

Begin Emerg Dt:
End Emerg Dt:
Record Date:
First Report Date: 11/22/2006 10:46:44 AM
Completed: Yes
Source:
Incident Type S: OPEN BURNING
Incident Desc: open burning
Location Desc: Coldwater road route 908 off of new 4 lane on 40. close to High School..next left after you pass Star Lite cafey.
 Burn at apartments or duplex. Not sure where its coming from but smoke covers the whole area.
Other Substance Desc:
Z Coordinate Method Desc:

Regional Office: Hazard Regional Office
County: Martin
Lat Dec Degrees:
Long Dec Degrees:

Site: Asplundh Tree Cutting Company
 Coldwater Creek, Rt 908 near Inez in Martin Co. Inez KY

SPILLS

INC ID:	2414615	Notification:	No
MARS Function Code:		Date:	7/27/2016
Status:	Response/Investigate	Lead Invest ID:	67344
Priority:	Routine	Lead Investigator:	Slone, David
Program Code:	13	Flw Up Prior Desc:	
Program:	Water Resources	Recen Cpl Eval Act:	
Substances:		Recent ENF Act:	
Closure Type Desc:	Env. Closed-Unfounded	Locked Flag:	No
Incident End Date:	9/30/2016	Waterbody:	
Begin Emerg Dt:		Regional Office:	Hazard Regional Office
End Emerg Dt:		County:	Martin
Record Date:		Lat Dec Degrees:	
First Report Date:	7/28/2016 10:03:21 AM	Long Dec Degrees:	
Completed:	Yes		
Source:	Asplundh Tree Cutting Company		
Incident Type S:	STREAM DEGRADATION; FLOODPLAIN		
Incident Desc:	Complainant states that Asplundh tree cutters are cutting large trees and brush and leaving them in the creek.		
Location Desc:	Coldwater Creek, Rt 908 near Inez in Martin Co.		
Other Substance Desc:	tree debris		
Z Coordinate Method Desc:			

Appendix: Database Descriptions

Environmental Risk Information Services (ERIS) can search the following databases. The extent of historical information varies with each database and current information is determined by what is publicly available to ERIS at the time of update. ERIS updates databases as set out in ASTM Standard E1527-13 and E1527-21, Section 8.1.8 Sources of Standard Source Information:

"Government information from nongovernmental sources may be considered current if the source updates the information at least every 90 days, or, for information that is updated less frequently than quarterly by the government agency, within 90 days of the date the government agency makes the information available to the public."

Standard Environmental Record Sources

Federal

National Priority List:

[NPL](#)

The U.S. Environmental Protection Agency (EPA)'s National Priorities List (NPL) includes the most serious uncontrolled or abandoned hazardous waste sites identified for possible long-term remedial action under the Superfund program, based primarily on the score a site receives from EPA's Hazard Ranking System. A site must be on the NPL to receive money from the Superfund Trust Fund for remedial action. This data includes NPL sites represented as polygons, where available, that can be sourced from the EPA NPL Superfund Site Boundaries dataset, refreshed by the Shared Enterprise Geodata and Services (SEGS), and is limited to those sites where the NPL Status reflects the site is 'Currently on the Final NPL (F)' and/or the 'Site is Part of NPL Site (A)'. These site boundaries represent the footprint of a whole site, the sum of all the Operable Units (OUs) and the current understanding of the full extent of contamination; for Federal Facility sites, the total site polygon may be the Facility boundary. As site investigation and remediation progress, OUs may be added, modified or refined. Data provided by external parties is not independently verified by EPA. This boundary data is made available to the public strictly for informational purposes. Where there is no polygon boundary data available for a given site, the site is represented as a point.

Government Publication Date: Jan 18, 2026

National Priority List - Proposed:

[PROPOSED NPL](#)

Sites proposed by the U.S. Environmental Protection Agency (EPA), the state agency, or concerned citizens for addition to the National Priorities List (NPL) due to contamination by hazardous waste and identified by the EPA as a candidate for cleanup because it poses a risk to human health and/or the environment. Sites represented as polygons, where available, can be sourced from the EPA NPL Superfund Site Boundaries dataset, refreshed by the Shared Enterprise Geodata and Services (SEGS). These site boundaries represent the footprint of a whole site, the sum of all the Operable Units (OUs) and the current understanding of the full extent of contamination; for Federal Facility sites, the total site polygon may be the Facility boundary. Data provided by external parties is not independently verified by EPA. This boundary data is made available to the public strictly for informational purposes. Where there is no polygon boundary data available for a given site, the site is represented as a point.

Government Publication Date: Jan 18, 2026

Deleted NPL:

[DELETED NPL](#)

Sites deleted from the U.S. Environmental Protection Agency (EPA)'s National Priorities List (NPL). The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425(e), sites may be deleted from the NPL where no further response is appropriate. Sites represented as polygons, where available, can be sourced from the EPA NPL Superfund Site Boundaries dataset, refreshed by the Shared Enterprise Geodata and Services (SEGS). These site boundaries represent the footprint of a whole site, the sum of all the Operable Units (OUs) and the current understanding of the full extent of contamination; for Federal Facility sites, the total site polygon may be the Facility boundary. Data provided by external parties is not independently verified by EPA. This boundary data is made available to the public strictly for informational purposes. Where there is no polygon boundary data available for a given site, the site is represented as a point.

Government Publication Date: Jan 18, 2026

SEMS List 8R Active Site Inventory:

SEMS

The U.S. Environmental Protection Agency's (EPA) Superfund Program has deployed the Superfund Enterprise Management System (SEMS), which integrates multiple legacy systems into a comprehensive tracking and reporting tool. This inventory contains active sites evaluated by the Superfund program that are either proposed to be or are on the National Priorities List (NPL) as well as sites that are in the screening and assessment phase for possible inclusion on the NPL. The Active Site Inventory Report displays site and location information at active SEMS sites. An active site is one at which site assessment, removal, remedial, enforcement, cost recovery, or oversight activities are being planned or conducted. This data includes SEMS sites from the List 8R Active file as well as applicable sites from the EPA's Facility Registry Service map tool. This data may also include applicable sites represented as polygons sourced from the EPA NPL Superfund Site Boundaries dataset, refreshed by the Shared Enterprise Geodata and Services (SEGS), and is limited to those sites where the NPL Status reflects the site is 'Not on the NPL (N)', 'Removed from Proposed (R)', and/or 'Pre-Proposal Site (S)'. Data provided by external parties is not independently verified by EPA. This boundary data is made available to the public strictly for informational purposes. Where there is no polygon boundary data available for a given site, the site is represented as a point.

Government Publication Date: Dec 26, 2025**Inventory of Open Dumps, June 1985:**

ODI

The Resource Conservation and Recovery Act (RCRA) provides for publication of an inventory of open dumps. The Act defines "open dumps" as facilities which do not comply with EPA's "Criteria for Classification of Solid Waste Disposal Facilities and Practices" (40 CFR 257).

Government Publication Date: Jun 1985**SEMS List 8R Archive Sites:**

SEMS ARCHIVE

The U.S. Environmental Protection Agency's (EPA) Superfund Enterprise Management System (SEMS) Archived Site Inventory displays site and location information at sites archived from SEMS. An archived site is one at which EPA has determined that assessment has been completed and no further remedial action is planned under the Superfund program at this time. This data includes sites from the List 8R Archived site file. This data may also include applicable sites represented as polygons sourced from the EPA NPL Superfund Site Boundaries dataset, refreshed by the Shared Enterprise Geodata and Services (SEGS), and is limited to those sites where the NPL Status reflects the site is 'Not on the NPL (N)', 'Removed from Proposed (R)', and/or 'Pre-Proposal Site (S)'. Data provided by external parties is not independently verified by EPA. This boundary data is made available to the public strictly for informational purposes. Where there is no polygon boundary data available for a given site, the site is represented as a point.

Government Publication Date: Dec 26, 2025**Comprehensive Environmental Response, Compensation and Liability Information System - CERCLIS:**

CERCLIS

Superfund is a program administered by the United States Environmental Protection Agency (EPA) to locate, investigate, and clean up the worst hazardous waste sites throughout the United States. CERCLIS is a database of potential and confirmed hazardous waste sites at which the EPA Superfund program has some involvement. It contains sites that are either proposed to be or are on the National Priorities List (NPL) as well as sites that are in the screening and assessment phase for possible inclusion on the NPL. The EPA administers the Superfund program in cooperation with individual states and tribal governments; this database is made available by the EPA.

Government Publication Date: Oct 25, 2013**EPA Report on the Status of Open Dumps on Indian Lands:**

IODI

Public Law 103-399, The Indian Lands Open Dump Cleanup Act of 1994, enacted October 22, 1994, identified congressional concerns that solid waste open dump sites located on American Indian or Alaska Native (AI/AN) lands threaten the health and safety of residents of those lands and contiguous areas. The purpose of the Act is to identify the location of open dumps on Indian lands, assess the relative health and environment hazards posed by those sites, and provide financial and technical assistance to Indian tribal governments to close such dumps in compliance with Federal standards and regulations or standards promulgated by Indian Tribal governments or Alaska Native entities.

Government Publication Date: Dec 31, 1998**CERCLIS - No Further Remedial Action Planned:**

CERCLIS NFRAP

An archived site is one at which EPA has determined that assessment has been completed and no further remedial action is planned under the Superfund program at this time. The Archive designation means that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list this site on the National Priorities List (NPL). This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.

Government Publication Date: Oct 25, 2013**CERCLIS Liens:**

CERCLIS LIENS

A Federal Superfund lien exists at any property where EPA has incurred Superfund costs to address contamination ("Superfund site") and has provided notice of liability to the property owner. A Federal CERCLA ("Superfund") lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. This database is made available by the United States Environmental Protection Agency (EPA). This database was provided by the United States Environmental Protection Agency (EPA). Refer to SEMS LIEN as the current data source for Superfund Liens.

Government Publication Date: Jan 30, 2014

RCRA CORRACTS-Corrective Action:[RCRA CORRACTS](#)

RCRA Info is the U.S. Environmental Protection Agency's (EPA) 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. At these sites, the Corrective Action Program ensures that cleanups occur. EPA and state regulators work with facilities and communities to design remedies based on the contamination, geology, and anticipated use unique to each site.

Government Publication Date: Nov 30, 2025

RCRA non-CORRACTS TSD Facilities:[RCRA TSD](#)

RCRA Info is the U.S. Environmental Protection Agency's (EPA) 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. This database includes Non-Corrective Action sites that have indicated engagement in the treatment, storage, or disposal of hazardous waste which requires a RCRA hazardous waste permit.

Government Publication Date: Nov 30, 2025

RCRA Generator List:[RCRA LQG](#)

RCRA Info is the U.S. Environmental Protection Agency's (EPA) 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. RCRA Info replaces the data recording and reporting abilities of the Resource Conservation and Recovery Information System (RCRIS) and the Biennial Reporting System (BRS). A hazardous waste generator is any person or site whose processes and actions create hazardous waste (see 40 CFR 260.10). Large Quantity Generators (LQGs) generate 1,000 kilograms per month or more of hazardous waste or more than one kilogram per month of acutely hazardous waste. This list also includes RCRAInfo sites that have notified as LQGs that do not have a registered Site Manager or Certifier in RCRAInfo.

Government Publication Date: Nov 30, 2025

RCRA Small Quantity Generators List:[RCRA SQG](#)

RCRA Info is the U.S. Environmental Protection Agency's (EPA) 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. RCRA Info replaces the data recording and reporting abilities of the Resource Conservation and Recovery Information System (RCRIS) and the Biennial Reporting System (BRS). A hazardous waste generator is any person or site whose processes and actions create hazardous waste (see 40 CFR 260.10). Small Quantity Generators (SQGs) generate more than 100 kilograms, but less than 1,000 kilograms, of hazardous waste per month. This list also includes RCRAInfo sites that have notified as SQGs that do not have a registered Site Manager or Certifier in RCRAInfo.

Government Publication Date: Nov 30, 2025

RCRA Very Small Quantity Generators List:[RCRA VSQG](#)

RCRA Info is the U.S. Environmental Protection Agency's (EPA) 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. A hazardous waste generator is any person or site whose processes and actions create hazardous waste (see 40 CFR 260.10). Very Small Quantity Generators (VSQG) generate 100 kilograms or less per month of hazardous waste, or one kilogram or less per month of acutely hazardous waste. Additionally, VSQG may not accumulate more than 1,000 kilograms of hazardous waste at any time.

Government Publication Date: Nov 30, 2025

RCRA Non-Generators:[RCRA NON GEN](#)

RCRA Info is the U.S. Environmental Protection Agency's (EPA) 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. RCRA Info replaces the data recording and reporting abilities of the Resource Conservation and Recovery Information System (RCRIS) and the Biennial Reporting System (BRS). A hazardous waste generator is any person or site whose processes and actions create hazardous waste (see 40 CFR 260.10). Non-Generators do not presently generate hazardous waste.

Government Publication Date: Nov 30, 2025

RCRA Sites with Controls:[RCRA CONTROLS](#)

List of Resource Conservation and Recovery Act (RCRA) facilities with institutional controls in place. RCRA gives the U.S. Environmental Protection Agency (EPA) the authority to control hazardous waste from the "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

Government Publication Date: Nov 30, 2025

Federal Engineering Controls-ECs:

FED ENG

List of Engineering controls (ECs) made available by the United States Environmental Protection Agency (EPA). ECs encompass a variety of engineered and constructed physical barriers (e.g., soil capping, sub-surface venting systems, mitigation barriers, fences) to contain and/or prevent exposure to contamination on a property. The EC listing includes remedy component data from Superfund decision documents for applicable sites on the final or deleted on the National Priorities List (NPL); and sites with a Superfund Alternative Approach (SAA) Agreement in place. The only sites included that are not on the NPL; proposed for NPL; or removed from proposed NPL, are those with an SAA Agreement in place.

Government Publication Date: Jan 30, 2026

Federal Institutional Controls- ICs:

FED INST

List of Institutional controls (ICs) made available by the United States Environmental Protection Agency (EPA). ICs are non-engineered instruments, such as administrative and legal controls, that help minimize the potential for human exposure to contamination and/or protect the integrity of the remedy. Although it is EPA's expectation that treatment or engineering controls will be used to address principal threat wastes and that groundwater will be returned to its beneficial use whenever practicable, ICs play an important role in site remedies because they reduce exposure to contamination by limiting land or resource use and guide human behavior at a site. The IC listing includes remedy component data from Superfund decision documents for applicable sites on the final or deleted on the National Priorities List (NPL); and sites with a Superfund Alternative Approach (SAA) Agreement in place. The only sites included that are not on the NPL; proposed for NPL; or removed from proposed NPL, are those with an SAA Agreement in place.

Government Publication Date: Jan 30, 2026

Land Use Controls Information System:

LUCIS

The Land Use Controls Information System (LUCIS) database is sourced from the U.S. Department of the Navy (DON). This data contains information for former Base Realignment and Closure (BRAC) properties across the United States. DON's BRAC office was tasked with tracking certain base closures while requiring the prevention of risks to human health and the environment of those properties with LUCs in place. Regarding currently available LUC Sites data, the sites listing is limited to centroid point locations for the overall installation property boundaries. Formerly obtained LUC Sites data may reflect site details that applied previously for a BRAC property.

Government Publication Date: Jun 13, 2024

Institutional Control Boundaries at NPL sites:

NPL IC

These boundaries of Institutional Control areas at sites on the U.S. Environmental Protection Agency's (EPA) National Priorities List (NPL), or as Proposed or Deleted, are sourced from the EPA NPL Superfund Site Boundaries dataset, refreshed by the Shared Enterprise Geodata and Services (SEGS). The EPA's NPL includes the most serious uncontrolled or abandoned hazardous waste sites identified for possible long-term remedial action under the Superfund program. Institutional controls are non-engineered instruments such as administrative and legal controls that help minimize the potential for human exposure to contamination and/or protect the integrity of the remedy. Data provided by external parties is not independently verified by EPA. This boundary data is made available to the public strictly for informational purposes.

Government Publication Date: Jan 18, 2026

Emergency Response Notification System:

ERNS 1982 TO 1986

Database of oil and hazardous substances spill reports controlled by the National Response Center. The primary function of the National Response Center is to serve as the sole national point of contact for reporting oil, chemical, radiological, biological, and etiological discharges into the environment anywhere in the United States and its territories.

Government Publication Date: 1982-1986

Emergency Response Notification System:

ERNS 1987 TO 1989

Database of oil and hazardous substances spill reports controlled by the National Response Center. The primary function of the National Response Center is to serve as the sole national point of contact for reporting oil, chemical, radiological, biological, and etiological discharges into the environment anywhere in the United States and its territories.

Government Publication Date: 1987-1989

Emergency Response Notification System:

ERNS

Database of oil and hazardous substances spill reports made available by the United States Coast Guard National Response Center (NRC). The NRC fields initial reports for pollution and railroad incidents and forwards that information to appropriate federal/state agencies for response. These data contain initial incident data that has not been validated or investigated by a federal/state response agency.

Government Publication Date: Feb 8, 2026

The Assessment, Cleanup and Redevelopment Exchange System (ACRES) Brownfield Database:

FED BROWNFIELDS

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties protects the environment, reduces blight, and takes development pressures off greenspaces and working lands. This data is provided by the United States Environmental Protection Agency (EPA) and includes Brownfield sites from the Cleanups in My Community (CIMC) web application.

Government Publication Date: Sep 8, 2025

FEMA Underground Storage Tank Listing:

FEMA UST

The Federal Emergency Management Agency (FEMA) of the Department of Homeland Security maintains a list of FEMA owned underground storage tanks.

Government Publication Date: Dec 31, 2017

Facility Response Plan:

FRP

This listing contains facilities that have submitted Facility Response Plans (FRPs) to the U.S. Environmental Protection Agency (EPA). Facilities that could reasonably be expected to cause "substantial harm" to the environment by discharging oil into or on navigable waters are required to prepare and submit FRPs. Harm is determined based on total oil storage capacity, secondary containment and age of tanks, oil transfer activities, history of discharges, proximity to a public drinking water intake or sensitive environments. The list includes FRP facilities sourced from the EPA FOIA office and from previously available Homeland Infrastructure Foundation-Level Data (HIFLD) file/s. Disclaimer: Per the EPA FOIA Office, the verification process for current requested FRP data is undergoing review and revision, and any similar reporting will be made public in Fiscal Year 2026. For this reason, the latest available FOIA file may be incomplete.

Government Publication Date: Jun 1, 2025

Delisted Facility Response Plans:

DELISTED FRP

Facilities that once appeared in - and have since been removed from - the list of facilities that have submitted Facility Response Plans (FRP) to EPA. Facilities that could reasonably be expected to cause "substantial harm" to the environment by discharging oil into or on navigable waters are required to prepare and submit Facility Response Plans (FRPs). Harm is determined based on total oil storage capacity, secondary containment and age of tanks, oil transfer activities, history of discharges, proximity to a public drinking water intake or sensitive environments.

Government Publication Date: Jun 1, 2025

Historical Gas Stations:

HIST GAS STATIONS

This historic directory of service stations is provided by the Cities Service Company. The directory includes Cities Service filling stations that were located throughout the United States in 1930.

Government Publication Date: Jul 1, 1930

Petroleum Refineries:

REFN

This list of petroleum refineries is sourced from the U.S. Energy Information Administration (EIA), Refinery Capacity Report. The listing includes operating and idle petroleum refineries (including new refineries under construction) and refineries shut down during the previous year. The geographic area the report covers is the 50 States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, and other U.S. possessions. Per the EIA, the facility location data represents the approximate location based on research of publicly available information from sources such as Federal agencies, company websites, and satellite images on public websites.

Government Publication Date: Oct 31, 2024

Petroleum Product and Crude Oil Rail Terminals:

BULK TERMINAL

A list of petroleum product and crude oil rail terminals from the U.S. Energy Information Administration (EIA), as well as petroleum terminals sourced from Oak Ridge National Laboratory hosted by the Homeland Infrastructure Foundation-Level Database. Data includes operable bulk petroleum product terminals with a total bulk shell storage capacity of 50,000 barrels or more, and/or the ability to receive volumes from tanker, barge, or pipeline; also rail terminals handling the loading and unloading of crude oil with activity between 2017 and 2018. EIA petroleum product terminal data comes from the EIA-815 Bulk Terminal and Blender Report, which includes working, shell in operation, and shell idle for several major product groupings.

Government Publication Date: Jun 5, 2025

LIEN on Property:

SEMS LIEN

The U.S. Environmental Protection Agency's (EPA) Superfund Enterprise Management System (SEMS) provides Lien details on applicable properties, such as the Superfund lien on property activity, the lien property information, and the parties associated with the lien.

Government Publication Date: Dec 26, 2025

Superfund Decision Documents:

SUPERFUND ROD

This database contains a list of decision documents for Superfund sites. Decision documents serve to provide the reasoning for the choice of (or) changes to a Superfund Site cleanup plan. The decision documents include completed Records of Decision (ROD), ROD Amendments, Explanations of Significant Differences (ESD) for active and archived sites stored in the Superfund Enterprise Management System (SEMS), along with other associated memos and files. This information is maintained and made available by the U.S. Environmental Protection Agency.

Government Publication Date: Jan 30, 2026

State

Brownfield Redevelopment Program:

BROWNFIELDS

This list of sites that have enrolled or applied to be in the Superfund Brownfield Redevelopment Program is made available by the Kentucky Energy and Environment Cabinet (EEC) Department for Environmental Protection (DEP).

Government Publication Date: Mar 5, 2026

State Leads Priority List:

SHWS

This Superfund/State Leads Priority List is maintained by the Kentucky Energy and Environment Cabinet's (EEC) Department of Environmental Protection (DEP). The listing includes sites from regulatory descriptions, when assigned, such as: Petroleum Cleanup, Federal Superfund, State Superfund. This database is state equivalent CERCLIS – State Hazardous Waste Sites.

Government Publication Date: Jan 16, 2026

Delisted State Leads Priority List:

DELISTED SHWS

This database contains a list of closed State Hazardous Waste sites that were removed from the Kentucky Department of Environmental Protection (DEP).

Government Publication Date: Jan 16, 2026

Solid Waste Facilities and Landfills:

SWF/LF

This list of permitted Solid Waste Facility (SWF) sites is made available by the Kentucky Energy and Environment Cabinet's (EEC) Solid Waste Branch. The listing includes landfills, special waste sites and other solid waste sites.

Government Publication Date: Apr 3, 2026

Historic Landfills:

HIST LANDFILL

According to the Kentucky Department of Environmental Protection (DEP), before solid waste management was regulated in Kentucky, most towns or cities had a common location where household waste and a vast array of other materials were disposed. These "old town dumps" were the de facto landfill for the area, and were rarely operated in a manner consistent with current standards. In most cases they were not properly capped to prevent migration of contaminated leachate and other pollutants. Division records indicate more than 600 of these sites are scattered across the state. The DEP's Solid Waste Branch Closure Section addresses proper closure and remediation of these historic sites. Closure/remediation work is presently ongoing at several sites across the state.

Government Publication Date: Mar 24, 2014

SB193 Branch Site Inventory List:

SB193

This list is comprised of sites that have performed permanent closure activities at regulated underground storage tank facilities and have known soil and/or groundwater contamination. Historical listing made available by the underground storage tank branch in the Department of Environmental Protection (DEP) of Kentucky State.

Government Publication Date: Apr 30, 1985

Ranking List for UST Facilities:

PSTEAF

A list of UST facilities under site investigation which are eligible to receive reimbursement from Financial Responsibility Account (FRA) and Petroleum Storage Tank Account (PSTA) of the Petroleum Storage Tank Environmental Assurance Fund (PSTEAF). Reimbursements from the FRA and PSTA are determined by this ranking system. This list is maintained by the Kentucky Energy and Environment Cabinet's (EEC) Department of Environmental Protection (DEP) Underground Storage Tank Branch. As indicated by the source of this database, the address information may correspond to a mailing address and not necessarily the actual location of the USTs.

Government Publication Date: Jan 21, 2026

Underground Storage Tanks:

UST

A list of registered Underground Storage Tanks (USTs) maintained by the Kentucky Energy and Environment Cabinet's (EEC) Department of Environmental Protection (DEP) Underground Storage Tank Branch. This list is composed of documents from the Underground Storage Tank Resources and the Delivery or Deposit Prohibitions eSearch. As indicated by the source of this database, the address information may correspond to a mailing address and not necessarily the actual location of the USTs.

Government Publication Date: Jan 21, 2026

State Fire Marshal Underground Storage Tank Permits:

SFM UST PERMIT

List of underground storage tank permits made available by the Kentucky Office of the State Fire Marshal Hazardous Materials Section. The Hazardous Materials Section is responsible for the permitting of flammable, combustible, and hazardous material storage vessel installations. The section permits and plan reviews the installation, repairs, and modifications on underground storage tanks and related components.

Government Publication Date: Feb 25, 2026

State Fire Marshal Aboveground Storage Tank Permits:[SFM AST PERMIT](#)

List of aboveground storage tank permits made available by the Kentucky Office of the State Fire Marshal Hazardous Materials Section. The Hazardous Materials Section is responsible for the permitting of flammable, combustible, and hazardous material storage vessel installations. The section permits and plan reviews the installation, repairs, and modifications on aboveground storage tanks and related components.

Government Publication Date: Feb 25, 2026

State Fire Marshal Liquefied Petroleum Gas Tank Permits:[SFM LPG PERMIT](#)

List of liquified petroleum gas tank permits made available by the Kentucky Office of the State Fire Marshal Hazardous Materials Section. The Hazardous Materials Section regulates the sale and storage of Liquefied Petroleum Gas.

Government Publication Date: Feb 25, 2026

Delisted Storage Tank:[DELISTED STORAGE TANK](#)

This database contains a list of closed storage tank sites that were removed from the Underground Storage Tank Branch in the Kentucky Department of Environmental Protection (DEP).

Government Publication Date: Feb 25, 2026

Sites with Engineering Controls:[ENG](#)

This list of sites with engineering controls in place is made available by the Kentucky Energy and Environment Cabinet's (EEC) Department of Environmental Protection (DEP). The listing includes sites from applicable Open Records Request files pertaining to those with engineering controls implemented as part of a risk management plan, such as containment, constructed physical barrier, monitored natural attenuation, and a number of other methods to contain and/or prevent exposure to hazardous substances, pollutants, and contaminants that may remain on affected properties.

Government Publication Date: Jan 16, 2026

Sites with Institutional Controls:[INST](#)

This list of sites with institutional controls in place is made available by the Kentucky Energy and Environment Cabinet's (EEC) Department of Environmental Protection (DEP). The listing includes sites from applicable Open Records Request files pertaining to those with institutional controls implemented as part of a risk management plan. Institutional controls are legal or administrative instruments (such as deed restrictions, covenants, zoning, easements) that impose restrictions to control exposure to hazardous substances, pollutants, and contaminants that may remain on affected properties.

Government Publication Date: Jan 16, 2026

Voluntary Cleanup Program Sites:[VCP](#)

The Kentucky Department of Environmental Protection (DEP) maintains an inventory of sites that are in the Voluntary Cleanup Program.

Government Publication Date: Feb 13, 2026

Kentucky Brownfield Inventory:[BROWNFIELD INV](#)

This Kentucky Brownfield Inventory is maintained by the Kentucky Energy and Environment Cabinet (EEC) Department for Environmental Protection's (DEP) Brownfield Program. The inventory consists primarily of properties that are receiving, or have received, assessments, and/or cleanups under federal brownfield funding to states or local government entities. The inventory is not a comprehensive list of sites.

Government Publication Date: Mar 3, 2026

Tribal**Leaking Underground Storage Tanks (LUSTs) on Indian Lands:**[INDIAN LUST](#)

This list of leaking underground storage tanks (LUSTs) on Tribal/Indian Lands in Region 4, which includes Kentucky, is made available by the United States Environmental Protection Agency (EPA). There are no federally recognized Tribes in Kentucky, according to the U.S. Department of Interior, Bureau of Indian Affairs.

Government Publication Date: Oct 14, 2017

Underground Storage Tanks (USTs) on Indian Lands:[INDIAN UST](#)

This list of underground storage tanks (USTs) on Tribal/Indian Lands in Region 4, which includes Kentucky, is made available by the United States Environmental Protection Agency (EPA). There are no federally recognized Tribes in Kentucky, according to the U.S. Department of Interior, Bureau of Indian Affairs.

Government Publication Date: Oct 14, 2017

Delisted Tribal Leaking Storage Tanks:[DELISTED INDIAN LST](#)

Leaking Underground Storage Tank (LUST) facilities which once appeared on - and have since been removed from - the Regional Tribal/Indian LUST lists made available by the United States Environmental Protection Agency (EPA).

Government Publication Date: Nov 21, 2025

Delisted Tribal Underground Storage Tanks:

DELISTED INDIAN UST

Underground Storage Tank (UST) facilities which once appeared on - and have since been removed from - the Regional Tribal/Indian UST lists made available by the United States Environmental Protection Agency (EPA).

Government Publication Date: Nov 21, 2025

County

No County standard environmental record sources available for this State.

Additional Environmental Record Sources

Federal

PFAS Greenhouse Gas Emissions Data:

PFAS GHG

The U.S. Environmental Protection Agency's (EPA) Greenhouse Gas Reporting Program (GHGRP) collects Greenhouse Gas (GHG) data from large emitting facilities (25,000 metric tons of carbon dioxide equivalent (CO₂e) per year), and suppliers of fossil fuels and industrial gases that results in GHG emissions when used. This dataset is sourced from the EPA's PFAS Analytic Tools, and it includes GHG emissions data for facilities that emit or have emitted since 2010 chemicals identified as PFAS based on EPA's CompTox Chemicals Dashboard lists of PFAS with defined and undefined structures. PFAS emissions data has been identified for facilities engaged in the following industrial processes: Aluminum Production (GHGRP Subpart F), HCFC-22 Production and HFC-23 Destruction (Subpart O), Electronics Manufacturing (Subpart I), Fluorinated Gas Production (Subpart L), Magnesium Production (Subpart T), Electrical Transmission and Distribution Equipment Use (Subpart DD), and Manufacture of Electric Transmission and Distribution Equipment (Subpart SS). Over time, other industrial processes with required GHGRP reporting may include PFAS emissions data and the list of reportable gases may change over time. Note that some regulatory programs have specified chemical structure requirements that define PFAS differently than the lists in EPA's CompTox Chemicals Dashboard.

Government Publication Date: Mar 2, 2026

On-Scene Coordinator Response Sites:

OSC RESPONSE

This list of On-Scene Coordinator (OSC) Response Sites is provided by the U.S. Environmental Protection Agency (EPA). OSCs are the federal officials responsible for monitoring or directing responses to all oil spills and hazardous substance releases reported to the federal government. OSCs coordinate all federal efforts with, and provide support and information to local, state, and regional response communities. An OSC is an agent of either EPA or the U.S. Coast Guard (USCG), depending on where the incident occurs. EPA's OSCs have primary responsibility for spills and releases to inland areas and waters. USCG OSCs have responsibility for coastal waters and the Great Lakes. In general, an OSC has the following key responsibilities during and after a response: Assessment, Monitoring, Response Assistance, and Evaluation.

Government Publication Date: Oct 8, 2025

Facility Registry Service/Facility Index:

FINDS/FRS

The Facility Registry Service (FRS) is a centrally managed database that identifies facilities, sites, or places subject to environmental regulations or of environmental interest. FRS creates high-quality, accurate, and authoritative facility identification records through rigorous verification and management procedures that incorporate information from program national systems, state master facility records, and data collected from EPA's Central Data Exchange registrations and data management personnel. This list is made available by the U.S. Environmental Protection Agency (EPA).

Government Publication Date: Jan 1, 2026

Toxics Release Inventory (TRI) Program:

TRIS

The U.S. Environmental Protection Agency's Toxics Release Inventory (TRI) is a database containing data on disposal or other releases of toxic chemicals from U.S. facilities and information about how facilities manage those chemicals through recycling, energy recovery, and treatment. There are currently 770 individually listed chemicals and 33 chemical categories covered by the TRI Program. Facilities that manufacture, process or otherwise use these chemicals in amounts above established levels must submit annual reporting forms for each chemical. Note that the TRI chemical list does not include all toxic chemicals used in the U.S. One of TRI's primary purposes is to inform communities about toxic chemical releases to the environment. This database includes TRI Reporting Data for calendar years 1987 through 2021 and Preliminary Data for 2022.

Government Publication Date: Sep 20, 2023

PFOA/PFOS Contaminated Sites:

PFAS NPL

This list of Superfund Sites with Per- and Polyfluoroalkyl Substances (PFAS) detections is made available by the U.S. Environmental Protection Agency (EPA) in their PFAS Analytic Tools data, previously the list was obtained by EPA FOIA requests. EPA's Office of Land and Emergency Management and EPA Regional Offices maintain what is known about site investigations, contamination, and remedial actions under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) where PFAS is present in the environment. Limitations: Detections of PFAS at National Priorities List (NPL) sites do not mean that people are at risk from PFAS, are exposed to PFAS, or that the site is the source of the PFAS. The information in the Superfund NPL and Superfund Alternative Agreement (SAA) PFAS detection site list is years old and may not be accurate today. Site information such as site name, site ID, and location has been confirmed for accuracy; however, PFAS-related information such as media sampled, drinking water being above the health advisory, or mitigation efforts has not been verified. For Federal Facilities data, the other Federal agencies (OFA) are the lead agency for their data and provided them to EPA.

Government Publication Date: Dec 29, 2025

Federal Agency Locations with Known or Suspected PFAS Detections:

PFAS FED SITES

This list of federal agency locations with known or suspected detections of Per- and Polyfluoroalkyl Substances (PFAS) is made available by the U.S. Environmental Protection Agency's (EPA) PFAS Analytic Tools data. The EPA outlines that these data are gathered from several federal entities, such as the federal Superfund program, Department of Defense (DOD), National Aeronautics and Space Administration (NASA), Department of Transportation (DOT), and Department of Energy (DOE). The dates this data was extracted for the PFAS Analytic Tools range from 2022 to 2025 per agency entity dataset. Sites on this list do not necessarily reflect the source/s of PFAS contamination and detections do not indicate level of risk or human exposure at the site. Agricultural notifications in this data are limited to DOD sites only. At this time, the EPA is aware that this list is not comprehensive of all Federal agencies.

Government Publication Date: May 30, 2025

SSEHRI PFAS Contamination Sites:

PFAS SSEHRI

This PFAS Contamination Site Tracker database is compiled by the PFAS Project Lab, part of the Social Science Environmental Health Research Institute (SSEHRI) at Northeastern University. According to the SSEHRI, the database records qualitative and quantitative data from each known site of PFAS contamination, including timeline of discovery, sources, levels, health impacts, community response, and government response. The goal of this database is to compile information and support public understanding of the rapidly unfolding issue of PFAS contamination. All data presented was extracted from government websites, news articles, or publicly available documents. Locations for the Known PFAS Contamination Sites are sourced from the PFAS Sites and Community Resources Map by the PFAS-REACH team, credited to PFAS Project Lab, Silent Spring Institute, and PFAS Exchange. Disclaimer: The source conveys the data undergoes regular updates as new information becomes available, some sites may be missing and/or contain information that is incorrect or outdated, as well as their information represents all contamination sites SSEHRI is aware of, not all possible contamination sites. This data is not intended to be used for legal purposes. Access the following source link for the most current information: <https://pfasproject.com/pfas-sites-and-community-resources/>

Government Publication Date: Aug 1, 2025

National Response Center PFAS Spills:

PFAS ERNS

This Per- and Poly-Fluoroalkyl Substances (PFAS) Spills dataset is made available via the U.S. Environmental Protection Agency's (EPA) PFAS Analytic Tools. The National Response Center (NRC), operated by the U.S. Coast Guard, is the designated federal point of contact for reporting all oil, chemical, and other discharges into the environment, for the United States and its territories. This dataset contains NRC spill information from 1990 to the present that is restricted to records associated with PFAS and PFAS-containing materials. Incidents are filtered to include only records with a "Material Involved" or "Incident Description" related to Aqueous Film Forming Foam (AFFF). The keywords used to filter the data included "AFFF," "Fire Fighting Foam," "Aqueous Film Forming Foam," "Fire Suppressant Foam," "PFAS," "PERFL," "PFOA," "PFOS," and "Genx." Limitations: The data from the NRC website contains initial incident data that has not been validated or investigated by a federal/state response agency. Keyword searches may misidentify some incident reports that do not contain PFAS. This dataset should also not be considered to be exhaustive of all PFAS spills/release incidents.

Government Publication Date: Feb 16, 2026

PFAS NPDES Discharge Monitoring:

PFAS NPDES

This list of National Pollutant Discharge Elimination System (NPDES) permitted facilities with required monitoring for Per- and Polyfluoroalkyl (PFAS) Substances is made available via the U.S. Environmental Protection Agency (EPA)'s PFAS Analytic Tools. Any point-source wastewater discharger to waters of the United States must have a NPDES permit, which defines a set of parameters for pollutants and monitoring to ensure that the discharge does not degrade water quality or impair human health. This list includes NPDES permitted facilities associated with permits that monitor for Per- and Polyfluoroalkyl Substances (PFAS), limited to the years 2007 - present. EPA further advises the following regarding these data: currently, fewer than half of states have required PFAS monitoring for at least one of their permittees, and fewer states have established PFAS effluent limits for permittees. For states that may have required monitoring, some reporting and data transfer issues may exist on a state-by-state basis.

Government Publication Date: Dec 16, 2024

Perfluorinated Alkyl Substances (PFAS) from Toxic Release Inventory:

PFAS TRI

List of Toxics Release Inventory (TRI) facilities at which the reported chemical is a per- or polyfluoroalkyl (PFAS) substance included in the U.S. Environmental Protection Agency's (EPA) consolidated PFAS Master List of PFAS Substances. Encompasses Toxics Release Inventory records included in the EPA PFAS Analytic Tools. The EPA's TRI database currently tracks information on disposal or releases of 770 individually listed toxic chemicals and 33 chemical categories from thousands of U.S. facilities and details about how facilities manage those chemicals through recycling, energy recovery, and treatment. This listing includes TRI Reporting Data for calendar years 1987 through 2021 and Preliminary Data for 2022.

Government Publication Date: Sep 20, 2023

PFAS Water Quality Portal Sampling Data:

PFAS WATER

This Per- and Poly-Fluoroalkyl Substances (PFAS) Environmental Media Sampling Data is made available via the U.S. Environmental Protection Agency's (EPA) PFAS Analytic Tools. The Water Quality Portal (WQP), as a cooperative service sponsored by the United States Geological Survey, the EPA, and the National Water Quality Monitoring Council, is part of a modernized repository storing ambient sampling data for all environmental media and tissue samples. A wide range of federal, state, tribal and local governments, academic and non-governmental organizations, and individuals submit project details and sampling results to this public repository. Limitations: EPA did not carry out the sampling or testing of a majority of the data in the WQP PFAS dataset. EPA can only speak to the accuracy and completeness of the data from projects like the National Aquatic Resource Surveys for which EPA is the data owner/organization. Data may exist within the file on Quality Assurance Project Plans (QAPPs) and the approving agency of the QAPP, if a QAPP is entered.

Government Publication Date: Feb 2, 2026

PFAS TSCA Manufacture and Import Facilities:

PFAS TSCA

The U.S. Environmental Protection Agency (EPA) issued the Chemical Data Reporting (CDR) Rule under the Toxic Substances Control Act (TSCA) and requires chemical manufacturers and facilities that manufacture or import chemical substances to report data to EPA. This list is specific only to TSCA Manufacture and Import Facilities with reported per- and poly-fluoroalkyl (PFAS) substances. Data file is sourced from EPA's PFAS Analytic Tools TSCA dataset which includes CDR/Inventory Update Reporting data from 1998 up to 2020. Disclaimer: This data file includes production and importation data for chemicals identified in EPA's CompTox Chemicals Dashboard list of PFAS without explicit structures and list of PFAS structures in DSSTox. Note that some regulations have specific chemical structure requirements that define PFAS differently than the lists in EPA's CompTox Chemicals Dashboard. Reporting information on manufactured or imported chemical substance amounts should not be compared between facilities, as some companies claim Chemical Data Reporting Rule data fields for PFAS information as Confidential Business Information.

Government Publication Date: Jan 5, 2023

PFAS Waste Transfers from RCRA e-Manifest:

PFAS E-MANIFEST

This Per- and Poly-Fluoroalkyl Substances (PFAS) Waste Transfers dataset is made available via the U.S. Environmental Protection Agency's (EPA) PFAS Analytic Tools. Every shipment of hazardous waste in the U.S. must be accompanied by a shipment manifest, which is a critical component of the cradle-to-grave tracking of wastes mandated by the Resource Conservation and Recovery Act (RCRA). According to the EPA, currently no Federal Waste Code exists for any PFAS compounds. To work around the lack of PFAS waste codes in the RCRA database, EPA developed the PFAS Transfers dataset by mining e-Manifest records containing at least one of these common PFAS keywords: • PFAS • PFOA • PFOS • PERFL • AFFF • GENX • GEN-X (plus the Vermont state-specific waste codes). Limitations: Amount or concentration of PFAS being transferred cannot be determined from the manifest information. Keyword searches may misidentify some manifest records that do not contain PFAS. This dataset should also not be considered to be exhaustive of all PFAS waste transfers.

Government Publication Date: Feb 14, 2026

PFAS Industry Sectors:

PFAS IND

This Per- and Poly-Fluoroalkyl Substances (PFAS) Industry Sectors dataset is made available via the U.S. Environmental Protection Agency's (EPA) PFAS Analytic Tools. The dataset was developed from various sources that show which industries may be handling PFAS including: EPA's Enforcement and Compliance History Online (ECHO) records restricted to potential PFAS-handling industry sectors, based on the North American Industry Classification System (NAICS) Codes and Standard Industrial Classification (SIC) Codes associated federal regulatory programs (e.g., Clean Water Act, Clean Air Act, and Resource Conservation and Recovery Act) at the facility level; ECHO records for Fire Training Sites identified where fire-fighting foam may have been used in training exercises; and 14 CFR Part 139 Airports compiled from historic and current records from the FAA Airport Data and Information Portal. Since July 2006, all certificated Part 139 Airports are required to have fire-fighting foam onsite that meet certain military specifications, which to date have been fluorinated (Aqueous Film Forming Foam). Limitations: Inclusion in this dataset does not indicate that PFAS are being manufactured, processed, used, or released by the facility. Listed facilities potentially handle PFAS based on their industrial profile but are unconfirmed by the EPA. Keyword searches in ECHO for Fire Training sites may misidentify some facilities and should not be considered to be an exhaustive list of fire training facilities in the U.S.

Government Publication Date: Feb 16, 2026

Hazardous Materials Information Reporting System:

HMIRS

The Hazardous Materials Incident Reporting System (HMIRS) database contains unintentional hazardous materials release information reported to the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration.

Government Publication Date: Jan 29, 2026

National Clandestine Drug Labs:

NCDL

The U.S. Department of Justice ("the Department"), Drug Enforcement Administration (DEA), provides this data as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy.

Government Publication Date: Nov 30, 2023

Toxic Substances Control Act:

TSCA

The U.S. Environmental Protection Agency (EPA) is amending the Toxic Substances Control Act (TSCA) section 8(a) Inventory Update Reporting (IUR) rule and changing its name to the Chemical Data Reporting (CDR) rule. The CDR enables EPA to collect and publish information on the manufacturing, processing, and use of commercial chemical substances and mixtures (referred to hereafter as chemical substances) on the TSCA Chemical Substance Inventory (TSCA Inventory). This includes current information on chemical substance production volumes, manufacturing sites, and how the chemical substances are used. This information helps the Agency determine whether people or the environment are potentially exposed to reported chemical substances. EPA publishes submitted CDR data that is not Confidential Business Information (CBI). EPA CDR collections occur approximately every four years and reporting requirements change per collection.

Government Publication Date: May 12, 2022

Hist TSCA:

HIST TSCA

The Environmental Protection Agency (EPA) is amending the Toxic Substances Control Act (TSCA) section 8(a) Inventory Update Reporting (IUR) rule and changing its name to the Chemical Data Reporting (CDR) rule.

The 2006 IUR data summary report includes information about chemicals manufactured or imported in quantities of 25,000 pounds or more at a single site during calendar year 2005. In addition to the basic manufacturing information collected in previous reporting cycles, the 2006 cycle is the first time EPA collected information to characterize exposure during manufacturing, processing and use of organic chemicals. The 2006 cycle also is the first time manufacturers of inorganic chemicals were required to report basic manufacturing information.

Government Publication Date: Dec 31, 2006

FTTS Administrative Case Listing:

FTTS ADMIN

An administrative case listing from the Federal Insecticide, Fungicide, & Rodenticide Act (FIFRA) and Toxic Substances Control Act (TSCA), together known as FTTS. This database was obtained from the Environmental Protection Agency's (EPA) National Compliance Database (NCDB). The FTTS and NCDB was shut down in 2006.

Government Publication Date: Jan 19, 2007

FTTS Inspection Case Listing:

FTTS INSP

An inspection case listing from the Federal Insecticide, Fungicide, & Rodenticide Act (FIFRA) and Toxic Substances Control Act (TSCA), together known as FTTS. This database was obtained from the Environmental Protection Agency's (EPA) National Compliance Database (NCDB). The FTTS and NCDB was shut down in 2006.

Government Publication Date: Jan 19, 2007

Potentially Responsible Parties List:

PRP

Early in the site cleanup process, the U.S. Environmental Protection Agency (EPA) conducts a search to find the Potentially Responsible Parties (PRPs). The EPA looks for evidence to determine liability by matching wastes found at the site with parties that may have contributed wastes to the site. This listing contains PRPs, Noticed Parties, at sites in the EPA's Superfund Enterprise Management System (SEMS).

Government Publication Date: Dec 26, 2025

State Coalition for Remediation of Drycleaners Listing:

SCRD DRYCLEANER

The State Coalition for Remediation of Drycleaners (SCRD) was established in 1998, with support from the U.S. Environmental Protection Agency (EPA) Office of Superfund Remediation and Technology Innovation. Coalition members are states with mandated programs and funding for drycleaner site remediation. Current members are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin. Since 2017, the SCRD no longer maintains this data, refer to applicable state source data where available.

Government Publication Date: Nov 08, 2017

Integrated Compliance Information System (ICIS):

ICIS

The Integrated Compliance Information System (ICIS) database contains integrated enforcement and compliance information across most of U.S. Environmental Protection Agency's (EPA) programs. The vision for ICIS is to replace EPA's independent databases that contain enforcement data with a single repository for that information. Currently, ICIS contains all Federal Administrative and Judicial enforcement actions and a subset of the Permit Compliance System (PCS), which supports the National Pollutant Discharge Elimination System (NPDES). This information is maintained by the EPA Headquarters and at the Regional offices. A future release of ICIS will completely replace PCS and will integrate that information with Federal actions already in the system. ICIS also has the capability to track other activities that support compliance and enforcement programs, including incident tracking, compliance assistance, and compliance monitoring.

Drycleaner Facilities:

FED DRYCLEANERS

A list of drycleaner facilities from Enforcement and Compliance History Online (ECHO) data as made available by the U.S. Environmental Protection Agency (EPA), sourced from the ECHO Exporter file. This EPA source file tracks facilities that possess NAICS and SIC codes that classify businesses as drycleaner establishments.

Government Publication Date: Jan 24, 2026

Delisted Drycleaner Facilities:

DELISTED FED DRY

List of sites which once appeared on - and have since been removed from - the list of drycleaner facilities included in Enforcement and Compliance History Online (ECHO) data as made available by the U.S. Environmental Protection Agency (EPA), sourced from the ECHO Exporter file. This EPA source file tracks facilities that possess NAICS and SIC codes that classify businesses as drycleaner establishments.

Government Publication Date: Jan 24, 2026

Formerly Used Defense Sites:

FUDS

Formerly Used Defense Sites (FUDS) are properties that were formerly owned by, leased to, or otherwise possessed by and under the jurisdiction of the Secretary of Defense prior to October 1986, where the Department of Defense (DOD) is responsible for an environmental restoration. The FUDS Annual Report to Congress (ARC) is published by the U.S. Army Corps of Engineers (USACE). This data is compiled from the USACE's Geospatial FUDS data layers and Homeland Infrastructure Foundation-Level Data (HIFLD) FUDS dataset which applies to the Fiscal Year 2021 FUDS Inventory.

Government Publication Date: May 15, 2023

FUDS Munitions Response Sites:

FUDS MRS

Boundaries of Munitions Response Sites (MRS), published with the Formerly Used Defense Sites (FUDS) Annual Report to Congress (ARC) by the U.S. Army Corps of Engineers (USACE). An MRS is a discrete location within a Munitions response area (MRA) that is known to require a munitions response. An MRA means any area on a defense site that is known or suspected to contain unexploded ordnance (UXO), discarded military munitions (DMM), or munitions constituents (MC). This data is compiled from the USACE's Geospatial MRS data layers and Homeland Infrastructure Foundation-Level Data (HIFLD) MRS dataset.

Government Publication Date: May 15, 2023

Former Military Nike Missile Sites:

FORMER NIKE

This information was taken from report DRXTH-AS-IA-83A016 (Historical Overview of the Nike Missile System, 12/1984) which was performed by Environmental Science and Engineering, Inc. for the U.S. Army Toxic and Hazardous Materials Agency Assessment Division. The Nike system was deployed between 1954 and the mid-1970's. Among the substances used or stored on Nike sites were liquid missile fuel (JP-4); starter fluids (UDKH, aniline, and furfuryl alcohol); oxidizer (IRFNA); hydrocarbons (motor oil, hydraulic fluid, diesel fuel, gasoline, heating oil); solvents (carbon tetrachloride, trichloroethylene, trichloroethane, stoddard solvent); and battery electrolyte. The quantities of material a disposed of and procedures for disposal are not documented in published reports. Virtually all information concerning the potential for contamination at Nike sites is confined to personnel who were assigned to Nike sites. During deactivation most hardware was shipped to depot-level supply points. There were reportedly instances where excess materials were disposed of on or near the site itself at closure. There was reportedly no routine site decontamination.

Government Publication Date: Dec 2, 1984

PHMSA Pipeline Safety Flagged Incidents:

PIPELINE INCIDENT

This list of flagged pipeline incidents is made available by the U.S. Department of Transportation (US DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA). PHMSA regulations require incident and accident reports for five different pipeline system types. Accidents reported on hazardous liquid gravity lines (§195.13) and reporting-regulated-only hazardous liquid gathering lines (§195.15) and incidents reported on Type R gas gathering (§192.8(c)) are not included in the flagged incident file data.

Government Publication Date: Jul 10, 2025

Material Licensing Tracking System (MLTS):

MLTS

A list of sites that store radioactive material subject to the Nuclear Regulatory Commission (NRC) licensing requirements. This list is maintained by the NRC. As of September 2016, the NRC no longer releases location information for sites. Site locations were last received in July 2016.

Government Publication Date: May 11, 2021

Historic Material Licensing Tracking System (MLTS) sites:

HIST MLTS

A historic list of sites that have inactive licenses and/or removed from the Material Licensing Tracking System (MLTS). In some cases, a site is removed from the MLTS when the state becomes an "Agreement State". An Agreement State is a State that has signed an agreement with the Nuclear Regulatory Commission (NRC) authorizing the State to regulate certain uses of radioactive materials within the State.

Government Publication Date: Jan 31, 2010

Mines Master Index File:

MINES

The Master Index File (MIF) is provided by the United States Department of Labor, Mine Safety and Health Administration (MSHA). This file, which was originally created in the 1970's, contained many Mine-IDs that were invalid. MSHA removes invalid IDs from the MIF upon discovery. MSHA applicable data includes the following: all Coal and Metal/Non-Metal mines under MSHA's jurisdiction since 1/1/1970; mine addresses for all mines in the database except for Abandoned mines prior to 1998 from MSHA's legacy system (addresses may or may not correspond with the physical location of the mine itself); violations that have been assessed penalties as a result of MSHA inspections beginning on 1/1/2000; and violations issued as a result of MSHA inspections conducted beginning on 1/1/2000.

Government Publication Date: Aug 8, 2025

Surface Mining Control and Reclamation Act Sites:

SMCRA

This inventory of land and water impacted by past mining (primarily legacy coal mining operations) is maintained by the U.S. Department of the Interior's Office of Surface Mining Reclamation and Enforcement (OSMRE), as it provides information needed to implement the Surface Mining Control and Reclamation Act of 1977 (SMCRA). This inventory contains information on the type and extent of Abandoned Mine Land (AML) Problems, as well as information on the cost associated with the reclamation of those problems. The data is based upon field surveys by State, Tribal, and OSMRE program officials. It is dynamic to the extent that it is modified as new problems are identified and existing problems are reclaimed. Disclaimer: Per the OSMRE, States and tribes who enter their data into e-AMLIS (AML Inventory System) may truncate their latitude and longitude so the precise location of usually dangerous AMLs is not revealed in an effort to protect the public from searching for these AMLs, most of which are on private property. If more precise location information is needed, please contact the applicable state/tribe of interest.

Government Publication Date: Oct 30, 2025

Mineral Resource Data System:

MRDS

The Mineral Resource Data System (MRDS) is a collection of reports describing metallic and nonmetallic mineral resources throughout the world. Included are deposit name, location, commodity, deposit description, geologic characteristics, production, reserves, resources, and references. This database contains the records previously provided in the Mineral Resource Data System (MRDS) of USGS and the Mineral Availability System/Mineral Industry Locator System (MAS/MILS) originated in the U.S. Bureau of Mines, which is now part of USGS. The USGS has ceased systematic updates of the MRDS database with their focus more recently on deposits of critical minerals while providing a well-documented baseline of historical mine locations from USGS topographic maps.

Government Publication Date: Mar 15, 2016

DOE Legacy Management Sites:

LM SITES

The U.S. Department of Energy (DOE) Office of Legacy Management (LM) currently manages radioactive and chemical waste, environmental contamination, and hazardous material at over 100 sites across the U.S. The LM manages sites with diverse regulatory drivers (statutes or programs that direct cleanup and management requirements at DOE sites) or as part of internal DOE or congressionally-recognized programs, such as but not limited to: Formerly Utilized Sites Remedial Action Program (FUSRAP), Uranium Mill Tailings Radiation Control Act (UMTRCA Title I, Title II), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), Decontamination and Decommissioning (D&D), Nuclear Waste Policy Act (NWPA). The intent of the site location is to provide a general reference point to the site on a national scale. The coordinates of each site point can be the location of a site monument, the centroid of the site boundary, or a general location of the site. This site listing includes data exported from the DOE Office of LM's Geospatial Environmental Mapping System (GEMS). GEMS Data disclaimer: The DOE Office of LM makes no representation or warranty, expressed or implied, regarding the use, accuracy, availability, or completeness of the data presented herein.

Government Publication Date: Nov 6, 2025

Alternative Fueling Stations:

ALT FUELS

This list of alternative fueling stations is sourced from the U.S. Department of Energy's (DOE) Alternative Fuels Data Center (AFDC) and National Renewable Energy Laboratory (NREL). The DOE's Office of Energy Efficiency & Renewable Energy launched the AFDC in 1991 as a repository for alternative fuel vehicle performance data, which provides a wealth of information and data on alternative and renewable fuels, advanced vehicles, fuel-saving strategies, and emerging transportation technologies. The data includes Biodiesel (B20 and above), Compressed Natural Gas (CNG), Electric, Ethanol (E85), Hydrogen, Liquefied Natural Gas (LNG), Propane (LPG), and Renewable Diesel (R20 and above) fuel type locations.

Government Publication Date: Mar 11, 2026

Superfunds Consent Decrees:

CONSENT DECREES

This list of Superfund consent decrees is provided by the Department of Justice, Environment & Natural Resources Division (ENRD) through a Freedom of Information Act (FOIA) applicable file. This listing includes Cases filed since 2010 limited to the following: Consent Decrees for CERCLA or Superfund Sites filed and/or as proposed within the ENRD's Case Management System (CMS); and applicable ENRD's Environmental Defense Section (EDS) CERCLA Cases with "Consent" in History Note. CMS may not reflect the latest developments in a case, nor can the agency guarantee the accuracy of the data. ENRD Disclaimer: Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA; response is limited to those records that are subject to the requirements of the FOIA; however, this should not be taken as an indication that excluded records do, or do not, exist.

Government Publication Date: Dec 30, 2025

Air Facility System:

AFS

This EPA retired Air Facility System (AFS) dataset contains emissions, compliance, and enforcement data on stationary sources of air pollution. Regulated sources cover a wide spectrum; from large industrial facilities to relatively small operations such as dry cleaners. AFS does not contain data on facilities that are solely asbestos demolition and/or renovation contractors, or landfills. ECHO Clean Air Act data from AFS are frozen and reflect data as of October 17, 2014; the EPA retired this system for Clean Air Act stationary sources and transitioned to ICIS-Air.

Government Publication Date: Oct 17, 2014

Registered Pesticide Establishments:

SSTS

This national list of active EPA-registered foreign and domestic pesticide and/or device-producing establishments is based on data from the Section Seven Tracking System (SSTS). The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Section 7 requires that each producing establishment must place its EPA establishment number on the label or immediate container of each pesticide, active ingredient or device produced. An EPA establishment number on a pesticide product label identifies the EPA registered location where the product was produced. The list of establishments is made available by the U.S. Environmental Protection Agency (EPA).

Government Publication Date: Sep 26, 2025

Polychlorinated Biphenyl (PCB) Transformers:

PCBT

Locations of Transformers Containing Polychlorinated Biphenyls (PCBs) registered with the United States Environmental Protection Agency. PCB transformer owners must register their transformer(s) with EPA. Although not required, PCB transformer owners who have removed and properly disposed of a registered PCB transformer may notify EPA to have their PCB transformer de-registered. Data made available by EPA.

Government Publication Date: Oct 15, 2019

Polychlorinated Biphenyl (PCB) Notifiers:

PCB

Facilities included in the national list of facilities that have notified the United States Environmental Protection Agency (EPA) of Polychlorinated Biphenyl (PCB) activities. Any company or person storing, transporting or disposing of PCBs or conducting PCB research and development must notify the EPA and receive an identification number.

Government Publication Date: Aug 12, 2025

Power Plants:

POWER PLANTS

This list of power plants is provided by the U.S. Energy Information Administration (EIA). The listing includes operable electric generating plants in the United States by energy source, originating from the EIA-860, Annual Electric Generator Report; EIA-860M, Monthly Update to the Annual Electric Generator Report; and EIA-923, Power Plant Operations Report. It includes all operable plants by energy source with a combined nameplate capacity of 1 megawatt or more that are operating, are on standby, or out of service for short- or long-term.

Government Publication Date: Jun 5, 2025

Historical Business Activity Risk:

HIST RISK

Proprietary list of sites identified as potentially having engaged in business activity that poses a higher-than-normal risk of contamination. Records originate from historical city directories, and are included in this list based on broad business categories Potentially Hazardous Chemical Users and Fuel and Automotive, including but not limited to Dry Cleaners and Fuel Stations, Garages, etc. Inclusion in this listing does not indicate that there is or ever has been contamination; rather, sites are included in this list due to their potential for having engaged in a business activity presenting an elevated risk of contamination. The list was compiled from various city directories including Polks, Millers, Mullin Kille, Interstate Directory, and State Directory Co; spanning roughly 1920s through 1960 depending on information available by city.

Government Publication Date: Jan 1, 1960

NPDES Biosolids Program Permit Holders:

NPDES BIOSOLIDS

This Water National Pollutant Discharge Elimination System (NPDES) Biosolids Permits list is sourced from the U.S. Environmental Protection Agency's (EPA) Enforcement and Compliance History Online data. EPA's Integrated Compliance Information System (ICIS) for NPDES includes facility and compliance information for NPDES permits in the ECHO Biosolids facility universe. Per the EPA, when sewage from households and businesses (and sometimes wastewater from industrial dischargers) is sent to a wastewater treatment plant, the liquids are separated from the solids, producing a semi-solid, nutrient-rich product known as "sewage sludge" or "biosolids". The EPA typically uses the term "biosolids" to mean sewage sludge that has been treated to meet the agency's regulatory requirements and is intended to be land applied as a soil conditioner or fertilizer.

Government Publication Date: Feb 7, 2026

State**Incidents:**

SPILLS

A list of incidents reported to the Kentucky Department of Environmental Protection (Kentucky DEP) where hazardous materials may have been spilled and/or released.

Government Publication Date: Mar 6, 2026

Clandestine Drug Laboratory Locations:

CDL

List of methamphetamine labs remediated under the Kentucky Department of Environmental Protection Superfund Branch.

Government Publication Date: Nov 20, 2025

Permitted Mine Boundaries:

MINE

Boundaries of approved permitted mines for surface and underground mining in Kentucky. This includes western and eastern coal fields; active, inactive, and released permits. This data set is made available by the Division of Mine Permits, Kentucky Department for Natural Resources.

Government Publication Date: May 19, 2025

Tribal

No Tribal additional environmental record sources available for this State.

County

No County additional environmental record sources available for this State.

Definitions

Database Descriptions: This section provides a detailed explanation for each database including: source, information available, time coverage, and acronyms used. They are listed in alphabetic order.

Detail Report: This is the section of the report which provides the most detail for each individual record. Records are summarized by location, starting with the project property followed by records in closest proximity.

Distance: The distance value is the distance between plotted points, not necessarily the distance between the sites' boundaries. All values are an approximation.

Direction: The direction value is the compass direction of the site in respect to the project property and/or center point of the report.

Elevation: The elevation value is taken from the location at which the records for the site address have been plotted. All values are an approximation. Source: Google Elevation API.

Executive Summary: This portion of the report is divided into 3 sections:

'Report Summary'- Displays a chart indicating how many records fall on the project property and, within the report search radii.

'Site Report Summary'-Project Property'- This section lists all the records which fall on the project property. For more details, see the 'Detail Report' section.

'Site Report Summary-Surrounding Properties'- This section summarizes all records on adjacent properties, listing them in order of proximity from the project property. For more details, see the 'Detail Report' section.

Map Key: The map key number is assigned according to closest proximity from the project property. Map Key numbers always start at #1. The project property will always have a map key of '1' if records are available. If there is a number in brackets beside the main number, this will indicate the number of records on that specific property. If there is no number in brackets, there is only one record for that property.

The symbol and colour used indicates 'elevation': the red inverted triangle will dictate 'ERIS Sites with Lower Elevation', the yellow triangle will dictate 'ERIS Sites with Higher Elevation' and the orange square will dictate 'ERIS Sites with Same Elevation.'

Unplottables: These are records that could not be mapped due to various reasons, including limited geographic information. These records may or may not be in your study area, and are included as reference.

Appendix G

Regulatory Agency Documentation

N. 185.21 E. 226.27

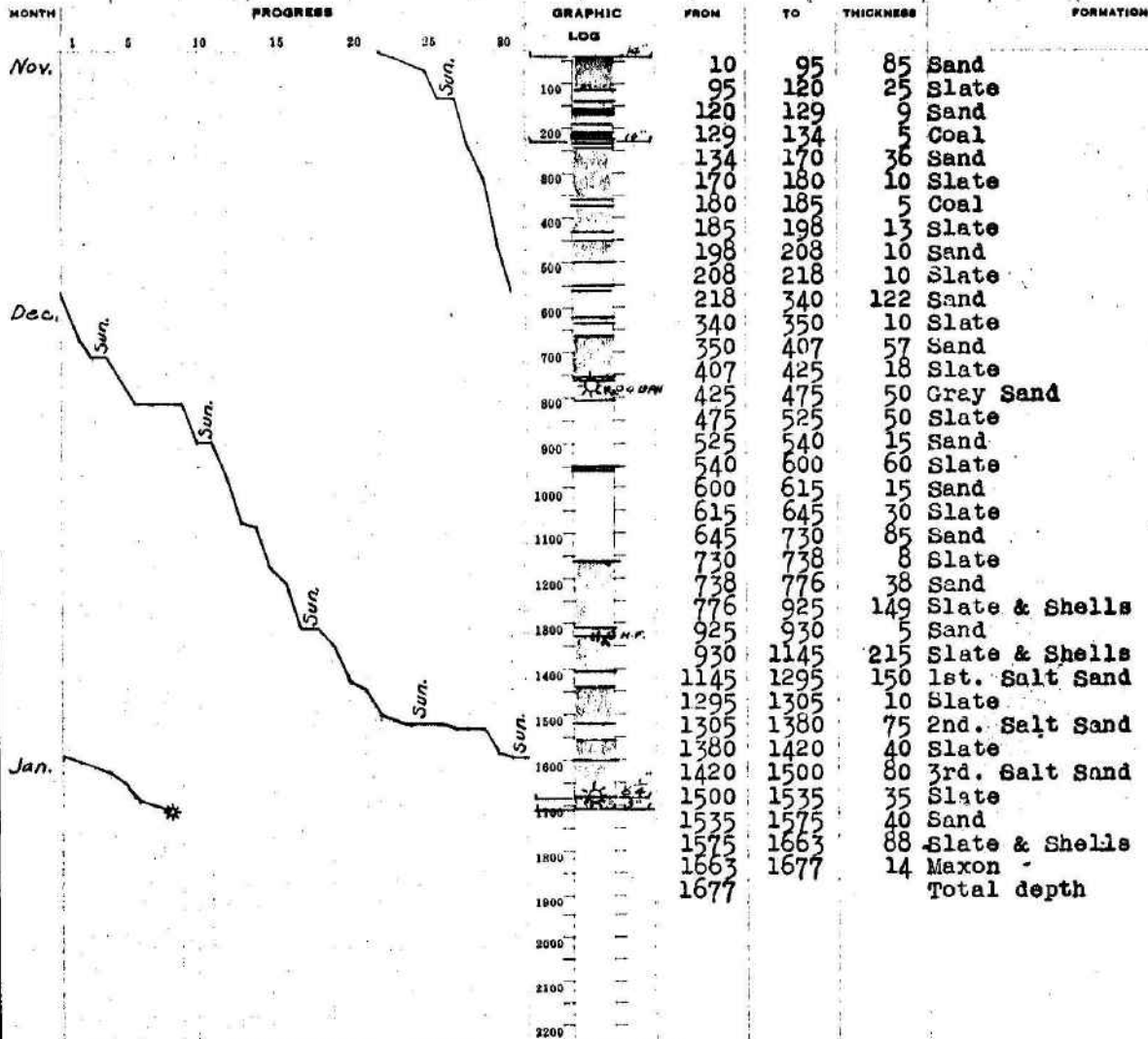
GAS, WATER AND OIL RECORD

[illegible]

RECORD OF SHOT

DATE SHOT	FROM	TO	BAND	TYPE OF EXPLOSIVE	QUANTITY	PRODUCTION BEFORE SHOT	PRODUCTION AFTER SHOT
-----------	------	----	------	----------------------	----------	---------------------------	--------------------------

NOT SHOT



Record No: 68279 Permit No:
Farm Name: PREECE, W B
Well No: 5554
Operator: KENTUCKY WEST VIRGINIA GAS CO
Location: 1350 FNL x 1600 FEL 19- P-84
County: MARTIN Elevation: 1280
THE KENTUCKY GEOLOGICAL SURVEY DOES NOT WARRANT
THE ACCURACY OF INFORMATION ON THIS DOCUMENT

COMMONWEALTH OF KENTUCKY
DEPARTMENT OF MINES AND MINERALS
DIVISION OF OIL AND GAS
P.O. Box 2244
FRANKFORT, KY 40601 PHONE (502) 573-0147



Kentucky Geological Survey



0137132002

WELL LOG
TION REPORT
BY LAW

(TYPE OR PRINT IN INK)

R# 137132

OPERATOR'S PHONE: 606-478-2191

WELL IDENTIFICATION PERMIT NO. 104897
OPERATOR Leonard Hall d/b/a L & B Oil and Gas, Inc.
FARM NAME Blankenship, A. B. Heirs WELL NO. Hall-92
TYPE OF OPERATION LOCATION
TWIN..... ☐ COUNTY Martin
REOPEN..... ☐
NEW WELL..... ☒ SEC. 12, LTR. P, NO. 84
WORKOVER..... ☐ 1714' ☐ FNL 2140' ☐ FEL
DEEPENING..... ☐ ☒ FSL ☒ FWL

ELEVATION 1121' (GROUND) 1128' (K.B.)

OPERATIONAL DATES
COMMENCED 05/05/2009 COMPLETED 05/11/2009

PLACED IN OPERATION
PLUGGED SHUT-IN 10/23/2009

DRILLING CONTRACTOR
NAME Cheyenne Drilling, Inc.
ADDRESS 60 Bosco Tipple Road
Hueysville, KY 41640

WATER ENCOUNTERED (FRESH, SALT, SULFUR)
TYPE FROM TO
Fresh 182' 290'
Salt 867' 1704' TD for
7" Casing

COMMENTS carried salt water until casing set @ 1704'

GEOPHYSICAL LOGS RUN (AS REQUIRED BY KRS 353.550(2))
(ELECTRICAL, INDUCTION, SONIC, GAMMA RAY, NEUTRON, DENSITY, ETC.)
TYPE FROM TO
gamma ray 0 3214' TD
audio 1704' 3214'
photo density 1704' 3214'
NPOR 1704' 3214'
array induction 1704' 3214'

TOTAL DEPTH DRILLED 3214' WLM, 3210' SLM
(AS REQUIRED BY KRS 353.570)

CASING DATA
CASING OUTSIDE DIAMETER HOLE DIAMETER DEPTH CEMENT NO. SKS. PULLED YES/NO
9 5/8" 12 1/4" 65' 5 NO
7" 8 7/8" 1704' 79/134 NO
4 1/2" 6 3/8" 3172' 65 NO

CEMENT YIELD IN CUBIC FEET/SACK = 9 5/8" & 79 sx. 7" = 1.18

COMMENTS 134 sx. 7" = 1.76 & 4 1/2" = 1.90

TYPE OF COMPLETION (CHECK ONE)

DRY HOLE..... ☐
OIL..... ☐
GAS..... ☒ DOMESTIC GAS..... ☐

ENHANCED RECOVERY: SERVICE WELL:

WATER INJECTION..... ☐ WATER SUPPLY..... ☐
GAS INJECTION..... ☐ SALT WATER DISPOSAL..... ☐

GAS STORAGE: OBSERVATION..... ☐
INJECTION-EXTRACTION..... ☐ OTHER..... ☐

OTHER DESCRIBE

WELL TREATMENT TYPE OF FRAC.
SHOT

TYPE SHOT
SHOT INTERVAL
SHOT AMOUNT

COMPLETION INTERVAL PERFORMANCES OR OPEN HOLE
FORMATION Devonian Shale INTERVAL 2845-3090 (40)

FORMATION Devonian Shale INTERVAL 2467-2769 (30)

PLUGGED SHUT-IN

TREATMENT

TYPE OF TREATMENT Nitrogen frac
ACID AMOUNT 8.6 BBLs. 10 BBLs.
2ND STAGE BBLs.
TOTAL FLUID 18.6 BBLs. 2ND STAGE BBLs.
TOTAL NITROGEN 1,060,000 1st stage; 860,000 2nd stage SCF
TOTAL SAND N/A LBS

ADDITIONAL CEMENTING

SQUEEZE CEMENT SKS. TOP
INTERVAL
PLUG BACK SKS. TOP
INTERVAL

INITIAL TEST VOLUMES

OIL: NATURAL 0 B/D 05/11/2009 DATE

AFTER TREATMENT 0 B/D 10/23/2009 DATE

GAS: NATURAL 10 MCF 05/11/2009 DATE

AGAINST BACKPRESSURE OF atmospheric PSI

SHUT-IN PRESSURE 305# AFTER 72 HOURS

AFTER TREATMENT 176 MCF 10/23/2009 DATE

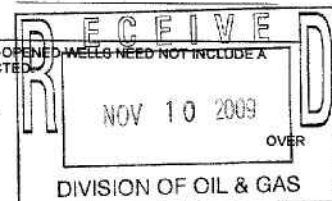
AGAINST BACKPRESSURE OF atmospheric PSI

SHUT-IN PRESSURE 285# AFTER 24 HOURS

LIST DST'S, CORES, FILL-UP TESTS AND OTHER SPECIALIZED TESTS

TYPE FROM

THIS FORM MUST BE COMPLETED AND FILLED FOR EVERY PERMIT IMMEDIATELY AFTER COMPLETION OF THE WELL. RE-OPENED WELLS NEED NOT INCLUDE A DRILLER'S LOG. HOWEVER, THE FRONT SIDE OF THIS FORM MUST BE COMPLETED. INCOMPLETE FORMS WILL BE REJECTED.



FORMATION RECORD

FROM	TO	ROCK TYPE (DESCRIBE ROCK TYPES AND OTHER MATERIALS PENETRATED AND RECORD OCCURENCES OF OIL, GAS AND WATER FROM SURFACE TO TOTAL DEPTH.)	FROM	TO	ROCK TYPE (DESCRIBE ROCK TYPES AND OTHER MATERIALS PENETRATED AND RECORD OCCURENCES OF OIL, GAS AND WATER FROM SURFACE TO TOTAL DEPTH.)
0'	3214' TD	see referenced E-logs for strata correlation ✓			

Kentucky Geological Survey



0137132003

R

RECEIVED

NOV 10 2009

D

DIVISION OF OIL & GAS

AFFIDAVIT

Leonard Hall d/b/a L & B Oil and Gas, Inc.

, OPERATOR OF THE WELL CAPTIONED AS

PERMIT NUMBER 104897

DOES HEREBY SWEAR THAT THE DEPTH OF THE WELL IS ACCURATE
AND CORRECT AND DOES NOT EXCEED THE PERMITTED DEPTH OF 3990'

SIGNATURE OF OPERATOR

Leonard Hall

President

TITLE

11-6-09

DATE

SWORN TO AND SUBSCRIBED BEFORE ME THIS

6

DAY OF

Nov.

20 09

Leslie Hall

NOTARY PUBLIC

MY COMMISSION EXPIRES:

10-12-12

SERIAL NO. 5544

NAME W. B. Preece

N. 184.69 E. 226.35

CASING AND TUBING

PACKERS

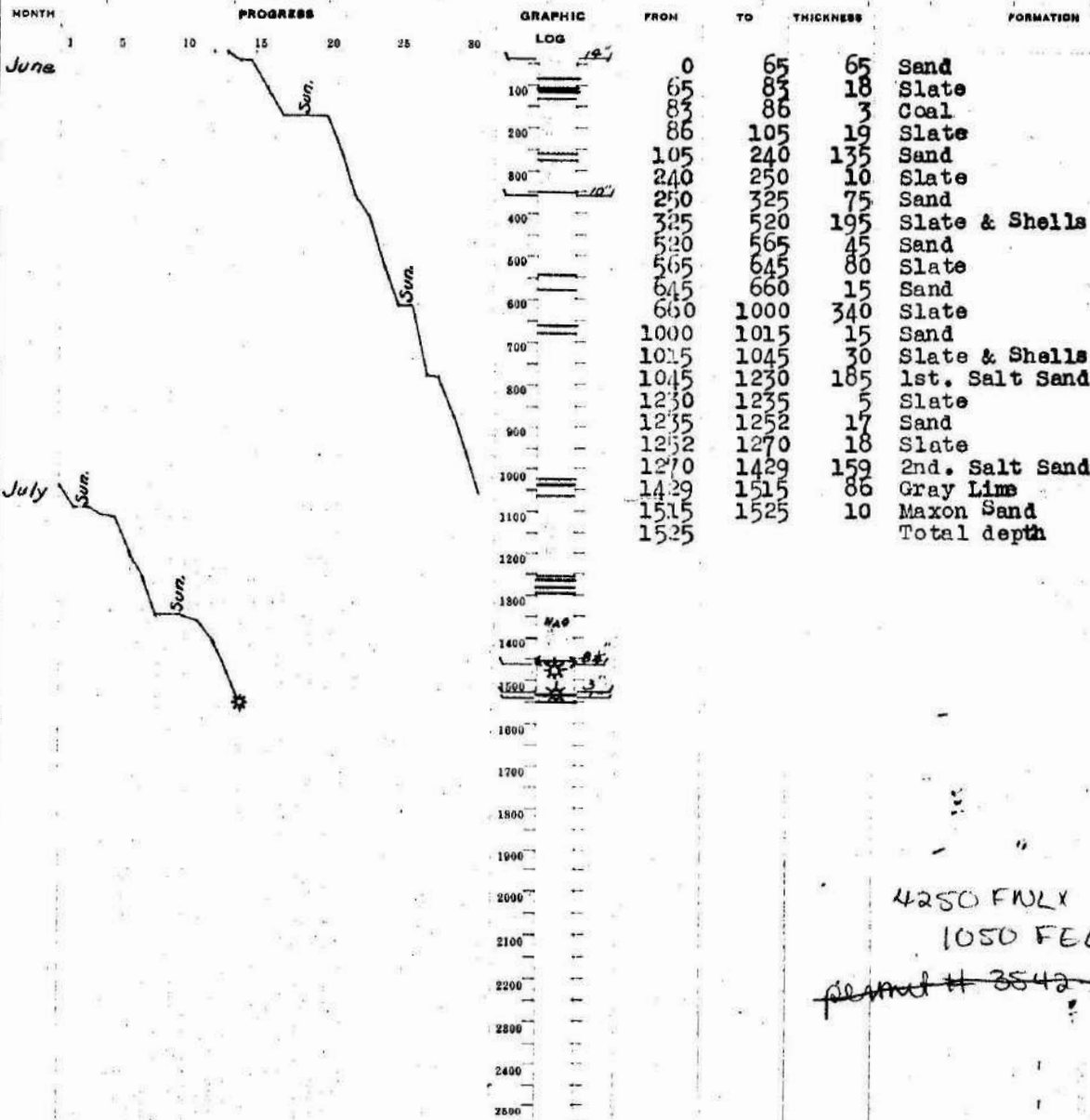
GAS, WATER AND OIL RECORD

SIZE	PUT IN WELL	PULLED	CASING FT.	SIZE	MAKE	SET AT	LIQUID OR GAS	DEPTH	FT. RAISED IN HOLE	VOLUME
14"	12'			8 1/2"	Bottom Hole	1443'	Water	1135'		
10"	334'			8 1/2" x 3"	Hookwall	1445'	Gas	1458'		
8 1/2"	1443'				Tub. perf. 10' on bottom		Gas	1515'		
3"	1505'									
1"	1512'									

RECORD OF SHOT

DATE SHOT	FROM	TO	SAND	TYPE OF EXPLOSIVE	QUANTITY	PRODUCTION BEFORE SHOT	PRODUCTION AFTER SHOT
-----------	------	----	------	-------------------	----------	------------------------	-----------------------

Not shot



4250 FNLX

1050 FEL

~~planned # 3542 E~~

Record No: 68283 Permit No:

Farm Name: PREECE, W B

Well No: 5544

Operator: KENTUCKY WEST VIRGINIA GAS CO

Location: 1700 FSL x 1050 FEL 19- P-84

County: MARTIN Elevation: 1131

THE KENTUCKY GEOLOGICAL SURVEY DOES NOT WARRANT THE ACCURACY OF INFORMATION ON THIS DOCUMENT

COPY

OUTSIDE WELL

E. C. Ware -- Well # 1
 John Hale Farm -- Map Sqs. 14.17
 On Wolf Creek
 Martin, County, Kentucky

Commenced: 9/20/48
 Completed Drilling: 12/3/48
 Plugged: 12/10/48

CHARLESTON

184.08
 228.40
 NAUG SW

24-P-85

MARTIN

Formation	Top	Bottom
Soil	0	10
Slate	10	13
Coal	13	17
Sand	17	80
Slate	80	110
Sand	110	150
Slate	150	185
Sandy Lime	185	255
Slate	255	310
Sand	310	380
Slate	380	410
Sand	410	490
Slate	490	562
Sand	562	592
Slate	592	655
Sand	655	690
Slate	690	735
Salt Sand	735	803
Slate	803	807
Salt Sand	807	990
Lime Shells	990	1020
Maxon Sand	1020	1145
Red Rock	1145	1165
Slate & Shells	1165	1195
Red Rock	1195	1220
Slate & Shells	1220	1345
Little Lime	1345	1370
Pencil Cave	1370	1375
Big Lime	1375	1625
Keener	1625	1670
Shale	1670	2110
Coffee Shale	2110	2140
Berea	2140	2250
Brown Shale	2250	2350
White Slate	2350	2500
Brown Shale	2500	2580
White Slate	2580	2690
Brown Shale	2690	2957
Total Depth		2957'

Dry Hole

Pulled, plugged, & abandoned.

Casing

27' 11" / 110'

Oil Shows--

1410'

Berea--1 Gal./ Hr.

1 Bailer Water

Gas Shows--

1475' 1/10 W 2"

2590'

2954'

Water Shows--

143'

340'

840'

1145'

Berea--1 Bailer Salt Water

3 Hour and 1 Gal. Oil

Casing Record--

13" 25' 11"

10-3/4" 159' 11"

8" 1015' 2"

6-5/8" 1385' 9"

Shot 12/7/48 with 3850# of
 80% Gelatin from 2509-2954.
 Dry after shot.

Record No: 65675 Permit No:

Farm Name: HALE, JOHN

Well No: 1

Operator: WARE DRILLING CO, INC

Location: 950 FNL x 550 FWL 24- P-85

County: MARTIN Elevation: 760

THE KENTUCKY GEOLOGICAL SURVEY DOES NOT WARRANT
 THE ACCURACY OF INFORMATION ON THIS DOCUMENT

65675

Courtney Roy

From: McFarland, Capella N (EEC) <capellan.mcfarland@ky.gov>
Sent: Monday, May 4, 2026 8:03 AM
To: Courtney Roy
Subject: RE: Records Request

Please note that effective June 29, 2021, only residents of the Commonwealth may request to inspect public records, KRS 61.872(3). Residents of the Commonwealth include individuals residing in the Commonwealth, domestic business entities with a location in the Commonwealth, foreign business entities registered with the Kentucky Secretary of State, individuals that are employed and are working at a location in the Commonwealth, and any individual or business entity representing one of these residents, KRS 61.870(10). News-gathering organizations, which are specifically defined in KRS 189.635(9)(b), may also request to inspect public records under the Act. Id.

To submit your open records request, please also provide a statement of qualification as a resident of the Commonwealth per KRS 61.870(10).

Capella McFarland, Open Records Section Supervisor

Office of Administrative Services
Division of Information Services
Energy & Environment Cabinet
300 Sower Blvd, Frankfort KY, 40601
Office: (502) 782-1782
Email: capellan.mcfarland@ky.gov
Website: <https://eec.ky.gov>
Open Record Requests: EEC.KORA@ky.gov



This communication contains confidential information and is for use by the intended recipient(s) exclusively. If you are not an intended recipient, please note that any form of distribution, copying, forwarding, or use of this communication or the information therein is strictly prohibited and may be unlawful. If you have received this communication in error, please return it to the sender, delete this communication, and destroy all copies.

From: Courtney Roy <croy@ectinc.com>
Sent: Friday, May 1, 2026 4:11 PM
To: EEC KORA <EEC.KORA@ky.gov>
Subject: Records Request

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

Hello,

Are there any available records pertaining to the restoration status associated with the mines in listed in the attached PDF located in Martin County, KY? Additionally, is there any information about restoration, reclamation, bond, land use restrictions, spills, or incidents and any long term environmental impacts due to the mining activity.

Thank you

Courtney Roy

Technical Writer

P: (517) 816-1979



10 11 0007

64922

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 4

IN THE MATTER OF:

Martin County Coal Slurry Spill Site
Martin County, Kentucky

Martin County Coal Corporation

Respondent

)
)
) Docket No. CWA-04-01-1012
) EPA Docket No. 01-19-C
)
)
) Order on Consent for Compliance
)
)
)

ADMINISTRATIVE ORDER ON CONSENT

I. AUTHORITIES AND GENERAL PROVISIONS

1. This Administrative Order on Consent ("Order") is entered into by the United States Environmental Protection Agency ("EPA") and Martin County Coal Corporation ("Respondent"). This Order requires Respondent to: 1) remove Waste Materials that have been discharged into waters of the United States and associated watershed areas; 2) restore the impacted waters and watersheds; 3) mitigate any temporary or permanent losses of waters of the United States; and 4) to reimburse response costs incurred by the EPA. These items will be done in connection with the release of Waste Materials into waters of the United States from an impoundment at Respondent's coal processing facility located in Martin County, Kentucky.
2. This Order is issued primarily under the authority vested in the Administrator of the EPA by Section 309(a) of the Clean Water Act ("CWA"), 33 U.S.C. §§1251 et. seq., which has been delegated to Regional Administrators of Regions 3 and 4. The reimbursement portion of the agreement is entered into by EPA pursuant to the authority vested in the Administrator of EPA by 42 U.S.C. § 9622(h), which has also been redelegated to the Regional Administrators of Regions 3 and 4.
3. EPA has notified the Commonwealth of Kentucky and the State of West Virginia of this Order. EPA will provide both States with a copy of this executed Order.
4. EPA and Respondent agree that this Order has been negotiated in good faith and that the actions undertaken by Respondent in accordance with this Order do not constitute an admission of any liability. Respondent retains the right to controvert in any subsequent proceedings, other than proceedings to implement or enforce this Order, the validity of the findings of facts, conclusions

of law, and determinations in Sections IV and V of this Order. Respondent agrees to comply with and be bound by the terms of this Order and further agrees in any proceeding to implement or enforce this Order that it will not contest the validity of this Order, its terms, or the jurisdiction of EPA to issue it.

II. PARTIES BOUND

5. This Order applies to and is binding upon EPA, and upon Respondent and Respondent's agents, successors, and assigns. Any change in ownership or corporate status of Respondent including, but not limited to, any transfer of assets or real or personal property shall not alter Respondent's responsibilities under this Order.

6. Respondent shall ensure that its contractors, subcontractors, and representatives receive a copy of this Order and comply with this Order. Respondent shall be responsible for any noncompliance with this Order.

III. DEFINITIONS

7. Unless otherwise expressly provided herein, whenever terms listed below are used in this Order the following definitions shall apply:

a. "Administrative Order on Consent" (Order) shall mean this Agreement.

b. "Day" shall mean a calendar day unless expressly stated to be a working day. "Working day" shall mean a day other than a Saturday, Sunday, or Federal holiday. In computing any period of time under this Consent Decree, where the last day would fall on a Saturday, Sunday, or Federal holiday, the period shall run until the close of business of the next working day.

c. "Effective Date" shall be the effective date of this Order as provided in Section XXV paragraph 65.

d. "EPA" shall mean the United States Environmental Protection Agency and any successor departments or agencies of the Agency.

e. "Costs" shall mean all costs, including, but not limited to, direct and indirect costs, that the EPA has incurred after October 11, 2000, in conducting response actions, reviewing or developing plans, reports and other items pursuant to this Order, verifying the Work, or otherwise implementing, overseeing, or enforcing this Order, including but not limited to, payroll costs, contractor costs, travel costs, laboratory costs, and costs incurred pursuant to Paragraph 19.

f. "National Contingency Plan" or "NCP" shall mean the National Oil and Hazardous Substances Pollution Contingency Plan promulgated pursuant to, 42 U.S.C. § 9605, codified at 40 C.F.R. Part 300, and any amendments thereto.

g. "Paragraph" shall mean a portion of this Order identified by an arabic numeral.

h. "Parties" shall mean the United States Environmental Protection Agency, and the Respondent.

i. "Site" or "Discharge Area" shall mean the extent of the release of Waste Material at and from the Martin County Coal Corporation, encompassing surface water, associated wetlands (if any) and associated watershed areas of, Martin County, Kentucky and, all other areas within the areal extent and spread of the Waste Material.

j. "Waste Material" shall mean any pollutant, as that term is defined under Section 502(6) of the Clean Water Act, 33 U.S.C. § 1362(6), discharged into waters of the United States and adjacent areas.

k. "Work" shall mean any activities Respondent is required to perform under this Order, except those required by Paragraph 20 (Record Retention).

IV. EPA's FINDINGS OF FACT

8. For the purposes of this Order, EPA finds that:

a. Martin County Coal Corporation (MCCC) is a coal mining company with a coal processing facility in Martin County, Kentucky. The process consists of washing the coal to remove impurities. The waste water and waste materials are then stored in an impoundment. The impoundment does not have a NPDES discharge permit pursuant to either Federal or State law.

b. On Wednesday October 11, 2000, the coal slurry impoundment owned and operated by the MCCC had a sudden breach and millions of gallons of Waste Materials, including, coal mine fine refuse slurry, and sediments spilled from a point source into waters of the United States. The spilled Waste Material entered the Wolf Creek, Rockcastle Creek, and the Big Sandy River watersheds and has traveled downstream from the Site, into several tributaries including: Coldwater Fork, Rockcastle Creek, Tug Fork and the Big Sandy River.

c. EPA Region 4 was contacted by the National Response Center and responded immediately to the release along with the Commonwealth of Kentucky. The EPA On Scene Coordinator (OSC) was dispatched and he set up the Unified Command/Incident Command to coordinate the response as required by the NCP.

d. Several potable and industrial water supply intakes were affected or potentially affected as a result of the spill. MCCC has been providing alternative water supplies to the impacted communities as necessary since the discharge incurred.

e. Since the discharge, EPA, the Commonwealth of Kentucky, and the Respondent have collected sediment and water quality samples at the Site. Sampling results have confirmed that the discharged Waste Material has entered the surface waters from a point source into the waters of the United States and adjacent areas.

f. As of January 10, 2001, activities conducted by MCCC have resulted in removal of Waste Material deposits attributable to the initial release of October 11, 2000 in the following locations:

- i. Approximately eight miles of streambed, banks, and floodplain areas in the Coldwater Fork watershed, from the North Portal to the Cain Property Cells along Kentucky State Road 908.
- ii. Approximately five miles of streambed, banks, and floodplain areas in the Wolf Creek watershed, from the confluence of Big Andy Branch and Panther Fork to the confluence of Carcass Branch with Wolf Creek.

V. EPA's CONCLUSIONS OF LAW AND DETERMINATIONS

9. Based on the Findings of Fact set forth above, and the Administrative Record supporting this action, EPA has determined that:

a. The release of the Waste Materials into the waters of the United States without a permit violated the Clean Water Act 33 U.S.C. §§ 1251 et. seq.

b. Martin County Coal Corporation ("Respondent") is a corporation organized under the laws of Kentucky with a place of business located at Route 40, Martin County, Kentucky. The Respondent is a "person" within the meaning of Section 502(5) of the Clean Water Act, 33 U.S.C. § 1362(5).

c. Section 301 (a) of the Clean Water Act, 33 U.S.C. §1311 (a), makes unlawful the discharge of any pollutant by any person into the navigable waters of the United States, except in compliance with certain sections of the Clean Water Act including Section 402, 33 U.S.C. §1342, and Section 404, 33 U.S.C. §1344.

d. The impacted tributaries of the Wolf Creek, Rockcastle Creek, and Big Sandy River watersheds including: Coldwater Fork, Tug Fork, Rockcastle Creek, and the Big Sandy River are all "waters of the United States" and "navigable waters" within the meaning of the CWA and regulations promulgated thereunder.

e. The impoundment that was the point of discharge of Waste Material into waters of the U.S. constitutes a "point source" within the meaning of the definition set forth in Section 502(14) of the CWA, 33 U.S.C. §1362(14).

f. The Waste Material that was released from the impoundment constitutes a "pollutant" within the meaning of the definition set forth in Section 502(6) of the CWA, 33 U.S.C. §1362(6).

g. Under Sections 402 and 404, a permit is a legal prerequisite to discharge of the type described above. No CWA Section 402 or 404 permit authorizing the aforesaid release and discharges into the Site or Discharge Area has been issued by the EPA, the states or the U. S. Corps of Engineers (COE). These discharges therefore were in violation of Section 301(a) of the CWA.

h. The Work required by this Order is necessary to protect the public health, welfare, or the environment.

i. EPA alleges that it has incurred response costs at the Site pursuant to 42 U.S.C. § 9607.

VI. ORDER

10. Based upon the foregoing Findings of Fact, Conclusions of Law and Determinations, and the Administrative Record for this Site, it is hereby ordered and agreed that Respondent shall comply with the following provisions, including but not limited to all documents incorporated by reference into this Order, and perform the following actions:

11. Designation of On-Scene Representatives

a. Respondent shall perform the Work required by this Order itself or retain a lead contractor to perform the Work. Respondent shall notify EPA of Respondent's qualifications or the name and qualifications of such lead contractor within 10 days of the effective date of this Order. Respondent shall also notify EPA of the name and qualifications of the lead contractors retained to perform the Work under this Order at least 10 days prior to commencement of such Work. EPA retains the right to disapprove of the selection of the lead contractor retained by the Respondent, or of Respondent's choice of itself to do the Work. If EPA disapproves of the selected lead contractor, EPA will document its reasons to Respondent in writing, and Respondent shall retain a different lead contractor or notify EPA that it will perform the Work itself within 10 days following EPA's disapproval and shall notify EPA of that lead contractor's name and qualifications within 3 days of EPA's disapproval.

b. Within 3 days after the effective date of this Order, Respondent shall designate a Project Coordinator who shall be responsible for administration of all the Respondent's actions required by the Order. Respondent shall submit the designated coordinator's name, address, telephone number, and qualifications to EPA. To the greatest extent possible, the Project Coordinator shall be present on Site or readily available during Site work. EPA retains the right to disapprove of any Project Coordinator named by Respondent. If EPA disapproves of a selected Project Coordinator it will document its reasons in writing and, Respondent shall retain a different Project Coordinator and shall notify EPA of that person's name, address, telephone number, and

qualifications within 10 days following EPA's disapproval.

c. EPA has currently designated Art Smith of the EPA, Region 4 Emergency Response and Removal Branch as its On-Scene Representative (OSR) for purposes of implementing the work. At some point as the restoration process moves forward, EPA may designate Eric Somerville, Region 4, Wetlands Section as the OSR. Respondent shall direct all submissions required by this Order to the OSR at Room 216K, Romano L. Mazzoli Federal Building, 600 Martin Luther King, Jr. Place, Louisville, KY 40202. Copies of submissions should be sent to Eric Somerville at 61 Forsyth Street, Atlanta, Georgia 30303. EPA and Respondent shall have the right, subject to the preceding paragraph above, to change its designated OSR or Project Coordinator. Respondent shall notify EPA, 10 days before such a change is made. The initial notification may be orally made but it shall be promptly followed by a written notice.

VII. WORK TO BE PERFORMED

12. Respondent shall perform, the following actions:

a. Contain the release of Waste Materials into the Wolf Creek and Coldwater Fork: Take appropriate steps to limit additional coal slurry from being released into the environment from the impoundment or from the mine works located beneath or otherwise hydraulically connected to the impoundment. Employ appropriate measures including, but not limited to, berming, diking, booms with silt curtains, rock dams, sediment basins, sediment traps, rip rap, solidification of coal slurry and pumping techniques, to limit to the maximum extent practical additional releases of coal slurry into areas outside of the Wolf Creek and Coldwater Fork watersheds.

b. Stream Assessment and Cleanup Survey (SACS) Team:

i. Respondent shall be a member of the SACS Team and will carry out the Work as directed by the OSR after recommendations by the SACS Team. The OSR will serve as the head of the SACS Team. The purpose of the SACS Team is to provide input into the Work to be performed to allow the OSR to make determinations regarding the Work.

ii. The SACS Team consists of the following personnel: an EPA staff person, EPA's Scientific Support Coordinator (or equivalent), Qualified members of EPA's Environmental Response Team (ERT), (these may be contractors that are experts in stream cleanup and restoration,) Representative(s) from the Commonwealth of Kentucky, Representative(s) from the State of West Virginia, and Representative(s) from Respondent. Respondent agrees to provide necessary on-Site office space for the SACS Team and the OSR.

iii. The SACS Team may send multiple teams into the field to assess predesignated areas for cleanup/mitigation/restoration. Each team should consist of at least one State, one MCCC, and one Federal person. The teams will evaluate the options for each area that

was assessed. The Scientific Support Coordinator (SSC) will lead the discussion within the SACS Team. The SACS Team will make its recommendation and the OSR will make the determinations on the removal and restoration for that area.

c. Assessment/Cleanup Criteria: Respondent shall restore the Site so that there are no permanent losses to the waters of the United States. Pursuant to the preceding paragraph, Respondent as a member of the SACS Team, shall evaluate conditions in the affected watersheds for purposes of developing cleanup options and criteria. These assessments shall include physical inspection of affected banks, and streambeds of the of all impacted tributaries of Wolf Creek, Rockcastle Creek, and Big Sandy River watersheds. As part of the assessment the Respondent shall acquire a thorough understanding of the mechanisms of mobilization and deposition of the Waste Material in the surface water bodies and adjacent riparian areas affected by the spill. This knowledge shall be developed in part on identification of locations and depths of the Waste Material in these watersheds and the changes in these parameters over time, as determined by field measurements. Based on the results of these assessments, final cleanup criteria will be developed and will be based on an estimate of ecological risks to aquatic species in each of the watersheds due to Waste Material migration, as established in the assessment. At a minimum, this study shall include (a) an evaluation of the impacts to habitats due to the release and (b) prediction of future impacts to aquatic species upon re-suspension and deposition of Waste Material. The final cleanup criteria shall be determined by the OSR after recommendations from the SACS Team. The areas to be assessed include:

- i. Wolf Creek, Rockcastle Creek, and Big Sandy River watersheds, including all impacted tributaries.

d. Removal and Restoration: Based on the SACS Team's recommendations and determination by the EPA OSR, Respondent shall perform the following tasks:

- i. Remove the Waste Material that has been released from the impoundment and deposited on the ground outside of the two portals. Based on the recommendations of the SACS Team the OSR will make the determination on the amount of Waste Material that should be removed.
- ii. Remove discharged Waste Material from the stream/river beds, banks, floodplains and adjacent wetlands and riparian zones of the Wolf Creek, the Rockcastle Creek and the Big Sandy watersheds (and their associated tributaries), Tug Fork and the Big Sandy River, to original grade or to levels recommended as appropriate by the SACS Team as determined appropriate by the EPA OSR, and the removal should not widen or deepen the stream channel below bank full elevation. In areas where Waste Material remains in place at the direction of the SACS Team, the material should be stabilized in place using appropriate means (e.g. by using a vegetative cover).

iii. Remove physical and mechanical devices and structures that were employed to contain and remove the Waste Material based on recommendations by the SACS Team as determined appropriate by the EPA OSR.

iv. Restore the contour of the stream banks and flood plain areas impacted by the Waste Material, to their natural state or levels recommended as appropriate by the SACS Team as determined appropriate by the EPA OSR.

v. Restore the aquatic and hydraulic functions of the streams through appropriate in-stream aquatic enhancement structures and flow management structures recommended as appropriate by the SACS Team as determined appropriate by the EPA OSR.

vi. Replant the riparian zone starting at bank full elevation and extending as far up the stream bank as recommended by the SACS Team as determined appropriate by the OSR, for any disturbed areas along the impacted streams and rivers.

vii. Consistent with the information developed pursuant to paragraph 12(b)(iii), above, and with applicable law and guidance, the Respondent shall develop a compensatory mitigation plan to provide mitigation to the extent recommended as appropriate by the SACS Team as determined appropriate by the OSR, for both temporal and permanent losses to waters of the United States resulting from the discharge of waste material, restoration activities, and fill remaining in place. This plan should be completed, and submitted to EPA within 12 months of the completion of removal/restoration activities described above. No compensatory mitigation or compensation shall be required under this provision which is inconsistent with or duplicative of any other mitigation or compensation required by any governmental agency or entity regarding damage to natural resources within the Discharge Area that has been agreed to by the Respondent and the governmental agency or entity within 12 months following completion of the removal/restoration required pursuant to Section VII of this Order. This alternative mitigation shall be submitted to EPA for review and approval for the sole purpose of determining its suitability as a substitute for compensatory mitigation within 30 days of agreement by those parties.

e. Section 404 Permit: Having met the requirements for applicability of Nationwide Permit 32, within 30 days of the effective date of this Order, Respondent will submit a copy of this executed Order and apply to the Army Corps of Engineers for a Nationwide 32 permit for any structure, work or discharge of dredged or fill material remaining in place, or undertaken for mitigation, restoration, or environmental benefit in jurisdictional waters of the United States.

f. Water Supplies: Provide resources to ensure that downstream water plants have treatment alternatives for providing water to their customers. This requirement shall remain in

effect until the SACS Team recommends, and it is determined by the OSR, to be no longer necessary.

- g. Permits: Respondent shall apply for all permits as required by law.

13. Work Plan and Implementation

a. Within 10 days after the effective date of this Order, Respondent shall meet with EPA and the States to discuss the issues associated with implementation of the work to be performed. EPA will notify Respondent and the States within 5 days of the effective date of this Order regarding the time and place for such a meeting.

b. Within 30 days after the effective date of this Order, Respondent shall submit to EPA for approval a draft Work Plan for performing the Work. The draft Work Plan shall provide a description of, and an expeditious schedule for, the actions required by this Order.

c. EPA may approve, disapprove, require revisions to, or modify the Work Plan. If EPA requires revisions, or disapproves the Work Plan, EPA will document its reasons for disapproval in writing. Respondent shall then submit a revised Work Plan within 20 days of receipt of EPA's notification of the required revisions. Respondent shall implement the Work Plan as finally approved in writing by EPA in accordance with the schedule approved by EPA. Once approved, or approved with modifications, the Work Plan, the schedule, and any subsequent modifications shall be fully enforceable under this Order.

14. Health and Safety Plan. Within 30 days after the effective date of this Order, the Respondent shall submit for EPA review and comment a plan that ensures the protection of the public health and safety during performance of on-site Work under this Order.

15. Quality Assurance and Sampling

a. All sampling and analyses performed pursuant to this Order shall conform to EPA direction, approval, and guidance regarding sampling, quality assurance/quality control (QA/QC), data validation, and chain of custody procedures. Respondent shall ensure that the laboratory used to perform the analyses participates in a QA/QC program that complies with the appropriate EPA guidance. Respondent shall follow the following documents, as appropriate, as guidance for QA/QC and sampling: "Quality Assurance/Quality Control Guidance for Removal Activities: Sampling QA/QC Plan and Data Validation Procedures," OSWER Directive Number 9360.4-01; dated January 1990; "Compendium of ERT Procedures," OSWER Directives Numbered 9360.4-04 through 9360.4-08.

b. Upon request by EPA, Respondent shall have a laboratory analyze samples submitted by EPA for quality-assurance monitoring. Respondent shall provide to EPA the quality assurance/quality control procedures followed by all sampling teams and laboratories performing

data collection and/or analysis.

c. Upon request by EPA, Respondent shall allow EPA or its authorized representatives to take split and/or duplicate samples of any samples collected by Respondent while performing work under this Order. Respondent shall when practical notify EPA not less than 2 days in advance of any sample collection activity beyond normally scheduled sampling. EPA shall have the right to take any additional samples that it deems necessary.

16. Reporting

a. Respondent shall submit a written progress report to EPA concerning actions undertaken pursuant to this Order monthly after the date of receipt of EPA's approval of the Work Plan until termination of this Order, unless otherwise directed by the OSR. These reports shall describe all significant developments during the preceding period, including the actions performed and any problems encountered, analytical data received during the reporting period, and the developments anticipated during the next reporting period, including a schedule of actions to be performed, anticipated problems, and planned resolutions of past or anticipated problems.

17. Final Report. Within 60 days after completion of all Removal/Restoration required under this Order, the Respondent shall submit for EPA review and approval a Final Report summarizing the actions taken to comply with this Order. The Final Report shall include a listing of an estimate of the quantities and types of materials removed, a discussion of removal/restoration and disposal options considered for those materials, a listing of the ultimate destination of those materials, a summary of the analytical results of all sampling and analyses performed, and accompanying appendices containing a statement of all costs incurred by the Respondent for all Work. The Final Report shall also include the following certification signed by a person who supervised or directed the preparation of that report:

Under penalty of law, I certify that to the best of my knowledge, after appropriate inquiries of all relevant persons involved in the preparation of the report, the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

VIII. SITE ACCESS

18. Respondent shall use its best efforts to provide, and/or obtain access to the Site and off-Site areas to which access is necessary to implement this Order, and provide access to all records and documentation related to the conditions at the Site and the actions conducted pursuant to this Order. Such access shall be provided to EPA employees, contractors, agents, consultants, designees, representatives, and State of West Virginia and the Commonwealth of Kentucky representatives. Such access provided and/or obtained by Respondent shall permit these individuals to move freely on-Site and at appropriate off-Site areas in order to conduct actions

which EPA determines to be necessary.

19. Where action under this Order is to be performed in areas owned by or in possession of someone other than Respondent, Respondent shall use its best efforts to obtain all necessary access agreements in a timely fashion and in accordance with the needs of the SACS Team. Respondent shall immediately notify EPA if after using its best efforts it is unable to obtain such agreements. Respondent shall describe in writing its efforts to obtain access. EPA may then assist Respondent in gaining access, to the extent necessary to effectuate the response actions described herein, using such means as EPA deems appropriate. Respondent shall reimburse EPA for all reasonable costs and attorneys' fees incurred by the United States in obtaining such access. If there arises a situation where EPA is required by law to pay for access, EPA will follow the requirements set forth in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), 42 U.S.C. § 4654.

20. Record Retention, Documentation, Availability of Information.

a. Respondent shall preserve all documents and information relating to the Work performed under this Order, or relating to the waste material found on or released from the Site, for three years following completion of the Work required by this Order. At the end of this three year-period and 30 days before any document or information is destroyed, Respondent shall notify EPA that such documents and information are available to EPA for inspection, and upon request, shall provide the originals or copies of such documents and information to EPA to the extent that they are not subject to any privilege. In addition, Respondent shall provide documents and information retained under this Section at any time before expiration of the three year-period at the written request of EPA to the extent that they are not subject to any privilege.

b. Respondent may assert a business confidentiality claim pursuant to 40 CFR § 2.203(b) with respect to part or all of any information submitted to EPA pursuant to this Order. EPA shall disclose information covered by a business confidentiality claim only to the extent permitted by, and by means of the procedures set forth at, 40 CFR Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, EPA may make it available to the public without further notice to Respondent.

21. Compliance With Other Laws Respondent shall perform all actions required pursuant to this Order in accordance with all applicable local, state, and federal laws and regulations.

IX. AUTHORITY OF THE EPA ON-SCENE REPRESENTATIVE

22. The Respondent agrees that the EPA On-Scene Representative shall be responsible for overseeing the Respondent's implementation of this Order. The OSR shall have the authority to reasonably halt, conduct, or direct any Work required by this Order. Absence of the OSR from the Site shall not be cause for stoppage of Work unless specifically directed by the OSR.

X. REIMBURSEMENT OF COSTS

23. Respondent specifically denies the applicability of 42 U.S.C. § 9607. However as the United States has incurred response costs, and for the purpose of assisting the Respondent with the removal/restoration process, Respondent agrees, consistent with, 42 U.S.C. § 9604 and 9622, to reimburse the United States for its Costs within 30 days of the receipt of a statement identifying such costs with appropriate documentation of those expenses that includes a (SCORPIO Report). Costs are defined in Paragraph 7(e) of this Order. Respondent shall, within 30 days of receipt of a bill, remit a cashier's or certified check for the amount of the bill.

All payments for Costs shall be sent to the following address:

U.S. Environmental Protection Agency
Region 4
Region 4 Accounting
P.O. Box 100142
Atlanta, Georgia 30384
ATTENTION: Collection Officer

24. Respondent shall simultaneously transmit a copy of the check to Wilda Cobb, Associate Regional Counsel, EPA 61 Forsyth Street, Atlanta, Georgia. Payments shall be designated as "Oversight Costs - "Martin County Coal Slurry Spill Site" and shall reference the payor's name and address, the EPA site identification number A41X, and the EPA docket number of this Order.

25. In the event that the payment for Costs are not made within 30 days of the Respondent's receipt of the bill, Respondent shall pay interest on the unpaid balance. Interest is established at the rate specified for interest at the statutory rate.

26. Respondent may dispute all or part of a bill for Costs submitted under this Order, if Respondent alleges that EPA has made an accounting error.

27. If any dispute over Costs is resolved before payment is due, the amount due will be adjusted as necessary. If the dispute is not resolved before payment is due, Respondent shall pay the full amount of the uncontested Costs into the Fund as specified above on or before the due date. Within the same time period, Respondent shall pay the full amount of the contested Costs into an interest-bearing escrow account. Respondent shall simultaneously transmit a copy of both checks to the OSR. Respondent shall ensure that the prevailing party or parties in the dispute shall receive the amount upon which they prevailed from the escrow funds plus interest within 30 days after the dispute is resolved.

XI. DISPUTE RESOLUTION

28. In the event that a disagreement arises under any of the terms or obligations created by this

Order, the parties to this Order shall attempt to resolve, expeditiously and informally, any disagreements.

29. If the Respondent objects to any EPA action, order or determination taken pursuant to this Order, including billings for Costs, the Respondent shall notify EPA in writing of its objections within 30 days of receipt of notice of such action, unless the objections have been informally resolved. For purposes of this Order EPA action, order or determination will include those actions taken by or on behalf of EPA or any of its employees, agents or designees including the OSR.

30. EPA and Respondent shall within 15 days from EPA's receipt of the Respondent's written objections attempt to resolve the dispute through formal negotiations (Negotiation Period). The Negotiation Period may be extended at the sole discretion of EPA although such extensions shall not be unreasonably withheld. EPA's decision regarding an extension of the Negotiation Period shall not constitute an EPA action subject to dispute resolution or a final agency action giving rise to judicial review.

31. Any agreement reached by the parties pursuant to this section shall be in writing, signed by both parties, and shall upon the signature by both parties be incorporated into and become an enforceable element of this Order. If the parties are unable to reach an agreement within the Negotiation Period, the EPA Deputy Regional Administrator (DRA) of Region 4 will issue a written decision on the dispute to the Respondent after the Respondent and EPA shall have had an opportunity to present their respective positions to the DRA and the DRA shall act as an objective mediator of any dispute. The decision of EPA shall be incorporated into and become an enforceable element of this Order upon Respondent's receipt of the EPA decision regarding the dispute. Respondent's obligations under this Order shall not be tolled by submission of any objection for dispute resolution under this section.

32. Following resolution of the dispute, as provided by this section, Respondent shall fulfill the requirement that was the subject of the dispute in accordance with the agreement reached or with EPA's decision, whichever occurs. No EPA decision made pursuant to this section shall constitute a final agency action giving rise to judicial review prior to a judicial action brought by the United States.

XII. FORCE MAJEURE

33. Respondent agrees to perform all requirements under the this Order within the time limits established in the Work Plan, unless the performance is delayed by a force majeure. For purposes of this Order, a force majeure is defined as any event arising from causes beyond the control of Respondent including the ability of the Respondent to get permits or certifications after using its best efforts, or of any entity controlled by Respondent, including but not limited to its contractors and subcontractors, that delays or prevents performance of any obligation under this Order despite Respondent's best efforts to fulfill the obligation. Force majeure does not include financial inability to complete the work or increased cost of performance.

34. Respondent shall notify EPA's OSR or OSR representative orally within 48 hours after the event, and in writing within 3 days after Respondent becomes or should have become aware of events which constitute a force majeure. Such notice shall: identify the event causing the delay or anticipated delay; estimate the anticipated length of delay, including necessary demobilization and re-mobilization; state the measures taken or to be taken to minimize the delay; and estimate the timetable for implementation of the measures. Respondent shall take all reasonable measures to avoid and minimize the delay. Failure to comply with the notice provision of this Section shall waive any claim of force majeure by the Respondent.

35. If EPA determines a delay in performance of a requirement under this Order is or was attributable to a force majeure, the time period for performance of that requirement shall be extended as deemed necessary by EPA. Such an extension shall not alter Respondent's obligation to perform or complete other tasks required by the Order which are not directly affected by the force majeure.

36. Respondent shall be liable to EPA for stipulated penalties in the amounts set forth in Paragraphs 37 and 38 for failure to comply with the requirements of this Order specified below, unless excused under Section XII (*Force Majeure*). "Compliance" by Respondent shall include completion of the activities under this Order or any work plan or other plan approved under this Order identified below in accordance with all applicable requirements of law, this Order, the SOW, and any plans or other documents approved by EPA pursuant to this Order and within the specified time schedules established by and approved under this Order.

XIII. STIPULATED PENALTIES

37. Stipulated Penalty Amounts - Work and Cost Payments.

a. The following stipulated penalties shall accrue per violation per day for any noncompliance with the work schedule set forth in the EPA approved Work Plan.

<u>Penalty Per Violation Per Day</u>	<u>Period of Noncompliance</u>
\$ 500.00	1 st through 14 th day
\$ 1000.00	15 th through 30 th day
\$ 1500.00	31 st day and beyond

38. Stipulated Penalty Amounts - Reports.

a. The following stipulated penalties shall accrue per violation per day for failure to submit timely or adequate reports or other written documents pursuant to Paragraphs 12(d)(vii), 13, 14, 15, 16, and 17:

<u>Penalty Per Violation Per Day</u>	<u>Period of Noncompliance</u>
\$ 500.00	1 st through 14 th day
\$ 1000.00	15 th through 30 th day

\$ 1500.00

31st day and beyond

39. Following EPA's determination that Respondent has failed to comply with a requirement of this Order, EPA may give Respondent written notification of the failure and describe the noncompliance. All penalties shall begin to accrue on the day after the complete performance is due or the day a violation occurs, and shall continue to accrue through the final day of the correction of the noncompliance or completion of the activity. However, stipulated penalties shall not accrue: (1) with respect to a substantially deficient submission under Section VII (Work to be Performed), during the period, if any, beginning on the 31st day after EPA's receipt of such submission until the date that EPA notifies Respondent of any deficiency; and (2) with respect to a decision by the EPA Region 4 Deputy Regional Administrator (DRA) level or higher, under Paragraph 31 of Section XI (Dispute Resolution), during the period, if any, beginning on the 21st day after the Negotiation Period begins until the date that the EPA management official issues a final decision regarding such dispute; and (3) if Respondent fails to comply with the final decision of EPA after Dispute Resolution then stipulated penalties will continue to accrue, but will be capped at a maximum \$50,000. Nothing herein shall prevent the simultaneous accrual of separate penalties for separate violations of this Order. If the dispute is resolved by agreement or by a decision of EPA, accrued penalties determined to be owing shall be paid to EPA within 15 days of the agreement or the receipt of EPA's decision or order.

40. All penalties accruing under this Section shall be due and payable to EPA within 30 days of Respondent's receipt from EPA of a demand for payment of the penalties, unless Respondent invokes the dispute resolution procedures under Section XI (Dispute Resolution). All payments to EPA under this Section shall be paid by certified or cashier's check and, indicate that the payment is for stipulated penalties, and shall reference the EPA Region and Site/Spill ID #A41X, the EPA Docket Number, and the name and address of the party making payment. Payments and Copies of check paid pursuant to this Section, and any accompanying transmittal letter, shall be sent to EPA as provided in Paragraph 23.

41. The payment of penalties shall not alter in any way Respondent's obligations to complete performance of the Work required under this Order.

42. If Respondent fails to pay stipulated penalties when due, EPA may institute proceedings to collect the penalties, as well as interest. Respondent shall pay interest on the unpaid balance, which shall begin to accrue on the date of demand made. Nothing in this Order shall be construed as prohibiting, altering, or in any way limiting the ability of EPA to seek any other remedies or sanctions available by virtue of Respondent's violation of this Order or of the statutes and regulations upon which it is based. Provided, however, that EPA shall not seek civil penalties pursuant to the statutes it enforces for any violation for which a stipulated penalty is provided herein, except in the case of a willful violation of this Order. A willful violation does not include the refusal of Respondent to comply with a final EPA decision after dispute resolution until a court of competent jurisdiction has resolved that dispute. Notwithstanding any other provision of this Section, EPA may, in its unreviewable discretion, waive any portion of stipulated penalties that have accrued pursuant to this Order.

XIV. COVENANT NOT TO SUE

43. Except as otherwise specifically provided in this Order, upon issuance of the EPA notice referred to in Section XXIII - Notice of Completion, EPA covenants not to sue Respondent or to take administrative action against Respondent pursuant to the Clean Water Act for any failure to perform response work pursuant to this Order.

44. Except as otherwise specifically provided in this Order, in consideration and upon Respondent's payment of all the response costs specified in Section X of this Order, EPA covenants not to sue or to take administrative action against Respondent under 42 U.S.C. § 9607(a) for recovery of Costs. This covenant not to sue shall take effect upon the receipt by EPA of all of the payments required by Section X Reimbursement of Costs.

45. These covenants not to sue are conditioned upon the complete and satisfactory performance by Respondent of its obligations under this Order. These covenants not to sue extend only to the Respondent and do not extend to any other person.

XV. RESERVATIONS OF RIGHTS BY EPA

46. Nothing herein shall limit the power and authority of EPA or the United States to take, direct, or order all actions necessary to protect public health, welfare, or the environment or to prevent, abate, or minimize an actual or threatened release of Waste Materials on, at, or from the Site. Nothing herein shall prevent EPA from seeking legal or equitable relief to enforce the terms of this Order.

47. The covenant not to sue set forth in Section XIV above does not pertain to any matters other than those expressly identified therein. EPA reserves, and this Order is without prejudice to, all rights against Respondent with respect to all other matters, including, but not limited to:

- a. claims based on a failure by Respondent to meet a requirement of this Order;
- b. liability for costs or penalties not included within the definition of Costs;
- c. liability for performance of response action other than the Work specifically performed under this Order;
- d. criminal liability;
- e. liability for damages for injury to, destruction of, or loss of natural resources, and for the costs of any natural resource damage assessments; and
- f. liability arising from the past, present, or future disposal, release or threat of release of Waste Materials outside of the Site.

48. This Administrative Order on Consent does not constitute a waiver, suspension or

modification of the terms and conditions of the CWA or any regulations promulgated thereunder. Issuance of or compliance with this Order does not exempt Respondent from responsibility to comply with all requirements of the CWA, regulations promulgated thereunder, and any legal order or part issued thereunder. Issuance of this Agreement is not an election by the EPA to forego any Administrative, Civil or Criminal enforcement actions otherwise authorized under the CWA. This Order is not and shall not be construed to be a permit under the CWA or regulations promulgated thereunder.

XVI. COVENANT NOT TO SUE BY RESPONDENT

49. Respondent, including corporate subsidiaries, parents, and affiliates, agree not to assert any claims or causes of action against the United States, or its contractors or employees, with respect to the Work, Costs, or this Order, including, but not limited to, any direct or indirect claim from or against EPA, based on, 42 U.S.C. §§ 9606(b)(2), 9607, 9611, 9612, or 9613, or any other provision of law, or any claims arising out of response activities at the Site. This does not prevent Respondent from invoking Dispute Resolution pursuant to Section XI of this Order.

50. Nothing in this Agreement shall be deemed to constitute approval or preauthorization of a claim within the meaning of, 42 U.S.C. § 9611, or 40 C.F.R. § 300.700(d).

XVII. OTHER CLAIMS

51. By issuance of this Order, the United States and EPA assume no liability for injuries or damages to persons or property resulting from any acts or omissions of Respondent. The United States or EPA shall not be deemed a party to any contract entered into by Respondent or its directors, officers, employees, agents, successors, representatives, assigns, contractors, or consultants in carrying out actions pursuant to this Order.

52. Except as expressly provided in Section XIV (Covenant Not to Sue by EPA), nothing in this Order constitutes a satisfaction of or release from any claim or cause of action against Respondent or any person not a party to this Order, for any liability such person may have under the Clean Water Act, other statutes, or the common law, including but not limited to any claims of the United States for costs, damages and interest under, 42 U.S.C. §§ 9606 and 9607.

53. Respondent agrees that no action or decision by EPA pursuant to this Order shall give rise to any right to judicial review, except as set forth in, 42 U.S.C. § 9613(h).

XVIII. CONTRIBUTION PROTECTION

54. The Parties agree that Respondent is entitled, as of the Effective Date, to protection from contribution actions or claims as provided by, 42 U.S.C. §§ 9613(f)(2) and 9622, for "matters addressed" in this Order. For purposes of this paragraph the "matters addressed" in this Order are the Costs. Nothing in this Order precludes the United States or Respondent from asserting any claims, causes of action, or demands against any persons not parties to this Order for

indemnification, contribution, or cost recovery.

XIX. INDEMNIFICATION

55. Respondent shall indemnify, save and hold harmless the United States, its officials, agents, state on scene representative, contractors, subcontractors, employees and representatives from any and all claims or causes of action arising from, or on account of, negligent acts of Respondent, their officers, directors, employees, agents, contractors, or subcontractors, in carrying out actions pursuant to this Order. In addition, Respondent agrees to pay the United States all costs incurred by the United States, including but not limited to attorneys fees and other expenses of litigation and settlement, arising from or on account of claims made against the United States based on negligent acts of Respondent, its officers, directors, employees, agents, contractors, subcontractors and any persons acting on their behalf or under their control, in carrying out activities pursuant to this Order. The United States shall not be held out as a party to any contract entered into by or on behalf of Respondent in carrying out activities pursuant to this Order. Neither Respondent nor any such contractor shall be considered an agent of the United States.

56. The United States shall give Respondent notice of any claim for which the United States plans to seek indemnification pursuant to this Section and shall consult with Respondent prior to settling such claim.

57. Respondent waives all claims against the United States for damages or reimbursement or for set-off of any payments made or to be made to the United States, arising from or on account of any contract, agreement, or arrangement between Respondent and any person for performance of Work on or relating to the Site, including, but not limited to, claims on account of construction delays. In addition, Respondent shall indemnify and hold harmless the United States with respect to any and all claims for damages or reimbursement arising from or on account of any contract, agreement, or arrangement between Respondent and any person for performance of Work on or relating to the Site, including, but not limited to, claims on account of construction delays.

XX. INSURANCE

58. At least 15 days prior to commencing any on-Site work under this Order, Respondent shall secure, and shall maintain for the duration of this Order, comprehensive general liability insurance and automobile insurance with limits of 10 million dollars, combined single limit. Within the same time period, Respondent shall provide EPA with certificates of such insurance and a copy of each insurance policy. If Respondent demonstrates by evidence satisfactory to EPA that any contractor or subcontractor maintains insurance equivalent to that described above, or insurance covering some or all of the same risks but in an equal or lesser amount, then Respondent need provide only that portion of the insurance described above which is not maintained by such contractor or subcontractor.

XXI. MODIFICATIONS

59. Modifications to any plan or schedule or Scope of Work may be made in writing by the OSR

or at the OSR's oral direction after a recommendation by the SACS Team or field SACS Team. If the OSR makes an oral modification, it shall be made to the MCCC's Project Coordinator, and be memorialized in writing within 3 days thereafter; provided, however, that the effective date of the modification shall be the date of the OSR's oral direction. Any other requirements of this Order may be modified in writing by mutual agreement of the parties.

60. If Respondent seeks permission to deviate from any approved Work Plan or schedule or Scope of Work, Respondent's Project Coordinator shall submit a written request to EPA for approval outlining the proposed modification and its basis.

61. No informal advice, guidance, suggestion, or comment by EPA regarding reports, plans, specifications, schedules, or any other writing submitted by Respondent shall relieve Respondent of its obligation to obtain such formal approval as may be required by this Order, and to comply with all requirements of this Order, unless it is formally modified.

XXII. ADDITIONAL ACTIONS

62. EPA may determine that additional actions not included in an approved plan are necessary to protect public health, welfare, or the environment. EPA will take recommendations of the SACS Team or field SACS Team into consideration when making its determination, and EPA will then notify Respondent of that determination. Unless otherwise stated by EPA, within 30 days of receipt of notice from EPA that additional actions are necessary to protect public health, welfare, or the environment, Respondent shall submit for approval by EPA a Work Plan for the additional Work. The plan shall conform to the applicable requirements of Section VII of this Order. Upon EPA's approval of the plan pursuant to Section 2.1 - Work Plan and Implementation, Respondent shall implement the plan for additional Work in accordance with the provisions and schedule contained therein. This Section does not alter or diminish the OSR's authority to make oral modifications to any plan or schedule pursuant to Section XXI - Modifications.

XXIII. NOTICE OF COMPLETION

63. When EPA determines, after EPA's review of the Final Report, that all actions have been fully performed in accordance with this Order, with the exception of any continuing obligations required by the States, including permitting, EPA will provide notice to the Respondent. If EPA determines that any Work has not been completed in accordance with this Order, EPA will notify Respondent, provide a list of the deficiencies, and require that Respondent modify the Work Plan if appropriate in order to correct such deficiencies. Respondent shall implement the modified and approved Work Plan and shall submit a modified Final Report in accordance with the EPA notice. Failure by Respondent to implement the approved modified Work Plan shall be a violation of this Order.

XXIV. SEVERABILITY

64. If a court issues an order that invalidates any provision of this Order or finds that Respondent has sufficient cause not to comply with one or more provisions of this Order, Respondent shall

remain bound to comply with all provisions of this Order not invalidated or determined to be subject to a sufficient cause defense by the court's order.

XXV. EFFECTIVE DATE

65. This Order shall be effective 3 days after the Order is signed by both of the Regional Administrators of EPA, Regions 3 and 4.

XXVI. APPLICABILITY

66. The terms of this agreed order only apply to and are binding upon the parties hereto. Nothing in this agreed order constitutes an admission of fault or liability and no third parties have standing to use this agreed order to establish liability, fault or any other matter in any administrative, judicial or other proceeding.

The undersigned representative of Respondent certifies that they are fully authorized to enter into the terms and conditions of this Order and to bind the party they represent to this document.

Agreed this 20th day of February, 2001

By: Dennis R. Halperin

Title President

It is so ORDERED and Agreed this 6th day of March, 2001

BY: A. Stanley Meiburg

Acting Regional Administrator
Region 4

United States Environmental Protection Agency

EFFECTIVE DATE: March 9th, 2001

BY: Thomas C. Voltaggio

Acting Regional Administrator
Region III

United States Environmental Protection Agency



10 11 0021

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

March 7, 2001

By Facsimile and Overnight Mail

Mr. Shane Harvey, Esq.
Massey Coal Services, Inc.
315 70th Street SE
Charleston, WV 25301

SUBJ: Administrative Order on Consent
Docket No. CWA 04-01-1012
EPA Docket No. 01-19-C

Dear Mr. Harvey:

Enclosed please find the above referenced Administrative Order on Consent (Order), which has been signed by both EPA Regions 3 and 4. Pursuant to Paragraph 65 of the Order, it becomes effective 3 days from the date it has been signed by the Administrators, therefore, the effective date is March 9, 2001. EPA plans to hold a public meeting on March 13th to respond to the public's concerns and questions. As soon as we have a time and place for the meeting we will contact you.

If you have any further comments or questions regarding this matter, please contact Wilda Cobb at (404) 562-9530 or Philip Mancusi-Ungaro at (404) 562-9519.

Sincerely,

Wilda Cobb by phone

Wilda Cobb
Associate Regional Counsel

Philip G. Mancusi-Ungaro

Philip G. Mancusi-Ungaro
Associate Regional Counsel

Enclosure

cc: General Bickford, Kentucky
Armando Benincasa, West Virginia
Army Corps of Engineers, Huntington District
Region 3

Appendix H

Owner Interview Documentation

Owner Interview Tracking Sheet
Petersburg Energy Center, LLC
Pike County, Indiana

Parcel Number	Owner Name/Entity	Phone Number	Email	1st Attempt	2nd Attempt	3rd Attempt	Comments
040-00-00-035.00	Diana Fannin (the Moore tract)	606-626-0408	none provided	4/14/26 - A. Besinger (left message)			mailbox full 4/14/26
030-00-00-047.00	Lexington Coal Company, LLC - Attn: Jeff Hoops	304—541-2059	jeff.hoops@wcservicesinc.us	4/14/26 - A. Besinger (Phone call)	x	x	Spoke with Jeff 4/14/26 no special requests when visiting property. Workers on solar site are aware of my arrival and can help if needed. Current land use and past land use is some mining and timber production. No structures or wells, with no knowledge of environmental hazards being on site other than mining operations in and around the properties.
030-00-00-055.00							
030-00-00-046.00							
030-00-00-054.00							
031-00-00-001.00	Pocahontas Surface Interest Inc. - Attn: Timothy Cole	304-320-4143	tc@pocallc.com	4/14/26 - A. Besinger (Phone call)	x	x	Spoke with Tomothy 4/14/26 no special requests when visiting property. Current land use and past land use is some mining and timber production. Farmer has hay pasture but is aware of my arrival. Some old Gas wells not sure on location. No knowledge of environmenta hazards being on site other than mining operations in and around the properties.
040-00-00-011.00							
040-00-00-020.00							
030-00-00-052.00							
048-00-00-006.00	Triple H - Attn: Jeff Hoops	304—541-2059	jeff.hoops@wcservicesinc.us	4/14/26 - A. Besinger (Phone call)	x	x	refer to above

FOR INTERNAL USE ONLY	
ECT Project Number:	260261-0100
ECT Project Name:	Lynn Bark Energy Center
Date Received:	04/14/2026



Owner Environmental Questionnaire

INSTRUCTIONS: Please complete the following questions to the best of your knowledge. Any description pertaining to the location(s) of identified features would be greatly appreciated.

Section, Township & Range (with quarter) and/or Addresses: _____

BIG PETER CAVE RD | ROAD FORK COLDWATER | COLDWATER HEAD OF | ROAD FK COLDWATER ROAD

Owner
Name/Entity: LEXINGTON COAL COMPANY LLC

Contact Full Name
& Affiliation: Jeff Hoops

Email Address: jeff.hoops@wcservicesinc.us

Phone No.: 304—541-2059

Other Site Personnel (Name & Contact Information): Call Jeff if needed. Workers on site are aware of site visit.

- 1) When did you purchase the property(ies) and/or since what year have you been affiliated with the property(ies)?

no idea acquired over 25 years

- 2) What are the CURRENT uses of the property?

no current use other than timber and vacant land

- 3) What are the PAST uses of the property?

no currrent use ter than timber and vacant land or portions may have been used for coal mining

- 4) What is the approximate age (or construction date) and size /square footage of current structure(s)?

no structures

- 5) If the property is currently vacant or undeveloped, do you know of any prior improvements? If yes, please describe. ☐ NO ☒ YES

undevelopned/ timber land

- 6) Are you aware of any current or previous wells or septic systems? If yes, please provide approximate location(s). ☒ NO ☐ YES

Owner Environmental Questionnaire



- 7) Do any utilities currently service the property? If yes, please specify. ☒ NO ☐ YES

- 8) Are you aware of any storage, use, generation, or disposal of automotive, industrial, or agricultural chemicals, batteries, solvents, petroleum products, pesticides, or related regulated chemicals? If yes, please explain. ☒ NO ☐ YES

not use

- 9) Are you aware of any underground or aboveground storage tanks for any chemicals or petroleum products currently or historically located on the property? If yes, please explain and specify underground or aboveground. ☒ NO ☐ YES

- 10) Has the property been used as a waste landfill, dump, or disposal site? If yes, please identify and explain. ☒ NO ☐ YES

- 11) Are you aware of any fill material that has been placed on the property? If yes, please specify and indicate source of material. ☐ NO ☒ YES

in the potential of mining overburden on property in some locations not sure where

- 12) Are you aware of any current or former oil or gas wells, or associated tanks/pipelines on the property? If yes, please identify and explain. ☒ NO ☐ YES

- 13) Are you aware of any current or former (i.e., filled) pits, ponds, or lagoons located on the property? If yes, please describe. ☒ NO ☐ YES

- 14) Are you aware of any past cattle dipping vats on the property? ☒ NO ☐ YES

- 15) Are you aware of any former or current biosolid application? If yes, please describe location(s) and years of application. ☒ NO ☐ YES

Owner Environmental Questionnaire



16) Are you aware of any petroleum or hazardous waste discharges or releases to the environment, or contamination impacts to the site soil, groundwater, or surface waters? If yes, please describe.

☒ NO ☐ YES

17) Are you aware of any leases or easements on the property? If yes, please list. ☒ NO ☐ YES

18) Are you aware of any pending, threatened, or past environmental litigation, proceedings, or notices of possible violations of environmental laws or liability or potential environmental concerns in connection with the property? ☒ NO ☐ YES

19) Are you aware of any past environmental assessment report(s) prepared for the property? If yes, are you able to provide a copy of the prior report(s)? ☒ NO ☐ YES

I certify to the best of my knowledge that the above statements and facts are true and correct. To the best of my knowledge, no provided material facts have been suppressed or misstated.

Completed By: Alec Besinger

Title/Company:
(If applicable) Scientist | ECT

Signature: Alec Besinger
Digitally signed by Alec Besinger
DN: cn=Alec Besinger, o=ectinc.com
c=US; email=alec.besinger@ectinc.com
Date: 2025.04.14 10:17:45-0400
Unique PDF Action Version: 1.0.0

Date: 4/14/26

Relationship to site: Field Staff

Please return a copy of the completed Owner Environmental Questionnaire form to **Environmental Consulting & Technology, Inc (ECT)** at:

Email (preferred):	Bjarvis@ectinc.com
Mailing Address:	ECT, Attn: Beth Jarvis 2001 Commonwealth Blvd, Suite 100 Ann Arbor, MI 48105-2957



WANT TO COMPLETE ELECTRONICALLY?

Please scan the QR code with your smartphone camera to be directed to the online form, or go to:

<https://forms.office.com/r/Xgm2P6enzr>

FOR INTERNAL USE ONLY	
ECT Project Number:	260261-0100
ECT Project Name:	Lynn Bark Energy Center
Date Received:	04/14/2026



Owner Environmental Questionnaire

INSTRUCTIONS: Please complete the following questions to the best of your knowledge. Any description pertaining to the location(s) of identified features would be greatly appreciated.

Section, Township & Range (with quarter) and/or Addresses: Martin County Ky

MIDDLE FORK RD | CASSIUS MOORE RD | S WOLF CRK | VENTERS & PARSONS BR

Owner
Name/Entity: Pocahontas Surface Interest Inc.

Contact Full Name
& Affiliation: Timothy Cole

Email Address: tcole@pocallc.com

Phone No.: 304-320-4143

Other Site Personnel (Name & Contact Information): _____

- 1) When did you purchase the property(ies) and/or since what year have you been affiliated with the property(ies)?

not sure

- 2) What are the CURRENT uses of the property?

ag (hay) and mineland reclamation, timber

- 3) What are the PAST uses of the property?

ag (hay) and mineland reclamation, timber

- 4) What is the approximate age (or construction date) and size /square footage of current structure(s)?

no operational structures old mining offieces and past mining buildings

- 5) If the property is currently vacant or undeveloped, do you know of any prior improvements? If yes, please describe. ☐ NO ☒ YES

- 6) Are you aware of any current or previous wells or septic systems? If yes, please provide approximate location(s). ☒ NO ☐ YES

Owner Environmental Questionnaire



- 7) Do any utilities currently service the property? If yes, please specify. ☒ NO ☐ YES

some that run through bt do not provide any power

- 8) Are you aware of any storage, use, generation, or disposal of automotive, industrial, or agricultural chemicals, batteries, solvents, petroleum products, pesticides, or related regulated chemicals? If yes, please explain. ☒ NO ☐ YES
-

- 9) Are you aware of any underground or aboveground storage tanks for any chemicals or petroleum products currently or historically located on the property? If yes, please explain and specify underground or aboveground. ☒ NO ☐ YES
-

- 10) Has the property been used as a waste landfill, dump, or disposal site? If yes, please identify and explain. ☒ NO ☐ YES
-

- 11) Are you aware of any fill material that has been placed on the property? If yes, please specify and indicate source of material. ☐ NO ☒ YES

in the potential of mining overburden on property in some locations not sure where

- 12) Are you aware of any current or former oil or gas wells, or associated tanks/pipelines on the property? If yes, please identify and explain. ☒ NO ☐ YES

diversified has some oil and gas wells but not sure where

- 13) Are you aware of any current or former (i.e., filled) pits, ponds, or lagoons located on the property? If yes, please describe. ☒ NO ☐ YES
-

- 14) Are you aware of any past cattle dipping vats on the property? ☒ NO ☐ YES
-

- 15) Are you aware of any former or current biosolid application? If yes, please describe location(s) and years of application. ☒ NO ☐ YES
-
-

Owner Environmental Questionnaire



16) Are you aware of any petroleum or hazardous waste discharges or releases to the environment, or contamination impacts to the site soil, groundwater, or surface waters? If yes, please describe.

☒ NO ☐ YES

17) Are you aware of any leases or easements on the property? If yes, please list. ☒ NO ☐ YES
farm tenet

18) Are you aware of any pending, threatened, or past environmental litigation, proceedings, or notices of possible violations of environmental laws or liability or potential environmental concerns in connection with the property? ☒ NO ☐ YES

19) Are you aware of any past environmental assessment report(s) prepared for the property? If yes, are you able to provide a copy of the prior report(s)? ☒ NO ☐ YES
not that he is aware of.

I certify to the best of my knowledge that the above statements and facts are true and correct. To the best of my knowledge, no provided material facts have been suppressed or misstated.

Completed By: Alec Besinger

Title/Company:
(If applicable) Scientist | ECT

Signature: Alec Besinger
Digitally signed by Alec Besinger
DN: cn=Alec Besinger, o=ectinc.com
c=US
Date: 2025.04.14 10:17:45-0400
Email: [redacted]

Date: 4/14/26

Relationship to site: Field Staff

Please return a copy of the completed Owner Environmental Questionnaire form to **Environmental Consulting & Technology, Inc (ECT)** at:

Email (preferred):	Bjarvis@ectinc.com
Mailing Address:	ECT, Attn: Beth Jarvis 2001 Commonwealth Blvd, Suite 100 Ann Arbor, MI 48105-2957



WANT TO COMPLETE ELECTRONICALLY?

Please scan the QR code with your smartphone camera to be directed to the online form, or go to:

<https://forms.office.com/r/Xgm2P6enzr>

Appendix I

State/Local Interview Documentation

Freedom of Information Act (FOIA) Requests Tracking Sheet

Lynn Bark Energy Center, LLC
Martin County, KY

Agency Name	Contact Name & Title (if known)	Method of Inquiry	Attempts			Comments
			1st	2nd	3rd	
COUNTY AGENCIES						
Martin County HD	Eric Mills - Public Health Director	eric.mills@martinhealthky.org	4/14/2026	4/20/2026	4/24/2026	Response received on 4/30/26 "I am not aware of any records (or complaints) the health department may have on those particular items you listed."
MUNICIPAL/LOCAL AGENCIES						
Pigeon Roost Vol. Fire Dept.	General	pigeonroostvfdinc@gmail.com	4/14/2026	4/20/2026	4/24/2026	4/24/26, no response received.



RE: Martin County HD - Records Request

From Lauren Chandonais <lchandonais@ectinc.com>

Date Fri 4/24/2026 8:49 AM

To eric.mills@martinhealthky.org <eric.mills@martinhealthky.org>

 2 attachments (2 MB)

General Map.png; Parcels.png;

Good Morning,

Reaching out again to check on this request.

Thank you,

Lauren Chandonais

Senior Project Coordinator

C: 586.940.1637 | lchandonais@ectinc.com



From: Lauren Chandonais <lchandonais@ectinc.com>

Sent: Monday, April 20, 2026 8:56 AM

To: eric.mills@martinhealthky.org

Subject: Re: Martin County HD - Records Request

Good Morning,

Just following up on the request below.

Thank you,

Lauren Chandonais

Senior Project Coordinator

C: 586.940.1637 | lchandonais@ectinc.com



From: Lauren Chandonais <lchandonais@ectinc.com>

Sent: Tuesday, April 14, 2026 12:51 PM

To: eric.mills@martinhealthky.org <eric.mills@martinhealthky.org>

Subject: Martin County HD - Records Request

Good Afternoon,

We are conducting an environmental site assessment for an area of land located north of White Cabin Road and south of Kentucky Hwy 40 [major highway or intersection] in Martin County, Kentucky. As part of this assessment, we are required to interview local government agencies about any potential environmental concerns pertaining to the property and its vicinity. We are hoping to receive any available records for this area (via email preferred) pertaining to:

- Biosolid applications,
- Wells,
- Septic systems,
- Storage tanks,
- Releases or incidents involving hazardous substances and/or petroleum products,
- Historical or active landfills,
- Dumping of materials,
- Remediation sites,
- Migrating contamination, and/or
- Any other environmentally sensitive records.

A general site map and available parcel information is included for your reference.

Your time is greatly appreciated, thank you.

Lauren Chandonais

Senior Project Coordinator

Environmental Consulting & Technology, Inc.

1155 Brewery Park Blvd., | Suite #115 | Detroit, MI 48207

C: 586.940.1637 | lchandonais@ectinc.com





Outlook

[EXTERNAL]: Assessment on White Cabin Rd property

From Boyd, Patrick O (LHD-Magoffin Co) <PatrickO.Boyd@ky.gov>

Date Thu 4/30/2026 3:14 PM

To Lauren Chandonais <lchandonais@ectinc.com>

Cc Eric.Mills@martinhealthky.gov <eric.mills@martinhealthky.gov>

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Lauren,

Your email was forwarded to me and I apologize I had not responded thus far. In reference to that parcel of property, I am not aware of any records (or complaints) the health department may have on those particular items you listed. Some of the items we do not regulate. But for the ones that we do deal with on a regular basis there are no issues or records to report. Let us know if we can be of any further assistance.

Sincerely,

Patrick Boyd

Environmentalist

Martin County Health Department

Magoffin County Health Department



RE: Pigeon Roost FD - Records Request

From Lauren Chandonais <lchandonais@ectinc.com>

Date Fri 4/24/2026 8:51 AM

To pigeonroostvfdinc@gmail.com <pigeonroostvfdinc@gmail.com>

 2 attachments (2 MB)

General Map.png; Parcels.png;

Good Morning,

Just reaching out to check on this request.

Thank you,

Lauren Chandonais

Senior Project Coordinator

C: 586.940.1637 | lchandonais@ectinc.com



From: Lauren Chandonais <lchandonais@ectinc.com>

Sent: Monday, April 20, 2026 8:57 AM

To: pigeonroostvfdinc@gmail.com

Subject: Re: Pigeon Roost FD - Records Request

Good Morning,

Just following up on the request below.

Thank you,

Lauren Chandonais

Senior Project Coordinator

C: 586.940.1637 | lchandonais@ectinc.com



From: Lauren Chandonais <lchandonais@ectinc.com>

Sent: Tuesday, April 14, 2026 12:47 PM

To: pigeonroostvfdinc@gmail.com <pigeonroostvfdinc@gmail.com>

Subject: Pigeon Roost FD - Records Request

Good Afternoon,

We are conducting an environmental site assessment for an area of land located north of White Cabin Road and south of Kentucky Hwy 40 major highway or intersection] in Martin County, Kentucky. As part of this assessment, we are required to interview local government agencies about any potential environmental concerns pertaining to the property and its vicinity. We are hoping to receive any available records for this area (via email preferred) pertaining to:

- Fires,
- Storage tanks,
- Releases or incidents involving hazardous substances and/or petroleum products,
- Historical or active landfills,
- Dumping of materials,
- Remediation sites,
- Migrating contamination, and/or
- Any other environmentally sensitive records.

A general site map and available parcel information is included for your reference.

Your time is greatly appreciated, thank you.

Lauren Chandonais

Senior Project Coordinator

Environmental Consulting & Technology, Inc.

1155 Brewery Park Blvd., | Suite #115 | Detroit, MI 48207

C: 586.940.1637 | lchandonais@ectinc.com



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Appendix J

Resumes of Environmental Consultants

> Dirk S. Mammen, Esq.

Principal Scientist

Dirk Mammen, Esq., is an accomplished scientist and licensed attorney, having nearly 30 years of experience in the performance, coordination, and management of environmental assessment, environmental due diligence, and compliance projects throughout the United States, ensuring compliance with ASTM standards and AAI rules under CERCLA. Included among these is an environmental asset and risk management review of industrial properties located throughout the United States on behalf of a European based manufacturer. In addition, Mr. Mammen has performed services for several upstream oil and gas clients, specifically pertaining to remediation activity and management, regulatory agency negotiations, compliance reviews, and due diligence assessments. Mr. Mammen currently serves as the Brownfield Redevelopment Authority administrator for Grand Traverse County, Michigan. Mr. Mammen's legal training and research skills positions him well for due diligence evaluations, evidence and document management, and risk management activities, and his expertise has been utilized in the quality assurance/quality control of thousands of Phase I ESAs prepared on behalf of developers, communities, regulatory agencies and industrial clients nation-wide.

EXPERIENCE

ESAs | Various Clients

Coordinated, managed, or performed more than 1,800 ESAs for lending institutions, law firms, private industry, municipal organizations, construction developers, and private interests. Sites include vacant properties, manufacturing and industrial facilities, small to very large commercial buildings, landfill and dump sites, municipal garages, and other UST and hazardous material sites. Sites are located throughout the United States, primarily in the Midwest, upper Midwest, and Rocky Mountain regions.

Large Scale Due Diligence Assessment | Chevron U.S.A., Inc. | Michigan

Designed, coordinated, and implemented a specialized due diligence assessment process in support of a large-scale property and asset transfer, including the potential transfer of more than 60 natural gas production facilities and 1,800 natural gas wells across Michigan. Evaluation activities included site visual inspections, detailed spill history reviews, and extensive environmental database compilation.

Grand Traverse County Brownfield Redevelopment Authority | Michigan

Currently serves as the contract administrator for the brownfield redevelopment authority (BRA), operating as the liaison between the BRA and property development teams, local and state regulatory agencies, local municipalities, and county employees. Provides both technical and financial review of reimbursement and development agreements, brownfield redevelopment workplans, and other tax capture, grant and/or loan opportunities.

Demolition Assessment and Environmental Services | Wayne County Airport Authority | Wayne County, MI

Directed and managed the environmental assessment and hazardous materials management processes associated with the abatement and demolition of select buildings at Detroit Metropolitan Airport.



EDUCATION

J.D., Law
Detroit College of Law
B.S., Geological Sciences
Michigan State University

CREDENTIALS

State Bar of Michigan (P51219)
OSHA HAZWOPER 40-hour and 8-hour refresher training
Hazardous Waste Operations Supervisors and Managers Certificate
Sanitary Landfill Design Certificate
Asbestos Awareness Program Certificate No. 189-2

AREAS OF EXPERTISE

Geology, Hydrogeology, Soils Contamination Assessments
Groundwater Monitoring & Contaminant Assessments
Environmental Site Assessments
Property Acquisition/Transfer
Environmental Management & Risk Management
Underground Storage Tank Closure & Remediation Investigations
Brownfield Redevelopment & Project Management

> Dirk S. Mammen, Esq.

Principal Scientist

Page 2

Demolition Assessment and Environmental Services | Wayne County Airport Authority | Wayne County, MI (continued)

Activities included the presentation of detailed facility inspections, the preparation of abatement and demolition specifications, assistance with the demolition contractor bidding and selection process, and the performance of demolition monitoring and dust control activities.

Traverse City Place Cyanide Plume Investigation | Grand Traverse County Brownfield Redevelopment Authority | Traverse County, MI

Coordinated, directed, and performed numerous activities associated with a Michigan Department of Environmental Quality (MDEQ)-approved design data acquisition work plan associated with the presence of an area-wide groundwater plume impacted with cyanide, emanating from an historical manufactured gas plant (MGP) property. Activities included the assessment of soil and groundwater conditions, and the management of a core stakeholder group of municipal and private groups, including public outreach responsibilities, and the regulatory review process.

NORM Assessment, Remediation, and Closure Verification | EnerVest Operating, LLC | Chester County, MI

Directed and managed, in response to regulatory agency inspection, the initial assessment of site conditions relative to NORM potential of a natural gas processing facility, with associated gas wells in Chester Township, Michigan. Effort included a site-wide assessment, identification of NORM materials, equipment, and impacted soils, and the removal of impacted wastes. Post remediation verification sampling and closure reporting was conducted.

10 Mile Drain Investigation & Remediation | Macomb County Public Works Office | Macomb County, MI

Completed detailed environmental assessment activity and in-depth historical research investigation to evaluate historical and current sources of polychlorinated biphenyl (PCB) materials impacting the drain system. Performed an investigation of the 10 Mile Drain storm sewer to characterize the nature and extent of PCB contamination. The investigation consisted of soil boring placement and soil sample collection in areas immediately adjacent to the drain system, as well as stormwater and sediment monitoring within the sewer, a corridor survey (aerial photograph, interviews of local residents and historic land use review) to determine the potential source of the contamination, and an inspection of the sewer condition using closed circuit televising.

Environmental Services | Wayne County Airport Authority | Wayne County, MI

Performed, coordinated, and/or managed numerous environmental assessment or environmental compliance projects at both Detroit Metro Airport and Willow Run Airport, including UST removal, spill response, assessment or compliance evaluations and miscellaneous drum identification and removal actions. Performed remediation activity associated with surface fuel spills and subsurface release during new terminal construction activity resulting from historical hydrant fuel system.

Bulk Oil Terminal Release and Site Reconstruction | Knight Enterprises/Delta Fuels

Managed all environmental assessment, remediation, and compliance issues resulting from a 100,000-gallon gasoline overfill event, impacting both an on- and offsite area in Toledo, Ohio. Site involved federal and state regulatory action. The secondary containment system was replaced with approximately 3,000 linear feet of high-density polyethylene liner. Managed and designed the construction and permitting for an onsite water treatment and remediation system. Provided regulatory compliance assistance, including the preparation and implementation of treatment, storage, and disposal facility closure plan; spill prevention, control, and countermeasure plan; and facility response plan.

Due Diligence Manager | ITC (International Transmission) | Midwest

Managed and completed all land acquisition projects related to electric utility expansion throughout the Midwest (Michigan, Iowa, Kansas, and Minnesota), including Phase I/II ESAs, baseline environmental assessments, and Transaction Screen Plans on a variety of sites, both active electrical utility sites and undeveloped acreage. Included corridor study assessment activity, detailed title work review, and significant area-wide impact investigations.

Brownfield Redevelopment Authority | Various Michigan Counties | Michigan

Performed site investigations, due diligence services, due care analyses, and other assessment services for numerous municipal brownfield redevelopment authorities throughout the lower and upper peninsulas of Michigan. Sites included manufacturing facilities, an abandoned paper production site, a power plant property, and landfill property. Facilitated MDEQ-negotiated no further action under the due care process.

Transformer Release and Remediation | Federal Aviation Authority | Detroit, MI

Responded to the release of transformer oil to the ground surface and subsurface as a result of vandalism at Detroit

> Dirk S. Mammen, Esq.

Principal Scientist

Page 3

Metro Airport. Provided site assessment, soil and water remediation, and risk assessment activities. Coordinated the assessment, removal, and appropriate disposal of the electrical equipment and completed PCB risk evaluation. Presented closure documentation to the local, state, and federal regulatory agencies involved with the project.

MGP Site Assessment and Risk Evaluation | Michigan Consolidated Gas Company | Michigan

Performed site investigations, exposure evaluations, and risk assessments at former MGPs as part of a complex effort to implement a plan for the investigation of 23 sites located throughout Michigan. The plan is designed to meet the company's obligations under Michigan's requirements to diligently pursue response activities. Conducted records searches and other information gathering; prepared site summary reports; prioritized all 23 for further investigation; provided oversight of a Geoprobe investigation at 9 of the 23 sites; and formulated a plan, including a budget and schedule, for response activities at all 23 sites.

Large-Scale Area Wide Phase I ESAs | Various Clients | Detroit, MI

Completed six large-scale area wide Phase I ESAs on specific residential housing redevelopment areas in Detroit, Michigan. Each area wide assessment involved the potential acquisition of 80 to 230 vacated residential lots within certain redevelopment neighborhoods. The area wide assessment approach involved the historical and regulatory evaluation of all properties within a specific grid or block area, followed by an individual assessment of each acquisition parcel in relation to the environmental conditions of the area. A review of all available historical documentation was performed, including Sanborn fire insurance maps, historical aerial photographs, street index directories, Federal Emergency Management Agency flood zone maps, zoning documentation, building, assessment, and fire department records, and specific title documentation. Assisted with parcel identification and quality of title issues, with all parcels having been or slated to be reverted to City of Detroit ownership. Compiled comprehensive assessment reports for each assessment area, including detailed maps and parcel summaries. Prepared all applicable Michigan State Housing Development Authority (MSHDA) applications and environmental documentation for submittal. The projects were completed on time to conform to MSHDA deadlines and within budget.

Phase II ESA Activity | Various Clients | Midwest

Coordinated, managed, or performed more than 600 Phase II ESAs onsite throughout the Midwest, including industrial and commercial properties, residential properties, and rails-to-trails corridors. Sites ranged in size from very small lots to large acreage developments. Chemical impacts evaluated

include petroleum products, solvents and various dense non-aqueous phase liquid, PCBs, and various metals. Completed baseline environmental assessments on numerous Michigan sites.

Site Characterization and Investigation | Remedial Investigation/Feasibility Study (RI/FS) | Property Developer

Managed and performed site investigation, RI/FS, and remedial design activities on a former solvent recycling and treatment, storage and disposal RCRA facility. Soil and groundwater impacts evaluated, with on- and offsite risk assessment.

Site Characterization and Investigation | Remediation and Site Closure | Ryder Truck Rental, Inc. | Midwest

Managed or performed all phases of site investigation activities for petroleum-related contamination at numerous Midwest locations. Activities included feasibility analysis, and remedial design and implementation primarily pertaining to onsite and offsite low temperature thermal desorption and groundwater treatment.

Landfill Condition and Design Assessment | Allstate Insurance Company | Weld County, CO

Performed a landfill inspection in Weld County, Colorado, regarding condition, operations, and management and future cell design review for new bond issue considerations and liability limitations.

Site Assessment and Property Transfer Management | Detroit, MI

Performed all phases of site assessment activities on site in Detroit, Michigan, with numerous historical industrial uses to facilitate plant demolition, remediation, and redevelopment. Strong legal and financial influence and regulatory agency involvement, including covenant-not-to-sue negotiations and property risk management settlements.

Site Investigation, Remedial Design, and Risk Management | Bulk Oil Storage Facility | Michigan

Performed site assessment activities of a large bulk oil storage terminal in Michigan with significant legal and financial institution involvement. Provided remedial design alternatives, with an emphasis on in situ bioremediation enhanced groundwater and soil treatment using a variety of horizontal boring techniques and reapplication of the bioenhanced medium.

ESA, Front Range Airport Development | Colorado

Performed an ESA on more than 4,000 acres of land for future development in eastern Colorado. Assessment included site investigation, historical review, regulatory review, and recommendations.

> Dirk S. Mammen, Esq.

Principal Scientist

Page 4

Surface Water and River Sediment Investigation-Detroit River | City of Gibraltar, MI

Performed all phases of field and reporting investigation for a section of river reportedly impacted by numerous chemical contaminants from nearby and upstream industries. Investigation included sample location plan, sediment and water collection and analysis, data interpretation, and environmental impact and assessment recommendations.

Hydrocarbon Remediation Investigation | Kubat Equipment and Service Company | Jefferson County, CO

Performed functions related to UST removal, closure soil sampling, contaminant assessment and reporting, monitoring well placement, hydrogeologic investigation, and remedial action design and implementation for large county UST facility in Jefferson County, Colorado.

Soil and Groundwater Conditions, Risk Management | City of Royal Oak, MI

Provided expert testimony relating to subsurface petroleum and solvent contamination impacts on neighboring properties, allegedly resulting from several potential offsite and former onsite sources.

Groundwater Conditions | D & T Construction Company

Provided expert testimony and consulting regarding alleged groundwater mounding and depletion impacts during construction activities, specifically related to the diminished capability of nearby drinking water wells.

Landfill Construction at Various Disposal Sites | Michigan and northern Ohio

Provided onsite quality control activities during the construction of landfill liners and berms on numerous disposal facilities throughout southeast Michigan and northern Ohio.

Site Investigations and Regulatory Compliance Assessments | Marigold Foods/Kemps Ice Cream | Wisconsin

Performed numerous site investigations and regulatory compliance assessments of dairy product storage and production facilities in Wisconsin, with particular emphasis on corporate operations transfer, worker safety issues, and waste water treatment difficulties.

Site Characterization and Remediation Investigation and Design | Sosnick Development | Michigan

Performed site characterization and remedial investigation on property prior to high-rise tower construction in southeastern Michigan. Completed soil and groundwater sampling for past contamination resulting from large volumes of trichloroethylene (TCE) spilling and leaking. Prepared remedial

design of contaminated groundwater collection and treatment system.

UST Site Characterization Investigations | Shell Oil Company | Michigan

Performed site characterization studies at numerous Shell service stations in southeastern Michigan, including utility locate diagrams, soil borings and sampling, field analysis, and reporting and recommendations.

Hydrogeologic Investigations | Mobil Oil Company | Michigan

Performed hydrogeologic investigations of Mobil facilities in southeastern Michigan related to groundwater contamination resulting from UST impairment. Investigations included monitoring well placement, groundwater characteristic determination, water sampling and analysis, reporting, and recommendations.

UST Closure and Contaminant Assessments | Venta and Conoca Oil Companies

Performed numerous site closure assessments in Colorado, including soil boring studies, hydrogeologic investigations, remedial design and remediation, soil venting system design and placement, regulatory agency interfacing, reporting, and recommendations.

> Dana M. Falcone

Senior Project Manager

Dana brings a wealth of experience in compliance, due diligence, and project management for power delivery and telecommunications infrastructure. She has provided regulatory analysis and compliance recommendations related to the Clean Water Act, Endangered Species Act, Migratory Bird Treaty Act, Bald and Golden Eagle Act, and CERCLA. Dana has reviewed environmental reports, permits, construction documents, and real estate transactions to identify risks and deliver cost-effective solutions. She has supported environmentally sensitive projects by offering pre-construction guidance and has contributed to corporate sustainability reporting through disclosures such as EcoVadis and (Carbon Disclosure Project) CDP. Throughout her career, she has collaborated across legal, environmental, and real estate functions to integrate regulatory compliance into project planning and execution.

PREVIOUS CAREER EXPERIENCE

Assistant Environmental Manager | GAI Consultants, Inc. | Remote

Served as project manager for power delivery transmission line siting and permitting projects and new telecommunications build siting projects in Pennsylvania, Virginia, West Virginia, and Maryland.

Senior Environmental Compliance Specialist/Specialist III | Crown Castle | Canonsburg, PA

Provided analysis, interpretation, and compliance recommendations to legal and real estate on Environmental Due Diligence (phase 0, phase I, phase II, and post due diligence and remediation work), Migratory Bird Treaty Act, Bald & Golden Eagle Protection Act, Endangered Species Act, Clean Water Act, and CERCLA liability. Reviewed permits, environmental reports, scopes of work, CDs, and real estate transaction documents to ensure compliance with regulations and company policies while providing compliance recommendations through effective research, communication, and analysis to mitigate risk. Provided pre-construction review and guidance for work on sites with environmental issues like known contamination, wetlands, or endangered species. Led, mentored, managed, and trained junior roles. Cross-trained peers and real estate specialists. Developed process improvements. Maintained oversight, development, and coaching of consultants and junior staff. Completed sustainability questionnaires and disclosures like EcoVadis, CDP, and supply chain questionnaires. Reviewed over 2,000 real estate transactions per year for all environmental due diligence and saved the company approximately \$1.5 million in due diligence spent through analysis and review.

Environmental Compliance Specialist | Crown Castle | Canonsburg, PA

Provided project assistance and analysis of environmental due diligence, post due diligence and remediation work, and supported Environmental Compliance Manager with Migratory Bird Program.

Records Management Supervisor | Reed Smith LLP | Pittsburgh, PA

Supervised, led, and mentored team of six and occasionally a summer intern position. Maintained and oversaw office-wide compliance with information governance and records management policies and procedures while offering superior customer service experience for clients. Implemented new software to improve efficiency and enhance productivity. Mitigated risk through use records management best practices.

Records Management Specialist | Reed Smith LLP | Pittsburgh, PA

Maintained compliance while offering superior customer service experience. Trained new hires and lead administrative support trainings. Supported special projects.

Records Management Clerk | Reed Smith LLP | Pittsburgh, PA

Maintained compliance by upholding firm's information governance policies



EDUCATION

Master of Studies in Environmental and Real Estate Law

University of Pittsburgh School of Law

Bachelor of Science, Biology
Allegheny College

CREDENTIALS

10-hour OSHA Construction Training
Certified, 2024

360 Training, Certified Environmental
Specialist, Environmental Policy, 2022

> Alec Besinger

Associate Scientist II

Alec is an environmental scientist with a strong academic foundation in natural resource and environmental science, soil chemistry, and agricultural economics, complemented by hands-on experience across environmental consulting, research, and fieldwork. He has executed Phase I and II environmental site assessments, conducted groundwater and vapor sampling, and performed statistical analyses using platforms such as R Studio, Sanitas, and ProUCL. His experience includes regulatory compliance under state and federal programs (e.g., OH EPA, BUSTR, VAP), asbestos evaluation, geotechnical reporting, and interdisciplinary collaboration with engineers and architects. With additional expertise in soil science research, wetland restoration, erosion control, and nutrient cycling, Alec brings a well-rounded, data-driven approach to environmental engineering and sustainable land management.



EXPERIENCE

Washtenaw Solar | Invenergy | Michigan

ECT provided vegetation plans for a solar project on previously farmed agricultural land. Work included soil sampling and digging pits in the upper 2 feet of soil to determine diagnostic features to categorize and define the soil characteristics.

Meander Solar | Invenergy | Michigan

ECT provided vegetation plans for a solar project on previously farmed agricultural land. Work included soil sampling and digging pits in the upper 2 feet of soil to determine diagnostic features to categorize and define the soil characteristics.

Cleveland Cliffs, Inc. Dredging Project | Michigan Marine Service, Inc. | Michigan

The site is a former industrial steel mill located on Lake Michigan. Work included setting up pumps and doing entertainment sampling to look for macro-invertebrates, fish, and fish eggs.

PREVIOUS CAREER EXPERIENCE

Environmental Scientist | Patriot Engineering & Environmental

Executed Environmental engineering projects Phase 1 site evaluations, reporting, as well as statistical analysis through various platforms such as Sanitas, Dumpstat, ProUCL and R Studio. Developed field exploration and laboratory testing plans for Environmental engineering investigations. Conducted Phase 2 site assessment field activities such as; sub-slab vapor sampling, indoor air sampling, and various forms of groundwater sampling and Preparing proposals for environmental engineering services Conducted groundwater, soil, and soil gas/vapor sampling, monitoring well installation and abandonment, and monitoring well development at landfill facilities along with coordinating/managing field investigations under OH VAP, BUSTR, IDEM, ODOD, OH EPA and more. Experienced within the voluntary action program field assessment and reporting including performing Property Specific Risk Assessments and providing research, engineering analysis and preparation of environmental and geotechnical engineering reports. Reviewed foundation plans and grading plans for conformance with environmental engineering investigation reports. Collaborated with various other consultants including civil engineers, structural engineers, architects, and construction managers.

EDUCATION

M.S., Integrated Plant and Soil Science and Soil Chemistry, University of Kentucky

B.S, Natural Resource & Environmental Science, University of Kentucky

CREDENTIALS

40-hour HAZWOPER training

AREAS OF EXPERTISE

RCRA

CERCLA

OSHA

Ohio Asbestos Hazard Evaluation Specialist

> Alec Besinger

Associate Scientist II

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Research Assistant | University of Kentucky Department of Plant & Soil Science

As a Graduate and Undergraduate Research Assistant, operated and performed x-ray Crystallography, kinetics, soil fractionation, cat ion analysis, soils digestions, stable nitrogen analysis, and R-Studio. Quantified ammonium sorption to clay minerals in the Maury soil series in no-till plots. Presented research at the American Society of Agronomy, the Crop Science Society of America, and the Soil Science Society of America. Researched wetland restoration, erosion control and water quality and studied the fate of phosphorus on plants and soils in the environment.

> Staff Name

Staff Classification

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> Courtney Roy

Technical Writer

Mrs. Roy is a recent high honors graduate from the University of Michigan. Her academic background equips her with a comprehensive understanding of sustainable principles, environmental ethics, and the complex challenges facing the environment. She joined ECT in 2024 where her key roles are to prepare and modify Phase I Environmental Site Assessments, critical issues analysis, and to conduct background research.



EXPERIENCE

Confidential Solar Projects | Confidential Client | NM, TX, MI

Completed Critical Issues Analysis (CIA) and Desktop Environmental Records Review (DERR) of several properties.

Fowler Street Property | Gordian Real Estate | Fort Myers, FL

Conducted historical and regulatory review and drafted a Phase I ESA.

West Newberry Road Property | Koeppel Law Group | Gainesville, FL

Conducted historical and regulatory review and drafted a Phase I ESA.

Firelight | Meritage Homes of Florida | Punta Gorda, FL

Conducted historical and regulatory review and drafted a Phase I ESA.

PREVIOUS CAREER EXPERIENCE

Paraprofessional | Edustaff | Kentwood, MI

Designed and implemented a data collection tool to determine necessary support services and to reduce time spent during the analysis process. Prepared and presented the findings to my associates.

Sustainability Specialist | Oakland County, MI

Conducted background research, collected and analyzed data, gained knowledge on how to implement sustainability on a macroscale, communicated with stakeholders and department leaders, and report writing. Prepared and presented a data gap analysis and joined the 2023 Equity Foundation Cohort through the Urban Sustainability Development Network (USDN).

EDUCATION

BS, Environmental Science, University of Michigan, Ann Arbor, MI

CREDENTIALS

40-hour OSHA HAZWOPER Certified

AREAS OF EXPERTISE

Phase I Environmental Site Assessments (ESAs)

Critical Issues Analysis (CIA)

Desktop Environmental Records Review (DERR)

Background Research