

**Vacation Charters, Ltd.  
Category 3 License Application  
Attachment to Appendix 41**

**LOCAL IMPACT REPORT**

Casino Operations at  
Split Rock Resort  
Lake Harmony, PA 18624  
Prepared; June 20, 2007



## **1. Overview: Purpose & Outlook**

Vacation Charters' executives project that the expected revenues from the location of gaming machines at their location will be largely generated by overnight guests and to a lesser extent, patrons of the resort's many amenities that will be already on-site golfing, playing tennis, dining, playing in the water park, etc. The expected, incremental increase in overnight guests is forecasted to generate an additional 15,500 room nights, or 7 % in occupancy in the first year of operation, and approximately ½ that amount, or 3.5 % in the second year, based upon local industry trends and statistics. Day guest traffic is not expected to increase beyond typical current trends.

The Category 1 facilities are driven entirely by day traffic and will operate up to 5,000 machines. The Category 2 facilities are permitted the same number of machines, and have no exclusion for the promotion of day guest visits to the slot casino, and without restriction on guest privileges.

Conversely, Category 3 facilities, with up to a maximum of 500 machines, must comply with restrictions for day guests, who must become a patron of a resort amenity prior to legally gaining access to the slots parlor. The design of the Gaming Act is to encourage overnight guest stays, while providing a limitation on day guest patronage. Vacation Charters Ltd. is bound to and will follow that intent.

Another project underway at Split Rock, notably the 48,000 square foot indoor waterpark, is expected to generate additional overnight guest stays as well as day guest traffic. An increase of 4 % occupancy is projected in the second half of 2008 due to the opening of the waterpark; with a more modest increase of 3 % for 2009 in the first

stabilized year. Existing infrastructure and community resources have been found to be adequate for this increase in patronage (see Phase I Environmental Site Assessment), which is substantially greater than the incremental population created by the casino operation. The combined effect with the waterpark and casino projects are not expected to exceed an increase of more than 10 % in the first year, and +/- 5 % in year two.

Moreover, Split Rock's location, accessible by two different state highways, using existing signaling, and served by a private road, is unique, in that guests are not turning directly into the resort. Other infrastructures, notably water (privately held by Vacation Charters Ltd.) and waste water (Township owned), has already been examined. An second water storage facility was added in 2005 with a capacity of an additional 450,000 gallons; while additional EDU capacity for timeshare developments on Split Rock grounds is already reserved by contractual arrangement with Kidder Township.

Based upon these facts, Vacation Charters came to the conclusion that there will be little or no impact to the average daily visitation to the resort (see Section 3 for in-depth analysis of average daily traffic patterns). Vacations Charters has not retained the services of an engineering firm for the purpose of documenting the local impacts and believes that none is required. The facts and rationales for reaching the various conclusions set out in this section are detailed for the Board's consideration. If additional data is necessary that would require a certified engineer's review of any of this or additional content, Vacation Charters Ltd. is prepared to provide whatever data the Pennsylvania Gaming Control staff requires.

In this report, Vacation Charters has compiled and presents publicly accessible data and private company documentation that addresses the areas of local impact identified in the Gaming Act and the Board's regulations.

Vacation Charters Ltd. executives researched the Category 3 slots legislation and after review of that language, it was determined that Split Rock Resort fit the profile outlined by the Pennsylvania Legislature.

The Company will provide all documentation requested of successful applicants, including this "local impact report" as prescribed in section 441.4, #21. After cautious review of the suggested contents to be included in the report, however, it appeared that this requirement might need to be reviewed due to the intent by the Legislature in creating the Category 3 license.

Our understanding of the law and the spirit of the language in the slots legislation, is for a "well established resort hotel" to apply for a Category 3 license, with the intent to generate additional overnight guest visits; not day guest visits. Vacation Charters Ltd. intends to follow that intent, and came to the conclusion that there will be little or no impact to the average daily visitation to the resort (see Section 3 for in-depth analysis of average daily traffic patterns).

**2. Engineering Report:**      Phase I Environmental Site Assessment

This report was prepared in 2005 in relation to the improvements being constructed at the Galleria in relation to an indoor waterpark. The completed Phase I report references the same related properties being considered for the site of a Category 3 slots casino. Accordingly, the report contains all typical information required for a Phase I Environmental Site Assessment, including:

- Site Description and Environmental Setting
- Historical and Records Review
- Site Reconnaissance
- Additional Environmental Issues

**3. Traffic Studies:** Vacation Charters Ltd. & PennDOT Traffic Information

**3.a. PennDOT Data:**

Daily traffic flow on the main county, state and interstate highways is as follows (see attached backup from PennDOT):

|                                       |  |
|---------------------------------------|--|
| Western feeder: County Route 940      | 3,412 cars per day   |
| Eastern feeder: County Route 903      | 4,387 cars per day from North<br>4,914 cars per day from South |
| PA Turnpike, Northeast Extension      | 24,283 cars per day  |
| Interstate 80 (high/low, East & West) | 11,841 to 15,473 cars per day                                  |
| County Route 1003 (Moseywood Road)    | 1,660 cars per day   |

**3.b. Split Rock Resort Traffic Data:** (see attached backup from Vacation Charters Ltd.)

Vacation Charters Ltd. has operated a private toll road since 1986, enabling a 21 year history of traffic data collection. The East access point enters from County Route 903 on to County Road 1003; while the West access point enters from County Route 940 on to County Road 1003. (Moseywood Road is the private access route that connects the East and west sides of County 1003).

**3.c. Traffic Summary:**

The statistics below represent the last seven (7) years average traffic data on Split Rock's private Moseywood Road: (see attached backup)

|                        |                                       |
|------------------------|---------------------------------------|
| 2007 (YTD thru 04/07): | 1,419 cars/day-                       |
| 2006                   | 1,557 cars/day-(+5.0% vs prior year)  |
| 2005                   | 1,483 cars/day-(+0.4% vs prior year)  |
| 2004                   | 1,477 cars/day-(+16.6% vs prior year) |

|      |                                      |
|------|--------------------------------------|
| 2003 | 1,267 cars/day-(-8.0% vs prior year) |
| 2002 | 1,378 cars/day-(+3.4% vs prior year) |
| 2001 | 1,333 cars/day-(-3.9% vs prior year) |
| 2000 | 1,387 cars/day                       |

|                         |                |
|-------------------------|----------------|
| Seven (7) year average: | 1,412 cars/day |
| Highest year average:   | 1,557 in 2006  |
| Lowest year average:    | 1,267 in 2003  |

Variance to Penndot: -6.2% represents 24 hour tally vs Split Rock's 14 hour tally

Resident/Employees: 63.8% of daily traffic is Split Rock residents & employees

Net traffic: 511 cars/day attributed to resort guest traffic

### **3.d. Impact on Transportation Access:**

Based on the Moseywood Road traffic data from the two main County roads compared to Resort occupancy history, over the seven year span, no significant increase is anticipated on the main arteries of County Routes 903 or 940; with a marginal increase, overall on Vacation Charters Ltd.'s Moseywood Road. Approval from the Kidder Township authorities is expected prior to June 30, 2007 to improve the inbound gate access, increasing from one to two lanes. Road work has commenced, and this improvement is expected to be completed in fall of 2007.

### **3.e. Transit Access:**

There are only two methods of public transit in the area:

- Martz Bus: daily commuter line in to NYC and random busses to Atlantic City.
- County transit: senior citizen county access busses.

**4. Housing:**

Effect On Local Housing Market

No impact is expected on housing within Kidder Township; although job growth generating approximately \$4.5 million in annual payroll is anticipated.

**5. Utilities:****Private Utility Systems/Public Utility Systems****5. a. Private Utilities/Water:**

Summit Management and Utilities, a wholly owned subsidiary of Vacation Charters Ltd., operates and maintains two water storage facilities with 110,000 gallons and 450,000 gallons respectively. The two systems are tied together, providing a redundancy factor. The latter tank was added in 2004 to supplement additional timeshare development at Willowbrook at Lake Harmony, on the Split Rock grounds. Pre-development water usage was approximately 195,450 gallons per day, with an additional 64,000 gallons per day at 100% buildout of the Willowbrook suites. The privately owned homes within the golf development are connected, along with undeveloped lots, adding an additional 30,000 gallons per day, for a total estimated usage of 289,450. These estimates are based upon maximum occupancy with all lots fully developed. The well pump supplying the water to the newer facility generates 300 gallons per minute; while two additional wells both generate 80 gallons per minute. The current capacity will provide water service for 24 hours in the event of lost water supply, and leave an emergency fire flow for 2 + hours @ 1,000 gallons per minute. Summit Management and Utilities prepares and posts an Annual Drinking Water Quality Report as required by law each year.

**5. b. Public Utilities/Sewer:**

Kidder Township owns and operates the wastewater treatment facility to which the Resort is connected. In addition to the existing 373 EDU's, Vacation Charters Ltd. has reserved an additional 364 EDU's which will accommodate the remaining ten

buildings in the Willowbrook development; the remaining private individual lots surrounding the golf course; and Split Rock's indoor waterpark. Additionally, Vacation Charters Ltd. maintains a Spray Irrigation permit with DEP, allowing irrigation of the Resort's 27 hole golf course.

**6. Authorities:**

Kidder Township & Carbon County

- a. Kidder Township Police Department
- b. Kidder Township Acting Township Manager
- c. Carbon County Commissioners
- d. Lake Harmony Volunteer Fire Company
- e. Lake Harmony Ambulance

An attachment is provided with an analysis of responses by the Lake Harmony Fire Department for the period of 06/2006 through 05/2007. Calls specifically attributed to the Resort were 8.7% of the total calls which were responded to. Of significant note is that 10 of the total 23 calls were false fire alarms relating to faulty programming that was corrected by the alarm contractor for the Resort. Removing the false alarms from the equation would reduce the percentage of calls to under 5% of the overall total.

While the fire company records were a matter of public record posted on their website, similar records were unavailable from the ambulance squad.

**7. Tourism:**

State & Local Tourism

Pocono Mountains Visitors Bureau Statistics  
Pennsylvania Tourism 2007 Report  
Pennsylvania Travel & Tourism Impact 2005  
U.S. Census Bureau: Carbon County, PA

The documents listed above include local and regional data about the region and about tourism in Carbon County; in addition to State statistics, including documentation on the economic impact of tourism throughout Pennsylvania and county census data.



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## 1. Summary

### 1.1 Certification

Ecodeme Group, Ltd. is an independent contractor acting as a consultant to the client. No Ecodeme personnel are employed by the owner of the Subject Property or by the seller, buyer, or lender in any real estate or financial transaction involving the Subject Property. Ecodeme Group, Ltd. has no interest, present or potential, direct or indirect, in the Subject Property or in the client for whom this assessment was conducted. Ecodeme's compensation is not based on the findings or recommendations made in this assessment, nor on the closing of any business transaction.

### 1.2 Property Identification

The Subject Property consists of three areas, the Galleria, the Moseywood Villas, and the Lodge and nearby duplex cottages, located in Lake Harmony (Carbon County), Pennsylvania, at Holly Forest Road, Moseywood Road, and Lake Drive. Parcel references, as they appear in the records of the Carbon County Register of Deeds, are:

32-21A, Lots 3.06 and 3.12; and 33-21A, Lots 9 and 11.09A for the Galleria area (41.74 acres).

33-21, Lot 9 for the Moseywood Villas (1.71 acres).

33A-21A, Lots 2, 3, and 4 for the Lodge (approximately 3.8 acres).

33A-21A, Lots 5, 6, and 8 for the duplex cottages near the Lodge (approximately 0.75 acres).

A site location map and a site plan appear in Appendix B. Portion of the applicable tax maps are reproduced in Appendix G.

### 1.3 Findings, Discussion

As a result of this assessment, Ecodeme has identified the following *recognized environmental condition* (as defined in Section 2.2) in connection with the Subject Property:

1. An underground storage tank (UST) for heating oil is located adjacent to the foundation of the Galleria building near the mechanical room. There is no indication that this tank is leaking product, or that it has had past overfill events. However, no leak detection methods are in effect for it.

This Phase I Environmental Site Assessment revealed no evidence of *recognized environmental conditions* or other environmental concerns in connection with the property aside from that specifically mentioned above.

No hazardous materials or unidentified containers that might contain hazardous materials were found on the Subject Property.

No friable asbestos was found on the Subject Property.

### 1.4 Conclusions

Ecodeme recommends the following actions to reduce or eliminate potential environmental risks associated with this property:

1. As soon as practical, the UST should be pressure tested by a local fuel oil supplier to test its integrity. If leakage is confirmed, appropriate remediation should be conducted as directed by the Pennsylvania Department of Environment.
2. If the tank is found to be sound, contents should be checked weekly by use of a calibrated dip stick, and a signed and dated log sheet of results should be maintained. Any unexplained loss of contents should be investigated by collection and analysis of soil samples from the vicinity and at a

depth greater than the tank bottom. If leakage or contamination is confirmed, appropriate remediation should be conducted as directed by the Pennsylvania Department of Environment.

Ecodeme considers that the requirements for *all appropriate inquiry* (as defined in Section 2.2) have been met, and that no further environmental investigation is warranted at this time.

## 2. Conditions of Report

### 2.1 Scope of Work

This assessment was conducted in accordance with the ASTM *Standard Practice For Environmental Site Assessments: Phase I Site Assessment Process* (ASTM E1527-00). The scope of work performed in this assessment included the four components required by ASTM 1527; i.e., (1) review of reasonably ascertainable records, including federal and state databases, (2) site reconnaissance with visual and physical observation of the property and all structures thereon, (3) interviews (if practicable) with owners, occupants, or other knowledgeable persons and with local government officials, (4) evaluation of data and production of this report. In addition, Ecodeme addressed the issues of asbestos-containing building materials, radon, and wetlands or critical area considerations.

### 2.2 Purpose

ASTM states that the goal of the Phase I Environmental Site Assessment practice is to identify *recognized environmental conditions* which may pose an environmental liability to, or restrict the use of, the Subject Property. *Recognized environmental conditions* are the presence or likely presence of any *hazardous substances* or *petroleum products* on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any *hazardous substances* or *petroleum products* into structures on the property or into the ground, ground water, or surface water of the property. The term includes *hazardous substances* or *petroleum products* even under conditions in compliance with laws. *Recognized environmental conditions* do not include *de minimus* conditions which generally do not present a material risk of harm to public health or the environment, and that generally would not be the subject of enforcement action if brought to the attention of appropriate governmental agencies. In the January 24, 2003 Federal Register, the EPA issued a direct final rule clarifying that with respect to property purchased on or after May 31, 1997, the use of ASTM E1527-00 will satisfy the requirements for conducting *all appropriate inquiry* into the environmental condition of a property, providing CERCLA liability protection to certain property owners such as innocent landowners, bona fide prospective purchasers, and contiguous property owners.

### 2.3 Limitations

The conclusions, opinions, and recommendations in this report reflect the condition of the subject property as of July 12, 2005, the date of Ecodeme's on-site investigation. They are made on the basis of the experience, qualifications, and professional judgment of Ecodeme's personnel, and are not guaranteed except as to the standard of care used. In the preparation of this report, Ecodeme exercised the same degree of care and expertise ordinarily exercised by other environmental professionals on similar projects at this time. Qualifications of the personnel responsible for this report appear in Appendix A.

The physical setting information and database search included in Appendices D and F were provided by Environmental Data Resources, Inc., a subcontractor evaluated and approved by Ecodeme. Some conclusions and/or recommendations in this report are based on information obtained from the owner or occupants of the Subject Property, or from other knowledgeable persons. In those cases, unless contradicted by Ecodeme's research or on-site observations, the information was relied upon as being true and accurate.

### 2.4 Confidentiality

Ecodeme Group, Ltd. reserves its common law copyright and property rights (Title 17, US Code) as they pertain to this document. Ecodeme recognizes Vacation Charters, Ltd. as its client. The information in this report is confidential in nature and is exclusively for the use and benefit of Ecodeme's client and its agents. It is not for the use and benefit of, nor may it be relied upon by, any other person or entity. The contents of this report may not be quoted in whole or in part without the specific written permission of Ecodeme Group, Ltd.

### **3. Site Description/Environmental Setting**

#### **3.1 Vicinity Characteristics**

The vicinity is rural, with some residential development. The subject property is part of the Split Rock Resort complex, which covers approximately 74 developed acres. Much of the vicinity is wooded, and there are other resort developments in the region.

#### **3.2 Description of Improvements**

The Galleria Resort Hotel consists of a main section; an attached sports complex, and the slopeside wing accommodations. Gross area, based on approximate field measurements, is 354,500 (v) square feet (SF). The main section, built in 1983, and the slopeside wing added in 1993 are three stories, grade slab construction, steel framed, and have masonry walls, concrete floors, and concrete roof deck. The sports complex, built in 1991 has a prefabricated metal frame on a grade slab, and has metal exterior walls and roof deck. The main section has hotel rooms and suites, conference rooms, restaurant and bar facilities, an indoor swimming pool, and an entrance lobby with retail shops. The slopeside wing has hotel rooms and suites. The sports complex has tennis and racquetball courts, bowling alleys, a movie theater, and a pro shop.

The Moseywood Villas, built in 1981, consist of four duplex structures, wood-framed, with clapboard siding and pitched, shingled roofs. Foundations are poured concrete, masonry block, and a concrete floor on grade. Gross area of each structure is estimated at approximately 1,600 SF.

The three duplex cottages near the Lodge were built in the 1940's. They are wood-framed, with clapboard siding and pitched, shingled roofs. Foundations are poured concrete and stone masonry. Gross area of each structure is estimated at approximately 1,250 SF.

The Lodge building dates to the 1940's and was rebuilt after a fire in the 1970's. Construction is heavy timber framing with wood floors and roof deck. The roof is pitched with a shingle surface. The building houses administrative offices and a full service restaurant/lounge in addition to guest rooms.

The HVAC systems are individual electric through-wall units in the Galleria and Lodge guestrooms. Hot water for guest rooms is provided by small, local electric heaters. Hot water for common areas and the laundry facility is provided by propane-fueled units. Heating and hot water for the Villas and cottages is all electric.

Electricity is provided by PPL. Potable water and sanitary sewer service are provided by Summit Management Utilities, a state-certified private company located adjacent to the Split Rock Resort grounds. The current annual water quality report states that the water supplied conforms to all state and federal standards, including those for lead and copper content.

Photographs representative of the site are included in Appendix C.

#### **3.3 Current Use of Subject and Adjoining Properties**

The Subject Property is currently used as resort destination. Surrounding properties are primarily single family or duplex residences used as year-round homes or as time-shares. West of the Galleria is a small ski slope area and beyond that is undeveloped woodland. North of the Galleria is a golf course.

#### **3.4 Physical Setting**

The terrain is hilly in this area, which is near the southern extreme of the Pocono Mountains. Drainage of the subject property appears adequate, with storm water flowing via swales and small intermittent streams eastward to Lake Harmony or northwestward to a stream called Shingle Mill Run.

Topographic detail of the vicinity is shown on the several editions of the USGS 7.5 Minute Topographical Map, *Blakeslee, PA* quadrangle, included in Appendix E.

Soil at the site is a stoney silt-loam mixture of the Morris type, overlying shale bedrock. Groundwater flow direction is inferred by the surface topography to be toward the north-northeast. There are 17 wells for potable water supply purposes within one mile of the subject property. Documentation of all referenced physical setting information appears in Appendix C.

### 3.5 Environmental Information

Ecodeme had conducted a Phase I Environmental Site Assessment (Project 108101, August 30, 2001) on the Galleria portion of the Subject Property, and another (Project 301081, January 15, 2003) on an adjacent site. Some information from those reports, not time-sensitive in nature, was utilized in the preparation of this report. The client did not inform Ecodeme of any environmental liens on the Subject Property, nor of any specialized knowledge or experience that is material to *recognized environmental conditions* in connection with the property.

#### 4. Historical and Records Review

In order to identify past uses or occupancies that might indicate *recognized environmental conditions*, the history of the subject and adjoining properties was researched by review of historical documents, federal and state records, other record sources, and interviews with knowledgeable individuals.

##### 4.1 Standard Historical Sources

Historical fire insurance (Sanborn) maps or historical City Directories are not available for the vicinity of the subject property, as documented in Appendix E.

Aerial photographs dating back to the 1950's were reviewed at the Carbon County Mapping Department in Jim Thorpe, Pennsylvania. Copies of the photographs could not be made on equipment available at that agency. Nothing on the photographs reviewed raised questions of environmental impact on the Subject Property. Commercially produced aerial photographs were not available, as documented in Appendix E.

Editions of the USGS 15 minute Topographic Map, Stoddardsville, PA, quadrangle from 1924 and 1943 were available and reviewed by Ecodeme. Editions of the USGS 7.5 minute Topographic Map, *Blakeslee, PA*, quadrangle, from 1965, 1973, 1983, and 1992 were also available and reviewed by Ecodeme. No structures or physiographic features that might have environmental impact on the Subject Property appeared on any of these maps. Copies of the referenced maps are included in Appendix E.

##### 4.2 Federal and State Records

Ecodeme reviewed a database report of federal and state records to determine if the subject or any nearby property has a record of actual or potential environmental impairment. Some sites listed in the databases could not be mapped due to incomplete address or other reasons, and these are listed under the heading, Orphan Summary. Ecodeme has field checked these as far as possible, and any found within the required search distances are discussed under the appropriate listing. The standard sources and search distances used are as required by ASTM E1527. Documentation of the database report and its current status appears in Appendix F.

###### \* Federal EPA National Priority List (NPL)

Approximate Minimum Search Distance: 1.0 Mile Radius.

The NPL is an EPA list of the most serious abandoned or uncontrolled hazardous waste sites identified for possible long-term remedial action under Superfund.

The Subject Property is not listed. There are no listed sites within the area searched.

###### \* Federal CERCLIS List

Approximate Minimum Search Distance: 0.5 Mile Radius.

The Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) contains information on sites identified by the EPA as abandoned, inactive, or uncontrolled hazardous waste sites which may require cleanup.

The Subject Property is not listed. There are no listed sites within the area searched.

###### \* Federal CERC-NFRAP List

Approximate Minimum Search Distance: 0.25 Mile Radius.

CERCLIS sites designated "No Further Remedial Action Planned" (NFRAP) have been removed from the CERCLIS list. These are sites where following an initial investigation, no contamination

was found, contamination was removed quickly without the need for the site to be placed on the NPL, or the contamination was not serious enough to require Superfund action or NPL consideration. These sites are not normally considered by Ecodeme to be an environmental impairment to the subject of a Phase I Assessment, but are listed for informational purposes if found within the search area.

The Subject Property is not listed. There are no listed sites within the area searched.

\* Federal RCRA CORRACTS Facilities List  
Approximate Minimum Search Distance: 1.0 Mile Radius.

The CORRACTS list includes selective information on sites which treat, store, or dispose of hazardous wastes as defined by the Resource Conservation and Recovery Act (RCRA), and which have conducted, or are currently conducting, a corrective action.

The Subject Property is not listed. There are no listed sites within the area searched.

\* Federal RCRIS-TSD Facilities List  
Approximate Minimum Search Distance: 0.5 Mile Radius.

The Resource Conservation and Recovery Information System (RCRIS) includes selective information on sites which treat, store, or dispose of hazardous wastes as defined by the Resource Conservation and Recovery Act (RCRA) and are not currently subject to corrective action.

The Subject Property is not listed. There are no listed sites within the area searched.

\* Federal RCRA Generators Lists (RCRIS-LG and RCRIS-SG)  
Search Distance: Subject and adjoining properties.

The RCRIS Large Quantity Generators Database is an EPA list of facilities that generate more than 1000 kg per month of non-acutely hazardous waste, or 1 kg per month of acutely hazardous waste. The RCRIS Small Quantity Generators Database is an EPA list of facilities that generate 100 to 1000 kg per month of non-acutely hazardous waste.

Neither the subject nor its adjoining properties are listed.

\* Federal ERNS List  
Search Distance: Subject property.

The Emergency Response Notification System (ERNS) records and stores information on reported releases of oil and hazardous substances. The database contains information from reports made to federal authorities including the EPA, the US Coast Guard, the National Response Center, and the Department of Transportation.

The subject property is not listed.

\* State Leaking Underground Storage Tank (LUST) Sites  
Approximate Minimum Search Distance: 0.5 Mile Radius.

LUST records are a list of sites where leaking underground storage tanks have been reported.

The Subject Property is not listed. There are no listed sites within the area searched.

\* State Registered Underground Storage Tank (UST) Sites  
Search Distance: Subject property and adjoining properties.

This is a state listing of underground storage tanks registered under Subtitle I, Section 9002 of RCRA.

Neither the subject nor its adjoining properties are listed.

- \* State Archive Underground Storage Tank (UST) Sites  
Search Distance: Subject property and adjoining properties.

This is a state listing that may include tanks that have been closed or removed.

Neither the subject nor its adjoining properties are listed.

- \* State Solid Waste Facilities/Landfill (SWF)  
Approximate Minimum Search Distance: 0.5 Mile Radius.

SWF is a list of sites that currently accept, or have accepted in the past, waste of any kind for disposal on site.

The Subject Property is not listed. There are no listed sites within the area searched.

- \* State List of Hazardous Waste Sites (SWF/LF)  
Approximate Minimum Search Distance: 1.0 Mile Radius.

State hazardous waste site records are the state's equivalent to CERCLIS. These sites may already be on the federal CERCLIS list.

The Subject Property is not listed. There are no listed sites within the area searched.

- \* State Remedial Sites (HSCA)  
Approximate Minimum Search Distance: 1.0 Mile Radius.

Pennsylvania equivalent of the federal NPL list. These sites may already be on the federal NPL list.

The Subject Property is not listed. There are no listed sites within the area searched.

The following databases, not required by the ASTM Standard, were reviewed by Ecodeme in order to provide the most complete possible record of actual or potential environmental impairment. Unless noted at the individual database entry, neither the Subject Property nor nearby properties were listed. Search parameters are shown in parentheses.

Federal:

CONSENT (1.0 mi.) Legal settlements establishing responsibility for cleanup of NPL sites.  
ROD (1.0 mi.) Record of Decision mandating a permanent remedy for an NPL site.  
Delisted NPL (1.0 mi.) Sites deleted from NPL list since no further remediation is appropriate.  
FINDS (Subject Property) Facility Index System lists all sources of information on a site.  
HMIRS (Subject Property) Hazardous Material Information Reporting System.  
MLTS (Subject Property) Material Licensing Tracking System, sites handling radioactive materials.  
MINES (0.25 mi.) Mines Master Index File.  
NPL Liens (Subject Property) Liens filed by EPA to cover remediation costs.  
PADS (Subject Property) PCB Activity Database System. Sites handling PCB materials.  
INDIAN RESERV (1.0 mi.) Indian reservations having an area of 640 acres or more.  
FUDS (1.0 mi.) Formerly Used Defense Sites undergoing remediation by Corps of Engineers.  
US BROWNFIELDS (0.5 mi.) Sites using EPA funds for cleanup under cooperative agreements.  
DOD (1.0 mi.) Department of Defense sites having an area of 640 acres or more.  
RAATS (0.5 mi.) RCRA Admin. Action Tracking System, EPA actions against major violators.

TRIS (Subject Property) Toxic Chemical Release Inventory System.  
TSCA (Subject Property) Toxic Substances Control Act, sites handling toxic substances.  
SSTS (Subject Property) Section Seven Tracking System, sites handling pesticides.  
FTTS (Subject Property) Federal Insecticide, Fungicide, and Rodenticide Act.

State:

Historical LF (0.5 mi.) List of historical landfill locations.  
AST (Subject Property) List of permitted above ground storage tanks.  
LAST (Subject Property) Storage tank release sites.  
ACT 2-DEED (0.5 mi.) Act 2-DEED acknowledged sites.  
ENG CONTROLS (0.5 mi.) Engineering Control site listing.  
ARCHIVE UST (Subject Property) Archived underground storage tank sites.  
UNREG TANKS (0.5 mi.) Unregulated tank cases.

Miscellaneous:

COAL GAS (1.0 mi.) List of former coal gas manufacturing plant sites.

#### 4.3 Additional Record Sources

Ecodeme contacted the Kidder Township Code Enforcement Office, requesting information on the subject property. Ms. Sylvia Davis, Administrative Assistant, stated that there were no outstanding issues at the Subject Property.

#### 4.4 Interviews

Mr. Bob Dobosh, Kidder Township Building Inspector, said that inspections were made at the completion of permitted work and only upon request thereafter. His department had no record of unresolved issues at the Subject Property.

Ms. Jennifer Walker of the Carbon County Planning Commission (570-325-3671) said that the area of the Subject Property, although owned in the past by a coal company, had never been mined. She stated that prior to construction of the present improvements, the land had been either unimproved or had been the site of scattered residences.

#### 4.5 Historical Summary

The search of federal and state databases, a review of historical documents, and interviews did not reveal any environmentally suspect past occupancy or use of the subject or nearby properties.

## 5. Site Reconnaissance

### 5.1 Hazardous Substances

Ecodeme did not observe any hazardous substances used, generated, or disposed of on the Subject Property, other than properly stored small containers of cleaning and maintenance supplies.

### 5.2 Hazardous or Unidentified Substance Containers

Ecodeme did not observe any abandoned containers of hazardous substances or containers of unidentified substances on the Subject Property.

### 5.3 Soil or Pavement Staining, Stressed Vegetation, Odors

No areas of stained soil or pavement other than the normal light oil staining common in parking areas were observed on the Subject Property. No areas of stressed vegetation were observed on the subject property. No strong, pungent, or noxious odors were observed.

### 5.4 Underground and Above Ground Storage Tanks

Ecodeme observed a filler cap for an underground tank alongside the wall of the utility room in the Galleria. No information on the tank was available other than that it contained heating oil. Judged by its location, the tank is assumed to be small enough not to require Pennsylvania state registration. It is recommended that a leak detection procedure be instituted for this tank. If leakage is detected, remedial measures must be taken as required by the Pennsylvania Department of the Environment.

No above ground storage tanks were observed on the Subject Property other than the self-contained fuel tanks on the two emergency generators. These self-contained, small tanks do not pose an environmental threat because of the frequent observation by maintenance personnel.

### 5.5 Polychlorinated Biphenyl (PCB)-Containing Equipment

Three pad-mounted electrical transformers were observed on the Subject Property. Ecodeme confirmed by telephone to PPL that they were owned by that utility, which would be responsible for cleanup if leakage occurred. The transformers are in good condition with no signs of leakage, and not considered by Ecodeme to be a *recognized environmental condition*.

There are two hydraulically-operated, trash compactors on the site, one at the Galleria and one at the Lodge. The units are owned and maintained by the local waste hauling company and are not considered by Ecodeme to be *recognized environmental conditions*.

### 5.6 Nonhazardous, Solid Waste Management and Disposal

There was no significant accumulation of nonhazardous, solid waste on the Subject Property. Trash is collected by a commercial service at regular intervals.

### 5.7 Physical Setting Analysis, Migration Concerns

Based on a review of environmental databases and physical setting data, an investigation into site and area history, and visual and physical inspection of the subject and adjoining properties, Ecodeme did not discern any condition which could potentially cause migration of hazardous substances to, from, or within the Subject Property.

### 5.8 Other Conditions of Concern

Ecodeme's site reconnaissance did not reveal any other conditions of environmental concern.

## 6. Additional Environmental Issues

### 6.1 Asbestos-Containing Building Materials

Both the EPA and OSHA have published regulations to reduce human exposure to asbestos fibers, and to restrict the use of asbestos-containing materials (ACMs). An ACM is defined under current federal law as any material which has an asbestos content greater than one percent (1%).

Vinyl floor tile is used in some areas of the buildings, and this type of tile frequently contains asbestos, even if of recent manufacture. Floor tile is classified by the EPA as a Category I Non-Friable Material and is not considered potentially harmful to public health or the environment if properly maintained. See the sheet entitled *General Information - Asbestos* in Appendix G for more information on classification of asbestos-containing materials.

No other potential ACMs were observed by Ecodeme on the Subject Property.

### 6.2 Radon

Radon is a radioactive gas that occurs naturally in soil, rocks, underground water, and air. Under certain conditions it can accumulate at high concentrations indoors, particularly in the lower levels of a building. The EPA has established a recommended action level of 4 pico-Curies per liter (4 pCi/L) in residences.

The Subject Property's Zip Code (18624) is in Carbon County, which is designated by the EPA as a Radon Zone 1, indicating that radon activity levels greater than 4 pCi/L can be expected. EPA data for 12 sites tested in Zip Code 18624 indicate that radon activity levels ranged from 1.9 pCi/L to 4.8 pCi/L. State data for 37 sites tested in Zip Code 18624 indicate that radon activity levels ranged from 0.5 pCi/L to 143.0 pCi/L. However, radon activity is a site-specific phenomenon and can vary greatly from place to place, even within a small geographic area. Since structures on the Subject Property are not used as permanent residences and have no occupied basement spaces, Ecodeme does not believe on-site testing is warranted.

### 6.3 Wetlands/Critical Areas

The site inspection and a review of physical setting data indicate that there are no wetlands or critical areas associated with the Subject Property.