Environmental Assessment/Baseline Survey to Establish New Drop Zone (DZ) in Cadiz, Ohio

Pittsburgh Air Reserve Station, Coraopolis, Pennsylvania





Final Environmental Assessment and Baseline Survey

March 2009

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DEPARTMENT OF THE AIR FORCE AIR FORCE RESERVE COMMAND



FINDING OF NO SIGNIFICANT IMPACT (FONSI) FOR THE ESTABLISHMENT OF A NEW DROP ZONE IN CADIZ, OHIO

The attached environmental assessment (EA) and environmental baseline survey (EBS) analyzes the potential environmental impacts associated with the establishment of a new drop zone near Cadiz, Ohio. Associated with this Proposed Action is a Finding of No Significant Impact (FONSI).

The Proposed Action would entail leasing approximately 430 acres of privately-owned property on a reclaimed strip mine for use by the 911th Airlift Wing (AW) stationed at Pittsburgh International Airport (IAP) Air Reserve Station (ARS). The No-Action Alternative would be to not lease the property, and continue using existing drop zone facilities.

The resources analyzed for environmental impact are land use, airspace management, noise, air quality, safety and occupational health, hazardous materials and hazardous waste, earth resources, water resources, biological resources, cultural resources, socioeconomics, environmental justice, recreation and visual resources, and transportation. No potential significant impacts to any of these resources were identified.

There would be no changes in existing land use at the proposed Cadiz Drop Zone property. Restrictions on aircraft approach and departure directions and coordination with the Federal Aviation Administration would result in no significant impacts to airspace management. Noise levels from C-130 operations over the proposed Cadiz Drop Zone property would be below 45 A-weighted decibels (dBA), well below the 65 dBA threshold for compatibility with all land uses. Air emissions from aircraft operating at the drop zone would not result in significant impacts to air quality. Standard drop zone safety procedures would be implemented. Hazardous materials used and hazardous waste generated on the proposed Cadiz Drop Zone property as a result from vehicle traffic would be minimal and would be handled in accordance with established procedures. No ground disturbing activities that could affect earth or water resources would occur. Drop zone activities are not expected to affect threatened or endangered species, sensitive habitats, or cultural resources. The proposed action would not result in any changes to employment or population. Because no significant impacts to resources were identified, no adverse effects to disproportionately high minority, low-income, or youth populations would occur. No changes to recreation or visual resources would occur. The small number of ground vehicles required for drop zone activities would not have a significant impact on transportation.

Other future actions in the region were evaluated to determine whether cumulative environmental impacts could result due to the implementation of the proposed action in conjunction with other past, present, or reasonably foreseeable future actions. Other actions that would occur in the region include continued low level training by the 911 AW and strip mining activities. These activities are not anticipated to result in cumulative impacts when added to potential impacts of proposed action. As a result of the analysis of impacts in the EA, it was concluded that the activities proposed to be conducted under the Proposed Action would not have a significant effect on human health or the natural environment. This FONSI is based upon the attached EA, which has been independently evaluated by the Air Force and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project. This EA provides sufficient evidence and analysis to determine that an environmental impact statement is not required.

John H. Devell J.

GORDON H. ELWELL, JR., Colonel, USAFR Commander, 911th Airlift Wing

10 apr 09 Date

EXECUTIVE SUMMARY

BACKGROUND

This document is a combined environmental assessment (EA) and environmental baseline survey (EBS) prepared to support the proposed lease of property located near Cadiz, Ohio, for use as a drop zone for airdrop training by the 911th Airlift Wing (911 AW) of the Air Force Reserves (AFR).

The EA evaluates the potential environmental impacts associated with the establishment and operation of the Cadiz Drop Zone. This EA has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended (42 United States Code [U.S.C.] 4321, et seq.), the Council on Environmental Quality (CEQ) regulations for implementing the procedural provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508), and Air Force policy and procedures (32 CFR Part 989).

The EBS has been prepared to document the environmental condition of property resulting from the release and disposal of hazardous substances, petroleum products and their derivatives, if any, on the proposed drop zone property, and to establish a baseline for use by the Air Force in making decisions concerning real property transactions. The preparation of an EBS is required by Department of Defense (DOD) policy before any property can be sold, leased, transferred, or acquired.

PURPOSE AND NEED

The 911 AW is located at Pittsburgh International Airport (IAP) Air Reserve Station (ARS), Coraopolis, Pennsylvania. The 911 AW conducts airdrop training as part of its combat crew training. The unit currently has a drop zone, the Starvaggi Drop Zone, located near Burgettstown, Pennsylvania. However, this site has several serious limitations that restrict the 911 AW's airdrop training. The proposed Cadiz Drop Zone would not have these limitations.

SITE LOCATION

The proposed Cadiz Drop Zone is located in Harrison County, Ohio, approximately 3.3 miles southwest of the town of Cadiz. The area proposed to be leased by the Air Force is an approximately 430-acre site on a reclaimed strip mine owned by CONSOL Energy.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

Two alternatives were analyzed, the Proposed Action and No-Action Alternative.

Under the **Proposed Action**, the 911 AW would lease property owned by CONSOL Energy in Harrison County, Ohio, for use as a drop zone for training.

Air drops would be conducted as part of aircraft training flights that are currently a routine activity. A typical drop training event would entail use of two C130 aircraft. Flights to the drop zone would originate and terminate at Pittsburgh IAP ARS. Aircraft would not usually fly directly to the drop zone from the ARS, but would fly a training route. During a typical drop zone training day, 12 airdrop training events would be conducted. These would be conducted as part of three separate training flights. During each of the three trips, each of the two aircraft would fly an approximately 45-minute training route, make a drop, fly another approximately 45-minute training route, then make a second drop before returning to the ARS.

No fly zones for approach would be established in order to avoid overflight of the Harrison County Airport, located approximately 2 miles northeast of the proposed drop zone. Drop zone activities would be conducted 2-3 times per week. Most activities would consist of dropping training bundles consisting of 15-lb sandbags. Heavier dropped material, referred to as "actual loads" would be dropped only 2-3 times per month.

The site would be certified for use by paratroopers. However, paratrooper drops are not currently planned as part of routine activities at the proposed drop zone, but would likely be conducted only as part of special training events. These are not expected to be conducted more than approximately once every two years.

Drop zone operations would generally be conducted between 7 a.m. and 11 p.m. and could occur any day of the week. The drop zone boundary would not be fenced, but the entire site is located within a fenced area with a locked gate. The AFR would coordinate with the Federal Aviation Administration (FAA) flight service station to issue a local Notice to Airmen (NOTAM) when drops are scheduled. Air drops would be limited by weather conditions that allow visual confirmation of the target from the aircraft.

No significant modification of the site, such as grading access roads, clearing vegetation, or constructing facilities, would be required to establish the drop zone. It is expected that cattle grazing would continue to control the height of vegetation on the site, thereby eliminating the need for routine vegetation control. However, should vegetation on the active part of the drop zone become too tall, its height may need to be controlled by mowing.

Under the **No-Action Alternative**, the 911 AW would not lease the CONSOL Energy property and would continue to use the Starvaggi Drop Zone as their only airdrop training site.

SUMMARY OF ENVIRONMENTAL CONSEQUENCES

The resources analyzed for environmental impact are land use, airspace management, noise, air quality, safety and occupational health, hazardous materials and hazardous waste, earth resources, water resources, biological resources, cultural resources, socioeconomics, environmental justice, recreation and visual resources, and transportation.

Activities associated with the establishment and operation of the Cadiz Drop Zone would not have a significant impact on any of the resources analyzed.

CUMULATIVE IMPACTS

Other future actions in the region were evaluated to determine whether cumulative environmental impacts could result due to the implementation of the proposed action in conjunction with other past, present, or reasonably foreseeable future actions. Other actions that would occur in the region include continued low level training by the 911 AW and strip mining activities. These activities are not anticipated to result in cumulative impacts when added to potential impacts of proposed action.

EBS FINDINGS

The property is an undeveloped reclaimed strip mine. No structures, facilities, or utilities are present on or adjacent to the property. The property was in an area actively mined from the early to mid 1980s to the early to mid 1990s. Reclamation began on the northern portion of the area in the early 1990s and in the southern/southwestern portion in the mid to late 1990s. The final bond release has been granted for this property.

No issues with regards to the EBS topics of environmental restoration program sites, storage tanks, oil/water separators, solid waste, medical or biohazardous waste, radioactive material, wastewater treatment, collection and discharge, pesticides, asbestos, polychlorinated biphenyls, radon, and lead-based paint have been identified.

Past use of the property as part of a strip mine may have involved use of small quantities of hazardous materials and petroleum products associated with the operation of mining equipment, such as fuels and oils, and ordnance may have been used as part of mining activities. Hazardous materials and petroleum products and ordnance are not currently used or stored on the property.

Based on an analysis of the available data, no release or disposal of hazardous substances or petroleum products has occurred on the property and it is considered Category 1.

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ACRONYMS AND ABBREVIATIONS

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μg/m ³ microgram per cubic meter MSL mean sea level	LATN	Low Altitude Tactical Navigation
MSL mean sea level		Military Airspace Collision Avoidance
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NAAQS National Ambient Air Quality Standards		
	NAAQS	National Ambient Air Quality Standards

National	Register National Register of Historic Places
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NO ₂	nitrogen dioxide
NO _X	nitrogen oxide
NOTAM	Notice to Airmen
PM_{10}	particulate matter equal to or less than 10 microns in diameter
PM ₂₅	particulate matter equal to or less than 2.5 microns in diameter
ppm	parts per million
PSD	Prevention of Significant Deterioration
RCRA	Resource Conservation and Recovery Act
SHPO	State Historic Preservation Officer
SIP	State Implementation Plan
SKE	Station Keeping Equipment
SO_2	sulfur dioxide
SR	State Route
TAC	Tactical
tpy	tons per year
USC	United States Code
USFWS	U.S. Fish and Wildlife Service
USGS	United States Geological Survey
VOC	volatile organic compound
VRS	visual reconnaissance survey
VSI	visual site inspections

1.0 INTRODUCTION

1.1 PURPOSE OF THE DOCUMENT

This document is a combined environmental assessment (EA) and environmental baseline survey (EBS) prepared to support the proposed lease of property located near Cadiz, Ohio, for use as a drop zone for airdrop training by the 911th Airlift Wing (911 AW) of the Air Force Reserves (AFR).

The EA evaluates the potential environmental impacts associated with the establishment and operation of the Cadiz Drop Zone. This EA has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended (42 United States Code [U.S.C.] 4321, et seq.), the Council on Environmental Quality (CEQ) regulations for implementing the procedural provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508), and Air Force policy and procedures [32 CFR Part 989]).

The EBS has been prepared to document the environmental condition of property resulting from the release and disposal of hazardous substances, petroleum products and their derivatives, if any, on the proposed drop zone property, and to establish a baseline for use by the Air Force in making decisions concerning real property transactions. The preparation of an EBS is required by Department of Defense (DOD) policy before any property can be sold, leased, transferred, or acquired.

Air Force Policy Directive (AFPD) 32-70, *Environmental Quality*, provides responsibilities and procedures for conducting an EBS and is implemented through Air Force Instruction (AFI) 32-7066, *Environmental Baseline Surveys in Real Estate Transactions*. The information presented in this EBS is complete and accurate as of October 2008. This EBS is based on available environmental information related to past and present storage, release, and disposal of hazardous substances and petroleum products on the proposed drop zone property.

This EBS will be used by the Air Force, along with other available information, to:

- Develop sufficient information to assess the health and safety risks on the property surveyed and to determine what actions are necessary to protect human health and the environment
- Support decision for a Finding of Suitability to Lease (FOSL) as well as aid in determining potential land use restrictions
- Identify data gaps concerning environmental contamination
- Identify potential environmental concerns associated with the property.

1.2 PURPOSE AND NEED FOR THE PROPOSED ACTION

The 911 AW is located at Pittsburgh International Airport (IAP) Air Reserve Station (ARS), Coraopolis, Pennsylvania. The 911 AW conducts airdrop training as part of its combat crew training. The unit currently has a drop zone, the Starvaggi Drop Zone, located near Burgettstown, Pennsylvania (Figure 1.2-1). However, this site has several serious limitations that restrict the 911 AW's airdrop training. Drop zone site requirements that are currently not provided at the Starvaggi Drop Zone include:

- A relatively level area without steep slopes, rugged terrain, and large trees
- A site large enough to establish a rectangular drop zone size of 1,000 yards by 1,500 yards
- Site that can be surveyed as a circular drop zone to support aircraft run-ins from more than a single direction
- Site not located in airspace where drop altitudes and airspeeds for airdrop operations are limited.

The proposed Cadiz Drop Zone meets these requirements. Because the airdrop training limitations currently imposed by use of the Starvaggi Drop Zone would not be present at the Cadiz Drop Zone, the Proposed Action would greatly increase the 911 AW's training capability and combat readiness.

1.2.1 Location of the Proposed Action

The proposed Cadiz Drop Zone is located in Harrison County, Ohio, approximately 3.3 miles southwest of the town of Cadiz (Figure 1.2-2). The area proposed to be leased by the Air Force is an approximately 430-acre site on a reclaimed strip mine owned by CONSOL Energy.

1.3 SURVEY METHODOLOGY

Property categorization factors address storage and release of those substances that are regulated under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Resource Conservation and Recovery Act (RCRA). These factors determine the overall property category of land and facilities. Property categories are based on the definitions included in AFI 32-7066. However, in 1996, revisions were made to property categories based on DOD guidance that revised the definition of "uncontaminated" property used in the Category 1 designation (U.S. Air Force, 1996). Uncontaminated property is defined as property where no release or disposal of hazardous or petroleum substances has occurred. Therefore, a property can be considered Category 1, even if hazardous or petroleum



Environmental Assessment and Baseline Survey To Establish New Drop Zone in Cadiz, OH





substances are stored on the property. Under the original property category definitions, storage of hazardous or petroleum substances, even without a release, caused the property to be considered Category 2. Under the revised property category definitions, property associated with the release of a petroleum product is considered Category 2. Within this EBS, hazardous substance storage is noted, as appropriate. However, unless a release has been identified, the property is considered Category 1.

Based on an analysis of the available data, the proposed Cadiz Drop Zone property was classified into one of seven categories:

- *Category 1* Areas where no release or disposal of hazardous substances or petroleum products has occurred (including no migration of these substances from adjacent areas)
- Category 2 Areas where only release or disposal of petroleum products has occurred
- *Category 3* Areas where release, disposal, and/or migration of hazardous substances have occurred, but at concentrations that do not require a removal or remedial response
- *Category 4* Areas where release, disposal, and/or migration of hazardous substances have occurred, and all removal or remedial actions have been taken
- *Category 5* Areas where release, disposal, and/or migration of hazardous substances have occurred, and all removal or remedial actions are underway, but have not yet been completed
- *Category 6* Areas where release, disposal, and/or migration of hazardous substances have occurred, but remedial actions have not been implemented
- *Category* 7 Areas that are not evaluated or require additional evaluation.

Property in the first four categories is eligible for deed transfer (Department of Defense, 1995). In general, property in the last three categories will not be considered for transfer until the necessary actions have been taken and the property has been reclassified into one of the first four categories. Leases are permitted for property within the first four categories and would be considered on a case-by-case basis for properties within the last three categories.

Pursuant to U.S. Environmental Protection Agency (EPA) and DOD guidance, this EBS identifies property as uncontaminated even if some limited quantity of hazardous or petroleum substances was released or disposed in cases where the available information indicates that such release or disposal poses no threat to human health or the environment. Examples, as provided in the U.S. EPA guidance, include usage of common household chemicals, storage of heating fuel in base housing areas, incidental releases of petroleum

products on roadways and parking lots, and the routine licensed application of pesticides (U.S. Environmental Protection Agency, 1994).

Information on property categorization factors (hazardous materials and petroleum products, hazardous and petroleum waste, storage tanks and related systems, treatment systems and components, Environmental Restoration Program [ERP] sites, oil/water separators, medical or biohazardous waste, radioactive waste, pesticides, and ordnance) was reviewed to determine the presence and status of each. Each factor was first categorized based on its past or present potential for environmental concern. Then, the categories for all factors present at each location were considered to determine the overall land or facility category. The highest category would determine the overall category for the land/facility. For example, if a parcel of land had a storage tank classified as Category 2 and an ERP site classified as Category 5, the overall categorization would be a Category 5.

Disclosure factors are substances that are not regulated under CERCLA but that may cause environmental concerns. Information on disclosure factors (asbestos, polychlorinated biphenyls, radon, and lead-based paint) was reviewed. While notification of the presence of disclosure factors is not required under CERCLA Section 120(h) (1), such notification is provided to satisfy real estate transaction requirements.

1.4 APPROACH AND RATIONALE

A methodical process was followed for this EA/EBS in which available information was analyzed and conclusions were drawn about the condition of the property near Cadiz, Ohio. First, property records were reviewed to identify historic land and facility uses that may be primary indicators of potential contamination. 911 AW and CONSOL Energy personnel were interviewed, and the land was physically inspected during a visual reconnaissance survey (VRS) on October 14, 2008, to identify evidence of stressed vegetation, stained soils, unusual odors, or other issues that might indicate the presence of contamination (Appendix G-3).

1.4.1 Documents Reviewed

The records search of available documentation focused primarily on records, reports, maps, and aerial photographs maintained by the 911 AW at Pittsburgh IAP ARS and CONSOL Energy staff.

As part of the records search, historic maps (1905, 1961, 1978, and 1994) and aerial photographs (1976, 1982, 1994, and 2005) of the property were reviewed and analyzed to assist in identifying past land and facility uses and potential environmental contamination sources, and to verify other information found in the records search. Aerial photographs and

maps are provided in Appendix E. A detailed list of references used in preparing this document is presented in Appendix A.

1.4.2 Property Inspections

A VRS was conducted on October 14, 2008, to verify characteristics or features identified in the records search and to identify other potential environmental concerns related to the property. Generally, VRSs are cursory physical inspections conducted by walking around or through the areas in question. Visual site inspections are exterior and interior (walk-through) inspections, and are conducted to identify readily apparent concerns or attributes. Because the property does not contain any structures, visual site inspections (VSIs) were not conducted.

Photographs of the property are provided in Appendix F.

1.4.3 Personnel Interviews

During the meetings and the VRS, personnel at Pittsburgh IAP ARS and CONSOL Energy were interviewed to identify potential environmental concerns related to recent and historic operations at the proposed Cadiz Drop Zone, and to verify information found during the records search. A list of individuals contacted during the preparation of this EBS is provided in Appendix D. Primary contacts were made with 911 AW and CONSOL Energy personnel.

1.5 ORGANIZATION OF THE ENVIRONMENTAL ASSESSMENT AND ENVIRONMENTAL BASELINE SURVEY

This document is organized as follows:

Chapter 1.0 - Introduction: Describes the purpose, format, and content of the EA and EBS. Presents the survey methodology, and the approach and rationale used to identify and delineate environmental concerns.

Chapter 2.0 - Proposed Action and Alternatives: Describes the Proposed Action and alternatives analyzed in the EA and EBS. Also discusses the legal boundaries of the project area.

Chapter 3.0 - Affected Environment: Establishes the baseline status or environmental condition of the property at the time of the survey. Also discusses past, present, and future expectations for the property based on the Proposed Action and alternatives.

Chapter 4.0 - Environmental Impacts: Discusses the potential impacts to the property and the environment as a result of an implementation of the Proposed Action or the alternatives.

Chapter 5.0 - Findings for Adjacent Properties: Describes the approach used to conduct the adjacent property evaluation, and presents the results from federal and state agency records and other database searches and visual inspections.

Chapter 6.0 - Cumulative Effects of the Action: Discusses the potential effects from an implementation of the Proposed Action or alternatives, based on the past, present, and reasonably foreseeable future actions that take place on the property.

Chapter 7.0 - Applicable Regulatory Compliance Issues: Presents compliance issues for environmental resources that pose a potential concern to the property.

Chapter 8.0 - Presents property-specific information derived from the records search and site inspections, categorizes the level of contamination associated with the subject property, and identifies the location of uncontaminated property. This chapter also discloses data gaps and requirements for further investigation that are needed to close out environmental concerns.

Chapter 9.0 - Recommendations: Presents recommendations for areas of environmental concern identified in the EBS.

Chapter 10.0 - Irreversible and Irretrievable Commitment of Resources: Discusses the potential of the Proposed Action and alternatives to use nonrenewable resources.

Appendix A: References **Appendix B:** Terms Appendix C: List of Preparers Appendix D: Persons and Agencies Contacted Appendix E: Maps and Aerial Photographs **Appendix E-1:** Historical Topographic Map Report Appendix E-2: Aerial Photo Decade Package **Appendix F:** Site Photos **Appendix G:** Site Inspection Documents **Appendix G-1:** Records Search Report Appendix G-2: Trip Report Appendix G-3: Visual Site Inspection Forms Appendix G-4: Environmental Liens Search Appendix H: EBS Certification **Appendix I:** Air Emissions Calculations Appendix J: Regulatory Consultation Appendix K: Interagency and Intergovernmental Coordination for Environmental

Planning and Public Comments and Responses

2.0 ALTERNATIVES INCLUDING THE PROPOSED ACTION

This chapter describes the Proposed Action and alternatives for the establishment of a new drop zone for the 911 AW. It also provides a discussion of the alternatives considered, but eliminated from further consideration. The following alternatives are analyzed.

Under the **Proposed Action**, the 911 AW would lease property owned by CONSOL Energy in Harrison County, Ohio, for use as a drop zone for training.

Under the **No-Action Alternative**, the 911 AW would not lease the CONSOL Energy property and would continue to use the Starvaggi Drop Zone as their only airdrop training site.

2.1 PROPOSED ACTION

The Proposed Action is the establishment of a drop zone for use by the 911 AW. The proposed drop zone is an approximately 430-acre site located approximately 3.3 miles southwest of the town of Cadiz in Harrison County, Ohio (see Figure 1.2-2). The site is on a reclaimed strip mine owned by CONSOL Energy that is currently being leased for cattle grazing. The project entails lease of the site from CONSOL Energy by the AFR.

The proposed drop zone consists of a circular drop zone superimposed on a rectangular drop zone. The rectangular drop zone is approximately 1,500 yards (4,500 feet) long and 1,000 yards (3,000 feet) wide with a centerline oriented along a northwest-southeast axis (Figure 2.1-1). The circular drop zone has a 750-yard (2,250-foot) radius and is centered on the long axis of the rectangular drop zone, but offset approximately 250 yards (750 feet) to the southeast of the center of the rectangular drop zone. The dimensions of the proposed drop zone are those required by AFI 13-217, *Drop Zone and Landing Zone Operations*, for the airdrop activities proposed for this site. The site consists primarily of fairly level, open grassland. Some areas towards the edges of the proposed lease boundary have steeper slopes and small areas of woodlands, but drop zone activities are not proposed for these areas. Drop zone activities would generally be restricted to the center of the proposed lease area boundary. AFR experience indicates that most dropped items land within 300 yards of targets which would be located along the centerline of the drop zone.

Air drops would be conducted as part of aircraft training flights that are currently a routine activity. A typical drop training event would entail use of two C130 aircraft. Because the 911 AW has nine C-130 aircraft, a maximum of all nine aircraft could be used during a single airdrop training event, but this scenario is considered highly unlikely and would not occur during routine events. Flights to the drop zone would originate and terminate at Pittsburgh IAP ARS. During transit between Pittsburgh IAP and the drop zone, aircraft would fly at



EXPLANATION



Drop Zone Boundaries

Expected Impact Area (300-yd radius from targets) Proposed Cadiz Drop Zone

Figure 2.1-1



Environmental Assessment and Baseline Survey To Establish New Drop Zone in Cadiz, OH

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approximately 2,500 feet above mean sea level (MSL) which, due to varying ground elevations, maintains a minimum altitude of 500 feet above ground level (AGL). Aircraft would not usually fly directly to the drop zone from the ARS, but would fly a training route. During drops, aircraft would fly between 500 and 1,500 feet AGL. Aircraft would be at the designated drop altitude, whether higher or lower than the transit altitude, at approximately 10 miles from the drop zone on approach and would return to the transit altitude 5 miles after leaving the drop zone. Aircraft speeds during drops would range from 125 to 150 knots. During a typical drop zone training day, 12 airdrop training events would be conducted. These would be conducted as part of three separate training flights, generally consisting of a morning, an afternoon, and an evening flight. During each of the three trips, each of the two aircraft would fly an approximately 45-minute training route, make a drop, fly another approximately 45-minute training route, then make a second drop before returning to the ARS. Each trip would take approximately 2 hours and cover approximately 120 nautical miles.

Aircraft approach would be limited to along a generally northwesterly–southeasterly orientation between 090 degrees (°) and 170° and between 300° and 360° (Figure 2.1-2). No fly zones for approach would be established in all other directions in order to avoid overflight of the Harrison County Airport, located approximately 2 miles northeast of the proposed drop zone. All aircraft would exit the drop zone at a direction away from the airport, between 135° and 315°.

Drop zone activities would be conducted 2-3 times per week. Most activities would consist of dropping training bundles consisting of 15-lb sandbags with 68-inch diameter parachutes. Heavier dropped material, referred to as "actual loads" would be dropped only 2-3 times per month. These would be container delivery systems, which weigh approximately 800 lbs, consisting of plywood pallets loaded with plastic water barrels; and heavy equipment, which weighs approximately 3,200 lbs, consisting of aluminum pallets loaded with concrete blocks. For each drop, a target would be placed on the drop zone. This is a raised angle marker consisting of an orange tarp angled to face the direction of the incoming aircraft. During night drops, battery-operated lights would be used. The target site may be marked by concrete blocks left in place between drops, but the target and lights would be set up and dismantled for each drop. Targets would either be in the center of the circular portion of the drop zone or would be along the centerline of the rectangular portion, shifted from the center towards the approach direction of the aircraft. The target would be designated at 500 yards from the boundary of the approach end of the drop zone. This is in accordance with the requirement in AFI 13-217 that a minimum distance of 1,000 yards beyond the target be within the drop zone.



Environmental Assessment and Baseline Survey To Establish New Drop Zone in Cadiz, OH A 2-person crew using pickup trucks would conduct material recovery (e.g., sandbags and parachutes) after training bundle drops. Material recovery after actual load drops would be conducted by a 6-person crew and would typically require use of two pickup trucks, a forklift, and a flatbed truck.

The site would be certified for use by paratroopers. However, paratrooper drops are not currently planned as part of routine activities at the proposed drop zone, but would likely be conducted only as part of special training events. These are not expected to be conducted more than approximately once every two years. Paratrooper personnel dropped at the site would be transported back to Pittsburgh IAP ARS via military convoy.

Drop zone operations would generally be conducted between 7 a.m. and 11 p.m. and could occur any day of the week. However, activities would occur more often on weekdays while Saturday and Sunday activities would generally only occur approximately once per month. The drop zone boundary would not be fenced, but the entire site is located within a fenced area with a locked gate. Prior to conducting any drop activities, a drop zone safety officer would be on the ground at the site to verify that no persons are present on the drop zone. The safety officer would be in radio contact with the pilots.

The property is currently used for cattle grazing. This would not cease during the Air Force lease. Cattle would not need to be moved from the site during the training bundle drops that would occur each week. However, 2- 3 times per month during actual load drops, cattle would need to be cleared from the drop zone area. The AFR would coordinate with the cattle owner on dates scheduled for actual load drops so that the cattle can be moved in advance.

The AFR would coordinate with the Federal Aviation Administration (FAA) flight service station to issue a local Notice to Airmen (NOTAM) when drops are scheduled. Air drops would be limited by weather conditions that allow visual confirmation of the target from the aircraft. No drops would be conducted under weather conditions that would prevent the flight crew from seeing the target, such as low clouds or fog.

No significant modification of the site, such as grading access roads, clearing vegetation, or constructing facilities, would be required to establish the drop zone. It is expected that cattle grazing would continue to control the height of vegetation on the site, thereby eliminating the need for routine vegetation control. However, should vegetation on the active part of the drop zone become too tall, its height may need to be controlled by mowing. The AFR would be responsible for conducting any mowing activity deemed necessary for drop zone site maintenance.

Use of the Cadiz Drop Zone would generally replace use of the existing drop zone currently used by the 911 AW, the Starvaggi Drop Zone; however, the 911 AW would retain the Starvaggi Drop Zone and maintain it as an alternate airdrop training site. Switching activity from the Starvaggi Drop Zone to the proposed Cadiz Drop Zone would not result in any change in aircraft or other activity at the Pittsburgh IAP ARS. Aircraft would have to fly 7 minutes longer and 25 nautical miles farther to reach the Cadiz Drop Zone than they currently do to reach the Starvaggi Drop Zone.

2.2 ALTERNATIVES

For purposes of this EA, the No-Action Alternative was considered. This is described below.

2.2.1 No-Action Alternative

Under the No-Action Alternative, the AFR would not lease the property from CONSOL Energy to establish the new Cadiz Drop Zone. Airdrop training would continue at the Starvaggi Drop Zone. There would be no change in existing conditions. Because of limitations on use of the Starvaggi Drop Zone, continued reliance on this site as its only drop zone training site would limit the 911 AW's training capability and combat readiness and is not consistent with the purpose and need for the proposed action. However, it is evaluated in this EA because it is required by NEPA regulations (40 CFR 1502.14(d)).

2.2.2 Alternatives Considered but Eliminated from Further Consideration

The site selection criteria for a drop zone that meets the 911 AW airdrop training requirements include:

- location within 120 miles/2 hours driving time of Pittsburgh IAP ARS to minimize travel time to and from the site for material recovery
- relatively level and free of steep slopes and large trees
- large enough to establish a rectangular drop zone 1000 yards wide and 1500 yards long
- can be surveyed for a circular drop zone with a minimum radius of 750 yards
- located away from populated areas
- can support training 2-3 times per week
- not have airspace restrictions limiting airdrop altitudes and airspeeds

Four drop zone sites located within 120 miles of Pittsburgh IAP ARS were considered for the 911 AW airdrop training needs, but were eliminated for other reasons. These are discussed below.

Expand the Starvaggi Drop Zone. This drop zone is currently the only drop zone of the 911 AW. Expansion of this drop zone to meet the 911 AW airdrop training needs was eliminated as an alternative because the site does not meet the following selection criteria:

- This site is only 1100 yards long by 800 yards wide and cannot be expanded to the minimum size required due to steep slopes on adjacent areas
- It can only support run-ins from one direction, so cannot be surveyed as a circular drop zone
- It has a large number of trees 20 feet or higher. Removal of these trees could result in environmental impacts
- It is located within an airspace associated with Pittsburgh IAP that has restrictions which limit airdrop altitudes and air speeds.

Use the Slagle Drop Zone. This existing drop zone is located at the Ravenna Arsenal, Ohio. It is currently used by the 910 AW located at Youngstown, Ohio. Because this drop zone is currently being routinely used by the 910 AW for their training needs, it is not available to be used by the 911 AW at the frequency requirements of 2-3 times per week. Therefore, it was eliminated from further consideration.

Use the Tater Drop Zone. This existing drop zone is located in Indiana County, Pennsylvania. It is also currently used by the 910 AW. This drop zone does not meet the minimum size requirements and because it is used by the 910 AW for their training, it is not available to the 911 AW for the required training frequency. Therefore, it was eliminated from further consideration.

Reestablish the Mingo Drop Zone. This is a former drop zone located in Jefferson County, Ohio. It was leased by the 911 AW until December 1997 when the land was returned to the Ohio Department of Natural Resources (DNR). The site is now part of the Fernwood State Forest. Trees have been planted on it and it is no longer available for use as a drop zone. Therefore, it was eliminated from further consideration.

2.3 BOUNDARIES OF THE PROPERTY/SURVEY AREA

2.3.1 Legal Description of the Property to be Transferred

The proposed Cadiz Drop Zone is a 430-acre area that would be leased from CONSOL Energy. The leased area would occupy portions of 5 parcels with Assessor Parcel Numbers (APNs) 02-0000212.000, 02-0000217.000, 04-0000070.000, 04-0000072.000, and 04-0000094.000. These APNs are located in Township 10, North, Range 5 West, Sections 13, 14, 19, and 20. The proposed lease area is referred to as the Cadiz Drop Zone in this document.

2.3.2 Map

A map of the property is provided in Figure 2.1-1.

3.0 AFFECTED ENVIRONMENT

3.1 ENVIRONMENTAL SETTING

3.1.1 Topographic Features

Based on the latest United States Geological Survey (USGS) topographic map for the Flushing Quadrangle (1994), elevations on the Cadiz Drop Zone range from approximately 1,100 to 1,300 ft above MSL. However, based on observation made during the VRS, because of strip mining and subsequent grading conducted as part of mine site reclamation, the current contours of the property are not the same as depicted on the map. As observed during the VRS of the property, the central portion of the property is fairly level. This area slopes down to areas of lower elevations to the north, south, and southwest. To the north, the topography slopes down into an east-west trending valley that contains the two ponds on the property. The north side of this valley is an area of higher elevation than the central area. A ridge of higher land is also located on the eastern edge of the property. To the south and southwest, the topography slopes down from the central area to the areas of lowest elevation on the property in the southern and western corners.

3.1.2 Chain of Title for the Past 50 Years

The Cadiz Drop Zone is located on portions of several APN parcels currently owned by CONSOL Energy. These parcels are part of a property conveyed by deed from Consolidation Coal Company, a Delaware Corporation to Consolidation Coal Company, a Pennsylvania Corporation on September 15, 1966. Consolidation Coal Company (Pennsylvania) was known as Pittsburgh Consolidation Coal Company prior to 1958. The property was conveyed to Pittsburgh Consolidation Coal Company, or to Consolidation Coal Company (Pennsylvania) after the name change in 1958, by multiple owners between 1946 and 1965.

3.1.3 Utilities Available to the Site

No utilities are present on or adjacent to the Cadiz Drop Zone.

3.2 LAND USE

3.2.1 Current Land Use

The Cadiz Drop Zone and adjacent areas consist of a reclaimed strip mine that is currently used for cattle grazing. Neither Cadiz Township nor Harrison County have any zoning or land use planning designations applicable to the property (Earth Tech, Inc., 2008).

3.2.2 Historic Land Use

According to the current property owner, CONSOL Energy, the Cadiz Drop Zone is an area that was mined under 2 separate permits. Mining occurred from approximately the early to mid 1980s to the early to mid 1990s. Reclamation began on the northern portion of the area in the early 1990s and in the southern/southwestern portion in the mid to late 1990s. After reclamation, bond releases occurred in 3 phases: Phase 1 – after completion of site grading; Phase 2 – after completion of seeding; and Phase 3 (Final Release) – after 5 years of maintenance. The final bond release has been granted for this property (Earth Tech, Inc., 2008).

3.3 AIRSPACE

Navigable airspace is a limited national resource that Congress has charged the FAA to administer in the public interest as necessary to ensure the safety of aircraft and its efficient use. Although the FAA must protect the public's right of freedom of transit through the airspace, full consideration shall be given to all airspace users, to include national defense; commercial and general aviation; and space operations (Federal Aviation Administration, 2008). The FAA manages commercial and general aviation activity within navigable airspace, and the military manages military aviation activity with FAA oversight.

The proposed Cadiz Drop Zone activities would occur within airspace currently used by the 911 AW. Current 911 AW airspace activities are described and analyzed in the *Environmental Assessment of the Training Operations Conducted by the 911th Airlift Wing, Pittsburgh International Airport Air Reserve Station, Pennsylvania* (December, 2000). Harrison County, Ohio, is located beneath the 911 AW's Low Altitude Tactical Navigation Area (LATN) B. A LATN is normally an area of navigable airspace that permits most types of required training activities and random routing. The 911 AW uses LATN B for low-altitude tactical navigation. C-130H aircrews fly at altitudes down to 500 ft AGL and at speeds not exceeding 250 knots indicated airspeed (approximately 285 miles per hour).

The 911 AW also trains along Station Keeping Equipment (SKE) and Tactical (TAC) routes which pass over Harrison County. C-130 aircrews use SKE routes for formation flying, usually up to 4 aircraft. TAC routes are used for low-level training and approach to the Starvaggi Drop Zone. Altitudes flown on both SKE and TAC routes vary between 500 and 4,000 feet AGL.

Harrison County Airport is located approximately 2 miles to the northeast of the proposed drop zone. It also underlies or is adjacent to 911 AW SKE and TAC routes. It is an uncontrolled (no control tower) public airport with a single runway oriented northwest-southeast (134/314 degrees magnetic).

The 911 AW has a Military Airspace Collision Avoidance (MACA) plan that includes procedures for clearing local airspace prior to conducting air drops.

3.4 NOISE

Noise can be described as unwanted sound. While most people conduct their daily lives in an environment full of sounds, some or all of these sounds can be generally undesirable and may detract from the quality of the human environment. A number of factors affect sound as it is perceived by the human ear. These factors include the actual level of the sound, the frequencies involved, the period of exposure, and changes or fluctuations in sound levels during exposure. Noise levels are measured in units called decibels (dB). Because the human ear cannot perceive all pitches or frequencies equally well, noise measures are adjusted to compensate for the human lack of sensitivity to low-pitched and high-pitched sounds. This adjusted unit is known as the A-weighted decibel (dBA). The A-weighted network deemphasizes both very low- and very high-pitched sounds, so measured levels better correlate with human perception.

Human response to changes in noise levels depends on a number of factors, including the quality of the sound, the magnitude of the changes, the time of day at which the changes take place, whether the noise is continuous or intermittent, and the individual's ability to perceive the changes. Human ability to perceive changes in noise levels varies widely with the individual, as does response to the perceived changes. A change in noise level of less than 3 (three) dBA is barely perceptible to most listeners while a 10 dBA change normally is perceived as a doubling (or halving) of noise. Moreover, if sound intensity doubles, the noise level will be increased by 3 dBA. These thresholds allow for estimation of an average individual's probable perception of, and reaction to, changes in noise levels.

It is often useful when measuring noise levels to take into account the difference in perception and response between daylight, waking hours and nighttime, sleeping hours. To this end, a descriptor called the day-night noise level (DNL) has been developed: DNL is defined as the A-weighted average sound level during a 24-hour period, with a 10-dBA penalty weighting applied to noise occurring during nighttime (10 pm to 7 am). The 10-dBA weighting accounts for the fact that noises at night are more perceptible because of the lesser overall sound level.

The DNL descriptor has been recognized by the Department of Housing and Urban Development (HUD), the U.S. EPA, the FAA, and DOD as one of the most appropriate metrics for estimating the degree of nuisance or annoyance that increased noise levels would cause in residential neighborhoods. Therefore, DNL has been selected as the appropriate noise descriptor for this analysis.
In June 1980, the Federal Interagency Committee (FIC) on Urban Noise published guidelines relating DNL to compatible land uses. This committee was composed of representatives of DOD, the Department of Transportation, HUD, the U.S. EPA, and the Veterans Administration. Since the issuance of these guidelines, federal agencies have generally adopted them for their noise analyses.

Ambient background noise levels in the vicinity of the proposed drop zone are typical of a rural environment. It is expected that the project neighborhood can be considered a relatively quiet rural area, but strip mining, traffic, and occasional aircraft overflights add noise to the neighborhood intermittently.

3.5 AIR QUALITY

Air quality in a given location is defined by the concentration of various pollutants in the atmosphere, generally expressed in units of parts per million (ppm) or microgram per cubic meter ($\mu g/m^3$). Air quality is determined by the type and amount of pollutants emitted into the atmosphere, the size and topography of the air basin, and the prevailing meteorological conditions. The significance of a pollutant concentration is determined by comparing it to federal and/or state ambient air quality standards. The federal Clean Air Act (CAA), 42 U.S.C. 7401-7671(q), amended in November 1990, stipulates that emissions sources must comply with the air quality standards and regulations that have been established by federal, state, and county regulatory agencies. These standards and regulations focus on (1) the maximum allowable ambient pollutant concentrations and (2) the maximum allowable emissions from individual sources.

The U.S. EPA established the federal standards for the permissible levels of certain pollutants in the atmosphere. The National Ambient Air Quality Standards (NAAQS) have been established for seven criteria pollutants: ozone, nitrogen dioxide (NO₂), particulate matter equal to or less than 10 microns in diameter (PM_{10}), particulate matter equal to or less than 2.5 microns in diameter ($PM_{2.5}$), carbon monoxide (CO), sulfur dioxide (SO₂), and lead. Ozone is a secondary pollutant formed in the atmosphere by photochemical reactions of previously emitted pollutants, or precursors. The ozone precursors are nitrogen oxide (NO_x) and volatile organic compounds (VOCs). The NAAQS are outlined in Table 3.4-1.

The U.S. EPA designates all areas of the United States as having air quality better than (attainment) or worse than (non-attainment) the NAAQS. Pollutants in an area may be designated as unclassified when there are insufficient ambient air quality data for the U.S. EPA to form a basis for an attainment status. The non-attainment classifications for CO and PM_{10} are further divided into moderate and serious categories. Ozone non-attainment is divided into marginal, moderate, serious, severe, and extreme categories.

Pollutant	Averaging Time	Primary ^(b,c)	Secondary ^(b,d)
Ozone	8-hour	0.075 ppm ^(e) (147 μg/m ³)	Same as primary standard
Carbon monoxide	8-hour	9 ppm (10 mg/m^3)	
	1-hour	35 ppm (40 mg/m ³)	
Nitrogen dioxide	Annual Arithmetic Mean	0.053 ppm (100 μg/m ³)	Same as primary standard
Sulfur dioxide	Annual Arithmetic Mean	0.03 ppm (80 µg/m ³)	
	24-hour	0.14 ppm (365 µg/m ³)	
	3-hour		0.5 ppm (1,300 μg/m ³)
	1-hour		
PM_{10}	24-hour	$150 \mu g/m^3$	Same as primary standard
PM _{2.5}	Annual Arithmetic Mean	$15 \mu g/m^3$	Same as primary standard
	24-hour	$35 \mu g/m^3$	Same as primary standard
Lead	Rolling 3-month average	$0.15 \ \mu g/m^3$	Same as primary standard
	Quarterly	$1.5 \mu g/m^3$	Same as primary standard

Notes: (a) National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration in a year, averaged over 3 years, is equal to or less than the standard. For PM_{10} , the 24-hour standard is attained when it is not exceeded more than once per year, averaged over 3 years. For PM2.5, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over 3 years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current federal policies.

(b) Concentrations are expressed first in units in which they were promulgated. Equivalent units given in parentheses are based on a reference temperature of 25 degrees Celsius (°C) and a reference pressure of 760 millimeters (mm) of mercury. All measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 mm of mercury (1,013.2 millibar); ppm in this table refers to parts per million by volume, or micromoles of pollutant per mole of gas.

(c) National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

National Secondary Standards: The levels of air quality necessary to protect the public welfare from any (d) known or anticipated adverse effects of pollutant.

(e) 2008 standard. The 1997 standard of 0.08 ppm remains in place for implementation purposes until the EPA undertakes rulemaking to address the transition to the 2008 standard.

 $\mu g/m^3$ = micrograms per cubic meter mg/m³ = milligrams per cubic meter

 $PM_{2.5}$ = particulate matter equal to or less than 2.5 microns in diameter

 PM_{10} = particulate matter equal to or less than 10 microns in diameter

= parts per million ppm

For purposes of the air quality analysis, the region of influence consists of the airshed that the proposed Cadiz Drop Zone property is within, Harrison County, which covers all cities, towns, and unincorporated areas within Harrison County.

Regional Air Quality. Harrison County has been designated as an attainment area for all criteria pollutants (U.S. EPA Greenbook, 2008).

Title 40 CFR 51 Part 93, General Conformity, requires federal actions to conform to any State Implementation Plan (SIP) approved or promulgated under Section 110 of the CAA. An air conformity applicability analysis and possibly a formal air conformity determination are required for federal actions in nonattainment or maintenance areas. The general conformity rule does not apply because Harrison County is classified as an attainment area for the NAAQS.

As an attainment area, Harrison County is regulated under the Prevention of Significant Deterioration (PSD) program authorized by the CAA Part C Sections 160-169. PSD areas require that owners and/or operators of new or modified stationary sources obtain a PSD permit prior to construction of a major source situated in attainment or unclassified areas. A major source is defined by PSD regulations as being a specific type of stationary source listed by the U.S. EPA that has a potential of emitting 100 tons per year (tpy) or more of a regulated pollutant. A source not listed by the U.S. EPA may also be considered major if it has the potential to emit 250 tpy or more of a regulated pollutant. PSD permitting criteria would be applicable if the potential emissions are 250 tpy or more of a regulated pollutant. Because no stationary sources of air emissions are associated with the establishment and operation of the Cadiz Drop Zone, PSD permitting does not apply to this project. In addition, there are no Class I areas within 10 kilometers of the property.

Currently, air emissions associated with the property are limited to engine exhaust and fugitive dust generated by infrequent ground vehicle use on the unpaved roads to and on the property. There are no stationary sources.

Greenhouse Gas Emissions. Greenhouse gases are compounds found naturally in the Earth's atmosphere. The compounds trap infrared heat converted from the sunlight inside Earth's atmosphere. In this way, greenhouse gases act as insulation, and contribute to the maintenance of global temperatures. As the levels of greenhouse gases increase, however, the result is a greater overall temperature on Earth. As 83 percent of greenhouse gases are carbon dioxide (CO_2) emissions, this EA considers CO_2 as the representative greenhouse gas emission and predicts CO_2 levels as appropriate for disclosure purposes.

3.6 SAFETY

Aspects of safety relevant to this EA are limited to those associated with airdrop activities. Safety aspects associated with the low-level C-130 aircraft training that would be conducted prior to and after airdrop activities are considered part of the ongoing aircraft training flights that are conducted in the area. These were described and analyzed in the EA prepared for training operations conducted by the 911 AW (Headquarters Air Force Reserve Command, 2000). AFI 13-217, *Drop Zone and Landing Zone Operations*, prescribes the procedures, techniques, and requirements for operating drop and landing zones. It includes criteria for drop zones and airdrop procedures to ensure safe operations. The 911 AW currently follows standard drop zone safety procedures at the Starvaggi Drop Zone. These include ensuring the drop zone is clear prior to air drops, maintaining radio contact with aircraft and a system of physical ground-to-air signals as backup, and implementing security measures along access roads to advise any traffic that air drops are in progress.

3.7 HAZARDOUS MATERIALS AND HAZARDOUS WASTE

3.7.1 Results of Database Search

Records maintained by federal, state, and tribal agencies were searched to identify reported sites storing hazardous materials and/or generating hazardous waste in the vicinity of the Cadiz Drop Zone. These records included locations of facilities with USTs, facilities with leaking USTs, and uncontrolled or abandoned hazardous waste sites. The agency records search consisted of a review of computerized federal, state, and tribal environmental compliance databases.

The search of federal, state, and tribal databases was performed focusing on the proposed Cadiz Drop Zone (Environmental Data Resources, Inc., 2008a) (Appendix G-1). A list and description of the databases included in the search and the distances searched for each database are provided in the database search results report. These databases were investigated with due diligence based on the minimum search distances recommended by the American Society for Testing and Materials (ASTM) guidelines for conducting Phase I site assessments (American Society for Testing and Materials, 2005). No adjacent sites were identified within the respective search area for the databases.

3.7.2 Hazardous Substances

3.7.2.1 Hazardous Material and Petroleum Products

Hazardous materials and petroleum products are not present or stored on the Cadiz Drop Zone. It is assumed that the present tenant on the property uses petroleum products (gasoline/diesel) for transportation purposes. A review of available records and interviews with CONSOL Energy personnel did not indicate the past storage of hazardous materials or petroleum products; however it is assumed that some hazardous materials and petroleum products were used in the equipment used to mine the land.

3.7.2.2 Hazardous and Petroleum Waste

Hazardous and petroleum waste are not present, stored, or used on the Cadiz Drop Zone. A review of available records and interviews with CONSOL Energy personnel did not indicate the past storage of hazardous or petroleum waste; however it is possible that hazardous and petroleum waste could have been generated when the land was being mined.

3.7.3 Environmental Restoration Program

The ERP was established to identify, characterize, and remediate CERCLA related contamination on Air Force installations. The program is designed to evaluate past disposal sites, control the migration of contaminants, and control potential hazards to human health and the environment. The property is not owned by the Air Force nor is it currently used by or controlled by the Air Force. No ERP sites are present on the Cadiz Drop Zone.

3.7.4 Storage Tanks

No aboveground storage tanks, underground storage tanks, or pipelines (including hydrant fueling and transfer systems) are present on the property. A review of available records and interviews with CONSOL Energy personnel did not indicate the past use of storage tanks.

3.8 OIL/WATER SEPARATORS

No oil/water separators are present on the property. A review of available records and interviews with CONSOL Energy personnel did not indicate the past use of oil/water separators on the property.

3.9 SOLID WASTE

No solid waste is generated on the Cadiz Drop Zone. A review of available records and interviews with CONSOL Energy personnel did not indicate the generation of solid waste on the property.

3.10 MEDICAL OR BIOHAZARDOUS WASTE

No evidence of medical or biohazardous waste is present on the property. A review of available records and interviews with CONSOL Energy personnel did not indicate the generation of medical or biohazardous waste on the property in the past.

3.11 RADIOACTIVE WASTE

No evidence of radioactive waste is present on the property. A review of available records and interviews with CONSOL Energy personnel did not indicate the generation of radioactive waste on the property in the past.

3.12 WASTEWATER TREATMENT, COLLECTION, AND DISCHARGE

No evidence of wastewater treatment, collection, or discharge is present on the Cadiz Drop Zone. A review of available records and interviews with CONSOL Energy personnel did not indicate the generation of wastewater on the property in the past.

3.13 PESTICIDES

No evidence of pesticide treatment was present on the property. A review of available records and interviews with CONSOL Energy personnel did not indicate the past use of pesticides on the property.

3.14 ORDNANCE

No evidence of ordnance was present on the property. Based on its past use as a strip mine it is possible that some explosives were used on the property and adjacent areas during the mining process; explosives could have been used. Because of subsequent mine site reclamation, the presence of ordnance or ordnance-related contaminants are not expected.

3.15 ASBESTOS

No structures are present on the property. A review of available records, including historic aerial photographs and topographic maps, and interviews with CONSOL Energy personnel did not indicate the presence of structures on the property; therefore, asbestos was not used on the property in the past.

3.16 POLYCHLORINATED BIPHENYLS

No structures or transformers are present on the Cadiz Drop Zone. A review of available records, including historic aerial photographs and topographic maps, and interviews with CONSOL Energy personnel did not indicate the presence of structures or transformers on the property; therefore, polychlorinated biphenyls were not used on the property in the past.

3.17 RADON

Radon is a naturally occurring, colorless, and odorless radioactive gas produced by radioactive decay of naturally occurring uranium. Radon that is present in soil can enter a building through small spaces and openings, accumulating in enclosed areas such as basements. There are no federal or state standards regulating radon exposure at the present time.

The U.S. EPA has prepared a map of radon zones for the United States that assigns each county to one of three zones based on radon potential. Predicted indoor radon levels are highest in Zone 1 and lowest in Zone 3. Harrison County, Ohio, is designated as Zone 1. Predicted average indoor radon levels in Zone 1 areas are over 4 pCi/l (Environmental Data Resources, Inc., 2008a). However, radon potential in a county can vary. The property does not have any structures; therefore there are no concerns with indoor radon levels.

3.18 LEAD-BASED PAINT

No structures are present on the property. A review of available records, including historic aerial photographs and topographic maps, and interviews with CONSOL Energy personnel did not indicate the presence of structures on the property; therefore, lead-based paint was not used on the property in the past.

3.19 EARTH RESOURCES

Harrison County is situated within the Allegheny Plateaus Section of the Appalachian Plateaus Province (Brockman, 1998). Bedrock exposed at the surface in Harrison County belongs to the Pennsylvanian and Permian systems. Rocks of the Conemaugh Group cover approximately two thirds of the county. This group belongs to the Pennsylvanian system and includes interbedded dirty, micaceous sandstones, shales, siltstones, thin, fine-grained limestones, and minor coals. Higher in the section, the rocks tend to include more fine grained mudstones and claystones (Angle and Walker, 2002).

The following information on soils is derived from the Soil Survey of Harrison County, Ohio (U.S. Department of Agriculture, 1998). The soil survey uses aerial photographs from 1981 to map soil types. Because the property and adjacent areas have been reclaimed since the time these aerial photographs were taken, current soil types on the property may not be the same as indicated in the soil survey report.

Soils in the area including the property belong to the Morristown-Guernsey Association. These consist of deep and very deep, nearly level to very steep, well drained and moderately well drained soils on uplands that formed in material mixed by surface mining and in residuum and colluvium derived from shale, siltstone, and limestone. This association is in and around extensive areas that have been surface mined for coal. In some areas it consists of steep and very steep banks of spoil material that has been deposited parallel to a highwall, below a remnant of the original landscape. In other areas the spoil material has been regraded to eliminate the highwall or the entire landscape above the coal has been moved during mining and then regraded. These areas generally are regraded to a nearly level to moderately steep slope.

Soils mapped on the Cadiz Drop Zone are primarily Morristown with some areas of Guernsey and Orville soils. Morristown soils are very deep and well drained. They are in nearly level to very steep areas that have been surface mined for coal. They are subject to slippage in moderately steep to very steep areas. Some areas are bouldery or stony. Permeability is moderately slow. Guernsey soils are deep and very deep and are moderately well drained. They are on strongly sloping to steep benches and side slopes, above and below the Morristown soils. Guernsey soils are subject to slippage in moderately steep and steep areas. Permeability is slow or moderately slow. Orrville soils are somewhat poorly drained. They are on nearly level flood plains and are subject to occasional flooding. Permeability is moderate. Orrville soils are mapped only in the southern corner of the property.

3.20 WATER RESOURCES

3.20.1 Hydrogeologic Features

In Harrison County, the Flushing Escarpment, a major bedrock ridge situated in the eastern fourth of the county, serves as a major drainage divide separating the stream flow east to the Ohio River and west to the Tuscarawas River (Angle and Walker, 2002). Drainages near the property flow to the South Fork and Brushy Fork. These streams flow westerly to Clendening Lake which empties into Stillwater Creek, which drains into the Tuscarawas River.

Water resources on the Cadiz Drop Zone consist of two ponds created as part of mine reclamation and a small stream in the southern corner (Earth Tech, Inc., 2008).

3.20.2 Drinking Water Quality

There are no utilities provided to the property, including drinking water. Therefore, drinking water quality is not relevant to this site.

3.20.3 Groundwater

Ground water in Harrison County is obtained from both unconsolidated (alluvial) and consolidated (bedrock) aquifers. Stillwater Creek and Conotton Creek contain thin sand and gravel interbedded with thicker sequences of finer-grained lacustrine and alluvial deposits.

Yields up to 25 gallons per minute are obtained from these sandy lenses. Other tributaries in the county contain deposits that are either too thin or fine-grained to constitute sustainable aquifers. These fine-grained deposits more likely help provide extra recharge to the underlying bedrock (Angle and Walker, 2002).

Yields from the consolidated, bedrock aquifers throughout the county tend to be low. Yields typically tend to be especially poor along ridge tops. Bedrock yields less than 5 gallons per minute for aquifers developed in the Permian, Conemaugh, and Monongahela groups. Aquifers developed in the Allegheny group potentially yield approximately 10 gallons per minute. Yields were found to be approximately 10 gallons per minute around Cadiz Township (Angle and Walker, 2002).

A review of records indicated the presence of a well (OHD 100000037968) located near the center of the property (EDR, 2008a). Interviews with Consol Energy personnel indicated that the well most likely no longer exists, due to mining activities.

3.21 BIOLOGICAL RESOURCES

The property is located within the Monongahela Transition Zone of the Western Alleghany Plateau Ecoregion. Potential natural vegetation in this ecoregion consists of mixed mesophytic and mixed oak forest (U.S EPA, 2008). The following discussion of biological resources on and adjacent to the property is based on observations made during the VRS conducted on 14 October 2008.

The majority of the property is on a reclaimed strip mine. The mined area has been graded and revegetated and is currently a grassland used for cattle grazing. The vegetation consists primarily of grasses and legumes (e.g., clover, vetch) with some other forbs, including *Aster* sp., Queen Anne's lace (*Daucus carota*), chicory (*Cichorium intybus*), goldenrod (*Solidago* sp.), and teasel (*Dipsacus fullonum*). A few small single cottonwood (*Populus deltoides*) and black locust (*Robinia pseudoacacia*) trees are present in the grassland area. Two small wooded areas, located at the western and southern edges of the property occupy areas that were probably not mined. Tree species identified in the woodland include sycamore (*Platanus occidentalis*), black locust, sugar maple (*Acer saccharum*), silver maple (*Acer saccharinum*), cottonwood, ash (*Fraxinus* sp.), and black walnut (*Juglans nigra*). Common under story plants in the woodland include poison ivy (*Toxicodendron radicans*), brambles (Rubus sp.), and bush honeysuckle (*Lonicera sp*). Two areas of cattails (*Typha* sp.) and willows (*Salix* sp.) are adjacent to the southern woodland area (Earth Tech, Inc., 2008). Wildlife species observed were white-tail deer (*Odocoileus virginianus*) and several bird species [(mallard (*Anas platyrhynchos*), northern harrier (*Circus cyaneus*), black vulture (*Coragyps atratus*), turkey vulture (*Cathartes aura*), American kestrel (*Falco sparverius*), American crow (*Corvus brachyrhynchos*), northern flicker (*Colaptes auratus*), and yellow-rumped warbler (*Dendroica coronata*)]. Domestic cattle were observed only in adjacent areas, but signs of cattle grazing, including droppings and heavy trampling in wet areas, were evident on the property (Earth Tech, Inc., 2008).

3.21.1 Wetlands/Floodplains

Wetlands are defined as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions (Federal Interagency Committee for Wetland Delineation, 1989). Wetlands are regulated under Section 404 of the Clean Water Act (CWA) and Executive Order (EO) 11990 (Protection of Wetlands).

Potential wetlands on the property have not been delineated.

Two ponds are present in the northern portion of the property. These appear to be artificial water bodies created during site reclamation. Two areas of cattails (wetland obligate species) are present on the property. Near the center of the property a small area (less than ¼ acre) appeared as a dried puddle during the VRS. Although this dry puddle is generally barren and has been heavily trampled by cattle, a few clumps of rushes (*Juncus* sp.) (wetland obligate species) grow in this area (Earth Tech, Inc., 2008).

A small stream flows along the edges of the woodland areas located on the western and southern portion of the drop zone (Earth Tech, Inc., 2008).

3.21.2 Protected Species

According to the U.S. Fish and Wildlife Service (USFWS), the only federally listed species recorded for Harrison County and having the potential to occur within the drop zone area is the federally endangered Indiana bat (*Myotis sodalis*) (U.S. Fish and Wildlife Service, 2008). Focused surveys for the presence of this species were not conducted as part of this EA.

Indiana bats hibernate during winter in caves or, occasionally, in abandoned mines (hibernacula). For hibernation, they require cool, humid caves with stable temperatures, under 50° F but above freezing (U.S. Fish and Wildlife Service, 2007).

Hibernation is an adaptation for survival during the cold winter months when no insects are available for bats to eat. Bats must store energy in the form of fat before hibernating. During

the six months of hibernation the stored fat is their only source of energy. If bats are disturbed or cave temperatures increase, more energy is needed and hibernating bats may starve (U.S. Fish and Wildlife Service, 2007).

After hibernation, Indiana bats migrate to their summer habitat in wooded areas where they usually roost under loose tree bark on dead or dying trees. During summer, males roost alone or in small groups, while females roost in larger groups of up to 100 bats or more. Indiana bats also forage in or along the edges of forested areas (U.S. Fish and Wildlife Service, 2007).

The Ohio DNR implements and maintains Ohio's Natural Heritage Program, which supplies information concerning rare or endangered species occurrence data. The Ohio DNR was contacted as part of this analysis and asked to provide feedback of the likelihood for the Indiana bat to occur on or adjacent to the proposed project area. The Ohio DNR reviewed Natural Heritage maps and files for the regional area and concluded that no records of Indiana bat have been recorded within 5 miles of the property and no Indiana bat hibernacula have been recorded within 10 miles of the property.

The AFR has conducted informal consultation with the USFWS (see Appendix J). The agency indicated that the project site lies within the range of the bald eagle (*Haliaeetus leucocaphalus*), a species protected under the Bald and Golden Eagle Protection and Migratory Bird Treaty acts, but that it would not be expected to occur within the project area. However, Ohio DNR has indicated that the location of activity of bald eagles, which are a state threatened species, frequently changes and that the presence of bald eagles in the area may change.

Ohio DNR has also indicated that the project is within the range of the black bear (*Ursus americanus*) and the bobcat (*Lynx rufus*), both state endangered species.

3.22 CULTURAL RESOURCES

Federal laws and regulations, such as the National Historic Preservation Act (NHPA) and the Archaeological Resources Protection Act of 1979 (ARPA) require federal agencies to consider the effects of a Proposed Action on cultural resources. These laws and regulations stipulate a process for compliance, define the responsibilities of the federal agency proposing the action, and prescribe the relationships among other involved agencies (e.g., the State Historic Preservation Officer [SHPO], the Advisory Council on Historic Preservation). The primary law governing the treatment of cultural resources is the NHPA, which requires a federal agency to consider potential impacts on cultural resources from any proposed undertaking. However, only those cultural resources determined to be significant under cultural resources legislation are subject to protection or consideration by a federal agency.

Significant cultural resources, whether they are prehistoric, historic, or traditional in nature, are referred to as "historic properties."

The NHPA defines a historic property as any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places (National Register) maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term also includes properties of traditional religious and cultural importance to an Indian tribe that meet National Register criteria. For the purposes of this analysis, the area of potential effect (APE) as defined under cultural resources legislation is the proposed Cadiz Drop Zone, a 430-acre parcel in Harrison County, Ohio. Cultural resources are divided into two topics; Archaeological or Historic Sites and Native American Issues.

3.22.1 Archaeological / Historic Sites

Only a small portion of the 430-acre parcel has been inventoried for cultural resources. However, the majority of the 430-acre parcel is a former strip mine. The original land surface has been mined and subsequently reclaimed. Because of the severe ground disturbance associated with both mining and reclamation activities, the potential for discovery of archaeological resources is considered very low within the APE. Of the 430 acres, roughly 10 percent are considered not affected by strip mining activities. One archaeological survey has been conducted within this portion. The archaeological survey was conducted in 1990 by ASC, Inc (Mustain, 1990). The majority of the survey was conducted outside the APE to the west in support of an application to expand the mining operation. It included both pedestrian survey and shovel probes. This survey recorded a single archaeological site; the Barricklow Farm (HN0061 and HAS0062414). The Barricklow family settled in the area in the early 1800s. The structures within the APE are a dilapidated corn crib or machine shed and a collapsed barn. Both structures are of unknown date, but the recorders noted they do not appear on topographic maps from the early 20th century. The structures were described as neglected and partially demolished. Several pieces of whiteware and stoneware were collected along with some brick fragments from the area around the collapsed barn and corn crib or machine shed. The artifacts from these excavations are curated with the Ohio Historical Society. The shed was listed as neglected and partially demolished. Neither the National Register Status nor State Registry status were assessed.

3.22.2 Native American Issues

In compliance with the NHPA and American Indian Religious Freedom Act, the Air Force has consulted with American Indian groups that have historically inhabited or occupied the vicinity of the Cadiz Drop Zone (see Appendix J). No specific concerns of tribal organizations with regard to the property were identified.

3.23 SOCIOECONOMICS

The proposed drop zone site is located in Cadiz Township in Harrison County. The estimated population of Harrison County in 2006 was 15,799, a 0.4 percent decrease from its population of 15,856 in 2000. Cadiz Township had a population of 3,639 in 2000. In 2000, 7,018 residents of Harrison County were employed and the unemployment rate in Harrison County was 2.6 percent. In the same year, 1,593 residents of Cadiz Township were employed and the township had a 2.1 percent unemployment rate (U.S. Bureau of Census, 2008).

3.24 ENVIRONMENTAL JUSTICE

EO 12898, Environmental Justice, was issued by the President on February 11, 1994. Objectives of the EO, as it pertains to this EA, include development of federal agency implementation strategies and identification of low-income and minority populations potentially affected because of proposed federal actions.

Accompanying EO 12898 was a Presidential Transmittal Memorandum referencing existing federal statutes and regulations to be used in conjunction with EO 12898. One of the items in this memorandum was the use of the policies and procedures of NEPA. Specifically, the memorandum indicates that,

"Each Federal agency shall analyze the environmental effects, including human health, economic and social effects, of federal actions, including effects on minority communities and low-income communities, when such analysis is required by the NEPA 42 U.S.C. section 4321 et. seq."

In addition to environmental justice issues are concerns pursuant to EO 13045, Protection of Children from Environmental Health Risks and Safety Risks. This EO directs federal agencies to identify and assess environmental health and safety risks that may disproportionately affect children.

Although an environmental justice analysis is not mandated by NEPA, DOD has directed that NEPA will be used as the primary mechanism to implement the provision of the EOs.

The Community of Comparison for the environmental justice analysis is defined as Harrison County focusing on the area where potential environmental effects may occur due to the proposed lease of the Cadiz Drop Zone.

Demographic Analysis. Although EO 12898 provides no guidelines for determination of concentrations of low-income or minority populations, the demographic analysis provides information on the approximate locations of minority and low-income populations in the area

potentially affected by the proposed federal action. Potential environmental impacts from the proposed action and alternatives would primarily occur within the boundary of the proposed lease property and nearby neighborhoods. The community of comparison is compared with State and national statistics to determine disproportionate levels of low-income or minority populations.

Demographic information from the U.S. Bureau of the Census was used to extract data on minority, low-income, and child populations within the area. The census reports both ethnicity and household income status. Minority populations included in the census are identified as Black or African American, American Indian and Alaska Native, Asian, Native Hawaiian and other Pacific Islander, or some other race. Information on minority populations based on the 2000 U.S. Census is presented in Table 3.24-1.

Table 3.24-1. Percent Minority, Low-Income, and Persons Under 18 Years of Age Populations

	Population	Percent Minority	Disproportionately High	Percent of Population Below Poverty Level	Disproportionately High	Percent Under Age 18 ¹	Disproportionately High
United States		24.9		9.2		25.7	
Ohio	11,353,140	15.9		11.7		24.1	
Harrison County	15,856	3.6		13.0	Yes	21.5	

Note:

Based on data collected in 2006.

Source: U.S. Bureau of the Census, 2000.

U.S. Census Bureau poverty status is used in this EA to define low-income status. Poverty status is reported for families with income below poverty level (defined in the 2000 census as \$16,895 for a family of four with two children under 18 years in 1999). Harrison County has a disproportionately high percentage of the population living below the poverty level.

Youth populations, for consideration of EO 13045, are defined as persons under the age of 18. Harrison County does not have a disproportionately high percentage of youth population.

3.25 RECREATIONAL AND VISUAL RESOURCES

The Cadiz Drop Zone and adjacent areas are not currently used for recreation. The site is on private property that is leased for cattle grazing and is not accessible to the public for recreation. No recreation areas are located near the property. Sally Buffalo Park, which is used for picnicking, hiking, swimming, fishing, and camping, and contains rental cabins, is located approximately 3 miles to the northeast.

Views from the property generally consist of flat to rolling open grassland areas on the former strip mine and adjacent wooded and hilly areas. No public roads are adjacent to the property and it is not generally visible from viewpoints accessible to the public.

3.26 TRANSPORTATION

Roads in the vicinity of the property include U.S. Route 22 to the north and west and State Route (SR) 9 to the east (see Figure 1.2-2). Both of these roads travel through the Village of Cadiz to the north of the property. The property can only be reached from SR 9 via Cadiz Township Road 38 which provides access to the Harrison County Airport. Beyond the airport, the road becomes unpaved. This road, identified as Busby Road on maps, is a private road with a locked gate that denies access to the public.

4.0 ENVIRONMENTAL IMPACTS

4.1 LAND USE

4.1.1 Proposed Action

Under the Proposed Action, the current use of the property for cattle grazing would continue. The Proposed Action would not result in any new structures, fences, or roads on the property. The AFR would not conduct any activities (e.g., excavate soil) that could affect the property's status as a reclaimed strip mine. The Cadiz Drop Zone is not subject to zoning, a general plan, or a local land use designations, so its use as a drop zone would not conflict with any local land use plans or policies. There would be no significant impacts to land use.

4.1.2 No-Action Alternative

Under the No-Action Alternative, the property would not be leased to the Air Force Reserves. There would be no change to the current land use on the property; therefore, there would be no impacts to land use.

4.2 AIRSPACE MANAGEMENT

4.2.1 Proposed Action

Air drops would be conducted as part of low-level training flights. The proposed drop zone is in an area currently used by the 911 AW for low level training flights.

Aircraft approach to the drop zone would be limited to along a generally northwesterly– southeasterly orientation between 090° and 170° and between 300° and 360° (see Figure 2.1-2). No fly zones for approach would be established in all other directions in order to avoid overflight of the Harrison County Airport, located approximately 2 miles northeast of the proposed drop zone. All aircraft would exit the drop zone at a direction away from the airport, between 135° and 315°. Adherence to these approach and exit restrictions would avoid potential conflicts with aircraft using the Harrison County Airport. In addition, the 911 AW has already contacted the airport managers regarding the potential establishment of the Cadiz Drop Zone.

The AFR would coordinate with the FAA flight service station to issue a local NOTAM when drops are scheduled. Airdrop information would be sent to the airport managers for posting in the NOTAM. Inbound aircraft crews would announce airdrop time and location on Unicom frequency 122.8. Air drops would only be conducted when there is visual confirmation that no aircraft are present in the drop zone area.

The 911 AW flight safety would revise their existing MACA plan to include activities at the new drop zone. The MACA includes placing a radio call into the local airport to clear local traffic as the aircraft approach the drop zone. For these reasons, no significant impacts to airspace management are expected.

4.2.2 No-Action Alternative

Under the No-Action Alternative, no air drop activities would be conducted at this site. The 911 AW would continue to conduct air drop activities at the existing Starvaggi Drop Zone. There would be no change to airspace usage; therefore, there would be no impacts to airspace management.

4.3 NOISE

4.3.1 Proposed Action

As aircraft noise effects on sensitive land uses is considered using the metric of DNL, the criterion for determining potential aircraft noise impacts is based on the FAA's guidance that if outdoor DNL is above 65 dBA, residential land uses are normally considered not compatible. The extent of land areas and populations exposed to DNL of 65 dBA and higher provides a way of assessing the noise impacts of alternative aircraft actions.

An aircraft noise modeling study was conducted as part of the environmental assessment for the training operations conducted by the 911 AW at the Pittsburgh IAP ARS (Pittsburgh International Airport, Air Reserve Station, December 2000). In the study, the 911 AW C-130 aircraft noise conditions were predicted around the Starvaggi Drop Zone, as well as along various training routes to and from the Starvaggi Drop Zone.

The DOD's aircraft noise model applicable for airspace and range flight operations, MR_NMAP, was used to predict the centerline DNL noise levels along each flight training routes including those in the vicinity of the Starvaggi Drop Zone. The model considered:

- Annual utilization of the training routes
- Aircraft type
- Flight path
- Variation of altitude and power settings
- The number of sorties and hours of flight operations

The MR_NMAP-predicted highest centerline DNLs ranged from 26 to 36 dBA along various training routes. The maximum cumulative DNL of 43 dBA was predicted at the Starvaggi

Drop Zone where several training routes intersect. This is well below the 65 dBA DNL. In addition, no noise complaints regarding current airdrop activities at the Starvaggi Drop Zone have been received (Earth Tech, Inc., 2008).

Under the Proposed Action, the aircraft type and flight durations at the Cadiz Drop Zone would be the same as were analyzed for the Starvaggi Drop Zone in the 2000 EA, although the annual maximum possible sortie operations at Cadiz Drop Zone would be higher than the amount analyzed for the Starvaggi Drop Zone. However, because of cancellation of air drop missions due to weather conditions or aircraft maintenance or because of reduced training due to deployments, actual annual drop zone activity at the Cadiz Drop Zone would be less and would likely be similar to the number analyzed for Starvaggi Drop Zone.

According to the fundamental acoustical principle, doubling or halving the operations from the same aircraft types under the same flight conditions would result in only a 3-dBA change in the noise condition. This would be barely perceptible. The difference in aircraft operational condition associated with the implementation of the Proposed Action would unlikely result in a 3-dBA increase to the overall noise condition predicted for the Starvaggi Drop Zone. Therefore, the highest DNL levels around the new Cadiz Drop Zone would essentially remain the same as compared those levels predicted for existing 911 AW training operations at the Starvaggi Drop Zone and would likely be below 45 dBA. Since these levels would be well below the 65 dBA, above which noise sensitive land uses would normally be of concern, the Proposed Action would not result in a significant noise impact.

4.3.2 No-Action Alternative

Under the No-Action Alternative, no airdrop activities would be conducted at the proposed Cadiz Drop Zone. The 911 AW would continue to conduct air drop activities at the existing Starvaggi Drop Zone. There would be no changes to noise levels; therefore, there would be no impacts from noise.

4.4 AIR QUALITY

4.4.1 Proposed Action

Potential impacts to air quality from the Proposed Action include fugitive dust associated with vehicle travel on unpaved roads to and on the property and engine air emissions from ground vehicles and from aircraft overflights of the drop zone area.

Vehicle engine air emissions and fugitive dust generated by vehicles traveling to and from and on the site would be expected to be minimal. An average of 2 vehicles (pick up trucks) would travel to and from the site 3 times a day 2-3 times a week for material recovery efforts.

Two to three times a month, a flatbed truck would be driven to and from the site in addition to the 2 pick up trucks. These vehicles are currently driven between the Pittsburgh IAP ARS and the Starvaggi Drop Zone at a similar rate to what they would be driven between the ARS and the proposed Cadiz Drop Zone. The round trip drive to the proposed Cadiz Drop Zone is approximately 3 times farther than to the Starvaggi Drop Zone. Because of the longer driving time, overall air emissions from ground vehicle usage would increase. However, because of the small number of vehicles involved, air emissions would still be expected to be minimal. Fugitive dust emissions from vehicle travel on unpaved road to and on the property would be of short duration and would also be limited during periods of wet and/or frozen ground conditions.

Aircraft air emissions relevant to the Proposed Action are those emitted during aircraft approach, overflight, and departure of the drop zone area. These are shown in Table 4.4-1. Aircraft operations during the training flight conducted prior to and after air drops are considered part of the ongoing aircraft training flights that are conducted in the area. These were analyzed in the EA prepared for training operations conducted by the 911 AW (Headquarters Air Force Reserve Command, 2000). That EA concluded that no significant air quality impacts would occur from these activities.

	Emissions in Tons per Year						
Criteria Pollutant	СО	VOC	NO _x	SO _x	PM ₁₀		
Total Annual Emissions	1.55	0.40	9.13	0.43	1.37		
De Minimis Thresholds ¹	100	100 ²	100	100	100		

Table 4.4-1. Cadiz Drop Zone Annual Aircraft Emissions Summary

Notes:

1. For maintenance areas.

2. Threshold for VOCs in an ozone maintenance area inside an ozone transport region is 50 tpy.

The air emissions calculations are based on the maximum number of sortie-operations that could occur in a year. This assumes 3 training drop test days per week and 3 actual load drop test days per month. Each time an aircraft passes over the drop zone during a training drop counts as a sortie-operation. The analysis is based on 2 aircraft per mission with 2 passes by each aircraft per mission and 3 missions during each test day. Actual annual drop zone activity, and therefore air emissions, would likely be less because of cancellation of air drop

missions due to weather conditions or aircraft maintenance or because of reduced training due to deployments. Air emissions calculations are provided in Appendix I.

The U.S. EPA published final rules on general conformity (40 CFR Parts 51 and 93 in the Federal Register on November 30, 1993) that apply to federal actions in areas designated nonattainment and maintenance for any of the criteria pollutants under the CAA. The rules specify *de minimis* emission levels by pollutant to determine the applicability of conformity requirements for a project. Although de minimis levels are not applicable to this project because Harrison County is an attainment area for all the NAAQS, de minimis threshold for maintenance areas are presented in Table 4.4-1 to provide a point of comparison for estimated emissions from the Proposed Action. Based on the amount of annual air emissions estimated for the Proposed Action, no significant impacts to air quality would occur.

Greenhouse Gas Emissions.

Because air drop activities at the Cadiz Drop Zone would be conducted as part of ongoing C-130 flight training, there would be no significant change in flying hours. Therefore there would be no significant change in greenhouse gas emissions from aircraft under the Proposed Action. Ground vehicle use associated with material recovery would increase from current conditions because of the farther driving distance from Pittsburgh IAP ARS to the proposed Cadiz Drop Zone than to the existing Starvaggi Drop Zone. Therefore, greenhouse gas emissions from ground vehicle use could increase; however, because of the small number of vehicles involved, the overall increase in emissions would be small.

4.4.2 No-Action Alternative

Under the No-Action Alternative, no air drop activities would be conducted at the Cadiz Drop Zone. The 911 AW would continue to conduct air drop activities at the existing Starvaggi Drop Zone. There would be no change to air emissions; therefore, there would be no impacts to air quality.

4.5 SAFETY AND OCCUPATIONAL HEALTH

4.5.1 Proposed Action

Dropping items from aircraft presents a potential hazard if people are present in the area where the airdrop is occurring. The proposed drop zone location is not accessible to the general public. Prior to each drop, a drop zone safety officer would be present at the site to verify that no persons are present on the drop zone. The safety officer would be in radio contact with the pilots and drops could be aborted as needed in the unlikely event persons are present and do not leave the area. Prior to actual load drops, cattle would also be excluded from the drop zone area. Cattle would not need to be excluded from the drop zone during training bundle drops because training bundles are not expected to cause injury in the event that they impact a cow. Training bundles weigh 15 pounds and are attached to a 68-inch parachute. They would fall too slowly to present a hazard to any cattle in the drop zone. The 911 AW flight safety would revise their existing MACA plan to include activities at the new drop zone. No significant impacts to safety and occupational health would be expected.

4.5.2 No-Action Alternative

Under the No-Action Alternative, there would be no change to current conditions. No air drops would be conducted at the proposed Cadiz Drop Zone. No significant impacts to safety and health would occur. The 911 AW would continue to conduct air drops at the Starvaggi Drop Zone. Because of the more rugged topography and presence of large trees at the Starvaggi Drop Zone, material recovery is more difficult than it would be at the Cadiz site; therefore, continued use of the Starvaggi site presents a slightly greater potential for injury to a member of a material recovery crew.

4.6 HAZARDOUS MATERIALS AND HAZARDOUS WASTE

4.6.1 Proposed Action

Under the Proposed Action, small quantities of hazardous materials and petroleum products, such as fuel, oil, lubricants, and antifreeze, would be used on the property in the vehicles used as for material recovery activities. No hazardous material or petroleum products would be stored and no hazardous wastes or petroleum wastes would be generated on the property. The AFR would be responsible for following applicable regulations and procedures for the proper management of these materials. No other use of hazardous material or petroleum products would occur on the property as a result of airdrop training activities. Therefore, under the Proposed Action there would be no significant impacts from hazardous materials and hazardous waste.

4.6.2 No-Action Alternative

Under the No-Action Alternative, the property would not be leased to the AFR for airdrop activities. There would be no change to the current hazardous materials and waste use on the property; therefore, there would be no impacts from hazardous materials or hazardous waste.

4.7 EARTH RESOURCES

4.7.1 Proposed Action

The Proposed Action would not entail any activities that could affect earth resources. No construction, excavation, or other ground disturbing activities would be conducted. The property is on a reclaimed strip mine from which economically recoverable coal has been removed. The Proposed Action does not entail any activity or change in land use that could affect the soil or future access to any mineral resources. No significant impacts to earth resources would be expected.

4.7.2 No-Action Alternative

Under the No-Action Alternative, the property would not be leased to the Air Force Reserves. There would be no change to activities on the property; therefore, there would be no impacts to earth resources.

4.8 WATER RESOURCES

4.8.1 Proposed Action

The Proposed Action would not entail any activities that could affect water resources. No ground disturbing activities that could result in sediment in water bodies from soil erosion would be conducted. There is the potential for a stray load to drop into one of the ponds on the property. Because recovery of material from a water body is more difficult than from on land, this is something the 911 AW would seek to avoid. An occasional load dropping into a pond and subsequent recovery activity would not be expected to have a significant impact to the artificial water bodies on the property. The stream in the southern corner of the property is well outside the expected impact area and would not be affected by routine air drop activities.

4.8.2 No-Action Alternative

Under the No-Action Alternative, the property would not be leased to the Air Force Reserves. There would be no change to activities on the property; therefore, there would be no impacts to water resources.

4.9 BIOLOGICAL RESOURCES

4.9.1 Proposed Action

Impacts to vegetation within the drop zone as a result of the Proposed Action would be minimal. Some vegetation loss within the grassland/pasture area is expected during the training exercise. Support vehicles used in setting up the drop zone target and retrieving the dropped materials would use existing roads where possible, but some off-road travel could be required. Off-road travel could crush/smother individual plant species. No significant modification of the drop zone, such as grading, access roads, clearing vegetation or constructing facilities would be required to establish the drop zone. Current grazing activities would continue to control vegetation height within the drop zone. However, if deemed necessary, some mowing may be required to concurrently control vegetation height. Vegetation species found within the drop zone are common and widespread within the regional area and the described impacts to this vegetation community would be considered less than significant.

Potential effects on wildlife or domestic animals are a function of associated noise produced by aircraft operations. As a result, common wildlife species occupying the drop zone could be temporarily startled and displaced during the drop zone operations. Species such as the whitetailed deer and various bird species would more than likely disperse during drop zone operations, but are expected to quickly return to the drop zone area once the exercise has ceased. Impacts to wildlife species and domestic animals as a result of drop zone operations are temporary, and are considered less than significant.

Wetlands

Wetlands can be affected by direct or indirect impacts. Direct impacts can result when wetlands are filled, dredged, or flooded. Indirect impacts can occur from disturbance to the aquatic habitat or adjacent lands, causing chemical/sedimentary runoff that can result in water degradation.

There are no direct impacts expected to the aquatic habitats present on-site. To the extent possible, the aquatic sites within the proposed impact areas will be avoided; however, it is possible the dropped materials would need to be occasionally retrieved from these sites. During the VRS of the drop zone, it was noted that the aquatic sites present were heavily trampled by and used as water source for the grazing cattle. The occasional retrieval of dropped materials could cause temporary increased sedimentation with the water column, ultimately affecting the water quality; however, the water quality would be expected to return to pre-exercise conditions shortly after the drop-zone operations have ceased. No significant adverse impacts to the aquatic habitats within the impact area are expected.

The small stream located within the woodland area in the southern corner of the property is well outside the expected impact area. There are no impacts anticipated to in this area.

Protected Species

Although potential for the Indiana bat exists within Harrison County, the information gathered from the Ohio DNR supports that the Indiana bat is not found within the regional area containing the proposed drop zone (see Appendix J). Therefore, impacts to the Indiana bat are not anticipated as a result of proposed project activities. Both USFWS and Ohio DNR have concurred that the proposed project is not likely to impact this species.

Because the project entails no construction activities, Ohio DNR has indicated that it is unlikely that there would be impacts to bald eagles. Ohio DNR has also indicated that the proposed project is not likely to have an impact on state listed black bears and bobcats due to the mobility of these species.

4.9.2 No-Action Alternative

Under the No-Action Alternative, the property would not be leased to the Air Force Reserves. There would be no change to activities on the property; therefore, there would be no impacts to biological resources.

4.10 CULTURAL RESOURCES

4.10.1 Proposed Action

Impacts to cultural resources within the Cadiz Drop Zone as a result of the Proposed Action would be negligible. Activities associated with the Proposed Action occur almost exclusively on the mined portion of the property. Access to the property will occur on existing roads. No cultural resources are present in these areas. No significant modification of the drop zone, such as grading new access roads, clearing vegetation, or constructing facilities would be required to establish the drop zone. The activities associated with the Proposed Action are expected to occur mainly in the central portion of the property. The only known cultural resource on the Cadiz Drop Zone, the Barricklow Farm, is not located near the center of the property; it is located in the southeastern portion of the drop zone along the wooded area. Therefore, it will not likely be impacted by training activities. Impacts to cultural resources as a result of drop zone operations are considered less than significant. The Ohio SHPO has concurred that the proposed action would not affect properties listed on or eligible for listing on the National Register (see Appendix J).

4.10.2 No-Action Alternative

Under the No-Action Alternative, the property would not be leased to the Air Force Reserves. There would be no change to activities on the property; therefore, there would be no impacts to cultural resources.

4.11 SOCIOECONOMICS

4.11.1 Proposed Action

The Proposed Action would not result in any changes in employment or population. Persons involved in air drop activities would be existing personnel at Pittsburgh IAP ARS. Economic impacts of the establishment of the Cadiz Drop Zone would be negligible. Material recovery crews could purchase some items, such as fuel and food, in the local area on their way to or from the drop zone. The 911 AW would lease the Property from CONSOL Energy. The lease on privately owned property would not result in changes in revenue to local communities. No significant impacts to socioeconomics would be expected.

4.11.2 No-Action Alternative

Under the No-Action Alternative, the 911 AW would not establish a drop zone and conduct air drop activities at Cadiz. There would be no changes to AFR activities in the area; therefore, there would be no impacts to socioeconomics.

4.12 ENVIRONMENTAL JUSTICE

4.12.1 Proposed Action

Under the Proposed Action there would be no significant impacts to resources; therefore, there would not be any adverse effects to disproportionately high minority, low-income, or youth populations in Harrison County, Ohio. No significant environmental justice impacts would occur.

4.12.2 No-Action Alternative

Under the No-Action Alternative, there would be no change to environmental conditions in Harrison County, Ohio, due to establishment and operation of the Cadiz Drop Zone; therefore, there would be no impacts to minority, low-income, or youth populations. No significant environmental justice impacts would occur.

4.13 RECREATION AND VISUAL RESOURCES

4.13.1 Proposed Action

The proposed drop zone site is not currently used for recreation nor is it accessible to the public for recreational uses. Under the proposed action, there would be no change to area's use or accessibility. There would be no impact to recreation at the nearby Sally Buffalo Park. The use of the site as a drop zone would not result in any visual changes to the property. The Proposed Action would not have a significant impact to recreation and visual resources.

4.13.2 No-Action Alternative

Under the No-Action Alternative, there would be no changes in use and current condition of the property. These would be no impacts to recreation or visual resources.

4.14 TRANSPORTATION

4.14.1 Proposed Action

Routine drop zone activities would entail use of a small number of vehicles driven between Pittsburgh IAP ARS and the proposed Cadiz Drop Zone. Generally 2 pick up trucks would be driven to and from the site up to 3 times a day on each training bundle drop training day. In addition, up to 3 times a month a flatbed truck, in addition to the 2 pick up trucks, would be driven to and from the site up to 3 times a day. This amount of traffic would have no significant impact to traffic on the roads that access the site.

During a paratrooper drop event, a military convoy would be used to transport the paratroopers from the drop zone. An infrequent military convey, estimated at approximately once every two years, would not be expected to have a significant impact to traffic.

4.14.2 No-Action Alternative

Under the No-Action Alternative, there would be no changes in ground vehicle use due to the operation of the Cadiz Drop Zone. There would be no impacts to transportation.

4.15 OTHER

No other resources that have a potential to be affected by implementation of the Proposed Action or No-Action Alternative have been identified.

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5.0 FINDINGS FOR ADJACENT PROPERTIES

5.1 LAND USES WITHIN ¹/₄ MILE OF PROPERTY

Land uses adjacent to the Cadiz Drop Zone are the same as on the property. Within ¹/₄ mile of the property land uses consist of reclaimed strip mined areas covered with grassland vegetation and used for cattle grazing. There are wooded areas to the south and west that were apparently not mined. No buildings or other structures are present.

5.2 POTENTIAL ENVIRONMENTAL CONCERNS WITHIN ¹/₄ MILE OF PROPERTY

No potential environmental concerns have been identified within ¹/₄ mile of the property.

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6.1 DEFINITION OF CUMULATIVE EFFECTS

Cumulative impacts result from "the incremental impact of actions when added to other past, present, and reasonably foreseeable future actions, regardless of what agency undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time" (Council on Environmental Quality, 1978).

6.2 PAST, PRESENT, AND REASONABLY FORESEEABLE ACTIONS

Other future actions in the region were evaluated to determine whether cumulative environmental impacts could result due to the implementation of Proposed Action in conjunction with other past, present, or reasonably foreseeable future actions.

Other actions that occur in the region that could contribute to cumulative impacts include the Air Force Reserve's continued flight training using C-130 aircraft and strip mining activity. The proposed Cadiz Drop Zone is in an area currently used for LATN by the 911 AW. The LATN areas used by the 911 AW cover approximately 70,000 square nautical miles and flight activities within these areas are widely dispersed and do not frequently pass near the same ground point (Headquarters, Air Force Reserve Command, 2000). An active strip mine is located approximately 3,000 feet to the east of the property.

No other actions with the potential to result in cumulative impacts with the Proposed Action have been identified.

6.3 CUMULATIVE EFFECTS ANALYSIS

Because of the widely dispersed nature of LATN training, this activity is not anticipated to result in cumulative impacts when added to potential impacts from the Proposed Action.

Impacts from strip mining in the area could present potential cumulative impacts with the Proposed Action to resources such as air quality and noise. Air emissions from strip mining could include fugitive dust and mining equipment engine exhaust. Air emissions from the Proposed Action would be minimal and not expected to be significant when added to other sources in the drop zone area. During the VRS of the property, no noise from the active strip mine was audible on the property; therefore, it is unlikely that noise from strip mining activities would add to the noise levels generated by aircraft conducting airdrop activities in the area. No significant cumulative impacts are expected.

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7.0 APPLICABLE REGULATORY COMPLIANCE ISSUES

7.1 COMPLIANCE ISSUES

No compliance issues have been identified based on the findings of the EA/EBS.

7.2 DESCRIPTION OF CORRECTIVE ACTIONS TAKEN OR IN PROGRESS

The Cadiz Drop Zone is situated on a reclaimed strip mine. This mine site has been released from its final bond. No other corrective actions have been taken or are in progress for the property.

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8.0 CONCLUSIONS REGARDING SUITABILITY TO PROCEED WITH THE REAL ESTATE TRANSACTION

8.1 FACILITY MATRIX

There are no facilities present on the property.

8.2 **PROPERTY CATEGORIES**

As discussed in Section 1.3, environmental factors were used in property categorization. Each occurrence of each factor was first categorized individually based on its past or present potential for environmental concern. The categories for all factors present at each location were then integrated to determine the overall property category. The highest category within an individual property determines the overall category for that property.

Disclosure factors were not considered in property categorization. These factors are not considered to be hazardous when properly managed and in good condition. Their presence and any required protective actions may be identified and addressed in other documents.

Based on the findings of this EA/EBS presented in Chapter 3.0, the property was classified into one of the following categories:

- *Category 1* Areas where no release or disposal of hazardous or petroleum substances has occurred (including no migration of these substances from adjacent areas)
- *Category 2* Areas where only release or disposal of petroleum substances has occurred
- *Category 3* Areas where release, disposal, and/or migration of hazardous substances has occurred, but at concentrations that do not require removal or remedial response
- *Category 4* Areas where release, disposal, and/or migration of hazardous substances has occurred, and all removal or remedial actions have been taken
- *Category 5* Areas where release, disposal, and/or migration of hazardous substances has occurred, and all removal or remedial actions are underway, but have not yet been completed
- *Category 6* Areas where release, disposal, and/or migration of hazardous substances has occurred, but remedial actions have not been implemented
- *Category* 7 Areas that are not evaluated or require additional evaluation.

Pursuant to U.S. EPA guidance, this document identifies property as uncontaminated even if some limited quantity of hazardous or petroleum substances was released or disposed of in cases where the available information indicates that such release or disposal poses no threat to human health or the environment. Examples, as provided in the U.S. EPA guidance, include: usage of common household chemicals and storage of heating fuel in housing areas, incidental releases of petroleum products on roadways and parking lots, and the routine licensed application of pesticides (U.S. Environmental Protection Agency, 1994).

The property is considered Category 1.

8.3 NATURAL RESOURCES ISSUES

Natural resource issues that could affect the property include wetlands, protected species, and archaeological/historic sites.

8.3.1 Wetlands

Two ponds and three separate areas supporting wetland vegetation are present on the property; however, these potential wetland areas have not been delineated. The proposed air drop activities, as described in this document, are not anticipated to have an adverse affect to these areas and the presence of potential wetlands should not pose a concern to lease and use of the property as a drop zone.

8.3.2 Protected Species

Only one federally listed species, the Indiana bat has the potential to occur in Harrison County. Although there are no records of the bat occurring near the property there is still a potential for the species to occur in the area. Proposed drop zone activities are not expected to adversely affect the bat. In addition, no impacts to state listed black bears, bobcats, or bald eagles are expected.

8.3.3 Archaeological/Historic Sites

The only known cultural resource on the property is the Barricklow Farm. Because the site is located near the drop zone boundary, it is not in an area that would be expected to be affected by drop zone activities. No significant impacts to the Barricklow Farm are expected.

8.4 DATA GAPS

No data gaps that would be expected to affect the findings of this EA/EBS have been identified.

9.0 RECOMMENDATIONS REGARDING PROCEEDING WITH THE REAL ESTATE TRANSACTION

Based on the findings of this EA/EBS, no environmental issues with regard to leasing the property have been identified.
10.0 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Irreversible and irretrievable resource commitment refers to the use of nonrenewable resources and the effects these resources would have on future generations. Irreversible effects would result primarily from the consumption or destruction of a resource that could not be reversed. Irretrievable resource commitments would involve a loss or gain in the value of an affected resource that could not be reversed. The Proposed Action and No-Action Alternative would both entail use of some nonrenewable resources, most notably fuel used in aircraft and ground vehicle operations. Implementation of the Proposed Action and No-Action Alternative would not result in a significant irreversible or irretrievable commitment of resources.

APPENDIX A

REFERENCES

APPENDIX A

REFERENCES

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APPENDIX B

TERMS

APPENDIX B

GLOSSARY OF TERMS

Adjacent Properties. Properties within 1/4 mile of the subject property, and properties within 1 mile of the subject property that exhibit potential environmental concerns.

Airspace. Airspace is a finite resource that can be defined vertically, horizontally, and temporally, when describing its use for aviation purposes. The Federal Aviation Administration (FAA) manages commercial and general aviation activity within the airspace, and the military manages military aviation activity with FAA oversight.

Asbestos. Six naturally occurring fibrous minerals found in certain types of rock formations. Of the six, the minerals chrysotile, amosite, and crocidolite have been most commonly used in building products. When mined and processed, asbestos is typically separated into very thin fibers. Because asbestos is strong, incombustible, and corrosion-resistant, it was used in many commercial products beginning early in the twentieth century, and peaking in the period from World War II into the 1970s. When inhaled in sufficient quantities, asbestos fibers can cause serious health problems.

Attainment. An area where the level of a pollutant is below the NAAQS. An area is deemed in attainment by the U.S. EPA when the air quality is monitored and the resultant concentrations are found to be consistently below the NAAQS.

Class 1. Class 1 federal lands include areas such as national parks, national wilderness areas, and national monuments. These areas are granted special air quality protections under Section 162(a) of the federal Clean Air Act.

Contaminants. Undesirable substances rendering something unfit for use.

Contamination. The degradation of naturally occurring water, air, or soil quality, either directly or indirectly, as a result of human activities.

Cultural Resources. Prehistoric or historic archaeological sites, buildings, structures, districts, artifacts, or other physical evidence of human activity.

Discharge. Release of groundwater in to springs or wells, through evapotranspiration, or as outflow. Also a release of a liquid into a waterbody or a gas into the air.

Endangered. An animal or plant species in danger of extinction throughout all or a significant portion of its range.

Environmental Restoration Program (ERP). The Air Force program designed to identify, characterize, and remediate environmental contamination on Air Force installations. Although widely accepted at the time, procedures followed prior to the mid-1970s for managing and disposing of many wastes often resulted in contamination of the environment. The program has established a process to evaluate past disposal sites, control the migration of contaminants, and control potential hazards to human health and the environment. Section 211 of the Superfund Reauthorization and Amendment Act (SARA), codified as the Defense Environmental Restoration Program (DERP), of which the Air Force ERP is a subset, ensures that the Department of Defense (DOD) has the authority to conduct its own environmental restoration programs. DOD coordinates ERP activities with the U.S. EPA and appropriate state agencies.

Groundwater. Water that occurs beneath the water table in soil and geologic formations that are fully saturated.

Hazardous material. Generally, a substance or mixture of substances that has the capability of either causing or significantly contributing to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or posing a substantial present or potential risk to human health or the environment. Use of these materials is regulated by the Department of Transportation, Occupational Safety and Health Administration (OSHA), and the U.S. EPA.

Hazardous substances. "Hazardous substances" is a broad classification and includes hazardous materials, hazardous chemicals, hazardous wastes, and petroleum products. Several different federal and state rules individually regulate the storage of these hazardous substances.

Hazardous waste (federal definition under Resource Conservation and Recovery Act [RCRA], 42 U.S. Code [U.S.C.] Section 6903). RCRA defines hazardous waste as "a solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics, may pose a hazard to human health or the environment" (RCRA, Section 1004[5]). The U.S. EPA has listed several wastes that are known to be hazardous. A waste can also be classified as a characteristic hazardous waste if it exhibits one or more of the four hazardous waste characteristics described in Subpart C: ignitability, corrosivity, reactivity, or toxicity.

Lead. A heavy metal used in many industries that can accumulate in the body and cause a variety of negative effects.

Migration. The movement of substances from adjacent areas to the subject property, versus the ERP definition, which is the movement of substances from the subject property to an adjacent area.

National Ambient Air Quality Standards (NAAQS). The NAAQS are established by the U. S. EPA for pollutants considered harmful to public health and the environment. The NAAQS are for six principal pollutants, which are called "criteria" pollutants. These are: carbon monoxide, lead, nitrogen dioxide, particulate matter equal to or less than 10 microns in diameter, particulate matter equal to or less than 2.5 microns in diameter, ozone, and sulfur dioxide.

National Priorities List. The list compiled by the U.S. EPA pursuant to Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C., Section 9605[a][8][B]) of properties with the highest priority for cleanup pursuant to U.S. EPA's Hazard Ranking System.

Nonattainment. An area designated by U.S. EPA where an air pollutant exceeds the NAAQS.

Pesticides. Any substance, organic or inorganic, used to destroy or inhibit the action of plant or animal pests; the term thus includes insecticides, herbicides, fungicides, rodenticides, miticides, fumigants, and repellents. All pesticides are toxic to humans some degree. Pesticides vary in biodegradability.

Petroleum Products. Fuels, lubricants, hydraulic fluids, and solvents that are predominant petroleum based. They do not include oil-based paints, pesticides, synthetic solvents or other petroleum products containing hazardous substances which are added after the petroleum refining process.

Petroleum Substance. Petroleum products and petroleum wastes.

Petroleum Wastes. Refuse generated through the use of petroleum products. Petroleum wastes qualifying for the petroleum exclusion are unadulterated petroleum wastes. Petroleum wastes contaminated by hazardous substances are treated as hazardous wastes.

Polychlorinated biphenyls (PCBs). Any of a family of industrial compounds produced by chlorination of biphenyls. These compounds accumulate in organisms and concentrate in the food chain with resultant pathogenic and teratogenic effects. They also decompose very slowly.

Release. Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant), but excludes (a) any release that results in exposure to persons solely within a workplace, with respect to a claim that such persons may assert against the employer of such persons; (b) emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine; (c) release of source, by-product, or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954, if such release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under Section 170 of such Act, or, for the purposes of Section 104 of this title or any other response action, any release of source by-product, or special nuclear material from any processing site designated under Section 102(a)(1) or 302(a) of the Uranium Mill Tailings Radiation Control Act of 1978, and (d) the normal application of fertilizer.

Transfer. Permits to other government agencies, donations, land exchanges, transfers of federal government property accountability, easements, leases, or licenses.

Uncontaminated Property. Property on which no hazardous substances and no petroleum products or their derivatives were known to have been released or disposed of.

Underground storage tank (UST). Any tank, including underground piping connected to the tank, that is or has been used to contain hazardous substances or petroleum products, and the volume of which is 10 percent or more beneath the surface of the ground.

U.S. Environmental Protection Agency (EPA). The independent federal agency, established in 1970, that regulates environmental matters and oversees the implementation of environmental laws.

Visual Reconnaissance Survey. A cursory physical conducted by walking around or through an area.

Visual Site Inspection. An exterior and interior (walk through) inspection of a structure.

APPENDIX C

LIST OF PREPARERS

APPENDIX C

LIST OF PREPARERS

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APPENDIX D

PERSONS AND AGENCIES CONTACTED

APPENDIX D

PERSONS CONTACTED

The following individuals were interviewed, by phone, email, or in person, during the preparation of this EA/EBS and provided information used in developing the findings of the report.

Frank Sniezek	911 AW/CEVE	
Lt Col Aldo Filoni	911 OSF/OSTX	
Lt Col William Gutermuth	911 AW Safety	
Denny McCracken	CNX Land	
Jim Poland	CNX Environmental & Engineering Services	
Patrick Moore	Harrison County Auditor	
Carrie Simmons	Ohio Historic Preservation Office	
Butch Grieszmer	Ohio Department of Natural Resources (Biological)	
Brent Heavilin	Ohio Department of Natural Resources (Mineral)	

Additional information was provided by people and agencies that were contacted during regulatory consultation and Interagency and Intergovernmental Coordination for Environmental Planning. Copies of correspondence from these agencies can be found in Appendixes J and K.

APPENDIX E

MAPS AND AERIAL PHOTOGRAPHS

APPENDIX E

TABLE E-1.AERIAL PHOTOGRAPH,
COMPOSITE HISTORICAL TIMETABLE

PROPOSED CADIZ DROP ZONE PROPERTY

Year	Source	Discussion	
1905	Topographic Map	Distinguishing land marks identifying area on map as a reclaimed strip mine are undetectable. Based on this topographic map the proposed Cadiz Drop Zone property appears to be undeveloped open space with rolling hills and several small streams throughout the property running to the southwest and southeast and emptying into South Fork.	
1961	Topographic Map	About 1/3 of the property appears to have been strip mined. There are still undeveloped portions and forested areas. Several small ponds appear on this topographic map, along with the power lines to the west of the property and access roads to the mines.	
1976	Aerial Photograph	The property appears to have been completely disturbed in this aerial photograph. There are access roads to the mines and several ponds near the property.	
1978	Topographic Map	In this map, the remainder of the property is labeled as having been strip mined. The shapes and locations of ponds shift slightly; however, no major changes to the topography have been made. There is no evidence of reclamation.	
1982	Aerial Photograph	The property appears unchanged from the 1976 aerial photograph.	
1994	Aerial Photograph	The property appears similar to the property in the 1982 aerial photograph. There is evidence that mining has been restarted.	
1994	Topographic Map	The property appears to have been strip mined again. The present access roads appear on this map.	
2005	Aerial Photograph	The property appears to have been reclaimed.	

E1: HISTORICAL TOPOGRAPHIC MAP REPORT

Cadiz Drop Zone

Busby Rd & Slater Rd Cadiz, OH 43907

Inquiry Number: 2336628.4 October 09, 2008

The EDR Historical Topographic Map Report



440 Wheelers Farms Road Milford, CT 06461 800.352.0050 www.edrnet.com

EDR Historical Topographic Map Report

Environmental Data Resources, Inc.s (EDR) Historical Topographic Map Report is designed to assist professionals in evaluating potential liability on a target property resulting from past activities. EDRs Historical Topographic Map Report includes a search of a collection of public and private color historical topographic maps, dating back to the early 1900s.

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

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Historical Topographic Map



× ▲	TARGET QUAD NAME: FLUSHING MAP YEAR: 1905 SERIES: 15 SCALE: 1:62500	SITE NAME: Cadiz Drop Zone ADDRESS: Busby Rd & Slater Rd Cadiz, OH 43907 LAT/LONG: 40.2297 / 81.0508	CLIENT: Earth Tech Inc. CONTACT: Carl Rykaczewski INQUIRY#: 2336628.4 RESEARCH DATE: 10/09/2008
--------	---	---	--

Historical Topographic Map



TARGET QUAD SITE NAME: Cadiz Drop Zone CLIENT: Earth Tech Inc. Ν NAME: FLUSHING ADDRESS: Busby Rd & Slater Rd CONTACT: Carl Rykaczewski MAP YEAR: 1961 Cadiz, OH 43907 INQUIRY#: 2336628.4 LAT/LONG: 40.2297 / 81.0508 RESEARCH DATE: 10/09/2008 SERIES: 7.5 1:24000 SCALE:

Historical Topographic Map



TARGET QUADNAME:FLUSHINGMAP YEAR:1978PHOTOREVISED FROM:1961SERIES:7.5SCALE:1:24000

Ν

SITE NAME: Cadiz Drop Zone ADDRESS: Busby Rd & Slater Rd Cadiz, OH 43907 LAT/LONG: 40.2297 / 81.0508 CLIENT: Earth Tech Inc. CONTACT: Carl Rykaczewski INQUIRY#: 2336628.4 RESEARCH DATE: 10/09/2008
Historical Topographic Map



TARGET QUAD SITE NAME: Cadiz Drop Zone CLIENT: Earth Tech Inc. Ν FLUSHING Busby Rd & Slater Rd NAME: ADDRESS: CONTACT: Carl Rykaczewski MAP YEAR: 1994 Cadiz, OH 43907 INQUIRY#: 2336628.4 40.2297 / 81.0508 LAT/LONG: RESEARCH DATE: 10/09/2008 SERIES: 7.5 SCALE: 1:24000

E2: AERIAL PHOTO DECADE PACKAGE

Cadiz Drop Zone

Busby Rd & Slater Rd Cadiz, OH 43907

Inquiry Number: 2336628.5 October 13, 2008

The EDR Aerial Photo Decade Package



440 Wheelers Farms Road Milford, CT 06461 800.352.0050 www.edrnet.com

EDR Aerial Photo Decade Package

Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDRs professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

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Date EDR Searched Historical Sources:

Aerial Photography October 13, 2008

Target Property:

Busby Rd & Slater Rd Cadiz, OH 43907

<u>Year</u>	Scale	<u>Details</u>	<u>Source</u>
1976	Aerial Photograph. Scale: 1"=1000'	Panel #: 2440081-B1/Flight Date: April 06, 1976	EDR
1982	Aerial Photograph. Scale: 1"=1000'	Panel #: 2440081-B1/Flight Date: April 15, 1982	EDR
1994	Aerial Photograph. Scale: 1"=750'	Panel #: 2440081-B1/Flight Date: April 14, 1994	EDR
2005	Aerial Photograph. Scale: 1"=485'	Flight Year: 2005	EDR









APPENDIX F

SITE PHOTOGRAPHS



Photograph 1: Access road to the property, facing east.



Photograph 2: Facing northwest toward pond on eastern side of the property.



Photograph 3: View west across central portion of property from near east end.



Photograph 4: Facing north toward pond on western portion of the property.



Photograph 5: View from near west end of property of east pond in the valley containing the ponds.



Photograph 6: View east across the central portion of the property from near the west end.



Photograph 7: Typical vegetation on the central portion of the property.



Photograph 8: View west from central portion of property.



Photograph 9: Wet area near center of the property, facing south.



Photograph 10: Forested area on the western portion of the property, facing southwest.

March 2009



Photograph 11: View of ridge to east of the property.



Photograph 12: Wetlands on the southern portion of the property, facing southeast.



Photograph 13: Forested area on the southern part of the property, facing southeast.



Photograph 14: Wetlands south of the forested area on the southern part of the property, facing southwest.

March 2009

Environmental Assessment and Baseline Survey To Establish New Drop Zone in Cadiz, OH



Photograph 15: An area of wetland vegetation on the southern portion of the property.



Photograph 16: Vegetation in the forested area on the southern part of the property.

APPENDIX G

SITE INSPECTION DOCUMENTS

G1: RECORDS SEARCH REPORT

Cadiz Drop Zone

Busby Rd & Slater Rd Cadiz, OH 43907

Inquiry Number: 2336628.2s October 08, 2008

The EDR Radius Map[™] Report with GeoCheck®



440 Wheelers Farms Road Milford, CT 06461 Toll Free: 800.352.0050 www.edrnet.com

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A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-05) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

TARGET PROPERTY INFORMATION

ADDRESS

BUSBY RD & SLATER RD CADIZ, OH 43907

COORDINATES

Latitude (North):	40.229660 - 40° 13' 46.8"
Longitude (West):	81.050750 - 81° 3' 2.7"
Universal Tranverse Mercator:	Zone 17
UTM X (Meters):	495682.4
UTM Y (Meters):	4453038.5
Elevation:	1102 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map:	40081-B1 FLUSHING,
Most Recent Revision:	1994

TARGET PROPERTY SEARCH RESULTS

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

DATABASES WITH NO MAPPED SITES

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

FEDERAL RECORDS

NPL	National Priority List
	Proposed National Priority List Sites
Delisted NPL	National Priority List Deletions
NPL LIENS	Federal Superfund Liens
CERCLIS	Comprehensive Environmental Response, Compensation, and Liability Information System
CERC-NFRAP	CERCLIS No Further Remedial Action Planned
LIENS 2	CERCLA Lien Information
CORRACTS	Corrective Action Report
RCRA-TSDF	RCRA - Transporters, Storage and Disposal
	RCRA - Large Quantity Generators

OH

RCRA-SQG	RCRA - Small Quantity Generators
	RCRA - Conditionally Exempt Small Quantity Generator
RCRA-NonGen	
US ENG CONTROLS	Engineering Controls Sites List
	_ Sites with Institutional Controls
ERNS	Emergency Response Notification System
HMIRS	- Hazardous Materials Information Reporting System
DOT OPS	Incident and Accident Data
US CDL	_ Clandestine Drug Labs
US BROWNFIELDS	A Listing of Brownfields Sites
DOD	Department of Defense Sites
FUDS	Formerly Used Defense Sites
LUCIS	Land Use Control Information System
CONSENT	_ Superfund (CERCLA) Consent Decrees
ROD	
UMTRA	
ODI	Open Dump Inventory
DEBRIS REGION 9	Torres Martinez Reservation Illegal Dump Site Locations
MINES	
TRIS	Toxic Chemical Release Inventory System
TSCA	Toxic Substances Control Act
FTTS	_ FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide
	Act)/TSCA (Toxic Substances Control Act)
HIST FTTS	- FIFRA/TSCA Tracking System Administrative Case Listing
SSTS	Section 7 Tracking Systems
ICIS	Integrated Compliance Information System
PADS	PCB Activity Database System
MLTS	Material Licensing Tracking System
RADINFO	Radiation Information Database
FINDS	Facility Index System/Facility Registry System
RAATS	RCRA Administrative Action Tracking System
	. State Coalition for Redediation of Drycleaners Listing
	·

STATE AND LOCAL RECORDS

SHWS	. This state does not maintain a SHWS list. See the Federal CERCLIS list and Federal NPL list.
DERR	Division of Emergency & Remedial Response's Database
MSL	
TOWNGAS	
SWF/LF	Licensed Solid Waste Facilities
HIST LF	Old Solid Waste Landfill
LUST	. Leaking Underground Storage Tank File
UNREG LTANKS	_ Ohio Leaking UST File
UST	_ Underground Storage Tank File
ARCHIVE UST	Archived Underground Storage Tank Sites
	. Emergency Response Database
	Sites with Engineering Controls
	. Sites with Institutional Engineering Controls
CDL	Clandestine Drug Lab Locations
VCP. DRYCLEANERS BROWNFIELDS	Voluntary Action Program Sites Drycleaner Facility Listing Ohio Brownfield Inventory Clandestine Drug Lab Locations NPDES General Permit List

USD	Urban Setting Designation Sites
	Operation & Maintenance Agreements Database
HIST USD	Urban Setting Designations Database
HIST INST CONTROLS	Institutional Controls Database

TRIBAL RECORDS

INDIAN RESERV	Indian Reservations
INDIAN ODI	Report on the Status of Open Dumps on Indian Lands
INDIAN LUST	Leaking Underground Storage Tanks on Indian Land
INDIAN UST	Underground Storage Tanks on Indian Land
INDIAN VCP	Voluntary Cleanup Priority Listing

EDR PROPRIETARY RECORDS

Manufactured Gas Plants_____ EDR Proprietary Manufactured Gas Plants

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were not identified.

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

Due to poor or inadequate address information, the following sites were not mapped:

Site Name

HARRISON COUNTY HIGHWAY DEPARTMENT

VILLAGE OF CADIZ VILLAGE OF CADIZ HARRISON HILLS SCHOOL SALLY BUFFALO PARK CONSOLIDATION COAL CO - NITRATE PLANT GULF OIL CORPORATION BRANSON RIDGE MINE R AND F COAL CO MULL MOTORS INC SOUTH CADIZ STATION RTE 250 CADIZ SHELL CADIZ, VILLAGE OF CADIZ STP CADIZ WWTP NORFOLK & WESTERN CADIZ GAS COMPANY Database(s)

FINDS, RCRA-TSDF, CORRACTS, CERC-NFRAP, RCRA-NonGen LUST UST UST UST RCRA-LQG FINDS, RCRA-NonGen FINDS, RCRA-NonGen FINDS, RCRA-CESQG ERNS FINDS FINDS SPILLS SPILLS UNREG LTANKS TOWNGAS

OVERVIEW MAP - 2336628.2s



Manufactured Gas Plants

National Priority List Sites

Dept. Defense Sites



National Wetland Inventory State Wetlands

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

R.

SITE NAME:	Cadiz Drop Zone
ADDRESS:	Busby Rd & Slater Rd
	Cadiz OH 43907
LAT/LONG:	40.2297 / 81.0507

CLIENT: CONTACT: Earth Tech Inc. Carl Rykaczewski INQUIRY #: 2336628.2s DATE: October 08, 2008 4:23 pm Copyright © 2008 EDR, Inc. © 2008 Tele Atlas Rel. 07/2007.

DETAIL MAP - 2336628.2s



- Sites at elevations higher than or equal to the target property
- Sites at elevations lower than the target property
- Manufactured Gas Plants 4
- Sensitive Receptors Ľ.
- National Priority List Sites
- Dept. Defense Sites

Indian Reservations BIA Oil & Gas pipelines

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

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ADDRESS:	Cadiz OH 43907	CONTACT: INQUIRY #:	
LAT/LONG:	40.2297 / 81.0507	DATE:	October 08, 2008 4:23 pm

MAP FINDINGS SUMMARY

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	<u>1/2 - 1</u>	> 1	Total Plotted
FEDERAL RECORDS								
NPL Proposed NPL Delisted NPL NPL LIENS CERCLIS CERC-NFRAP LIENS 2 CORRACTS RCRA-TSDF RCRA-LQG RCRA-SQG RCRA-CESQG RCRA-CESQG RCRA-CESQG RCRA-NonGen US ENG CONTROLS US INST CONTROLS US INST CONTROL ERNS HMIRS DOT OPS US CDL US BROWNFIELDS DOD FUDS LUCIS CONSENT ROD UMTRA ODI DEBRIS REGION 9 MINES TRIS TSCA FTTS HIST FTTS		1.000 1.000 TP 0.500 0.500 TP 1.000 0.250 0.250 0.250 0.250 0.250 0.250 0.250 0.250 0.250 0.250 0.250 0.500 1.000 1.000 1.000 1.000 0.500 1.000 0.500 0.500 0.500 0.500 0.500 TP TP TP TP	0 0 0 R 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	0 0 0 R 0 0 R 0 0 0 0 0 0 0 0 0 0 0 0 0	0 0 0 R 0 0 R 0 0 R R R R 0 0 R R R R 0	0 0 0 RR RR 0 RR RR RR RR RR RR NR 0 0 0 RR NR 0 0 R 0 0 RR NR	R R R R R R R R R R R R R R R R R R R	
SSTS ICIS PADS MLTS RADINFO FINDS RAATS SCRD DRYCLEANERS		TP TP TP TP TP TP 0.500	NR NR NR NR NR NR O	NR NR NR NR NR NR 0	NR NR NR NR NR NR 0	NR NR NR NR NR NR NR NR	NR NR NR NR NR NR NR	0 0 0 0 0 0 0
STATE AND LOCAL RECOR	DS							
SHWS DERR MSL TOWNGAS		N/A 1.000 1.000 1.000	N/A 0 0 0	N/A 0 0 0	N/A 0 0 0	N/A 0 0 0	N/A NR NR NR	N/A 0 0 0

MAP FINDINGS SUMMARY

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
SWF/LF		0.500	0	0	0	NR	NR	0
HIST LF		0.500	Õ	Ō	Ō	NR	NR	Ō
LUST		0.500	0	0	0	NR	NR	0
UNREG LTANKS		0.500	0	0	0	NR	NR	0
UST		0.250	0	0	NR	NR	NR	0
ARCHIVE UST		0.250	0	0	NR	NR	NR	0
SPILLS		TP	NR	NR	NR	NR	NR	0
ENG CONTROLS		0.500	0	0	0	NR	NR	0
INST CONTROL		0.500	0	0	0	NR	NR	0
VCP		0.500	0	0	0	NR	NR	0
DRYCLEANERS		0.250	0	0	NR	NR	NR	0
BROWNFIELDS		0.500	0	0	0	NR	NR	0
CDL		TP	NR	NR	NR	NR	NR	0
NPDES		TP	NR	NR	NR	NR	NR	0
AIRS		TP	NR	NR	NR	NR	NR	0
USD		0.500	0	0	0	NR	NR	0
HIST ENG CONTROLS		0.500	0	0	0	NR	NR	0
HIST USD		0.500	0	0	0	NR	NR	0
HIST INST CONTROLS		0.500	0	0	0	NR	NR	0
TRIBAL RECORDS								
INDIAN RESERV		1.000	0	0	0	0	NR	0
INDIAN ODI		0.500	0	0	0	NR	NR	0
INDIAN LUST		0.500	0	0	0	NR	NR	0
INDIAN UST		0.250	0	0	NR	NR	NR	0
INDIAN VCP		0.500	0	0	0	NR	NR	0
EDR PROPRIETARY RECOR	DS							
Manufactured Gas Plants		1.000	0	0	0	0	NR	0

NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

N/A = This State does not maintain a SHWS list. See the Federal CERCLIS list.
MAP FINDINGS

Database(s) E

EDR ID Number EPA ID Number

NO SITES FOUND

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
CADIZ	1000227152	GULF OIL CORPORATION	ROUTE 151	43907	FINDS, RCRA-NonGen
CADIZ	1000561318	HARRISON COUNTY HIGHWAY DEPARTMENT	ROUTE 9 NORTH	43907	FINDS, RCRA-TSDF, CORRACTS, CERC-NFRAP, RCRA-NonGen
CADIZ	1007208885	CONSOLIDATION COAL CO - NITRATE PLANT	ROUTE 9	43907	
CADIZ	U004104012	VILLAGE OF CADIZ	ALLEY BEHIND 128 W MARKET ST	43907	UST
CADIZ	1002990058	VILLAGE OF CADIZ	ALLEY BEHIND 128 W MARKET ST	43907	LUST
CADIZ	94399237	SOUTH CADIZ STATION RTE 250	SOUTH CADIZ STATION RTE 250		ERNS
CADIZ	1005805290	CADIZ SHELL	655 LINCOLNWAY	43907	FINDS
CADIZ	S105743176	CADIZ GAS COMPANY	MAIN / NORTH STREETS	43907	TOWNGAS
CADIZ	S106258349	CADIZ STP	N/A	43907	SPILLS
CADIZ	S105905313	NORFOLK & WESTERN	REXFORD SIDING (300' N OF SR 22)	43907	UNREG LTANKS
CADIZ	1004573535	CADIZ, VILLAGE OF	US ROUTE 250 SOUTH	43907	FINDS
CADIZ	U004092778	HARRISON HILLS SCHOOL	ST RT 250 & ST RT 22	43907	UST
CADIZ	U004100432	SALLY BUFFALO PARK	ST RT 9	43907	UST
CADIZ	S107617164	CADIZ WWTP	45555 VANFOSSEN RD OFF OF WILLIAMS RD	43907	SPILLS
CADIZ	1000334571	MULL MOTORS INC	WHEELING RD RT 250	43907	FINDS, RCRA-CESQG
SHORT CREEK	1000834249	BRANSON RIDGE MINE R AND F COAL CO	ST RTE 250	43907	FINDS, RCRA-NonGen

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

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

FEDERAL RECORDS

NPL: National Priority List

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

Date of Government Version: 08/13/2008 Date Data Arrived at EDR: 08/27/2008 Date Made Active in Reports: 09/23/2008 Number of Days to Update: 27 Source: EPA Telephone: N/A Last EDR Contact: 07/28/2008 Next Scheduled EDR Contact: 10/27/2008 Data Release Frequency: Quarterly

NPL Site Boundaries

Sources:

EPA's Environmental Photographic Interpretation Center (EPIC) Telephone: 202-564-7333

EPA Region 1 Telephone 617-918-1143

EPA Region 3 Telephone 215-814-5418

EPA Region 4 Telephone 404-562-8033

EPA Region 5 Telephone 312-886-6686

EPA Region 10 Telephone 206-553-8665 EPA Region 6 Telephone: 214-655-6659

EPA Region 7 Telephone: 913-551-7247

EPA Region 8 Telephone: 303-312-6774

EPA Region 9 Telephone: 415-947-4246

Proposed NPL: Proposed National Priority List Sites

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

Date of Government Version: 04/30/2008 Date Data Arrived at EDR: 05/06/2008 Date Made Active in Reports: 06/09/2008 Number of Days to Update: 34 Source: EPA Telephone: N/A Last EDR Contact: 08/27/2008 Next Scheduled EDR Contact: 10/27/2008 Data Release Frequency: Quarterly

DELISTED NPL: National Priority List Deletions

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

Date of Government Version: 08/14/2008SoDate Data Arrived at EDR: 08/27/2008TeDate Made Active in Reports: 09/23/2008LaNumber of Days to Update: 27Ne

Source: EPA Telephone: N/A Last EDR Contact: 07/28/2008 Next Scheduled EDR Contact: 10/27/2008 Data Release Frequency: Quarterly

NPL LIENS: Federal Superfund Liens

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

Date of Government Version: 10/15/1991	Source: EPA
Date Data Arrived at EDR: 02/02/1994	Telephone: 202-564-4267
Date Made Active in Reports: 03/30/1994	Last EDR Contact: 08/18/2008
Number of Days to Update: 56	Next Scheduled EDR Contact: 11/17/2008
• •	Data Release Frequency: No Update Planned

CERCLIS: Comprehensive Environmental Response, Compensation, and Liability Information System CERCLIS contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). CERCLIS contains sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 07/09/2008 Date Data Arrived at EDR: 07/22/2008 Date Made Active in Reports: 08/25/2008 Number of Days to Update: 34 Source: EPA Telephone: 703-412-9810 Last EDR Contact: 09/19/2008 Next Scheduled EDR Contact: 12/15/2008 Data Release Frequency: Quarterly

CERCLIS-NFRAP: CERCLIS No Further Remedial Action Planned

Archived sites are sites that have been removed and archived from the inventory of CERCLIS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list this site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. 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.

Date of Government Version: 12/03/2007 Date Data Arrived at EDR: 12/06/2007 Date Made Active in Reports: 02/20/2008 Number of Days to Update: 76 Source: EPA Telephone: 703-412-9810 Last EDR Contact: 09/15/2008 Next Scheduled EDR Contact: 12/15/2008 Data Release Frequency: Quarterly

LIENS 2: CERCLA Lien Information

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

Date of Government Version: 08/19/2008Source: Environmental Protection AgencyDate Data Arrived at EDR: 08/29/2008Telephone: 202-564-6023Date Made Active in Reports: 09/09/2008Last EDR Contact: 08/18/2008Number of Days to Update: 11Next Scheduled EDR Contact: 11/17/2008Data Release Frequency: Varies

CORRACTS: Corrective Action Report

CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 06/25/2008
Date Data Arrived at EDR: 06/30/2008
Date Made Active in Reports: 08/25/2008
Number of Days to Update: 56

Source: EPA Telephone: 800-424-9346 Last EDR Contact: 09/02/2008 Next Scheduled EDR Contact: 12/01/2008 Data Release Frequency: Quarterly

RCRA-TSDF: RCRA - Transporters, Storage and Disposal

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 08/20/2008 Date Data Arrived at EDR: 08/21/2008 Date Made Active in Reports: 09/09/2008 Number of Days to Update: 19 Source: Environmental Protection Agency Telephone: 312-886-6186 Last EDR Contact: 09/23/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Quarterly

RCRA-LQG: RCRA - Large Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month.

Date of Government Version: 08/20/2008 Date Data Arrived at EDR: 08/21/2008 Date Made Active in Reports: 09/09/2008 Number of Days to Update: 19 Source: Environmental Protection Agency Telephone: 312-886-6186 Last EDR Contact: 09/23/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Quarterly

RCRA-SQG: RCRA - Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

Date of Government Version: 08/20/2008 Date Data Arrived at EDR: 08/21/2008 Date Made Active in Reports: 09/09/2008 Number of Days to Update: 19 Source: Environmental Protection Agency Telephone: 312-886-6186 Last EDR Contact: 09/23/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Quarterly

RCRA-CESQG: RCRA - Conditionally Exempt Small Quantity Generators

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

Date of Government Version: 08/20/2008 Date Data Arrived at EDR: 08/21/2008 Date Made Active in Reports: 09/09/2008 Number of Days to Update: 19 Source: Environmental Protection Agency Telephone: 312-886-6186 Last EDR Contact: 09/23/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Varies

RCRA-NonGen: RCRA - Non Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

Date of Government Version: 08/20/2008 Date Data Arrived at EDR: 08/21/2008 Date Made Active in Reports: 09/09/2008 Number of Days to Update: 19 Source: Environmental Protection Agency Telephone: 312-886-6186 Last EDR Contact: 09/23/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Varies

US ENG CONTROLS: Engineering Controls Sites List

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

Date of Government Version: 07/23/2008	Source: Environmental Protection Agency
Date Data Arrived at EDR: 07/29/2008	Telephone: 703-603-0695
Date Made Active in Reports: 08/25/2008	Last EDR Contact: 09/29/2008
Number of Days to Update: 27	Next Scheduled EDR Contact: 12/29/2008
	Data Release Frequency: Varies

US INST CONTROL: Sites with Institutional Controls

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

Date of Government Version: 07/23/2008SourDate Data Arrived at EDR: 07/29/2008TelepDate Made Active in Reports: 08/25/2008LastNumber of Days to Update: 27Next

Source: Environmental Protection Agency Telephone: 703-603-0695 Last EDR Contact: 06/30/2008 Next Scheduled EDR Contact: 09/29/2008 Data Release Frequency: Varies

ERNS: Emergency Response Notification System

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

Date of Government Version: 12/31/2007 Date Data Arrived at EDR: 01/23/2008 Date Made Active in Reports: 03/17/2008 Number of Days to Update: 54 Source: National Response Center, United States Coast Guard Telephone: 202-267-2180 Last EDR Contact: 07/25/2008 Next Scheduled EDR Contact: 10/20/2008 Data Release Frequency: Annually

HMIRS: Hazardous Materials Information Reporting System

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

Source: U.S. Department of Transportation
Telephone: 202-366-4555
Last EDR Contact: 07/15/2008
Next Scheduled EDR Contact: 10/13/2008
Data Release Frequency: Annually

DOT OPS: Incident and Accident Data

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

Date of Government Version: 05/14/2008	Source: Department of Transporation, Office of Pipeline Safety
Date Data Arrived at EDR: 05/28/2008	Telephone: 202-366-4595
Date Made Active in Reports: 08/08/2008	Last EDR Contact: 08/29/2008
Number of Days to Update: 72	Next Scheduled EDR Contact: 11/24/2008
	Data Release Frequency: Varies

CDL: Clandestine Drug Labs

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

Date of Government Version: 09/01/2007 Date Data Arrived at EDR: 12/03/2007 Date Made Active in Reports: 12/28/2007 Number of Days to Update: 25 Source: Drug Enforcement Administration Telephone: 202-307-1000 Last EDR Contact: 09/23/2008 Next Scheduled EDR Contact: 12/22/2008 Data Release Frequency: Quarterly

US BROWNFIELDS: A Listing of Brownfields Sites

Included in the listing are brownfields properties addresses by Cooperative Agreement Recipients and brownfields properties addressed by Targeted Brownfields Assessments. Targeted Brownfields Assessments-EPA's Targeted Brownfields Assessments (TBA) program is designed to help states, tribes, and municipalities--especially those without EPA Brownfields Assessment Demonstration Pilots--minimize the uncertainties of contamination often associated with brownfields. Under the TBA program, EPA provides funding and/or technical assistance for environmental assessments at brownfields sites throughout the country. Targeted Brownfields Assessments supplement and work with other efforts under EPA's Brownfields Initiative to promote cleanup and redevelopment of brownfields. Cooperative Agreement Recipients-States, political subdivisions, territories, and Indian tribes become Brownfields Cleanup Revolving Loan Fund (BCRLF) cooperative agreement recipients when they enter into BCRLF cooperative agreements with the U.S. EPA. EPA selects BCRLF cooperative agreement recipients based on a proposal and application process. BCRLF cooperative agreement recipients must use EPA funds provided through BCRLF cooperative agreement for specified brownfields-related cleanup activities.

Date of Government Version: 07/01/2008 Date Data Arrived at EDR: 08/25/2008 Date Made Active in Reports: 09/09/2008 Number of Days to Update: 15 Source: Environmental Protection Agency Telephone: 202-566-2777 Last EDR Contact: 07/15/2008 Next Scheduled EDR Contact: 10/13/2008 Data Release Frequency: Semi-Annually

DOD: Department of Defense Sites

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

Date of Government Version: 12/31/2005 Date Data Arrived at EDR: 11/10/2006 Date Made Active in Reports: 01/11/2007 Number of Days to Update: 62 Source: USGS Telephone: 703-692-8801 Last EDR Contact: 08/08/2008 Next Scheduled EDR Contact: 11/03/2008 Data Release Frequency: Semi-Annually

FUDS: Formerly Used Defense Sites

The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

Date of Government Version: 12/31/2007 Date Data Arrived at EDR: 09/05/2008 Date Made Active in Reports: 09/23/2008 Number of Days to Update: 18 Source: U.S. Army Corps of Engineers Telephone: 202-528-4285 Last EDR Contact: 09/05/2008 Next Scheduled EDR Contact: 12/29/2008 Data Release Frequency: Varies

LUCIS: Land Use Control Information System

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

Date of Government Version: 12/09/2005 Date Data Arrived at EDR: 12/11/2006 Date Made Active in Reports: 01/11/2007 Number of Days to Update: 31 Source: Department of the Navy Telephone: 843-820-7326 Last EDR Contact: 09/09/2008 Next Scheduled EDR Contact: 12/08/2008 Data Release Frequency: Varies

CONSENT: Superfund (CERCLA) Consent Decrees

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

	Date of Government Version: 04/25/2008 Date Data Arrived at EDR: 06/12/2008 Date Made Active in Reports: 08/25/2008 Jumber of Days to Update: 74	Source: Department of Justice, Consent Decree Library Telephone: Varies Last EDR Contact: 07/21/2008 Next Scheduled EDR Contact: 10/20/2008 Data Release Frequency: Varies
R	Records Of Decision Record of Decision. ROD documents mandate nd health information to aid in the cleanup.	a permanent remedy at an NPL (Superfund) site containing technical
	Date of Government Version: 06/18/2008 Date Data Arrived at EDR: 07/11/2008 Date Made Active in Reports: 08/25/2008 Jumber of Days to Update: 45	Source: EPA Telephone: 703-416-0223 Last EDR Contact: 09/29/2008 Next Scheduled EDR Contact: 12/29/2008 Data Release Frequency: Annually
U s tł	hut down, large piles of the sand-like material ne ore. Levels of human exposure to radioacti	or federal government use in national defense programs. When the mills (mill tailings) remain after uranium has been extracted from ve materials from the piles are low; however, in some cases tailings potential health hazards of the tailings were recognized.
	Date of Government Version: 07/13/2007 Date Data Arrived at EDR: 12/03/2007 Date Made Active in Reports: 01/24/2008 Jumber of Days to Update: 52	Source: Department of Energy Telephone: 505-845-0011 Last EDR Contact: 09/15/2008 Next Scheduled EDR Contact: 12/15/2008 Data Release Frequency: Varies
A	Dpen Dump Inventory n open dump is defined as a disposal facility t Subtitle D Criteria.	hat does not comply with one or more of the Part 257 or Part 258
	Date of Government Version: 06/30/1985 Date Data Arrived at EDR: 08/09/2004 Date Made Active in Reports: 09/17/2004 Jumber of Days to Update: 39	Source: Environmental Protection Agency Telephone: 800-424-9346 Last EDR Contact: 06/09/2004 Next Scheduled EDR Contact: N/A Data Release Frequency: No Update Planned
A	S REGION 9: Torres Martinez Reservation III listing of illegal dump sites location on the To County and northern Imperial County, California	rres Martinez Indian Reservation located in eastern Riverside
	Date of Government Version: 03/25/2008 Date Data Arrived at EDR: 04/17/2008 Date Made Active in Reports: 05/15/2008 Jumber of Days to Update: 28	Source: EPA, Region 9 Telephone: 415-972-3336 Last EDR Contact: 09/22/2008 Next Scheduled EDR Contact: 12/22/2008 Data Release Frequency: Varies
C	5: Mines Master Index File Contains all mine identification numbers issued iolation information.	for mines active or opened since 1971. The data also includes
	Date of Government Version: 05/28/2008 Date Data Arrived at EDR: 06/25/2008 Date Made Active in Reports: 08/25/2008 Jumber of Days to Update: 61	Source: Department of Labor, Mine Safety and Health Administration Telephone: 303-231-5959 Last EDR Contact: 09/23/2008 Next Scheduled EDR Contact: 12/22/2008 Data Release Frequency: Semi-Annually

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

Date of Government Version: 12/31/2006 Date Data Arrived at EDR: 02/29/2008 Date Made Active in Reports: 04/18/2008 Number of Days to Update: 49 Source: EPA Telephone: 202-566-0250 Last EDR Contact: 09/19/2008 Next Scheduled EDR Contact: 12/15/2008 Data Release Frequency: Annually

TSCA: Toxic Substances Control Act

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

Date of Government Version: 12/31/2002 Date Data Arrived at EDR: 04/14/2006 Date Made Active in Reports: 05/30/2006 Number of Days to Update: 46 Source: EPA Telephone: 202-260-5521 Last EDR Contact: 08/11/2008 Next Scheduled EDR Contact: 10/13/2008 Data Release Frequency: Every 4 Years

FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act) FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 07/12/2008	Source: EPA/Office of Prevention, Pesticides and Toxic Substances
Date Data Arrived at EDR: 07/18/2008	Telephone: 202-566-1667
Date Made Active in Reports: 08/25/2008	Last EDR Contact: 09/15/2008
Number of Days to Update: 38	Next Scheduled EDR Contact: 12/15/2008
	Data Release Frequency: Quarterly

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

Date of Government Version: 07/12/2008 Date Data Arrived at EDR: 07/18/2008 Date Made Active in Reports: 08/25/2008 Number of Days to Update: 38 Source: EPA Telephone: 202-566-1667 Last EDR Contact: 09/15/2008 Next Scheduled EDR Contact: 12/15/2008 Data Release Frequency: Quarterly

HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing

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

Date of Government Version: 10/19/2006 Date Data Arrived at EDR: 03/01/2007 Date Made Active in Reports: 04/10/2007 Number of Days to Update: 40 Source: Environmental Protection Agency Telephone: 202-564-2501 Last EDR Contact: 12/17/2007 Next Scheduled EDR Contact: 03/17/2008 Data Release Frequency: No Update Planned

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

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

Date of Government Version: 10/19/2006 Date Data Arrived at EDR: 03/01/2007 Date Made Active in Reports: 04/10/2007 Number of Days to Update: 40 Source: Environmental Protection Agency Telephone: 202-564-2501 Last EDR Contact: 12/17/2008 Next Scheduled EDR Contact: 03/17/2008 Data Release Frequency: No Update Planned

SSTS: Section 7 Tracking Systems

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

Date of Government Version: 12/31/2006 Date Data Arrived at EDR: 03/14/2008 Date Made Active in Reports: 04/18/2008 Number of Days to Update: 35 Source: EPA Telephone: 202-564-4203 Last EDR Contact: 07/14/2008 Next Scheduled EDR Contact: 10/13/2008 Data Release Frequency: Annually

ICIS: Integrated Compliance Information System

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

Date of Government Version: 07/31/2008 Date Data Arrived at EDR: 08/13/2008 Date Made Active in Reports: 09/09/2008 Number of Days to Update: 27 Source: Environmental Protection Agency Telephone: 202-564-5088 Last EDR Contact: 07/14/2008 Next Scheduled EDR Contact: 10/13/2008 Data Release Frequency: Quarterly

PADS: PCB Activity Database System

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

Date of Government Version: 12/04/2007 Date Data Arrived at EDR: 02/07/2008 Date Made Active in Reports: 03/17/2008 Number of Days to Update: 39 Source: EPA Telephone: 202-566-0500 Last EDR Contact: 09/18/2008 Next Scheduled EDR Contact: 11/03/2008 Data Release Frequency: Annually

MLTS: Material Licensing Tracking System

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

Date of Government Version: 07/08/2008 Date Data Arrived at EDR: 08/05/2008 Date Made Active in Reports: 08/25/2008 Number of Days to Update: 20 Source: Nuclear Regulatory Commission Telephone: 301-415-7169 Last EDR Contact: 09/29/2008 Next Scheduled EDR Contact: 12/29/2008 Data Release Frequency: Quarterly

RADINFO: Radiation Information Database

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

Date of Government Version: 07/29/2008	Source: Environmental Protection Agency
Date Data Arrived at EDR: 07/31/2008	Telephone: 202-343-9775
Date Made Active in Reports: 08/25/2008	Last EDR Contact: 07/31/2008
Number of Days to Update: 25	Next Scheduled EDR Contact: 10/27/2008
	Data Release Frequency: Quarterly

FINDS: Facility Index System/Facility Registry System

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

Date of Government Version: 07/01/2008 Date Data Arrived at EDR: 07/09/2008 Date Made Active in Reports: 08/25/2008 Number of Days to Update: 47 Source: EPA Telephone: (312) 353-2000 Last EDR Contact: 09/29/2008 Next Scheduled EDR Contact: 12/29/2008 Data Release Frequency: Quarterly

RAATS: RCRA Administrative Action Tracking System

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

Date of Government Version: 04/17/1995 Date Data Arrived at EDR: 07/03/1995 Date Made Active in Reports: 08/07/1995 Number of Days to Update: 35 Source: EPA Telephone: 202-564-4104 Last EDR Contact: 06/02/2008 Next Scheduled EDR Contact: 09/01/2008 Data Release Frequency: No Update Planned

BRS: Biennial Reporting System

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

Date of Government Version: 12/31/2005	Source: EPA/NTIS
Date Data Arrived at EDR: 03/06/2007	Telephone: 800-424-9346
Date Made Active in Reports: 04/13/2007	Last EDR Contact: 09/12/2008
Number of Days to Update: 38	Next Scheduled EDR Contact: 12/08/2008
	Data Release Frequency: Biennially

SCRD DRYCLEANERS: State Coalition for Redediation of Drycleaners Listing

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

Date of Government Version: 09/08/2008 Date Data Arrived at EDR: 09/10/2008 Date Made Active in Reports: 09/23/2008 Number of Days to Update: 13 Source: Environmental Protection Agency Telephone: 615-532-8599 Last EDR Contact: 08/25/2008 Next Scheduled EDR Contact: 11/10/2008 Data Release Frequency: Varies

STATE AND LOCAL RECORDS

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

Date of Government Version: N/A Date Data Arrived at EDR: N/A Date Made Active in Reports: N/A Number of Days to Update: N/A Source: Ohio EPA Telephone: 614-644-2924 Last EDR Contact: 09/02/2008 Next Scheduled EDR Contact: 12/01/2008 Data Release Frequency: N/A

DERR: Division of Emergency & Remedial Response's Database

The DERR listings contains sites from all of Ohio that are in the Division of Emergency and Remedial Response (DERR) database, which is an index of sites for which our district offices maintain files. The database is NOT a record of contaminated sites or sites suspected of contamination. Not all sites in the database are contaminated, and a site's absence from the database does not imply that it is uncontaminated.

	not imply that it is uncontaining out.
Date of Government Version: 09/08/2008 Date Data Arrived at EDR: 09/08/2008 Date Made Active in Reports: 09/19/2008 Number of Days to Update: 11	Source: Ohio EPA, Div. of Emergency and Remedial Response Telephone: 614-644-3538 Last EDR Contact: 09/08/2008 Next Scheduled EDR Contact: 12/08/2008 Data Release Frequency: Semi-Annually
	a 1895) which produced gas from coal for street lighting. Most d, however the potential for buried coal tar remains. The database
Date of Government Version: 07/28/1992 Date Data Arrived at EDR: 02/21/2003 Date Made Active in Reports: 03/05/2003 Number of Days to Update: 12	Source: Ohio EPA Telephone: 614-644-3749 Last EDR Contact: 02/12/2003 Next Scheduled EDR Contact: N/A Data Release Frequency: No Update Planned
•	ne MSL, which was a list of sites with known or suspected contamination. Institute a determination that any site identified in the report
Date of Government Version: 03/01/1999 Date Data Arrived at EDR: 03/29/1999 Date Made Active in Reports: 04/21/1999 Number of Days to Update: 23	Source: Ohio Environmental Protection Agency Telephone: 614-644-2068 Last EDR Contact: 09/02/2008 Next Scheduled EDR Contact: 12/01/2008 Data Release Frequency: No Update Planned
facilities or landfills in a particular state. Depe	type records typically contain an inventory of solid waste disposal nding on the state, these may be active or inactive facilities title D Section 4004 criteria for solid waste landfills or disposal
Date of Government Version: 08/14/2008 Date Data Arrived at EDR: 08/14/2008 Date Made Active in Reports: 09/04/2008 Number of Days to Update: 21	Source: Ohio Environmental Protection Agency Telephone: 614-644-2621 Last EDR Contact: 08/04/2008 Next Scheduled EDR Contact: 11/03/2008 Data Release Frequency: Annually
HIST LF: Old Solid Waste Landfill A list of about 1200 old abandoned dumps or and other information dating from the mid-197	landfills. This database was developed from Ohio EPA staff notebooks 70s
Date of Government Version: 01/01/1980 Date Data Arrived at EDR: 07/01/2003 Date Made Active in Reports: 07/17/2003 Number of Days to Update: 16	Source: Ohio EPA Telephone: 614-644-3749 Last EDR Contact: 06/26/2003 Next Scheduled EDR Contact: N/A Data Release Frequency: No Update Planned
LUCT. Looking Underground Starson Tools File	

LUST: Leaking Underground Storage Tank File

Leaking Underground Storage Tank Incident Reports. LUST records contain an inventory of reported leaking underground storage tank incidents. Not all states maintain these records, and the information stored varies by state.

Date of Government Version: 09/09/2008
Date Data Arrived at EDR: 09/09/2008
Date Made Active in Reports: 09/19/2008
Number of Days to Update: 10

Source: Department of Commerce Telephone: 614-752-7924 Last EDR Contact: 09/09/2008 Next Scheduled EDR Contact: 12/08/2008 Data Release Frequency: Quarterly

UNREG LTANKS: Ohio Leaking UST File

A suspected or confirmed release of petroleum from a non-regulated UST.

Date of Government Version: 08/25/1999	Source: Department of Commerce
Date Data Arrived at EDR: 08/19/2003	Telephone: 614-752-7938
Date Made Active in Reports: 08/26/2003	Last EDR Contact: 08/01/2003
Number of Days to Update: 7	Next Scheduled EDR Contact: N/A
	Data Release Frequency: No Update Planned

UST: Underground Storage Tank Tank File

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

Date of Government Version: 09/24/2008 Date Data Arrived at EDR: 09/24/2008 Date Made Active in Reports: 09/30/2008 Number of Days to Update: 6 Source: Department of Commerce Telephone: 614-752-7938 Last EDR Contact: 09/22/2008 Next Scheduled EDR Contact: 12/08/2008 Data Release Frequency: Quarterly

ARCHIVE UST: Archived Underground Storage Tank Sites

Underground storage tank records that have been removed from the Underground Storage Tank database.

Date of Government Version: 09/24/2008	Source: Department of Commerce, Division of State Fire Marshal
Date Data Arrived at EDR: 09/24/2008	Telephone: 614-752-7938
Date Made Active in Reports: 09/30/2008	Last EDR Contact: 09/22/2008
Number of Days to Update: 6	Next Scheduled EDR Contact: 12/08/2008
	Data Release Frequency: Quarterly

SPILLS: Emergency Response Database

Incidents reported to the Emergency Response Unit. The focus of the ER program is to minimize the impact on the environment from accidental releases, spills, and unauthorized discharges from any fixed or mobile sources. Incidents involving petroleum products, hazardous materials, hazardous waste, abandoned drums, or other materials which may pose as a pollution threat to the state?s water, land, or air should be reported immediately. Not all incidents included in the database are actual SPILLS, they can simply be reported incidents.

Date of Government Version: 09/01/2008Source: OhioDate Data Arrived at EDR: 09/10/2008Telephone: 6'Date Made Active in Reports: 09/19/2008Last EDR ConNumber of Days to Update: 9Next Schedule

Source: Ohio EPA Telephone: 614-644-2084 Last EDR Contact: 09/02/2008 Next Scheduled EDR Contact: 12/01/2008 Data Release Frequency: Varies

ENG CONTROLS: Sites with Engineering Controls

A database that tracks properties with engineering controls.

Date of Government Version: 09/02/2008
Date Data Arrived at EDR: 09/03/2008
Date Made Active in Reports: 09/19/2008
Number of Days to Update: 16

Source: Ohio EPA Telephone: 614-644-2306 Last EDR Contact: 09/02/2008 Next Scheduled EDR Contact: 12/01/2008 Data Release Frequency: Semi-Annually

INST CONTROL: Sites with Institutional Engineering Controls A database that tracks properties with institutional controls.

Date of Government Version: 09/02/2008 Date Data Arrived at EDR: 09/03/2008 Date Made Active in Reports: 09/19/2008 Number of Days to Update: 16	Source: Ohio Environmental Protection Agency Telephone: 614-644-2306 Last EDR Contact: 09/02/2008 Next Scheduled EDR Contact: 12/01/2008 Data Release Frequency: Semi-Annually
VCP: Voluntary Action Program Sites Site involved in the Voluntary Action Program.	
Date of Government Version: 09/05/2008 Date Data Arrived at EDR: 09/05/2008 Date Made Active in Reports: 09/19/2008 Number of Days to Update: 14	Source: Ohio EPA, Voluntary Action Program Telephone: 614-728-1298 Last EDR Contact: 09/02/2008 Next Scheduled EDR Contact: 12/01/2008 Data Release Frequency: Semi-Annually
DRYCLEANERS: Drycleaner Facility Listing A listing of drycleaner facility locations.	
Date of Government Version: 05/07/2008 Date Data Arrived at EDR: 05/09/2008 Date Made Active in Reports: 06/24/2008 Number of Days to Update: 46	Source: Ohio EPA Telephone: 614-644-3469 Last EDR Contact: 08/20/2008 Next Scheduled EDR Contact: 10/20/2008 Data Release Frequency: Varies
	d is an abandoned, idled or under-used industrial or commercial complicated by known or potential releases of hazardous substances
Date of Government Version: 07/25/2008 Date Data Arrived at EDR: 08/11/2008 Date Made Active in Reports: 09/04/2008 Number of Days to Update: 24	Source: Ohio EPA Telephone: 614-644-3748 Last EDR Contact: 07/25/2008 Next Scheduled EDR Contact: 10/06/2008 Data Release Frequency: Varies
CDL: Clandestine Drug Lab Locations A list of clandestine drug lab sites with environr based on the "product" type.	mental impact. This list is extracted from the SPILLS database
Date of Government Version: 03/01/2008 Date Data Arrived at EDR: 03/14/2008 Date Made Active in Reports: 03/24/2008 Number of Days to Update: 10	Source: Ohio EPA Telephone: 614-644-2080 Last EDR Contact: 09/02/2008 Next Scheduled EDR Contact: 12/01/2008 Data Release Frequency: Varies
NPDES: NPDES General Permit List General information regarding NPDES (Nationa	al Pollutant Discharge Elimination System) permits.
Date of Government Version: 06/30/2008 Date Data Arrived at EDR: 09/03/2008 Date Made Active in Reports: 09/19/2008 Number of Days to Update: 16	Source: Ohio EPA Telephone: 614-644-2031 Last EDR Contact: 09/03/2008 Next Scheduled EDR Contact: 12/01/2008 Data Release Frequency: Semi-Annually
AIRS: Title V Permits Listing	

AIRS: The V Permits Listing A listing of Title V Permits issued by the Division of Air Pollution Control. It is a federal operating permit

program adopted and implemented by the Division of All Pollution Control. It is a federal operating permit will submit an operating application to the specified state environmental regulatory agency according to a schedule.

Date of Government Version: 07/08/2008 Date Data Arrived at EDR: 07/18/2008 Date Made Active in Reports: 07/25/2008 Number of Days to Update: 7 Source: Ohio EPA Telephone: 614-644-2270 Last EDR Contact: 07/18/2008 Next Scheduled EDR Contact: 10/13/2008 Data Release Frequency: Varies

USD: Urban Setting Designation Sites

A USD may be requested for properties participating in the VAP when there is no current or future use of the ground water by local residents for drinking, showering, bathing or cooking. In these areas, an approved USD would lower the cost of cleanup and promote economic redevelopment while still protecting public health and safety. If these USDs were to be approved, the ground water cleanup or response requirements for the areas could be lessened. The Ohio EPA director may approve a USD request based on a demonstration that the USD requirements are met and an evaluation of existing and future uses of ground water in the area. The Ohio EPA director's decision on approval or denial of the request is needed before cleanup requirements for the site can be determined.

Date of Government Version: 09/03/2008 Date Data Arrived at EDR: 09/04/2008 Date Made Active in Reports: 09/19/2008 Number of Days to Update: 15 Source: Ohio EPA Telephone: 614-644-3749 Last EDR Contact: 09/03/2008 Next Scheduled EDR Contact: 12/01/2008 Data Release Frequency: Varies

HIST USD: Urban Setting Designations Database

A USD may be requested for properties participating in the VAP when there is no current or future use of the ground water by local residents for drinking, showering, bathing or cooking. In these areas, an approved USD would lower the cost of cleanup and promote economic redevelopment while still protecting public health and safety. If these USDs were to be approved, the ground water cleanup or response requirements for the areas could be lessened. The Ohio EPA director may approve a USD request based on a demonstration that the USD requirements are met and an evaluation of existing and future uses of ground water in the area. The Ohio EPA director's decision on approval or denial of the request is needed before cleanup requirements for the site can be determined. This database is no longer updated or maintained by the state agency.

Date of Government Version: 05/10/2005 Date Data Arrived at EDR: 04/25/2006 Date Made Active in Reports: 05/11/2006 Number of Days to Update: 16 Source: Ohio EPA Telephone: 614-644-3749 Last EDR Contact: 06/02/2008 Next Scheduled EDR Contact: 09/01/2008 Data Release Frequency: No Update Planned

HIST INST CONTROLS: Institutional Controls Database

"Institutional control" is a restriction that is recorded in the same manner as a deed which limits access to or use of the property such that exposure to hazardous substances or petroleum are effectively and reliably eliminated or mitigated. Examples of institutional controls include land and water use restrictions. This database is no longer updated or maintained by the state agency.

Date of Government Version: 05/10/2005Source: Ohio EPADate Data Arrived at EDR: 04/06/2006Telephone: 614-644-2306Date Made Active in Reports: 05/04/2006Last EDR Contact: 06/02/2008Number of Days to Update: 28Next Scheduled EDR Contact: 09/01/2008Data Release Frequency: No Update Planned

HIST ENG CONTROLS: Operation & Maintenance Agreements Database

Volunteers that complete a voluntary action that relies on the ongoing operation and maintenance (O&M) of an engineered control to make the site protective (e.g" cap systems and ground water treatment systems) must enter into a legally binding agreement with the Ohio EPA before the director issues a covenant not to sue. This O&M Agreement must describe how the remedy is constructed and how itwill be monitored, maintained and repaired. It also lays out inspection opportunities for the agency. Companies must document that they have the financial capability to operate any remedy relied on, before the agency will agree to enter into the O&M Agreement. The statute requires that the agency be notified of any change in ownership. This database is no longer updated or maintained by the state agency.

Date of Government Version: 05/10/2005 Date Data Arrived at EDR: 04/04/2006 Date Made Active in Reports: 05/04/2006 Number of Days to Update: 30 Source: Ohio EPA Telephone: 614-644-2306 Last EDR Contact: 06/02/2008 Next Scheduled EDR Contact: 09/01/2008 Data Release Frequency: No Update Planned

TRIBAL RECORDS

INDIAN RESERV: Indian Reservations

This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

Date of Government Version: 12/31/2005 Date Data Arrived at EDR: 12/08/2006 Date Made Active in Reports: 01/11/2007 Number of Days to Update: 34 Source: USGS Telephone: 202-208-3710 Last EDR Contact: 08/08/2008 Next Scheduled EDR Contact: 11/03/2008 Data Release Frequency: Semi-Annually

INDIAN ODI: Report on the Status of Open Dumps on Indian Lands Location of open dumps on Indian land.

Date of Government Version: 12/31/1998	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/03/2007	Telephone: 703-308-8245
Date Made Active in Reports: 01/24/2008	Last EDR Contact: 08/25/2008
Number of Days to Update: 52	Next Scheduled EDR Contact: 11/24/2008
	Data Release Frequency: Varies

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

Date of Government Version: 03/17/2008 Date Data Arrived at EDR: 03/27/2008 Date Made Active in Reports: 05/06/2008 Number of Days to Update: 40 Source: EPA Region 4 Telephone: 404-562-8677 Last EDR Contact: 08/18/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Semi-Annually

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

Date of Government Version: 03/12/2008	
Date Data Arrived at EDR: 03/14/2008	
Date Made Active in Reports: 03/20/2008	
Number of Days to Update: 6	

Source: EPA Region 1 Telephone: 617-918-1313 Last EDR Contact: 08/18/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Varies

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

Date of Government Version: 08/22/2008 Date Data Arrived at EDR: 08/22/2008 Date Made Active in Reports: 09/09/2008 Number of Days to Update: 18 Source: EPA Region 10 Telephone: 206-553-2857 Last EDR Contact: 08/18/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Quarterly

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

Date of Government Version: 03/17/2008	Source: EPA Region 7
Date Data Arrived at EDR: 03/27/2008	Telephone: 913-551-7003
Date Made Active in Reports: 05/06/2008	Last EDR Contact: 08/18/2008
Number of Days to Update: 40	Next Scheduled EDR Contact: 11/17/2008
	Data Release Frequency: Varies

INDIAN LUST R6: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in New Mexico and Oklahoma.		
Date of Government Version: 09/05/2008 Date Data Arrived at EDR: 09/05/2008 Date Made Active in Reports: 09/23/2008 Number of Days to Update: 18	Source: EPA Region 6 Telephone: 214-665-6597 Last EDR Contact: 08/18/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Varies	
INDIAN LUST R9: Leaking Underground Storage T LUSTs on Indian land in Arizona, California, N		
Date of Government Version: 07/11/2008 Date Data Arrived at EDR: 07/11/2008 Date Made Active in Reports: 08/08/2008 Number of Days to Update: 28	Source: Environmental Protection Agency Telephone: 415-972-3372 Last EDR Contact: 08/18/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Quarterly	
INDIAN LUST R8: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.		
Date of Government Version: 08/21/2008 Date Data Arrived at EDR: 09/04/2008 Date Made Active in Reports: 09/09/2008 Number of Days to Update: 5	Source: EPA Region 8 Telephone: 303-312-6271 Last EDR Contact: 08/18/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Quarterly	
INDIAN UST R8: Underground Storage Tanks on Indian Land No description is available for this data		
Date of Government Version: 08/21/2008 Date Data Arrived at EDR: 09/04/2008 Date Made Active in Reports: 09/09/2008 Number of Days to Update: 5	Source: EPA Region 8 Telephone: 303-312-6137 Last EDR Contact: 08/18/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Quarterly	
INDIAN UST R9: Underground Storage Tanks on Ir No description is available for this data	ndian Land	
Date of Government Version: 07/11/2008 Date Data Arrived at EDR: 07/11/2008 Date Made Active in Reports: 08/08/2008 Number of Days to Update: 28	Source: EPA Region 9 Telephone: 415-972-3368 Last EDR Contact: 08/18/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Quarterly	
INDIAN UST R10: Underground Storage Tanks on Indian Land No description is available for this data		
Date of Government Version: 08/22/2008 Date Data Arrived at EDR: 08/22/2008 Date Made Active in Reports: 09/09/2008 Number of Days to Update: 18	Source: EPA Region 10 Telephone: 206-553-2857 Last EDR Contact: 08/18/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Quarterly	
INDIAN UST R4: Underground Storage Tanks on Indian Land No description is available for this data		
Date of Government Version: 03/17/2008 Date Data Arrived at EDR: 03/27/2008 Date Made Active in Reports: 05/06/2008 Number of Days to Update: 40	Source: EPA Region 4 Telephone: 404-562-9424 Last EDR Contact: 08/18/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Semi-Annually	

INDIAN UST R1: Underground Storage Tanks on Indian Land A listing of underground storage tank locations on Indian Land.		
Date of Government Version: 03/12/2008 Date Data Arrived at EDR: 03/14/2008 Date Made Active in Reports: 03/20/2008 Number of Days to Update: 6	Source: EPA, Region 1 Telephone: 617-918-1313 Last EDR Contact: 08/18/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Varies	
INDIAN UST R7: Underground Storage Tanks on Indian Land No description is available for this data		
Date of Government Version: 06/01/2007 Date Data Arrived at EDR: 06/14/2007 Date Made Active in Reports: 07/05/2007 Number of Days to Update: 21	Source: EPA Region 7 Telephone: 913-551-7003 Last EDR Contact: 08/18/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Varies	
INDIAN UST R6: Underground Storage Tanks on Indian Land No description is available for this data		
Date of Government Version: 09/05/2008 Date Data Arrived at EDR: 09/05/2008 Date Made Active in Reports: 09/23/2008 Number of Days to Update: 18	Source: EPA Region 6 Telephone: 214-665-7591 Last EDR Contact: 08/18/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Semi-Annually	
INDIAN UST R5: Underground Storage Tanks on Indian Land No description is available for this data		
Date of Government Version: 12/21/2007 Date Data Arrived at EDR: 12/21/2007 Date Made Active in Reports: 01/24/2008 Number of Days to Update: 34	Source: EPA Region 5 Telephone: 312-886-6136 Last EDR Contact: 08/18/2008 Next Scheduled EDR Contact: 11/17/2008 Data Release Frequency: Varies	
INDIAN VCP R7: Voluntary Cleanup Priority Lisitng A listing of voluntary cleanup priority sites located on Indian Land located in Region 7.		
Date of Government Version: 03/20/2008 Date Data Arrived at EDR: 04/22/2008 Date Made Active in Reports: 05/19/2008 Number of Days to Update: 27	Source: EPA, Region 7 Telephone: 913-551-7365 Last EDR Contact: 07/21/2008 Next Scheduled EDR Contact: 10/20/2008 Data Release Frequency: Varies	
INDIAN VCP R1: Voluntary Cleanup Priority Listing A listing of voluntary cleanup priority sites located on Indian Land located in Region 1.		
	tea en malan Lana locatea in Region 1.	
Date of Government Version: 04/02/2008 Date Data Arrived at EDR: 04/22/2008 Date Made Active in Reports: 05/19/2008 Number of Days to Update: 27	Source: EPA, Region 1 Telephone: 617-918-1102 Last EDR Contact: 07/21/2008 Next Scheduled EDR Contact: 10/20/2008 Data Release Frequency: Varies	

EDR PROPRIETARY RECORDS

Manufactured Gas Plants: EDR Proprietary Manufactured Gas Plants

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

Date of Government Version: N/A Date Data Arrived at EDR: N/A Date Made Active in Reports: N/A Number of Days to Update: N/A Source: EDR, Inc. Telephone: N/A Last EDR Contact: N/A Next Scheduled EDR Contact: N/A Data Release Frequency: No Update Planned

OTHER DATABASE(S)

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

T MANIFEST: Hazardous Waste Manifest Data Facility and manifest data. Manifest is a docur transporters to a tsd facility.	nent that lists and tracks hazardous waste from the generator through
Date of Government Version: 12/31/2005 Date Data Arrived at EDR: 06/15/2007 Date Made Active in Reports: 08/20/2007 Number of Days to Update: 66	Source: Department of Environmental Protection Telephone: 860-424-3375 Last EDR Contact: 09/12/2008 Next Scheduled EDR Contact: 12/08/2008 Data Release Frequency: Annually
IJ MANIFEST: Manifest Information Hazardous waste manifest information.	
Date of Government Version: 09/30/2007 Date Data Arrived at EDR: 12/04/2007 Date Made Active in Reports: 12/31/2007 Number of Days to Update: 27	Source: Department of Environmental Protection Telephone: N/A Last EDR Contact: 08/08/2008 Next Scheduled EDR Contact: 11/03/2008 Data Release Frequency: Annually
IY MANIFEST: Facility and Manifest Data Manifest is a document that lists and tracks ha facility.	azardous waste from the generator through transporters to a TSD
Date of Government Version: 07/23/2008 Date Data Arrived at EDR: 08/28/2008 Date Made Active in Reports: 09/11/2008 Number of Days to Update: 14	Source: Department of Environmental Conservation Telephone: 518-402-8651 Last EDR Contact: 08/28/2008 Next Scheduled EDR Contact: 11/24/2008 Data Release Frequency: Annually
A MANIFEST: Manifest Information Hazardous waste manifest information.	
Date of Government Version: 12/31/2007 Date Data Arrived at EDR: 09/11/2008 Date Made Active in Reports: 10/02/2008 Number of Days to Update: 21	Source: Department of Environmental Protection Telephone: N/A Last EDR Contact: 09/08/2008 Next Scheduled EDR Contact: 12/08/2008 Data Release Frequency: Annually
I MANIFEST: Manifest information Hazardous waste manifest information	
Date of Government Version: 12/31/2007 Date Data Arrived at EDR: 06/03/2008 Date Made Active in Reports: 08/07/2008 Number of Days to Update: 65	Source: Department of Environmental Management Telephone: 401-222-2797 Last EDR Contact: 09/15/2008 Next Scheduled EDR Contact: 12/15/2008 Data Release Frequency: Annually
	 Facility and manifest data. Manifest is a docur transporters to a tsd facility. Date of Government Version: 12/31/2005 Date Data Arrived at EDR: 06/15/2007 Date Made Active in Reports: 08/20/2007 Number of Days to Update: 66 IJ MANIFEST: Manifest Information Hazardous waste manifest information. Date of Government Version: 09/30/2007 Date Data Arrived at EDR: 12/04/2007 Date Made Active in Reports: 12/31/2007 Number of Days to Update: 27 IY MANIFEST: Facility and Manifest Data Manifest is a document that lists and tracks ha facility. Date of Government Version: 07/23/2008 Date Data Arrived at EDR: 08/28/2008 Date Data Arrived at EDR: 08/28/2008 Date Made Active in Reports: 09/11/2008 Number of Days to Update: 14 YA MANIFEST: Manifest Information Hazardous waste manifest information. Date of Government Version: 12/31/2007 Date of Government Version: 12/31/2007 Date Data Arrived at EDR: 09/11/2008 Number of Days to Update: 14 YA MANIFEST: Manifest Information Hazardous waste manifest information. Date of Government Version: 12/31/2007 Date Made Active in Reports: 10/02/2008 Number of Days to Update: 21 RI MANIFEST: Manifest information Hazardous waste manifest information Date of Government Version: 12/31/2007 Date Arrived at EDR: 06/03/2008 Date Arrived at EDR: 06/03/2008 Date Arrived at EDR: 06/03/2008 Date Made Active in Reports: 08/07/2008

VT MANIFEST: Hazardous Waste Manifest Data Hazardous waste manifest information.

> Date of Government Version: 03/17/2008 Date Data Arrived at EDR: 03/26/2008 Date Made Active in Reports: 04/09/2008 Number of Days to Update: 14

Source: Department of Environmental Conservation Telephone: 802-241-3443 Last EDR Contact: 08/11/2008 Next Scheduled EDR Contact: 11/10/2008 Data Release Frequency: Annually

WI MANIFEST: Manifest Information Hazardous waste manifest information.

> Date of Government Version: 12/31/2007 Date Data Arrived at EDR: 08/22/2008 Date Made Active in Reports: 09/08/2008 Number of Days to Update: 17

Source: Department of Natural Resources Telephone: N/A Last EDR Contact: 10/06/2008 Next Scheduled EDR Contact: 01/05/2009 Data Release Frequency: Annually

Oil/Gas Pipelines: This data was obtained by EDR from the USGS in 1994. It is referred to by USGS as GeoData Digital Line Graphs from 1:100,000-Scale Maps. It was extracted from the transportation category including some oil, but primarily gas pipelines.

Electric Power Transmission Line Data

Source: PennWell Corporation

Telephone: (800) 823-6277

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fitness for any particular purpose. Such information has been reprinted with the permission of PennWell.

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

AHA Hospitals:

Source: American Hospital Association, Inc. Telephone: 312-280-5991 The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals. Medical Centers: Provider of Services Listing Source: Centers for Medicare & Medicaid Services Telephone: 410-786-3000 A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services, a federal agency within the U.S. Department of Health and Human Services. Nursing Homes Source: National Institutes of Health Telephone: 301-594-6248 Information on Medicare and Medicaid certified nursing homes in the United States. **Public Schools** Source: National Center for Education Statistics Telephone: 202-502-7300 The National Center for Education Statistics' primary database on elementary and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states. **Private Schools** Source: National Center for Education Statistics

Telephone: 202-502-7300

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

Daycare Centers: Licensed Child Day Care Facilities

Source: Department of Job & Family Services Telephone: 614-466-6282

Flood Zone Data: This data, available in select counties across the country, was obtained by EDR in 1999 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

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

State Wetlands Data: Wetlands Inventory Source: Department of Natural Resources Telephone: 614-265-1044

Scanned Digital USGS 7.5' Topographic Map (DRG)

Source: United States Geologic Survey

A digital raster graphic (DRG) is a scanned image of a U.S. Geological Survey topographic map. The map images are made by scanning published paper maps on high-resolution scanners. The raster image is georeferenced and fit to the Universal Transverse Mercator (UTM) projection.

STREET AND ADDRESS INFORMATION

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GEOCHECK ®- PHYSICAL SETTING SOURCE ADDENDUM

TARGET PROPERTY ADDRESS

CADIZ DROP ZONE BUSBY RD & SLATER RD CADIZ, OH 43907

TARGET PROPERTY COORDINATES

Latitude (North):	40.22966 - 40° 13' 46.8''
Longitude (West):	81.05075 - 81° 3' 2.7"
Universal Tranverse Mercator:	Zone 17
UTM X (Meters):	495682.4
UTM Y (Meters):	4453038.5
Elevation:	1102 ft. above sea level

USGS TOPOGRAPHIC MAP

Target Property Map:	40081-B1 FLUSHING, OH
Most Recent Revision:	1994

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

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

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

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

GROUNDWATER FLOW DIRECTION INFORMATION

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

TOPOGRAPHIC INFORMATION

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

TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General SW

SURROUNDING TOPOGRAPHY: ELEVATION PROFILES



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

HYDROLOGIC INFORMATION

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

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

FEMA FLOOD ZONE

Target Property County HARRISON, OH	FEMA Flood <u>Electronic Data</u> Not Available
Flood Plain Panel at Target Property:	Not Reported
Additional Panels in search area:	Not Reported
NATIONAL WETLAND INVENTORY	
NWI Quad at Target Property FLUSHING	NWI Electronic <u>Data Coverage</u> Not Available

HYDROGEOLOGIC INFORMATION

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

AQUIFLOW®

Search Radius: 1.000 Mile.

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

MAP ID Not Reported LOCATION FROM TP GENERAL DIRECTION GROUNDWATER FLOW

GROUNDWATER FLOW VELOCITY INFORMATION

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

GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY

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

ROCK STRATIGRAPHIC UNIT

GEOLOGIC AGE IDENTIFICATION

Era:	Paleozoic	Category:	Stratifed Sequence
System:	Pennsylvanian		
Series:	Virgilian Series		
Code:	PP4 (decoded above as Era, System & Se	eries)	

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

DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

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

Soil Component Name:	FAIRPOINT			
Soil Surface Texture:	shaly - clay loam			
Hydrologic Group:	Class C - Slow infiltration rates. Soils with layers impeding downward movement of water, or soils with moderately fine or fine textures.			
Soil Drainage Class:	Well drained. Soils have intermediate water holding capacity. Depth to water table is more than 6 feet.			
Hydric Status: Soil does not meet the requirements for a hydric soil.				
Corrosion Potential - Uncoated Steel:	HIGH			
Depth to Bedrock Min:	> 60 inches			

	Soil Layer Information							
	Βοι	undary		Classification				
Layer Upper Lower		Soil Texture Class	AASHTO Group Unified Soil		Permeability Rate (in/hr)	Soil Reaction (pH)		
1	0 inches	5 inches	shaly - clay Ioam	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), Lean Clay	Max: 0.60 Min: 0.20	Max: 7.30 Min: 5.60	
2	5 inches	60 inches	shaly - clay Ioam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 0.60 Min: 0.20	Max: 7.30 Min: 5.60	

OTHER SOIL TYPES IN AREA

Based on Soil Conservation Service STATSGO data, the following additional subordinant soil types may appear within the general area of target property.

Soil Surface Textures:	silt loam sandy loam
Surficial Soil Types:	silt loam sandy loam
Shallow Soil Types:	channery - sandy loam loam silt loam silty clay loam
Deeper Soil Types:	unweathered bedrock stratified weathered bedrock silt loam

LOCAL / REGIONAL WATER AGENCY RECORDS

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

WELL SEARCH DISTANCE INFORMATION

DATABASE	SEARCH DISTANCE (miles)
Federal USGS	1.000
Federal FRDS PWS	Nearest PWS within 1 mile
State Database	1.000

FEDERAL USGS WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
No Wells Found		

FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION

WELL ID

LOCATION FROM TP

No PWS System Found

MAP ID

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

STATE DATABASE WELL INFORMATION

		LOCATION
MAP ID	WELL ID	FROM TP
1	OHD100000037968	1/8 - 1/4 Mile SE

PHYSICAL SETTING SOURCE MAP - 2336628.2s



Cluster of Multiple Icons

GEOCHECK®- PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID Direction Distance Elevation			Database	EDR ID Number
1 SE 1/8 - 1/4 Mile Higher			OH WELLS	OHD10000037968
Well log n:	246298	Well type :	W	
Cnty code:	67	Twp code:	440	
Orig owner:	Not Reported	Orig own 1:	HANNA COAL CO.	
Well use c:	Not Reported	Aquifer ty:	SHA	
St dir cod:	Not Reported	St no:	Not Reported	
St name:	Not Reported	St type co:	Not Reported	
City:	Not Reported	State code:	ОН	
Zip:	Not Reported	Horiz x:	2405196.09	
Horiz y:	207911.41	Latitude:	Not Reported	
Longitude:	Not Reported	Total dept:	59	

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS RADON

AREA RADON INFORMATION

State Database: OH Radon

Radon Test Results

Zip	Total Sites	Median	1st Quartile	3rd Quartile	Min.	Max.
43907	17	4.8	2.4	8.6	1.2	39.5

Federal EPA Radon Zone for HARRISON County: 1

Note: Zone 1 indoor average level > 4 pCi/L.

: Zone 2 indoor average level >= 2 pCi/L and <= 4 pCi/L.

: Zone 3 indoor average level < 2 pCi/L.

Federal Area Radon Information for Zip Code: 43907

Number of sites tested: 4

Area	Average Activity	% <4 pCi/L	% 4-20 pCi/L	% >20 pCi/L
Living Area - 1st Floor	Not Reported	Not Reported	Not Reported	Not Reported
Living Area - 2nd Floor	Not Reported	Not Reported	Not Reported	Not Reported
Basement	4.425 pCi/L	75%	25%	0%

PHYSICAL SETTING SOURCE RECORDS SEARCHED

TOPOGRAPHIC INFORMATION

USGS 7.5' Digital Elevation Model (DEM)

Source: United States Geologic Survey

EDR acquired the USGS 7.5' Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

Scanned Digital USGS 7.5' Topographic Map (DRG)

Source: United States Geologic Survey

A digital raster graphic (DRG) is a scanned image of a U.S. Geological Survey topographic map. The map images are made by scanning published paper maps on high-resolution scanners. The raster image is georeferenced and fit to the Universal Transverse Mercator (UTM) projection.

HYDROLOGIC INFORMATION

Flood Zone Data: This data, available in select counties across the country, was obtained by EDR in 1999 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

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

State Wetlands Data: Wetlands Inventory

Source: Department of Natural Resources Telephone: 614-265-1044

HYDROGEOLOGIC INFORMATION

AQUIFLOW^R Information System

Source: EDR proprietary database of groundwater flow information

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

GEOLOGIC INFORMATION

Geologic Age and Rock Stratigraphic Unit

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

STATSGO: State Soil Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Services

The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

SSURGO: Soil Survey Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Services (NRCS) Telephone: 800-672-5559

SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Services, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.

PHYSICAL SETTING SOURCE RECORDS SEARCHED

LOCAL / REGIONAL WATER AGENCY RECORDS

FEDERAL WATER WELLS

PWS: Public Water Systems

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

PWS ENF: Public Water Systems Violation and Enforcement Data

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Violation and Enforcement data for Public Water Systems from the Safe Drinking Water Information System (SDWIS) after August 1995. Prior to August 1995, the data came from the Federal Reporting Data System (FRDS).

USGS Water Wells: USGS National Water Inventory System (NWIS) This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

STATE RECORDS

Public Water System Data Source: Ohio Environmental Protection Agency Telephone: 614-644-3677 The database includes community, transient noncommunity and nontransient noncommunity water wells; and source treatment unit locations.

Water Well Database Source: Department of Natural Resources Telephone: 614-265-6747

OTHER STATE DATABASE INFORMATION

RADON

State Database: OH Radon Source: Department of Health Telephone: 614-644-2727 Radon Statistics for Zip Code Areas

Area Radon Information Source: USGS Telephone: 703-356-4020 The National Radon Database has been developed by the U.S. Environmental Protection Agency (USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

EPA Radon Zones Source: EPA Telephone: 703-356-4020 Sections 307 & 309 of IRAA directed EPA to list and identify areas of U.S. with the potential for elevated indoor radon levels.

OTHER

Airport Landing Facilities: Private and public use landing facilities Source: Federal Aviation Administration, 800-457-6656

Epicenters: World earthquake epicenters, Richter 5 or greater Source: Department of Commerce, National Oceanic and Atmospheric Administration

PHYSICAL SETTING SOURCE RECORDS SEARCHED

STREET AND ADDRESS INFORMATION

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G2: TRIP REPORT

EARTH TECH AECOM

Earth Tech 1461 E. Cooley Drive, Suite 100, Colton, California 92324 T 909.554.5000 F 909.424.1924 www.earthtech.aecom.com

24 October 2008

U.S. Department of the Air Force HQ AFRC/A7PP Attention: Ron Scandlyn 220 Richard Ray Blvd Robbins Air Force Base, GA 31098-1637

Contract No.: FA4890-04-D-0007 Delivery Order No.: 5Y01

Subject:Cadiz Drop Zone Environmental Assessment (EA)/Environmental Baseline
Survey (EBS) – Pittsburgh International Airport Air Reserve Station

Dear Mr. Scandlyn:

The subject site visit and data collection trip was conducted during 14-16 October 2008.

Meetings

Kick-Off Meeting

The kick-off meeting was held on 14 October at Pittsburgh IAP ARS. The following were in attendance:

Name	Organization_	Telephone
Frank Sniezek	911 AW/CEV	412.474.8428
Joseph Matis	911 AW/CEV	412.474.8749
Thomas Kutchenriter	911 MSG/CER	412.474.8569
Robert Moeslein	911 MSG/CE	412.474.8571
Lt Col Aldo Filoni	911 OSF/OSTX	412.474.8606
Lt Col William Gutermuth	911 AW Safety	412.474.8513
Maj Todd McCrann	911 LRS/CC	412.474.8509
Ashley Hileman	CONSOL Energy	724.825.7816
Lynn Manning	CONSOL Energy	724.485.4039
Tim Schivley	CONSOL Energy	724.485.4511
Carl Rykaczewski	Earth Tech AECOM	909.554.5052
Nora Castellanos	Earth Tech AECOM	909.554.5008
The following represent major points of discussion:

- CONSOL Energy expressed concerns that this EA/EBS could raise issues that could adversely affect CONSOL Energy. They referenced a problem at one of their sites due to disturbance to the Indiana bat, a federally-listed species. They would like us to meet with their environmental department personnel.
- The proposed drop zone site is in an area already used for low-level flight activities and these activities have been analyzed in an EA.
- There are no noise complaints from use of the current drop zone, Starvaggi.
- The drop zone would be approved for paratrooper drops, but these are not a routine activity and are normally conducted at other locations. Paratrooper drops would likely only happen once or twice per year as part of a special exercise. Such an exercise may require its own NEPA analysis. However, the 911 AW prefers that this EA include this activity.
- Cattle have been grazing on property for about two years.
- The 911 AW has mapped no-fly area to avoid overflight of the nearby Harrison County Airport.
- Most air drop exercises occur at evening and so most airdrop flights would occur after the Harrison County Airport is closed.

DOPAA Discussion

A meeting was held among Lt Col Filoni, Lt Col Gutermuth, Mr. Sniezek, Ms. Castellanos, and Mr. Rykaczewski on 15 October to discuss details of the proposed action. The following represent major points of discussion regarding the proposed action from this meeting and from other discussions:

- Targets used on the drop zone would be set up and removed for each airdrop. Concrete blocks that may be used mark the target location may be left in place between airdrop events, but no permanent structures would be installed. The target would consist of a raised angle marker (RAM) consisting of a bright orange tent-like structure that is angled to face the direction of the approaching aircraft. For night drops, battery powered lights using 9-volt batteries would be set up.
- Visual confirmation of the target is mandatory for drop exercise. No instrument-only drops would be conducted. Air drops would not be conducted during weather conditions that do not allow visual confirmation of the target.
- The Harrison County Airport averages one airplane a day, although this does not necessarily mean a single sortie (i.e., the single plane could take off and land more than once per day).
- The 911 AW does not currently coordinate with the FAA to publish drop zone site information on FAA charts and airport publications, and probably would not plan to do this for the Cadiz Drop Zone.
- Flight safety is currently revising the existing Military Airspace Collision Avoidance (MACA) plan to include the new drop zone.
- The 911 AW has visited the Harrison County Airport and discussed the potential new drop zone.

- A Notice to Airmen (NOTAM) would be issued for airdrops. The NOTAM would be added to the current NOTAM for low-level training.
- Low-level flight areas cover four states, including proposed lease property
- The MACA includes placing a radio call into the local airport to clear local traffic as the aircraft approach the drop zone. There will be both aircraft-to-aircraft and ground safety-to-aircraft communication.
- Visual assurance that no other aircraft are in the drop zone prior to an airdrop is part of standard procedures.
- A typical airdrop training day includes three separate flights with two planes each in the morning, afternoon/evening, and at night. During each flight each of the two planes would make two drops for a total of 12 drops in one day.
- The total flight time for an air drop is approximately 2 hours.
- The aircraft adjust to the drop altitude 10 miles out from the drop zone. This may be lower or higher than the transit altitude. At five miles past the drop zone, the aircraft would be back to the en-route altitude (i.e., at 2500 above mean sea level).
- Material recovery would require two people for training bundle drops and six people for actual load drops. Material recovery after an actual load drop would require use of a forklift, full-size pickup trucks, and a flatbed truck
- The Tater Drop Zone is located in Indiana County, PA. It is only large enough to conduct training bundle drops.
- This EA will not address bivouac activities.
- The FONSI and EBS signature blocks will read Gordon H. Elwell, Colonel, USAFR, Installation Commander.

Meeting with CONSOL Energy Personnel

A meeting was held at CONSOL Energy, Canonsburg, PA, on 15 October to discuss information on the proposed lease site property that is owned by CONSOL Energy. The following were in attendance:

<u>Name</u>	<u>Organization</u>	<u>Telephone</u>
Denny McCracken	CNX Land	724.485.4088
Kim Raeder	CNX Land	724.485.4611
Bill Weir	CNX Environmental	724.485.4604
John Owsiany	CNX Environmental	724.485.4503
Jim Poland	CNX Env & Engr Services	724.485.4317
Lt Shawn M Walleck	911 AW Public Affairs	412.474.8750
Frank Sniezek	911 AW/CEVE	412.474.8428
Lt Col Aldo Filoni	911 AW	412.474.8439
Carl Rykaczewski	Earth Tech AECOM	909.554.5052
Nora Castellanos	Earth Tech AECOM	909.554.5008

The following represent major points of discussion:

- There is no information on property use before it was mined. CONSOL Energy will try to provide information on the previous owner(s) and land uses.
- The proposed lease site is an area that was mined under two separate permits.

- Mining occurred from approximately the early to mid 1980s to the early to mid 1990s.
- Reclamation began on the northern portion of the area in the early 1990s and in the southern/southwestern portion in the mid to late 1990s.
- After reclamation, bond releases occur in two phases:
 - Phase 1 after completion of site grading
 - Phase 2– after completion of seeding
 - Phase 3 (Final Release) after 5 years of maintenance. No ground disturbance is allowed. This could affect the bond release.
- The final bond release has been granted for this property. CONSOL Energy's intent is to sell the property.
- Ohio Department of Natural Resources (ODNR) Mineral Resources Division has regulatory control over mining; however, both the state and the federal Office of Surface Mining do inspections.
- Mining permit conditions state reclamation guidelines. Mining regulations are located in Admin. Code Title 15, Chapter 1513, and Revised Code 1501-13 (for coal).
- CONSOL Energy has owned the property since at least before the early 1980s, and will try to provide more detailed information on how long they have owned it.
- Cattle grazing has been occurring probably since the mid to late 1990s.
- The forested areas were most likely not mined.
- CONSOL Energy will try to provide the approximate total acreage of this mine site, but it was guessed at approximately 2,500 acres.
- The site lies within Cadiz Township, Harrison County, Ohio.
- ODNR would have old permit records, reclamation guidelines.
- CONSOL Energy personnel had no knowledge of the well that the database search indicates is on or near the site. However, since its owner is listed a Hanna Coal Company, which subsequently became part of CONSOL Energy, it probably pre-dates mining activities and was likely destroyed during mining.

Visual Reconnaissance Inspection

The VRS of the proposed drop zone property was conducted on 14 October 2008. Mr. Sniezek, Lt Col Filoni, Lt Col Gutermuth, and Mr. Schivley escorted Ms. Castellanos and Mr. Rykaczewski during the survey of the property.

- There is a single road traversing the central portion of the proposed drop zone.
- The center of the proposed drop zone along the access road is relatively level; however, sloping areas are present to the north, south, and east. Two apparently artificial ponds created during the mine reclamation, are present in the northern portion of the drop zone area.
- No structures are present.
- The vegetation on most of the site consists of grazed grasses, legumes (clover, vetch), and other herbaceous plants (e.g., chicory, aster, queen anne's lace, goldenrod, teasel).
- There is a "puddle" near the center of the circular drop zone. It was dry during the site visit and appeared heavily trampled by cattle; however, some bulrushes (wetland species) were observed growing. It appeared than when full of water, it could be 1.5-3 feet deep.

- There are small wooded areas on the southern and western areas of the property. The southern wooded area also contains some wetlands and a small creek. Airdrop activities are planned for the center of the lease area (within 300 yards of the target) and should not affect the wooded and wetland areas near the perimeter.
- Tree species noted in the southern wooded area include sycamore, black locust, sugar maple, silver maple, cottonwood, ash, and black walnut. Common understory plants noted are poison ivy, brambles, and bush honeysuckle.
- Wetland areas included cattails and willows.
- White-tail deer and several bird species (mallard, northern harrier, black vulture, turkey vulture, kestrel, crow, northern flicker, and yellow-rumped warbler) were observed on or near the site.
- The site is within the 911 AW's low-level training area and they currently fly aircraft as low as 500 ft above ground level in this area; however, the frequency of low-level flights at this specific location would increase after establishment of the drop zone.
- Local emergency personnel would be contacted in the event of injuries

Local Data Collection

The ODNR office in Cadiz, Ohio (this location is for soil conservation only) indicated that the nearest ODNR mining office is in Cambridge, POC is Dave Clark, (740.439.9079), and the nearest ODNR wildlife office is in Akron, POC Daniel McMillen (330.644.3802 X3025).

The engineering department in the Harrison County Courthouse indicated that there is no county general plan and that neither Cadiz nor Athens townships have any zoning.

Action Items

- Mr. Sniezek to contact Max Shiflet, environmental manager at the Youngstown ARS, for a potential IICEP mailing list relevant to Ohio.
- Connie Barrett, real property (412.474.8721) to look into whether the U.S. Army Corps of Engineers has started the real estate process for leasing the drop zone property.
- CONSOL Energy to try to provide the following:
 - Copies of deeds for the parcels included in the potential lease area
 - Copy of, or date of, the final bond release for the applicable portion(s) of the mine site
 - o How long CONSOL Energy has owned the property
 - o Information on previous owners
 - o Information on previous land use
 - Approximate acreage of the entire mine site
- Earth Tech AECOM to provide example agency consultation letters to Mr. Sniezek.

Data Collected

The following materials were collected:

- Environmental Assessment for Project JLSS 93-0042 Bivouac and Exercise Area Mingo Drop Zone, Pittsburgh IAP ARS, May 1995
- Memorandum for HQ AFRC/A3TA, New Drop Zone Procedures, March 2008
- Final Pest Management Plan, Pittsburgh IAP ARS, August 2008
- General Plan, Pittsburgh IAP ARS, December 1998
- Final Hazardous Waste Management Plan for Pittsburgh International Airport Air Reserve Station, Ecology and Environment, Inc., February 2003
- Final Hazardous Materials Emergency Planning and Response (HAZMAT) Plan for Pittsburgh Air Reserve Station, e²M, March 2008
- Integrated Solid Waste Management Plan for Pittsburgh International Airport Air Reserve Station, Ecology and Environment, Inc., March 2003
- Stormwater Pollution Prevention Plan, 911th Airlift Wing Pittsburgh International Airport Air Reserve Station, Moon Township, Pennsylvania, EA Engineering Science and Technology, Inc., August 2006
- Electronic files of figures showing drop zone boundaries, no fly zones, and parcels.

If you have any questions or comments, please contact me at (909) 554-5052.

Very truly yours,

Earth Tech Inc.,

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Carl Rykaczewski Senior Environmental Professional

cc: Frank Sniezek, 911 MSG/CEVE Marsha Denning, HQ AFRC/A7KA **G3: VISUAL SITE INSPECTION FORMS**

Cadiz Drop Zone
AOC ENVIRONMENTAL BASELINE SURVEY Date 10 14 2608
UST & ENVIRONMENTAL ASSESSMENT Inspector(s) CDP, AC
AST Visual Reconnaissance Survey (VRS) Facility Escort(s) FRANK, LTOL FILON
Accum. Pt. Organization(s) $\overline{E7}$ \overline{Corsec}
Facility: # Name/Current Use CADIZ D20P ZONE
Past Use: Same as above STRIP MIDE (RECLAIMED)
Location/Topography: POLLING HILLS, SW of CADIZ
Year of Construction: Major Renovations: Redaining Activities
Does/Did facility use Hazardous Material: Yes No Types:
Does/Did facility store Hazardous Material: Yes No Types:
Does/Did Facility generate Hazardous Waste: Yes No Types:
Does/Did Facility store Hazardous Waste: Yes No If Yes Accumulation point #
Years of Storage: Other
Types of Storage:
Disposal practices:
"Housekeeping" in and around building is Good Poor Artspice 5/c
If Poor:
Effluent/discharged waste destination:
De Other: None - Natural
Conditions not mentioned that present concerns:
Interviews: LT. COL, FILODI, TIM SCHIVELY (CODSOL)
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BUILDING INSPECTION CHECKLIST

Are there any signs of the following on the property <u>Y</u> Yes <u>N</u> No <u>Unk</u> Unknown

		<u>Content</u> <u>Size</u> <u>Status</u>			
A)	N	UST	J)	<u>N</u>	Noxious Odors
B)	<u>N</u>	AST	K)	N	Radioactive and Mixed Waste
C)	N	OWS	L)	N	Fill Areas/Buried Objects
D)	N	IRP Site	M)	N	Drums/Drum Storage
E)	N	Waste Piles/Evidence of improper disposal Minor AOC	N)	Y & Some	LALE-ULE BODIES Surface Water w/in ft. to _
F)	4	Transformers PCBs Unknown	O)	<u></u>	Sensitive Receptors w/in ft. to _
G)	N	Floor Drains discharge to	P)	N	Flaking Paint
6)		Floor Drains discharge to	Q)	N	Potential ACM
H)		Evidence of Spills/Staining	R)	<u>_</u>	Other
1)	4	Discolored Soil/Stressed vegetation			
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G4: ENVIRONMENTAL LIENS SEARCH

The EDR Environmental LienSearch[™] Report





Busby Rd & Slater Rd HARRISON Cadiz, OH 43907

Project Number: 2336628.7S

The Standard in Environmental Risk Information

440 Wheelers Farm Road Milford, Connecticut 06461

Nationwide Customer Service

 Telephone:
 1-800-352-0050

 Fax:
 1-800-231-6802

 Internet:
 www.edrnet.com

Index Date: 10/31/2008

EDR Environmental LienSearch™ Report

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

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

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

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

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EDR Environmental LienSearch™ Report

TARGET PROPERTY INFORMATION

ADDRESS

CLIENT REF	2336628.7S
Site Address	BUSBY RD AND SLATER RD
Site CSZ	CADIZ, OHIO 43097

RESEARCH SOURCE

Sources:

HARRISON

DEED INFORMATION

Type of Deed:	Conveyance of Coal Properties and Reservation of Production Payment
Title is vested in:	Consolidation Coal Company, a Pennsylvania Corporation
Title received from:	Consolidation Coal Company, a Delaware Corporation
Deed Dated:	09/15/1966
Deed Recorded:	
Book:	157
Page:	55

LEGAL DESCRIPTION

Description: SITUATED IN THE STAE OF OHIO, COUNTY OF HARRISON, TOWNSHIP OF SHORT CREEK, BEING MORE FULLY DESCRIBED IN VOLUME 157, PAGE 146 RECORDED IN THE COUNTY OF HARRISON, TOWNSHIP OF SHORT CREEK, OHIO.

Assessor's Parcel	04.0000094.000
Number:	04.0000072.000
	04.0000070.000
	02.0000271.000
	02.0000212.000

Environmental Lien:	Found 🗌	Not Found	\boxtimes
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If yes:

OTHER ACTIVITY AND USE LIMITATIONS (AULs)

Other AUL's:

Found

Not Found

EDR Environmental LienSearch™ Report

Copy of Deed and any instruments.

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(e) "Effective Date" shall mean 11.59 P.M. September 13, 1966, determined as to each locality in accordance with the time then generally observed in such locality.

(f) "Exhibit 4" shall mean Exhibit A attached hereto and hereby made a part of both Part I and Part II hereof.

(g) "Gross Jacons" shall mean "gross inchms from mining" under Section 612(a) (1) of the Internel Revenue Oeds of 1954, as in effect on the Effective Date.

(b) The term "independent", when applied to any parson, shall mean a person (1) which is in fact independent; (2) which does not have any makentahil interest, direct our indirect; in the Granies or in any Affiliate of the Grantes, (3) in which the Granies er any Affiliate of the Grantes, (3) in which the Granies er any Affiliate of the Grantes, and (4) which is not chantiel interast, direct or indirect, and (4) which is not econected with the Grantes or any Affiliate of the Grantes as an officer, employee, promoter, underwriter, trustee, partner, director or preven performing similar functiona.

(1) "Mag" shall mean a single facility or related group of facilities for the extraction of Subject Coal. Whisther a facility or group of facilities constitutes one or more than one Mine shall be determined in accordance with the outdown'ry protices of the Grantes consistedly applied; provided, Aspesser, that the facilities loanted in each Developed Subject Inferent described or reterred to in Appendix II to the Weir Report shall constitute . a single Mine.

(j) "Miss Espansion" shall mean an increase, other than an increase described or referred to in Appendix I to the Weir Report, in the mechanery, equipment or other facilities comprising a Miss'to the extent that the same results hi an increase in the Rated Miss Capacity of much Mine.

(k) "Not Mine Reveaus" with respect to any Davaloped Subject Interest shall mean the Gross Incesses attributable to Subject Casi produced from such Davaloped Subject Interest

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. ÷ (6) "Perce mojerra", the meaning stated in Sociion 2.3; (3) "Application Report", the meaning stabed in Section . Sum" and (9) "Primary Buss", the mounting stated in Bection 1.8, ug otated in · (B) "Paying Quantities", the maming stated in Section terminated or properties, be-(i) The following terms that have the following respective membrage: (1) "Accounting Month", the meaning stated in Section ming sisted (7) "Inditial Production Peyment Perventages", the mean-ing elated in Beedlon 11; (r) "Understoped Sudjest Jatorss?" shall mefn any Sudjest Interest which, on the data of detarmination, is setting a De-reloped Subjest Interest nor a royally Interest. (a) "Weir Raport" abal mean the explore the report (in-chulter Appendiese I, TL III and IV thereb) disted March Ef, 1969, as muranded by Rapplement No. 1 thereto laked July R, 1999, prepared by Peal Weir Compary, Incorported with report to the Subject Intraver, copies of which are in this pou-sension of the Oranice, the Grantes and the Production Pay-ment Grantes. QU BUY ited or er-(5) "Continential", the meaning stated in Section 4.1, ÷. j (3) ""darigmed "Appurtononeer", the manufa wi 157 ave 60 (10) "s alook Portion of the Princory "s 18/20% Portion of the Primary Run", stated in Bortion 1.3, scribed or referred to in Buhihi A and which cor active of the Sonjeet interests overed by much ty expired less ahall, to the actent it cover and considered a regression of and both form (4) "Consol Praduction Psymeet", the t and a second state of the second second second pind lease. 131 ν. Jú ä Ĩ ÷., 2 . . 3 j • .

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10 (b) below, a similar adjustment from such Initial Production Payment Paraanings shall take piace with respect to such Subject Coal on the first day of each succeeding salendar month. (b) If, however, as of the close of buriness on any dots specified is the table below the uniquidated halance of the Primary Som shall be greater than the amount specified opposite such date: Dee: Primery Sum Date Printy Loss Jan. 1, 1908 \$450,000,000 july 1, 1975. \$222,000,000 July 1, 1968.... 438,000,000 Jes. 1, 1978. 207,000,000 Jan. 1, 1969..... 428,000,000 July 1, 1078. 190,000,000 July I. 1089..... 413,000,000 Jan. 1, 1977, 173.000.000 july 1, 1977. 157,000,000 July L. 1970..... 380,000,000 Jan. 1, 1976. 141,000,000 July 1, 1978. 125,000,000 July 1, 1971.... 349,000,000 Jan. 1, 1979. 108,000,000 Jan. 1, 1978..... 333,000,000 July 1, 1979. 91,000,000 Jun. 1, 1980 74,000,000 Jan. 1, 1973..... 300,000,000 July 1, 1980.... 58,000,000 July 2, 1973.... 225,000,000 Jen. 1, 1961... 38,000,000 Jan. 1, 1974.... 205,000,000 July 1, 1981. . . 10,000,000 July 1, 1974.... #\$3,000,000 Nov. 1, 1981 and Jan. 1, 1975..... 239,000,000 thereafter. -0-

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Thes, all Production Payment Percentages for Subject Coal in or produced from or assuming or attributable to the Developed Subject Interests shall, communing with such date, be estimatically adjected to whichever of the following ulternatives will canne the Granior to reserve the larger interest (in terms of value) in the Subject Coal produced from all Developed Subject Interests, taken in the largeregate, in the estendar month is which each adjustment coores

(i) the Initial Production Payment Percentages for such menth, or

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(ii) such percentages as will result in the receipt by the Granter of 100% of the Net Mine Rovenus, plus deprediation, attributable to Subject Coal produced from each Developed Subject Jatevest during each month.

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Subject to the provisions of paragraph (c) below, a similar adjustment shall take place on the first day of each succeeding calendar month for Subject Coal in or produced from or accruing or altributable to the Developed Subject Interests during such month.

(c) If the unliquidated balance of the Primary Sum on or prior to any data spabilized in the table above subsequent to any edjustment provided in paragraph (b) above shall be equal to or less than the summing spacified oppositie wooh data; then, commanding with the first day of the calcular mouth in which each condition occurs, an adjustment from the Entitial Production Payment Persentage applicable to each Developed Subject Interest shall again take place in the manner provided in paragraph (a) above.

(d) The foregoing paragraphs (a), (b) and (c) shall apply to summarive situations. In me event, however, shall the provisions of this Section require its Grantor to return to the Grantse any proceeds of Production Payment Coal received and applied by the Grantor pursuant to Section 1.2.

Any Twis Downmance Functions Writting that, for the conelderation storeshid, the Granics by these presents does, effective bats, or the Effective Dats, grant, bargein, sell, convey, assign, transfer, set over and deliver into the Granics all of the Granize's right title and interest in and to all property, whether personal, real (other than Ceal interests) or mixed, tangible and intangible, and all improvements, essence in the set of the set of the set of the set of the set on or used of needed or held for future use in connection with the exploration, development or operation of the Subject interests, or the mining, presenting, treating, esting or transportation of Cost therefrom, including, but not by way of limitation, all rallroads, tracks, sidings, Miss tracks, rolling stock, storage facilities, bolders, treat ways, care, only mators, fans, denning, preparation and other plasts,

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TRANSMENT RECORD

. A. Unless the context otherwise requires, the works "Sub-lest Cost," set "Producing Payment Coal" shall be desmod to include the proceeds of stoch Cool, without any identition on account of any outly, sharges a superse. B. For the discharge of the Coursel Production Payment the Grantor shall look acalatically to the Production Fayment Coal and the Grantes shall not be lights for such discharge. multipe thereof or miniting ar the proceeded sindiant is multipe thereof or minod from any Subject Interest and rated by the Grantes in conformity with good industry prastings for miniting or proceeding operations confineed and Baonon 1.2. Certain Provisions Geoerstay Production Payment 1. All the provisions of this Conveynment theil be oblight to the vertage: able out of any products resulting from any makinoturing or properties of paralace, ansays to the crimes to their portions of much products the values of which represents the Gross fromme such relatives to the Southert Coal. reputre for any G. The Consol Prednetion Payment shall not he discharge-D. The Consti Production Payment shall notibe discharge To Harn are to Han the properties, rights, titles, intravets, estites, powers, privulages and apportundens barries. Franked, bar-geitet, sold.conveyed andpred, transformed, sei sere and dailwared as advisesid muto the Grantse, its seveneses and andgras, forwar, scientsileigi telephone and ledegraph lines, rousis and other appurtenenties, all such property, improvements, seasmants, permitis, lleamers, servitades, rights of way and other cichts as aforested bands bands, called the CA. DOVOZ ion Parm Totaratio ne, transformer yards, p 200 va 157 me bů leave, subleses or and granted of suy of the Bubject other machinery and E. There shall not be included in the Fredra 1 able out of any bonze which the Grantes shall olatag machines, keading e, eabetuth 3 ļ and reserving as plorenid. Alitented Appertune toola, implement abovela, dragilm un an lièr, in i de la competition de la comp ľ į -. • •

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Ð 157 mg 67 the Radial Mine Capacity of and Mine as projected prior be web, Mine Expansion, "Researched Costs" shall malache only the statual cost to the fituation differ, there is a the other territories mutaterial, sequipment and supplies (Instanting a reasonable fullocation for division overbeed and ganeyrs ed-ministrative severated), and futurents part to fachereder contractors of others, to the articul mode and ganeyrs ed-ter the designing, installing, completing and the production for the designing, installing, completing and prior for a New Mine edit of the Expension for the production of Sub-fer Cost, built monotion with maintaining and New Mine er Mine Reparation or sup that maintaining and New Mine er Mine Reparation or end than submission ends any euti-interned in homostica thereases or any hairsel, furmedar, in computing Net Mine Barewso or any hairsel, furmedar, depletion or depretation to the radiations ends. any Subject Goal marked frame and starts or advancement out or elempter to [301 A.M., local itize, on the first day of the ediendur anoth natt encoveding the estimate month in withdu the weighted month natt encoveding the estimate month in withdu the weighted month natt encoveding the estimate month in withdu weighted and the Ala Maho Sevenal from and Nav Mine or stitutizablair of Subject Cosi produced from and Nav Mine or Nius Extension, as the case may be, theil equal the Recom-bile Cests which shall, have been immurated by Us, Granbas in initializing weigh Nav Mine or Mine Nattern in the event that any Nine within the emblest of a Mine Expansion in the stary Mine with the emblest of a Mine Expansion in the producting or service shall also defined the producting or service shall be defined by the start that much Mine Expansion. Subject Cosi shall be dermed its his predined from reach Mine I Expansion is dermed its his predined from reach Mine I Expansion is dermed its his predined from reach Mine is such year ensored by the total production from reach Mine is such year ensored No. of the other states of the producing Eurijeet Ceal frum the Subject Interests, but only so Jong as such Ceal is so used. Ξ Subject to the provisions of paragraph (2) below, reduction Payment dual not be dischargentie out of (3) Notwithstanding the previsions of paragraph (1) about the construction properties and the prevision of the number of the organization of the restored on any providenties of the respondent of the respondent in the respondent for the dynamics of the respondent of the responden ę ī, IN TOL W ទ ţ -3 the Contol Pr P. (E) i, . and a standard the standard 7 î. {.

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ŝ ÷ 3 C. An amount squal to the agregation of all emounts which Į ing Month for the preseding Account to a said unliquidated bulances on D. (1) An amount equal to the aggregate of all research expenses (inuinding all researching fees, documentary sta arress, other transfer larse and all these mail arrestness of com increase, other transfer large and at pathle accomptants and other proceedings experted of any underse (or its monestory of indoresity experted of any underse (or its monestory of indores) an Perment equent computations to be made mosthly on 157 ł 15, 1969, up to and including Dessurbsr 5, 1960, on to at 1443 militudiated bainzons on September 13, 1965 ¢ (*) "Any and the second sec 4 4 4 la la la a v 2 tigni) of the Granter Ind mortgading and tranter . any park thereof, the prep-A. Wandalah ALL AND ALL ADDRESS OF ALL AND n de la compañía de l TOTAL STUDIES IN THE OWNER OF ł 2 1

: weeks if (through liftgation or otherwise), relates by discharge of any gariners obligo or Amanda musi by represent affecting, in any manner whetherer, the Connel Production Paymeri or the Production Prymeric Cost, which shall have been pick or metric Production Frynowic Cost, which shall have been pick or metric Production Frynowic Cost, which shall have been pick or metric the strain antiques (or the recensor or stagets), signed with an iterest the rest there or the rate of 95, per summ from the date of payment provided, however, that the sufficient environe (exclusion of smontus provided, however, that the author architest (exclusion of smontus realest of the rate of any much architest on account of all rath expanses (other than expicates is everyst oblight or contact, investor the activity of the activity and averyst oblight or contact, in balance (there than expicates is averyst oblight or contact, in solares (there than expicates is averyst oblight or contact in a other activity of the formation Production Payment shall not accessed this,000,000, and r auru tan artarnou masoo that the Grander shall be satisfied to receive and realize cest of the Preduction Payment [Oasi the full spreager and realize cest of the Preduction Payment [Oasi the full suppression and other of all costs, shraved to its pathoolene A and 30 of this Basico, free and darr of all costs, shraves and repre-to the Boticol and there and above only active the and art this Boticol and accurat described in Subsections C and D of this Boticol and accurat described and specified in Subsections O and D of this Boticol and accurat described and specified in Subsections O and D of the Dottle Subsection. 2000 per moada which may be charged by an agent on behalf of tenders making any and home or acts prochessa, to defroy the internal accounting and beolitespice expenses of ann agent in Granter amount so pedusted shall ation Payment Coal reselved of moneys on 2 une or the subof notes and the int freed All tares imposed or assessed with respect to or massured by ant Odal sipt and Cabt . (2) An amount oqual to all fees aggragating but in erand from the pro ł 2 1 157 me. against or attributable to the Production Part sonneuton with the receipt and disburiement by it and a state of the second second lowments related thereto, the obtaining of any is any interest any total any total thereby (indeding enty a ection therewith), the receipt for the account 2 for which the Greator is Uable may be ded Preduction Paymest Coal and puid for t ಕ್ರ Lesount of any such loans or nelse; 걸겋 2 and, in the case of any much ded Ş 8 ment of money ę Ĩ payable of Mar 5 charged 3'5 į 3 ۰ ۲ ٨. -. ÷ .

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6.00 P. 44/151 COLUMN CITUDE , T NO. 3562 us arcord user and a sum and a sum and a single de set of and Accurate day of uply a similar model without dalaying the set of and Accurate the Meach): For all purposes hareof, proceeds of Production Farment Coul shall be desand of barro bean reactived by U: In collected funds, when such proceeds shall have bean reactived by U: In collected funds, "The fipendur shall datamine the particle of the proceeds of Sub-ject Coal setsadiy reserved by U: In a mortismant of the providen of Sub-datalian Farmation and adatamine the particle of the provision of Sub-datalian Farmation and barris of (1) the provisions of Sub-field (11) that regions of the financian reference of Societion \$3. (herein and an "Agplication Report") operating rech below, and canh proceeds shall be docured to have how recorrivit and heipplied intensificately after the openator of buaintension. Decomber 6, 1960. Thereatter, the proceeds of Stublest Courl actually reading to this Orrange after the openator of buaintension on the fast day of anoth Accounting Month shall be desced to be precased of Production Fer-minst Coul to the arter the openation to be precased of Production Fer-minst Coul to the arter the optimized to be precased of Production Fer-minst Coul to the arter the descend to be precased of Production Fer-minst Coul to the arter the optimize of have and a the bear and area browed a shall be descend to have bear restricted below and area proved a shall be descend to have bear arteoired and a the initiality after the optimize of businesses as the first day of the anti-ucconscipt Accounting Month. m. 157 ma (hered) opt have The farm, "Accorsing Horst," shall meen any period comdendar with and incideding the 3rd day of any calondar month and onling on 2 nart exceeding Accounting Month shall communes with and fucious the second of the nart two consecutive bustness days following his 2nd LINE OF and including the and day of the next succeeding contendar month, provided however, that it either the 2nd or the and day of any chlondar shall be desured to be proceeds of Prothotion he extent determined by the Grantar as provided â otion Z month shall be n Saturday, Sumlay or legal hollday usdor the in Naw York, the Accounting Month nermally eading in seeh calt month ushill stud on and include the first of the wart two confect business days following the Sad day of such collendar month and proceeds of Production Payment Oaklor Report") coveri-proceeds of Production Payment Oaklor a talegraphic adrice also to the Granter duffrened by the Grantha to the Grantor and ing the remains of such Report. on any date of application specified about on the development of Application Desired the development of the ada of Pr to the close of 3 VI JOY WY IN of this Conversion the pr 8 the Granton wiar den 2 II, however, olfa'' a belle For all actually ver • .: NOV. 17. 2008 6: 18PM -ARCAL . A Shaker . .

received an Application Report (or talegraphic summary thereof as aforeasid) covering proceeds of Production Payment Coal to be desceed received and applied on such Regular Application Date, all proceeds of Schlock Coal then in the persention of the Grantor and not sovered by an existing Application Report shall be desceed and applied on such date as proceeds of Production Payment Coal.

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When such proceeds of Production Partnest Coal have been so described to have been received and applied, say remaining proceeds of Subject Coal in the powersion of the Granter and specifically identified as such by an existing Application Report shall be forthwith turned over by the Granter to the Grantee.

Freeseds of Production Prynant Cost shall be descend to have been applied on each Regular Application Date as follows:

First, to the amounts referred to in the foregoing Subsection B of this Section scarned up to (but not inslading) such date, and

Second, to the amount referred to in the foregoing Subsection C of this Section, to the extent then excertrined, and

Third, to the amount referred to in the foregoing Subsec-

Fourth, the remainder shall be applied

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(i) 100% to the reduction of the unliquidated helance of the 3 8/20% Portion of the Primery Sum until the Houldation thereof, provided, kousever, that if the 5 8/20% Portion of the Primery Sum shall not have been completely liquidated on or prior to March 15, 1976; thereafter such remainder shall be applied 50% to the raduation of the unliquidated helance of the 5 8/20% Portion of the Primery Sum and 50% to the reduction of the unliquidated helance of the 5.38/20% Portion of the Frimery Hum, until the liquidation of the af the 5.8/20% Portion of the Primery Sum, and

(ii) after the liquidation of the 5 8/20% Portion of the Primary Sum, 100% to the reduction of the maignifiated balance of the 5 18/20% Portim of the Primary Sum;

provided, Accourt, that, in the event and proceeds so deemed applied on may such date shall be insufficient to cover the appreciate amount

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AT LOUGH R "롐 Encreme 1.4. Menikering casd Taking in Kind. The Grantson shall use due diligenese to expand the markets for Shalpost Ooal and he Odal fring, antending and markething all contrasts for the sub-of Odal (whighest Shither Chail are remediating all contrasts for the sub-(whighest Shither Chail are remediating all contrasts for the sub-(whighest Shither Chail are remediating all contrasts for the sub-trastice strandship bould le Shither Oasl and the semi-Bullyon Oou, again carried a strandship bould le Shither to the Grantson rand aball suit discriminate against Shithert Chail day partorn and Suligistican performables by it The Grantson should full the presention and Suligistican performables by it portion theoreticat and agreemently activities (rands outcomes with the portion barrowly which he preventions of this Shither (and contrasts and the secondarese with the preventions of this Shither (and contrasts and the secondarese with the preventions of this Shither (and contrasts and the secondarese with the preventions of this Shither (and contrasts and the secondarese with the preventions of this Shither (said contrasts and the secondarese with the preventions of the Shither (said contrasts and the secondarese with the preventions of the Shither (said contrasts and the secondarese with the preventions of the Shither (said contrasts and the secondarese with the preventions of the Shither (said contrasts and the secondarese with the secon Payment and the action of the amounts referred to in the payment. When said the acrevents over of the amounts referred to in the foregoing Generations in the two beam restricted in the foregoing Generations in the two beam restricted in the foregoing the Consol Freduction Payment shall be fully dischargid, as afforently the Consol Freduction Payment shall be fully dischargid, provided, hence the the Consol Freduction Payment shall in even event, forthwith narrings a the Consol Freduction Payment shall in even restricted, hence the Effective Date of the the descendants in fitteeners for the fully and the entrieve of all the descendants in the set broke on the Effective Date. The formation date, append the set broke of any realization and upon receipt by it of antificially indemnificiality against fittee by reason of the set described in this detector Excertain and it the expenses of the date and intributy indemnificiality against reason of the Botton 16, it shall scenario and deliver, upon request in the by reason of the offeration deliver, upon request and it the expenses of the diration for the set may be medianary or appropriate to widenous the formulation or discharge of the Oreacel Frontenion of the Oreacel for the formation deliver, upon request and it the expenses of the offeration contents and its down that the expenses of the offeration or discharge of the Oreacel Frontenion 2 and the ordenous the formation and the restrement of the Oreacel Frontenion 2 and the orden of the Fri-denous the set of the Oreacel Frontenion 2 and the orden of the frame of discharge of the Oreacel Frontenion 2 and the orden of the frame of the orden of the orden of the orden of the Oreacel Frontenion 2 and the orden of the Oreacel Fronte G the other, scottling to the responsive amounts scortes of and anarchined under said Chasse What is respect of asoh seal. Portion, and the uniquidated balance of scat acid real Portion shill be structured for yr the amount of the related dedisory; and provided, forther, that amounts thereafter scortuling permants to fisheredan B of this fleeting by reases of each role amounts of the provide from Bubliet Doub produced in any state where applicable have presided and the provident in the state of the where a polymbic from Bubliet Doub produced in any state where applicable have presided and 21. reing Oleues Filmt, such prospads shall be deuted of the Primery Sum or the 5 13/20% Portion of the Primery Sum ore ł Ę . ż ξ To' ist 2 1 5 ÷ ÷ ŝ referred to in the applied ratably, 7 : / 1. T. L. ÷. 1.22 .

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Coase Production Payment specified in Section 1.3, the Grantor shall be compelled for any reason to make any payment or restitution, or such payment or restitution shall be made for the Grantor's account, an account of proceeds of any Production Payment Coal therefore resolved by the Grantor (which proceeds shall be desined to have been proceeds most researching applied pursuant to Sketion 1.3.) thus the respective unliquidated balances of the 5 5/20% Portion of the Primary Sum and the 3 13/20% Perions of the 5 5/20% Portion of the Primary or restitution shall be made, by the proceeds a which the payment or restitution shall be made, by the receptor amounts of the proceeds so paid ever by or on behalf of the Grantor (plus all amounts which the Grantor shall be compelled to pay in the nature of interast, damages and phanilies) in capacito of the stated portions.

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ARTICLE SECOND

PROTECTION TO PURCHASING OF PRODUCTION

Eastreev 3.1. Payment is Gravier. In the absence of any written notice to the copirary front both the Grantez, and the Grantee and intil the discharge ar termination of the Cousel Production Payment, any parson purchasing or taking any Subject Coal is authorized and directed to rural directly to the Brantor the proceeds of the sale lor other disposition of the Initial Production Payment Porcentages of the Subject Coal and shall have no liability to the Grantee for any such proceeds so ramitted. Subject to the provisions of the Conveyance, the Grantee shall rent promptly to the Grantee any accesse of the proceeds of the Initial Production Payment Percentages of the proceeds of the Initial Production Payment Percentages of the proceeds of the Production Payment Coal and, to the arises the proceeds of the Production Payment Coal and, to the arises the proceeds of the Production Payment Coal aball access the Initial Production Payment Percentages of the Subject Coal, the Grantee shall rent promptly to the Granter such screeks.

Shortow 2.2. Notice. No parson purchasing or taking any Subject Coal shall be required to take motios of, or keep informed as to, the discharge or terminative of the Coasel Production Payment whili the solution required by much person of written notice from the Grankor advalues such persons of such disoharge or termination.

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A CONTRACTOR OF a 157 an 77 A. the Stablest Interests to be mathrichted, and the De-velopied Stubicst Interests to be operated, insproved and (dil-gently minad for the production of Codi, the n good and work-manility munad for the production of Codi in a good and work-gently minad for the production of the stable stable precision (Inchatting and In good and work-approximation of surface and literal angoin approximation of surface attant). (2) all applicable four-tion the resinantion of surface attant), (2) all applicable four-tion the resinantion of surface attant). (2) all applicable four-tion the resinantion of surface attant), (2) all applicable four-tion the resinantion of surface attant), (2) all applicable four-tion the resinantion of surface attant). (2) all applicable four-tion the resinantion of surface attant), (2) all applicable four-tion the resinantion of surface attant), to the scale attact the stable four other attacture attact and the surface attact attact and other attacture attact and the surface attact the stable contact of any pro-duce and constant to good fusibly, to the action of the duce and the available mathet for each Coal is duce attact in such attact for each Coal is and attact attact of a surface attact for each Coal is and attact attact of the surface attact for each Coal is and attact attact of the surface attact for each Coal is and attact attact of the surface attact for each Coal is and attact attact of the surface attact for each Coal is and attact of the Bainma 31. Goad Fock, Is extrutating all rights, and is per-forming all shightforms, granted or imposed by this Conveyzand, the Grantes shill actricise the utmost good faith to the Grantor and shall not discriminate against Froduction Fayness (cal. ¥ t ng Defend ł G. all to be deel that, seconding to grannity zosisti presides of prudent sparators in the industry, may be appr princh to matterin may presend from diminution the generity. Bubject Coal recoverable from the Shiblest induced and fre and Mine Joseted therean. B. to be carried out (without in any manuser Mudhing mattiers counted in the fortuguing Subsection A) the david ment program somismulated in Appendix I to the Weir Bey subject, Accesses, to any dalays accessibilited by force major Secred 3.1. Operation of Subject feterests. He lear so the set Preduction Ferment shall remain in frees that Shout (but the the preventions of Section 3.3), the firmton shall, at the over successed and triverpatives of who may be the operator of the Stab linkrests, equee THERE IS NOT THE PARTY AND ADDRESS OF autee hareby covarante as follower CONTRACTS OF THE GALIFICS See 161 M ABTICLE THERD 4 5 : No. . ٠, La Charles Sector Sector

Ì ŝ į kind now or bereatter seesaary or usaful in commetion with the anihing or processing of Eubyset Coal, to be priorided and cowied by the Granties free of all firm, durarge and soften tratous around the connected free of all firm, durarge and to be kept in good and effective operating condition, and up trapitive transwals, replace the second and texprovements thereof or thereto needfal-to such and to hyperpedy hand, and we in medianey or optimeth to such and to hyperpedy thereof ar thereof ar that we and and to hyperpedy and an around the extent that evel property is of a darredese would have dependently comparing operating basis areas and properties of the extent that E. all rentals and all royalties to be paid promptly with respect to and Bebject intarest which is a lassehold, and all other oblightions on the part of this formates with respect to the solver interaction arrians and in one implied under any lasse or expressed is or implied under any assignment or sublessed interest, to be guadenily performed, and said Subject Interest, and and right of way, essential or privilege hereitary or appropriate to the operation of each stoch Shibiest Datend, to be tray in the force and effect, free of eachibilion, fortestime or tray arrowd right of tarahation, by the partonnasse of whatever sums may become payable and by the partonnasse of whatever content of the Grantor, to be placed under a sufficient accordence gram of the Grantae); provided, however, that, so long as no Kennedial Event shall have occurred and be continuing, sothing asseeincarls and governmental charges imposed on the Grantes are of the properides, to be puid presentily when due, or, as to any thereof which are baking contested in good faith, promptly after the determination of each carbest: F. all machinery, equipment, buildings and facilities of any in amounts sustamently carried by such companies (or, with the against all risks usually fusured against by such componies an D. all liabilities of any kind or sature izarinned with rangest to or raized to the Subjest Interest, indening, without ilmits-ticon, all inbilities for out, abarrest and argument, and for in-fringmant of rights of others, incrured in on arliang from the administration, operation or revoration of the Subjest Interests or the mining or prossering of Subject Cost, as well as all taxes, vn 157 mm 78 obligations may become performable. ; ñ ۰. ; • .-7 . j نعت

ELTIDE SEL m 157 m 79 E. all of welcown traces (or targe imposed in lieu thereof) and all severences, while, occupation, gathering, allo and all severences, while, occupation, gathering, allo and all severences, while, occupation, gathering, allo and all severences of any first which we are of the first and assessment of any first which entroped a print of the first and any severences and allo a severences of any first which we are of the first of t verse claim or demand made by any person viscous areary ac-material adverse effect under by any person vision may have a could be the the proceeds harded, or of any presenting inclinated Could be the the strong and all usessants is and proper strops to will repeat that is a strong and all usessants is and proper strops to diligently taken at the exponse of the drawed in pro-defined the Subject interests and the drawed is protect and defauld bettered aginet may above and the or demand, including, but dot limited by the employment or are of commal (s) the protectuation or defaunts of linguiston and the commat (s) the release or different grant or und during the commant. 1 horain thail prarmat disponals in the ordinary course of brainess of math machinery, aquipment, buildings sad facilities from time to time; and payable. (2) defects or irregularities of title or a er usermbrances which do not interfere malarially written notice to be given to the Grantor of every I the properties, interests and rights referred in [a fion, of dathers five and slow, of dathers first start lies, the results and blow, observed er use of any Subject Interest with (2) Prednotion Sales Contra overy character, whether in axistance on the Effective witter arising, other than (1) tares constituting AN TONIAN OD 8 ; -due and payable. a ₫ After 1 liana, dearg with the of metarlatiy Bol 74 ٤ Lo interest . A. M. T. Į

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÷., : , •••ŝ Concerned to and . During the period that say much Mine shall be temporarily shul-down, the Giraries abell mainistim work Mine and all machinery equipment, brildhen und failue secondaries of the your benefice with the operation of stab Mine in phoridance with pro-tion protoces in the fadority under similar diremaismess. For the protoces in the consequence the timular diremaismess. For the protoces of the Consequence the timular diremaismess. For the protoces of the Consequence the timular diremaismess. For the protoces of the consequence the timular diremaismess. For the protoces of the consequence of the profile spin-dimature statiction, hereinforces of or diamate in guidentia, quarantific statiction, breakdown of or diamate in guidentia, equipment philutes or failure, orders or aching of Subject Orally or the restriction, transporties are objected the somethal of the diremate which attact thereoff protoked, hereofer, the fact for the armiticar could be a start indicer and several the ential of the direction of the armaticular phase the direct of restriction. For the other of the direct of the armaticar bus while a static three of protoked, hereofer, the fact the bus and the static the other to a static of the direct of the direct of rest bus and the armaticar are possible with all pearsmalle the effect of forces here the section of the static of the partial physics and the static the section of the static of the bus and the static the section of the static of the direct of the static direction of the static of the static of the static bus and the static direct of the static direction of the static direction of the static of the direction and the static direction of the static of the direction of the static direction of the static of the direction of the static direction of the static of the direction of the static direction of the static of the direction of the static direction of the static of the direction of the static direction of the static of the direction of the static direction of the static of the direction of the s Bhotturn R.t. Dujests and Liens with Ranger to Dowalsped Sub-food lancerist. In how remain tany daifout or thraphalicita of tild, or my liens, darges or encounterscont whicher stinking in the Effec-tive Data or thereafter arting, abull have inhibition to all the Data-hartones with the production of coll eithbulkie to any Dowaloped Bubble Lindernsi reformed is a Appendix II to the Weir Bayort, or attributable to any other Dowaloped Bubbal in any the anterial production of Coll from which has replicated and Appendix of the production of Coll transmission the state of the Appendix II. the Grantse shall operate and has the referred to its add Appendix Odd from a Dowaloped Subject Interest referred to the add Appendix of the futures the small operate and has the referred to the add Appendix of the futures the small operate and has the referred to the add Appendix of well interest its small appends train a future state is its respected for of well interest its small appends train whose bead the risk at the based of well interest its small appends train after product for the rule at the subject Sub-of well interest its small appends train after arting the rule is a the rule of the rule at the rule of well of well interest its small appends train a future train and the rule is the rule of the to the Thereich and The series and series part of the Coal freen which has replaced the production of the Coal freen which has replaced the production of the Coal Series and Internet reference the Internet Appendix able operate and fines the affected Developed Sab with memory at the overcome is all respons the affect see, including ruch affect upon both the rute at which these the morably each to be taken into second in computing Wit Mass Reverses with suggest to all Subject Coal and which would not be instantion production of Subject Coal from such Miss be disanchined, or (4) so long as, and to the extent that, force mujerre shall prevent the preduction of Subject Coal, from such Mine. ine Great Income attributable to Production Payment Coal) will be issu 2 moh Mite and the second sec m 157 m 64 Eroch a 8 1 Bubjeet Coal to be prod 2 5 ŝ ۰. ,

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2 A. Within 50 days atter the shote of each finest year of the Greates, a report prepared by or for the Grantes and in form and posts antibiotry to the Grantes and in form and posts antibiotry of the Grantes and in form this result. (3) the quarkity of Subjert Onal recoverials from the Undersloped Endiser fatterends. (6) the projected date upon which the Omaie Fredoristor Fatterends. (8) the projected date upon which the Omaie Fredoristor Fatterends. (8) the architecture of the astions three these the Effective Pole in computations (4) the astions three these the Effective Pole in computation of the antiput comparise Outs provisable from first the amount of any Resonantian for the discover of any Sive Miss or Mine Expansion as of the down of any part, a well as the Grantes's estimate of the down of any part, an well are from the Mills will have blow for on the problemed during the frantes's estimate of the down of any provised date which the Wills will have blow for the on-port is attered. and the state of the second B. Upon request of the Granter, but mit more than one in any calondar year, all mach intromation and argorts as are necessary to accepted the forma, statuments' valuation reports and other require the forma is most the year the and other required by had to ness the requirements and attary its requests of the Committee on Valuation of Securi-ties of the Nethana Association of Innervance of Commissioners, or any governmandal arthorities herbary regulatory functions affecting heath, justurene comparies or methal ford. Berrtow 2.5. Reports to Greator. So long as the Corned Produc-tion Payment thall remain in forme and effect, the Granice will at its own expanse furialish to the Grantor, in each number of coditionparts an the Grantor may reasonaby respond, the following: C. Within 30 days after the end of sheh quarter-annual period (hased upon the flees) year of the Ortantee), a veport manal period, the on enunce to request an investigation and report by an independent segment of its dolors with respect to the effect of and interference and the adequest of any solion proposed or taken by the Grantes to everoome the effect of and interformes. Grantes), a report respect to each the utte biste bis showing for and quarter-mining period with fee existing division of the Granies, the Green Infou Subject Coal produced during and quarterien Na. 157 ms. 86 ł 1 2 1 Go which r ÷ . ł 2

A PARTY PARTY AND A 157 = 87 quantities of Subject Coal from which such Grow income was derived, the tures deducted from which such Grow income was haven, the present of Protection Pranetic Coal resolvable by the Griabur out of and Groue Enseme, the aggregates Ma Wine Brancues intributable to all Dreadoped Subject interest agains and quarter armuni partial cluedings. A resonable quildention of the footi taken into account in computing whi draw draving mash quarter armuni partial cluedings. A resonable quarter Nati Mine Resented, this priod, any first family drave draving mash quarter-armuni partial cluedings. A resonable wayedibution of the footi taken into account in computing whi drave draving mash quarter-armuni priod and well with a the formation propared by or for the Grantes is the Grantes with the business as the Granter may reasonably request jabs withing lotys tells for each frant year all of the finations within go days after the other of the frantes with equired by the Babasotion O propured on a ducal year is required by the Babasotion O propured on a ducal year is is a royalty latteral for any observation current current strains which produced driving unda month, the Group Information threated thereto, all Larse of the abareader threated in Reduesdan H of Beellen[32] imposed or assessed with ranged to a manutred by or charged against or attributable to the Consol Frontaction Provent if the Produced Reducer Cond, the proveske of Barbert Reveated Reducer Paramet Cond, the New Mine Barbert Internet is a Developed Subject Internet, the Net Mine Harness Rithmakub threated Rubbind Internet, the Net Mine Harness Rithmakub threated (including a nearchub specifia-den of the social taken into second to sconnet is somethin specifia-den of the social taken into second to sconnet is somethin specifia-ted of of the social taken into second its something soch Net Mine Revenue); but only after realpt of a written request (which may over any one stimore manths) atsing that root report is for the con-acty one stimore manths) atsing that root are start yround in the factual use of the Section 3.0, a report showing with respect to entimes of this Section 3.0, a report showing with respect to onch Developed Subject Interest and each Subject Interest which R. On or ballow March 31 In each year, a report showing in reasonable flatul with respect to such then existing division of the Granthe, the miles und learess of 200 Med Taistreft aziared ficto by the formation during the proceeding coloreder year in ac-cordinate with the proveledens of Section 5.3. D. Within 30 days after the and of each calendar month, į \$ vi Tội un cộ with the provisions of Section 3.3. Ì 22 į . というない、 ここの日本日において 1 Ð

Ary information tohaised or eccerpts made in accordance with the provisions of this Steation 3.6 or Beetim 3.6 balow (which woold not be available to the prohibit shoreds reports made by the Granbse or Or-Conducated to the attocholders or reports Mad by the Granbse or Or-timatily will generarcets i commissions, departments or advantance (timatily will generarcets) commissions, departments or advantance translots the more approximation of the Orana Dynamics of the Granbor the anortageness or transless instand in any maintgent or desa of stator, the anortageness or transless instand in any maintgent or desa of the holders or proupsetire hulters at any obligations permettion for the contract all or any part of the Consal Production Payment and he bolders or proupsetire hulter respective separation Payment subjects absourd to the Orantia to the resplatery instantion and and desides over the Orantia of any resplatery instantions Berrurs 41. Respection of Grantor. Should the Grantes fall promptly to perform or observe any of the soveigants, spreaments or undertablage provided in this Convergence to be performed ar observed Barrinor 3.6. Assesse is Studyies Istavata. The Granties will per-rult ary one or more representatives dasignated by the Grantier at ary remandle time (1) to make each imposting the Statistic at any and the Assigned Appreleations as each respectivities shall deem and the Assigned Appreleations as each respectivities aball deem proper and (3) to examine, andlt and make screening the Osoli deem and 'sounds of the Grants, andlt and the Balyse Internet, the and 'sounds of development thereof, and the mining of Cool development, the operation and development thereof, and the mining of Cool development. have here. Doy! in accordance with grantally doopped accurb-ing yrasiles and that the Granten's camperiations of proceeds of Production Francait (bud, remively, by the Granter for and good year are accurate and in accordance with the provisions of this Coursystem. has bedients an facel year of resords and an-State of the second state of the the firantee, a sartificate from the independent of of the Grantee to the affect that the Grantee's counts relating to the Schleet Interests have be ARTICLE FOURTH The Grantes hat thy coverants as follows: F. Within 90 days after the close Ronora (m. 157 mm 68 stive holders. ž and bolders or prospe 4. \JL > 1 1.5 • - -- -. 2 1 .

m 157 m 89 purchases price of property not be paid at mattering, whether by acceler-tum or otherwise, or should Continental at any tupes cause to ware 100% of and alloss of the ierased and outstanding angula stocast to ware 100% of and alloss of the ierased and outstanding angula stocast of make law autigramment for the benefit of craditors or be aujudication a law arrange admit is a writing its inability to pay its debis generative at admit is a writing its inability to pay its debis generative at the stocast and a stocast and a structure or be aujudication at the beam at a population of a readirer, the or for depine and a weathing of the appositation of a readirer, itsues or its divided at with a formula pottion in the attract or for recognization of the Ormatian pottion in the attract or of the outboard by any sourd or the theorem at a static structure or other officer and a weathing or beams of a claupt of the Subject Interests, or should a volumity by the distribution of the subject Interests, or should a volumitary pottion in a resolver, tructer, or other officer appointed by any court or may aber at a subject Coal and hold possention thereof for a period of 50 days, then, or long a seven the form of the areated after truct or of the Subject Coal and hold possention thereof for a period of 50 days, then, or long a sevention thereof a the orthory in ddiffican to all others are and hold possention thereof for a period of 50 days, then yo hold a sevention thereof a story of the formatory in ddiffican to all others are and hold possention thereof for a period of 50 days, then yo hold a sevention thereof a story of the formatory in ddiffican to all others area and hold possention thereof for a period of 50 days. The point area area to be and a nontinuoty, the difficient to all others area and a nontinuoty. The difficients are to all others area and hold possention thereof for a period of 50 days. The point area are provide a nontinuoty, the difficients are to all others area and hold possention the story in ddiffican to 3 to pay under int ŝ 1 by the Granties and much failers remain currenselied for more than 30 days after written demond for performances or observane in misde set for franchie by the Granticur, or should are or objection of the Grantice or of Continential OII Company, a Dataware corporation (harein anilad "Continental"), for the payment of borrowed money or the defarited (1) to effort performance or electrona, an balaif and the expense of the Grantin, of and errenants, agreements mathematical as a new and hear performed to to be read by formulae, in which event the Granting may advasse, thank as incorr and pay bills for expenses for such purpose, and/or incorr and pay bills for expenses for such purpose, and/or ann, fons, taxin, and TOTALLA shall thereupon and thereafter have the centla which have b A shall thereapen and thereatthe name are an eright, privilege and optica (but shall be ender so daty) nanty, governmental alarges, likibutas, re ether amounts which the Araties has agree of the provisions of this Occressions and delimitant, (2) to pay any of the costs, and A NIG LA 2 100.00 -1 .

Print and B. upon written order to he Greates with respect to the possess-tion, operating attribute, gradualized with respect to the possess-tion, operating attributed with respect to the posses-tion, operating attributed with respect to the Bob-piet Interests had by it (Indiching all experimentation, all the the Grants under the Production Sales Contrastely, and may use is consocian therwell in a Anignet Appretication, and may other properies and rights of a windlar distruction and in other properies and rights of a windlar distruction and without the connection with the administration, operating of the Shipset Interests to main of the Bobbet Interest of the string, handlare for the Subject Interest of the pring gradening gradening at the Structor for the perpose consents to deliver possesular to the Greater attribute or the pring gradening at the Greater that the Brading function in the Scholant and Greater to the Greater attribute or of this Gradening S, and the Greater that the striptic on of the Bobject Coal stributable to the Greater attribute or is the Scholant S. and the Greater attribute the stription of the Bobject Coal stributable to the Greater attribute at the Scholant attribute to the Greater attribute the struct of the Bobject Coal stributable to the Greater attribute the struct of the Bobject Coal stributable to the Greater attributes the struc-tor interval the structure of the Greater attributes the struc-ture attributes the structure attributes the Greater attributes the struc-ture attributes the structure at the Greater attributes the structure of the structure attributes the structure attributes the structure attributes the struc-ture attributes the structure attributes the Greater attributes the structure attributes the structure attributes the the Greater attributes the structure attributes the structures attributes the structures attributes the structures attributes t data of such afferment or poynati, and any purchaser of roch Subject Coal is entroprized and directed for translit discutty for the Grantor all smoonth payable by rich purchaser for the Subject Coal attributable to the Grander's finite outify to ward, purchaser coal attributable to the Grander's philo surfity to ward, purchaser that it has advanced or pied and which the Grantee 14 outfitted to pay herromate and, to the estant that such the Grantee 14 outfitted to put intervet is a forewaise of the Subject Coal, the Grantee 14 outfitted to print intervet is a forewait an only put the first the formates' fu-trent in the prosection of the Subject Coal, the firstes adult reimbrine the Granter upon demand, and fing, haudiling, gatheritag, traditag, proceedidg, eforfing, cheiling or transporting of the Schlyest Oosi and to reinfort it pur-distants for any manuful aryonical of the Grantos it is pro-ul of second reals and expenses, and, to the origist field manua are not paid out of the Grantos's inburded in the proand to apply the presents thereof is this costs and expenses (induction connect from) of the administration, specification, developments and exploration of the Bubject inferents of the and may, in either case, at the option of the Granefor, be rathe-bursed out of the proceeds of the Subject Coul attributed to bursed on the the proceeds of the Subject Coul attributed on the concurrence inturent therein, therein of 6% per arcrime from the currentiperised associate at the rate of 6% per arcrime from the or, be reite (m 157 m 20 1.1.1.1 case, at the option of the Gross the second of the second of the おうび ひってい ブラフ the Grantor for any i ment of such costs a marketing or transport alaine. vict. 🔅 ÷. -:

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needs of such Subject Coal, the Granise shall reinforces the Graphor upon demand for all such amounts so expended, together with interest on the unreinbured amounts at the rate of 6% per samein from the date of such expenditure, and

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G. shall be entitled to specific performance or observance of such covenants, agreements or undertakings or to apply to a court of squity in aid of the stsetution of any power herein granted and for the appointment of a resolver of the interests in the Subject Interests held by the Grantes. the Subject Coal attributable to such interests and the Assigned Appartenances.

All rights and remedies to which the Grantor shell have become antitled under this Section 4.1 shall terminate either (1) when the Oonool Froduction Perment is discharged or terminates and all amounts thes due and payable to the Grantor personant to this Section 4.1 scaleding amounts payable for interest as aforeeald, shall have been duly paid in full, or (if) at such amounts shall have been duly paid (in full, without projudies, however, to the exarcise at any rights and remedies berein conferred upon the Grantor in the event of any wheegeant fallers of the Grante to perform or observe any of the sovements, agreements or indertaking's provided in this Conveyance to be performed or observed by the Grantee. No provision of this Conveyance shall be construct on relieve the Grantee as a result of any breach of the construct, agreements and addigations of the Grantee postind of how conveyance.

ARTICLE FIFTH

WARRANTY OF TOTA

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SECTION 5.1. Warranty of Title. The Grantor warrants that, immediately prior iso the dairerry of this Conversance, the Grantor had good and markstable title, free and clear of lines, charges and exambrances, to all the properties, interests and rights shown as owned, leased or otherwise held by the Grantor on these certain maps set forth in Appendix III to the Weir Report, which maps have been marked for identification by the Grantor, the Grantes, the Production Payment Grantes and Paul Weir Company, Incorporated, entry(1) intere con-

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MALE TO PARTY ALL THE REPORT OF THE PARTY AND A THE PARTY AND A PARTY AND A PARTY AND A PARTY AND A PARTY AND A

Į . H A DECEMBER OF A STATE OF Bearans 6.8. Rights of Mortgoges or Tequides. If the Crastor dual at any time actemia a mortgage or dead of trust borneing all or any part of the Canad Production Degrammi at essentify for any obli-Exertore 6.3. Bada of Cousel Production Paymond. Nothing hare-ta continued shall in any way limit or reacher the right of the Granter to and courty, margange or pladge the Opnesi Production Pay-ment, in whole or in part. Essering & I. Sals, sie. of Subject Interests. Iffrendt as parmitted by Section 3.2, the Oran Creates shall and, without the connect its writhen of the Grand xur, within the Oranel. Frederedin Farmjest shall, remails in free Grand and street, make any untrander, absandarmach, relates, sals, war-treatine, and grand any untrander, absandarmach, relates, sals, war-the Station and grand in the second street in part, of any of versions, and prosect. to interfere material wanter or pression, when or has of rich pro-to interfere materially with the operation, when or has of rich pro-stude, interfere materially with the operation, when of the of the or desident Bales Contracts, and (s) defects or transitionity by the deturba-liens, charges or scanning on a consult of in writing by the deturba-liens, charges or scanning to a consult review of the start (1) through Budded to the Consult Production Permut and to hams (1) through (a) above, the dirative baredy binds that's that and the (a) above, the dirative baredy binds that's the start and for the fund all and singeline such properties, interests and divide and the convergences in this Part I is made with full substitution and subtress that of the Greates in and to all covenants and warrantice insvitutors given or maid by others in respect of much properties, induceds and rights or the Strates I respect of much properties, induceds and rights or the Strates I respect of the Assigned Appurtmensions or any part of any thereof. t -1 1 etitetine a lisa but not yet das and payabla. (?) dafette ar irregulari-Assigned Appartenenses wate the Structure exclusively pervour who worser invitally distinues or to slaim the same or any part fibereof. T privileges barein retained by ŝ by the Gratter brances which are not 88 the liber Athended all 8 gation, the mortgatevie, (he trustees or the sulp! the holders of the obligations scoured thereby, \$ ABTICLE SIXTH AL 157 ME 日本日本語をまたいのになったったい 日本日本では、日本日本、人人、ション・ション・ショー Appendix Milling stor and to 3 por unit extent puch mortcage or dead abtained from the Gri when the Grm rected law. Y. WY P. MI 1 Į. 8 8 . ۰.

Š ALL CONTRACTOR .FU MITCL JN. W. 157 ME. 93 Rectron 12. Partiar Austresses. So long as anthorized by up-plicable law es to de, the Greator and the Greates will created and deliver fall and other dead, onravisations, indices, joileases, acquistiones and documents, and will do all arch other pairy and there, a survive moustary more fully to anon to a survive sub and there are anon to reations of the termonic section in hereby the recession or surface and training horth more in hereby har-tates, "funding, ourveyed, and training to both over and delivered, or guined, and, conveyed, and training horth over and delivered, or excepted, surved and training to futnated of to he Burgroov 7.3. Cortois Beyardz Alaigramests. It is midaratiood and agreed that wills respect to Onal mining to other lastes which or future the respect to Onal mining to other lastes which or furth states are added in the further fibered fibered for a furth states or further and are agreed and and allothed to fullions in severally, suparate assignments on approval driven may be corrected by the dramatic are further and thilling and severally, suparate assignments on approval driven and statements, although unqualition or allothed to further and statements, although unqualition in form or, it the asso of lastes of interests therein theory by United States of America as of specifically statements that the other than of America as of specifically statements that the other of the first of the states of America as of specifically statements that the other than the other of America as of specifically and there is there in the other of America as of specifically and there is there in the other of the states of America as of specifically and there is the other theorem the other other and the states of America as the states of the states of the states of the states of the other other other other other other other and states and the states of the other othe ary party harito or othar percent accosseding to any finkness of a party harito harito for othar percent accosseding to artifing and dollowered to the party or porson or to an eddens of moth party or percent or da-posited in the United Bian and in a sealed arentyop, first obtain and with polatege preprint, addressed to rath party or percent at the or the eddress jetzed in the Gorievands, or at each other address is the safty or percent to be addressed, and only or percent at the or the therity of percent to be addressed, and then defined as the to see be beed party or percent. io ti 3 tion Payment or fully to all jut and find the Encritor 7.1. Notions, Any notion, request, demand, n other instrument which may be required or parmitted to be delone bereef, shall be Contraction of the second s ABTICLE BEVENTE 7 MINGERLANDOUR 2 sound into the Consol Produ containing all of the tarms of contain all of the groupdices, a titles, interests, estates, remed which constitute the Consol P Party Hardenso

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1 3 Ì Exernar 7.6. Successors and Asafara. All the screments, war-ratities and agreements of the Granks and the Grankar contained in this Part I shall be demand to be normaline ranging with the lurd and and the providinms of the Part I shall knut to the branch of a thick of the providinm of the Part I shall knut to the branch of and the providinm of the Part I shall knut to the branch of the drawn has respective receasors and asafgan (including, without limitstice, the Production Parment Granksto, the Grankste shall Include their Production Parment Granksto, accord that the team. "Grankst" is a read in Resolution 1.1 (for and the folding Bableotian C threach, in Stochash Li, 7.3 and 7.8 and the Emblith A shall an bladed the Pro-duction Parment Granksto, in Part II of this Oonvyness Bacrmar f.A. Fadiwa ef Title, est. No transfer by the Granhar to the Granhes of any part of the Bullion Interacts and we failure of tile to or thermalament is any part of the Bullion the bullion of tile the street of rationing the Production Paymani Permatificate attart have the affect of the Bullion Linkavita an possibilitied after said transfer, failure of tills ar handoment; et of vedooig the ament of the Cauol Production Paymant of the Cauod Theorem Prinkin Paymant of the Frankin Paymant Street Franker, failure of tills ar handoment; et of the of the Cauol Production Paymant of the Frankin Paymant Street Frankin Arman Paymant of the Tanakin and affect as to all bullen Listration. Baczusr f.G. Assumption. The Grantes haveby arrenty at-tures for the burst of the dramtor the particuturane and observances of all corrents and conditions under contracts, at will so all shiptarions a sinitar by operation at has, imposed on the over of the Sabject in-turned, compt such as may early he performed or elecarved by the formation. or say successor and sectors of such Production Paymant Grantss and the term "Grantsur" as used in this Oswarance shall not include any collection space of any mortgages or satigate for security pur-poses of the Grantsr appointed by such mortgages or sesignes with the someast of the Grantsa and purposes as though the mans wore est forth at learch to said such and astigmatic. The interests curreyed by such appears artigmments are the rame as, and not in addition to, the interest descent destroyed. . ANTICK IN UN 157 ME 84 \$ -۰. ٤. A REAL PROPERTY AND A . . . •

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. . ÷ ... 1 ÷. • _ <u>.</u> 12 1. AND PRODUCTION OF THE PARTY OF ATTENT STATES . (Media Defects) Î ŝ ÷ . Ĵ •• # 157 <u># 101</u> . . Before he persually appared each of the shore persons, to no known, who, being by me duly seven seconding to law, dia admons, to the he is such officer of the corporation set opposite his mane, which other his neith officer of the corporation and rando with origination becomed the foreground muturents and I having forth mala throw I to shell, the contrast thread, each did actionales that is diatrument is the neither thread, each did actionales that is intrument is the neit and dead of shill corporation for the participa-tion there is the neither and dead of such endor officer threads intrument is the neither and dead of such endor thereof. Before we personally appeared each nuch person haven to me to be the designated officer of the corporation act out above after his minute. which corporation executed the force weight instrument, and each affend the same and admondarged to me that he did as eign and instrument in the same and sepan behalf of and on encoulding as and advery, and that the same inde free act and desi of each officer, and that the same inde free act and desi of each officer and the free and mest, appeared before me this day in parton, and admortloged that he uppeared the entitient of verticing as mak officer of said europea-licen, and choosed the correction seal of and orbornlos to he strand thereto, purtuaned to the adthouty given by the Board of Director of value corporation, as his free and verticing as that and a sin-valuenty at of and corporation, for the eases and as the free and volumery at of and corporation, for the eases and perpose therein net volumery at of and corporation, for the eases and perpose therein net volumery. Refore the on this data appeared each rock person, to me person-ally forown, such of whom, builty by me duly sword, did my that he is the designation does not the componention set opposite his name, and that the near-garbant to the foregoing instrument is allo corporate each of hald corporation and that uturnant was abgeed and escaled in be-half of and corporation by emberity of its Board of Directors, and such that be compored and that runnant to be the free act and each of and corporation. On this date before me percenally appeared and such rock persons throws to make be described in and the corporation set opposite his mure that is described in and that executed the within instrument, and estimate to me that such corporation recented the same. And a strain with a burning . . Ę Million 1 GT ş Ş . ٠. 2 . ÷ ι. San Stranger -÷ .

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Barren St. W.T. 277 Contraction of the local distance 主義の ÷ c) On this day paramely carse before me soul, such perion, the designated offer a starty a lat foregoing instrument, and non-barrer perion art opposed is his mixture, sead, corporation being a party to the foregrup instrument, and non-barrer perion distributions in the barrer of mixer, and seek partner/offer the fore sould instrument in the barrer of each offer the opposition instrument and the second perion distribution of the second mixer, and seek partner/offer distribution for the second mixer, and seek partner/offer distribution for the second mixer of each offer and the second mixer of each offer and the second mixer of the secon Each of the above persons, where many is the designated other of the corporation. set opports the name is signed to the foregoing writing dated as of September 15, 1906, has eachedredged the same before me in the Cornty and State aforesaid. Each puch yerson who signed the writting above, dated as of Sep-tember 14, 1966, for the corporation set epipedia his aures, has thin day is ny seld Owerty before me admowledged the said writting to be the set and deed of unid corporation. ALCONTRACTOR AND A REAL OF A REAL OF A REAL AND A Cn this date personalty appeared before me each and purton, whe, halar by me doly everts, did any that he is the factrated offset of the corporations are opposite his man, and that that is in the factrum was signed to behave a supposite his numberity of a resolution of its Board of Director, and each real puryon acknowledged to yes that said cor-poration executed the same. On this day, before me appeared sach much person, to me personally known, sush of whure, being by me duly sword did any that he is the designated officer of the corporation set oppoints his mean duth thi constrained afford in a did the corporation and a dut of the set of the aid instrument is the corporate set of a did corporation, and that aid instrument was aligned and analed in behalf of aid corporation possibles, hy authority of its Board of Directoric and each atthrowind get distruments in he the free set and dead of a behalf of asid instruments in he the free set and dead of a side corporation. corrorsia act and deed of said corporation, and that the same was doly authorized by its Board of Ditector, and that the sail affired is cold hast-masses is the corporate seal of said corporation. Į ----vn 157 nz 102 4 ļ . ł <u>,</u>-ייין וירי דיד . Ĵ Werth Land and a start of the second . . . ł (WA) • • Į . t ê



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pursuant to a Plan of Reorganization dated July 12, 1935-Cons. Conl Co. (Del.) merged into Pitt Coal Co. on November 23, 1945 and the name of the surviving corporation was changed to Pitt. Cons. Coal Co. 1

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3. Pittsburgh Coal Company, a Pennaylvania corporation ("Pitt. Cool Co.");

4. Pitteburgh Coal Company of Pennsylvania, a Pennsylvania corporation ("Pitt. Coal Co. of Pa.");

5. The Monongahels River Consolidated Coal & Coke Company, a Pennsylvania corporation ("The Monon, River Consol. Coal & Cake Company");

6. Pennsylvania Mining Company, a Pennsylvania corporation ("Po. Mining Co.") |

7. Christopher Coal Company, a West Virginia corporation;

8. The Pureglove Coal Mining Company, an Ohio corporation;

9. Trues-Treer Coal Company, a Delaware corporation;

10. Truax-Tracer Division of Consolidation Coal Company (a division of the Grantor and not a separate corperation);

11. Bransford Mining Corporation, an Illinois corporation;

12. Universal Coal Washing Company, an Illinois corporation;

13. Posshentze Fuel Company, Division of Consolidation Coal Company (a division of the Grantor and not a separate corporation):

14. Northern Roserve Coal Co., a West Virginia corporation;

16. Southern Reserve Coal Co., a West Virginia corporation; and

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16. Ohio Beserve Coal Co., an Ohio corporation.

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It is the express intention and purpose of the parties have o that . this Conveyance and Exhibit A shall be deemed to cover and include, ... in addition to the individual properties, interests and rights specifically described or referred to herein, all of the Grantor's right, title and interest in and to all Coal and Coal estates and all mining rights, privileges and immunities granted or acquired with or related to such estates, all fee, lesschold, mining, royalty, overriding royalty, production payment, net profit, riparian and other properties, interesta and rights containing or pertaining to Coal, and all rights to use, damage or cause subsidence to the surface (whether orealed by grant; waiver, release, estoppel or otherwise), as well as all fees, leaseholds, ensemonts, servitudes, riparian rights and other interests in real property not related to Coal, which are owned, leased or otherwise held by the Grantor and are situated in the counties referred to in this Exhibit A, oven though a description or reference to said properties or interests be omitted from this Exhibit A or such properties or interests to owned a round of the properties and interests covered by this paragraph shall be properties and interests "described or referred to in Exhibit A" within the meaning of Bection 1.1 of this Conveyance; provided, Assesser, that there shall be excluded from the oparation of this paragraph all of the properties, interests and rights, situated in the counties set forth in the list below and specifically described by governmental survey, by metes and bounds and specifically described by governments, survey, by metes and bounds or by reference to instruments of tills into the Grantor or a Predocessor in Annar A to that certain deed estilized "Non-Mining Deed", dated as of September 15, 1966 (the "Non-Mining Deed"), from Consolida-tion Coal Company, a Pennsylvania corporation, to Consolidation Coal έ. Company, a Delaware corporation, counterparts of which are being filed for record immediately after the filing of this Conveyance in the following counties also included in this Exhibit A : STATE OF BLUESON Bond County Fullon County. Jackson County Montgomery County Perry County Randolph County va 157 ma 107 - CLI = VOL m THE PROPERTY OF STREET, STREET 12.31 ALC: NO. and the second second ŀ

STATE OF OHIO Helmont County Carroli County

Herrison County Jefferson County Muskingum County

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Allegheay County Washington County Westmoreland County

COMMORWEALTH OF VIRGINIA

Buchanan County Faxowell County

STATE OF WEAT VIRGINIA

Harrison County Marion County Marshall County McDowell County Monongalla County

Where an instrument of title into the Grantor or a Predecessor is described or referred to under a county in this Exhibit A and is elso described or referred to in Annex A to the Non-Mining Deed under a county which is not included in this Exhibit A, the reference to such instrument in this Exhibit A is not intended to cover properties, intercets or rights located in the county listed in said Annex A but not included in this Exhibit A.

cluded in this Exhibit A. Any reoltations in the specific descriptions contained in this Exhibit A that certain of the Subject Interests are subject to specific agreements or other instruments shall not operate to subject any such interest to any such agreement or other instrument droept to the extant that such agreement or other instrument is presently subsisting and is otherwise valid with respect to such interest for shall any reference to any such agreement be dreamed to constitute a recognition

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by the parties hereto that any such agreement or other instrument is walld except to the extent that such agreement or other instrument is presently in force and effect.

states the matter

The Subject Interests are conveyed subject to the following :

(1) All valid and presently subsisting essemants or rights of way, either of record or apparent on the ground, including roads; reilroads; pipelines; power transmission, telephone, telegraph, cable and other transmission systems or rights of way; oil and gas leases; wells and reservation of rights to drill for oil, gas and water; and

(2) All prior valid conveyances by the Grantor, or any Predocessor, to third persons of portions of the Subject Interests described or referred to in this Exhibit A, or of any rights, tilles or interests therein, as well as all prior valid lasse agreements, support agreements and other encumbrances made or granted by the Grantor or any Prodecessor in favor of third persons, but only to the extent that any of the aforesaid shall have been duly recorded prior to the Effective Date or are specifically described or referred to in this Exhibit A.

Consterparts of this Conveyance having annexed thereto all Divisions and Sabdivisions of this Exhibit A contain a table of contents to such Divisions and Subdivisions. Such table has been omittail from the counterparts of this Conveyance containing less than all Subdivisions, which counterparts have been prepared to facilitate recordation as provided on pages 43 and 44 of the text of this Conveyance.

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		22.1.2					Custos	Date of Instrume		ounty Record	d Type	(553)		1	
		- 53	0	Rear N	<u>Generator</u>	·· ·		11-22-49	125	483	Deed				Į.,
-	1	1			Lerie Reppart, ot us.		Pitt, Const. Coal Co. Fitt. Coost. Coal Co.	11-22-49	126	471	Deed	•.			
	1	3		94.	Mary Weszil		Pitt. Cons. Coal Co.	11-29-49	128	534	Deed	. •		. 2	
				85.	Paul A. Varga, Jr., et al.		Pitt. Cons. Coel Co.	12-22-49	195	596	Deed			i i i i i i i i i i i i i i i i i i i	j.
			•	96.	The Goodyear Tite & Ru Company and The Whe Township Coal Mining	ding					÷ .	;			
		Ĵ	•	97.	Стариту	•	Pitt. Cots. Cosl Co.	12- 6-49	142	\$29	Deed	•			
40 - 10- 1				98.	The Wheeling Township	Cosi . I	Pitt. Cons. Coal Co.	12-16-49	128	599	Deed	8			
				89.	Mining Company The Wheeles Township (• •	Pitt. Cons. Coal Co.	1-36-50	130	279	Deed	• •		1.1.1	
	1	곜	(Ye)	160.	Mining Company	-	Pitt. Cons. Coal Co.	12-29-49	198	549	Deed	•			€.
		1	157	101	Loota Sargent & Kersoy Sargent, et al. Kersey Sargent, Guardian Clara Morgan	of	Pin, Cons. Coal Co.	12-29-49	126	550	Dæd			1.47.245	
			<u>الم</u>	105.	Clare Morgan		Pitt. Cons. Cost Co.	12-29-48	125	555	Deed	ii.	-		÷ ÷
	· ·		رقط		DeNicola		Pitt. Cons. Coal Co.	2-1-50	- 125	24	Deed	<u>.</u>	· •.		1
	Į.	5.	- 1	103.	D. M. Byzn & Hazel B. By		Pitt. Cons. Cosl Co.	2 6 50	128	40	Deed	1			1
•. •				104.			Pitt. Cons. Coal Co.	8 6 50	128	39	Deed	ਭ			5
	t	-0		105.	Harry J. Des		Fitt. Cons. Coal Co.	2-650	128	42	Deed	. ₽		i k	i.
				108.	Harry J. Res	: :		•	•	···· .		7			
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				Reserved County Record Type	- R	2
		Itema No. Granter	Grantes Date of Instr		Ş	,
		121. Leray McFadden & Paulian	Pitt, Cons. Coal Co. 12- 6-51	129 191 Deed		
. i	<u> </u>	McFadden 129. C. C. Simpson & Bessie B.	Pitt. Cons. Coel Co. 12-12-50	129 207 Deed		
	-	Simpson	•			
	, N	113. Bessie M. Laizure	Fitt, Cons. Cosl Co. 12-12-50 Fitt, Const. Cosl Co. 1-24-51	123 208 Deed 129 288 Deed		
		124. Herry C. Ropidne, & Margaret M. Hopkies	Inte Cost, Coll Cd. 1-2401			
	· · · · ·	125. Frank Signorelli & Xantha Signorelli	Pitt. Cons. Coal Co. 1-24-51	129 283 Deed		
	á	128. C. C. Fay & Agnes B. Fay	Fitt. Cons. Coal Co. 1-29-51	129 337 Deed		
	. دسو	Excepting from the above Item N	a. 126 Tracts I. 2, 3 and the 1st, 2nd, 4th	and 5th Parcels of Tract 5.	5	
	157	127. P. & O. Construction Company	Fitt. Cons. Coal Co. 1-4-52			
		128. Helen A. Varga, et al.	Pitt. Cons. Coal Co. 2-23-52	130 627 Dead		<u> </u>
		129. N. E. Edwards & Beatrice Edwards	Pitt. Cons. Carl Co. 5-17-52	131 294 Deed		
	99	130. Charles C. Simpson & Bersie	Pirt Cons. Coal Co. 5-25-52	134 245 Deed		
		Simpson 131. Ceorga Bailog & Rose Bailog		130, 436 Deed	77	
		132. Vance & Eleanor Hines	Pitt. Cons. Coal Ca. 1- 4-52	130 510 Deed		
	• .	133. Garnet F. Howard & P. & O. Construction Company	Pitt. Cons. Coal Co. 1- 4-52	130 519 Deed	ç i	
		134. Eleanor F. Milford	Pitz. Cons. Cost Co. 9-21-51	120 147 Deed		
24		135. Eleson F. Mikerd	Pitt. Com. Coal Co. 10-30-51	130 185 Deed	1	*
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÷		167.	Fred M. Link, Trustee (E. O. Dunglas)	Pitt. Cons. Coel Co.	4-15-53	138 417	Deed		.
		. 163.	Fred M. Link, Trustee (Clayton Luyster)	Pitt. Cons. Coal Co.	4-13-53	E38 429	Deed	· · ·	
£	.	169.	Fred M. Link, Trustee (John Holliday)	Pict. Cons. Coal Co.	4-20-53	138 401	Deed		
	<u>.</u>	170.	Fred M. Link, Trustee (A. C. Dunisp)	Pitt. Cons. Coal Co.	4-27-53	138 384	Deed		5
į,		171	Fred M. Link, Trustee (M. J. Rogers)	Pitt. Cons. Cosl Co.	4-27-53	138 413	Deed		
	5	FIL.	Anna B. Christy, et al.	Pitt. Cons. Coal Co.	4-12-53	133 🐴	Deed		
		173	Fred M. Link, Trustee (Josephine Jatsek)	Pitt. Cons. Coal Co.	5-29-53	138 373	Deed	5	8
ie N	2	174	C. C. Sengara & Bessie Simpson	Pitt. Cons. Coal Co.	6- 5-53	133 547	Dead		Contraction of the
		F 75.	The Board of Education of Shorteneck Tewaship	Pitt. Cons. Coal Co.	5-13-53	133 487	Deed	- · .	
5		176.	Fred M. Link, Trustec (Virginia Talbott)	Fitt, Cons. Cosl Co.	7- 1-53	138 407	Deed		
- -		. 177.	Clarence C. Fay & Agnes B. Fay	Pitt. Cons. Coal Co.	7-21-53	134 150	Deed		STIC.
ð			Crement Valley Mining	Pitt. Cons. Coal Co.	7-30-63	134145	_ Doot		
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(4) Conveyances from Pitt. Cons. Coal Co. and Cons. Coal Co. (Penn.) affecting properties described in this Subdivision 5.04. F

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•	Grantor	Grantee	Dete al Instrument	Vol.	Page	Indranent	
	Pitt. Cuns. Coal Co.	Ress Compher and N. T. Wilson	1-11-50	128	588	Deed	•
•	Pitt. Conr. Coal Co.	Local Union No. 3828, United Mine Workers of America	11-29-46	120	588	Deed	
	Pitt. Cons. Coal Co.	Charles Compher and Sadie Compher	2-19-5 I	129	351	Deed	
	Pitt. Cons. Coal Co.	William Abei	11- 8-56	139	332	Deed	• • •
	Pitt. Cons. Coal Co.	Pittsburgh, Cincinnati, Chicago and St. Louis Railroad Company	11-12-47	122	574	Deed	
	Pitt. Cons. Coal Co.	 Pittsburgh, Cincinnati, Chicago and St. Louis Railroad Company 	9- 9-53	134	475	Deed	91
	Pitt. Cons. Coal Co.	Sarah McCullick	6-16-46	122	189	Deed	
	Fitt. Cons. Coel Co.	Coleman and Gizalla Popp	9- 8-47	122	1 9 1	Deed	
	Fitt. Cons. Coal Co.	Ray J. Reppart and Ethel M. Reppart	10- 7-47	122	313	Deed _	
	Pitt. Com. Coal Co.	Issac T. Weller and Lillian Waller	6-6-46	122	304	Deed	
	Pitt. Coos. Coal Co.	William H. and Mary V. Coorge	10- 7-47	122	346	Deed	Ent
	Pitt. Cons. Coal Co.	Charles Bumbule and Kolese Bumbule	10- 7-47	122	429	Deed	Ş
. .	Pitt. Cons. Coal Co.	Sheman Anderson	6-7-48	-124	····· 72.	Deed	···· []····
-	Pitt. Cons. Coal Co.	John DeCorte	9-26-52	131	545	Deed	0H0
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		-			•	Recorded County Record of Deeds	Type of
		. <u>.</u>	Gruntor	Grantes	Date of Instrument	Vol. Page	Instrument
			Pitt. Cons. Coal Co.	James K. Hawthoma and Helen Hawthoma	11- 5-47	<u>122</u> 455	Deed
			Pitt. Cons. Coal Co.	Cearge T. and Florence M. Porter	5-19-48	124 81	Deed
-			Pitt. Cons. Coal Co.	The Fowhsten Mining Company	4-30-48	123 504	Deed
			Pitt. Cons. Coal Co.	John Dombroski	8-10-48	124 407	Deed
			Pitt. Gons. Coal Co.	Robert A. Russell and Isabello C. Russell	12-31-48	125 456	Deed
			Pitt. Cons. Coal Co.	Edward Morgan	8-30-52	135 10	Deed
			Pitt. Cons. Coal Co.	Willard C. Hawthorne	5-19-50	128 348	Deed S
			' Pitt. Cons. Coal Co.	Willard C. Howthorne	12-13-58	139 403	Deed
			Pitt, Cous. Coal Co.	H. and William F. Myers	5- 5-55	136 506	Deed
			Pitt. Cous. Coal Co.	Reiph McFadden	11-28-50	129 189	Detd
			Pitt. Cons. Coal Co.	Ralph L. Jenkins	8-30-51	120 284	Deed
		5	Fitt. Cons. Coal Co.	Lois K. Johnson and Jack Allen Johnson	11- 5-54	138 140	Deed 5
		A	Pitt. Cons. Coal Co.	David R. Rice and Helen S. Rice	6-23-55	L37 89	Deed
1		, iii	Bitt. Cons. Coal Co.	Paul W. Burns and Frances C. Burns	4-4-58	138 225	Deed
		ž	Pitt. Cons. Coal Co.	William H. Dreyer and Lucille	9-13-58	139 211	Deed C
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		Geneter	Bertha M. Love	3-22-55	136 395	Deed
		Pitt. Cons. Coal Co.	Ceorge H. Dunlap and Cladys	R. 12-11-50	129 387	Deed
1		Fitt. Cons. Coal Co.	Dunlap			
	т. Т. Ч	Pitt, Cons, Coal Co.	Harry C. Hopkins and Margaret Hopkins	M. 1-8-51	129 285	Deed
		Pitt. Cons. Coal Co.	Edgar Dodds and Helen Dodds	7- 3-52	156 200	Deed
			George Ballog and Rose Ballog	8-30-52	131 493	Deed
	₩	Pitt. Cons. Coal Co.	Athens Township Trustees	11-27-56	139 406	Deed
		Pit. Cons. Coal Co.	R. M. Evens and Anna J. Ev	HINS 6-22-55	137 19	Deed
	1 1 2	Pitt. Cons. Coal Co.			129 141	Deed
		Pitt, Cons. Cosl Co.	Jesse E. Harris and Lacy Luc Harris			
•	× 75		Call and Lautar, Inc.	9-27-52	131 541	Deed
•		Part. Cons. Coal Co.	Allen W. Scott	10-27-53	136 383	Deed
		Pitt. Cons. Cosl Co.		4-24-58	14L 622	Deed
		Pitt. Cons. Coal Co.	Paul Hamilton		• • •	
		Pitt. Cons. Coal Co.	Charles J. Speer	1-28-53	133 200	Deed
		Pitt. Cons. Coal Co.	Allen Carter and Nellie Carter	2-23-53	135 417	Deed
	NOL .	•	Joseph H. Johnson and Ethel		138 298	Deed
a a ser		Fig. Coas Coal Co.	Johnson			a (
	57	Fitt. Cons. Coal Co.	Craig Porter	8- 4-57	150 74	Deed On (313)
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			;	Pitt. Cons. Coel Co.	The Wheeling and Lake Erie Ra way Company		134		Deed	•
	S		, ž	Pitt. Cons. Coal Co.	way Company The Youghlogheny and Ohio C Company		135	590 1	Jeed	.
				Pitt. Cons. Coal Co.	Silas Harris & Sarah R. Herris	1-16-52	133	.557 I	Deed	
				Put. Cons. Coal Co.	Clearfield Bituminous Coal Corportion		133	•	Deed	.,
			• •	Pitt. Cons. Coal Co.	Tasa Coal Company	11- 9-55	137	607 E	Deed	
		14 A		Pitt. Cans. Cosl Co.	J. C. Dunlep	5- 4-58	138	. 329 E	Deed	
				Fitt. Cons. Coal Ca.	Ed Rutkoski	3-23-56	139	697 👘 🗋 D	leed	S.
		1 H H		Pitt. Cons. Coal Co.	Nancy Hawthorne	12-13-58	139	405 D	teed	
				Fitt. Cons. Coal Co.	Coorge T. Parter & Florence M Parter	1. 2-4-57	139		eed	i
			•	Fitt. Cons. Coal Co.	Daniel J. Coga	4 3 47	128	152 D	ecd	ł
		10.2.2.4	_	Pitt. Cons. Coal Co.	Clyde B. Worstell	3-22-57	140		eed	1
			โซ	Pitt. Cons. Coal Co.	The Powhatan Mining Company	1-28-58	141	525 D	ced	
			(mainter and the second se	Cons. Coal Co. (Penn.)	The Powhstan Mining Company	12-29-58	142	440 D	bes	
			157	Cons. Coal Co. (Penn.)	Francis Hall and Opal Hall	4 2-59	142	580 Da	eed	County,
		14 m m	Ž.	Cons. Coal Co. (Penn.)	Lester E. Liles	11- 4-59	144	40 De	ed	
				Cons. Coal Co. (Pean.)	Andy DiPalma	11-12-59	244	2 De	æd	0Ho
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Come Cont Co (Penn.) William Abel	
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Cons. Coal Co. (Penn.) Board of Trustees of Green 6-7-62 147 445 Local Township	
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Cons. Coal Co. (Pena.) Donald Walson and Anna Walson	1 · · ·
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(317) Ohio 37 South 25° 18' 00" East 228.50 feet to a point in said road; thence South 46° 15' 00" East 310,20 feet to the place of It being mutually understood and agreed by and hetween the Grantor and the Grantee, that the Grantor is conducting, and may hereafter conduct, coal mining operations in the immediate vicinity of the hereinhefore the creek, thence North 33° 43' 50' East 154.97 feet to a point near County Road No. 15, thence along and word release and forever discharge the said Granfor, its successors and assigns, from any and all claims for damage Being a part of the same premites as were conveyed by Hanna Lands Company to Pittsburgh Consolidation which may have arisen, or which may hereafter arise, as a result of the conduct of coal mining operations on Said hereinhefore described premises are also Scaparr to all legal highways, exceptions, reservations, casewary by deed dated june 6th, 1946, which deed is recorded in Vol. 127 A. & B., Page I et seq., Dred West 234.23 feet to a point in the creek; thence North 6° 59' 10" East 155.08 feet to a point in the creek; thence Excerting and RESERVING therefore onto the Grantor, its processors and assigns, the following rights, privileges and described permises; and the Gamtes, as a part of the consideration for the within conveyance, does hereby routse. Being part of the Northeast Quarter of Section No. 14, Townibip No. 9, Hange No. 4: BEURENIKG at a point Section No. 14; running thence South 37° 18' 40" West 428.97 feet to a point in the creek; thence North 67° 03' 10' Situated in the State of Ohio, County of Harrison, Township of Short Creek, bounded and described as follows North 37° 49 30" East 139.20 feet to a point in the creek; thence North 13° 48' 30" East 137.54 feet to a point in County Road No. 15, said point of beginning hears Sauth 2º 30' West 1760.18 feet from the northeast conner Unrecorded The premises conveyed by the above instrument were described in said instrument as follows: 7°)ale of Enstrument 1911-2 ments right, limitations and restrictions of record on or relating to the same. premises within the general vicinity of the hereinbefore described premises. Shortcreek 4 H Park beginning. Contanton 5.063 Acres, more or less. immentites as set forth in the above referred to deed: Cons. Cool Co. (Penn.) 0 1900 121.0 16f 157 au 146 VĊL ł 3-

·	Tract I, 1	ad occupy d occupy , titlo, into t entry by	Type of Instantion Deed	Nelms No ted in Cre orthwester ein by Joi it on Cours a Northes	ing to Ca coal hanc fe Grante	·
	L, Parcel No. 22,	To HAVE AND TO HOLD said premises unto the said Grantee for so fong as it shall continue to use and occupy premises for 4-H Park Recreational Purposes Only. And the said Grantee agrees, by the acceptance of this grant that whenever it simil cease to use and occupy hereinbefore described premises for the purposes hereinbefore set forth, then and in that event, all right, title, into and estate of the Grantee in and to the hereinbefore described premises shall consider that without early by estimate. It successors and assigns, and shall revert to the Grantor herein, Consolidation Goal Company, its nuccessor estimate.	Recorded County Record of Drude Vol. Pare Unrecorded	All the Lower Freeport seam coul, which is the same stam of cool presently holng unlied in the Nelms No Mine of The Youghiogheary and Ohio Coal Company, that enderlies the following described lands situated in Gre Township, Harrison County, Ohio. BEDU pert of the Northeast Quarter of Section 16, Township 9, Range 4; Biomonrec at the most Northwester corner of a tract of land under which the Lower Freeport seam coal was conveyed to the Grantor Arrein by fol Record of Deeds, and corner bearing South 43° 41° 6024" West, 1778,45 feet distant from a state at the Northwester Record of Deeds, and Section 16, thence with the North line of said land under which the Lower from Coun- ourner of and Section 16, thence with the North line of said land under which the Lower Fromont coun- counter of and Section 16, thence with the North line of said land under which the Lower Fromont coun-	J: Wheeler, South 37° 40° East, 509.69 feet to a point out a Line of lands now, or formenty befonging to Ca belonging to the Grantee and Grantor herein by two deeds, one from The M. A. Hauna Company to the Grante belonging to the Grantee and Grantor herein by two deeds, one from The M. A. Hauna Company to the Grante	
	part of Pt. L	g as it shail co ensever it shail co hen and in that her and di consolidation C	te of Tostrucesal	presently holm following descr ge 4; Bucnovre s conveyed to folume , Pa feet distant fr	lands now, or J Scebange estab c M. A. Hanne c M. A. Hanne	
	ited therein as	uttee for so lon grant that wh ore set fouth, th ore premises sin rantor herein, C	De. orthed to suid i:	te steam of cool at underlies this ownship 9, Ran arm coal wa I recorded in V " West, 1778.4	s, and line of 1 ni a Line of 1 i, one from Th	
	Records of Harrison County, Ohio, and being designated therein as part of Pt. Parcel No. 11. Tract 1, and Pt. I, Parcel No. 2, Tract 8.)	ato the said Gr. Only. centrance of this posts hereinhed hefore describ nevert to the G	Cannots Cannots Date of Institutes Record Becord total Co. (Penn.) The Youghloghtary and 4. 1.68 Unrec Ohio Coal Company Ohio Coal Company 4. 1.68 Unrec	hick is the sum of Company, the Company, the Section 16, T. Lower Freepon A 370 A1' 00.24 h 430 A1' 00.24 h 430 A1' 00.24	rid Arma Kolu et to a point (in by two deed	
	mty, Ohio, and id Pt. I, Parcel	To HAVE AND TO HOLD said premises unto the premises for 4-H Park Recreational Purposes (ady. And the said Grantee agrees, by the accentanc hereinbefore described premises for the purposes l and estate of the Grantae in and to the hereinbefor Contox, its successors and assigns, and shall revert ustigns.	The Youghinghery and Ohio Coal Company the above hatrument were	t seam coul, w and Ohio Coa , Ohiot seast Quarter o der which the dated Decemb r bearing Sout hence with the	rein by John a Eest, 509.63 fo d Grantor herei d	
	Records of Flarriton County, Parcel No. 11, Tract 1, and Pt.	um no Roun s If Park Recreat Id Grantee age scribed premis e Grantee in a pessors and as	ar 5. (Penn.) 5. conveyed by (All the Lower Freeport seam Mine of The Youghinghamy and O Township, Harrison County, Ohior BERN pert of the Northeast Qi curner of a tract of land under whi and Anna Kobus by Deed dated I Record of Deeds, suid corner bear commend of Section 16; thence v	auth 870 - 420 link 870 - 40 link 970 - 40 l	
	Records of Parcel No.	To HAVE A premises for 4.1 And the sa and the ta the state of th bantor, its suc salgna.	Cous. Coal Co. (Penn.) The premises couveyed	All the J Mine of The Township, Hi Benv pe Benv pe currer of a tr and Anna Ko Record of De	belanging to t	
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berein dated October 21, 1989, and recorded in Volume 143, Page 459 of Harrison County, Ohio, Record of Deeds, and the other from the Granteo herein to The M. A. Hanna Company, dated October 31, 1959, and recorded in Volume 143, Page 481, of Harrison County, Ohio, Record of Deeds; thence with the said Line of Exchange, and also with the line of other enal belonging to the Grantur barein, South 17° 35' West, 485.12 feet to a point on the Southwesterly line of said land under which the Lower Freeport seam of coal was conveyed to the Grantor herein by John and Anna Kobus, and line of lands now, or formerly, belonging to Carl J. Wheeler; thence leaving the said Line of Exchange, and with the Southwesterly line of said land under which the Lower Freeport seam coal was conveyed to the Grantor herein, by John and Anna Kobus and also with the line of lands now, or formerly, belonging to Carl J. Wheeler, North 38° 28' West, 592.80 feet to the place of beginning; Contanuous 2.625 acres, more or less.

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This conveyance is made Sompor to a small parcel of land 100 feet wide and 1018 feet long that may in part eventie the coal hereby conveyed, and which was conveyed by Stuart B. Shotwell, et ux. to The W. & L. E. R. R. Company by deed dated September 10, 1899, and recorded in Volume 38, Page 467 of Harrison County, Ohio, Record of Deeds, and which instrument, by which the railroad company acquired title to said strip, states "But it is hereby distinctly agreed that said Grantors hereby convey only such title to said land and rights therein to said railroad company as it would acquire by proceedings instituted in the ordinary way in Probate Court for the appropriation thereof under the statutes of the State of Ohio".

The Grantee herein, by acceptance of this deed, agrees to leave unmined all said Lower Freeport seam coal conveyed hereby that lies within Fifty (50) feet of the said Line of Exchange.

TOCETHER with the free and uninterrupted right of way into and under said above-described land at such points and in such manner and at such times, as the Grantou herein, its successors and assigns, may desire for the purpose of digging, mining, ventilating, draining, removing and carrying away all, or any portion, hereinabove described, without being required to leave any coal in place, or otherwise, to provide for the support of the overlying strate, or surface, or anything therein, thereon or thereunder; and without being liable for any damage to the overlying strate, or surface, or anything therein, thereon or thereunder; and without being liable for any damage to the overlying strate, or surface, or anything therein, thereon or thereunder by reason of the mining and removing of all, or any portion of said coal, or of coal adjacent thereto; and with the right to dig, mine, ventilate, drain, remove and carry away through the said above-described coal any adjoining or other coal of the same seam, now owned, or that may hereafter be acquired by the Grantee herein, its successors and assigns; and also the right to construct and

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starrison County, Ohio 40 1 maintain ways or pessages through said above-described coal for the transportation, transmiralon, or conduction of any and all aupplies, electrical power lines, waste materials, employees and other persons and things which the The right to drift for oil and/or gas through the coal above described without conficting with the rights of said Grautes herein, its suncessors and assigns, as above grunted, using however, all necessary safety devices known to maturent of Mines, State of Ohio, shall be acquired, and payment the business and provided by the mining laws of the State of Ohio, is hereby reserved, but before drilling of my of thall be made by the Grantors, or their heirs and assigns, to the Grantee hereis, its successors and assigns, for such Grantee herein, its successors and assigns, way desire to employ in digging, mining, draining, ventlating, removin coal that is left numbered as protection about such of and/or gas wells, and of such amount as meets the approval and caurying away said above described cost, of any adjoining, or other coal, now owned, or that may hereaft Type of Endmontent Deed ŝ Rented Count 3 8 Date of Justimuzer of the Department of Mines of the State of Ohlo, 4t the rate of 50 cents per hon. 100 be sequified by the Grantee herein, its successors and assigns. Upper Chio Valley Girl Scouts Council 1 Ĩ Cons Coal Co. (Penn.) l de la de l 157 mc149 VO. CHLIM YOL W いたのかが

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1		this Subdivision 5.04.		•••	Recorded County		
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		Grantor			Unrecorded	Agreement	
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5		THE COME GALL AND A	way Company			_	•
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APPENDIX H

EBS CERTIFICATION

APPENDIX H

EBS CERTIFICATION

CERTIFICATION OF THE ENVIRONMENTAL BASELINE SURVEY PROPOSED CADIZ DROP ZONE PROPERTY FOR PITTSBURGH INTERNATIONAL AIRPORT AIR RESERVE STATION

Earth Tech, Inc., has conducted this Environmental Baseline Survey on behalf of the Air Force. Earth Tech, Inc., has reviewed all appropriate records made available, and conducted visual site inspections of the selected facilities following an analysis of information during the record search. The information contained within the survey report is based on records made available and, to the best of Earth Tech, Inc.'s knowledge, is correct and current as of October 2008.

no C/A

Carl Rykaczewski, REA No 07598 Earth Tech, Inc.

17 March 2009

Date

I certify that the property conditions stated in this report are based upon a review of available records, visual inspections, and analysis, as noted, and are true and correct to the best of my knowledge and belief.

Aalon N. Elwell &

GORDON H. ELWELL, JR., Colonel, USAFR Commander, 911th Airlift Wing

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Date

March 2009

Environmental Assessment and Baseline Survey To Establish New Drop Zone in Cadiz, OH H-1

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APPENDIX I

AIR EMISSIONS CALCULATIONS

AIRCRAFT EMISSIONS CALCULATIONS FOR PROPOSED ACTION AIRCRAFT OPERATIONS

Aircraft emissions from aircraft operations that would occur under the Proposed Action were calculated using the methodology and emission factors in <u>United States Air Force IERA Air Emissions Inventory Guidance Document for Mobile Sources at Air Force Installations</u> (O'Brien, Robert J. and Mark Wade, 2002. Karta Technologies, Inc., revised December 2003).

Aircraft: C-130 H Engine: T56-A-15, 4 per aircraft

			Emission Factor in lb Pollutant per 1000 lb fuel burned (lb/1000 lb)					
		Fuel Flowrate						
Aircraft Engine	Power Setting	(lb/hr)	NO _x	CO	VOC	PM_{10}		
T56-A-15	Ground Idle	900	7.49	3.84	1.97	3.64		
	Flight Idle	1,240	8.31	2.82	0.58	3.85		
	Normal RTD	2,180	9.69	1.65	0.42	1.46		
	In Mil	2,456	11.42	1.77	0.28	1.22		

Criteria Pollutant Emission Factors (excluding SOx)

Emission Factor for SOx

Emission Factor = 20 * average sulfur content of fuel (percent by weight)/1000 lb fuel.

Based on an average sulfur content of JP-8 in Pennsylvania of 0.023, the emission factor for SOx is 0.46 lb/1000 lb.

Emission Calculations

Annual emissions (in lbs) for each pollutant were calculated using the following formula: $E_{pol} = (AT / 60) * NF * (FFR / 1000) * EF * NE$

Where,

E_{pol} = Emissions of a particular pollutant generated from a specific aircraft's annual flights within the air space (lb/yr)
AT = Average time per flight (by the applicable aircraft) within the air space (min/flight)
60 = Factor for converting minutes into hours (min/hour)
NF = Number of flights (within the air space) conducted by the applicable aircraft during the year (flights/yr)
FFR = Fuel Flow Rate per engine (lb/hr)
1000 = Factor for converting "lb/hr" to "1000 lb/hr"
EF = Emission Factor (lb/1000 lb)
NE = Number of engines on the aircraft

For this EA annual aircraft emissions were calculated for C-130H aircraft activity in the vicinity of the proposed Cadiz Drop Zone, including approach, overflight, and departure of the drop zone. Aircraft activity before approach to and departure from the drop zone area is assumed to be part of the existing low-level flight activity occurring in the area; therefore, emissions for this activity were not calculated as part of the proposed action. The emissions presented in the following table were calculated using 6 minutes flight time within the drop zone area for AT, a maximum of 2,160 flights per year for NF, and the "normal RTD" for FFR.

- · · · · · · · · · · · · · · · · · · ·							
	СО	VOC	NO _x	SO _X	PM ₁₀		
lb/yr	3,107.81	791.08	18251.31	866.42	2749.94		
tpy	1.55	0.40	9.13	0.43	1.37		

Total Annual Drop Zone Emissions

APPENDIX J

REGULATORY CONSULTATION

EARTH TECH AECOM

Earth Tech 1461 E. Cooley Drive, Suite 100, Colton, California 92324 T 909.554.5000 F 909.424.1924 www.earthtech.aecom.com

Matthew Malle AECOM Environmental/Earth Tech Biologist 1461 East Cooley Drive Suite 100 Colton, CA 92324

Ohio Department of Natural Resources Division of Natural Areas and Preserves Ohio Natural Heritage Program 2045 Morse Rd., Bldg. F-1 Columbus, Ohio 43229

Subject: Data Request Form--Proposed Cadiz Drop Zone Cadiz, OH

Ohio Department of Natural Resources:

AECOM Environmental/Earth Tech has been hired to prepare a combined environmental assessment (EA) and environmental baseline survey (EBS) to support the proposed acquisition of property located near Cadiz, Ohio, for use as a drop zone for airdrop training by the 911th Airlift Wing (911 AW) of the Air Force Reserves (AFR).

The 911 AW is located at Pittsburgh International Airport (IAP) Air Reserve Station (ARS), Coraopolis, Pennsylvania. The 911 AW conducts airdrop training as part of its combat crew training. The unit currently has a drop zone, the Starvaggi Drop Zone, located near Burgettstown, Pennsylvania. However, this site has several serious limitations that restrict the 911 AW's airdrop training. The proposed Cadiz Drop Zone meets these requirements.

The Proposed Action is the establishment of a drop zone for use by the 911 AW. The proposed drop zone is an approximately 430-acre site located approximately 3.3 miles southwest of the town of Cadiz in Harrison County, Ohio. The site is on a reclaimed strip mine owned by CONSOL Energy that is currently being leased for cattle grazing. No significant modification of the site, such as grading access roads, clearing vegetation, or constructing facilities, would be required to establish the drop zone. It is expected that cattle grazing would continue to control the height of vegetation on the site, thereby eliminating the need for routine vegetation control.

The proposed drop zone consists of a rectangular drop zone and a circular drop zone superimposed on each other. The rectangular drop zone is approximately 1,500 yards (4,500 feet) long and 1,000 yards (3,000 feet) wide with a centerline oriented along a northwest-southeast axis. The circular drop zone has a 750-yard (2,250-foot) radius and is centered on the long axis of the rectangular drop zone, but offset approximately 250 yards (750 feet) to the southeast of the center of the rectangular drop zone.

The site consists primarily of fairly level, open grassland. Some areas towards the edges of the proposed lease boundary have steeper slopes and small areas of woodlands, but drop zone activities are not proposed for these areas. Drop zone activities would generally be restricted to the center of the proposed lease area boundary. AFR experience indicates that most dropped items land within 300 yards of targets which would be located along the centerline of the drop zone.

Air drops would be conducted as part of aircraft training flights that are currently a routine activity. A typical drop training event would entail use of two C130 aircraft. Flights to the drop zone would originate and terminate at Pittsburgh IAP ARS. Drop zone activities would be conducted 2-3 times per week. Most activities would consist of dropping training bundles consisting of 15-lb sandbags with 68-inch diameter parachutes. Heavier dropped material, referred to as "actual loads" would be dropped only 2-3 time per month.

According to the U.S. Fish and Wildlife Service, the only federally listed species recorded for Harrison County is the federally endangered Indiana bat (*Myotis sodalis*). Specific information required for our Environmental Assessment is a comprehensive list of federally listed species with the potential to occur on or adjacent to the proposed Project Site. Specifically, we would like to obtain information about regionally significant Indiana bat hibernacula (within 10 miles of Project Site) and capture records (within 5 miles of Project Site) to include within the EA biological assessment.

Please let me know if you have any addition concerns or if you require additional information.

Best Regards,

Matthe Malle

Matthew Malle Biologist

909-554-5041 Office Matthew.Malle@AECOM.com



Ohio Department of Natural Resources

TED STRICKLAND, GOVERNOR

SEAN D. LOGAN, DIRECTOR

Division of Natural Areas & Preserves Steven D. Maurer, Chief 2045 Morse Road, F-1 Columbus, OH 43229-6693 Phone: (614) 265-6453 Fax: (614) 267-3096

November 19, 2008

Matthew Malle AECOM Environmental/Earth Tech 1461 E. Cooley Dr., Suite 100 Colton, CA 92324

Dear Mr. Malle:

After reviewing our Natural Heritage maps and files, I find the Division of Natural Areas and Preserves has no records of rare or endangered species near the AECOM Environmental/Earth Tech Proposed Cadiz Drop Zone project #106627. The site is located in Secs. 13, 14, 19, and 20, Cadiz Twp., Harrison Co., Flushing Quadrangle. We have no records of Indiana Bats within 5 miles of the project and no records of Indiana Bat Hibernacula with 10 miles of the project.

There are no existing or proposed state nature preserves at the project site. We are also unaware of any unique ecological sites, geologic features, breeding or non-breeding animal concentrations, state parks, state forests, scenic rivers, or wildlife areas within the project area.

Our inventory program has not completely surveyed Ohio and relies on information supplied by many individuals and organizations. Therefore, a lack of records for any particular area is not a statement that rare species or unique features are absent from that area. Although we inventory all types of plant communities, we only maintain records on the highest quality areas.

Please contact me at (614) 265-6409 if I can be of further assistance.

Sincerely,

Butch Grieszmer, Data Specialist Resource Services Group

ohiodnr.com

EARTH TECH AECO

Earth Tech 1461 E. Cooley Drive, Suite 100, Colton, California 92324 T 909.554.5000 F 909.424.1924 www.earthtech.aecom.com

02 Dec 08

Dr. Mary Knapp U.S. Fish and Wildlife Service 6950 Americana Parkway Suite H Reynoldsburg, OH 43068-4127

Subject: Request for Information on Federally Listed Endangered, Threatened and Candidate Species and Notification of an Environmental Assessment for the Proposed Cadiz Drop Zone Project.

References:

- (a) Endangered Species Act of 1973, Section 7(c)(1)
- (b) National Environmental Policy Act

Dear Dr. Mary Knapp:

In accordance with references above, we are preparing to issue an Environmental Assessment (EA) to support the proposed lease of property located near Cadiz, Ohio, for use as a drop zone for airdrop training by the 911th Airlift Wing (911 AW) of the Air Force Reserves (AFR). We request you confirm that the threatened, endangered species and proposed candidates list is current and complete. Please identify any possible adverse impacts affecting species or critical habitat. Attached to this document is a brief description of the proposed action including a discussion of threatened and endangered species and figures showing the project location and boundary.

We appreciate your assistance with our efforts to identify important biological resources early in the EA development. Upon completion, a copy of the EA will be forwarded to your office for review.

If you have any questions or comments, please contact me at (909) 554-5052.

Very truly yours,

Earth Tech Inc.,

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Carl Rykaczewski Senior Environmental Professional

Attachments:

- 1. Environmental Assessment Information
- 2. Ohio DNR Letter
- 3. Figure 1
- 4. Figure 2
- 5. Figure 3
Attachment 1 Environmental Assessment Documentation Proposed Cadiz, OH Drop Zone

Proposed Action

The 911 AW is located at Pittsburgh International Airport (IAP) Air Reserve Station (ARS), Coraopolis, Pennsylvania. The 911 AW conducts airdrop training as part of its combat crew training. The unit currently has a drop zone, the Starvaggi Drop Zone, located near Burgettstown, Pennsylvania. However, this site has several serious limitations that restrict the 911 AW's airdrop training. The proposed Cadiz Drop Zone meets these requirements.

The Proposed Action is the establishment of a drop zone for use by the 911 AW. The proposed drop zone is an approximately 430-acre site located approximately 3.3 miles southwest of the town of Cadiz in Harrison County, Ohio (lat/long: 40.226695, - 81.044254). The site is on a reclaimed strip mine owned by CONSOL Energy that is currently being leased for cattle grazing. No significant modification of the site, such as grading access roads, clearing vegetation, or constructing facilities, would be required to establish the drop zone. It is expected that cattle grazing would continue to control the height of vegetation on the site, thereby eliminating the need for routine vegetation control.

The proposed drop zone consists of a rectangular drop zone and a circular drop zone superimposed on each other. The rectangular drop zone is approximately 1,500 yards (4,500 feet) long and 1,000 yards (3,000 feet) wide with a centerline oriented along a northwest-southeast axis. The circular drop zone has a 750-yard (2,250-foot) radius and is centered on the long axis of the rectangular drop zone, but offset approximately 250 yards (750 feet) to the southeast of the center of the rectangular drop zone.

The site consists primarily of fairly level, open grassland. Some areas towards the edges of the proposed lease boundary have steeper slopes and small areas of woodlands, but drop zone activities are not proposed for these areas. Drop zone activities would generally be restricted to the center of the proposed lease area boundary. AFR experience indicates that most dropped items land within 300 yards of targets which would be located along the centerline of the drop zone.

Air drops would be conducted as part of aircraft training flights that are currently a routine activity. A typical drop training event would entail use of two C130 aircraft. Flights to the drop zone would originate and terminate at Pittsburgh IAP ARS. Drop zone activities would be conducted 2-3 times per week. Most activities would consist of dropping training bundles consisting of 15-lb sandbags with 68-inch diameter parachutes. Heavier dropped material, referred to as "actual loads" would be dropped only 2-3 times per month.

Alternatives to the Proposed Action

No Action Alternative

Under the No-Action Alternative, the AFR would not lease the property from CONSOL Energy to establish the new Cadiz Drop Zone. Airdrop training would continue at the Starvaggi Drop Zone. There would be no change in existing conditions. Because of limitations on use of the Starvaggi Drop Zone, continued reliance on this site as its only drop zone training site would limit the 911 AW's training capability and combat readiness and is not consistent with the purpose and need for the proposed action.

Biological Resources

The property is located within the Monongahela Transition Zone of the Western Alleghany Plateau Ecoregion. Potential natural vegetation in this ecoregion consists of mixed mesophytic and mixed oak forest (U.S EPA, 2008). The following discussion of biological resources on and adjacent to the property is based on observations made during the visual reconnaissance survey (VRS) conducted on 14 October 2008.

The majority of the property is on a reclaimed strip mine. The mined area has been graded and revegetated and is currently a grassland used for cattle grazing. The vegetation consists primarily of grasses and legumes (e.g., clover, vetch) with some other forbs, including *Aster* sp., Queen Anne's lace (*Daucus carota*), chicory (*Cichorium intybus*), goldenrod (*Solidago canadensis*), and teasel (*Dipsacus fullonum*). A few small single cottonwood (*Populus deltoides*) and black locust (*Robinia pseudoacacia*) trees are present in the grassland area. Two small wooded areas, located at the western and southern edges of the property occupy areas that were probably not mined. Tree species identified in the woodland include sycamore (*Platanus occidentalis*), black locust, sugar maple (*Acer saccharum*), silver maple (*Acer saccharinum*), cottonwood, ash (*Fraxinus* sp.), and black walnut (Juglans nigra). Common under story plants in the woodland include poison ivy (*Toxicodendron radicans*), brambles (Rubus sp.), and bush honeysuckle (*Lonicera sp*). Two areas of cattails (*Typha* sp.) and willows (*Salix* sp.) are adjacent to the southern woodland area.

Wildlife species observed were white-tail deer (*Odocoileus virginianus*) and several bird species (mallard (*Anas platyrhynchos*), northern harrier (*Circus cyaneus*), black vulture (*Coragyps atratus*), turkey vulture (*Cathartes aura*), American kestrel (*Falco sparverius*), American crow (*Corvus brachyrhynchos*), northern flicker (*Colaptes auratus*), and yellow-rumped warbler (*Dendroica coronata*)). Cattle were observed only in adjacent areas, but signs of cattle grazing, including droppings and heavy trampling in wet areas, were evident on the property.

Sensitive Habitats

Two ponds are present in the northern portion of the property. These appear to be artificial water bodies created during site reclamation. Two areas of cattails (wetland

obligate species) are present on the property. Near the center of the property a small area (less than ¼ acre) appeared as a dried puddle during the VRS. Although this dry puddle is generally barren and has been heavily trampled by cattle, a few clumps of rushes (wetland obligate species) grow in this area.

A small stream flows along the edges of the woodland area located on the southern portion of the property.

There are no direct impacts expected to the aquatic habitats present on-site. To the extent possible, the aquatic sites within the proposed impact areas will be avoided; however, it is possible the dropped materials would need to be occasionally retrieved from these sites. During the VRS of the drop zone, it was noted that the aquatic sites present were heavily trampled by and used as water source for the grazing cattle. The occasional retrieval of dropped materials could cause temporary increased sedimentation with the water column, ultimately affecting the water quality; however, the water quality would be expected to return to pre-exercise conditions shortly after the drop-zone operations have ceased. No significant adverse impacts to the aquatic habitats within the impact area are expected.

There are no impacts anticipated to the small stream located within the woodland area within the southern portion of the drop zone.

Protected Species

According to the U.S. Fish and Wildlife Service, the only federally listed species recorded for Harrison County and having the potential to occur within the drop zone area is the federally endangered Indiana bat (*Myotis sodalis*) (U.S. Fish and Wildlife Service, 2008).

The Ohio DNR was contacted as part of this analysis and asked to provide feedback of the likelihood for the Indiana bat to occur on or adjacent to the proposed project area. The Ohio DNR reviewed Natural Heritage maps and files for the regional area and concluded that no records of Indiana bat have been recorded within 5 miles of the property and no Indiana bat hibernacula have been recorded within 10 miles of the property.



Ohio Department of Natural Resources

TED STRICKLAND, GOVERNOR

SEAN D. LOGAN, DIRECTOR

Division of Natural Areas & Preserves Steven D. Maurer, Chief 2045 Morse Road, F-1 Columbus, OH 43229-6693 Phone: (614) 265-6453 Fax: (614) 267-3096

November 19, 2008

Matthew Malle AECOM Environmental/Earth Tech 1461 E. Cooley Dr., Suite 100 Colton, CA 92324

Dear Mr. Malle:

After reviewing our Natural Heritage maps and files, I find the Division of Natural Areas and Preserves has no records of rare or endangered species near the AECOM Environmental/Earth Tech Proposed Cadiz Drop Zone project #106627. The site is located in Secs. 13, 14, 19, and 20, Cadiz Twp., Harrison Co., Flushing Quadrangle. We have no records of Indiana Bats within 5 miles of the project and no records of Indiana Bat Hibernacula with 10 miles of the project.

There are no existing or proposed state nature preserves at the project site. We are also unaware of any unique ecological sites, geologic features, breeding or non-breeding animal concentrations, state parks, state forests, scenic rivers, or wildlife areas within the project area.

Our inventory program has not completely surveyed Ohio and relies on information supplied by many individuals and organizations. Therefore, a lack of records for any particular area is not a statement that rare species or unique features are absent from that area. Although we inventory all types of plant communities, we only maintain records on the highest quality areas.

Please contact me at (614) 265-6409 if I can be of further assistance.

Sincerely,

Butch Grieszmer, Data Specialist Resource Services Group

ohiodnr.com



0 500 1,000 2,000 Feet

Flushing, Ohio 7.5' USGS



EXPLANATION



Expected Impact Area (300-yd radius from targets)

Drop Zone Boundaries

Proposed Cadiz Drop Zone



Figure 2



Center of Drop Zone; close up of potential wetland area. Heavily trampled by cattle grazing.



West end of Drop Zone, aspect southwest toward wooded area.



Southern portion of Drop Zone, aspect north from fringe of wooded area.





United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services 4625 Morse Road, Suite 104 Columbus, Ohio 43230 614-416-8993 / FAX 614-416-8994

January 15, 2009

Carl Rykaczewski Earth Tech 1461 Cooley Drive, Suite 100 Colton, CA 92324

TAILS: 2009-TA-0190

Re: AFR Cadiz Drop Zone, Harrison County, OH

Dear Mr. Rykaczewski:

This is in response to your December 2, 2008 letter requesting information we may have regarding the occurrence or possible occurrence of Federally-listed threatened or endangered species within the vicinity of the proposed project located on an approximate 430 acre site located approximately 3.3 miles southwest of Cadiz in Harrison County, Ohio. We understand that the purpose of the proposed project is to lease the property for use as a drop zone for airdrop training by the Air Force Reserves. According to your letter, the study area is on a reclaimed strip mine that is currently being leased for cattle grazing. We understand that two ponds and several potential wetlands as well as a stream are located within the proposed site but that no direct impacts to aquatic resources are proposed.

There are no Federal wildlife refuges, wilderness areas, or Critical Habitat within the vicinity of this site.

The U.S. Fish and Wildlife Service recommends that proposed activities minimize water quality impacts and impacts to quality fish and wildlife habitat, such as forests, streams, and wetlands. Riparian zone habitat should be preserved wherever possible. Vegetated areas along stream and river banks stabilize the banks, provide fish and wildlife habitat, filter pollutants and excess nutrients from the water, store excess water during storm events, and minimize sedimentation. We recommend that the proposed action use best construction techniques to minimize erosion. Prevention of non-native, invasive plant establishment is critical in maintaining quality habitats. All disturbed areas should be mulched and re-vegetated with native plants. We recommend planting disturbed areas with native riparian species, for example willows, dogwoods, and cottonwoods. For maximum benefits on water quality and bank stabilization, riparian areas should not be mowed. Additionally, natural buffers around streams and wetlands should be preserved to enhance beneficial functions.

MIGRATORY BIRD COMMENTS: The project lies within the range of the **bald eagle** (*Haliaeetus leucocephalus*), a species protected under the Bald and Golden Eagle Protection Act

and the Migratory Bird Treaty Act. Due to the project type, location, and onsite habitat, this species would not be expected within the project area, and no impact to this species is expected. Relative to this species, this precludes the need for further action on this project as required by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

ENDANGERED SPECIES COMMENTS: The proposed project lies within the range of the **Indiana bat** (*Myotis sodalis*), a Federally-listed endangered species. Since first listed as endangered in 1967, their population has declined by nearly 60%. Several factors have contributed to the decline of the Indiana bat, including the loss and degradation of suitable hibernacula, human disturbance during hibernation, pesticides, and the loss and degradation of forested habitat, particularly stands of large, mature trees. Fragmentation of forest habitat may also contribute to declines. During winter, Indiana bats hibernate in caves and abandoned mines. Summer habitat requirements for the species are not well defined but the following are considered important:

(1) dead or live trees and snags with peeling or exfoliating bark, split tree trunk and/or branches, or cavities, which may be used as maternity roost areas;

(2) live trees (such as shagbark hickory and oaks) which have exfoliating bark;

(3) stream corridors, riparian areas, and upland woodlots which provide forage sites.

Should the proposed site contain trees or associated habitats exhibiting any of the characteristics listed above, we recommend that the habitat and surrounding trees be saved wherever possible. According to your letter, the proposed project area is grassland that is currently being grazed with some wooded areas on the edges of the site that is not proposed to be impacted. Due to the past activities within the area and current on-site habitat, no impacts are expected for this species.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the Endangered Species Act of 1973 (ESA), as amended, and are consistent with the intent of the National Environmental Policy Act of 1969 and the U.S. Fish and Wildlife Service's Mitigation Policy. This letter provides technical assistance only and does not serve as a completed ESA section 7 consultation document.

If you have questions, or if we may be of further assistance in this matter, please contact Melanie Cota at extension 15 in this office or by email at <u>Melanie Cota@fws.gov</u> or visit our website at http://www.fws.gov/midwest/Reynoldsburg/.

Sincerely,

Mary Mapp.

Mary Knapp, Ph.D. Field Supervisor

cc: ODNR, DOW, SCEA Unit, Columbus, OH

AECOM

AECOM

1461 E. Cooley Dr, Suite 100, Colton, California 92324 T 909.554.5000 F 909.424.1924 www.aecom.com

Mr. Mark J. Epstein Department Head Ohio Historic Preservation Office Resource Protection and Review 567 East Hudson Street Columbus, OH 43211-1030

December 24, 2008

Dear Mr. Epstein,

Subject: Cadiz Drop Zone Section 106 Project Summary Form

On behalf of the Air Force Reserves (AFR), AECOM is preparing an Environmental Assessment and Environmental Baseline Survey for the proposed lease of a 430-acre parcel located in Harrison County, Ohio, approximately 3.3 miles southwest of the town of Cadiz. The parcel will be used as a drop zone by the 911th Airlift Wing (911 AW) located at Pittsburgh International Airport (IAP) Air Reserve Station (ARS), Coraopolis, Pennsylvania. As part of this effort, and in compliance with federal laws, we are initiating correspondence and consultation efforts with your office regarding the proposed lease of the Cadiz Drop Zone. The entire 430-acre parcel is considered the Area of Potential Effect (APE).

The 911 AW conducts airdrop training as part of its combat crew training. The unit currently has a drop zone, the Starvaggi Drop Zone, located near Burgettstown, Pennsylvania. However, this site has limitations that restrict the 911 AW's airdrop training. The proposed Cadiz Drop zone offers the following improvements over the Starvaggi Drop Zone:

- A relatively level area without steep slopes, rugged terrain, and large trees
- A large area to establish a rectangular drop zone 1,000 yards by 1,500 yards in size
- Can be surveyed as a circular drop zone to support aircraft run-ins from more than a single direction
- It is not located in airspace where drop altitudes and airspeeds for airdrop operations are limited.

Because the airdrop training limitations currently imposed by use of the Starvaggi Drop Zone would not be present at the Cadiz Drop Zone, the Proposed Action would greatly increase the 911 AW's training capability and combat readiness.

The area proposed to be leased by the AFR is a reclaimed strip mine owned by CONSOL Energy. Although no comprehensive archaeological survey has been performed across the entire Cadiz Drop

AECOM

Zone, land alterations associated with mining operations have obscured or removed all remnants of the original ground surface. The likelihood of finding prehistoric cultural resources is negligible. A record search conducted by your office noted one cultural resource survey had been conducted within a mile radius of the APE. This survey covered a small portion of the Cadiz Drop Zone, less than ten percent of the APE, but a significant portion of the parcel that was not affected by the strip mine operation and reclamation. As a result of this survey, a single cultural resource, the Barricklow Farm was recorded. No prehistoric resources were encountered.

Enclosed you will find a completed Resource Protection and Review – Section 106 Review – Project Summary Form. We believe the project will have No Adverse Effect [36CFR 800.4(d)(1)] on historic properties. Thank you for your cooperation with our efforts to address any possible cultural resource that may be impacted. We look forward to your response. Please contact Christopher Doolittle if you need additional information (christopher.doolittle@aecom.com; 909-554-5045).

Sincerely,

che Dim

Christopher Doolittle Cultural Resources Manager AECOM

Enc: Cadiz Drop Zone Project Summary Form



January 22, 2009

Christopher Doolittle AECOM 1461 E. Cooley Drive, Suite 100 Colton, California 92324

Dear Mr. Doolittle:

Re: Cadiz Drop Zone, Cadiz Township, Harrison County, Ohio

This is in response to your correspondence, received on January 5, 2009, regarding the new drop zone for the 911th Airlift Wing in Cadiz Township, Harrison County, Ohio. My comments are made pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, and the associated regulations at 36 CFR Part 800. Based on the information submitted, it is my opinion that the proposed undertaking will not affect properties listed in or eligible for listing in the National Register of Historic Places. No further coordination is required unless the project changes or archaeological remains are discovered during the course of the project. In such a situation, this office should be contacted as per 36 CFR 800.13.

If you have any questions, please contact me at (614) 298-2000, or by email at nyoung@ohiohistory.org.

Sincerely,

Nathan J. Young, Project Reviews Manager Resource Protection and Review

1023150

OHIO HISTORICAL SOCIETY

Ohio Historic Preservation Office 567 East Hudson Street, Columbus, Ohio 43211-1030 ph: 614.298.2000 fx: 614.298.2037 www.ohiohistory.org

Earth Tech 1461 E. Cooley Drive, Suite 100, Colton, California 92324 T 909.554.5000 F 909.424.1924 www.earthtech.aecom.com

January 6, 2009

Mr. John P. Froman Chief, Peoria Tribe of Oklahoma PO Box 1527 118 S. Eight Tribe Trail Miami, OK 74355

Subject: Consultation on Native American Interests Regarding Traditional and Historic Resources at Cadiz Drop Zone, Harrison County, Ohio

References:

- (a) American Indian Religious Freedom Act of 1978
- (b) Native American Graves Protection and Repatriation Act of 1990
- (c) Section 106 of the National Historic Preservation Act (36 CFR Part 800), as amended

Dear Mr. Froman:

On behalf of the Air Force Reserves (AFR), AECOM Technical Services is preparing an Environmental Assessment and Environmental Baseline Survey for the proposed lease of a 430-acre parcel located in Harrison County, Ohio, approximately 3.3 miles southwest of the town of Cadiz (Figure 1). The parcel will be used as a drop zone by the 911th Airlift Wing (911 AW) located at Pittsburgh International Airport (IAP) Air Reserve Station (ARS), Coraopolis, Pennsylvania. As part of this effort, and in compliance with the above references, we are initiating correspondence and consultation efforts to affiliated tribal groups regarding the proposed lease of the Cadiz Drop Zone. The entire 430-acre parcel is considered the Area of Potential Effect (APE).

The 911 AW conducts airdrop training as part of its combat crew training. The unit currently has a drop zone, the Starvaggi Drop Zone, located near Burgettstown, Pennsylvania. However, this site has limitations that restrict the 911 AW's airdrop training. The proposed Cadiz Drop Zone offers the following improvements over the Starvaggi Drop Zone:

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Because the airdrop training limitations currently imposed by use of the Starvaggi Drop Zone would not be present at the Cadiz Drop Zone, the Proposed Action would greatly increase the 911 AW's training capability and combat readiness.

The area proposed to be leased by the AFR is a reclaimed strip mine owned by CONSOL Energy. Although no comprehensive archaeological survey has been performed across the entire Cadiz Drop Zone, land alterations associated with mining operations have obscured or removed all remnants of the original ground

surface. The likelihood of finding prehistoric cultural resources is negligible. A record search conducted by the Ohio Historic Preservation Office noted one cultural resource survey had been conducted within a mile radius of the project area. This survey covered a small portion of the Cadiz Drop Zone, less than 10 percent of the APE, but a significant portion of the parcel that was not affected by the strip mine operation and reclamation. As a result of this survey, a single cultural resource, the Barricklow Farm was recorded. No prehistoric resources were encountered.

At this stage, the AFR invites you to participate in consultation for the leasing of the Cadiz Drop Zone. To ensure that any areas of sacred or spiritual significance to Native American groups are considered, we would appreciate your help in identifying or sharing any interests or concerns regarding religious or cultural resources within the lands of the Cadiz Drop Zone. Our goal is to protect areas important to Native Americans who have lived in the area of the Cadiz Drop Zone in the past, or have interest in it for the future.

Thank you for your cooperation with our efforts to address any possible Native American concerns that may be impacted. We look forward to your response. Please contact me at 909.554.5052 if you need additional information.

Sincerely,

Earth Tech Inc.,

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Carl Rykaczewski Senior Environmental Professional



500 1,000 2,000 Feet 0 400 Meters 0 100 200

Flushing, Ohio 7.5' USGS

PEORIA TRIBE OF INDIANS OF OKLAHOMA



118 S. Eight Tribes Trail (918) 540-2535 FAX (918) 540-2538 P.O. Box 1527 MIAMI, OKLAHOMA 74355 CHIEF John P. Froman

SECOND CHIEF Jason Dollarhide

January 22, 2009

Earth Tech Attn: Carl Rykaczewski Senior Environmental Professional 1461 E Cooley Drive, Suite 100 Colton, CA 92324

RE: Consultation on Native American Interests Regarding Traditional and Historic Resources at Cadiz Drop Zone, Harrison County, Ohio

Thank you for notice of the referenced project. The Peoria Tribe of Indians of Oklahoma is currently unaware of any documentation directly linking Indian Religious Sites to the proposed construction. In the event any items falling under the Native American Graves protection and Repatriation Act (NAGPRA) are discovered during construction, the Peoria Tribe request notification and further consultation.

The Peoria Tribe has no objection to the proposed construction. However, if human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction should stop immediately, and the appropriate persons, including state and tribal NAGPRA representatives contacted.

John P. Froman Chief

xc:

Bud Ellis, Repatriation/NAGPRA Committee Chairman

Earth Tech 1461 E. Cooley Drive, Suite 100, Colton, California 92324 T 909.554.5000 F 909.424.1924 www.earthtech.aecom.com

January 6, 2009

Mr. Brady Grant THPO, Office of Archaeology and Historic Preservation Turtle Mountain Band of Chippewa Indians P.O. Box 900 Belcourt, North Dakota 58316

Subject: Consultation on Native American Interests Regarding Traditional and Historic Resources at Cadiz Drop Zone, Harrison County, Ohio

References:

- (a) American Indian Religious Freedom Act of 1978
- (b) Native American Graves Protection and Repatriation Act of 1990
- (c) Section 106 of the National Historic Preservation Act (36 CFR Part 800), as amended

Dear Mr. Grant:

On behalf of the Air Force Reserves (AFR), AECOM Technical Services is preparing an Environmental Assessment and Environmental Baseline Survey for the proposed lease of a 430-acre parcel located in Harrison County, Ohio, approximately 3.3 miles southwest of the town of Cadiz (Figure 1). The parcel will be used as a drop zone by the 911th Airlift Wing (911 AW) located at Pittsburgh International Airport (IAP) Air Reserve Station (ARS), Coraopolis, Pennsylvania. As part of this effort, and in compliance with the above references, we are initiating correspondence and consultation efforts to affiliated tribal groups regarding the proposed lease of the Cadiz Drop Zone. The entire 430-acre parcel is considered the Area of Potential Effect (APE).

The 911 AW conducts airdrop training as part of its combat crew training. The unit currently has a drop zone, the Starvaggi Drop Zone, located near Burgettstown, Pennsylvania. However, this site has limitations that restrict the 911 AW's airdrop training. The proposed Cadiz Drop Zone offers the following improvements over the Starvaggi Drop Zone:

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Because the airdrop training limitations currently imposed by use of the Starvaggi Drop Zone would not be present at the Cadiz Drop Zone, the Proposed Action would greatly increase the 911 AW's training capability and combat readiness.

The area proposed to be leased by the AFR is a reclaimed strip mine owned by CONSOL Energy. Although no comprehensive archaeological survey has been performed across the entire Cadiz Drop Zone, land alterations associated with mining operations have obscured or removed all remnants of the original ground

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At this stage, the AFR invites you to participate in consultation for the leasing of the Cadiz Drop Zone. To ensure that any areas of sacred or spiritual significance to Native American groups are considered, we would appreciate your help in identifying or sharing any interests or concerns regarding religious or cultural resources within the lands of the Cadiz Drop Zone. Our goal is to protect areas important to Native Americans who have lived in the area of the Cadiz Drop Zone in the past, or have interest in it for the future.

Thank you for your cooperation with our efforts to address any possible Native American concerns that may be impacted. We look forward to your response. Please contact me at 909.554.5052 if you need additional information.

Sincerely,

Earth Tech Inc.,

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Carl Rykaczewski Senior Environmental Professional

Earth Tech 1461 E. Cooley Drive, Suite 100, Colton, California 92324 T 909.554.5000 F 909.424.1924 www.earthtech.aecom.com

January 6, 2009

Mr. Robert Guenthardt Chairman, Little River Band of Ottawa Indians of Michigan 375 River Street Manistee, Michigan 49660-2729

Subject: Consultation on Native American Interests Regarding Traditional and Historic Resources at Cadiz Drop Zone, Harrison County, Ohio

References:

- (a) American Indian Religious Freedom Act of 1978
- (b) Native American Graves Protection and Repatriation Act of 1990
- (c) Section 106 of the National Historic Preservation Act (36 CFR Part 800), as amended

Dear Mr. Guenthardt:

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Earth Tech 1461 E. Cooley Drive, Suite 100, Colton, California 92324 T 909.554.5000 F 909.424.1924 www.earthtech.aecom.com

January 6, 2009

Mr. Clint Halftown Chief, Cayuga Nation PO Box 11 Versailles, NY 14168

Subject: Consultation on Native American Interests Regarding Traditional and Historic Resources at Cadiz Drop Zone, Harrison County, Ohio

References:

- (a) American Indian Religious Freedom Act of 1978
- (b) Native American Graves Protection and Repatriation Act of 1990
- (c) Section 106 of the National Historic Preservation Act (36 CFR Part 800), as amended

Dear Mr. Halftown:

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Earth Tech 1461 E. Cooley Drive, Suite 100, Colton, California 92324 T 909.554.5000 F 909.424.1924 www.earthtech.aecom.com

January 6, 2009

Mr. Darwin Hill Tonawanda Band of Seneca Indians of New York 7027 Meadville Road Basom, New York 14013

Subject: Consultation on Native American Interests Regarding Traditional and Historic Resources at Cadiz Drop Zone, Harrison County, Ohio

References:

- (a) American Indian Religious Freedom Act of 1978
- (b) Native American Graves Protection and Repatriation Act of 1990
- (c) Section 106 of the National Historic Preservation Act (36 CFR Part 800), as amended

Dear Mr. Hill:

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January 6, 2009

Ms. Clara P. Holt NAGPRA Officer, Eastern Band of Cherokee Indians of North Carolina P.O. Box 455 Cherokee, North Carolina 28719

Subject: Consultation on Native American Interests Regarding Traditional and Historic Resources at Cadiz Drop Zone, Harrison County, Ohio

References:

- (a) American Indian Religious Freedom Act of 1978
- (b) Native American Graves Protection and Repatriation Act of 1990
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Dear Ms. Holt:

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Earth Tech 1461 E. Cooley Drive, Suite 100, Colton, California 92324 T 909.554.5000 F 909.424.1924 www.earthtech.aecom.com

January 6, 2009

Mr. John Miller Pokagon Band of Potawatomi Indians PO Box 180 901 Spruce Street Dowagiac, Michigan 49047

Subject: Consultation on Native American Interests Regarding Traditional and Historic Resources at Cadiz Drop Zone, Harrison County, Ohio

References:

- (a) American Indian Religious Freedom Act of 1978
- (b) Native American Graves Protection and Repatriation Act of 1990
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Earth Tech 1461 E. Cooley Drive, Suite 100, Colton, California 92324 T 909.554.5000 F 909.424.1924 www.earthtech.aecom.com

January 6, 2009

Ms. Kathleen Mitchell THPO, Seneca Nation of Indians PO Box 231 Salamanca, New York 14779

Subject: Consultation on Native American Interests Regarding Traditional and Historic Resources at Cadiz Drop Zone, Harrison County, Ohio

References:

- (a) American Indian Religious Freedom Act of 1978
- (b) Native American Graves Protection and Repatriation Act of 1990
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Dear Ms. Mitchell:

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Carl Rykaczewski Senior Environmental Professional

Attachment: 1. Figure 1

EARTH TECH AECO

Earth Tech 1461 E. Cooley Drive, Suite 100, Colton, California 92324 T 909.554.5000 F 909.424.1924 www.earthtech.aecom.com

January 6, 2009

Ms. Julie Olds THPO, Miami Tribe of Oklahoma P.O. Box 1326 202 South Eight Tribes Trail Miami, Oklahoma 74355

Subject: Consultation on Native American Interests Regarding Traditional and Historic Resources at Cadiz Drop Zone, Harrison County, Ohio

References:

- (a) American Indian Religious Freedom Act of 1978
- (b) Native American Graves Protection and Repatriation Act of 1990
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Sincerely,

Earth Tech Inc.,

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Carl Rykaczewski Senior Environmental Professional

Attachment: 1. Figure 1



Miami Tribe of Oklahoma

P.O. Box 1326 Míamí, Oklahoma 74355 Ph: (918) 542-1445 Fax (918) 542-7260



January 15, 2009

Earth Tech 1461 E. Cooley Drive, Suite 100 Colton, California 92324

RE: Consultation on Native American Interests Regarding Traditional and Historic Resources at Cadiz Drop Zone, Harrison County, Ohio

To Whom It May Concern:

Aya, kikwesitoole. My name is Joshua Sutterfield and I am the Tribal Historic Preservation Officer for the Federally Recognized Miami Tribe of Oklahoma. In this capacity I am the Miami Nation's point of contact for all NAGPRA and Section 106 issues.

In reference to the above mentioned construction/project's, the Miami Nation is not currently aware of existing documentation directly linking specific Miami religious, cultural, or historic sites to the above referenced construction/project site(s). However, as this site(s) is/are within the aboriginal homelands of the Miami Nation, should any Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) be discovered during this or any construction project the Miami Nation requests immediate consultation with the appropriate State Historical Society or related entity.

The Miami Nation offers no objection to the proposed construction/project at this time. Again, should human remains and/or objects be uncovered please contact me at 918-542-1445, or by mail at the address listed above, to initiate consultation.

Sincerely

Joshua Sutterfield Tribal Historic Preservation Officer Miami Nation

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EARTH TECH AECO

Earth Tech 1461 E. Cooley Drive, Suite 100, Colton, California 92324 T 909.554.5000 F 909.424.1924 www.earthtech.aecom.com

January 6, 2009

Mr. Philip G. Peters Chief, Saginaw Chippewa Indian Tribe of Michigan Isabella Reservation 7070 East Broadway Road Mount Pleasant, Michigan 48858

Subject: Consultation on Native American Interests Regarding Traditional and Historic Resources at Cadiz Drop Zone, Harrison County, Ohio

References:

- (a) American Indian Religious Freedom Act of 1978
- (b) Native American Graves Protection and Repatriation Act of 1990
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surface. The likelihood of finding prehistoric cultural resources is negligible. A record search conducted by the Ohio Historic Preservation Office noted one cultural resource survey had been conducted within a mile radius of the project area. This survey covered a small portion of the Cadiz Drop Zone, less than 10 percent of the APE, but a significant portion of the parcel that was not affected by the strip mine operation and reclamation. As a result of this survey, a single cultural resource, the Barricklow Farm was recorded. No prehistoric resources were encountered.

At this stage, the AFR invites you to participate in consultation for the leasing of the Cadiz Drop Zone. To ensure that any areas of sacred or spiritual significance to Native American groups are considered, we would appreciate your help in identifying or sharing any interests or concerns regarding religious or cultural resources within the lands of the Cadiz Drop Zone. Our goal is to protect areas important to Native Americans who have lived in the area of the Cadiz Drop Zone in the past, or have interest in it for the future.

Thank you for your cooperation with our efforts to address any possible Native American concerns that may be impacted. We look forward to your response. Please contact me at 909.554.5052 if you need additional information.

Sincerely,

Earth Tech Inc.,

agu

Carl Rykaczewski Senior Environmental Professional

Attachment: 1. Figure 1

EARTH TECH AECO

Earth Tech 1461 E. Cooley Drive, Suite 100, Colton, California 92324 T 909.554.5000 F 909.424.1924 www.earthtech.aecom.com

January 6, 2009

Ms. Laura Spurr Huron Potawatomi Nation 2221 1¹/₂ Mile Road Fulton, Michigan 49052

Subject: Consultation on Native American Interests Regarding Traditional and Historic Resources at Cadiz Drop Zone, Harrison County, Ohio

References:

- (a) American Indian Religious Freedom Act of 1978
- (b) Native American Graves Protection and Repatriation Act of 1990
- (c) Section 106 of the National Historic Preservation Act (36 CFR Part 800), as amended

Dear Ms. Spurr:

On behalf of the Air Force Reserves (AFR), AECOM Technical Services is preparing an Environmental Assessment and Environmental Baseline Survey for the proposed lease of a 430-acre parcel located in Harrison County, Ohio, approximately 3.3 miles southwest of the town of Cadiz (Figure 1). The parcel will be used as a drop zone by the 911th Airlift Wing (911 AW) located at Pittsburgh International Airport (IAP) Air Reserve Station (ARS), Coraopolis, Pennsylvania. As part of this effort, and in compliance with the above references, we are initiating correspondence and consultation efforts to affiliated tribal groups regarding the proposed lease of the Cadiz Drop Zone. The entire 430-acre parcel is considered the Area of Potential Effect (APE).

The 911 AW conducts airdrop training as part of its combat crew training. The unit currently has a drop zone, the Starvaggi Drop Zone, located near Burgettstown, Pennsylvania. However, this site has limitations that restrict the 911 AW's airdrop training. The proposed Cadiz Drop Zone offers the following improvements over the Starvaggi Drop Zone:

- A relatively level area without steep slopes, rugged terrain, and large trees
- A large area to establish a rectangular drop zone 1,000 yards by 1,500 yards in size
- Can be surveyed as a circular drop zone to support aircraft run-ins from more than a single direction
- It is not located in airspace where drop altitudes and airspeeds for airdrop operations are limited.

Because the airdrop training limitations currently imposed by use of the Starvaggi Drop Zone would not be present at the Cadiz Drop Zone, the Proposed Action would greatly increase the 911 AW's training capability and combat readiness.

The area proposed to be leased by the AFR is a reclaimed strip mine owned by CONSOL Energy. Although no comprehensive archaeological survey has been performed across the entire Cadiz Drop Zone, land alterations associated with mining operations have obscured or removed all remnants of the original ground surface. The likelihood of finding prehistoric cultural resources is negligible. A record search conducted by

the Ohio Historic Preservation Office noted one cultural resource survey had been conducted within a mile radius of the project area. This survey covered a small portion of the Cadiz Drop Zone, less than 10 percent of the APE, but a significant portion of the parcel that was not affected by the strip mine operation and reclamation. As a result of this survey, a single cultural resource, the Barricklow Farm was recorded. No prehistoric resources were encountered.

At this stage, the AFR invites you to participate in consultation for the leasing of the Cadiz Drop Zone. To ensure that any areas of sacred or spiritual significance to Native American groups are considered, we would appreciate your help in identifying or sharing any interests or concerns regarding religious or cultural resources within the lands of the Cadiz Drop Zone. Our goal is to protect areas important to Native Americans who have lived in the area of the Cadiz Drop Zone in the past, or have interest in it for the future.

Thank you for your cooperation with our efforts to address any possible Native American concerns that may be impacted. We look forward to your response. Please contact me at 909.554.5052 if you need additional information.

Sincerely,

Earth Tech Inc.,

agu

Carl Rykaczewski Senior Environmental Professional

Attachment: 1. Figure 1

EARTH TECH AECO

Earth Tech 1461 E. Cooley Drive, Suite 100, Colton, California 92324 T 909.554.5000 F 909.424.1924 www.earthtech.aecom.com

January 6, 2009

Ms. Phyllis Wahahrockah-Tasi NAGPRA Director, Delaware Nation P.O. Box 825 Anadarko, Oklahoma 73005

Subject: Consultation on Native American Interests Regarding Traditional and Historic Resources at Cadiz Drop Zone, Harrison County, Ohio

References:

- (a) American Indian Religious Freedom Act of 1978
- (b) Native American Graves Protection and Repatriation Act of 1990
- (c) Section 106 of the National Historic Preservation Act (36 CFR Part 800), as amended

Dear Ms. Wahahrockah-Tasi:

On behalf of the Air Force Reserves (AFR), AECOM Technical Services is preparing an Environmental Assessment and Environmental Baseline Survey for the proposed lease of a 430-acre parcel located in Harrison County, Ohio, approximately 3.3 miles southwest of the town of Cadiz (Figure 1). The parcel will be used as a drop zone by the 911th Airlift Wing (911 AW) located at Pittsburgh International Airport (IAP) Air Reserve Station (ARS), Coraopolis, Pennsylvania. As part of this effort, and in compliance with the above references, we are initiating correspondence and consultation efforts to affiliated tribal groups regarding the proposed lease of the Cadiz Drop Zone. The entire 430-acre parcel is considered the Area of Potential Effect (APE).

The 911 AW conducts airdrop training as part of its combat crew training. The unit currently has a drop zone, the Starvaggi Drop Zone, located near Burgettstown, Pennsylvania. However, this site has limitations that restrict the 911 AW's airdrop training. The proposed Cadiz Drop Zone offers the following improvements over the Starvaggi Drop Zone:

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- It is not located in airspace where drop altitudes and airspeeds for airdrop operations are limited.

Because the airdrop training limitations currently imposed by use of the Starvaggi Drop Zone would not be present at the Cadiz Drop Zone, the Proposed Action would greatly increase the 911 AW's training capability and combat readiness.

The area proposed to be leased by the AFR is a reclaimed strip mine owned by CONSOL Energy. Although no comprehensive archaeological survey has been performed across the entire Cadiz Drop Zone, land alterations associated with mining operations have obscured or removed all remnants of the original ground surface. The likelihood of finding prehistoric cultural resources is negligible. A record search conducted by

the Ohio Historic Preservation Office noted one cultural resource survey had been conducted within a mile radius of the project area. This survey covered a small portion of the Cadiz Drop Zone, less than 10 percent of the APE, but a significant portion of the parcel that was not affected by the strip mine operation and reclamation. As a result of this survey, a single cultural resource, the Barricklow Farm was recorded. No prehistoric resources were encountered.

At this stage, the AFR invites you to participate in consultation for the leasing of the Cadiz Drop Zone. To ensure that any areas of sacred or spiritual significance to Native American groups are considered, we would appreciate your help in identifying or sharing any interests or concerns regarding religious or cultural resources within the lands of the Cadiz Drop Zone. Our goal is to protect areas important to Native Americans who have lived in the area of the Cadiz Drop Zone in the past, or have interest in it for the future.

Thank you for your cooperation with our efforts to address any possible Native American concerns that may be impacted. We look forward to your response. Please contact me at 909.554.5052 if you need additional information.

Sincerely,

Earth Tech Inc.,

agu

Carl Rykaczewski Senior Environmental Professional

Attachment: 1. Figure 1

APPENDIX K

INTERAGENCY AND INTERGOVERNMENTAL COORDINATION FOR ENVIRONMENTAL PLANNING AND PUBLIC COMMENTS AND RESPONSES

Interagency and Intergovernmental Coordination for Environmental Planning and Public Comments and Responses

The draft environmental assessment (EA)/environmental baseline survey (EBS) was circulated to the agencies listed below for 30-day review beginning on February 2, 2009. A notice of availability informing the public where a copy of the Draft EA/EBS was available for review and who to contact for further information or to submit comments was published in the Harrison News Herald for the week beginning Monday, February 2, 2009. A copy of this notice is provided in this appendix. This appendix also provides the Air Force Reserve's responses to comments received to the Draft EA/EBS followed by copies of the comments.

Distribution List for the Draft Cadiz Drop Zone EA/EBS

February 2009

Elected Officials

State of Ohio Officials

State Legislature

The Honorable Allan R Sayre Ohio State Representative, District 96 77 S. High St 10th Floor Columbus, OH 43215-6111

The Honorable Jason H. Wilson Senate Building Room #052, Ground Floor Columbus, Ohio 43215

Local Officials

Ken Zitko Mayor 44375 Cherrywood Dr. Cadiz, Ohio 43907

Harrison County Board of Commissioners William Host President, Commissioner 100 West Market Street County Courthouse Cadiz, OH 43907-1132

Federal Agencies

U.S. Department of the Interior Office of Environmental Policy and Compliance Philadelphia Region Custom House, Room 244 200 Chestnut Street Philadelphia, PA 19106

Federal Aviation Administration Detroit Airports District Office, DET -ADO-600 11677 South Wayne Road, Suite 107 Romulus, MI 48174

U.S. Fish & Wildlife Service Ohio Ecological Services Field Office 4625 Morse Road Columbus, Ohio 43230

U.S. Environmental Protection Agency, Region 5 NEPA Expert Attn: Mr. Ken Westlake 77 W. Jackson Blvd. Chicago, IL 60604

Department of Defense

U.S. Army Corps of Engineers Office of Environmental Policy (CECW-AR-E) 7701 Telegraph Road Alexandria, VA 22315-3861

State Agencies

Ohio Department of Natural Resources Division of Natural Areas & Preserves Natural Heritage Program 2045 Morse Rd., Bldg. F-1 Columbus, OH 43229-6693

Ohio Department of Natural Resources Division of Wildlife Neil Lynskey 912 Portage Lakes Drive Akron, Ohio 44319 Ohio Environmental Protection Agency Southeast District Office 2195 Front Street Logan, Ohio 43138

Ohio Historical Society Ohio Historic Preservation Office 567 East Hudson Street Columbus, Ohio 43211-1030

Local Agencies

Harrison County Airport Authority 43000 Airport Road Cadiz, OH 43907-9605

Libraries

Puskarich Public Library 200 Market St Cadiz, OH 43907

Monday, February 2, 2009 n Dixon, d, Scio, What's New at **JC** ent for NOTICE OF AVAILABILITY 28 plus DRAFT ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT Cellar² H, LLC Establish New Cadiz Drop Zone in Cadiz, Ohio Second The Air Force Reserves have prepared a combined Draft Environmental ., plain-Assessment (EA), Baseline Survey (EBS), and Finding of No Significant Tuesday: Two for Tuesday id, 626 Impact (FONSI), dated January 2009 in accordance with the National Environmental Policy Act (NEPA) of 1969 and the Council on Cadiz, Two Dinner Entrees Starting at \$24.95 Environmental Quality regulations implementing NEPA. The Draft EA/ ent for EBS has been prepared to support the proposed lease of property Wednesday & Thursday "5 & 10 Days" .17 plus located near Cadiz for use as a drop zone for training by the 911th Lunch Items \$5 (12 to 4 p.m.) Airlift Wing (AW) of the Air Force Reserves. The 911 AW is located at Pittsburgh International Airport Air Reserve Station, Coraopolis, PA. Dinner Items \$10 (4 to 6 p.m.) The following alternatives have been addressed in the EA: vanting a Friday "Surf & Turf Night" The Proposed Action entails the 911 AW leasing approximately 430 acres of privately owned property on a reclaimed strip mine located t of two Saturday 3.3 miles southwest of the town of Cadiz. The property would be used re Ridge for airdrop training activities including dropping sandbags and heavier Live Entertainment materials from C-130 aircraft and occasional use for paratrooper drops Sunday The No-Action Alternative would involve the Air Force Reserves 12 dogs not leasing property near Cadiz and continuing to use an existing Lunch menu 2 to 5 p.m. drop zone near Burgettstown, PA. Dinner menu available 2 to 8 The Draft EA/EBS and FONSI are available for review at the following location: Puskarich Public Library 200 Market Street Bring this coupon with you Cadiz, OH 43907 on Friday & Saturday for Public comment on the Draft EA/EBS and FONSI must be received by March 3, 2009. Written comments and inquiries may be forwarded by one FREE cheeseplate with mail to the address below or by e-mail to carl.rykaczewski@aecom.com. purchase of bottle of wine. Mr. Carl Rykaczewski AECOM (12 to 5 p.m.) WINE CELLARS 1461 E. Cooley Drive, Suite 100 Colton, CA 92324 Hours Your comments on this Draft EA/EBS and FONSI are requested. Any Tues: 4:30 to 9:00, Wed-Sat: 12 to 9:00, Sun: 2 to 8 personal information provided will be used only to identify your desire to make a statement during the public comment period or to fulfill requests Lunch served from 12 to 3, Dinner from 4:30 to close for copies of the final EA/EBS. Personal home addresses and 8306 St. Rt. 43 East Springfield, Ohio 740-543-4200 • 800-899-5180 telephone numbers will not be published in the Final EA/EBS.

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Responses to Comments

No.	Name	Agency	Comment	Response
1.	Mary Knapp, PhD	U.S. Fish and Wildlife Service	Due to declining budgets, smaller staffs, and competing priorities, we are unable to respond to all requests for technical assistance at this time. Without a thorough review of the project, it would be impossible to accurately assess the potential effects.	Comment noted.
			(Note: The USFWS previously provided a response to a request for information in which they indicated no impacts to bald eagles or Indiana bats are expected from this project. The response is provided in Appendix J.)	
2.	Kenneth Westlake	U.S. Environmental Protection Agency, Region V	The document was given a cursory review, and we determined that there were no significant concerns meriting comment.	Comment noted.
3.	Katherine S. Delaney	Federal Aviation Administration	We have no comments provided that the Air Force Reserves coordinates Drop Zone activities with the FAA, Flight Service Stations and issues the appropriate NOTAMs.	Comment noted.
4.	Craig Butler	Ohio Environmental Protection Agency, Southeast District Office	Ohio EPA, Southeast District Office reviewed the information provided and our current records to determine if there are outstanding environmental compliance issues with the 430 acre parcel identified. No issues were identified.	Comment noted.

5a.	Brian Mitch	Ohio Department	The ODNR, Division of Natural Areas and	Comment noted.
		of Natural	Preserves, Natural Heritage Database contains	
		Resources,	no records of rare species or unique natural	
		Division of	features within the proposed project area and	
		Natural Areas and	there are no state nature preserves, state parks,	
		Preserves	wildlife areas, or scenic rivers in the vicinity of	
			the sites. Our inventory program has not	
			completely surveyed Ohio and relies on	
			information supplied by many individuals and	
			organizations. Therefore, a lack of records for	
			any particular area is not a statement that rare	
			species or unique features are absent from that	
			area.	
5b.	Brian Mitch	Ohio Department	The project is within the range of the Indiana	This comment is consistent with the
		of Natural	bat (Myotis sodalis), a state and federally	findings of the EA/EBS. No revision to
		Resources,	endangered species. Since no tree removal is	the document has been made.
		Division of	necessary to complete this project, the DOW	
		Wildlife	believes the project is not likely to impact this	
			species.	

5c.	Brian Mitch	Obio Donortmort	The project is within the range of the bald eagle	The AFR will contact the Ohio
<i>SC</i> .	Brian Witten	Ohio Department		
		of Natural	(Haliaeetus leucocephalus), a state threatened	Department of Natural Resources,
		Resources,	species. The location of bald eagle activity	Division of Wildlife, Crane Creek
		Division of	frequently changes. Therefore, closer to the	Wildlife Research Station, for current
		Wildlife	actual date of construction, the applicant must	information on the presence of bald eagles
			obtain an updated status of bald eagle activity in	in the area prior to initiation of activities
			the area. To obtain any changes in status,	at the proposed Cadiz Drop Zone. The
			contact Andrea Tibbels or Dave Sherman at the	document has been revised to include this
			Ohio Department of Natural Resources,	provision.
			Division of Wildlife, Crane Creek Wildlife	
			Research Station, for current information on the	Note: Subsequent comment from ODNR
			presence of bald eagles in the area. Andrea can	DOW supersedes this comment (see 5e).
			be reached at (419) 898-0960 extension 25 and	
			Dave at extension 24. If a nest is located within	
			$\frac{1}{2}$ mile of the project site, coordination with the	
			DOW is required.	
5d.	Brian Mitch	Ohio Department	The project is within the range of the black bear	The document has been revised to
		of Natural	(Ursus americanus), a state endangered species,	incorporate this information.
		Resources,	and the bobcat (<i>Lynx rufus</i>), a state endangered	
		Division of	species. Due to the mobility of these species,	
		Wildlife	the project is not likely to have an impact on	
			these species.	
5e.	Brian Mitch	Ohio Department	Since there are no plans for construction for this	Comment noted.
		of Natural	project, the DOW believes the project is not	
		Resources,	likely to impact the bald eagle (Haliaeetus	
		Division of	<i>leucocephalus</i>), a threatened and endangered	
		Wildlife	species. Therefore, there is no need for the Air	
			Force Reserves to contact the DOW "closer to	
			the date of actual construction" and there is no	
			need for the Air Force Reserves to contact the	
			DOW prior to beginning air drop activities.	

6.	Scott	Private Citizen	No Action. This would disrupt our quiet	The Cadiz, Ohio, area is located within
	Sedgmer		community. Farm animals would be affected	LATN A where low-altitude flights of
	C C		also.	C-130 aircraft currently are conducted. In
				the LATN, C-130 aircraft fly as low as
				500 feet AGL which is the same minimum
				altitude that the same type of aircraft
				would be flown during the proposed drop
				zone activities. Aircraft operations at the
				drop zone would be more concentrated
				than the currently dispersed low-altitude
				aircraft operations that occur in the area.
				However, as discussed in Section 4.3.1,
				the predicted noise levels in the vicinity of
				the proposed drop zone would be less than
				DNL 45dBA. Noise levels below DNL
				65dBA are considered by the FAA to be
				compatible with all land uses, including
				residential and agricultural. As stated in
				Section 3.4, the DNL descriptor has been
				recognized by HUD, U.S. EPA, FAA, and
				DOD as one of the most appropriate
				metrics for estimating degree of nuisance
				or annoyance that increased noise levels
				would cause. In addition, activities
				proposed for the Cadiz Drop Zone are the
				same as are currently conducted at the
				Starvaggi Drop Zone near Burgettstown,
				Pennsylvania. The AFR has received no
				noise complaints from current drop zone
				activities conducted at the Starvaggi Drop
				Zone.

7-15.	Darin Rose	Private Citizens	No Action	The AFR has noted these comments
	Dick and		(Note: all 9 comments are identical)	expressing a preference for the No-Action
	Bobbie			Alternative. No revision to or clarification
	Dickerson			of the analysis in the EA/EBS is required
	Mark Fulton			in response to this comment.
	Ronald			
	Welson			
	Maryann			
	Lee			
	Jeanette			
	Hale			
	Teresa			
	Shaw			
	Jan and			
	Arnold			
	Helmick			
	Rich and			
	Lucy			
	Helmick			

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United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services 4625 Morse Road, Suite 104 Columbus, Ohio 43230 614-416-8993 / FAX 614-416-8994 February 3, 2009

Tails: 2009-TA-0331

Carl Rykaczewski AECOM 1461 E. Cooley Drive, Suite 100 Colton, CA 92324

Re: Draft EA/EBS and FONSI to Establish New Drop Zone in Cadiz, OH

Dear Mr. Rykaczewski:

We have received your recent correspondence requesting information about the subject proposal. Due to declining budgets, smaller staffs, and competing priorities, we are unable to respond to all requests for technical assistance at this time. Without a thorough review of the project, it would be impossible to accurately assess the potential effects.

As an alternative, we encourage you to visit the Service's Region 3 Section 7 Technical Assistance website at <u>http://www.fws.gov/midwest/endangered/section7/s7process</u>. There you will find guidance to assist you in fulfilling the requirements for consultation under Section 7 of the Endangered Species Act, including a step-by-step explanation of the section 7 process, species distribution lists, species life history information and conservation measures, and examples of typical letters.

If you have additional questions or require further assistance with your project proposal, please contact me at the following number (614) 416-8993 x12. I would be happy to discuss the project in further detail with you and provide additional assistance if necessary. In addition, you can find more information on natural resources in Ohio by visiting our homepage at: <u>http://www.fws.gov/midwest/Reynoldsburg</u>.

Sincerely,

Mary Frispp

Mary Knapp, Ph.D. Field Supervisor



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION V 77 West Jackson Boulevard Chicago, IL 60604

Date: February 4, 2009

Carl Rykaczewski AECOM 1461 East Cooley Drive, Suite 100 Colton, California 92324

RE: Draft Environmental Assessment/Baseline Survey to Establish New Drop Zone in Cadiz, Ohio

Dear Mr. Rykaczewski:

The NEPA Implementation Section has received the document listed above. Under the National Environmental Policy Act (NEPA), the Council on Environmental Quality regulations, and Section 309 of the Clean Air Act, U.S. EPA reviews and comments on major federal actions. Typically, these reviews focus on Environmental Impact Statements, but we also have the discretion to review and comment on other environmental documents prepared under NEPA if interest and resources permit.

We did not undertake a detailed review of the document you sent to this office, and will not be generating comments because of the reason selected below.

The document was not prepared under NEPA.



The document was given a cursory review, but other workload priorities precluded us from detailed review and comment.

The document was given a cursory review, and we determined that there were no significant concerns meriting comment.

We opted to wait for the next level of documentation on this project before deciding whether or not to comment.

We reserve the right to reconsider undertaking a review at future planning stages, or if significant new data on the project is made available by the sponsoring agency or other interested parties. If you have any questions, please call Kathy Kowal, of my staff, at 312-353-5206 or e-mail her at kowal.kathleen@epa.gov. Thank you for providing information on the project.

Sincerely,

Kenneth A. Westlake, Supervisor NEPA Implementation Office of Enforcement and Compliance Assurance

FAA Comments - Draft EAEBS Cadiz OH

From: Katherine.S.Delaney@faa.gov Sent: Thursday, February 26, 2009 6:27 AM To: Rykaczewski, Carl Subject: FAA Comments - Draft EA/EBS Cadiz, OH

Carl:

The FAA has reviewed the Draft Environmental Assessment/Baseline Survey (EA/EBS) and Draft Finding of No Significant Impact (FONSI) to Establish New Drop Zone in Cadiz, Ohio.

We have no comments provided that the Air Force Reserves coordinates Drop Zone activities with the FAA, Flight Service Stations and issues the appropriate NOTAMs.

If you have any questions, please contact me.

Katherine S. Delaney Community Planner Detroit Airports District Office Phone: (734) 229-2958



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street Logan, Ohio 43138 TELE: (740) 385-8501 FAX: (740) 385-6490 www.epa.state.oh.us

Ted Strickland, Governor Lee Fisher, Lieutenant Governor Chris Korleski, Director

February 25, 2009

Carl Rykaczewski, Delivery Order Manager AECOM 1461 E. Cooley Drive Suite 100 Colton, CA 92324

Dear Mr. Rykaczewski:

This letter is in response to your January 29, 2009 letter requesting input from Ohio EPA on the Draft Environmental Assessment/Baseline Survey (EA/EBS) and Draft Finding of No Significant Impact (FONSI) to establish a new drop zone in Cadiz, Ohio.

Ohio EPA, Southeast District Office reviewed the information provided and our current records to determine if there are outstanding environmental compliance issues with the 430 acre parcel identified. No issues were identified.

Thank you for the opportunity to comment. If you have any additional questions, or need additional information, please contact me at (740) 385-8501.

Sincerely,

Craig Butler, Chief

CB/pah

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Ohio EPA is an Equal Opportunity Employer

From: Mitch, Brian [mailto:Brian.Mitch@dnr.state.oh.us]
Sent: Thursday, March 05, 2009 1:19 PM
To: Rykaczewski, Carl
Subject: 09-0046; DRAFT EA to Establish New Drop Zone



ODNR COMMENTS TO Carl Rykaczewski, AECOM, 1461 East Cooley Drive, Suite 100, Colton, California 92324

Location: The project is located in Harrison County, Ohio, approximately 3.3 miles southwest of the town of Cadiz.

Project: The project involves the Air Force Reserve (AFR) leasing a 430-acre parcel which will be used as a drop zone by the 911th Airlift Wing Located at Pittsburgh International Airport Air Reserve Station in Corapolis, Pennsylvania.

The Ohio Department of Natural Resources (ODNR) has completed a review of the above referenced project. These comments were generated by an inter-disciplinary review within the Department. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act, the Coastal Zone Management Act, Ohio Revised Code and other applicable laws and regulations. These comments are also based on ODNR's experience as the state natural resource management agency and do not supersede or replace the regulatory authority of any local, state or federal agency nor relieve the applicant of the obligation to comply with any local, state or federal laws or regulations.

Rare and Endangered Species: The ODNR, Division of Natural Areas and Preserves, Natural Heritage Database contains no records of rare species or unique natural features within the proposed project area and there are no state nature preserves, state parks, wildlife areas, or scenic rivers in the vicinity of the sites.

Our inventory program has not completely surveyed Ohio and relies on information supplied by many individuals and organizations. Therefore, a lack of records for any particular area is not a statement that rare species or unique features are absent from that area.

Fish and Wildlife: The ODNR, Division of Wildlife (DOW) has the following comments.

The project is within the range of the Indiana bat (*Myotis sodalis*), a state and federally endangered species. Since no tree removal is necessary to complete this project, the DOW believes the project is not likely to impact this species.

The project is within the range of the bald eagle (*Haliaeetus leucocephalus*), a state threatened species. The location of bald eagle activity frequently changes. Therefore, closer to the actual date of construction, the applicant must obtain an updated status of bald eagle activity in the area. To obtain any changes in status, contact Andrea Tibbels or Dave Sherman at the Ohio Department of Natural Resources, Division of Wildlife, Crane Creek Wildlife Research Station, for current information on the presence of bald eagles in the area. Andrea can be reached at (419) 898-0960 extension 25 and Dave at extension 24. If a nest is located within ½ mile of the project site, coordination with the DOW is required.

The project is within the range of the black bear (*Ursus americanus*), a state endangered species, and the bobcat (*Lynx rufus*), a state endangered species. Due to the mobility of these species, the project is not likely to have an impact on these species.

ODNR appreciates the opportunity to provide these comments. Please contact Brian Mitch at (614) 265-6378 if you have questions about these comments or need additional information.

Brian Mitch, Environmental Review Manager Ohio Department of Natural Resources Environmental Services Section 2045 Morse Road, Building D-3 Columbus, Ohio 43229-6693 Office: (614) 265-6378 FAX: (614) 267-4764 brian.mitch@dnr.state.oh.us From: Mitch, Brian [mailto:Brian.Mitch@dnr.state.oh.us]
Sent: Wednesday, March 18, 2009 9:42 AM
To: Sniezek, Frank Civ USAF AFRC 911 MSG/CEVE
Cc: Matis, Joseph B Civ USAF AFRC 911 MSG/CEV
Subject: RE: ODNR Response to Environmental Assessment/Baseline Survey
to Establish New Drop Zone in Cadiz, Ohio

Frank,

After reviewing the additional information provided for this project, the Ohio Department of Natural Resources, Division of Wildlife (DOW) has the following comments:

Since there are no plans for construction for this project, the DOW believes the project is not likely to impact the bald eagle (Haliaeetus leucocephalus), a threatened and endangered species. Therefore, there is no need for the Air Force Reserves to contact the DOW "closer to the date of actual construction" and there is no need for the Air Force Reserves to contact the DOW prior to beginning air drop activities.

Brian Mitch, Environmental Review Manager Ohio Department of Natural Resources Environmental Services Section 2045 Morse Rd., Building D-3 Columbus, OH 43229-6693 Office: (614) 265-6378 Fax: (614) 267-4764 brian.mitch@dnr.state.oh.us

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This would disrupt our quiet community. FARM ANIMALS would be Affected, ALSO.

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Assessment (EA), Baseline Survey (EBS), and Finding of No Significant Impact Establish New Cadiz Drop Zone in Cadiz, Ohio The Air Force Reserves uses propered a combined Draft Environmental Assessment (EA), Baseline Survey (EBS), and Finding of No Significant impact (PONSI), dated semuely 2009 in accordance with the National Environmental Policy Atr (NEPA) of 1969 and the Council on Environmental Policy Atr (NEPA) of 1969 and the Council on Environmental Cuality regulations implementing NEPA. The Draft EA/ BBS has been propagated to support the proposed lease of property foreign near Cadiz for use as a drop zone for training by the 911th Amitt Wing (AW) of the Air Force Reserves. The 911 AW is located at Pitaburgh International Airport Air Reserve Station, Coracopolis, PA. The following istematives have been addressed in the EA: The following istematives have been addressed in the EA: The following istematives including dropping sandbags and heavier or airdrop training activities including dropping sandbags and heavier of airdrop training activities including dropping sandbags and heavier to airdrop training activities including dropping sandbags and heavier of airdrop training activities including dropping sandbags and heavier and leasting property near Cadiz and continuing to use an existing drom some property near Cadiz and continuing to use an existing drom some property near Cadiz and continuing to use an existing net leasing property near Cadiz and continuing to use an existing drop zone near Burgettstown, PA. The Draft EA/EBS and PONSI are available for review at the following location: Puskarich Public Library 200 Market Street Cadiz, OH 43907 Public comment on the Draft EA/EBS and FONSI must be received by March 3, 2009. Written comments and inquiries may be forwarded by mail to the address below of by e-mail to carl.rykaczewski@aecom.com. Mr. Carl Rykaczewski AECOM 1461 E. Cooley Drive, Suite 100 Cellon, CA 92324 Your comments on this Oraft EA/EBS and FONSI are requested. Any personal information provided will be used only to identify your desire to make a statement during the public comment period or to fulfill requests for copies of the final EA/EBS. Personal home addresses and

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Public comment on the Draft EA/EBS and FONSI must be received by March 3, 2009. Written comments and inquiries may be forwarded by mail to the address below or by e-mail to carl.rykaczewski@aecom.com.

Cadiz, OH 43907

Mr. Carl Rykaczewski AECOM

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