

**PHASE I**  
**ENVIRONMENTAL SITE ASSESSMENT**

**for**

**Phoenix Park**

Melbourne Beach, Brevard County, Florida 32951

Conducted by:

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## 1.0 SUMMARY

The subject two parcels of this Phase I *Environmental Site Assessment* (ESA) are located in Melbourne Beach, Brevard County, Florida (Appendix 16.1, Figure 1). The Brevard County Property Appraiser's office states that these parcels total 18.85 acres. The tax ID numbers for the two subject lots are 2849283 and 2849284. Appendix 16.2, Table 1 lists the two subject parcels along with tax ID numbers, legal descriptions, County acreages and property owners.

The two subject parcels are located to the north of Landings Road, south of Ocean Ridge Drive, to the west of Highway A1A, the Versailles condominium, and the Atlantic Ocean, and to the east of the Indian River Lagoon in Melbourne Beach, Florida (Appendix 16.3, Photos 1-4).

The subject parcels' current land use is undeveloped and cleared (Appendix 16.3, Photos 5 and 6). The site was an apartment community with dock prior to the 2004 hurricane events. The site is adjacent to residential areas on the north and south. There has been a large amount of disturbance from the parcel's clearing activities.

Site inspections, interviews and research for the two subject parcels have revealed that the properties have never been used as a gasoline station, motor repair facility, commercial printer, dry cleaner, photo developer lab, landfill, waste treatment facility, processing facility, recycling facility, cattle dipping area, or turpentine stilling area. There are no apparent industrial drums or storage tanks on the parcels. The adjoining properties have never been used for industry. The subject properties do not discharge industrial wastewater. The adjoining properties do not discharge industrial waste. There is no apparent stained soil onsite. There is no chemical smell.

The property owner interviews and title searches have revealed that there are no environmental liens or Activity and Use Limitations (AUL's) on the two subject parcels. Further, there have never been any environmental violations onsite or lawsuits.

Environmental Data Resources (EDR) lists three (3) facilities that are located within the one mile search radius of the subject parcels. No violations were reported for two of them. For one facility, the 7-Eleven, EDR reports a violation when unleaded gas was spilled in 2004. EDR reports that in 2011 it was cleaned up. It is likely that these three EDR facilities do not pose a Recognized Environmental Condition (REC) to the two subject study parcels.

It is BKI's opinion that there are no RECs associated with the two subject parcels.

## 2.0 INTRODUCTION

### 2.1 Purpose

The purpose of this Phase 1 *Environmental Site Assessment* (ESA) is to define good commercial and customary practice in the United States of America for conducting an environmental site assessment of a parcel of commercial real estate with respect to the range of contaminants within the scope of Comprehensive Environmental



Response, Compensation and Liability Act (CERCLA) and petroleum products.

## 2.2 Scope-of-Services

As required by the American Society of Testing and Materials (ASTM) Standard Practice for Phase I Environmental Site Assessments (E 1527.13), BKI, Inc. Consulting Ecologists (BKI) has assessed past and present uses of the subject property through review of historical aerials, review of historical United States Geological Survey (USGS) maps, research of federal and state environmental record sources, interviews with property owners, and site reconnaissance. The scope of work does not include wetland identification, threatened or endangered species surveys, radon potential analysis, or lead/asbestos containing materials assessments. Controlled substances are not included within the scope of this Phase 1 ESA. Persons conducting an environmental site assessment as part of an EPA Brownfield Assessment and Characterization Grant awarded under CERCLA 42 U.S.C. 9604(k)(2)(B) must include controlled substances as defined in the Controlled Substances Act (21 U.S.C. 802). BKI understands these sites have not been awarded a Brownfield Assessment and Characterization Grant.

## 2.3 Significant Assumptions

Prior to initiation of this Phase I ESA, BKI did not have an opinion pertaining to the subject properties.

## 2.4 Limitations and Exceptions

During the site inspection on July 20, 2017, visibility was limited on portions of the undeveloped subject parcels due to dense vegetation cover and retention ponds with standing water.

## 2.5 Special Terms and Conditions

This Phase I was carried out pursuant to ASTM Standard E 1527.13. Special terms encountered within this Phase I are defined as follows:

- A. Recognized Environmental Conditions (REC) - the presence or likely presence of any hazardous substances or petroleum products in, on or at a property: (1) due to a release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. The term is not intended to include de minimis conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimis are not recognized environmental conditions.
- B. Hazardous Waste - any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (42 U.S.C 6921). The Solid Waste Disposal Act of 1980 amended RCRA. RCRA defines a hazardous waste, in 42 USC 6903, as “a solid waste, or combination of solid wastes, which because of its quantity, concentration, or

physical, chemical, or infectious characteristics may (A) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (B) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.”

- C. Hazardous Substance - A substance defined as a hazardous substance pursuant to CERCLA 42 U.S.C. 9601(14) as interpreted by EPA regulations and the courts: “(A) any substance designated pursuant to section 1321(b)(2)(A) of Title 33, (B) any element, compound, mixture, solution, or substance designated pursuant to section 9602 of this title, (C) any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, (42 U.S.C. 6921) (but not including any waste the regulation of which under RCRA (42 U.S.C 6901 et seq.) has been suspended by act of Congress), (D) any toxic pollutant listed under section 1317 (a) Title 33, (E) any hazardous air pollutant listed under section 112 of the Clean Air Act (42 U.S.C. 7412), and (F) any imminently hazardous chemical substance or mixture with respect to which the Administrator (of EPA) has taken action pursuant to section 2606 Title 15. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (A)-(F) of this paragraph, and the term does not include natural gas, natural gas liquids, liquid natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).”
- D. Historical Recognized Environmental Condition (HREC) - A past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).
- E. Controlled Recognized Environmental Condition (CREC) - 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 (for example, as evidenced 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 (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).
- F. Data Gap - A lack of or inability to obtain information required by this practice despite good faith efforts by the environmental professional to gather such information. Data gaps may result from the incompleteness in any of the activities required by this practice, including but not limited to site

reconnaissance or interviews.

## 2.6 User Reliance

This environmental assessment is being certified to Phoenix Park LLC, 119 Signature Drive, Melbourne Beach, Florida 32951 and LKRX Corporation, 119 Signature Drive, Melbourne Beach, Florida 32951

## 3.0 SITE DESCRIPTION

### 3.1 Location and Legal Description

The two subject parcels of this Phase I *Environmental Site Assessment* (ESA) are located in Melbourne Beach, Brevard County, Florida. They total approximately 18.85 acres. Appendix 16.2, Table 1 lists the two subject parcels with tax ID numbers, legal descriptions, acreages, and property owners.

The two subject parcels are located to the north of Landings Road, to the south of Ocean Ridge Drive, to the west of Highway A1A, the Versailles condominium, and the Atlantic Ocean, and to the east of the Indian River Lagoon in Melbourne Beach, Florida (Appendix 16.3, Photos 1-4). The latitude longitude at the center of the subject area is 28.036417, -80.546230.

### 3.2 Site and Vicinity General Description

The two parcels are located to the north of Landings Road, south of Ocean Ridge Drive, to the west of Highway A1A, the Versailles condominium, and the Atlantic Ocean, and to the east of the Indian River Lagoon in Melbourne Beach, Florida. The latitude longitude at the center of the subject area is 28.036417, -80.546230. The current land use is undeveloped and cleared. The site was an apartment community with dock prior to the 2004 hurricane events. The site is adjacent to residential areas to the north and south. There has been a large amount of disturbance from clearing activities. A homeless camp is located to the south with one tent.

Appendix 16.2 Table 2 lists a site description for each of the subject parcels. Both parcels are presently undeveloped. The parcel adjacent to the Indian River Lagoon has remnants of a dock. Table 2 also lists adjoining land use adjacent to the subject parcels.

### 3.3 Current Use of Property (Appendix 16.3, Photos 4-15)

The two subject parcels are currently undeveloped. Appendix 16.2, Table 2 has a site description for each of the two subject parcels. No structures exist except for the remnants of a dock in the Indian River Lagoon, a small pump house, a county lift station, a concrete wall that borders highway A1A, and a fence on the north and south property lines. Six (6) retention ponds are present onsite.

### 3.4 Description of Roads, Structures, and Other Improvements to Site (Appendix 16.3, Photos 4-16)

Appendix 16.2, Table 2 has a site description for each of the two subject parcels

along with a description of roads, structures and other improvements to the parcel. In summary, both parcels are undeveloped. There is a gravel road that runs along the south property line. No structures exist except for the remnants of a dock on the Indian River Lagoon, a small pump house, a county lift station, a concrete wall that borders Highway A1A, and a fence that borders the north and south property lines. Six (6) retention ponds are present onsite.

### 3.5 Current Uses of Adjoining Properties (Appendix 16.3, Photos 1-4)

Appendix 16.2, Table 2 lists the two subject parcels along with adjoining land uses on the north, south, east and west sides of the subject parcels. In summary, the land use to the north and south is residential. A homeless camp with tent is located to the south also. The Indian River Lagoon is located to the west. Highway A1A, the Versailles condominium, and the Atlantic Ocean are located to the east.

## 4.0 USER PROVIDED INFORMATION

Mr. Dan Winkler, representative of Phoenix Park, LLC, and LKRS Corporation provided the following information on July 28, 2017 (Appendix 16.6).

### 4.1 Title Records

No title records were supplied by the ESA users, Phoenix Park, LLC and LKRS Corporation.

### 4.2 Environmental Liens or Activity and Use Limitations (AULs)

Phoenix Park, LLC and LKRS Corporation are not aware of any Environmental Liens or Activity Use Limitation (AUL) land use restrictions. Environmental Data Resources (EDR) reviewed title and deed information and did not find any Environmental Liens or AULs for the subject parcels.

### 4.3 Specialized Knowledge

Phoenix Park, LLC and LKRS Corporation do not have any specialized knowledge of the subject parcels.

### 4.4 Commonly Known or Reasonably Ascertainable Information

The ESA users, Phoenix Park, LLC, and LKRS Corporation are not aware of any specific chemicals that have been stored onsite, any spills or chemical releases, or any spill clean ups.

### 4.5 Valuation Reduction for Environmental Issues

The ESA users, Phoenix Park, LLC and LKRS Corporation states that these subject parcels have a fair market value, as if the parcels were not contaminated.

### 4.6 Owner, Property Manager and Occupant Information

Appendix 16.2, Table 2 lists the owner of the subject parcels and the property managers. The subject parcels are not occupied.

### 4.7 Reason for Performing Phase I

The reason for performing this Phase I was to verify that there likely has been good

commercial and customary practice at this subject site with respect to the range of contaminants within the scope of Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and petroleum products. The ESA users, Phoenix Park, LLC, and LKRS Corporation would like to know if there is likely any contamination on the subject study parcels.

#### 4.8 Other

There is no other user provided information.

### 5.0 RECORDS REVIEW

#### 5.1 Standard Environmental Record Sources

Environmental Data Resources, Inc. (EDR) using a coded geographic information system searched and reported the findings of Federal and State database records required by ASTM standards. The EDR Executive Summary is submitted in Appendix 16.5. To review the complete July 2017 EDR Radius Map Report with Geo Check please contact BKI, Inc. Consulting Ecologists at #321-951-7964. The Map Findings Summary (pages 4-7) is a summary of sites found using search distances required by ASTM standards. An overview map with a one mile search radius from each of the subject parcels, and a Detail Map identify three (3) registered EDR sites. They are: 1. W. W. Thomson Company, 2. Seven Eleven Food Store, and 3. the City of Melbourne (Appendix 16.3, Photos 21-23).

#### 5.2 Additional Environmental Record Sources

The facilities meeting the Federal ASTM Standard, State ASTM Standard, Federal ASTM Supplemental, State or Local ASTM Supplemental, EDR Proprietary Historical Databases, or Brownfields Databases were reported by EDR within 1.0 mile of the two subject parcels.

The EDR facilities within the one mile search radius are identified as 1) W. W. Thomson Company, 2.) Seven Eleven Food Store, and 3) the City of Melbourne (Appendix 16.5, p 2). These are discussed below.

1. **WW Thomson Co.** is located at 320 Richards Road which is 0.1 mile south of the subject parcels. They are a conditionally exempt small quantity generator. EDR finds no violations. This facility is not likely to be a (REC) for the subject parcels.
2. **7-Eleven Food Store** is located at 2980 Highway A1A and is NNE of the subject site by approximately 0.2 miles. In 2004 there were two (2) discharges of unleaded gasoline. EDR reports that cleanup was complete on 10-5-2011. This facility is not likely a REC to the subject site as cleanup was complete, the groundwater generally flows to the west in this area, and the facility is approximately 0.2 miles away. A Brevard County Rehabilitation Completion Order is submitted in Appendix 16.5.
3. **The City of Melbourne South Beaches Booster Station** is located at 2800 Highway A1A which is approximately 0.4 miles north of the subject site. This is

a Tier II facility that is permitted to store ammonium hydroxide and sodium hypochlorite.

This facility has an NPDES permit to discharge effluent, reclaimed water, or wastewater residual to the environment. An oxidation ditch is onsite and also a deep well injection system. This site is also permitted as a Disaster Debris Management site. EDR does not report any violations. This facility is not likely a REC to the subject site as EDR reports no violations, the groundwater in this area generally flows to the west, and the facility is approximately 0.4 miles away.

The two subject study parcels for Phoenix Park are not listed in any data base by EDR.

### **Brownfields**

Brownfield Areas are for the purpose of environmental remediation, rehabilitation and economic development. EDR reports that the subject parcels are not located in a Brownfield area.

### **Landfills**

The following is a list of Brevard County disposal facilities:

*Central Disposal, 2250 Adamson Road, Cocoa Florida #321-633-1888*

*Mocking Bird Mulching, 3600 South Street, Titusville Florida # 321-264-5009*

*Sarno Transfer Station, 3379 Sarno Road, Florida #321-255-4365*

*Titusville Transfer Station, 3600 South Street, Titusville Florida #321-264-5048*

All of these disposal facilities are located outside of the one (1) mile study radius from each subject parcel.

### **Environmental Liens or Activity and Use Limitations (AULs)**

In July 2017, EDR reviewed available title and deed information and did not find any Environmental Lien or Activity Use Limitations (AULs) for the subject parcels. Further, the representative, attorney, and land manager for the The Hamptons Ltd., have stated that there are no Environmental Liens or AULs on the site.

### **Orphan Sites**

There are no orphan sites listed by EDR.

### **5.3 Physical Setting Sources**

BKI inspected the two subject parcels by 4-wheel drive truck and by foot on 20 July 2017 and reviewed the following resources related to the physical setting of the subject properties: (1) current and historical USGS topographical maps (Appendix 16.4), (2) EDR reported Physical Setting Source pages A-1 to A-42, (3) current and historical aerials (Appendix 16.4). EDR states that the general topographic gradient on the target site is SSW indicating that the groundwater flow direction is also SSW. EDR states that the elevation in the project area is approximately 8' above sea level. The US Department of Agriculture Soil Conservation Service indicates that the major

soil type in the study area is Palm Beach sand that has a high infiltration rate and drains excessively. Water well information is listed by EDR on pages A-6 through A-12 (Please contact BKI at #321-951-7964 to review detailed well information).

#### 5.4 Historical Use on Property

Review of USGS quadrangle maps and aerial photographs was performed to help determine the historical use on the two subject parcels.

Review of available historical USGS 7.5 minute quadrangles (Melbourne East) representing 1949, 1951, 1970, 1980, and 2012 was conducted. USGS quadrangle information from these years is submitted in this report (Appendix 16.4). Project boundaries depicted are approximate. Review of the quads indicates that both subject parcels are undeveloped in 1949, 1951, 1970, and 1980, except for one house in the northwest corner near the Indian River Lagoon. In 2012, the retention ponds are apparent.

EDR historical aerials from 1943, 1951, 1958, 1969, 1972, 1979, 1983, 1986, 1993, 1999, 2007, and 2010 were reviewed for each parcel and are submitted in this report (Appendix 16.4). Project boundaries depicted are approximate. Google Earth was reviewed for the years 1994, 1999, 2004, 2006, 2007, 2009, 2010, 2013, 2014 and 2017. Google Earth maps are not submitted. Review of the aerials indicated that from 1943 through 1979 the sites are undeveloped. From 1983 to 2007 an apartment complex with dock, tennis courts, pool, and six retention ponds are apparent. In 2007, the west half of the site still has buildings but the east side has been cleared of structures. In 2009, it appears that all of the apartments have been cleared away.

A certified Sanborn Fire Insurance Rate Map report was conducted by EDR. No Sanborn maps were found by EDR for the two subject parcels (Appendix 16.4).

The historical land use of the two subject parcels, as apparent from overview of available aerials and USGS quadrangles, does not indicate a REC to the subject parcels.

#### 5.5 Historical Use Information on Adjoining Property

Review of USGS quadrangle maps and aerial photographs was performed to help determine the historical uses on the adjoining properties.

Review of available historical USGS 7.5 minute quadrangles (Melbourne East) representing 1949, 1951, 1970, 1980, and 2012 was conducted. USGS quadrangle information from these years is submitted in this report (Appendix 16.4). Project boundaries depicted are approximate. From 1949 through 1970 there appears to be a dirt road running east/west near both the north and south property lines. In 1980, the land to the north is cleared. In 2012, neighborhoods are constructed to the north and south.

EDR historical aerials from 1943, 1951, 1958, 1969, 1972, 1979, 1983, 1986, 1993, 1999, 2007, and 2010 were reviewed for each parcel and are submitted in this report

(Appendix 16.4). Project boundaries depicted are approximate. Google Earth was reviewed for the years 1994, 1999, 2004, 2006, 2007, 2009, 2010, 2013, 2014 and 2017. Google Earth maps are not submitted. Review of the aeriels indicate that land was cleared to the north and south of the subject parcels in 1958 and 1969. In 1972, houses are apparent to the south. The condos on the lagoon are not apparent to the south until 1999. Ocean Ridge Drive to the north is not apparent until 1999. From 1999 through 2012, houses are apparent to the north and south.

The historical land use of the adjoining property, as apparent from overview of available aeriels and USGS quadrangles, does not indicate a REC to the subject parcels.

## 6.0 SITE RECONNAISSANCE

### 6.1 Methodology and Limiting Conditions

On 20 July 2017, BKI drove a 4 wheel drive truck throughout the site and walked the subject parcels in a grid like fashion wherever accessible. Visibility was limited at times due to dense vegetation cover and standing water in the retention ponds.

### 6.2 General Site Setting

The two subject parcels are located in Melbourne Beach, Florida on the barrier island. The Atlantic Ocean and the Versailles condominium are to the east of the site and the Indian River Lagoon is to the west. Residential areas exist to the north and south of the parcels (Appendix 16.3, Photos 1-4).

### 6.3 Exterior Observations- (Appendix 16.3-photos 5-19).

A site inspection by BKI on 22 July 2017 of the two subject parcels revealed that the subject parcels are undeveloped land (Appendix 16.3 – Photos 5 and 6) with grasses, cabbage palms, Brazilian pepper trees and six (6) retention areas with standing water. Remnants of a dock were noted in the Indian River Lagoon. A County lift station is present in the southeast area (Appendix 16.3- Photo 9) of the site. The subject parcels are surrounded by residential homes to the north and south. The Indian River Lagoon is to the west and Highway A1A, the Versailles condominium and the Atlantic Ocean are to the East. There is a small homeless camp with one tent to the south of the site (Appendix 16.3- photo 19).

There is no apparent industry in this area. There were no apparent industrial drums or storage tanks on the subject parcels or on the adjoining properties. There were no apparent soil stains. No chemical smells were noted. No industrial discharges were noted coming from or onto the site.

Several light blue PVC pipes were noted that appear to be markers. (Appendix 16.3- Photo 18 ).



#### 6.4 Interior Observations

There are no buildings on the two subject parcels. Remnants of a small, old, dilapidated pump house were noted and an inspection revealed PVC piping inside (Appendix 16.3-Photo 7).

### 7.0 INTERVIEWS (Appendix 16.6).

#### 7.1 Interview with Land Owner

The owner of the two subject parcels is The Hamptons Associates Ltd. The representative for this company is Mr. Ed Harley. His telephone number is 843-412-4078. Mr. Harley was interviewed by telephone on 31 July 2017 (Appendix 16.6).

The Hamptons Associates Ltd purchased the subject parcels in 1988. There were 178 apartment units constructed onsite. After hurricane damage, the apartments were demolished in 2007. The apartments were never supplied with well water as drinking water. They were always on City water. Since the demolition, the gate has always been locked to restrict access to the site.

Mr. Harley stated that the two subject parcels have never been used as a gasoline station, motor repair facility, commercial printer, dry cleaner, photo developer lab, landfill, waste treatment facility, processing facility, recycling facility, cattle dipping area, or turpentine stilling area. There are no apparent batteries, industrial drums, petroleum products or apparent contaminated fill dirt located on the properties. He believes that these items have never been on these sites. There are no industrial pits, ponds, or lagoons on these parcels. Mr. Harley stated that the adjoining properties have never been used for industry. There is no apparent stained soil on the subject parcels. There are no storage tanks onsite. There are no foul odors onsite. The subject properties do not discharge industrial wastewater. The adjoining properties do not discharge industrial waste. There are no apparent chemicals onsite.

Mr. Harley stated that there are no environmental liens or AULs on the two subject parcels. Furthermore, there have never been any environmental violations onsite or environmental lawsuits.

#### 7.2 Interview with Site Manager

The site manager for the two subject parcels is Mr. Robert Marconti. His phone numbers are 321-213-1909 C and 321-725-0616 H. Mr. Marconti was interviewed by telephone on 1 August 2017. Mr. Marconti has been the security guard onsite since before the 2004 hurricanes. When there were buildings onsite he used to check the area on foot. One time he caught some squatters inside. Since the demolition, Mr. Marconti drives the site for inspections. Mr. Marconti does not know what the light blue PVC pipes are for. They may be markings for future road or buildings.

Mr. Marconti stated that the two subject parcels have never been used as a gasoline station, motor repair facility, commercial printer, dry cleaner, photo developer lab, landfill, waste treatment facility, processing facility, recycling facility, cattle dipping area, or turpentine stilling area. There are no apparent batteries, industrial drums,

petroleum products or apparent contaminated fill dirt located on the properties. He believes that these items have never been on these sites. There are no industrial pits, ponds, or lagoons on these parcels. Mr. Marconti stated that the adjoining properties have never been used for industry. There is no apparent stained soil on the subject parcels. There are no storage tanks onsite. There are no foul odors onsite. The subject properties do not discharge industrial wastewater. The adjoining properties do not discharge industrial waste. There are no apparent chemicals onsite.

Mr. Marconti stated that there are no environmental liens or AULs on the two subject parcels. Further, there have never been any environmental violations onsite or environmental lawsuits.

### 7.3 Interview with Occupants

There are no occupants on the undeveloped two subject parcels.

### 7.4 Interview with Local Government Officials-

Ms. Barbara Hoch of Brevard County Utilities Department was interviewed regarding the two project parcels on 20 July 2017. Her telephone number is 321-863-6762. Ms. Hoch has been on the subject parcels approximately 100 times within the last ten years. For the past ten years there have not been any buildings onsite. She has never seen any barrels or chemicals onsite. She has never smelled a chemical smell onsite. She has never seen any stained soil. There is no industry in the area. Ms. Hoch stated that the lift station located in the southwest area of the subject parcels is fairly new. She was inspecting it on 20 July 2017.

Mr. Doug Carter, Assistant Fire Marshal at Brevard County Fire Rescue, was contacted on 25 July 2017 via email concerning any past haz mat fires on the subject parcels. An email response was received on 26 July 2017 by Carrie Cotter stating that the fire rescue database was researched from 2007 to present. Brevard County Fire Rescue did not respond to any environmental incidents at the subject property for this time period (Appendix 16.6).

### 7.5 Interview with Others

The attorney for The Hamptons Associates, Ltd. is Mr. Clifford Repperger, Jr., Esq. His telephone number is 321-727-8100. Mr. Repperger was interviewed by telephone on 27 July 2017 (Appendix 16.6).

Mr. Repperger stated that the two subject parcels have never been used as a gasoline station, motor repair facility, commercial printer, dry cleaner, photo developer lab, landfill, waste treatment facility, processing facility, recycling facility, cattle dipping area, or turpentine stilling area. There are no apparent batteries, industrial drums, petroleum products or apparent contaminated fill dirt located on the properties. He believes that these items have never been on the subject parcels. There are no industrial pits, ponds, or lagoons on the parcels. Mr. Repperger stated that the adjoining properties have never been used for industry. There is no apparent stained soil on the subject parcels. There are no storage tanks onsite. There are no foul odors onsite. The

subject parcels do not discharge industrial wastewater. The adjoining properties do not discharge industrial waste. There are no apparent chemicals onsite.

Mr. Repperger stated that there used to be apartments on the site until they were demolished after sustaining damage in the 2004 hurricanes.

Mr. Repperger stated that there are no environmental liens or AULs on the two subject parcels. Further, there have never been any environmental violations onsite or environmental lawsuits.

Interviews do not indicate an environmental concern for the two subject parcels.

## 8.0 FINDINGS

EDR listed three (3) facilities located within the one (1) mile search radius of the two subject parcels. It is likely that these EDR facilities do not pose a REC to the subject study parcels. Interviews and research indicated that the historical use of the subject parcels and the adjoining properties posed no RECs. In addition, the site inspections revealed no RECs.

Within the limitations and exceptions identified in Section 1.4, no RECs were found in connection with the two subject study parcels.

## 9.0 OPINION

It is BKI's opinion that these two subject parcels do not warrant further investigation.

## 10.0 CONCLUSIONS

BKI has performed a Phase I *Environmental Site Assessment* (ESA) in conformance with the scope and limitations of ASTM Practice E 1527-13. Any exceptions to, or deletions from, this practice are described in Sections 1.4 and 9.0 of this report.

This assessment has revealed no evidence of RECs.

## 11.0 DEVIATIONS

There were no deviations from the practice.

## 12.0 ADDITIONAL SERVICES

No additional services were contracted within the scope of this Phase I Environmental Site Assessment.

### 13.0 REFERENCES


ASTM E 1527-13 Standard Practice for Environmental Site Assessments, EDR Inc., Ms. Carrie Cotter of Brevard County Fire Rescue Department, Google Earth, USGS Topography Maps, Brevard County Property Appraiser details, Ms. Barbra Hoch of Brevard County Utilities, Mr. Clifford Repperger, Jr., Mr. Ed Harley, Mr. Robert Maronti, and Mr. Dan Winkler.

### 14.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

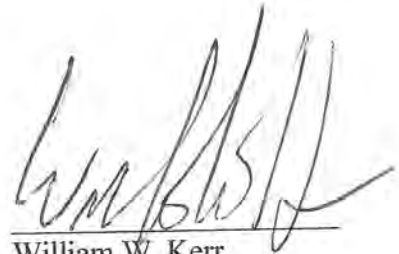
This Phase 1 Environmental Site Assessment is certified to Phoenix Park, LLC, 119 Signature Drive, Melbourne Beach, Florida 32951 and LKRS Corporation, 119 Signature Drive, Melbourne Beach, Florida 32951



Sheryl Alberga, LEP #18  
Project Manager/Ecologist



Chris Harnden, LEP #372  
Ecologist / Biologist



William W. Kerr  
President

### 15.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

Mr. Kerr has a BS in biology, has received training in ASTM Standards for Phase I ESAs, and has fifteen (15) years of experience performing ASTM Standard E 1527-13 Phase I ESAs.

Ms. Alberga has a BS in Environmental Science Technology and has received training from the Florida Environmental Assessors Association and is a Certified Florida Environmental Assessor, LEP #18.

Mr. Harnden has a MS in Biological Science and has received training from the Florida Environmental Assessors Association and is a Certified Florida Environmental Assessor, LEP #372.

We declare that, to the best of our professional knowledge and belief, we meet the definition of *Environmental Professional* as defined in 312.10 of 40 CFR and have specific qualifications based on education, training, and expertise to assess property of the nature, setting, and history of the subject property. We have developed and performed all the appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

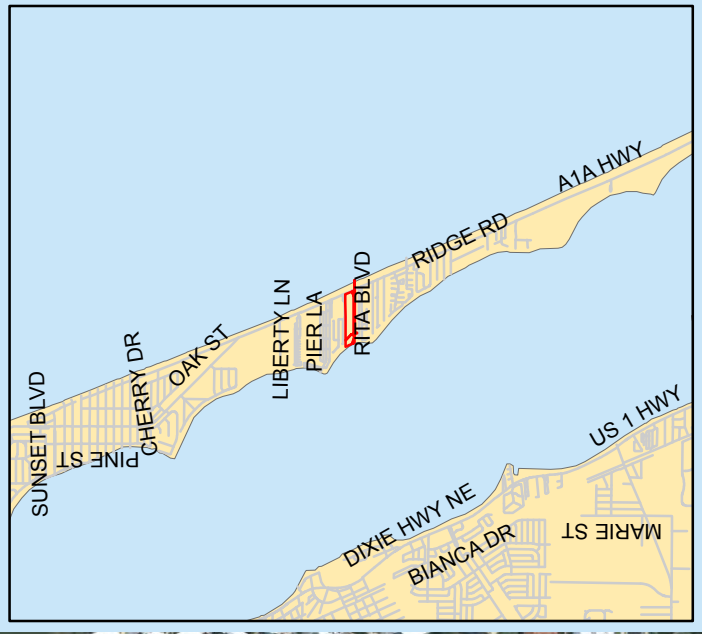
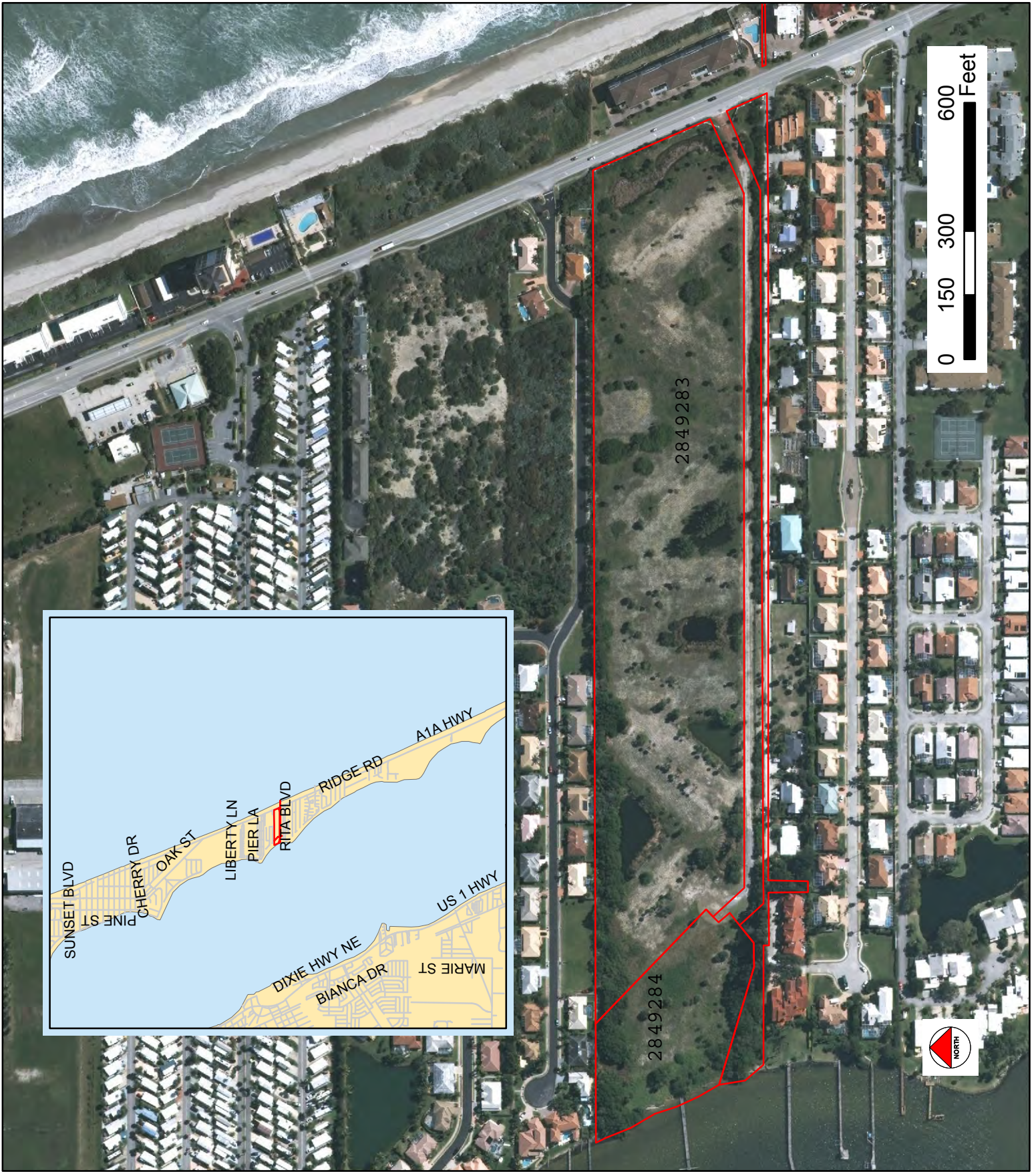
## 16.0 Appendices

- 16.1 Location and Site Vicinity Maps
- 16.2 Table 1 and Table 2 (legal descriptions, adjacent land use descriptions)
- 16.3 Site Photographs
- 16.4 Historical Research Documentation (topographical maps, historical aerial photos, Certified Sanborn Map report, EDR Environmental Lien and AUL Search))
- 16.5 Regulatory Records Documentation (Executive Summary of the EDR Radius Map Report with GeoCheck, Detail Maps, Map Finding Summary, 7-Eleven Site Rehabilitation Completion Order)
- 16.6 Interview Documentation

## **Appendix 16.1**

- **Figure 1- Phoenix Park Vicinity and Location Map**





BKI, Consulting Ecologists  
 401 Ocean Ave. Suite 204  
 Melbourne Beach, Florida 32951  
 321-951-7964

Subject: Location Map  
 Project: 17010 Phoenix Park  
 Date: 07/05/17  
 Note: Aerial is the 2015 high resolution image

Figure  
 1

## **Appendix 16.2**

- **Table 1. Tax ID, Legal Descriptions, Acreage, Owner and Property Manager**
- **Table 2. Tax ID, Parcel Descriptions with Adjoining Land Use**



**Table 1. Parcel #, Tax IDs, Legal Descriptions, Acreages, Parcel Owners, and Property Managers**

#	Tax ID	Legal Description	Ac.	Owner and Property Manager
1	2849283	N 400 Ft Of S 700 Ft Of Govt Lot 2 & That Part Of N 400 Ft Of S 700 Ft Of Govt Lot 1 In Sec 21 Lying W Of A1A Exc Orb 2417 Pgs 2436, 2438, 2440 Pars 10,14 & 261 In Sec 21	15.65	Owner- The Hamptons Associates, Ltd.  Mangers- Mr. Ed Harley Mr. Cliff Repperger Mr. Robert Marconti
2	2849284	Pt Of N 400 Ft Of S 700 Ft Of Lot 2 As Desc In Orb 2544 Pg 2487 Par 78	3.2	Owner- The Hamptons Associates, Ltd.  Mangers- Mr. Ed Harley Mr. Cliff Repperger Mr. Robert Marconti.

**Table 2. Parcel Description with Adjoining Land Use**

#	Parcel	Tax ID	Parcel Description (See photos in Appendix 16.3)	Adjoining Land Use
1	28-38-20-00-5	2849283	Cleared and undeveloped with 6 retention ponds onsite. A gravel road exists to the south. A concrete wall borders Highway A1A.	Single family homes exist to the north and south. The Versailles Condo and Atlantic Ocean are to the east. Parcel #2849284 is located to the west.
2	28-38-20-00-6	2849284	Cleared and undeveloped. The remnants of a dock are located on the Indian River Lagoon.	Single family homes exist to the north and south. The Indian River Lagoon is located to the west. Parcel # 2849283 is located to the east

# **Appendix 16.3**

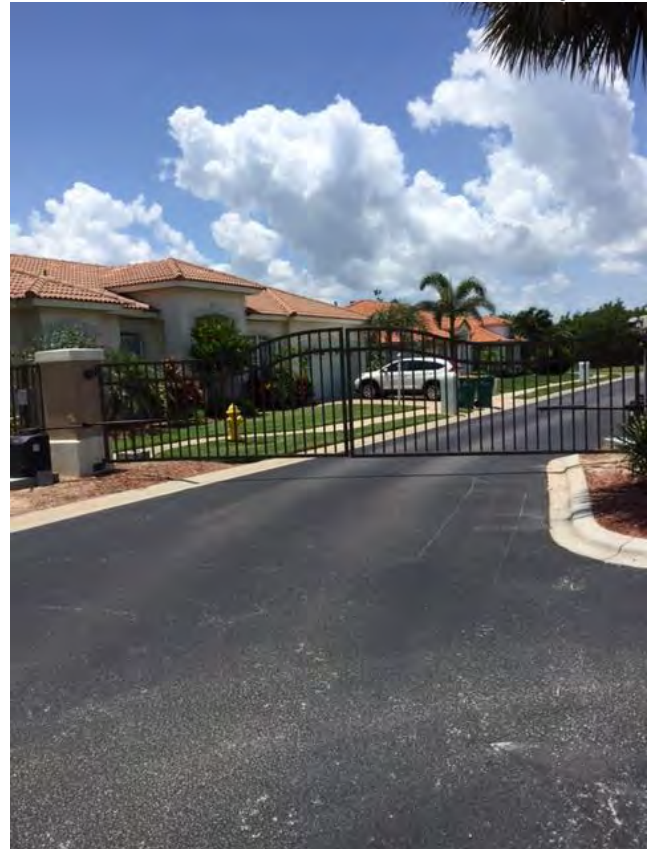
## **Site Photographs**

Phoenix Park Phase I. July 20, 2017  
Melbourne Beach, Florida  
Brevard County

**Photo 1. Landings Road with residential homes located to the south of the subject site.**



**Photo 2. Ocean Ridge Drive with residential homes located to the north of the subject site.**



Phoenix Park Phase I. July 20, 2017  
Melbourne Beach, Florida  
Brevard County

**Photo 3. Atlantic Ocean to the east of the subject site.**



**Photo 4. Indian River Lagoon to the west of the subject site.**





Phoenix Park Phase I. July 20, 2017  
Melbourne Beach, Florida  
Brevard County

**Photo 5. The subject property is cleared.  
Photo taken from the SE looking NW.**



**Photo 6. The subject property is cleared.  
Photo taken from the west looking east.**



Phoenix Park Phase I. July 20, 2017  
Melbourne Beach, Florida  
Brevard County

**Photo 7. Small pump house.**



**Photo 8. Wall bordering Highway A1A.**





Phoenix Park Phase I. July 20, 2017  
Melbourne Beach, Florida  
Brevard County

**Photo 9. County lift station in the SE area.**



**Photo 10. Retention pond #1 in the east.**



Phoenix Park Phase I. July 20, 2017  
Melbourne Beach, Florida  
Brevard County

**Photo 11. Retention pond #2**



**Photo 12. Retention pond #3**





Phoenix Park Phase I. July 20, 2017  
Melbourne Beach, Florida  
Brevard County

**Photo 13. Retention pond # 4**



**Photo 14. Retention pond #5**



Phoenix Park Phase I. July 20, 2017  
Melbourne Beach, Florida  
Brevard County

**Photo 15. Retention pond # 6.**



**Photo 16. Road in south that runs east/west.**





Phoenix Park Phase I. July 20, 2017  
Melbourne Beach, Florida  
Brevard County

**Photo 17. Entryway to the subject property**



**Photo 18. PVC pipes scattered throughout site. Possible markers.**



Phoenix Park Phase I. July 20, 2017  
Melbourne Beach, Florida  
Brevard County

**Photo 19. Chain link fence and homeless camp to the south**



**Photo 20. Free flowing water from leaking pipe**





Phoenix Park Phase I. July 20, 2017  
Melbourne Beach, Florida  
Brevard County

**Photo 21. 302 Richards Road, WW Thomson  
Company**



**Photo 22. 7 Eleven on A1A**



Phoenix Park Phase I. July 20, 2017  
Melbourne Beach, Florida  
Brevard County

**Photo 23. South Beaches WW Treatment Plant**



# **Appendix 16.4**

## **Historical Research Documentation**

- **Topographical Maps**
- **Aerial Photos**
- **Certified Sanborn Map Report**
- **EDR Environmental Lien and AUL Search**

Phoenix Park

A1A

Melbourne Beach, FL 32951

Inquiry Number: 4995416.4

July 17, 2017

# EDR Historical Topo Map Report

with QuadMatch™



6 Armstrong Road, 4th floor  
Shelton, CT 06484  
Toll Free: 800.352.0050  
[www.edrnet.com](http://www.edrnet.com)



# EDR Historical Topo Map Report

07/17/17

**Site Name:**

Phoenix Park  
A1A  
Melbourne Beach, FL 32951  
EDR Inquiry # 4995416.4

**Client Name:**

B.K.I., Inc.  
401 Ocean Avenue, Ste 204  
MELBOURNE BEACH, FL 32951  
Contact: Sheryl Alberga



EDR Topographic Map Library has been searched by EDR and maps covering the target property location as provided by B.K.I., Inc. 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. EDR's 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:**

<b>P.O.#</b>	NA	<b>Latitude:</b>	28.036417 28° 2' 11" North
<b>Project:</b>	Phoenix Park	<b>Longitude:</b>	-80.54623 -80° 32' 46" West
		<b>UTM Zone:</b>	Zone 17 North
		<b>UTM X Meters:</b>	544601.07
		<b>UTM Y Meters:</b>	3101319.50
		<b>Elevation:</b>	8.00' above sea level

**Maps Provided:**

2012  
1980  
1970  
1951  
1949

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## **Topo Sheet Key**

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

### **2012 Source Sheets**



Melbourne East  
2012  
7.5-minute, 24000

### **1980 Source Sheets**



Melbourne East  
1980  
7.5-minute, 24000  
Aerial Photo Revised 1977

### **1970 Source Sheets**



Melbourne East  
1970  
7.5-minute, 24000  
Aerial Photo Revised 1970

### **1951 Source Sheets**



Melbourne East  
1951  
7.5-minute, 24000

## ***Topo Sheet Key***

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

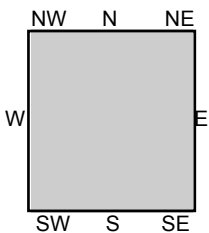
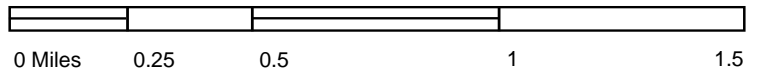
### **1949 Source Sheets**



Melbourne East  
1949  
7.5-minute, 24000



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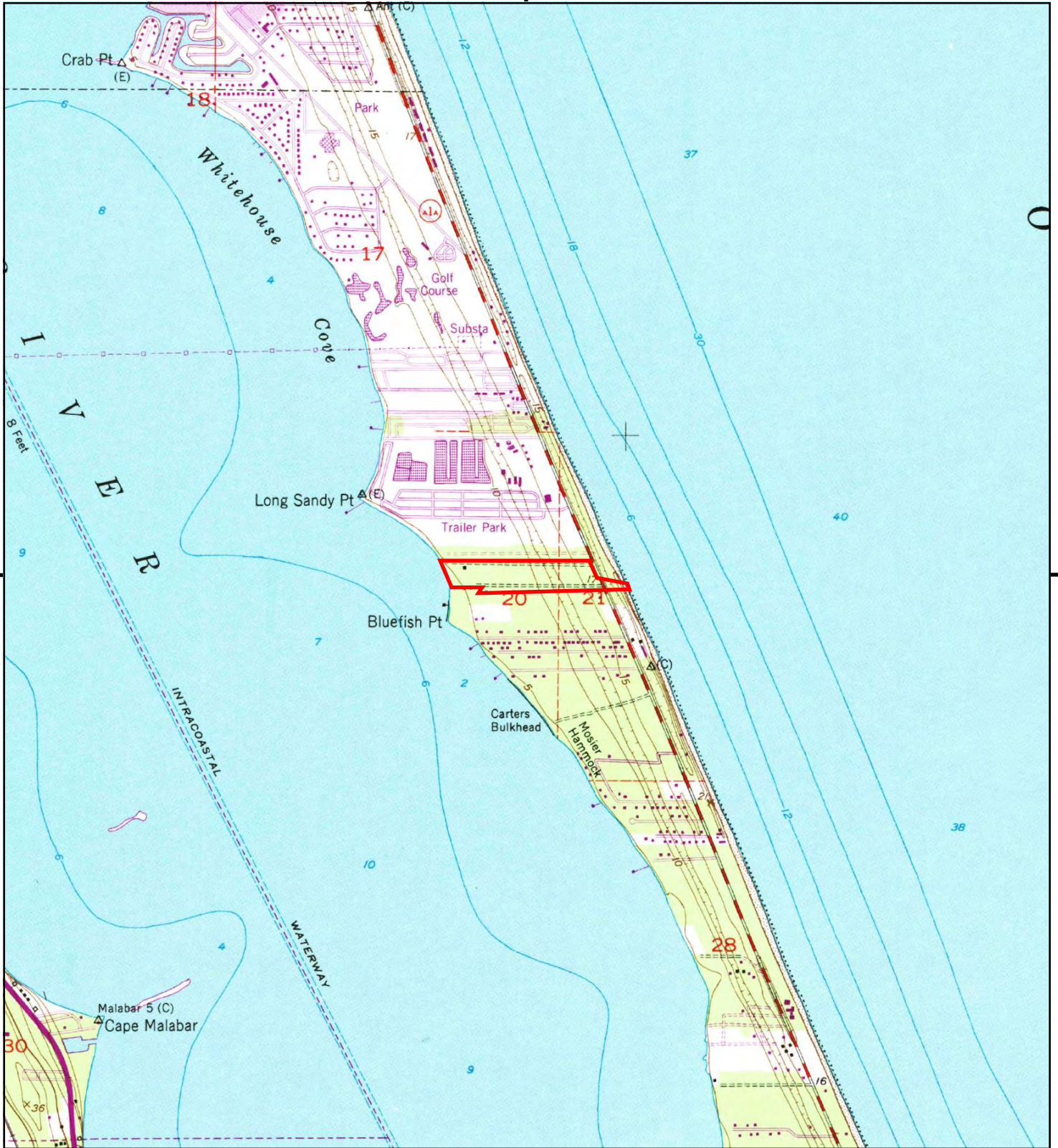


TP, Melbourne East, 2012, 7.5-minute

SITE NAME: Phoenix Park  
 ADDRESS: A1A  
 Melbourne Beach, FL 32951  
 CLIENT: B.K.I., Inc.







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

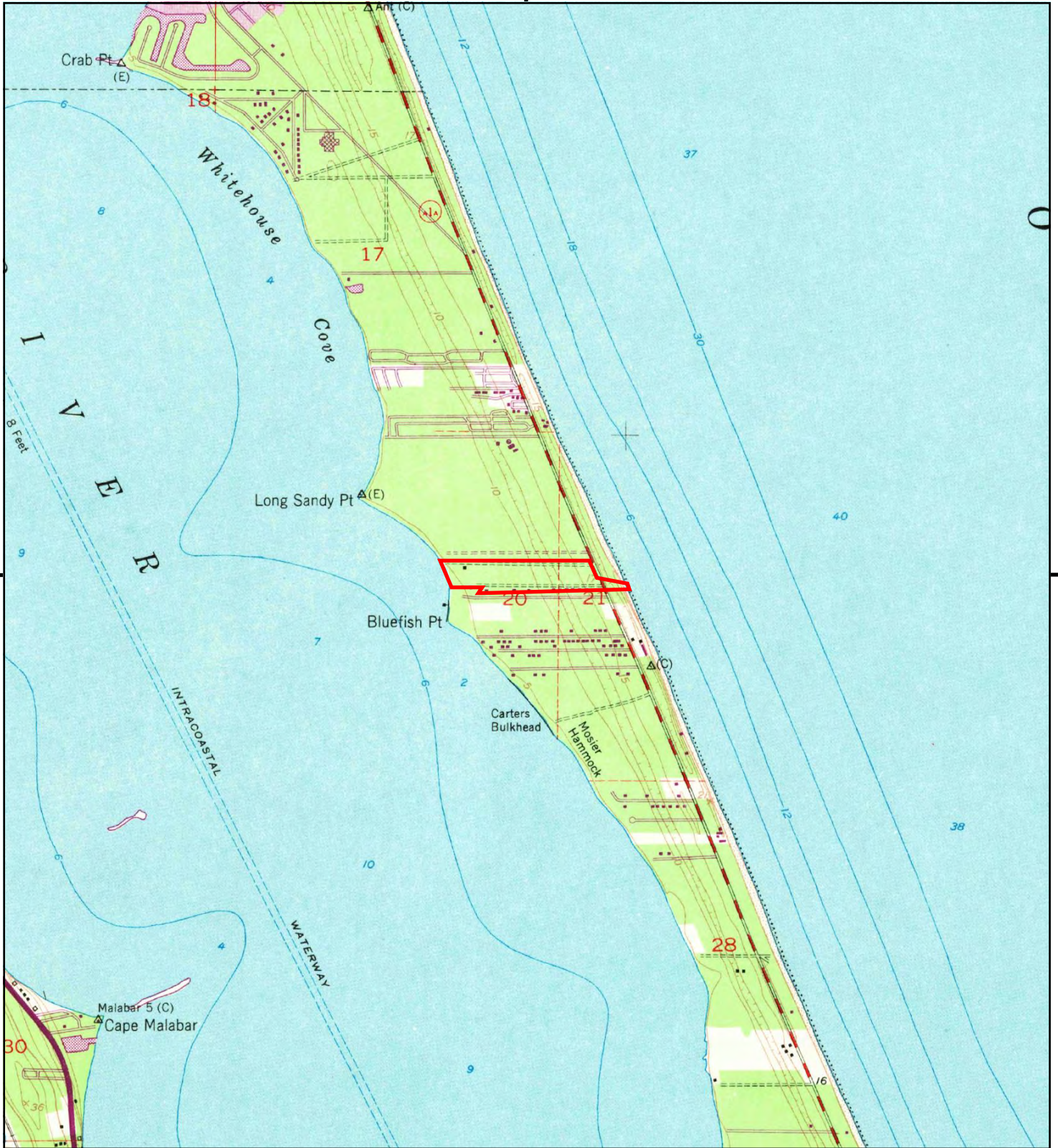


TP, Melbourne East, 1980, 7.5-minute

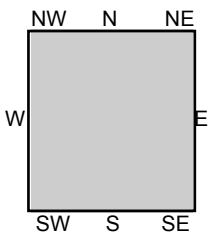
SITE NAME: Phoenix Park  
 ADDRESS: A1A  
 Melbourne Beach, FL 32951  
 CLIENT: B.K.I., Inc.







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

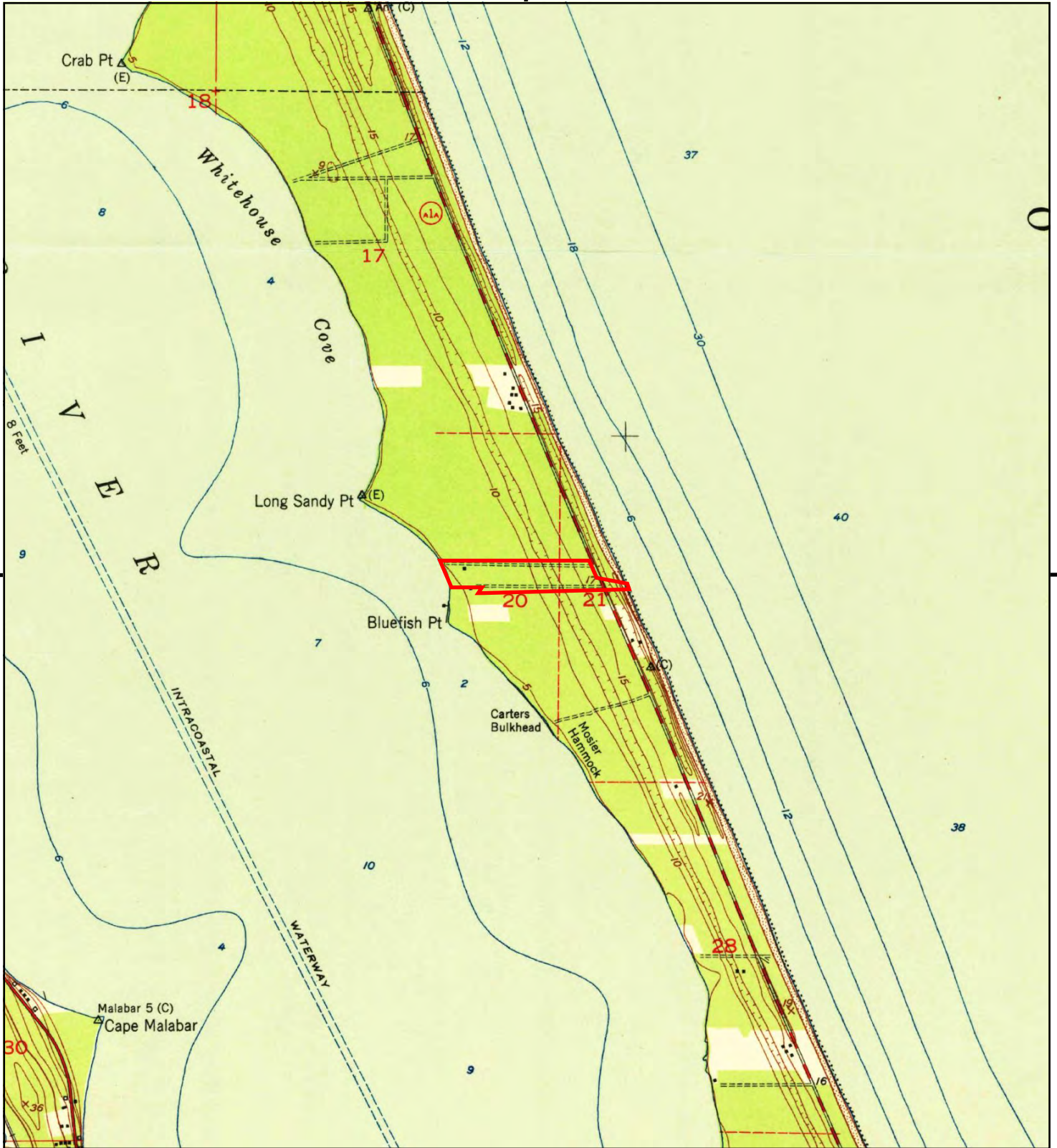


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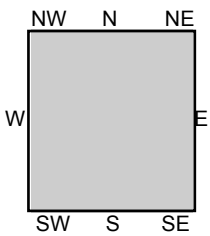
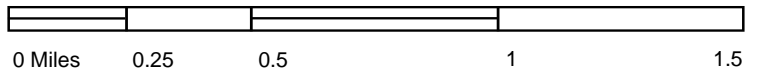
SITE NAME: Phoenix Park  
 ADDRESS: A1A  
 Melbourne Beach, FL 32951  
 CLIENT: B.K.I., Inc.







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

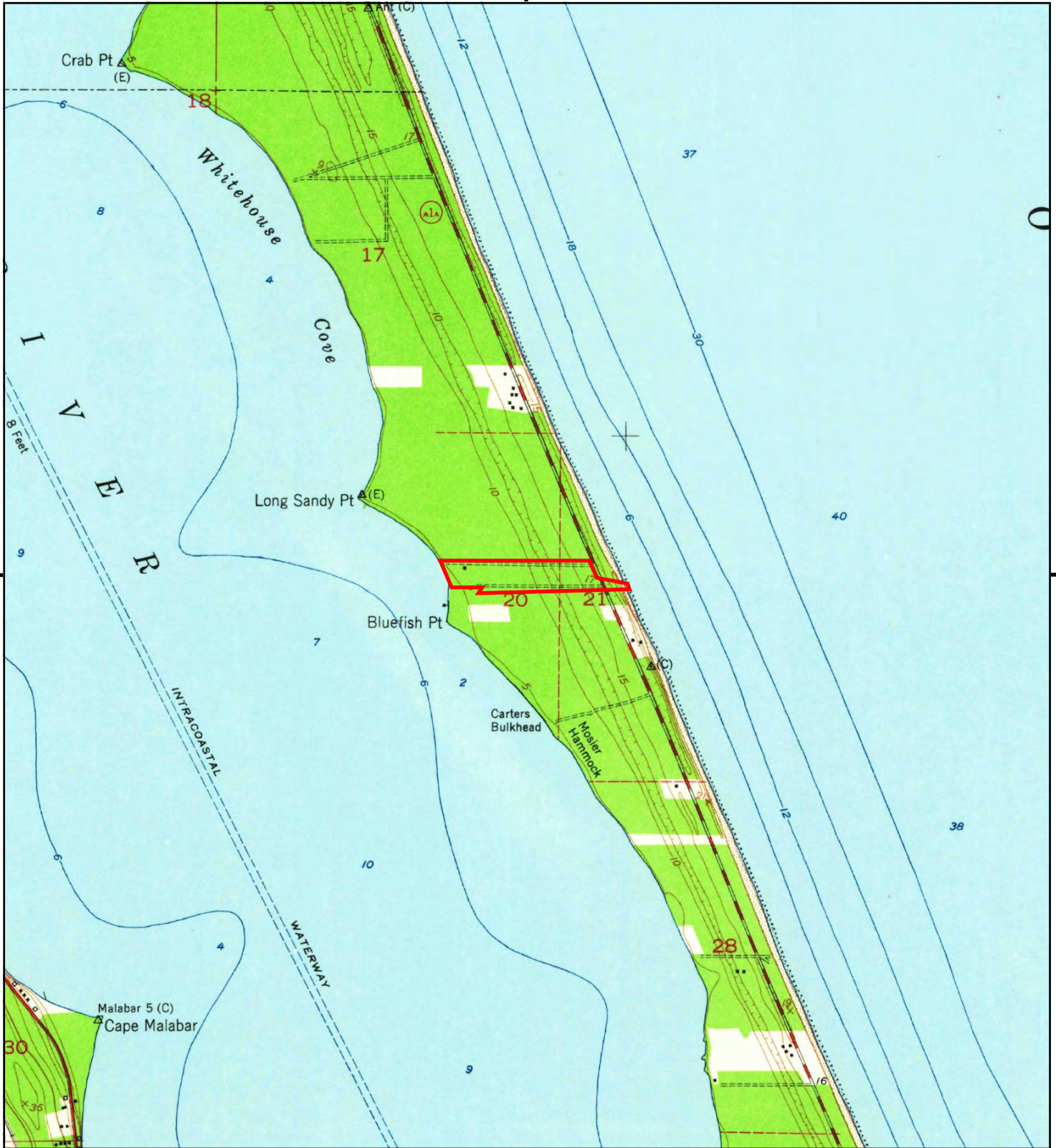


TP, Melbourne East, 1951, 7.5-minute

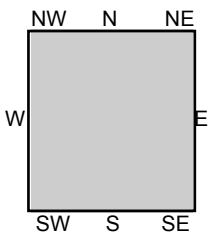
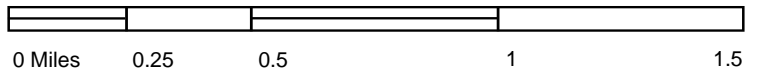
SITE NAME: Phoenix Park  
 ADDRESS: A1A  
 Melbourne Beach, FL 32951  
 CLIENT: B.K.I., Inc.







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



TP, Melbourne East, 1949, 7.5-minute

SITE NAME: Phoenix Park  
 ADDRESS: A1A  
 Melbourne Beach, FL 32951  
 CLIENT: B.K.I., Inc.





Phoenix Park

A1A

Melbourne Beach, FL 32951

Inquiry Number: 4995416.12

July 18, 2017

## The EDR Aerial Photo Decade Package



6 Armstrong Road, 4th floor  
Shelton, CT 06484  
Toll Free: 800.352.0050  
[www.edrnet.com](http://www.edrnet.com)

# EDR Aerial Photo Decade Package

07/18/17

**Site Name:**

Phoenix Park  
A1A  
Melbourne Beach, FL 32951  
EDR Inquiry # 4995416.12

**Client Name:**

B.K.I.,Inc.  
401 Ocean Avenue, Ste 204  
MELBOURNE BEACH, FL 32951  
Contact: Sheryl Alberga



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**Search Results:**

<u>Year</u>	<u>Scale</u>	<u>Details</u>	<u>Source</u>
2010	1"=500'	Flight Year: 2010	USDA/NAIP
2007	1"=500'	Flight Year: 2007	USDA/NAIP
1999	1"=500'	Acquisition Date: February 22, 1999	USGS/DOQQ
1993	1"=500'	Flight Date: March 10, 1993	FDOT
1986	1"=500'	Flight Date: April 18, 1986	FDOT
1983	1"=500'	Flight Date: November 16, 1983	FDOT
1979	1"=500'	Flight Date: November 27, 1979	U of FL
1972	1"=500'	Flight Date: March 04, 1972	FLDOT
1969	1"=500'	Flight Date: December 26, 1969	U of FL
1958	1"=500'	Flight Date: April 24, 1958	U of FL
1951	1"=500'	Flight Date: March 26, 1951	U of FL
1943	1"=500'	Flight Date: February 14, 1943	U of FL

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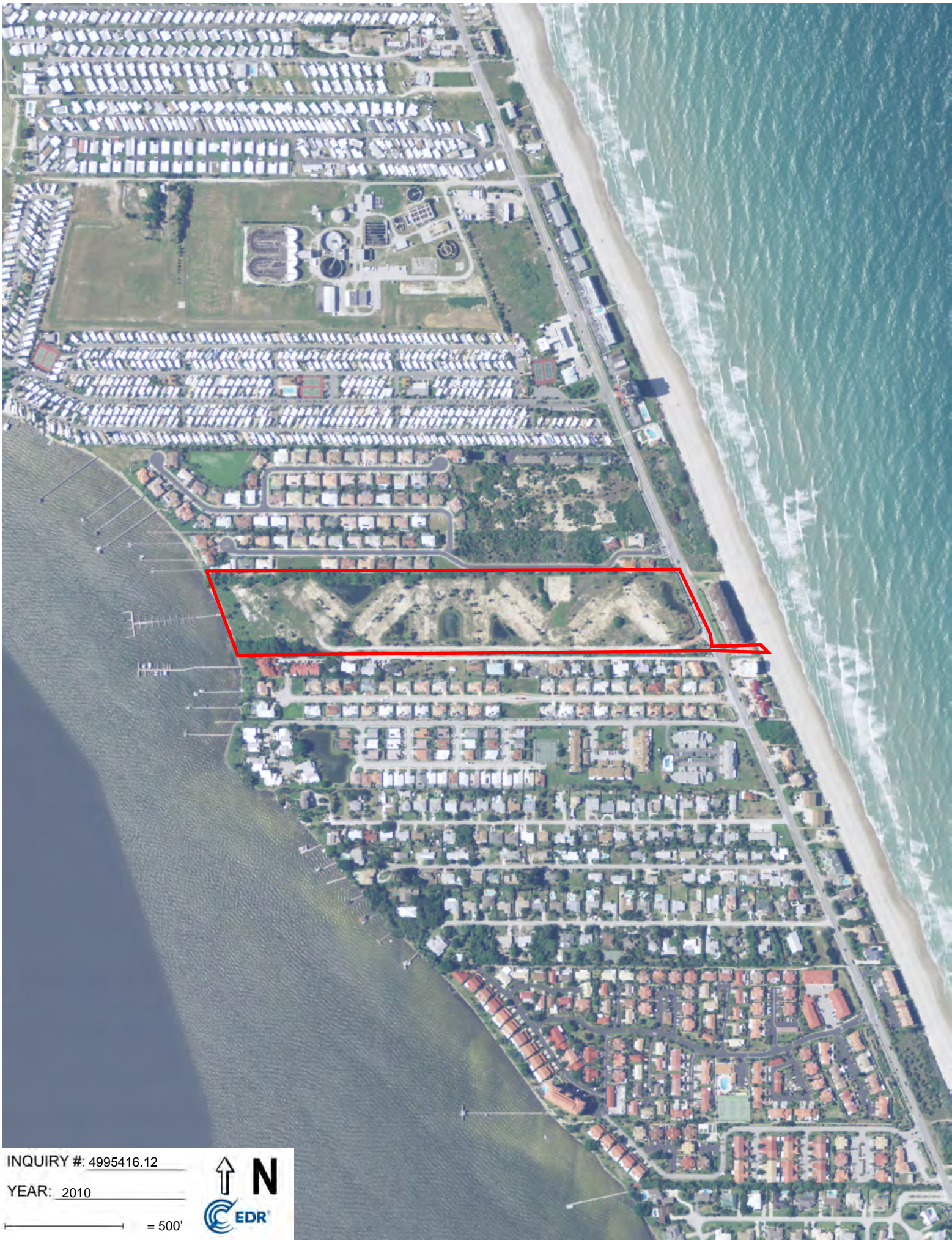
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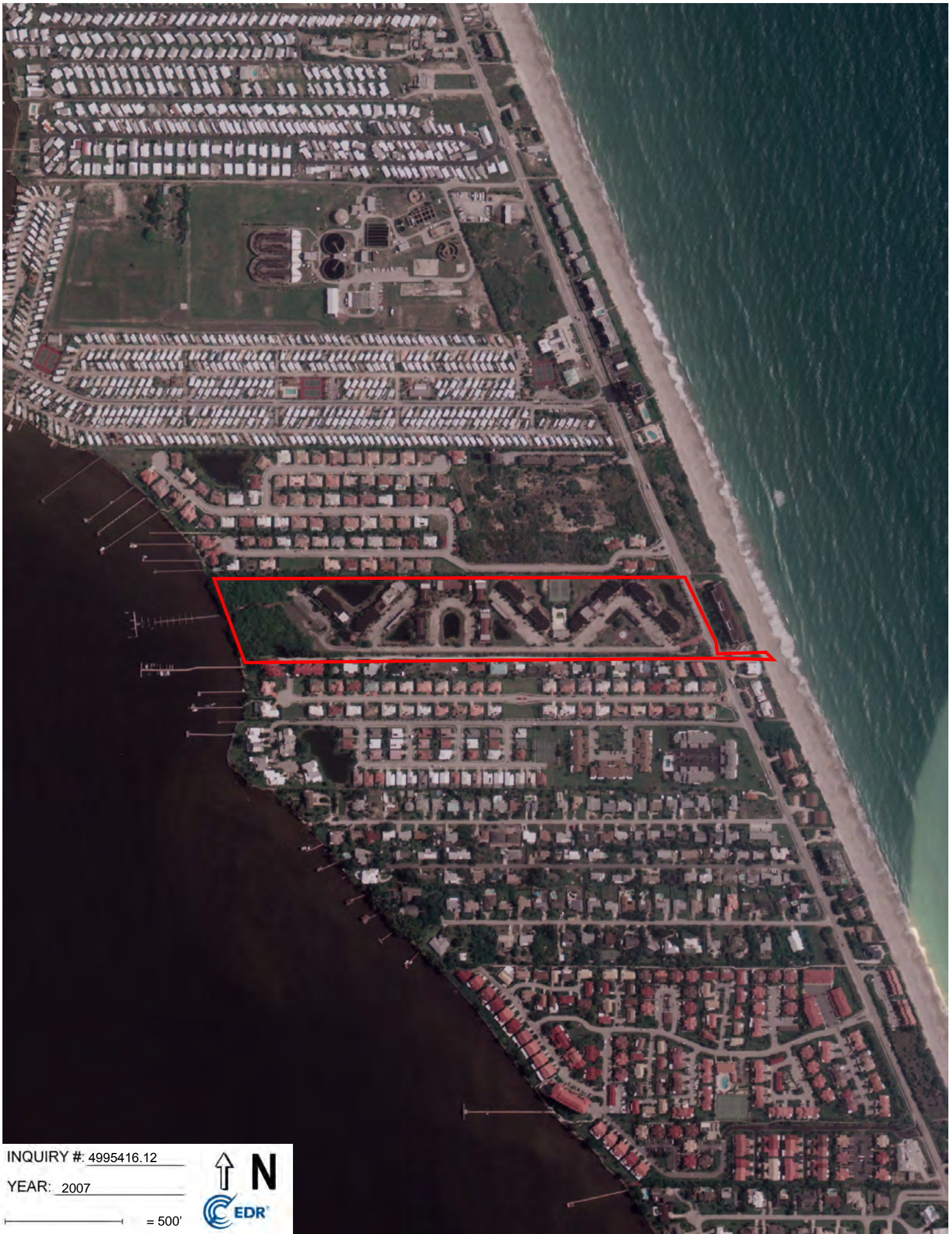
INQUIRY # 4995416.12

YEAR: 2010

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INQUIRY #: 4995416.12

YEAR: 2007

— = 500'







INQUIRY #: 4995416.12

YEAR: 1999

— = 500'







INQUIRY # 4995416.12

YEAR: 1993

— = 500'







INQUIRY #: 4995416.12

YEAR: 1986

↑ N

EDR

— = 500'

An aerial photograph of a coastal residential development. The image shows a dense grid of buildings, likely a housing estate, situated along a coastline. A red rectangle highlights a specific building complex in the lower-middle section of the image. The complex consists of several interconnected buildings with a central courtyard or open space. The surrounding area includes other residential blocks, a large open area with some structures, and a beach area with waves breaking on the shore. The water is visible on the right side of the image.





INQUIRY #: 4995416.12

YEAR: 1983

— = 500'







INQUIRY #: 4995416.12

YEAR: 1979

— = 500'





INQUIRY #: 4995416.12

YEAR: 1972

— = 500'







INQUIRY #: 4995416.12

YEAR: 1969

— = 500'





INQUIRY #: 4995416.12

YEAR: 1958

— = 500'







INQUIRY #: 4995416.12

YEAR: 1951

— = 500'







INQUIRY #: 4995416.12

YEAR: 1943

— = 500'



Phoenix Park

A1A

Melbourne Beach, FL 32951

Inquiry Number: 4995416.3

July 17, 2017

## Certified Sanborn® Map Report



6 Armstrong Road, 4th floor  
Shelton, CT 06484  
Toll Free: 800.352.0050  
[www.edrnet.com](http://www.edrnet.com)

# Certified Sanborn® Map Report

07/17/17

**Site Name:**

Phoenix Park  
A1A  
Melbourne Beach, FL 32951  
EDR Inquiry # 4995416.3

**Client Name:**

B.K.I.,Inc.  
401 Ocean Avenue, Ste 204  
MELBOURNE BEACH, FL 32951  
Contact: Sheryl Alberga



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### Certified Sanborn Results:

**Certification #** 7DF8-4C4E-A436

**PO #** NA

**Project** Phoenix Park

#### 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 #: 7DF8-4C4E-A436

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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**Phoenix Park**

A1A

Melbourne Beach, FL 32951

Inquiry Number: 4995416.7

July 19, 2017

# EDR Environmental Lien and AUL Search

## EDR Environmental Lien and AUL Search

The EDR Environmental Lien and AUL Search Report provides results from a search of available current land title records for environmental cleanup liens and other activity and use limitations, such as engineering controls and institutional controls.

A network of professional, trained researchers, following established procedures, uses client supplied address information to:

- search for parcel information and/or legal description;
- search for ownership information;
- research official land title documents recorded at jurisdictional agencies such as recorders' offices, registries of deeds, county clerks' offices, etc.;
- access a copy of the deed;
- search for environmental encumbering instrument(s) associated with the deed;
- provide a copy of any environmental encumbrance(s) based upon a review of key words in the instrument(s) (title, parties involved, and description); and
- provide a copy of the deed or cite documents reviewed.

***Thank you for your business.***

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with any questions or comments.

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## EDR Environmental Lien and AUL Search

### TARGET PROPERTY INFORMATION

#### ADDRESS

A1A  
Phoenix Park  
Melbourne Beach, FL 32951

#### RESEARCH SOURCE

**Source 1:**  
Brevard County Recorder  
Brevard, FL

#### PROPERTY INFORMATION

##### **Deed 1:**

Type of Deed: Corrective Special Warranty Deed  
Title is vested in: The Hamptons Associates Ltd  
Title received from: Versailles-River, Inc  
Deed Dated: 4/5/1993  
Deed Recorded: 5/10/1993  
Book: 3288  
Page: 3251  
Volume: NA  
Instrument: NA  
Docket: NA  
Land Record Comments: see exhibit  
Miscellaneous Comments: NA

**Legal Description:** see exhibit

**Legal Current Owner:** The Hamptons Associates Ltd

**Parcel # / Property Identifier:** 28-38-20-00-5, 28-38-20-00-6

**Comments:** see exhibit

#### ENVIRONMENTAL LIEN

Environmental Lien: Found  Not Found

#### OTHER ACTIVITY AND USE LIMITATIONS (AULs)

AULs: Found  Not Found

## **Deed Exhibit 1**

**CORRECTIVE SPECIAL WARRANTY DEED**

THIS INDENTURE, made and executed the 15th day of April, 1993, by VERSAILLES-RIVER, INC., a Maryland corporation, whose address is 25 South Charles Street, Baltimore, Maryland 21201, hereinafter referred to as "Grantor," to THE HAMPTONS ASSOCIATES, LTD., a Florida limited Partnership, whose address is c/o Harley Property Investors, 1625 Mt. Pleasant Road, Villanova, Pennsylvania 19085, hereinafter called the "Grantee".

**WITNESSETH:**

THAT the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Brevard County, Florida, to-wit:

See Exhibit "A" attached hereto and incorporated herein by this reference.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that Grantor will warrant and defend the property hereby conveyed against the lawful claims and demands of all persons claiming by, through, or under Grantor, but against none other and that as of March 2, 1988 the premises were free from all encumbrances except as set forth on Exhibit "B-3" as attached to that certain Special Warranty Deed dated February 29, 1988 from VERSAILLES-RIVER, INC., a Maryland corporation, to THE HAMPTONS ASSOCIATES, LTD., a Florida Limited Partnership, and recorded March 2, 1988 in Official Records Book 2885, Page 2299, Public Records of Brevard County, Florida.

This Corrective Special Warranty Deed is being recorded for the purpose of correcting an error in the legal description of one of the parcels conveyed to Grantee by that certain Special Warranty Deed recorded in Official Records Book 2885, Page 2299, Public Records of Brevard County, Florida.

Prepared by/return to:  
IGAL KNOBLER, P. A.  
BROAD AND CASSEL  
390 N. Orange Avenue, Suite 1100  
Orlando, Florida 32801

*Sandy Crawford* Clerk Circuit Court  
Recorded and Verified Brevard County, FL  
# Pgs. 3 # Names 2  
Trust Fund 200 Rec Fee 13.00  
Stamp-Deed .70 Excise Tx \_\_\_\_\_  
Stamp-Mtg \_\_\_\_\_ Int Tx \_\_\_\_\_  
Service Chg \_\_\_\_\_ Refund \_\_\_\_\_

RE\13146\0002\INKSMF03.111  
930506

BK 3288 PG 3251

378014

93MAY 10 PM 1:26



IN WITNESS WHEREOF, the said Grantor has signed and sealed the presents the day and year first above written.

Signed, sealed and delivered in the presence of:

GRANTOR:

VERSAILLES-RIVER, INC., a Maryland corporation

Judith C. Hillier  
Print Name: JUDITH C. HILLIER

Geraldine B. Langan  
Print Name: Geraldine B. Langan

By: Joseph Meyerhoff, II  
Joseph Meyerhoff, II  
Its: President

(Corporate Seal)

STATE OF Maryland

COUNTY OF Baltimore

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, JOSEPH MEYERHOFF, II, as President of VERSAILLES-RIVER, INC., a Maryland corporation, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did (did not) take an oath and who executed the foregoing instrument and he acknowledged before me that he executed the same for the purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid, this 15<sup>th</sup> day of ~~March~~, 1993.  
April

Elizabeth A. Mullaney  
Print Name: ELIZABETH A. MULLANEY  
Notary Public  
State of Maryland at Large  
My Commission Expires 2-1-94  
Commission #:

(Seal)



**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**PARCEL III:**

A parcel of land lying in a portion of Government Lot 2, Section 20, Township 28 South, Range 38 East, Brevard County, Florida, being more particularly described as follows: Commence at the intersection of the North line of the North 400 feet of the South 700 feet of Government Lot 1, Section 21, Township 28 South, Range 38 East, Brevard County, Florida with the West right-of-way of State Road A1A (64 foot R/W) as defined by Florida D.O.T. Maintenance Map recorded in Survey Book 2, Pages 67-74, Brevard County Public Records; thence South 89 degrees 48' 25" West along the North line of the North 400 feet of the South 700 feet of said Government Lot 1 and along the North line of the North 400 feet of the South 700 feet of said Government Lot 2, a combined distance of 1983.74 feet to the Point of Beginning of the herein described parcel; thence South 45 degrees 11' 35" East, a distance of 393.99 feet; thence South 44 degrees 48' 25" West, a distance of 42.00 feet; thence South 45 degrees 11' 35" East, a distance of 31.00 feet; thence South 44 degrees 48' 25" West, a distance of 89.32 feet; thence South 89 degrees 48' 25" West, a distance of 58.63 feet; thence North 74 degrees 04' 40" West, a distance of 343 feet, more or less, to the waters of the Indian River; thence Northwesterly meandering the waters edge of the Indian River a distance of 317 feet, more or less, to the intersection with the North line of the North 400 feet of the South 700 feet of said Government Lot 2; thence North 89 degrees 48' 25" East, along the North line of the North 400 feet of the South 700 feet of said Government Lot 2, a distance of 288 feet, more or less, to the Point of Beginning.



# **Appendix 16.5**

## **Regulatory Records Documentation**

- **Executive Summary of EDR Radis Map Report with GeoCheck\***
- **Detail Maps**
- **Map Findings Summary**
- **7-Eleven Site Rehabilitation Completion Order**

\*To review the complete EDR Radius Map Report with Geo Check please contact BKI, Inc. Consulting Ecologists at 321-951-7964

**Phoenix Park**

A1A

Melbourne Beach, FL 32951

Inquiry Number: 04995416.2r

July 17, 2017

**The EDR Radius Map™ Report with GeoCheck®**



6 Armstrong Road, 4th floor  
Shelton, CT 06484  
Toll Free: 800.352.0050  
[www.edrnet.com](http://www.edrnet.com)

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

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## 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) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

### TARGET PROPERTY INFORMATION

#### ADDRESS

A1A  
MELBOURNE BEACH, FL 32951

#### COORDINATES

Latitude (North): 28.0364170 - 28° 2' 11.10"  
Longitude (West): 80.5462300 - 80° 32' 46.42"  
Universal Transverse Mercator: Zone 17  
UTM X (Meters): 544601.9  
UTM Y (Meters): 3101147.8  
Elevation: 8 ft. above sea level

### USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map: 5656477 MELBOURNE EAST, FL  
Version Date: 2012

### AERIAL PHOTOGRAPHY IN THIS REPORT

Portions of Photo from: 20150821, 20151017  
Source: USDA



MAPPED SITES SUMMARY

Target Property Address:

A1A  
MELBOURNE BEACH, FL 32951

Click on Map ID to see full detail.

MAP ID	SITE NAME	ADDRESS	DATABASE ACRONYMS	RELATIVE ELEVATION	DIST (ft. & mi.) DIRECTION
<a href="#">1</a>	W W THOMSON CO	320 RICHARDS RD	RCRA-CESQG	Lower	654, 0.124, South
<a href="#">2</a>	7-ELEVEN FOOD STORE	2980 US HWY A1A	LUST, UST, Financial Assurance	Higher	1091, 0.207, NNE
<a href="#">3</a>	CITY OF MELBOURNE -	2800 SOUTH HWY A1A	SWF/LF, TIER 2, NPDES	Higher	2002, 0.379, 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

### ***Federal NPL site list***

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

### ***Federal Delisted NPL site list***

Delisted NPL..... National Priority List Deletions

### ***Federal CERCLIS list***

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

### ***Federal CERCLIS NFRAP site list***

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

### ***Federal RCRA CORRACTS facilities list***

CORRACTS..... Corrective Action Report

### ***Federal RCRA non-CORRACTS TSD facilities list***

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

### ***Federal RCRA generators list***

RCRA-LQG..... RCRA - Large Quantity Generators  
RCRA-SQG..... RCRA - Small Quantity Generators

### ***Federal institutional controls / engineering controls registries***

LUCIS..... Land Use Control Information System  
US ENG CONTROLS..... Engineering Controls Sites List  
US INST CONTROL..... Sites with Institutional Controls

# EXECUTIVE SUMMARY

## ***Federal ERNS list***

ERNS..... Emergency Response Notification System

## ***State- and tribal - equivalent CERCLIS***

SHWS..... Florida's State-Funded Action Sites

## ***State and tribal leaking storage tank lists***

LAST..... Leaking Aboveground Storage Tank Listing

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

## ***State and tribal registered storage tank lists***

FEMA UST..... Underground Storage Tank Listing

FF TANKS..... Federal Facilities Listing

AST..... Storage Tank Facility Information

INDIAN UST..... Underground Storage Tanks on Indian Land

TANKS..... Storage Tank Facility List

## ***State and tribal institutional control / engineering control registries***

ENG CONTROLS..... Institutional Controls Registry

INST CONTROL..... Institutional Controls Registry

## ***State and tribal voluntary cleanup sites***

VCP..... Voluntary Cleanup Sites

INDIAN VCP..... Voluntary Cleanup Priority Listing

## ***State and tribal Brownfields sites***

BROWNFIELDS..... Brownfields Sites Database

## **ADDITIONAL ENVIRONMENTAL RECORDS**

### ***Local Brownfield lists***

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

### ***Local Lists of Landfill / Solid Waste Disposal Sites***

SWRCY..... Recycling Centers

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

ODI..... Open Dump Inventory

DEBRIS REGION 9..... Torres Martinez Reservation Illegal Dump Site Locations

IHS OPEN DUMPS..... Open Dumps on Indian Land

### ***Local Lists of Hazardous waste / Contaminated Sites***

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

PRIORITYCLEANERS..... Priority Ranking List

## EXECUTIVE SUMMARY

FI Sites..... Sites List  
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..... Oil and Hazardous Materials Incidents  
SPILLS 90..... SPILLS 90 data from FirstSearch  
SPILLS 80..... SPILLS 80 data from FirstSearch

### **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  
US MINES..... Mines Master Index File  
ABANDONED MINES..... Abandoned Mines  
FINDS..... Facility Index System/Facility Registry System  
UXO..... Unexploded Ordnance Sites  
DOCKET HWC..... Hazardous Waste Compliance Docket Listing  
ECHO..... Enforcement & Compliance History Information  
FUELS PROGRAM..... EPA Fuels Program Registered Listing  
AIRS..... Permitted Facilities Listing

## EXECUTIVE SUMMARY

CLEANUP SITES.....	DEP Cleanup Sites - Contamination Locator Map Listing
DEDB.....	Ethylene Dibromide Database Results
DRYCLEANERS.....	Drycleaning Facilities
DWM CONTAM.....	DWM CONTAMINATED SITES
Financial Assurance.....	Financial Assurance Information Listing
FL Cattle Dip. Vats.....	Cattle Dipping Vats
RESP PARTY.....	Responsible Party Sites Listing
SITE INV SITES.....	Site Investigation Section Sites Listing
TIER 2.....	Tier 2 Facility Listing
UIC.....	Underground Injection Wells Database Listing
NPDES.....	Wastewater Facility Regulation Database

### EDR HIGH RISK HISTORICAL RECORDS

#### ***EDR Exclusive Records***

EDR MGP.....	EDR Proprietary Manufactured Gas Plants
EDR Hist Auto.....	EDR Exclusive Historic Gas Stations
EDR Hist Cleaner.....	EDR Exclusive Historic Dry 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
RGA LUST.....	Recovered Government Archive Leaking Underground Storage Tank

### 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.

### STANDARD ENVIRONMENTAL RECORDS

#### ***Federal RCRA generators list***

RCRA-CESQG: RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

A review of the RCRA-CESQG list, as provided by EDR, and dated 12/12/2016 has revealed that there is



## EXECUTIVE SUMMARY

1 RCRA-CESQG site within approximately 0.25 miles of the target property.

<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
W W THOMSON CO	320 RICHARDS RD	S 0 - 1/8 (0.124 mi.)	1	8

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

SWF/LF: The Solid Waste Facilities/Landfill Sites records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. The data come from the Department of Environmental Protection's Facility Directory (Solid Waste Facilities).

A review of the SWF/LF list, as provided by EDR, has revealed that there is 1 SWF/LF site within approximately 0.5 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<b>CITY OF MELBOURNE -</b> Database: SWF/LF, Date of Government Version: 04/17/2017 Facility-Site Id: 99904 Class Status: INACTIVE (I)	<b>2800 SOUTH HWY A1A</b>	<b>N 1/4 - 1/2 (0.379 mi.)</b>	<b>3</b>	<b>19</b>

### **State and tribal leaking storage tank lists**

LUST: The Leaking Underground Storage Tank Incident Reports contain an inventory of reported leaking underground storage tank incidents. The data come from the Department of Environmental Protection's PCTO1--Petroleum Contamination Detail Report.

A review of the LUST list, as provided by EDR, and dated 04/06/2017 has revealed that there is 1 LUST site within approximately 0.5 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<b>7-ELEVEN FOOD STORE</b> Discharge Cleanup Status: SRCR - SRCR COMPLETE Facility Status: OPEN Facility-Site Id: 9800972	<b>2980 US HWY A1A</b>	<b>NNE 1/8 - 1/4 (0.207 mi.)</b>	<b>2</b>	<b>9</b>

### **State and tribal registered storage tank lists**

UST: The Underground Storage Tank database contains registered USTs. Shortly after the September 11 event, the DEP was instructed to remove the detail about some of the storage tank facilities in the state from their reports. Federal-owned facilities and bulk storage facilities are included in that set.

A review of the UST list, as provided by EDR, has revealed that there is 1 UST site within approximately 0.25 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<b>7-ELEVEN FOOD STORE</b> Database: UST, Date of Government Version: 04/06/2017	<b>2980 US HWY A1A</b>	<b>NNE 1/8 - 1/4 (0.207 mi.)</b>	<b>2</b>	<b>9</b>

## EXECUTIVE SUMMARY

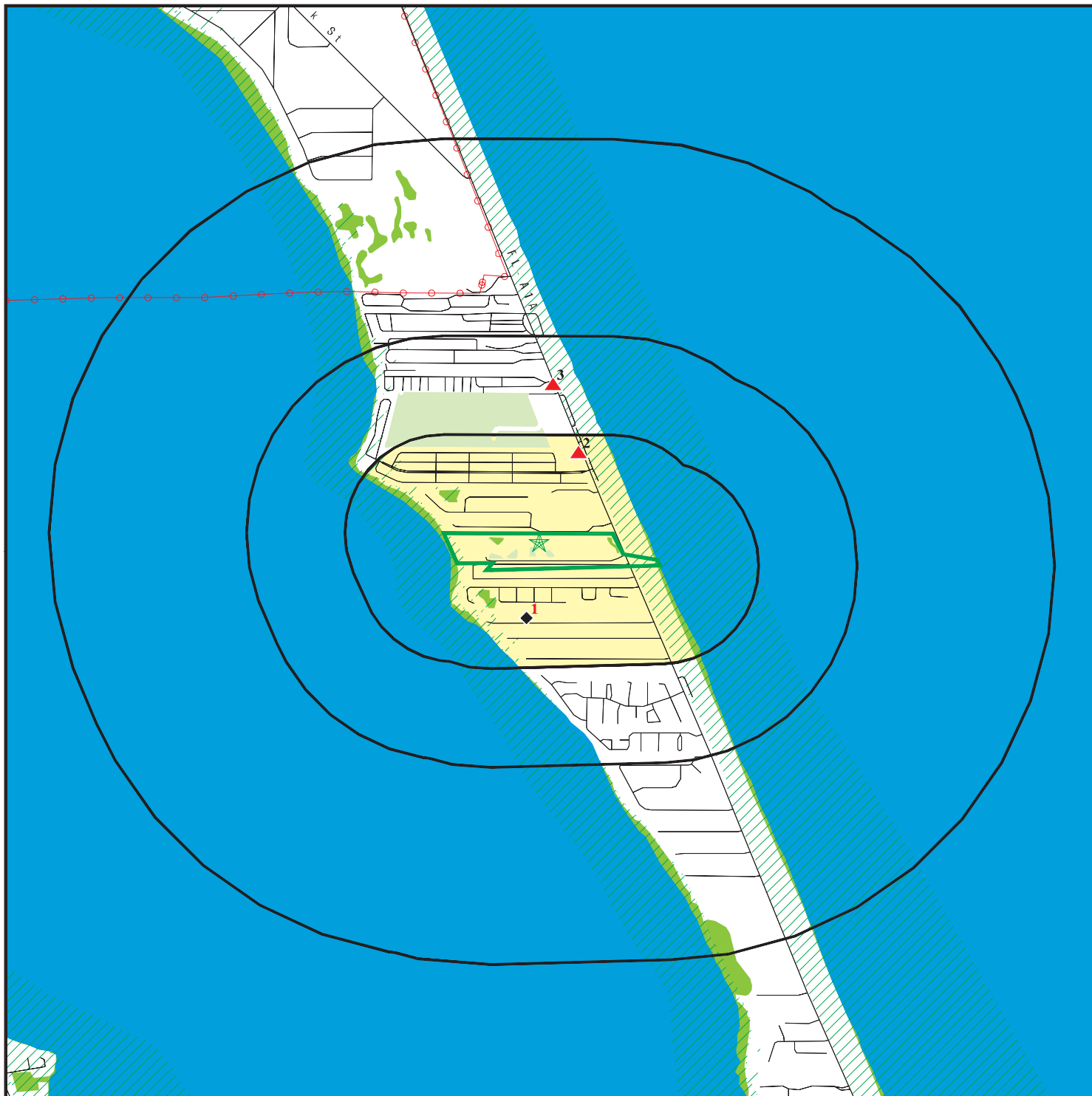
Tank Status: U  
Facility-Site Id: 9800972  
Facility Status: OPEN

## EXECUTIVE SUMMARY

There were no unmapped sites in this report.



# OVERVIEW MAP - 04995416.2R



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



Indian Reservations BIA

Power transmission lines

100-year flood zone

500-year flood zone

National Wetland Inventory

State Wetlands

Upgradient Area

FL Brownfield










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: Phoenix Park  
 ADDRESS: A1A  
 Melbourne Beach FL 32951  
 LAT/LONG: 28.036417 / 80.54623

CLIENT: B.K.I., Inc.  
 CONTACT: Sheryl Alberga  
 INQUIRY #: 04995416.2r  
 DATE: July 17, 2017 5:04 pm

# DETAIL MAP - 04995416.2R



-  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

-  Indian Reservations BIA
-  100-year flood zone
-  500-year flood zone
-  National Wetland Inventory
-  State Wetlands
-  FL Brownfield

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: Phoenix Park  
 ADDRESS: A1A  
 Melbourne Beach FL 32951  
 LAT/LONG: 28.036417 / 80.54623

CLIENT: B.K.I., Inc.  
 CONTACT: Sheryl Alberga  
 INQUIRY #: 04995416.2r  
 DATE: July 17, 2017 5:11 pm

## 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
<b>STANDARD ENVIRONMENTAL RECORDS</b>								
<b><i>Federal NPL site list</i></b>								
NPL	1.000		0	0	0	0	NR	0
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	TP		NR	NR	NR	NR	NR	0
<b><i>Federal Delisted NPL site list</i></b>								
Delisted NPL	1.000		0	0	0	0	NR	0
<b><i>Federal CERCLIS list</i></b>								
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
SEMS	0.500		0	0	0	NR	NR	0
<b><i>Federal CERCLIS NFRAP site list</i></b>								
SEMS-ARCHIVE	0.500		0	0	0	NR	NR	0
<b><i>Federal RCRA CORRACTS facilities list</i></b>								
CORRACTS	1.000		0	0	0	0	NR	0
<b><i>Federal RCRA non-CORRACTS TSD facilities list</i></b>								
RCRA-TSDF	0.500		0	0	0	NR	NR	0
<b><i>Federal RCRA generators list</i></b>								
RCRA-LQG	0.250		0	0	NR	NR	NR	0
RCRA-SQG	0.250		0	0	NR	NR	NR	0
RCRA-CESQG	0.250		1	0	NR	NR	NR	1
<b><i>Federal institutional controls / engineering controls registries</i></b>								
LUCIS	0.500		0	0	0	NR	NR	0
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROL	0.500		0	0	0	NR	NR	0
<b><i>Federal ERNS list</i></b>								
ERNS	TP		NR	NR	NR	NR	NR	0
<b><i>State- and tribal - equivalent CERCLIS</i></b>								
SHWS	1.000		0	0	0	0	NR	0
<b><i>State and tribal landfill and/or solid waste disposal site lists</i></b>								
SWF/LF	0.500		0	0	1	NR	NR	1
<b><i>State and tribal leaking storage tank lists</i></b>								
LAST	0.500		0	0	0	NR	NR	0
LUST	0.500		0	1	0	NR	NR	1
INDIAN LUST	0.500		0	0	0	NR	NR	0
<b><i>State and tribal registered storage tank lists</i></b>								
FEMA UST	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
FF TANKS	0.250		0	0	NR	NR	NR	0
UST	0.250		0	1	NR	NR	NR	1
AST	0.250		0	0	NR	NR	NR	0
INDIAN UST TANKS	0.250		0	0	NR	NR	NR	0
	0.250		0	0	NR	NR	NR	0
<b>State and tribal institutional control / engineering control registries</b>								
ENG CONTROLS	0.500		0	0	0	NR	NR	0
INST CONTROL	0.500		0	0	0	NR	NR	0
<b>State and tribal voluntary cleanup sites</b>								
VCP	0.500		0	0	0	NR	NR	0
INDIAN VCP	0.500		0	0	0	NR	NR	0
<b>State and tribal Brownfields sites</b>								
BROWNFIELDS	0.500		0	0	0	NR	NR	0
<b><u>ADDITIONAL ENVIRONMENTAL RECORDS</u></b>								
<b>Local Brownfield lists</b>								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
<b>Local Lists of Landfill / Solid Waste Disposal Sites</b>								
SWRCY	0.500		0	0	0	NR	NR	0
INDIAN ODI	0.500		0	0	0	NR	NR	0
ODI	0.500		0	0	0	NR	NR	0
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
IHS OPEN DUMPS	0.500		0	0	0	NR	NR	0
<b>Local Lists of Hazardous waste / Contaminated Sites</b>								
US HIST CDL	TP		NR	NR	NR	NR	NR	0
PRIORITYCLEANERS	0.500		0	0	0	NR	NR	0
FI Sites	1.000		0	0	0	0	NR	0
US CDL	TP		NR	NR	NR	NR	NR	0
<b>Local Land Records</b>								
LIENS 2	TP		NR	NR	NR	NR	NR	0
<b>Records of Emergency Release Reports</b>								
HMIRS	TP		NR	NR	NR	NR	NR	0
SPILLS	TP		NR	NR	NR	NR	NR	0
SPILLS 90	TP		NR	NR	NR	NR	NR	0
SPILLS 80	TP		NR	NR	NR	NR	NR	0
<b>Other Ascertainable Records</b>								
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0
FUDS	1.000		0	0	0	0	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
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		0	0	NR	NR	NR	0
ABANDONED MINES	0.500		0	0	0	NR	NR	0
FINDS	TP		NR	NR	NR	NR	NR	0
UXO	1.000		0	0	0	0	NR	0
DOCKET HWC	TP		NR	NR	NR	NR	NR	0
ECHO	TP		NR	NR	NR	NR	NR	0
FUELS PROGRAM	0.250		0	0	NR	NR	NR	0
AIRS	TP		NR	NR	NR	NR	NR	0
CLEANUP SITES	TP		NR	NR	NR	NR	NR	0
DEDB	0.250		0	0	NR	NR	NR	0
DRYCLEANERS	0.250		0	0	NR	NR	NR	0
DWM CONTAM	0.500		0	0	0	NR	NR	0
Financial Assurance	TP		NR	NR	NR	NR	NR	0
FL Cattle Dip. Vats	0.250		0	0	NR	NR	NR	0
RESP PARTY	0.500		0	0	0	NR	NR	0
SITE INV SITES	0.500		0	0	0	NR	NR	0
TIER 2	TP		NR	NR	NR	NR	NR	0
UIC	TP		NR	NR	NR	NR	NR	0
NPDES	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
---------	-------	--	---	---	---	---	----	---

## 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
EDR Hist Auto	0.125		0	NR	NR	NR	NR	0
EDR Hist Cleaner	0.125		0	NR	NR	NR	NR	0
<b><u>EDR RECOVERED GOVERNMENT ARCHIVES</u></b>								
<b><i>Exclusive Recovered Govt. Archives</i></b>								
RGA HWS	TP		NR	NR	NR	NR	NR	0
RGA LF	TP		NR	NR	NR	NR	NR	0
RGA LUST	TP		NR	NR	NR	NR	NR	0
- Totals --		0	1	2	1	0	0	4

**NOTES:**

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard Jr.  
Secretary

October 5, 2011

**CERTIFIED MAIL #7011 1150 0001 1398 7072**  
**RETURN RECEIPT REQUESTED**

Mr. Ken Hilliard  
Manager, Environmental Services  
7-Eleven, Inc.  
One Arts Plaza  
1722 Routh St., Suite 1000, 12th Floor  
Dallas, TX 75221-0711

Subject: Site Rehabilitation Completion Order  
7-Eleven Food Store #32409  
2980 U.S. Highway A1A  
Melbourne Beach, Brevard County  
FDEP Facility ID# 059800972  
Discharge Dates: January 29, 2004 (Non-program)  
December 10, 2004 (Non-program)

Dear Mr. Hilliard:

The Brevard County Natural Resource Management Office (NRMO), on behalf of the Florida Department of Environmental Protection (Department), has reviewed the Site Rehabilitation Completion Report (SRCR) and No Further Action Proposal (NFAP) dated July 11, 2011 (received July 12, 2011), prepared and submitted by Shaw Environmental, Inc. for the petroleum product discharges referenced above. Documentation submitted with the SRCR/NFAP confirms that criteria set forth in Subsection 62-770.680(1), Florida Administrative Code (F.A.C.), have been met. Please refer to the attached map of the source property and analytical summary table. The SRCR/NFAP is hereby incorporated by reference in this Site Rehabilitation Completion Order (Order). Therefore, you are released from any further obligation to conduct site rehabilitation at the facility for petroleum product contamination associated with the discharges referenced above, except as set forth below.

- (1) In the event concentrations of petroleum products' contaminants of concern increase above the levels approved in this Order, or if a subsequent discharge of

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petroleum or petroleum product occurs at the facility, the Department may require site rehabilitation to reduce concentrations of petroleum products' contaminants of concern to the levels approved in the SRCR/NFAP or otherwise allowed by Chapter 62-770, F.A.C.

- (2) Additionally, you are required to properly abandon all monitoring wells, except compliance wells utilized to meet the release detection requirements of Chapter 62-761 or 62-762, F.A.C., within 60 days of receipt of this Order. The monitoring wells must be plugged and abandoned in accordance with the requirements of Subsection 62-532.500(5), F.A.C.

### Legal Issues

The Department's Order shall become final unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, Florida Statutes (F.S.), within 21 days of receipt of this Order. The procedures for petitioning for an administrative hearing are set forth below.

Persons affected by this Order have the following options:

- (A) If you choose to accept the Department's decision regarding the SRCR/NFAP you do not have to do anything. This Order is final and effective on the date filed with the Clerk of the Department, which is indicated on the last page of this Order.
- (B) If you choose to challenge the decision, you may do the following:
  - (1) File a request for an extension of time to file a petition for an administrative hearing with the Department's Agency Clerk in the Office of General Counsel within 21 days of receipt of this Order; such a request should be made if you wish to meet with the Department in an attempt to informally resolve any disputes without first filing a petition for an administrative hearing; or
  - (2) File a petition for an administrative hearing with the Department's Agency Clerk in the Office of General Counsel within 21 days of receipt of this Order.

Please be advised that mediation of this decision pursuant to Section 120.573, F.S., is not available.

### How to Request an Extension of Time to File a Petition for an Administrative Hearing

For good cause shown, pursuant to Subsection 62-110.106(4), F.A.C., the Department may grant a request for an extension of time to file a petition for an administrative hearing. Such a request must be filed (received) by the Department's Agency Clerk in the Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from 7-Eleven, Inc., shall mail a copy of the request to 7-Eleven, Inc. at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for an administrative hearing must be made.

### How to File a Petition for an Administrative Hearing

A person whose substantial interests are affected by this Order may petition for an administrative hearing under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) by the Department's Agency Clerk in the Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from 7-Eleven, Inc., shall mail a copy of the petition to 7-Eleven, Inc. at the time of filing. Failure to file a petition within this time period shall waive the right of anyone who may request an administrative hearing under Sections 120.569 and 120.57, F.S.

Pursuant to Subsection 120.569(2), F.S. and Rule 28-106.201, F.A.C., a petition for an administrative hearing shall contain the following information:

- (a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the facility owner's name and address, if different from the petitioner; the FDEP facility number, and the name and address of the facility;
- (b) A statement of when and how each petitioner received notice of the Department's action or proposed action;
- (c) An explanation of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;
- (d) A statement of the disputed issues of material fact, or a statement that there are no disputed facts;

- (e) A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's action or proposed action.

This Order is final and effective on the date filed with the Clerk of the Department, which is indicated on the last page of this Order. Timely filing a petition for an administrative hearing postpones the date this Order takes effect until the Department issues either a final order pursuant to an administrative hearing or an Order Responding to Supplemental Information provided to the Department pursuant to meetings with the Department.

#### Judicial Review

Any party to this Order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Department's Agency Clerk in the Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days after this Order is filed with the Department's clerk (see below).

#### Questions

Any questions regarding NRMO's review of your SRCR/NFAP should be directed to Tina Swanson at (321) 633-2017. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 245-2242. Contact with any of the above does not constitute a petition for an administrative hearing or a request for an extension of time to file a petition for an administrative hearing.

Mr. Ken Hilliard  
FDEP Facility ID# 059800972  
Page 5  
October 5, 2011

The FDEP Facility Number for this facility is 059800972. Please use this identification on all future correspondence with the Department or NRMO.

Sincerely,



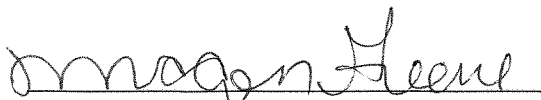
Robert C. Brown, P.E.  
Chief, Bureau of Petroleum Storage Systems

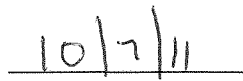
RCB/tcs

#### Attachments

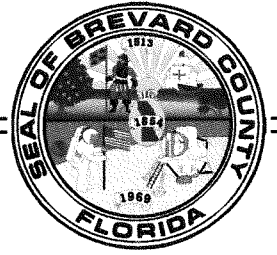
ec: Bret LeRoux, FDEP Central District Office - bret.leroux@dep.state.fl.us  
Doug Divers, Brevard County NRMO - doug.divers@brevardcounty.us  
Warren Zwanka, St. Johns River WMD - wzwanka@sjrwmd.com  
Kent Roberts, Shaw Environmental, Inc. - Kent.Roberts@shawgrp.com  
Jack Reynolds, Shaw Environmental, Inc. - Jack.Reynolds@shawgrp.com  
cc: Thomas H. Rodgers, Ocean Club Condominium Association, 2979 South Highway  
A1A, Melbourne Beach, FL 32951  
Lester Sauer, Ocean Club Condominium Association, 2979 South Highway A1A,  
Melbourne Beach, FL 32951  
FDEP File

FILING AND ACKNOWLEDGMENT  
FILED, on this date, pursuant to  
§120.52 Florida Statutes, with the  
designated Department Clerk, receipt  
of which is hereby acknowledged.

  
Clerk  
(or Deputy Clerk)

  
Date





**NATURAL RESOURCES MANAGEMENT OFFICE**

2725 Judge Fran Jamieson Way, Building A-219, Viera, FL 32940

P.E. CERTIFICATION

Site Rehabilitation Completion Report/No Further Action Proposal dated July 11, 2011 (received July 12, 2011), for 7-Eleven Food Store #32409, located at 2980 U.S. Highway A1A, Melbourne Beach, FDEP Facility ID# 059800972.

I hereby certify that in my professional judgment, the components of this Site Rehabilitation Completion Report/No Further Action Proposal prepared for the January 29, 2004 and December 10, 2004 petroleum product discharges discovered at the above-referenced facility satisfy the requirements set forth in Chapter 62-770, Florida Administrative Code (F.A.C.), and that the conclusions in this report on the effectiveness of the remedial action which has been conducted (confirmed by subsequent Post Active Remediation Monitoring) provide reasonable assurances that the site rehabilitation objectives stated in Chapter 62-770, F.A.C., have been met.

I personally completed this review.

This review was conducted by \_\_\_\_\_ working under my direct supervision.

*Tina C. Swanson*  
Tina C. Swanson, P.E.  
Professional Engineer # 54093  
Brevard County NRMO  
Date 9/17/2011

## **Appendix 16.6**

### **Interview Documentation**

- **Existing land owner**
- **Future land owner representatives**
- **Brevard County Haz Mat information**

# USER QUESTIONNAIRE for PHASE ONES

AS REQUIRED by new ASTM Standard E1527-05 (published November, 2005)

To: Sheryl Alberga From: Manager Mark Dankwiler  
 At: BKI, Inc At: Phoenix Park, LLC and LKRS Corp  
 Fax: 321-951-8909 Pages: 1  
 Phone: 321-951-7964 or 321-609-0289 Date: July 28<sup>th</sup> 2017

Site Name: Phoenix Park  
 Address: 100-348 Hwy 12A m-16 B.L FL 32951

The person who will use the Phase One should provide the following information. Please fill in this form to the best of your ability, explaining any Yes answers on a separate sheet of paper. Without these answers, our report would have to note that the Phase One is incomplete, and your Landowner Liability Protections could be at risk. We need these answers before we conduct the site visit.

1. **Environmental Cleanup Liens.** ASTM requires the User to check for environmental liens that may be filed or recorded against the subject property under federal, tribal, state or local law. In Colorado, such liens might be listed in the "exceptions to coverage" in the property's title insurance commitment or policy. Failure to check for these liens could put your Landowner Liability Protections at risk.

Have you checked for these environmental cleanup liens?  Yes  No  
 Are you aware of any such liens against the subject property?  Yes  No

2. **Activity and Use Limitations (AULs).** These include engineering controls (e.g., slurry walls, caps) and land use restrictions or institutional controls (e.g., deed restrictions, covenants) that may be in place at the site or filed under federal, tribal, state or local law. In Colorado, the title commitment or policy might also list AULs.

Are you aware of any possible AULs involving the subject site?  Yes  No

3. **Specialized Knowledge.** This involves personal knowledge or experience related to the subject property or nearby properties. For example, if you are involved in the same line of business as the current or former occupants of the property or an adjoining property, you would probably know of any chemicals, oil, degreasers, gasoline, or other hazardous substances commonly used in that type of business.

Do you have any specialized knowledge that might indicate the past or present use of such substances on the subject or nearby properties?  Yes  No

4. **Fair Market Value (FMV).** A purchase price significantly below FMV may indicate an environmental problem. Please note that this question does not require an appraisal of the property. If the price is significantly below FMV, the User should consider whether it might be because contamination may be present at the property.

Is the purchase price significantly below fair market value?  Yes  No

5. **Obvious Indicators.** This involves past or present spills, stains, releases, cleanups, etc. on or near the site.

Do you know of any obvious indicators of possible contamination on or near the site?  Yes  No

6. **Common Knowledge.** Please use a separate sheet if necessary.

a. Describe the past uses of the property: Hampton's Apartment complex

that was demo after Hurricane. The County conducted the building & the owner Hampton LTD worked with Broward County to remove asbestos & lead.

b. Describe any specific chemicals that may have been present at the property: I do not know if there was any.

c. Describe any other information that may help us identify possible contamination: Have none

visited 8/1/17

  
Your Signature

July 28<sup>th</sup>  
Date  
2017

# of separate sheets attached: \_\_\_\_\_  
Explain Yes answers on a separate sheet.

Description of Site/Address:

Phoenix Park

A/D  
Melbourne Beach FL

32951

a Honey  
Cliff  
Repperson  
321-727-  
8100



E1528 - 14

Oliver Rep,  
Ed  
Harley  
843-412-  
4078

BKI  
Sheryl Albright  
321-951-7964  
20 July 17

Robert  
Marconi  
Security guard  
Site Manager  
321-213-1909 C  
321 725 0616 H

Question	Owner	Occupants (if applicable)			Observed During Site Visit	If yes, provide description
1a. Is the property used for an industrial use?	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	No
1b. Is any adjoining property used for an industrial use?	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	No - res.idential
2a. Did you observe evidence or do you have any prior knowledge that the property has been used for an industrial use in the past?	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	No - apts
2b. Did you observe evidence or do you have any prior knowledge that any adjoining property has been used for an industrial use in the past?	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	No
3a. Is the property used as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility (if applicable, identify which)?	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	No
3b. Is any adjoining property used as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility (if applicable, identify which)?	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	No
4a. Did you observe evidence or do you have any prior knowledge that the property has been used as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility (if applicable, identify which)?	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	No - res.idential
4b. Did you observe evidence or do you have any prior knowledge that any adjoining property has been used as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility (if applicable, identify which)?	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	No
5a. Are there currently any damaged or discarded automotive or industrial batteries, pesticides, paints, or other chemicals in individual containers of >5 gal (19 L) in volume or 50 gal (190 L) in the aggregate, stored on or used at the property or at the facility?	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	Unk	Yes <input type="radio"/> No <input checked="" type="radio"/>	No



Reppinger

Harley

BKI

Marant:

Question	Owner			Occupants (if applicable)			Observed During Site Visit		If yes, provide description
	Yes	No	Unk	Yes	No	Unk	Yes	No	
5b. Did you observe evidence or do you have any prior knowledge that there have been previously any damaged or discarded automotive or industrial batteries, or pesticides, paints, or other chemicals in individual containers of >5 gal (19 L) in volume or 50 gal (190 L) in the aggregate, stored on or used at the property or at the facility?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No
6a. Are there currently any industrial drums (typically 55 gal (208 L)) or sacks of chemicals located on the property or at the facility?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No
6b. Did you observe evidence or do you have any prior knowledge that there have been previously any industrial drums (typically 55 gal (208 L)) or sacks of chemicals located on the property or at the facility?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No
7a. Did you observe evidence or do you have any prior knowledge that fill dirt has been brought onto the property that originated from a contaminated site?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No
7b. Did you observe evidence or do you have any prior knowledge that fill dirt has been brought onto the property that is of an unknown origin?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No Clean Fill
8a. Are there currently any pits, ponds, or lagoons located on the property in connection with waste treatment or waste disposal?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No - ponds yes retention
8b. Did you observe evidence or do you have any prior knowledge that there have been previously, any pits, ponds, or lagoons located on the property in connection with waste treatment or waste disposal?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No
9a. Is there currently any stained soil on the property?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No
9b. Did you observe evidence or do you have any prior knowledge that there has been previously, any stained soil on the property?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No
10a. Are there currently any registered or unregistered storage tanks (above or underground) located on the property?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No
10b. Did you observe evidence or do you have any prior knowledge that there have been previously, any registered or unregistered storage tanks (above or underground) located on the property?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No
11a. Are there currently any vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground on the property or adjacent to any structure located on the property?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No

Reppinger

Harley

BKI

Marconi

Question	Owner			Occupants (if applicable)			Observed During Site Visit	If yes, provide description	
	Yes	No	Unk	Yes	No	Unk	Yes	No	
11b. Did you observe evidence or do you have any prior knowledge that there have been previously, any vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground on the <i>property</i> or adjacent to any structure located on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No
12a. Is there currently evidence of leaks, spills or staining by substances other than water, or foul odors, associated with any flooring, drains, walls, ceilings, or exposed grounds on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No
12b. Did you observe evidence or do you have any prior knowledge that there have been previously any leaks, spills, or staining by substances other than water, or foul odors, associated with any flooring drains, walls, ceilings or exposed grounds on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No
13a. If the <i>property</i> is served by a private well or non-public water system, is there evidence or do you have prior knowledge that contaminants have been identified in the well or system that exceed guidelines applicable to the water system?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No - artesian well
13b. If the <i>property</i> is served by a private well or non-public water system, is there evidence or do you have prior knowledge that the well has been designated as contaminated by any government environmental/health agency?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	No
14. Does the <i>owner</i> or <i>occupant</i> of the <i>property</i> have any knowledge of <i>environmental liens</i> or governmental notification relating to past or recurrent violations of environmental laws with respect to the <i>property</i> or any facility located on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk			No
15a. Has the <i>owner</i> or <i>occupant</i> of the <i>property</i> been informed of the past existence of <i>hazardous substances</i> or <i>petroleum products</i> with respect to the <i>property</i> or any facility located on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk			No
15b. Has the <i>owner</i> or <i>occupant</i> of the <i>property</i> been informed of the current existence of <i>hazardous substances</i> or <i>petroleum products</i> with respect to the <i>property</i> or any facility located on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk			No
15c. Has the <i>owner</i> or <i>occupant</i> of the <i>property</i> been informed of the past existence of environmental violations with respect to the <i>property</i> or any facility located on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	<input checked="" type="radio"/> No	Unk			No
15d. Has the <i>owner</i> or <i>occupant</i> of the <i>property</i> been informed of the current existence of environmental violations with respect to the <i>property</i> or any facility located on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk			No



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Reppinger  
OwnerHarley  
Occupants (if applicable)BKI  
Observed During Site VisitMarconi  
If yes, provide description

16. Does the *owner* or *occupant* of the *property* have any knowledge of any *environmental site assessment* of the *property* or facility that indicated the presence of *hazardous substances* or *petroleum products* on, or contamination of, the *property* or recommended further assessment of the *property*?

Yes  No Unk Yes  No Unk

No

17. Does the *owner* or *occupant* of the *property* know of any past, threatened, or pending lawsuits or administrative proceedings concerning a release or threatened release of any *hazardous substance* or *petroleum products* involving the *property* by any *owner* or *occupant* of the *property*?

Yes  No Unk Yes  No Unk

No

18a. Does the *property* discharge *waste-water* (not including sanitary waste or storm water) onto or adjacent to the *property* and/or into a storm water system?

Yes  No Unk Yes  No Unk Yes  No

No

18b. Does the *property* discharge *waste water* (not including sanitary waste or storm water) onto or adjacent to the *property* and/or into a sanitary sewer system?

Yes  No Unk Yes  No Unk Yes  No

No

19. Did you observe evidence or do you have any prior knowledge that any *hazardous substances* or *petroleum products*, unidentified waste materials, tires, automotive or industrial batteries, or any other waste materials have been dumped above grade, buried and/or burned on the *property*?

Yes  No Unk Yes  No Unk Yes  No

No

20. Is there a transformer, capacitor, or any hydraulic equipment for which there are any records indicating the presence of *PCBs*?

Yes  No Unk Yes  No Unk Yes  No

No

#### Government Records/Historical Sources Inquiry (See guide, Section 10, and Practice E1527)

21. Do any of the following federal, state, or tribal government record systems list the *property* or any *property* within the search distance noted below (where available):

	Approximate Minimum Search Distance, miles (kilometres)	Yes	No
Federal <i>NPL</i> site list	1.0 (1.6)	Yes	No
Federal Delisted <i>NPL</i> site list	0.5 (0.8)	Yes	No
Federal CERCLIS list	0.5 (0.8)	Yes	No
Federal CERCLIS NFRAP site list	0.5 (0.8)	Yes	No
Federal RCRA CORRACTS facilities list	1.0 (1.6)	Yes	No
Federal RCRA non-CORRACTS TSD Facilities list	0.5 (0.8)	Yes	No
Federal <i>RCRA generators list</i>		Yes	No
Federal institutional control/engineering control registries		Yes	No
Federal <i>ERNS list</i>		Yes	No
State and tribal lists of <i>hazardous waste sites</i> identified for investigation or remediation:			
State-and tribal-equivalent <i>NPL</i>	1.0 (1.6)	Yes	No
State-and tribal-equivalent CERCLIS	0.5 (0.8)	Yes	No
State-and tribal- <i>landfill</i> and/or <i>solid waste disposal site lists</i>	0.5 (0.8)	Yes	No
State-and tribal-leaking storage tank lists	0.5 (0.8)	Yes	No
State and tribal registered storage tank lists		Yes	No
State and tribal <i>institutional control/engineering control registries</i>		Yes	No
State and tribal voluntary cleanup sites	0.5 (0.8)	Yes	No
State and tribal Brownfield sites	0.5 (0.8)	Yes	No



## Ginger Vincent

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**From:** Cotter, Carrie L <Carrie.Cotter@brevardfl.gov>  
**Sent:** Wednesday, July 26, 2017 10:50 AM  
**To:** salberga@cfl.rr.com  
**Subject:** FW: Haz Mat fires, Versailles Dr., Melb Bch

Good Morning Ms. Alberga:

In researching BCFR's database from April, 2007 to present, BCFR has not responded to any environmental incidents at the properties listed below. If I can be of further assistance, please do not hesitate to contact me.

*Carrie Cotter*

Administrative Assistant to Fire Chief  
Brevard County Fire Rescue  
1040 S. Florida Avenue  
Rockledge, FL 32955  
(321) 633-2056 #8 or Ext. 56080  
Fax – (321) 633-2057  
[Carrie.Cotter@brevardfl.gov](mailto:Carrie.Cotter@brevardfl.gov)

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**From:** Sheryl Alberga [<mailto:salberga@cfl.rr.com>]  
**Sent:** Tuesday, July 25, 2017 4:21 PM  
**To:** Carter, Douglas D  
**Subject:** Haz Mat fires, Versailles Dr., Melb Bch

Hi Doug,

Can you please research your records to see if you have ever had any haz mat fires on Versailles Drive in Melbourne Beach? I am working on a Phase I report for this property. The addresses on Versailles Drive are: 100, 106, 112, 118, 124, 130, 136, 142, 148, 154, 160, 172, 178, 184, 190, 200, 202, 206, 208, 210, 212, 214, 216, 218, 220, 220, 240, 260, 280, , 300, 320, 340, 360, 380, 400, 420, 440, 460, 480, 500, 520, 540, 560, 580, 600, 620, 640, 660, 300, 306, 312, 318, 324, 330, 360, 420, 480.

Thanks so much for your help. I appreciate it.

Sheryl Alberga  
BKI Consulting Ecologists  
Ecologist/Project Manager  
401 Ocean Avenue, Ste 204  
Melbourne Beach, Florida 32951  
321-951-7964 (office)  
321-951-8909 (fax)  
321-609-0289 (cell)

"Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."