SPILL PREVENTION CONTROL AND COUNTERMEASURE (SPCC) PLAN

Does your facility have an aboveground petroleum storage tank 660 gallons or larger? Do you have a total storage capacity of 1320 gallons of petroleum or more?

If the answer to either of the above questions is yes, your facility may require a Spill Prevention Control and Countermeasure (SPCC) Plan. US Environmental Protection Agency (EPA) revised the Oil Pollution Prevention Regulation (40 CFR 112) to address the oil-spill prevention provisions contained in the Federal Clean Water Act.

This Act specifically affects facilities that:

- have an aboveground storage capacity of more than 660 gallons in a single tank, and aggregate aboveground storage capacity of more than 1320 gallons; and

- could reasonably be expected to discharge petroleum product into navigable waters of the United States.

The regulation requires that an owner or operator of a regulated facility prepare and maintain on site a SPCC Plan. The Plan must be reviewed and certified by licensed Professional Engineer. The Plan must provide a description of the facility design, equipment operation and maintenance procedures implemented to prevent the release of petroleum into navigable waterways. The SPCC Plan must also contain information on spill control, containment methods, emergency contacts, spill response and remediation of spills. SPCC Plans must also be updated every five years or whenever there is a change in facility design.

Bolin's environmental Professionals can complete a cost effective SPCC Plan that will keep your facility in compliance with Federal EPA requirements and help reduce the likelihood of a release at your facility.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

Owners and operators of industrial facilities, which are subject to a State or EPA industrial stormwater general permit typically must develop a SWPPP as a basic requirement. If your facility is subject to such a requirement, failing to develop a SWPPP can result in enforcement action against your facility by EPA or a State! For example, EPA has targeted enforcement actions against some industrial sectors for failing to have developed SWPPPs for their facilities.

A SWPPP is a site-specific, written document that:

- Identifies potential sources of stormwater pollution at the construction site

- Describes practices to reduce pollutants in stormwater discharges from the construction site. Reduction of pollutants is often achieved by controlling the volume of stormwater runoff (e.g., taking steps to allow stormwater to infiltrate into the soil).

- Identifies procedures the operator will implement to comply with the terms and conditions of a construction general permit

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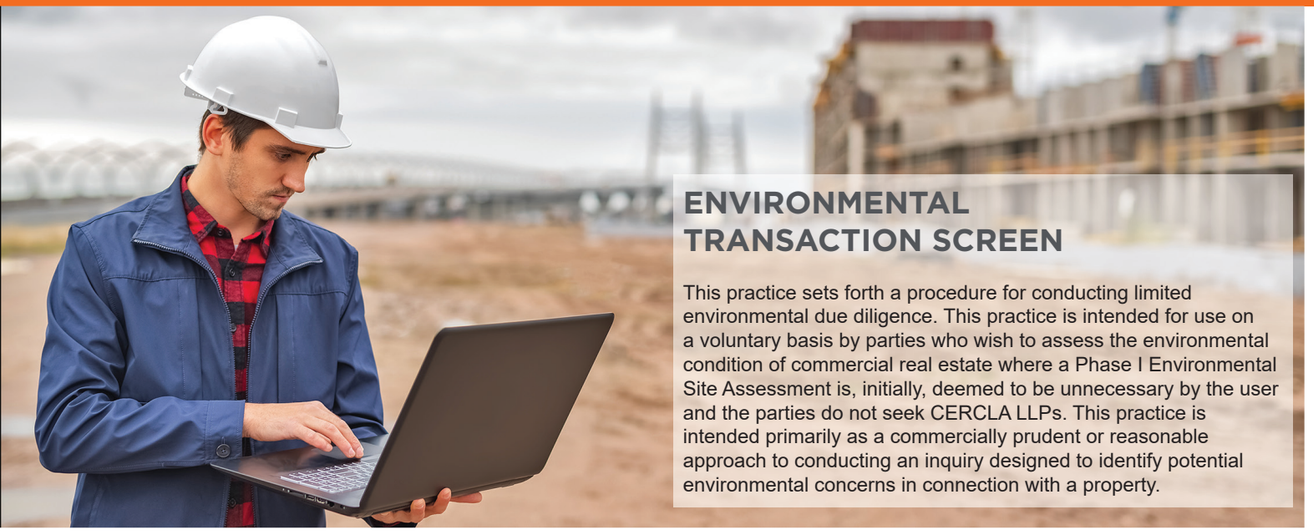

ENVIRONMENTAL TRANSACTION SCREEN

This practice sets forth a procedure for conducting limited environmental due diligence. This practice is intended for use on a voluntary basis by parties who wish to assess the environmental condition of commercial real estate where a Phase I Environmental Site Assessment is, initially, deemed to be unnecessary by the user and the parties do not seek CERCLA LLPs. This practice is intended primarily as a commercially prudent or reasonable approach to conducting an inquiry designed to identify potential environmental concerns in connection with a property.

PHASE I ENVIRONMENTAL SITE ASSESSMENTS

A Phase I Environmental Site Assessment, commonly referred to as an ESA, or Phase I ESA, is completed to research the current and historical uses of a property as part of a commercial real estate transaction. The intent of the report is to assess if current or historical property uses have impacted the soil or groundwater beneath the property and could pose a threat to the environment and/or human health. If these issues are found, it presents a potential liability for the lender and/or owner, as well as affecting the value of the property. A Phase I ESA completed prior to the closure of a real estate transaction can be used to satisfy the requirements of CERCLA's (Comprehensive Environmental Response, Compensation and Liability Act) innocent land owner defense under All Appropriate Inquiries (AAI).

A Phase I ESA typically includes the following:

- A site visit to observe current and past conditions and uses of the property and adjacent properties;
- A review of federal, state, tribal, and local regulatory databases including, but not limited to, underground storage tanks (USTs), aboveground storage tanks (ASTs), known or suspected release cases, the storage of hazardous substances and disposal of hazardous wastes including petroleum products, and institutional and engineering controls;
- A review of historical records, such as historical aerial photographs, fire insurance maps (Sanborn maps), historical city directories, and historical topographic maps;
- A review of state and local agency records, including but not limited to state environmental agencies, Building Departments, Fire Departments, and Health Departments.
- Interviews with current and past property owners, operators, and occupants, or others familiar with the property.

Once a Phase I ESA is complete, the Environmental Professional will summarize what concerns were identified on the property and make recommendations about what actions, if any are needed to address these concerns. A recognized environmental condition (REC) indicates known contamination or the potential for the subsurface to have been impacted by contamination (either from the subject property or possibly from an offsite source).

The identification of a REC will often include a recommendation for a Phase II Environmental Site Assessment to collect soil, groundwater, and/or soil vapor samples from the subsurface to analyze for the presence of contamination.

MOLD REMEDIATION

The Environmental Protection Agency notes that any moldy areas less than 10 square feet can be remediated by the homeowner. Beyond that, you may want to talk to a mold remediation contractor. In most cases, it is better to have a mold remediation contractor do the work than a general contractor.

1. FIX THE SOURCE
The first step in mold remediation is to fix the source of the mold growth. If there is a water leak, the leak must be eliminated prior to commencing remediation or the mold growth is likely to return. The source may be an elevated indoor humidity issue, the humidity in indoor environments needs to be regulated and maintained at levels below 55%. Elevated humidity can cause significant mold growth in a short period of time.

2. CONTAINMENT AND VENTILATION
A very important step in mold remediation is setting up containment and ventilation. The use of proper ventilation and air filtration devices such as air scrubbers equipped with HEPA filtration is necessary to ensure that mold spores that are disturbed and become airborne do not spread and cross-contaminate an uninfected area.

3. CLEANING AND DISINFECTION
Cleaning and disinfection or actual mold remediation is the process of removing the mold and disinfecting the impacted area. This can include removal and disposal of building and household materials that may have been impacted. Building and household materials that are non-porous can be cleaned and disinfected. Biocide/fungicide/moldicide solutions are used to disinfect the impacted areas.

PHASE II ENVIRONMENTAL SITE ASSESSMENTS

Phase II Environmental Site Assessments are often required when a Recognized Environmental Condition (REC) is found during the Phase 1 Environmental Assessment process. These investigations can consist of collecting soil samples, groundwater, surface water and soil vapor samples, to screen for chemical or metal contamination, depending on the identified REC. This sampling is typically accomplished by drill rig, hydraulic push, hand auger or backhoe, depending on site specific conditions.

MOLD INSPECTIONS

The purpose of a mold inspection is to:
1. Locate mold infestations;
2. Determine the cause; and
3. Develop a cost-effective remediation (removal) plan.

Mold and fungi are everywhere. The spores they release as part of their reproductive process can cause both illness and injury, especially to those who are susceptible to allergies and illness. Even if the building occupant is not susceptible; mold growth can destroy, by slow rot, buildings and houses. As a result, litigation claiming injury due to fungal or mold contamination is becoming commonplace.

A mold inspection is warranted if a building occupant notices a "musty" odor, if there is known water intrusion problems associated with the structure or the occupant notices any discoloration or suspect growth on wallpaper, wood, wood products, newspaper, ceiling tiles, cardboard, carpeting, plastics insulation materials, leather or any product containing cellulose. Sampling, air, swab or bulk, may be recommended depending on the results of the visual inspection.