November 17, 1993
File 93053.00

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REPORT

Phase I Environmental Site Assessment
23542 Cooper Drive
Elkhart, Indiana

Prepared For:
Mr. Dave Dygert
Dygert Seating, Inc.
53381 Marina Drive
Elkhart, Indiana 46514

Weaver Boos Consultants, Inc.

ENVIRONMENTAL AND GEOTECHNICAL SERVICES
Chicago, Illinois *Elkhart, Indiana*

Weaver
Boos
Consultants, Inc.

520 NORTH MICHIGAN AVENUE • CHICAGO, ILLINOIS 60611 • 312/670-0041 FAX 670-0044

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Mr. Dave Dygert
Dygert Seating, Inc.
53381 Marina Drive
Elkhart, Indiana 46514

REPORT
Phase I Environmental Site Assessment
23542 Cooper Drive
Elkhart, Indiana

Dear Sirs:

In accordance with your request, **Weaver Boos Consultants, Inc.** (Weaver Boos) has completed a Phase I Environmental Site Assessment (ESA) of the above referenced site. The results of this study have revealed no evidence of significant environmental impairment.

We appreciate the opportunity to provide you with these services. If you have any questions or comments regarding this report or our recommendations, please do not hesitate to call. It has been a pleasure working with you on this project.

Very truly yours,
Weaver Boos Consultants, Inc.

David S. O'Dea
Project Engineer

John W. Weaver II, P.E.
President

EXECUTIVE SUMMARY

Weaver Boos Consultants, Inc. (Weaver Boos), has completed a Phase I Environmental Site Assessment (ESA) of 23542 Cooper Drive in Elkhart, Indiana. On October 13, 1993, Weaver Boos performed a Phase I ESA walk-through and visually assessed the site for potential environmental concerns. Weaver Boos inspected the site for indications of underground storage tanks (USTs), above ground storage tanks (ASTs), possible polychlorinated biphenyl (PCB) containing equipment, asbestos-containing material (ACM), hazardous material storage or handling areas, containerized or bulk wastes, and visual indications of contaminated soils.

We also performed a records review to evaluate the potential presence of hazardous or toxic materials/wastes (as defined in the Resource Conservation and Recovery Act {RCRA}, the Comprehensive Environmental Response Compensation and Liability Act {CERCLA} as amended by the Superfund Amendments and Re-authorization Act {SARA}, and the Toxic Substances Control Act {TSCA}) at the subject property.

The regulatory search revealed that a few nearby facilities have been or are currently being investigated by state and federal agencies regarding the presence or the handling of hazardous waste materials. However, none of these facilities are located immediately adjacent to the subject site, and as discussed in Section 4.3, were not observed to be impacting the property.

Stressed vegetation was observed immediately south of the building on the subject site. Four (4) soil samples were collected and analyzed for Total Petroleum Hydrocarbons (TPH). Sample analysis results showed TPH levels below the laboratory quantitation limit (10 ppm) in all four samples. We observed no other visible evidence of environmental impairment at the subject site due to USTs, ASTs, PCB-containing equipment, ACM, hazardous materials, or adjacent land use.

The body of this report presents all findings in narrative form. Figures, photographs and analytical results are presented at the end of the report along with the Appendices. The Appendices consist of a copy of the site inspection checklist and additional information in support of the regulatory review.

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ENVIRONMENTAL SITE ASSESSMENT
23542 Cooper Drive
Elkhart, Indiana

Weaver Boos Project No. 93053.00

1.0 INTRODUCTION

Weaver Boos Consultants, Inc. (Weaver Boos) has completed a Phase I Environmental Site Assessment of 23542 Cooper Drive located in Elkhart, Indiana. The assessment of the property was authorized on October 6, 1993, by Mr. Dave Dygert of Dygert Seating, Inc.

The scope of services performed during this assessment included a Phase I Site Assessment consisting of a visual site survey and review of available regulatory information. The purpose of this report is to present our findings regarding the areas of environmental concern, if present, at the subject site.

2.0 PHYSICAL SITE DESCRIPTION

The inspection of 23542 Cooper Drive was conducted on October 13, 1993. While on-site, we looked for indications of potential environmental impairment such as stressed vegetation, stained soils, debris, chemical usage, underground storage tanks (USTs), aboveground storage tanks (ASTs), polychlorinated biphenyls (PCBs), and asbestos containing material (ACM). A copy of the site inspection checklist prepared during the site inspection is included in Appendix A.

2.1 Site Location

The 1.93 acre site is located just west of the intersection of Marina and Cooper Drive in Elkhart, Indiana. The site lies in the Northwest 1/4 of Section 26, Township 38 North, Range 5 East. Figure 1 in the Figures section illustrates the site location.

2.1.1 Adjacent Land Use

The subject site is bounded on the south and east by other Dygert Seating, Inc. property. United Stitch Craft, a manufacturer of draperies and other cloth window coverings, is located

directly west of Dygert Seating. Cooper Drive is located directly north of the subject site. Figure 2 illustrates the site layout and adjacent properties.

2.2 Site Conditions

Dygert Seating, Inc. is a seat manufacturing company. The on-site building was constructed in 1983 and contains an office section and a manufacturing section. The building is 22,400 square feet in size and was leased to several different companies prior to being purchased by Dygert Seating. Interior building materials in the office section include ceramic and vinyl floor tiles, carpet, wall-board, plaster and ceiling tiles. Building materials in the manufacturing section include plywood, glass-wool insulation, concrete masonry and steel. The area is generally flat and the land was mainly agricultural in the past. It is currently a manufacturing area that is zoned as M-3. M-3, as defined by the City of Elkhart Department of Planning, is designated as manufacturing with rights to storage, open areas, and disposal of raw materials, provided that they are deemed "not dangerous to vegetation and population".

3.0 POTENTIAL ENVIRONMENTAL CONCERNS

3.1 Storage Tanks

3.1.1 Underground Storage Tanks

Underground storage tanks (USTs) have the potential to leak and/or release their contents into the surrounding environment. The U.S. Environmental Protection Agency (USEPA) estimates that 8-20 percent of all USTs leak and/or have had releases to the environment. Newly enacted federal and state regulations have been implemented to strictly control the uses of USTs.

Current regulations place stringent requirements upon owners/operators of UST systems. These include upgrade requirements for all systems in place prior to the initiation of the law and installation requirements for all new systems. All USTs are required to include a method of detecting releases from both the tanks and the associated piping. In addition, all UST systems have requirements for construction that include protection from corrosion and compatibility of tank and line materials with stored products. As such, fewer releases from systems meeting these standards represent the impact they once did. It should be further noted that current UST regulations place very stringent requirements upon owners/operators should releases occur from their tanks. This includes detailed investigatory and remedial requirements

as well as financial assurance requirements to demonstrate the ability to cover the costs associated with a release should it occur. As such, the current owners of any registered systems near the site would maintain liability for releases form their systems.

During our inspection, we noted no evidence of the presence of USTs on the subject property. According to the ERIIS Report there are no registered USTs at the subject site.

3.1.2 Above-Ground Storage Tanks

One (1) permanent above ground storage tank (AST) was observed on-site. Four (4) additional ASTs were also noted. The main AST is approximately 4000 gallons in size and is labeled as containing liquid argon. The other 4 tanks are approximately 50 gallons in size and contain carbon dioxide. The 4 smaller tanks are provided by the gas supply company on a temporary basis and are not the property of Dygert Seating, Inc. No standing liquid was observed in the tank area which is guarded by a 10-foot high fence. All tanks were clearly labeled and good housekeeping practices were in use. No environmental impairment of the subject site due to the ASTs was observed (see photos in Appendix B).

3.2 Polychlorinated Biphenyls (PCBs)

Prior to 1976, polychlorinated biphenyls (PCBs) were commonly used in di-electric fluids in transformers, light ballasts, capacitors and hydraulic fluids because of their desirable thermal characteristics. In 1976, PCBs were demonstrated to be highly toxic and, because of their persistence in the environment, their manufacture was discontinued in the United States.

One of the most common utilization's of PCB material is in transformers associated with electrical distribution. Under current USEPA regulations, transformers must be classified as "non-PCB" (containing oils which are less than 50 parts per million {ppm} PCBs), "PCB-contaminated" (containing 50-499 ppm PCBs), or "PCB transformers" (500 or more ppm PCBs). Untested transformers by law must be classified as "PCB-contaminated" while all new transformers must be guaranteed as "non-PCB" by their manufacturer.

No transformers were noted on the subject site.

3.3 Asbestos Containing Material (ACM)

Asbestos containing material (ACM) is usually associated with building materials as binder, fire retardants and insulating agents. Other materials such as suspended ceiling tiles and floor

tiles have also been known to contain asbestos. Exposure to asbestos fibers has been shown to cause a variety of health problems including asbestosis and lung cancer. ACM in poor condition can readily yield fibers that can be inhaled, escalating exposure risks. This is true for most friable forms of ACM.

The 1973 National Emission Standards for Hazardous Air Pollutants (NESHAPS) partially banned the use of spray-applied asbestos containing material (ACM) in new buildings. These regulations were expanded in 1975 and 1978 to ban the use of all types of insulating ACM in new buildings. As a result of these laws banning the use of asbestos products, most buildings constructed after 1980 utilized fewer ACM. Thus, the likelihood of construction materials containing asbestos generally decreases as the time of construction since 1980 increases.

No suspect ACMs were observed on the subject site.

3.4 Solid Waste

Solid waste is defined as any non-exempt solid, liquid, semi-solid or contained gaseous material which has been discarded, has served its intended purpose, is a by-product of manufacturing or mining, or constitutes garbage, refuse, or sludge (40 CFR 261.2).

Miscellaneous welding racks, angle iron, metal cages and empty 55 gallon drums were observed on the subject site. The items were being stored on the south edge of the parking lot and loading dock areas. According to Dygert Seating employees, the materials will either be recycled, reused or discarded. The materials did not appear to represent an environmental impairment to the subject site.

3.5 Utilities

Permeable fill materials associated with subgrade utilities can provide pathways for contaminant migration (were it to exist) to or from a site. The various utilities associated with this site are discussed below.

3.5.1 Water

Water services are provided by the City of Elkhart and sanitary services are provided by an on-site septic system.

3.5.2 Electrical/Gas/Telephone

Electric service is provided by Indiana and Michigan Power Company and gas service is provided by Northern Illinois Public Service Company (NIPSCO). Telephone service is provided by General Telephone and Electric Company (GTE).

3.6 Hazardous Materials

No hazardous materials such as solvents or chemicals were observed being used or stored on the subject site. However, stressed vegetation was observed in areas located directly south of the building and south of the paved area. Since the building had been leased to tool and die-type companies in the past, the stressed vegetation observed may be the result of previous spills of petroleum compounds.

To check for contamination, on November 5, 1993, Dygert Seating, Inc. authorized Weaver Boos to collect and analyze four (4) soil samples for Total Petroleum Hydrocarbons (TPH). Sample analysis results showed that none of the four samples had TPH levels above the laboratory quantitation limit (10 ppm). Additional soil and groundwater samples would have to be collected and analyzed to further characterize the site. Figure 3 shows the soil sampling locations.

4.0 SITE HISTORY AND RECORDS REVIEW

4.1 Site Ownership

We contacted the Elkhart County Township Assessor's Office and the Client concerning site ownership. The following information was obtained from their files:

Owner	Date
Northland Corp.	1969 to October, 1988
David and Phyllis Dygert	October, 1988 to Present

It must be noted that the above information is based entirely upon a cursory examination of the township records regarding the subject site and not a complete records review, which would include a chain of title. Further investigation is needed before any conclusions can be drawn about the subject site regarding past site uses.

4.2 Aerial Photography

Historical aerial photographs can aid in the identification of past activities at the site and on adjacent properties. Weaver Boos has ordered current and past aerial photographs from ERIIS. At the present time, these aerial photographs have not been received. Upon receipt and review, the client will be notified if the aerial photographs indicate past site usage indicative of environmental impairment.

4.3 Regulatory Review

Since the early 1970s, environmental agencies have been tracking the compliance of many facilities with the various laws that were promulgated to halt the pollution of the air and water. More recently, records have been maintained which document spills of hazardous materials and the locations of known waste sites or regulated waste handling facilities. The following sections describe the review of various regulatory lists.

4.3.1 U. S. Environmental Protection Agency (USEPA)

Environmental Risk Information and Imaging Services (ERIIS), headquartered in Alexandria, Virginia, was retained to provide a Federal Environmental Data (FED) Report for the adjacent Dygert Seating property located directly to the east. The report was completed on April 27, 1993, and is considered current enough for this project. The report, presented in Appendix C, is a computerized search of the federal environmental data which identifies various properties with a record of environmental activity from the files of the United States Environmental Protection Agency (USEPA). The various lists reviewed include the National Priorities List (NPL), the Facility Index System (FINDS) list, the Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) list, the Resource Conservation and Recovery Act (RCRA) list, and the Emergency Response Notification System (ERNS) list. These lists are summarized below.

4.3.1.1 National Priorities List

The National Priorities List (NPL), commonly referred to as the Superfund list, is EPA's database of uncontrolled or abandoned waste sites identified for priority remedial actions under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA). A site, to be included on the NPL, must either meet or surpass a predetermined hazardous ranking system score, be chosen as a state's top priority site, or meet all three of the following criteria: (1) the US Department of Health and Human Services issues a health advisory recommending that people be removed from the site to avoid exposure; (2) EPA determines

that the site represents a significant threat; (3) EPA determines that clean-up of the site is the most cost-effective method to alleviate the threat to human health and the environment. A search of the 1992 NPL revealed two (2) Superfund sites located within the 46507 and 46514 zip code areas. None of the sites are located on property adjacent to the subject site and none were observed to be impacting the subject site.

4.3.1.2 Facility Index System

The USEPA, through the various state regulatory agencies, maintains a listing of sites that have been reported under the various environmental programs to have compliance problems. The Facility Index System (FINDS) includes a compilation of sites which the EPA has either been actively involved in enforcement of have been made aware of the site through some other means such as state or local enforcement files and/or citizens complaints. Each individual listing includes a reference to the appropriate EPA Program Office that may have files on the site or facility.

A search of the 1992 FINDS Database revealed 131 FINDS properties located within the 46507 and 46514 zip code areas. None of the sties are located adjacent to the subject site and none were observed to be impacting the subject site.

4.3.1.3 Comprehensive Environmental Response Compensation and Liability Information System

Under the Comprehensive Environmental Response Compensation and Liability act (CERCLA), the various states were required to develop a list of sites that represent a release or threatened release of hazardous substances to the environment. The Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) is the program under which the state of Indiana has compiled this information. Based upon a preliminary ranking by the state of a listed site's potential liability, the USEPA priorities the various properties for further classification and potential inclusion on the National Priorities List (NPL or Superfund List).

A search of the 1992 CERCLIS Database revealed ten (10) sites within the 46507 and 46514 zip code areas. None of the sites are located on the property adjacent to the subject site and none were observed to be impacting the subject site.

4.3.1.4 Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) is empowered to manage hazardous waste from its point of generation to its point of disposal. This "cradle to grave" management of waste is designed to control the facilities currently involved in either the generation (generators) or treatment, storage or disposal (TSD) of wastes. A TSD facility includes active landfills, surface impoundment's, and incinerators and as such are required to meet much more restrictive standards for compliance. The RCRA Facilities database is a compilation by EPA of those facilities that have met the permitting requirements of the regulation.

A search of the recent RCRA DataBase revealed numerous RCRA sites within Elkhart County. Two sites located near the subject site are listed as RCRIS Large Quantity Generators. However, the Total Reported Waste Amounts have not been listed and neither site was observed to be impacting the subject site.

4.3.1.5 Open Dump Sites

A search of the recent Open Dump Inventory of facilities that do not comply with classification codes of Solid Waste Disposal Facilities and Practices revealed one (1) site within the one mile radius. Specific information is provided in Appendix C, however, the dump does not appear to have any impact on the subject site.

4.3.1.6 Toxic Release Inventory

The Toxic Release Inventory (TRI) contains information on the industrial release and/or transfer of toxic chemicals. A search of the TRI DataBase revealed numerous TRI sites within Elkhart County and two TRI sites within a half mile of the Dygert Seating property. However, neither were determined to impact the subject site.

4.3.1.7 Emergency Response Notification System

The Emergency Response Notification System (ERNS) is a national database of reported release of oil and hazardous substances. The database contains information from spill reports made to various federal, state and local authorities including the various state regulatory agencies, the USEPA, the US Coast Guard, the National Response Center and the Department of Transportation. Along with the reporting requirements of the various regulations, stringent investigatory and clean up requirements are placed upon the party responsible for a release. These requirements are designed to expeditiously address releases to minimize their impact.

A search of the 1987 through 1992 ERNS List revealed no (0) sites that reported spills of oil or hazardous substances in the 46507 and 46514 zip code areas.

4.3.2 State Database Information

The State Report, presented in Appendix C, includes the Underground Storage Tank (UST) Facility Information List, the Leaking UST List, and the Indiana Land Based Disposal Sites List. The listings are described and the potential impact to the subject site are addressed in the following sections.

4.3.2.1 Leaking Underground Storage Tanks (LUST) List

The Elkhart Health Department maintains an inventory of reported leaks from registered underground storage tanks (USTs) located within Elkhart County. Their files indicate that there have been no environmental concerns in the area surrounding the subject site.

4.3.2.2 Underground Storage Tank (UST) Facility Information List

A list of registered underground storage tanks with pertinent information is included in the regulatory information (See Appendix C).

4.3.2.3 Land-Based Disposal Sites

The Land-Based Disposal Site list is an inventory of all historical and currently active landfills, disposal surface impoundments, land application sites and illegal dumps within the search county. A review of this list revealed three (3) disposal sites within Elkhart County, however, none are on properties adjacent to the subject site. The nearest landfill is a half-mile from Dygert Seating, Inc., and we observed no environmental impact (See Appendix C).

5.0 CONCLUSIONS

Based on our review of regulatory files, interviews with public and private agencies and a site inspection, it is our opinion that conditions at this site do not indicate the presence of significantly environmentally detrimental conditions. Four (4) soil samples were collected in areas that appeared to have stressed vegetation. Sample analysis results showed Total Petroleum Hydrocarbon levels below the laboratory quantitation level (10 ppm) in all 4 samples.

The regulatory search revealed some facilities in the Elkhart area that are listed on several federal and state inventories for various reasons. However, because of their locations being

greater than 1/4 mile from the subject site, it is unlikely that these sites have impacted the subject site.

6.0 QUALIFICATIONS

Weaver Boos believes this study was developed in general accordance with the technical standards of practice for environmental audits at the time the study was conducted. The study was intended to establish the "due diligence" inquiry requirements needed to establish an "innocent landowner" defense, as provided for in the 1986 Superfund Amendments and Reauthorization Act (SARA), 42 USC 9601 (35). It should be noted, however, that no investigation can completely eliminate the possibility of hazardous waste and/or environmental contamination at a particular site. However, the standard of care exercised for this study was in accordance with generally accepted practices and a reasonable effort was made to ensure that the information presented in this report is materially complete and accurate.

The conclusions presented in this report are professional opinions based solely upon visual observations of the site and vicinity and our interpretation of the available historical information and comments reviewed, as described in this report. They are intended for the sole use of our Client. The scope of services performed in execution of this investigation may not be appropriate to satisfy the needs of other users, and any use or reuse of this document of the findings, conclusions, or recommendations presented herein is at the sole risk of said user. We, therefore, cannot be responsible for independent conclusions, opinions or recommendations of others based on our study. If additional information from the site is generated, it should be provided to us that we may evaluate its impact on our conclusions.