal Regulations:	77.1606(c)
Proposed Penalty:	243.00
Assessment Amount:	243.00
Paid Penalty Amount:	0.00
Assessment Case Status:	Proposed
Assessment Status:	Received
Year:	2011
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	8245180
Mine ID:	1513936
Contractor ID:	VP2
Date Issued:	02/16/2011
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	02/17/2011
Title 30 Code of Federal Regulations:	77.410(c)
Proposed Penalty:	392.00
Assessment Amount:	392.00
Paid Penalty Amount:	0.00
Assessment Case Status:	Proposed
Assessment Status:	Received
Year:	2011
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7472042
Mine ID:	1513936
Contractor ID:	CNA
Date Issued:	05/01/2002
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	Not reported
Title 30 Code of Federal Regulations:	48.28(a)
Proposed Penalty:	Not reported
Assessment Amount:	Not reported
Paid Penalty Amount:	Not reported
Assessment Case Status:	Not reported
Assessment Status:	Not reported
Year:	2002
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7472043
Mine ID:	1513936
Contractor ID:	CNA
Date Issued:	04/26/2002
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	05/01/2002
Title 30 Code of Federal Regulations:	77.410(a)(1)
Proposed Penalty:	66.00
Assessment Amount:	66.00
Paid Penalty Amount:	66.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2002
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7472044
Mine ID:	1513936
Contractor ID:	LXY
Date Issued:	04/26/2002
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	05/01/2002
Title 30 Code of Federal Regulations:	77.1605(d)
Proposed Penalty:	66.00
Assessment Amount:	66.00
Paid Penalty Amount:	66.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2002
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7472045
Mine ID:	1513936
Contractor ID:	LXY
Date Issued:	04/26/2002
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	05/01/2002
Title 30 Code of Federal Regulations:	77.1104
Proposed Penalty:	66.00
Assessment Amount:	66.00
Paid Penalty Amount:	66.00

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2002
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Click this hyperlink while viewing on your computer to access
1144 additional US_MINES_VIOLATIONS: record(s) in the EDR Site Report.

ABANDONED MINES:

Mine ID:	1513936
Mine Name:	FRASURE CREEK MINE NO 6
Mine Address:	2481 STAR FIRE HAUL ROAD
City,State,Zip:	TALCUM, KY 41722
Primary SIC Code:	Coal (Bituminous)
Mine Type:	Surface
Mine Status Description:	Abandoned
Mine Status Date:	9/12/2016
Coal (C) or Metal (M) Mine:	C
Controller ID:	0102805
Controller Name:	Essar Minerals Canada Limited
Operator ID:	P24564
Operator name:	Frasure Creek Mining, LLC.
Address of Record Street:	2481 Star Fire Haul Road
Address of Record PO Box:	Not reported
Address of Record City:	Talcum
Address of Record State:	KY
Address of Record Zip Code:	41722
Assessment Address Street:	Not reported
Assessment Address PO Box:	100
Assessment Address City:	ARY
Assessment Address State:	KY
Assessment Address Zip Code:	41722
Mine Health and Safety Address Street:	Not reported
Mine Health and Safety Address PO Box:	100
Mine Health and Safety Address City:	Ary
Mine Health and Safety Address State:	KY
Mine Health and Safety Address Zip Code:	Not reported
Latitude:	37.4375
Longitude:	-83.083056

A2 North < 1/8 0.101 mi. 532 ft. | **LICK BRANCH SLURRY IMPOUNDMENT**
2481 STAR FIRE HAUL ROAD
TALCUM, KY 41722 | **US MINES** | **1024910971**
N/A

Site 2 of 2 in cluster A

Relative: Lower

Actual: 1274 ft.

MINES VIOLATIONS:

Name:	LICK BRANCH SLURRY IMPOUNDMENT
Address:	2481 STAR FIRE HAUL ROAD
City,State,Zip:	TALCUM, KY 41722
Facility ID:	Not reported

MINES VIOLATIONS:

Violation Number:	7444607
Mine ID:	1517828
Contractor ID:	JSH
Date Issued:	05/24/2007
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	06/05/2007
Title 30 Code of Federal Regulations:	77.404(a)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	100.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2007
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	7444608
Mine ID:	1517828
Contractor ID:	JSH
Date Issued:	05/24/2007
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	06/05/2007
Title 30 Code of Federal Regulations:	77.400(a)
Proposed Penalty:	138.00
Assessment Amount:	138.00
Paid Penalty Amount:	138.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2007

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	7444609
Mine ID:	1517828
Contractor ID:	XA1
Date Issued:	05/24/2007
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	06/05/2007
Title 30 Code of Federal Regulations:	77.404(a)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	0.00
Assessment Case Status:	Proposed
Assessment Status:	Received
Year:	2007
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	7444610
Mine ID:	1517828
Contractor ID:	XA1
Date Issued:	05/24/2007
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	06/05/2007

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

Title 30 Code of Federal Regulations:	77.410(c)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	0.00
Assessment Case Status:	Proposed
Assessment Status:	Received
Year:	2007
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	7542634
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	08/15/2005
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	08/23/2005
Title 30 Code of Federal Regulations:	77.809
Proposed Penalty:	60.00
Assessment Amount:	60.00
Paid Penalty Amount:	60.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2005
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	8233098

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	10/21/2010
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	10/21/2010
Title 30 Code of Federal Regulations:	77.205(b)
Proposed Penalty:	308.00
Assessment Amount:	308.00
Paid Penalty Amount:	308.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2010
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	8233099
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	10/21/2010
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	10/21/2010
Title 30 Code of Federal Regulations:	77.205(b)
Proposed Penalty:	308.00
Assessment Amount:	308.00
Paid Penalty Amount:	308.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2010
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	6657966
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	07/02/2008
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	08/29/2008
Title 30 Code of Federal Regulations:	77.216(d)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	100.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2008
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	8237441
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	01/21/2010
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	02/24/2010
Title 30 Code of Federal Regulations:	77.215(e)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	100.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2010
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	6661651
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	10/16/2008
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	10/16/2008
Title 30 Code of Federal Regulations:	77.208(d)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	100.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2008
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	6661652
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	10/16/2008
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	10/16/2008
Title 30 Code of Federal Regulations:	77.205(b)
Proposed Penalty:	308.00
Assessment Amount:	308.00
Paid Penalty Amount:	308.00

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2008
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Click this hyperlink while viewing on your computer to access
185 additional US_MINES_VIOLATIONS: record(s) in the EDR Site Report.

Count: 0 records.

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
		NO SITES FOUND			

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

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
Date Data Arrived at EDR: 02/03/2023
Date Made Active in Reports: 02/28/2023
Number of Days to Update: 25

Source: EPA
Telephone: N/A
Last EDR Contact: 04/03/2023
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
Telephone 617-918-1143

EPA Region 6
Telephone: 214-655-6659

EPA Region 3
Telephone 215-814-5418

EPA Region 7
Telephone: 913-551-7247

EPA Region 4
Telephone 404-562-8033

EPA Region 8
Telephone: 303-312-6774

EPA Region 5
Telephone 312-886-6686

EPA Region 9
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
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: N/A
Last EDR Contact: 04/03/2023
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.

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: N/A
Last EDR Contact: 04/03/2023
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: 04/03/2023
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: 04/03/2023
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: 11/02/2022
Date Data Arrived at EDR: 11/08/2022
Date Made Active in Reports: 01/10/2023
Number of Days to Update: 63

Source: Department of the Navy
Telephone: 843-820-7326
Last EDR Contact: 02/03/2023
Next Scheduled EDR Contact: 05/22/2023
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: 10/27/2022
Date Data Arrived at EDR: 11/16/2022
Date Made Active in Reports: 02/09/2023
Number of Days to Update: 85

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: 10/27/2022
Date Data Arrived at EDR: 11/16/2022
Date Made Active in Reports: 02/09/2023
Number of Days to Update: 85

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

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: 01/24/2023
Next Scheduled EDR Contact: 05/08/2023
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: 04/20/2023
Next Scheduled EDR Contact: 07/31/2023
Data Release Frequency: Varies

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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
Next Scheduled EDR Contact: 07/31/2023
Data Release Frequency: Varies

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: 11/08/2022
Date Data Arrived at EDR: 11/16/2022
Date Made Active in Reports: 02/09/2023
Number of Days to Update: 85

Source: Department of Environmental Protection
Telephone: 502-564-5981
Last EDR Contact: 02/22/2023
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: 02/02/2023
Next Scheduled EDR Contact: 06/05/2023
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: 04/20/2023
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: 04/20/2023
Next Scheduled EDR Contact: 07/31/2023
Data Release Frequency: Varies

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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
Next Scheduled EDR Contact: 07/31/2023
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: 04/20/2023
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: 04/20/2023
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: 10/27/2022
Date Data Arrived at EDR: 10/27/2022
Date Made Active in Reports: 01/12/2023
Number of Days to Update: 77

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: 01/27/2023
Next Scheduled EDR Contact: 05/08/2023
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 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: 04/03/2023
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: 10/31/2022
Date Data Arrived at EDR: 11/02/2022
Date Made Active in Reports: 01/24/2023
Number of Days to Update: 83

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: 11/01/2022
Date Data Arrived at EDR: 11/10/2022
Date Made Active in Reports: 02/09/2023
Number of Days to Update: 91

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
Data Release Frequency: Varies

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: 02/02/2023
Next Scheduled EDR Contact: 05/22/2023
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: 01/30/2023
Next Scheduled EDR Contact: 05/15/2023
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: 02/03/2023
Next Scheduled EDR Contact: 05/15/2023
Data Release Frequency: Varies

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.

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

Source: EPA
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.

Date of Government Version: 12/31/2021
Date Data Arrived at EDR: 11/01/2022
Date Made Active in Reports: 02/09/2023
Number of Days to Update: 100

Source: EPA
Telephone: 202-566-0250
Last EDR Contact: 02/16/2023
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: 04/03/2023
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: 04/03/2023
Next Scheduled EDR Contact: 05/15/2023
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: 02/03/2023
Next Scheduled EDR Contact: 05/15/2023
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
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: 02/13/2023
Next Scheduled EDR Contact: 05/29/2023
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: 04/03/2023
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.

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
Telephone: 202-564-2496
Last EDR Contact: 09/26/2017
Next Scheduled EDR Contact: 01/08/2018
Data Release Frequency: Annually

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
Telephone: 202-564-2496
Last EDR Contact: 09/26/2017
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: 04/06/2023
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: 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 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: 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 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: 01/02/2023
Date Data Arrived at EDR: 01/05/2023
Date Made Active in Reports: 04/03/2023
Number of Days to Update: 88

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: 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: 01/24/2023
Next Scheduled EDR Contact: 05/08/2023
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: 01/30/2023
Next Scheduled EDR Contact: 05/15/2023
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: 01/30/2023
Next Scheduled EDR Contact: 05/15/2023
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.

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: 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
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: 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

Source: Department of Environmental Protection
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
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: 02/10/2023
Next Scheduled EDR Contact: 05/22/2023
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: 01/27/2023
Next Scheduled EDR Contact: 05/08/2023
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: 02/13/2022
Next Scheduled EDR Contact: 05/29/2023
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

OLIVE BRANCH - KNOTT COUNTY
KY-80
BULAN, KY 41722

TARGET PROPERTY COORDINATES

Latitude (North):	37.3892 - 37° 23' 21.12''
Longitude (West):	83.1079 - 83° 6' 28.44''
Universal Tranverse Mercator:	Zone 17
UTM X (Meters):	313391.8
UTM Y (Meters):	4139929.8
Elevation:	1395 ft. above sea level

USGS TOPOGRAPHIC MAP

Target Property Map:	13046766 VEST, KY
Version Date:	2019
Southeast Map:	13082220 CARRIE, KY
Version Date:	2019
Southwest Map:	13082236 HAZARD NORTH, KY
Version Date:	2019
Northwest Map:	13082266 NOBLE, 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.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

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).

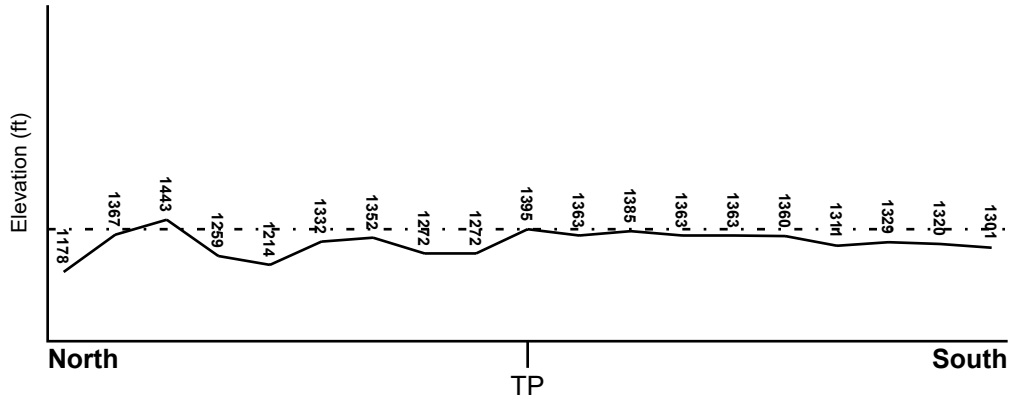
TOPOGRAPHIC INFORMATION

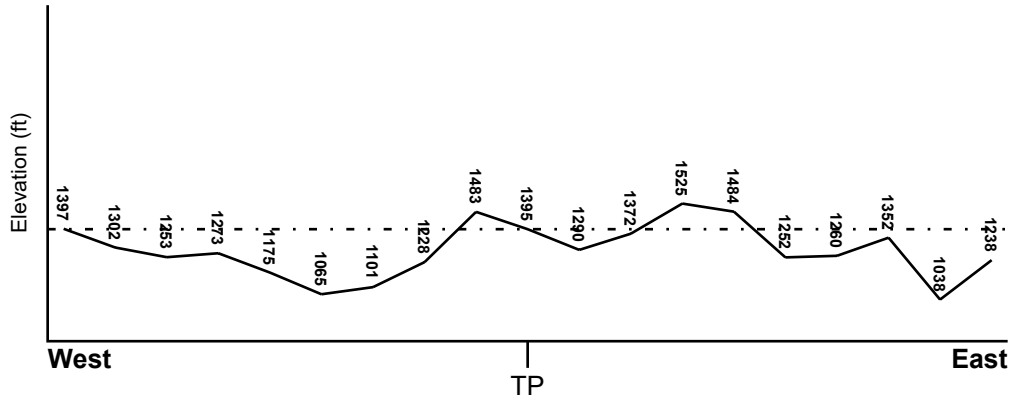
Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient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

TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General WNW

SURROUNDING TOPOGRAPHY: ELEVATION PROFILES





Target Property Elevation: 1395 ft.

0 1/2 1 Miles

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.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

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
21119C0100C	FEMA FIRM Flood data

Additional Panels in search area:	FEMA Source Type
21193C0075D	FEMA FIRM Flood data
21193C0100D	FEMA FIRM Flood data
21119C0200C	FEMA FIRM Flood data

NATIONAL WETLAND INVENTORY

NWI Quad at Target Property	NWI Electronic Data Coverage
VEST	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	LOCATION FROM TP	GENERAL DIRECTION GROUNDWATER FLOW
Not Reported		

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

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

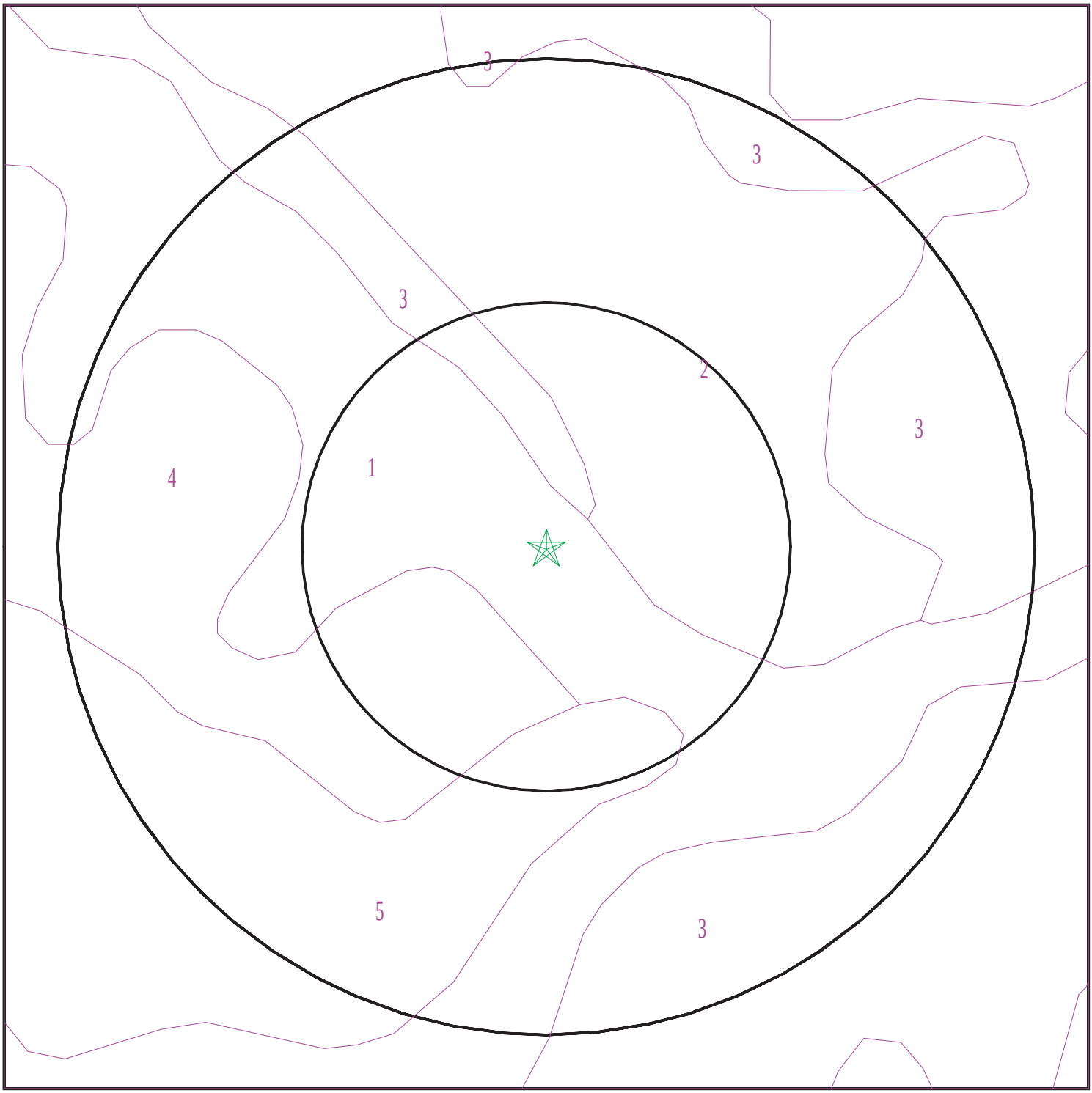
Era:	Paleozoic
System:	Pennsylvanian
Series:	Atokan and Morrowan Series
Code:	PP1 *(decoded above as Era, System & Series)*

GEOLOGIC AGE IDENTIFICATION

Category: Stratifed Sequence

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 - 7321472.2s



Target Property
SSURGO Soil
Water

0 1/16 1/8 1/4 Miles

N

SITE NAME: Olive Branch - Knott County ADDRESS: KY-80 Bulan KY 41722 LAT/LONG: 37.3892 / 83.1079	CLIENT: Kentucky Division of Compliance CONTACT: Derek Bozzell INQUIRY #: 7321472.2s DATE: April 27, 2023 4:27 pm

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GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

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: 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 conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
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:

Soil Map ID: 2

Soil Component Name: Fiveblock

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: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	14 inches	channery sandy loam	Granular materials (35 pct. or less passing No. 200), Stone Fragments, Gravel and Sand.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Silty Gravel	Max: 141 Min: 42	Max: 7.8 Min: 5.6
2	14 inches	64 inches	very channery sandy loam	Granular materials (35 pct. or less passing No. 200), Stone Fragments, Gravel and Sand.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Silty Gravel	Max: 141 Min: 42	Max: 7.8 Min: 5.6

Soil Map ID: 3

Soil Component Name: Kaymine

Soil Surface Texture: channery silt 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: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	14 inches	channery silt loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 42 Min: 4	Max: 7.8 Min: 5.6
2	14 inches	79 inches	very channery silt loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 42 Min: 4	Max: 7.8 Min: 5.6

Soil Map ID: 4

Soil Component Name: Shelocta

Soil Surface Texture: silt 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: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	3 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	Not reported	Max: Min:	Max: Min:
2	3 inches	27 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	Not reported	Max: Min:	Max: Min:
3	27 inches	55 inches	very channery silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	Not reported	Max: Min:	Max: Min:
4	55 inches	66 inches	weathered bedrock	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	Not reported	Max: Min:	Max: Min:

Soil Map ID: 5

Soil Component Name: Kimper

Soil Surface Texture: silt 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: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	5 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 14 Min: 4	Max: 6 Min: 4.5
2	5 inches	61 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 14 Min: 4	Max: 6 Min: 4.5
3	61 inches	79 inches	very channery loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 14 Min: 4	Max: 6 Min: 4.5

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
A1	USGS40000381843	1/4 - 1/2 Mile NNW
A2	USGS40000381844	1/4 - 1/2 Mile NNW
A5	USGS40000381853	1/4 - 1/2 Mile NNW
A6	USGS40000381854	1/4 - 1/2 Mile NNW
A7	USGS40000381855	1/4 - 1/2 Mile NNW

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

FEDERAL USGS WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
B8	USGS40000381850	1/2 - 1 Mile NW
B9	USGS40000381847	1/2 - 1 Mile NW
B10	USGS40000381846	1/2 - 1 Mile NW
B11	USGS40000381849	1/2 - 1 Mile NW
B12	USGS40000381848	1/2 - 1 Mile NW
C14	USGS40000381863	1/2 - 1 Mile NW
C15	USGS40000381864	1/2 - 1 Mile NW
C16	USGS40000381865	1/2 - 1 Mile NW

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
A3	KY7000000051399	1/4 - 1/2 Mile NNW
A4	KY7000000051626	1/4 - 1/2 Mile NNW
C13	KY7000000049810	1/2 - 1 Mile NW
17	KY7000000098932	1/2 - 1 Mile ESE
18	KY7000000030126	1/2 - 1 Mile SE
19	KY7000000053512	1/2 - 1 Mile ESE

OTHER STATE DATABASE INFORMATION

STATE OIL/GAS WELL INFORMATION

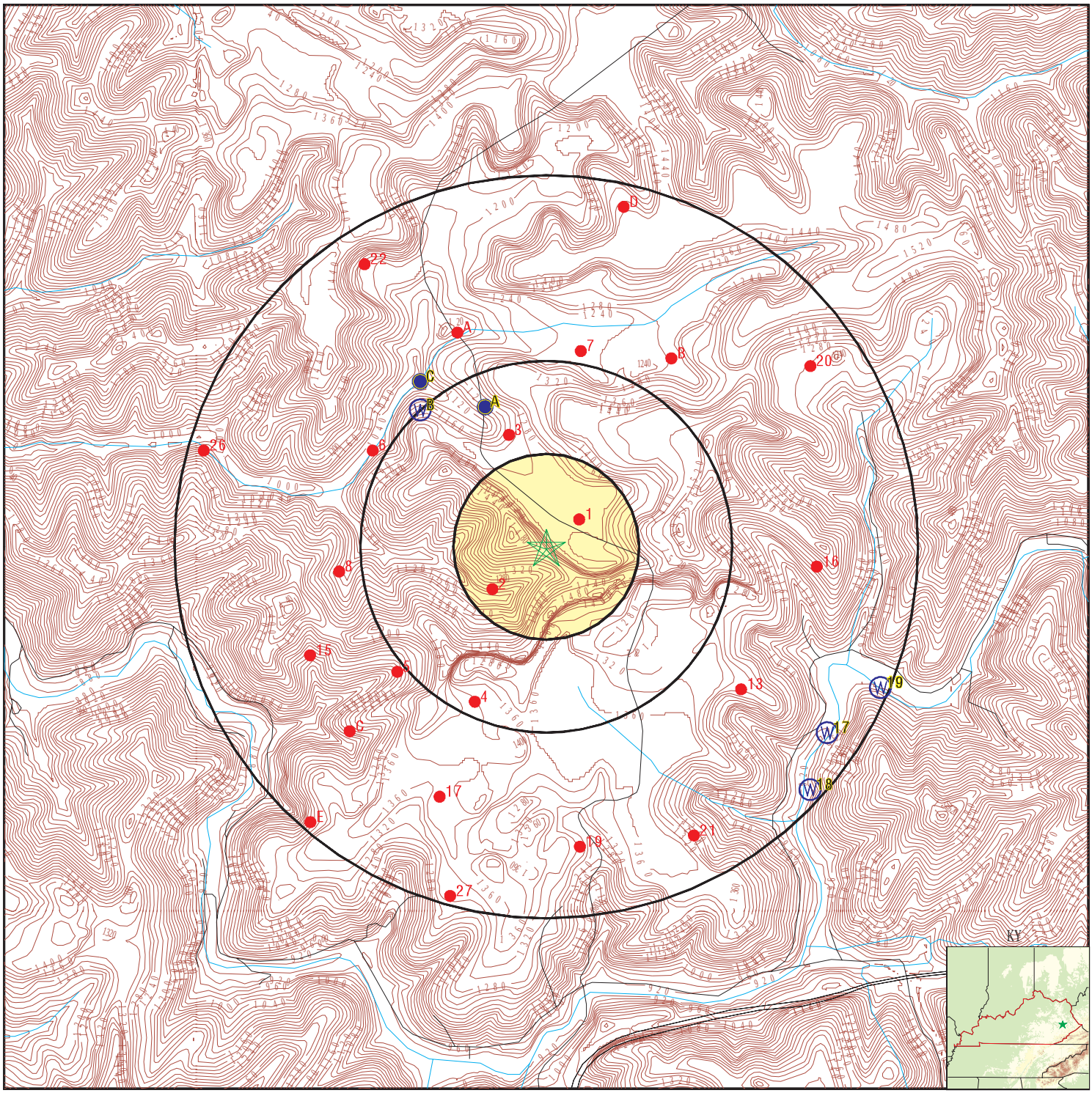
MAP ID	WELL ID	LOCATION FROM TP
1	KYOG14000052714	0 - 1/8 Mile NE
2	KYOG14000044532	1/8 - 1/4 Mile SW
3	KYOG14000120092	1/4 - 1/2 Mile NNW
4	KYOG14000044558	1/4 - 1/2 Mile SSW
5	KYOG14000052715	1/2 - 1 Mile SW
6	KYOG14000044533	1/2 - 1 Mile WNW
7	KYOG14000122130	1/2 - 1 Mile North
8	KYOG14000044534	1/2 - 1 Mile West
A9	KYOG14000052712	1/2 - 1 Mile NNW
B10	KYOG14000103262	1/2 - 1 Mile NNE
B11	KYOG14000052713	1/2 - 1 Mile NNE
A12	KYOG14000120400	1/2 - 1 Mile NNW
13	KYOG14000102467	1/2 - 1 Mile SE
C14	KYOG14000110896	1/2 - 1 Mile SW
15	KYOG14000052711	1/2 - 1 Mile WSW
16	KYOG14000102677	1/2 - 1 Mile East
17	KYOG14000010967	1/2 - 1 Mile SSW
C18	KYOG14000052717	1/2 - 1 Mile SW

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

STATE OIL/GAS WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
19	KYOG14000044518	1/2 - 1 Mile South
20	KYOG14000044525	1/2 - 1 Mile NE
21	KYOG14000102948	1/2 - 1 Mile SSE
22	KYOG14000120091	1/2 - 1 Mile NNW
D23	KYOG14000044347	1/2 - 1 Mile NNE
D24	KYOG14000052707	1/2 - 1 Mile NNE
D25	KYOG14000122131	1/2 - 1 Mile NNE
26	KYOG14000078351	1/2 - 1 Mile WNW
27	KYOG14000109543	1/2 - 1 Mile SSW
E28	KYOG14000102587	1/2 - 1 Mile SW
E29	KYOG14000102675	1/2 - 1 Mile SW

PHYSICAL SETTING SOURCE MAP - 7321472.2s



County Boundary
Major Roads
Contour Lines
Earthquake epicenter, Richter 5 or greater
Water Wells
Public Water Supply Wells
Cluster of Multiple Icons

0 1/4 1/2 1 Miles

Groundwater Flow Direction
Indeterminate Groundwater Flow at Location
Groundwater Flow Varies at Location
Oil, gas or related wells

N

SITE NAME:	Olive Branch - Knott County	CLIENT:	Kentucky Division of Compliance
ADDRESS:	KY-80 Bulan KY 41722	CONTACT:	Derek Bozzell
		INQUIRY #:	7321472.2s
LAT/LONG:	37.3892 / 83.1079	DATE:	April 27, 2023 4:27 pm

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Map ID Direction Distance Elevation	Database	EDR ID Number
A1 **NNW** **1/4 - 1/2 Mile** **Lower**	**FED USGS**	**USGS40000381843**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0015	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820428
Well Depth:	98.5	Well Depth Units:	ft
Well Hole Depth:	98.5	Well Hole Depth Units:	ft

A2 **NNW** **1/4 - 1/2 Mile** **Lower**	**FED USGS**	**USGS40000381844**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0016	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820503
Well Depth:	33	Well Depth Units:	ft
Well Hole Depth:	33	Well Hole Depth Units:	ft

A3 **NNW** **1/4 - 1/2 Mile** **Lower**	**KY WELLS**	**KY7000000051399**

AKGWA ID:	40006148	Well Type:	Water Well
Well Status:	Not Reported	Alt ID:	372341083063902
PWS ID:	Not Reported	Well Name:	Not Reported
Surface Elevation:	1179.160034	Usage:	Domestic - Single Household
Total Depth:	0	Depth to Bedrock:	0
End Date:	Not Reported		

A4 **NNW** **1/4 - 1/2 Mile** **Lower**	**KY WELLS**	**KY7000000051626**

AKGWA ID:	40006503	Well Type:	Water Well
Well Status:	Not Reported	Alt ID:	372341083063901
PWS ID:	Not Reported	Well Name:	Not Reported
Surface Elevation:	1179.800049	Usage:	UNKNOWN
Total Depth:	0	Depth to Bedrock:	0
End Date:	Not Reported		

Map ID Direction Distance Elevation	Database	EDR ID Number
A5 **NNW** **1/4 - 1/2 Mile** **Lower**	**FED USGS**	**USGS40000381853**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0012	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820217
Well Depth:	210	Well Depth Units:	ft
Well Hole Depth:	210	Well Hole Depth Units:	ft

A6 **NNW** **1/4 - 1/2 Mile** **Lower**	**FED USGS**	**USGS40000381854**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0013	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820310
Well Depth:	86	Well Depth Units:	ft
Well Hole Depth:	86	Well Hole Depth Units:	ft

A7 **NNW** **1/4 - 1/2 Mile** **Lower**	**FED USGS**	**USGS40000381855**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0014	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820401
Well Depth:	155	Well Depth Units:	ft
Well Hole Depth:	155	Well Hole Depth Units:	ft

B8 **NW** **1/2 - 1 Mile** **Lower**	**FED USGS**	**USGS40000381850**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0021	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported

Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820716
Well Depth:	51	Well Depth Units:	ft
Well Hole Depth:	51	Well Hole Depth Units:	ft

B9
NW
1/2 - 1 Mile
Lower

FED USGS **USGS40000381847**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0018	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820602
Well Depth:	115	Well Depth Units:	ft
Well Hole Depth:	115	Well Hole Depth Units:	ft

B10
NW
1/2 - 1 Mile
Lower

FED USGS **USGS40000381846**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0017	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820525
Well Depth:	174.6	Well Depth Units:	ft
Well Hole Depth:	174.6	Well Hole Depth Units:	ft

B11
NW
1/2 - 1 Mile
Lower

FED USGS **USGS40000381849**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0020	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820622
Well Depth:	52	Well Depth Units:	ft
Well Hole Depth:	52	Well Hole Depth Units:	ft

Map ID Direction Distance Elevation	Database	EDR ID Number
B12 **NW** **1/2 - 1 Mile** **Lower**	**FED USGS**	**USGS40000381848**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0019	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820609
Well Depth:	52	Well Depth Units:	ft
Well Hole Depth:	52	Well Hole Depth Units:	ft

C13 **NW** **1/2 - 1 Mile** **Lower**	**KY WELLS**	**KY7000000049810**

AKGWA ID:	40003785	Well Type:	Water Well
Well Status:	Not Reported	Alt ID:	372344083065102
PWS ID:	Not Reported	Well Name:	Not Reported
Surface Elevation:	1067.619995	Usage:	UNKNOWN
Total Depth:	0	Depth to Bedrock:	0
End Date:	Not Reported		

C14 **NW** **1/2 - 1 Mile** **Lower**	**FED USGS**	**USGS40000381863**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0009	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19811106
Well Depth:	292.7	Well Depth Units:	ft
Well Hole Depth:	292.7	Well Hole Depth Units:	ft

C15 **NW** **1/2 - 1 Mile** **Lower**	**FED USGS**	**USGS40000381864**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0010	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19811119

Well Depth:	50	Well Depth Units:	ft
Well Hole Depth:	50	Well Hole Depth Units:	ft

C16
NW
1/2 - 1 Mile
Lower

FED USGS **USGS40000381865**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0011	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19811203
Well Depth:	94.3	Well Depth Units:	ft
Well Hole Depth:	94.3	Well Hole Depth Units:	ft

17
ESE
1/2 - 1 Mile
Lower

KY WELLS **KY7000000098932**

AKGWA ID:	80061963	Well Type:	Monitoring Well
Well Status:	Active	Alt ID:	GW-01
PWS ID:	Not Reported	Well Name:	ICG Hazard LLC (860-0429)
Surface Elevation:	910.22998	Usage:	Remediation
Total Depth:	60	Depth to Bedrock:	22
End Date:	23-SEP-11		

18
SE
1/2 - 1 Mile
Lower

KY WELLS **KY7000000030126**

AKGWA ID:	00050700	Well Type:	Water Well
Well Status:	Active	Alt ID:	Not Reported
PWS ID:	Not Reported	Well Name:	Residence - Wayne Roberts
Surface Elevation:	960	Usage:	Domestic - Single Household
Total Depth:	60	Depth to Bedrock:	14
End Date:	05-OCT-98		

19
ESE
1/2 - 1 Mile
Lower

KY WELLS **KY7000000053512**

AKGWA ID:	60000051	Well Type:	Water Well
Well Status:	Not Reported	Alt ID:	0886903G0222KYOSM2
PWS ID:	Not Reported	Well Name:	Not Reported
Surface Elevation:	0	Usage:	Domestic - Single Household
Total Depth:	17.700001	Depth to Bedrock:	0
End Date:	Not Reported		

Map ID
Direction
Distance

	Database	EDR ID Number
1 **NE** **0 - 1/8 Mile**	**OIL_GAS**	**KYOG14000052714**

OIL_GAS:

API #:	16119002880000	KGS #:	55636
Well Elevation:	1206	Original Farm/Lease Name:	SCHMIDT, HENRY J
Original Operator:	INLAND GAS CO, INC		
Original Well #:	558	Permit #:	29406
Formation:	337INJN	Deepest Formation:	332BIGL
Init Open or Potential Flow:	0 MCFGPD	description in result_desc field:	O&G
Original API Classification:	Extension (outpost) Well		
How Completed:	Combined oil and gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	05-DEC-75	Plug Date:	05-DEC-75
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=55636		

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2 **SW** **1/8 - 1/4 Mile**	**OIL_GAS**	**KYOG14000044532**

OIL_GAS:

API #:	16119003570000	KGS #:	47230
Well Elevation:	1220	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1609	Permit #:	29034
Formation:	341OHIO	Deepest Formation:	341OHIO
Init Open or Potential Flow:	94 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	15-OCT-75	Plug Date:	26-MAY-05
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=47230		

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3 **NNW** **1/4 - 1/2 Mile**	**OIL_GAS**	**KYOG14000120092**

OIL_GAS:

API #:	16119023680000	KGS #:	139144
Well Elevation:	1369	Original Farm/Lease Name:	SCHMIDT, VIRGINIA
Original Operator:	CLEAN GAS, INC	Original Well #:	442
Permit #:	106669	Formation:	341OHIO
Deepest Formation:	341OHIO	Init Open or Potential Flow:	0 MCFGPD
description in result_desc field:	GAS	Original API Classification:	Unclassified
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	28-APR-10	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=139144		

4
SSW **OIL_GAS** **KYOG14000044558**
1/4 - 1/2 Mile

OIL_GAS:

API #:	16119013170000	KGS #:	47256
Well Elevation:	1254	Original Farm/Lease Name:	KYCOGA LAND CO
Original Operator:	ASHLAND OIL & REFINING CO, INC		
Original Well #:	74981	Permit #:	31670
Formation:	357CLNT	Deepest Formation:	000
Init Open or Potential Flow:	Not Reported	description in result_desc field:	D&A
Original API Classification:	Development Well		
How Completed:	Dry and abandoned		
Bore Type:	Conventional vertical well bore		
Completion Date:	31-MAR-77	Plug Date:	23-JUL-77
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=47256		

5
SW **OIL_GAS** **KYOG14000052715**
1/2 - 1 Mile

OIL_GAS:

API #:	16119003610000	KGS #:	55637
Well Elevation:	1202	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1619	Permit #:	29768
Formation:	332BIGL	Deepest Formation:	332BIGL
Init Open or Potential Flow:	1353 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	26-OCT-75	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=55637		

6
WNW **OIL_GAS** **KYOG14000044533**
1/2 - 1 Mile

OIL_GAS:

API #:	16119003600000	KGS #:	47231
Well Elevation:	1118	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1617	Permit #:	29653
Formation:	344CORN	Deepest Formation:	341OHIO
Init Open or Potential Flow:	119 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		

How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	20-OCT-75	Plug Date:	06-SEP-95
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=47231		

7
North **OIL_GAS** **KYOG14000122130**
1/2 - 1 Mile

OIL_GAS:

API #:	16119024290000	KGS #:	141248
Well Elevation:	1352	Original Farm/Lease Name:	SCHMIDT, VIRGINIA
Original Operator:	CLEAN GAS, INC	Original Well #:	443
Permit #:	108120	Formation:	000
Deepest Formation:	000	Init Open or Potential Flow:	Not Reported
description in result_desc field:	GAS	Original API Classification:	Unclassified
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	18-AUG-11	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=141248		

8
West **OIL_GAS** **KYOG14000044534**
1/2 - 1 Mile

OIL_GAS:

API #:	16119010810000	KGS #:	47232
Well Elevation:	1137	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1605	Permit #:	28440
Formation:	344CORN	Deepest Formation:	341OHIO
Init Open or Potential Flow:	84 MCFGPD	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:	02-MAY-75	Plug Date:	19-JAN-95
Documentation on Plug:	PA	Core Call #:	Not Reported
Cutting Call #:	13031	Log on File:	ELOG
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=47232		

A9
NNW **OIL_GAS** **KYOG14000052712**
1/2 - 1 Mile

OIL_GAS:

API #:	16119018960000	KGS #:	55634
Well Elevation:	1186	Original Farm/Lease Name:	SCHMIDT, HENRY J
Original Operator:	INLAND GAS CO, INC		
Original Well #:	556	Permit #:	29013

Formation:	337INJN	Deepest Formation:	000
Init Open or Potential Flow:	Not Reported	description in result_desc field:	D&A
Original API Classification:	New Pool Wildcat		
How Completed:	Dry and abandoned		
Bore Type:	Conventional vertical well bore		
Completion Date:	16-JUL-75	Plug Date:	03-SEP-75
Documentation on Plug:	PA	Core Call #:	Not Reported
Cutting Call #:	1449	Log on File:	ELOG
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=55634		

B10
NNE **OIL_GAS** **KYOG14000103262**
1/2 - 1 Mile

OIL_GAS:

API #:	16119015530000	KGS #:	120514
Well Elevation:	1244	Original Farm/Lease Name:	SCHMIDT, H J
Original Operator:	COLUMBIA NATURAL RES, INC		
Original Well #:	557-DD	Permit #:	89977
Formation:	341OHIO	Deepest Formation:	341OHIO
Init Open or Potential Flow:	60 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	18-JAN-99	Plug Date:	30-DEC-08
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=120514		

B11
NNE **OIL_GAS** **KYOG14000052713**
1/2 - 1 Mile

OIL_GAS:

API #:	16119002870000	KGS #:	55635
Well Elevation:	1214	Original Farm/Lease Name:	SCHMIDT, HENRY J
Original Operator:	INLAND GAS CO, INC		
Original Well #:	557	Permit #:	29341
Formation:	332BIGL	Deepest Formation:	332BIGL
Init Open or Potential Flow:	10233 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	27-AUG-75	Plug Date:	Not Reported
Documentation on Plug:	Not Reported	Core Call #:	Not Reported
Cutting Call #:	14290	Log on File:	Not Reported
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=55635		

A12
NNW **OIL_GAS** **KYOG14000120400**
1/2 - 1 Mile

OIL_GAS:

API #:	16119023810000	KGS #:	139452
Well Elevation:	1313	Original Farm/Lease Name:	SCHMIDT, VIRGINIA
Original Operator:	CLEAN GAS, INC	Original Well #:	441
Permit #:	106964	Formation:	341OHIO
Deepest Formation:	341OHIO	Init Open or Potential Flow:	0 MCFGPD
description in result_desc field:	GAS	Original API Classification:	Unclassified
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	16-JUN-10	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=139452		

13
SE
1/2 - 1 Mile **OIL_GAS** **KYOG14000102467**

OIL_GAS:

API #:	16119015370000	KGS #:	116004
Well Elevation:	1280	Original Farm/Lease Name:	EVANS OIL & GAS TRUST
Original Operator:	COLUMBIA NATURAL RESOURCES, INC		
Original Well #:	23422	Permit #:	89753
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:	02-NOV-98	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=116004		

C14
SW
1/2 - 1 Mile **OIL_GAS** **KYOG14000110896**

OIL_GAS:

API #:	16119021330000	KGS #:	129455
Well Elevation:	1224	Original Farm/Lease Name:	TURNER, CICELY ET AL
Original Operator:	EQUITABLE PRODUCTION COMPANY		
Original Well #:	566114	Permit #:	98149
Formation:	341OLNG	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:	17-DEC-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=129455		

Map ID Direction Distance	Database	EDR ID Number

15
WSW
1/2 - 1 Mile

OIL_GAS **KYOG14000052711**

OIL_GAS:

API #:	16119019210000	KGS #:	55633
Well Elevation:	1188	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1621	Permit #:	29769
Formation:	337INJN	Deepest Formation:	000
Init Open or Potential Flow:	Not Reported	description in result_desc field:	D&A
Original API Classification:	Extension (outpost) Well		
How Completed:	Dry and abandoned		
Bore Type:	Conventional vertical well bore		
Completion Date:	16-JAN-76	Plug Date:	21-JAN-76
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=55633		

16
East
1/2 - 1 Mile

OIL_GAS **KYOG14000102677**

OIL_GAS:

API #:	16119015500000	KGS #:	116214
Well Elevation:	1310	Original Farm/Lease Name:	EVANS OIL & GAS TRUST
Original Operator:	COLUMBIA NATURAL RESOURCES, INC		
Original Well #:	23423	Permit #:	89961
Formation:	341OLNG	Deepest Formation:	341OHIO
Init Open or Potential Flow:	119 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	18-JAN-99	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=116214		

17
SSW
1/2 - 1 Mile

OIL_GAS **KYOG14000010967**

OIL_GAS:

API #:	16119013180000	KGS #:	11262
Well Elevation:	1259	Original Farm/Lease Name:	KYCOGA LAND CO
Original Operator:	ASHLAND OIL & REFINING CO, INC		
Original Well #:	22	Permit #:	31671
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 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=11262		

C18
SW
1/2 - 1 Mile

OIL_GAS **KYOG14000052717**

OIL_GAS:

API #:	16119003560000	KGS #:	55639
Well Elevation:	1104	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1580	Permit #:	27861
Formation:	337INJN	Deepest Formation:	332BIGL
Init Open or Potential Flow:	678 MCFGPD	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:	20-AUG-74	Plug Date:	19-JUN-09
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=55639		

19
South
1/2 - 1 Mile

OIL_GAS **KYOG14000044518**

OIL_GAS:

API #:	16119002560000	KGS #:	47216
Well Elevation:	1144	Original Farm/Lease Name:	EVANS OIL & GAS TRUST
Original Operator:	INLAND GAS CO, INC		
Original Well #:	516	Permit #:	11945
Formation:	341OHIO	Deepest Formation:	341OHIO
Init Open or Potential Flow:	94 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	06-AUG-64	Plug Date:	Not Reported
Documentation on Plug:	Not Reported	Core Call #:	Not Reported
Cutting Call #:	7942	Log on File:	Not Reported
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=47216		

20
NE
1/2 - 1 Mile

OIL_GAS **KYOG14000044525**

OIL_GAS:

API #:	16119013550000	KGS #:	47223
Well Elevation:	1174	Original Farm/Lease Name:	GOODLOE BROTHERS CO, INC
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1517	Permit #:	25398
Formation:	357CLNT	Deepest Formation:	341OHIO
Init Open or Potential Flow:	84 MCFGPD	description in result_desc field:	GAS

Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	08-MAY-89	Plug Date:	18-MAY-89
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=47223		

21
SSE **OIL_GAS** **KYOG14000102948**
1/2 - 1 Mile

OIL_GAS:

API #:	16119015730000	KGS #:	120199
Well Elevation:	1293	Original Farm/Lease Name:	EVANS OIL & GAS TRUST
Original Operator:	COLUMBIA NATURAL RES, INC		
Original Well #:	23449	Permit #:	90229
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:	05-MAY-99	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=120199		

22
NNW **OIL_GAS** **KYOG14000120091**
1/2 - 1 Mile

OIL_GAS:

API #:	16119023670000	KGS #:	139143
Well Elevation:	1268	Original Farm/Lease Name:	SCHMIDT, VIRGINIA
Original Operator:	CLEAN GAS, INC	Original Well #:	440
Permit #:	106668	Formation:	341OHIO
Deepest Formation:	341OHIO	Init Open or Potential Flow:	0 MCFGPD
description in result_desc field:	GAS	Original API Classification:	Unclassified
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	28-APR-10	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=139143		

D23
NNE **OIL_GAS** **KYOG14000044347**
1/2 - 1 Mile

OIL_GAS:

API #:	16119018970000	KGS #:	47015
Well Elevation:	1432	Original Farm/Lease Name:	SCHMIDT, HENRY J
Original Operator:	INLAND GAS CO, INC		

Original Well #:	563	Permit #:	31538
Formation:	357RHLL	Deepest Formation:	355BGSX
Init Open or Potential Flow:	0 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Deeper pool test resulting in development of existing producing formation		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	13-MAR-77	Plug Date:	26-MAR-87
Documentation on Plug:	PA	Core Call #:	Not Reported
Cutting Call #:	1450	Log on File:	Not Reported
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=47015		

D24
NNE **OIL_GAS** **KYOG14000052707**
1/2 - 1 Mile

OIL_GAS:

API #:	16119018980000	KGS #:	55629
Well Elevation:	1432	Original Farm/Lease Name:	SCHMIDT, HENRY J
Original Operator:	INLAND GAS CO, INC		
Original Well #:	563	Permit #:	30625
Formation:	337BRDN	Deepest Formation:	000
Init Open or Potential Flow:	Not Reported	description in result_desc field:	D&A
Original API Classification:	Development Well		
How Completed:	Dry and abandoned		
Bore Type:	Conventional vertical well bore		
Completion Date:	08-OCT-76	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=55629		

D25
NNE **OIL_GAS** **KYOG14000122131**
1/2 - 1 Mile

OIL_GAS:

API #:	16119024300000	KGS #:	141249
Well Elevation:	1322	Original Farm/Lease Name:	SCHMIDT, VIRGINIA
Original Operator:	CLEAN GAS, INC	Original Well #:	444
Permit #:	108121	Formation:	000
Deepest Formation:	332BIGL	Init Open or Potential Flow:	237 MCFGPD
description in result_desc field:	GAS	Original API Classification:	Unclassified
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	08-AUG-11	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=141249		

26
WNW **OIL_GAS** **KYOG14000078351**
1/2 - 1 Mile

OIL_GAS:

API #:	16193003350000	KGS #:	83078
Well Elevation:	998	Original Farm/Lease Name:	TURNER, CICELY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1596	Permit #:	28231
Formation:	332BIGL	Deepest Formation:	332BIGL
Init Open or Potential Flow:	3130 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	31-JAN-75	Plug Date:	17-JUN-96
Documentation on Plug:	PA	Core Call #:	Not Reported
Cutting Call #:	Not Reported	Log on File:	Not Reported
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=83078		

27
SSW **OIL_GAS** **KYOG14000109543**
1/2 - 1 Mile

OIL_GAS:

API #:	16119020630000	KGS #:	128101
Well Elevation:	1340	Original Farm/Lease Name:	KYCOGA LAND CO
Original Operator:	EQUITABLE PRODUCTION COMPANY		
Original Well #:	566108	Permit #:	96833
Formation:	341OLNG	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:	27-JAN-05	Plug Date:	Not Reported
Documentation on Plug:	Not Reported	Core Call #:	Not Reported
Cutting Call #:	2197	Log on File:	ELOG
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=128101		

E28
SW **OIL_GAS** **KYOG14000102587**
1/2 - 1 Mile

OIL_GAS:

API #:	16193008970000	KGS #:	116122
Well Elevation:	1236	Original Farm/Lease Name:	CORNETT, VIOLET & LOWELL
Original Operator:	BRADLEY, CHARLES R DBA BASIN ENERGY CO		
Original Well #:	1	Permit #:	89835
Formation:	355LCKP	Deepest Formation:	341OHIO
Init Open or Potential Flow:	Not Reported	description in result_desc field:	GAS
Original API Classification:	Unclassified	How Completed:	Gas producer
Bore Type:	Conventional vertical well bore		
Completion Date:	18-SEP-98	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=116122		

Map ID Direction Distance	Database	EDR ID Number
E29 **SW** **1/2 - 1 Mile**	**OIL_GAS**	**KYOG14000102675**

OIL_GAS:

API #:	16193008980000	KGS #:	116212
Well Elevation:	1232	Original Farm/Lease Name:	CORNETT, VIOLET & LOWELL
Original Operator:	BRADLEY, CHARLES R DBA BASIN ENERGY CO		
Original Well #:	1-T	Permit #:	89925
Formation:	324BRTT	Deepest Formation:	324BRTT
Init Open or Potential Flow:	42 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	09-OCT-98	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=116212		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS
RADON

AREA RADON INFORMATION

State Database: KY Radon

Radon Test Results

Zip	Test Date	Test Result
41722	8/30/2004	1.50

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 Zip Code: 41722

Number of sites tested: 1

Area	Average Activity	% <4 pCi/L	% 4-20 pCi/L	% >20 pCi/L
Living Area - 1st Floor	0.300 pCi/L	100%	0%	0%
Living Area - 2nd Floor	Not Reported	Not Reported	Not Reported	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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Olive Branch - Knott County

KY-80

Bulan, KY 41722

Inquiry Number: 7321472.3

April 27, 2023

Certified Sanborn® Map Report

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

Certified Sanborn® Map Report

04/27/23

Site Name:	Client Name:
Olive Branch - Knott County	Kentucky Division of Compliance
KY-80	300 Sower Blvd.
Bulan, KY 41722	Frankfort, KY 40601
EDR Inquiry # 7321472.3	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 # E99E-4DC0-921F

PO # NA

Project Olive Branch Phase I

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 #: E99E-4DC0-921F

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- ✔ Library of Congress
- ✔ University Publications of America
- ✔ EDR Private Collection

The Sanborn Library LLC Since 1866™

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Olive Branch - Knott County

KY-80

Bulan, KY 41722

Inquiry Number: 7321472.4

April 27, 2023

EDR Historical Topo Map Report

with QuadMatch™

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

EDR Historical Topo Map Report

04/27/23

Site Name:	Client Name:
Olive Branch - Knott County	Kentucky Division of Compliance
KY-80	300 Sower Blvd.
Bulan, KY 41722	Frankfort, KY 40601
EDR Inquiry # 7321472.4	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:*	
P.O.#	NA	**Latitude:**	37.3892 37° 23' 21" North
Project:	Olive Branch Phase I	**Longitude:**	-83.1079 -83° 6' 28" West
		UTM Zone:	Zone 17 North
		UTM X Meters:	313396.45
		UTM Y Meters:	4140133.88
		Elevation:	1384.78' above sea level

Maps Provided:

2019	1891
2016	
2013	
1992	
1987	
1976	
1954	
1914	

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Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

2019 Source Sheets

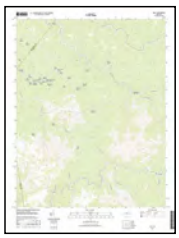
Vest
2019
7.5-minute, 24000

Noble
2019
7.5-minute, 24000

Carrie
2019
7.5-minute, 24000

Hazard North
2019
7.5-minute, 24000

2016 Source Sheets



Vest
2016
7.5-minute, 24000

Noble
2016
7.5-minute, 24000

Carrie
2016
7.5-minute, 24000

Hazard North
2016
7.5-minute, 24000

2013 Source Sheets

Vest
2013
7.5-minute, 24000

Noble
2013
7.5-minute, 24000

Carrie
2013
7.5-minute, 24000

Hazard North
2013
7.5-minute, 24000

1992 Source Sheets

Carrie
1992
7.5-minute, 24000
Aerial Photo Revised 1988

Hazard North
1992
7.5-minute, 24000
Aerial Photo Revised 1988

Vest
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.

1987 Source Sheets

Vest
1987
7.5-minute, 24000
Aerial Photo Revised 1953

1976 Source Sheets

Hazard North
1976
7.5-minute, 24000
Aerial Photo Revised 1971

Carrie
1976
7.5-minute, 24000
Aerial Photo Revised 1953

Noble
1976
7.5-minute, 24000
Aerial Photo Revised 1953

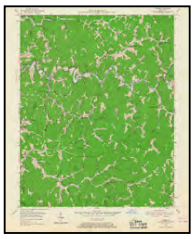
Vest
1976
7.5-minute, 24000
Aerial Photo Revised 1953

1954 Source Sheets

Noble
1954
7.5-minute, 24000
Aerial Photo Revised 1953

Hazard North
1954
7.5-minute, 24000
Aerial Photo Revised 1953

Vest
1954
7.5-minute, 24000
Aerial Photo Revised 1953



Carrie
1954
7.5-minute, 24000
Aerial Photo Revised 1953

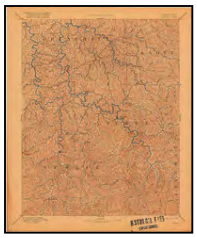
1914 Source Sheets

Troublesome
1914
15-minute, 62500

Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

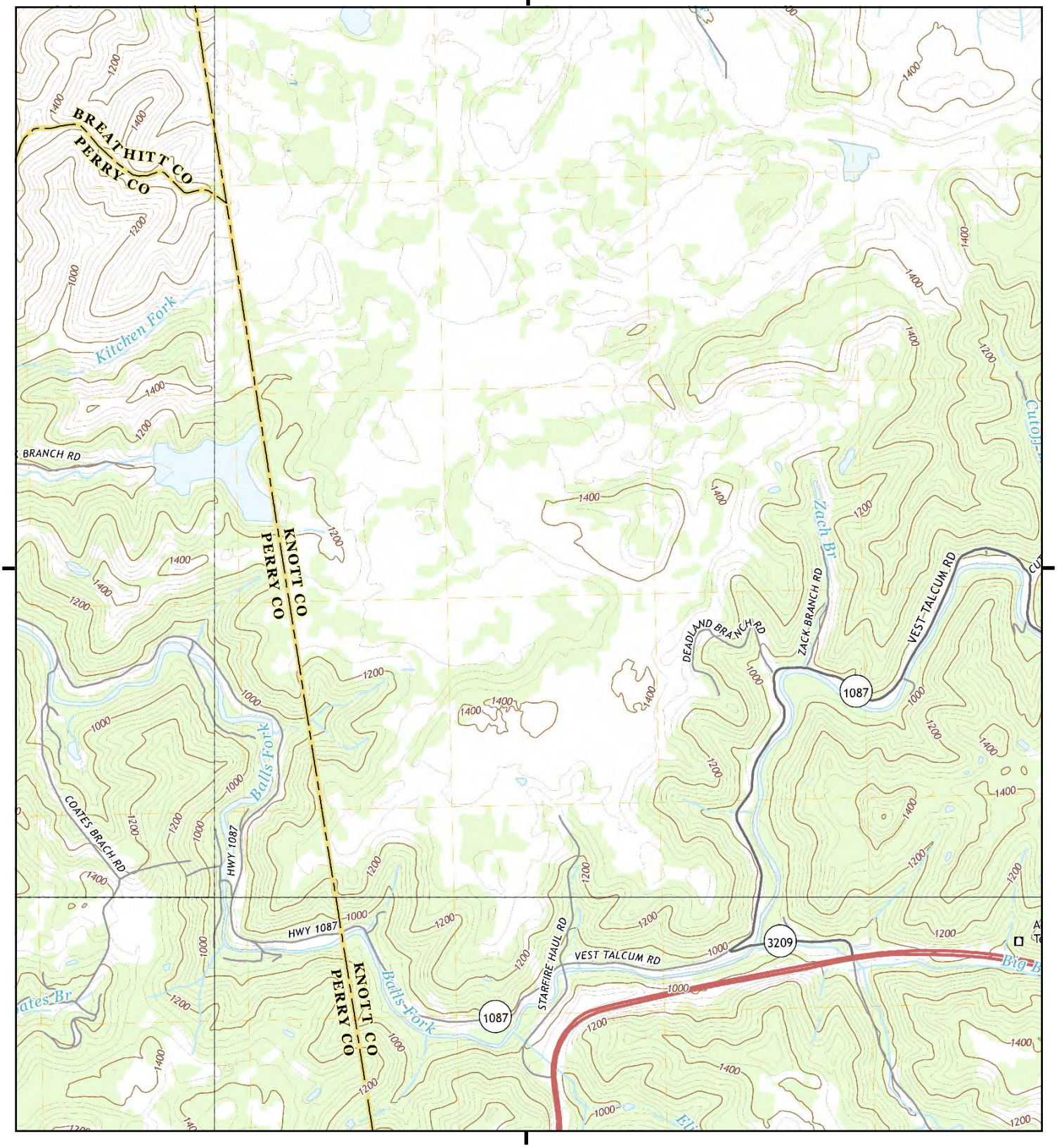
1891 Source Sheets



Hazard
1891
30-minute, 125000

Historical Topo Map

2019



This report includes information from the following map sheet(s).

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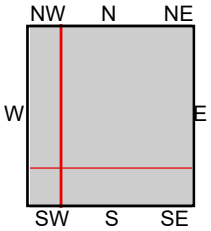


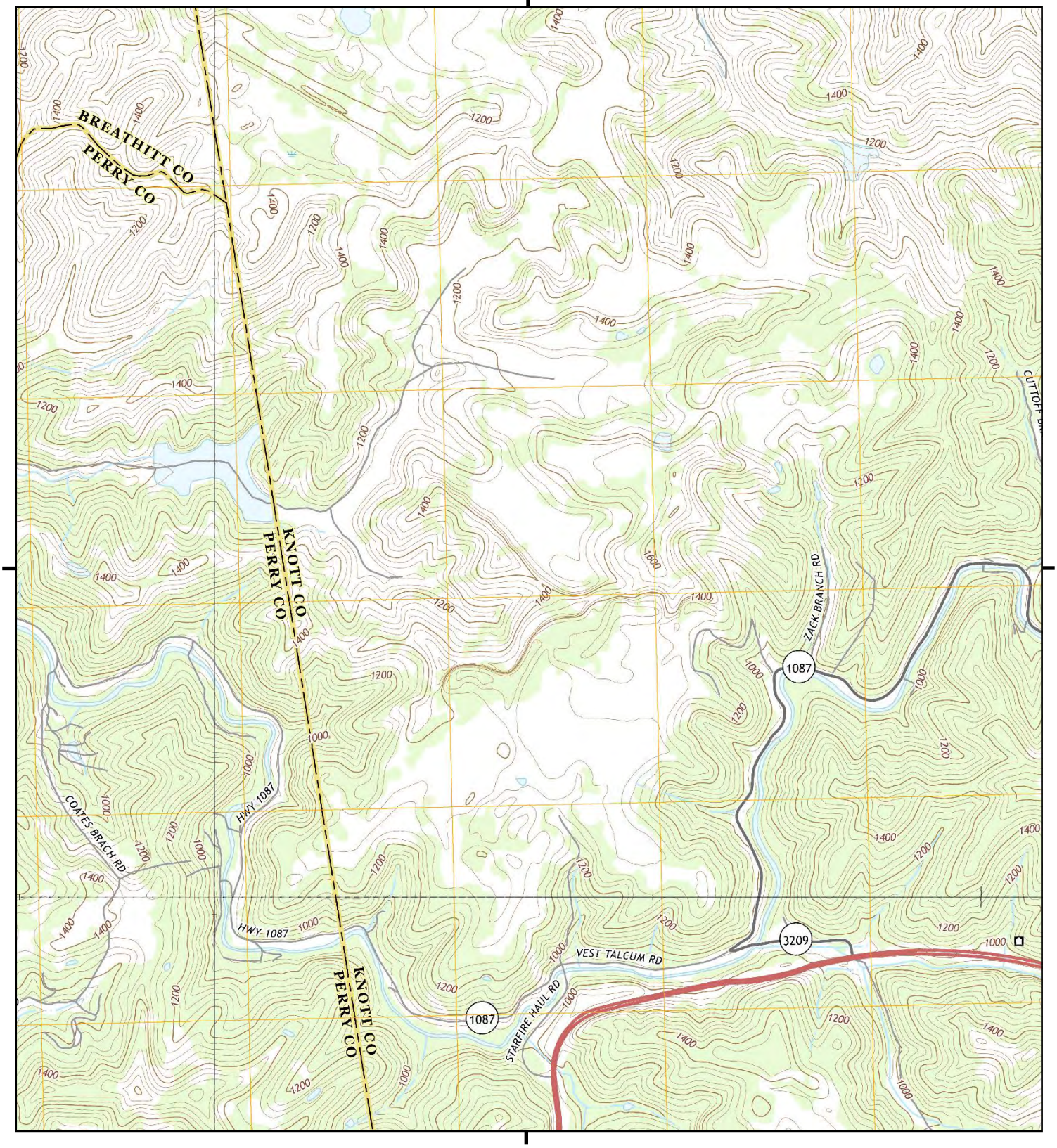
TP, Vest, 2019, 7.5-minute
SE, Carrie, 2019, 7.5-minute
SW, Hazard North, 2019, 7.5-minute
NW, Noble, 2019, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

2016



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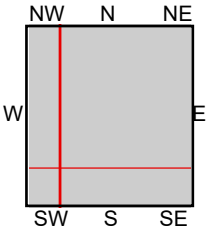

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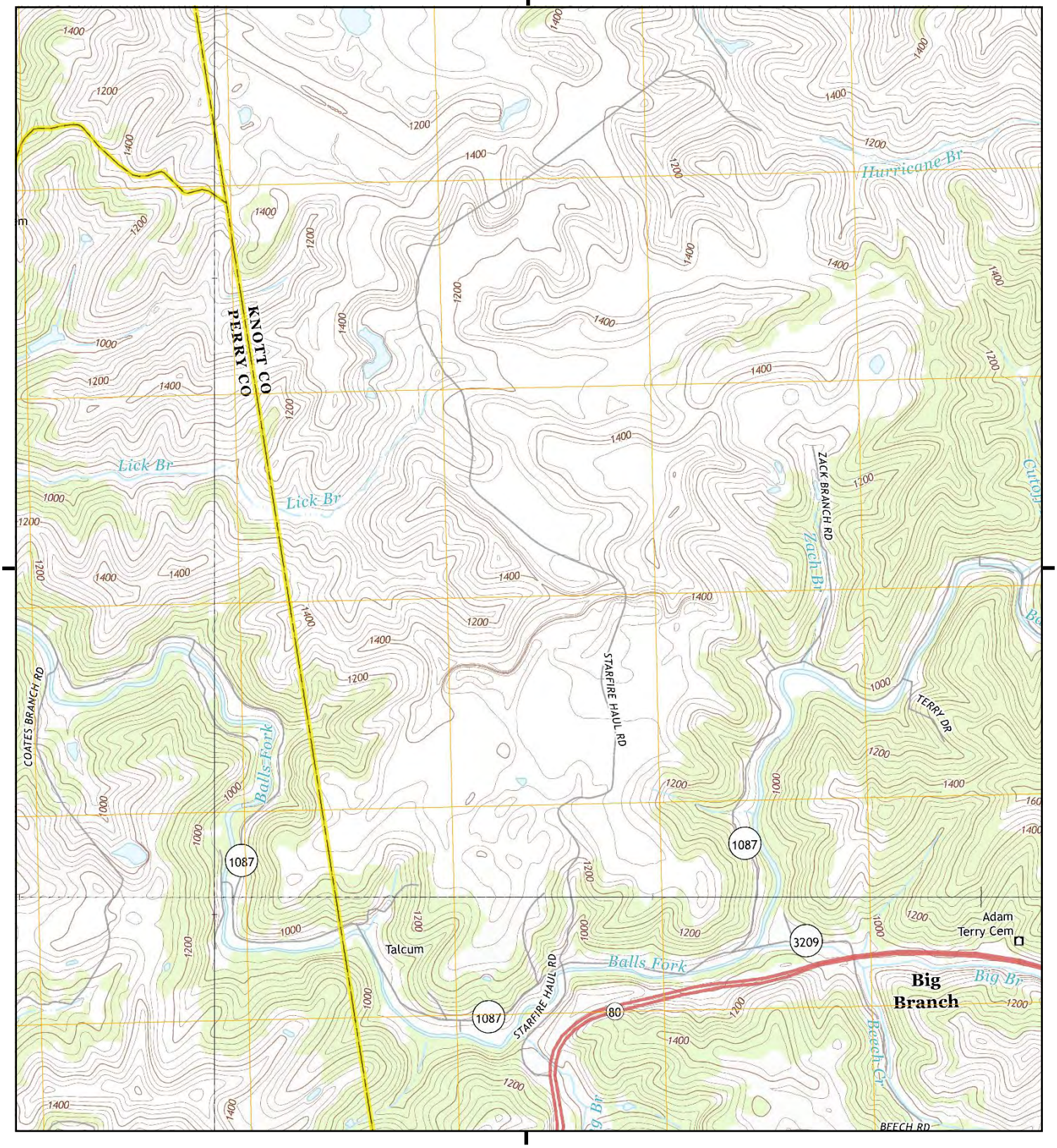
SW, Hazard North, 2016, 7.5-minute
NW, Noble, 2016, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

2013



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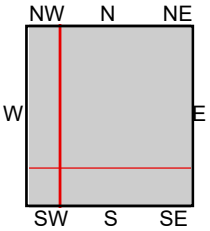

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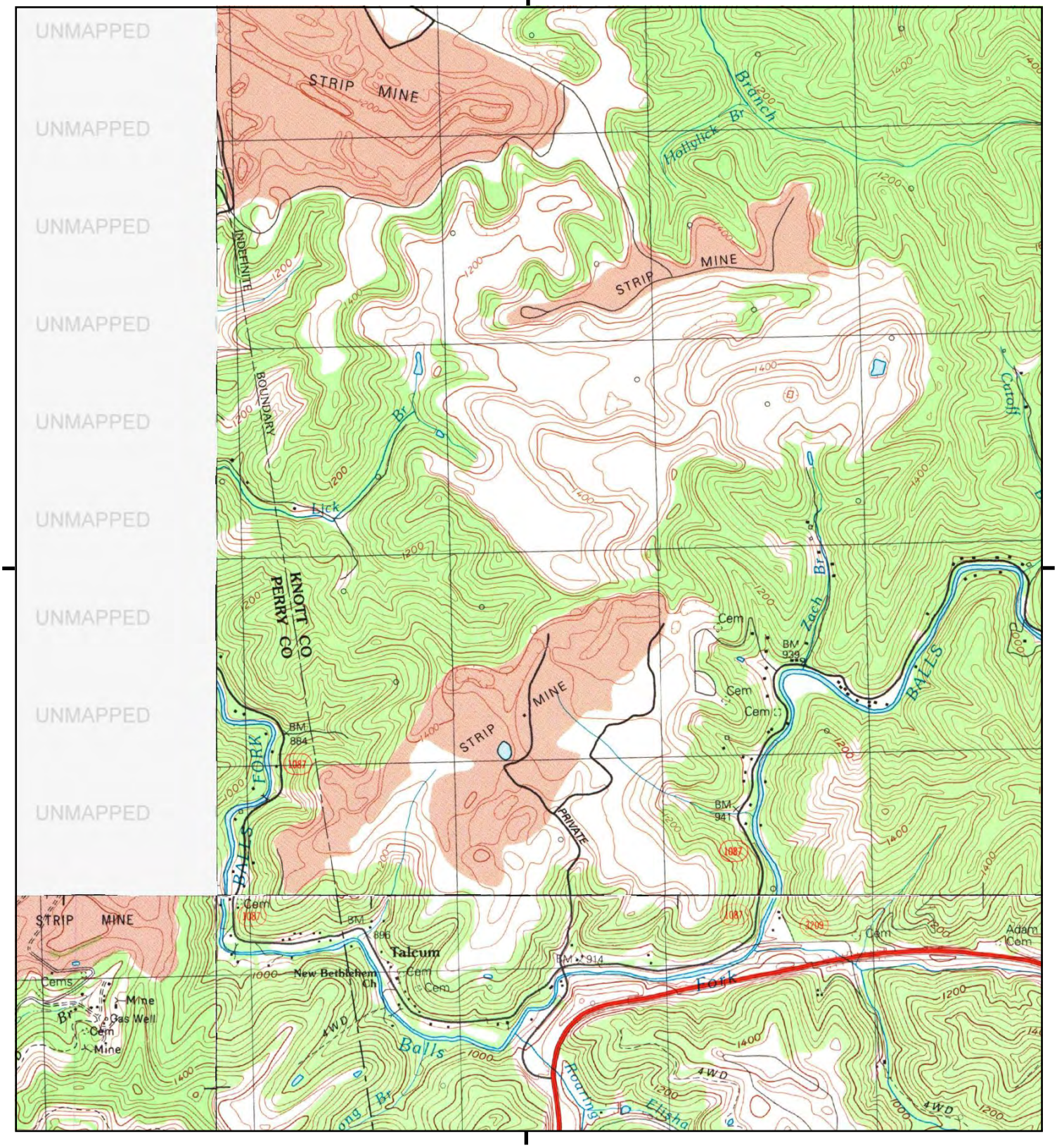
SW, Hazard North, 2013, 7.5-minute
NW, Noble, 2013, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

1992



This report includes information from the following map sheet(s).

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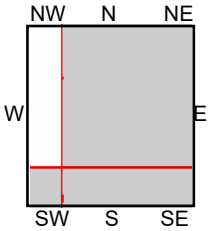

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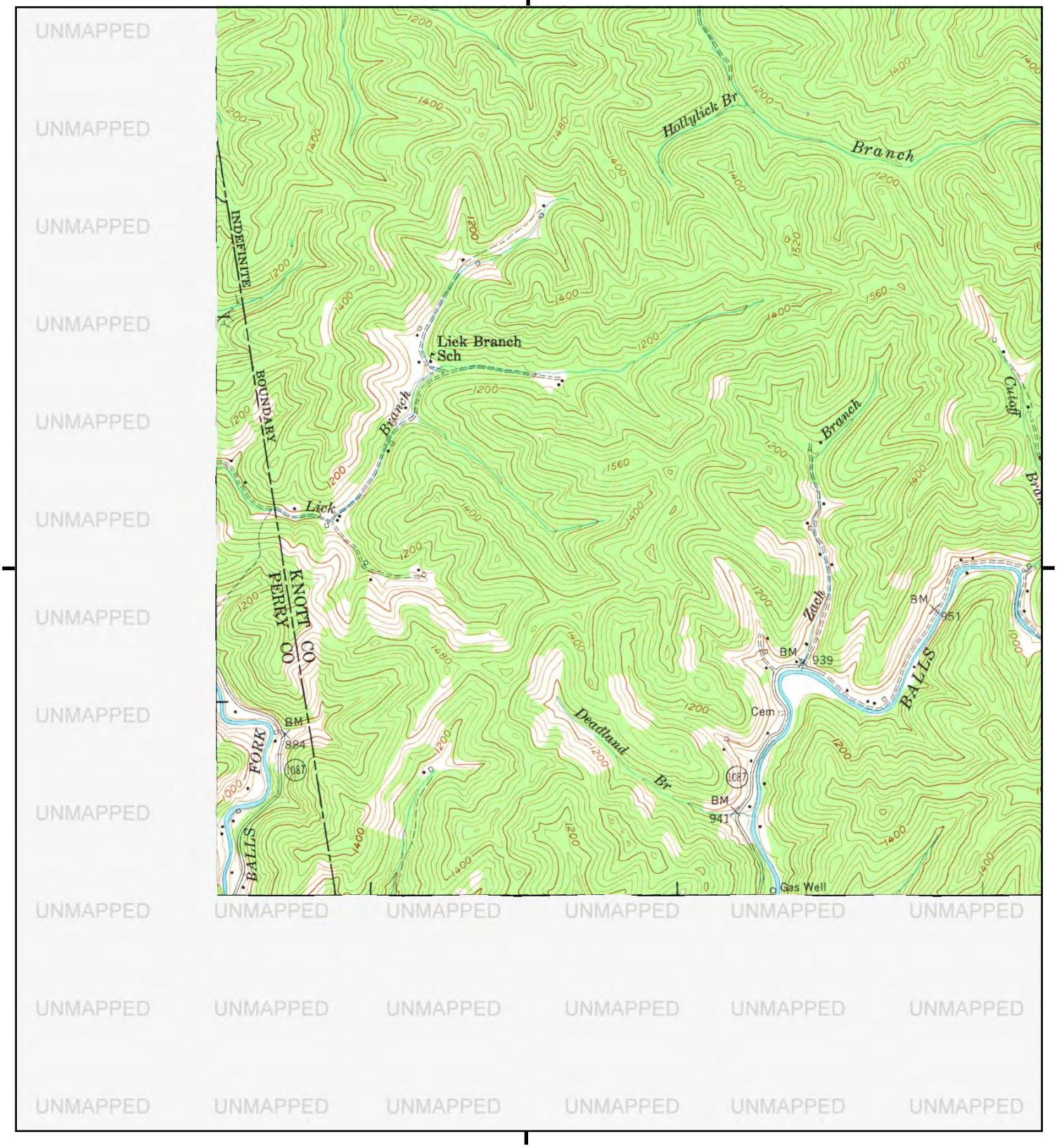
SE, Carrie, 1992, 7.5-minute
SW, Hazard North, 1992, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

1987



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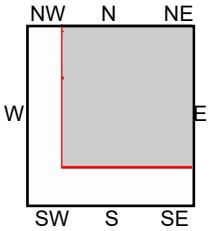
0 Miles 0.25 0.5 1 1.5



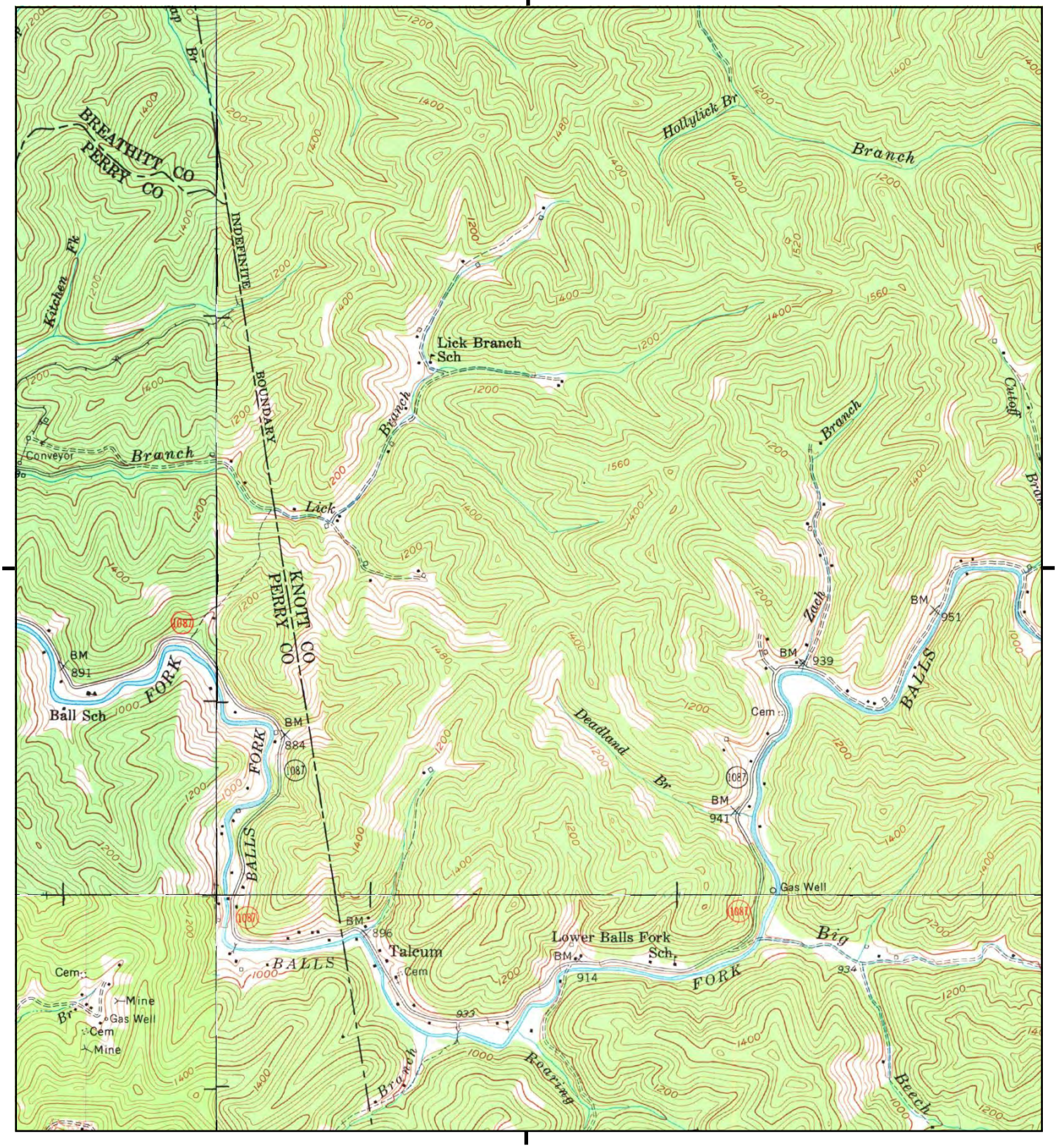
TP, Vest, 1987, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

1976



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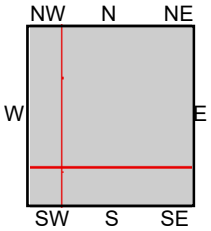

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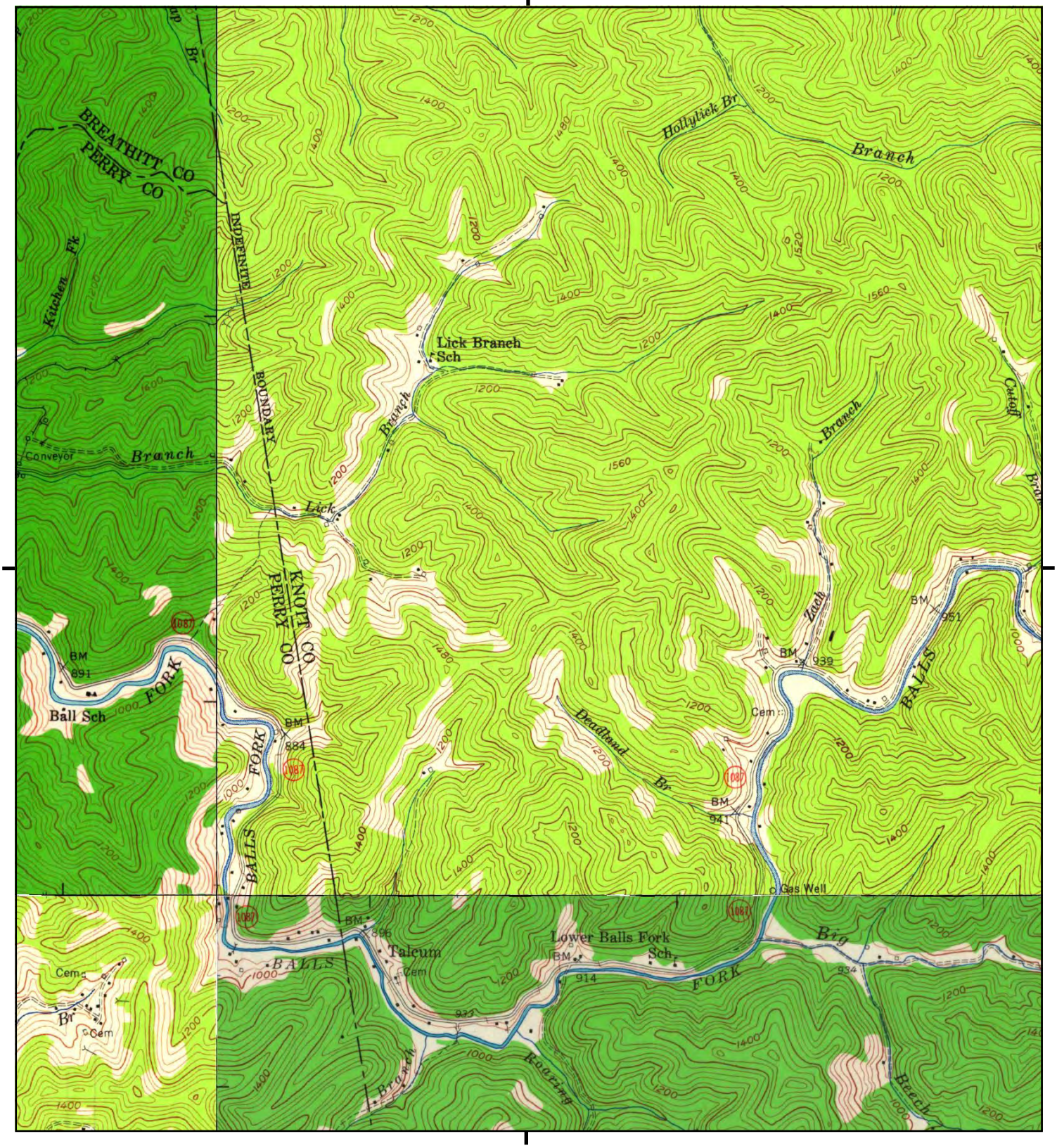
SW, Hazard North, 1976, 7.5-minute
NW, Noble, 1976, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

1954



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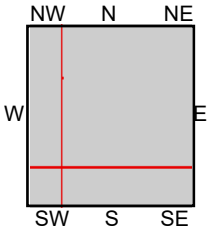

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SW, Hazard North, 1954, 7.5-minute
NW, Noble, 1954, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

1914

This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

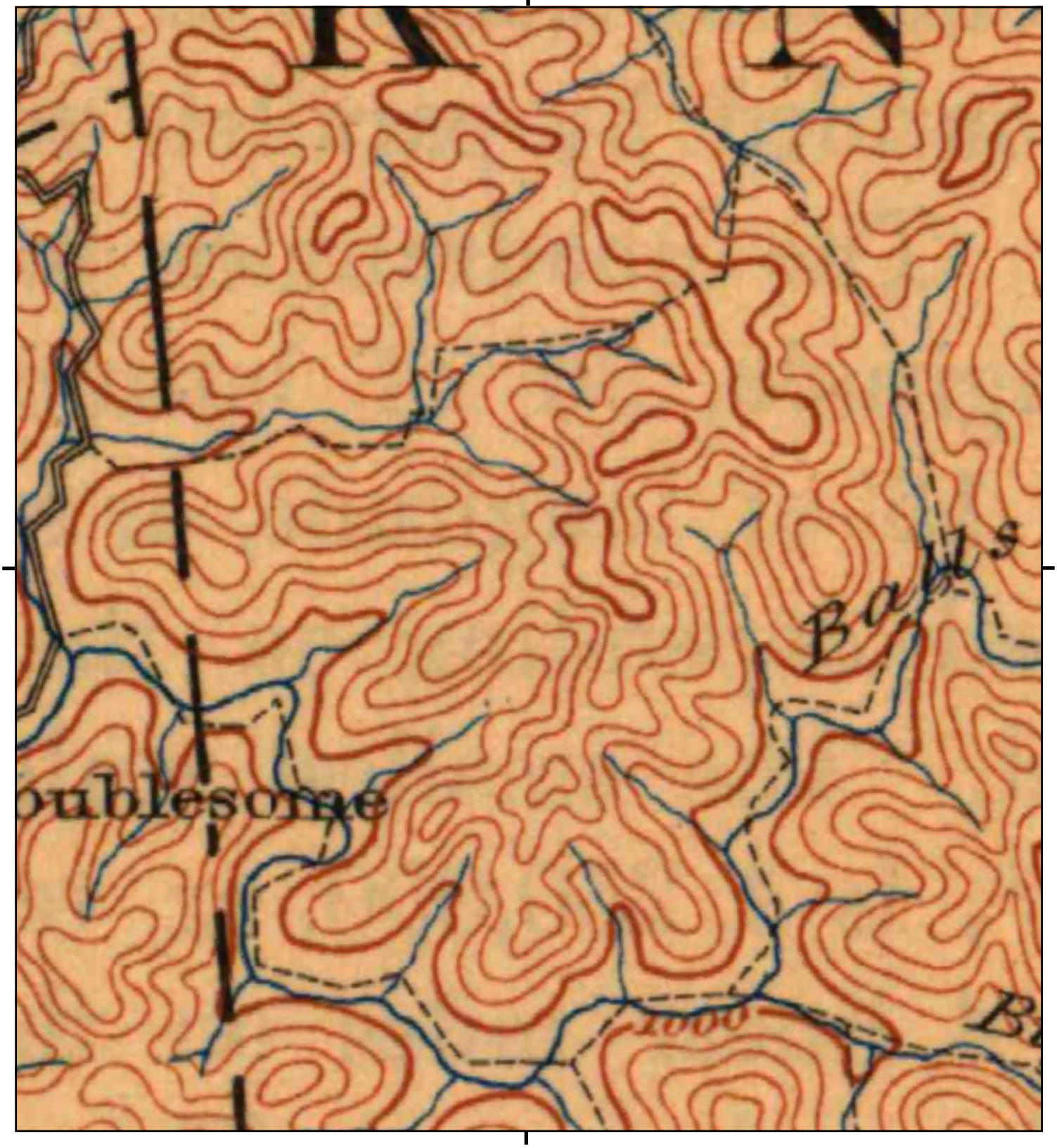
TP, Troublesome, 1914, 15-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

1891



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Hazard, 1891, 30-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Olive Branch - Knott County

KY-80

Bulan, KY 41722

Inquiry Number: 7321472.8

May 01, 2023

The EDR Aerial Photo Decade Package

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

EDR Aerial Photo Decade Package

05/01/23

Site Name:

Olive Branch - Knott County
KY-80
Bulan, KY 41722
EDR Inquiry # 7321472.8

Client Name:

Kentucky Division of Compliance
300 Sower Blvd.
Frankfort, KY 40601
Contact: Derek Bozzell

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Search Results:

Year	*Scale*	*Details*	*Source*
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: March 14, 1995	USGS/DOQQ
1983	1"=500'	Flight Date: April 26, 1983	USGS
1977	1"=500'	Flight Date: March 24, 1977	USGS
1971	1"=500'	Flight Date: April 10, 1971	USGS
1960	1"=500'	Flight Date: October 12, 1960	USGS
1952	1"=500'	Flight Date: April 17, 1952	USGS

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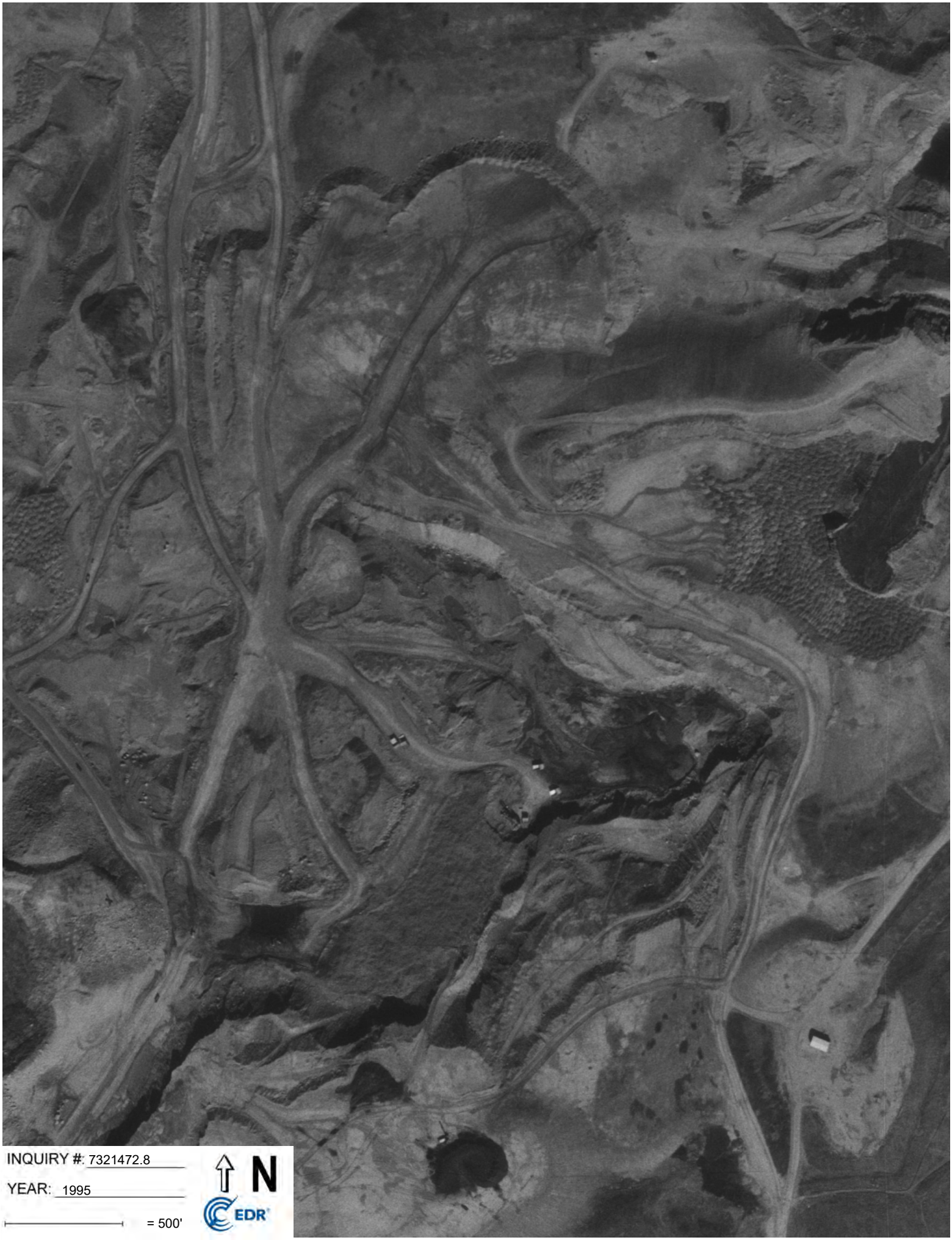
YEAR: 2020
= 500'
N
EDR

INQUIRY #: 7321472.8
YEAR: 2016
= 500'
N
EDR

INQUIRY #: 7321472.8
YEAR: 2012
= 500'
N
EDR

INQUIRY #: 7321472.8
YEAR: 2008
= 500'
N
EDR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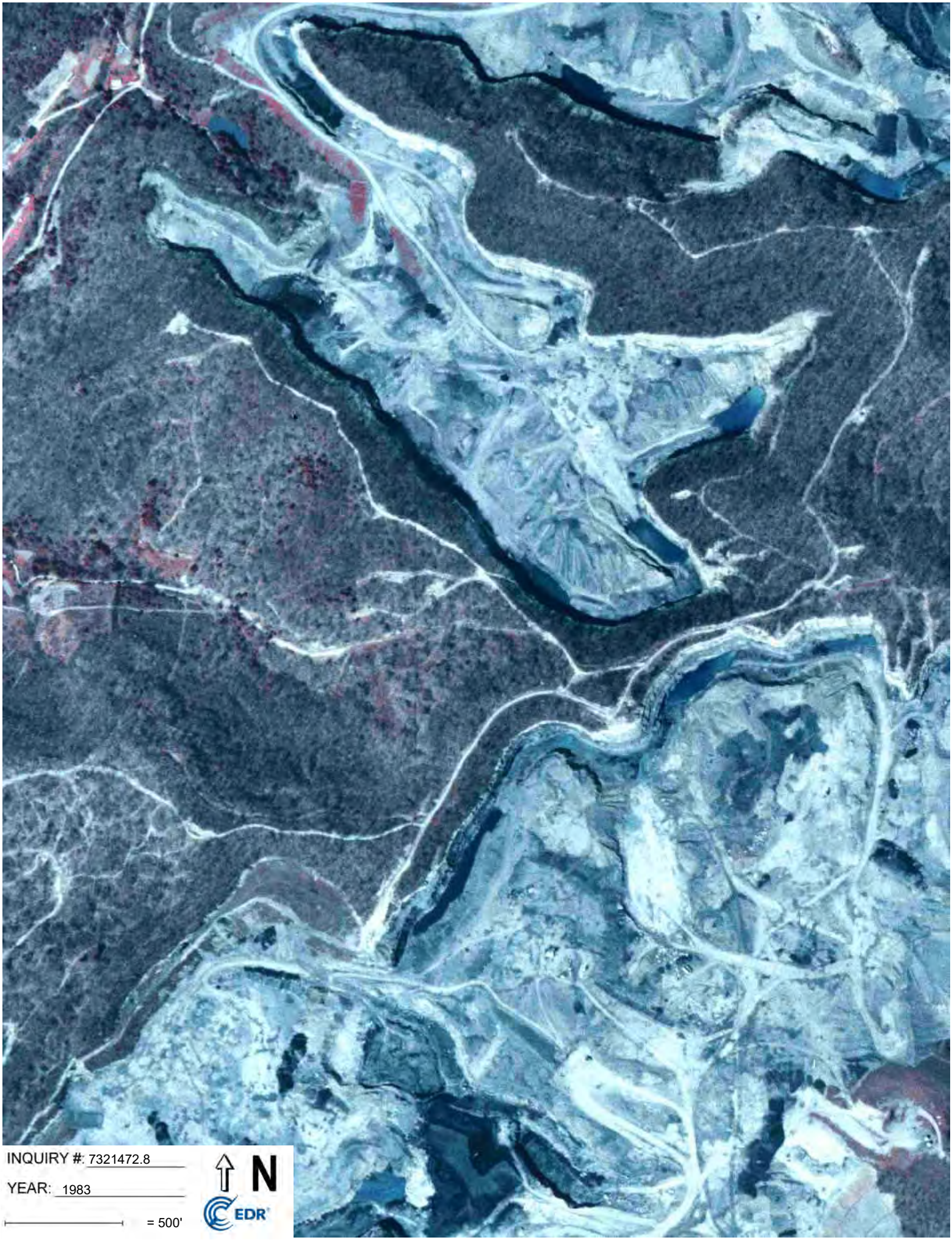
= 500'
N
EDR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YEAR: 1983
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EDR

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YEAR: 1977
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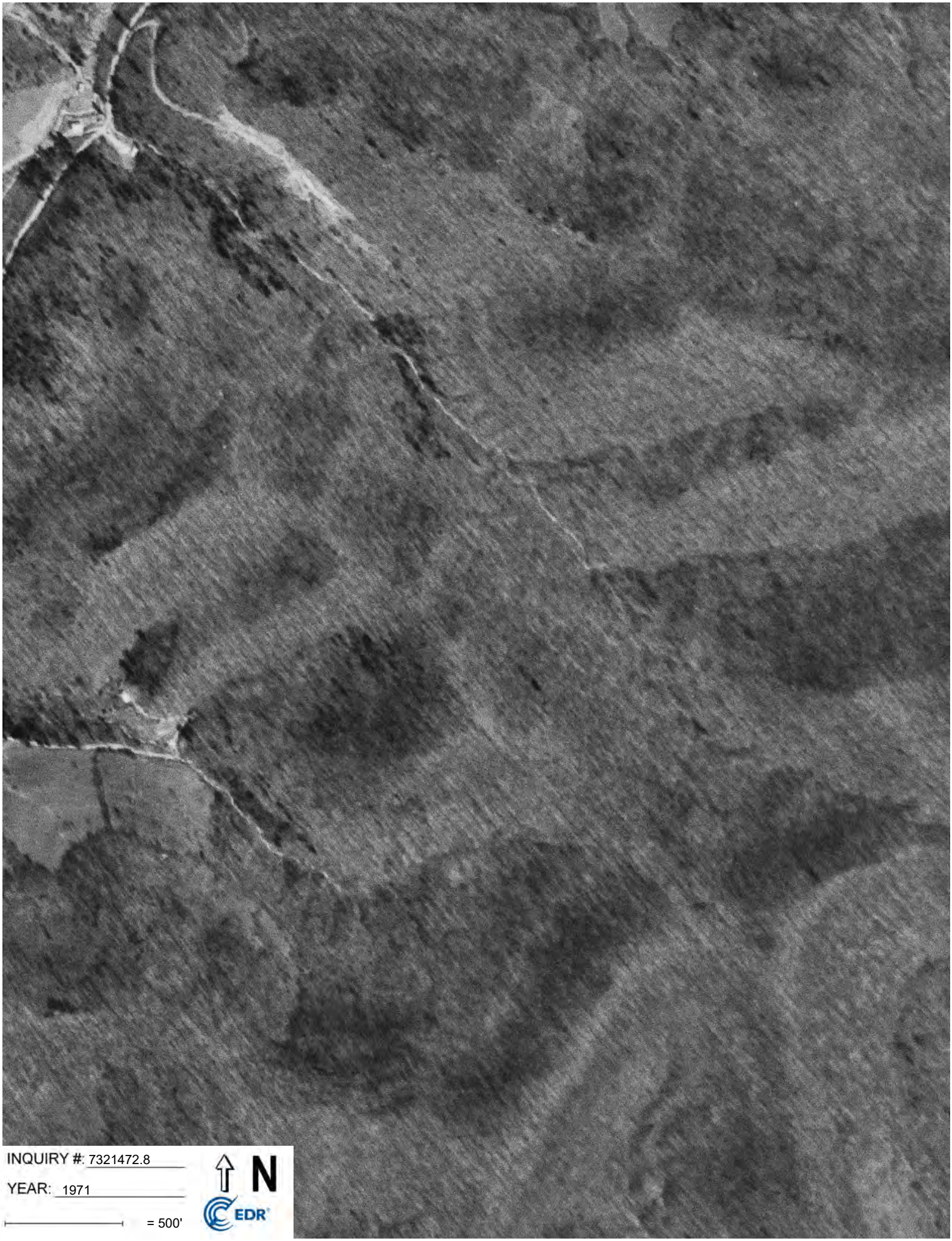
EDR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YEAR: 1971
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EDR

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YEAR: 1960
= 500'
N
EDR

INQUIRY #: 7321472.8
YEAR: 1952
= 500'
N
EDR

Appendix C – Olive Branch Site Investigation Report

Olive Branch (Adams Property) Former Mine Site Investigation Report

Talcum

Knott County, Kentucky

Prepared By:
Kentucky Energy and Environmental Cabinet
Department for Environmental Protection
Kentucky Superfund Branch
Petroleum Cleanup Section
300 Sower Blvd.
Frankfort, Kentucky, 40601

April 21, 2023

Site Name: **Olive Branch Former Mine Site**			Program: Superfund, PCS
Site Address: West of CR1390			
City: Talcum	State: Kentucky	Zip: 41722	County: Knott Co.
Inspection Type: Investigative	Purpose: Sample site for Fe, Pb, and As		
Sample Date: 12/1/2022	Time: 10:30 am-4:00 pm		
Latitude: 37.379661	Longitude: -83.112340		
Coordinate Collection Method: Reach RS2 GNSS with cm accuracy			
Type of Site: Mine Site			

I. Background

Several former mine site properties have been suggested as potential housing sites for the 2022 eastern Kentucky flood victims. The Kentucky Superfund Branch has been tasked with investigating these sites to determine if the site soils are appropriate for residential development. The main areas of concern for these properties are heavy metals, such as iron, arsenic, and lead levels associated with former mining operations.

II. Site Sampling

On December 1, 2022, Kentucky Division of Waste Management (KDWM) traveled to a former mine site near the Knott/Perry County line (Figure 1). Surface soils at three candidate plateaus were sampled (Figure 2). To evaluate the condition of the surface soils, an x-ray fluorescence (XRF) analyzer was utilized to analyze the elements arsenic, lead and iron. All three constituents are naturally occurring substances that are constituents of the soil and rock materials mined and used to reclaim the property. Lead and arsenic have greater toxicity and can pose a potential risk to a future residential receptor. Iron concentrations tend to show a natural correlation with arsenic. If arsenic is elevated, a correlation in iron should occur assuming the material is from the same depositional source. Sample locations were selected prior to arrival by equal spacing within the three potential areas. Photos during the sampling event are included in Appendix A.

III. Results

Forty-eight field samples were analyzed by XRF (Figure 3). Each sample was field screened in situ and screening through polyethylene bags. To further support results, ten samples were taken to the state lab for analysis utilizing method SW-846 Method 6010. According to XRF and lab analyticals, lead and arsenic were below their generic statewide ambient background as published January 8, 2004. Therefore, no site-specific background was determined. Lab results for Arsenic and Lead were reported slightly higher than the XRF readings. When taking into consideration the plus or minus values of the XRF readings the difference between the results is negligible. The state lab report and analysis breakdown is included in Appendix B.

Arsenic

Lab analytical results for arsenic were between 1.71 ppm and 9.5 ppm. The mean of the results was below Kentucky's mean background. The lone result above the mean was within one standard deviation of the

mean. No field screened soil sample indicated levels of concern. All XRF analytical results were below the generic mean for arsenic. Based on this data set no arsenic impacts are observed.

Lead

Lab analytical results for Lead at the site ranged between 8.07 ppm and 35.7 ppm. XRF analytical results ranged between limit of detection and 21 ppm. Lead concentrations fall below the states background level and below EPA's residential regional screening levels. Based on this data set no lead impacts are observed.

Iron

Iron levels at the site were collected to ensure the accuracy of arsenic results. Iron and arsenic levels have been shown to correlate due to their binding efficacy. If the results do not show a correlation between the two elements, result accuracy is either low or the results are indicative of a release. Iron levels at the site stayed consistent when compared to arsenic levels confirming sample accuracy. Iron concentrations ranged between 22,600-28,400 ppm, which fall below both the EPA's residential regional screening levels and Kentucky's average background levels.

IV. Conclusion

All sample results were reported below allowable levels when compared to the EPA's regional residential screening levels or Kentucky's ambient background levels. While this investigation does not represent a full site characterization, no findings suggest additional sampling or remediation activities necessary at this time.

Table 1: Soil Sample Thresholds (ppm)

	Iron (Fe)	Arsenic (As)	Lead (Pb)
*KY BG Levels:	47,600	8.9	84.6
*EPA R-RSL:	55,000	0.68	400

*KY BG Levels = Kentucky Ambient Background Levels
*EPA R-RSL = EPA Residential Regional Screening Levels for Soil

Table 2 Sampling Data (ppm)

Sample ID	Time	As XRF (ppm	As (Lab)	Fe XRF (ppm)	Fe (Lab)	Pb XRF (ppm)	Pb (Lab)2
XRF-1	10:40	<2		17000		<15	
XRF-2	10:46	5		16000		<17	
XRF-3	10:51	<2		13000		<13	
XRF-4	10:54	<2		13000		16	
XRF-5	11:01	<3		18000		<15	
XRF-6	11:05	<2		16000		<13	
XRF-7	11:11	<2		15000		<13	
XRF-8	11:16	2		17000		<13	
XRF-9	11:22	<2		23000		<13	
XRF-10	11:27	<2		25000		<14	
XRF-11	11:31	<2		16000		<14	
XRF-12	11:37	<2		13000		<16	
XRF-13	11:47	<2		17000		<15	
XRF-14	12:08	<2		17000		<16	
XRF-15	13:22	<2		19000		<15	
XRF-16	13:31	<2		13000		<38	
XRF-17	13:35	<2		21000		<43	
XRF-18	13:39	3		16000		<16	
XRF-19	13:43	<2		18000		<13	
XRF-20	13:51	<2		11000		<37	
XRF-21							
XRF-22	13:58	<8		16000		<15	
XRF-23	14:02	<2		15000		<14	
XRF-24	14:06	<2		15000		<14	
XRF-25	14:15	3		22000		<14	
XRF-26	14:11	<2		10000		<15	
XRF-27	14:19	<2	9.25	15000	20000	21	35.7
XRF-28	14:23	3		17000		<44	
XRF-29	14:28	2		16000		<14	
XRF-30	14:38	<2		17000		<15	
XRF-31	14:42	<1	3.43	9961	14900	<13	8.07
XRF-32	14:47	2		3000		<42	
XRF-33	14:50	4	6.66	20000	18200	<17	12.1
XRF-34	14:54	3	1.71	24000	17300	<40	16.2
XRF-35	14:58	4	7.72	23000	27900	<39	17.1
XRF-36	15:02	4		17000		<18	
XRF-37	15:07	2	5.47	19000	25800	<39	14.6
XRF-38	15:15	<2		16000		<14	
XRF-39							
XRF-40	15:20	<2		11000		<41	
XRF-41	15:26	<2		15000		<14	
XRF-42	15:34	3	3.87	19000	17400	<39	11.5
XRF-43	15:40	2		21000		<14	
XRF-44	15:43	<2	8.58	19000	22300	18	15.5
XRF-45	15:47	3		22000		<14	
XRF-46	15:51	<2	4.82	18000	16500	<13	11.6
XRF-47	15:55	<2		18000		<16	
XRF-48	15:58	6	7.1	19000	23700	<20	18.3

Figure 1 - Project Location

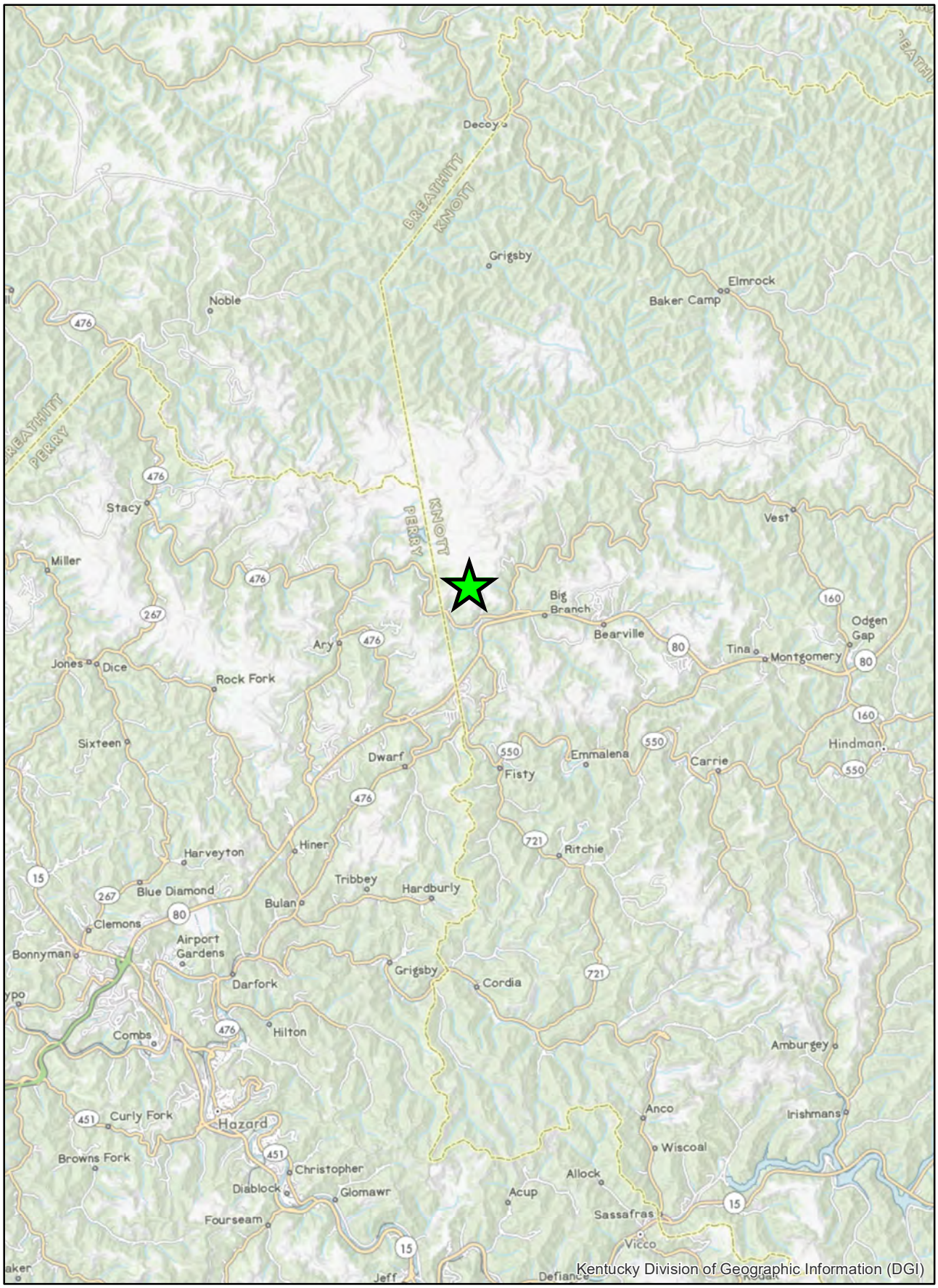
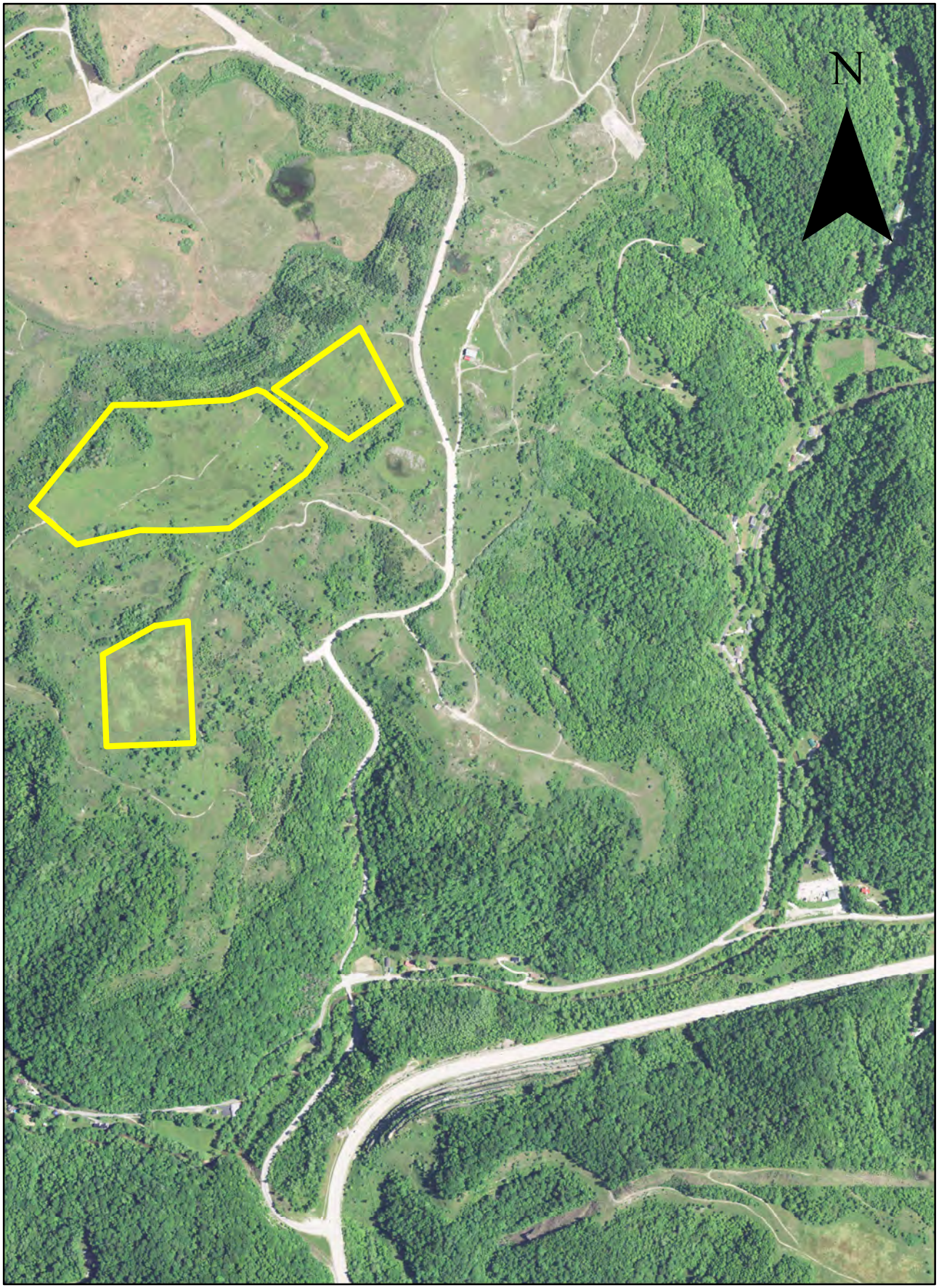


Figure 2 - Sampling Areas



1 inch = 1,000 feet

Figure 3 - Sampling Locations

1 inch = 500 feet

Appendix A
Photographs

Westernmost part of property, looking west toward Starfire Haul Road.

Central area of property with southern field in the distance on the left, looking east.

Central portion of property.

Appendix B
Laboratory Documents

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

Thursday, December 22, 2022

Lab Sample Number: AT05067
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-27
Sample ID: XRF-27

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 14:19
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	64.6	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	9.25	mg/Kg DW		0.14	
$3130S_PBC		Lead	35.7	mg/Kg DW		0.14	
$3130S_FEC		Iron	20000	mg/Kg DW		6.9	

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

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

Thursday, December 22, 2022

Lab Sample Number: AT05064
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-31
Sample ID: XRF-31

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 14:42
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	72.4	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	3.43	mg/Kg DW	0.10		
$3130S_PBC		Lead	8.07	mg/Kg DW	0.10		
$3130S_FEC		Iron	14900	mg/Kg DW	5.2		

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

'

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for Tony Hatton, Acting Director

Report Format: DESFinal-Full

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

Thursday, December 22, 2022

Lab Sample Number: AT05068
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-33
Sample ID: XRF-33

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 14:50
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	83.7	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	6.66	mg/Kg DW		0.095	
$3130S_PBC		Lead	12.1	mg/Kg DW		0.095	
$3130S_FEC		Iron	18200	mg/Kg DW		4.8	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

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for Tony Hatton, Acting Director

Report Format: DESFinal-Full

ANDY BESHEAR
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ENERGY AND ENVIRONMENT CABINET

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104
FRANKFORT, KENTUCKY 40601

Thursday, December 22, 2022

Lab Sample Number: AT05069
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-34
Sample ID: XRF-34

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 14:59
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:***	*12/7/2022 9:51:00 AM*			
%SOLIDS		Percent solids, dry weight	82.0	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	1.71	mg/Kg DW		0.086	
$3130S_PBC		Lead	16.2	mg/Kg DW		0.086	
$3130S_FEC		Iron	17300	mg/Kg DW		4.3	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

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for Tony Hatton, Acting Director

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DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104
FRANKFORT, KENTUCKY 40601

Thursday, December 22, 2022

Lab Sample Number: AT05066
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-35
Sample ID: XRF-35

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 14:58
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	62.8	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	7.72	mg/Kg DW		0.14	
$3130S_PBC		Lead	17.1	mg/Kg DW		0.14	
$3130S_FEC		Iron	27900	mg/Kg DW		7.2	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

'

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for Tony Hatton, Acting Director

Report Format: DESFinal-Full

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DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104
FRANKFORT, KENTUCKY 40601

Thursday, December 22, 2022

Lab Sample Number: AT05070
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-37
Sample ID: XRF-37

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 15:07
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	80.8	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	5.47	mg/Kg DW		0.084	
$3130S_PBC		Lead	14.6	mg/Kg DW		0.084	
$3130S_FEC		Iron	25800	mg/Kg DW		4.2	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

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for Tony Hatton, Acting Director

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DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104
FRANKFORT, KENTUCKY 40601

Thursday, December 22, 2022

Lab Sample Number: AT05065
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-42
Sample ID: XRF-42

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 15:26
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	84.3	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	3.87	mg/Kg DW		0.090	
$3130S_PBC		Lead	11.5	mg/Kg DW		0.090	
$3130S_FEC		Iron	17400	mg/Kg DW		4.5	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

'

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DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104
FRANKFORT, KENTUCKY 40601

Thursday, December 22, 2022

Lab Sample Number: AT05071
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-44
Sample ID: XRF-44

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 15:43
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	82.2	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	8.58	mg/Kg DW		0.088	
$3130S_PBC		Lead	15.5	mg/Kg DW		0.088	
$3130S_FEC		Iron	22300	mg/Kg DW		4.4	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

'

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ENERGY AND ENVIRONMENT CABINET

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104
FRANKFORT, KENTUCKY 40601

Thursday, December 22, 2022

Lab Sample Number: AT05063
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-46
Sample ID: XRF-46

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 15:51
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:***	*12/7/2022 9:51:00 AM*			
%SOLIDS		Percent solids, dry weight	67.5	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	4.82	mg/Kg DW		0.10	
$3130S_PBC		Lead	11.6	mg/Kg DW		0.10	
$3130S_FEC		Iron	16500	mg/Kg DW		5.1	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

'

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for Tony Hatton, Acting Director

Report Format: DESFinal-Full

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

Thursday, December 22, 2022

Lab Sample Number: AT05062
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-48
Sample ID: XRF-48

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 15:58
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:***	*12/7/2022 9:51:00 AM*			
%SOLIDS		Percent solids, dry weight	85.3	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	7.13	mg/Kg DW		0.086	
$3130S_PBC		Lead	18.3	mg/Kg DW		0.086	
$3130S_FEC		Iron	23700	mg/Kg DW		4.3	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

'

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for Tony Hatton, Acting Director

Report Format: DESFinal-Full

CHAIN OF CUSTODY RECORD
ENERGY AND ENVIRONMENT CABINET

Program/DOW: ☐106 ☐NPS ☐SDWA ☐Stream Survey ☐Groundwater ☐Wild Rivers ☐Tox. Test ☐Ref. Reach ☐Lakes ☐Pretreatment ☐BMP ☐ERT

Program/DWM: ☐RCRA ☐UST ☐TSCA ☐Solid Waste ☐Fed. CERCLA ☐St. CERCLA

Program/DAQ: ☐Air Toxics Canister # ____ ☐Air Quality

Fund Source____ Site # ____ Other Program ____

SITE LOCATION: Shawn Adams Property FACILITY NO.: ____ COUNTY: Knott County

FIELD ID #	DATE/ TIME	DESCRIPTION OF SITE	MATRIX	NUMBER OF CONTAINERS	PRESER-VATION	ANALYSIS REQUESTED	LAB USE ONLY
XRF-48	Date: 12/1/22 Time: 15:58	AKGWA #:	☐Liquid ☑Solid ☐Chemical ☐Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: As, Pb, Fe	Sample # AT05062 Report #
XRF-46	Date: 12/1/22 Time: 15:51	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: As, Pb, Fe	Sample # AT05063 Report #
XRF-31	Date: 12/1/22 Time: 14:42	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: As, Pb, Fe	Sample # AT05064 Report #

Metals: ☑As ☐Ba ☐Cd ☐Cr ☑Pb ☐Hg ☐Se ☐Ag ☐Cu ☑Fe ☐Mn ☐Zn ☐Other ____

Inspector(s): Chris Jung 11.2°C IR-B

Relinquished by: [signature]	12/2/22	Received by: Jennifer Clark
Representing: DWM	13:37	Representing: Deps
Relinquished by:		Received by:
Representing:		Representing

CONTINUATION PAGE 2 of 3

SITE LOCATION: Shawn Adams Property FACILITY NO.: ____ COUNTY: Knott County

FIELD ID #	DATE/ TIME	DESCRIPTION OF SITE	MATRIX	NUMBER OF CONTAINERS	PRESER-VATION	ANALYSIS REQUESTED	LAB USE ONLY
XRF-42	Date: 12/1/22 Time: 15:26	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: Ar, Pb, Fe	Sample # AT05065 Report #
XRF-35	Date: 12/1/22 Time: 14:58	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: Ar, Pb, Fe	Sample # AT05066 Report #
XRF-27	Date: 12/1/22 Time: 14:19	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: Ar, Pb, Fe	Sample # AT05067 Report #
XRF-33	Date: 12/1/22 Time: 14:50	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: Ar, Pb, Fe	Sample # AT05068 Report #
XRF-34	Date: 12/1/22 Time: 14:59	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: Ar, Pb, Fe	Sample # AT05069 Report #

Inspector(s): CHJ

Metals: ☑As ☐Ba ☐Cd ☐Cr ☑Pb ☐Hg ☐Se ☐Ag ☐Cu ☑Fe ☐Mn ☐Zn ☐Other: ____

CONTINUATION PAGE 3 of 3

SITE LOCATION: Shawn Adams Property FACILITY NO.: ____ COUNTY: Knott County

FIELD ID #	DATE/ TIME	DESCRIPTION OF SITE	MATRIX	NUMBER OF CONTAINERS	PRESER-VATION	ANALYSIS REQUESTED	LAB USE ONLY
XRF-37	Date: 12/1/22 Time: 15:07	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: As, Pb, Fe	Sample # AT05070 Report #
XRF-44	Date: 12/1/22 Time: 15:43	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: As, Pb, Fe	Sample # AT05071 Report #
	Date: ____ Time: ____	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☐Grab ☑Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml ____Other: ____	☐Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☐OTHER:	Sample # Report #
	Date: ____ Time: ____	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☐Grab ☐Composite ☐Other	12 ____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml ____Other: ____	☐Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☐OTHER:	Sample # Report #
	Date: ____ Time: ____	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☐Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml ____Other: ____	☐Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☐OTHER:	Sample # Report #

Metals: ☑As ☐Ba ☐Cd ☐Cr ☑Pb ☐Hg ☐Se ☐Ag ☐Cu ☑Fe ☐Mn ☐Zn ☐Other: ____

Inspector(s): CHJ

KENTUCKY ENVIRONMENTAL SERVICES LABORATORY LOGIN GROUP RECEIPT

LogBy: JJC

Login Date and Time: 12/2/2022 13:49

RE: Shawn Adams Property

For: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson

Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark

Collection Method: Grab
Delivery Date and Time: 12/2/2022 13:37
Received Date and Time: 12/2/2022 13:37

Shipping Temp: 11.2C

LAB ID	CODE	Samp ID	DESCRIPTION	AKGWA	COUNTY	COLLECTED		MATRIX	LW CODE	PARAMETER NAME	pH
AT05062	B25	XRF-48	XRF-48		Knott	12/1/2022	15:58	SOIL			
									@P-WHIRL	Plastic WHIRLPACK	NT
									$3130S_ALL	Metals (ICP-MS) Soil ALL	
									$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
									$3130S_FECALC	Iron (ICP-MS) Soil Result	
									$3130S_PBCALC	Lead (ICP-MS) Soil Result	
									3030S	Metal Prep (ICP-MS) -Soil	
									%SOLIDS	Percent solids, dry weight	
									!COMMENT	Case Narrative	
AT05063	B25	XRF-46	XRF-46		Knott	12/1/2022	15:51	SOIL			
									@P-WHIRL	Plastic WHIRLPACK	NT
									$3130S_ALL	Metals (ICP-MS) Soil ALL	
									$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
									$3130S_FECALC	Iron (ICP-MS) Soil Result	
									$3130S_PBCALC	Lead (ICP-MS) Soil Result	
									3030S	Metal Prep (ICP-MS) -Soil	
									%SOLIDS	Percent solids, dry weight	
									!COMMENT	Case Narrative	
AT05064	B25	XRF-31	XRF-31		Knott	12/1/2022	14:42	SOIL			
									@P-WHIRL	Plastic WHIRLPACK	NT
									$3130S_ALL	Metals (ICP-MS) Soil ALL	
									$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
									$3130S_FECALC	Iron (ICP-MS) Soil Result	
									$3130S_PBCALC	Lead (ICP-MS) Soil Result	
									3030S	Metal Prep (ICP-MS) -Soil	
									%SOLIDS	Percent solids, dry weight	
									!COMMENT	Case Narrative	
AT05065	B25	XRF-42	XRF-42		Knott	12/1/2022	15:26	SOIL			
									@P-WHIRL	Plastic WHIRLPACK	NT
									$3130S_ALL	Metals (ICP-MS) Soil ALL	
									$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
									$3130S_FECALC	Iron (ICP-MS) Soil Result	
									$3130S_PBCALC	Lead (ICP-MS) Soil Result	
									3030S	Metal Prep (ICP-MS) -Soil	
									%SOLIDS	Percent solids, dry weight	
									!COMMENT	Case Narrative	
AT05066	B25	XRF-35	XRF-35		Knott	12/1/2022	14:58	SOIL			
									@P-WHIRL	Plastic WHIRLPACK	NT
									$3130S_ALL	Metals (ICP-MS) Soil ALL	
									$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
									$3130S_FECALC	Iron (ICP-MS) Soil Result	
									$3130S_PBCALC	Lead (ICP-MS) Soil Result	

LAB ID	CODE	Samp ID	DESCRIPTION	AKGWA	COUNTY	COLLECTED	MATRIX	LW CODE	PARAMETER NAME	pH
AT05066	B25	XRF-35	XRF-35		Knott	12/1/2022 14:58	SOIL			
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	
AT05067	B25	XRF-27	XRF-27		Knott	12/1/2022 14:19	SOIL			
								@P-WHIRL	Plastic WHIRLPACK	NT
								$3130S_ALL	Metals (ICP-MS) Soil ALL	
								$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
								$3130S_FECALC	Iron (ICP-MS) Soil Result	
								$3130S_PBCALC	Lead (ICP-MS) Soil Result	
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	
AT05068	B25	XRF-33	XRF-33		Knott	12/1/2022 14:50	SOIL			
								@P-WHIRL	Plastic WHIRLPACK	NT
								$3130S_ALL	Metals (ICP-MS) Soil ALL	
								$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
								$3130S_FECALC	Iron (ICP-MS) Soil Result	
								$3130S_PBCALC	Lead (ICP-MS) Soil Result	
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	
AT05069	B25	XRF-34	XRF-34		Knott	12/1/2022 14:59	SOIL			
								@P-WHIRL	Plastic WHIRLPACK	NT
								$3130S_ALL	Metals (ICP-MS) Soil ALL	
								$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
								$3130S_FECALC	Iron (ICP-MS) Soil Result	
								$3130S_PBCALC	Lead (ICP-MS) Soil Result	
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	
AT05070	B25	XRF-37	XRF-37		Knott	12/1/2022 15:07	SOIL			
								@P-WHIRL	Plastic WHIRLPACK	NT
								$3130S_ALL	Metals (ICP-MS) Soil ALL	
								$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
								$3130S_FECALC	Iron (ICP-MS) Soil Result	
								$3130S_PBCALC	Lead (ICP-MS) Soil Result	
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	
AT05071	B25	XRF-44	XRF-44		Knott	12/1/2022 15:43	SOIL			
								@P-WHIRL	Plastic WHIRLPACK	NT
								$3130S_ALL	Metals (ICP-MS) Soil ALL	
								$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
								$3130S_FECALC	Iron (ICP-MS) Soil Result	
								$3130S_PBCALC	Lead (ICP-MS) Soil Result	
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	

Appendix D – Bond Release Documentation

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

Matthew G. Bevin
Governor

2 Hudson Hollow
Frankfort, Kentucky 40601
Phone (502) 564-6940
Fax (502) 564-5698
www.naturalresources.ky.gov
www.kentucky.gov

Charles G. Snavely
Secretary

Allen Luttrell
Commissioner

1804 EAST CUMBERLAND AVENUE
Middlesboro, KY 40965-1229

September 15, 2017

LIBERTY MANAGEMENT, LLC
PO BOX 100
ARY KY 41712

RE:	Permit Name:	LIBERTY MANAGEMENT LLC
	Permit Number:	860-0565
	Increment Number:	1,5,6
	Bond ID Number:	041-001547, 041-001549, 041-001550
	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,

E-Signed by Steve Vance
VERIFY authenticity with e-Sign

Steve Vance
Environmental Control Manager
DMRE/London Regional Office

cc: Brent Gay

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

Matthew G. Bevin
Governor

2 Hudson Hollow
Frankfort, Kentucky 40601
Phone (502) 564-6940
Fax (502) 564-5698
www.naturalresources.ky.gov
www.kentucky.gov

Charles G. Snavely
Secretary

Allen Luttrell
Commissioner

1804 EAST CUMBERLAND AVENUE
Middlesboro, KY 40965-1229

September 15, 2017

INDEMNITY NATIONAL INS CO
4800 OLD KINGSTON PIKE
KNOXVILLE TN 37919

RE:	Permit Name:	LIBERTY MANAGEMENT LLC
	Permit Number:	860-0565
	Increment Number:	1,5,6
	Bond ID Number:	041-001547, 041-001549, 041-001550
	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.

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Sincerely,

E-Signed by Steve Vance
VERIFY authenticity with e-Sign

Steve Vance
Environmental Control Manager
DMRE/London Regional Office

cc: Brent Gay

Appendix E – Photographic Record of Subject Property

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southwest	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southwest	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Northwest	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southeast	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field on subject property facing North	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field on subject property facing North	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing South	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken of Starfire Haul Road facing North	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken from subject property facing East	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken from Starfire Haul Road facing West	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing West	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing Northwest	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing Southeast	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken from upper field of subject property facing East	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in the upper field of the subject property facing Southwest	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in the upper field of subject property facing Southwest	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing West	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing South	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing North	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing Northwest	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing North	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing South	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing South	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing North	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing Southeast	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken from gravel road off of Starfire Haul Road located north of the subject property facing South	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken of property North of the subject property from Starfire Haul Road.	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken of property North of the subject property from Starfire Haul Road	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken of property East of subject property from Starfire Haul Road	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken from gravel road off of Starfire Haul Road located north of subject property facing West	

Appendix F – Current Deeds

Doc ID: 001407610005 Type: DEED
Recorded: 09/26/2017 at 12:50:58 PM
Receipt#: 2017-00001237
Page 1 of 5
Fees: $23.00 Tax: $18.50
Knott County, KY
Ken Gayheart Clerk of Court
BK 281 PG 498-502

Unofficial Document

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE made and entered into the 31st day of August, 2017, by and between **LYNN LEE, INC.**, of 100 Coal Ridge Lane, Georgetown, Scott County, KY 40324, hereinafter referred to as Party of the First Part and **CORE CAPITAL, LLC.**, 176 Leesburg Pike, Georgetown, Scott County, KY 40324, hereinafter referred to as Party of the Second Part.

The in-care-of tax mailing address for the current tax year is the Grantor, Lynn Lee, Inc., 100 Coal Ridge Lane, Georgetown, KY 40324.

W I T N E S S E T H

That the Party of the First Part for and in consideration of the sum of One Hundred Twenty Six Thousand, Three Hundred Fifty Seven Dollars ($126,357.00) the receipt and sufficiency of which are hereby acknowledged, have bargained and sold and by these presents do hereby bargain, sell, grant and convey unto Party of the Second Part, real property (surface only) described below, to wit;

1) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 126, Page 148, records of the Knott County Clerk's Office.

Unofficial Document

2) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 128, Page 269, records of the Knott County Clerk's Office.

3) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 126, Page 145, records of the Knott County Clerk's Office.

4) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 130, Page 204, records of the Knott County Clerk's Office.

5) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 132, Page 565, records of the Knott County Clerk's Office.

6) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book, 129, Page 561, records of the Knott County Clerk's Office.

7) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 128, Page 557, records of the Knott County Clerk's Office.

This Deed of Conveyance is intended to include all land referenced in the Option to Purchase this property and the Map attached thereto which is incorporated by reference, whether specifically mentioned herein.

Unofficial Document

TO HAVE AND TO HOLD the same together with all the appurtenances thereunto belonging unto Party of the Second Part, with covenants of General Warranty.

We, the Grantor and Grantees, do hereby certify, pursuant to KRS Chapter 382, that the above-stated consideration is the true, correct and full consideration paid for the property herein conveyed. We further certify our understanding that falsification of the stated consideration of sale price of the property is a Class D. Felony, subject to one to five years imprisonment and fines up to $10,000.00.

IN TESTIMONY WHEREOF, WITNESS the signatures of the parties hereto the day and year first above written.

LYNN LEE, INC.
LORENE ADAMS, President GRANTOR

ANDREA ADAMS, Power of Attorney for
LORENE ADAMS

CORE CAPITAL, LLC.
SHAWN ADAMS, MEMBER GRANTEE

STATE OF KENTUCKY

COUNTY OF Fayette :

Unofficial Document

I, a notary public for the state-at-large, do hereby certify that the foregoing was produced to me in said county and state by Lorene Adams, President of Lynn Lee, Inc., by and through her Power of Attorney, Andrea Adams, and was signed, sworn and acknowledged to be her free act and deed.

Given under my hand this the 31st day of August, 2017.

Mildred Hicks, #509088
NOTARY PUBLIC, STATE AT LARGE

My Commission expires: 4/4/18.

COMMONWEALTH OF KENTUCKY

COUNTY OF Fayette:

I, a notary public for the state-at-large, do hereby certify that the foregoing was produced to me in said county and state by Core Capital, LLC, by and through Shawn Adams, a member, and was signed, sworn and acknowledged to be his free act and deed.

Mildred Hicks, #509088
NOTARY PUBLIC, STATE AT LARGE

My Commission expires: 4/4/18.

Unofficial Document

STATE OF KENTUCKY

COUNTY OF KNOTT

I, Kenneth Gayheart, Knott County Court Clerk, do hereby certify that the foregoing deed from Lynn Lee, Inc, to Core Capital, LLC., was on the 26 day of Sept. 2017, lodged in my office for record whereupon it, the foregoing, and this, my certificate, have been duly recorded in Deed Book 281, at Page 498.

Given under my hand this the 26 day of Sept, 2017.

Ken Gayheart
KENNETH GAYHEART, CLERK
KNOTT COUNTY COURT CLERK

BY Que Hay D.C.

The foregoing was prepared by Jeffrey R. Morgan, Attorney, P.O. Box 509, Hazard, KY 41701, without benefit of a title search, without preparation of a legal description or survey and without an appraisal.

JEFFREY R. MORGAN, ESQ.

Unofficial Document

193

125/193

GENERAL WARRANTY DEED

This Deed of Conveyance, made and entered into this 11 day of [illegible], 1982, by and between JAMES PATRICK and his wife, OLGA PATRICK, residents of Knott Couty, Kentucky, parties of the first part, and LYNN LEE, INC., a Kentucky corporation with offices at Hazard, Kentucky, and DANIEL G. KING, Combs Road, Hazard, Kentucky, parties of the first part,

WITNESSETH:

That the parties of the first part, for and in consideration of the sum of thirty thousand dollars ($30.000.00), cash in hand paid, the receipt of which is hereby acknowledged, have bargained and sold and by these presents do bargain, sell, grant and convey unto the parties of the second part, their heirs and assigns forever, a certain tract or parcel of land lying in Knott County, Kentucky, and described as follows, to-wit:

TRACT #1

That certain tract or parcel of land situate and being in Knott County, Kentucky, on Balls Fork and BEGINNING at a cliff of rocks on top of the point above the graveyard; thence up the point to a spotted oak at Willard Ritchie's land; thence with the said line to the Stable Branch; thence down said branch to a beech tree on the bank; thence with said Willard Ritchie's line to the top of the point between the Jack Branch and Stable Branch; thence down with the center of said point to the lines of Luna Ritchie's line; thence with said line to the Stable Branch; thence with said Luna Ritchie's line to the BEGINNING. Containing 30 acres more or less.

194

TRACT #2

A certain tract or parcel of land situate and being in Knott County, Kentucky, on the Cut Off Branch of Ball Creek and BEGINNING on a stake between a beech tree and a sugar tree on the south bank of Ball Fork in the lower end of a small bottom just below the mouth of the upper Cut Off Branch or Snag Hollow; thence running up the hill S 36¼ W 22 poles; thence S 1 E 10.6 poles S 16½ E 13.4 poles to a stake white oak pointer; thence S 22½ E 13.5 poles to a stake, sugar tree and beech pointer; thence S 34 E 18.4 poles to a stake chestnut oak pointer, S 5 E 44 poles to stake and three chestnut oak pointers, corner to Jason Ritchie's line on the ridge between Cut Off Branch and Big Branch at the head of the Ivy Hollow; thence N 83 3/4 E 26.8 poles, S 70½ E 11.9 poles; thence S 71 E 17.7 poles to the top of high knob; thence N 75 E 8 poles to a stake, three chestnut pointers, corner to Alex Francis; thence North 14.4 poles, N 13½ E 26.9 poles to a large rock, N 30 E 13.7 poles to a stake chestnut oak pointer; thence N 42 E 7.6 poles; thence N 40 E _____ poles to a stake in the road, beech pointer, thence N 22 E 27.8 poles; thence N 16 E 14.8 poles N 16½ E 30 poles to a large rock marked X on top of the ridge; thence N 58½ W 13.6 poles N 80 W 14.8 poles, N 46½ W 5.2 poles to a large chestnut oak corner to Austin Ritchie's; thence down the hill with said Ritchie's line S 83 W 17.6 poles; thence S 65 W 22.4 poles to the mouth of Upper Cut Off Branch; thence S 51-3/4 W 30 poles; thence down Balls Fruk as it meanders S 45 W 25 poles to a stake pine pointer, N 77½ W 8.4 poles to a stake, beech pointer, N 31½ W 9.9 poles N 82½ W 13.6 poles to the BEGINNING. Containing 90 acres, more or less.

Being the same land conveyed to the grantors by W. H. Smith, Marie Smith, Charlotte Smith, Bill Everage and Ada Everage, by deed dated March 19, 1974, and of record in Deed Book 97, pages 213-214, said deed of record in the office of the Knott County Clerk.

TO HAVE AND TO HOLD the same, together with all the appurtenances thereunto beloning unto the parties of the second part, their heirs and assigns forever, with covenant of General Warranty.

IN TESTIMONY WHEREOF, witness the signatures of the parties of the first part on this the day and year first above written.

James Patrick

Olga Patrick

STATE OF KENTUCKY

COUNTY OF PERRY

I hereby certify that the foregoing instrument was duly signed and acknowledged before me by James Patrick and Olga Patrick on the 11 day of ~~January~~ Feb, 1982.

Notary Public

My commission expires [illegible].

STATE OF KENTUCKY

COUNTY OF KNOTT

I, [illegible], Clerk of the Knott County Court, do hereby certify that the foregoing deed from James Patrick and Olga Patrick to Lynn-Lee, Inc. and Daniel G. King was on the 5 day of ~~January~~ February, 1982, lodged in my office for record and that it, the foregoing, and this my certificate have been duly recorded in my said office in Deed Book 125, page [illegible].

Appendix G – Qualifications

Qualifications of Environmental Professional

Environmental Professional

Christopher Jung

Geologist Registered Supervisor

State Section

Superfund Branch

Division of Waste Management

Education:

Bachelor of Science in Geology, Auburn University 1995

Professional Certification:

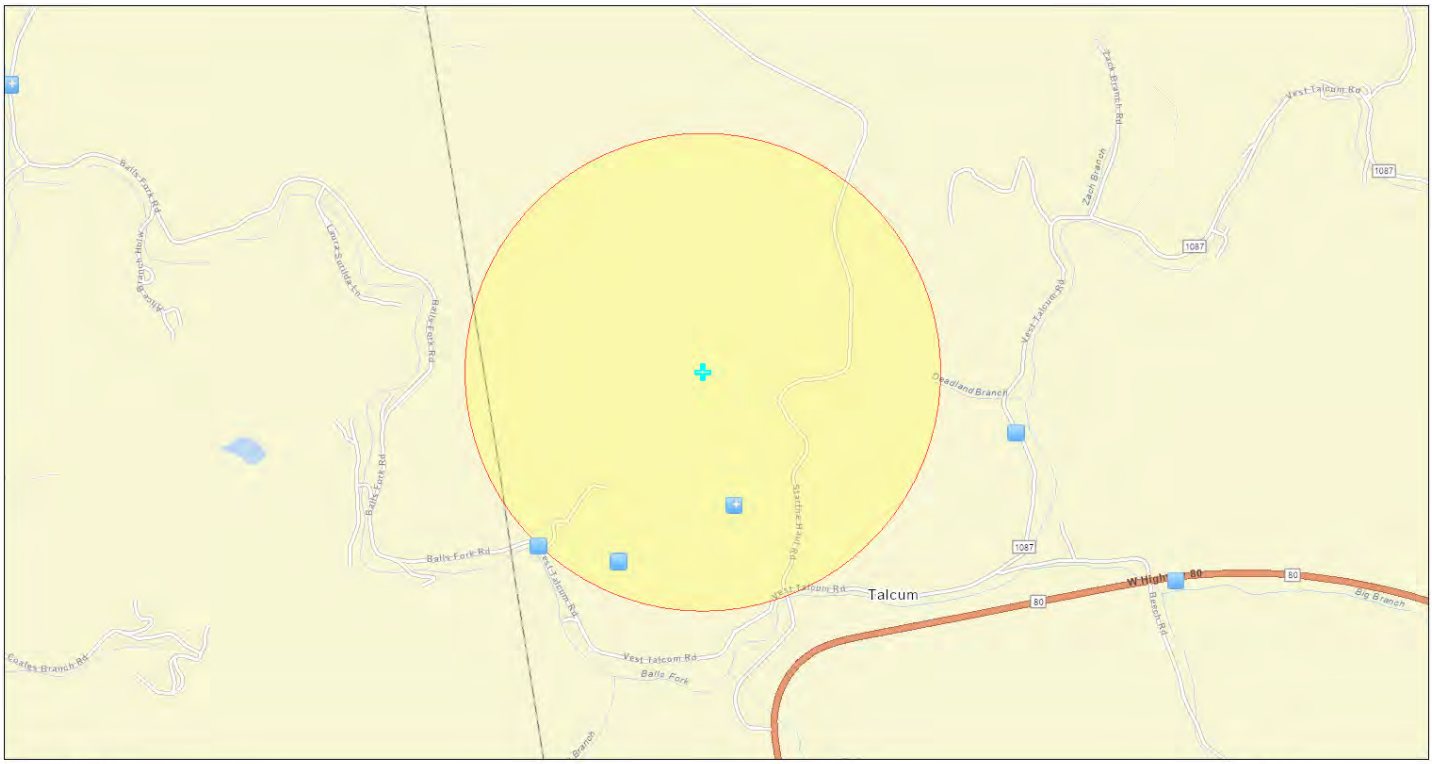
Professional Geologist, 2006

Professional Experience:

Mr. Jung has over 26 years of experience in the assessment, investigation and remediation of Superfund and Hazardous Waste sites.

NEPAssist Report

Olive Branch Subdivision Knott County, KY- Lot Centerpoint



August 29, 2023

- Water Dischargers (NPDES)
- Water Dischargers (NPDES)
- Air Pollution (ICIS-AIR)
- Project Buffer
- Olive Branch Subdivision Knott County, KY

1:17,198

0 0.15 0.3 0.6 mi

0 0.28 0.55 1.1 km

Esri Community Maps Contributors, VGIN, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Project Location	37.379586,-83.109685
Within 3000 feet of an Ozone 8-hr (1997 standard) Non-Attainment/Maintenance Area?	no
Within 3000 feet of an Ozone 8-hr (2008 standard) Non-Attainment/Maintenance Area?	no
Within 3000 feet of a Lead (2008 standard) Non-Attainment/Maintenance Area?	no
Within 3000 feet of a SO2 1-hr (2010 standard) Non-Attainment/Maintenance Area?	no
Within 3000 feet of a PM2.5 24hr (2006 standard) Non-Attainment/Maintenance Area?	no
Within 3000 feet of a PM2.5 Annual (1997 standard) Non-Attainment/Maintenance Area?	no
Within 3000 feet of a PM2.5 Annual (2012 standard) Non-Attainment/Maintenance Area?	no
Within 3000 feet of a PM10 (1987 standard) Non-Attainment/Maintenance Area?	no
Within 3000 feet of a Federal Land?	no
Within 3000 feet of an impaired stream?	no
Within 3000 feet of an impaired waterbody?	no
Within 3000 feet of a waterbody?	yes
Within 3000 feet of a stream?	no
Within 3000 feet of an NWI wetland?	Available Online
Within 3000 feet of a Brownfields site?	no
Within 3000 feet of a Superfund site?	no
Within 3000 feet of a Toxic Release Inventory (TRI) site?	no
Within 3000 feet of a water discharger (NPDES)?	yes
Within 3000 feet of a hazardous waste (RCRA) facility?	no
Within 3000 feet of an air emission facility?	no

Within 3000 feet of a school?	no
Within 3000 feet of an airport?	no
Within 3000 feet of a hospital?	no
Within 3000 feet of a designated sole source aquifer?	no
Within 3000 feet of a historic property on the National Register of Historic Places?	no
Within 3000 feet of a Toxic Substances Control Act (TSCA) site?	no
Within 3000 feet of a Land Cession Boundary?	no
Within 3000 feet of a tribal area (lower 48 states)?	no
Within 3000 feet of the service area of a mitigation or conservation bank?	yes
Within 3000 feet of the service area of an In-Lieu-Fee Program?	yes
Within 3000 feet of a Public Property Boundary of the Formerly Used Defense Sites?	no
Within 3000 feet of a Munitions Response Site?	no
Within 3000 feet of an Essential Fish Habitat (EFH)?	no
Within 3000 feet of a Habitat Area of Particular Concern (HAPC)?	no
Within 3000 feet of an EFH Area Protected from Fishing (EFHA)?	no
Within 3000 feet of a Bureau of Land Management Area of Critical Environmental Concern?	no
Within 3000 feet of an ESA-designated Critical Habitat Area per U.S. Fish & Wildlife Service?	no
Within 3000 feet of an ESA-designated Critical Habitat river, stream or water feature per U.S. Fish & Wildlife Service?	no

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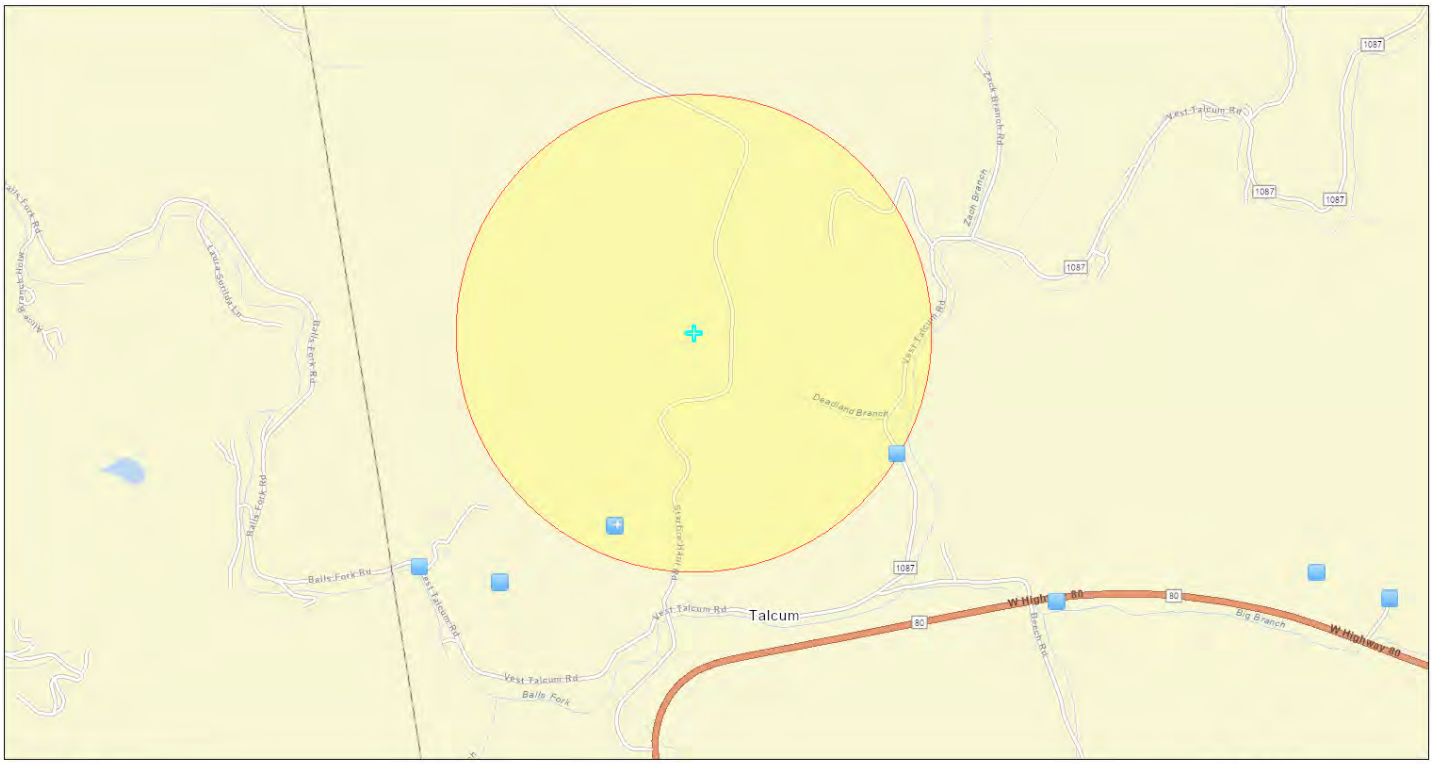
NEPAssist Report

Olive Branch Area A Centerpoint Knott County, KY



August 29, 2023

- Water Dischargers (NPDES)
- Water Dischargers (NPDES)
- Olive Branch Area A Knott County, KY
- Project Buffer

1:17,198

0 0.15 0.3 0.6 mi

0 0.28 0.55 1.1 km

Esri Community Maps Contributors, VGIN, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Project Location	37.381642,-83.104906
Within 3000 feet of an Ozone 8-hr (1997 standard) Non-Attainment/Maintenance Area?	no
Within 3000 feet of an Ozone 8-hr (2008 standard) Non-Attainment/Maintenance Area?	no
Within 3000 feet of a Lead (2008 standard) Non-Attainment/Maintenance Area?	no
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Within 3000 feet of a Federal Land?	no
Within 3000 feet of an impaired stream?	yes
Within 3000 feet of an impaired waterbody?	no
Within 3000 feet of a waterbody?	yes
Within 3000 feet of a stream?	yes
Within 3000 feet of an NWI wetland?	Available Online
Within 3000 feet of a Brownfields site?	no
Within 3000 feet of a Superfund site?	no
Within 3000 feet of a Toxic Release Inventory (TRI) site?	no
Within 3000 feet of a water discharger (NPDES)?	yes
Within 3000 feet of a hazardous waste (RCRA) facility?	no
Within 3000 feet of an air emission facility?	no

Within 3000 feet of a school?	no
Within 3000 feet of an airport?	no
Within 3000 feet of a hospital?	no
Within 3000 feet of a designated sole source aquifer?	no
Within 3000 feet of a historic property on the National Register of Historic Places?	no
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Within 3000 feet of a tribal area (lower 48 states)?	no
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Within 3000 feet of an EFH Area Protected from Fishing (EFHA)?	no
Within 3000 feet of a Bureau of Land Management Area of Critical Environmental Concern?	no
Within 3000 feet of an ESA-designated Critical Habitat Area per U.S. Fish & Wildlife Service?	no
Within 3000 feet of an ESA-designated Critical Habitat river, stream or water feature per U.S. Fish & Wildlife Service?	no

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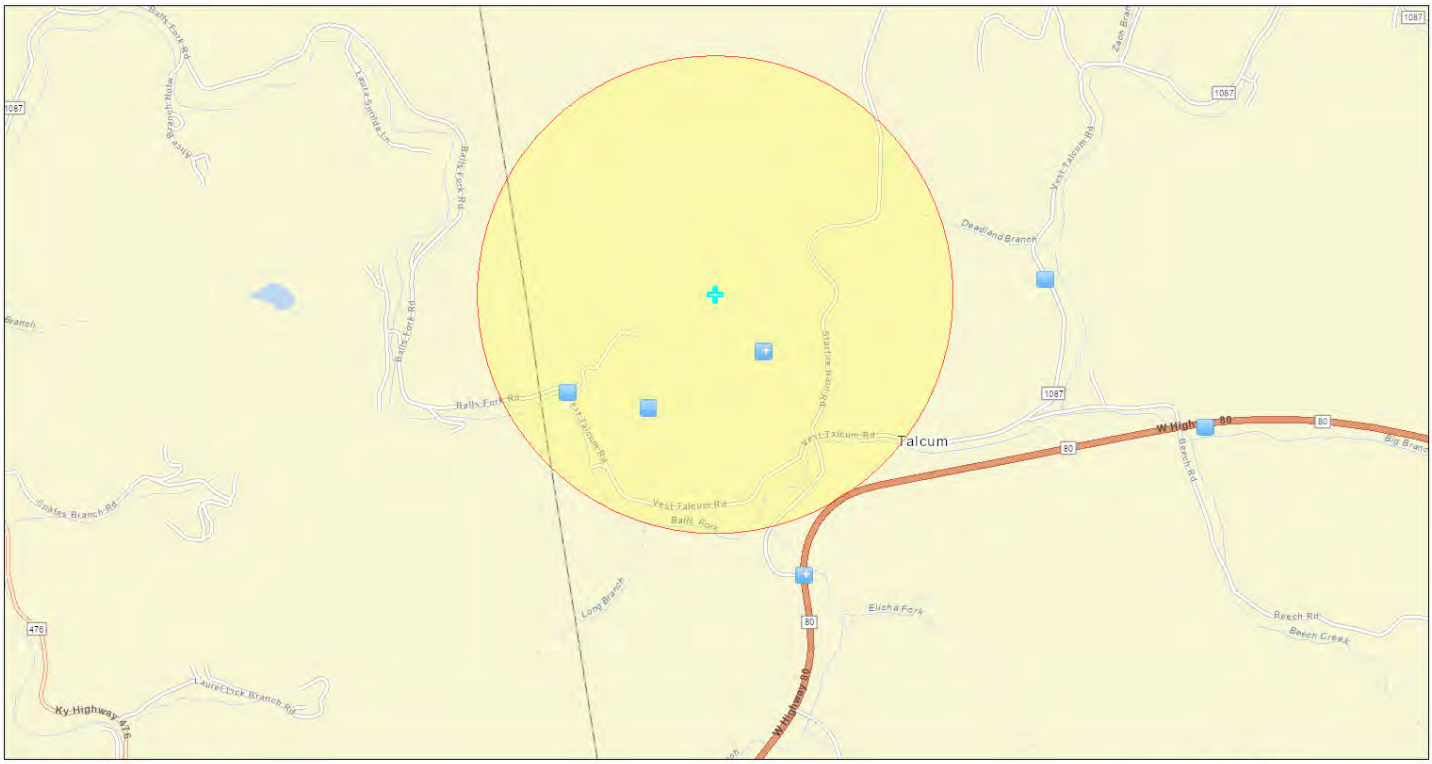
NEPAssist Report

Olive Branch Area B Centerpoint Knott County, KY



August 29, 2023

- Water Dischargers (NPDES)
- Water Dischargers (NPDES)
- Project Buffer
- Olive Branch Area B Centerpoint Knott County, KY

1:17,198

0 0.15 0.3 0.6 mi

0 0.28 0.55 1.1 km

Esri Community Maps Contributors, VGIN, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Project Location	37.376968,-83.110429
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Within 3000 feet of a PM10 (1987 standard) Non-Attainment/Maintenance Area?	no
Within 3000 feet of a Federal Land?	no
Within 3000 feet of an impaired stream?	yes
Within 3000 feet of an impaired waterbody?	no
Within 3000 feet of a waterbody?	yes
Within 3000 feet of a stream?	yes
Within 3000 feet of an NWI wetland?	Available Online
Within 3000 feet of a Brownfields site?	no
Within 3000 feet of a Superfund site?	no
Within 3000 feet of a Toxic Release Inventory (TRI) site?	no
Within 3000 feet of a water discharger (NPDES)?	yes
Within 3000 feet of a hazardous waste (RCRA) facility?	no
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Within 3000 feet of a school?	no
Within 3000 feet of an airport?	no
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Within 3000 feet of an ESA-designated Critical Habitat Area per U.S. Fish & Wildlife Service?	no
Within 3000 feet of an ESA-designated Critical Habitat river, stream or water feature per U.S. Fish & Wildlife Service?	no

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Detailed Facility Report

Detailed Facility Report

Facility Summary

BIG ELK MINING CO LLC (860-0425)

JCT OF KY 1087 & LICK BRANCH RD, ARY, KY 41712

FRS (Facility Registry Service) ID: 110011216692
EPA Region: 04
Latitude: 37.3736
Longitude: -83.11682
Locational Data Source: NPDES
Industries: Mining (except Oil and Gas)
Indian Country: N

Enforcement and Compliance Summary

Statute	CWA
Compliance Monitoring Activities (5 years)	--
Date of Last Compliance Monitoring Activity	08/02/2011
Compliance Status	Terminated Permit
Qtrs in Noncompliance (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	--
Penalties from Formal Enforcement Actions (5 years)	--
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

Regulatory Information

Clean Air Act (CAA): No Information
Clean Water Act (CWA): Minor, Permit Terminated; Compliance Tracking Off (KYG041006)
Resource Conservation and Recovery Act (RCRA): No Information
Safe Drinking Water Act (SDWA): No Information

Go To Enforcement/Compliance Details
Known Data Problems

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information
Greenhouse Gas Emissions (eGGRT): No Information
Toxic Releases (TRI): No Information
Compliance and Emissions Data Reporting Interface (CEDRI): No Information

Facility/System Characteristics

Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110011216692					N	37.3736	-83.11682
ICIS-NPDES	CWA	KYG041006	Minor: General Permit Covered Facility	Terminated; Compliance Tracking Off		07/31/2014	N	37.3736	-83.11682

Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110011216692	BIG ELK MINING CO LLC (860-0425)	JCT OF KY 1087 & LICK BRANCH RD, ARY, KY 41712	
ICIS-NPDES	CWA	KYG041006	BIG ELK MINING CO LLC (860-0425)	JCT OF KY 1087 & LICK BRANCH RD, ARY, KY 41712	Perry County

Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
ICIS-NPDES	KYG041006	1221	Bituminous Coal And Lignite - Surface

Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
ICIS-NPDES	KYG041006	212111	Bituminous Coal and Lignite Surface Mining

Facility Industrial Effluent Guidelines

Identifier	Effluent Guideline (40 CFR Part)	Effluent Guideline Description
No data records returned		

Facility Tribe Information

Reservation Name	Tribe Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned			

Enforcement and Compliance

Compliance Monitoring History

Last 5 Years

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
No data records returned							

Entries in italics are not counted as EPA official inspections.

Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
CWA	KYG041006	No	03/31/2023	0	08/25/2023

Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13+
CWA (Source ID: KYG041006)		04/01-06/30/20	07/01-09/30/20	10/01-12/31/20	01/01-03/31/21	04/01-06/30/21	07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-08/25/23
	Facility-Level Status	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit
	Quarterly Noncompliance Report History													

Informal Enforcement Actions

Last 5 Years

Statute	System	Source ID	Type of Action	Lead Agency	Date
No data records returned					

Entries in italics are not counted as "informal enforcement actions" in EPA policies pertaining to enforcement response tools.

Formal Enforcement Actions

Last 5 Years

Statute	System	Law/Section	Source ID	Type of Action	Case No.	Lead Agency	Case Name	Issued/Filed Date	Settlements/Actions	Settlement/Action Date	Federal Penalty Assessed	State/Local Penalty Assessed	Penalty Amount Collected	SEP Value	Comp Action Cost
No data records returned															

Environmental Conditions

Watersheds

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
051002010505	Lower Balls Fork	--	No	No	--	Yes

Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Aquatic Life	Fish Consumption Use	Recreation Use	Other Use
No data records returned										

Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)
No data records returned				

Pollutants

Toxics Release Inventory History of Reported Chemicals Released in Pounds per Year at Site

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharges	Off-Site Transfers to POTWs (Publicly Owned Treatment Works)	Underground Injections	Releases to Land	Total On-Site Releases	Total Off-Site Transfers
No data records returned								

Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name

No data records returned

DMR and TRI Multi-Year Loading Report

CWA (Clean Water Act) Discharge Monitoring Report (DMR) Pollutant Loadings

No data records returned

Community

Environmental Justice

This section shows indexes from EJScreen, EPA's screening tool for environmental justice (EJ) concerns. EPA uses these indexes to identify geographic areas that may warrant further consideration or analysis for potential EJ concerns. Use of these indexes does not designate an area as an "EJ community" or "EJ facility." EJScreen provides screening level indicators, not a determination of the existence or absence of EJ concerns. For more information, see the EJScreen home page.

EJScreen Indexes Shown

Compare to: (●) US ( ) State

Index Type: ( ) Environmental Justice (●) Supplemental

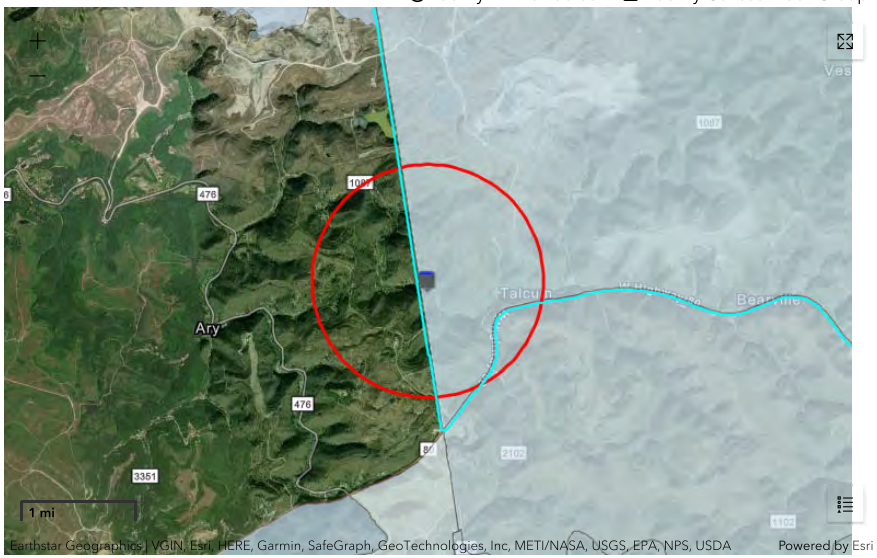
Related Reports

EJScreen Community Report

Download Data

Census Block Group ID: 211199602001	US (Percentile)	
Supplemental Indexes	Facility Census Block Group	1-mile Max
Count of Indexes At or Above 80th Percentile	**2**	**2**
Particulate Matter 2.5	66	66
Ozone	58	58
Diesel Particulate Matter	25	25
Air Toxics Cancer Risk	! 86	! 86
Air Toxics Respiratory Hazard Index	78	78
Toxic Releases to Air	0	--
Traffic Proximity	30	39
Lead Paint	77	77
Risk Management Plan (RMP) Facility Proximity	18	18
Hazardous Waste Proximity	0	--
Superfund Proximity	27	27
Underground Storage Tanks (UST)	60	60
Wastewater Discharge	! 89	! 89

( ) Facility 1-mile Radius ☐ Facility Census Block Group



Demographic Profile of Surrounding Area (1 mile)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 U.S. Census and 2017 - 2021 American Community Survey (ACS) 5-year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. EPA's spatial processing methodology considers the overlap between the selected radii and the census blocks (for U.S. Census demographics) and census block groups (for ACS demographics) in determining the demographics surrounding the facility. For more detail about this methodology, see the DFR Data Dictionary.

General Statistics (U.S. Census)	
Total Persons	152
Population Density	45/sq.mi.
Housing Units in Area	64

General Statistics (ACS (American Community Survey))	
Total Persons	115
Percent People of Color	2%
Households in Area	40
Households on Public Assistance	4
Persons With Low Income	42
Percent With Low Income	37%

Geography	
Radius of Selected Area	1 mi.
Center Latitude	37.3736
Center Longitude	-83.11682
Land Area	99%

Age Breakdown (U.S. Census) - Persons (%)	
Children 5 years and younger	17 (11%)
Minors 17 years and younger	40 (26%)
Adults 18 years and older	113 (74%)
Seniors 65 years and older	23 (15%)

Race Breakdown (U.S. Census) - Persons (%)	
White	151 (99%)
African-American	0 (0%)
Hispanic-Origin	1 (1%)
Asian/Pacific Islander	0 (0%)
American Indian	0 (0%)
Other/Multiracial	1 (1%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Less than 9th Grade	8 (9.88%)
9th through 12th Grade	7 (8.64%)
High School Diploma	25 (30.86%)

Geography	
Water Area	1%
Income Breakdown (ACS (American Community Survey)) - Households (%)	
Less than $15,000	4 (10.26%)
$15,000 - $25,000	2 (5.13%)
$25,000 - $50,000	9 (23.08%)
$50,000 - $75,000	10 (25.64%)
Greater than $75,000	14 (35.9%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Some College/2-year	25 (30.86%)
B.S./B.A./Bachelor of Science/Bachelor of Arts) or More	11 (13.58%)

LAST UPDATED ON SEPTEMBER 21, 2022

DATA REFRESH INFORMATION

An official website of the United States government

Search EPA.gov

Related Topics: Envirofacts <../>

CONTACT US <https://www.epa.gov/enviro/forms/contact-us-about-envirofacts>

Home <https://enviro.epa.gov> | Multisystem Search <https://enviro.epa.gov/facts/multisystem.html> | Topic Searches <https://www.epa.gov/enviro/topic-searches> | System Data Searches <https://www.epa.gov/enviro/system-data-searches> | About the Data <https://www.epa.gov/enviro/about-data> | Data Downloads <https://www.epa.gov/enviro/data-downloads> | Widgets <https://www.epa.gov/enviro/widgets> | Services <https://www.epa.gov/enviro/web-services> | Mobile <https://www.epa.gov/enviro/uv-index-mobile-app> | Other Datasets <https://www.epa.gov/enviro/other-datasets>

ICIS Detailed Reports

<< Return

This page was created on AUG-29-2023
Results are based on data extracted on AUG-18-2023

Note: You are viewing results from the modernized data system, Integrated Compliance Information System (ICIS). The state reporting this data to EPA previously reported the data to a historic data system, Permit Compliance System (PCS). Use the following button to view the historic data from PCS. Run a PCS Search

Facility

FACILITY NAME (1)	BIG ELK MINING CO LLC (860-0425)	**NPDES**	KYG041006
STREET 1	JCT OF KY 1087 & LICK BRANCH RD	**SIC CODE**	1221 = Bituminous Coal And Lignite - Surface
CITY	Sidney	**MAJOR / MINOR**	
COUNTY NAME	KY193	**TYPE OF OWNERSHIP**	POF
STATE	KY	**ACTIVITY STATUS**	TRM
ZIP CODE	41712	**INACTIVE DATE**	
REGION	04	**TYPE OF PERMIT ISSUED**	GPC
LATITUDE	37.3736	**ORIGINAL PERMIT ISSUE DATE**	31-OCT-1985
LONGITUDE	-83.11682	**PERMIT ISSUED DATE**	01-JUL-2009
LAT/LON CODE OF ACCURACY	50	**PERMIT EXPIRED DATE**	31-JUL-2014
LAT/LON METHOD			
LAT/LON SCALE		**USGS HYDRO BASIN CODE**	

LAT/LON DATUM		**FLOW**	
RECEIVING WATERS		**FEDERAL GRANT IND**	N
PRETREATMENT CODE		**SLUDGE CLASS FAC IND**	NON-POTW
MAILING NAME	Big Elk Mining Co LLC (860-0425)	**SLUDGE RELATED PERMIT NUM**	KYGE40364
MAILING STREET (1)	PO Box 299	**ANNUAL DRY SLUDGE PROD**	
MAILING STREET (2)			
MAILING CITY	Sidney		
MAILING STATE	Kentucky		
MAILING ZIP CODE	41564		
COGNIZANT OFFICIAL	John Cline	**COGNIZANT OFFICIAL TEL**	6063537201

Activity

FACILITY NAME (1)	BIG ELK MINING CO LLC (860-0425)	**NPDES**	KYG041006

ACTIVITY NAME	ACTIVITY TYPE DESCRIPTION	ACTIVITY STATUS DESCRIPTION	ACTIVITY STATUS DATE	ACTUAL BEGIN DATE	ACTUAL END DATE
NPDES Permit (CWA)	Permit				
BIG ELK MINING CO LLC (Permit KYG041006) Letter Of Violation/Warning Letter	Administrative - Informal	Achieved	29-NOV-2010		29-NOV-2010
Frasure Creek Mining LLC (Multiple) KYG041006 11/29/2010	Administrative - Informal	Achieved	29-NOV-2010		29-NOV-2010
Frasure Creek Mining LLC (860-0470)	Administrative - Informal	Achieved	27-JUL-2015		27-JUL-2015
Frasure Creek Mining LLC (Multiple)	Administrative - Informal	Achieved	19-JUN-2015		19-JUN-2015
FRASURE CREEK MINING LLC	Administrative - Informal	Achieved	19-DEC-2014		19-DEC-2014
FRASURE CREEK MINING LLC	Administrative - Informal	Achieved	17-DEC-2014		17-DEC-2014
FRASURE CREEK MINING LLC	Administrative - Formal	Closed	16-JAN-2017	29-DEC-2015	
BIG ELK MINING CO LLC (Permit KYG041006) Performance Audit	Inspection/Evaluation		14-OCT-2010		14-OCT-2010
FRASURE CREEK MINING LLC	Administrative - Informal	Achieved	11-DEC-2014		11-DEC-2014
Frasure Creek Mining LLC(KYG041006) Comp Eval (Sampling)	Inspection/Evaluation	Active	11-APR-2012	02-AUG-2011	02-AUG-2011
FRASURE CREEK MINING LLC (860-0470)	Administrative - Informal	Achieved	08-JUN-2011		08-JUN-2011

FRASURE CREEK MINING LLC	Administrative - Informal	Achieved	07-OCT-2015		07-OCT-2015
Frasure Creek Mining LLC (Multiple)	Administrative - Informal	Achieved	06-JAN-2012		06-JAN-2012
Frasure Creek Mining LLC	Administrative - Informal	Achieved	05-JAN-2015		05-JAN-2015
Frasure Creek Mining LLC (Multiple)	Administrative - Informal	Achieved	04-OCT-2011		04-OCT-2011

Contacts

FACILITY NAME (1)	BIG ELK MINING CO LLC (860-0425)	**NPDES**	KYG041006

No Contacts Found.

Permit Tracking

FACILITY NAME (1)	BIG ELK MINING CO LLC (860-0425)	**NPDES**	KYG041006
PERMIT ISSUED BY		**ORIGINAL DATE OF ISSUE**	31-OCT-1985
PERMIT ISSUED DATE	01-JUL-2009	**PERMIT EXPIRED DATE**	31-JUL-2014
EFFECTIVE DATE	01-AUG-2009	**RETIREMENT DATE**	

Permit Tracking Events:

EVENT DESCRIPTION	EVENT DATE
PTR	01-DEC-2015
PEX	31-JUL-2014
PEF	01-AUG-2009
ANR	31-JUL-2009
PIS	01-JUL-2009

Inspections

FACILITY NAME (1)	BIG ELK MINING CO LLC (860-0425)	**NPDES**	KYG041006

INSPECTION TYPE	DATE OF INSPECTION	INSPECTION PERFORMED BY

BIG ELK MINING CO LLC (Permit KYG041006) Performance Audit	14-OCT-2010	ST6
Frasure Creek Mining LLC(KYG041006) Comp Eval (Sampling)	11-APR-2012	ST6

Outfalls/Pipe Schedules

FACILITY NAME (1)	BIG ELK MINING CO LLC (860-0425)	**NPDES**	KYG041006
OUTFALL TYPE		**PIPE NUMBER**	
ACTIVITY STATUS		**REPORT DESIGNATOR**	
LATITUDE		**LONGITUDE**	
LAT/LON ACCURACY		**LAT/LON METHOD**	
LAT/LON SCALE		**LAT/LON DATUM**	
INACTIVE DATE		**USGS HYDRO BASIN CODE**	
INIT DMR DUE DATE		**SUBMISSION UNITS**	
PIPE DESCRIPTION		**UNITS IN SUBM. PERIOD**	
INIT REPORTING DATE		**REPORTING UNITS**	
UNITS IN REPORTING PERIOD		**DMR COMMENT**	

Limits Report

FACILITY NAME (1)	BIG ELK MINING CO LLC (860-0425)	**NPDES**	KYG041006
PIPE NUMBER			
PIPE DESCRIPTION		**REPORT DESIGNATOR**	
DMR COMMENT		**LIMIT SET TYPE**	

No ICIS Limits Report Found.

Limits Report

FACILITY NAME (1)	BIG ELK MINING CO LLC (860-0425)	**NPDES**	KYG041006

No ICIS Limits Information Found.

Measurements and Violations

FACILITY NAME (1)	BIG ELK MINING CO LLC (860-0425)	NPDES	KYG041006

No ICIS Measurements Information Found.

Compliance Schedules and Violations

FACILITY NAME (1)	BIG ELK MINING CO LLC (860-0425)	NPDES	KYG041006

Compliance Schedule Violations

SCHEDULE NUMBER	DATA SOURCE	VIOLATION	RNC DETECTION CODE	RNC DETECTION DATE	RNC RESOLUTION CODE	RNC RESOLUTION DATE
	2400138884	A0012				
	2400138884	A0015				
	2400138884	A0022				
	2400138884	C0011				
	2400138884	D0017				
	2400138884	E0012				
	2400138884	E0013				

No Compliance Schedules Found.

Pretreatment Inspections/Audits

FACILITY NAME (1)	BIG ELK MINING CO LLC (860-0425)	NPDES	KYG041006

No ICIS Pretreatment Inspections Found.

Pretreatment Performance Summary

FACILITY NAME (1)	BIG ELK MINING CO LLC (860-0425)	NPDES	KYG041006

No ICIS Pretreatment Performance Summary Information Found.

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Follow.

Detailed Facility Report

Detailed Facility Report

Facility Summary

ICG HAZARD LLC (860-7017)

JCT OF KY 1087 & KY 476, ARY, KY 41712

FRS (Facility Registry Service) ID: 110064617428
EPA Region: 04
Latitude: 37.375
Longitude: -83.10833
Locational Data Source: NPDES
Industries: Mining (except Oil and Gas)
Indian Country: N

Enforcement and Compliance Summary

Statute	CWA
Compliance Monitoring Activities (5 years)	--
Date of Last Compliance Monitoring Activity	--
Compliance Status	Terminated Permit
Qtrs in Noncompliance (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	1
Penalties from Formal Enforcement Actions (5 years)	$7,000
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

Regulatory Information

Clean Air Act (CAA): No Information
Clean Water Act (CWA): Minor, Permit Terminated; Compliance Tracking Off (KYG046857)
Resource Conservation and Recovery Act (RCRA): No Information
Safe Drinking Water Act (SDWA): No Information

Go To Enforcement/Compliance Details
Known Data Problems

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information
Greenhouse Gas Emissions (eGGRT): No Information
Toxic Releases (TRI): No Information
Compliance and Emissions Data Reporting Interface (CEDRI): No Information

Facility/System Characteristics

Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110064617428					N	37.375	-83.10833
ICIS-NPDES	CWA	KYG046857	Minor: General Permit Covered Facility	Terminated; Compliance Tracking Off		07/31/2014	N	37.375	-83.10833

Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110064617428	ICG HAZARD LLC (860-7017)	JCT OF KY 1087 & KY 476, ARY, KY 41712	
ICIS-NPDES	CWA	KYG046857	ICG HAZARD LLC (860-7017)	JCT OF KY 1087 & KY 476, ARY, KY 41712	Perry County

Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
ICIS-NPDES	KYG046857	1221	Bituminous Coal And Lignite - Surface

Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
ICIS-NPDES	KYG046857	212111	Bituminous Coal and Lignite Surface Mining

Facility Industrial Effluent Guidelines

Identifier	Effluent Guideline (40 CFR Part)	Effluent Guideline Description
No data records returned		

Facility Tribe Information

Reservation Name	Tribe Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned			

Enforcement and Compliance

Compliance Monitoring History

Last 5 Years

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
No data records returned							

Entries in italics are not counted as EPA official inspections.

Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
CWA	KYG046857	No	03/31/2023	0	08/25/2023

Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13+
	CWA (Source ID: KYG046857)	04/01-06/30/20	07/01-09/30/20	10/01-12/31/20	01/01-03/31/21	04/01-06/30/21	07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-08/25/23
	Facility-Level Status	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit
	Quarterly Noncompliance Report History													

Informal Enforcement Actions

Last 5 Years

Statute	System	Source ID	Type of Action	Lead Agency	Date
No data records returned					

Entries in italics are not counted as "informal enforcement actions" in EPA policies pertaining to enforcement response tools.

Formal Enforcement Actions

Last 5 Years

Statute	System	Law/Section	Source ID	Type of Action	Case No.	Lead Agency	Case Name	Issued/Filed Date	Settlements/Actions	Settlement/Action Date	Federal Penalty Assessed	State/Local Penalty Assessed	Penalty Amount Collected	SEP Value	Comp Action Cost
CWA	ICIS-NPDES	OTHER	NPDES/KYG046857	Administrative - Formal	KY-DOW 170083	State	IGC HAZARD LLC	09/19/2018	1	09/19/2018	$0	$7,000	$7,000	$0	$0

Environmental Conditions

Watersheds

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
051002010505	Lower Balls Fork	--	No	No	--	Yes

Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Aquatic Life	Fish Consumption Use	Recreation Use	Other Use
No data records returned										

Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)
No data records returned				

Pollutants

Toxics Release Inventory History of Reported Chemicals Released in Pounds per Year at Site

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharges	Off-Site Transfers to POTWs (Publicly Owned Treatment Works)	Underground Injections	Releases to Land	Total On-Site Releases	Total Off-Site Transfers
No data records returned								

Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name
No data records returned

CWA (Clean Water Act) Discharge Monitoring Report (DMR) Pollutant Loadings

DMR and TRI Multi-Year Loading Report

No data records returned

Community

Environmental Justice

This section shows indexes from EJScreen, EPA's screening tool for environmental justice (EJ) concerns. EPA uses these indexes to identify geographic areas that may warrant further consideration or analysis for potential EJ concerns. Use of these indexes does not designate an area as an "EJ community" or "EJ facility." EJScreen provides screening level indicators, not a determination of the existence or absence of EJ concerns. For more information, see the EJScreen home page.

EJScreen Indexes Shown

Compare to: (●) US ( ) State

Index Type: ( ) Environmental Justice (●) Supplemental

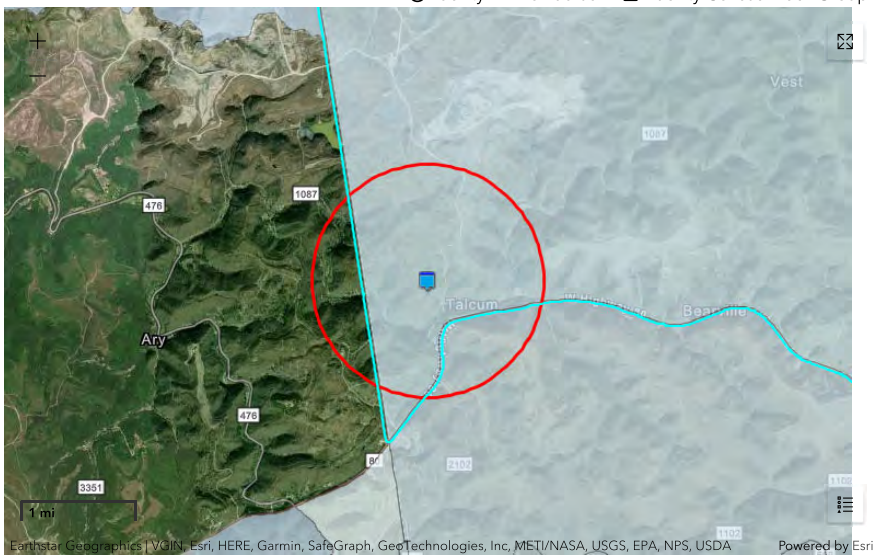
Related Reports

EJScreen Community Report

Download Data

Census Block Group ID: 211199602001	US (Percentile)	
Supplemental Indexes	Facility Census Block Group	1-mile Max
Count of Indexes At or Above 80th Percentile	**2**	**2**
Particulate Matter 2.5	66	66
Ozone	58	58
Diesel Particulate Matter	25	25
Air Toxics Cancer Risk	! 86	! 86
Air Toxics Respiratory Hazard Index	78	78
Toxic Releases to Air	0	--
Traffic Proximity	30	39
Lead Paint	77	77
Risk Management Plan (RMP) Facility Proximity	18	18
Hazardous Waste Proximity	0	--
Superfund Proximity	27	27
Underground Storage Tanks (UST)	60	60
Wastewater Discharge	! 89	! 89

( ) Facility 1-mile Radius ( ) Facility Census Block Group



Demographic Profile of Surrounding Area (1 mile)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 U.S. Census and 2017 - 2021 American Community Survey (ACS) 5-year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. EPA's spatial processing methodology considers the overlap between the selected radii and the census blocks (for U.S. Census demographics) and census block groups (for ACS demographics) in determining the demographics surrounding the facility. For more detail about this methodology, see the DFR Data Dictionary.

General Statistics (U.S. Census)	
Total Persons	95
Population Density	34/sq.mi.
Housing Units in Area	39

General Statistics (ACS (American Community Survey))	
Total Persons	90
Percent People of Color	3%
Households in Area	26
Households on Public Assistance	1
Persons With Low Income	40
Percent With Low Income	44%

Geography	
Radius of Selected Area	1 mi.

Age Breakdown (U.S. Census) - Persons (%)	
Children 5 years and younger	10 (11%)
Minors 17 years and younger	26 (27%)
Adults 18 years and older	68 (72%)
Seniors 65 years and older	14 (15%)

Race Breakdown (U.S. Census) - Persons (%)	
White	94 (99%)
African-American	0 (0%)
Hispanic-Origin	1 (1%)
Asian/Pacific Islander	0 (0%)
American Indian	0 (0%)
Other/Multiracial	1 (1%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)

Geography	
Center Latitude	37.375
Center Longitude	-83.10833
Land Area	99%
Water Area	2%
Income Breakdown (ACS (American Community Survey)) - Households (%)	
Less than $15,000	4 (14.81%)
$15,000 - $25,000	1 (3.7%)
$25,000 - $50,000	7 (25.93%)
$50,000 - $75,000	7 (25.93%)
Greater than $75,000	8 (29.63%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Less than 9th Grade	9 (15.25%)
9th through 12th Grade	6 (10.17%)
High School Diploma	18 (30.51%)
Some College/2-year	12 (20.34%)
B.S./B.A./Bachelor of Science/Bachelor of Arts) or More	10 (16.95%)

LAST UPDATED ON SEPTEMBER 21, 2022

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ICIS Detailed Reports

<< Return

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Facility

FACILITY NAME (1)	ICG HAZARD LLC (860-7017)	**NPDES**	KYG046857
STREET 1	JCT OF KY 1087 & KY 476	**SIC CODE**	1221 = Bituminous Coal And Lignite - Surface
CITY	Lexington	**MAJOR / MINOR**	
COUNTY NAME	KY193	**TYPE OF OWNERSHIP**	POF
STATE	KY	**ACTIVITY STATUS**	TRM
ZIP CODE	41712	**INACTIVE DATE**	
REGION	04	**TYPE OF PERMIT ISSUED**	GPC
LATITUDE	37.375	**ORIGINAL PERMIT ISSUE DATE**	25-MAR-2014
LONGITUDE	-83.10833	**PERMIT ISSUED DATE**	25-MAR-2014
LAT/LON CODE OF ACCURACY	50	**PERMIT EXPIRED DATE**	31-JUL-2014
LAT/LON METHOD			
LAT/LON SCALE		**USGS HYDRO BASIN CODE**	

LAT/LON DATUM		**FLOW**	
RECEIVING WATERS		**FEDERAL GRANT IND**	
PRETREATMENT CODE		**SLUDGE CLASS FAC IND**	NON-POTW
MAILING NAME	ICG Hazard LLC (860-7017)	**SLUDGE RELATED PERMIT NUM**	KYGE40816
MAILING STREET (1)	3228 Summit Square Pl Ste 180	**ANNUAL DRY SLUDGE PROD**	
MAILING STREET (2)			
MAILING CITY	Lexington		
MAILING STATE	Kentucky		
MAILING ZIP CODE	40509		
COGNIZANT OFFICIAL	Don R Gibson	**COGNIZANT OFFICIAL TEL**	8592775300

Activity

FACILITY NAME (1)	ICG HAZARD LLC (860-7017)	**NPDES**	KYG046857

ACTIVITY NAME	ACTIVITY TYPE DESCRIPTION	ACTIVITY STATUS DESCRIPTION	ACTIVITY STATUS DATE	ACTUAL BEGIN DATE	ACTUAL END DATE
IGC HAZARD LLC	Administrative - Formal	Closed	31-OCT-2018	26-SEP-2018	
	Permit	Active	21-MAR-2014		

Contacts

FACILITY NAME (1)	ICG HAZARD LLC (860-7017)	**NPDES**	KYG046857

No Contacts Found.

Permit Tracking

FACILITY NAME (1)	ICG HAZARD LLC (860-7017)	**NPDES**	KYG046857
PERMIT ISSUED BY		**ORIGINAL DATE OF ISSUE**	25-MAR-2014
PERMIT ISSUED DATE	25-MAR-2014	**PERMIT EXPIRED DATE**	31-JUL-2014
EFFECTIVE DATE	01-APR-2014	**RETIREMENT DATE**	

Permit Tracking Events:

EVENT DESCRIPTION	EVENT DATE
PTR	01-FEB-2016
PCN	01-AUG-2014
PEX	31-JUL-2014
PEF	01-APR-2014
PIS	25-MAR-2014
ANC	28-JAN-2014
ANR	10-JAN-2014

Inspections

FACILITY NAME (1)	ICG HAZARD LLC (860-7017)	NPDES	KYG046857

No Inspections Found.

Outfalls/Pipe Schedules

FACILITY NAME (1)	ICG HAZARD LLC (860-7017)	NPDES	KYG046857
OUTFALL TYPE		PIPE NUMBER	
ACTIVITY STATUS		REPORT DESIGNATOR	
LATITUDE		LONGITUDE	
LAT/LON ACCURACY		LAT/LON METHOD	
LAT/LON SCALE		LAT/LON DATUM	
INACTIVE DATE		USGS HYDRO BASIN CODE	
INIT DMR DUE DATE		SUBMISSION UNITS	
PIPE DESCRIPTION		UNITS IN SUBM. PERIOD	
INIT REPORTING DATE		REPORTING UNITS	
UNITS IN REPORTING PERIOD		DMR COMMENT	

Limits Report

FACILITY NAME (1)	ICG HAZARD LLC (860-7017)	**NPDES**	KYG046857
PIPE NUMBER			
PIPE DESCRIPTION		**REPORT DESIGNATOR**	
DMR COMMENT		**LIMIT SET TYPE**	

No ICIS Limits Report Found.

Limits Report

FACILITY NAME (1)	ICG HAZARD LLC (860-7017)	**NPDES**	KYG046857

No ICIS Limits Information Found.

Measurements and Violations

FACILITY NAME (1)	ICG HAZARD LLC (860-7017)	**NPDES**	KYG046857

No ICIS Measurements Information Found.

Compliance Schedules and Violations

FACILITY NAME (1)	ICG HAZARD LLC (860-7017)	**NPDES**	KYG046857

No Compliance Schedules Found.

Pretreatment Inspections/Audits

FACILITY NAME (1)	ICG HAZARD LLC (860-7017)	**NPDES**	KYG046857

No ICIS Pretreatment Inspections Found.

Pretreatment Performance Summary

FACILITY NAME (1)	ICG HAZARD LLC (860-7017)	**NPDES**	KYG046857

No ICIS Pretreatment Performance Summary Information Found.

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Detailed Facility Report

Detailed Facility Report

Facility Summary

ICG HAZARD LLC (860-7018)

JCT OF KY 1087 & KY 476, ARY, KY 41712

FRS (Facility Registry Service) ID: 110022906612
EPA Region: 04
Latitude: 37.375
Longitude: -83.10833
Locational Data Source: NPDES
Industries: Mining (except Oil and Gas)
Indian Country: N

Enforcement and Compliance Summary

Statute	CWA
Compliance Monitoring Activities (5 years)	--
Date of Last Compliance Monitoring Activity	04/06/2015
Compliance Status	Terminated Permit
Qtrs in Noncompliance (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	1
Penalties from Formal Enforcement Actions (5 years)	$7,000
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

Regulatory Information

Clean Air Act (CAA): No Information
Clean Water Act (CWA): Minor, Permit Terminated; Compliance Tracking Off (KYG046120)
Resource Conservation and Recovery Act (RCRA): No Information
Safe Drinking Water Act (SDWA): No Information

Go To Enforcement/Compliance Details
Known Data Problems

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information
Greenhouse Gas Emissions (eGGRT): No Information
Toxic Releases (TRI): No Information
Compliance and Emissions Data Reporting Interface (CEDRI): No Information

Facility/System Characteristics

Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110022906612					N	37.375	-83.10833
ICIS-NPDES	CWA	KYG046120	Minor: General Permit Covered Facility	Terminated; Compliance Tracking Off		07/31/2014	N	37.375	-83.10833

Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110022906612	ICG HAZARD LLC (860-7018)	JCT OF KY 1087 & KY 476, ARY, KY 41712	
ICIS-NPDES	CWA	KYG046120	ICG HAZARD LLC (860-7018)	JCT OF KY 1087 & KY 476, ARY, KY 41712	Perry County

Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
ICIS-NPDES	KYG046120	1221	Bituminous Coal And Lignite - Surface

Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
ICIS-NPDES	KYG046120	212111	Bituminous Coal and Lignite Surface Mining

Facility Industrial Effluent Guidelines

Identifier	Effluent Guideline (40 CFR Part)	Effluent Guideline Description
No data records returned		

Facility Tribe Information

Reservation Name	Tribe Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned			

Enforcement and Compliance

Compliance Monitoring History

Last 5 Years

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
No data records returned							

Entries in italics are not counted as EPA official inspections.

Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
CWA	KYG046120	No	03/31/2023	0	08/25/2023

Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13+
	CWA (Source ID: KYG046120)	04/01-06/30/20	07/01-09/30/20	10/01-12/31/20	01/01-03/31/21	04/01-06/30/21	07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-08/25/23
	Facility-Level Status	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit
	Quarterly Noncompliance Report History													

Informal Enforcement Actions

Last 5 Years

Statute	System	Source ID	Type of Action	Lead Agency	Date
No data records returned					

Entries in italics are not counted as "informal enforcement actions" in EPA policies pertaining to enforcement response tools.

Formal Enforcement Actions

Last 5 Years

Statute	System	Law/Section	Source ID	Type of Action	Case No.	Lead Agency	Case Name	Issued/Filed Date	Settlements/Actions	Settlement/Action Date	Federal Penalty Assessed	State/Local Penalty Assessed	Penalty Amount Collected	SEP Value	Comp Action Cost
CWA	ICIS-NPDES	OTHER	NPDES/KYG046120	Administrative - Formal	KY-DOW 170083	State	IGC HAZARD LLC	09/19/2018	1	09/19/2018	$0	$7,000	$7,000	$0	$0

Environmental Conditions

Watersheds

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
051002010505	Lower Balls Fork	LICK BR	No	No	--	Yes

Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Aquatic Life	Fish Consumption Use	Recreation Use	Other Use
No data records returned										

Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)
No data records returned				

Pollutants

Toxics Release Inventory History of Reported Chemicals Released in Pounds per Year at Site

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharges	Off-Site Transfers to POTWs (Publicly Owned Treatment Works)	Underground Injections	Releases to Land	Total On-Site Releases	Total Off-Site Transfers
No data records returned								

Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name
No data records returned

CWA (Clean Water Act) Discharge Monitoring Report (DMR) Pollutant Loadings

DMR and TRI Multi-Year Loading Report

No data records returned

Community

Environmental Justice

This section shows indexes from EJScreen, EPA's screening tool for environmental justice (EJ) concerns. EPA uses these indexes to identify geographic areas that may warrant further consideration or analysis for potential EJ concerns. Use of these indexes does not designate an area as an "EJ community" or "EJ facility." EJScreen provides screening level indicators, not a determination of the existence or absence of EJ concerns. For more information, see the EJScreen home page.

EJScreen Indexes Shown

Compare to: (●) US ( ) State

Index Type: ( ) Environmental Justice (●) Supplemental

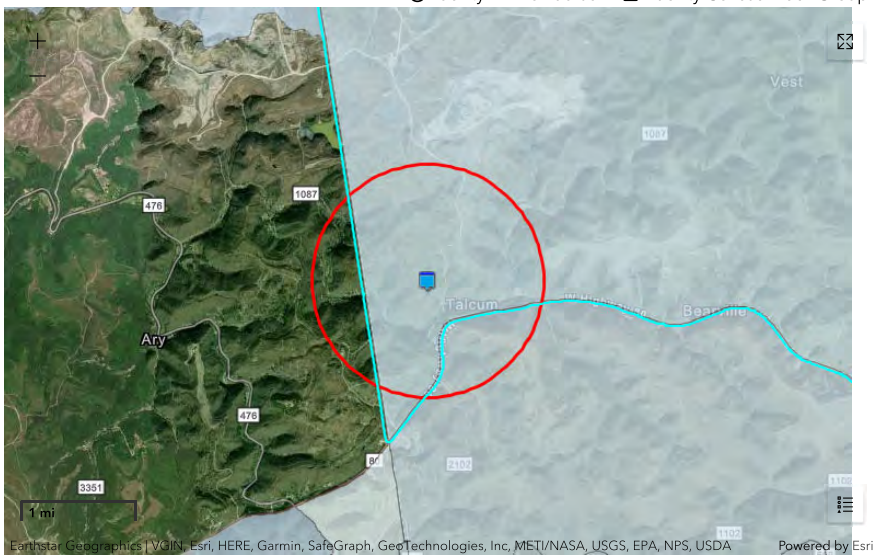
Related Reports

EJScreen Community Report

Download Data

Census Block Group ID: 211199602001	US (Percentile)	
Supplemental Indexes	Facility Census Block Group	1-mile Max
Count of Indexes At or Above 80th Percentile	**2**	**2**
Particulate Matter 2.5	66	66
Ozone	58	58
Diesel Particulate Matter	25	25
Air Toxics Cancer Risk	! 86	! 86
Air Toxics Respiratory Hazard Index	78	78
Toxic Releases to Air	0	--
Traffic Proximity	30	39
Lead Paint	77	77
Risk Management Plan (RMP) Facility Proximity	18	18
Hazardous Waste Proximity	0	--
Superfund Proximity	27	27
Underground Storage Tanks (UST)	60	60
Wastewater Discharge	! 89	! 89

( ) Facility 1-mile Radius ( ) Facility Census Block Group



Demographic Profile of Surrounding Area (1 mile)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 U.S. Census and 2017 - 2021 American Community Survey (ACS) 5-year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. EPA's spatial processing methodology considers the overlap between the selected radii and the census blocks (for U.S. Census demographics) and census block groups (for ACS demographics) in determining the demographics surrounding the facility. For more detail about this methodology, see the DFR Data Dictionary.

General Statistics (U.S. Census)	
Total Persons	95
Population Density	34/sq.mi.
Housing Units in Area	39

General Statistics (ACS (American Community Survey))	
Total Persons	90
Percent People of Color	3%
Households in Area	26
Households on Public Assistance	1
Persons With Low Income	40
Percent With Low Income	44%

Geography	
Radius of Selected Area	1 mi.

Age Breakdown (U.S. Census) - Persons (%)	
Children 5 years and younger	10 (11%)
Minors 17 years and younger	26 (27%)
Adults 18 years and older	68 (72%)
Seniors 65 years and older	14 (15%)

Race Breakdown (U.S. Census) - Persons (%)	
White	94 (99%)
African-American	0 (0%)
Hispanic-Origin	1 (1%)
Asian/Pacific Islander	0 (0%)
American Indian	0 (0%)
Other/Multiracial	1 (1%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)

Geography	
Center Latitude	37.375
Center Longitude	-83.10833
Land Area	99%
Water Area	2%
Income Breakdown (ACS (American Community Survey)) - Households (%)	
Less than $15,000	4 (14.81%)
$15,000 - $25,000	1 (3.7%)
$25,000 - $50,000	7 (25.93%)
$50,000 - $75,000	7 (25.93%)
Greater than $75,000	8 (29.63%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Less than 9th Grade	9 (15.25%)
9th through 12th Grade	6 (10.17%)
High School Diploma	18 (30.51%)
Some College/2-year	12 (20.34%)
B.S./B.A./Bachelor of Science/Bachelor of Arts or More	10 (16.95%)

LAST UPDATED ON SEPTEMBER 21, 2022

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ICIS Detailed Reports

<< Return

This page was created on AUG-29-2023
Results are based on data extracted on AUG-18-2023

Note: You are viewing results from the modernized data system, Integrated Compliance Information System (ICIS). The state reporting this data to EPA previously reported the data to a historic data system, Permit Compliance System (PCS). Use the following button to view the historic data from PCS. Run a PCS Search

Facility

FACILITY NAME (1)	ICG HAZARD LLC (860-7018)	**NPDES**	KYG046120
STREET 1	JCT OF KY 1087 & KY 476	**SIC CODE**	1221 = Bituminous Coal And Lignite - Surface
CITY	Lexington	**MAJOR / MINOR**	
COUNTY NAME	KY193	**TYPE OF OWNERSHIP**	POF
STATE	KY	**ACTIVITY STATUS**	TRM
ZIP CODE	41712	**INACTIVE DATE**	
REGION	04	**TYPE OF PERMIT ISSUED**	GPC
LATITUDE	37.375	**ORIGINAL PERMIT ISSUE DATE**	30-SEP-2005
LONGITUDE	-83.10833	**PERMIT ISSUED DATE**	01-JUL-2009
LAT/LON CODE OF ACCURACY		**PERMIT EXPIRED DATE**	31-JUL-2014
LAT/LON METHOD	021		
LAT/LON SCALE		**USGS HYDRO BASIN CODE**	

LAT/LON DATUM	002	**FLOW**	
RECEIVING WATERS	LICK BR	**FEDERAL GRANT IND**	N
PRETREATMENT CODE		**SLUDGE CLASS FAC IND**	NON-POTW
MAILING NAME	ICG Hazard LLC (860-7018)	**SLUDGE RELATED PERMIT NUM**	
MAILING STREET (1)	3228 Summit Square Pl Ste 180	**ANNUAL DRY SLUDGE PROD**	
MAILING STREET (2)			
MAILING CITY	Lexington		
MAILING STATE	Kentucky		
MAILING ZIP CODE	40509		
COGNIZANT OFFICIAL	Don R Gibson	**COGNIZANT OFFICIAL TEL**	6064390946

Activity

FACILITY NAME (1)	ICG HAZARD LLC (860-7018)	**NPDES**	KYG046120

ACTIVITY NAME	ACTIVITY TYPE DESCRIPTION	ACTIVITY STATUS DESCRIPTION	ACTIVITY STATUS DATE	ACTUAL BEGIN DATE	ACTUAL END DATE
NPDES Permit (CWA)	Permit				
IGC HAZARD LLC	Administrative - Formal	Closed	31-OCT-2018	26-SEP-2018	
ICG Hazard LLC(KYG046120) Comp Eval (Non-Sampling)	Inspection/Evaluation	Active	12-APR-2015	06-APR-2015	06-APR-2015

Contacts

FACILITY NAME (1)	ICG HAZARD LLC (860-7018)	**NPDES**	KYG046120

No Contacts Found.

Permit Tracking

FACILITY NAME (1)	ICG HAZARD LLC (860-7018)	**NPDES**	KYG046120
PERMIT ISSUED BY		**ORIGINAL DATE OF ISSUE**	30-SEP-2005
PERMIT ISSUED DATE	01-JUL-2009	**PERMIT EXPIRED DATE**	31-JUL-2014

EFFECTIVE DATE	01-AUG-2009	RETIREMENT DATE	

Permit Tracking Events:

EVENT DESCRIPTION	EVENT DATE
PTR	27-MAR-2015
PEX	31-JUL-2014
PEF	01-AUG-2009
ANR	31-JUL-2009
PIS	01-JUL-2009

Inspections

FACILITY NAME (1)	ICG HAZARD LLC (860-7018)	NPDES	KYG046120

INSPECTION TYPE	DATE OF INSPECTION	INSPECTION PERFORMED BY
ICG Hazard LLC(KYG046120) Comp Eval (Non-Sampling)	12-APR-2015	ST6

Outfalls/Pipe Schedules

FACILITY NAME (1)	ICG HAZARD LLC (860-7018)	NPDES	KYG046120
OUTFALL TYPE		PIPE NUMBER	
ACTIVITY STATUS		REPORT DESIGNATOR	
LATITUDE		LONGITUDE	
LAT/LON ACCURACY		LAT/LON METHOD	
LAT/LON SCALE		LAT/LON DATUM	
INACTIVE DATE		USGS HYDRO BASIN CODE	
INIT DMR DUE DATE		SUBMISSION UNITS	
PIPE DESCRIPTION		UNITS IN SUBM. PERIOD	
INIT REPORTING DATE		REPORTING UNITS	
UNITS IN REPORTING PERIOD		DMR COMMENT	

Limits Report

FACILITY NAME (1)	ICG HAZARD LLC (860-7018)	**NPDES**	KYG046120
PIPE NUMBER			
PIPE DESCRIPTION		**REPORT DESIGNATOR**	
DMR COMMENT		**LIMIT SET TYPE**	

No ICIS Limits Report Found.

Limits Report

FACILITY NAME (1)	ICG HAZARD LLC (860-7018)	**NPDES**	KYG046120

No ICIS Limits Information Found.

Measurements and Violations

FACILITY NAME (1)	ICG HAZARD LLC (860-7018)	**NPDES**	KYG046120

No ICIS Measurements Information Found.

Compliance Schedules and Violations

FACILITY NAME (1)	ICG HAZARD LLC (860-7018)	**NPDES**	KYG046120

Compliance Schedule Violations

SCHEDULE NUMBER	DATA SOURCE	VIOLATION	RNC DETECTION CODE	RNC DETECTION DATE	RNC RESOLUTION CODE	RNC RESOLUTION DATE
	2400147802	D0016				

No Compliance Schedules Found.

Pretreatment Inspections/Audits

FACILITY NAME (1)	ICG HAZARD LLC (860-7018)	**NPDES**	KYG046120

No ICIS Pretreatment Inspections Found.

Pretreatment Performance Summary

FACILITY NAME (1)	ICG HAZARD LLC (860-7018)	NPDES	KYG046120

No ICIS Pretreatment Performance Summary Information Found.

Note: You are viewing results from the modernized data system, Integrated Compliance Information System (ICIS). The state reporting this data to EPA previously reported the data to a historic data system, Permit Compliance System (PCS). Use the following button to view the historic data from PCS. Run a PCS Search

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Follow.

Detailed Facility Report

Detailed Facility Report

Facility Summary

ICG HAZARD LLC (860-7019)

JCT OF KY 1087 & KY 80, TALCUM, KY 41722

FRS (Facility Registry Service) ID: 110056398358
EPA Region: 04
Latitude: 37.3775
Longitude: -83.0961
Locational Data Source: NPDES
Industries: Mining (except Oil and Gas)
Indian Country: N

Enforcement and Compliance Summary

Statute	CWA
Compliance Monitoring Activities (5 years)	--
Date of Last Compliance Monitoring Activity	04/06/2015
Compliance Status	Terminated Permit
Qtrs in Noncompliance (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	1
Penalties from Formal Enforcement Actions (5 years)	$7,000
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

Regulatory Information

Clean Air Act (CAA): No Information
Clean Water Act (CWA): Minor, Permit Terminated; Compliance Tracking Off (KYG046707)
Resource Conservation and Recovery Act (RCRA): No Information
Safe Drinking Water Act (SDWA): No Information

Go To Enforcement/Compliance Details
Known Data Problems

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information
Greenhouse Gas Emissions (eGGRT): No Information
Toxic Releases (TRI): No Information
Compliance and Emissions Data Reporting Interface (CEDRI): No Information

Facility/System Characteristics

Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110056398358					N	37.3775	-83.0961
ICIS-NPDES	CWA	KYG046707	Minor: General Permit Covered Facility	Terminated; Compliance Tracking Off		07/31/2014	N	37.3775	-83.0961

Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110056398358	ICG HAZARD LLC (860-7019)	JCT OF KY 1087 & KY 80, TALCUM, KY 41722	
ICIS-NPDES	CWA	KYG046707	ICG HAZARD LLC (860-7019)	JCT OF KY 1087 & KY 80, TALCUM, KY 41722	Knott County

Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
ICIS-NPDES	KYG046707	1221	Bituminous Coal And Lignite - Surface

Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
ICIS-NPDES	KYG046707	212111	Bituminous Coal and Lignite Surface Mining

Facility Industrial Effluent Guidelines

Identifier	Effluent Guideline (40 CFR Part)	Effluent Guideline Description
No data records returned		

Facility Tribe Information

Reservation Name	Tribe Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned			

Enforcement and Compliance

Compliance Monitoring History

Last 5 Years

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
No data records returned							

Entries in italics are not counted as EPA official inspections.

Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
CWA	KYG046707	No	03/31/2023	0	08/25/2023

Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13+
	CWA (Source ID: KYG046707)	04/01-06/30/20	07/01-09/30/20	10/01-12/31/20	01/01-03/31/21	04/01-06/30/21	07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-08/25/23
	Facility-Level Status	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit
	Quarterly Noncompliance Report History													

Informal Enforcement Actions

Last 5 Years

Statute	System	Source ID	Type of Action	Lead Agency	Date
No data records returned					

Entries in italics are not counted as "informal enforcement actions" in EPA policies pertaining to enforcement response tools.

Formal Enforcement Actions

Last 5 Years

Statute	System	Law/Section	Source ID	Type of Action	Case No.	Lead Agency	Case Name	Issued/Filed Date	Settlements/Actions	Settlement/Action Date	Federal Penalty Assessed	State/Local Penalty Assessed	Penalty Amount Collected	SEP Value	Comp Action Cost
CWA	ICIS-NPDES	OTHER	NPDES/KYG046707	Administrative - Formal	KY-DOW 170083	State	IGC HAZARD LLC	09/19/2018	1	09/19/2018	$0	$7,000	$7,000	$0	$0

Environmental Conditions

Watersheds

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
051002010505	Lower Balls Fork	--	No	No	--	Yes

Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Aquatic Life	Fish Consumption Use	Recreation Use	Other Use
KY	2022	KY-159	Balls Fork 0.0 to 8.35	Impaired - 303(d) Listed	HABITAT ALTERATIONS | SALINITY/TOTAL DISSOLVED SOLIDS/CHLORIDES/SULFATES | SEDIMENT	Not Assessed	Not Supporting	Not Assessed	Not Assessed	--

Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)
No data records returned				

Pollutants

Toxics Release Inventory History of Reported Chemicals Released in Pounds per Year at Site

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharges	Off-Site Transfers to POTWs (Publicly Owned Treatment Works)	Underground Injections	Releases to Land	Total On-Site Releases	Total Off-Site Transfers
No data records returned								

Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name

No data records returned

DMR and TRI Multi-Year Loading Report

CWA (Clean Water Act) Discharge Monitoring Report (DMR) Pollutant Loadings

No data records returned

Community

Environmental Justice

This section shows indexes from EJScreen, EPA's screening tool for environmental justice (EJ) concerns. EPA uses these indexes to identify geographic areas that may warrant further consideration or analysis for potential EJ concerns. Use of these indexes does not designate an area as an "EJ community" or "EJ facility." EJScreen provides screening level indicators, not a determination of the existence or absence of EJ concerns. For more information, see the EJScreen home page.

EJScreen Indexes Shown

Compare to: (●) US ( ) State

Index Type: ( ) Environmental Justice (●) Supplemental

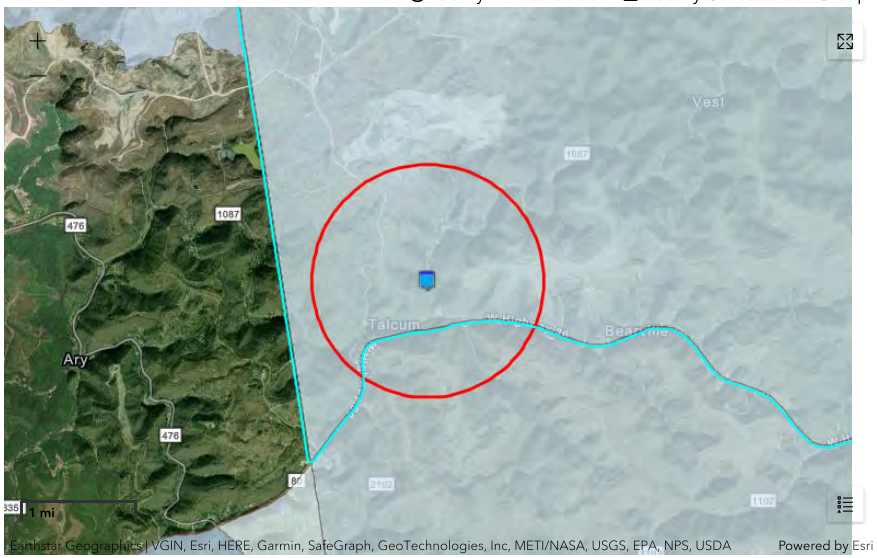
Related Reports

EJScreen Community Report

Download Data

Census Block Group ID: 211199602001	US (Percentile)	
Supplemental Indexes	Facility Census Block Group	1-mile Max
Count of Indexes At or Above 80th Percentile	**2**	**2**
Particulate Matter 2.5	66	66
Ozone	58	58
Diesel Particulate Matter	25	25
Air Toxics Cancer Risk	! 86	! 86
Air Toxics Respiratory Hazard Index	78	78
Toxic Releases to Air	0	--
Traffic Proximity	30	39
Lead Paint	77	77
Risk Management Plan (RMP) Facility Proximity	18	18
Hazardous Waste Proximity	0	--
Superfund Proximity	27	27
Underground Storage Tanks (UST)	60	60
Wastewater Discharge	! 89	! 89

○ Facility 1-mile Radius ☐ Facility Census Block Group



Demographic Profile of Surrounding Area (1 mile)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 U.S. Census and 2017 - 2021 American Community Survey (ACS) 5-year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. EPA's spatial processing methodology considers the overlap between the selected radii and the census blocks (for U.S. Census demographics) and census block groups (for ACS demographics) in determining the demographics surrounding the facility. For more detail about this methodology, see the DFR Data Dictionary.

General Statistics (U.S. Census)	
Total Persons	82
Population Density	26/sq.mi.
Housing Units in Area	34

General Statistics (ACS (American Community Survey))	
Total Persons	78
Percent People of Color	4%
Households in Area	21
Households on Public Assistance	1
Persons With Low Income	40
Percent With Low Income	51%

Geography	
Radius of Selected Area	1 mi.
Center Latitude	37.3775
Center Longitude	-83.0961
Land Area	99%

Age Breakdown (U.S. Census) - Persons (%)	
Children 5 years and younger	5 (6%)
Minors 17 years and younger	20 (24%)
Adults 18 years and older	62 (76%)
Seniors 65 years and older	11 (13%)

Race Breakdown (U.S. Census) - Persons (%)	
White	80 (98%)
African-American	0 (0%)
Hispanic-Origin	2 (2%)
Asian/Pacific Islander	0 (0%)
American Indian	0 (0%)
Other/Multiracial	2 (2%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Less than 9th Grade	7 (14.58%)
9th through 12th Grade	6 (12.5%)
High School Diploma	15 (31.25%)

Geography	
Water Area	1%
Income Breakdown (ACS (American Community Survey)) - Households (%)	
Less than $15,000	3 (13.64%)
$15,000 - $25,000	2 (9.09%)
$25,000 - $50,000	4 (18.18%)
$50,000 - $75,000	6 (27.27%)
Greater than $75,000	7 (31.82%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Some College/2-year	5 (10.42%)
B.S./B.A./Bachelor of Science/Bachelor of Arts or More	10 (20.83%)

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ICIS Detailed Reports

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Facility

FACILITY NAME (1)	ICG HAZARD LLC (860-7019)	**NPDES**	KYG046707
STREET 1	JCT OF KY 1087 & KY 80	**SIC CODE**	1221 = Bituminous Coal And Lignite - Surface
CITY	Lexington	**MAJOR / MINOR**	
COUNTY NAME	KY119	**TYPE OF OWNERSHIP**	COR
STATE	KY	**ACTIVITY STATUS**	TRM
ZIP CODE	41722	**INACTIVE DATE**	
REGION	04	**TYPE OF PERMIT ISSUED**	GPC
LATITUDE	37.3775	**ORIGINAL PERMIT ISSUE DATE**	26-NOV-2012
LONGITUDE	-83.0961	**PERMIT ISSUED DATE**	26-NOV-2012
LAT/LON CODE OF ACCURACY		**PERMIT EXPIRED DATE**	31-JUL-2014
LAT/LON METHOD			
LAT/LON SCALE		**USGS HYDRO BASIN CODE**	

LAT/LON DATUM		**FLOW**	
RECEIVING WATERS		**FEDERAL GRANT IND**	
PRETREATMENT CODE		**SLUDGE CLASS FAC IND**	NON-POTW
MAILING NAME	ICG Hazard LLC (860-7019)	**SLUDGE RELATED PERMIT NUM**	
MAILING STREET (1)	3228 Summit Square Pl Ste 180	**ANNUAL DRY SLUDGE PROD**	
MAILING STREET (2)			
MAILING CITY	Lexington		
MAILING STATE	Kentucky		
MAILING ZIP CODE	40509		
COGNIZANT OFFICIAL	Don R Gibson	**COGNIZANT OFFICIAL TEL**	6064357722

Activity

FACILITY NAME (1)	ICG HAZARD LLC (860-7019)	**NPDES**	KYG046707

ACTIVITY NAME	ACTIVITY TYPE DESCRIPTION	ACTIVITY STATUS DESCRIPTION	ACTIVITY STATUS DATE	ACTUAL BEGIN DATE	ACTUAL END DATE
IGC HAZARD LLC	Administrative - Formal	Closed	31-OCT-2018	26-SEP-2018	
	Permit	Active	30-DEC-2013		
ICG Hazard LLC(KYG046707) Comp Eval (Non-Sampling)	Inspection/Evaluation	Active	12-APR-2015	06-APR-2015	06-APR-2015

Contacts

FACILITY NAME (1)	ICG HAZARD LLC (860-7019)	**NPDES**	KYG046707

No Contacts Found.

Permit Tracking

FACILITY NAME (1)	ICG HAZARD LLC (860-7019)	**NPDES**	KYG046707
PERMIT ISSUED BY		**ORIGINAL DATE OF ISSUE**	26-NOV-2012
PERMIT ISSUED DATE	26-NOV-2012	**PERMIT EXPIRED DATE**	31-JUL-2014

EFFECTIVE DATE	01-DEC-2012	RETIREMENT DATE	

Permit Tracking Events:

EVENT DESCRIPTION	EVENT DATE
PTR	05-AUG-2015
PEX	31-JUL-2014
PEF	01-DEC-2012
DPN	26-NOV-2012
ANC	26-NOV-2012
PIS	26-NOV-2012
ANR	27-AUG-2012

Inspections

FACILITY NAME (1)	ICG HAZARD LLC (860-7019)	NPDES	KYG046707

INSPECTION TYPE	DATE OF INSPECTION	INSPECTION PERFORMED BY
ICG Hazard LLC(KYG046707) Comp Eval (Non-Sampling)	12-APR-2015	ST6

Outfalls/Pipe Schedules

FACILITY NAME (1)	ICG HAZARD LLC (860-7019)	NPDES	KYG046707
OUTFALL TYPE		PIPE NUMBER	
ACTIVITY STATUS		REPORT DESIGNATOR	
LATITUDE		LONGITUDE	
LAT/LON ACCURACY		LAT/LON METHOD	
LAT/LON SCALE		LAT/LON DATUM	
INACTIVE DATE		USGS HYDRO BASIN CODE	
INIT DMR DUE DATE		SUBMISSION UNITS	
PIPE DESCRIPTION		UNITS IN SUBM. PERIOD	

INIT REPORTING DATE		**REPORTING UNITS**	
UNITS IN REPORTING PERIOD		**DMR COMMENT**	

Limits Report

FACILITY NAME (1)	ICG HAZARD LLC (860-7019)	**NPDES**	KYG046707
PIPE NUMBER			
PIPE DESCRIPTION		**REPORT DESIGNATOR**	
DMR COMMENT		**LIMIT SET TYPE**	

No ICIS Limits Report Found.

Limits Report

FACILITY NAME (1)	ICG HAZARD LLC (860-7019)	**NPDES**	KYG046707

No ICIS Limits Information Found.

Measurements and Violations

FACILITY NAME (1)	ICG HAZARD LLC (860-7019)	**NPDES**	KYG046707

No ICIS Measurements Information Found.

Compliance Schedules and Violations

FACILITY NAME (1)	ICG HAZARD LLC (860-7019)	**NPDES**	KYG046707

Compliance Schedule Violations

SCHEDULE NUMBER	DATA SOURCE	VIOLATION	RNC DETECTION CODE	RNC DETECTION DATE	RNC RESOLUTION CODE	RNC RESOLUTION DATE
	3400191382	D0016				

No Compliance Schedules Found.

Pretreatment Inspections/Audits

FACILITY NAME (1)	ICG HAZARD LLC (860-7019)	NPDES	KYG046707

No ICIS Pretreatment Inspections Found.

Pretreatment Performance Summary

FACILITY NAME (1)	ICG HAZARD LLC (860-7019)	NPDES	KYG046707

No ICIS Pretreatment Performance Summary Information Found.

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Follow.

Detailed Facility Report

Detailed Facility Report

Facility Summary

RED STAR COAL CO (897-0182)

1524 LEBANON RD, ARY, KY 40422

FRS (Facility Registry Service) ID: 110011216139
EPA Region: 04
Latitude: 37.373056
Longitude: -83.113333
Locational Data Source: NPDES
Industries: Mining (except Oil and Gas)
Indian Country: N

Enforcement and Compliance Summary

Statute	CWA
Compliance Monitoring Activities (5 years)	--
Date of Last Compliance Monitoring Activity	--
Compliance Status	Terminated Permit
Qtrs in Noncompliance (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	--
Penalties from Formal Enforcement Actions (5 years)	--
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

Regulatory Information

Clean Air Act (CAA): No Information
Clean Water Act (CWA): Minor, Permit Terminated; Compliance Tracking Off (KYG041101)
Resource Conservation and Recovery Act (RCRA): No Information
Safe Drinking Water Act (SDWA): No Information

Go To Enforcement/Compliance Details
Known Data Problems

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information
Greenhouse Gas Emissions (eGGRT): No Information
Toxic Releases (TRI): No Information
Compliance and Emissions Data Reporting Interface (CEDRI): No Information

Facility/System Characteristics

Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110011216139					N	37.373056	-83.113333
ICIS-NPDES	CWA	KYG041101	Minor: General Permit Covered Facility	Terminated; Compliance Tracking Off		07/31/2014	N	37.373056	-83.113333

Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110011216139	RED STAR COAL CO (897-0182)	1524 LEBANON RD, ARY, KY 40422	
ICIS-NPDES	CWA	KYG041101	RED STAR COAL CO (897-0182)	1524 LEBANON RD, ARY, KY 40422	Perry County

Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
ICIS-NPDES	KYG041101	1221	Bituminous Coal And Lignite - Surface

Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
ICIS-NPDES	KYG041101	212111	Bituminous Coal and Lignite Surface Mining

Facility Industrial Effluent Guidelines

Identifier	Effluent Guideline (40 CFR Part)	Effluent Guideline Description
No data records returned		

Facility Tribe Information

Reservation Name	Tribe Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned			

Enforcement and Compliance

Compliance Monitoring History

Last 5 Years

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
No data records returned							

Entries in italics are not counted as EPA official inspections.

Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
CWA	KYG041101	No	03/31/2023	0	08/25/2023

Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13+
CWA (Source ID: KYG041101)		04/01-06/30/20	07/01-09/30/20	10/01-12/31/20	01/01-03/31/21	04/01-06/30/21	07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-08/25/23
	Facility-Level Status	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit	Terminated Permit
	Quarterly Noncompliance Report History													

Informal Enforcement Actions

Last 5 Years

Statute	System	Source ID	Type of Action	Lead Agency	Date
No data records returned					

Entries in italics are not counted as "informal enforcement actions" in EPA policies pertaining to enforcement response tools.

Formal Enforcement Actions

Last 5 Years

Statute	System	Law/Section	Source ID	Type of Action	Case No.	Lead Agency	Case Name	Issued/Filed Date	Settlements/Actions	Settlement/Action Date	Federal Penalty Assessed	State/Local Penalty Assessed	Penalty Amount Collected	SEP Value	Comp Action Cost
No data records returned															

Environmental Conditions

Watersheds

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
051002010505	Lower Balls Fork	--	No	No	--	Yes

Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Aquatic Life	Fish Consumption Use	Recreation Use	Other Use
KY	2022	KY-159	Balls Fork 0.0 to 8.35	Impaired - 303(d) Listed	HABITAT ALTERATIONS | SALINITY/TOTAL DISSOLVED SOLIDS/CHLORIDES/SULFATES | SEDIMENT	Not Assessed	Not Supporting	Not Assessed	Not Assessed	--

Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)
No data records returned				

Pollutants

Toxics Release Inventory History of Reported Chemicals Released in Pounds per Year at Site

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharges	Off-Site Transfers to POTWs (Publicly Owned Treatment Works)	Underground Injections	Releases to Land	Total On-Site Releases	Total Off-Site Transfers
No data records returned								

Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name

No data records returned

DMR and TRI Multi-Year Loading Report

CWA (Clean Water Act) Discharge Monitoring Report (DMR) Pollutant Loadings

No data records returned

Community

Environmental Justice

This section shows indexes from EJScreen, EPA's screening tool for environmental justice (EJ) concerns. EPA uses these indexes to identify geographic areas that may warrant further consideration or analysis for potential EJ concerns. Use of these indexes does not designate an area as an "EJ community" or "EJ facility." EJScreen provides screening level indicators, not a determination of the existence or absence of EJ concerns. For more information, see the EJScreen home page.

EJScreen Indexes Shown

Compare to: (●) US ( ) State

Index Type: ( ) Environmental Justice (●) Supplemental

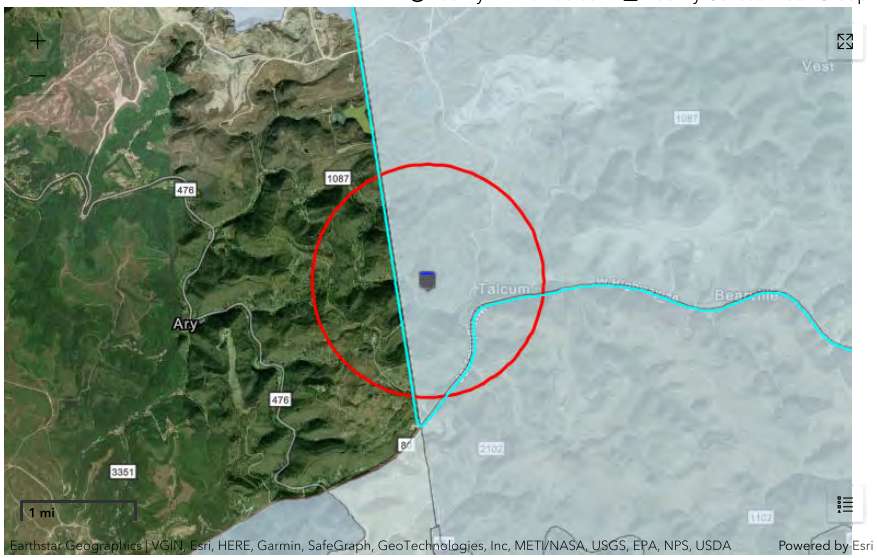
Related Reports

EJScreen Community Report

Download Data

Census Block Group ID: 211199602001	US (Percentile)	
Supplemental Indexes	Facility Census Block Group	1-mile Max
Count of Indexes At or Above 80th Percentile	**2**	**2**
Particulate Matter 2.5	66	66
Ozone	58	58
Diesel Particulate Matter	25	25
Air Toxics Cancer Risk	! 86	! 86
Air Toxics Respiratory Hazard Index	78	78
Toxic Releases to Air	0	--
Traffic Proximity	30	39
Lead Paint	77	77
Risk Management Plan (RMP) Facility Proximity	18	18
Hazardous Waste Proximity	0	--
Superfund Proximity	27	27
Underground Storage Tanks (UST)	60	60
Wastewater Discharge	! 89	! 89

( ) Facility 1-mile Radius ☐ Facility Census Block Group



Demographic Profile of Surrounding Area (1 mile)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 U.S. Census and 2017 - 2021 American Community Survey (ACS) 5-year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. EPA's spatial processing methodology considers the overlap between the selected radii and the census blocks (for U.S. Census demographics) and census block groups (for ACS demographics) in determining the demographics surrounding the facility. For more detail about this methodology, see the DFR Data Dictionary.

General Statistics (U.S. Census)	
Total Persons	128
Population Density	40/sq.mi.
Housing Units in Area	54

General Statistics (ACS (American Community Survey))	
Total Persons	108
Percent People of Color	2%
Households in Area	36
Households on Public Assistance	3
Persons With Low Income	42
Percent With Low Income	39%

Geography	
Radius of Selected Area	1 mi.
Center Latitude	37.373056
Center Longitude	-83.113333
Land Area	99%

Age Breakdown (U.S. Census) - Persons (%)	
Children 5 years and younger	13 (10%)
Minors 17 years and younger	33 (26%)
Adults 18 years and older	94 (73%)
Seniors 65 years and older	18 (14%)

Race Breakdown (U.S. Census) - Persons (%)	
White	126 (98%)
African-American	0 (0%)
Hispanic-Origin	1 (1%)
Asian/Pacific Islander	0 (0%)
American Indian	0 (0%)
Other/Multiracial	1 (1%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Less than 9th Grade	8 (10.96%)
9th through 12th Grade	7 (9.59%)
High School Diploma	23 (31.51%)

Geography	
Water Area	1%
Income Breakdown (ACS (American Community Survey)) - Households (%)	
Less than $15,000	3 (8.82%)
$15,000 - $25,000	2 (5.88%)
$25,000 - $50,000	8 (23.53%)
$50,000 - $75,000	9 (26.47%)
Greater than $75,000	12 (35.29%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Some College/2-year	19 (26.03%)
B.S./B.A./Bachelor of Science/Bachelor of Arts or More	10 (13.7%)

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Facility

FACILITY NAME (1)	RED STAR COAL CO (897-0182)	**NPDES**	KYG041101
STREET 1	1524 LEBANON RD	**SIC CODE**	1221 = Bituminous Coal And Lignite - Surface
CITY	Dwarf	**MAJOR / MINOR**	
COUNTY NAME	KY193	**TYPE OF OWNERSHIP**	POF
STATE	KY	**ACTIVITY STATUS**	TRM
ZIP CODE	40422	**INACTIVE DATE**	
REGION	04	**TYPE OF PERMIT ISSUED**	GPC
LATITUDE	37.373056	**ORIGINAL PERMIT ISSUE DATE**	31-DEC-1985
LONGITUDE	-83.113333	**PERMIT ISSUED DATE**	01-JUL-2009
LAT/LON CODE OF ACCURACY	30	**PERMIT EXPIRED DATE**	31-JUL-2014
LAT/LON METHOD	021		
LAT/LON SCALE		**USGS HYDRO BASIN CODE**	

LAT/LON DATUM	002	**FLOW**	
RECEIVING WATERS		**FEDERAL GRANT IND**	N
PRETREATMENT CODE		**SLUDGE CLASS FAC IND**	NON-POTW
MAILING NAME	Red Star Coal Co (897-0182)	**SLUDGE RELATED PERMIT NUM**	
MAILING STREET (1)	PO Box 450	**ANNUAL DRY SLUDGE PROD**	
MAILING STREET (2)			
MAILING CITY	Dwarf		
MAILING STATE	Kentucky		
MAILING ZIP CODE	41739		
COGNIZANT OFFICIAL		**COGNIZANT OFFICIAL TEL**	

Activity

FACILITY NAME (1)	RED STAR COAL CO (897-0182)	**NPDES**	KYG041101

ACTIVITY NAME	ACTIVITY TYPE DESCRIPTION	ACTIVITY STATUS DESCRIPTION	ACTIVITY STATUS DATE	ACTUAL BEGIN DATE	ACTUAL END DATE
NPDES Permit (CWA)	Permit				
RED STAR COAL CO (Permit KYG041101) Administrative Order	Administrative - Formal	Final Order Issued	03-AUG-1994	19-FEB-2011	

Contacts

FACILITY NAME (1)	RED STAR COAL CO (897-0182)	**NPDES**	KYG041101

No Contacts Found.

Permit Tracking

FACILITY NAME (1)	RED STAR COAL CO (897-0182)	**NPDES**	KYG041101
PERMIT ISSUED BY		**ORIGINAL DATE OF ISSUE**	31-DEC-1985
PERMIT ISSUED DATE	01-JUL-2009	**PERMIT EXPIRED DATE**	31-JUL-2014
EFFECTIVE DATE	01-AUG-2009	**RETIREMENT DATE**	

Permit Tracking Events:

EVENT DESCRIPTION	EVENT DATE
PEX	31-JUL-2014
PTR	01-AUG-2011
PEF	01-AUG-2009
ANR	31-JUL-2009
PIS	01-JUL-2009

Inspections

FACILITY NAME (1)	RED STAR COAL CO (897-0182)	NPDES	KYG041101

No Inspections Found.

Outfalls/Pipe Schedules

FACILITY NAME (1)	RED STAR COAL CO (897-0182)	NPDES	KYG041101
OUTFALL TYPE		PIPE NUMBER	
ACTIVITY STATUS		REPORT DESIGNATOR	
LATITUDE		LONGITUDE	
LAT/LON ACCURACY		LAT/LON METHOD	
LAT/LON SCALE		LAT/LON DATUM	
INACTIVE DATE		USGS HYDRO BASIN CODE	
INIT DMR DUE DATE		SUBMISSION UNITS	
PIPE DESCRIPTION		UNITS IN SUBM. PERIOD	
INIT REPORTING DATE		REPORTING UNITS	
UNITS IN REPORTING PERIOD		DMR COMMENT	

Limits Report

FACILITY NAME (1)	RED STAR COAL CO (897-0182)	NPDES	KYG041101

PIPE NUMBER			
PIPE DESCRIPTION		**REPORT DESIGNATOR**	
DMR COMMENT		**LIMIT SET TYPE**	

No ICIS Limits Report Found.

Limits Report

FACILITY NAME (1)	RED STAR COAL CO (897-0182)	**NPDES**	KYG041101

No ICIS Limits Information Found.

Measurements and Violations

FACILITY NAME (1)	RED STAR COAL CO (897-0182)	**NPDES**	KYG041101

No ICIS Measurements Information Found.

Compliance Schedules and Violations

FACILITY NAME (1)	RED STAR COAL CO (897-0182)	**NPDES**	KYG041101

No Compliance Schedules Found.

Pretreatment Inspections/Audits

FACILITY NAME (1)	RED STAR COAL CO (897-0182)	**NPDES**	KYG041101

No ICIS Pretreatment Inspections Found.

Pretreatment Performance Summary

FACILITY NAME (1)	RED STAR COAL CO (897-0182)	**NPDES**	KYG041101

No ICIS Pretreatment Performance Summary Information Found.

Note: You are viewing results from the modernized data system, Integrated Compliance Information System (ICIS). The state reporting this data to EPA previously reported the data to a historic data system, Permit Compliance System (PCS). Use the following button to view the historic data from PCS. Run a PCS Search

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Follow.

Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service ("FWS" and "NMFS" or "the Services").	The Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq*.); particularly section 7 (16 USC 1536).	50 CFR Part 402

1. Does the project involve any activities that have the potential to affect specifies or habitats?

No, the project will have No Effect due to the nature of the activities involved in the project.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

✓ Yes, the activities involved in the project have the potential to affect species and/or habitats.

2. Are federally listed species or designated critical habitats present in the action area?

✓ No, the project will have No Effect due to the absence of federally listed species and designated critical habitat

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below. Documentation may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.

Yes, there are federally listed species or designated critical habitats present in the action area.

Screen Summary

Compliance Determination

This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act. Kentucky Housing Corporation (KHC) reviewed the US Fish and Wildlife Service IPaC website for a list of species and critical habitats that have potential to occur within the action area on August 27, 2023. According to the endangered species list action area on May 3, 2023. According to the endangered species list generated on IPaC (Project Code: 2023-0122046) there are five species that may be present but ''there are no critical habitats within your project area under this office's jurisdiction.'' In a letter sent via email dated August 31, 2023, KHC requested US Fish and Wildlife Service concurrence with the determination that development of the proposed subdivision will have no effect on the Gray Bat (Myotis grisescens), the Northern Long-Eared Bat (Myotis septentrionalis), the Indiana Bat (Myotis sodalis), and the Monarch Butterfly (Danaus plexippus) and that the project may affect but is not likely t0adversely affect the Kentucky Arrow Darter (Etheostoma spilotum), In a letter dated September 20, 2023, the Kentucky Ecological Services Field Office (KFO) of the US Fish and Wildlife Service stated "Federally Listed Species: The KHC has determined that the proposed project will have ''no effect'' on the gray bat (Myotis grisescens), Indiana bat (Myotis sodalis), northern long-eared bat (Myotis septentrionalis), or monarch butterfly (Danaus plexippus) due to lack of suitable habitat at the project site. There is no requirement to request concurrence with a ''no effect'' determination; however, the KFO acknowledges this determination and has no additional comments or concerns regarding these species. The KHC has also determined that the proposed project has the potential to affect the Kentucky arrow darter (Etheostoma spilotum). Habitat assessments of the project site were performed by the Energy and Environment Cabinet on May 17 and July 14, 2023. Kentucky Arrow Darter: Based on the habitat assessments, no streams or other waterbodies are located on the project site. Additionally, the site does not drain to any streams with known occurrences of the Kentucky arrow darter or that are designated critical habitat for this species. Based on these findings, we concur with your determination that the proposed action 'may affect but is not likely to adversely affect' the Kentucky arrow darter."

Supporting documentation

KHC USFWS Consultation Request_Olive Branch_2023-8-31_resubmission.pdf
USFWS Concurrence Letter-Olive Branch_2023-9-20.pdf
Email re-submitting consultation request to USFWS_Olive Branch_2023-8-31.pdf
KY EEC email verifying pond and Deadland Branch no longer exist_2023-8-28(1).pdf
Page 19 of Olive Branch Phase I ESA.pdf

National Wetlands Inventory Map_Olive Branch Subdivision_2023-8-27(1).pdf
Species List_ Kentucky Ecological Services Field Office_Olive Branch_2023-8-27.pdf
NE Consistency Letter_ NLE Bat Rangewide Determination Key_Olive Branch_2023-08-27.pdf
MA Consistency Letter_KY State-wide Determination Key_Olive Branch_2023-08-27.pdf
IPaC_Indiana Bat Determination Key_Olive Branch_2023-8-27.pdf
EEC Email Confirming No Bat Habitat_Carr_2023-8-25.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Kentucky Ecological Services Field Office
330 West Broadway, Suite 265
Frankfort, Kentucky 40601
(502) 695-0468

September 20, 2023

Mr. Curtis Stauffer
Kentucky Housing Corporation
1231 Louisville Road
Frankfort, KY 40601

Subject: FWS 2023-0122046; Team Kentucky Olive Branch Subdivision, Knott County, Kentucky

Dear Mr. Stauffer:

The U.S. Fish and Wildlife Service's (Service) Kentucky Field Office (KFO) has reviewed the request for concurrence for the above-referenced project received by our office on August 31, 2023. The Commonwealth of Kentucky, in partnership with the Kentucky Housing Corporation (KHC), is proposing to construct a new subdivision in Knott County, Kentucky to create "higher ground" replacement housing following the July 2022 southeastern Kentucky flood disaster. The KFO offers the following comments in accordance with the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

Project Description

The proposed project includes construction of the new Olive Branch subdivision on approximately 77 acres of reclaimed mine land off CR-1390 (Starfire Haul Road) near its intersection with KY-1087 (37.379586°N, -83.109685°W). The project will include up to 145 single-family detached housing units and associated roads, utilities, and sewer infrastructure. The project site will be divided into two development areas. Area A (22 acres) will consist of 40 to 45 single-family detached housing units. Area B (55 acres) will consist of 90 to 100 single-family detached housing units, as well as approximately nine acres dedicated to community green space, such as trails, a playground, and picnic shelters. The project site was reclaimed according to an approved mine reclamation plan and revegetated to support pastureland. The site currently consists of open field with scattered shrubs and small trees.

The KHC and the Kentucky Department for Local Government (DLG) are considering funding the project with HOME Investment Partnerships funds (KHC) and Community Development Block Grant Disaster Recovery funds (DLG) from the U.S. Department of Housing and Urban Development. Under HUD regulation 24 CFR 58.4, the Kentucky Housing Corporation has

assumed HUD's environmental review responsibilities for the project, including endangered species consultation.

Federally Listed Species

The KHC has determined that the proposed project will have "no effect" on the gray bat (*Myotis grisescens*), Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), or monarch butterfly (*Danaus plexippus*) due to lack of suitable habitat at the project site. There is no requirement to request concurrence with a "no effect" determination; however, the KFO acknowledges this determination and has no additional comments or concerns regarding these species. The KHC has also determined that the proposed project has the potential to affect the Kentucky arrow darter (*Etheostoma spilotum*). Habitat assessments of the project site were performed by the Energy and Environment Cabinet on May 17 and July 14, 2023.

Kentucky Arrow Darter

Based on the habitat assessments, no streams or other waterbodies are located on the project site. Additionally, the site does not drain to any streams with known occurrences of the Kentucky arrow darter or that are designated critical habitat for this species. Based on these findings, we concur with your determination that the proposed action "may affect but is not likely to adversely affect" the Kentucky arrow darter.

Summary

The KFO concurs that the proposed action "may affect but is not likely to adversely affect" the Kentucky arrow darter. In view of these findings, we believe that the Section 7 requirements of the Endangered Species Act for this project are fulfilled. The KHC should reconsider their Section 7 obligation, if: (1) new information reveals that the proposed action may affect listed species in a manner or to an extent not previously considered, (2) the proposed action is subsequently modified to include activities which were not considered during this consultation, or (3) new species are listed or critical habitat designated.

We appreciate the opportunity to review the proposed project. If you have any questions, please contact Seth Bishop of my staff at seth_bishop@fws.gov.

Sincerely,

Virgil Lee Andrews, Jr.
Field Supervisor

Curtis Stauffer

From: Curtis Stauffer
Sent: Thursday, August 31, 2023 1:27 PM
To: 'KentuckyES, FW4'
Cc: Wendy Smith; Kaye Mcafee; Jessica Shelton; Keli Reynolds; Jennifer Oberlin; 'Jennifer Peters (jennifer.peters@ky.gov)'; 'Lyons, John (EEC)'; 'Aldridge, Louanna C (EEC)'; 'Carr, Sunni L (EEC)'; 'Skaggs, Courtney (EEC)'; 'matt.stephens@ky.gov'; 'Weber, Travis A (DLG)'
Subject: RESUBMISSION: Consultation request for Team Kentucky Olive Branch, Knott County (37.379586, -83.109685) (IPaC # 2023-0122046)
Attachments: KHC USFWS Consultation Request_Olive Branch_2023-8-31_resubmission.pdf

Hello-

Please accept my apologies for the errors, but typos were identified in the previously submitted letter and I'd like to resubmit. Please use this version (attached) of the Kentucky Housing Corporation's consultation request letter with attachments for the proposed Team KY Olive Branch subdivision in Knott County, KY (IPaC # 2023-0122046, geographic coordinates: 37.379586, -83.109685).

Thanks again for your time and consideration.

Sincerely,

Curtis Stauffer

Curtis A. Stauffer, MA, PMP, HDFP
Managing Director,
Housing Contract Administration
Pronouns: he/him/his
Kentucky Housing Corporation
1231 Louisville Rd.
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From: Curtis Stauffer
Sent: Thursday, August 31, 2023 8:20 AM
To: KentuckyES, FW4 <kentuckyes@fws.gov>
Cc: Wendy Smith <wsmith@kyhousing.org>; Kaye Mcafee <kmcafee@kyhousing.org>; Jessica Shelton <JShelton@kyhousing.org>; Keli Reynolds <kreynolds@kyhousing.org>; Jennifer Oberlin <JOberlin@kyhousing.org>; Jennifer Peters (jennifer.peters@ky.gov) <jennifer.peters@ky.gov>; Lyons, John (EEC) <john.lyons@ky.gov>; Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>; Carr, Sunni L (EEC) <sunni.carr@ky.gov>; Skaggs, Courtney (EEC) <courtney.skaggs@ky.gov>; matt.stephens@ky.gov; Weber, Travis A (DLG) <travis.weber@ky.gov>
Subject: Consultation request for Team Kentucky Olive Branch, Knott County (37.379586, -83.109685) (IPaC # 2023-0122046)

Hello-

Attached please find Kentucky Housing Corporation's consultation request letter with attachments for the proposed Team KY Olive Branch subdivision in Knott County, KY (IPaC # 2023-0122046, geographic coordinates: 37.379586, -83.109685). This is one of the "higher ground" housing projects proposed for the southeastern Kentucky flood recovery.

Please let us know if you have any questions or require additional information.

Sincerely,

Curtis Stauffer

_____

Curtis A. Stauffer, MA, PMP, HDFP
Managing Director,
Housing Contract Administration
Pronouns: he/him/his
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KHC's blog: www.StrategicHousing.com

Curtis Stauffer

From: Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Sent: Monday, August 28, 2023 2:07 PM
To: Curtis Stauffer; Lyons, John (EEC); townes, lisa
Subject: Fwd: Olive Branch Development

EXTERNAL EMAIL: Do not click links or open attachments unless you recognize the sender and know the content is safe.

From our PG

From: Logsdon, Kenneth C (EEC) <Kenneth.Logsdon@ky.gov>
Sent: Monday, August 28, 2023 1:59:05 PM
To: Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Subject: Re: Olive Branch Development

If we are talking about the purple one, it is definitely not there, verified on foot and via Google Earth:

As far as what used to be deadland Branch (former line from topo map marked in yellow) the site is largely flat and there is currently no remnant of a stream. Everything is fill:

From: Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Sent: Monday, August 28, 2023 1:24 PM
To: Logsdon, Kenneth C (EEC) <Kenneth.Logsdon@ky.gov>
Subject: Fwd: Olive Branch Development

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Can you help with Curtis's question

From: Curtis Stauffer <cstauffer@kyhousing.org>
Sent: Monday, August 28, 2023 1:08:50 PM
To: Lyons, John (EEC) <john.lyons@ky.gov>; Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Cc: townes, lisa <Lisa.townes@haspaldingengineers.com>
Subject: RE: Olive Branch Development

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Hi John-

Below is what I sent Louanna yesterday.

Thanks!

Curtis

The USFWS National Wetlands Inventory Map shows a 0.5-acre pond in the proposed subdivision development area. From the NWI website "This 0.50 acre Freshwater Pond habitat is classified as a PUBHx. For a complete code description, click here. The wetlands and deepwater habitats in this area were photo interpreted using 1:58,000 scale, color infrared imagery from 1983."
Classification code: PUBHx

- System Palustrine (P) : The Palustrine System includes all nontidal wetlands dominated by trees, shrubs, persistent emergents, emergent mosses or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean-derived salts is below 0.5 ppt. It also includes wetlands lacking such vegetation, but with all of the following four characteristics: (1) area less than 8 ha (20 acres); (2) active wave-formed or bedrock shoreline features lacking; (3) water depth in the deepest part of basin less than 2.5 m (8.2 ft) at low water; and (4) salinity due to ocean-derived salts less than 0.5 ppt.
- Class Unconsolidated Bottom (UB) : Includes all wetlands and deepwater habitats with at least 25% cover of particles smaller than stones (less than 6-7 cm), and a vegetative cover less than 30%.
- Water Regime Permanently Flooded (H) : Water covers the substrate throughout the year in all years.
- Special Modifier Excavated (x) : This Modifier is used to identify wetland basins or channels that were excavated by humans.

I assume this no longer exists, due to mining, but we'll need some way to document that. Can EEC provide that documentation?

Additionally, the wetlands map shows a small riverine (Dead Land Branch) adjacent to the southwest side of the property flowing into Balls Fork at KY1087 that doesn't appear on any Google Aerial Maps, but did show up as a named body of water on the USDA NRCS Web Soil Survey. Does this riverine still exist?

_____

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No hazardous waste, or petroleum products were observed on the subject property during the site reconnaissance. Historical records indicate surface mining operations took place on and around the subject property, but no records indicate the use or production of hazardous substances or petroleum products which would warrant any regulatory action.

5.10 Odors

No odors associated with the release of hazardous substances, petroleum product, or industrial activities were noted at the subject property during the site reconnaissance.

5.11 Pits, Ponds, and Lagoons

No pits, ponds, or lagoons were observed on the subject property.

5.12 Stained Soil/Pavement

No significant staining associated with hazardous substances or petroleum products was found on soil or pavement at the subject property.

5.13 Wastewater

No evidence of wastewater was observed at the subject property during the site reconnaissance. No records of sewer service or septic systems on the subject property were found during historical review.

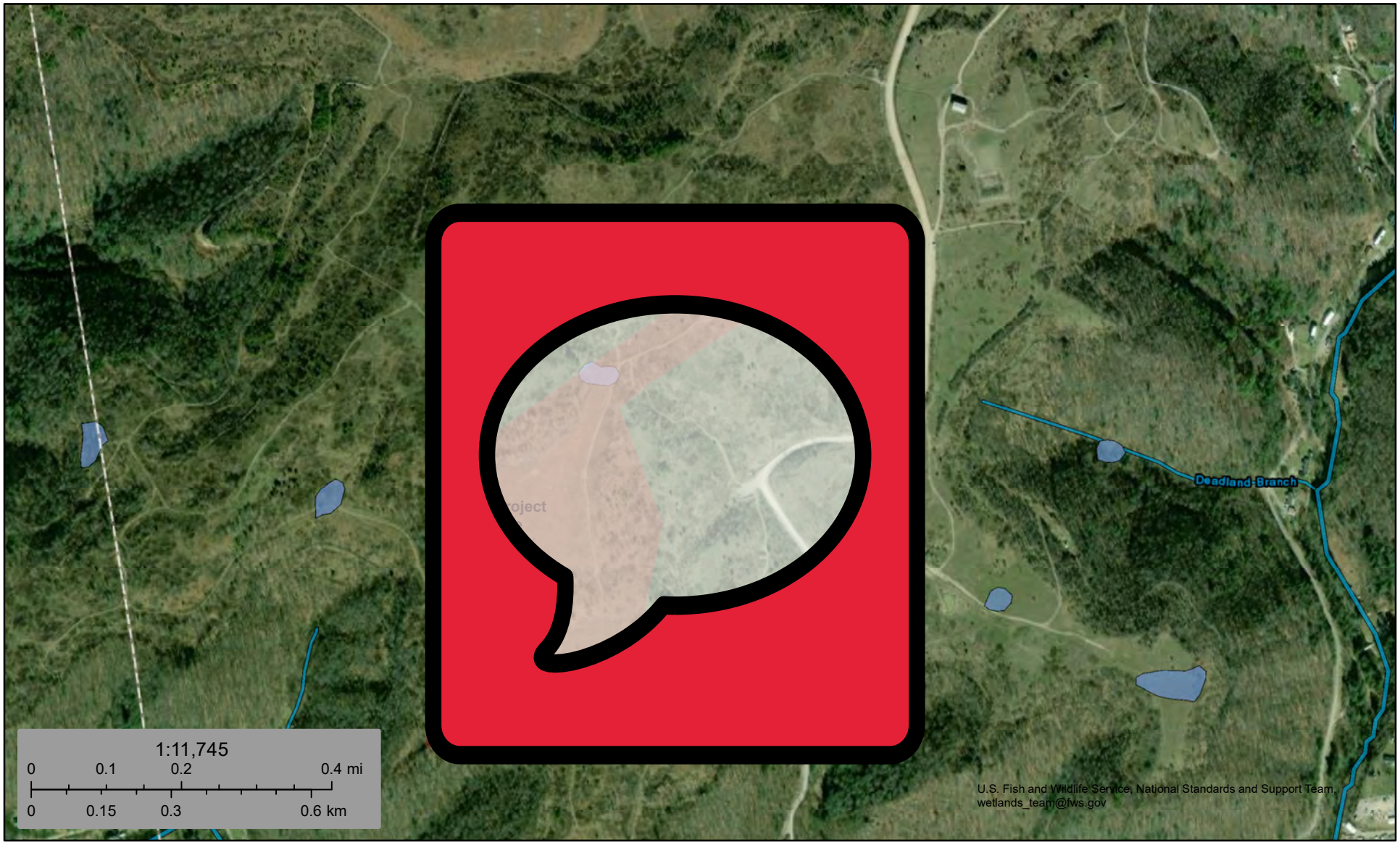
5.14 Wells

According to the EDR Physical Settings Report, there are approximately seven wells within ¼ to ½ mile of the subject property. Well data is listed in the table below.

Well ID	Status	Type	Distance from Subject Property
USGS KY Water Science Center Location: H27B0015	No reports or sampling data available	Monitoring Well	¼ - ½ Mile
USGS KY Water Science Center Location: H27B0016	No reports or sampling data available	Monitoring Well	¼ - ½ Mile
Domestic- Single Household AKGWA-40006148	Unknown	Water Well	¼ - ½ Mile
User Unknown AKGWA-40006503	Unknown	Water Well	¼ - ½ Mile
USGS KY Water Science Center Location: H27B0012	Sampled - 1982	Monitoring Well	¼ - ½ Mile

U.S. Fish and Wildlife Service
National Wetlands Inventory

Olive Branch Subdivision



August 27, 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.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

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August 31, 2023

Kentucky Ecological Services Field Office
J C Watts Federal Building, Room 265
330 West Broadway
Frankfort, KY 40601-8670
Via e-mail to: kentuckyes@fws.gov

RE: 2023-0122046 - Team Kentucky Olive Branch, Knott County, KY (37.379586, -83.109685) -HUD HOME Investment Partnerships and Community Development Block Grant Disaster Recovery (CDBG-DR) Housing Subdivision

Dear Kentucky Ecological Services Field Office:

Kentucky Housing Corporation (KHC) and the Kentucky Department for Local Government (DLG) are considering funding the project listed above with HOME Investment Partnerships funds (KHC) and Community Development Block Grant Disaster Recovery funds (DLG) from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the Kentucky Housing Corporation has assumed HUD's environmental review responsibilities for the project, including endangered species consultation related to single family new construction development.

KHC is requesting concurrence from the U.S. Fish and Wildlife Service that the proposed single-family subdivision project: 1) *may affect* but will not adversely affect the Kentucky Arrow Darter (Etheostoma spilotum) and 2) will have *no effect* on the Gray Bat (Myotis grisescens), the Northern Long-Eared Bat (Myotis septentrionalis), the Indiana Bat (Myotis sodalis), and the Monarch Butterfly (Danaus plexippus).

The Commonwealth of Kentucky, in partnership with Kentucky Housing Corporation (KHC), will build up to 145 single-family detached housing units, in a new subdivision to be called Olive Branch on approximately 77 acres in Knott County (center point coordinates: 37.379586, -83.109685). The subdivision will be developed on reclaimed mine land in Knott County, KY off of CR-1390 (a.k.a. Starfire Haul Road) near its intersection with intersection of KY-1087. Knott County is a Most Impacted and Distressed (MID) area for CDBG-DR and CDBG-MIT funding. The surface property consists of previously mined lands under River Coal Company, Permit No. 860-0063[1], and Liberty Management, Permit No. 860-0565. Both permits achieved Phase III bond release on March 28, 1995, and October 3, 2017, respectively, and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). This project will create "higher ground" replacement housing following the July 2022 southeastern Kentucky flood disaster. The project site will be divided into two development areas. Area A (22 acres) will consist of 40-45 single-family detached (center point coordinates: 37.381642, -83.104906). Area B (55 acres) will consist

[1] Please note that the Kentucky Department for Natural Resources (DNR) no longer has bond release records for River Coal Company Permit No. 860-0063 due to the age of the bond release.

EQUAL HOUSING OPPORTUNITY

of 90-100 single-family detached units (center point coordinates: 37.376968, -83.110429). Within Area B there will be approximately 9 acres dedicated to community green space, with potential amenities such as trails, playground, and picnic shelters. KHC will select developers to build the homes to be sold to eligible homebuyers. The Commonwealth will acquire the property and will grade the site where needed. The Commonwealth and Knott County, KY will develop road, water, power, and sewer infrastructure. Kentucky Power will design and construct the electric utilities (with the exception of installation of underground conduit), all to support the development of single-family detached housing. Utilities are located adjacent to the project area. Electric, water and sewer lines will be extended to service the project area. Access to the site will be through connection to CR-1390.

KHC reviewed your agency's IPaC website for a list of species and critical habitats that have potential to occur within the action area on August 27, 2023. According to the endangered species list generated on IPaC (Project Code: 2023-0122046) there are five species that may be present but "there are no critical habitats within your project area under this office's jurisdiction."

The five species identified are the Kentucky Arrow Darter (Etheostoma spilotum), the Northern Long-Eared Bat (Myotis septentrionalis), the Indiana Bat (Myotis sodalist), the Gray Bat (Myotis grisescens) and the Monarch Butterfly (Danaus plexippus).

Bats: The surface property consists of previously mined lands under River Coal Company, Permit No. 860-0063, and Liberty Management, Permit No. 860-0565. Both permits achieved Phase III bond release on March 28, 1995, and October 3, 2017, respectively, and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). Per an email from the Kentucky Energy and Environment Cabinet dated May 10, 2023, "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 use of pastureland; and
- Ensure the reclaimed area was capable of supporting the pastureland post mining land use upon expiration of the 5-year liability period required in 405 KAR Chapter 10."

Site inspection by the Energy and Environment Cabinet on May 17, 2023, found no portals, caves or karst on the site and a second inspection on July 14, 2023, confirmed that there was no bat habitat present. Because this site is previously disturbed land with no critical habitat present, KHC has concluded that this activity will not affect bat species. This is supported in the No Effect Consistency Letter for the Northern Long-Eared Bat generated in IPaC on August 28, 2023.

Kentucky Darter: While IPaC determined that the project may affect the Kentucky Darter the project site does not contain nor will it impact any bodies of water. The US Fish and Wildlife Service National Wetlands Inventory (NWI) map identifies a 0.5-acre pond (Classification code: PUBHx) within the proposed development area for the Olive Branch subdivision. As specified in its classification code definition, the pond was human excavated. However, the pond is no longer present. The NWI data is based on color infrared imagery from 1983 and is significantly outdated. Page 19 of the *Site-Specific Phase I Environmental Site Assessment Olive Branch Property, Bulan (Knott County), Kentucky, May 25,2023* (Phase I ESA) conducted by the Kentucky Energy and Environment Cabinet (EEC) states "No pits, ponds, or lagoons were observed on the subject property." Additionally, in an email dated August 28, 2023, Kenneth Logsdon, Registered Geologist Supervisor for the EEC Department of Environmental Protection Superfund Branch, who was part of the Phase I ESA Site Reconnaissance Team (site inspection on May 17, 2023), stated that the pond "is definitely not there, verified on foot and via Google Earth.

Monarch Butterfly: Milkweed was not identified on site during inspection and KHC believes the construction of housing on this reclaimed mineland will have no effect on the species.

For these reasons, we conclude that the development of a new housing subdivision not likely to adversely affect the Kentucky Arrow Darter (Etheostoma spilotum), Gray Bat (Myotis grisescens), the Northern Long-Eared Bat (Myotis septentrionalis), the Indiana Bat (Myotis sodalis), and the Monarch Butterfly (Danaus plexippus).

We request your concurrence with our determination(s). Please contact me at cstauffer@kyhousing.org if you have any questions. To meet project timeframes can you please let us know of your concurrence within 30 days of this submission?

Sincerely,

Curtis A. Stauffer, Managing Director-Housing Contract Administration

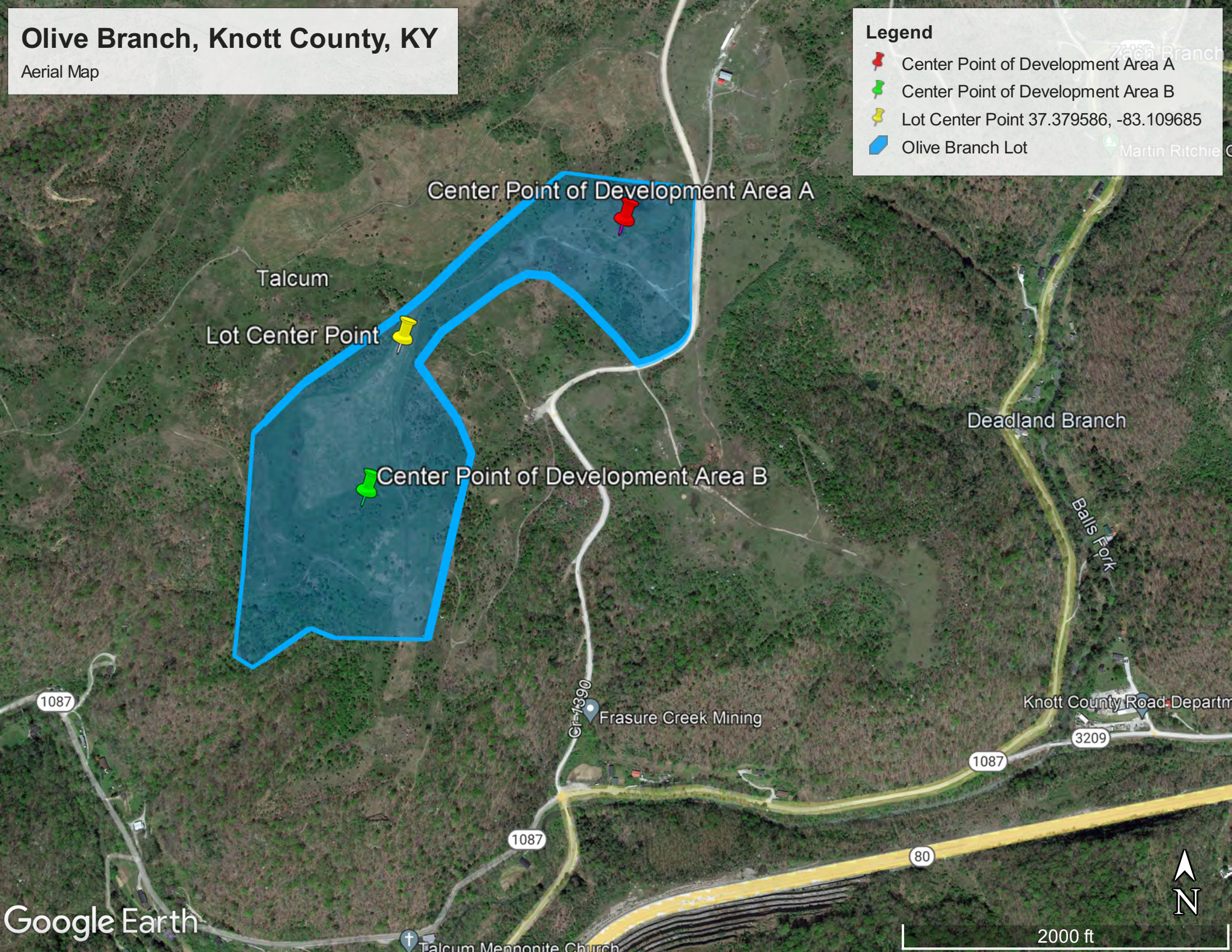
cc: Wendy Smith (wsmith@kyhousing.org)
Kaye McAfee (kmacafee@kyhousing.org)
Jessica Shelton (jshelton@kyhousing.org)
Keli Reynolds (kreynolds@kyhousing.org)
Jennifer Oberlin (joberlin@kyhousing.org)
Jennifer Peters (jennifer.peters@ky.gov)
John Lyons (john.lyons@ky.gov)
Louanna Aldridge (louanna.aldridge@ky.gov)
Sunni Carr (sunni.carr@ky.gov)
Courtney Skaggs (Courtney.skaggs@ky.gov)
Matt Stephens (matt.stephens@ky.gov)
Travis Weber (travis.weber@ky.gov)

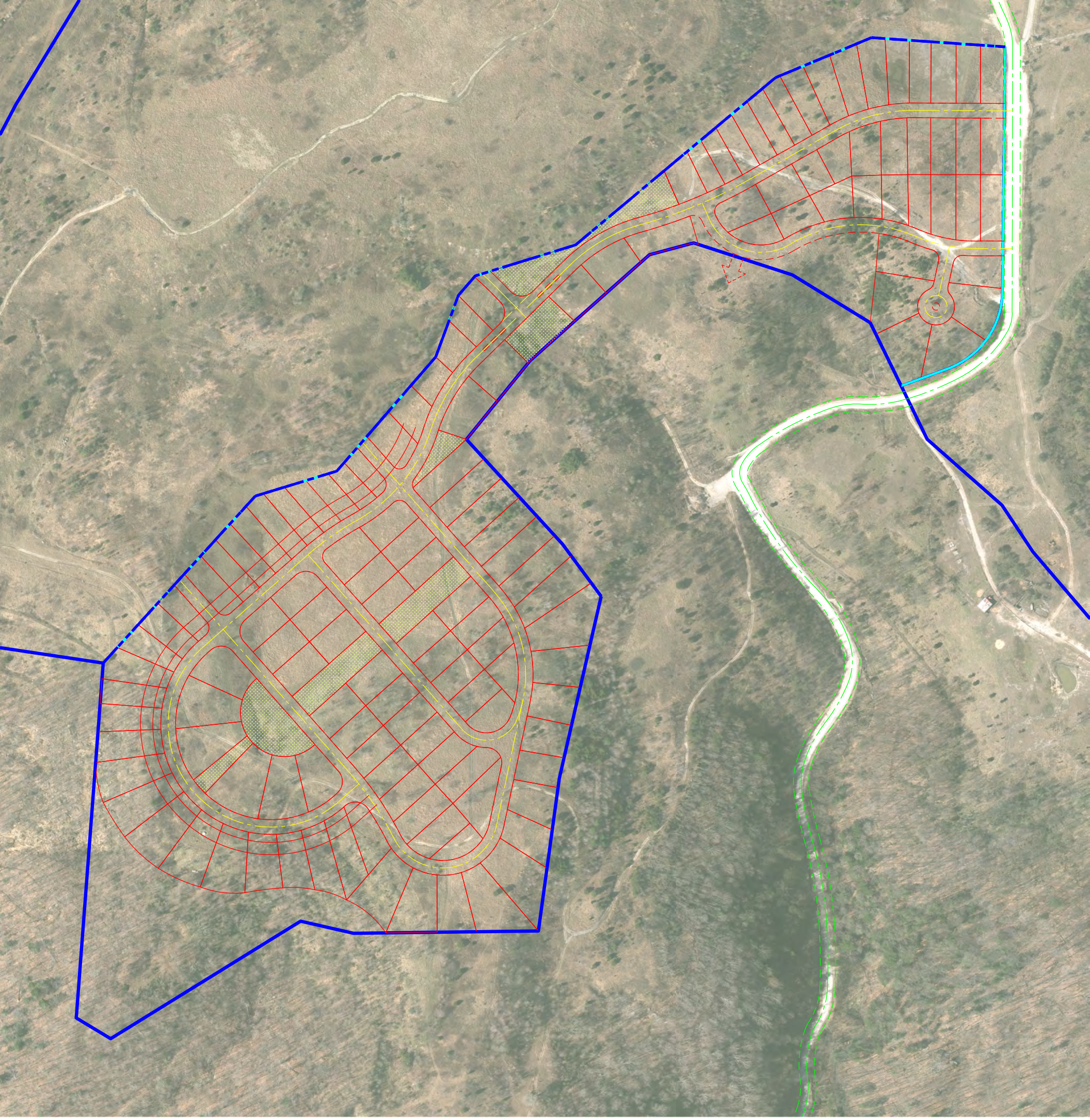
Attachments:

- Aerial Map with approximate site boundaries
- Plat Map Sketch
- Site photos from *Site-Specific Phase I Environmental Site Assessment Olive Branch Property, Bulan (Knott County), Kentucky, May 25,2023* conducted by the Kentucky Energy and Environment Cabinet Department for Environmental Protection Division of Waste Management Superfund Branch
- Mine Reclamation Maps for River Coal Company, Permit No. 860-0063 and Liberty Management, Permit No. 860-0565.
- Energy and Environment Cabinet Email describing mine reclamation activities under Laurel Mountain Resources, LLC Permit 860-0519 (May 10, 2023)
- Phase III Bond Release Letters for Liberty Management, Permit No. 860-0565 (September 15, 2017)
- Final Mine Inspection Report for Liberty Management, Permit No. 860-0565 (October 3, 2017)
- IPaC Species List-Kentucky Ecological Services Field Office
- IPaC Indiana Bat Determination Key Answers
- MA Consistency Letter-KY State-wide Determination Key
- NE Consistency Letter-NLEB Range-wide Determination Key
- US Fish and Wildlife Service Wetlands Inventory Map
- Page 19 of the *Site-Specific Phase I Environmental Site Assessment Olive Branch Property, Bulan (Knott County), Kentucky, May 25,2023*
- Email from Kenneth Logsdon, Kentucky Energy and Environment Cabinet verifying that pond and riverine identified on National Wetland Inventory Map no longer exist. (August 28, 2023)

Olive Branch, Knott County, KY

Aerial Map



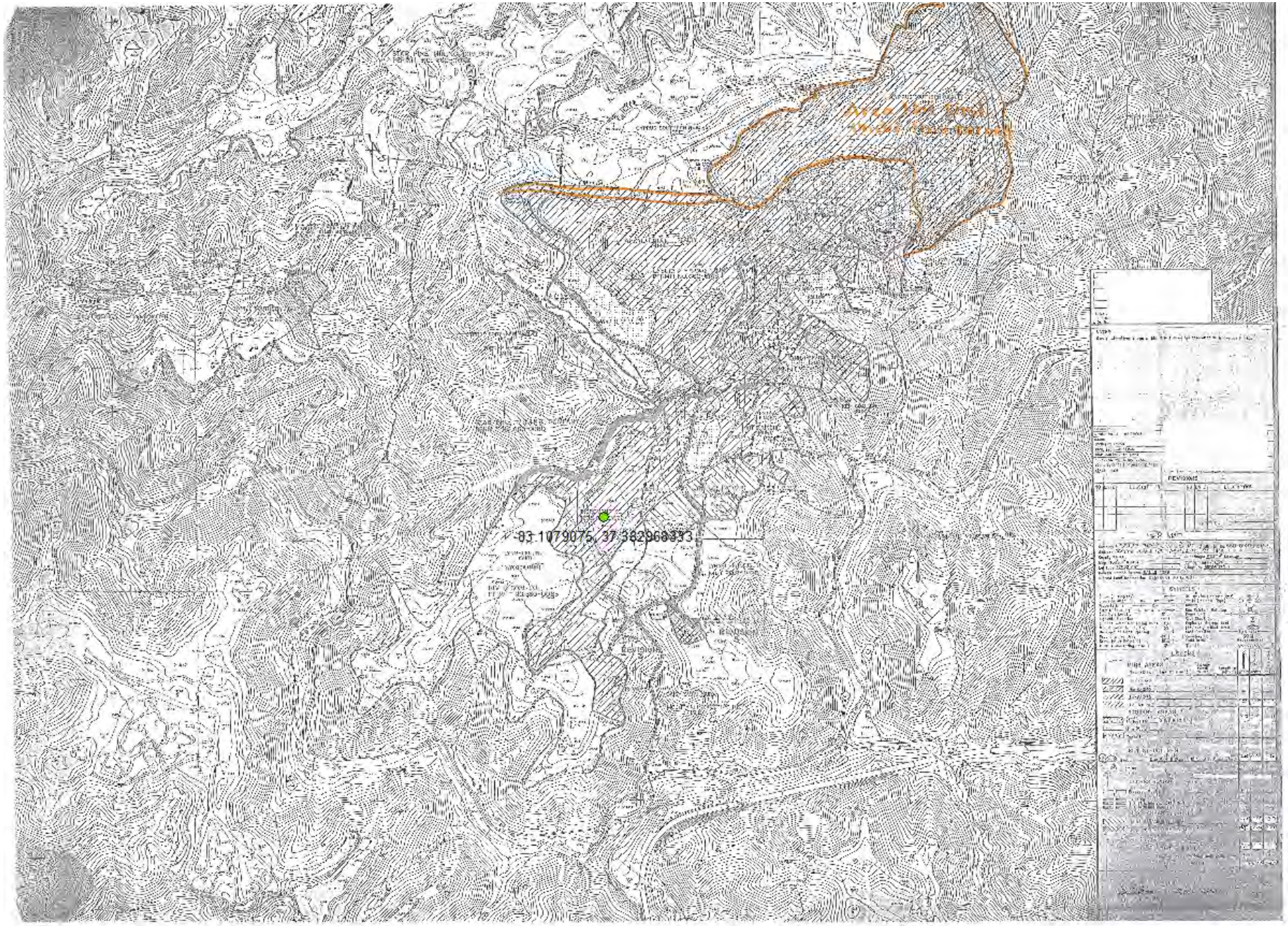


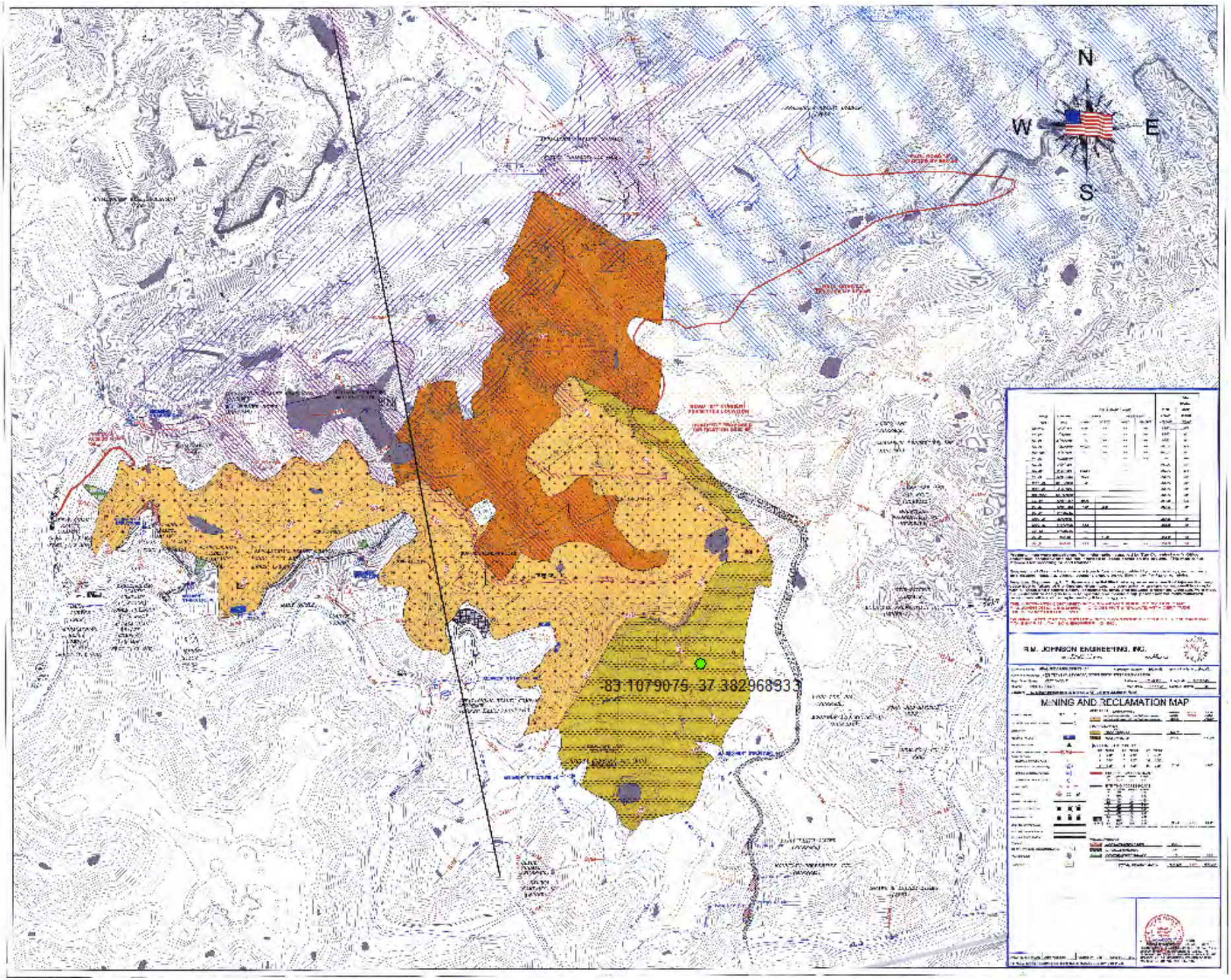
Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southwest Area B	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southwest Area B	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Northwest Area B	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southeast Area B	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field on subject property facing North Area A	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field on subject property facing North Area A	

Photographic Record of Subject Property	
Date: May 17, 2023	
Photographer: Caitlin Mullins	
Photo taken in lower field of subject property facing South Area A	


-83.1079075, 37.382960333


N
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-83.1079075, 37.38296833
R.M. JOHNSON ENGINEERING, INC.
MINING AND RECLAMATION MAP

Curtis Stauffer

From: Skaggs, Courtney (EEC) <courtney.skaggs@ky.gov>
Sent: Wednesday, May 10, 2023 10:43 AM
To: Curtis Stauffer
Cc: Aldridge, Louanna C (EEC); Lyons, John (EEC); Gaddis, Sarah J (EEC)
Subject: Olive Branch-narratives, maps and Phase III documentation
Attachments: MIR 860-0565_Olive Branch.doc; MRP Map_Liberty Management LLC_860-0565.docx; MRP Map_River Coal Company Inc_860-0063.docx; NOD Phase III 860-0565_Olive Branch.doc; Olive Branch reclamation plan narrative.docx

Follow Up Flag: Follow up
Flag Status: Flagged

EXTERNAL EMAIL: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Curtis,

Please see below information regarding site location and reclamation status related to the Olive Branch project in Knott County. I have also attached maps, a mine inspection report and Notice of Decision (NOD) letters that document the Phase III bond release for Liberty Management, LLC permit no. 860-0565. There was also a second permitted site located within the boundary of the project area that was issued to River Coal Company, Inc. The Department for Natural Resources (DNR) no longer has bond release records due to the age of the bond release; Phase III release for this permit was granted on March 28, 1995 (28 years ago).

I can provide you with a screen grab from our database that reflects the bond release granted for the permit. "RC" indicates that the permit was "released", while "P2" and "P1" indicate the prior Phase 1 and Phase 2 bond release statuses. I hope this is sufficient to document the release of this permit and termination of the DNR's SMCRA jurisdiction.

Permits

Permit Search:

Search: 8600063

Export to Excel

Permit #	Entity Id	Entity Name
8600063	002287	RIVER COAL COMPANY INC

1 5 items per page

Inspection History

Date	Inspection Type	Reasons	Mine Status	Dis
03/28/1995	P	SO	RC	159
02/13/1995	C		P2	159
12/08/1994	C	BR	P2	159
09/29/1994	C		P2	159
08/04/1994	P	BR	P2	159
05/02/1994	C		P2	159
12/08/1993	C		P1	159

Olive Branch-Knott County

Site Location:

This site is located near the community of Talcum in Knott County, Kentucky at 37.3892°W/-83.1079°N. The surface property includes previously mined lands that have obtained Phase 3 bond release and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). The project will develop approximately seventy-five (75) acres and include housing site for approximately two-hundred twenty-five (225) single family residences.
Utilities are located adjacent to the project area. Both water and sewer lines will be extended to service the project area, as well as electric utilities. Access to the site will be through existing public roads, with extension to County Road 1390 (CR-1390) anticipated.

Reclamation Status:

The Olive Branch 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) in 1984. The DNR is the state primacy agency with the regulatory authority for permitting, inspection and enforcement under SMCRA. The project area includes two (2) reclaimed mining sites formerly permitted by River Coal Company, Inc. and Liberty Management, LLC.

River Coal Company, Inc., permit no. 860-0063, was issued on February 14, 1984 and obtained a Phase IIII bond release on March 28, 1995.

Liberty Management LLC, permit no 860-0565 was initially permitted to Star Fire Mining Company, permit no. 460-0080. 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 Big Elk Mining Company, permit no. 860-0421 on October 25, 2005; the second transfer of rights to Frasure Creek Mining LLC, permit no. 860-0466 on June 1, 2007; a third transfer of rights (due to a stock purchase) to Frasure Creek Mining LLC, permit no. 860-0506 on April 7, 2011; and a fourth transfer of rights to Liberty Management LLC, permit no. 860-0565 on November 5, 2015. Liberty Management, LLC, permit no. 860-0565 obtained a Phase III bond release on October 3, 2017.

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 March 28, 1995 and October 3, 2017.

Courtney

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

Matthew G. Bevin
Governor

2 Hudson Hollow
Frankfort, Kentucky 40601
Phone (502) 564-6940
Fax (502) 564-5698
www.naturalresources.ky.gov
www.kentucky.gov

Charles G. Snavely
Secretary

Allen Luttrell
Commissioner

1804 EAST CUMBERLAND AVENUE
Middlesboro, KY 40965-1229

September 15, 2017

LIBERTY MANAGEMENT, LLC
PO BOX 100
ARY KY 41712

RE:	Permit Name:	LIBERTY MANAGEMENT LLC
	Permit Number:	860-0565
	Increment Number:	1,5,6
	Bond ID Number:	041-001547, 041-001549, 041-001550
	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,

E-Signed by Steve Vance
VERIFY authenticity with e-Sign

Steve Vance
Environmental Control Manager
DMRE/London Regional Office

cc: Brent Gay

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

Matthew G. Bevin
Governor

2 Hudson Hollow
Frankfort, Kentucky 40601
Phone (502) 564-6940
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Charles G. Snavely
Secretary

Allen Luttrell
Commissioner

1804 EAST CUMBERLAND AVENUE
Middlesboro, KY 40965-1229

September 15, 2017

INDEMNITY NATIONAL INS CO
4800 OLD KINGSTON PIKE
KNOXVILLE TN 37919

RE:	Permit Name:	LIBERTY MANAGEMENT LLC
	Permit Number:	860-0565
	Increment Number:	1,5,6
	Bond ID Number:	041-001547, 041-001549, 041-001550
	Phase Number:	PIII

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Sincerely,

E-Signed by Steve Vance
VERIFY authenticity with e-Sign

Steve Vance
Environmental Control Manager
DMRE/London Regional Office

cc: Brent Gay

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Kentucky Ecological Services Field Office
J C Watts Federal Building, Room 265
330 West Broadway
Frankfort, KY 40601-8670
Phone: (502) 695-0468 Fax: (502) 695-1024
Email Address: kentuckyes@fws.gov

In Reply Refer To: August 27, 2023
Project Code: 2023-0122046
Project Name: Team Kentucky Olive Branch Subdivision, Knott County, KY

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the

human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/what-we-do..

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of

this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Kentucky Ecological Services Field Office
J C Watts Federal Building, Room 265
330 West Broadway
Frankfort, KY 40601-8670
(502) 695-0468

PROJECT SUMMARY

Project Code: 2023-0122046

Project Name: Team Kentucky Olive Branch Subdivision, Knott County, KY

Project Type: New Constr - Above Ground

Project Description: The Commonwealth of Kentucky, in partnership with Kentucky Housing Corporation (KHC), will build up to 145 single-family detached housing units, in a new subdivision to be called Olive Branch on approximately 77 acres in Knott County (center point coordinates: 37.379586, -83.109685).

The subdivision will be developed on reclaimed mine land in Knott County, KY off of CR-1390 (a.k.a. Starfire Haul Road) near its intersection with intersection of KY-1087 and the waters of Balls Fork of Troublesome Creek. Knott County is a Most Impacted and Distressed (MID) area for CDBG-DR and CDBG-MIT funding. The surface property consists of previously mined lands under River Coal Company, Permit No. 860-0063, and Liberty Management, Permit No. 860-0565. Both permits achieved Phase III bond release on March 28, 1995 and October 3, 2017, respectively, and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). This project will create “higher ground” replacement housing following the July 2022 southeastern Kentucky flood disaster.

The project site will be divided into two development areas. Area A (22 acres) will consist of 40-45 single-family detached (center point coordinates: 37.381642, -83.104906). Area B (55 acres) will consist of 90-100 single-family detached units (center point coordinates: 37.376968, -83.110429). Within Area B there will be approximately 9 acres dedicated to community green space, with potential amenities such trails, playground and picnic shelters.

KHC will select developers to build the homes to be sold to eligible homebuyers. Because developers have not yet been selected for the project, the specific unit count is not yet known. Additionally, developers will determine the design, sizes, and values of the homes to be built so they are not yet known. The Commonwealth will acquire the property and will grade the site where needed. The Commonwealth and Knott County, KY will develop road, water, power, and sewer infrastructure. Kentucky Power will design and construct the electric utilities (with the exception of installation of underground conduit), all to support the development of single-family detached housing. Utilities are located adjacent to the project area. Electric, water and sewer lines will be extended to service the project area. Access to the site will be through connection to CR-1390.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@37.3785893,-83.11082010462434,14z

Counties: Knott County, Kentucky

ENDANGERED SPECIES ACT SPECIES

There is a total of 5 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Gray Bat *Myotis grisescens*	Endangered

No critical habitat has been designated for this species.
This species only needs to be considered under the following conditions:
- The project area includes potential gray bat habitat.

Species profile: https://ecos.fws.gov/ecp/species/6329
General project design guidelines:
https://ipac.ecosphere.fws.gov/project/BW3ZVFDVIZBETNLHGFAPTR3W2I/documents/generated/6422.pdf

Indiana Bat *Myotis sodalis*	Endangered

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
This species only needs to be considered under the following conditions:
- The project area includes 'potential' habitat. All activities in this location should consider possible effects to this species.

Species profile: https://ecos.fws.gov/ecp/species/5949
General project design guidelines:
https://ipac.ecosphere.fws.gov/project/BW3ZVFDVIZBETNLHGFAPTR3W2I/documents/generated/6422.pdf

Northern Long-eared Bat *Myotis septentrionalis*	Endangered

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/9045
General project design guidelines:
https://ipac.ecosphere.fws.gov/project/BW3ZVFDVIZBETNLHGFAPTR3W2I/documents/generated/6422.pdf

FISHES

NAME	STATUS
Kentucky Arrow Darter *Etheostoma spilotum*	Threatened

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/9063
General project design guidelines:
https://ipac.ecosphere.fws.gov/project/BW3ZVFDVIZBETNLHGFAPTR3W2I/documents/generated/5224.pdf

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus*	Candidate

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/9743

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Kentucky Housing Corporation
Name: Curtis Stauffer
Address: 1231 Louisville Road
City: Frankfort
State: KY
Zip: 40601
Email cstauffer@kyhousing.org
Phone: 5028745239

IPaC Information for Planning and Consultation **U.S. Fish & Wildlife Service**

Endangered Species Act Review

DETERMINATION KEY

Indiana Bat Determination Key

Release date: March 24, 2022

You completed the latest version of this key, published March 24, 2022, and reached a determination of not applicable for species or critical habitats covered by the key.

This determination key (DKey) provides a conclusion for common types of projects that are not likely to adversely affect the endangered **Indiana bat** (*Myotis sodalis*). We expect the majority of projects using this key to be development projects or small-scale utility projects. Development projects may include residential, commercial, industrial, or municipal developments. Small-scale utility projects may include new electric distribution lines, electric substations, water treatment plants, natural gas distribution lines, and pump stations. Small repairs or modifications to existing oil or gas and electrical transmission lines and existing utility facilities may also qualify. Other types of projects; like marine events, cell towers, and recreational trails; may also qualify.

Qualifying projects would not produce stressors other than those evaluated in the standing analysis that supports this key: minor noise and vibration, night lighting, minor loss and degradation of aquatic resources, and some forested habitat removal. Projects that would expose one or more of the species to additional stressor(s) do not qualify to use this DKey. Some examples of additional stressors include noise and vibration from blasting (other than fireworks in a marine event), loss and/or degradation to streams that would require an individual permit under section 404 of the Clean Water Act, prescribed fire, contaminates (e.g., leachate pond), modifications to existing bridges, and wind turbines.

Qualifying projects will reach a conclusion indicating the project, based on the answers to the DKey, is consistent with a "no effect" or a "may affect – not likely to adversely affect" determination for the Indiana bat. Projects that do not qualify for this key are not necessarily likely to adversely affect the Indiana bat. If non-qualifying projects may affect the Indiana bat, these effects can be evaluated through project-specific consultation (or other programmatic consultation, if applicable) with the Service.

For a video demonstration of this DKey, click the link below.
Demo: Indiana Bat DKey

Species covered by this key

This key covers the following species, and critical habitat for these species, expected to occur in this project area:

Indiana Bat Myotis sodalis

Critical habitats covered by this key

This key covers the critical habitats for the following species expected to occur in this project area:

None

For more information about this determination key, including a list of all potential questions, refer to the detailed overview.

Qualification interview

1. Will the proposed action involve Federal funding, permitting, or authorization, or will it be carried out by a Federal Agency?

   ☑ Yes

2. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) the lead Federal Agency for this action.

   ☑ No

3. Are you the lead Federal Action Agency or designated non-federal representative requesting concurrence on behalf of the lead Federal Action Agency?

   ☑ Yes

4. [Semantic] Is the Action Area within 1/2-mile of a known Indiana bat hibernaculum?

   Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact the Field Office listed in the letterhead of this letter.

Automatically answered

No

5. If you have determined that the Indiana bat is unlikely to occur to within your project's Action Area (Pursuant to 50 CFR §402.02, the Action Area includes all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action. Moreover, the Effects of the Action are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action (see also 50 CFR §402.17).) or that your project is unlikely to have any potential impacts on the Indiana bat, you may wish to make a "No Effect" determination for the Indiana bat. Would you like to make a No Effect determination for the Indiana bat?

Note: A "No Effect" determination does not require concurrence from the Service; however, you should document the supporting information for this determination in your files. This documentation would typically demonstrate a lack of suitable habitat within the action area, show that no impacts to suitable habitat would occur, or provide information that the species is not reasonably certain to occur in the action area even though suitable habitat is present. If you believe the Indiana bat may be affected by your project or if you would like assistance in making a determination, please answer "no" and continue through the key.

Yes

When the action agency determines its proposed action will not affect a listed species, there is no need to coordinate further with the Service. If the Indiana bat will not be exposed directly or indirectly to the proposed action or any resulting environmental changes, an agency should conclude "no effect" and document the finding and this completes the section 7 process. For example, if suitable habitat is not present in the action area and the project does not otherwise present a risk to the species, conclude "species not present" and document your finding.

If you no longer wish to use this key for your project, you can delete your evaluation.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Kentucky Ecological Services Field Office
J C Watts Federal Building, Room 265
330 West Broadway
Frankfort, KY 40601-8670
Phone: (502) 695-0468 Fax: (502) 695-1024
Email Address: kentuckyes@fws.gov

In Reply Refer To: August 27, 2023
Project code: 2023-0122046
Project Name: Team Kentucky Olive Branch Subdivision, Knott County, KY

Subject: Consistency letter for the project named 'Team Kentucky Olive Branch Subdivision, Knott County, KY' for specified threatened and endangered species that may occur in your proposed project location consistent with the Kentucky Determination Key (DKey)

Dear Curtis Stauffer:

The U.S. Fish and Wildlife Service (Service) received on **August 27, 2023** your effect determination(s) for the 'Team Kentucky Olive Branch Subdivision, Knott County, KY' (Action) using the Kentucky (DKey) within the Information for Planning and Consultation (IPaC) system. The Service developed this system in accordance with the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based on your answers and the assistance of the Service's Kentucky DKey, you made the following effect determination(s) for the proposed Action:

Species	**Listing Status**	**Determination**
Gray Bat (*Myotis grisescens*)	Endangered	No effect
Kentucky Arrow Darter (*Etheostoma spilotum*)	Threatened	May affect

Consultation Status

<u>May Affect Determinations:</u> Species with May Affect determinations are those for which the DKey was unable to provide a conclusion or those for which you were either unsure about the determination or you chose to make a "may affect" determination. If the DKey was unable to provide a conclusion, this does not necessarily mean that the project is likely to adversely affect the species. If you think the project may affect the species or want additional technical assistance, please follow the instructions in the "Additional Coordination" section below. If a federal action agency chooses to make a "no effect" determination for the species, there is no statutory requirement to request concurrence with that determination; however, the federal action agency should document the supporting information for this determination in their files. This

documentation would typically demonstrate a lack of suitable habitat within the action area, show that no impacts to suitable habitat would occur, or provide information that the species is not reasonably certain to occur in the action area even though suitable habitat is present.

The Service recommends that your agency contact the Kentucky Ecological Services Field Office or re-evaluate the Action in IPaC if: 1) the scope, timing, duration, or location of the Action changes, 2) new information reveals the Action may affect listed species or designated critical habitat, or 3) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Kentucky Ecological Services Field Office should take place before project changes are final or resources committed.

The following species and/or critical habitats may also occur in your project area and **are not** covered by this conclusion:

- Indiana Bat *Myotis sodalis* Endangered
- Monarch Butterfly *Danaus plexippus* Candidate
- Northern Long-eared Bat *Myotis septentrionalis* Endangered

To address effects to other federally listed or proposed species and/or their designated critical habitat, you can request project-specific review by following the instructions in the “Next Steps” section of your species list letter, or you may use another determination key, if available.

Additional Coordination

To request additional technical assistance or consultation, please email your request to KentuckyES@fws.gov and include relevant site-specific information. The Kentucky Ecological Services Field Office will respond within 30 days of your submittal.

Action Description
You provided to IPaC the following name and description for the subject Action.

1. Name

Team Kentucky Olive Branch Subdivision, Knott County, KY

2. Description

The following description was provided for the project 'Team Kentucky Olive Branch Subdivision, Knott County, KY':

> The Commonwealth of Kentucky, in partnership with Kentucky Housing Corporation (KHC), will build up to 145 single-family detached housing units, in a new subdivision to be called Olive Branch on approximately 77 acres in Knott County (center point coordinates: 37.379586, -83.109685).
>
> The subdivision will be developed on reclaimed mine land in Knott County, KY off of CR-1390 (a.k.a. Starfire Haul Road) near its intersection with intersection of KY-1087 and the waters of Balls Fork of Troublesome Creek. Knott County is a Most Impacted and Distressed (MID) area for CDBG-DR and CDBG-MIT funding. The surface property consists of previously mined lands under River Coal Company, Permit No. 860-0063, and Liberty Management, Permit No. 860-0565. Both permits achieved Phase III bond release on March 28, 1995 and October 3, 2017, respectively, and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). This project will create “higher ground” replacement housing following the July 2022 southeastern Kentucky flood disaster.
>
> The project site will be divided into two development areas. Area A (22 acres) will consist of 40-45 single-family detached (center point coordinates: 37.381642, -83.104906). Area B (55 acres) will consist of 90-100 single-family detached units (center point coordinates: 37.376968, -83.110429). Within Area B there will be approximately 9 acres dedicated to community green space, with potential amenities such trails, playground and picnic shelters.
>
> KHC will select developers to build the homes to be sold to eligible homebuyers. Because developers have not yet been selected for the project, the specific unit count is not yet known. Additionally, developers will determine the design, sizes, and values of the homes to be built so they are not yet known. The Commonwealth will acquire the property and will grade the site where needed. The Commonwealth and Knott County, KY will develop road, water, power, and sewer infrastructure. Kentucky Power will design and construct the electric utilities (with the exception of installation of underground conduit), all to support the development of single-family detached housing. Utilities are located adjacent to the project area. Electric, water and sewer lines will be extended to service the project area. Access to the site will be through connection to CR-1390.

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@37.3785893,-83.11082010462434,14z

QUALIFICATION INTERVIEW

1. Will the proposed Action involve Federal funding, permitting, or authorization, or will it be carried out by a Federal Agency?

   Yes

2. Are you the lead Federal Action Agency or designated non-federal representative requesting concurrence on behalf of the lead Federal Action Agency?

   Yes

3. [Hidden Semantic] Does the action area intersect critical habitat?

   Automatically answered
   No

4. Will the proposed Action involve construction or operation of wind turbines?

   No

5. Will the proposed Action involve blasting (other than a fireworks display)?

   No

6. Will the proposed Action involve a new point source discharge from a facility other than a water treatment plant or storm water system?

   No

7. Will the proposed Action involve the creation of a new water-borne contaminant source (e.g. leachate pond, pits containing chemicals that are not NSF/ANSI 60 compliant)?

   No

8. Will the proposed Action include the removal, replacement, repair and/or maintenance of an existing bridge or culvert?

   No

9. Will the proposed Action involve perennial stream loss that would require an individual permit under 404 of the Clean Water Act?

   No

10. Will the proposed Action involve discharge of sediment into a stream?

    No

11. Does the Action Area contain any caves (including their associated sinkholes, fissures, or other karst features), rockshelters, underground quarries, or abandoned mine portals (including associated underground workings)?

    No

12. [Hidden Semantic] Does the Action Area intersect the Kentucky AOI of the gray bat?

    Automatically answered
    Yes

13. Will the proposed Action involve drilling or boring?

    No

14. Based on the responses you have provided, we believe that the proposed Action is consistent with the type of Actions programmatically evaluated by the Service's Kentucky Field Office under the standing analyses that support this determination key. These Actions typically conclude with "no effect" or "may affect - not likely to adversely affect" determinations for the gray bat.

    What is your effect determination for the **gray bat**?

    Note:*IPaC will not provide a concurrence for "no effect" determinations, because there is no statutory requirement to request concurrence from the Service. IPaC will provide concurrence for "May affect – not likely to adversely affect" determinations. If you choose "May affect – likely to adversely affect" or "Unsure," additional coordination with the Service is recommended.*

    1. "No effect"

15. Will the proposed Action involve a new point source discharge into a stream or change an existing point source discharge (e.g., outfalls; leachate ponds)?

    No

16. Will the proposed Action include any activities that would alter stream flow, such as hydropower energy production, impoundments, intake structures, diversion structures, and/or turbines?

    No

17. Will the proposed Action involve dredging or in-stream gravel mining?

    No

18. Will the proposed Action involve resource extraction (e.g., mining, oil/gas, logging), including exploration activities?

    No

19. Will the proposed Action involve stream impacts (perennial or intermittent) that would require an individual permit under 404 of the Clean Water Act?

    No

20. Will the proposed Action involve activities that would contribute measureable nonpoint source pollution to streams (e.g., sediment, nutrients, etc.)? *See the following EPA webpage for more examples of nonpoint source pollution and activities that can produce it: https://www.epa.gov/nps/basic-information-about-nonpoint-source-nps-pollution*

    No

21. Will the proposed Action involve new or increased use of public recreational OHV trails?

    No

22. Will the proposed Action disturb the channel or bank of a perennial or intermittent stream?

    No

23. Will the proposed Action disturb the channel or bank of an ephemeral stream?

    No

24. Will the proposed Action involve vegetation removal within 200 feet of a perennial stream bank?

    No

25. Will the proposed Action involve excavation or grading, including for the construction or improvement of an access road?

    Yes

26. Are all areas proposed for excavation or grading situated more than 200 feet from the banks of perennial and intermittent streams?

    Yes

27. Are any areas proposed for excavation or grading located in or partly in a "special flood hazard area" as designated by FEMA? *You can determine this by searching for your project area at the FEMA Flood Map Service Center (https://msc.fema.gov/portal/home. For technical assistance please contact the Field Office listed in the letterhead of your project's official species list.*

    No

28. Will the excavation or grading create new water bars or ditches that will channel stormwater into a stream?

    No

29. Will the project proponent complete all excavation and grading activities and subsequent soil stabilization measures within 1 month?

    No

30. [Hidden Semantic] Does the project area intersect the AOI of the Kentucky arrow darter?

    Automatically answered
    Yes

IPAC USER CONTACT INFORMATION

Agency: Kentucky Housing Corporation
Name: Curtis Stauffer
Address: 1231 Louisville Road
City: Frankfort
State: KY
Zip: 40601
Email cstauffer@kyhousing.org
Phone: 5028745239

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Department of Housing and Urban Development

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Kentucky Ecological Services Field Office
J C Watts Federal Building, Room 265
330 West Broadway
Frankfort, KY 40601-8670
Phone: (502) 695-0468 Fax: (502) 695-1024
Email Address: kentuckyes@fws.gov

In Reply Refer To: August 27, 2023
Project code: 2023-0122046
Project Name: Team Kentucky Olive Branch Subdivision, Knott County, KY

Federal Nexus: yes
Federal Action Agency (if applicable): Department of Housing and Urban Development

Subject: Record of project representative's no effect determination for 'Team Kentucky Olive Branch Subdivision, Knott County, KY'

Dear Curtis Stauffer:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on August 27, 2023, for 'Team Kentucky Olive Branch Subdivision, Knott County, KY' (here forward, Project). This project has been assigned Project Code 2023-0122046 and all future correspondence should clearly reference this number. **Please carefully review this letter.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis, your project has reached the determination of "No Effect" on the northern long-eared bat. To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative), to a federally listed species or designated critical habitat. Effects of the

action are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17).

Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no consultation with the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13].

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Gray Bat *Myotis grisescens* Endangered
- Indiana Bat *Myotis sodalis* Endangered
- Kentucky Arrow Darter *Etheostoma spilotum* Threatened
- Monarch Butterfly *Danaus plexippus* Candidate

You may coordinate with our Office to determine whether the Action may affect the animal species listed above and, if so, how they may be affected.

Next Steps

Based upon your IPaC submission, your project has reached the determination of “No Effect” on the northern long-eared bat. If there are no updates on listed species, no further consultation/ coordination for this project is required with respect to the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place to ensure compliance with the Act.

If you have any questions regarding this letter or need further assistance, please contact the Kentucky Ecological Services Field Office and reference Project Code 2023-0122046 associated with this Project.

Action Description
You provided to IPaC the following name and description for the subject Action.

1. Name

Team Kentucky Olive Branch Subdivision, Knott County, KY

2. Description

The following description was provided for the project 'Team Kentucky Olive Branch Subdivision, Knott County, KY':

> The Commonwealth of Kentucky, in partnership with Kentucky Housing Corporation (KHC), will build up to 145 single-family detached housing units, in a new subdivision to be called Olive Branch on approximately 77 acres in Knott County (center point coordinates: 37.379586, -83.109685).
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> The subdivision will be developed on reclaimed mine land in Knott County, KY off of CR-1390 (a.k.a. Starfire Haul Road) near its intersection with intersection of KY-1087 and the waters of Balls Fork of Troublesome Creek. Knott County is a Most Impacted and Distressed (MID) area for CDBG-DR and CDBG-MIT funding. The surface property consists of previously mined lands under River Coal Company, Permit No. 860-0063, and Liberty Management, Permit No. 860-0565. Both permits achieved Phase III bond release on March 28, 1995 and October 3, 2017, respectively, and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). This project will create “higher ground” replacement housing following the July 2022 southeastern Kentucky flood disaster.
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> The project site will be divided into two development areas. Area A (22 acres) will consist of 40-45 single-family detached (center point coordinates: 37.381642, -83.104906). Area B (55 acres) will consist of 90-100 single-family detached units (center point coordinates: 37.376968, -83.110429). Within Area B there will be approximately 9 acres dedicated to community green space, with potential amenities such trails, playground and picnic shelters.
>
> KHC will select developers to build the homes to be sold to eligible homebuyers. Because developers have not yet been selected for the project, the specific unit count is not yet known. Additionally, developers will determine the design, sizes, and values of the homes to be built so they are not yet known. The Commonwealth will acquire the property and will grade the site where needed. The Commonwealth and Knott County, KY will develop road, water, power, and sewer infrastructure. Kentucky Power will design and construct the electric utilities (with the exception of installation of underground conduit), all to support the development of single-family detached housing. Utilities are located adjacent to the project area. Electric, water and sewer lines will be extended to service the project area. Access to the site will be through connection to CR-1390.

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@37.3785893,-83.11082010462434,14z

DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the Endangered northern long-eared bat (Myotis septentrionalis). Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for those species.

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

   Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

   No

2. Do you have post-white nose syndrome occurrence data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

   Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed acoustic detections. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

   No

3. Does any component of the action involve construction or operation of wind turbines?

   Note: For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

   No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

   Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

   No

6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

   Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

   Yes

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

   No

8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

   No

9. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the effects of any activities that would not occur but for the proposed action.

   If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

   Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of Effects of the Action can be found here: https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions

   Yes

PROJECT QUESTIONNAIRE

Will all project activities by completed by April 1, 2024?

No

IPAC USER CONTACT INFORMATION

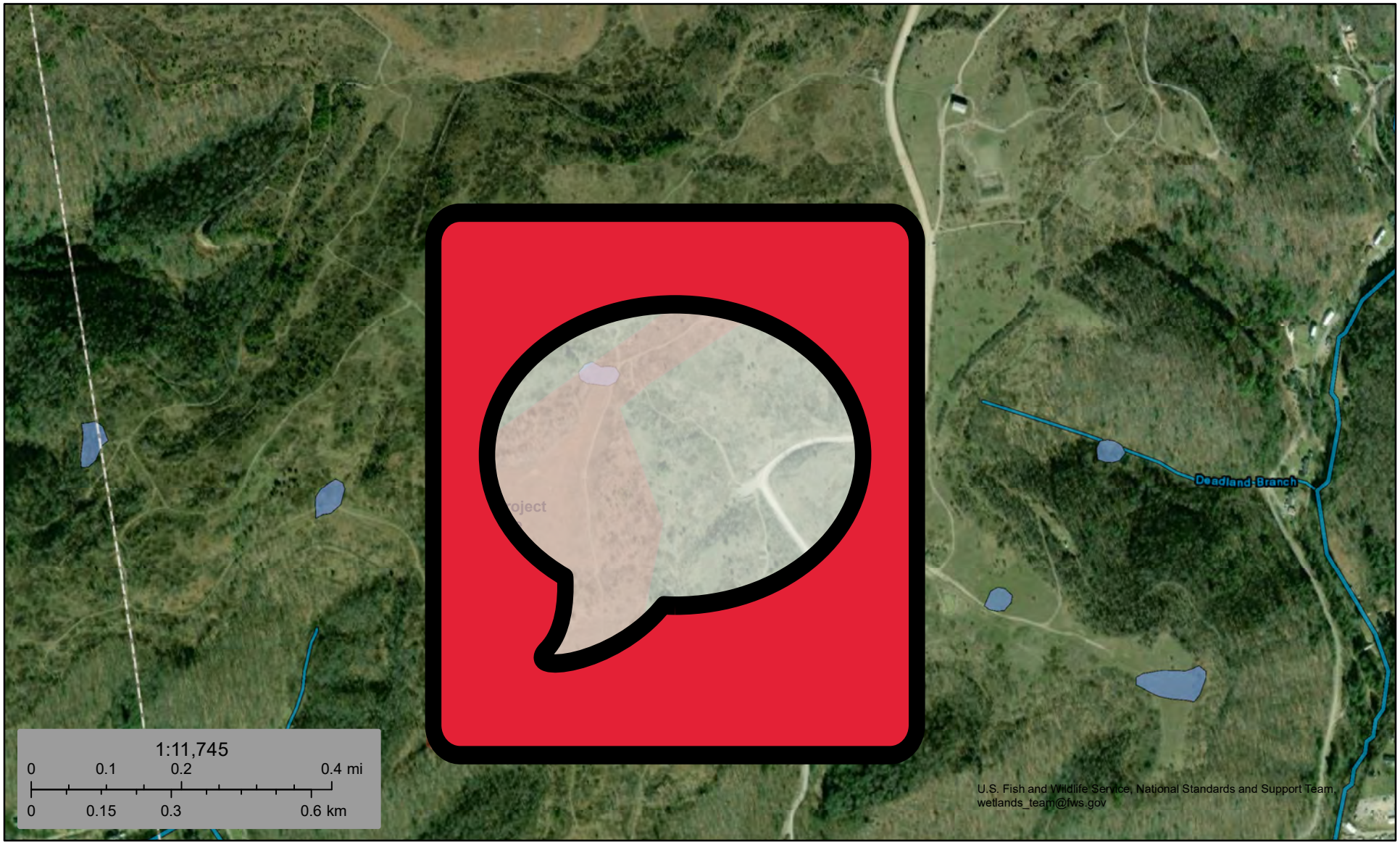
Agency: Kentucky Housing Corporation
Name: Curtis Stauffer
Address: 1231 Louisville Road
City: Frankfort
State: KY
Zip: 40601
Email cstauffer@kyhousing.org
Phone: 5028745239

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Department of Housing and Urban Development

U.S. Fish and Wildlife Service
National Wetlands Inventory

Olive Branch Subdivision



August 27, 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.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

No hazardous waste, or petroleum products were observed on the subject property during the site reconnaissance. Historical records indicate surface mining operations took place on and around the subject property, but no records indicate the use or production of hazardous substances or petroleum products which would warrant any regulatory action.

5.10 Odors

No odors associated with the release of hazardous substances, petroleum product, or industrial activities were noted at the subject property during the site reconnaissance.

5.11 Pits, Ponds, and Lagoons

No pits, ponds, or lagoons were observed on the subject property.

5.12 Stained Soil/Pavement

No significant staining associated with hazardous substances or petroleum products was found on soil or pavement at the subject property.

5.13 Wastewater

No evidence of wastewater was observed at the subject property during the site reconnaissance. No records of sewer service or septic systems on the subject property were found during historical review.

5.14 Wells

According to the EDR Physical Settings Report, there are approximately seven wells within ¼ to ½ mile of the subject property. Well data is listed in the table below.

Well ID	Status	Type	Distance from Subject Property
USGS KY Water Science Center Location: H27B0015	No reports or sampling data available	Monitoring Well	¼ - ½ Mile
USGS KY Water Science Center Location: H27B0016	No reports or sampling data available	Monitoring Well	¼ - ½ Mile
Domestic- Single Household AKGWA-40006148	Unknown	Water Well	¼ - ½ Mile
User Unknown AKGWA-40006503	Unknown	Water Well	¼ - ½ Mile
USGS KY Water Science Center Location: H27B0012	Sampled - 1982	Monitoring Well	¼ - ½ Mile

Curtis Stauffer

From: Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Sent: Monday, August 28, 2023 2:07 PM
To: Curtis Stauffer; Lyons, John (EEC); townes, lisa
Subject: Fwd: Olive Branch Development

EXTERNAL EMAIL: Do not click links or open attachments unless you recognize the sender and know the content is safe.

From our PG

From: Logsdon, Kenneth C (EEC) <Kenneth.Logsdon@ky.gov>
Sent: Monday, August 28, 2023 1:59:05 PM
To: Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Subject: Re: Olive Branch Development

If we are talking about the purple one, it is definitely not there, verified on foot and via Google Earth:

As far as what used to be deadland Branch (former line from topo map marked in yellow) the site is largely flat and there is currently no remnant of a stream. Everything is fill:

From: Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Sent: Monday, August 28, 2023 1:24 PM
To: Logsdon, Kenneth C (EEC) <Kenneth.Logsdon@ky.gov>
Subject: Fwd: Olive Branch Development

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Can you help with Curtis's question

From: Curtis Stauffer <cstauffer@kyhousing.org>
Sent: Monday, August 28, 2023 1:08:50 PM
To: Lyons, John (EEC) <john.lyons@ky.gov>; Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Cc: townes, lisa <Lisa.townes@haspaldingengineers.com>
Subject: RE: Olive Branch Development

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Hi John-

Below is what I sent Louanna yesterday.

Thanks!

Curtis

The USFWS National Wetlands Inventory Map shows a 0.5-acre pond in the proposed subdivision development area. From the NWI website "This 0.50 acre Freshwater Pond habitat is classified as a PUBHx. For a complete code description, click here. The wetlands and deepwater habitats in this area were photo interpreted using 1:58,000 scale, color infrared imagery from 1983."
Classification code: PUBHx

- System Palustrine (P) : The Palustrine System includes all nontidal wetlands dominated by trees, shrubs, persistent emergents, emergent mosses or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean-derived salts is below 0.5 ppt. It also includes wetlands lacking such vegetation, but with all of the following four characteristics: (1) area less than 8 ha (20 acres); (2) active wave-formed or bedrock shoreline features lacking; (3) water depth in the deepest part of basin less than 2.5 m (8.2 ft) at low water; and (4) salinity due to ocean-derived salts less than 0.5 ppt.
- Class Unconsolidated Bottom (UB) : Includes all wetlands and deepwater habitats with at least 25% cover of particles smaller than stones (less than 6-7 cm), and a vegetative cover less than 30%.
- Water Regime Permanently Flooded (H) : Water covers the substrate throughout the year in all years.
- Special Modifier Excavated (x) : This Modifier is used to identify wetland basins or channels that were excavated by humans.

I assume this no longer exists, due to mining, but we'll need some way to document that. Can EEC provide that documentation?

Additionally, the wetlands map shows a small riverine (Dead Land Branch) adjacent to the southwest side of the property flowing into Balls Fork at KY1087 that doesn't appear on any Google Aerial Maps, but did show up as a named body of water on the USDA NRCS Web Soil Survey. Does this riverine still exist?

_____

Curtis A. Stauffer, MA, PMP, HDFP
Managing Director,
Housing Contract Administration
Pronouns: he/him/his
Kentucky Housing Corporation
1231 Louisville Rd.
Frankfort, KY 40601
502-874-5329 (direct)
800-633-8896 x. 115 (KY only)
TTY 711
cstauffer@kyhousing.org
www.kyhousing.org

For all your technical assistance needs regarding any Housing Contract Administration program, please visit our HCA Partner Agency Portal.

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KHC partners can subscribe to FREE email updates for KHC news and announcements. Subscribe to eGrams today!

Curtis Stauffer

From: Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Sent: Friday, August 25, 2023 9:21 AM
To: Curtis Stauffer
Cc: Lyons, John (EEC)
Subject: FW: Olive Branch mine site

EXTERNAL EMAIL: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sunni's assessment on bat habitats for OB below.

Louanna C. Aldridge

TEAM KENTUCKY
ENERGY AND ENVIRONMENT CABINET

From: Carr, Sunni L (EEC) <sunni.carr@ky.gov>
Sent: Friday, August 25, 2023 9:19 AM
To: Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Subject: Olive Branch mine site

Louanna,

Good morning. Olive Branch has no reported Caves, portals or karst present. In addition, a field inspection confirmed that there was no bat habitat present on the reclaimed mine site.

Sincerely,
Sunni L. Leach

Sent via the Samsung Galaxy S20 FE 5G, an AT&T 5G smartphone
Get Outlook for Android

Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

✓ No

Yes

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

No

✓ Yes

3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:

- **Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR**
- **Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.**

If all containers within the search area fit the above criteria, answer "No." For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "Yes."

✓ No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Yes

Screen Summary

Compliance Determination

There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements. A search of Google Earth Pro aerial maps found no aboveground storage tanks within a one-mile radius of the project site.

Supporting documentation

Google Earth-1 mile radius map_Olive Branch.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

1 mile radius around Olive Branch Subdivision, Knott County, KY

No aboveground storage tanks identified.

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

✓ Yes

No

2. Does your project meet one of the following exemptions?

- Construction limited to on-farm structures needed for farm operations.
- Construction limited to new minor secondary (accessory) structures such as a garage or storage shed
- Project on land already in or committed to urban development or used for water storage. (7 CFR 658.2(a))

Yes

✓ No

3. Does "important farmland," including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the Farmland Protection Policy Act, occur on the project site?

- Utilize USDA Natural Resources Conservation Service's (NRCS) Web Soil Survey http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm
- Check with your city or county's planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as non-agricultural does not exempt it from FPPA requirements)
- Contact NRCS at the local USDA service center http://offices.sc.egov.usda.gov/locator/app?agency=nrcs or your NRCS state soil scientist https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/contact/states/ for assistance

✓ No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Yes

Screen Summary

Compliance Determination

The project includes activities that could convert agricultural land to a non-agricultural use, but "prime farmland","unique farmland", or "farmland of statewide or local importance" regulated under the Farmland Protection Policy Act does not occur on the project site. The project is in compliance with the Farmland Protection Policy Act. Per the USDA NRCS Web Soil Survey map, the project site consists of "FkE-Fiveblock and Kaymine soils, 0 to 30 percent slopes, stony" (48.3%) and "KfF-Kaymine, Fairpoint, and Fiveblock soils, benched, 2 to 70 percent slopes, very stony" (51.7%). Both soil types are "not prime farmland."

Supporting documentation

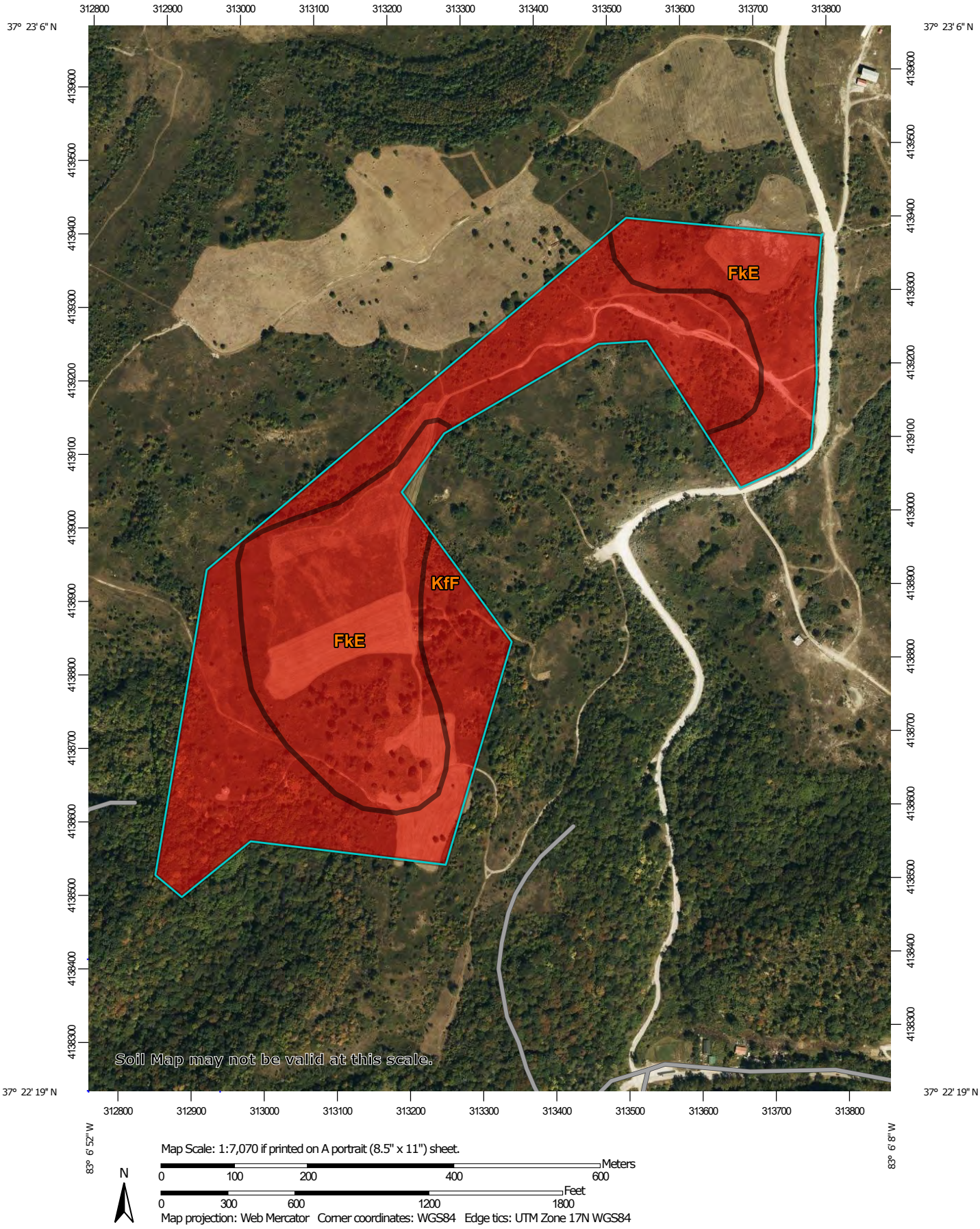
USDA Web Soil Survey Map_Olive Branch_2023-8-27.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Farmland Classification—Knott and Letcher Counties, Kentucky
(Olive Branch, Knott County, KY)



Map Scale: 1:7,070 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 100 200 400 600

Feet: 0 300 600 1200 1800

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

Soil Rating Polygons

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of statewide importance, if drained
- Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated
- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Soil Rating Lines

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season

- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of statewide importance, if drained
- Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated
- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Soil Rating Points

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of statewide importance, if drained
- Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated

- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

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

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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: Aug 29, 2019—Sep 15, 2019

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.

Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
FkE	Fiveblock and Kaymine soils, 0 to 30 percent slopes, stony	Not prime farmland	36.1	48.3%
KfF	Kaymine, Fairpoint, and Fiveblock soils, benched, 2 to 70 percent slopes, very stony	Not prime farmland	38.7	51.7%
Totals for Area of Interest			**74.8**	**100.0%**

Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55

1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]

55.12(c)(3)
55.12(c)(4)
55.12(c)(5)
55.12(c)(6)
55.12(c)(7)
55.12(c)(8)
55.12(c)(9)
55.12(c)(10)
55.12(c)(11)
✓ None of the above

2. Upload a FEMA/FIRM map showing the site here:

FIRM_Olive Branch_Zone X.pdf

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use **the best available information** to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

Does your project occur in a floodplain?

✓ No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary

Compliance Determination

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. The FIRM Map for the project site shows that it is in an area of minimal flood hazard. (Panel # 21119C0100C, eff. 9/28/2007). A search of the FEMA Flood Map Service Center "all products" database shows that there are no preliminary flood maps for this panel number.

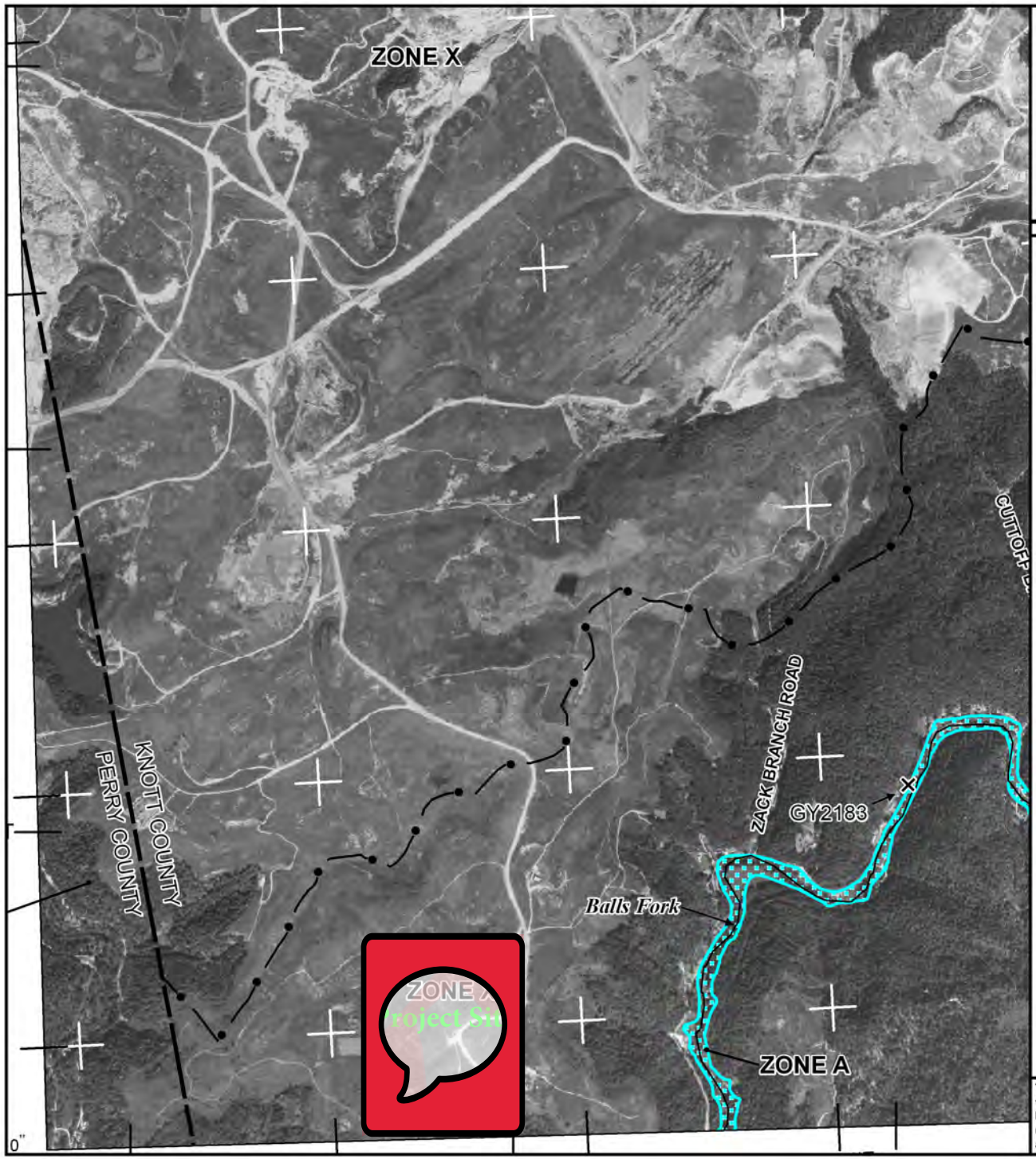
Supporting documentation

FEMA Flood Map Service Center Search Results Panel 21119C0100C_2023-8-30(1).pdf

Are formal compliance steps or mitigation required?

Yes

✓ No



MAP SCALE 1" = 2000'

1000 0 2000 4000 FEET

600 0 600 1200

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0100C

FIRM

FLOOD INSURANCE RATE MAP

KNOTT COUNTY, KENTUCKY

AND INCORPORATED AREAS

PANEL 100 OF 375

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
KNOTT COUNTY	210340	0100	C

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
21119C0100C

EFFECTIVE DATE
SEPTEMBER 28, 2007

Federal Emergency Management Agency

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at https://msc.fema.gov.

FEMA (//www.fema.gov/)

Navigation

Search

MSC Home (/portal/)

MSC Search by Address (/portal/search)

MSC Search All Products (/portal/advanceSearch)

MSC Products and Tools (/portal/resources/productsandtools)

Hazus (/portal/resources/hazus)

LOMC Batch Files (/portal/resources/lomc)

Product Availability (/portal/productAvailability)

MSC Frequently Asked Questions (FAQs) (/portal/resources/faq)

MSC Email Subscriptions (/portal/subscriptionHome)

Contact MSC Help (/portal/resources/contact)

FEMA Flood Map Service Center: Search All Products

Choose one of the three search options below and optionally enter a posting date range.

Jurisdiction

State

-- Select --

Jurisdiction Name

Jurisdiction Name or FEMA ID

(Ex. Fairfax County-wide or 51059C)

Product ID

Product ID

21119C0100C

(Ex. Panel Number, LOMC Case Number)

Filter By Posting Date Range *(Optional)*

Search | Clear All Fields

Search Results for Product 21119C0100C

Click subscribe to receive email notifications when products are updated. If you are a person with a disability, are blind, or have low vision, and need assistance, please contact a map specialist (https://msc.fema.gov/portal/resources/contact).

Effective Products (1)

FIRM Panels (1)

Please note: Searches often result in many map files listed under a given section. You can determine the Product ID for the individual map panel needed by looking at the Map Index file. The index map files have "IND" within the Product ID and appear at the start of the list. These index files show an overview of a jurisdiction and how it is subdivided into map panels with the Product ID for each panel shown.

Show 100 **entries**

Showing 1 to 1 of 1 entries

Previous 1 Next

Product ID	Effective Date	LOMC	Size	Download
21119C0100C	09/28/2007	LOMC	15MB	DL (/portal/downloadProduct?productTypeID=FINAL_PRODUCT&productSubTypeID=FIRM

FIS Reports (0)

LOMC (0)

NFHL Data-State (0)

NFHL Data-County (0)

Preliminary Products (0)

Pending Product (0)

Historic Products (0)

Flood Risk Products (0)

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OIG HOTLINE Report Fraud, Waste & Abuse (https://www.oig.dhs.gov/hotline)

Official website of the Department of Homeland Security

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

Threshold
Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)
No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].
✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

Step 1 – Initiate Consultation
Select all consulting parties below (check all that apply):

✓ State Historic Preservation Offer (SHPO) Completed

✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

✓ Cherokee Nation Response Period Elapsed
✓ Eastern Band of Cherokee Indians Response Period Elapsed

Other Consulting Parties

Describe the process of selecting consulting parties and initiating consultation here:

Kentucky Housing Corporation initiated consultation with the Kentucky Heritage Council (SHPO) on August 28, 2023, who responded with a letter dated August 31, 2023. On August 28, 2023, Kentucky Housing Corporation sent letters via email to the tribes identified in the TDAT search results for Knott County, KY (the Cherokee Nation and the Eastern Band of Cherokee Indians) inviting them to become consulting parties on the Section 106 review of this project.

Document and upload all correspondence, notices and notes (including comments and objections received below).

Was the Section 106 Lender Delegation Memo used for Section 106 consultation?

Yes
No

Step 2 – Identify and Evaluate Historic Properties

1. **Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**
   77 acres to the west of CR-1390 (a.k.a Starfire Haul Road) in Knott County, KY (lot Center Point- 37.379586, -83.109685)

   In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

   Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information

   Additional Notes:

2. **Was a survey of historic buildings and/or archeological sites done as part of the**

project?

Yes

✓ No

Step 3 –Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as per guidance on direct and indirect effects.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

✓ No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Document reason for finding:

✓ No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106. Kentucky Housing Corporation initiated consultation with the Kentucky Heritage Council (SHPO) on August 28, 2023. In a letter dated August 31, 2023, the Kentucky Heritage Council stated "Our review indicates that the proposed project will not impact any properties or sites that are listed in or eligible for the National Register of Historic Places. The proposed project should not require cultural resource survey.

We would concur with a finding of No Historic Properties Affected." On August 28, 2023, Kentucky Housing Corporation sent letters via email to the tribes identified in the TDAT search results for Knott County, KY (the Cherokee Nation and the Eastern Band of Cherokee Indians) inviting them to become consulting parties on the Section 106 review of this project. The tribes did not respond within the 30-day threshold established by HUD CPD Notice 12-006.

Supporting documentation

Tribal Memo-Olive Branch 2023-9-28.pdf
SHPO Letter_Olive_Branch_2023-8-31.pdf
Tribal Consultation Checklist- Olive Branch.pdf
TDAT Results_Knott County_2023-8-23.pdf
Section106CoverSheet-KHC_Olive Branch Subdivision_2023-08-28.pdf
KHC-Olive Branch_E Band of Cherokee Indians Consultation Letter_2023-8-28.pdf
KHC-Olive Branch_E Band of Cherokee Indians Consultation EMAIL_2023-8-28.pdf
KHC-Olive Branch_Cherokee Nation Consultation Letter_2023-8-28.pdf
KHC-Olive Branch_Cherokee Nation Consultation EMAIL_2023-8-28.pdf
KHC Section 106 Consultation Request Email to SHPO_Olive Branch_2023-8-28.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

ANDY BESHEAR
GOVERNOR

JACQUELINE COLEMAN
LT. GOVERNOR

TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY HERITAGE COUNCIL
THE STATE HISTORIC PRESERVATION OFFICE
410 HIGH STREET
FRANKFORT, KENTUCKY 40601
(502) 564-7005
www.heritage.ky.gov

LINDY CASEBIER
SECRETARY

CRAIG A. POTTS
EXECUTIVE DIRECTOR &
STATE HISTORIC PRESERVATION OFFICER

August 31, 2023

Curtis Stauffer
Kentucky Housing Corp.
1231 Louisville Rd.
Frankfort, KY 40601

Re: **Team Kentucky Olive Branch Subdivision, Talcum, Knott Co., KY**

Dear Mr. Stauffer:

Our review indicates that the proposed project will not impact any properties or sites that are listed in or eligible for the National Register of Historic Places. The proposed project should not require cultural resource survey. We would concur with a finding of *No Historic Properties Affected.*

In the unlikely event that human remains are found during construction for this project, work should cease immediately, and the county coroner and the Kentucky Heritage Council should be contacted. Should project plans change or there be any future concerns or questions regarding cultural resources in the vicinity of this project area, please do not hesitate to contact Nicole Konkol via email at nicole.konkol@ky.gov.

Sincerely,

Craig A. Potts,
Executive Director and
State Historic Preservation Officer

CP:nk KHC #232204

Curtis Stauffer

From: Curtis Stauffer
Sent: Monday, August 28, 2023 1:44 PM
To: 'khc.section106@ky.gov'
Cc: Wendy Smith; Kaye Mcafee; Jennifer Oberlin; 'Lyons, John (EEC)'; 'Aldridge, Louanna C (EEC)'
Subject: Section 106 Consultation Request for Team Kentucky Olive Branch subdivision in Knott County
Attachments: Section106CoverSheet-KHC_Olive Branch Subdivision_2023-08-28.pdf

Hello-

Attached please find Kentucky Housing Corporation's request for Section 106 review for the Team Kentucky Olive Branch subdivision in Knott County (Section 106 Cover Sheet with attached supporting documentation). This is a "higher ground" project on reclaimed mineland intended to provide replacement single-family detached housing following the 2022 eastern Kentucky flooding disaster. Because the site consists of previously disturbed reclaimed mineland, the KHC Preliminary Site Check and OSA Preliminary Site Check were not conducted on the advice of Kentucky Heritage Council staff.

Please let us know if you require additional information or documentation.

Thank you for time and assistance.

Sincerely,

Curtis Stauffer

_____

Curtis A. Stauffer, MA, PMP, HDFP
Managing Director,
Housing Contract Administration
Pronouns: he/him/his
Kentucky Housing Corporation
1231 Louisville Rd.
Frankfort, KY 40601
502-874-5329 (direct)
800-633-8896 x. 115 (KY only)
TTY 711
cstauffer@kyhousing.org
www.kyhousing.org

For all your technical assistance needs regarding any Housing Contract Administration program, please visit our HCA Partner Agency Portal.

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KHC partners can subscribe to FREE email updates for KHC news and announcements. Subscribe to eGrams today!

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KHC's blog: www.StrategicHousing.com

KENTUCKY HERITAGE COUNCIL COVER SHEET FOR SECTION 106 REVIEW AND COMPLIANCE

When federal (and some state) funds, permits or approvals are needed for a project, regulations such as 36 CFR Part 800 require these agencies or their delegates to consult with the Kentucky Heritage Council/State Historic Preservation Office regarding the project's potential effects on historic properties. To facilitate our review, please provide the following information and applicable attachments. Our office will generate a response within 30 days of receipt. Incomplete submissions may be returned for more information.

SECTION 1: APPLICANT INFORMATION

Project Sponsor or Applicant: Kentucky Housing Corporation (KHC)

Contact Person (name & position)**:** Curtis Stauffer, Managing Director-Housing Contract Administration

Return Address: 1231 Louisville Rd. Frankfort, KY

Telephone: 502-874-5329 **E-mail:** cstauffer@kyhousing.org

Project Title: Team Kentucky Chestnut Ridge subdivision- Knott County, KY

SECTION 2: AGENCY INFORMATION

Funding/Permitting Agency: Kentucky Housing Corporation (KHC) and KY Dept. for Local Govt. (DLG is acting as responsible entity)

Agency Contact Person (name & position)**:** Wendy Smith, Deputy Executive Director-Housing Programs

Telephone: (502) 684-9852 **E-mail:** wsmith@kyhousing.org

SECTION 3: PROJECT LOCATION

E911 Street Address (or other description)**:** Reclaimed mine lands off of CR-1390 (77 acres)

City/Township: Talcum **County:** Knott

Latitude: 37.376968 **Longitude:** -83.109685

SECTION 4: PROJECT TYPE (please check all that apply)

Proposed Activity: ☐ Demolition ☐ Rehabilitation ☐ Structural Relocation ■ Trails

■ New Construction ■ Land and/or Building Acquisition ■ Sewer/Water Lines ■ Roads/Bridges

☐ Non-Construction Planning/Refinancing ☐ Other (describe):

SECTION 5: IDENTIFICATION OF KNOWN HISTORIC PROPERTIES

KHC Preliminary Site Check #: **OSA Preliminary Site Check #:**

If your project involves ground disturbance, has the site been previously disturbed?

■ Yes (describe in detail below) ☐ No

The surface property consists of previously mined lands under River Coal Company, Permit No. 860-0063, and Liberty Management, Permit No. 860-0565. Both permits achieved Phase III bond release on March 28, 1995 and October 3, 2017, respectively, and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA).

Is there anything over 50 years of age in or visible from the project location? ☐ **Yes** ■ **No**

SECTION 6: ATTACHMENTS - Attach all as applicable

All documentation should be labeled with the project name or site address.

■ Clear, current photographs of the project site and anything over 50 years of age in or visible from it.
■ Site map/plan indicating the exact location and boundaries of the project area.
■ Detailed description of the project (may include plans, scope of work, and other available information.)
■ Documentation of prior ground disturbance (e.g. maps, photographs, underground utility plans, etc.)
■ Any known information about the history/use of the property and local significance.

NOTE: Submit all information to Craig Potts, Executive Director/SHPO Via E-mail to: khc.section106@ky.gov PAPER SUBMISSIONS WILL NOT BE ACCEPTED

We are no longer accepting paper documents for above or below ground review. Please submit all electronic documents for Section 106 Review to khc.section106@ky.gov. DO NOT SUBMIT ANY INITIAL SECTION 106 REVIEW MATERIALS TO AN INDEPENDENT REVIEWER. Failure to submit documents to the dedicated Section 106 email address will result in our staff not eceiving these documents for review.

Olive Branch
Project Description for the Kentucky Heritage Council
August 28, 2023

The Commonwealth of Kentucky, in partnership with Kentucky Housing Corporation (KHC), will build up to 145 single-family detached housing units, in a new subdivision to be called Olive Branch on approximately 77 acres in Knott County (center point coordinates: 37.379586, -83.109685).

The subdivision will be developed on reclaimed mine land in Knott County, KY off of CR-1390 (a.k.a. Starfire Haul Road) near its intersection with intersection of KY-1087. Knott County is a Most Impacted and Distressed (MID) area for CDBG-DR and CDBG-MIT funding. The surface property consists of previously mined lands under River Coal Company, Permit No. 860-0063,[1] and Liberty Management, Permit No. 860-0565. Both permits achieved Phase III bond release on March 28, 1995, and October 3, 2017, respectively, and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). This project will create "higher ground" replacement housing following the July 2022 southeastern Kentucky flood disaster.

The project site will be divided into two development areas. Area A (22 acres) will consist of 40-45 single-family detached (center point coordinates: 37.381642, -83.104906). Area B (55 acres) will consist of 90-100 single-family detached units (center point coordinates: 37.376968, -83.110429). Within Area B there will be approximately 9 acres dedicated to community green space, with potential amenities such trails, playground and picnic shelters.

KHC will select developers to build the homes to be sold to eligible homebuyers. Because developers have not yet been selected for the project, the specific unit count is not yet known. Additionally, developers will determine the design, sizes, and values of the homes to be built so they are not yet known. The Commonwealth will acquire the property and will grade the site where needed. The Commonwealth and Knott County, KY will develop road, water, power, and sewer infrastructure. Kentucky Power will design and construct the electric utilities (with the exception of installation of underground conduit), all to support the development of single-family detached housing. Utilities are located adjacent to the project area. Electric, water and sewer lines will be extended to service the project area. Access to the site will be through connection to CR-1390. The Kentucky Transportation Cabinet will acquire right of way for improvements to CR-1390 which will provide access to the site from KY 80 and KY 1087.

Site reconnaissance by the Kentucky Energy and Environment Cabinet (EEC) on May 17, 2023 for the *Site-Specific Phase I Environmental Site Assessment Olive Branch Property, Bulan (Knott County), Kentucky* (issued May 25, 2023) observed that "Utilities are present adjacent to the subject property along KY-80 including water, sewer, and electric utilities. No structures were observed on the subject property northern portion of the subject property. The subject property is accessible by roads used historically for surface mining operations. The roadway leading to the subject property, Starfire Haul Road, is clear and useable, but improvements can be made. A dirt road with a gate is used to access the lower field of the subject property. A separate dirt road just north of this entrance is used to access the upper field of the subject property. Both are in poor condition, at this time, and require a vehicle with

[1] Please note that the Kentucky Department for Natural Resources (DNR) no longer has bond release records for River Coal Company Permit No. 860-0063 due to the age of the bond release.

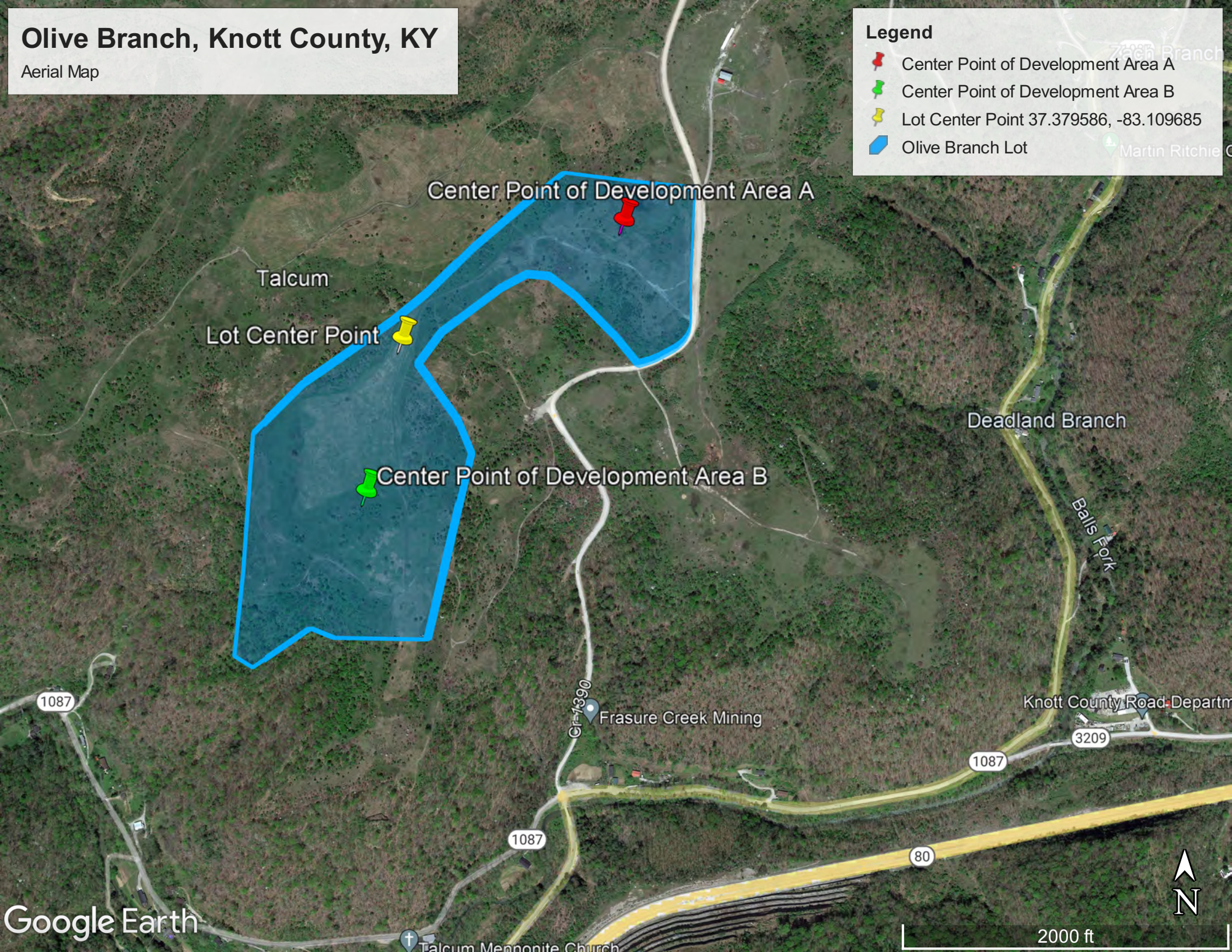
four-wheel drive to access. The subject property is currently vacant. The majority of the subject property is used for hay fields, and the property consists of primarily of tall vegetation surrounded by forested areas." Please note that while the Phase I ESA conducted by EEC covered approximately 300-acres under negotiation to be acquired by the Commonwealth, the Commonwealth will only acquire 77 acres required for the Olive Branch housing subdivision. Site from the development area included in the Phase I EA have been attached.

Attached to the Section 106 Cover Sheet are:

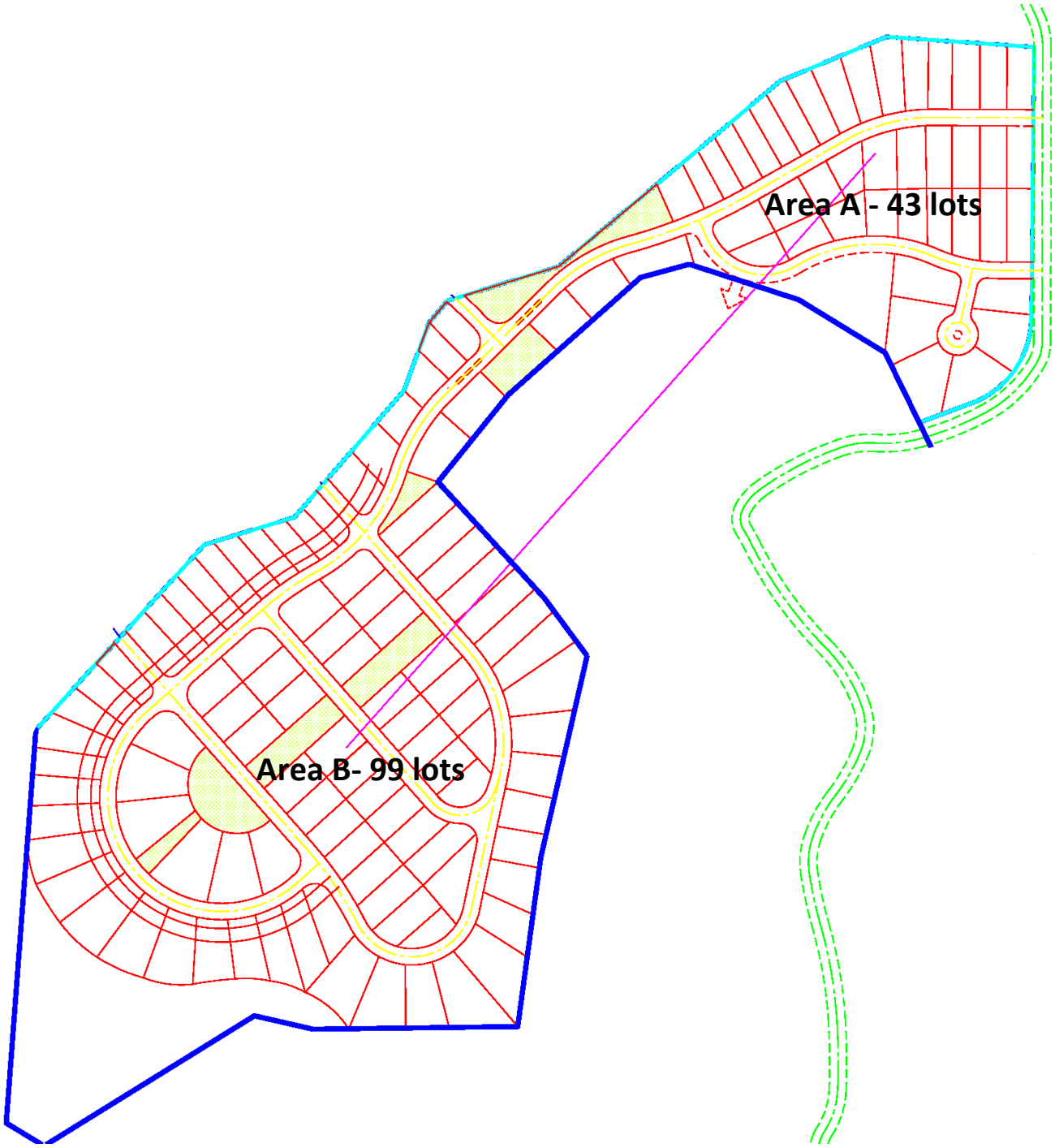
1) This project description
2) Aerial Map with approximate site boundaries
3) Plat map sketch
4) Email from the Kentucky Energy and Environment Cabinet describing the mine reclamation process for the River Coal Company, Permit No. 860-006/Liberty Management, Permit No. 860-0565 site with maps, final mine inspection report, and bond release letter
5) Site photos from *Site-Specific Phase I Environmental Site Assessment Olive Branch Property, Bulan (Knott County), Kentucky* (issued May 25,2023) conducted by the Kentucky Energy and Environment Cabinet Department for Environmental Protection Division of Waste Management Superfund Branch

Olive Branch, Knott County, KY

Aerial Map



Olive Branch Plat Sketch



Curtis Stauffer

From: Skaggs, Courtney (EEC) <courtney.skaggs@ky.gov>
Sent: Wednesday, May 10, 2023 10:43 AM
To: Curtis Stauffer
Cc: Aldridge, Louanna C (EEC); Lyons, John (EEC); Gaddis, Sarah J (EEC)
Subject: Olive Branch-narratives, maps and Phase III documentation
Attachments: MIR 860-0565_Olive Branch.doc; MRP Map_Liberty Management LLC_860-0565.docx; MRP Map_River Coal Company Inc_860-0063.docx; NOD Phase III 860-0565_Olive Branch.doc; Olive Branch reclamation plan narrative.docx

Follow Up Flag: Follow up
Flag Status: Flagged

EXTERNAL EMAIL: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Curtis,

Please see below information regarding site location and reclamation status related to the Olive Branch project in Knott County. I have also attached maps, a mine inspection report and Notice of Decision (NOD) letters that document the Phase III bond release for Liberty Management, LLC permit no. 860-0565. There was also a second permitted site located within the boundary of the project area that was issued to River Coal Company, Inc. The Department for Natural Resources (DNR) no longer has bond release records due to the age of the bond release; Phase III release for this permit was granted on March 28, 1995 (28 years ago).

I can provide you with a screen grab from our database that reflects the bond release granted for the permit. "RC" indicates that the permit was "released", while "P2" and "P1" indicate the prior Phase 1 and Phase 2 bond release statuses. I hope this is sufficient to document the release of this permit and termination of the DNR's SMCRA jurisdiction.

Permits

Permit Search:

Search: 8600063

Export to Excel

Permit #	Entity Id	Entity Name
8600063	002287	RIVER COAL COMPANY INC

1 5 items per page

Inspection History

Date	Inspection Type	Reasons	Mine Status	Dis
03/28/1995	P	SO	RC	159
02/13/1995	C		P2	159
12/08/1994	C	BR	P2	159
09/29/1994	C		P2	159
08/04/1994	P	BR	P2	159
05/02/1994	C		P2	159
12/08/1993	C		P1	159

Olive Branch-Knott County

Site Location:

This site is located near the community of Talcum in Knott County, Kentucky at 37.3892°W/-83.1079°N. The surface property includes previously mined lands that have obtained Phase 3 bond release and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). The project will develop approximately seventy-five (75) acres and include housing site for approximately two-hundred twenty-five (225) single family residences.
Utilities are located adjacent to the project area. Both water and sewer lines will be extended to service the project area, as well as electric utilities. Access to the site will be through existing public roads, with extension to County Road 1390 (CR-1390) anticipated.

Reclamation Status:

The Olive Branch 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) in 1984. The DNR is the state primacy agency with the regulatory authority for permitting, inspection and enforcement under SMCRA. The project area includes two (2) reclaimed mining sites formerly permitted by River Coal Company, Inc. and Liberty Management, LLC.

River Coal Company, Inc., permit no. 860-0063, was issued on February 14, 1984 and obtained a Phase IIII bond release on March 28, 1995.

Liberty Management LLC, permit no 860-0565 was initially permitted to Star Fire Mining Company, permit no. 460-0080. 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 Big Elk Mining Company, permit no. 860-0421 on October 25, 2005; the second transfer of rights to Frasure Creek Mining LLC, permit no. 860-0466 on June 1, 2007; a third transfer of rights (due to a stock purchase) to Frasure Creek Mining LLC, permit no. 860-0506 on April 7, 2011; and a fourth transfer of rights to Liberty Management LLC, permit no. 860-0565 on November 5, 2015. Liberty Management, LLC, permit no. 860-0565 obtained a Phase III bond release on October 3, 2017.

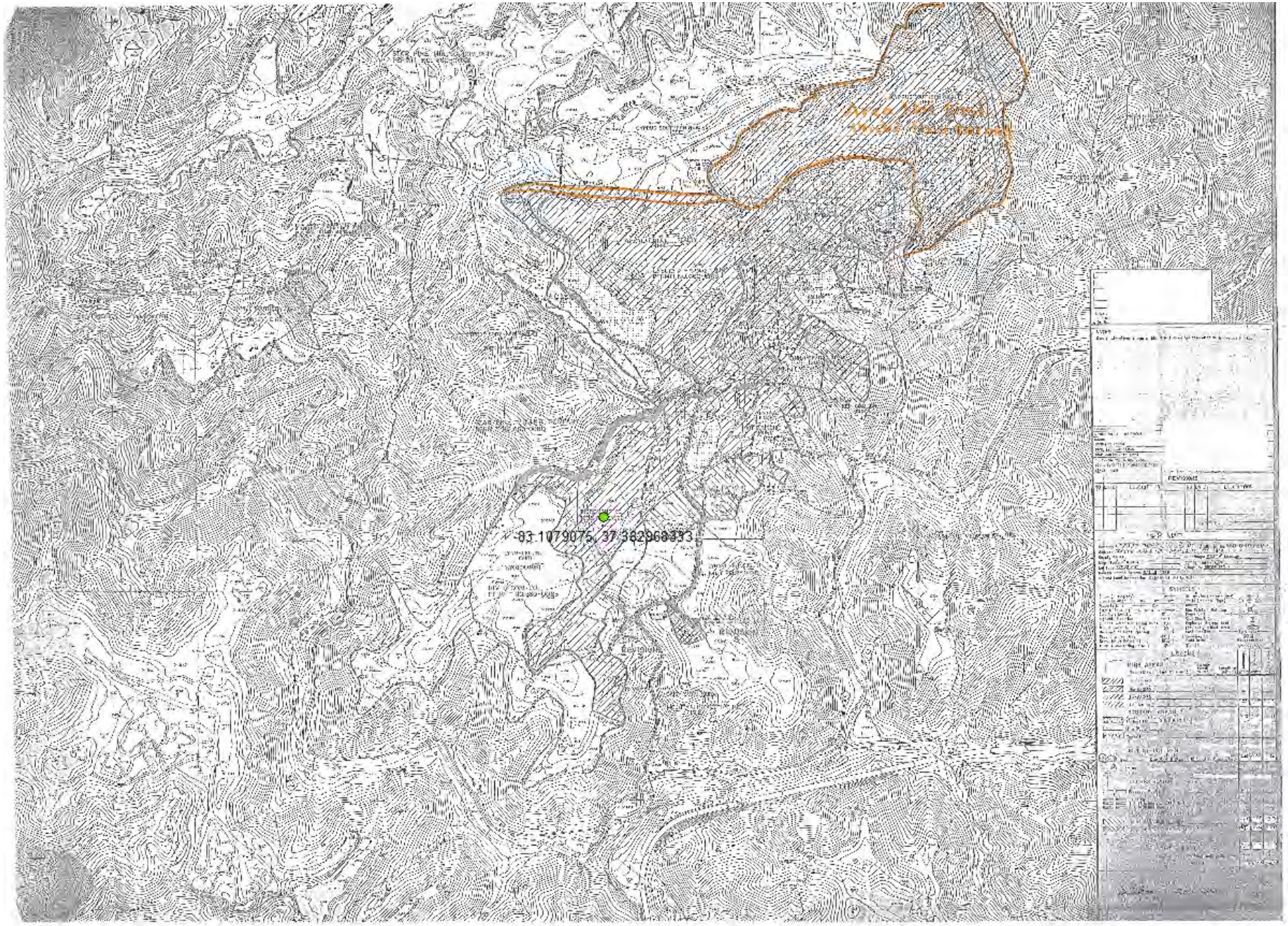
405 KAR Chapter 10:040, Section (2) defines the criteria and schedule for release of the permit and performance bond upon successful completion of the approved reclamation plan. The regulation defines three (3) phases of release, with each phase requiring achievement of different reclamation requirements. 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.*"

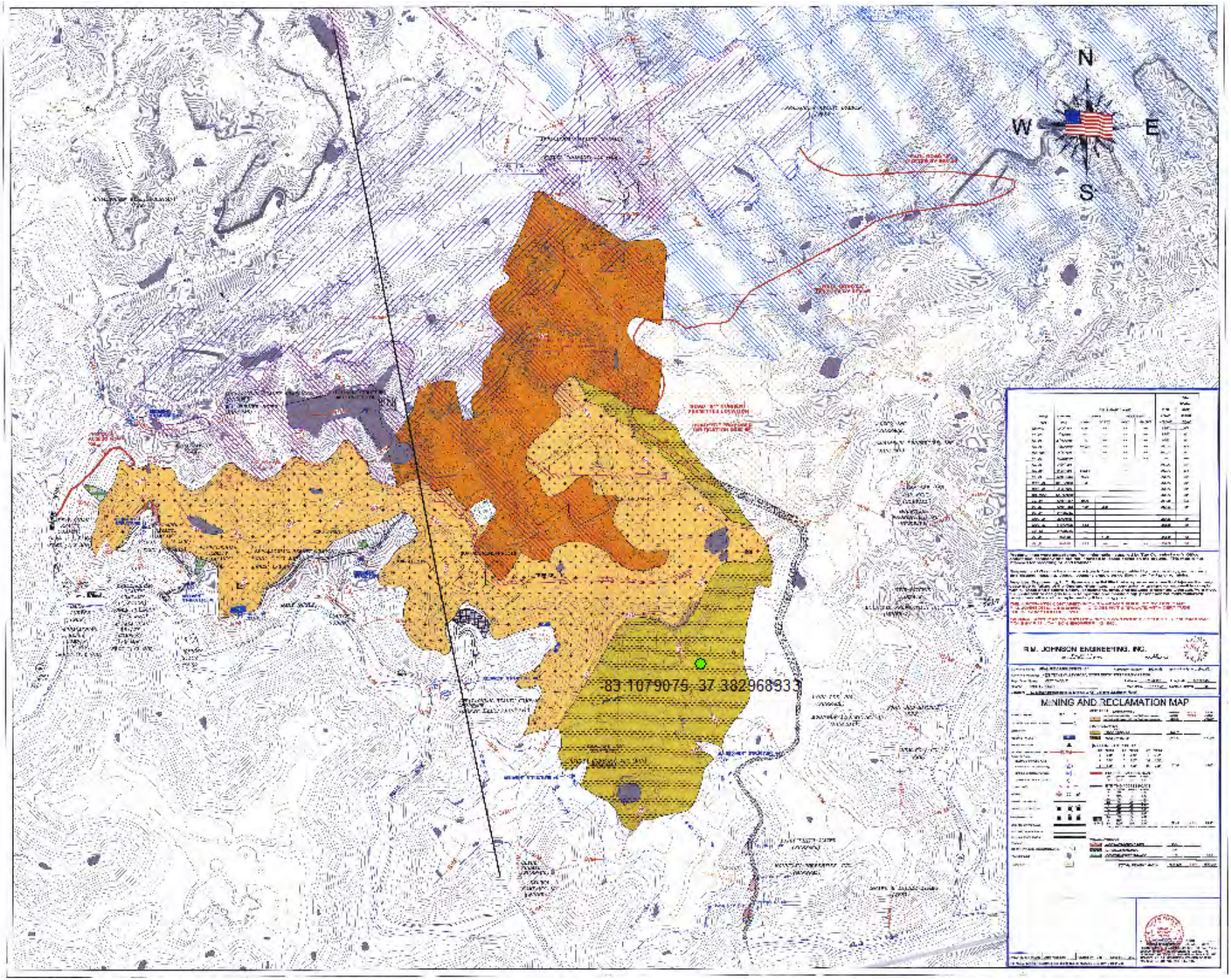
The "*approved reclamation plan*" in the SMCRA permit required the permittee to:

- 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 March 28, 1995 and October 3, 2017.

Courtney


-83.1079075, 37.382960333


N
W
E
S
-83.1079075, 37.38296833
R.M. JOHNSON ENGINEERING, INC.
MINING AND RECLAMATION MAP

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

Matthew G. Bevin
Governor

2 Hudson Hollow
Frankfort, Kentucky 40601
Phone (502) 564-6940
Fax (502) 564-5698
www.naturalresources.ky.gov
www.kentucky.gov

Charles G. Snavely
Secretary

Allen Luttrell
Commissioner

1804 EAST CUMBERLAND AVENUE
Middlesboro, KY 40965-1229

September 15, 2017

LIBERTY MANAGEMENT, LLC
PO BOX 100
ARY KY 41712

RE:	Permit Name:	LIBERTY MANAGEMENT LLC
	Permit Number:	860-0565
	Increment Number:	1,5,6
	Bond ID Number:	041-001547, 041-001549, 041-001550
	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,

E-Signed by Steve Vance
VERIFY authenticity with e-Sign

Steve Vance
Environmental Control Manager
DMRE/London Regional Office

cc: Brent Gay

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

Matthew G. Bevin
Governor

2 Hudson Hollow
Frankfort, Kentucky 40601
Phone (502) 564-6940
Fax (502) 564-5698
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www.kentucky.gov

Charles G. Snavely
Secretary

Allen Luttrell
Commissioner

1804 EAST CUMBERLAND AVENUE
Middlesboro, KY 40965-1229

September 15, 2017

INDEMNITY NATIONAL INS CO
4800 OLD KINGSTON PIKE
KNOXVILLE TN 37919

RE:	Permit Name:	LIBERTY MANAGEMENT LLC
	Permit Number:	860-0565
	Increment Number:	1,5,6
	Bond ID Number:	041-001547, 041-001549, 041-001550
	Phase Number:	PIII

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Sincerely,

E-Signed by Steve Vance
VERIFY authenticity with e-Sign

Steve Vance
Environmental Control Manager
DMRE/London Regional Office

cc: Brent Gay

MINE INSPECTION REPORT – PERMANENT PROGRAM

Hand Delivered? 860-0565

Company Name and Address	RG Bonded Acres	Acres Permitted	Status	Start Time	End Time
LIBERTY MANAGEMENT LLC PO BOX 100 ARY, KY 41712		808.22	RC	10:00 AM	11:00 AM
	Mine Type	Acres Bonded	Inspection Date		Type
	SURFACE	0	10/03/2017		C
	Weather	Est. Acres Disturbed			
	SUN	576.97			

Insolvent Surety	Photos	Reasons For Inspection				Overall Site Condition	Est. Acres Reclaimed	End Inspection Date
No	No					FC	576.97	10/03/2017

Non-Compliance	Cessation Order Number	Cessation Order Type	INC/ICO Number	INC/ICO Type	IAO Number	IAO Type	Modification Number	Modification Type	Permit Expiration Date
									2/1/1999

(SM)	FC	Signs and Markers KAR 16:030 or 18:030	(SC)	FC	Sedimentation Ponds KAR 16:090 or 18:090	(SS)	FC	Steep Slopes KAR 20:060
(AC)	FC	Roads KAR 16:220 or 18:230	(DV)	FC	Diversions KAR 16:080 or 18:080	(MR)	NA	Mountaintop Removal KAR 20:050
(TH)	FC	Topsoil KAR 16:050 or 18:050	(WQ)	FC	Water Quality KAR 16:070 or 18:070	(AM)	NA	Auger Mining KAR 20:030
(UE)	FC	Use of Explosives KAR 16:120 or 18:120	(HR)	FC	General Hydrologic Requirements KAR 16:060 or 18.060	(PF)	NA	Prime Farmland KAR 20:040
(DS)	FC	Disposal of Excess Spoil KAR 16:130 or 18:130	(WM)	FC	Water Monitoring KAR 16:110 or 18:110	(PP)	NA	Processing Plants KAR 20:070 or 20:080
(BG)	FC	Backfilling and Grading KAR 16:190 or 18:190	(IM)	FC	Impoundments KAR 16:100 or 18:100	(PL)	FC	Post-Mining Land Use KAR 16:210 or 18:220
(CR)	FC	Contemporaneous Reclamation KAR 16:020 or 18:020	(WD)	NA	Coal Waste Dams KAR 16:160 or 18:160	(DH)	FC	Drilled Holes KAR 16:040 or 18:040
(OF)	FC	Other Facilities KAR 16:250 or 18:260	(DC)	NA	Disposal of Coal Processing Waste KAR 16:140 or 18:140	(UO)	NA	Approved Operator KAR 8:010
(DW)	FC	Disposal of Non-Coal Waste KAR 16:150 or 18:150	(AP)	FC	Air Resources Protection KAR 16:170 or 18:170	(OC)	FC	Ownership and Control KAR 8:010
(RV)	FC	Revegetation KAR 16:200 or 18:200	(FW)	FC	Fish and Wildlife Protection KAR 16:180 or 18:180	(SB)	NA	Subsidence KAR 18:210
(OD)	FC	Off Permit Disturbance KAR 7:040	(OO)	NA	Mining Off Permit U/G KAR 7:040 or 8:010	(OT)	FC	Other Permit Conditions
(OM)	FC	Method of Operation KAR 08:010	(LI)	FC	Liability Insurance KAR 10:030	(SF)	FC	Surety Failure KAR 10:030
(EL)	FC	Effluent Limitations KAR 5:065	(FR)	FC	Flyrock KAR 16:120	(SW)	FC	Surface and Ground Water KAR 16:110, 18:110, or 5:065

Describe all changes since last inspection, including change in operator or contractor and name(s) of any person(s) who accompanied you during this inspection (citizen, chief, other federal or state inspectors); etc.

Complete inspection - All structures with KPDES sampled and in compliance. Yes☐ No☒ If Yes not selected, list points in violation.

This permit is released as of 10-03-2017 due to a phase III bond release and inspections ceased.

Env. Inspector:	Jason Mills	I.D. No:	060248	Date:	10/03/2017
Env. Control Supervisor:	E-Signed by Kevin Helton VERIFY authenticity with e-Sign Kevin Helton			Date:	10/03/2017
Env. Control Manager:				Date:	
Person On-Site To Whom Copy Was Delivered:		Signature:			
Person To Whom Copy Was Hand Delivered:		Signature:			
Certified Mail No.		Certified Date			
Contact Inspector at:	606-231-8486				

Copies Mailed To:
LIBERTY MANAGEMENT LLC
5896 HURRICANE CREEK ROAD PIKEVILLE KY 41501
PO BOX 100
ARY, KY 41712

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southwest Area B	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southwest Area B	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Northwest Area B	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southeast Area B	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field on subject property facing North Area A	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field on subject property facing North Area A	

Photographic Record of Subject Property	
Date: May 17, 2023	
Photographer: Caitlin Mullins	
Photo taken in lower field of subject property facing South Area A	

MEMORANDUM

TO: Project File

FROM: Curtis A. Stauffer, Managing Director-Housing Contract Administration

SUBJECT: Tribal response to Section 106 Consultation Letter

DATE: September 28, 2023

On August 28, 2023, I sent letters via email inviting the Eastern Band of Cherokee Indians and the Cherokee Nation to become consulting parties on the Section 106 review for the new construction of up to 145 units of single-family housing on 77 acres of land located off CR-1390 in Knott County, KY at the decimal latitude/longitude coordinates of 37.379586, -83.109685 by the Commonwealth of Kentucky. The tribes did not respond within the 30-day threshold specified by HUD CPD Notice 12-006.

When To Consult With Tribes Under Section 106

Section 106 requires consultation with federally-recognized Indian tribes when a project may affect a historic property of religious and cultural significance to the tribe. Historic properties of religious and cultural significance include: archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places, traditional cultural landscapes, plant and animal communities, and buildings and structures with significant tribal association. The types of activities that may affect historic properties of religious and cultural significance include: ground disturbance (digging), new construction in undeveloped natural areas, introduction of incongruent visual, audible, or atmospheric changes, work on a building with significant tribal association, and transfer, lease or sale of properties of the types listed above.

If a project includes any of the types of activities below, invite tribes to consult:

X **significant ground disturbance (digging)**
Examples: new sewer lines, utility lines (above and below ground), foundations, footings, grading, access roads

☐ **new construction in undeveloped natural areas**
Examples: industrial-scale energy facilities, transmission lines, pipelines, or new recreational facilities, in undeveloped natural areas like mountaintops, canyons, islands, forests, native grasslands, etc., and housing, commercial, and industrial facilities in such areas

☐ **incongruent visual changes**
Examples: construction of a focal point that is out of character with the surrounding natural area, impairment of the vista or viewshed from an observation point in the natural landscape, or impairment of the recognized historic scenic qualities of an area

☐ **incongruent audible changes**
Examples: increase in noise levels above an acceptable standard in areas known for their quiet, contemplative experience

☐ **incongruent atmospheric changes**
Examples: introduction of lights that create skyglow in an area with a dark night sky

☐ **work on a building with significant tribal association**
Examples: rehabilitation, demolition or removal of a surviving ancient tribal structure or village, or a building or structure that there is reason to believe was the location of a significant tribal event, home of an important person, or that served as a tribal school or community hall

☐ **transfer, lease or sale of a historic property of religious and cultural significance**
Example: transfer, lease or sale of properties that contain archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, plant and animal communities, or buildings and structures with significant tribal association

☐ **None of the above apply**

Olive Branch, Knott County KY		Curtis Stauffer	8/23/2023
Project		**Reviewed By**	**Date**

Tribal Directory Assessment Information

Contact Information for Tribes with Interests in Knott County, Kentucky

	Tribal Name	County Name
−	Cherokee Nation	Knott

Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL
Elizabeth Toombs	THPO	PO Box 948, Tahlequah, OK - 74465	(918) 453-5389		elizabeth-toombs@cherokee.org	http://www.cherokee.org
Chuck Hoskin	Principal Chief	17675 South Muskogee Avenue, Tahlequah, OK - 74464	(800) 256-0671	(918) 458-5580	chuck-hoskin@cherokee.org	

−	Eastern Band of Cherokee Indians	Knott

Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL
Richard Sneed	Principal Chief	88 Council House Loop Road, Cherokee, NC - 28719	(828) 359-7000	(828) 359-0344	ashlstep@nc-cherokee.com	https://ebci.com/
Russell Townsend	Tribal Historic Preservation Specialist	Qualla Boundary P.O. Box 455, Cherokee, NC - 28719	(828) 554-6851	(828) 497-1590	syerka@nc-cherokee.com	https://ebci.com/

1 - 2 of 2 results « ‹ 1 › » 10

Curtis Stauffer

From: Curtis Stauffer
Sent: Monday, August 28, 2023 2:32 PM
To: 'richsnee@nc-cherokee.com'
Cc: 'Aldridge, Louanna C (EEC)'; 'Lyons, John (EEC)'; Wendy Smith; Kaye Mcafee; Jennifer Oberlin; 'russtown@nc-cherokee.com'
Subject: Invitation to become a consulting party of the Section 106 review for the Commonwealth of Kentucky Olive Branch subdivision project in Knott County
Attachments: KHC-Olive Branch_E Band of Cherokee Indians Consultation Letter_2023-8-28.pdf

Dear Principal Chief Sneed:

For your consideration, please see the attached letter inviting the Eastern Band of Cherokee Indians to become a consulting party on the historic review for the development of Olive Branch, a new housing subdivision in Knott County, KY (center point geographic coordinates: 37.379586, -83.109685). To meet project timeframes, can you please let us know if you would like to be a consulting party on this project within 30 days?

Thank you for your time and consideration.

Sincerely,

Curtis Stauffer

_____

Curtis A. Stauffer, MA, PMP, HDFP
Managing Director,
Housing Contract Administration
Pronouns: he/him/his
Kentucky Housing Corporation
1231 Louisville Rd.
Frankfort, KY 40601
502-874-5329 (direct)
800-633-8896 x. 115 (KY only)
TTY 711
cstauffer@kyhousing.org
www.kyhousing.org

For all your technical assistance needs regarding any Housing Contract Administration program, please visit our HCA Partner Agency Portal.

Investing in quality housing solutions since 1972.

KHC partners can subscribe to FREE email updates for KHC news and announcements. Subscribe to eGrams today!

Follow us in social media: Twitter: twitter.com/KYHousing / Facebook: www.facebook.com/kyhousing
KHC's blog: www.StrategicHousing.com

Kentucky Housing Corporation
Investing in quality housing solutions.

August 28, 2023

Richard Sneed, Principal Chief
Eastern Band of Cherokee Indians
PO Box 455
Cherokee, NC 82719

Via e-mail to: richsnee@nc-cherokee.com

RE: Team Kentucky Olive Branch, Knott County, KY (37.379586, -83.109685) - HUD HOME Investment Partnerships and Community Development Block Grant Disaster Recovery (CDBG-DR) Housing Subdivision

Dear Principal Chief Sneed:

Kentucky Housing Corporation (KHC) and the Kentucky Department for Local Government (DLG) are considering funding the project listed above with HOME Investment Partnerships funds (KHC) and Community Development Block Grant Disaster Recovery funds (DLG) from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the Kentucky Housing Corporation has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

KHC will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations found at 36 CFR Part 800 in consultation with the Kentucky Heritage Council, our State Historic Preservation Office. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

Enclosed is a map that shows the project area and, if applicable, an additional area of potential indirect effects. Also enclosed is a plat map sketch for the project. The Commonwealth of Kentucky, in partnership with Kentucky Housing Corporation (KHC), will build up to 145 single-family detached housing units, in a new subdivision to be called Olive Branch on approximately 77 acres in Knott County (center point coordinates: 37.379586, -83.109685).

The subdivision will be developed on reclaimed mine land in Knott County, KY off of CR-1390 (a.k.a Starfire Haul Road) near its intersection with KY-1087. Knott County is a Most Impacted and Distressed (MID) area for CDBG-DR and CDBG-MIT funding. The surface property consists of previously mined lands under River Coal Company, Permit No. 860-0063, and Liberty Management, Permit No. 860-0565. Both permits

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achieved Phase III bond release on March 28, 1995 and October 3, 2017, respectively, and have no continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). This project will create "higher ground" replacement housing following the July 2022 southeastern Kentucky flood disaster.

More information on the Section 106 review process is available at https://www.achp.gov/protecting-historic-properties/section-106-process/introduction-section-106 and HUD's process for tribal consultation under Section 106 is described in a Notice available at https://www.hudexchange.info/programs/environmental-review/historic-preservation/.

To meet project timeframes, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response? If you do not wish to consult on this project, can you please inform us? We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,

Curtis A. Stauffer, Managing Director-Housing Contract Administration

cc: Russell Townsend (russtown@nc-cherokee.com)
Louanna Aldridge (louanna.aldridge@ky.gov)
John Lyons (john.lyons@ky.gov)
Kaye McAfee (kmcafee@kyhousing.org)
Wendy Smith (wsmith@kyhousing.org)
Jennifer Oberlin (joberlin@kyhousing.org)

Attachments: Attachment A form
TDAT Results-Knott County, KY
Aerial Map
Plat Map Sketch

When To Consult With Tribes Under Section 106

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If a project includes any of the types of activities below, invite tribes to consult:

X **significant ground disturbance (digging)**
Examples: new sewer lines, utility lines (above and below ground), foundations, footings, grading, access roads

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Examples: industrial-scale energy facilities, transmission lines, pipelines, or new recreational facilities, in undeveloped natural areas like mountaintops, canyons, islands, forests, native grasslands, etc., and housing, commercial, and industrial facilities in such areas

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☐ **None of the above apply**

Olive Branch, Knott County KY		Curtis Stauffer	8/23/2023
Project		**Reviewed By**	**Date**

Tribal Directory Assessment Information

Contact Information for Tribes with Interests in Knott County, Kentucky

	Tribal Name	County Name
−	Cherokee Nation	Knott

Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL
Elizabeth Toombs	THPO	PO Box 948, Tahlequah, OK - 74465	(918) 453-5389		elizabeth-toombs@cherokee.org	http://www.cherokee.org
Chuck Hoskin	Principal Chief	17675 South Muskogee Avenue, Tahlequah, OK - 74464	(800) 256-0671	(918) 458-5580	chuck-hoskin@cherokee.org	

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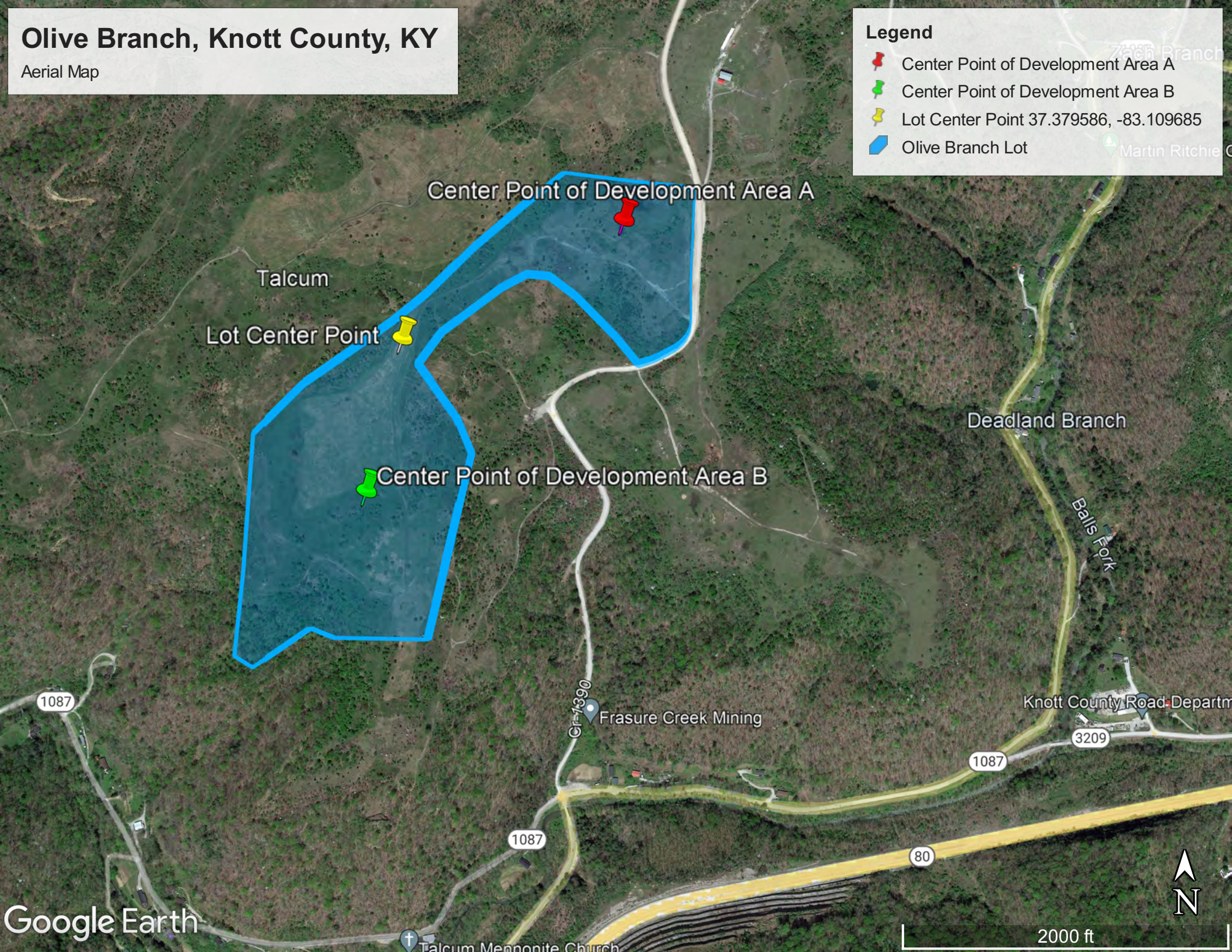
Russell Townsend	Tribal Historic Preservation Specialist	Qualla Boundary P.O. Box 455, Cherokee, NC - 28719	(828) 554-6851	(828) 497-1590	syerka@nc-cherokee.com	https://ebci.com/

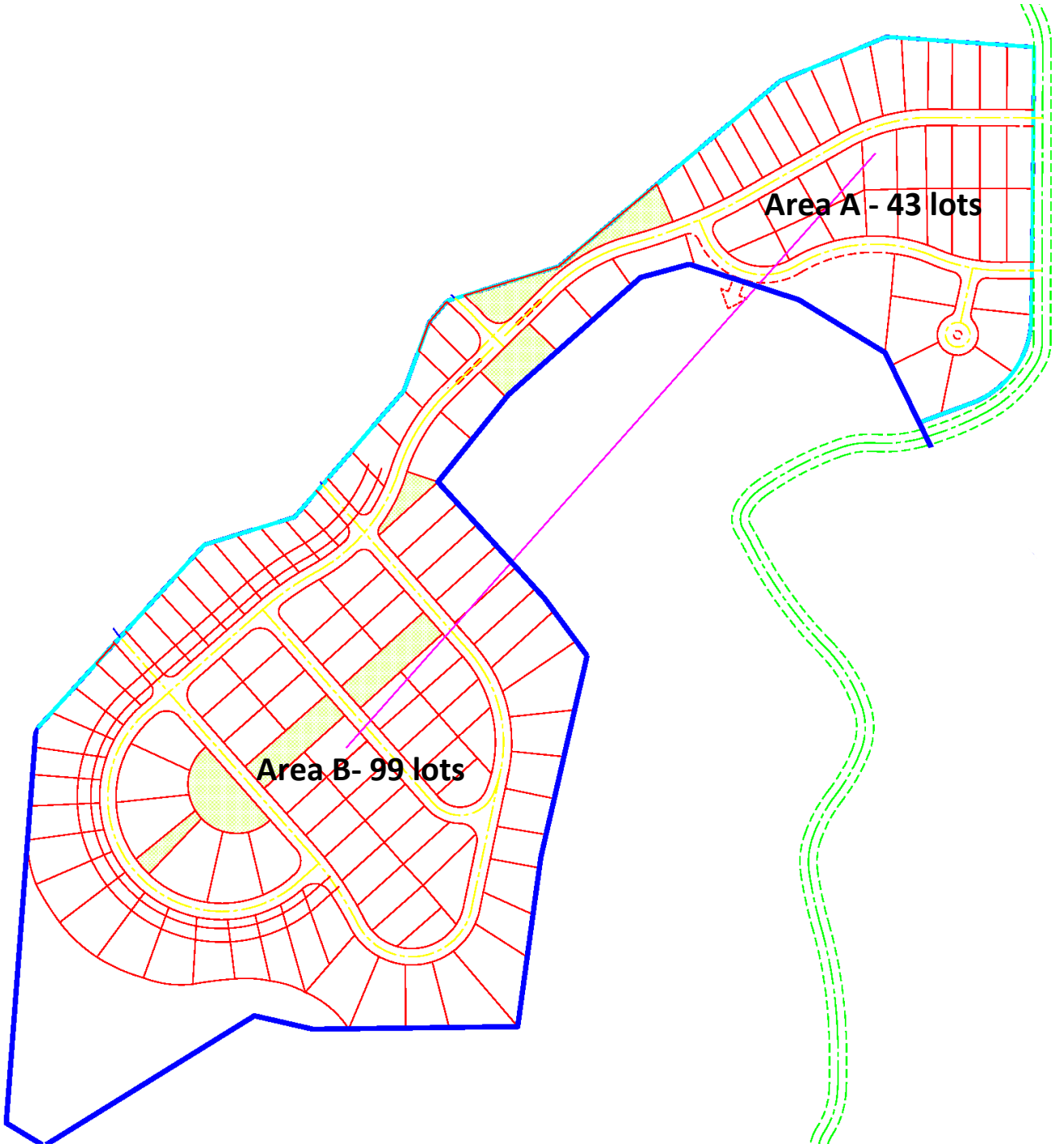
1 - 2 of 2 results « ‹ 1 › » 10

Olive Branch, Knott County, KY

Aerial Map



Olive Branch Plat Sketch



Curtis Stauffer

From: Curtis Stauffer
Sent: Monday, August 28, 2023 2:23 PM
To: 'Elizabeth-toombs@cherokee.org'
Cc: 'chuck-hoskin@cherokee.org'; 'Aldridge, Louanna C (EEC)'; 'Lyons, John (EEC)'; Kaye Mcafee; Wendy Smith; Jennifer Oberlin
Subject: Invitation to become a consulting party of the Section 106 review for the Commonwealth of Kentucky Olive Branch subdivision project in Knott County
Attachments: KHC-Olive Branch_Cherokee Nation Consultation Letter_2023-8-28.pdf

Dear Ms. Toombs-

For your consideration, please see the attached letter inviting the Cherokee Nation to become a consulting party on the historic review for the development of Olive Branch, a new housing subdivision in Knott County, KY (center point geographic coordinates: 37.379586, -83.109685). To meet project timeframes, can you please let us know if you would like to be a consulting party on this project within 30 days?

Thank you for your time and consideration.

Sincerely,

Curtis Stauffer

_____

Curtis A. Stauffer, MA, PMP, HDFP
Managing Director,
Housing Contract Administration
Pronouns: he/him/his
Kentucky Housing Corporation
1231 Louisville Rd.
Frankfort, KY 40601
502-874-5329 (direct)
800-633-8896 x. 115 (KY only)
TTY 711
cstauffer@kyhousing.org
www.kyhousing.org

For all your technical assistance needs regarding any Housing Contract Administration program, please visit our HCA Partner Agency Portal.

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KHC's blog: www.StrategicHousing.com

Confidentiality Notice: The electronic mail and the materials enclosed with this transmission are the private property of Kentucky Housing Corporation and intended for the use, benefit, and information of the intended recipient noted above. If you are not the intended recipient, you are hereby informed that review, disclosure,

Kentucky Housing Corporation
Investing in quality housing solutions.

August 28, 2023

Elizabeth Toombs, THPO
Cherokee Nation
PO Box 948
Tahlequah, OK 74465
Via e-mail to: elizabeth-toombs@cherokee.org

RE: Team Kentucky Olive Branch, Knott County, KY (37.379586, -83.109685) - HUD HOME Investment Partnerships and Community Development Block Grant Disaster Recovery (CDBG-DR) Housing Subdivision

Dear Ms. Toombs:

Kentucky Housing Corporation (KHC) and the Kentucky Department for Local Government (DLG) are considering funding the project listed above with HOME Investment Partnerships funds (KHC) and Community Development Block Grant Disaster Recovery funds (DLG) from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the Kentucky Housing Corporation has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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continuing regulatory jurisdiction under the Surface Mining Control & Reclamation Act of 1977 (SMCRA). This project will create "higher ground" replacement housing following the July 2022 southeastern Kentucky flood disaster.

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Olive Branch, Knott County KY		Curtis Stauffer	8/23/2023
Project		**Reviewed By**	**Date**

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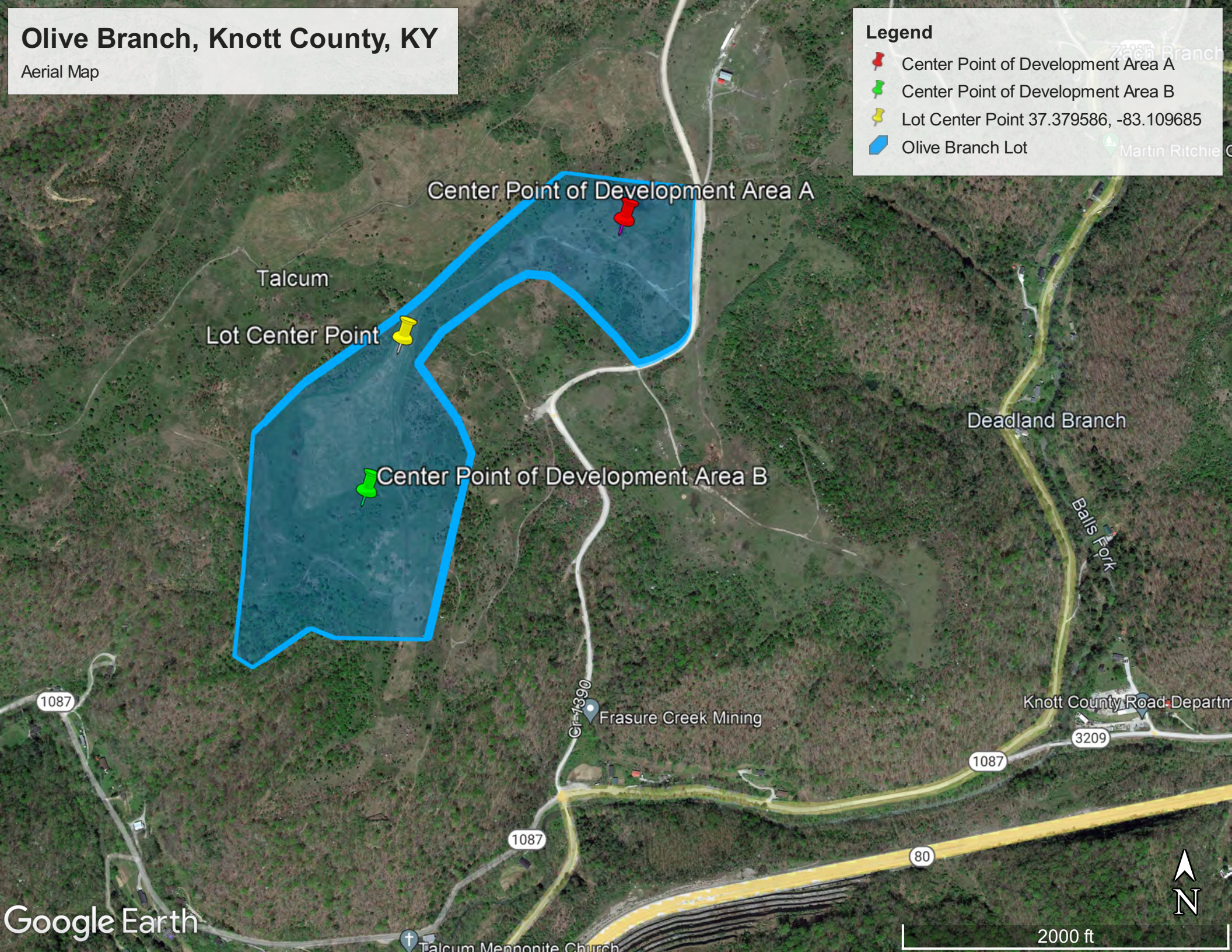
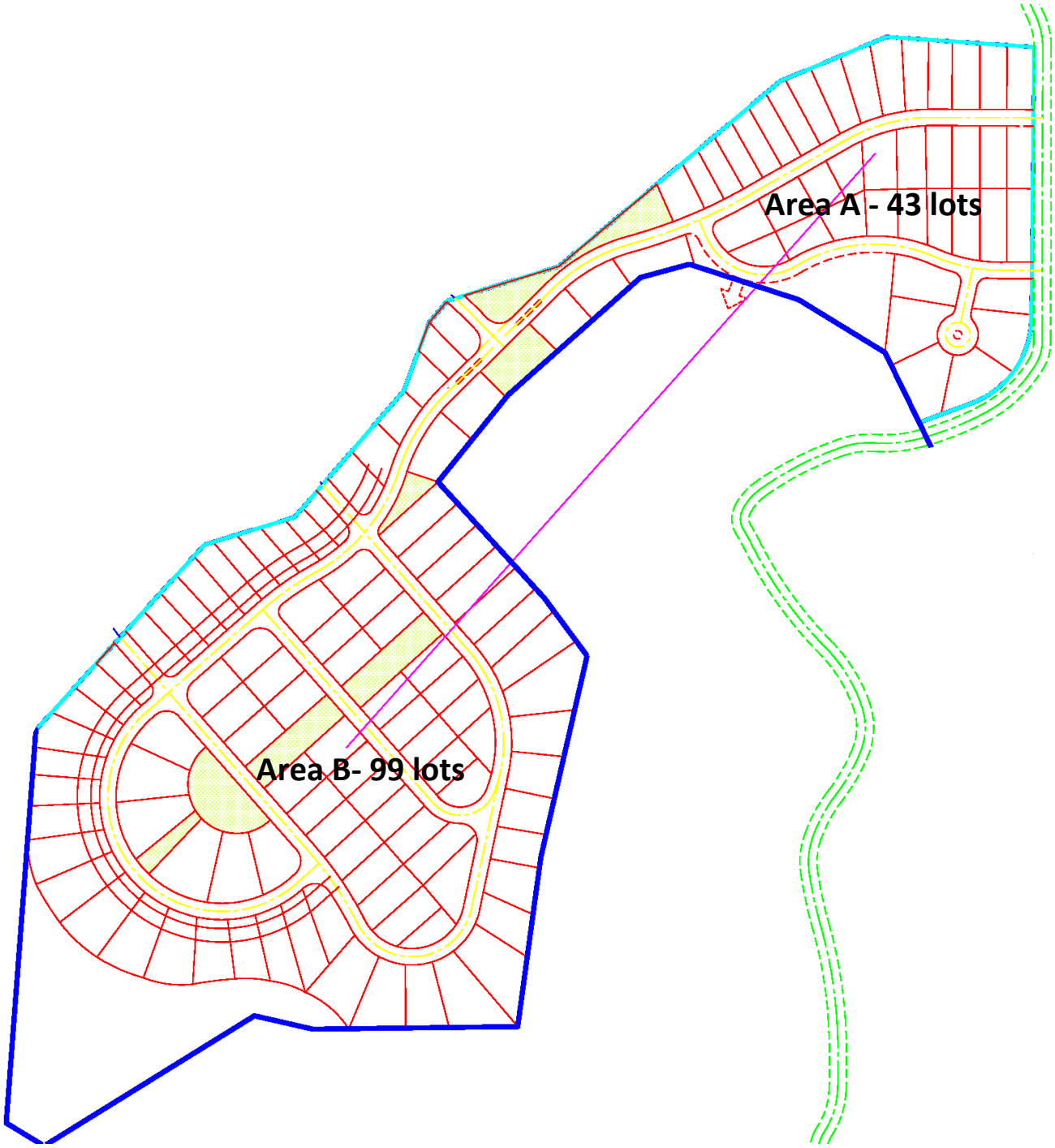
1 - 2 of 2 results « ‹ 1 › » 10

Olive Branch, Knott County, KY

Aerial Map



Olive Branch Plat Sketch



Noise Abatement and Control

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B

1. What activities does your project involve? Check all that apply:

✓ New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster
None of the above

4**. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).**

Indicate the findings of the Preliminary Screening below:

There are no noise generators found within the threshold distances above.

✓ Noise generators were found within the threshold distances.

5. **Complete the Preliminary Screening to identify potential noise generators in the**

✓ Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Indicate noise level here: 44

Based on the response, the review is in compliance with this section. Document and upload noise analysis, including noise level and data used to complete the analysis below.

Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Unacceptable: (Above 75 decibels)

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels.

Check here to affirm that you have considered converting this property to a non-residential use compatible with high noise levels.

Indicate noise level here: 44

Document and upload noise analysis, including noise level and data used to complete the analysis below.

Screen Summary

Compliance Determination

A Noise Assessment was conducted. The noise level was acceptable: 44.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation. The project site is 1,077 feet from KY-1087, the nearest road with available AADT, which is beyond the threshold distance. The project site is 8.94 miles from the nearest active railroad. (Note: service on the CSX Spur to Bulan and Hardourly, which is slightly closer to the

project site but still beyond the threshold distance, was discontinued 1/25/2017, per the USDOT Crossing Inventory Form for Crossing Number 351732F). There are two airports within 15 miles of the project site, Duff Airport (12.65miles away) and Wendell H. Ford Airport (7.88 miles away, but the HUD Airport Noise Worksheets for both airports document that noise is not expected to be generated beyond the airport boundaries. The National Transportation Noise Map documents that the project site is beyond the 45 dB threshold.

Supporting documentation

Distance to Wendell H Ford Airport-Olive Branch(1).pdf
Distance to Duff Airport-Olive Branch.pdf
Airports in 15 mi radius-Olive Branch(1).pdf
Wendell H Ford SmallAirportNoiseWorksheet 2023-8-31.pdf
Wendell H Ford Airport-FAA Master Record.pdf
USDOT Crossing Inventory Form_351732F.pdf
National Transportation Noise Map-Olive Branch.pdf
KYTC Functional Class Map w KY1087 AADT Data_2023-8-31.pdf
FRA Map-Olive Branch.pdf
Duff SmallAirportNoiseWorksheet 2023-8-31.pdf
Duff Airport-FAA Master Record.pdf
Distance to nearest active railroad_Olive Branch.pdf
Distance to KY-1087_Olive Branch.pdf

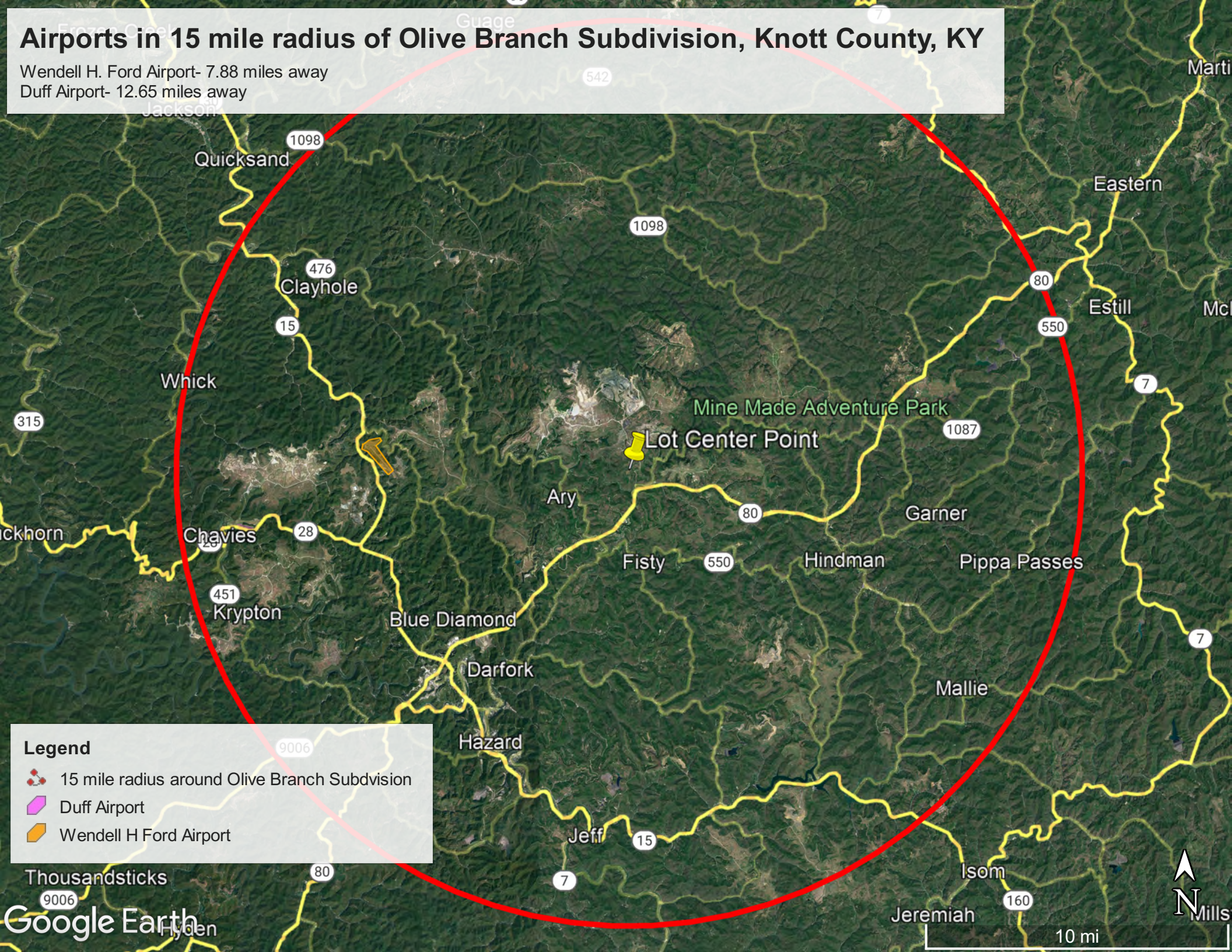
Are formal compliance steps or mitigation required?

Yes

✓ No

Airports in 15 mile radius of Olive Branch Subdivision, Knott County, KY

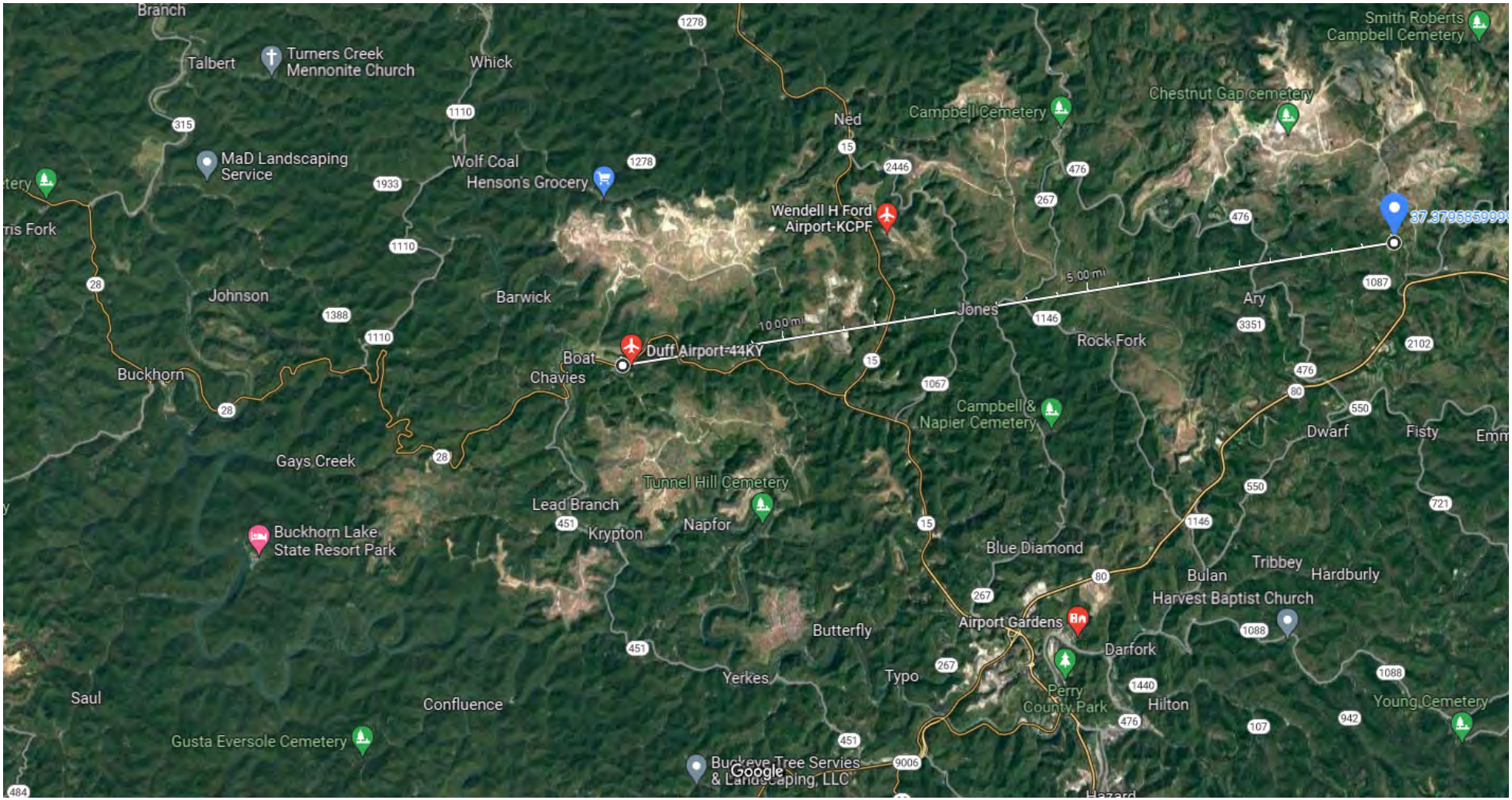
Wendell H. Ford Airport- 7.88 miles away
Duff Airport- 12.65 miles away



Google Maps

airports

Distance to Duff Airport from Olive Branch subdivision

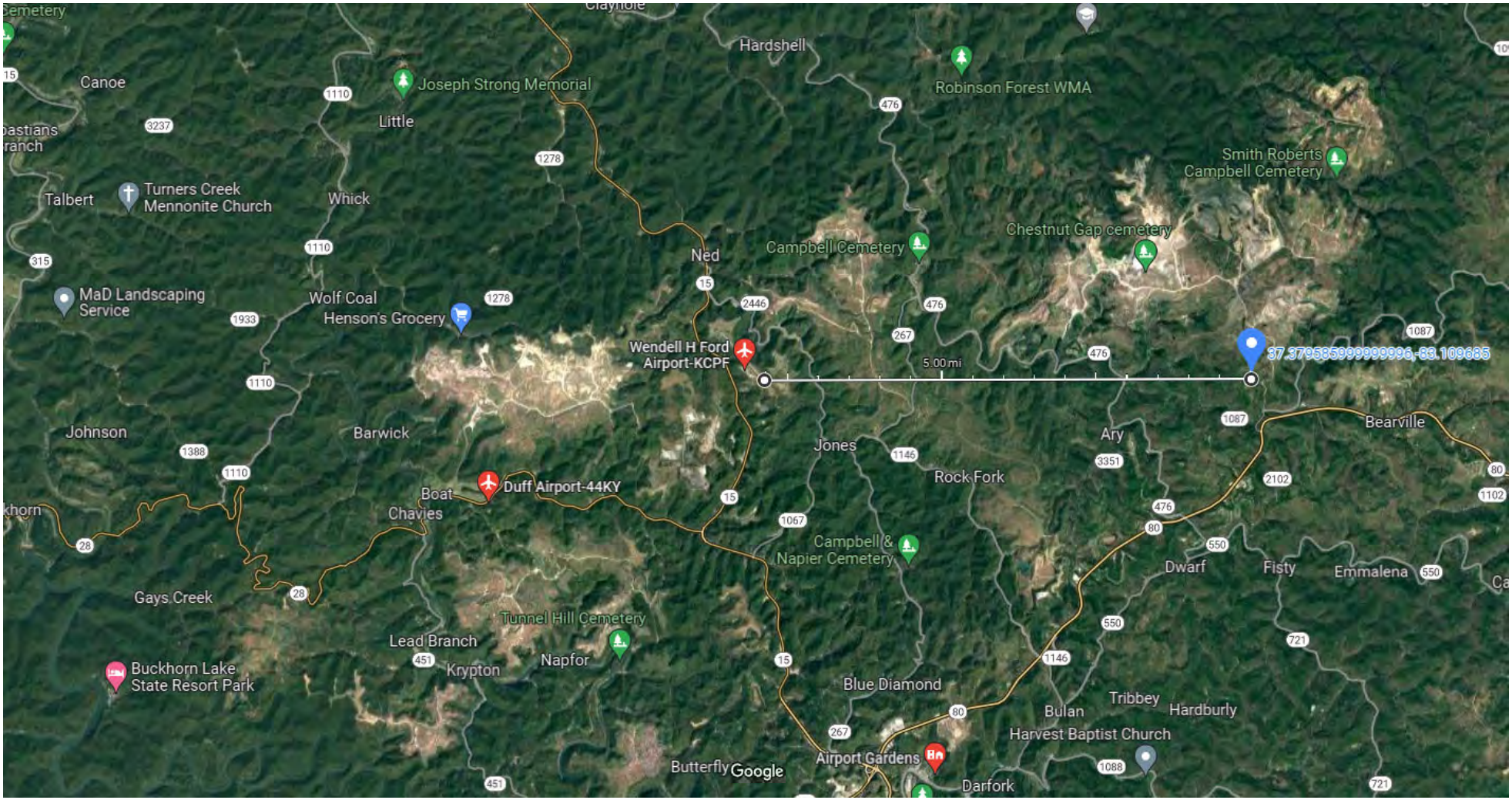


Measure distance
Total distance: 12.65 mi (20.36 km)

Google Maps

airports

Distance to Wendell H Ford Airport from Olive Branch subdivision



Imagery ©2023 TerraMetrics, Map data ©2023 2 mi

Measure distance
Total distance: 7.88 mi (12.68 km)

Airport Noise Worksheet

Use this worksheet to identify information needed to evaluate a site's exposure to aircraft noise.

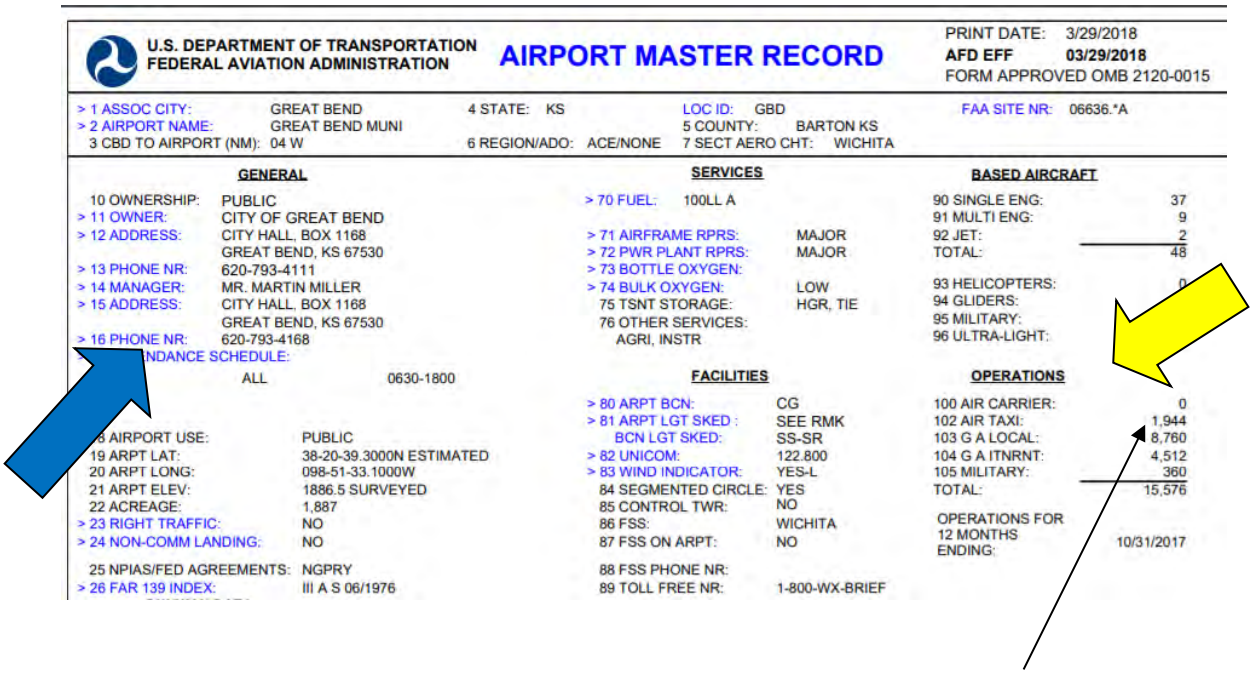
Name and Location of Project: Olive Branch, Knott County, KY
Name of Airport: Duff Airport
Person completing worksheet: Curtis Stauffer Date: 8/31/2023

1. Determine if the proposed site/project is within 15 miles of a civil or military airport.

   ☐ No. Attach a scaled map identifying the location of the proposed project site and the location of any airports. *Further use of this worksheet is not required.*

   ■ Yes. Attach a scaled map identifying the location of the proposed project site and the location of any airports. *Continue.*

2. Determine the number of operations at the airport by:
   - Go to: http://www.gcr1.com/5010web/advancedsearch.cfm
   - Find your airport using the Search function
   - Open the report under "Print 5010"
   - Complete section 3 below by using Operations data found in the report (see yellow arrow in the example below)



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

AIRPORT MASTER RECORD

PRINT DATE: 3/29/2018
AFD EFF 03/29/2018
FORM APPROVED OMB 2120-0015

> 1 ASSOC CITY: GREAT BEND
> 2 AIRPORT NAME: GREAT BEND MUNI
3 CBD TO AIRPORT (NM): 04 W
4 STATE: KS
6 REGION/ADO: ACE/NONE
LOC ID: GBD
5 COUNTY: BARTON KS
7 SECT AERO CHT: WICHITA
FAA SITE NR: 06636.*A

GENERAL

10 OWNERSHIP: PUBLIC
> 11 OWNER: CITY OF GREAT BEND
> 12 ADDRESS: CITY HALL, BOX 1168
GREAT BEND, KS 67530
> 13 PHONE NR: 620-793-4111
> 14 MANAGER: MR. MARTIN MILLER
> 15 ADDRESS: CITY HALL, BOX 1168
GREAT BEND, KS 67530
> 16 PHONE NR: 620-793-4168
> ATTENDANCE SCHEDULE:
ALL 0630-1800

18 AIRPORT USE: PUBLIC
19 ARPT LAT: 38-20-39.3000N ESTIMATED
20 ARPT LONG: 098-51-33.1000W
21 ARPT ELEV: 1886.5 SURVEYED
22 ACREAGE: 1,887
> 23 RIGHT TRAFFIC: NO
> 24 NON-COMM LANDING: NO
25 NPIAS/FED AGREEMENTS: NGPRY
> 26 FAR 139 INDEX: III A S 06/1976

SERVICES

> 70 FUEL: 100LL A
> 71 AIRFRAME RPRS: MAJOR
> 72 PWR PLANT RPRS: MAJOR
> 73 BOTTLE OXYGEN:
> 74 BULK OXYGEN: LOW
75 TSNT STORAGE: HGR, TIE
76 OTHER SERVICES: AGRI, INSTR

FACILITIES

> 80 ARPT BCN: CG
> 81 ARPT LGT SKED: SEE RMK
BCN LGT SKED: SS-SR
> 82 UNICOM: 122.800
> 83 WIND INDICATOR: YES-L
84 SEGMENTED CIRCLE: YES
85 CONTROL TWR: NO
86 FSS: WICHITA
87 FSS ON ARPT: NO
88 FSS PHONE NR:
89 TOLL FREE NR: 1-800-WX-BRIEF

BASED AIRCRAFT

90 SINGLE ENG: 37
91 MULTI ENG: 9
92 JET: 2
TOTAL: 48
93 HELICOPTERS: 0
94 GLIDERS:
95 MILITARY:
96 ULTRA-LIGHT:

OPERATIONS

100 AIR CARRIER: 0
102 AIR TAXI: 1,944
103 G A LOCAL: 8,760
104 G A ITNRNT: 4,512
105 MILITARY: 360
TOTAL: 15,576
OPERATIONS FOR 12 MONTHS ENDING: 10/31/2017

3. Determine if the annual number of operations for air carriers (#100), air taxis (#102), military (#105), and general aviation (#103 plus #104) exceeds the thresholds provided below.

#100 Annual air carrier operations 0	Is this 9,000 or more?	Yes __ No X
#102 Annual air taxi operations 0	Is this 18,000 or more?	Yes __ No X
#105 Annual military operations 0	Is this 18,000 or more?	Yes __ No X
#103+#104 Annual general aviation operations 0	Is this 72,000 or more?	Yes__ No X

4. If you answer "No" on each of the questions above, it is assumed the noise attributed to the airplanes will not extend beyond the boundaries of the airport. Maintain the documentation

in your Environmental Review Record (ERR). You are finished with the evaluation of airport noise for this airport.

If you have marked any question in #3 with "Yes," continue to 5.

5. Contact the airport manager, (see blue arrow above) and ask them if the airport has noise contour maps. Are contour maps available?

☐ Yes. Locate your project on the noise contour map. If there are no roads or railroads that are being considered for noise, utilize the information from the contour map to determine if the site is acceptable. If roads or railroads are being considered, input the information obtained from the airport noise contours, along with the road and railroad information, into HUD online noise calculation tool at http://www.hud.gov/offices/cpd/environment/dnlcalculator.cfm.

☐ No. Construct the approximate DNL contours by using the guidance on page 52 and 53 of the HUD Noise Guidebook. You will need to obtain the following information from the airport:

(a) The number of nighttime jet operations (10pm to 7 am).
(b) The number of daytime jet operations (7 am to 10 pm).
(c) The flight paths of the major runways.
(d) Any available information about expected changes in airport traffic (e.g., will the number of operations increase or decrease in the next 10 to 15 years?).

Contact your HUD Environmental Officer if you need assistance.

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

AIRPORT MASTER RECORD

PRINT DATE: 8/31/2023
AFD EFF 08/10/2023
FORM APPROVED OMB 2120-0015

> 1 ASSOC CITY: CHAVIES
> 2 AIRPORT NAME: DUFF
3 CBD TO AIRPORT (NM): 02 NE
4 STATE: KY
6 REGION/ADO: ASO/MEM
LOC ID: 44KY
5 COUNTY: PERRY KY
7 SECT AERO CHT: CINCINNATI
FAA SITE NR: 07086.7*A

GENERAL

10 OWNERSHIP: PRIVATE
> 11 OWNER: PINE BRANCH COAL SALES, INC.
> 12 ADDRESS: P.O. BOX 246
CHAVIES, KY 41727
> 13 PHONE NR: 606-436-3712
> 14 MANAGER: RYAN DUFF
> 15 ADDRESS: P.O. BOX 246
CHAVIES, KY 41727
> 16 PHONE NR: 606-436-3712
> 17 ATTENDANCE SCHEDULE:
UNATNDD

SERVICES

> 70 FUEL:

BASED AIRCRAFT

90 SINGLE ENG:	0
91 MULTI ENG:	0
92 JET:	0
93 HELICOPTERS:	0
TOTAL:	0
94 GLIDERS:	0
95 MILITARY:	0
96 ULTRA-LIGHT:	0

18 AIRPORT USE: PRIVATE
19 ARPT LAT: 37-21-09.3330N ESTIMATED
20 ARPT LONG: 083-20-32.6460W
21 ARPT ELEV: 820.0 ESTIMATED
22 ACREAGE:
> 23 RIGHT TRAFFIC:
> 24 NON-COMM LANDING: NO

FACILITIES

> 80 ARPT BCN:
> 81 ARPT LGT SKED :
BCN LGT SKED:
> 82 UNICOM:
> 83 WIND INDICATOR: YES
84 SEGMENTED CIRCLE: NONE
85 CONTROL TWR: NO
86 FSS: LOUISVILLE
87 FSS ON ARPT: NO
88 FSS PHONE NR:
89 TOLL FREE NR: 1-800-WX-BRIEF

RUNWAY DATA

	10/28			
> 30 RUNWAY INDENT:				
> 31 LENGTH:	2,300			
> 32 WIDTH:	30			
> 33 SURF TYPE-COND:	ASPH			

LIGHTING/APCH AIDS

> 40 EDGE INTENSITY:				
> 42 RWY MARK TYPE-COND:	- / -	- / -	- / -	- / -

OBSTRUCTION DATA

50 FAR 77 CATEGORY	/	/	/	/
> 51 DISPLACED THR:	/	/	/	/
> 52 CTLG OBSTN:	/	/	/	/
> 53 OBSTN MARKED/LGTD:	/	/	/	/
> 54 HGT ABOVE RWY END:	/	/	/	/
> 55 DIST FROM RWY END:	/	/	/	/

(>) ARPT MGR PLEASE ADVISE FSS IN ITEM 86 WHEN CHANGES OCCUR TO ITEMS PRECEDED BY >

> 110 REMARKS

A 030 RWY 10/28 LAND RWY 10; DEPART RWY 28.
A 110-001 FOR CD CTC INDIANAPOLIS ARTCC AT 317-247-2411.

111 INSPECTOR: (N) 112 LAST INSP: 113 LAST INFO REQ: 07/21/2020

Airport Noise Worksheet

Use this worksheet to identify information needed to evaluate a site's exposure to aircraft noise.

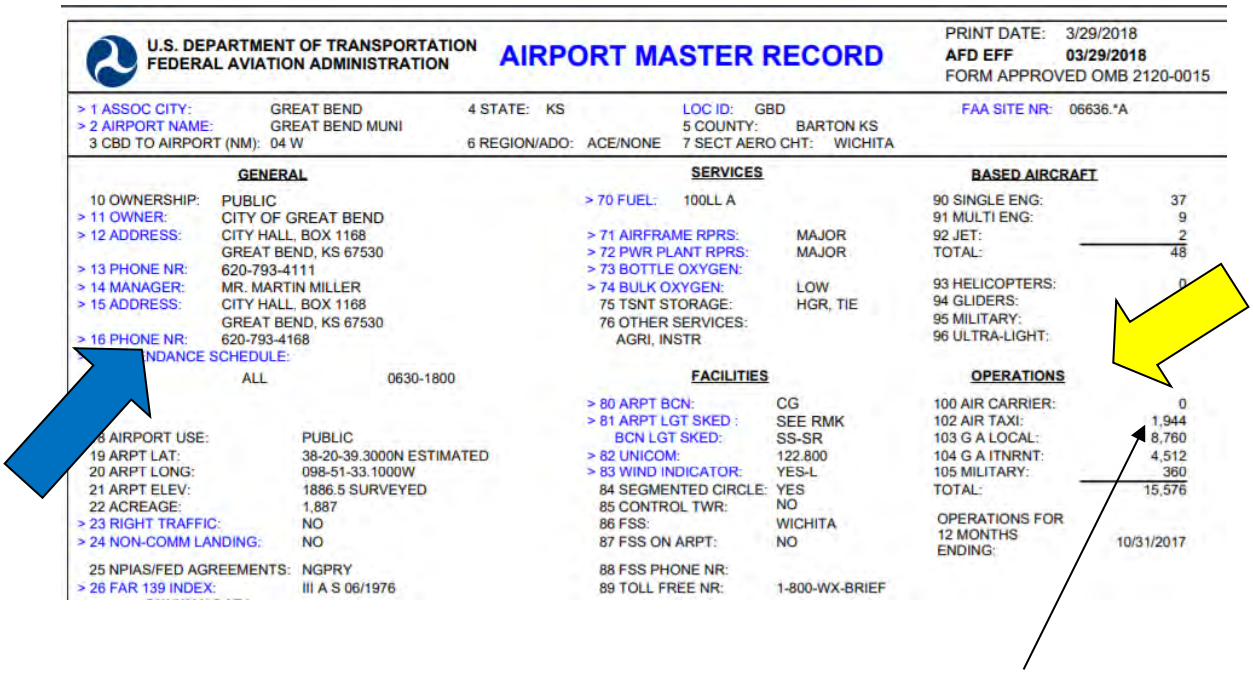
Name and Location of Project: Olive Branch, Knott County, KY
Name of Airport: Wendell H. Ford Airport
Person completing worksheet: Curtis Stauffer Date: 8/31/2023

1. Determine if the proposed site/project is within 15 miles of a civil or military airport.

☐ No. Attach a scaled map identifying the location of the proposed project site and the location of any airports. *Further use of this worksheet is not required.*

■ Yes. Attach a scaled map identifying the location of the proposed project site and the location of any airports. *Continue.*

2. Determine the number of operations at the airport by:
   - Go to: http://www.gcr1.com/5010web/advancedsearch.cfm
   - Find your airport using the Search function
   - Open the report under "Print 5010"
   - Complete section 3 below by using Operations data found in the report (see yellow arrow in the example below)



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

AIRPORT MASTER RECORD

PRINT DATE: 3/29/2018
AFD EFF 03/29/2018
FORM APPROVED OMB 2120-0015

> 1 ASSOC CITY: GREAT BEND
> 2 AIRPORT NAME: GREAT BEND MUNI
3 CBD TO AIRPORT (NM): 04 W
4 STATE: KS
6 REGION/ADO: ACE/NONE
LOC ID: GBD
5 COUNTY: BARTON KS
7 SECT AERO CHT: WICHITA
FAA SITE NR: 06636.*A

GENERAL

10 OWNERSHIP: PUBLIC
> 11 OWNER: CITY OF GREAT BEND
> 12 ADDRESS: CITY HALL, BOX 1168
GREAT BEND, KS 67530
> 13 PHONE NR: 620-793-4111
> 14 MANAGER: MR. MARTIN MILLER
> 15 ADDRESS: CITY HALL, BOX 1168
GREAT BEND, KS 67530
> 16 PHONE NR: 620-793-4168
> ATTENDANCE SCHEDULE:
ALL 0630-1800

18 AIRPORT USE: PUBLIC
19 ARPT LAT: 38-20-39.3000N ESTIMATED
20 ARPT LONG: 098-51-33.1000W
21 ARPT ELEV: 1886.5 SURVEYED
22 ACREAGE: 1,887
> 23 RIGHT TRAFFIC: NO
> 24 NON-COMM LANDING: NO
25 NPIAS/FED AGREEMENTS: NGPRY
> 26 FAR 139 INDEX: III A S 06/1976

SERVICES

> 70 FUEL: 100LL A
> 71 AIRFRAME RPRS: MAJOR
> 72 PWR PLANT RPRS: MAJOR
> 73 BOTTLE OXYGEN:
> 74 BULK OXYGEN: LOW
75 TSNT STORAGE: HGR, TIE
76 OTHER SERVICES: AGRI, INSTR

FACILITIES

> 80 ARPT BCN: CG
> 81 ARPT LGT SKED: SEE RMK
BCN LGT SKED: SS-SR
> 82 UNICOM: 122.800
> 83 WIND INDICATOR: YES-L
84 SEGMENTED CIRCLE: YES
85 CONTROL TWR: NO
86 FSS: WICHITA
87 FSS ON ARPT: NO
88 FSS PHONE NR:
89 TOLL FREE NR: 1-800-WX-BRIEF

BASED AIRCRAFT

90 SINGLE ENG: 37
91 MULTI ENG: 9
92 JET: 2
TOTAL: 48
93 HELICOPTERS: 0
94 GLIDERS:
95 MILITARY:
96 ULTRA-LIGHT:

OPERATIONS

100 AIR CARRIER: 0
102 AIR TAXI: 1,944
103 G A LOCAL: 8,760
104 G A ITNRNT: 4,512
105 MILITARY: 360
TOTAL: 15,576
OPERATIONS FOR 12 MONTHS ENDING: 10/31/2017

3. Determine if the annual number of operations for air carriers (#100), air taxis (#102), military (#105), and general aviation (#103 plus #104) exceeds the thresholds provided below.

#100 Annual air carrier operations 0 Is this 9,000 or more? Yes __ No X
#102 Annual air taxi operations 1,320 Is this 18,000 or more? Yes __ No X
#105 Annual military operations 800 Is this 18,000 or more? Yes __ No X
#103+#104 Annual general aviation operations 8050 Is this 72,000 or more? Yes__ No X

4. If you answer "No" on each of the questions above, it is assumed the noise attributed to the airplanes will not extend beyond the boundaries of the airport. Maintain the documentation

in your Environmental Review Record (ERR). You are finished with the evaluation of airport noise for this airport.

If you have marked any question in #3 with "Yes," continue to 5.

5. Contact the airport manager, (see blue arrow above) and ask them if the airport has noise contour maps. Are contour maps available?

☐ Yes. Locate your project on the noise contour map. If there are no roads or railroads that are being considered for noise, utilize the information from the contour map to determine if the site is acceptable. If roads or railroads are being considered, input the information obtained from the airport noise contours, along with the road and railroad information, into HUD online noise calculation tool at http://www.hud.gov/offices/cpd/environment/dnlcalculator.cfm.

☐ No. Construct the approximate DNL contours by using the guidance on page 52 and 53 of the HUD Noise Guidebook. You will need to obtain the following information from the airport:

(a) The number of nighttime jet operations (10pm to 7 am).
(b) The number of daytime jet operations (7 am to 10 pm).
(c) The flight paths of the major runways.
(d) Any available information about expected changes in airport traffic (e.g., will the number of operations increase or decrease in the next 10 to 15 years?).

Contact your HUD Environmental Officer if you need assistance.

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

AIRPORT MASTER RECORD

PRINT DATE: 8/31/2023
AFD EFF 08/10/2023
FORM APPROVED OMB 2120-0015

> 1 ASSOC CITY: HAZARD
> 2 AIRPORT NAME: WENDELL H FORD
3 CBD TO AIRPORT (NM): 10 NW
4 STATE: KY
6 REGION/ADO: ASO/MEM
LOC ID: CPF
5 COUNTY: PERRY KY
7 SECT AERO CHT: CINCINNATI
FAA SITE NR: 07191.1*A

GENERAL

10 OWNERSHIP: PUBLIC
> 11 OWNER: HAZARD-PERRY COUNTY BOARD
> 12 ADDRESS: P.O. BOX 2346
HAZARD, KY 41702
> 13 PHONE NR: (606) 439-4518
> 14 MANAGER: JEFF HYLTON
> 15 ADDRESS: 1300 WENDELL H. FORD TERMINAL ROAD
CHAVIES, KY 41727
> 16 PHONE NR: (606) 233-5140
> 17 ATTENDANCE SCHEDULE:

ALL	ALL	0800-1800

SERVICES

> 70 FUEL: 100LL A+
> 71 AIRFRAME RPRS:
> 72 PWR PLANT RPRS:
> 73 BOTTLE OXYGEN:
> 74 BULK OXYGEN:
75 TSNT STORAGE: HGR, TIE
76 OTHER SERVICES: CHTR, INSTR, RNTL

BASED AIRCRAFT

90 SINGLE ENG:	11
91 MULTI ENG:	3
92 JET:	3
93 HELICOPTERS:	1
TOTAL:	18
94 GLIDERS:	0
95 MILITARY:	0
96 ULTRA-LIGHT:	0

FACILITIES

18 AIRPORT USE: PUBLIC
19 ARPT LAT: 37-23-14.5000N ESTIMATED
20 ARPT LONG: 083-15-41.8000W
21 ARPT ELEV: 1256.4 SURVEYED
22 ACREAGE: 37
> 23 RIGHT TRAFFIC:
> 24 NON-COMM LANDING: YES
25 NPIAS/FED AGREEMENTS: N
> 26 FAR 139 INDEX:

> 80 ARPT BCN: WG
> 81 ARPT LGT SKED : SEE RMK
BCN LGT SKED: SS-SR
> 82 UNICOM: 122.700
> 83 WIND INDICATOR: YES-L
84 SEGMENTED CIRCLE: YES
85 CONTROL TWR: NO
86 FSS: LOUISVILLE
87 FSS ON ARPT: NO
88 FSS PHONE NR:
89 TOLL FREE NR: 1-800-WX-BRIEF

OPERATIONS

100 AIR CARRIER:	0
102 AIR TAXI:	1,320
103 G A LOCAL:	3,850
104 G A ITNRNT:	4,200
105 MILITARY:	800
TOTAL:	10,170

OPERATIONS FOR 12 MONTHS ENDING: 07/12/2022

RUNWAY DATA

	06/24	14/32		
> 30 RUNWAY INDENT:	3,246	5,499		
> 31 LENGTH:	60	100		
> 32 WIDTH:	ASPH-G	ASPH-G		
> 33 SURF TYPE-COND:	NONE	NONE		
> 34 SURF TREATMENT:	28.0	30.0		
35 GROSS WT: S	43.5			
36 (IN THSDS) D				
37 2D				
38 2D/2D2				
> 39 PCN:	10 /F/C/X/T	10 /F/C/X/T		

LIGHTING/APCH AIDS

> 40 EDGE INTENSITY:		MED		
> 42 RWY MARK TYPE-COND:	BSC - G / BSC - G	NPI - G / NPI - G	- / -	- / -
> 43 VGSI:	/	P4L / P4L	/	/
44 THR COSSING HGT.:	/	31 / 38	/	/
45 VISUAL GLIDE ANGLE:	/	3.00 / 4.00	/	/
> 46 CNTRLN-TDZ:	- / -	- / -	- / -	- / -
> 47 RVR-RVV:	- / -	- / -	- / -	- / -
> 48 REIL:	/	Y / Y	/	/
> 49 APCH LIGHTS:	/	/	/	/

OBSTRUCTION DATA

50 FAR 77 CATEGORY	A(V) / A(V)	D / C	/	/
> 51 DISPLACED THR:	200 / 271	/	/	/
> 52 CTLG OBSTN:	/	HANGAR / TREES	/	/
> 53 OBSTN MARKED/LGTD:	/	/	/	/
> 54 HGT ABOVE RWY END:	/	16 / 239	/	/
> 55 DIST FROM RWY END:	/	640 / 4,544	/	/
> 56 CNTRLN OFFSET:	/	483R / 755L	/	/
57 OBSTN CLNC SLOPE:	20:1 / 20:1	27:1 / 18:1	/	/
58 CLOSE-IN OBSTN:	N / Y	N / N	/	/

DECLARED DISTANCES

> 60 TAKE OFF RUN AVBL (TORA):	/	/	/	/
> 61 TAKE OFF DIST AVBL (TODA):	/	/	/	/
> 62 ACLT STOP DIST AVBL (ASDA):	/	/	/	/
> 63 LNDG DIST AVBL (LDA):	/	/	/	/

(>) ARPT MGR PLEASE ADVISE FSS IN ITEM 86 WHEN CHANGES OCCUR TO ITEMS PRECEDED BY >

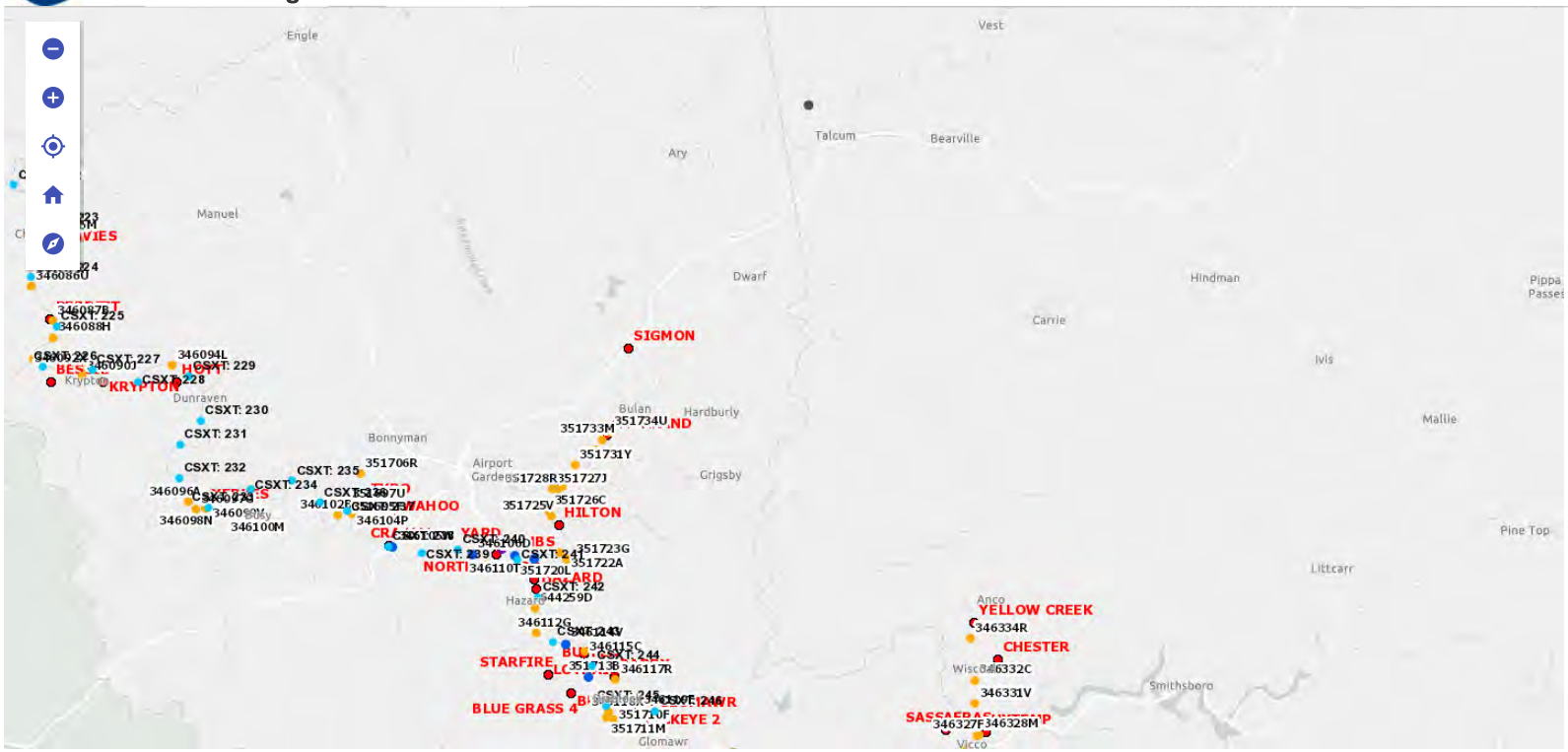
> 110 REMARKS

A 024 RAMP FEES.
A 030 RWY 06/24 CLSD DLY SS-SR; BOTH RWY ENDS HAVE 300 FT DROP OFF.
A 043 PAPIRWY 32 UNUSBL BYD 2.5 NM; PAPI RWY 32 UNUSBL BYD 7 DEGS RIGHT & BYD 5 DEGS LEFT OF CTNRLN.
A 058 RWY 24 SMALL TREES AND BRUSH GROWING APPROX 25' FROM THE END OF PAVEMENT BOTH SIDE OF CENTERLINE
A 081 ACTVT REIL RWY 14 & 32; PAPI RWY 14 & 32; MIRL RWY 14/32- CTAF.
A 110 THIS AIRPORT HAS BEEN SURVEYED BY THE NATIONAL GEODETIC SURVEY.
A 110-004 FOR CD CTC INDIANAPOLIS ARTCC AT 317-247-2411.

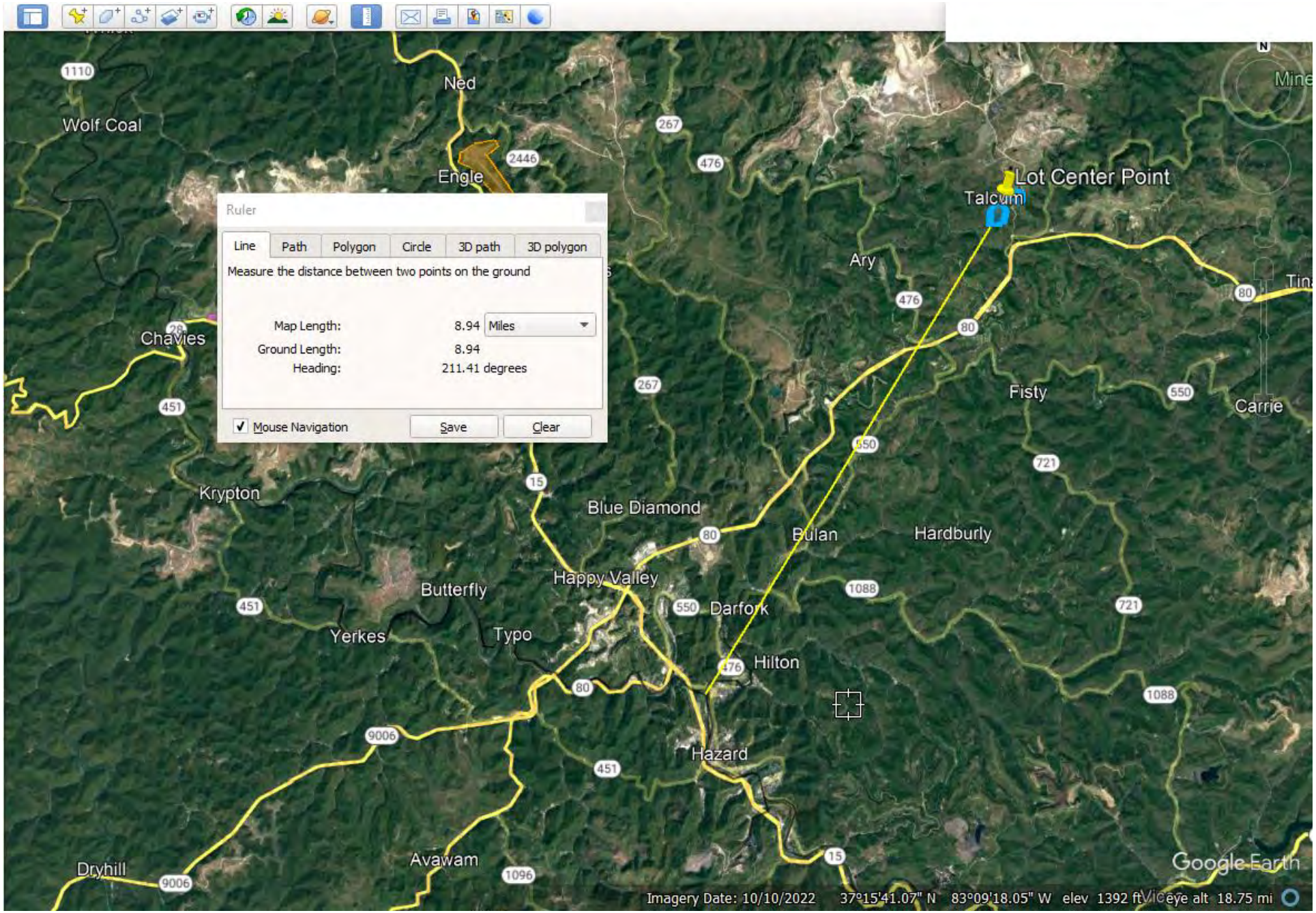
111 INSPECTOR: (S) 112 LAST INSP: 07/12/2022 113 LAST INFO REQ:

U.S. Department of Transportation

FRA - Crossing Viewer



Distance to nearest active railroad from Olive Branch Lot, Knott County, KY



U. S. DOT CROSSING INVENTORY FORM

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION

OMB No. 2130-0017

Instructions for the initial reporting of the following types of new or previously unreported crossings: For public highway-rail grade crossings, complete the entire inventory Form. For private highway-rail grade crossings, complete the Header, Parts I and II, and the Submission Information section. For public pathway grade crossings (including pedestrian station grade crossings), complete the Header, Parts I and II, and the Submission Information section. For Private pathway grade crossings, complete the Header, Parts I and II, and the Submission Information section. For grade-separated highway-rail or pathway crossings (including pedestrian station crossings), complete the Header, Part I, and the Submission Information section. For changes to existing data, complete the Header, Part I Items 1-3, and the Submission Information section, in addition to the updated data fields. Note: For private crossings only, Part I Item 20 and Part III Item 2.K. are required unless otherwise noted. An asterisk * denotes an optional field.

A. Revision Date *(MM/DD/YYYY)*: 01 / 15 / 2021

B. Reporting Agency: ☒ Railroad ☐ Transit ☐ State ☐ Other

C. Reason for Update *(Select only one)*: ☐ Change in Data ☐ New Crossing ☐ Closed ☒ No Train Traffic ☐ Quiet Zone Update ☐ Re-Open ☐ Date Change Only ☐ Change in Primary Operating RR ☐ Admin. Correction

D. DOT Crossing Inventory Number: 351732F

Part I: Location and Classification Information

1. Primary Operating Railroad: CSX Transportation [CSX]

2. State: KENTUCKY

3. County: PERRY

4. City / Municipality: ☐ In ☒ Near BULAN

5. Street/Road Name & Block Number: TEPEE LANE *(Street/Road Name)* | * *(Block Number)*

6. Highway Type & No.: LS

7. Do Other Railroads Operate a Separate Track at Crossing? ☐ Yes ☒ No
If Yes, Specify RR _____, _____, _____, _____

8. Do Other Railroads Operate Over Your Track at Crossing? ☐ Yes ☒ No
If Yes, Specify RR _____, _____, _____, _____

9. Railroad Division or Region: ☐ None SOUTHERN WEST

10. Railroad Subdivision or District: ☐ None EASTERN KENTUCKY

11. Branch or Line Name: ☐ None DANGER FORK SPUR

12. RR Milepost: 0VD | 0244.940 | _____ *(prefix)* | *(nnnn.nnn)* | *(suffix)*

13. Line Segment *: 921102

14. Nearest RR Timetable Station *: HIGHLAND

15. Parent RR *(if applicable)*: ☒ N/A

16. Crossing Owner *(if applicable)*: ☒ N/A

17. Crossing Type: ☒ Public ☐ Private

18. Crossing Purpose: ☒ Highway ☐ Pathway, Ped. ☐ Station, Ped.

19. Crossing Position: ☒ At Grade ☐ RR Under ☐ RR Over

20. Public Access *(if Private Crossing)*: ☐ Yes ☐ No

21. Type of Train: ☒ Freight ☐ Intercity Passenger ☐ Commuter ☐ Transit ☐ Shared Use Transit ☐ Tourist/Other

22. Average Passenger Train Count Per Day: ☐ Less Than One Per Day ☐ Number Per Day 0

23. Type of Land Use: ☒ Open Space ☐ Farm ☐ Residential ☐ Commercial ☐ Industrial ☐ Institutional ☐ Recreational ☐ RR Yard

24. Is there an Adjacent Crossing with a Separate Number? ☐ Yes ☒ No If Yes, Provide Crossing Number _____

25. Quiet Zone *(FRA provided)*: ☒ No ☐ 24 Hr ☐ Partial ☐ Chicago Excused Date Established _____

26. HSR Corridor ID: _____ ☒ N/A

27. Latitude in decimal degrees *(WGS84 std: nn.nnnnnnn)*: 37.2929672

28. Longitude in decimal degrees *(WGS84 std: -nnn.nnnnnnn)*: -83.1775113

29. Lat/Long Source: ☐ Actual ☒ Estimated

30.A. Railroad Use *: NO TRAIN TRAFFIC

31.A. State Use *:

30.B. Railroad Use *: Discontinuance of service

31.B. State Use *:

30.C. Railroad Use *: effective 1/25/2017

31.C. State Use *:

30.D. Railroad Use *:

31.D. State Use *:

32.A. Narrative *(Railroad Use)* *:

32.B. Narrative *(State Use)* *: SP LMT EST; TIMBER FLANGES PRIVATE ROAD

33. Emergency Notification Telephone No. *(posted)*: 800-232-0144

34. Railroad Contact *(Telephone No.)*: 904-366-3051

35. State Contact *(Telephone No.)*: 502-564-3210

Part II: Railroad Information

1. Estimated Number of Daily Train Movements

1.A. Total Day Thru Trains *(6 AM to 6 PM)*: 0

1.B. Total Night Thru Trains *(6 PM to 6 AM)*: 0

1.C. Total Switching Trains: 0

1.D. Total Transit Trains: 0

1.E. Check if Less Than One Movement Per Day ☒
How many trains per week? 0

2. Year of Train Count Data *(YYYY)*: 2021

3. Speed of Train at Crossing
3.A. Maximum Timetable Speed *(mph)* 0
3.B. Typical Speed Range Over Crossing *(mph)* From 0 to 0

4. Type and Count of Tracks
Main 1 Siding 0 Yard 0 Transit 0 Industry 0

5. Train Detection *(Main Track only)*
☐ Constant Warning Time ☐ Motion Detection ☐ AFO ☐ PTC ☐ DC ☐ Other ☒ None

6. Is Track Signaled? ☐ Yes ☒ No

7.A. Event Recorder ☐ Yes ☒ No

7.B. Remote Health Monitoring ☐ Yes ☒ No

U. S. DOT CROSSING INVENTORY FORM

A. Revision Date *(MM/DD/YYYY)* 01/15/2021	PAGE 2	D. Crossing Inventory Number *(7 char.)* 351732F

Part III: Highway or Pathway Traffic Control Device Information

1. Are there Signs or Signals? ☒ Yes ☐ No

2. Types of Passive Traffic Control Devices associated with the Crossing

2.A. Crossbuck Assemblies *(count)* 2

2.B. STOP Signs *(R1-1) (count)* 0

2.C. YIELD Signs *(R1-2) (count)* 0

2.D. Advance Warning Signs *(Check all that apply; include count)* ☒ None
☐ W10-1 _____ ☐ W10-3 _____ ☐ W10-11 _____
☐ W10-2 _____ ☐ W10-4 _____ ☐ W10-12 _____

2.E. Low Ground Clearance Sign *(W10-5)*
☐ Yes *(count_____)*
☒ No

2.F. Pavement Markings
☐ Stop Lines ☐ Dynamic Envelope
☐ RR Xing Symbols ☒ None

2.G. Channelization Devices/Medians
☐ All Approaches ☐ Median
☐ One Approach ☒ None

2.H. EXEMPT Sign *(R15-3)*
☐ Yes
☐ No

2.I. ENS Sign *(I-13)* Displayed
☒ Yes
☐ No

2.J. Other MUTCD Signs ☐ Yes ☒ No
Specify Type _____ Count _____
Specify Type _____ Count _____
Specify Type _____ Count _____

2.K. Private Crossing Signs *(if private)*
☐ Yes ☐ No

2.L. LED Enhanced Signs *(List types)*

3. Types of Train Activated Warning Devices at the Grade Crossing *(specify count of each device for all that apply)*

3.A. Gate Arms *(count)*
Roadway 0
Pedestrian _____

3.B. Gate Configuration
☐ 2 Quad ☐ Full *(Barrier)* Resistance
☐ 3 Quad
☐ 4 Quad ☐ Median Gates

3.C. Cantilevered *(or Bridged)* Flashing Light Structures *(count)*
Over Traffic Lane 0 ☐ Incandescent
Not Over Traffic Lane 0 ☐ LED

3.D. Mast Mounted Flashing Lights *(count of masts)* 0
☐ Incandescent ☐ LED
☐ Back Lights Included ☐ Side Lights Included

3.E. Total Count of Flashing Light Pairs 0

3.F. Installation Date of Current Active Warning Devices: *(MM/YYYY)*
_____/_____ ☒ Not Required

3.G. Wayside Horn
☐ Yes Installed on *(MM/YYYY)* _____/_____
☒ No

3.H. Highway Traffic Signals Controlling Crossing
☐ Yes ☒ No

3.I. Bells *(count)* 0

3.J. Non-Train Active Warning
☐ Flagging/Flagman ☐ Manually Operated Signals ☐ Watchman ☐ Floodlighting ☐ None

3.K. Other Flashing Lights or Warning Devices
Count 0 Specify type _____

4.A. Does nearby Hwy Intersection have Traffic Signals?
☐ Yes ☒ No

4.B. Hwy Traffic Signal Interconnection
☒ Not Interconnected
☐ For Traffic Signals
☐ For Warning Signs

4.C. Hwy Traffic Signal Preemption
☐ Simultaneous
☐ Advance

5. Highway Traffic Pre-Signals
☐ Yes ☐ No
Storage Distance * _____
Stop Line Distance * _____

6. Highway Monitoring Devices *(Check all that apply)*
☐ Yes - Photo/Video Recording
☐ Yes – Vehicle Presence Detection
☐ None

Part IV: Physical Characteristics

1. Traffic Lanes Crossing Railroad ☐ One-way Traffic ☐ Two-way Traffic ☐ Divided Traffic
Number of Lanes 2

2. Is Roadway/Pathway Paved? ☒ Yes ☐ No

3. Does Track Run Down a Street? ☐ Yes ☒ No

4. Is Crossing Illuminated? *(Street lights within approx. 50 feet from nearest rail)* ☐ Yes ☒ No

5. Crossing Surface *(on Main Track, multiple types allowed)* Installation Date * *(MM/YYYY)* _____/_____ Width * _____ Length * _____
☐ 1 Timber ☐ 2 Asphalt ☐ 3 Asphalt and Timber ☐ 4 Concrete ☐ 5 Concrete and Rubber ☐ 6 Rubber ☐ 7 Metal
☒ 8 Unconsolidated ☐ 9 Composite ☐ 10 Other *(specify)* _____

6. Intersecting Roadway within 500 feet?
☒ Yes ☐ No If Yes, Approximate Distance *(feet)* 200

7. Smallest Crossing Angle
☐ 0° – 29° ☐ 30° – 59° ☒ 60° - 90°

8. Is Commercial Power Available? *
☒ Yes ☐ No

Part V: Public Highway Information

1. Highway System
☐ (01) Interstate Highway System
☐ (02) Other Nat Hwy System (NHS)
☐ (03) Federal AID, Not NHS
☒ (08) Non-Federal Aid

2. Functional Classification of Road at Crossing
☒ (0) Rural ☐ (1) Urban
☐ (1) Interstate ☐ (5) Major Collector
☐ (2) Other Freeways and Expressways
☐ (3) Other Principal Arterial ☐ (6) Minor Collector
☐ (4) Minor Arterial ☒ (7) Local

3. Is Crossing on State Highway System?
☐ Yes ☒ No

4. Highway Speed Limit 5 MPH
☒ Posted ☐ Statutory

5. Linear Referencing System *(LRS Route ID)* * 097-CR-1468 -000

6. LRS Milepost * 0.022

7. Annual Average Daily Traffic *(AADT)*
Year 1993 AADT 000001

8. Estimated Percent Trucks 00 %

9. Regularly Used by School Buses?
☐ Yes ☒ No Average Number per Day 0

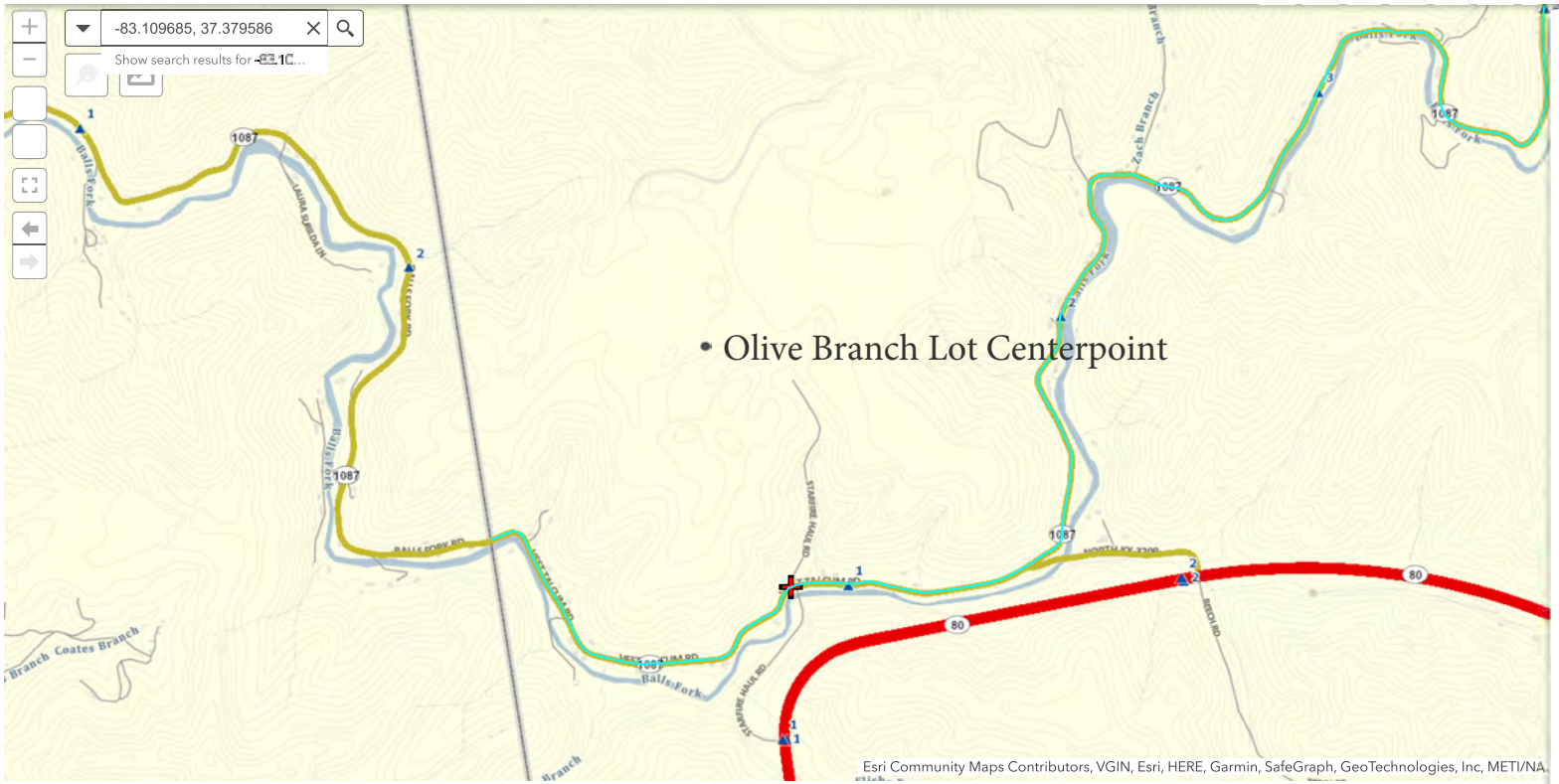
10. Emergency Services Route
☐ Yes ☐ No

Submission Information - *This information is used for administrative purposes and is not available on the public website.*

Submitted by _____ Organization _____ Phone _____ Date _____

Public reporting burden for this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. According to the Paperwork Reduction Act of 1995, a federal agency may not conduct or sponsor, and a person is not required to, nor shall a person be subject to a penalty for failure to comply with, a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for information collection is 2130-0017. Send comments regarding this burden estimate or any other aspect of this collection, including for reducing this burden to: Information Collection Officer, Federal Railroad Administration, 1200 New Jersey Ave. SE, MS-25 Washington, DC 20590.

Functional Class



Road Info

Route Name (#): VEST TALCUM RD (1087)

RTLnique: 060-KY-1087 -000

Mile Point: 0.876

Elevation: 916.622 Ft. (AMSL, NAVD 88)

Gov Level (Code): State Maintained Roads (01)

State Highway System: Rural Secondary

Functional Class (Code): Minor Collector (6)

Urban Type (Code): Rural Area (pop. < 5K) [1]

Posted Speed Limit: 55

AADT (Year): 319 (2022)

AADT Truck Percentage: 0%

County Name (#): Knott (60)

KYTC District: 10

0.2mi

-83.095 37.383 Degrees

Distance to KY-1087 from Olive Branch Lot, Knott County, KY

Noise (dBA)
24-hr LAeq

> 90.0
80.0 - 89.9
70.0 - 79.9
60.0 - 69.9
55.0 - 59.9
50.0 - 54.9
45.0 - 49.9

SOURCES: Map created by the Office of Spatial Analysis and Visualization at the Bureau of Transportation Statistics, U.S. Department of Transportation. For any edits or corrections to this map, please contact us.

| © Mapbox © OpenStreetMap © Maxar

Sole Source Aquifers

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

✓ No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

✓ No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

Screen Summary

Compliance Determination

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. There are no sole source aquifers in Kentucky.

Olive-Branch-Team-KY-CDBGDR-HOME	Talcum, KY	900000010347184

Supporting documentation

KY Sole Source Aquifers Map.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

ArcGIS Web Map

3/26/2019, 10:39:24 AM

Sole Source Aquifers - Labels

SSA

1:4,622,324

0 37.5 75 150 mi

0 62.5 125 250 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

Web AppBuilder for ArcGIS

Esri, HERE, Garmin, NGA, USGS, NPS | US EPA Office of Water | Map Service and data: US EPA Office of Environmental Information (OEI). Data: US Census Bureau |

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

No

✓ Yes

2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.

"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."

✓ No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

Screen Summary

Compliance Determination

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. There are no wetlands on the project site. US Fish and Wildlife Service National Wetlands Inventory (NWI) map identifies a 0.5-acre pond (Classification code: PUBHx) within the proposed development area for the Olive Branch subdivision. As specified in its classification code definition, the pond was human-excavated. However, the pond is no longer present. The NWI data is based on color infrared imagery from 1983 and is significantly outdated. Page 19 of the "Site-Specific Phase I Environmental Site Assessment Olive Branch Property, Bulan (Knott County), Kentucky, May 26,2023" (Phase I ESA) conducted by the Kentucky Energy and Environment Cabinet (EEC) states "No pits, ponds, or lagoons were observed on the subject property." Additionally, in an email dated August 28, 2023, Kenneth Logsdon, Registered Geologist Supervisor for the EEC Department of Environmental Protection Superfund Branch, who was part of the Phase I ESA Site Reconnaissance Team (site inspection on May 17, 2023), stated that the pond "is definitely not there, verified on foot and via Google Earth. Additionally, the NWI map shows that there is a small riverine, Dead Land Branch, southwest of the project site. However, in the same email Kenneth Logsdon stated "As far as what used to be Deadland Branch...the site is largely flat and there is currently no remnant of a stream. Everything is fill." Therefore, the project cannot impact this former riverine.

Supporting documentation

KY EEC email verifying pond and Deadland Branch no longer exist_2023-8-28(1).pdf
Olive Branch Phase I ESA-2023-5-26.pdf
National Wetlands Inventory Map_Olive Branch Subdivision_2023-8-27.pdf

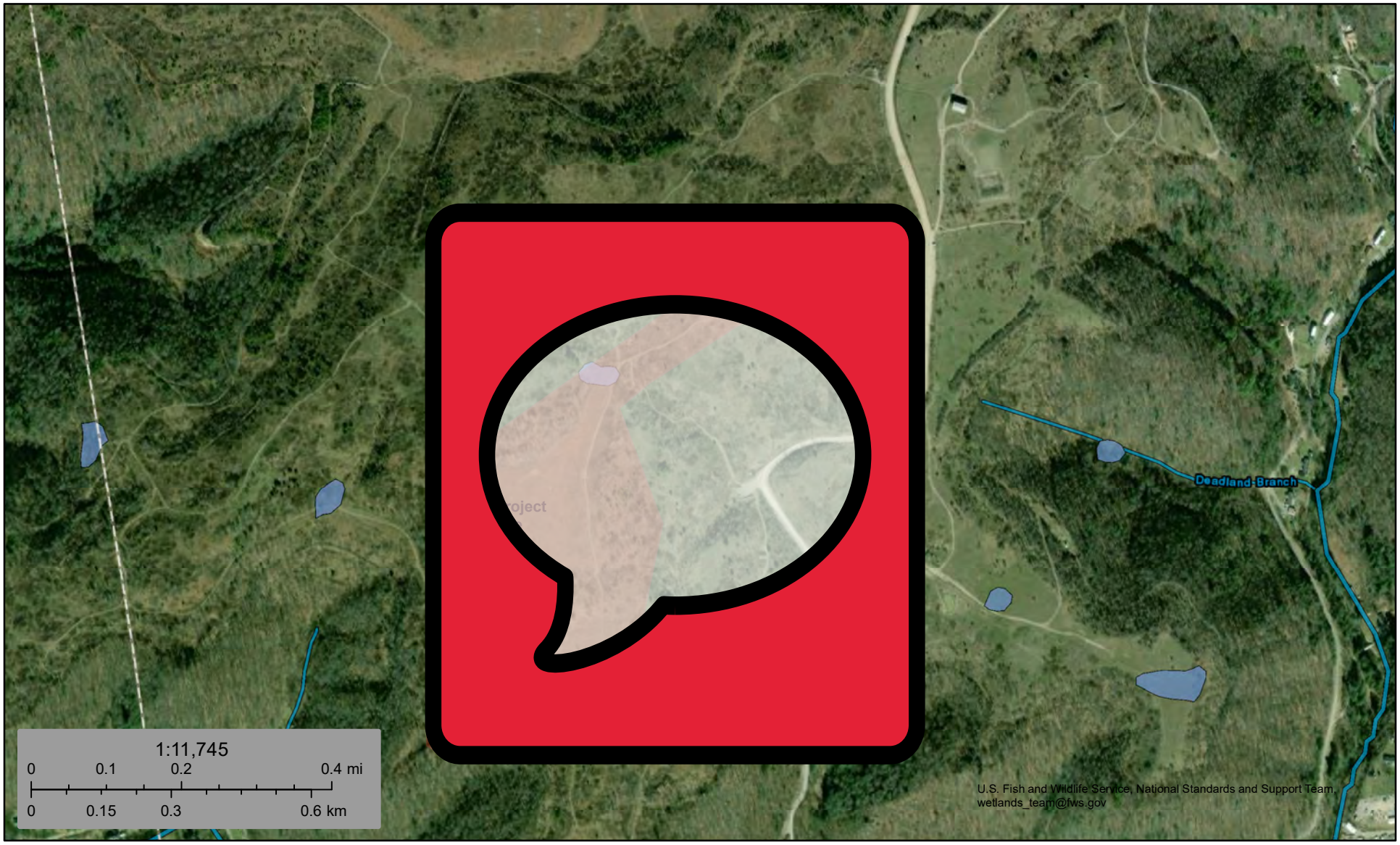
Are formal compliance steps or mitigation required?

Yes

✓ No

U.S. Fish and Wildlife Service
National Wetlands Inventory

Olive Branch Subdivision



August 27, 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.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

Curtis Stauffer

From: Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Sent: Monday, August 28, 2023 2:07 PM
To: Curtis Stauffer; Lyons, John (EEC); townes, lisa
Subject: Fwd: Olive Branch Development

EXTERNAL EMAIL: Do not click links or open attachments unless you recognize the sender and know the content is safe.

From our PG

From: Logsdon, Kenneth C (EEC) <Kenneth.Logsdon@ky.gov>
Sent: Monday, August 28, 2023 1:59:05 PM
To: Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Subject: Re: Olive Branch Development

If we are talking about the purple one, it is definitely not there, verified on foot and via Google Earth:

As far as what used to be deadland Branch (former line from topo map marked in yellow) the site is largely flat and there is currently no remnant of a stream. Everything is fill:

From: Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Sent: Monday, August 28, 2023 1:24 PM
To: Logsdon, Kenneth C (EEC) <Kenneth.Logsdon@ky.gov>
Subject: Fwd: Olive Branch Development

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Can you help with Curtis's question

From: Curtis Stauffer <cstauffer@kyhousing.org>
Sent: Monday, August 28, 2023 1:08:50 PM
To: Lyons, John (EEC) <john.lyons@ky.gov>; Aldridge, Louanna C (EEC) <Louanna.Aldridge@ky.gov>
Cc: townes, lisa <Lisa.townes@haspaldingengineers.com>
Subject: RE: Olive Branch Development

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Hi John-

Below is what I sent Louanna yesterday.

Thanks!

Curtis

The USFWS National Wetlands Inventory Map shows a 0.5-acre pond in the proposed subdivision development area. From the NWI website "This 0.50 acre Freshwater Pond habitat is classified as a PUBHx. For a complete code description, click here. The wetlands and deepwater habitats in this area were photo interpreted using 1:58,000 scale, color infrared imagery from 1983."
Classification code: PUBHx

- System Palustrine (P) : The Palustrine System includes all nontidal wetlands dominated by trees, shrubs, persistent emergents, emergent mosses or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean-derived salts is below 0.5 ppt. It also includes wetlands lacking such vegetation, but with all of the following four characteristics: (1) area less than 8 ha (20 acres); (2) active wave-formed or bedrock shoreline features lacking; (3) water depth in the deepest part of basin less than 2.5 m (8.2 ft) at low water; and (4) salinity due to ocean-derived salts less than 0.5 ppt.
- Class Unconsolidated Bottom (UB) : Includes all wetlands and deepwater habitats with at least 25% cover of particles smaller than stones (less than 6-7 cm), and a vegetative cover less than 30%.
- Water Regime Permanently Flooded (H) : Water covers the substrate throughout the year in all years.
- Special Modifier Excavated (x) : This Modifier is used to identify wetland basins or channels that were excavated by humans.

I assume this no longer exists, due to mining, but we'll need some way to document that. Can EEC provide that documentation?

Additionally, the wetlands map shows a small riverine (Dead Land Branch) adjacent to the southwest side of the property flowing into Balls Fork at KY1087 that doesn't appear on any Google Aerial Maps, but did show up as a named body of water on the USDA NRCS Web Soil Survey. Does this riverine still exist?

_____

Curtis A. Stauffer, MA, PMP, HDFP
Managing Director,
Housing Contract Administration
Pronouns: he/him/his
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cstauffer@kyhousing.org
www.kyhousing.org

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Site Specific Phase I

Environmental Site Assessment

Olive Branch Property

Bulan (Knott County), Kentucky

May 26, 2023

Prepared for:

The Commonwealth of Kentucky

Prepared by:

Kentucky Energy and Environment Cabinet

Department of Environmental Protection

Superfund Branch

300 Sower Blvd.

Frankfort, Kentucky 40601

TABLE OF CONTENTS

1.0 Summary **4**
2.0 Introduction **4**
2.1 Purpose 5
2.2 Scope of Work 6
2.3 Significant Assumptions 6
2.4 Limitations and Exceptions 7
2.5 Special Terms and Conditions 7
2.6 User Reliance 7
2.7 Location and Description 8

3.0 USER PROVIDED INFORMATION **8**
3.1 Title Records 8
3.2 Environmental Liens or Activity and Use Limitations (AULs) 9
3.3 Specialized Knowledge 9

4.0 RECORDS REVIEW **9**
4.1 Physical Settings 9
4.2 Site Vicinity and General Characteristics 10
4.2.1 Topography 10
4.2.2 Soil 10
4.2.3 Groundwater 10
4.3 Standard Environmental Records Review 11
4.3.1 EDR Radius Map™ with GeoCheck 11
4.3.2 Historical Topographical Maps 12
4.3.3 Historical Aerial Photographs 13
4.3.4 Historical Sanborn Fire Insurance Maps 14
4.3.5 Historical City Directories 14

5.0 SITE RECONNAISSANCE **15**
5.1 Site Reconnaissance Methodologies 15
5.2 Current Use of Property 15
5.3 Current Use of Adjoining Properties 16
5.4 Past Uses of Property 16
5.5 Past Uses of Adjoining Properties 18
5.6 Descriptions of Structures, Roads, and Other Improvements 18

5.7 Exterior Observations.....18
5.8 Underground Storage Tanks (USTs) and Aboveground Storage Tanks (ASTs).....18
5.9 Hazardous Substances Waste and Petroleum Products..... 18
5.10 Odors..... 19
5.11 Pits, Ponds, and Lagoons..... 19
5.12 Stained Soil/Pavement..... 19
5.13 Wastewater 19
5.14 Wells..... 19
5.15 Septic Systems..... 21
6.0 INTERVIEWS..... 21
6.1 Current Property Owner..... 21
6.2 State/Local Representative.....21

7.0 EVALUATIONS..... 23
7.1 Findings..... 23
7.2 Recognized Environmental Conditions..... 23
7.3 Opinions 24
7.4 Conclusions..... 24
7.5 Additional Investigations..... 24
7.6 Deletions and Exceptions..... 24
8.0 NON-SCOPE SERVICES..... 25
9.0 SIGNATURE OF THE ENVIRONMENTAL PROFESSIONAL..... 26
10.0 REFERENCES..... 27

APPENDICES

A. Site Maps
B. Historic Documents
   a. EDR Radius Map™ Report with GeoCheck®
   b. EDR Certified Sanborn® Map Report
   c. EDR Historical Topo Map Report
   d. EDR Aerial Photo Decade Package
C. Olive Branch Site Investigation Report
D. Bond release Documentation
E. Photographic Record of Subject Property
F. Current Deeds
G. Qualifications

1.0 SUMMARY

The Kentucky Energy and Environment Cabinet (EEC) has completed a Phase I Environmental Site Assessment (ESA) of the property located on KY-80 in Bulan, Knott County, Kentucky (hereafter referred to as the "subject property"). The Phase I ESA is designed to provide an environmental due diligence inquiry pursuant to good commercial and customary practice, as established by the procedures in the American Society for Testing and Materials (ASTM) E1527-21. This Phase I ESA was conducted in accordance with the scope and limitations of the ASTM *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (E1527-21) and the U.S. Environmental Protection Agency (USEPA) All Appropriate Inquiry promulgated in 40 CFR 312.

A summary of the findings is provided below. It should be recognized that details were not included or fully developed in this summary, and the report must be read in its entirety for a comprehensive understanding of the findings.

- Historical surface mining operations at and around the subject property.
- Two wells were observed within ½ mile of the subject property that are of domestic or unknown use with no records of being plugged.
- Three oil and gas producing wells are observed to be on the subject property. One of the wells, Equitable Production Company (Well No: 566108), is observed on the southwestern portion of the subject property with production data available from 2005-2020. The well appears to be down-gradient from the majority of the subject property.
- One well, Ashland Oil and Refining (Well No. 74981), is observed on the northwestern portion of the property. This well was plugged in 1977.
- One well, Columbia Natural Resources (Well No. 23422), is observed on the eastern property boundary. This well is listed as "shut in" from 2013-2019. Gas production data was available from 1999-2020.

No *recognized environmental conditions*, *historical recognized environmental conditions*, or *controlled recognized environmental conditions* were identified in connection to the subject property. The subject property does have the potential for geotechnical issues in connection with soil composition of the area, which was identified as a *business environmental risk* (BER).

2.0 INTRODUCTION

The Kentucky Energy and Environment Cabinet (EEC) performed this Phase I ESA for the Commonwealth of Kentucky at the subject property located off KY-80 in Bulan, Kentucky. A site reconnaissance was performed for the subject property on May 17th, 2023 by Caitlin Mullins

(EEC), Christopher Jung (EEC), Kenneth Logsdon (EEC), Jean Weaver (EEC) and Sarah Yount (EEC).

2.1 Purpose

The purpose of this Phase I ESA is to document current and historical information on the subject property and surrounding area in order to identify, to the extent possible, *recognized environmental conditions (REC's), historical recognized environmental conditions (HRECs), controlled recognized environmental conditions (CREC's),* and *de minimus conditions* as defined by ASTM E1527-21.

A *recognized environmental condition (REC)* is defined by ASTM E1527-21 as "the presence or likely presence of any hazardous substances or petroleum products in, on, or at the property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; (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 the presence or likely presence 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 (e.g., as evidenced by the issuance of a no further action letter or 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 restrictions, activity, and use limitations, institutional controls, or engineering controls.)

A *controlled recognized environmental concern (CREC)* is defined BY ASTM E1527-21 as a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (e.g., as evidence by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances 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 minimus conditions are defined as conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of the appropriate governmental agencies. Conditions determined to be *de minimis* are not *recognized environmental conditions* nor *controlled environmental conditions.*

Business Environmental Risk (BER) is a risk that 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.

2.2 *Scope of Work*

The scope of work for this Phase I ESA, based on ASTM E1527-21, is to identify whether RECs, HRECs, and CRECs are present at the site. The report is a general characterization of environmental concerns based on available information and site observations. The procedures and methodologies used during the course of this Phase I ESA included an environmental records review, a review of historic land usage, a site reconnaissance and interviews with persons familiar with the subject property. Specifically, this Phase I ESA included:

- Research of environmental regulatory database information at the federal, state and local levels within specified minimum search distances.
- A review of standard historical resources pertinent to the historic land usage of the subject property, adjacent properties, and the surrounding area.
- A review of current land use and existing conditions 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; well, drains, and sumps; and pits, ponds, or lagoons.
- A review of 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.
- A visual site investigation and general evaluation of the physical characteristics of the subject property using both area reconnaissance and published references.
- Conversations and/or interviews with current owners, local government officials, local regulatory personnel, and other knowledgeable persons in an effort to obtain information that may indicate recognized environmental conditions in connection with past uses and/or activities at the subject property.

In addition to the above, the subject property was evaluated for Business Environmental Risks (BERs) and *de minimus conditions* observed during the site visit documented in this report.

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 analysis 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.

2.3 *Significant Assumptions*

No significant assumptions were made in the course of 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.

2.4 Limitations and Exceptions

The Phase I ESA is designed to provide an objective, independent, professional opinion of the potential environmental risks, if any, associated with the subject property. Performance of a Phase I ESA is intended to reduce, but not eliminate uncertainty regarding the potential for recognized environmental conditions in connection with the subject property. This Phase I ESA was prepared in accordance with the scope and limitation of ASTM E1527-21 process and it is recognized by the U.S. EPA as compliant with Standards and Practices for All Appropriate Inquiries (AAI). It has been prepared to access the property with respect to hazardous substance 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:

- This site is undeveloped so signs of contamination may have been hidden by overgrown vegetation at the time at site reconnaissance.
- EDR searched the Sanborn Fire Insurance map database, however, no maps were found for the subject property.
- EDR provided historical aerial photographs and topographical maps for the subject property, however, due to the large size of the subject property, the maps provided did not cover the entire area of the subject property.

2.5 *Special Terms and Conditions*

This assessment was performed by the Kentucky Energy and Environment Cabinet (EEC) for the Commonwealth of Kentucky. The Kentucky EEC understands that the Commonwealth will use the findings to evaluate redevelopment opportunities at the subject property. This report is public record and is subject to the Kentucky Open Records Act.

2.6 *User Reliance*

Reasonable care was taken by the EEC in checking information gained through interviews and other secondary sources of data. This report was developed with the presumption that

the information obtained was factual in nature and was based on the physical conditions observed on May 16th, 2023 during the site reconnaissance.

2.7 *Location and Description*

The subject property is located off of KY-80 and adjacent to the Perry County line in Bulan, Knott County, Kentucky. Subject property coordinates are Latitude 37.3892 and Longitude -83.1079. The subject property is around 300 acres of hilly terrain, consisting of seven parcels according to the Knott County Property Valuation Administrator's (PVA) office. The property can be accessed by Starfire Haul Road off of KY-80. The parcel IDs included in the subject property are listed in the table below as well as owner information, the current Deed Book and page, and the address according to Knott County's PVA office. Site maps are included in Appendix A.

Parcel ID	Current Owner Information	Address Listed	Current Deed Book/Page
005-20-00-004.00	Core Capital LLC	0 Ball Talcum	**281/498**
005-20-00-002.00	Lynn Lee Inc	0 Ball Lower	**125/193**
005-00-00-019.02	Core Capital LLC	0 Ball Lower	**281/498**
005-00-00-019.01	Core Capital LLC	0 Ball Lower	**281/498**
005-00-00-019.00	Core Capital LLC	0 Ball Lower	**281/498**
005-00-00-020.00	Core Capital LLC	0 Ball Lower	**281/498**
006-00-00-020.00	Core Capital LLC	0 Ball	**281/498**

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 the property, a potential tenant of the property, an owner of property, a lender, or a property manager.

The Commonwealth of Kentucky is the user of this ESA. The Commonwealth of Kentucky intends to redevelop the subject property into housing for victims of flooding in Eastern Kentucky.

3.1 *Title Records*

According to the Knott County Clerk's Office, six of the seven parcels included in the subject property are owned by Core Capital LLC. The current deed for six of the seven parcels is dated August 31, 2017 and is recorded in Deed Book 281 on page 419 of the Knott County Clerk's office. This deed specifically covers the following parcels: 005-00-00-019.00, 005-00-00-019.01, 005-00-00-019.02, 005-00-00-020.00, 5-20-00-004.00, 006-00-00-020.00, The remaining parcel, 005-20-00-002.00, is presently owned by Lynn Lee Inc. The current deed is

recorded in Deed Book 125 on page 193 and dated February 11, 1982. Lynn Lee Inc. previously owned the other six parcels until 2017.

A deed search and review of prior ownership was also conducted to determine if there were any indications that previous ownership might have engaged in activities that would lead to environmental contamination.

3.2 *Environmental Liens or Activity and Use Limitations*

Information on environmental liens or activity and use limitations on the subject property were not provided by the Commonwealth of Kentucky. A search for environmental liens or activity and use limitations was conducted on May 23, 2023. None were found in connection with the subject property.

3.3 *Specialized Knowledge*

No previous site assessment were performed at the subject property, however, The Kentucky Division of Waste Management (KDWM) performed a limited site screening of the subject property where soil samples were taken and analyzed for heavy metals. Results from sample analysis did not warrant regulatory action. A copy of this report is available in Appendix C.

4.0 RECORDS REVIEW

4.1 *Physical Setting*

An electronic database search of files maintained by the U.S. EPA and the Kentucky Department of Environmental Protection (KDEP) was conducted on April 27, 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 to 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:

- Environmental Data Resources, Inc. (EDR) EDR Radius Map™ Report with Geocheck;
- EDR Certified Sanborn® Map Report;
- EDR Historical Topo Map Report;
- EDR Aerial Photo Decade Package;
- EDR City Directory Image Report;
- Kentucky Department of Environmental Protection, TEMPO Database;
- US Fish and Wildlife Service National Wetlands Inventory: https://www.fws.gov/wetlands/Data/Mapper.html;

- USGS 7.5 Minute Geologic Quadrangle Map: Vest, Noble, Carrie, Hazard North, Troublesome, and Hazard, KY Quadrangles.
- United States Department of Agriculture, Natural Resources Conservation Service; http://websoilsurvey.sc.egov.usda.gov/app/HomePage.htm

4.2 *Site Vicinity and General Characteristics*

4.2.1 Soil

Soil data subject was obtained from the U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) for the subject property. Results are presented in the table below.

Unit Symbol	Name	Acres in Area of Interest (AOI)	Percent of AOI
CkF	Cloverlick-kimper-Highsplint comples, 30 – 65% slopes, very stony.	6.7	2.2%
FkE	Fiveblock and Kaymine soils, 0-30% slopes, stony,	108.6	35.3%
KfF	Kaymine Fairpoint, and Fiveblock soils, benched, 2-70% slopes, very stony.	187.5	60.9%
UsHGf	Shelocta-Highsplint-Gilpin complex, 20-70% slopes, very stony.	5.1	1.6%

Geological data obtained from the Kentucky Geological Survey states that the subject property consists of the Princess Formation (Ppr) and the Four Corner Formation (Pfc). The Princess Formation consists of mainly sandstone, shale, coal, underclay and chert. The Four Corners Formation similarly contains sandstone, shale, coal and underclay, but also include siltstone and limestone. The Princess Formation's top 0-20 feet is comprised of alluvium, consisting of sand, silt, clay, and gravel. Multiple coal beds underlay the formation including Hindman, Francis, Hazard, Haddix, Copland, Hamlin, Fire Clay, and Whitesburg. The top 0-20 feet of the Four Corners formation is alluvium predominantly made up of silt, sand, and lesser amounts of silty

clay and gravel. Coal beds underlying the formation including the Hindman, Francis, Hazard, Haddix, Hamlin, Fire Clay, and Whitesburg.

The U.S. Fish and Wildlife Service's National Wetlands Inventory did identify three areas registered with the National Wetlands Inventory as small ponds. One is located on the subject property, and the other two are located on the surrounding properties. The pond located on the property was a 0.5-acre freshwater pond classified as PUBHx, which was described as human excavated. Data collected on this pond originated from interpretation of aerial photographs dated 1983.

4.2.2 *Groundwater*

No commercial water wells appear to be on the subject property. The subject property does not currently have potable water available from local utilities, however, water lines do run adjacent to the nearby roadway KY-80 allowing for future availability. There is record of one domestic use well located within ¼ of the subject property, however, no data on the status or use of the well was provided.

4.3 *Standard Environmental Records Review*

A regulatory database search was conducted by Environmental Data Resources, Inc. (EDR) for the EEC to review the required federal and state databases for any records pertaining to the possible presence of hazardous substances, petroleum products, or industrial activities at or around the subject property which could be considered a recognized environmental condition.

4.3.1 EDR Radius Map™ with GeoCheck®

The regulatory database search included an EDR Radius Map™ with Geocheck®. A copy of the report, provided to the EEC on April 27, 2023, is included in Appendix D and a summary of the report is contained in the table below.

Regulatory Database	Minimum Search Distance	Property Listed?	# Sites Listed
Federal NPL (Superfund) Sites	1 Mile	No	0
Federal Delisted NPL Sites	½ Mile	No	0
Federal CERCLIS	½ Mile	No	0
Federal CERCLIS NFRAP	½ Mile	No	0
Federal RCRA CORRACTS	1 Mile	No	0
Federal RCRA Non-CORRACTS TSD	½ Mile	No	0
Federal RCRA Generators	¼ Mile	No	0
Federal Institutional/Engineering Control Registry	½ Mile	No	0
Federal ERNS	¼ Mile	No	0
State CERCLIS	1 Mile	No	0

State Hazardous Waste Site	1 Mile	No	0
State Solid Waste Disposal Sites	½ Mile	No	0
State Leaking Storage Tank Lists	½ Mile	No	0
State Registered Storage Tank Lists	¼ Mile	No	0
State Institutional/Engineering Control Registry	½ mile	No	0
State Voluntary Cleanup Sites	½ Mile	No	0
Federal/State Brownfield Sites	½ Mile	No	0
Records of Emergency Release Reports	½ Mile	No	0
United States Mines	¼ Mile	No	2
Abandoned Mines	¼ Mile	No	1

The EDR Report identified three potential highrisk properties less than 1/8 of a mile from the subject property. Two were listed as U.S. mine sites, and one was listed as an abandoned mine. Both sites were listed as closed or abandoned. A copy of the EDR Radius Map™ Report with Geocheck® is included in Appendix B.

4.3.2 Historical 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 historical topographic maps of the subject property and surrounding area was conducted by EDR and provided to the EEC in a *Historical Topographic Map Report* dated April 27, 2023. Topographic Maps were provided for various years between 1891 and 2019. A copy of the report is included in Appendix B and summarized as follows:

Year(s)	Topographic Map Observations
2019	Map does not depict any structures on the subject property or surrounding properties. Multiple ponds are observed on surrounding properties. Starfire Haul Road is observed leading to the subject property.
2016	No structures are observed on the subject property or surrounding properties. Changes in contour are noticeable resulting from surface mining operations. Multiple ponds are observed on the surrounding properties. Balls Fork is observed south of the subject property.
2013	Roadway, referenced as Starfire Haul Rd, is observed leading to the subject property. Contour lines widened due to surface mining operations at the subject property. No structures present on subject or surrounding properties.
1992	The map depicts approximately four areas used for strip mining operations – a pond is also present in the strip mine area located north of the subject

	property. A private roadway is also observed leading to the strip mine area located at the subject property. Contours observed to widen due to strip mining operations. One structure is observed near the private roadway in the surface mining area located at the subject property. Several structures are noted along Balls Fork. Two mines and a gas well are observed southwest of the subject property.
1987	No structures or developments ware observed on the subject property. Small structures were present north of the subject property, as well as along the Balls Fork stream. Lick Branch school is observed west of the subject property.
1976	No structures or developments observed on the subject property. Mining areas are observed southwest of the subject property and across the Perry County line. One gas well is observed southeast of the subject property. Lick Branch School is observed northwest of the subject property. A gas well is present southeast of the subject property, just west of Ball Fork.
1954	Balls Fork is observed on the southern portion of the map running below the subject property. No structures or developments are present on the subject property. Small structures can be observed along Balls Fork and its associated tributaries. Two structures appear just north of the subject property. Lick Branch School is observed northwest of the subject property. A gas well is present southeast of the subject property, just west of Balls Fork.
1914	No observable structures present on the subject property. Small structures can be observed on the surrounding properties along Lick Branch, located northwest of the subject property, and along Balls Fork, located south of the subject property. Structures are also present along Zach's Branch.
1891	Map does not depict any structures or developments on the subject property or surrounding properties. Balls fork is present south of the subject property.

4.3.3 Historical Aerial Photographs

Aerial photographs are generally of small scale and only provide a general idea of activity in the area. Aerial photographs provide a "snap shot" 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 provided to the EEC in the *Aerial Photo Decade Package* dated May 1, 2023. Photos were provided for various years from 1952 and 2020. A copy of the EDR Aerial Photo Report is included in Appendix B and a summary is presented in the following table.

Year(s)	Aerial Photograph Observations
2020	Subject property appears to be mainly grassy and wooded areas. A pond is visible on the northern adjoining property. Two structures are visible on the eastern adjoining property.
2016	Subject property comprised of mainly grassy or wooded areas. A pond is visible on northern adjoining property. Only one structure is noted on the eastern adjoining property.
2012	Subject property comprised of patchy grass and sparse woodland areas. A pond is present on eastern edge of subject property. One structure is observed on the eastern adjoining property.
2008	Subject property is observed to be mainly exposed dirt and gravel, with some grassy areas. Wooded areas are also observed on the subject property. One structure is present on the eastern adjoining property.
1995	Aerial imagery indicates heavy surface mining activity on the subject property. Several vehicles are observed on the subject property. One structure present on the eastern adjoining property. Roadways associated with surface mining operations are present on the subject property.
1983	Heavy surface mining activity observed at the subject property. No structures are present on the subject property. Several roadways associated with surface mining operations are present.
1977	Aerial image quality is poor, but subject property appears to be mainly wooded areas with some roadways visible. It appears that surface mining operations are beginning to take place.
1971	Aerial image quality is poor; however, subject property appears to be mainly forested land.
1960	Aerial image quality is poor; however, subject property and surrounding properties appear to be covered entirely in densely forested land.
1952	Aerial images are poor quality; however subject property and adjoining properties appear to be densely forested land.

4.3.4 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 the EEC in a *Certified Sanborn® Map Report* dated April 27, 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.

4.3.5 Historical City Directories

A search of historical city directories for the subject property and surrounding properties was conducted by EDR and provided to the EEC in the *City Directory Image Report* dated May 2,

2023. The report contained phone numbers and addresses for the subject property from 2010 to 2020. A condensed summary of the listings is provided below. The full report is included in Appendix B. It should be noted that city directories are published by private and public sources that show ownership, occupancy, and/or use of properties by reference to street addresses. Discrepancies in addresses are likely the results of changes in ownership and/or property usage.

Year(s)	W KY 80 HWY	Starfire Haul Rd.
2020	- Kentucky Work & Western Wear	- No records available
2017	- Kentucky Work and Western Wear	- No records available
2014	- Kentucky Work and Western Wear - Two Residential	- Frasure Creel Mining LLC Main Office
2010	- Thacker Grigsby Telephone Co. - One Residential	- No records available

5.0 SITE RECONNAISSANCE

As part of a Phase I ESA, an onsite investigation, or site reconnaissance, is performed in an effort to identify *recognized environmental conditions.* Caitlin Mullins (EEC), Christopher Jung (EEC), Kenneth Logsdon (EEC), Jean Weaver (EEC) and Sarah Yount (EEC) conducted the site reconnaissance of the subject property and general vicinity on May 17th, 2023.

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 reconnaissance consisted of visual observation of the subject property and adjacent properties as viewed from the subject property and available nearby roadways. Most areas of the subject property and surrounding properties were able to be observed from the subject property and nearby roadways. The subject property was accessible but contained tall vegetation.

Photographs taken of the subject property and adjacent properties are included in Appendix E.

5.2 Current Use of Property

The subject property is currently undeveloped with no structures present. The subject property consists of mainly grassy areas, which are mowed for hay, as well as some forested areas. Utilities are present adjacent to the subject property along KY-80 including water, sewer, and electric utilities.

5.3 Current Use of Adjoining Properties

The majority of the adjoining properties are also mainly forested land with no evidence of use or structures, excluding the property located east of the subject property. This property is observed to have three structures present which appeared to be used for cattle farming operations.

5.4 Past Uses of Property

The subject property was historically forested land until surface mining operation began in 1984. A deed search revealed that the parcels on the subject property were mainly family owned properties that were bought by Lynn Lee Inc. in the 1980s. A chain of title search was performed by EDR for one of the parcels, 005-20-00-002.00, back to 1971 and found that the property was owned by the Ritchie family until 1971 when the property was sold to Ivan Childers, W.R. Smith and Charlotte Smith. The property was sold again in 1974 to James and Olga Patrick, who sold the property to the current owner, Lynn Lee Inc, in 1982. This information is not included in the table below which describes the chain of title of the other six parcels which were included in the current deed recorded in Deed Book 281 on page 498 in the Knott County Clerk's Office.

Date	Grantor	Grantee	Deed Book/Page	Deed History			
				Grantor	Grantee	Date	Book/Page
09/03/1982	Magellan and Marie Fugate	Lynn Lee Inc.	**126/148**	Sid and Rachel Fugate	Magellan and Marie Fugate	4/4/1960	88/59
				Grantor	Grantee	Date	Book/Page
05/13/1983	Nezra and Rachel Ritchie	Lynn Lee Inc.	**128/269**	Sid and Rachel Fugate	Nezra and Rachel Ritchie	1/15/1969	92/143
				Jerry and Sally Fugate	Sidney Fugate	3/22/1919	37/331

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<tr><td></td><td></td><td></td><td></td><td>
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<tr><td>Hannah Stacy and J Stacey</td><td>Jerry Fugate</td><td>3/30/1909</td><td>23/273</td></tr>
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</td></tr>
<tr><td>08/31/1982</td><td>Timothy and Carol Sue Fugate</td><td>Lynn Lee Inc.</td><td>126/145</td><td>
<table>
<tr><th>Grantor</th><th>Grantee</th><th>Date</th><th>Book/Page</th></tr>
<tr><td>James Tony and Shirley Fugate</td><td>Tim and Carol Fugate</td><td>8/29/1908</td><td>119/57</td></tr>
<tr><td>Elhanon and America Fugate</td><td>James Tony Fugate</td><td>4/30/57</td><td>Perry County Clerk Deed Book 81/133</td></tr>
</table>
</td></tr>
<tr><td>12/15/1983</td><td>Corbett Ray Fugate</td><td>Lynn Lee Inc.</td><td>130/204</td><td>
<table>
<tr><th>Grantor</th><th>Grantee</th><th>Date</th><th>Book/Page</th></tr>
<tr><td>Sid and Rachel Fugate</td><td>Buck Fugate</td><td>4/4/1960</td><td>88/119</td></tr>
</table>
Corbett Ray Fugate inherited the property, as seen in the affidavit of deceased on page 556 of Knott County Deed book 128, from Buck Fugate on 1/22/1981.
</td></tr>
<tr><td>09/24/1984</td><td>Amel and Kathy Ritchie</td><td>Lynn Lee Inc.</td><td>132/565</td><td>
<table>
<tr><th>Grantor</th><th>Grantee</th><th>Date</th><th>Book/Page</th></tr>
<tr><td>Columbus Ritchie et. al</td><td>Amel and Kathy Ritchie</td><td>10/06/1981</td><td>123/9</td></tr>
<tr><td>Delilah Ritchie</td><td>Amel and Kathy Ritchie</td><td>3/19/1981</td><td>11/587</td></tr>
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</td></tr>
<tr><td>10/21/1983</td><td>Pro Land Inc.</td><td>Lynn Lee Inc.</td><td>129/561</td><td>
<table>
<tr><th>Grantor</th><th>Grantee</th><th>Date</th><th>Book/Page</th></tr>
<tr><td>Denzil and Opal Short</td><td>Pro Land Inc.</td><td>10/22/1972</td><td>102/634</td></tr>
</table>
This property consists of four tracts. The deed between Pro Land Inc. and Lynn Lee Inc. was a surface only conveyance with exceptions and reservations of
</td></tr>
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<tr><td></td><td></td><td></td><td></td><td>mining rights as well as permanent easement and transportation rights.</td></tr>
<tr><td>06/30/1983</td><td>Treva Lynn Fugate; Victoria and Jeffrey Gilbert</td><td>Lynn Lee Inc.</td><td>128/557</td><td><table><tr><th>Grantor</th><th>Grantee</th><th>Date</th><th>Book/Page</th></tr><tr><td>Sidney and Rachel Fugate</td><td>Buck Fugate</td><td>4/4/1960</td><td>89/119</td></tr></table>Victoria Gilbert inherited this property, as seen in affidavit of deceased on page 556 of Knott County Deed book 128, from Buck Fugate on 1/22/1981.</td></tr>
</table>

5.5 Past Uses of Adjoining Properties

Usage of the surrounding properties has remained primarily undeveloped forestland with surface mining operations beginning during the late 1970s-1980s.

5.6 Descriptions of Structures, Roads, and other Improvements

The subject property is located off KY-80 near the Perry county line in the community of Talcum, Kentucky. No structures were observed on the subject property northern portion of the subject property. The subject property is accessible by roads used historically for surface mining operations. The roadway leading to the subject property, Starfire Haul Road, is clear and useable, but improvements can be made. A dirt road with a gate is used to access the lower field of the subject property. A separate dirt road just north of this entrance is used to access the upper field of the subject property. Both are in poor condition, at this time, and require a vehicle with four wheel drive to access.

5.7 Exterior Observation

The subject property is currently vacant. The majority of the subject property is used for hay fields, and the property consists of primarily of tall vegetation surrounded by forested areas.

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

The site reconnaissance included a search for physical features such as fill ports, slumped pavement/ground surface, patches, and evidence of underground piping or pump stations commonly associated with the presence of storage tanks. No visual evidence was found that would suggest the use of underground storage tanks or aboveground storage tanks on the subject property. The lack of visual evidence cannot rule out the presence or historical use of storage tanks on the subject property.

5.9 Hazardous Substances/Waste and Petroleum Products

No hazardous waste, or petroleum products were observed on the subject property during the site reconnaissance. Historical records indicate surface mining operations took place on and around the subject property, but no records indicate the use or production of hazardous substances or petroleum products which would warrant any regulatory action.

5.10 Odors

No odors associated with the release of hazardous substances, petroleum product, or industrial activities were noted at the subject property during the site reconnaissance.

5.11 Pits, Ponds, and Lagoons

No pits, ponds, or lagoons were observed on the subject property.

5.12 Stained Soil/Pavement

No significant staining associated with hazardous substances or petroleum products was found on soil or pavement at the subject property.

5.13 Wastewater

No evidence of wastewater was observed at the subject property during the site reconnaissance. No records of sewer service or septic systems on the subject property were found during historical review.

5.14 Wells

According to the EDR Physical Settings Report, there are approximately seven wells within ¼ to ½ mile of the subject property. Well data is listed in the table below.

Well ID	Status	Type	Distance from Subject Property
USGS KY Water Science Center Location: H27B0015	No reports or sampling data available	Monitoring Well	¼ - ½ Mile
USGS KY Water Science Center Location: H27B0016	No reports or sampling data available	Monitoring Well	¼ - ½ Mile
Domestic- Single Household AKGWA-40006148	Unknown	Water Well	¼ - ½ Mile
User Unknown AKGWA-40006503	Unknown	Water Well	¼ - ½ Mile
USGS KY Water Science Center Location: H27B0012	Sampled - 1982	Monitoring Well	¼ - ½ Mile

USGS KY Water Science Center Location: H27B0013	Sampled - 1982	Monitoring Well	¼ - ½ Mile
USGS KY Water Science Center Location: H27B0014	No reports or sampling data available	Monitoring Well	¼ - ½ Mile

There were also approximately six oil and gas wells within ½ of a mile from the subject property. Three of these wells were located on the subject property. One well (Ashland Oil and Refining Co, Inc. Well No. 74981) located on the subject property has been plugged since 1977. There is one well (Equitable Production Company Well No. 566108) located on the southwestern side of the subject property that is a gas producing well which has production data from 2005 – 2020. The third well (Columbia Natural Resources Well No. located on the subject property is also gas producing, with production data available from 1999-2020. This well was list as "shut in" for oil production. One well, located right at a ½ mile north of the subject property, is currently listed as a producing gas well that was completed in 2010. This well was listed as being "shut in" for around 16 months after completion, but production resumed in 2011 and continued through 2019. No production data was available after 2019. The remaining wells within ¼ mile were listed as plugged. Well data is listed in the table below.

Well ID	Elevation	Latitude	Longitude	Status	Distance from Subject Property
Equitable Production Company Original Well No: 566108	1340 ft.	37.375478	-83.112709	Gas Producing: 2005-2020	0 – 1/8 Mile
Ashland Oil & Refining Co, Inc. Original Well No: 74981	1254 ft.	37.383154	-83.111397	Plugged – 07/23/1977	0 – 1/8 Mile
Columbia Natural Resources Inc. Original Well No: 23422	1280 ft.	37.383635	-83.098377	Gas producing: 1999-2020	0 – 1/8 Mile
Inland Gas Co. Inc. Original Well No: 558	1206 ft.	37.390268	-83.106294	Plugged – 12/05/1975	1/8 – ¼ Mile

Kentucky West Virginia Gas Co. Original Well No: 1609	1220 ft.	37.387452	-83.110643	Plugged – 05/26/2005	1/8 – ¼ Mile
Clean Gas Inc. Original Well No: 442	1369 ft.	37.393562	-83.109719	Gas Producing : 2010 - 2019	¼ - ½ Mile

5.15 Septic Systems

No on-site septic systems or cesspools were observed on the subject property. No records of sewer service or septic systems on the subject property were found during historical review

6.0 INTERVIEWS

6.1 *Current Property Owner*

An interview was conducted with the property owner, Mr. Shawn Adams, via phone call on May 11, 2023 at approximately 1:13 PM (EST). Mr. Adams' family has owned the property since the 1980s and he confirmed the subject property was historically forested land until surface mining operations took place via mountain top removal. The surrounding properties were also used for surface mining but were historically forested land up until that. He also stated he wasn't aware of any spills or releases of hazardous substances or petroleum products on the subject property that would have warranted clean up or regulatory action. When asked if there were any activity use or deed restrictions on the subject property, Mr. Adam's stated that there were no deed restrictions on the property that he knew of.

6.2 State/Local Government Representative

A review of files from the Kentucky Department of Environmental Protection did not produce any records of hazardous substance spills, environmental contamination, or environmental liens at, or on the subject property. An interview was conducted with Ms. Courtney Skaggs, KY Department of Natural Resources representative, on May 18, 2023. Ms. Skaggs is familiar with the mining history of the subject property.

Ms. Skaggs confirmed that historically the subject property was unmanaged forested land until surface mining operation began in 1984 and continued through 2017. Ms. Skaggs also provided the mining history of the site. The Olive Branch 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) in 1984. The DNR is the state primacy agency with the regulatory authority for permitting, inspection and enforcement under SMCRA. The project area included two (2) reclaimed mining sites formerly permitted by River Coal Company, Inc. and Liberty Management, LLC. River Coal Company, Inc., permit no. 860-

0063, was issued on February 14, 1984 and obtained a Phase IIII bond release on March 28, 1995. Liberty Management LLC, permit no 860-0565 was initially permitted to Star Fire Mining Company, permit no. 460-0080. 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 Big Elk Mining Company, permit no. 860-0421 on October 25, 2005; the second transfer of rights to Frasure Creek Mining LLC, permit no. 860-0466 on June 1, 2007; a third transfer of rights (due to a stock purchase) to Frasure Creek Mining LLC, permit no. 860-0506 on April 7, 2011; and a fourth transfer of rights to Liberty Management LLC, permit no. 860-0565 on November 5, 2015. Liberty Management, LLC, permit no. 860-0565 obtained a Phase III bond release on October 3, 2017. Bond release documentation is available in Appendix D.

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 March 28, 1995 and October 3, 2017.

Ms. Skaggs was not aware of any spills or releases of hazardous substances or petroleum products at the subject property. She also stated she was unaware of any deed restrictions, activity use limitations or environmental liens on the subject property. Ms. Skaggs also stated she was not aware of any environmental cleanups having occurred at the subject property.

7.0 EVALUATION

The EEC performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM E1527-21 of the subject property located on KY-80 in Bulan, Kentucky. Any exceptions to, or deletions from, this practice were described in this report. The assessment did not find evidence of *recognized environmental conditions* (RECs) in connection to the subject property.

7.1 Findings

The environmental assessment performed at the subject property in Bulan, Kentucky revealed the following findings:

- Historical surface mining operations at and around the subject property.
- Two wells were observed within ½ mile of the subject property that are of domestic or unknown use with no records of being plugged.
- Three oil and gas producing wells are observed to be on the subject property. One of the wells, Equitable Production Company (Well No: 566108), is observed on the southwestern portion of the subject property with production data available from 2005-2020. The well appears to be down-gradient from the majority of the subject property.
- One well, Ashland Oil and Refining (Well No. 74981), is observed on the northwestern portion of the property. This well was plugged in 1977.
- One well, Columbia Natural Resources (Well No. 23422), is observed on the eastern property boundary. This well is listed as “shut in” from 2013-2019. Gas production data was available from 1999-2020.

7.2 Recognized Environmental Conditions

Based on the results of this Phase I ESA it was determined that the subject property and surrounding properties lacked evidence of a release or likely release that would be considered a REC based on the ASTM E1527-21 standards.

- *Recognized Environmental Condition (On-Site)*
  No on-site RECs were identified in connection with the subject property during the assessment.
- *Recognized Environmental Conditions (Off-Site)*
  No off-site RECs were identified in connection with the subject property during the assessment
- *Historic Recognized Environmental Condition*
  No HRECs were identified in connection with the subject property during the assessment.
- *Controlled Recognized Environmental Conditions*

No CRECs were identified in connection with the subject property during the assessment.

- *Business Environmental Risks (BERs)*
  The only BER identified in connection with the subject property was the potential for geotechnical issues in connection with soil composition of the area.

7.3 Opinions

Based on the historical review and site reconnaissance of the subject property, it is considered unlikely that contamination is present at the subject property.

7.4 Conclusions

This Phase I ESA did not reveal evidence of any *recognized environmental conditions* within the scope and limitations of ASTM E1527-21 at the subject property located off KY-80 in Talcum, KY. Any exceptions or deletions from this practice are described in Section 7.6 of this report. This assessment did not reveal any *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. Historic mining operations occurring at the subject property were permitted under the Surface Mining Control and Reclamation Act (SMRCA) of 1977 and are not considered to *recognized environmental conditions*. Results from radon testing performed in 2004 that was included in the EDR Radius Map™ Report with Geocheck showed radon levels at 1.50 pCi/L. These results are below the EPA suggested radon action level (4.0 pCi/L) and the World Health Organization's suggested radon action level (2.7 pCi/L). While the results were below actionable levels, it is unknown where samples were collected. Additional radon testing at the subject property would allow for more accurate representation of the area.

7.5 Additional Investigations

This assessment and review of historical documents has not revealed evidence of *recognized environmental conditions* at the subject property. It is the opinion of the environmental professional that additional environmental assessment is not necessary at this time. A geotechnical survey may be beneficial before further site development.

7.6 Deletions and Exceptions

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

8.0 ADDITIONAL (NON-SCOPE) SERVICES

Additional services beyond the scope of ASTM E1527-21 were not performed in conjunction with this assessment. The ASTM scope only includes the investigation of hazardous materials and petroleum products, therefore radon, emerging contaminants, and asbestos investigations were not performed.

9.0 SIGNATURE OF THE ENVIRONMENTAL PROFESSIONAL

I, Christopher Jung, declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in the Code of Federal Regulations (CFR), Title 40, Section 312.104. I have the specific qualifications based on education, training, and experience to assess the nature, history, and setting of the subject site. I have developed and performed the all-appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Christopher Jung

Christopher Jung, P.G.

Registered Geologist Supervisor

State Section

Superfund Branch

10.0 REFERENCES

Website Sources

Environmental Data Resources, Inc. EDR Aerial Photo Decade Package, Olive Branch-Knott County, Bulan, KY 41722. Inquiry: 7321472.8. May 1, 2023.

Environmental Data Resources, Inc. Certified Sanborn Map Report, Olive Branch – Knott County, Bulan, KY 41722. Inquiry: 7321472.3. April 27, 2023.

Environmental Data Resources, Inc. EDR City Directory Image Report, Olive Branch – Knott County, Bulan, KY 41722. Inquiry: 7321472.5. May 2, 2023.

Environmental Data Resources, Inc. EDR Historical Topo Map Report, Olive Branch – Knott County, Bulan, KY 41722. Inquiry: 7321472.3. April 27, 2023.

Kentucky Environmental and Public Protection Cabinet. Kentucky Department for Environmental Protection TEMPO Database.

Kentucky Geological Survey, Kentucky Geologic Map Information Service: https://kgs.uky.edu/kygeode/geomap/

Kentucky Geological Survey, Kentucky Groundwater Repository Data: https://kgs.uky.edu/kgsmap/KGSWater/viewer.asp

The EDR Radius Map™ Report with GeoCheck®, Olive Branch – Knott County, Bulan, KY 41722. Inquiry: 7321472.2s. April 27, 2023.

U.S. Department of Agriculture, Natural Resources Conservation Service Web Soil Survey: https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

Personal Interviews

A. Current Property Owner – Shawn Adams
B. State Government Representative – Courtney Skaggs, KDNR

Appendices

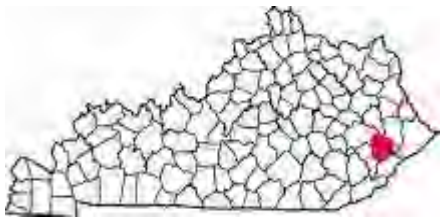
A. Site Maps
B. Historic Documents
  a. EDR Radius Map Report™ with GeoCheck®
  b. EDR Sanborn® Map Report
  c. EDR Historical Topo Map Report
  d. EDR Aerial Photo Decade Package
  e. EDR City Directory
C. Olive Branch Site Investigation Report
D. Bond Release Documentation

E. Property Photographs

F. Qualifications

Appendix A – Site Maps

Site Map of Subject Property

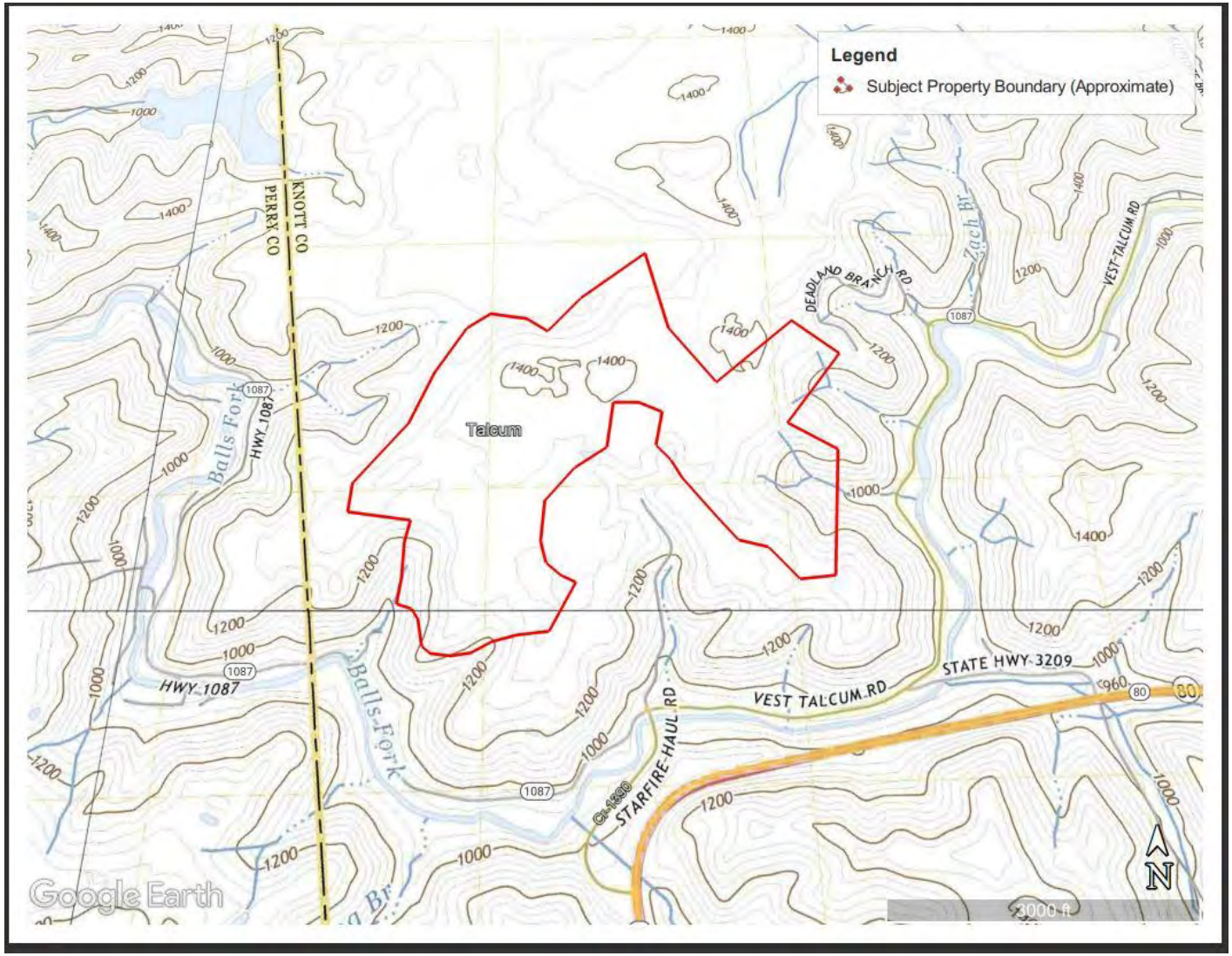


Olive Branch Property
KY-80
Bulan KY

Date: May 25, 2023
Author: Caitlin Mullins
Source: Google Earth

Disclaimer: Information on this map is from a digital database. Data is representative of information available on the date above.

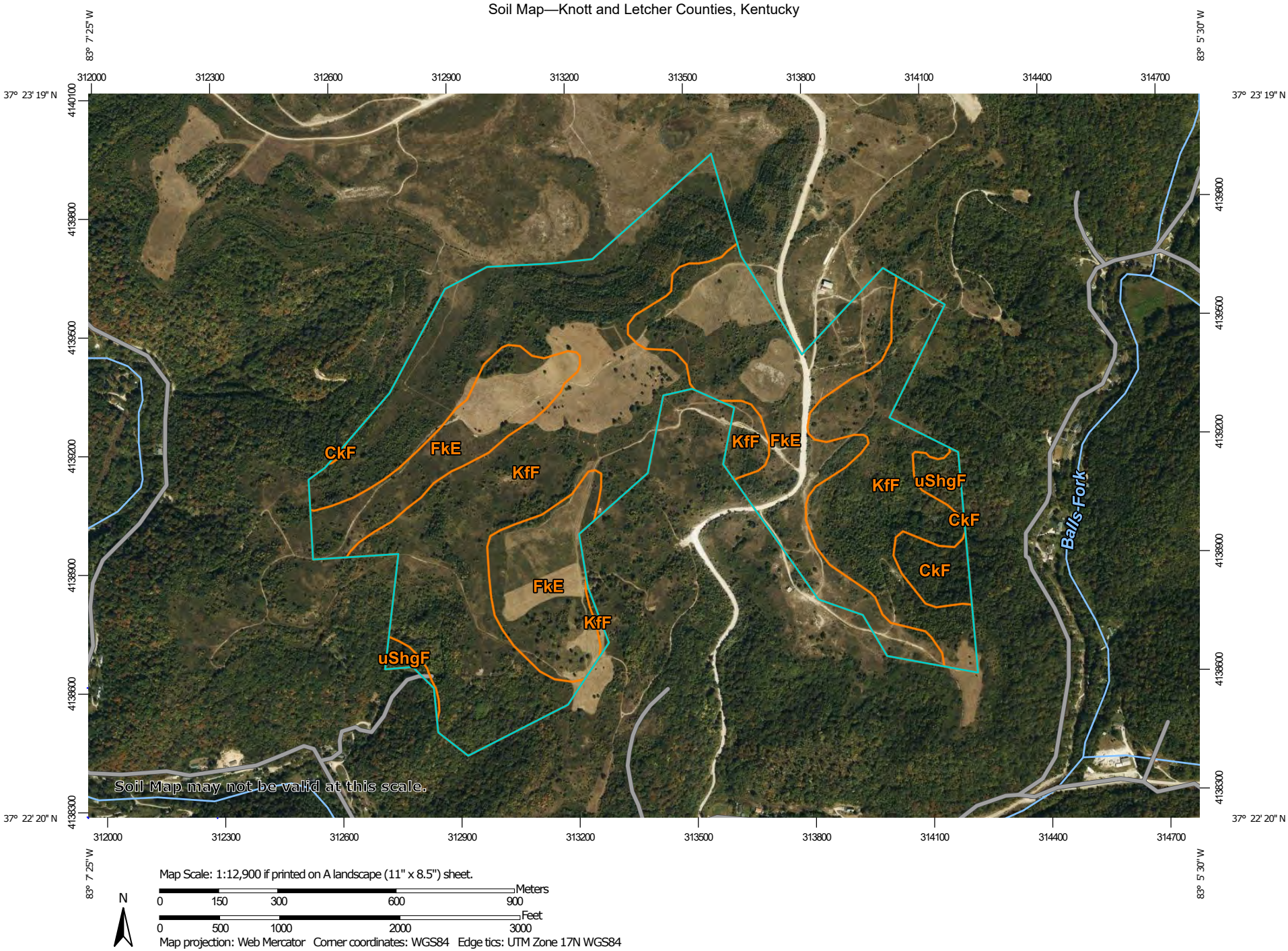
Site Map of Subject Property



Olive Branch Property
KY-80
Bulan KY

Date: May 25, 2023
Author: Caitlin Mullins
Source: Google Earth

Disclaimer: Information on this map is from a digital database. Data is representative of information available on the date above.



Map Scale: 1:12,900 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 150 300 600 900

Feet: 0 500 1000 2000 3000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Map Unit Polygons

Soil Map Unit Lines

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

Rock Outcrop

Saline Spot

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

Spoil Area

Stony Spot

Very Stony Spot

Wet Spot

Other

Special Line Features

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

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

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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 9, 2016—Sep 15, 2019

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
CkF	Cloverlick-Kimper-Highsplint complex, 30 to 65 percent slopes, very stony	6.7	2.2%
FkE	Fiveblock and Kaymine soils, 0 to 30 percent slopes, stony	108.6	35.3%
KfF	Kaymine, Fairpoint, and Fiveblock soils, benched, 2 to 70 percent slopes, very stony	187.5	60.9%
uShgF	Shelocta-Highsplint-Gilpin complex, 20 to 70 percent slopes, very stony	5.1	1.6%
Totals for Area of Interest		**307.9**	**100.0%**

U.S. Fish and Wildlife Service

National Wetlands Inventory

Olive Branch Property

May 25, 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.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

Appendix B – Historic Documents

Olive Branch - Knott County
KY-80
Bulan, KY 41722

Inquiry Number: 7321472.2s
April 27, 2023

The EDR Radius Map™ Report with GeoCheck®

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

TABLE OF CONTENTS

SECTION	PAGE
Executive Summary	ES1
Overview Map	2
Detail Map	3
Map Findings Summary	4
Map Findings	8
Orphan Summary	22
Government Records Searched/Data Currency Tracking	GR-1

GEOCHECK ADDENDUM

Physical Setting Source Addendum	A-1
Physical Setting Source Summary	A-2
Physical Setting SSURGO Soil Map	A-5
Physical Setting Source Map	A-12
Physical Setting Source Map Findings	A-14
Physical Setting Source Records Searched	PSGR-1

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

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EXECUTIVE SUMMARY

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
BULAN, KY 41722

COORDINATES

Latitude (North):	37.3892000 - 37° 23' 21.12''
Longitude (West):	83.1079000 - 83° 6' 28.44''
Universal Tranverse Mercator:	Zone 17
UTM X (Meters):	313391.8
UTM Y (Meters):	4139929.8
Elevation:	1395 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map:	13046766 VEST, KY
Version Date:	2019
Southeast Map:	13082220 CARRIE, KY
Version Date:	2019
Southwest Map:	13082236 HAZARD NORTH, KY
Version Date:	2019
Northwest Map:	13082266 NOBLE, KY
Version Date:	2019

AERIAL PHOTOGRAPHY IN THIS REPORT

Portions of Photo from:	20140711
Source:	USDA

MAPPED SITES SUMMARY

Target Property Address:
KY-80
BULAN, KY 41722

Click on Map ID to see full detail.

MAP ID	SITE NAME	ADDRESS	DATABASE ACRONYMS	RELATIVE ELEVATION	DIST (ft. & mi.) DIRECTION
A1	FRASURE CREEK MINE N	2481 STAR FIRE HAUL	US MINES, ABANDONED MINES	Lower	532, 0.101, North
A2	LICK BRANCH SLURRY I	2481 STAR FIRE HAUL	US MINES	Lower	532, 0.101, North

EXECUTIVE SUMMARY

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 (Superfund) sites

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

Lists of Federal Delisted NPL sites

Delisted NPL ..... National Priority List Deletions

Lists of Federal sites subject to CERCLA removals and CERCLA orders

FEDERAL FACILITY ..... Federal Facility Site Information listing
SEMS ..... Superfund Enterprise Management System

Lists of Federal CERCLA sites with NFRAP

SEMS-ARCHIVE ..... Superfund Enterprise Management System Archive

Lists of Federal RCRA facilities undergoing Corrective Action

CORRACTS ..... Corrective Action Report

Lists of Federal RCRA TSD facilities

RCRA-TSDF ..... RCRA - Treatment, Storage and Disposal

Lists of Federal RCRA generators

RCRA-LQG ..... RCRA - Large Quantity Generators
RCRA-SQG ..... RCRA - Small Quantity Generators
RCRA-VSQG ..... RCRA - Very Small Quantity Generators (Formerly Conditionally Exempt Small Quantity Generators)

Federal institutional controls / 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..... SB193 Branch Site Inventory List

Lists of state and tribal registered storage tanks

FEMA UST..... Underground Storage Tank Listing
UST..... Underground Storage Tank Database
AST..... Above Ground Storage Tanks
INDIAN UST..... Underground Storage Tanks on Indian Land

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

SWRCY..... Recycling Facilities
HIST LF..... Historical Landfills
INDIAN ODI..... Report on the Status of Open Dumps on Indian Lands
DEBRIS REGION 9..... Torres Martinez Reservation Illegal Dump Site Locations

EXECUTIVE SUMMARY

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
FTTS ..... FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide 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
FINDS ..... Facility Index System/Facility Registry System
DOCKET HWC ..... Hazardous Waste Compliance Docket Listing
ECHO ..... Enforcement & Compliance History Information
UXO ..... Unexploded Ordnance Sites

EXECUTIVE SUMMARY

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 ATSDR	PFAS Contamination Site Location Listing
PFAS WQP	Ambient Environmental Sampling for PFAS
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	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

RGA HWS	Recovered Government Archive State Hazardous Waste Facilities List
RGA LF	Recovered Government Archive Solid Waste Facilities List

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS 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. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property.
Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

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

EXECUTIVE SUMMARY

ADDITIONAL ENVIRONMENTAL RECORDS

Other Ascertainable Records

US MINES: Mines Master Index File. The source of this database is the Dept. of Labor, Mine Safety and Health Administration.

A review of the US MINES list, as provided by EDR, has revealed that there are 2 US MINES sites within approximately 0.25 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
FRASURE CREEK MINE N	***2481 STAR FIRE HAUL***	***N 0 - 1/8 (0.101 mi.)***	***A1***	***8***
Database: MINES VIOLATIONS, Date of Government Version: 02/27/2023				
LICK BRANCH SLURRY I	2481 STAR FIRE HAUL	N 0 - 1/8 (0.101 mi.)	A2	15
Database: MINES VIOLATIONS, Date of Government Version: 02/27/2023				

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.

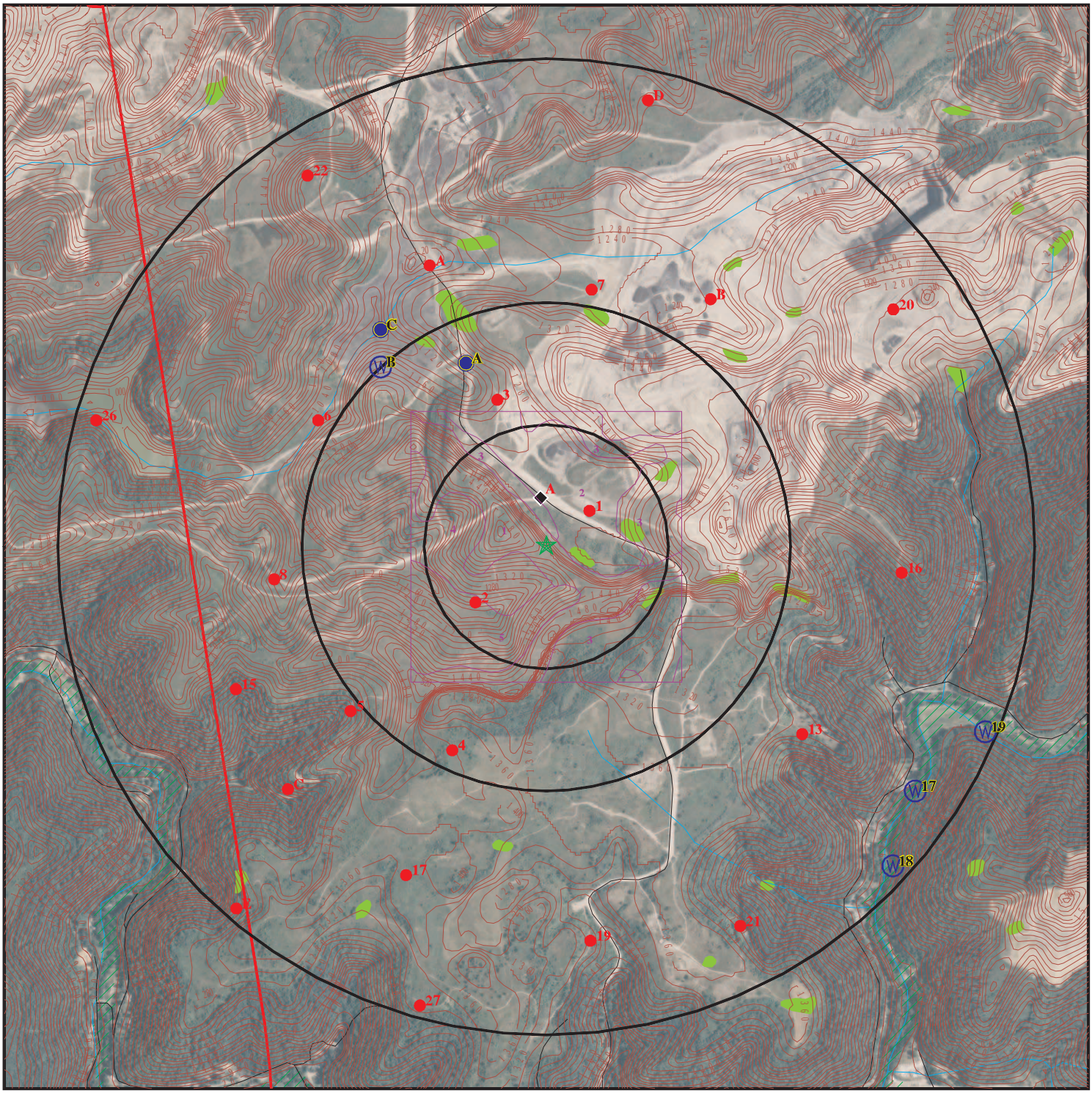
A review of the ABANDONED MINES list, as provided by EDR, and dated 12/20/2022 has revealed that there is 1 ABANDONED MINES site within approximately 0.25 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
FRASURE CREEK MINE N	***2481 STAR FIRE HAUL***	***N 0 - 1/8 (0.101 mi.)***	***A1***	***8***

EXECUTIVE SUMMARY

There were no unmapped sites in this report.

OVERVIEW MAP - 7321472.2S



- Target Property
- Sites at elevations higher than or equal to the target property
- Sites at elevations lower than the target property
- Manufactured Gas Plants
- National Priority List Sites
- Dept. Defense Sites

0 1/4 1/2 1 Miles

- Indian Reservations BIA
- County Boundary
- Special Flood Hazard Area (1%)
- 0.2% Annual Chance Flood Hazard
- National Wetland Inventory
- State Wetlands

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: Olive Branch - Knott County	CLIENT: Kentucky Division of Compliance
ADDRESS: KY-80 Bulan KY 41722	CONTACT: Derek Bozzell
LAT/LONG: 37.3892 / 83.1079	INQUIRY #: 7321472.2s
	DATE: April 27, 2023 4:23 pm

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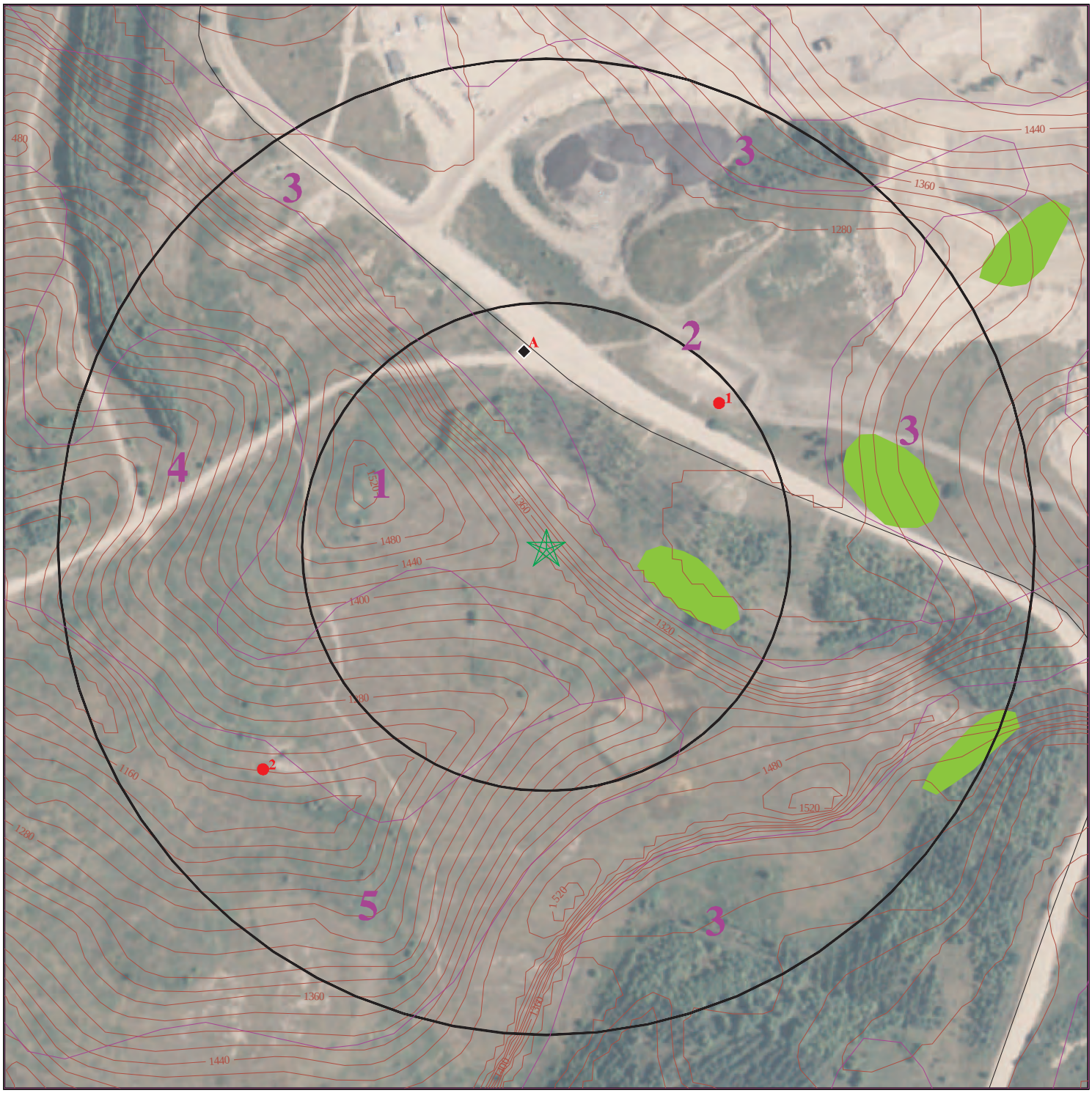
DETAIL MAP - 7321472.2S



- Target Property
- Sites at elevations higher than or equal to the target property
- Sites at elevations lower than the target property
- Manufactured Gas Plants
- Sensitive Receptors
- National Priority List Sites
- Dept. Defense Sites

0 1/16 1/8 1/4 Miles

- Indian Reservations BIA
- National Wetland Inventory
- State Wetlands

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: Olive Branch - Knott County ADDRESS: KY-80 Bulan KY 41722 LAT/LONG: 37.3892 / 83.1079	CLIENT: Kentucky Division of Compliance CONTACT: Derek Bozzell INQUIRY #: 7321472.2s DATE: April 27, 2023 4:26 pm

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MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
STANDARD ENVIRONMENTAL RECORDS								
Lists of Federal NPL (Superfund) sites								
NPL	1.000		0	0	0	0	NR	0
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	1.000		0	0	0	0	NR	0
Lists of Federal Delisted NPL sites								
Delisted NPL	1.000		0	0	0	0	NR	0
Lists of Federal sites subject to CERCLA removals and CERCLA orders								
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
SEMS	0.500		0	0	0	NR	NR	0
Lists of Federal CERCLA sites with NFRAP								
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 TSD facilities								
RCRA-TSDF	0.500		0	0	0	NR	NR	0
Lists of Federal RCRA generators								
RCRA-LQG	0.250		0	0	NR	NR	NR	0
RCRA-SQG	0.250		0	0	NR	NR	NR	0
RCRA-VSQG	0.250		0	0	NR	NR	NR	0
Federal institutional controls / engineering controls registries								
LUCIS	0.500		0	0	0	NR	NR	0
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROLS	0.500		0	0	0	NR	NR	0
Federal ERNS list								
ERNS	TP		NR	NR	NR	NR	NR	0
Lists of state- and tribal hazardous waste facilities								
SHWS	1.000		0	0	0	0	NR	0
Lists of state and tribal landfills and solid waste disposal facilities								
SWF/LF	0.500		0	0	0	NR	NR	0
Lists of state and tribal leaking storage tanks								
PSTEAF	0.500		0	0	0	NR	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
INDIAN LUST	0.500		0	0	0	NR	NR	0
SB193	0.500		0	0	0	NR	NR	0
Lists of state and tribal registered storage tanks								
FEMA UST	0.250		0	0	NR	NR	NR	0
UST	0.250		0	0	NR	NR	NR	0
AST	0.250		0	0	NR	NR	NR	0
INDIAN UST	0.250		0	0	NR	NR	NR	0
State and tribal institutional control / engineering control registries								
ENG CONTROLS	0.500		0	0	0	NR	NR	0
INST CONTROL	0.500		0	0	0	NR	NR	0
Lists of state and tribal voluntary cleanup sites								
INDIAN VCP	0.500		0	0	0	NR	NR	0
VCP	0.500		0	0	0	NR	NR	0
Lists of state and tribal brownfield sites								
BROWNFIELDS	0.500		0	0	0	NR	NR	0
ADDITIONAL ENVIRONMENTAL RECORDS								
Local Brownfield lists								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
Local Lists of Landfill / Solid Waste Disposal Sites								
SWRCY	0.500		0	0	0	NR	NR	0
HIST LF	0.500		0	0	0	NR	NR	0
INDIAN ODI	0.500		0	0	0	NR	NR	0
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
ODI	0.500		0	0	0	NR	NR	0
IHS OPEN DUMPS	0.500		0	0	0	NR	NR	0
Local Lists of Hazardous waste / Contaminated Sites								
US HIST CDL	TP		NR	NR	NR	NR	NR	0
CDL	TP		NR	NR	NR	NR	NR	0
US CDL	TP		NR	NR	NR	NR	NR	0
Local Land Records								
LIENS 2	TP		NR	NR	NR	NR	NR	0
Records of Emergency Release Reports								
HMIRS	TP		NR	NR	NR	NR	NR	0
SPILLS	TP		NR	NR	NR	NR	NR	0
Other Ascertainable Records								
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0

MAP FINDINGS SUMMARY

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		0	0	0	0	NR	0
SCRD DRYCLEANERS	0.500		0	0	0	NR	NR	0
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	TP		NR	NR	NR	NR	NR	0
COAL ASH DOE	TP		NR	NR	NR	NR	NR	0
COAL ASH EPA	0.500		0	0	0	NR	NR	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		0	0	0	0	NR	0
FUSRAP	1.000		0	0	0	0	NR	0
UMTRA	0.500		0	0	0	NR	NR	0
LEAD SMELTERS	TP		NR	NR	NR	NR	NR	0
US AIRS	TP		NR	NR	NR	NR	NR	0
US MINES	0.250		2	0	NR	NR	NR	2
ABANDONED MINES	0.250		1	0	NR	NR	NR	1
FINDS	TP		NR	NR	NR	NR	NR	0
DOCKET HWC	TP		NR	NR	NR	NR	NR	0
ECHO	TP		NR	NR	NR	NR	NR	0
UXO	1.000		0	0	0	0	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	0.250		0	0	NR	NR	NR	0
PFAS RCRA MANIFEST	0.250		0	0	NR	NR	NR	0
PFAS ATSDR	0.250		0	0	NR	NR	NR	0
PFAS WQP	0.250		0	0	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 TRAINING	0.250		0	0	NR	NR	NR	0
PFAS PART 139 AIRPORT	0.250		0	0	NR	NR	NR	0
AQUEOUS FOAM NRC	0.250		0	0	NR	NR	NR	0
PFAS	0.250		0	0	NR	NR	NR	0
AIRS	TP		NR	NR	NR	NR	NR	0
ASBESTOS	TP		NR	NR	NR	NR	NR	0
COAL ASH	0.500		0	0	0	NR	NR	0

MAP FINDINGS SUMMARY

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	TP		NR	NR	NR	NR	NR	0
EDR HIGH RISK HISTORICAL RECORDS								
EDR Exclusive Records								
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 GOVERNMENT ARCHIVES								
Exclusive Recovered Govt. Archives								
RGA HWS	TP		NR	NR	NR	NR	NR	0
RGA LF	TP		NR	NR	NR	NR	NR	0
- Totals --		0	3	0	0	0	0	3

NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

A1 North < 1/8 0.101 mi. 532 ft. | **FRASURE CREEK MINE NO 6**
2481 STAR FIRE HAUL ROAD
TALCUM, KY 41722 | **US MINES** | **1024910762**
ABANDONED MINES | **N/A**

Site 1 of 2 in cluster A

Relative: Lower
Actual: 1274 ft.

MINES VIOLATIONS:

Name:	FRASURE CREEK MINE NO 6
Address:	2481 STAR FIRE HAUL ROAD
City,State,Zip:	TALCUM, KY 41722
Facility ID:	Not reported

MINES VIOLATIONS:

Violation Number:	7425803
Mine ID:	1513936
Contractor ID:	Not reported
Date Issued:	02/16/2006
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	02/16/2006
Title 30 Code of Federal Regulations:	77.404(a)
Proposed Penalty:	177.00
Assessment Amount:	177.00
Paid Penalty Amount:	177.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2006
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7425805
Mine ID:	1513936
Contractor ID:	Not reported
Date Issued:	02/16/2006
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	02/16/2006
Title 30 Code of Federal Regulations:	77.400(a)
Proposed Penalty:	177.00
Assessment Amount:	177.00
Paid Penalty Amount:	177.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2006

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7425806
Mine ID:	1513936
Contractor ID:	Not reported
Date Issued:	02/16/2006
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	02/16/2006
Title 30 Code of Federal Regulations:	77.1104
Proposed Penalty:	177.00
Assessment Amount:	177.00
Paid Penalty Amount:	177.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2006
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7425807
Mine ID:	1513936
Contractor ID:	Not reported
Date Issued:	02/22/2006
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	03/09/2006

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

Title 30 Code of Federal Regulations:	77.404(a)
Proposed Penalty:	177.00
Assessment Amount:	177.00
Paid Penalty Amount:	177.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2006
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY
Violation Number:	7425809
Mine ID:	1513936
Contractor ID:	Not reported
Date Issued:	02/22/2006
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	02/24/2006
Title 30 Code of Federal Regulations:	77.1605(b)
Proposed Penalty:	177.00
Assessment Amount:	177.00
Paid Penalty Amount:	177.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2006
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY
Violation Number:	8245179

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

Mine ID:	1513936
Contractor ID:	VP2
Date Issued:	02/16/2011
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	02/17/2011
Title 30 Code of Federal Regulations:	77.1606(c)
Proposed Penalty:	243.00
Assessment Amount:	243.00
Paid Penalty Amount:	0.00
Assessment Case Status:	Proposed
Assessment Status:	Received
Year:	2011
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	8245180
Mine ID:	1513936
Contractor ID:	VP2
Date Issued:	02/16/2011
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	02/17/2011
Title 30 Code of Federal Regulations:	77.410(c)
Proposed Penalty:	392.00
Assessment Amount:	392.00
Paid Penalty Amount:	0.00
Assessment Case Status:	Proposed
Assessment Status:	Received
Year:	2011
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7472042
Mine ID:	1513936
Contractor ID:	CNA
Date Issued:	05/01/2002
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	Not reported
Title 30 Code of Federal Regulations:	48.28(a)
Proposed Penalty:	Not reported
Assessment Amount:	Not reported
Paid Penalty Amount:	Not reported
Assessment Case Status:	Not reported
Assessment Status:	Not reported
Year:	2002
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7472043
Mine ID:	1513936
Contractor ID:	CNA
Date Issued:	04/26/2002
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	05/01/2002
Title 30 Code of Federal Regulations:	77.410(a)(1)
Proposed Penalty:	66.00
Assessment Amount:	66.00
Paid Penalty Amount:	66.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2002
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7472044
Mine ID:	1513936
Contractor ID:	LXY
Date Issued:	04/26/2002
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	05/01/2002
Title 30 Code of Federal Regulations:	77.1605(d)
Proposed Penalty:	66.00
Assessment Amount:	66.00
Paid Penalty Amount:	66.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2002
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Violation Number:	7472045
Mine ID:	1513936
Contractor ID:	LXY
Date Issued:	04/26/2002
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	05/01/2002
Title 30 Code of Federal Regulations:	77.1104
Proposed Penalty:	66.00
Assessment Amount:	66.00
Paid Penalty Amount:	66.00

FRASURE CREEK MINE NO 6 (Continued) **1024910762**

Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2002
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Frasure Creek Mining, LLC.
Zip:	41722
Mine Controller Name:	Essar Minerals Canada Limited
Name:	FRASURE CREEK MINE NO 6
Ownership Date:	04/13/2007
Mine Status:	NonProducing
Status Date:	10/10/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Surface
State 2:	KY
County:	PERRY

Click this hyperlink while viewing on your computer to access
1144 additional US_MINES_VIOLATIONS: record(s) in the EDR Site Report.

ABANDONED MINES:

Mine ID:	1513936
Mine Name:	FRASURE CREEK MINE NO 6
Mine Address:	2481 STAR FIRE HAUL ROAD
City,State,Zip:	TALCUM, KY 41722
Primary SIC Code:	Coal (Bituminous)
Mine Type:	Surface
Mine Status Description:	Abandoned
Mine Status Date:	9/12/2016
Coal (C) or Metal (M) Mine:	C
Controller ID:	0102805
Controller Name:	Essar Minerals Canada Limited
Operator ID:	P24564
Operator name:	Frasure Creek Mining, LLC.
Address of Record Street:	2481 Star Fire Haul Road
Address of Record PO Box:	Not reported
Address of Record City:	Talcum
Address of Record State:	KY
Address of Record Zip Code:	41722
Assessment Address Street:	Not reported
Assessment Address PO Box:	100
Assessment Address City:	ARY
Assessment Address State:	KY
Assessment Address Zip Code:	41722
Mine Health and Safety Address Street:	Not reported
Mine Health and Safety Address PO Box:	100
Mine Health and Safety Address City:	Ary
Mine Health and Safety Address State:	KY
Mine Health and Safety Address Zip Code:	Not reported
Latitude:	37.4375
Longitude:	-83.083056

A2 North < 1/8 0.101 mi. 532 ft. | **LICK BRANCH SLURRY IMPOUNDMENT**
2481 STAR FIRE HAUL ROAD
TALCUM, KY 41722 | **US MINES** | **1024910971**
N/A

Site 2 of 2 in cluster A

Relative: Lower

Actual: 1274 ft.

MINES VIOLATIONS:

Name:	LICK BRANCH SLURRY IMPOUNDMENT
Address:	2481 STAR FIRE HAUL ROAD
City,State,Zip:	TALCUM, KY 41722
Facility ID:	Not reported

MINES VIOLATIONS:

Violation Number:	7444607
Mine ID:	1517828
Contractor ID:	JSH
Date Issued:	05/24/2007
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	06/05/2007
Title 30 Code of Federal Regulations:	77.404(a)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	100.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2007
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	7444608
Mine ID:	1517828
Contractor ID:	JSH
Date Issued:	05/24/2007
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	06/05/2007
Title 30 Code of Federal Regulations:	77.400(a)
Proposed Penalty:	138.00
Assessment Amount:	138.00
Paid Penalty Amount:	138.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2007

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	7444609
Mine ID:	1517828
Contractor ID:	XA1
Date Issued:	05/24/2007
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	06/05/2007
Title 30 Code of Federal Regulations:	77.404(a)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	0.00
Assessment Case Status:	Proposed
Assessment Status:	Received
Year:	2007
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	7444610
Mine ID:	1517828
Contractor ID:	XA1
Date Issued:	05/24/2007
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	06/05/2007

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

Title 30 Code of Federal Regulations:	77.410(c)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	0.00
Assessment Case Status:	Proposed
Assessment Status:	Received
Year:	2007
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	7542634
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	08/15/2005
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	08/23/2005
Title 30 Code of Federal Regulations:	77.809
Proposed Penalty:	60.00
Assessment Amount:	60.00
Paid Penalty Amount:	60.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2005
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	8233098

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	10/21/2010
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	10/21/2010
Title 30 Code of Federal Regulations:	77.205(b)
Proposed Penalty:	308.00
Assessment Amount:	308.00
Paid Penalty Amount:	308.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2010
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	8233099
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	10/21/2010
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	10/21/2010
Title 30 Code of Federal Regulations:	77.205(b)
Proposed Penalty:	308.00
Assessment Amount:	308.00
Paid Penalty Amount:	308.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2010
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	6657966
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	07/02/2008
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	08/29/2008
Title 30 Code of Federal Regulations:	77.216(d)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	100.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2008
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	8237441
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	01/21/2010
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	02/24/2010
Title 30 Code of Federal Regulations:	77.215(e)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	100.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2010
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	6661651
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	10/16/2008
Action Type:	104(a)
Type of Issue:	Citation
S and S:	N
Term Date:	10/16/2008
Title 30 Code of Federal Regulations:	77.208(d)
Proposed Penalty:	100.00
Assessment Amount:	100.00
Paid Penalty Amount:	100.00
Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2008
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Violation Number:	6661652
Mine ID:	1517828
Contractor ID:	Not reported
Date Issued:	10/16/2008
Action Type:	104(a)
Type of Issue:	Citation
S and S:	Y
Term Date:	10/16/2008
Title 30 Code of Federal Regulations:	77.205(b)
Proposed Penalty:	308.00
Assessment Amount:	308.00
Paid Penalty Amount:	308.00

LICK BRANCH SLURRY IMPOUNDMENT (Continued) **1024910971**

Assessment Case Status:	Proposed
Assessment Status:	Closed
Year:	2008
Address Type:	MineLocation
PO Box:	Not reported
Address:	2481 STAR FIRE HAUL ROAD
City:	TALCUM
State:	KY
Operator:	Liberty Management, LLC.
Zip:	41722
Mine Controller Name:	Steve Allen; Philip Marsh
Name:	LICK BRANCH SLURRY IMPOUNDMENT
Ownership Date:	02/01/2016
Mine Status:	NonProducing
Status Date:	07/31/2013
Primary Site Description:	Coal (Bituminous)
Mine Type:	Facility
State 2:	KY
County:	KNOTT

Click this hyperlink while viewing on your computer to access
185 additional US_MINES_VIOLATIONS: record(s) in the EDR Site Report.

Count: 0 records.

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
		NO SITES FOUND			

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

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
Date Data Arrived at EDR: 02/03/2023
Date Made Active in Reports: 02/28/2023
Number of Days to Update: 25

Source: EPA
Telephone: N/A
Last EDR Contact: 04/03/2023
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
Telephone 617-918-1143

EPA Region 6
Telephone: 214-655-6659

EPA Region 3
Telephone 215-814-5418

EPA Region 7
Telephone: 913-551-7247

EPA Region 4
Telephone 404-562-8033

EPA Region 8
Telephone: 303-312-6774

EPA Region 5
Telephone 312-886-6686

EPA Region 9
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
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: N/A
Last EDR Contact: 04/03/2023
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.

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: N/A
Last EDR Contact: 04/03/2023
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: 04/03/2023
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: 04/03/2023
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: 11/02/2022
Date Data Arrived at EDR: 11/08/2022
Date Made Active in Reports: 01/10/2023
Number of Days to Update: 63

Source: Department of the Navy
Telephone: 843-820-7326
Last EDR Contact: 02/03/2023
Next Scheduled EDR Contact: 05/22/2023
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: 10/27/2022
Date Data Arrived at EDR: 11/16/2022
Date Made Active in Reports: 02/09/2023
Number of Days to Update: 85

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: 10/27/2022
Date Data Arrived at EDR: 11/16/2022
Date Made Active in Reports: 02/09/2023
Number of Days to Update: 85

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

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: 01/24/2023
Next Scheduled EDR Contact: 05/08/2023
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: 04/20/2023
Next Scheduled EDR Contact: 07/31/2023
Data Release Frequency: Varies

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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
Next Scheduled EDR Contact: 07/31/2023
Data Release Frequency: Varies

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: 11/08/2022
Date Data Arrived at EDR: 11/16/2022
Date Made Active in Reports: 02/09/2023
Number of Days to Update: 85

Source: Department of Environmental Protection
Telephone: 502-564-5981
Last EDR Contact: 02/22/2023
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: 02/02/2023
Next Scheduled EDR Contact: 06/05/2023
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: 04/20/2023
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: 04/20/2023
Next Scheduled EDR Contact: 07/31/2023
Data Release Frequency: Varies

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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
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: 04/20/2023
Next Scheduled EDR Contact: 07/31/2023
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: 04/20/2023
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: 04/20/2023
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: 10/27/2022
Date Data Arrived at EDR: 10/27/2022
Date Made Active in Reports: 01/12/2023
Number of Days to Update: 77

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: 01/27/2023
Next Scheduled EDR Contact: 05/08/2023
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 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: 04/03/2023
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: 10/31/2022
Date Data Arrived at EDR: 11/02/2022
Date Made Active in Reports: 01/24/2023
Number of Days to Update: 83

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: 11/01/2022
Date Data Arrived at EDR: 11/10/2022
Date Made Active in Reports: 02/09/2023
Number of Days to Update: 91

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
Data Release Frequency: Varies

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: 02/02/2023
Next Scheduled EDR Contact: 05/22/2023
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: 01/30/2023
Next Scheduled EDR Contact: 05/15/2023
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: 02/03/2023
Next Scheduled EDR Contact: 05/15/2023
Data Release Frequency: Varies

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.

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

Source: EPA
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.

Date of Government Version: 12/31/2021
Date Data Arrived at EDR: 11/01/2022
Date Made Active in Reports: 02/09/2023
Number of Days to Update: 100

Source: EPA
Telephone: 202-566-0250
Last EDR Contact: 02/16/2023
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: 04/03/2023
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: 04/03/2023
Next Scheduled EDR Contact: 05/15/2023
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: 02/03/2023
Next Scheduled EDR Contact: 05/15/2023
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
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: 02/13/2023
Next Scheduled EDR Contact: 05/29/2023
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: 04/03/2023
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.

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
Telephone: 202-564-2496
Last EDR Contact: 09/26/2017
Next Scheduled EDR Contact: 01/08/2018
Data Release Frequency: Annually

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
Telephone: 202-564-2496
Last EDR Contact: 09/26/2017
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: 04/06/2023
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: 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 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: 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 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: 01/02/2023
Date Data Arrived at EDR: 01/05/2023
Date Made Active in Reports: 04/03/2023
Number of Days to Update: 88

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: 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: 01/24/2023
Next Scheduled EDR Contact: 05/08/2023
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: 01/30/2023
Next Scheduled EDR Contact: 05/15/2023
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: 01/30/2023
Next Scheduled EDR Contact: 05/15/2023
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.

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: 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
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: 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

Source: Department of Environmental Protection
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
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: 02/10/2023
Next Scheduled EDR Contact: 05/22/2023
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: 01/27/2023
Next Scheduled EDR Contact: 05/08/2023
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: 02/13/2022
Next Scheduled EDR Contact: 05/29/2023
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

OLIVE BRANCH - KNOTT COUNTY
KY-80
BULAN, KY 41722

TARGET PROPERTY COORDINATES

Latitude (North):	37.3892 - 37° 23' 21.12''
Longitude (West):	83.1079 - 83° 6' 28.44''
Universal Tranverse Mercator:	Zone 17
UTM X (Meters):	313391.8
UTM Y (Meters):	4139929.8
Elevation:	1395 ft. above sea level

USGS TOPOGRAPHIC MAP

Target Property Map:	13046766 VEST, KY
Version Date:	2019
Southeast Map:	13082220 CARRIE, KY
Version Date:	2019
Southwest Map:	13082236 HAZARD NORTH, KY
Version Date:	2019
Northwest Map:	13082266 NOBLE, 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.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

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).

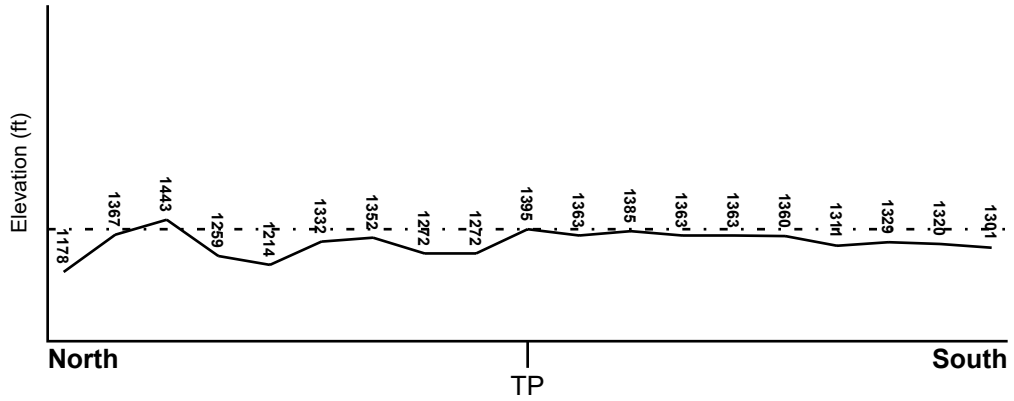
TOPOGRAPHIC INFORMATION

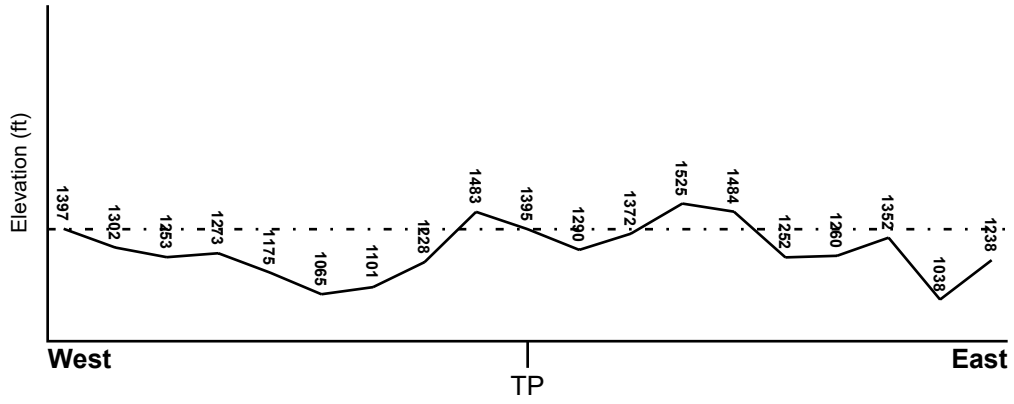
Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient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

TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General WNW

SURROUNDING TOPOGRAPHY: ELEVATION PROFILES





Target Property Elevation: 1395 ft.

0 1/2 1 Miles

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.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

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
21119C0100C	FEMA FIRM Flood data

Additional Panels in search area:	FEMA Source Type
21193C0075D	FEMA FIRM Flood data
21193C0100D	FEMA FIRM Flood data
21119C0200C	FEMA FIRM Flood data

NATIONAL WETLAND INVENTORY

NWI Quad at Target Property	NWI Electronic Data Coverage
VEST	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	LOCATION FROM TP	GENERAL DIRECTION GROUNDWATER FLOW
Not Reported		

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

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

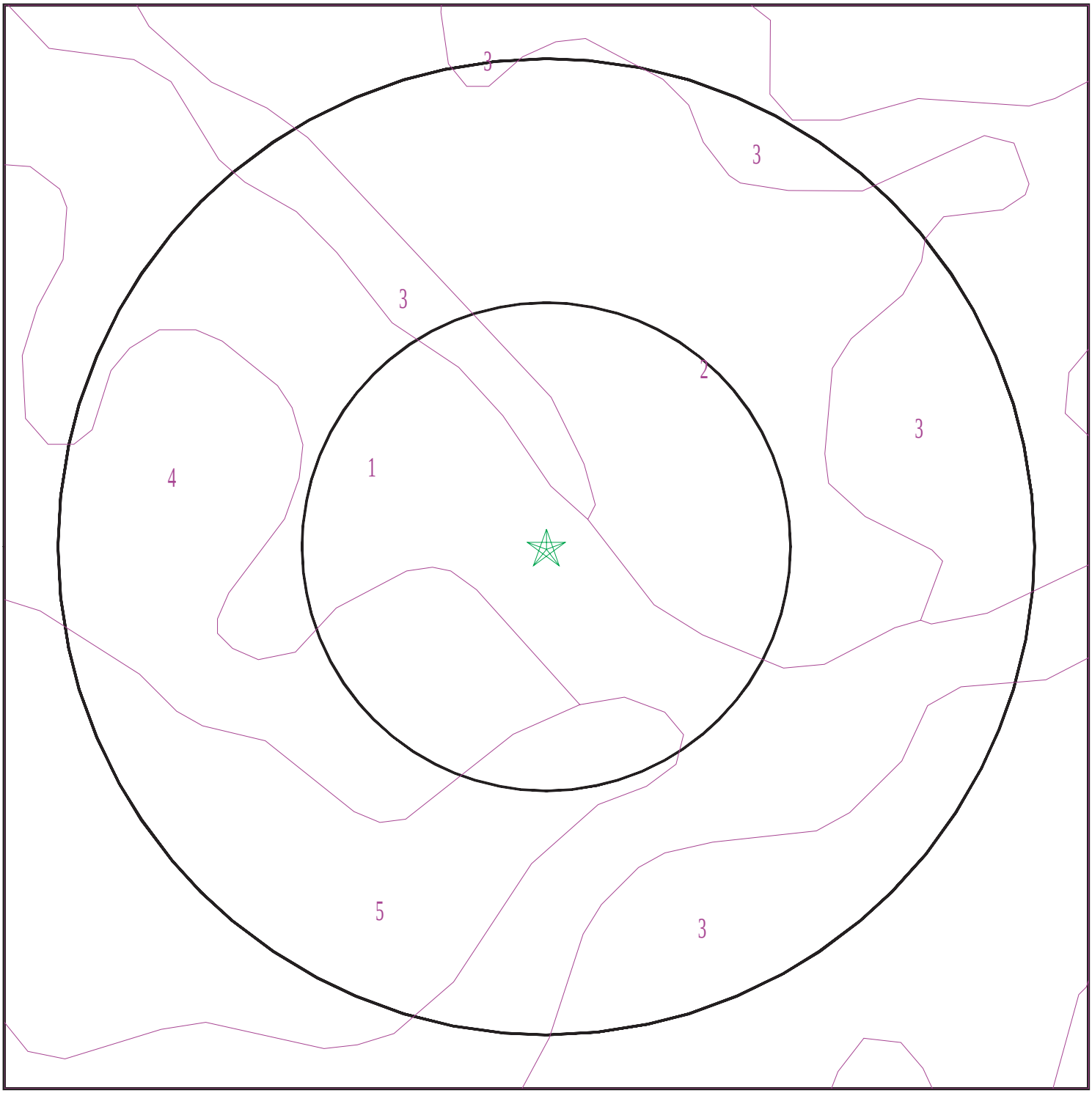
Era:	Paleozoic
System:	Pennsylvanian
Series:	Atokan and Morrowan Series
Code:	PP1 *(decoded above as Era, System & Series)*

GEOLOGIC AGE IDENTIFICATION

Category: Stratifed Sequence

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 - 7321472.2s



Target Property
SSURGO Soil
Water

0 1/16 1/8 1/4 Miles

N

SITE NAME: Olive Branch - Knott County ADDRESS: KY-80 Bulan KY 41722 LAT/LONG: 37.3892 / 83.1079	CLIENT: Kentucky Division of Compliance CONTACT: Derek Bozzell INQUIRY #: 7321472.2s DATE: April 27, 2023 4:27 pm

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GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

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: 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 conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
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:

Soil Map ID: 2

Soil Component Name: Fiveblock

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: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	14 inches	channery sandy loam	Granular materials (35 pct. or less passing No. 200), Stone Fragments, Gravel and Sand.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Silty Gravel	Max: 141 Min: 42	Max: 7.8 Min: 5.6
2	14 inches	64 inches	very channery sandy loam	Granular materials (35 pct. or less passing No. 200), Stone Fragments, Gravel and Sand.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Silty Gravel	Max: 141 Min: 42	Max: 7.8 Min: 5.6

Soil Map ID: 3

Soil Component Name: Kaymine

Soil Surface Texture: channery silt 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: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	14 inches	channery silt loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 42 Min: 4	Max: 7.8 Min: 5.6
2	14 inches	79 inches	very channery silt loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 42 Min: 4	Max: 7.8 Min: 5.6

Soil Map ID: 4

Soil Component Name: Shelocta

Soil Surface Texture: silt 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: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	3 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	Not reported	Max: Min:	Max: Min:
2	3 inches	27 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	Not reported	Max: Min:	Max: Min:
3	27 inches	55 inches	very channery silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	Not reported	Max: Min:	Max: Min:
4	55 inches	66 inches	weathered bedrock	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	Not reported	Max: Min:	Max: Min:

Soil Map ID: 5

Soil Component Name: Kimper

Soil Surface Texture: silt 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: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	5 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 14 Min: 4	Max: 6 Min: 4.5
2	5 inches	61 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 14 Min: 4	Max: 6 Min: 4.5
3	61 inches	79 inches	very channery loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 14 Min: 4	Max: 6 Min: 4.5

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
A1	USGS40000381843	1/4 - 1/2 Mile NNW
A2	USGS40000381844	1/4 - 1/2 Mile NNW
A5	USGS40000381853	1/4 - 1/2 Mile NNW
A6	USGS40000381854	1/4 - 1/2 Mile NNW
A7	USGS40000381855	1/4 - 1/2 Mile NNW

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

FEDERAL USGS WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
B8	USGS40000381850	1/2 - 1 Mile NW
B9	USGS40000381847	1/2 - 1 Mile NW
B10	USGS40000381846	1/2 - 1 Mile NW
B11	USGS40000381849	1/2 - 1 Mile NW
B12	USGS40000381848	1/2 - 1 Mile NW
C14	USGS40000381863	1/2 - 1 Mile NW
C15	USGS40000381864	1/2 - 1 Mile NW
C16	USGS40000381865	1/2 - 1 Mile NW

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
A3	KY7000000051399	1/4 - 1/2 Mile NNW
A4	KY7000000051626	1/4 - 1/2 Mile NNW
C13	KY7000000049810	1/2 - 1 Mile NW
17	KY7000000098932	1/2 - 1 Mile ESE
18	KY7000000030126	1/2 - 1 Mile SE
19	KY7000000053512	1/2 - 1 Mile ESE

OTHER STATE DATABASE INFORMATION

STATE OIL/GAS WELL INFORMATION

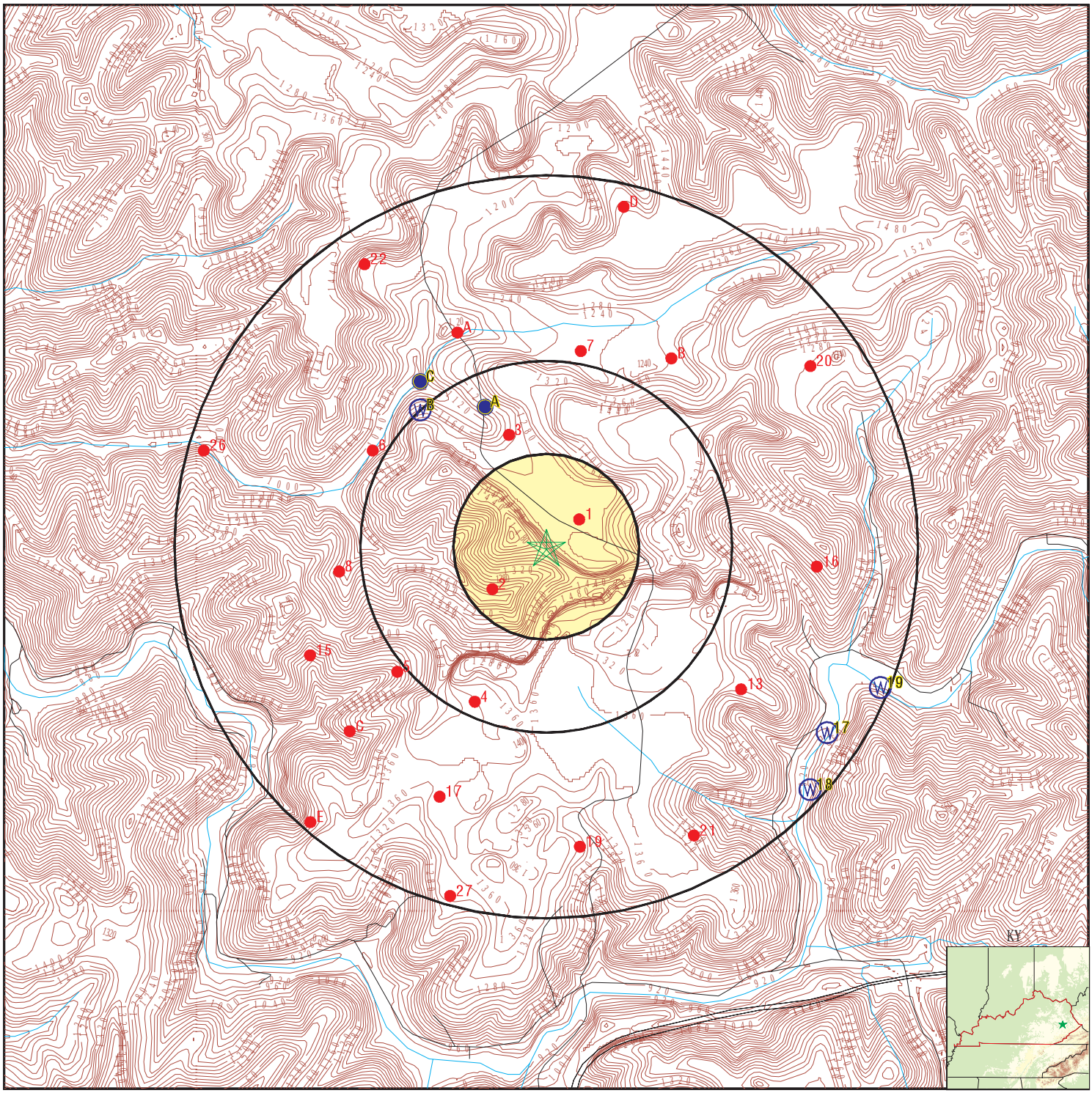
MAP ID	WELL ID	LOCATION FROM TP
1	KYOG14000052714	0 - 1/8 Mile NE
2	KYOG14000044532	1/8 - 1/4 Mile SW
3	KYOG14000120092	1/4 - 1/2 Mile NNW
4	KYOG14000044558	1/4 - 1/2 Mile SSW
5	KYOG14000052715	1/2 - 1 Mile SW
6	KYOG14000044533	1/2 - 1 Mile WNW
7	KYOG14000122130	1/2 - 1 Mile North
8	KYOG14000044534	1/2 - 1 Mile West
A9	KYOG14000052712	1/2 - 1 Mile NNW
B10	KYOG14000103262	1/2 - 1 Mile NNE
B11	KYOG14000052713	1/2 - 1 Mile NNE
A12	KYOG14000120400	1/2 - 1 Mile NNW
13	KYOG14000102467	1/2 - 1 Mile SE
C14	KYOG14000110896	1/2 - 1 Mile SW
15	KYOG14000052711	1/2 - 1 Mile WSW
16	KYOG14000102677	1/2 - 1 Mile East
17	KYOG14000010967	1/2 - 1 Mile SSW
C18	KYOG14000052717	1/2 - 1 Mile SW

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

STATE OIL/GAS WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
19	KYOG14000044518	1/2 - 1 Mile South
20	KYOG14000044525	1/2 - 1 Mile NE
21	KYOG14000102948	1/2 - 1 Mile SSE
22	KYOG14000120091	1/2 - 1 Mile NNW
D23	KYOG14000044347	1/2 - 1 Mile NNE
D24	KYOG14000052707	1/2 - 1 Mile NNE
D25	KYOG14000122131	1/2 - 1 Mile NNE
26	KYOG14000078351	1/2 - 1 Mile WNW
27	KYOG14000109543	1/2 - 1 Mile SSW
E28	KYOG14000102587	1/2 - 1 Mile SW
E29	KYOG14000102675	1/2 - 1 Mile SW

PHYSICAL SETTING SOURCE MAP - 7321472.2s



County Boundary
Major Roads
Contour Lines
Earthquake epicenter, Richter 5 or greater
Water Wells
Public Water Supply Wells
Cluster of Multiple Icons

0 1/4 1/2 1 Miles

Groundwater Flow Direction
Indeterminate Groundwater Flow at Location
Groundwater Flow Varies at Location
Oil, gas or related wells

N

SITE NAME:	Olive Branch - Knott County	CLIENT:	Kentucky Division of Compliance
ADDRESS:	KY-80 Bulan KY 41722	CONTACT:	Derek Bozzell
		INQUIRY #:	7321472.2s
LAT/LONG:	37.3892 / 83.1079	DATE:	April 27, 2023 4:27 pm

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Map ID Direction Distance Elevation	Database	EDR ID Number
A1 **NNW** **1/4 - 1/2 Mile** **Lower**	**FED USGS**	**USGS40000381843**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0015	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820428
Well Depth:	98.5	Well Depth Units:	ft
Well Hole Depth:	98.5	Well Hole Depth Units:	ft

A2 **NNW** **1/4 - 1/2 Mile** **Lower**	**FED USGS**	**USGS40000381844**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0016	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820503
Well Depth:	33	Well Depth Units:	ft
Well Hole Depth:	33	Well Hole Depth Units:	ft

A3 **NNW** **1/4 - 1/2 Mile** **Lower**	**KY WELLS**	**KY7000000051399**

AKGWA ID:	40006148	Well Type:	Water Well
Well Status:	Not Reported	Alt ID:	372341083063902
PWS ID:	Not Reported	Well Name:	Not Reported
Surface Elevation:	1179.160034	Usage:	Domestic - Single Household
Total Depth:	0	Depth to Bedrock:	0
End Date:	Not Reported		

A4 **NNW** **1/4 - 1/2 Mile** **Lower**	**KY WELLS**	**KY7000000051626**

AKGWA ID:	40006503	Well Type:	Water Well
Well Status:	Not Reported	Alt ID:	372341083063901
PWS ID:	Not Reported	Well Name:	Not Reported
Surface Elevation:	1179.800049	Usage:	UNKNOWN
Total Depth:	0	Depth to Bedrock:	0
End Date:	Not Reported		

Map ID Direction Distance Elevation	Database	EDR ID Number
A5 **NNW** **1/4 - 1/2 Mile** **Lower**	**FED USGS**	**USGS40000381853**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0012	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820217
Well Depth:	210	Well Depth Units:	ft
Well Hole Depth:	210	Well Hole Depth Units:	ft

A6 **NNW** **1/4 - 1/2 Mile** **Lower**	**FED USGS**	**USGS40000381854**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0013	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820310
Well Depth:	86	Well Depth Units:	ft
Well Hole Depth:	86	Well Hole Depth Units:	ft

A7 **NNW** **1/4 - 1/2 Mile** **Lower**	**FED USGS**	**USGS40000381855**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0014	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820401
Well Depth:	155	Well Depth Units:	ft
Well Hole Depth:	155	Well Hole Depth Units:	ft

B8 **NW** **1/2 - 1 Mile** **Lower**	**FED USGS**	**USGS40000381850**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0021	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported

Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820716
Well Depth:	51	Well Depth Units:	ft
Well Hole Depth:	51	Well Hole Depth Units:	ft

B9
NW
1/2 - 1 Mile
Lower

FED USGS **USGS40000381847**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0018	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820602
Well Depth:	115	Well Depth Units:	ft
Well Hole Depth:	115	Well Hole Depth Units:	ft

B10
NW
1/2 - 1 Mile
Lower

FED USGS **USGS40000381846**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0017	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820525
Well Depth:	174.6	Well Depth Units:	ft
Well Hole Depth:	174.6	Well Hole Depth Units:	ft

B11
NW
1/2 - 1 Mile
Lower

FED USGS **USGS40000381849**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0020	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820622
Well Depth:	52	Well Depth Units:	ft
Well Hole Depth:	52	Well Hole Depth Units:	ft

Map ID Direction Distance Elevation	Database	EDR ID Number
B12 **NW** **1/2 - 1 Mile** **Lower**	**FED USGS**	**USGS40000381848**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0019	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19820609
Well Depth:	52	Well Depth Units:	ft
Well Hole Depth:	52	Well Hole Depth Units:	ft

C13 **NW** **1/2 - 1 Mile** **Lower**	**KY WELLS**	**KY7000000049810**

AKGWA ID:	40003785	Well Type:	Water Well
Well Status:	Not Reported	Alt ID:	372344083065102
PWS ID:	Not Reported	Well Name:	Not Reported
Surface Elevation:	1067.619995	Usage:	UNKNOWN
Total Depth:	0	Depth to Bedrock:	0
End Date:	Not Reported		

C14 **NW** **1/2 - 1 Mile** **Lower**	**FED USGS**	**USGS40000381863**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0009	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19811106
Well Depth:	292.7	Well Depth Units:	ft
Well Hole Depth:	292.7	Well Hole Depth Units:	ft

C15 **NW** **1/2 - 1 Mile** **Lower**	**FED USGS**	**USGS40000381864**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0010	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19811119

Well Depth:	50	Well Depth Units:	ft
Well Hole Depth:	50	Well Hole Depth Units:	ft

C16
NW
1/2 - 1 Mile
Lower

FED USGS **USGS40000381865**

Organization ID:	USGS-KY	Organization Name:	USGS Kentucky Water Science Center
Monitor Location:	H27B0011	Type:	Well
Description:	Not Reported	HUC:	05100201
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Unts:	Not Reported
Aquifer:	Not Reported	Formation Type:	Not Reported
Aquifer Type:	Not Reported	Construction Date:	19811203
Well Depth:	94.3	Well Depth Units:	ft
Well Hole Depth:	94.3	Well Hole Depth Units:	ft

17
ESE
1/2 - 1 Mile
Lower

KY WELLS **KY7000000098932**

AKGWA ID:	80061963	Well Type:	Monitoring Well
Well Status:	Active	Alt ID:	GW-01
PWS ID:	Not Reported	Well Name:	ICG Hazard LLC (860-0429)
Surface Elevation:	910.22998	Usage:	Remediation
Total Depth:	60	Depth to Bedrock:	22
End Date:	23-SEP-11		

18
SE
1/2 - 1 Mile
Lower

KY WELLS **KY7000000030126**

AKGWA ID:	00050700	Well Type:	Water Well
Well Status:	Active	Alt ID:	Not Reported
PWS ID:	Not Reported	Well Name:	Residence - Wayne Roberts
Surface Elevation:	960	Usage:	Domestic - Single Household
Total Depth:	60	Depth to Bedrock:	14
End Date:	05-OCT-98		

19
ESE
1/2 - 1 Mile
Lower

KY WELLS **KY7000000053512**

AKGWA ID:	60000051	Well Type:	Water Well
Well Status:	Not Reported	Alt ID:	0886903G0222KYOSM2
PWS ID:	Not Reported	Well Name:	Not Reported
Surface Elevation:	0	Usage:	Domestic - Single Household
Total Depth:	17.700001	Depth to Bedrock:	0
End Date:	Not Reported		

Map ID
Direction
Distance

	Database	EDR ID Number
1 **NE** **0 - 1/8 Mile**	**OIL_GAS**	**KYOG14000052714**

OIL_GAS:

API #:	16119002880000	KGS #:	55636
Well Elevation:	1206	Original Farm/Lease Name:	SCHMIDT, HENRY J
Original Operator:	INLAND GAS CO, INC		
Original Well #:	558	Permit #:	29406
Formation:	337INJN	Deepest Formation:	332BIGL
Init Open or Potential Flow:	0 MCFGPD	description in result_desc field:	O&G
Original API Classification:	Extension (outpost) Well		
How Completed:	Combined oil and gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	05-DEC-75	Plug Date:	05-DEC-75
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=55636		

---

2 **SW** **1/8 - 1/4 Mile**	**OIL_GAS**	**KYOG14000044532**

OIL_GAS:

API #:	16119003570000	KGS #:	47230
Well Elevation:	1220	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1609	Permit #:	29034
Formation:	341OHIO	Deepest Formation:	341OHIO
Init Open or Potential Flow:	94 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	15-OCT-75	Plug Date:	26-MAY-05
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=47230		

---

3 **NNW** **1/4 - 1/2 Mile**	**OIL_GAS**	**KYOG14000120092**

OIL_GAS:

API #:	16119023680000	KGS #:	139144
Well Elevation:	1369	Original Farm/Lease Name:	SCHMIDT, VIRGINIA
Original Operator:	CLEAN GAS, INC	Original Well #:	442
Permit #:	106669	Formation:	341OHIO
Deepest Formation:	341OHIO	Init Open or Potential Flow:	0 MCFGPD
description in result_desc field:	GAS	Original API Classification:	Unclassified
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	28-APR-10	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=139144		

4
SSW **OIL_GAS** **KYOG14000044558**
1/4 - 1/2 Mile

OIL_GAS:

API #:	16119013170000	KGS #:	47256
Well Elevation:	1254	Original Farm/Lease Name:	KYCOGA LAND CO
Original Operator:	ASHLAND OIL & REFINING CO, INC		
Original Well #:	74981	Permit #:	31670
Formation:	357CLNT	Deepest Formation:	000
Init Open or Potential Flow:	Not Reported	description in result_desc field:	D&A
Original API Classification:	Development Well		
How Completed:	Dry and abandoned		
Bore Type:	Conventional vertical well bore		
Completion Date:	31-MAR-77	Plug Date:	23-JUL-77
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=47256		

5
SW **OIL_GAS** **KYOG14000052715**
1/2 - 1 Mile

OIL_GAS:

API #:	16119003610000	KGS #:	55637
Well Elevation:	1202	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1619	Permit #:	29768
Formation:	332BIGL	Deepest Formation:	332BIGL
Init Open or Potential Flow:	1353 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	26-OCT-75	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=55637		

6
WNW **OIL_GAS** **KYOG14000044533**
1/2 - 1 Mile

OIL_GAS:

API #:	16119003600000	KGS #:	47231
Well Elevation:	1118	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1617	Permit #:	29653
Formation:	344CORN	Deepest Formation:	341OHIO
Init Open or Potential Flow:	119 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		

How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	20-OCT-75	Plug Date:	06-SEP-95
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=47231		

7
North **OIL_GAS** **KYOG14000122130**
1/2 - 1 Mile

OIL_GAS:

API #:	16119024290000	KGS #:	141248
Well Elevation:	1352	Original Farm/Lease Name:	SCHMIDT, VIRGINIA
Original Operator:	CLEAN GAS, INC	Original Well #:	443
Permit #:	108120	Formation:	000
Deepest Formation:	000	Init Open or Potential Flow:	Not Reported
description in result_desc field:	GAS	Original API Classification:	Unclassified
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	18-AUG-11	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=141248		

8
West **OIL_GAS** **KYOG14000044534**
1/2 - 1 Mile

OIL_GAS:

API #:	16119010810000	KGS #:	47232
Well Elevation:	1137	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1605	Permit #:	28440
Formation:	344CORN	Deepest Formation:	341OHIO
Init Open or Potential Flow:	84 MCFGPD	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:	02-MAY-75	Plug Date:	19-JAN-95
Documentation on Plug:	PA	Core Call #:	Not Reported
Cutting Call #:	13031	Log on File:	ELOG
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=47232		

A9
NNW **OIL_GAS** **KYOG14000052712**
1/2 - 1 Mile

OIL_GAS:

API #:	16119018960000	KGS #:	55634
Well Elevation:	1186	Original Farm/Lease Name:	SCHMIDT, HENRY J
Original Operator:	INLAND GAS CO, INC		
Original Well #:	556	Permit #:	29013

Formation:	337INJN	Deepest Formation:	000
Init Open or Potential Flow:	Not Reported	description in result_desc field:	D&A
Original API Classification:	New Pool Wildcat		
How Completed:	Dry and abandoned		
Bore Type:	Conventional vertical well bore		
Completion Date:	16-JUL-75	Plug Date:	03-SEP-75
Documentation on Plug:	PA	Core Call #:	Not Reported
Cutting Call #:	1449	Log on File:	ELOG
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=55634		

B10
NNE **OIL_GAS** **KYOG14000103262**
1/2 - 1 Mile

OIL_GAS:

API #:	16119015530000	KGS #:	120514
Well Elevation:	1244	Original Farm/Lease Name:	SCHMIDT, H J
Original Operator:	COLUMBIA NATURAL RES, INC		
Original Well #:	557-DD	Permit #:	89977
Formation:	341OHIO	Deepest Formation:	341OHIO
Init Open or Potential Flow:	60 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	18-JAN-99	Plug Date:	30-DEC-08
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=120514		

B11
NNE **OIL_GAS** **KYOG14000052713**
1/2 - 1 Mile

OIL_GAS:

API #:	16119002870000	KGS #:	55635
Well Elevation:	1214	Original Farm/Lease Name:	SCHMIDT, HENRY J
Original Operator:	INLAND GAS CO, INC		
Original Well #:	557	Permit #:	29341
Formation:	332BIGL	Deepest Formation:	332BIGL
Init Open or Potential Flow:	10233 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	27-AUG-75	Plug Date:	Not Reported
Documentation on Plug:	Not Reported	Core Call #:	Not Reported
Cutting Call #:	14290	Log on File:	Not Reported
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=55635		

A12
NNW **OIL_GAS** **KYOG14000120400**
1/2 - 1 Mile

OIL_GAS:

API #:	16119023810000	KGS #:	139452
Well Elevation:	1313	Original Farm/Lease Name:	SCHMIDT, VIRGINIA
Original Operator:	CLEAN GAS, INC	Original Well #:	441
Permit #:	106964	Formation:	341OHIO
Deepest Formation:	341OHIO	Init Open or Potential Flow:	0 MCFGPD
description in result_desc field:	GAS	Original API Classification:	Unclassified
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	16-JUN-10	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=139452		

13
SE
1/2 - 1 Mile **OIL_GAS** **KYOG14000102467**

OIL_GAS:

API #:	16119015370000	KGS #:	116004
Well Elevation:	1280	Original Farm/Lease Name:	EVANS OIL & GAS TRUST
Original Operator:	COLUMBIA NATURAL RESOURCES, INC		
Original Well #:	23422	Permit #:	89753
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:	02-NOV-98	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=116004		

C14
SW
1/2 - 1 Mile **OIL_GAS** **KYOG14000110896**

OIL_GAS:

API #:	16119021330000	KGS #:	129455
Well Elevation:	1224	Original Farm/Lease Name:	TURNER, CICELY ET AL
Original Operator:	EQUITABLE PRODUCTION COMPANY		
Original Well #:	566114	Permit #:	98149
Formation:	341OLNG	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:	17-DEC-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=129455		

Map ID Direction Distance	Database	EDR ID Number

15
WSW
1/2 - 1 Mile

OIL_GAS **KYOG14000052711**

OIL_GAS:

API #:	16119019210000	KGS #:	55633
Well Elevation:	1188	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1621	Permit #:	29769
Formation:	337INJN	Deepest Formation:	000
Init Open or Potential Flow:	Not Reported	description in result_desc field:	D&A
Original API Classification:	Extension (outpost) Well		
How Completed:	Dry and abandoned		
Bore Type:	Conventional vertical well bore		
Completion Date:	16-JAN-76	Plug Date:	21-JAN-76
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=55633		

16
East
1/2 - 1 Mile

OIL_GAS **KYOG14000102677**

OIL_GAS:

API #:	16119015500000	KGS #:	116214
Well Elevation:	1310	Original Farm/Lease Name:	EVANS OIL & GAS TRUST
Original Operator:	COLUMBIA NATURAL RESOURCES, INC		
Original Well #:	23423	Permit #:	89961
Formation:	341OLNG	Deepest Formation:	341OHIO
Init Open or Potential Flow:	119 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	18-JAN-99	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=116214		

17
SSW
1/2 - 1 Mile

OIL_GAS **KYOG14000010967**

OIL_GAS:

API #:	16119013180000	KGS #:	11262
Well Elevation:	1259	Original Farm/Lease Name:	KYCOGA LAND CO
Original Operator:	ASHLAND OIL & REFINING CO, INC		
Original Well #:	22	Permit #:	31671
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 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=11262		

C18
SW
1/2 - 1 Mile

OIL_GAS **KYOG14000052717**

OIL_GAS:

API #:	16119003560000	KGS #:	55639
Well Elevation:	1104	Original Farm/Lease Name:	TURNER, CICLEY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1580	Permit #:	27861
Formation:	337INJN	Deepest Formation:	332BIGL
Init Open or Potential Flow:	678 MCFGPD	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:	20-AUG-74	Plug Date:	19-JUN-09
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=55639		

19
South
1/2 - 1 Mile

OIL_GAS **KYOG14000044518**

OIL_GAS:

API #:	16119002560000	KGS #:	47216
Well Elevation:	1144	Original Farm/Lease Name:	EVANS OIL & GAS TRUST
Original Operator:	INLAND GAS CO, INC		
Original Well #:	516	Permit #:	11945
Formation:	341OHIO	Deepest Formation:	341OHIO
Init Open or Potential Flow:	94 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	06-AUG-64	Plug Date:	Not Reported
Documentation on Plug:	Not Reported	Core Call #:	Not Reported
Cutting Call #:	7942	Log on File:	Not Reported
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=47216		

20
NE
1/2 - 1 Mile

OIL_GAS **KYOG14000044525**

OIL_GAS:

API #:	16119013550000	KGS #:	47223
Well Elevation:	1174	Original Farm/Lease Name:	GOODLOE BROTHERS CO, INC
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1517	Permit #:	25398
Formation:	357CLNT	Deepest Formation:	341OHIO
Init Open or Potential Flow:	84 MCFGPD	description in result_desc field:	GAS

Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	08-MAY-89	Plug Date:	18-MAY-89
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=47223		

21
SSE **OIL_GAS** **KYOG14000102948**
1/2 - 1 Mile

OIL_GAS:

API #:	16119015730000	KGS #:	120199
Well Elevation:	1293	Original Farm/Lease Name:	EVANS OIL & GAS TRUST
Original Operator:	COLUMBIA NATURAL RES, INC		
Original Well #:	23449	Permit #:	90229
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:	05-MAY-99	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=120199		

22
NNW **OIL_GAS** **KYOG14000120091**
1/2 - 1 Mile

OIL_GAS:

API #:	16119023670000	KGS #:	139143
Well Elevation:	1268	Original Farm/Lease Name:	SCHMIDT, VIRGINIA
Original Operator:	CLEAN GAS, INC	Original Well #:	440
Permit #:	106668	Formation:	341OHIO
Deepest Formation:	341OHIO	Init Open or Potential Flow:	0 MCFGPD
description in result_desc field:	GAS	Original API Classification:	Unclassified
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	28-APR-10	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=139143		

D23
NNE **OIL_GAS** **KYOG14000044347**
1/2 - 1 Mile

OIL_GAS:

API #:	16119018970000	KGS #:	47015
Well Elevation:	1432	Original Farm/Lease Name:	SCHMIDT, HENRY J
Original Operator:	INLAND GAS CO, INC		

Original Well #:	563	Permit #:	31538
Formation:	357RHLL	Deepest Formation:	355BGSX
Init Open or Potential Flow:	0 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Deeper pool test resulting in development of existing producing formation		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	13-MAR-77	Plug Date:	26-MAR-87
Documentation on Plug:	PA	Core Call #:	Not Reported
Cutting Call #:	1450	Log on File:	Not Reported
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=47015		

D24
NNE **OIL_GAS** **KYOG14000052707**
1/2 - 1 Mile

OIL_GAS:

API #:	16119018980000	KGS #:	55629
Well Elevation:	1432	Original Farm/Lease Name:	SCHMIDT, HENRY J
Original Operator:	INLAND GAS CO, INC		
Original Well #:	563	Permit #:	30625
Formation:	337BRDN	Deepest Formation:	000
Init Open or Potential Flow:	Not Reported	description in result_desc field:	D&A
Original API Classification:	Development Well		
How Completed:	Dry and abandoned		
Bore Type:	Conventional vertical well bore		
Completion Date:	08-OCT-76	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=55629		

D25
NNE **OIL_GAS** **KYOG14000122131**
1/2 - 1 Mile

OIL_GAS:

API #:	16119024300000	KGS #:	141249
Well Elevation:	1322	Original Farm/Lease Name:	SCHMIDT, VIRGINIA
Original Operator:	CLEAN GAS, INC	Original Well #:	444
Permit #:	108121	Formation:	000
Deepest Formation:	332BIGL	Init Open or Potential Flow:	237 MCFGPD
description in result_desc field:	GAS	Original API Classification:	Unclassified
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	08-AUG-11	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=141249		

26
WNW **OIL_GAS** **KYOG14000078351**
1/2 - 1 Mile

OIL_GAS:

API #:	16193003350000	KGS #:	83078
Well Elevation:	998	Original Farm/Lease Name:	TURNER, CICELY ET AL
Original Operator:	KENTUCKY WEST VIRGINIA GAS CO		
Original Well #:	1596	Permit #:	28231
Formation:	332BIGL	Deepest Formation:	332BIGL
Init Open or Potential Flow:	3130 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	31-JAN-75	Plug Date:	17-JUN-96
Documentation on Plug:	PA	Core Call #:	Not Reported
Cutting Call #:	Not Reported	Log on File:	Not Reported
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=83078		

27
SSW **OIL_GAS** **KYOG14000109543**
1/2 - 1 Mile

OIL_GAS:

API #:	16119020630000	KGS #:	128101
Well Elevation:	1340	Original Farm/Lease Name:	KYCOGA LAND CO
Original Operator:	EQUITABLE PRODUCTION COMPANY		
Original Well #:	566108	Permit #:	96833
Formation:	341OLNG	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:	27-JAN-05	Plug Date:	Not Reported
Documentation on Plug:	Not Reported	Core Call #:	Not Reported
Cutting Call #:	2197	Log on File:	ELOG
URL:	https://kgs.uky.edu/kygeode/services/oilgas/wellReport.asp?id=128101		

E28
SW **OIL_GAS** **KYOG14000102587**
1/2 - 1 Mile

OIL_GAS:

API #:	16193008970000	KGS #:	116122
Well Elevation:	1236	Original Farm/Lease Name:	CORNETT, VIOLET & LOWELL
Original Operator:	BRADLEY, CHARLES R DBA BASIN ENERGY CO		
Original Well #:	1	Permit #:	89835
Formation:	355LCKP	Deepest Formation:	341OHIO
Init Open or Potential Flow:	Not Reported	description in result_desc field:	GAS
Original API Classification:	Unclassified	How Completed:	Gas producer
Bore Type:	Conventional vertical well bore		
Completion Date:	18-SEP-98	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=116122		

Map ID Direction Distance	Database	EDR ID Number
E29 **SW** **1/2 - 1 Mile**	**OIL_GAS**	**KYOG14000102675**

OIL_GAS:

API #:	16193008980000	KGS #:	116212
Well Elevation:	1232	Original Farm/Lease Name:	CORNETT, VIOLET & LOWELL
Original Operator:	BRADLEY, CHARLES R DBA BASIN ENERGY CO		
Original Well #:	1-T	Permit #:	89925
Formation:	324BRTT	Deepest Formation:	324BRTT
Init Open or Potential Flow:	42 MCFGPD	description in result_desc field:	GAS
Original API Classification:	Development Well		
How Completed:	Gas producer		
Bore Type:	Conventional vertical well bore		
Completion Date:	09-OCT-98	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=116212		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS
RADON

AREA RADON INFORMATION

State Database: KY Radon

Radon Test Results

Zip	Test Date	Test Result
41722	8/30/2004	1.50

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 Zip Code: 41722

Number of sites tested: 1

Area	Average Activity	% <4 pCi/L	% 4-20 pCi/L	% >20 pCi/L
Living Area - 1st Floor	0.300 pCi/L	100%	0%	0%
Living Area - 2nd Floor	Not Reported	Not Reported	Not Reported	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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Olive Branch - Knott County

KY-80

Bulan, KY 41722

Inquiry Number: 7321472.3

April 27, 2023

Certified Sanborn® Map Report

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

Certified Sanborn® Map Report

04/27/23

Site Name:	Client Name:
Olive Branch - Knott County	Kentucky Division of Compliance
KY-80	300 Sower Blvd.
Bulan, KY 41722	Frankfort, KY 40601
EDR Inquiry # 7321472.3	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 # E99E-4DC0-921F

PO # NA

Project Olive Branch Phase I

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 #: E99E-4DC0-921F

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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Olive Branch - Knott County

KY-80

Bulan, KY 41722

Inquiry Number: 7321472.4

April 27, 2023

EDR Historical Topo Map Report

with QuadMatch™

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

EDR Historical Topo Map Report

04/27/23

Site Name:	Client Name:
Olive Branch - Knott County	Kentucky Division of Compliance
KY-80	300 Sower Blvd.
Bulan, KY 41722	Frankfort, KY 40601
EDR Inquiry # 7321472.4	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:*	
P.O.#	NA	**Latitude:**	37.3892 37° 23' 21" North
Project:	Olive Branch Phase I	**Longitude:**	-83.1079 -83° 6' 28" West
		UTM Zone:	Zone 17 North
		UTM X Meters:	313396.45
		UTM Y Meters:	4140133.88
		Elevation:	1384.78' above sea level

Maps Provided:

2019	1891
2016	
2013	
1992	
1987	
1976	
1954	
1914	

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Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

2019 Source Sheets

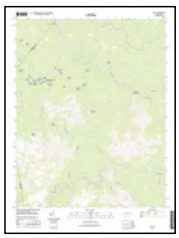
Vest
2019
7.5-minute, 24000

Noble
2019
7.5-minute, 24000

Carrie
2019
7.5-minute, 24000

Hazard North
2019
7.5-minute, 24000

2016 Source Sheets



Vest
2016
7.5-minute, 24000

Noble
2016
7.5-minute, 24000

Carrie
2016
7.5-minute, 24000

Hazard North
2016
7.5-minute, 24000

2013 Source Sheets

Vest
2013
7.5-minute, 24000

Noble
2013
7.5-minute, 24000

Carrie
2013
7.5-minute, 24000

Hazard North
2013
7.5-minute, 24000

1992 Source Sheets

Carrie
1992
7.5-minute, 24000
Aerial Photo Revised 1988

Hazard North
1992
7.5-minute, 24000
Aerial Photo Revised 1988

Vest
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.

1987 Source Sheets

Vest
1987
7.5-minute, 24000
Aerial Photo Revised 1953

1976 Source Sheets

Hazard North
1976
7.5-minute, 24000
Aerial Photo Revised 1971

Carrie
1976
7.5-minute, 24000
Aerial Photo Revised 1953

Noble
1976
7.5-minute, 24000
Aerial Photo Revised 1953

Vest
1976
7.5-minute, 24000
Aerial Photo Revised 1953

1954 Source Sheets

Noble
1954
7.5-minute, 24000
Aerial Photo Revised 1953

Hazard North
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7.5-minute, 24000
Aerial Photo Revised 1953

Vest
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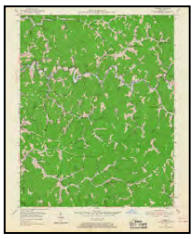
7.5-minute, 24000
Aerial Photo Revised 1953



Carrie
1954
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Aerial Photo Revised 1953

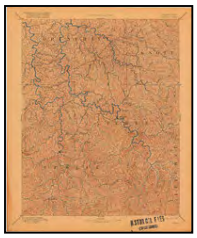
1914 Source Sheets

Troublesome
1914
15-minute, 62500

Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

1891 Source Sheets



Hazard
1891
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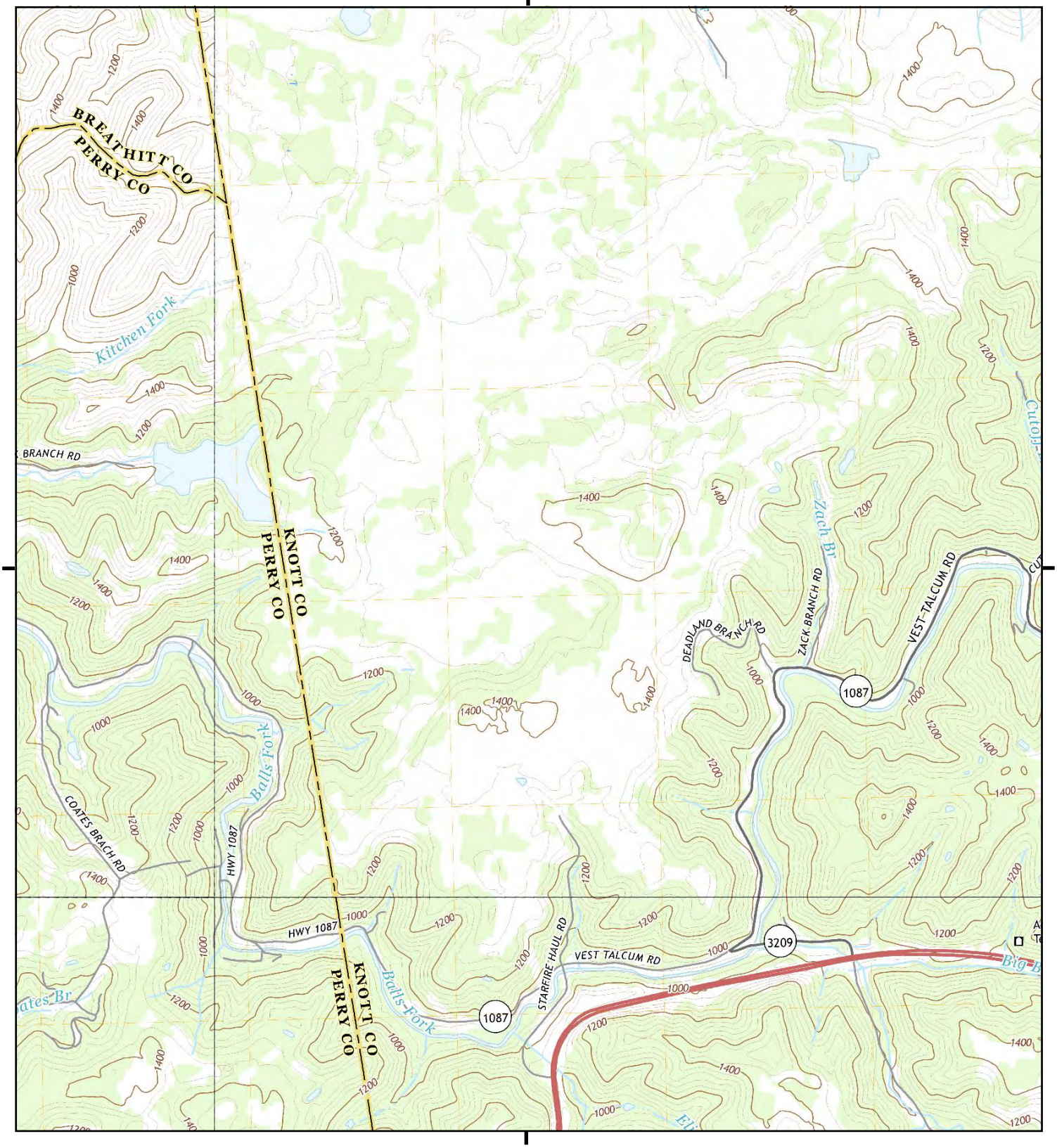
Historical Topo Map

2019



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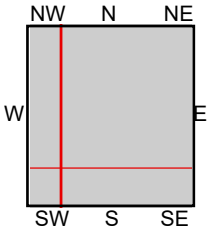

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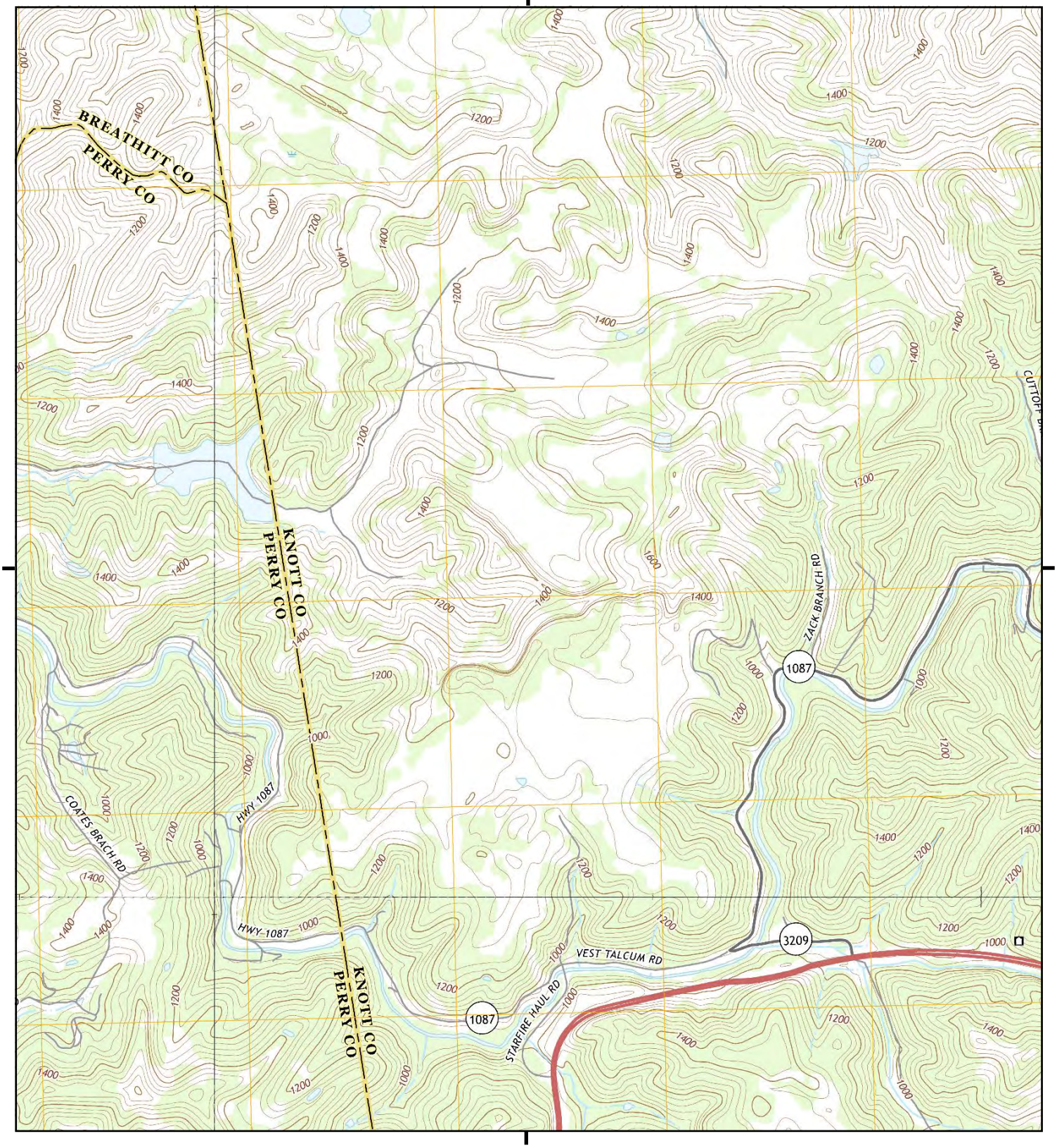
SE, Carrie, 2019, 7.5-minute
SW, Hazard North, 2019, 7.5-minute
NW, Noble, 2019, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

2016



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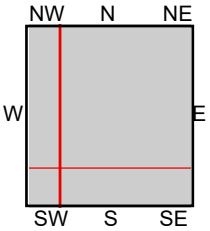

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NW, Noble, 2016, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

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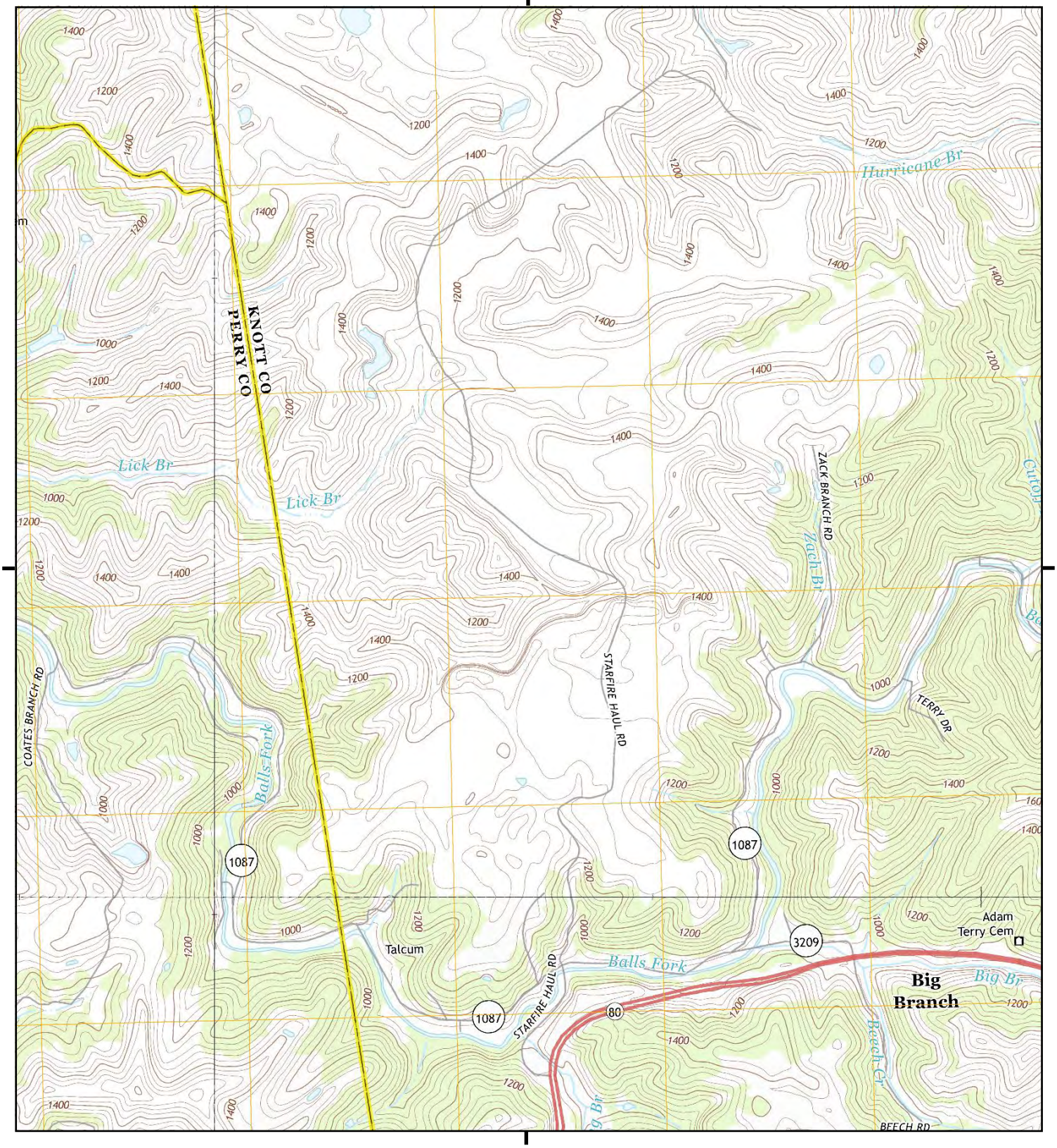

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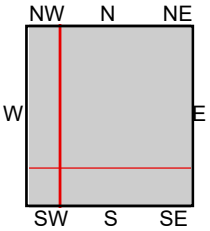

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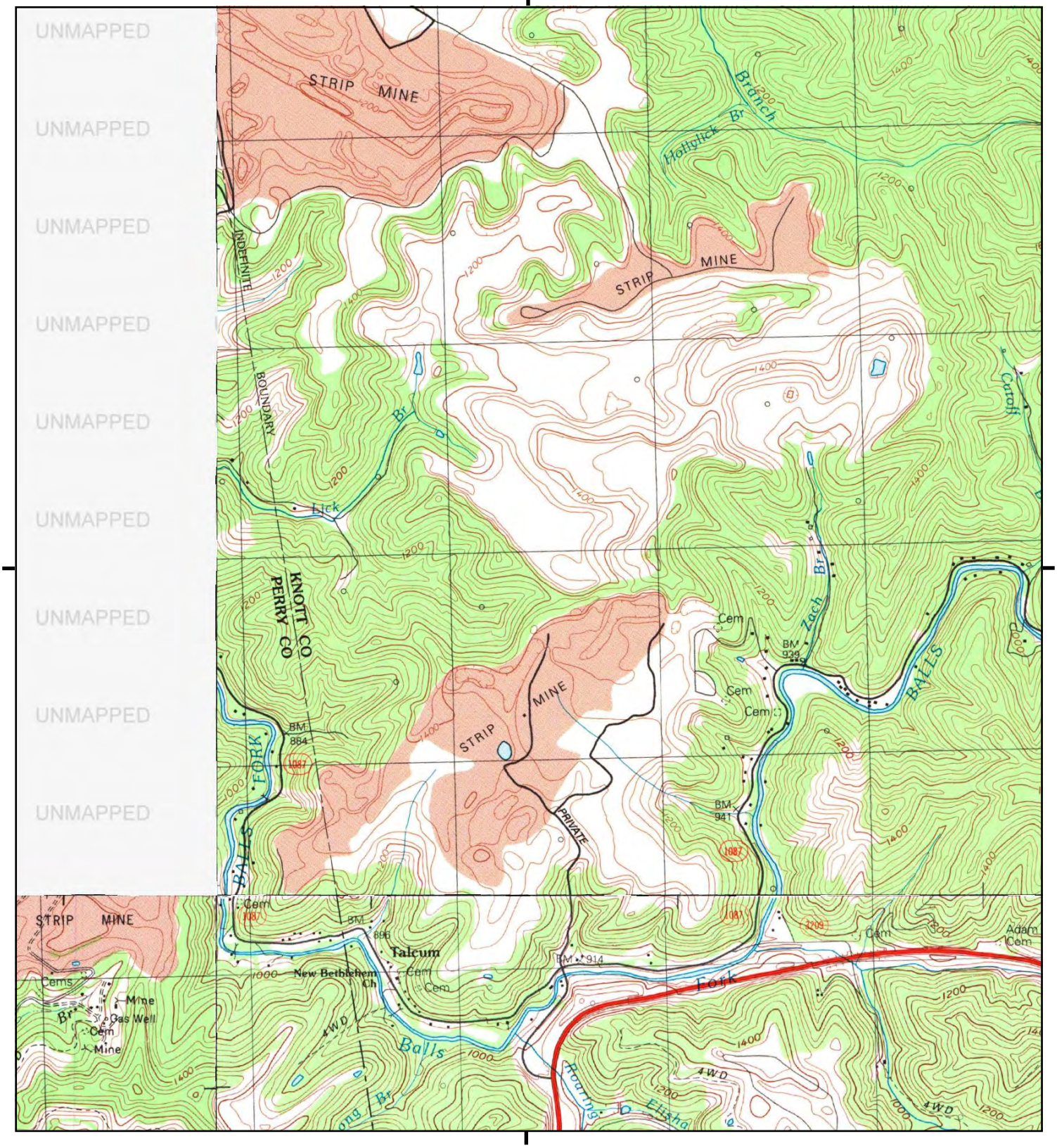
NW, Noble, 2013, 7.5-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

1992



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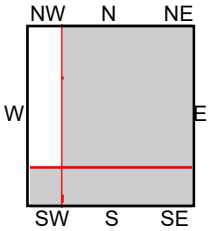

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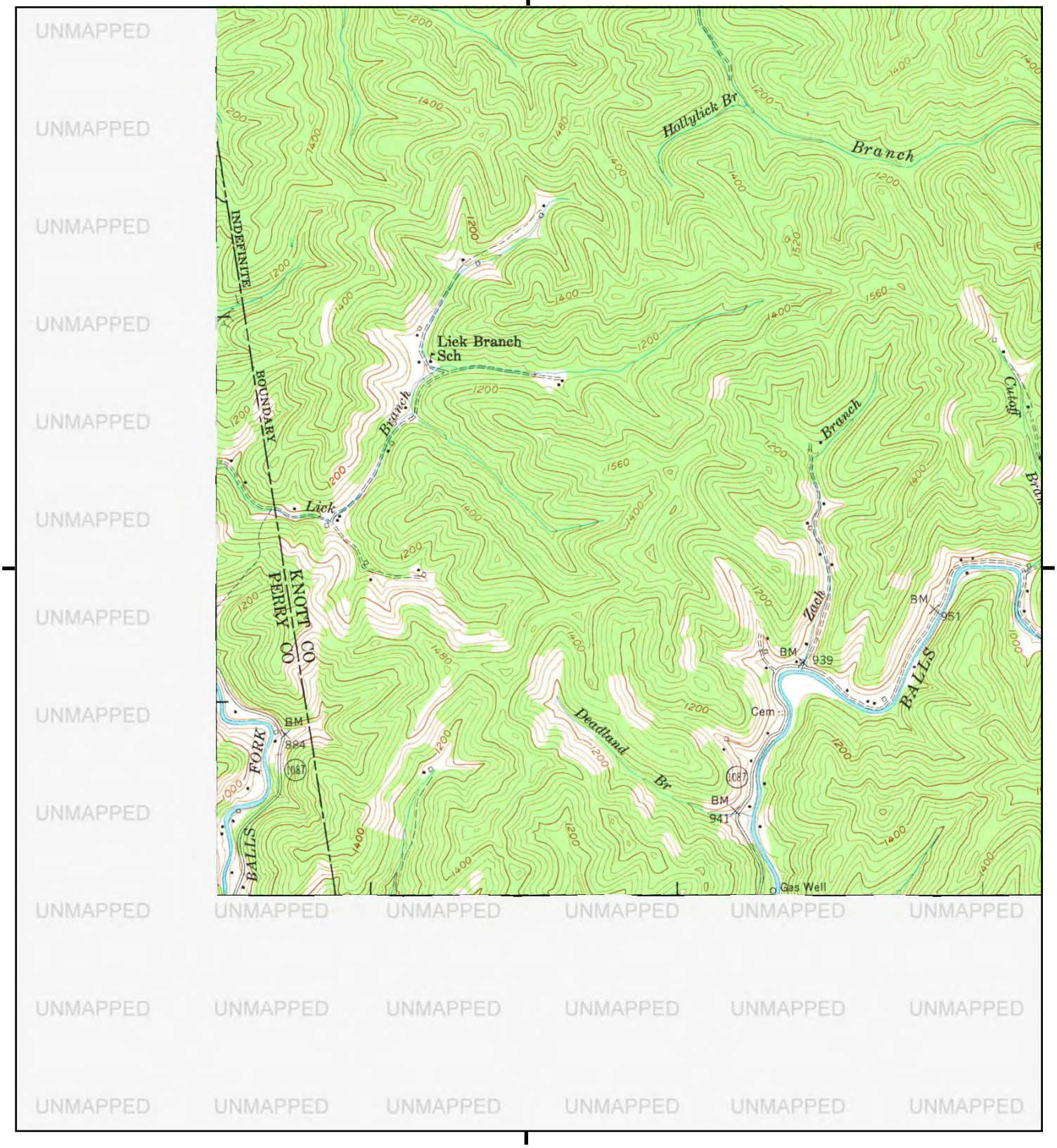
SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

1987



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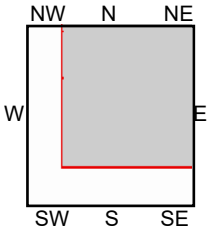

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SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

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Historical Topo Map

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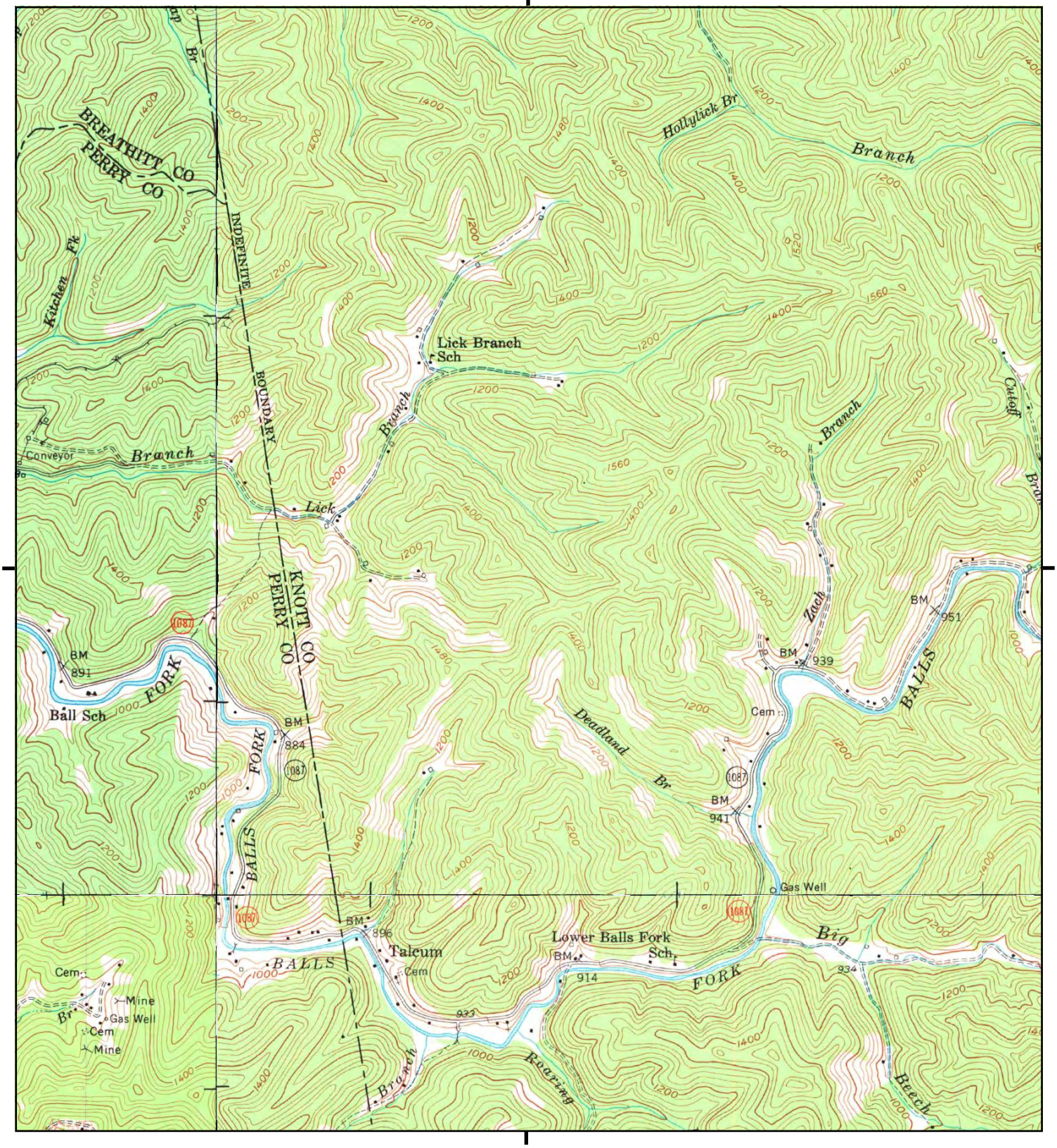

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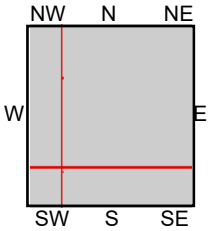

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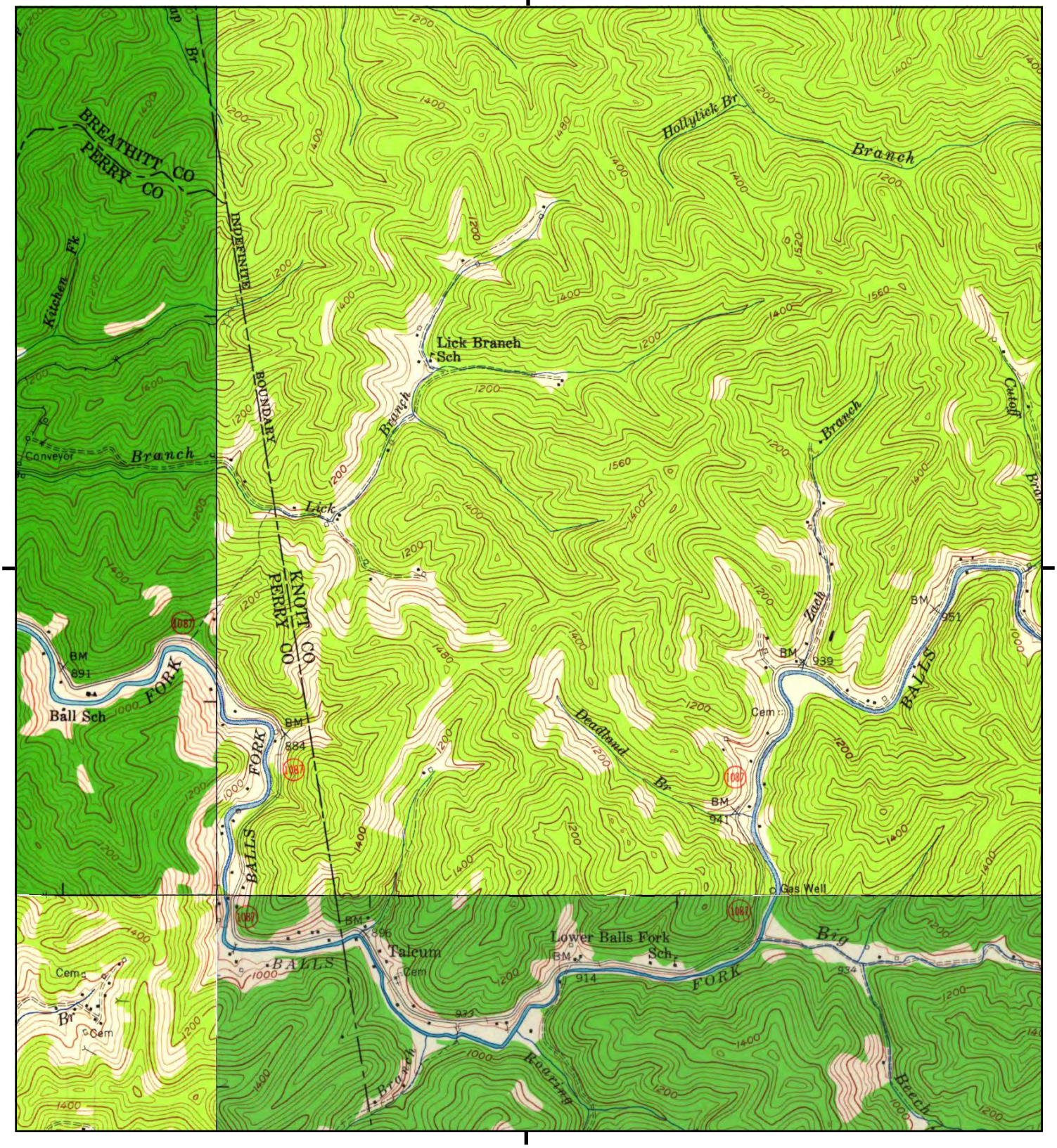
SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

1954



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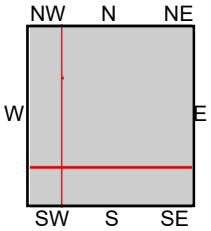

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SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

1914

This report includes information from the following map sheet(s).

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NW N NE
W E
SW S SE

TP, Troublesome, 1914, 15-minute

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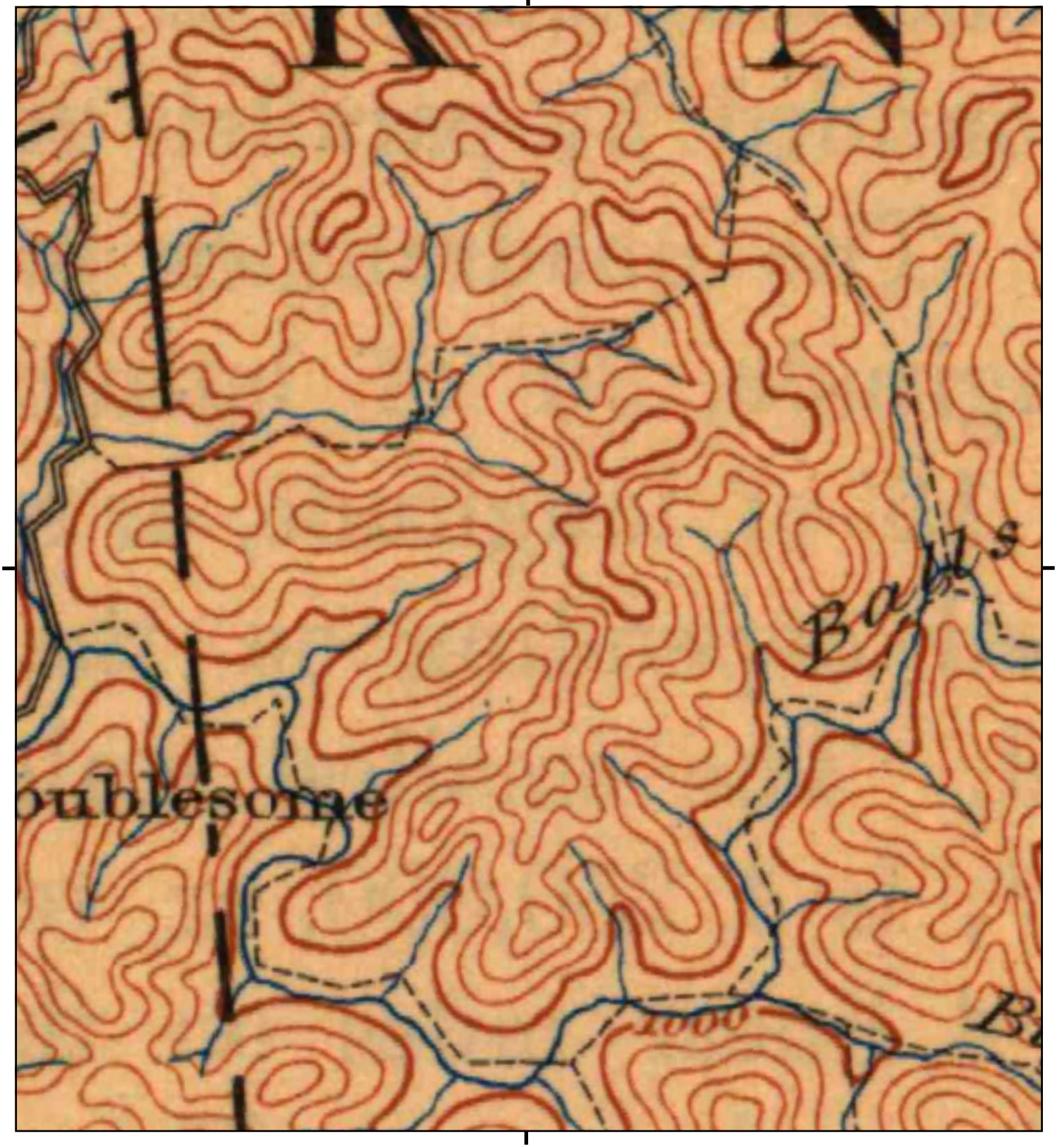
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Historical Topo Map

1891



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W E
SW S SE

TP, Hazard, 1891, 30-minute

SITE NAME: Olive Branch - Knott County
ADDRESS: KY-80
Bulan, KY 41722
CLIENT: Kentucky Division of Compliance

N

Olive Branch - Knott County

KY-80

Bulan, KY 41722

Inquiry Number: 7321472.8

May 01, 2023

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EDR Aerial Photo Decade Package

05/01/23

Site Name:

Olive Branch - Knott County
KY-80
Bulan, KY 41722
EDR Inquiry # 7321472.8

Client Name:

Kentucky Division of Compliance
300 Sower Blvd.
Frankfort, KY 40601
Contact: Derek Bozzell

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Search Results:

Year	*Scale*	*Details*	*Source*
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: March 14, 1995	USGS/DOQQ
1983	1"=500'	Flight Date: April 26, 1983	USGS
1977	1"=500'	Flight Date: March 24, 1977	USGS
1971	1"=500'	Flight Date: April 10, 1971	USGS
1960	1"=500'	Flight Date: October 12, 1960	USGS
1952	1"=500'	Flight Date: April 17, 1952	USGS

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EDR

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YEAR: 2016
= 500'
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EDR

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EDR

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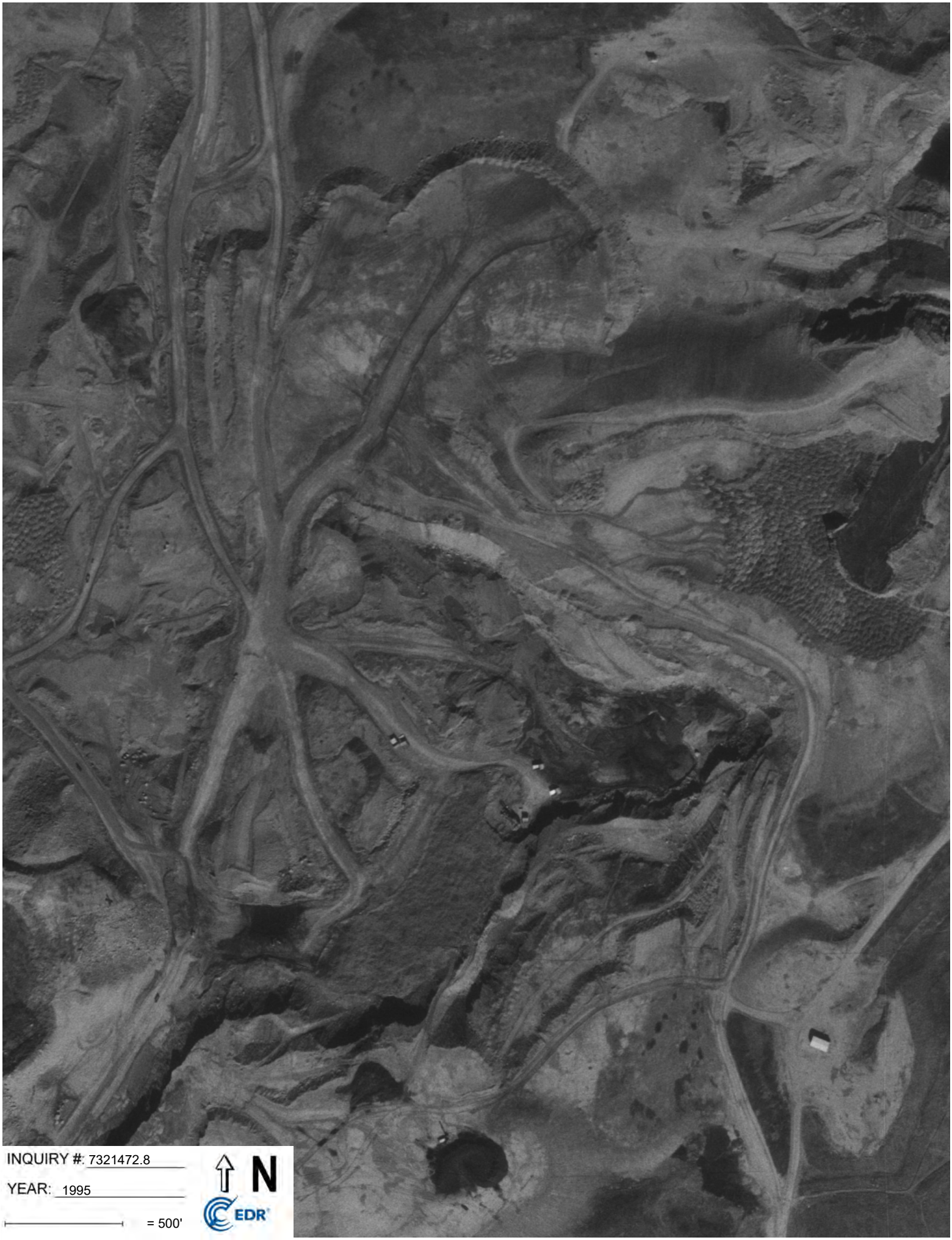
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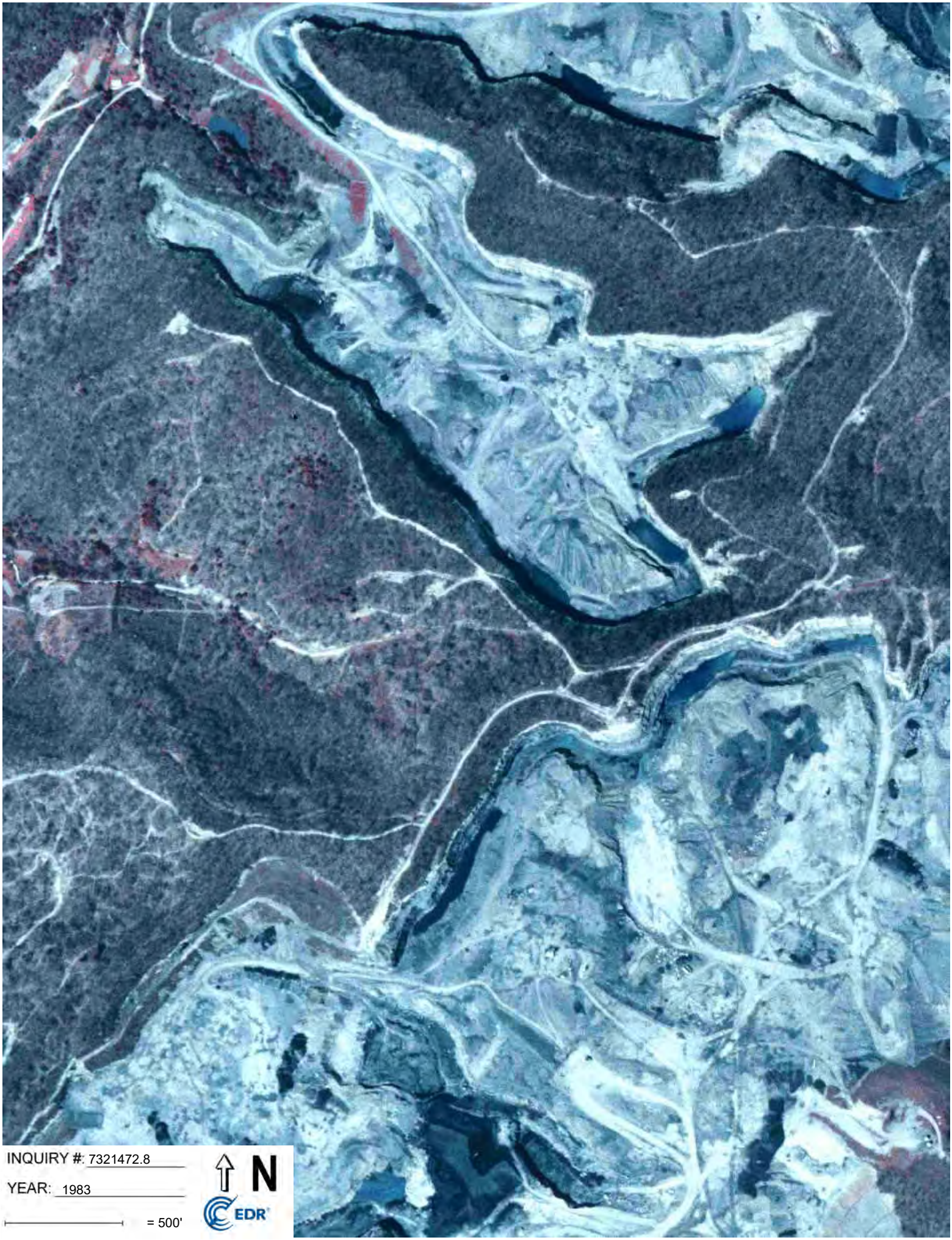
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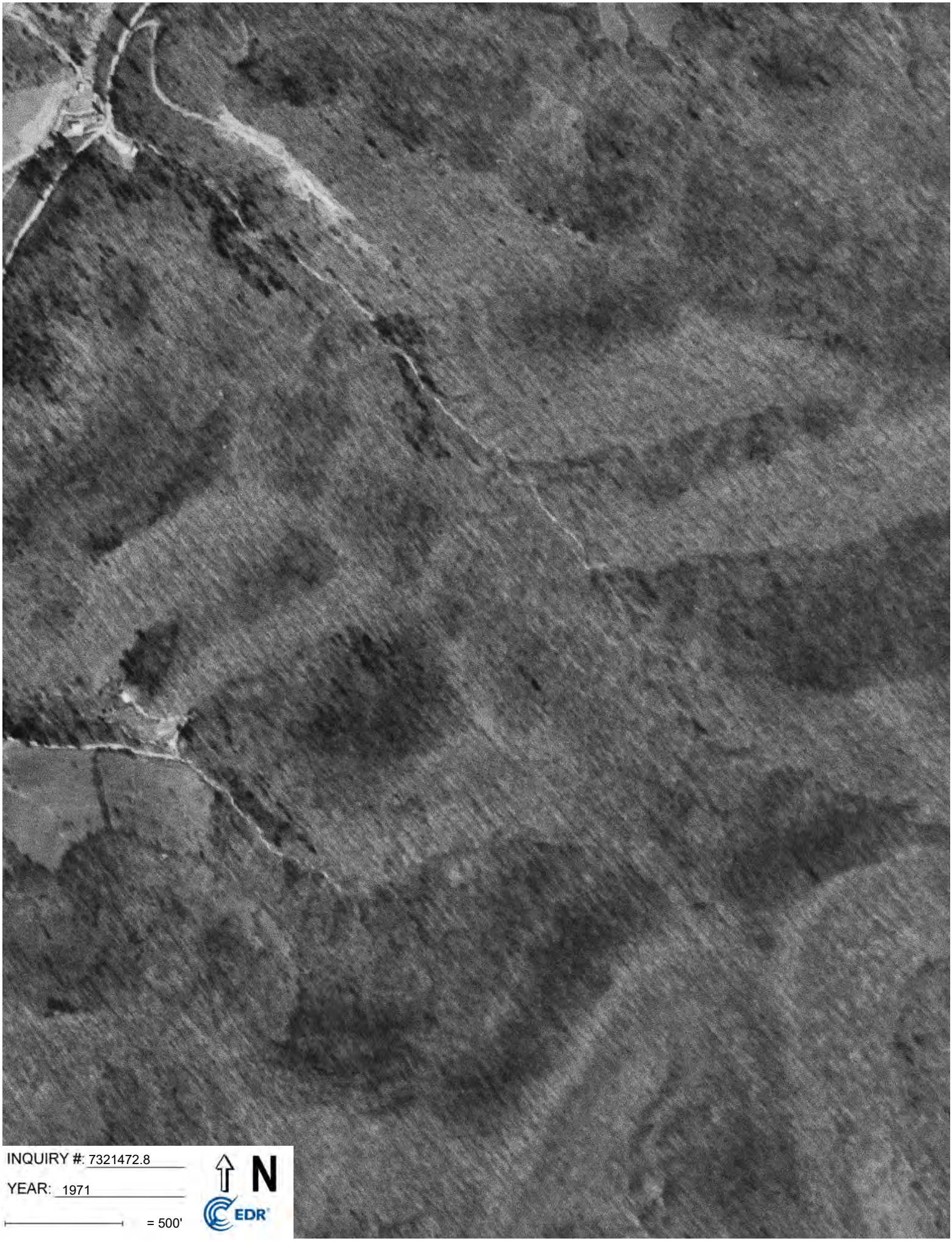
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INQUIRY #: 7321472.8
YEAR: 1952
= 500'
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EDR

Appendix C – Olive Branch Site Investigation Report

Olive Branch (Adams Property) Former Mine Site Investigation Report

Talcum

Knott County, Kentucky

Prepared By:
Kentucky Energy and Environmental Cabinet
Department for Environmental Protection
Kentucky Superfund Branch
Petroleum Cleanup Section
300 Sower Blvd.
Frankfort, Kentucky, 40601

April 21, 2023

Site Name: **Olive Branch Former Mine Site**			Program: Superfund, PCS
Site Address: West of CR1390			
City: Talcum	State: Kentucky	Zip: 41722	County: Knott Co.
Inspection Type: Investigative	Purpose: Sample site for Fe, Pb, and As		
Sample Date: 12/1/2022	Time: 10:30 am-4:00 pm		
Latitude: 37.379661	Longitude: -83.112340		
Coordinate Collection Method: Reach RS2 GNSS with cm accuracy			
Type of Site: Mine Site			

I. Background

Several former mine site properties have been suggested as potential housing sites for the 2022 eastern Kentucky flood victims. The Kentucky Superfund Branch has been tasked with investigating these sites to determine if the site soils are appropriate for residential development. The main areas of concern for these properties are heavy metals, such as iron, arsenic, and lead levels associated with former mining operations.

II. Site Sampling

On December 1, 2022, Kentucky Division of Waste Management (KDWM) traveled to a former mine site near the Knott/Perry County line (Figure 1). Surface soils at three candidate plateaus were sampled (Figure 2). To evaluate the condition of the surface soils, an x-ray fluorescence (XRF) analyzer was utilized to analyze the elements arsenic, lead and iron. All three constituents are naturally occurring substances that are constituents of the soil and rock materials mined and used to reclaim the property. Lead and arsenic have greater toxicity and can pose a potential risk to a future residential receptor. Iron concentrations tend to show a natural correlation with arsenic. If arsenic is elevated, a correlation in iron should occur assuming the material is from the same depositional source. Sample locations were selected prior to arrival by equal spacing within the three potential areas. Photos during the sampling event are included in Appendix A.

III. Results

Forty-eight field samples were analyzed by XRF (Figure 3). Each sample was field screened in situ and screening through polyethylene bags. To further support results, ten samples were taken to the state lab for analysis utilizing method SW-846 Method 6010. According to XRF and lab analyticals, lead and arsenic were below their generic statewide ambient background as published January 8, 2004. Therefore, no site-specific background was determined. Lab results for Arsenic and Lead were reported slightly higher than the XRF readings. When taking into consideration the plus or minus values of the XRF readings the difference between the results is negligible. The state lab report and analysis breakdown is included in Appendix B.

Arsenic

Lab analytical results for arsenic were between 1.71 ppm and 9.5 ppm. The mean of the results was below Kentucky's mean background. The lone result above the mean was within one standard deviation of the

mean. No field screened soil sample indicated levels of concern. All XRF analytical results were below the generic mean for arsenic. Based on this data set no arsenic impacts are observed.

Lead

Lab analytical results for Lead at the site ranged between 8.07 ppm and 35.7 ppm. XRF analytical results ranged between limit of detection and 21 ppm. Lead concentrations fall below the states background level and below EPA's residential regional screening levels. Based on this data set no lead impacts are observed.

Iron

Iron levels at the site were collected to ensure the accuracy of arsenic results. Iron and arsenic levels have been shown to correlate due to their binding efficacy. If the results do not show a correlation between the two elements, result accuracy is either low or the results are indicative of a release. Iron levels at the site stayed consistent when compared to arsenic levels confirming sample accuracy. Iron concentrations ranged between 22,600-28,400 ppm, which fall below both the EPA's residential regional screening levels and Kentucky's average background levels.

IV. Conclusion

All sample results were reported below allowable levels when compared to the EPA's regional residential screening levels or Kentucky's ambient background levels. While this investigation does not represent a full site characterization, no findings suggest additional sampling or remediation activities necessary at this time.

Table 1: Soil Sample Thresholds (ppm)

	Iron (Fe)	Arsenic (As)	Lead (Pb)
*KY BG Levels:	47,600	8.9	84.6
*EPA R-RSL:	55,000	0.68	400

*KY BG Levels = Kentucky Ambient Background Levels
*EPA R-RSL = EPA Residential Regional Screening Levels for Soil

Table 2 Sampling Data (ppm)

Sample ID	Time	As XRF (ppm	As (Lab)	Fe XRF (ppm)	Fe (Lab)	Pb XRF (ppm)	Pb (Lab)2
XRF-1	10:40	<2		17000		<15	
XRF-2	10:46	5		16000		<17	
XRF-3	10:51	<2		13000		<13	
XRF-4	10:54	<2		13000		16	
XRF-5	11:01	<3		18000		<15	
XRF-6	11:05	<2		16000		<13	
XRF-7	11:11	<2		15000		<13	
XRF-8	11:16	2		17000		<13	
XRF-9	11:22	<2		23000		<13	
XRF-10	11:27	<2		25000		<14	
XRF-11	11:31	<2		16000		<14	
XRF-12	11:37	<2		13000		<16	
XRF-13	11:47	<2		17000		<15	
XRF-14	12:08	<2		17000		<16	
XRF-15	13:22	<2		19000		<15	
XRF-16	13:31	<2		13000		<38	
XRF-17	13:35	<2		21000		<43	
XRF-18	13:39	3		16000		<16	
XRF-19	13:43	<2		18000		<13	
XRF-20	13:51	<2		11000		<37	
XRF-21							
XRF-22	13:58	<8		16000		<15	
XRF-23	14:02	<2		15000		<14	
XRF-24	14:06	<2		15000		<14	
XRF-25	14:15	3		22000		<14	
XRF-26	14:11	<2		10000		<15	
XRF-27	14:19	<2	9.25	15000	20000	21	35.7
XRF-28	14:23	3		17000		<44	
XRF-29	14:28	2		16000		<14	
XRF-30	14:38	<2		17000		<15	
XRF-31	14:42	<1	3.43	9961	14900	<13	8.07
XRF-32	14:47	2		3000		<42	
XRF-33	14:50	4	6.66	20000	18200	<17	12.1
XRF-34	14:54	3	1.71	24000	17300	<40	16.2
XRF-35	14:58	4	7.72	23000	27900	<39	17.1
XRF-36	15:02	4		17000		<18	
XRF-37	15:07	2	5.47	19000	25800	<39	14.6
XRF-38	15:15	<2		16000		<14	
XRF-39							
XRF-40	15:20	<2		11000		<41	
XRF-41	15:26	<2		15000		<14	
XRF-42	15:34	3	3.87	19000	17400	<39	11.5
XRF-43	15:40	2		21000		<14	
XRF-44	15:43	<2	8.58	19000	22300	18	15.5
XRF-45	15:47	3		22000		<14	
XRF-46	15:51	<2	4.82	18000	16500	<13	11.6
XRF-47	15:55	<2		18000		<16	
XRF-48	15:58	6	7.1	19000	23700	<20	18.3

Figure 1 - Project Location

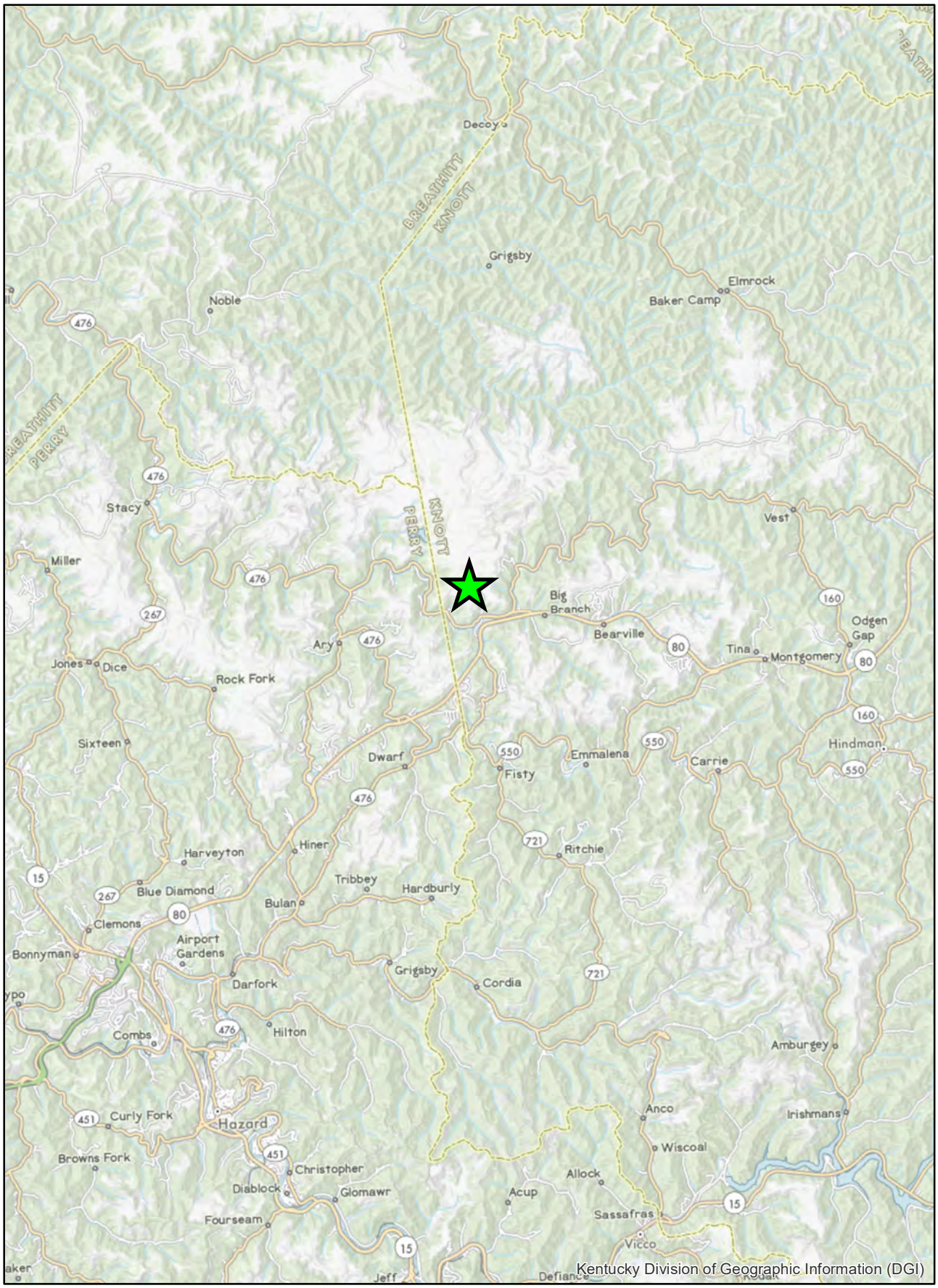
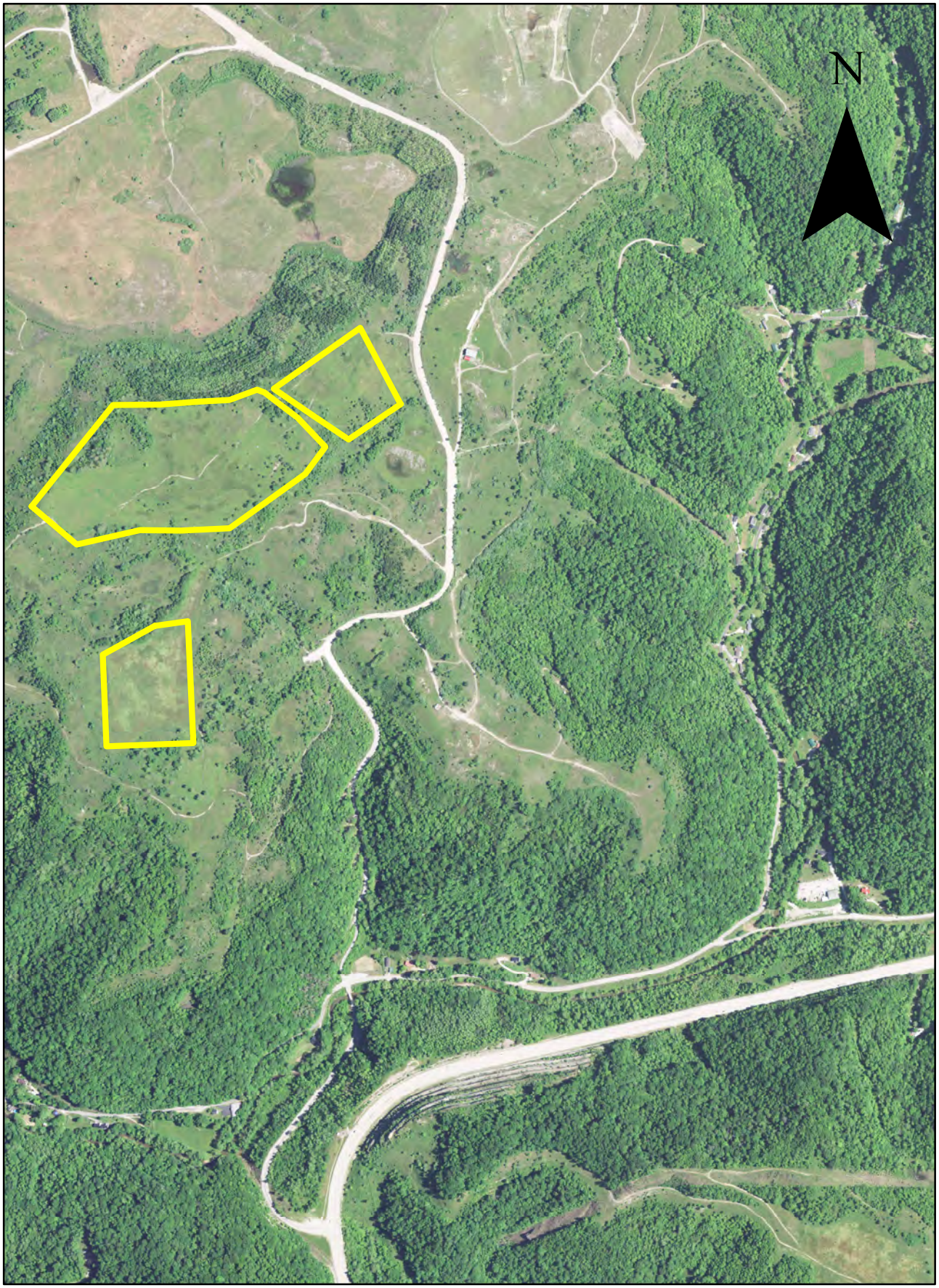


Figure 2 - Sampling Areas



1 inch = 1,000 feet

Figure 3 - Sampling Locations

1 inch = 500 feet

Appendix A
Photographs

Westernmost part of property, looking west toward Starfire Haul Road.

Central area of property with southern field in the distance on the left, looking east.

Central portion of property.

Appendix B
Laboratory Documents

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

Thursday, December 22, 2022

Lab Sample Number: AT05067
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-27
Sample ID: XRF-27

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 14:19
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	64.6	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	9.25	mg/Kg DW		0.14	
$3130S_PBC		Lead	35.7	mg/Kg DW		0.14	
$3130S_FEC		Iron	20000	mg/Kg DW		6.9	

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

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

Thursday, December 22, 2022

Lab Sample Number: AT05064
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-31
Sample ID: XRF-31

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 14:42
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	72.4	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	3.43	mg/Kg DW	0.10		
$3130S_PBC		Lead	8.07	mg/Kg DW	0.10		
$3130S_FEC		Iron	14900	mg/Kg DW	5.2		

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

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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

Thursday, December 22, 2022

Lab Sample Number: AT05068
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-33
Sample ID: XRF-33

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 14:50
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	83.7	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	6.66	mg/Kg DW		0.095	
$3130S_PBC		Lead	12.1	mg/Kg DW		0.095	
$3130S_FEC		Iron	18200	mg/Kg DW		4.8	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

'

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for Tony Hatton, Acting Director

Report Format: DESFinal-Full

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DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104
FRANKFORT, KENTUCKY 40601

Thursday, December 22, 2022

Lab Sample Number: AT05069
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-34
Sample ID: XRF-34

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 14:59
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:***	*12/7/2022 9:51:00 AM*			
%SOLIDS		Percent solids, dry weight	82.0	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	1.71	mg/Kg DW		0.086	
$3130S_PBC		Lead	16.2	mg/Kg DW		0.086	
$3130S_FEC		Iron	17300	mg/Kg DW		4.3	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

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GOVERNOR

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DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104
FRANKFORT, KENTUCKY 40601

Thursday, December 22, 2022

Lab Sample Number: AT05066
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-35
Sample ID: XRF-35

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 14:58
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	62.8	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	7.72	mg/Kg DW		0.14	
$3130S_PBC		Lead	17.1	mg/Kg DW		0.14	
$3130S_FEC		Iron	27900	mg/Kg DW		7.2	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

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for Tony Hatton, Acting Director

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GOVERNOR

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DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104
FRANKFORT, KENTUCKY 40601

Thursday, December 22, 2022

Lab Sample Number: AT05070
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-37
Sample ID: XRF-37

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 15:07
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	80.8	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	5.47	mg/Kg DW		0.084	
$3130S_PBC		Lead	14.6	mg/Kg DW		0.084	
$3130S_FEC		Iron	25800	mg/Kg DW		4.2	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

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for Tony Hatton, Acting Director

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ANDY BESHEAR
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ENERGY AND ENVIRONMENT CABINET

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104
FRANKFORT, KENTUCKY 40601

Thursday, December 22, 2022

Lab Sample Number: AT05065
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-42
Sample ID: XRF-42

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 15:26
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	84.3	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	3.87	mg/Kg DW		0.090	
$3130S_PBC		Lead	11.5	mg/Kg DW		0.090	
$3130S_FEC		Iron	17400	mg/Kg DW		4.5	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

'

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for Tony Hatton, Acting Director

Report Format: DESFinal-Full

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

Thursday, December 22, 2022

Lab Sample Number: AT05071
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-44
Sample ID: XRF-44

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 15:43
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:*** *12/7/2022 9:51:00 AM*				
%SOLIDS		Percent solids, dry weight	82.2	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	8.58	mg/Kg DW		0.088	
$3130S_PBC		Lead	15.5	mg/Kg DW		0.088	
$3130S_FEC		Iron	22300	mg/Kg DW		4.4	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

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ENERGY AND ENVIRONMENT CABINET

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

TONY HATTON
COMMISSIONER

100 SOWER BOULEVARD, STE. 104
FRANKFORT, KENTUCKY 40601

Thursday, December 22, 2022

Lab Sample Number: AT05063
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-46
Sample ID: XRF-46

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 15:51
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:***	*12/7/2022 9:51:00 AM*			
%SOLIDS		Percent solids, dry weight	67.5	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	4.82	mg/Kg DW		0.10	
$3130S_PBC		Lead	11.6	mg/Kg DW		0.10	
$3130S_FEC		Iron	16500	mg/Kg DW		5.1	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

'

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for Tony Hatton, Acting Director

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GOVERNOR

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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

Thursday, December 22, 2022

Lab Sample Number: AT05062
To: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson
County: Knott
Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark
Sample Matrix: SOIL
Sample Description: XRF-48
Sample ID: XRF-48

Station/Project ID:
Re: Shawn Adams Property
Program Code: B25
AKGWA:
Facility:
Date: 12/01/2022 **Time:** 15:58
Date: 12/02/2022 **Time:** 13:37
Date: 12/02/2022 **Time:** 13:37
Collection Method: Grab
Sample Type: Field Sample
Container ID:
Shipment Temp: 11.2C

REPORT OF ANALYSIS

LAB ACODE	CAS NUM	CONSTITUENTS	RESULT	UNIT	LOQ	LOD	FLAG
TESTCODE	*%SOLIDS*	***BY:*** *SM20 2540 G Mod*	***ON:***	*12/7/2022 9:51:00 AM*			
%SOLIDS		Percent solids, dry weight	85.3	%			
Tentatively Identified Components							
$3130S_ASC		Arsenic	7.13	mg/Kg DW		0.086	
$3130S_PBC		Lead	18.3	mg/Kg DW		0.086	
$3130S_FEC		Iron	23700	mg/Kg DW		4.3	

Container Preservation Status at Sample Login

@P-WHIRL	Plastic WHIRLPACK	pH not tested

Unit Description
DW = Analyzed on a Dry Weight Basis

Case Narrative

'

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for Tony Hatton, Acting Director

Report Format: DESFinal-Full

CHAIN OF CUSTODY RECORD
ENERGY AND ENVIRONMENT CABINET

Program/DOW: ☐106 ☐NPS ☐SDWA ☐Stream Survey ☐Groundwater ☐Wild Rivers ☐Tox. Test ☐Ref. Reach ☐Lakes ☐Pretreatment ☐BMP ☐ERT

Program/DWM: ☐RCRA ☐UST ☐TSCA ☐Solid Waste ☐Fed. CERCLA ☐St. CERCLA

Program/DAQ: ☐Air Toxics Canister # ____ ☐Air Quality

Fund Source____ Site # ____ Other Program ____

SITE LOCATION: Shawn Adams Property FACILITY NO.: ____ COUNTY: Knott County

FIELD ID #	DATE/ TIME	DESCRIPTION OF SITE	MATRIX	NUMBER OF CONTAINERS	PRESER-VATION	ANALYSIS REQUESTED	LAB USE ONLY
XRF-48	Date: 12/1/22 Time: 15:58	AKGWA #:	☐Liquid ☑Solid ☐Chemical ☐Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: As, Pb, Fe	Sample # AT05062 Report #
XRF-46	Date: 12/1/22 Time: 15:51	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: As, Pb, Fe	Sample # AT05063 Report #
XRF-31	Date: 12/1/22 Time: 14:42	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: As, Pb, Fe	Sample # AT05064 Report #

Metals: ☑As ☐Ba ☐Cd ☐Cr ☑Pb ☐Hg ☐Se ☐Ag ☐Cu ☑Fe ☐Mn ☐Zn ☐Other ____

Inspector(s): Chris Jung 11.2°C IR-B

Relinquished by: [signature]	12/2/22	Received by: Jennifer Clark
Representing: DWM	13:37	Representing: Deps
Relinquished by:		Received by:
Representing:		Representing

CONTINUATION PAGE 2 of 3

SITE LOCATION: Shawn Adams Property FACILITY NO.: ____ COUNTY: Knott County

FIELD ID #	DATE/ TIME	DESCRIPTION OF SITE	MATRIX	NUMBER OF CONTAINERS	PRESER-VATION	ANALYSIS REQUESTED	LAB USE ONLY
XRF-42	Date: 12/1/22 Time: 15:26	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: Ar, Pb, Fe	Sample # AT05065 Report #
XRF-35	Date: 12/1/22 Time: 14:58	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: Ar, Pb, Fe	Sample # AT05066 Report #
XRF-27	Date: 12/1/22 Time: 14:19	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: Ar, Pb, Fe	Sample # AT05067 Report #
XRF-33	Date: 12/1/22 Time: 14:50	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: Ar, Pb, Fe	Sample # AT05068 Report #
XRF-34	Date: 12/1/22 Time: 14:59	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: Ar, Pb, Fe	Sample # AT05069 Report #

Inspector(s): CHJ

Metals: ☑As ☐Ba ☐Cd ☐Cr ☑Pb ☐Hg ☐Se ☐Ag ☐Cu ☑Fe ☐Mn ☐Zn ☐Other: ____

CONTINUATION PAGE 3 of 3

SITE LOCATION: Shawn Adams Property FACILITY NO.: ____ COUNTY: Knott County

FIELD ID #	DATE/ TIME	DESCRIPTION OF SITE	MATRIX	NUMBER OF CONTAINERS	PRESER-VATION	ANALYSIS REQUESTED	LAB USE ONLY
XRF-37	Date: 12/1/22 Time: 15:07	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: As, Pb, Fe	Sample # AT05070 Report #
XRF-44	Date: 12/1/22 Time: 15:43	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☑Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml 1 Other: bag	☑Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☑OTHER: As, Pb, Fe	Sample # AT05071 Report #
	Date: ____ Time: ____	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☐Grab ☑Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml ____Other: ____	☐Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☐OTHER:	Sample # Report #
	Date: ____ Time: ____	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☐Grab ☐Composite ☐Other	12 ____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml ____Other: ____	☐Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☐OTHER:	Sample # Report #
	Date: ____ Time: ____	AKGWA #:	☐Liquid ☐Solid ☐Chemical ☐Grab ☐Composite ☐Other	____Glass 1000 ml ____Plastic 1000 ml ____VOA 40 ml ____Glass 140 ml ____280 ml ____Other: ____	☐Ice ☐H_2SO_4 ☐NaOH ☐HNO_3 ☐HCl ☐Other	☐ABN ☐VOC ☐NH_3 ☐TO14 ☐TOC ☐TSS ☐Cl ☐HERB ☐TKN ☐BOD ☐CN ☐T. METALS ☐O&G ☐PAH ☐FP ☐PEST/PCB ☐BTEX ☐ORTHO/P ☐OTHER:	Sample # Report #

Metals: ☑As ☐Ba ☐Cd ☐Cr ☑Pb ☐Hg ☐Se ☐Ag ☐Cu ☑Fe ☐Mn ☐Zn ☐Other: ____

Inspector(s): CHJ

KENTUCKY ENVIRONMENTAL SERVICES LABORATORY LOGIN GROUP RECEIPT

LogBy: JJC

Login Date and Time: 12/2/2022 13:49

RE: Shawn Adams Property

For: Division of Waste Management
300 Sower Blvd
Frankfort, KY 40601
ATTN: Tammi Hudson

Collected By: Chris Jung
Delivered By: Chris Jung
Received By: Jennifer Clark

Collection Method: Grab
Delivery Date and Time: 12/2/2022 13:37
Received Date and Time: 12/2/2022 13:37

Shipping Temp: 11.2C

LAB ID	CODE	Samp ID	DESCRIPTION	AKGWA	COUNTY	COLLECTED		MATRIX	LW CODE	PARAMETER NAME	pH
AT05062	B25	XRF-48	XRF-48		Knott	12/1/2022	15:58	SOIL			
									@P-WHIRL	Plastic WHIRLPACK	NT
									$3130S_ALL	Metals (ICP-MS) Soil ALL	
									$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
									$3130S_FECALC	Iron (ICP-MS) Soil Result	
									$3130S_PBCALC	Lead (ICP-MS) Soil Result	
									3030S	Metal Prep (ICP-MS) -Soil	
									%SOLIDS	Percent solids, dry weight	
									!COMMENT	Case Narrative	
AT05063	B25	XRF-46	XRF-46		Knott	12/1/2022	15:51	SOIL			
									@P-WHIRL	Plastic WHIRLPACK	NT
									$3130S_ALL	Metals (ICP-MS) Soil ALL	
									$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
									$3130S_FECALC	Iron (ICP-MS) Soil Result	
									$3130S_PBCALC	Lead (ICP-MS) Soil Result	
									3030S	Metal Prep (ICP-MS) -Soil	
									%SOLIDS	Percent solids, dry weight	
									!COMMENT	Case Narrative	
AT05064	B25	XRF-31	XRF-31		Knott	12/1/2022	14:42	SOIL			
									@P-WHIRL	Plastic WHIRLPACK	NT
									$3130S_ALL	Metals (ICP-MS) Soil ALL	
									$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
									$3130S_FECALC	Iron (ICP-MS) Soil Result	
									$3130S_PBCALC	Lead (ICP-MS) Soil Result	
									3030S	Metal Prep (ICP-MS) -Soil	
									%SOLIDS	Percent solids, dry weight	
									!COMMENT	Case Narrative	
AT05065	B25	XRF-42	XRF-42		Knott	12/1/2022	15:26	SOIL			
									@P-WHIRL	Plastic WHIRLPACK	NT
									$3130S_ALL	Metals (ICP-MS) Soil ALL	
									$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
									$3130S_FECALC	Iron (ICP-MS) Soil Result	
									$3130S_PBCALC	Lead (ICP-MS) Soil Result	
									3030S	Metal Prep (ICP-MS) -Soil	
									%SOLIDS	Percent solids, dry weight	
									!COMMENT	Case Narrative	
AT05066	B25	XRF-35	XRF-35		Knott	12/1/2022	14:58	SOIL			
									@P-WHIRL	Plastic WHIRLPACK	NT
									$3130S_ALL	Metals (ICP-MS) Soil ALL	
									$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
									$3130S_FECALC	Iron (ICP-MS) Soil Result	
									$3130S_PBCALC	Lead (ICP-MS) Soil Result	

LAB ID	CODE	Samp ID	DESCRIPTION	AKGWA	COUNTY	COLLECTED	MATRIX	LW CODE	PARAMETER NAME	pH
AT05066	B25	XRF-35	XRF-35		Knott	12/1/2022 14:58	SOIL			
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	
AT05067	B25	XRF-27	XRF-27		Knott	12/1/2022 14:19	SOIL			
								@P-WHIRL	Plastic WHIRLPACK	NT
								$3130S_ALL	Metals (ICP-MS) Soil ALL	
								$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
								$3130S_FECALC	Iron (ICP-MS) Soil Result	
								$3130S_PBCALC	Lead (ICP-MS) Soil Result	
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	
AT05068	B25	XRF-33	XRF-33		Knott	12/1/2022 14:50	SOIL			
								@P-WHIRL	Plastic WHIRLPACK	NT
								$3130S_ALL	Metals (ICP-MS) Soil ALL	
								$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
								$3130S_FECALC	Iron (ICP-MS) Soil Result	
								$3130S_PBCALC	Lead (ICP-MS) Soil Result	
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	
AT05069	B25	XRF-34	XRF-34		Knott	12/1/2022 14:59	SOIL			
								@P-WHIRL	Plastic WHIRLPACK	NT
								$3130S_ALL	Metals (ICP-MS) Soil ALL	
								$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
								$3130S_FECALC	Iron (ICP-MS) Soil Result	
								$3130S_PBCALC	Lead (ICP-MS) Soil Result	
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	
AT05070	B25	XRF-37	XRF-37		Knott	12/1/2022 15:07	SOIL			
								@P-WHIRL	Plastic WHIRLPACK	NT
								$3130S_ALL	Metals (ICP-MS) Soil ALL	
								$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
								$3130S_FECALC	Iron (ICP-MS) Soil Result	
								$3130S_PBCALC	Lead (ICP-MS) Soil Result	
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	
AT05071	B25	XRF-44	XRF-44		Knott	12/1/2022 15:43	SOIL			
								@P-WHIRL	Plastic WHIRLPACK	NT
								$3130S_ALL	Metals (ICP-MS) Soil ALL	
								$3130S_ASCALC	Arsenic (ICP-MS) Soil Result	
								$3130S_FECALC	Iron (ICP-MS) Soil Result	
								$3130S_PBCALC	Lead (ICP-MS) Soil Result	
								3030S	Metal Prep (ICP-MS) -Soil	
								%SOLIDS	Percent solids, dry weight	
								!COMMENT	Case Narrative	

Appendix D – Bond Release Documentation

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

Matthew G. Bevin
Governor

2 Hudson Hollow
Frankfort, Kentucky 40601
Phone (502) 564-6940
Fax (502) 564-5698
www.naturalresources.ky.gov
www.kentucky.gov

Charles G. Snavely
Secretary

Allen Luttrell
Commissioner

1804 EAST CUMBERLAND AVENUE
Middlesboro, KY 40965-1229

September 15, 2017

LIBERTY MANAGEMENT, LLC
PO BOX 100
ARY KY 41712

RE:	Permit Name:	LIBERTY MANAGEMENT LLC
	Permit Number:	860-0565
	Increment Number:	1,5,6
	Bond ID Number:	041-001547, 041-001549, 041-001550
	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,

E-Signed by Steve Vance
VERIFY authenticity with e-Sign

Steve Vance
Environmental Control Manager
DMRE/London Regional Office

cc: Brent Gay

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

Matthew G. Bevin
Governor

2 Hudson Hollow
Frankfort, Kentucky 40601
Phone (502) 564-6940
Fax (502) 564-5698
www.naturalresources.ky.gov
www.kentucky.gov

Charles G. Snavely
Secretary

Allen Luttrell
Commissioner

1804 EAST CUMBERLAND AVENUE
Middlesboro, KY 40965-1229

September 15, 2017

INDEMNITY NATIONAL INS CO
4800 OLD KINGSTON PIKE
KNOXVILLE TN 37919

RE:	Permit Name:	LIBERTY MANAGEMENT LLC
	Permit Number:	860-0565
	Increment Number:	1,5,6
	Bond ID Number:	041-001547, 041-001549, 041-001550
	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,

E-Signed by Steve Vance
VERIFY authenticity with e-Sign

Steve Vance
Environmental Control Manager
DMRE/London Regional Office

cc: Brent Gay

Appendix E – Photographic Record of Subject Property

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southwest	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southwest	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Northwest	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing Southeast	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field on subject property facing North	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field on subject property facing North	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in lower field of subject property facing South	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken of Starfire Haul Road facing North	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken from subject property facing East	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken from Starfire Haul Road facing West	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing West	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing Northwest	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing Southeast	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken from upper field of subject property facing East	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in the upper field of the subject property facing Southwest	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in the upper field of subject property facing Southwest	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing West	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing South	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing North	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing Northwest	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing North	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing South	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing South	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing North	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken in upper field of subject property facing Southeast	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken from gravel road off of Starfire Haul Road located north of the subject property facing South	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken of property North of the subject property from Starfire Haul Road.	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken of property North of the subject property from Starfire Haul Road	

Photographic Record of Subject Property	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken of property East of subject property from Starfire Haul Road	
Date: May 17, 2023 **Photographer:** Caitlin Mullins Photo taken from gravel road off of Starfire Haul Road located north of subject property facing West	

Appendix F – Current Deeds

Doc ID: 001407610005 Type: DEED
Recorded: 09/26/2017 at 12:50:58 PM
Receipt#: 2017-00001237
Page 1 of 5
Fees: $23.00 Tax: $18.50
Knott County, KY
Ken Gayheart Clerk of Court
BK 281 PG 498-502

Unofficial Document

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE made and entered into the 31st day of August, 2017, by and between **LYNN LEE, INC.**, of 100 Coal Ridge Lane, Georgetown, Scott County, KY 40324, hereinafter referred to as Party of the First Part and **CORE CAPITAL, LLC.**, 176 Leesburg Pike, Georgetown, Scott County, KY 40324, hereinafter referred to as Party of the Second Part.

The in-care-of tax mailing address for the current tax year is the Grantor, Lynn Lee, Inc., 100 Coal Ridge Lane, Georgetown, KY 40324.

W I T N E S S E T H

That the Party of the First Part for and in consideration of the sum of One Hundred Twenty Six Thousand, Three Hundred Fifty Seven Dollars ($126,357.00) the receipt and sufficiency of which are hereby acknowledged, have bargained and sold and by these presents do hereby bargain, sell, grant and convey unto Party of the Second Part, real property (surface only) described below, to wit;

1) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 126, Page 148, records of the Knott County Clerk's Office.

Unofficial Document

2) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 128, Page 269, records of the Knott County Clerk's Office.

3) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 126, Page 145, records of the Knott County Clerk's Office.

4) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 130, Page 204, records of the Knott County Clerk's Office.

5) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 132, Page 565, records of the Knott County Clerk's Office.

6) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book, 129, Page 561, records of the Knott County Clerk's Office.

7) The same land conveyed to Lynn Lee, Inc., and recorded in Deed Book 128, Page 557, records of the Knott County Clerk's Office.

This Deed of Conveyance is intended to include all land referenced in the Option to Purchase this property and the Map attached thereto which is incorporated by reference, whether specifically mentioned herein.

Unofficial Document

TO HAVE AND TO HOLD the same together with all the appurtenances thereunto belonging unto Party of the Second Part, with covenants of General Warranty.

We, the Grantor and Grantees, do hereby certify, pursuant to KRS Chapter 382, that the above-stated consideration is the true, correct and full consideration paid for the property herein conveyed. We further certify our understanding that falsification of the stated consideration of sale price of the property is a Class D. Felony, subject to one to five years imprisonment and fines up to $10,000.00.

IN TESTIMONY WHEREOF, WITNESS the signatures of the parties hereto the day and year first above written.

LYNN LEE, INC.
LORENE ADAMS, President GRANTOR

ANDREA ADAMS, Power of Attorney for
LORENE ADAMS

CORE CAPITAL, LLC.
SHAWN ADAMS, MEMBER GRANTEE

STATE OF KENTUCKY

COUNTY OF Fayette :

Unofficial Document

I, a notary public for the state-at-large, do hereby certify that the foregoing was produced to me in said county and state by Lorene Adams, President of Lynn Lee, Inc., by and through her Power of Attorney, Andrea Adams, and was signed, sworn and acknowledged to be her free act and deed.

Given under my hand this the 31st day of August, 2017.

Mildred Hicks, #509088
NOTARY PUBLIC, STATE AT LARGE

My Commission expires: 4/4/18.

COMMONWEALTH OF KENTUCKY

COUNTY OF Fayette:

I, a notary public for the state-at-large, do hereby certify that the foregoing was produced to me in said county and state by Core Capital, LLC, by and through Shawn Adams, a member, and was signed, sworn and acknowledged to be his free act and deed.

Mildred Hicks, #509088
NOTARY PUBLIC, STATE AT LARGE

My Commission expires: 4/4/18.

Unofficial Document

STATE OF KENTUCKY

COUNTY OF KNOTT

I, Kenneth Gayheart, Knott County Court Clerk, do hereby certify that the foregoing deed from Lynn Lee, Inc, to Core Capital, LLC., was on the 26 day of Sept. 2017, lodged in my office for record whereupon it, the foregoing, and this, my certificate, have been duly recorded in Deed Book 281, at Page 498.

Given under my hand this the 26 day of Sept, 2017.

Ken Gayheart
KENNETH GAYHEART, CLERK
KNOTT COUNTY COURT CLERK

BY Que Hay D.C.

The foregoing was prepared by Jeffrey R. Morgan, Attorney, P.O. Box 509, Hazard, KY 41701, without benefit of a title search, without preparation of a legal description or survey and without an appraisal.

JEFFREY R. MORGAN, ESQ.

Unofficial Document

193

125/193

GENERAL WARRANTY DEED

This Deed of Conveyance, made and entered into this 11 day of [illegible], 1982, by and between JAMES PATRICK and his wife, OLGA PATRICK, residents of Knott Couty, Kentucky, parties of the first part, and LYNN LEE, INC., a Kentucky corporation with offices at Hazard, Kentucky, and DANIEL G. KING, Combs Road, Hazard, Kentucky, parties of the first part,

WITNESSETH:

That the parties of the first part, for and in consideration of the sum of thirty thousand dollars ($30.000.00), cash in hand paid, the receipt of which is hereby acknowledged, have bargained and sold and by these presents do bargain, sell, grant and convey unto the parties of the second part, their heirs and assigns forever, a certain tract or parcel of land lying in Knott County, Kentucky, and described as follows, to-wit:

TRACT #1

That certain tract or parcel of land situate and being in Knott County, Kentucky, on Balls Fork and BEGINNING at a cliff of rocks on top of the point above the graveyard; thence up the point to a spotted oak at Willard Ritchie's land; thence with the said line to the Stable Branch; thence down said branch to a beech tree on the bank; thence with said Willard Ritchie's line to the top of the point between the Jack Branch and Stable Branch; thence down with the center of said point to the lines of Luna Ritchie's line; thence with said line to the Stable Branch; thence with said Luna Ritchie's line to the BEGINNING. Containing 30 acres more or less.

194

TRACT #2

A certain tract or parcel of land situate and being in Knott County, Kentucky, on the Cut Off Branch of Ball Creek and BEGINNING on a stake between a beech tree and a sugar tree on the south bank of Ball Fork in the lower end of a small bottom just below the mouth of the upper Cut Off Branch or Snag Hollow; thence running up the hill S 36¼ W 22 poles; thence S 1 E 10.6 poles S 16½ E 13.4 poles to a stake white oak pointer; thence S 22½ E 13.5 poles to a stake, sugar tree and beech pointer; thence S 34 E 18.4 poles to a stake chestnut oak pointer, S 5 E 44 poles to stake and three chestnut oak pointers, corner to Jason Ritchie's line on the ridge between Cut Off Branch and Big Branch at the head of the Ivy Hollow; thence N 83 3/4 E 26.8 poles, S 70½ E 11.9 poles; thence S 71 E 17.7 poles to the top of high knob; thence N 75 E 8 poles to a stake, three chestnut pointers, corner to Alex Francis; thence North 14.4 poles, N 13½ E 26.9 poles to a large rock, N 30 E 13.7 poles to a stake chestnut oak pointer; thence N 42 E 7.6 poles; thence N 40 E _____ poles to a stake in the road, beech pointer, thence N 22 E 27.8 poles; thence N 16 E 14.8 poles N 16½ E 30 poles to a large rock marked X on top of the ridge; thence N 58½ W 13.6 poles N 80 W 14.8 poles, N 46½ W 5.2 poles to a large chestnut oak corner to Austin Ritchie's; thence down the hill with said Ritchie's line S 83 W 17.6 poles; thence S 65 W 22.4 poles to the mouth of Upper Cut Off Branch; thence S 51-3/4 W 30 poles; thence down Balls Fruk as it meanders S 45 W 25 poles to a stake pine pointer, N 77½ W 8.4 poles to a stake, beech pointer, N 31½ W 9.9 poles N 82½ W 13.6 poles to the BEGINNING. Containing 90 acres, more or less.

Being the same land conveyed to the grantors by W. H. Smith, Marie Smith, Charlotte Smith, Bill Everage and Ada Everage, by deed dated March 19, 1974, and of record in Deed Book 97, pages 213-214, said deed of record in the office of the Knott County Clerk.

TO HAVE AND TO HOLD the same, together with all the appurtenances thereunto beloning unto the parties of the second part, their heirs and assigns forever, with covenant of General Warranty.

IN TESTIMONY WHEREOF, witness the signatures of the parties of the first part on this the day and year first above written.

James Patrick

Olga Patrick

STATE OF KENTUCKY

COUNTY OF PERRY

I hereby certify that the foregoing instrument was duly signed and acknowledged before me by James Patrick and Olga Patrick on the 11 day of ~~January~~ Feb, 1982.

Notary Public

My commission expires [illegible].

STATE OF KENTUCKY

COUNTY OF KNOTT

I, [illegible], Clerk of the Knott County Court, do hereby certify that the foregoing deed from James Patrick and Olga Patrick to Lynn-Lee, Inc. and Daniel G. King was on the 5 day of ~~January~~ February, 1982, lodged in my office for record and that it, the foregoing, and this my certificate have been duly recorded in my said office in Deed Book 125, page [illegible].

Appendix G – Qualifications

Qualifications of Environmental Professional

Environmental Professional

Christopher Jung

Geologist Registered Supervisor

State Section

Superfund Branch

Division of Waste Management

Education:

Bachelor of Science in Geology, Auburn University 1995

Professional Certification:

Professional Geologist, 2006

Professional Experience:

Mr. Jung has over 26 years of experience in the assessment, investigation and remediation of Superfund and Hazardous Waste sites.

Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

1. Is your project within proximity of a NWSRS river?

✓ No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.
Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

Screen Summary

Compliance Determination

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. The Red River is both the nearest Wild and Scenic River and the nearest Nationwide Rivers Inventory body to the project site. The Wild and Scenic portions of the Red River are 35.65 miles away and the Nationwide Rivers Inventory portions are 21.6 miles away.

Supporting documentation

NWSRS Website_Red River KY.pdf
Distance to Wild and Scenic Red River_Olive Branch.pdf
Distance to NRI Red River_Olive Branch.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Red River

Kentucky

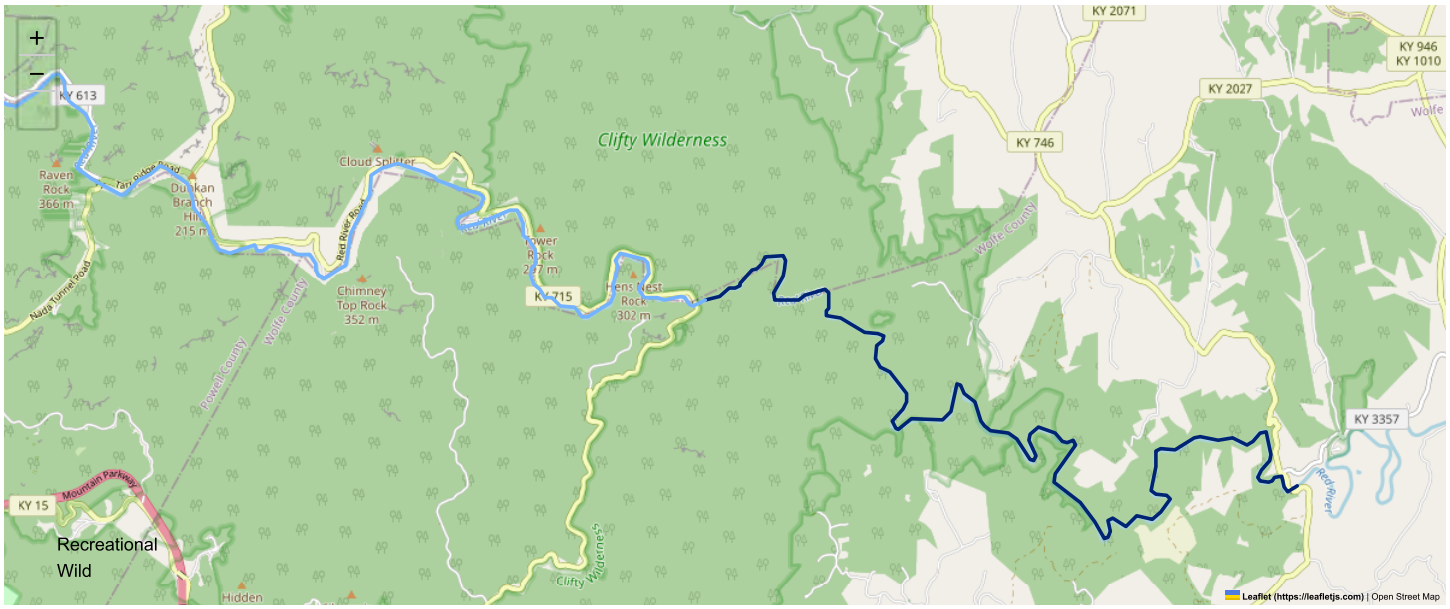
The Red River flows through the Red River Gorge geological area and bisects the Clifty Wilderness. Sandstone cliffs, rock shelters, natural stone arches, and boulders provide excellent views of unique geological features nestled among the mountain laurel, rhododendron, and hemlocks. The river offers scenic views, as well as protection for numerous prehistoric and historic sites featuring unique ethnobotanic remains and other features that led to the designation of this area as a Natural Historic Landmark. The surrounding cliff lines are home to the white-haired goldenrod, a plant only found in the Red River Gorge, as well as numerous other species of wildlife. More than 70 species of fish and 16 mussels thrive in the free-flowing waters of the Red River. The scenic beauty and geological formations throughout the river corridor attract thousands of visitors each year.

This area is managed as wilderness to provide a semi-primitive, non-motorized experience near trails, access points, and other areas of concentrated use. In other more remote areas, primitive recreation experiences are available. Access to the river corridor is limited to a few primitive hiking trails in order to protect natural resources rather than provide for for human comfort or convenience. People are challenged to rely on their own physical abilities and follow primitive “leave no trace” recreational pursuits. Facilities, such as trailheads and bulletin boards, are usually located outside the wilderness. Hiking, primitive camping, rock climbing, fishing, hunting, canoeing, kayaking, and rafting are allowed where they do not adversely impact the wilderness resource.

The U.S. Forest Service maintains one access point at Copperas Creek Canoe Launch on Highway 715. The river is too low for canoeing or kayaking most of the year. However, Class I-III rapids may be experienced after late fall and spring floods or heavy rains.

A camping permit is required for dispersed camping in the Red River Gorge Geological Area. Permits can be purchased at local vendors or Gladie Learning Center.

The Red River corridor is black bear habitat. Proper food storage is required. The forest website and area bulletin boards provide additional information regarding food storage requirements and other rules.



VIEW LARGER MAP (/MAP?RIVER=RED)

Designated Reach

December 2, 1993. From the Highway 746 Bridge to the confluence with the School House Branch.

Outstandingly Remarkable Values ⓘ ()

Botany

The conjunction of several climatological, geologic, and topographic features has created a diversity of plant life in a variety of ecological niches. Of particular interest is the drip line area at the base of cliff lines where rock shelters exist. These areas provide suitable environment for th...

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Fish

The river environment contains 3 at-risk aquatic species in addition to 16 mussel species. It also provides a high quality warm-water fishery of 70 fish species, including such sport fish as rock bass, catfish, and smallmouth bass, as well as numerous types of sunfish and muskellunge. The river i...

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Geology

The area is famous for its rugged and unique topography and geology, including numerous natural arches, pinnacles, and prominent cliffs. Perhaps the most striking feature of the area is the sandstone arches carved out by years of wind and water erosion. The most popular arch is Sky Bridge, a grac...

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History

Old saltpeter mine activity from as far back as the Civil War era can be found in some rockshelters. In the 1880s, there was a boom in logging activity in the area. The Nada Tunnel, the western portal for the area, is a narrow tunnel dug out of the rock originally created for a narrow-gage rail l...

Show More

Prehistory

The uniqueness of the Red River Gorge Geological Area and its river corridor is not only a draw for present day adventurers, but as far back as 10,000 years, it drew Native Americans to its natural beauty and abundant resources. Most ridges harbor cliff lines with rock shelters at their base. The...

Show More

Recreation

The Red River draws river enthusiasts from all over Kentucky, as well as surrounding states. Rugged shorelines edged with steep rock cliffs and a river with abundant large boulders provide canoeists and kayakers a variety of whitewater, from Class II and III during the winter and spring run-offs ...

Show More

Scenery

The Red River is a central feature of the Red River Gorge Geological Area. The eastern part of the area contains the Clifty Wilderness, which is bisected by the wild segment of the Red River. Because of its outstanding natural features, the Red River Gorge Geological Area is also designated as a ...

Show More

Managing Partners And Contacts

Daniel Boone National Forest

(606) 713-3688 (tel:%28606%29713-3688)

Documents

Public Law 103-170 (Red River Designation Act) (https://www.rivers.gov/sites/rivers/files/2022-10/Public%20Law%20103-170.pdf)

Public Law 95-625 (https://www.rivers.gov/sites/rivers/files/2022-10/Public%20Law%2095-625.pdf)

Red River Draft Study Report & Environmental Impact Statement (https://www.rivers.gov/sites/rivers/files/2023-02/red-draft-study-eis.pdf)

Classification/Mileage

Recreational — 10.3 miles; Wild — 9.1 miles; Total — 19.4 miles.

Show more

PARTNERS

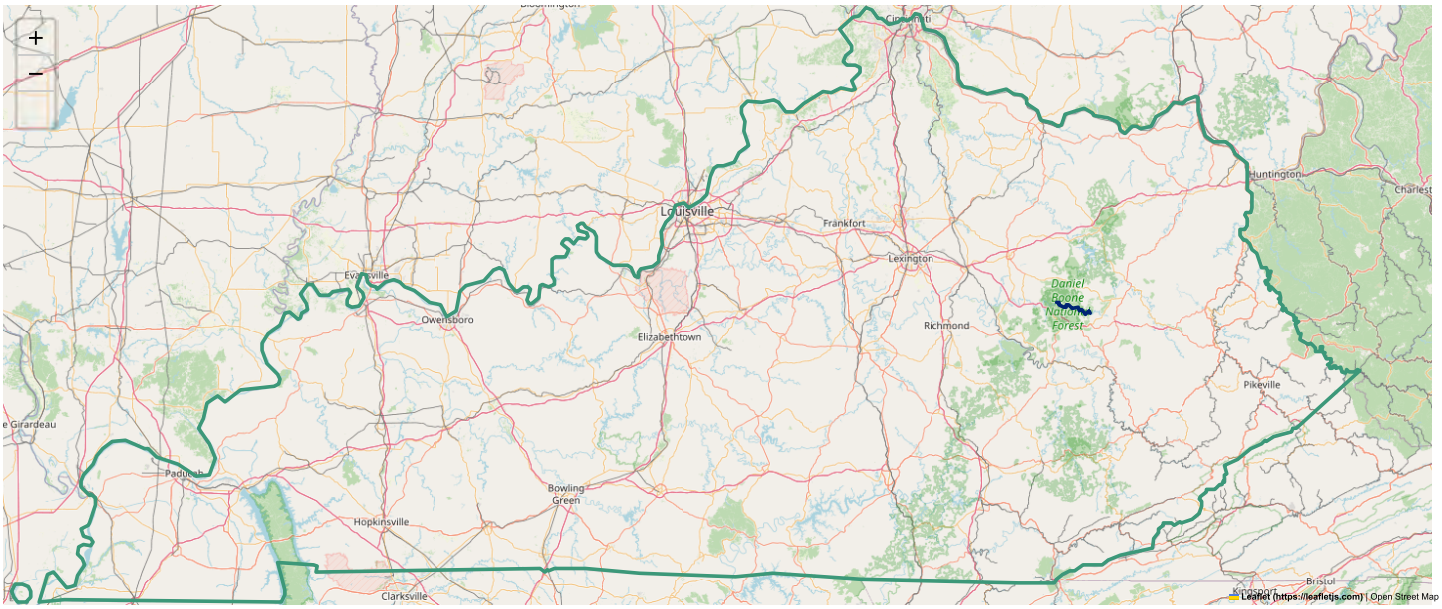
Bureau of Land Management (https://blm.gov/programs/national-conservation-lands/wild-and-scenic-rivers)
National Park Service (https://www.nps.gov/orgs/1912/index.htm)
NPS Partnership Rivers (https://www.nps.gov/orgs/1912/partnership-wild-and-scenic-rivers.htm)
U.S. Fish & Wildlife Service (https://fws.gov)
U.S. Forest Service (https://www.fs.usda.gov/managing-land/wild-scenic-rivers)
River Management Society (http://river-management.org/)

REFERENCES

Bibliography (/bibliography)
Interagency Council (/council)
Stewardship (/stewardship)
News (/news)
Videos (/video)
Vulnerability Disclosure Policy (/vulnerability-disclosure-policy)

Kentucky has many lakes and rivers that are perfect for fishing, swimming, or just relaxing on the water. All rivers in Kentucky flow to the Mississippi River, nearly all by virtue of flowing to its major tributary, the Ohio River, which forms the state's entire northern border.

Kentucky has approximately 49,105 miles of river, of which 19.4 miles of one river, the Red, are designated as Wild & Scenic—less than 4/100ths of 1% of the state's river miles.



Rivers In Kentucky

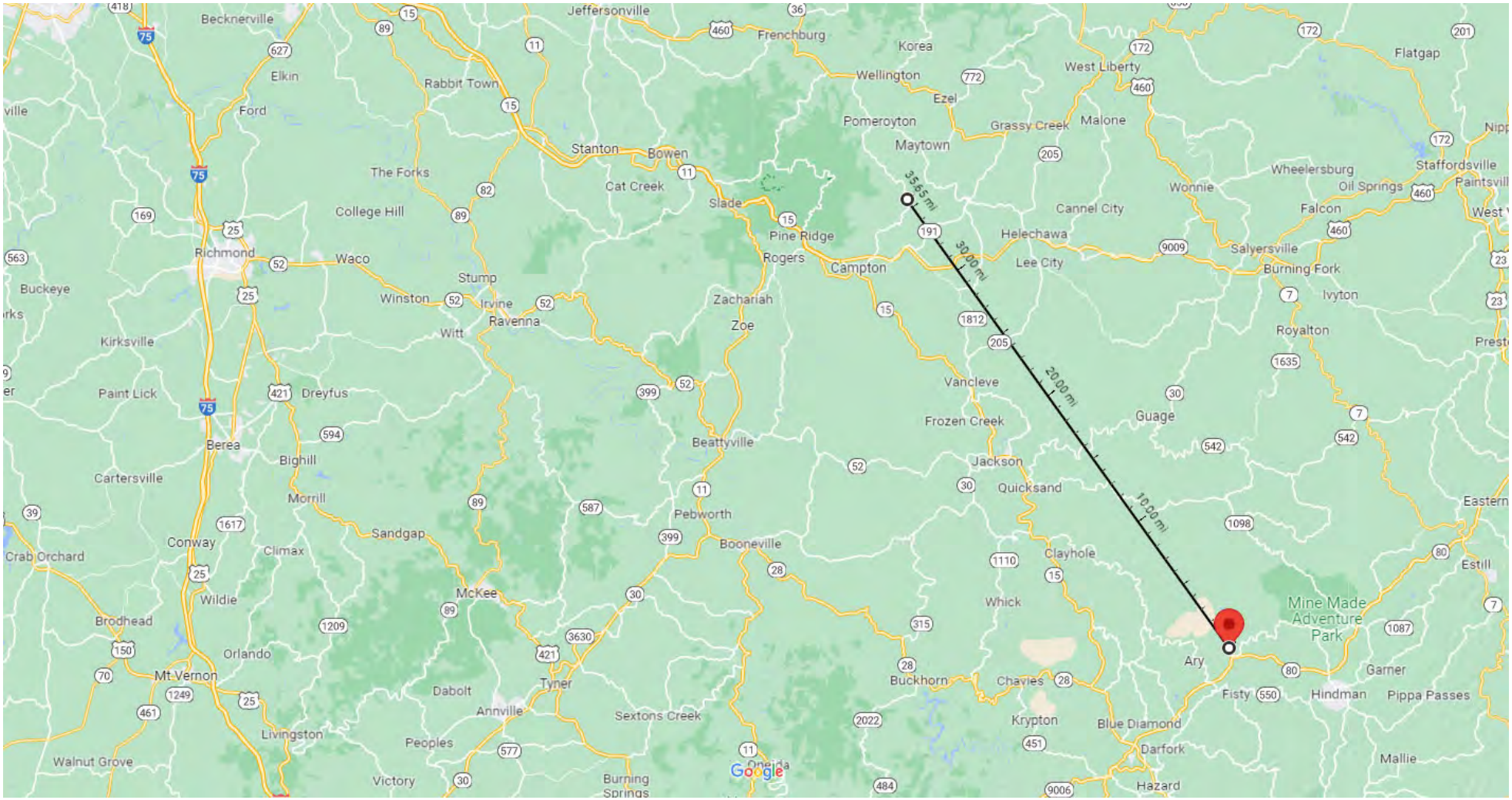
(/river/red)

Red River (/river/red)
Kentucky (/river/red)

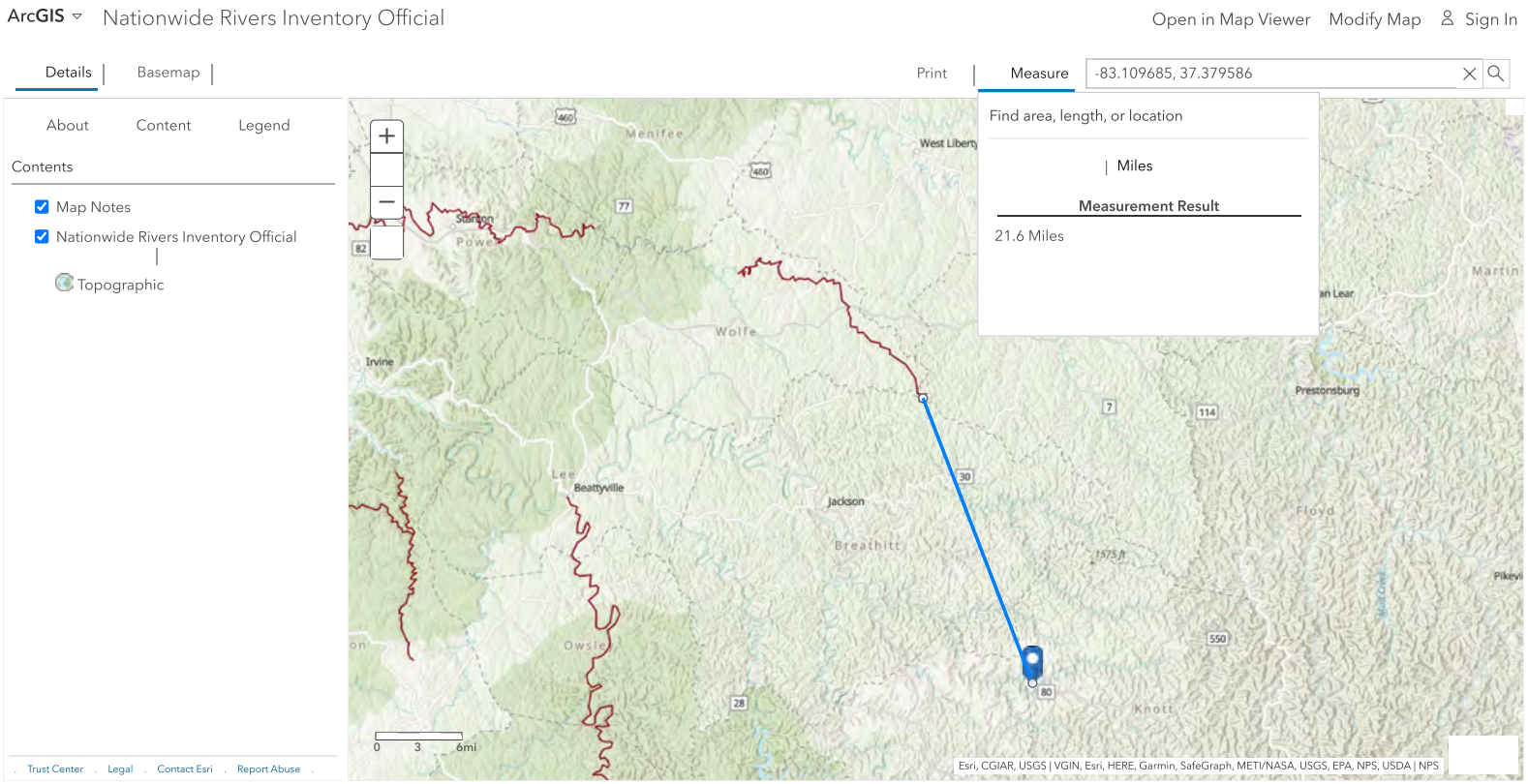
Google Maps

37°22'46.5"N 83°06'34.9"W

Distance to Wild & Scenic Portions of Red River from Olive Branch Subdivision, Knott County, KY



Measure distance
Total distance: 35.65 mi (57.37 km)



Distance to Nationwide Rivers Inventory portions of the R ed River from the Olive Branch Subdivision, Knott County, KY

Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?

Yes

✓ No

Based on the response, the review is in compliance with this section.

Screen Summary

Compliance Determination

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No