

PHASE I
ENVIRONMENTAL SITE ASSESSMENT

ACME Gas
55 Garden Street
Columbus, Ohio, 45123

Prepared for

ACME Oil & Gas Ltd.

Prepared by

GAEA Environmental Services
87 Garden Street
Whitby, Ontario
L1N 9E7

November 11, 2006
2006-11-001

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Whitby, Ontario
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November 11, 2006
Ref. No. 2006-11-001

ACME Oil & Gas Ltd.
350, 55th Street
Houston, Texas
78654

Attention: ACME Oil & Gas Ltd.

**Re: Phase I Environmental Site Assessment Report
ACME Gas, 55 Garden Street, Columbus, Ohio, 45123**

GAEA Environmental Services is pleased to submit our report describing the findings of the Phase I Environmental Site Assessment (ESA) of ACME Gas. This assessment was prepared in general accordance with the American Society of Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM Designation: E1527-05).

The purpose of the Phase I ESA was to identify, to the extent feasible, recognized environmental concerns in connection with the property. This assessment included a site reconnaissance as well as research and interviews with representatives of the public, property management, and regulatory agencies.

If you have any questions or require further clarification of the report findings, please contact the undersigned at your convenience. Thank you for the opportunity to be of service to ACME Oil & Gas Ltd..

Yours very truly,

GAEA Environmental Services

John Smith, PE
Sr. Assessor

Jane Doe, PE
District Manager

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1.0 SUMMARY

ACME Oil & Gas Ltd. engaged GAEA Environmental Services to conduct a Phase I Environmental Site Assessment (ESA) of the property ACME Gas located at 55 Garden Street, Columbus, Ohio, 45123 subsequently referred to in this report as "the property". This assessment was prepared in general accordance with the American Society of Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM Designation: E1527-05).

The purpose of the Phase I ESA was to identify, to the extent feasible, recognized environmental conditions in connection with the property. This assessment included a site reconnaissance as well as research and interviews with representatives of the public, property management, and regulatory agencies.

The subject property consists of a gasoline dispensing station and convenience store. Zoning of the subject property is C1. The current property use is gasoline retail services.

The following buildings and structures are located on the subject property:

| Age | No. of Stories | Usage | Construction |
|------------|-----------------------|-------------------|--|
| 22 | 1 | convenience store | The building is concrete slab-on-grade with concrete tilt-up construction. |

The results of this assessment have revealed the following current recognized environmental conditions associated with the property:

- ***Reported leak from UST piping system in 1995.***

The results of this assessment have revealed no historical recognized environmental conditions associated with the property.

The results of this assessment have revealed no de minimis conditions associated with the property.

It is our professional opinion that the impact on the property of the current recognized environmental conditions identified in the Findings section of this report are:

- ***Petroleum leaked during piping system upgrade in 1995 could have impacted surrounding soil and potentially the groundwater.***

In our professional opinion it is recommended that the following additional investigation be conducted to detect the presence of hazardous substances or petroleum products and provide greater certainty regarding identified recognized environmental conditions on the property:

- ***Soil and groundwater testing should be conducted to determine if they have been impacted.***

There were no data gaps that significantly affected our ability to identify recognized environmental conditions associated with the property.

Except for the limitations and exceptions discussed in Section 2.4, this Phase I ESA complies with the ASTM Standard 1527-05.

No additional services beyond the scope of the ASTM Standard 1527-05 were conducted as part of this assessment.

2.0 INTRODUCTION

ACME Oil & Gas Ltd. engaged GAEA Environmental Services to conduct a Phase I Environmental Site Assessment (ESA) of the property ACME Gas located at 55 Garden Street, Columbus, Ohio, 45123 subsequently referred to in this report as "the subject property". This assessment was prepared in general accordance with the American Society of Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM Designation: E1527-05).

2.1 Purpose

The purpose of the Phase I ESA was to identify, to the extent feasible, recognized environmental concerns in connection with the property. This assessment included a site reconnaissance as well as research and interviews with representatives of the public, property management, and regulatory agencies.

2.2 Scope of Services

The scope of work for this assessment was in general accordance with the American Society of Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM Designation: E1527-05). These methodologies are described as representing good commercial and customary practice for conducting an ESA of a property for the purpose of identifying recognized environmental conditions.

2.3 Significant Assumptions

While this report provides an overview of potential environmental concerns, both past and present, the environmental assessment is limited by the availability of information at the time of the assessment. It is possible that unreported disposal of waste or illegal activities impairing the environmental status of the property may have occurred which could not be identified. The conclusions and recommendations regarding environmental conditions that are presented in this report are based on a scope of work authorized by the Client. Note, however, that virtually no scope of work, no matter how exhaustive, can identify all contaminants or all conditions above and below ground.

2.4 Limitations and Exceptions

The report has been prepared in accordance with generally accepted environmental methodologies referred to in ASTM 1527-05, and contains all of the limitations inherent in these methodologies. No other warranties, expressed or implied, are made as to the professional services provided under the terms of our contract and included in this report.

The conclusions of this report are based in part, on the information provided by others. The possibility remains that unexpected environmental conditions may be encountered at the site in locations not specifically investigated. Should such an event occur, GAEA Environmental Services must be notified in order that we may determine if modifications to our conclusions are necessary.

The services performed and outlined in this report were based, in part, upon visual observations of the site and attendant structures. Our opinion cannot be extended to portions of the site that were unavailable for direct observation, reasonably beyond the control of GAEA Environmental Services.

The objective of this report was to assess environmental conditions at the site, within the context of our contract and existing environmental regulations within the applicable jurisdiction. Evaluating compliance of past or future owners with applicable local, provincial and federal government laws and regulations was not included in our contract for services.

Our observations relating to the condition of environmental media at the site are described in this report. It should be noted that compounds or materials other than those described could be present in the site environment.

2.5 Special Terms and Conditions

There were no special terms or contractual conditions for this assessment.

2.6 User Reliance

This report may be distributed and relied upon by ACME Oil & Gas Ltd., its successors and assigns. Reliance on the information and conclusions in this report by any other person or entity is not authorized without the written consent of GAEA Environmental Services.

3.0 SITE DESCRIPTION

3.1 Location and Legal Description

The subject property is located at 55 Garden Street, Columbus, Ohio, 45123 and consists of a gasoline dispensing station and convenience store. It is approximately 1.1 acres in size and rectangular in shape. The legal description of the subject property is Section 17, Lot 643, Parcel 23.

3.2 Site and Vicinity General Characteristics

The area is zoned as C1. The general area of the property is used for residential and light commercial.

3.3 Current Use(s) of the Property

The current property use is gasoline retail services .

3.4 Structures, Roads, Other Improvements on the Site

The following buildings and structures are located on the subject property:

| Age | No. of Stories | Usage | Construction |
|------------|-----------------------|-------------------|--|
| 22 | 1 | convenience store | The building is concrete slab-on-grade with concrete tilt-up construction. |

There are no roads on the property.

The following parking facilities are located on the property:

- 12 parking spots beside convenience store

The buildings on the property are heated by electricity . The buildings on the property are cooled by roof-mounted central air.

Sanitary sewage is discharged into municipal sanitary sewer system. The age of the sewage disposal system could not be determined.

Potable water on the property is supplied by the municipal water supply.

3.5 Current Uses of Adjoining Properties

The current adjoining property uses are:

| | |
|---------------|--------------------------------|
| North: | warehouse |
| South: | detached single family homes |
| East: | strip mall |
| West: | five storey apartment building |

4.0 USER PROVIDED INFORMATION

4.1 Title Records

No title company or professional was engaged by the client to review recorded land title records and lien records.

4.2 Environmental Liens or Activity and Use Limitations

The client is not aware of any environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law.

The client is not aware of any AULs, such as engineering controls, land use restrictions or institutional controls that are in place at the site and/or have been filed or recorded in a registry.

4.3 Specialized Knowledge

The client does not have any specialized knowledge or experience related to the property or nearby properties.

4.4 Commonly Known or Reasonably Ascertainable Information

The client does not know the past uses of the property.

The client does not know of any specific chemicals that are present or once were present at the property.

The client does not know of any spills or other chemical releases that have taken place at the property.

The client does not know of any environmental cleanups that have taken place at the property.

4.5 Valuation Reduction for Environmental Issues

The client does not believe the purchase price being paid for this property reasonably reflect the fair market value of the property.

4.6 Owner, Property Manager and Occupant Information

The subject property is currently owned by ACME Property Holdings and is currently occupied by ACME Oil. Dan Brown, was identified as the Key Site Contact of the property.

4.7 Reason for Performing Phase I ESA

The Phase 1 ESA was prepared by GAEA Environmental Services at the request of Client. This Phase 1 ESA was requested for the following reasons:

- Assist in the determination whether any immediate actions at the property are necessary to comply with environmental laws and regulations.

4.8 Other

The client knows of the following indicators that point to the presence or likely presence of contamination at the property:

- Possible soil contamination from UST leak.

The client does not have any other knowledge or experience with the property that may be pertinent to the environmental professional.

5.0 RECORDS REVIEW

The purpose of the records review was to obtain and review records that will help identify recognized environmental concerns in connection with the property.

Some records reviewed pertain not only to the property, but also to properties within an additional approximate minimum search distance in order to help assess the likelihood of problems from migrating hazardous substances or petroleum products. Unless stated otherwise the approximate minimum search distances used below were as specified in the ASTM Standard 1527-05.

5.1 Standard Environmental Records

A search of available federal and state environmental records was obtained from FirstSearch Technology Corporation (FirstSearch) of Indianapolis, Indiana. A copy of this search is provided in Appendix B. The environmental records were requested on November 1, 2006. The environmental records were last updated by the environmental record provider on August 12, 2006.

Due to discrepancies in the location of some facilities in the databases arising from incorrect or incomplete addresses some facilities may be listed as un-mappable. No unmappable facilities were observed to be within the ASTM minimum search distance of the subject property.

A review of the regulatory information from this database search for possible recognized environmental conditions (RECs) within the ASTM approximate minimum search distance is provided in the Federal and State sections below.

5.1.1 Federal Environmental Records

| Record Source | Within Property | Adjoining Properties |
|---|-----------------|----------------------|
| National Priorities List (NPL) Facilities | None | None |
| Delisted NPL Facilities | None | None |
| CERCLIS Facilities | None | None |
| CERCLIS NFRAP Facilities | None | None |
| RCRA CORRACTS TSD Facilities | None | None |
| RCRA Non-CORRACTS TSD Facilities | None | None |
| RCRA Generators | None | None |

5.1.2 State Environmental Records

| Record Source | Within Property | Adjoining Properties |
|-------------------------------------|--|----------------------|
| Hazardous Waste Sites | None | None |
| Equivalent NPL Facilities | None | None |
| Equivalent CERCLIS Facilities | None | None |
| Landfill/Solid Waste Disposal Sites | None | None |
| Leaking Underground Storage Tanks | A confirmed release was reported on June 4, 1995 during a UST piping system upgrade. | None |
| Registered Storage Tank | Two registered underground storage tanks. | None |
| Institutional/Engineering Control | None | None |
| Voluntary Cleanup Sites | None | None |
| Brownfield Sites | None | None |

5.2 Additional Environmental Record Sources

The following records were reviewed from the Fire Department:

- A review of the Sanborn Fire Insurance Map database indicates that there is no map coverage for the property.

The following records were reviewed from other agencies:

- Clifford City Directories

5.3 Physical Setting Source(s)

A current USGS 7.5 Minute Topographic Map, 1985 Ohio 7.5 minute , was reviewed to determine the physical setting of the property. Property is approximately 350 feet above sea level with a moderate slope to the south. Pringle Creek is approximately 100 feet to the east. Bedrock consists of Canadian series of marine carbonates.

USDA map indicates soil on the property is Urban Land Complex.

5.4 Historical Use Information on the Property

The objective of consulting historical sources is to develop a history of the previous uses of the property in order to help identify the likelihood of past uses having led to recognized environmental conditions in connection with the property. Historical use formation describing the subject property was obtained from a variety of sources as discussed below. This information is summarized in the table below.

| Period/Date | Land Use | Source(s) of Information |
|-------------|---|--------------------------|
| 1926 | farm | City Directories |
| 1934 | vegetable stand | City Directories |
| 1946 | gasoline dispensing station | Aerial Photos |
| 1950 | gasoline dispensing station | Aerial Photos |
| 1980 | gasoline dispensing station and convenience store | Aerial Photos |

5.5 Historical Use Information on Adjoining Properties

The objective of consulting historical sources is to develop a history of the previous uses of the surrounding properties in order to help identify the likelihood of past uses having led to recognized environmental conditions in connection with the property. The historical uses of adjoining properties to the subject property are summarized below. These uses were determined using the standard historical sources noted above.

North Historical Land Use

| Period/Date | Land Use | Source(s) of Information |
|-------------|-------------------|--------------------------|
| 1927 | farm | City Directories |
| 1956 | convenience store | Aerial Photos |
| 1978 | warehouse | Aerial Photos |

South Historical Land Use

| Period/Date | Land Use | Source(s) of Information |
|-------------|------------------------------|--------------------------|
| 1924 | farm | City Directories |
| 1978 | detached single family homes | Aerial Photos |

East Historical Land Use

| Period/Date | Land Use | Source(s) of Information |
|-------------|------------|--------------------------|
| 1924 | farm | City Directories |
| 1967 | strip mall | Aerial Photos |

West Historical Land Use

| Period/Date | Land Use | Source(s) of Information |
|-------------|--------------------------------|--------------------------|
| 1932 | farm | City Directories |
| 1982 | five storey apartment building | Aerial Photos |

6.0 SITE RECONNAISSANCE

The purpose of the site reconnaissance is to obtain information indicating the likelihood of identifying recognized environmental conditions in connection with the property.

6.1 Methodology and Limiting Conditions

The subject property was inspected by John Smith on November 4, 2006. John Smith was accompanied by Dan Brown, Operations Supervisor during the inspection. The weather during the inspection was sunny with a light wind from the east.

All areas of the subject property were accessible at the time of the inspection. There were no visual or physical obstructions of the subject property.

During the inspection an exterior and interior walk-through of the buildings, if present, was performed. The exterior of adjoining properties was visually evaluated for any recognized environmental concerns (RECs).

6.2 General Site Setting

6.2.1 Current Use(s) of the Property

The current property use is gasoline retail services .

The following Recognized Environmental Concerns (RECs) may be associated with the current property use:

- *previously reported LUST*

6.2.2 Past Use(s) of the Property

The past use of the property were:

- farm and vegetable stand

There are no RECs associated with the past property use.

6.2.3 Current Use(s) of Adjoining Properties

The current uses of the adjoining properties are:

| | |
|---------------|--------------------------------|
| North: | warehouse |
| South: | detached single family homes |
| East: | strip mall |
| West: | five storey apartment building |

The following recognized environmental concerns (RECs) were identified on the adjoining properties:

| | |
|---------------|------|
| North: | None |
| South: | None |
| East: | None |
| West: | None |

6.2.4 Past Use(s) of Adjoining Properties

The past uses of the adjoining properties are:

| | |
|---------------|-----------------------------|
| North: | farm then convenience store |
| South: | farm |
| East: | farm |
| West: | farm |

The following recognized environmental concerns (RECs) from past uses were identified on the adjoining properties:

| | |
|---------------|------|
| North: | None |
| South: | None |
| East: | None |
| West: | None |

6.2.5 Current or Past Uses in the Surrounding Area

The area is zoned as C1. The general area of the property is used for residential and light commercial.

6.2.6 Geologic, Hydrogeologic, Hydrologic, and Topographic Conditions

The topography of the property is relatively flat with a moderate slope to the south . The topography of the surrounding area is slightly rolling with a gentle slope to the south .

Based on the topography and likely presence of hazardous substances or petroleum products on the property there is a possibility that these substances could migrate from the property to the groundwater or soil. Petroleum products from LUST could migrate to soil surrounding storage tanks and to nearby creek.

6.2.7 General Description of Structures

The following buildings and structures are located on the subject property:

| Age | No. of Stories | Usage | Construction |
|------------|-----------------------|-------------------|--|
| 22 | 1 | convenience store | The building is concrete slab-on-grade with concrete tilt-up construction. |

6.2.8 Roads

There are no roads on the property.

The following parking facilities are located on the property:

- 12 parking spots beside convenience store

6.2.9 Potable Water Supply

Potable water on the property is supplied by the municipal water supply.

6.2.10 Sewage Disposal System

Sanitary sewage is discharged into municipal sanitary sewer system. The age of the sewage disposal system could not be determined.

6.3 Interior and Exterior Observations

6.3.1 Hazardous Substances and Petroleum Products in Connection with Identified Uses

No hazardous materials were observed to be stored or used on the property in connection with identified uses.

6.3.2 Storage Tanks

Determining the presence of Aboveground Storage Tanks (ASTs) and Underground Storage Tanks (USTs) is considered essential in assessing potential contamination sources. Visual inspection and the review of tank registration records are used to determine the possible existence of past and present storage tanks in the area of the subject property. It must be noted however, that the absence of certain site conditions or lack of records may restrict or prevent the determination of the number and contents of storage tanks on the subject property.

No aboveground storage tanks were observed on the subject property.

Underground storage tanks that may contain hazardous chemicals or fuel were observed on the subject property. The following underground storage tanks were observed:

| Contents | Age (yrs) | Size | Location |
|-----------------|------------------|---------------|-----------------------|
| Diesel | 8 | 8000 gallons | west side of property |
| Gasoline | 7 | 12000 gallons | west side of property |

Vent, fill pipes, or access ways were observed on the subject property. These pipes may indicate the presence of un-recorded underground storage tanks. There were 3 vent and 3 fill pipes on west side of property.

6.3.3 Odors

No strong, pungent or noxious odors were observed.

6.3.4 Pools of Liquid

No standing surface water was observed on the property.

6.3.5 Drums

There are no drums or containers on the property that likely contain hazardous substances or petroleum products.

6.3.6 Hazardous Substances and Petroleum Products Containers

No containers with hazardous materials or petroleum products that might represent a recognized environmental condition were observed on the property.

6.3.7 Unidentified Substance Containers

No open or damaged containers containing unidentified substances suspected of being hazardous substances or petroleum products were observed on the property.

6.3.8 PCBs

The past use of PCBs in electrical equipment such as transformers, fluorescent lamp ballasts, and capacitors was common. PCBs in electrical equipment are controlled by United States EPA regulation 40 CFR, Part 761. According to this regulation there are three categories for classifying electrical equipment; less than 50 ppm of PCBs is considered "Non-PCB"; between 50 and 500 ppm is considered "PCB-Contaminated"; and greater than 500 ppm is considered "PCB".

No electrical or hydraulic equipment known or likely to contain PCBs were observed on the property.

6.4 Interior Observations

6.4.1 Heating/Cooling

The buildings on the property are heated by electricity . The buildings on the property are cooled by roof-mounted central air .

6.4.2 Stains or Corrosion

There were no stains or corrosion on the floors, walls, or ceilings in the buildings.

6.4.3 Drains and Sumps

No floor drains or sumps were observed in the buildings on the property.

6.5 Exterior Observations

6.5.1 Pits, Ponds, or Lagoons

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

No pits, ponds, or lagoons were observed on adjoining properties.

6.5.2 Stained Soil or Pavement

No areas of stained soil were observed on the property.

The following areas of stained pavement were observed on the property:

Petroleum staining was observed adjacent to the fuel dispensers and pump islands.

6.5.3 Stressed Vegetation

No areas of stressed vegetation were observed on the property.

6.5.4 Solid Waste

No areas, mounds, or depressions that may be filled or graded by non-natural causes or filled with fill of unknown origin suggesting trash or other solid waste disposal were observed on the property.

6.5.5 Waste Water

There was no waste water or other liquids being discharged into a drain, ditch, underground injection system, or stream on or adjacent to the property.

6.5.6 Wells

No wells were observed on the property.

6.5.7 Septic Systems

No septic systems or cesspools were observed on the property.

7.0 INTERVIEWS

The purpose of interview is to obtain information indicating recognized environmental conditions in connection with the property. Copies of the interview documentation can be found in Appendix 6.

7.1 Interviews with Past and Present Owners and Occupants

| Date | Name | Status | Organization |
|------------------|---------------|--------------|------------------------|
| November 1, 2006 | Paul Williams | Client/Owner | ACME Oil & Gas Ltd. |
| November 2, 2006 | Dan Brown | Site Manager | ACME Property Holdings |

7.2 Interviews with State and/or Local Government Officials

| Date | Name | Title | Organization |
|------------------|---------------|---------------------------|--------------|
| November 4, 2006 | Michael Moore | Sr. Environmental Officer | Ohio EPA |

8.0 FINDINGS

The results of this assessment have revealed the following current recognized environmental conditions associated with the property:

- *Reported leak from UST piping system in 1995.*

The results of this assessment have revealed no historical recognized environmental conditions associated with the property.

The results of this assessment have revealed no de minimis conditions associated with the property.

9.0 OPINION

It is our professional opinion that the impact on the property of the current recognized environmental

conditions identified in the Findings section of this report are:

- ***Petroleum leaked during piping system upgrade in 1995 could have impacted surrounding soil and potentially the groundwater.***

The rationale for concluding that a condition is or is not currently a recognized environmental condition was after the reported leak no cleanup or testing was conducted.

In our professional opinion it is recommended that the following additional investigation be conducted to detect the presence of hazardous substances or petroleum products and provide greater certainty regarding identified recognized environmental conditions on the property:

- ***Soil and groundwater testing should be conducted to determine if they have been impacted.***

There were no data gaps that significantly affected our ability to identify recognized environmental conditions associated with the property.

10.0 CONCLUSIONS

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527 of 55 Garden Street, the property. Any exceptions to, or deletions from, this practice are described in Section 11 of this report.

This assessment has revealed no evidence of recognized environmental conditions in connection with the property except for the following:

- ***Reported leak from UST piping system in 1995.***

11.0 DEVIATIONS

Except for the limitations and exceptions discussed in Section 2.4, this Phase I ESA complies with the ASTM Standard 1527-05.

12.0 ADDITIONAL SERVICES

No additional services beyond the scope of the ASTM Standard 1527-05 were conducted as part of this assessment.

13.0 REFERENCES

The following documents, maps, or other publications may have been used in the preparation of this report.

- American Society for Testing and Materials Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM E1527-05).
- American Society for Testing and Materials Guide for Environmental Site Assessments: Transaction Screen Process (ASTM E1528).

- Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (“CERCLA” or “Superfund”), as amended by Superfund Amendments and Reauthorization Act of 1986 (“SARA”) and Small Business Liability Relief and Brownfields Revitalization Act of 2002 (“Brownfield Amendments”), 42 U.S.C. §§9601, et. seq.
- Resource Conservation and Recovery Act, as amended (“RCRA”), 42 U.S.C. §6901, et. seq.
- Federal Emergency Management Agency, National Flood Insurance Program, Flood Insurance Maps.
- United States Department of Agriculture, Soil Conservation Service, Soil Surveys.
- United States Geological Survey, Topographic Maps.
- United States Department of the Interior, Fish and Wildlife Service, National Wetlands Inventory Map

14.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

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

Prepared by:

Reviewed by:

John Smith
Sr. Assessor

Jane Doe
District Manager

15.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

The qualifications of the environmental professional(s) and personnel conducting the site reconnaissance and interviews (if conducted by someone other than an environmental professional) are provided in Appendix 8.

APPENDIX 1 SITE (VICINITY) MAP

APPENDIX 2 SITE PLAN

APPENDIX 3 SITE PHOTOGRAPHS

APPENDIX 4 HISTORICAL RESEARCH DOCUMENTATION

APPENDIX 5 REGULATORY RECORDS DOCUMENTATION

APPENDIX 6 INTERVIEW DOCUMENTATION

User/Client Questionnaire

Date of Interview: November 1, 2006

Name: Paul Williams

Status: Client/Owner

Title: Environmental Manager

Organization: ACME Oil & Gas Ltd.

General Questions

1. What is the reason why the Phase I is required?

Assist in the determination whether any immediate actions at the property are necessary to comply with environmental laws and regulations.

2. What is the current use of the property?

gasoline dispensing station and store

3. What type of property transaction is it (sale, purchase, exchange, etc.)?

Other Asset Management Program

4. Have you engaged a title company or professional to review recorded land title records and lien records?

No title company or professional was engaged by the client to review recorded land title records and lien records.

5. What was the results of the title review?

6. Are any services beyond the requirements of Practice E1527 required?

No

7. Who is the site contact for the property?

Dan Brown

8. How can the site contact be reached?

phone 905-666-7527

9. Who is the owner of the property?

ACME Property Holdings

10. Who are the occupants of the property?

ACME Oil

11. Do any of the parties to the property transaction have a required standard scope of services?

No

12. Other than yourself, what other parties will rely on the Phase I report?

No

13. Are there any special terms and conditions that must be agreed upon by the environmental professional?

No

14. Do you have any other knowledge or experience with the property that may be pertinent to the environmental professional (for example, copies of any available prior ESA reports, documents, correspondence, etc.)?

The client does not have any other knowledge or experience with the property that may be pertinent to the environmental professional.

Landowner Liability Protection Related Questions

(1.) Environmental cleanup liens that are filed or recorded against the site (40 CFR 312.25).

Are you aware of any environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law?

The client is not aware of any environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law.

(2.) Activity and land use limitations that are in place on the site or that have been filed or recorded in a registry (40 CFR 312.26).

Are you aware of any AULs, such as engineering controls, land use restrictions or institutional controls that are in place at the site and/or have been filed or recorded in a registry under federal, tribal, state or local law?

The client is not aware of any AULs, such as engineering controls, land use restrictions or institutional controls that are in place at the site and/or have been filed or recorded in a registry.

(3.) Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).

As the user of this ESA do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business?

The client does not have any specialized knowledge or experience related to the property or nearby properties.

(4.) Relationship of the purchase price to the fair market value of the property if it were not contaminated (40 CFR 312.29).

Does the purchase price being paid for this property reasonably reflect the fair market value of the property? If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property?

The client does not believe the purchase price being paid for this property reasonably reflect the fair market value of the property.

(5.) Commonly known or reasonably ascertainable information about the property (40 CFR 312.30).

(a) Do you know the past uses of the property?

The client does not know the past uses of the property.

(b) Do you know of specific chemicals that are present or once were present at the property?

The client does not know of any specific chemicals that are present or once were present at the property.

(c) Do you know of spills or other chemical releases that have taken place at the property?

The client does not know of any spills or other chemical releases that have taken place at the property.

(d) Do you know of any environmental cleanups that have taken place at the property?

The client does not know of any environmental cleanups that have taken place at the property.

(6.) The degree of obviousness of the presence or likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).

As the user of the ESA, based on your knowledge and experience related to the property are there any indicators that point to the presence or likely presence of contamination at the property?

The client knows of the following indicators that point to the presence or likely presence of contamination at the property:

Possible soil contamination from UST leak.

Site Manager Questionnaire

Date of Interview: November 2, 2006

Name: Dan Brown

Status: Site Manager

Title: Operations Supervisor

Organization: ACME Property Holdings

Questions

1. During what time period were you the site manager of the property?

1994 - Present

2. What was type of business did you have at the property?

gas station

3. Do you know the past uses of the property?

The site manager does not know the past uses of the property.

4. Do you know of specific chemicals that are present or once were present at the property?

The site manager does not know of any specific chemicals that are present or once were present at the property.

5. Do you know of spills or other chemical releases that have taken place at the property?

The site manager does not know of any spills or other chemical releases that have taken place at the property.

6. Do you know of any environmental cleanups that have taken place at the property?

The site manager does not know of any environmental cleanups that have taken place at the property.

7. Do you have any other knowledge or experience with the property that may be pertinent to the environmental professional?

The site manager does not have any other knowledge or experience with the property that may be pertinent to the environmental professional.

Government Official 1 Questionnaire

Date of Interview: November 4, 2006

Name: Michael Moore

Title: Sr. Environmental Officer

Organization: Ohio EPA

Questions

1. Do you know the past uses of the property?

The official knows of the following past uses of the property:
Gas Station

2. Do you know of specific chemicals that are present or once were present at the property?

The official does not know of any specific chemicals that are present or once were present at the property.

3. Do you know of spills or other chemical releases that have taken place at the property?

The official knows of the following spills or other chemical releases that have taken place at the property:
A gasoline leak was reported in 1995 during an upgrade on the piping system.

4. Do you know of any environmental cleanups that have taken place at the property?

The official does not know of any environmental cleanups that have taken place at the property.

5. Are you aware of any environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law?

The official is not aware of any environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law.

6. Are you aware of any engineering controls, land use restrictions or institutional controls that are in place at the site and/or have been filed or recorded in a registry under federal, tribal, state or local law?

The official is not aware of any engineering controls, land use restrictions or institutional controls that are in place at the site and/or have been filed or recorded in a registry.

7. Do you have any other knowledge or experience with the property that may be pertinent to the environmental professional?

The official does not have any other knowledge or experience with the property that may be pertinent to the environmental professional.

APPENDIX 7 SPECIAL CONTRACTUAL CONDITIONS

There were no special terms or contractual conditions for this assessment.

APPENDIX 8 QUALIFICATIONS

